

NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,
PRESIDING OFFICER

RULES COMMITTEE

NORMA GONSALVES,
CHAIRWOMAN

1550 Franklin Avenue
Mineola, New York

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REGAL REPORTING SERVICES
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A P P E A R A N C E S:

NORMA GONSALVES
Chairwoman

RICHARD NICOLELLO
Vice Chairman

DENNIS DUNNE

HOWARD KOPEL

KEVAN ABRAHAMS
Ranking

JUDY JACOBS

CARRIE SOLAGES

MICHAEL C. PULITZER, Clerk

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2 CHAIRWOMAN GONSLAVES: Please join us in
3 the chamber for the Pledge of Allegiance.

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

6 CHAIRWOMAN GONSLAVES: We have five
7 committees meeting; I believe it's Planning,
8 Public Safety, Public Works, Finance, and Rules.
9 As is customary, we begin with the Rules
10 Committee, and we hear the contracts first.
11 Then, of course once the contracts are heard, we
12 recess so the other committees that I just
13 mentioned will present their agendas.

14 Without any further ado, Mr. Pulitzer,
15 would you please call the roll for the Rules
16 Committee.

17 CLERK PULITZER: Thank you, Madam
18 Chairwoman.

19 Legislator Carrie Solages?

20 LEGISLATOR SOLAGES: Here.

21 CLERK PULITZER: Legislator Judith
22 Jacobs?

23 LEGISLATOR JACOBS: Here.

24 CLERK PULITZER: Ranking Member Kevan
25 Abrahams?

2 LEGISLATOR ABRAHAMS: Here.

3 CLERK PULITZER: Alternate Deputy
4 Presiding Officer Howard Kopel?

5 LEGISLATOR KOPEL: Here.

6 CLERK PULITZER: Legislator Dennis
7 Dunne?

8 LEGISLATOR DUNNE: Here.

9 CLERK PULITZER: Vice Chairman Richard
10 Nicoletello?

11 LEGISLATOR NICOLELLO: Here.

12 CLERK PULITZER: Chairwoman Norma
13 Gonsalves?

14 CHAIRWOMAN GONSALVES: Present.

15 CLERK PULITZER: We have a quorum.

16 CHAIRWOMAN GONSAVLES: Thank you very
17 much.

18 The first contract to be heard is A-25, a
19 contract between the County of Nassau, acting on
20 behalf of the Nassau County Office of Emergency
21 Management and Global Security Systems, LLC.

22 Motion, please?

23 LEGISLATOR DUNNE: So moved.

24 LEGISLATOR NICOLELLO: Second.

25 CHAIRWOMAN GONSAVLES: Moved by

2 Legislator Dunne, seconded by Legislator
3 Nicoletto.

4 Would you please introduce yourselves for
5 the record.

6 MR. KANE: Good morning, Legislators.
7 My name is Jimmy Kane. I'm the deputy
8 commissioner of the Office of Emergency
9 Management. This is Robert Finio, our
10 communications specialist.

11 I'm here to discuss with you this morning
12 the Alert FM project that the Office of Emergency
13 Management is taking on as another tool in our
14 toolbox for keeping our residents in the know of
15 any incidents, disasters, preparedness issues
16 that should arise throughout the County.

17 This endeavor we're looking into has been
18 approved by our partners in the federal
19 government, the state government, with FEMA, and
20 the New York State Homeland Security. This will
21 allow us to inform our residents through FM
22 radio, any disasters, any issues, any concerns
23 that may come up that we feel that we need to get
24 out to the residents in various areas which we
25 geographically can drill down on. Also, this

2 will work with cell phones that have an FM chip
3 installed in them, so this will also give us the
4 ability to drill down again on certain areas or
5 certain residential perspectives in the south
6 shore, north shore, and so on and so forth, that
7 we should have the ability to do this.

8 This program is also 100 percent grant
9 funded. Again, this would allow us to get out
10 receivers to communities and residents that would
11 need them in our - people with functional
12 assistance needs, disabilities, things like that.
13 We could work with our partners in PSE&G,
14 Department of Health, Department of Social
15 Services to reach out to these said people to
16 start this process.

17 At this time we feel it's crucial to our
18 moving forward in the various issues that we've
19 had throughout the years in dealing with Super
20 Storm Sandy and the problems we had and the
21 potential for infrastructure concerns that we
22 have, should we have more concerns on the south
23 shore, whereas there would be any damage to our
24 infrastructure, where cell phones would not work.
25 We all know that the radio systems through our FM

2 signals were able to work during that event, and
3 we would be able to transit information out to
4 our residents.

5 Anybody have any questions?

6 CHAIRWOMAN GONSAVLES: Any questions?
7 Legislator Solages.

8 LEGISLATOR SOLAGES: Nothing.

9 CHAIRWOMAN GONSAVLES: I saw your hand
10 up. No. Minority Leader.

11 LEGISLATOR ABRAHAMS: Thank you, Madam
12 Presiding Officer. How are you, gentlemen?

13 MR. KANE: Good. How are you, sir?

14 LEGISLATOR ABRAHAMS: No one could
15 disagree with the merits. Obviously, we want to
16 be able to notify the public as quickly and as
17 responsibly as possible. I do have some
18 questions in regards to the procurement.

19 From what I'm reading from our backup,
20 only one bid was received; am I correct in saying
21 that?

22 MR. KANE: I'm going to have Rob Finio
23 to answer some of your questions, Legislator.
24 He's been the specialist working on this.

25 LEGISLATOR ABRAHAMS: Thank you so

2 much.

3 MR. FINIO: Yes, that's correct. There
4 was only one bid received.

5 LEGISLATOR ABRAHAMS: And how many
6 proposals - how many proposals or how many people
7 was the proposal sent to?

8 MR. FINIO: It was sent out publicly.
9 There is only one other company that we are aware
10 of that does this type of alerting. In speaking
11 with them, they were not prepared to deal with a
12 county of our size, so they decided not to place
13 a bid.

14 LEGISLATOR ABRAHAMS: So it went to two
15 people.

16 MR. FINIO: Essentially, yes.

17 LEGISLATOR ABRAHAMS: Are we saying for
18 the record that only two people in this region
19 can handle this or only two people that we know
20 that can handle this.

21 MR. FINIO: Two people in the country
22 not the region.

23 LEGISLATOR ABRAHAMS: Two people in the
24 country that we know of.

25 MR. FINIO: Correct.

2 LEGISLATOR ABRAHAMS: Is it possible
3 there are more people?

4 MR. FINIO: It's not impossible. We did
5 a lot of research to try and find another
6 company, that's how we came upon the one other
7 one that we did find. This is a relatively new
8 form of technology in the emergency alerting
9 world so it's not very widespread yet.

10 LEGISLATOR ABRAHAMS: Let me ask you
11 this. Since we weren't too sure on whether or
12 not there was anyone else other than these two
13 that can do it, why would we just accept one RFP
14 going out and not rebid the process?

15 MR. FINIO: This company has extensive
16 experience. They have done projects for the
17 state, the entire State of Louisiana,
18 Mississippi, Alabama, I believe. They have
19 several counties in Florida, in Texas. They have
20 a lot of experience around the nation with this
21 system.

22 We have been in contact with some of the
23 other jurisdictions that have been using this
24 system and the feedback was all very positive.

25 LEGISLATOR ABRAHAMS: I see. I see.

2 In regards to the actual procurement, in
3 terms of the selection process, were you on the
4 RFP committee that actually selected this?

5 MR. FINIO: It went out as a sealed
6 formal bid.

7 LEGISLATOR ABRAHAMS: Oh, sealed formal
8 bid. So who actually - who actually reviewed the
9 bids as they came back in, or this bid as it came
10 back in?

11 MR. FINIO: Purchasing.

12 LEGISLATOR ABRAHAMS: Purchasing.

13 MR. FINIO: Yes.

14 LEGISLATOR ABRAHAMS: Is that made up
15 of a committee?

16 MR. FINIO: I'm not sure what their
17 process is, to be honest with you.

18 LEGISLATOR ABRAHAMS: Okay. Thank you.

19 MR. FINIO: You're welcome.

20 CHAIRWOMAN GONSAVLES: Any other
21 questions from the legislators?

22 (No verbal response.)

23 Any public comment?

24 (No verbal response.)

25 There being none; all those in favor of

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2 A-25 signify by saying aye.
3 (Aye.)
4 Any opposed?
5 (No verbal response.)
6 LEGISLATOR ABRAHAMS: Abstentions,
7 Madam Presiding Officer.
8 (Abstain.)
9 CHAIRWOMAN GONSAVLES: So it's four ayes
10 and three abstentions. Okay. The item passes.
11 Thank you very much.
12 MR. KANE: Thank you. Have a nice day.
13 CHAIRWOMAN GONSAVLES: You too.
14 The next contract is E-153 -
15 MS. GOETZ: Hi. Good afternoon.
16 CHAIRWOMAN GONSAVLES: Hold on. I
17 didn't read it into the record, please.
18 MS. GOETZ: Sorry.
19 CHAIRWOMAN GONSAVLES: A resolution
20 authorizing the county executive to execute a
21 personal services agreement between the County of
22 Nassau, acting on behalf of the Nassau County
23 Attorney's Office and Wilson, Elser, Moskowitz,
24 Elderman & Dicker, LLP.
25 Motion, please?

2 LEGISLATOR DUNNE: So moved.

3 LEGISLATOR KOPEL: Second.

4 CHAIRWOMAN GONSAVLES: Moved by
5 Legislator Dunne, seconded by Legislator Kopel.
6 Samantha.

7 MS. GOETZ: Hi. I have Pablo Fernandez
8 here from the county attorney's office.

9 CHAIRWOMAN GONSAVLES: Okay. Let's go.

10 MR. FERNANDEZ: Good afternoon. This is
11 a contract amendment for the purposes of
12 retaining Wilson Elser to represent the county
13 attorney's office and various deputy county
14 attorneys with respect to the *Restivo* litigation.
15 It's a new lawsuit brought by plaintiffs against
16 the county attorney's office, the county and,
17 again, various deputy county attorneys.

18 This matter - I'm sorry. Is there a
19 question?

20 CHAIRWOMAN GONSAVLES: Hold on.
21 Legislator Nicoletto.

22 LEGISLATOR NICOLELLO: So since it's a
23 lawsuit against the county attorney's office,
24 obviously the county attorney's office cannot be
25 the attorneys on this.

2 MR. FERNANDEZ: That's correct. I was
3 going to get to that. Thank you.

4 LEGISLATOR NICOLELLO: Thank you.

5 CHAIRWOMAN GONSAVLES: Minority Leader.

6 LEGISLATOR ABRAHAMS: Am I okay to go,
7 Madam Presiding Officer?

8 CHAIRWOMAN GONSAVLES: Yes. I just
9 called on you.

10 LEGISLATOR ABRAHAMS: Dennis was
11 talking. I didn't want to cut in between.

12 I understand, obviously, as you
13 mentioned, in response to Legislator Nicoletto's
14 question that this is a lawsuit against the
15 county. I do have a question in regards to
16 compensation.

17 This body has seen contracts come before
18 us after they are agreed to and there are amounts
19 that are paid out to them before this legislature
20 has the opportunity to actually approve the
21 contract. So I guess my question is really tied
22 to - has Wilson Elser received any compensation
23 for representing the county on the *Restivo* case
24 today.

25 MR. FERNANDEZ: With respect to this

2 lawsuit? I'm not aware of. I'm not aware of
3 them receiving compensation. This suit was just
4 filed. There was an extension of time request
5 for the purposes of responding to the complaint,
6 and the litigation has not truly commenced yet,
7 so to speak.

8 LEGISLATOR ABRAHAMS: Okay. But they
9 haven't received any money on this particular
10 case but I guess there are other cases that they
11 have received money.

12 MR. FERNANDEZ: I don't know about the
13 other cases. I am only on this case. I am only
14 familiar with this *Restivo* matter.

15 LEGISLATOR ABRAHAMS: Counsel - the
16 reason - I'm sorry to be disrespectful or the
17 perception is that I'm being disrespectful.
18 Counsel was just saying to me that this is not
19 the first contract we've seen with this
20 particular law firm in regard to *Restivo*, that's
21 why we were asking the question.

22 MR. FERNANDEZ: With respect to *Restivo*,
23 there aren't - Wilson Elser has not made an
24 appearance on the *Restivo* matter.

25 LEGISLATOR ABRAHAMS: No, they haven't

2 made an appearance. But has any other contract
3 come down that has been associated with *Restivo*?

4 MR. FERNANDEZ: Not by Wilson Elser.
5 Perhaps by other firms, yes.

6 LEGISLATOR ABRAHAMS: Oh. What are
7 those other firms and how much have we spent?

8 MR. FERNANDEZ: That I don't know. This
9 is a separate lawsuit that was brought by these
10 plaintiffs against the county attorney's office
11 and various deputy county attorneys within the
12 office.

13 LEGISLATOR ABRAHAMS: I understand.

14 MR. FERNANDEZ: It's not part of the
15 *Restivo* lawsuit, so to speak.

16 LEGISLATOR ABRAHAMS: Just a quick
17 question that counsel is making me aware of.

18 In regards to the allegations in this one
19 versus in the past, how are they different? If
20 you can share that on the record, or do you think
21 we have to go into some type of executive
22 session?

23 MR. FERNANDEZ: I think I would prefer
24 that to be done in executive session.

25 LEGISLATOR ABRAHAMS: Okay.

2 MR. FERNANDEZ: If you would like to
3 discuss the actual lawsuit itself.

4 LEGISLATOR ABRAHAMS: I don't want to
5 take time away from the committee. I just asked
6 counsel if maybe you could speak to our counsel
7 directly.

8 MR. FERNANDEZ: Sure.

9 LEGISLATOR ABRAHAMS: To share that
10 information.

11 MR. FERNANDEZ: Not a problem.

12 LEGISLATOR ABRAHAMS: Thank you so
13 much.

14 MR. FERNANDEZ: Absolutely. Thank you.

15 CHAIRWOMAN GONSAVLES: Any other
16 comments from the legislators?

17 (No verbal response.)

18 Any questions?

19 (No verbal response.)

20 Any public comment?

21 (No verbal response.)

22 There being none; all those in favor of
23 E-153 signify by saying aye.

24 (Aye.)

25 Any opposed?

2 (Nay.)

3 The item passes four to three.

4 The next contract is E-154, a personal
5 services agreement between the County of Nassau
6 acting on behalf of the Nassau County Department
7 of Corrections and the Nassau Council of Black
8 Clergy Inc., t/a Unified Council of Churches.

9 Motion, please?

10 LEGISLATOR DUNNE: So moved.

11 LEGISLATOR KOPEL: Second.

12 CHAIRWOMAN GONSAVLES: Moved by
13 Legislator Dunne, seconded by Legislator Kopel.

14 MS. GOETZ: Hi. No one is available
15 today to speak. If you have any questions, I can
16 reach out to the department, or, if not, whatever
17 you need.

18 CHAIRWOMAN GONSALVES: Samantha, what
19 can you tell us? This is for the correctional
20 facility.

21 MS. GOETZ: Correct.

22 CHAIRWOMAN GONSALVES: Okay. Tell us
23 what you can share with us.

24 MS. GOETZ: I have to pull it up. Hold
25 on, please.

2 CHAIRWOMAN GONSALVES: This is to
3 provide religious services to those in the
4 institution. Go ahead.

5 MS. GOETZ: Yes. I know there are
6 several contracts, one is this Nassau County
7 Black Clergy.

8 CHAIRWOMAN GONSALVES: Right. And that
9 is what's before us.

10 MS. GOETZ: Yes, for chaplain services.

11 CHAIRWOMAN GONSALVES: Okay. And is
12 this a new contract?

13 MS. GOETZ: I believe so. But I believe
14 - can I just pull it up?

15 CHAIRWOMAN GONSALVES: Okay. Hold on.
16 Hold on. Let Samantha have a chance to answer my
17 question.

18 Minority Leader.

19 LEGISLATOR ABRAHAMS: Thank you, Madam
20 Presiding Officer. I don't have a question. I
21 understand she's trying to find the answer. I
22 want to again, just to re-emphasize, I know the
23 point has been made before, in the past, that
24 when we have contracts that are here before us, I
25 think it is imperative that we have the

2 department that is actually requesting the
3 contract to be approved to be a representative at
4 our legislative meeting.

5 CHAIRWOMAN GONSALVES: I will say to you
6 that we have asked for each department to be
7 available -

8 LEGISLATOR ABRAHAMS: I know you have.
9 I'm not saying you haven't.

10 CHAIRWOMAN GONSALVES: And since we
11 don't have that opportunity today, I'm going to
12 ask for a motion to table.

13 LEGISLATOR NICOLELLO: So moved.

14 LEGISLATOR KOPEL: Second.

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

18 All those in favor tabling E-154 signify
19 by saying aye.

20 (Aye.)

21 Any opposed?

22 (No verbal response.)

23 The item is tabled.

24 Now, if you have anything at the end of
25 the session, anyone here who can speak on it,

2 then we can move to untable it.

3 Thank you, Samantha.

4 The next item is E-156, a personal
5 services agreement between the County of Nassau,
6 acting on behalf of the Office of the County
7 Executive and Auctions International Inc.

8 Motion, please.

9 LEGISLATOR DUNNE: So moved.

10 LEGISLATOR NICOLELLO: Second.

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

14 MS. GOETZ: Unfortunately there is no
15 one here to speak on this item either.

16 CHAIRWOMAN GONSALVES: Okay. Motion to
17 table, please.

18 LEGISLATOR DUNNE: So moved.

19 LEGISLATOR KOPEL: Second.

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

22 All those in favor of tabling Item 156
23 signify by saying aye.

24 (Aye.)

25 Any opposed?

(No verbal response.)

Okay. Again, if someone is here before we adjourn then we can untable.

The next item is E-157, a personal services agreement between the County of Nassau, acting on behalf of the Nassau County Department of Traffic Safety Board and the New York Coalition for Transportation Safety, Inc.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR NICOLELLO: Second.

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

And we do have someone to speak on this item; I can see the gentleman. Samantha.

MS. GOETZ: Yes. We have Chris Mistron.

MR. MISTRON: Christopher Mistron - M-I-S-T-R-O-N, Nassau County Traffic Safety - I know you know how to spell it.

This particular item, as many of the legislators are aware, because of this current spring season, Nassau County Traffic Safety is engaged in safety programs specifically for child

2 safety seats within the community. This
3 particular program utilizes grant monies that are
4 allocated for handicapped use, and actually the
5 money comes from handicapped fines. This
6 provides me with a technician that is able to go
7 out and take care of special needs programs, as
8 well as go into the community and do special
9 needs education for safety programs from being
10 able to walk as pedestrians as well as, again,
11 for the safety seat programs.

12 CHAIRWOMAN GONSALVES: Mr. Mistron,
13 would you tell us about the funding for this
14 project?

15 MR. MISTRON: The funding comes from the
16 handicapped fines, people that are parking
17 improperly in handicapped spaces. The money has
18 been allocated by the state to be used for
19 handicapped-specific type of programs and
20 educational programs. Again, the New York
21 Coalition for Transportation Safety provides me
22 with both somebody that is able to educate on
23 handicapped issues as well as a person that
24 specializes in handicapped needs programming.

25 CHAIRWOMAN GONSALVES: All funding is

2 reimbursable?

3 MR. MISTRON: 100 percent. In fact, the
4 money actually exists.

5 CHAIRWOMAN GONSALVES: Thank you very
6 much.

7 Any questions from the legislators?
8 Legislator Jacobs.

9 LEGISLATOR JACOBS: Chris, I just wanted
10 to tell you - first place, you know how
11 successful your program is, to the point where I
12 have a lot of people in my district angry at me.
13 But let me ask you. Would this be in addition to
14 the regular child's child seat? Is this another
15 program we're beginning for children with special
16 needs?

17 MR. MISTRON: This already exists. This
18 is actually a program - this has been in
19 existence for the past five years. This is a
20 program that enhances what we are able to offer.
21 Mark Hoffhacker (phonetic), actually, who has
22 attended many of the events within the
23 legislative district to assist me, is a
24 specialist in special needs children, and as a
25 result it's an enhancement at our fitting station

2 that he provides, as well as he does home visits
3 and referrals.

4 LEGISLATOR JACOBS: I'm just thinking
5 that it's a good thing for us as legislators, in
6 all 19 districts, to let it be known. Maybe you
7 can give us a memo. There should be a way we can
8 notify people of where that station would be that
9 they would go to, especially for children with
10 special needs. I am very familiar with that, so.

11 MR. MISTRON: They come right to our
12 regular fitting station in Hicksville. We do
13 utilize the Hicksville facility.

14 LEGISLATOR JACOBS: On Cantiague Rock
15 Road?

16 MR. MISTRON: On Cantiague Rock Road.

17 LEGISLATOR JACOBS: Okay. All right.
18 Very good. Thank you. Thanks for the work you
19 do on this. I appreciate it.

20 MR. MISTRON: Thank you.

21 CHAIRWOMAN GONSALVES: Any other
22 questions or comments?

23 (No verbal response.)

24 Any public comment?

25 (No verbal response.)

2 There being none; all those in favor of
3 E-157 signify by saying aye.

4 (Aye.)

5 Any opposed?

6 (No verbal response.)

7 The item passes unanimously.

8 The next item is E-159, a personal
9 services agreement between the County of Nassau,
10 acting on behalf of the Nassau County Department
11 of Social Services and Adelphi University
12 Institute for parenting.

13 Motion, please?

14 LEGISLATOR DUNNE: So moved.

15 LEGISLATOR KOPEL: Second.

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

18 And we have?

19 MS. GOETZ: We have Paul Broderick here.

20 CHAIRWOMAN GONSALVES: Thank you very
21 much, Samantha.

22 MR. BRODERICK: Legislators, good
23 afternoon. Paul Broderick, Deputy Commissioner,
24 Department of Social Services. The item before
25 you is a 12-month contract with Adelphi

2 University Institute for parenting. They are to
3 provide basically risk assessment for mental
4 health assessments and infant mental health
5 treatment services for very young children
6 traumatized by exposure to violence and
7 maltreatment.

8 Do you have any questions?

9 CHAIRWOMAN GONSALVES: Funding for this
10 project is?

11 MR. BRODERICK: County, federal, and
12 state. 45 percent federal. 20 percent state.
13 35 percent county. Cost to the county is
14 \$24,000.

15 CHAIRWOMAN GONSALVES: Okay. I believe
16 someone had a question. Minority Leader.

17 LEGISLATOR ABRAHAMS: Thank you.

18 How are you, Mr. Broderick? I just have
19 one general question. I just wanted to confirm
20 for the record. The comptroller's approval form
21 as well as the DSS memo indicate that this is a
22 sole source contract.

23 MR. BRODERICK: That is correct.

24 LEGISLATOR ABRAHAMS: So in your
25 estimation there is only one entity that can

2 provide this service to the county?

3 MR. BRODERICK: That is correct.

4 LEGISLATOR ABRAHAMS: Thank you very
5 much.

6 CHAIRWOMAN GONSALVES: Any other
7 questions or comments?

8 (No verbal response.)

9 Any public comment?

10 (No verbal response.)

11 There being none; all those in favor of
12 E-159 signify by saying aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 The item passes unanimously.

17 Thank you, Mr. Broderick.

18 I'm going to call two contracts together
19 - U-6 and U-11.

20 U-6 is a personal services agreement
21 between the County of Nassau, acting on behalf of
22 the Traffic and Parking Violations Agency and
23 Robert Horowitz.

24 U-11 is a personal services agreement
25 between the County of Nassau, acting on behalf of

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2 the Traffic and Parking Violations Agency and
3 Richard A. Lopera.
4 Motion, please?
5 LEGISLATOR DUNNE: So moved.
6 LEGISLATOR NICOLELLO: Second.
7 CHAIRWOMAN GONSALVES: Motion by
8 Legislator Dunne, seconded by Legislator
9 Nicolello.
10 And I see the judge is before us.
11 JUDGE MARKS: John Marks, Executive
12 Director, Nassau County Traffic and Parking
13 Violations Agency.
14 This is an extension of existing
15 contracts. Both judges have been sitting at
16 Traffic and Parking Violations long before I got
17 there. I got there in 2010.
18 CHAIRWOMAN GONSALVES: Any questions of
19 the Judge?
20 (No verbal response.)
21 Any public comment?
22 (No verbal response.)
23 There being none; all those in favor of
24 U-6 and U-11 signify by saying aye.
25 (Aye.)

2 Any opposed?

3 (No verbal response.)

4 The items pass unanimously.

5 JUDGE MARKS: Thank you.

6 CHAIRWOMAN GONSALVES: Thank you, Judge.

7 The next several we are going to group
8 together, personal services agreement relating to
9 the Department of Parks and Recreation, beginning
10 with U-43, U-44, U-45, U-46, U-50, U-51, U-53, U-
11 54, U-55, U-56, U-58, U-59.

12 Motion, please?

13 LEGISLATOR DUNNE: So moved.

14 LEGISLATOR KOPEL: Second.

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

17 Okay.

18 MS. GOETZ: We have Eileen Krieb here.

19 CHAIRWOMAN GONSALVES: Thank you very
20 much.

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

23 CHAIRWOMAN GONSALVES: Eileen, could you
24 go quickly through each of these?

25 MS. KRIEB: Sure. These are all related

2 to or most of them, I should say, are all
3 entertainment for the summer for our concert
4 series mostly at Lakeside, if not there's a
5 couple of Grant. I'll just go through them
6 quickly.

7 U-43, Gathering Time, is a \$1200 contract
8 for a Crosby Stills & Nash tribute band for July
9 12 at Grant Park.

10 U-44 is Paul Gergenti. It's an oldies
11 concert at Lakeside, The Clusters. It's \$2450.

12 All of these are funded by hotel/motel.

13 The third one is U-45, Chris Yerlig.
14 He's a mime that we hire for special events at
15 OBVR. His amount shall not exceed \$7,000. It is
16 for ten days, and he gets paid hourly, between
17 now and the end of the year.

18 U-46 is Mlicata. It's Lakeside. Disco
19 Unlimited. The concert is on July 8, and it's
20 \$4,000.

21 U-50 is Barefoot Productions. This is a
22 contract that was done through an RFP. It's for
23 supplementing our own equipment for special
24 requirements of different performers. It's
25 musical instruments and audio that we don't have

2 ourselves in-house, and sometimes we have to
3 reach out to them for supplementing the request
4 of the performer.

5 U-51 is East Meadow Soccer. It was done
6 through an RFP. They provide soccer clinics to
7 our children who attend our camps at the various
8 parks during the summer. It's for \$24,900.

9 U-53 is Obvious Media. It was procured
10 through an RFP. Between now and next April is
11 the term of the contract. It's for \$10,000.
12 It's for video production services for different
13 events that the parks department holds.

14 U-54 is Mlicata, again procured through
15 an RFP. It's Michael Live Project at Lakeside on
16 July 17 for \$6,000.

17 U-55 is Plaza Productions, which brings a
18 production to Lakeside Theater. The name of it
19 is All Shook Up. It's an Elvis Presley Tribute.
20 It's a showcase of the music of Elvis. July 11.
21 It was \$5,000.

22 U-56 is CBS Radio. We partner with them
23 twice during the summer for Fresh FM in the Park.
24 We were just told that the performer is going to
25 be Lucas Graham on July 23. He is one of the top

2 ten contemporary performers.

3 U-58 was Greg Raffa. He's a promoter or
4 booking agent that was procured through an RFP
5 for \$15,000. He's procuring an oldies show for
6 August 15 from 8:00 to 10:00 at Lakeside Theater.

7 U-59 is Anthony Guadango. He is Tony
8 Dango, Manhattan Skyline, performing July 15 at
9 Lakeside. Again, it's an oldies concert for
10 \$2,050.

11 I think that's all.

12 CHAIRWOMAN GONSALVES: Eileen, funding
13 for these programs?

14 MS. KRIEB: All the funding source for
15 all of them is hotel/motel.

16 CHAIRWOMAN GONSALVES: Thank you very
17 much.

18 Any questions or comments? Legislator
19 Jacobs.

20 LEGISLATOR JACOBS: I have a couple of
21 questions. Number one, all of these say that
22 they are sole source.

23 MS. KRIEB: Not all of them. Some of
24 them have been procured through RFP.

25 LEGISLATOR JACOBS: I'm sorry.

2 MS. KRIEB: But the ones that are sole
3 source are the ones that the people themselves
4 are the show, so that's why they are sole source.

5 LEGISLATOR JACOBS: Let me ask you a
6 question. Let's go to U-51 for a minute. We
7 were just talking about this up here. It says a
8 hotel/motel grant between parks and East Meadow
9 Soccer Club. Now, is that restricted to East
10 Meadow period or is East Meadow incorporating all
11 of Eisenhower Park in this? I don't know what
12 this means.

13 MS. KRIEB: East Meadow Soccer is the
14 name of the entity, and they provide soccer
15 clinics to all of the parks that hold summer camp
16 this summer. It's not just at Eisenhower. It's
17 at Nickerson, at Wantagh. They have clinics each
18 day of the week.

19 LEGISLATOR JACOBS: It could even be
20 Cantiague or.

21 MS. KRIEB: Yes. Every location that we
22 have the summer camp at, that Nassau County
23 sponsors, they have various days that they go to
24 different locations within the parks and they
25 provide - during the day one of the programs the

2 children are provided with is a soccer clinic.

3 LEGISLATOR JACOBS: Okay. Thank you.

4 CHAIRWOMAN GONSALVES: Minority Leader.

5 LEGISLATOR ABRAHAMS: How are you, Ms.
6 Krieb?

7 MS. KRIEB: I'm good.

8 LEGISLATOR ABRAHAMS: Good. Just to
9 piggyback on Legislator Jacob's question. I
10 understand that some of these are sole source.
11 There was a letter signed by Mr. Nugent
12 identifying them as being sole source. But let
13 me just take a look.

14 U-43 is a contract for the tribute to
15 Crosby, Stills & Nash. I just wanted to make
16 sure I understand. How do you determine that
17 this is a sole source contract? Why couldn't
18 anybody provide that tribute, or any band, or any
19 musical composition provide that? And that's
20 kind of a generic question, in terms of all the
21 sole sources that were signed by Mr. Nugent. How
22 does he determine any of this stuff as sole
23 source?

24 MS. KRIEB: In the case that the
25 performer is the entity itself, that's when we

2 have considered them as sole source.

3 LEGISLATOR ABRAHAMS: What I'm asking is
4 there more than one performer that can provide
5 that kind of music? How do you come to that
6 conclusion that he is sole source?

7 MS. KRIEB: It's sole source because
8 it's the individual that we are hiring. You're
9 asking me if it is a competitive process, if
10 there are other people out there that can do
11 Crosby, Stills -

12 LEGISLATOR ABRAHAMS: How come you
13 didn't pick anybody else, yeah.

14 MS. KRIEB: These are people that we
15 have selected through advice of the promoters,
16 and they are the entity themselves that perform
17 so that's why they are sole source. We have
18 searched through other lists of talents, and
19 that's why they were selected, based on their
20 reputation and their performances and
21 recommendations from others. I have a few of
22 them here today that are the performer is the
23 sole source.

24 LEGISLATOR ABRAHAMS: It's sole source
25 because the promoter tells us this is the best

2 perform.

3 MS. KRIEB: Same with Mlicata. She is
4 Disco Unlimited. She did another event, on one
5 other contract I have today she is not the
6 entertainment. She hired the service. She
7 participated in the RFP process. So we
8 differentiated between those individuals who are
9 the sole source and they are the entity that's
10 performing versus those who are booking agents.

11 LEGISLATOR ABRAHAMS: Okay. I don't want
12 to belabor it. But to me, having the promoter
13 tell us that this is a sole source, I don't know
14 if that is the best approach. The county should
15 be making sure that there is no other entity in
16 the county that could provide disco services, not
17 taking the word of a promoter to ensure that they
18 are the only one or the best one. How do we know
19 that?

20 We're talking about trivial amounts of
21 money - \$1200, \$2450 - but every dollar matters
22 in regards to the taxpayer.

23 I just want to make sure I have a clearer
24 understanding of Mr. Nugent's letter. If you can
25 take that back to him, I would appreciate it.

2 CHAIRWOMAN GONSALVES: I just want to ask
3 a question. Tony Orlando, would he be considered
4 a sole source?

5 MS. KRIEB: Yes.

6 CHAIRWOMAN GONSALVES: Is there another
7 Tony Orlando?

8 MS. KRIEB: Tony Orlando is a sole
9 source because he works with one booking agent
10 and he tells us who his agent is that we need to
11 work with. So he created that scenario. Yes,
12 there is only one Tony Orlando. Are there other
13 people that can book him? No. Probably. He
14 only works with one agent, so that's why we have
15 that.

16 CHAIRWOMAN GONSALVES: And is he a
17 popular, popular draw when he's on the schedule?

18 MS. KRIEB: Yes. The park is crowded.
19 He still draws a big crowd.

20 CHAIRWOMAN GONSALVES: He still draws a
21 crowd, I know he does. Okay.

22 Legislator Nicoletto. I just had to
23 inject a little humor.

24 LEGISLATOR NICOLELLO: About two weeks
25 ago there was a Billy Joel tribute band that

2 played in Mineola to opening their new band
3 shell. Last week there was a different Billy
4 Joel tribute band that played in New Hyde Park
5 for one of their summer concerts. The Town of
6 North Hempstead has a Billy Joel tribute band,
7 which his different than the other two, and is
8 going to be playing in the next couple of weeks.
9 Then you have Bob Delguidice, I think, whatever
10 his name, playing at the Paramount on Saturday.
11 So you literally could have dozens of Billy Joel
12 tribute bands. I don't think it makes sense to
13 anybody that we start doing RFPs for Billy Joel
14 tribute bands or contacting each and every one of
15 them. At some point we have to have some
16 discretion on our parks officials to make these
17 types of determinations. There is management and
18 there's micromanagement, and I think we've gone
19 beyond micromanagement at this point.

20 CHAIRWOMAN GONSALVES: You may respond
21 if you wish, Minority Leader.

22 LEGISLATOR ABRAHAMS: Thank you. I
23 think I agree with everything that Mr. Nicoletto
24 said. I just think, like I said before, when you
25 do have multiple people, like he just said in his

2 remarks, that could provide a Billy Joel band
3 tribute type of entertainment, it seems like we
4 just keep going back to the same people and the
5 question becomes why are we going back to the
6 same people? This all ties into transparency and
7 making sure we are providing honest, brokered
8 services to the people of Nassau County.

9 Again, I just want to have a better
10 clarification, as we read Mr. Nugent's letter.
11 Again, I just want to have a better of
12 understanding of when he identifies in his letter
13 that these are sole source contracts, if, based
14 off the recollection that Legislator Nicoletto
15 just specified, to me those weren't. I just want
16 to make sure I understand the disconnect.

17 Thank you, Ms. Krieb.

18 CHAIRWOMAN GONSALVES: Legislator
19 Solages.

20 LEGISLATOR SOLAGES: Thank you. I don't
21 have a question on this specific question. I
22 just have a question on U-50. It says that this
23 contract is to provide on-stage musical
24 instruments and audio equipment per individual
25 performance requirements - drum kits, rises,

2 guitars. I'm not involved of that aspect of show
3 business, I guess. But is it our responsibility
4 to provide, I guess, musical instruments?
5 Shouldn't these performers come prepared? Why
6 should we be on the hook for \$15,000? I could
7 understand for audio-visual equipment. But,
8 literally, are we providing certain instruments
9 for them?

10 MS. KRIEB: It's rare. But as part of
11 the booking agent and promoter's agreement with
12 us, sometimes we are required to provide the
13 piano or some type of amplifying system that they
14 prefer. It's all part of our negotiating.

15 LEGISLATOR SOLAGES: I could understand
16 the piano; that's hard to carry around.

17 MS. KRIEB: Sometimes they require
18 certain amplification that we don't have. We
19 have a basic setup, and if we need to supplement
20 it we then go to Barefoot. This year we RFPd
21 them and they were part of a bidding process. We
22 have a list of, I don't know how many pages, of
23 different items that possibly could be on the
24 punch list. If necessary, we have them ready to
25 go.

2 LEGISLATOR SOLAGES: Okay. Thank you.

3 CHAIRWOMAN GONSALVES: Any public
4 comment? Ms. Mereday.

5 MS. MEREDAY: Mete Mereday, Baldwin, New
6 York. Okay.

7 Legislator Solages took care of one of
8 the questions that I had; still didn't really get
9 a great answer for it. But it did behoove one to
10 ask, why are we paying for somebody's equipment
11 is these are professional performers.

12 The sole sourcing issue I have a problem
13 with. Again, I'm just looking at the paperwork
14 from veteran and senior affairs where there are,
15 once again, no items being presented for
16 discussion for budgeting but we are determining
17 close to \$100,000 for park and recreation. I
18 don't know what survey anyone's been in receipt
19 of that kind of determines. I have nothing
20 against Tony Orlando in any form, the original,
21 the copies, whatever. I could really care less
22 how many Bill Joel impersonators there are. But
23 my concern continues to be that we are spending
24 money - granted, we all need entertainment - but
25 we still have veterans still out here suffering,

2 and we're putting funding into these types of
3 things. We are paying for video production
4 services. And my question is, as it pertains to
5 that, who are we videotaping this for? If they
6 are performing for live performances, why are we
7 paying for video production services? Are we
8 then selling those for maybe additional revenue
9 for the county? I don't understand.

10 We are paying for a booking agent.
11 Wouldn't the parks department consider to be the
12 booking agent for the county? So why are we
13 paying for another booking agent to do the
14 booking that we are paying the parks department
15 to do the booking for the parks and recreation
16 activities. Again, I just don't understand these
17 charges and these related fees.

18 Again, any type of contract, whether it's
19 for entertainment or construction, if you are
20 still using the same individual, it still bars
21 the introduction of other individuals. Kind of
22 that word that doesn't seem to ring regular here,
23 diversity, inclusion, outreach. What are we
24 doing to incorporate others who can participate?
25 Not to mention, everybody can't get to Eisenhower

2 Park. Everybody can't get to New Hyde Park. So
3 how are we addressing those individuals who pay
4 their taxes? Because you're taking away buses
5 from them, so they can't even get to work, let
6 alone get to these recreational services. Again,
7 if no one is looking at the fact that we continue
8 to pay all this money to these individuals who
9 clearly have connections within the county
10 somewhere - it will come out in *Newsday*. Most of
11 you can continue to be oblivious until it comes
12 out in *Newsday* and then you can't like you didn't
13 know.

14 CLERK PULITZER: Ma'am, your three
15 minutes are up.

16 MS. MEREDAY: Always. But there comes a
17 time when somebody has to become responsible.

18 You have let other people go beyond the
19 three minutes. I will be finished in a second.
20 So before you go another 20 seconds to tell me my
21 time is up, let me finish.

22 CHAIRWOMAN GONSALVES: I'm asking you to
23 wrap it up.

24 MS. MEREDAY: I will wrap it up. But
25 when it's somebody you want to hear from you have

2 no problem telling them to continue, and I've
3 been here long enough to know, to see it happen.

4 I'm just saying, you all are responsible
5 for the funding. I'm asking you again, ask the
6 questions. Ask the questions. Do the due
7 diligence. You're hiring attorneys right and
8 left. We need to stop worrying about the
9 litigation fund and start worrying about where
10 our taxpayer dollars are actually going.

11 CHAIRWOMAN GONSALVES: Thank you very
12 much, Ms. Mereday.

13 MS. MEREDAY: You're very welcome.

14 CHAIRWOMAN GONSALVES: Right now, I'd
15 like to take a vote on -

16 LEGISLATOR ABRAHAMS: I'm sorry. Madam
17 Presiding Officer?

18 CHAIRWOMAN GONSALVES: Minority Leader.

19 LEGISLATOR ABRAHAMS: Thank you, Madam
20 Presiding Officer. I just have a point of
21 clarification.

22 In fairness to Ms. Mereday, there were
23 several items called so she shouldn't be called
24 to just the three minute criteria. She was
25 speaking on many different items. In my

2 estimation, she should have three minutes for
3 each item she wanted to speak on.

4 My second question is, that feeds to our
5 questions which is really tied to Ms. Krieb. No
6 one here would say that they govern through
7 *Newsday*. However, we did see a very disturbing
8 story in *Newsday* in regard to the blue chip
9 marketing contract that was delivered, a story
10 that indicated that individuals within the parks
11 department did not believe that the work was
12 substantial or satisfactory, to their estimation,
13 and that contract still found its way to navigate
14 through the county. That is why we are asking
15 the questions today in regards to these
16 contracts. For anyone to say that we are against
17 Mr. Tony Orlando or Stuart Marcus or any of these
18 other gentlemen, we are not.

19 I think it's important that we continue
20 to ask the questions because it's also important
21 that contracts like Blue Chip Marketing find
22 their way to navigate through the county system
23 again and again.

24 So I am glad to see that these contracts
25 are coming before us. Yes, it may be perceived

2 as some type of micromanaging, but I think we
3 have to do that when we see contracts like Blue
4 Chip Marketing which were not supported by the
5 accounts that were made in *Newsday*, not being
6 supported by the staff in the parks department.

7 Thank you.

8 CHAIRWOMAN GONSALVES: All right. There
9 are several items now. I believe that the items
10 that were called were all related, and that's U-
11 43, U-44, U-45, U-46, U-50, U-51, U-53, U-54, U-
12 55, U-56, U-58, U-59. All those in favor of
13 those items that were just called signify by
14 saying aye.

15 (Aye.)

16 Any opposed?

17 (No verbal response.)

18 The items pass four to three.

19 The next item is U-48, a resolution
20 authorizing the county executive to execute a
21 personal services agreement between the County of
22 Nassau, acting on behalf of the Nassau County
23 Office of Housing and Homeless Services and
24 Leslie Francis, Esquire.

25 Motion, please?

2 LEGISLATOR DUNNE: So moved.

3 LEGISLATOR KOPEL: Second.

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

6 Okay. Who do we have?

7 MS. GOETZ: Hi. We do have Director
8 John Sarcone.

9 CHAIRWOMAN GONSALVES: He was just here
10 just a few minutes ago.

11 MS. GOETZ: Someone is getting him.

12 MR. SARCONI: How are you doing? John
13 Sarcone, Director of Housing for Nassau County.

14 CHAIRWOMAN GONSALVES: Welcome, John.

15 MR. SARCONI: Hi. The item before you
16 is our annual action plan for the Nassau County
17 Urban Consortium. It consists of three grants:
18 the Emergency Solutions Grant - I'm sorry.
19 That's the wrong item. I apologize.

20 The item in front of you is for our fair
21 hearing officer to provide assistance in
22 determining Section 8 grievances, as well as
23 legal services for the Office of Housing and
24 Community Development.

25 CHAIRWOMAN GONSALVES: Any questions or

2 comments for Mr. Sarcone? Legislator Jacobs.

3 LEGISLATOR JACOBS: Talking about
4 procurement, according to the staff summary that
5 we received, it seems the ad was placed on three
6 law-related websites.

7 MR. SARCONE: That is correct.

8 LEGISLATOR JACOBS: And only two
9 individuals responded.

10 MR. SARCONE: That is correct.

11 LEGISLATOR JACOBS: Both applicants were
12 interviewed and the contractor was selected based
13 on their knowledge. Can someone tell me from
14 housing or homeless services, or perhaps you
15 could, could you tell us the names of the
16 websites where these ads appeared?

17 MR. SARCONE: I don't have the
18 particular names of the websites, but our in-
19 house attorney was the one that was handling the
20 procurement process for that.

21 LEGISLATOR JACOBS: To say there are
22 only two, I mean, you'd hope that it had a broad
23 reach when you're going into something like fair
24 housing. I don't know. It's just the way I read
25 the backup. I don't know if this could literally

2 bring it to the point that after receiving two
3 proposals that it's enough justification to use
4 the words sole source.

5 MR. SARCONE: I understand your concern.
6 But you bring up fair housing. This was not in
7 reference to anything dealing with fair housing.
8 It was dealing with Section 8 fair hearings.

9 LEGISLATOR JACOBS: Let me ask you
10 something. I'm a little bit aware of Section 8,
11 not very, a little bit. Do we have a resume of
12 this contractor that we're agreeing to?

13 MR. SARCONE: Absolutely.

14 LEGISLATOR JACOBS: This is what I want
15 to know. Does the contractor have experience in
16 the area of landlord-tenant law, number one;
17 tenant advocacy, number two; legal aid, number
18 three; or the handling of DSS/Section 8 matters?
19 I know these are all very specific and very
20 important.

21 MR. SARCONE: I believe that is the case.
22 I would have to double check. The attorneys -

23 LEGISLATOR JACOBS: I'm wondering if we
24 could ask you for the resume. We did not see the
25 resume in our backup.

2 MR. SARCONE: That's fine.

3 LEGISLATOR JACOBS: If this person is
4 qualified that's one thing. But I know through a
5 few years of my life when I was in real estate
6 management, so many mistakes can be made here by
7 people who are not necessarily geared for this
8 particular item. I just want to make sure we're
9 dealing with someone here who really is.

10 MR. SARCONE: I will be more than happy
11 to provide you that backup information.

12 Just to quantify my answer. It doesn't
13 necessarily mean that we would have to provide an
14 attorney. The only requirements for the Section
15 8 Program is that a fair hearing officer is
16 procured. We went the extra step to ensure that
17 an attorney was litigating these hearings.

18 LEGISLATOR JACOBS: But that hearing
19 could make or break someone who is really in dire
20 straits.

21 MR. SARCONE: I can totally understand
22 your point of view. That being said, whatever
23 outcome the fair hearing officer determines,
24 based on the Section 8 Laws, I don't have to
25 abide by it. It's ultimately my decision.

2 LEGISLATOR JACOBS: Okay. All right.
3 Thank you.

4 MR. SARCONE: More times than not, I
5 would say 99 percent of the time we go with the
6 recommendation of the fair hearing officer, but
7 it's not a requirement.

8 LEGISLATOR JACOBS: All right. Thank you
9 for your answers.

10 LEGISLATOR NICOLELLO: Motion to table.

11 CHAIRWOMAN GONSALVES: Motion to table
12 by Legislator Nicolello.

13 LEGISLATOR KOPEL: Second.

14 CHAIRWOMAN GONSALVES: Seconded by
15 Legislator Kopel.

16 All those in favor signify by saying aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 Mr. Sarcone, I think there was a request
21 for some additional information, if you can get
22 that to us before we adjourn for the day, perhaps
23 we can untable the item.

24 MR. SARCONE: Just to be clear on the
25 request. The resume is the only thing that would

2 be required?

3 CHAIRWOMAN GONSALVES: Go ahead, Judy.

4 LEGISLATOR JACOBS: I would say the
5 resume - I would like to know the resume, the
6 names of the websites, and also the experience
7 that she - it is a she, right - I'm sorry. The
8 experience that this person has in this field.

9 MR. SARCONE: Okay.

10 LEGISLATOR JACOBS: Okay.

11 MR. SARCONE: No problem.

12 LEGISLATOR JACOBS: Thank you.

13 MR. SARCONE: Yeah, sure.

14 CHAIRWOMAN GONSALVES: Thank you very
15 much, Mr. Sarcone.

16 The next item is U-49, a personal
17 services agreement between the County of Nassau,
18 acting on behalf of the Nassau County attorney's
19 office and Sobel Law Group, LLC.

20 Motion, please?

21 LEGISLATOR DUNNE: So moved.

22 LEGISLATOR NICOLELLO: Second.

23 CHAIRWOMAN GONSALVES: Motion by
24 Legislator Dunne, seconded by Legislator
25 Nicolello.

2 And?

3 MS. GOETZ: Hi. We have Chief Deputy
4 County Attorney Lisa Locurto.

5 MS. LOCURTO: Good afternoon,
6 Legislators. This contract is a renewal for one
7 year. This renewal will also increase the
8 maximum amount of the contract by \$24,900. The
9 county attorney's office - I'm sorry. I lost my
10 train of thought.

11 Are there any questions on this contract/

12 CHAIRWOMAN GONSALVES: Any questions
13 from the legislators on this contract? We are
14 talking about U-49.

15 (No verbal response.)

16 No questions or comments?

17 (No verbal response.)

18 Any public comment?

19 Ms. Mereday. Fine. Let's go.

20 MS. MEREDAY: Just in terms of the -
21 okay, for renewing this for one year and
22 increasing the maximum amount, because I believe
23 that 24,000 was below the \$25,000 cap in terms of
24 these contracts. I'm just curious as to what are
25 the services that are being provided or what was

2 being provided and why is there a need for the
3 increase? Just trying to see if there is, you
4 know, if we are getting value for the money. I'm
5 just asking.

6 LEGISLATOR SOLAGES: I have a question.

7 CHAIRWOMAN GONSALVES: Legislator
8 Solages.

9 LEGISLATOR SOLAGES: Thank you,
10 Presiding Officer. Isn't the total for this
11 contract so far \$49,800? Shouldn't this be an E
12 contract? It should be an E contract because it
13 exceeds \$25,000. Can anyone answer that
14 question? I'm trying to understand the U versus
15 the E. Shouldn't this be an E contract? Can you
16 explain the scope?

17 CHAIRWOMAN GONSALVES: I don't mean to
18 interrupt you.

19 MS. LOCURTO: I can answer that
20 question.

21 CHAIRWOMAN GONSALVES: Who assigns these
22 contracts?

23 MS. LOCURTO: Who does the designation?

24 CHAIRWOMAN GONSALVES: Yes.

25 MS. LOCURTO: I know the county

2 attorney's office does not. I believe it's the
3 administration.

4 CHAIRWOMAN GONSALVES: Samantha are you
5 here? I hate to do this to do this to you, but
6 I'm going to ask you. Is that the case? Since
7 the question was raised, I would like to make
8 sure that - you know what? Supposedly - we will
9 find the answer to that question.

10 LEGISLATOR SOLAGES: Thank you very
11 much, Presiding Officer.

12 MS. LOCURTO: I think there were
13 questions on the scope. The services that are
14 being provided are for legal services, and the
15 county attorney's office has assigned a specific
16 case to the counsel, that is the reason for the
17 increase of the services, the increase in the
18 amount of funding, I'm sorry.

19 CHAIRWOMAN GONSALVES: Okay. There
20 being no other questions, no other comments; all
21 those -

22 LEGISLATOR SOLAGES: Is this a
23 continuation of the same person?

24 CHAIRWOMAN GONSALVES: I believe that's
25 where we are at.

2 MS. LOCURTO: I'm sorry?

3 LEGISLATOR SOLAGES: Is this a
4 continuation of the same person?

5 MS. LOCURTO: It's an amendment. Yes.

6 LEGISLATOR SOLAGES: In terms of an
7 update on the case, if you could please provide
8 that.

9 MS. LOCURTO: An update on -

10 LEGISLATOR SOLAGES: This case, yes.

11 MS. LOCURTO: This is a new case that's
12 being assigned to them.

13 LEGISLATOR SOLAGES: Then why is it an
14 extension?

15 MS. LOCURTO: It's an amendment to an
16 existing contract. The work that was done under
17 the first contract is concluded and now a new
18 case is being assigned. So we are renewing the
19 contract for an additional year. Because a new
20 case is being assigned, additional funding is
21 being added to the contract to cover -

22 LEGISLATOR SOLAGES: This is where I'm
23 confused. Why can't we have a new contract? If
24 there is a new scope to the case then -

25 MS. LOCURTO: Because the contract - the

2 original contract was for - they were a qualified
3 firm to provide certain legal services. The
4 contract, they were given a prior assignment.
5 The assignment was concluded. Now we're giving
6 them a new assignment to do the work on this new
7 assignment.

8 LEGISLATOR SOLAGES: Once the person who
9 receives the contract, or the company, or the
10 firm receives a contract, I guess their foot is
11 in the door, so to speak, and we could just keep
12 on piling their legal fee.

13 MS. LOCURTO: The firm is on our
14 qualified panel. If we have a need for the legal
15 services, then because we may need to send in
16 counsel immediately, we like to have the firm
17 available. In the first instance, the firm was
18 available to provide legal services. We have
19 need for new legal services to be provided to
20 represent the county, so that's why the contract
21 is being extended, renewed for another year, and
22 we are adding additional funding to cover the
23 legal services that are going to be provided
24 during that year term.

25 LEGISLATOR SOLAGES: I just want to make

2 sure that we're not provided a carte blanche to
3 these firms, to just say there's a new scope, you
4 know, the work is expanding, we need now an
5 extension or an amendment. I just want to make
6 sure -

7 MS. LOCURTO: I don't believe that's the
8 case here. Every contract that exceeds \$1,000
9 must come back to the legislature. The county
10 attorney's office cannot assign cases or add
11 additional funding to contracts unless we come
12 back to the Nassau County Legislature for your
13 approval. So I don't believe that your concern
14 is necessary in this instance.

15 LEGISLATOR SOLAGES: When do you start
16 the practice of amending these proposals so that
17 the scope could go beyond what we initially
18 anticipated?

19 MS. LOCURTO: Any time the scope of
20 services in legal services contract is changed
21 from what the original approval is it must come
22 back to the Nassau County Legislature for
23 approval. The legislature, if the contract is
24 more than one year or the scope of the services
25 changed, Nassau County Legislature approves that

change.

LEGISLATOR SOLAGES: But wouldn't it be fair to say that goes beyond the original RFQ?

MS. LOCURTO: No. The RFQ is a request for qualifications for legal services. Each firm submits their qualifications to be on a panel so that in the event the county attorney's office is either conflicted out of representing a county employee or the county itself who, for whatever reason, the firm is available, they are qualified in a specific area of law to provide that service. If there is a complexity to the litigation that requires a certain expertise that deputy county attorneys do not have within the scope of their normal civil litigation knowledge, then we have a qualified panel of counsel that the county can refer to to engage and assist us. If the complexity is beyond because of the scope, there are multiple defendants, it's a multi-party litigation, and so forth, that's the purpose of having qualified counsel.

All terms - just the qualification of the counsel still is subject to a contract, to the compensation, the services, and the scope of

2 services that they're going to provide.

3 LEGISLATOR SOLAGES: Thank you.

4 CHAIRWOMAN GONSALVES: All those in
5 favor of U-49 signify by saying aye.

6 (Aye.)

7 Any opposed?

8 (Nay.)

9 The item passes four to three.

10 Moving on to Item U-52, a personal
11 services agreement between the County of Nassau,
12 acting on behalf of the Nassau County Department
13 of Traffic Safety Board and the New York
14 Coalition for Transportation Safety, Inc.

15 LEGISLATOR DUNNE: So moved.

16 LEGISLATOR NICOLELLO: Second.

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

20 And?

21 MS. GOETZ: We have Christopher Mistron.

22 MR. MISTRON: Good afternoon, again. As
23 part of our annual safety plan submitted to the
24 Department of Motor Vehicles, we end up, part of
25 it, putting aside money for assistance. Again,

2 non-county monies, grant monies are provided to
3 get assistance with education within the schools
4 for everything from the bicycle safety programs,
5 as well as some assistance with the bookings and
6 the other educational programs that traffic
7 safety does. As a matter of fact, many of the
8 legislators have utilized the services bike
9 rodeos, as well as some of our pedestrian safety
10 programs. So that is the use for the money with
11 the New York Transportation.

12 CHAIRWOMAN GONSALVES: Any questions of
13 Mr. Mistrion?

14 (No verbal response.)

15 There being none; any public comment?

16 (No verbal response.)

17 There being none; all those in favor of
18 U-52 signify by saying aye.

19 (Aye.)

20 Any opposed?

21 (No verbal response.)

22 The item passes unanimously.

23 I'm going to have to ask at this point -
24 I believe the contracts on the regular agenda
25 have been addressed.

U-57, a personal services agreement between the County of Nassau, acting on behalf of the Nassau County Medical Examiner and Richard Serchuk, D.D.S.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR NICOLELLO: Second.

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

MS. GOETZ: We have Kim Tempesta, Deputy Medical Examiner for Administration.

CHAIRWOMAN GONSALVES: Welcome.

MS. TEMPESTA: Good afternoon, Legislators. The item you have before you is for a personal services contract for a forensic otologist. From time to time the medical examiner's office does require the needs of a forensic otologist to make proper body ID and to assure that there is timely release of the decedent. And this is for a one-year personal service contract, up to three year renewals.

CHAIRWOMAN GONSALVES: Legislator Nicolello.

2 LEGISLATOR NICOLELLO: My only question
3 is is this enough money to cover for a full year,
4 \$1600?

5 MS. TEMPESTA: Yes. We have rare need
6 of them. But when we do it's at a moment's
7 notice. We had three - one retired, one is
8 considering retiring. He is willing and able to
9 come. He's in our catchment area.

10 LEGISLATOR NICOLELLO: Thank you.

11 MS. TEMPESTA: Our latent prints does a
12 very good job, actually, in identifying for us.

13 CHAIRWOMAN GONSALVES: Any public
14 comment?

15 (No verbal response.)

16 There being none; all those in favor of
17 U-57 signify by saying aye.

18 (Aye.)

19 Any opposed?

20 (No verbal response.)

21 The item passes unanimously.

22 MS. TEMPESTA: Thank you.

23 CHAIRWOMAN GONSALVES: Thank you.

24 I need a motion to suspend the rules
25 because I have a contract on the addendum.

2 LEGISLATOR DUNNE: So moved.

3 LEGISLATOR NICOLELLO: Second.

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

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

9 (Aye.)

10 Any opposed?

11 (No verbal response.)

12 The rules are suspended.

13 Now for the last item on the contracts.
14 E-102, a personal services agreement between the
15 County of Nassau, acting on behalf of the Nassau
16 County Department of Health, and Renee K. Barsa.

17 LEGISLATOR DUNNE: So moved.

18 LEGISLATOR KOPEL: Second.

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

21 MS. GOETZ: We have Mary Ellen Laurain.

22 MS. LAURAIN: Good afternoon. Mary
23 Ellen Laurain, Department of Health.

24 Item E-102-16 is a renewal to a contract
25 with Renee Barsa. The maximum amount is \$10,000,

2 but we're currently encumbering \$975. This
3 contract provides public health emergency
4 preparedness training to our medical reserve
5 corps. It is 100 percent funded, federally
6 funded. We are required to have a medical
7 reserve corps. They volunteer for us in
8 emergencies and we must provide them training.

9 CHAIRWOMAN GONSALVES: Any questions or
10 comments for Ms. Laurain?

11 (No verbal response.)

12 Any public comment?

13 (No verbal response.)

14 There being none; all those in favor of
15 E-102 signify by saying aye.

16 (Aye.)

17 Any opposed?

18 (Nay.)

19 Okay. The item passes four to three.

20 At this point in time I'm going to recess
21 the Rules Committee so that the next committee
22 can meet, which I believe is Public Safety.

23 The items that were tabled, if the
24 information can get to us before we adjourn for
25 the day, it would be nice so that we can untable

2 them.

3 (Whereupon, the Rules Committee recessed
4 at 2:18 p.m.)

5 (Whereupon, the Rules Committee
6 reconvened at 5:39 p.m.)

7 CHAIRWOMAN GONSALVES: Rules is now back
8 in session.

9 As is customary, we do the consent items,
10 and I ask that the testimony from the previous
11 committees be incorporated into the testimony of
12 the Rules Committee. I'm going to begin with the
13 consent items.

14 231, 233, 234, 235, 236, 237, 241, 240,
15 242, 243, 244, 245, 246, 247, 248, 249, 250, 251,
16 252, 255, 256, 257.

17 Motion, please?

18 LEGISLATOR KOPEL: So moved.

19 LEGISLATOR DUNNE: Second.

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

22 Again, I repeat that the testimony from
23 the previous committees be incorporated into the
24 Rules Committee.

25 (Whereupon, the following is the minutes

1 Rules Committee - 6-27-16 69
2 of the June 27, 2016, Health Committee meeting
3 pertaining to Clerk Items 231, 243, 244, 245,
4 246, 249, and 250-16.)
5 CHAIRWOMAN WALKER: We have one item on the
6 original agenda, which is Clerk Item 231-16, an
7 ordinance supplemental to the annual
8 appropriation ordinance in connection with the
9 Department of Social Services.
10 May I have a motion, please?
11 LEGISLATOR KOPEL: So moved.
12 LEGISLATOR KENNEDY: Second.
13 CHAIRWOMAN WALKER: Motion by Legislator
14 Kopel, seconded by Legislator Kennedy.
15 We have Mr. Paul Broderick here.
16 MR. BRODERICK: Legislators, good
17 afternoon. Paul Broderick, Deputy Commissioner,
18 Department of Social Services.
19 The item before you is a supplemental
20 appropriation for \$41,400 to finance a local re-
21 entry task force called STEERS Program. Do you
22 have any questions?
23 CHAIRWOMAN WALKER: Any questions by the
24 legislators? Legislator Bynoe.
25 LEGISLATOR BYNOE: Hi, Paul. How are

2 you?

3 MR. BRODERICK: Good afternoon.

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

8 MR. BRODERICK: Absolutely. The STEERS
9 re-entry is basically reintroducing individuals
10 that are currently incarcerated back into the
11 community. It is a program which is run by DOCS,
12 correctional services. When people are
13 incarcerated they are selected for the program
14 and they work with individuals down here in the
15 county to seek employment and reintroduce them
16 back into the community, basically casework to
17 help them integrate back and, I guess, mend their
18 ways.

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

21 MR. BRODERICK: Actually, right now
22 there are funds in outside contract with FCA, and
23 they work in collaboration with the Department of
24 Social Services and New York State Parole.

25 LEGISLATOR BYNOE: Sorry. This amount

2 has been reduced from previous?

3 MR. BRODERICK: Actually, it's extending
4 the contract. New York State Corrections, they
5 are the ones who oversee the funding of this.
6 They are re-RFPing this contract. It was ending
7 July 1. They are re-RFPing, New York State is.
8 And I believe this for a period of July, August,
9 and September, and they are looking to re-
10 solicit. Really, it's an extension of the
11 contract.

12 LEGISLATOR BYNOE: Have we been able to
13 isolate some data that could tell us whether we
14 are actually achieving our projections or?

15 MR. BRODERICK: We have data. I don't
16 have anything with me unfortunately. But we have
17 different targets that we have to achieve for New
18 York State which we can, by all means, share with
19 you.

20 LEGISLATOR BYNOE: And does this include
21 going into the community at all and meeting the
22 folks where they reside?

23 MR. BRODERICK: That might be more on
24 the parole side, as opposed to more, you know,
25 find suitable housing, suitable employment. It's

2 really primarily employment, to try to get people
3 working in a meaningful manner.

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

10 MR. BRODERICK: It does. However, I
11 mentioned earlier that they select the
12 individuals. This is a subset of the population
13 who are being reintroduced to their
14 neighborhoods. Not everyone fits in this
15 program. There is only so much volume that they
16 can manage to do case management for.

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

20 MR. BRODERICK: Let me just assure you
21 that we don't. We are told who is. But we can
22 share that with you. We can get that from the
23 funding source.

24 LEGISLATOR BYNOE: Thank you.

25 LEGISLATOR GAYLOR: Madam Chairwoman,

2 question.

3 CHAIRWOMAN WALKER: Sure.

4 LEGISLATOR GAYLOR: This grant applies
5 to drug offenders that are currently in state
6 prisons being returned to the county, is that
7 correct?

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

10 LEGISLATOR GAYLOR: My understanding is
11 it's the chemically dependent offenders that are
12 in the state prisons returning back to the county
13 that would get this outreach kind of help, I
14 guess.

15 These are state dollars we're talking
16 about, correct?

17 MR. BRODERICK: That is correct.

18 LEGISLATOR GAYLOR: Okay.

19 MR. BRODERICK: I'm not really sure of
20 their criteria, but I'm sure it captures across
21 all type of infractions.

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

25 CHAIRWOMAN WALKER: That was my

2 understanding also.

3 LEGISLATOR BYNOE: I'm sorry. I'm sure
4 it's not addressing every single person that's
5 going to be entered back into the community that
6 had a drug-related, chemically-dependent related
7 arrest. There are some other criteria they're
8 using to then identify which one of those will
9 then be assisted. So I would like to know how
10 they do that, how it's determined.

11 MR. BRODERICK: They could be chemically
12 dependent but that might not be the nature of
13 their crime. We can definitely share information
14 with you on that.

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

18 MR. BRODERICK: Absolutely.

19 CHAIRWOMAN WALKER: Thank you, Mr.
20 Broderick.

21 Any other questions or comments?

22 (No verbal response.)

23 Any public comment? Ms. Mereday.

24 MS. MEREDAY: Meta Mereday, Baldwin.

25 Again, Legislator Bynoe continues to encourage me

2 because she does ask the questions as it pertains
3 to my tax dollars. As I sit back and I'm
4 frustrated with the fact that my elected
5 officials continue to just nod heads when it
6 comes down to our money and you have these
7 questions that sit there but you just continue to
8 pass it along as if somebody else is going to be
9 responsible for it.

10 I can't see how you can fund an
11 initiative where you don't have all the
12 information presented to you - how this money is
13 actually being utilized, what is the success
14 rate? What are the benchmarks in place? The
15 determination of the participants. What is the
16 level of recidivism within that group set itself?
17 How can you just sit there and justify, well,
18 we're just going to move it forward? What will
19 it take to actually get that emphasis in place
20 that we have to stop somewhere? The bleeding has
21 to stop somewhere. We have to look at what we
22 are doing with people's money and their lives.
23 You have to stop somewhere.

24 And to have presentations - and no
25 offense to the presenters. But to have

2 presentations that are ill prepared and you're
3 still just voting for it anyway. That just
4 smacks to me of an ongoing systemic problem
5 within this body that does not seem to get any
6 relief.

7 Hearings don't do it. Criminal
8 convictions don't do it. The district attorney
9 coming here doesn't do it. You're renewing
10 contracts, extending deals. You're acting like
11 you want to do what is right by the people but
12 you are still, you know, embodying the same
13 nonsense that is costing people. The fact that
14 you have to legislate about zombie houses. You
15 have to address the issue that we have to do
16 something about re-entry.

17 Re-entry is not just about, you know,
18 helping them to mend their ways when they get out
19 and then they still don't have a job or they
20 don't have a job that gives them enough money so
21 that they can stay here. We don't provide them
22 enough resources so that they can move themselves
23 from their chemical dependency. So they repeat
24 those same bad habits, go back to those same
25 scenarios, and they look like all of us.

2 What is it going to take for you to
3 realize that this bleeding has to stop? And I
4 know my words are just bouncing in the air
5 because you got this side and you got that side.
6 But you're killing us. In the meantime, you're
7 killing us, killing us, because we're all one
8 body.

9 CLERK PULITZER: Ma'am your three
10 minutes are up.

11 CHAIRWOMAN WALKER: Any other comments?

12 (No verbal response.)

13 Any other public comments?

14 (No verbal response.)

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

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 Any abstentions?

21 (No verbal response.)

22 Then this will move on to Finance.

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

25 LEGISLATOR GAYLOR: So moved.

2 LEGISLATOR KENNEDY: Second.

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

5 All in favor of suspending the rules?

6 (Aye.)

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

9 Clerk Item 243-16, it is an ordinance
10 supplemental to the annual appropriation
11 ordinance in connection with the Department of
12 Health.

13 Clerk Item 244-16, Clerk Item 245-16,
14 Clerk Item 249-16, and 250-16 are also all
15 ordinances supplemental to the annual
16 appropriation ordinance in connection with the
17 Department of Health.

18 May I have a motion, please?

19 LEGISLATOR GAYLOR: Motion.

20 LEGISLATOR KOPEL: Second.

21 CHAIRWOMAN WALKER: Motion by Legislator
22 Gaylor, seconded by Legislator Kopel.

23 MS. GOETZ: We have Mary Ellen Laurain.

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

2 Item 243-16 is a supplemental
3 appropriation in the amount of \$54,172. This is
4 for the child and family safety grant. It's 100
5 percent funded through New York State Office of
6 Children and Family Services. This team reviews
7 all deaths of children who reside in Nassau
8 County and whose death is unexplained or
9 unexpected. This program just won a national
10 award for its Safe Sleep Program.

11 CHAIRWOMAN WALKER: Any questions by the
12 legislators for Ms. Laurain?

13 (No verbal response.)

14 Any public comment?

15 (No verbal response.)

16 Clerk Item 244-16.

17 MS. LAURAIN: Item 244-16 is a
18 supplemental appropriation in the amount of
19 \$43,145. This for our tuberculosis public health
20 campaign. This is an additional COLA award, and
21 it is funded through New York State Department of
22 Health. Total funding after this award is
23 \$566,745.

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

2 (No verbal response.)

3 Any public comment?

4 (No verbal response.)

5 Clerk Item 245-16.

6 MS. LAURAIN: Item 245-16 is a
7 supplemental appropriation in the amount of
8 \$24,720. This is for our immunization action
9 plan. It is funded through New York State
10 Department of Health. It is also an additional
11 COLA award. Total funding after the award is
12 \$324,720. This program protects the public from
13 vaccine preventable diseases.

14 CHAIRWOMAN WALKER: Any questions or
15 comments from the legislators?

16 (No verbal response.)

17 Any public comment?

18 (No verbal response.)

19 Clerk Item 249-16.

20 MS. LAURAIN: Item 249-16 is a
21 supplemental appropriation for the HIV
22 surveillance and partner notification in the
23 amount of \$283,552. This is New York State
24 Department of Health funded, and it is a mandated
25 program.

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

4 (No verbal response.)

5 Any public comment?

6 (No verbal response.)

7 Okay. Clerk Item 250-16.

8 MS. LAURAIN: Item 250-16 is a
9 supplemental appropriation in the amount of
10 \$214,775 for the childhood lead poison prevention
11 grant. This is funded through New York State
12 Department of Health and provides comprehensive
13 services to reduce the prevalence of blood lead
14 in children under age six.

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

17 (No verbal response.)

18 Any public comment?

19 (No verbal response.)

20 Clerk Items 243, 244, 245, 249, and 250-
21 16, all those in favor signify by saying aye.

22 (Aye.)

23 Any opposed?

24 Any abstentions?

25 These items will move on to the Finance

2 Committee.

3 (Whereupon, the following is the minutes
4 of the June 26, 2016, Public Safety Committee
5 pertaining to Clerk Items 235, 242, 247 and 248-
6 16.)

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

14 I have a motion by Denise Ford, seconded
15 by Rose Walker.

16 On this item, yes.

17 LIEUTENANT STEPHANOFF: Lieutenant Greg
18 Stephanoff from the police department.

19 Item 235 -

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

22 LIEUTENANT STEPHANOFF: Item 235-16 is a
23 grant from New York State for HOV lane
24 enforcement. It's for \$501,800. This is a - the
25 state supplemented just for the first six months

2 for this year. This is not a full year. This is
3 going to be a six-month grant.

4 This money is going to be used for extra
5 personnel to go out and patrol the HOV to enforce
6 the laws in relation to the HOV lanes. Also,
7 they will do auto accident, anything that comes
8 up in those HOV lanes will be enforced as well.

9 CHAIRMAN DUNNE: And this comes from the
10 state?

11 LIEUTENANT STEPHANOFF: Yes.

12 CHAIRMAN DUNNE: Fully funded. Okay.
13 Any questions by any of the legislators?

14 (No verbal response.)

15 Any public comment?

16 (No verbal response.)

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

19 (Aye.)

20 Any against?

21 (No verbal response.)

22 This passes on to Finance.

23 I'd like to have a motion to suspend the
24 rules.

25 LEGISLATOR FORD: So moved.

2 LEGISLATOR WALKER: Second.

3 CHAIRMAN DUNNE: Moved by Denise Ford,
4 seconded by Rose Walker.

5 All in favor indicate by saying aye.

6 (Aye.)

7 Any against?

8 (No verbal response.)

9 So we suspended the rules for the
10 addendum to the Public Safety Committee.

11 The first item on the addendum is 242-16,
12 an ordinance supplemental to the annual
13 appropriations ordinance in connection with the
14 Office of the County Executive.

15 LEGISLATOR WALKER: So moved.

16 LEGISLATOR MACKENZIE: Second.

17 CHAIRMAN DUNNE: Moved by Rose Walker,
18 seconded by our Vice Chairman Don MacKenzie.

19 Now, on the item itself.

20 LIEUTENANT STEPHANOFF: Good afternoon.

21 Lieutenant Greg Stephanoff again. This is a
22 grant from New York State Office of Crime Victim
23 Services. This grant is used by Patty Shay
24 (phonetic) who works under the Police Department.
25 This grant is used to assist victims in obtaining

2 needed services which cover unlimited medical
3 expenses, burial expenses, loss of earnings
4 and/or support and loss or damage to essential
5 personal property, moving expenses and storage
6 expenses.

7 This grant will fund people over 60 and
8 under 18 or who are disabled. This is a
9 reoccurring grant that she works off of to supply
10 services, much needed services to victims of
11 crimes.

12 CHAIRMAN DUNNE: Are there any questions
13 from any of the legislators? Yes. Legislator
14 Bynoe.

15 LEGISLATOR BYNOE: Good afternoon,
16 Officer.

17 LIEUTENANT STEPHANOFF: Good afternoon.

18 LEGISLATOR BYNOE: Is there a
19 requirement that the victim cooperate with police
20 in order to be able to obtain these funds?

21 LIEUTENANT STEPHANOFF: I don't believe
22 so. Patty usually goes through our reports and
23 she'll pick out - she does it kind of
24 independently from the officer at the scene. She
25 goes through our reports and she will look for

2 people that need assistance and call them and
3 offer assistance to them.

4 LEGISLATOR BYNOE: And so the only
5 eligibility requirement should be the age factors
6 and whether they were actually a victim of the
7 crime.

8 LIEUTENANT STEPHANOFF: That's correct.

9 LEGISLATOR BYNOE: No other criteria.

10 LIEUTENANT STEPHANOFF: Not that I know
11 of.

12 LEGISLATOR BYNOE: Could you verify that
13 for me?

14 LIEUTENANT STEPHANOFF: Sure. I'll call
15 her. I know how she operates. I've presented
16 this a couple of times and I've spoken to her.
17 She will actually, independent, like I said, of
18 the police on the street, she will actually call
19 the victim and make the appropriate services to
20 them if they qualify.

21 LEGISLATOR BYNOE: Okay.

22 LIEUTENANT STEPHANOFF: I haven't heard
23 anything about them being cooperative or not as
24 one of the requirements.

25 LEGISLATOR BYNOE: Okay. This is a

2 separate pool of money then. We've actually, in
3 the past, assisted some of the residents in being
4 able to connect into this type of funding. They
5 wouldn't have qualified because they weren't over
6 60, under 18, or disabled. So we went through
7 another pool of money and the requirement was
8 that they assisted the police in the
9 investigation. Sometimes people are afraid to do
10 that.

11 LIEUTENANT STEPHANOFF: Right.

12 LEGISLATOR BYNOE: Especially this
13 population of people, I think would probably be
14 even more nervous about being a part of the
15 police - sorry - court case.

16 LIEUTENANT STEPHANOFF: You sure that's
17 not - like, I know about assisting. Are you sure
18 that's not where they - sometimes they will limit
19 it if they are intentionally obstructing it,
20 where they are not cooperating, do you know what
21 I'm saying?

22 LEGISLATOR BYNOE: I don't know. I
23 would think that probably not cooperating would
24 be -

25 LIEUTENANT STEPHANOFF: Sometimes there

2 is intentional obstructing where they will not
3 cooperate period with us, unfortunately. They
4 won't even give us any basis to go on. Then
5 there are people that will assist us as far as
6 they can go.

7 LEGISLATOR BYNOE: So I don't know.

8 LIEUTENANT STEPHANOFF: I will find out.
9 I will call her.

10 LEGISLATOR BYNOE: The point is I want
11 to know whether that is ever taken into account
12 and if there is some kind of criteria for that,
13 if I could understand.

14 LIEUTENANT STEPHANOFF: Sure. I'll ask
15 her about that detail. Absolutely.

16 CHAIRMAN DUNNE: If you could get that
17 information to the chair and we will share it
18 with the whole committee.

19 LIEUTENANT STEPHANOFF: Sure.

20 CHAIRMAN DUNNE: Thank you so much.

21 Any other questions?

22 (No verbal response.)

23 Any public comment? There is public
24 comment. Ms. Mereday.

25 LEGISLATOR BYNOE: I have a question for

2 you.

3 CHAIRMAN DUNNE: Yes.

4 LEGISLATOR BYNOE: I'm sorry. Did you
5 say it has to go through the chair and then be
6 disseminated?

7 CHAIRMAN DUNNE: I'm asking to bring it
8 to the chair and then I'll give it to everybody
9 because -

10 LEGISLATOR BYNOE: You'll make sure that
11 we get it then?

12 CHAIRMAN DUNNE: Yeah. We're all
13 interested in the answer. It's a good question.

14 Ms. Mereday.

15 MS. MEREDAY: Thank you. Good
16 afternoon. Mete J. Mereday, Baldwin. Just a
17 couple of questions as it pertains to this. For
18 me, I'm always going to come up front and say
19 that I think it's definitely criminal the way we
20 are treating our veterans. I just find it
21 interesting that we have a service, kind of once
22 a crime happens, that we don't seem to provide to
23 our veterans who are being foreclosed on and put
24 out on a regular basis, but I digressed.

25 I just want to know, I guess as

2 Legislator Bynoe alluded to, first of all, how is
3 this type of information even transmitted to
4 victims? How do they know that they have these
5 types of services and what are the numbers in
6 terms of the geographic breakdown? I know
7 individuals who have been victims of crimes and
8 they have not received any of these types of
9 services. Is there just the one person? I think
10 it's admirable that we have this person doing
11 that. To think that we have millions of people,
12 1.2 million or whatever in Nassau County, and
13 there is one person making a phone call to reach
14 out to somebody who has been a victim of a crime,
15 which is already a trauma, I don't quite
16 understand how that actually functions.

17 The moving expenses, the storage
18 expenses, where exactly are we placing the
19 individuals, one, if they can't go back to their
20 homes, if we are already saying that we have a
21 housing shortage and a shelter shortage, that we
22 can't put people who are about to lose their
23 home. I don't understand how there seems to be
24 the resources available for one side of the table
25 but we don't have the resources for another side

2 of the table and we're using state funding for
3 that. I'm just curious.

4 CHAIRMAN DUNNE: Lieutenant, the crime
5 victims' services has always been a part of
6 Nassau County's government for the 43 years that
7 I've been in county government. How does the
8 victim, as Ms. Mereday said, how are they made
9 aware that the services are there for them?

10 LIEUTENANT STEPHANOFF: Ms. Shay
11 (phonetic) works under the police department and
12 has access to our reports. She goes through the
13 reports. From what I've seen, she does a good
14 job. Those reports have contact information and
15 she will reach out to the victims of the crimes.

16 CHAIRMAN DUNNE: Any other public
17 comment?

18 (No verbal response.)

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

21 (Aye.)

22 Any against?

23 It moves on to Finance.

24 The next item is -

25 LIEUTENANT STEPHANOFF: Thank you.

2 CHAIRMAN DUNNE: Thank you, Lieutenant.

3 The next item is 247-16, an ordinance
4 supplemental to the annual appropriation
5 ordinance in connection with the Medical
6 Examiner, Division of Forensic Services.

7 48 is a similar, an annual ordinance
8 supplemental to - wait a minute, let's try it
9 again - an ordinance supplemental to the annual
10 appropriation ordinance in connection with the
11 Medical Examiner, Division of Forensic Services.

12 LEGISLATOR WALKER: So moved.

13 LEGISLATOR FORD: Second.

14 CHAIRMAN DUNNE: Moved by Legislator
15 Walker, seconded by Legislator Ford.

16 And we have with us?

17 MS. DOOLING: Hi. Karen Dooling,
18 Assistant Director, Division of Forensic
19 Services.

20 You have two grants before you. 247-16
21 is our annual Age Crime Laboratories Grant. It's
22 used for overtime, equipment, and supplies for
23 the laboratory. It's a New York State Grant, no
24 match.

25 The second item is 248-16. This is a new

2 grant we've received for arson laboratory
3 improvement. It's an award of \$5,000 because we
4 are now able to do arson testing in the
5 laboratory. We've gone online with that
6 services.

7 CHAIRMAN DUNNE: Where are we with the
8 labs? Are the labs already up and running or are
9 we still waiting for it to finalize? Where are
10 we with the lab?

11 MS. DOOLING: We're online with biology,
12 DNA services. We were also online with latent
13 prints comparisons. In April we received
14 additional extension of services accreditation
15 for latent print processing, also for conducting
16 chemistry controlled substances for doing fire,
17 debris, arson. And then we can't go online with
18 fire arms analysis until we're in the new
19 laboratory and have a bigger facility.

20 CHAIRMAN DUNNE: So this is going to go
21 for equipment in our lab, overtime, and that's
22 fully state funded, that's 247. Anybody else
23 have any questions on 247?

24 (No verbal response.)

25 No public comment on that.

2 248 is for the lab improvements. It's a
3 \$5,000 new grant that we're getting. Does
4 anybody have any questions on that?

5 (No verbal response.)

6 Any public comment?

7 (No verbal response.)

8 There being none; on Items 247-16 and
9 248-16, all in favor indicate by saying aye.

10 (Aye.)

11 Any against?

12 (No verbal response.)

13 They both move on to Finance.

14 (Whereupon, the following is the minutes
15 of the June 27, 2016, Planning, Development and
16 Environment Committee pertaining to Clerk Items
17 255, 256, and 257-16.)

18 Item 255-16, 256-16, and 257-16, they all
19 read similar, and they read, as follows: A
20 resolution to authorize the release of the surety
21 bond and escrow deposit covering improvements on
22 the "Section 4 Map of Meadowbrook Pointe",
23 situated in Westbury, Town of Hempstead, County
24 of Nassau, New York. 256 and 257 are all read
25 similarly.

Motion on that is made by Legislator Walker, seconded by Legislator Rhoads.

On these items, do we have somebody to speak?

MR. KATZ: Yes. Martin Katz, Division of Planning, Department of Public Works.

Section 4 is one of three remaining sections of the Meadowbrook Pointe subdivision on your agenda today that the Nassau County Planning Commission previously recommended for release at its hearing in May 2016. These three sections represent the final sections to be released out of a total of seven sections in Meadowbrook Pointe. Just for the record, Meadowbrook Pointe consists of 700-plus townhouse condominium units located between Zeckendorf Boulevard to the north, Meadowbrook Parkway to the south and east of Merchants Concourse, in unincorporated Westbury.

They all have been duly - all remaining sections have been inspected by Nassau County DPW Chief Inspector who issued a report stating that all public improvements pertaining to the surety bond have been satisfied and comply with all

applicable county codes and standards. He recommended that the bond and escrow be released for each of the sections.

For Section 4, the applicant is requesting release of the remaining surety bond and cash escrow deposit. The remaining surety bond to be released is \$216,960.12, and the amount of cash escrow to be released is \$29,875.20. This is for remaining work that was done on grading, paving, sidewalks, storm drains, fencing, street lighting, and seeding and fertilizing. That's the one before you right now.

CHAIRMAN DUNNE: So 255-16, which is Section 4 of the map - I just want to correct my motion before. 255-16 was for Section 4. 256-16 is Section 6 map. 257-16 is Section 5 map. They were not identical. Those were the differences between them.

My question on this are we satisfied with the work that is done?

MR. KATZ: Yes. The chief inspector is satisfied. Also, these sections to be released were duly noticed at the Planning Commission's

2 May hearing surrounding residents and the
3 residents living within the subdivision.
4 Surrounding property owners were notified and we
5 didn't have anybody come out in opposition to
6 this.

7 CHAIRMAN DUNNE: So not only did people
8 not object to it in the community or say anything
9 about it, but our inspector said it was - it met
10 the required -

11 MR. KATZ: That is correct. Yes.

12 CHAIRMAN DUNNE: Any questions from any
13 of the legislators?

14 (No verbal response.)

15 Any public comment?

16 (No verbal response.)

17 There being none; all in favor of 255-16,
18 256-16, and 257-16 indicate by saying aye.

19 (Aye.)

20 Any against?

21 (No verbal response.)

22 It passes on to Rules.

23 (Whereupon, the following is the minutes
24 of the June 27, 2016, Finance Committee meeting
25 pertaining to Clerk Items 231, 233, 234, 235,

2 236, 237, 241, 240, 242, 243, 244, 245, 246, 247,
3 248, 249, 250, 251, 252, and 253-16.)

4 Item 231-2016 is an ordinance
5 supplemental to the annual appropriation
6 ordinance in connection with the Department of
7 Social Services.

8 LEGISLATOR WALKER: So moved.

9 LEGISLATOR MACKENZIE: Second.

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

12 The item is before the committee. Any
13 discussion among the legislators?

14 (No verbal response.)

15 Any public comment?

16 (No verbal response.)

17 All in favor signify by saying aye.

18 (Aye.)

19 Those opposed?

20 (No verbal response.)

21 The item carries unanimously.

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

25 CHAIRWOMAN WALKER: We have one item on

2 the original agenda, which is Clerk Item 231-16,
3 an ordinance supplemental to the annual
4 appropriation ordinance in connection with the
5 Department of Social Services.

6 May I have a motion, please?

7 LEGISLATOR KOPEL: So moved.

8 LEGISLATOR KENNEDY: Second.

9 CHAIRWOMAN WALKER: Motion by Legislator
10 Kopel, seconded by Legislator Kennedy.

11 We have Mr. Paul Broderick here.

12 MR. BRODERICK: Legislators, good
13 afternoon. Paul Broderick, Deputy Commissioner,
14 Department of Social Services.

15 The item before you is a supplemental
16 appropriation for \$41,400 to finance a local re-
17 entry task force called STEERS Program. Do you
18 have any questions?

19 CHAIRWOMAN WALKER: Any questions by the
20 legislators? Legislator Bynoe.

21 LEGISLATOR BYNOE: Hi, Paul. How are
22 you?

23 MR. BRODERICK: Good afternoon.

24 LEGISLATOR BYNOE: Could you tell me a
25 little bit more about what this re-entry task for

2 strategic plan is actually supposed to achieve
3 and who is going to be on the task force?

4 MR. BRODERICK: Absolutely. The STEERS
5 re-entry is basically reintroducing individuals
6 that are currently incarcerated back into the
7 community. It is a program which is run by DOCS,
8 correctional services. When people are
9 incarcerated they are selected for the program
10 and they work with individuals down here in the
11 county to seek employment and reintroduce them
12 back into the community, basically casework to
13 help them integrate back and, I guess, mend their
14 ways.

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

17 MR. BRODERICK: Actually, right now
18 there are funds in outside contract with FCA, and
19 they work in collaboration with the Department of
20 Social Services and New York State Parole.

21 LEGISLATOR BYNOE: Sorry. This amount
22 has been reduced from previous?

23 MR. BRODERICK: Actually, it's extending
24 the contract. New York State Corrections, they
25 are the ones who oversee the funding of this.

2 They are re-RFPing this contract. It was ending
3 July 1. They are re-RFPing, New York State is.
4 And I believe this for a period of July, August,
5 and September, and they are looking to re-
6 solicit. Really, it's an extension of the
7 contract.

8 LEGISLATOR BYNOE: Have we been able to
9 isolate some data that could tell us whether we
10 are actually achieving our projections or?

11 MR. BRODERICK: We have data. I don't
12 have anything with me unfortunately. But we have
13 different targets that we have to achieve for New
14 York State which we can, by all means, share with
15 you.

16 LEGISLATOR BYNOE: And does this include
17 going into the community at all and meeting the
18 folks where they reside?

19 MR. BRODERICK: That might be more on
20 the parole side, as opposed to more, you know,
21 find suitable housing, suitable employment. It's
22 really primarily employment, to try to get people
23 working in a meaningful manner.

24 LEGISLATOR BYNOE: Part of my concern is
25 that individuals who have been out of the jail

2 system for some time, still finding themselves
3 flounder and they're not really able to connect
4 in and find employment. I wanted to know if this
5 would help those individuals at all.

6 MR. BRODERICK: It does. However, I
7 mentioned earlier that they select the
8 individuals. This is a subset of the population
9 who are being reintroduced to their
10 neighborhoods. Not everyone fits in this
11 program. There is only so much volume that they
12 can manage to do case management for.

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

16 MR. BRODERICK: Let me just assure you
17 that we don't. We are told who is. But we can
18 share that with you. We can get that from the
19 funding source.

20 LEGISLATOR BYNOE: Thank you.

21 LEGISLATOR GAYLOR: Madam Chairwoman,
22 question.

23 CHAIRWOMAN WALKER: Sure.

24 LEGISLATOR GAYLOR: This grant applies
25 to drug offenders that are currently in state

2 prisons being returned to the county, is that
3 correct?

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

6 LEGISLATOR GAYLOR: My understanding is
7 it's the chemically dependent offenders that are
8 in the state prisons returning back to the county
9 that would get this outreach kind of help, I
10 guess.

11 These are state dollars we're talking
12 about, correct?

13 MR. BRODERICK: That is correct.

14 LEGISLATOR GAYLOR: Okay.

15 MR. BRODERICK: I'm not really sure of
16 their criteria, but I'm sure it captures across
17 all type of infractions.

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

21 CHAIRWOMAN WALKER: That was my
22 understanding also.

23 LEGISLATOR BYNOE: I'm sorry. I'm sure
24 it's not addressing every single person that's
25 going to be entered back into the community that

2 had a drug-related, chemically-dependent related
3 arrest. There are some other criteria they're
4 using to then identify which one of those will
5 then be assisted. So I would like to know how
6 they do that, how it's determined.

7 MR. BRODERICK: They could be chemically
8 dependent but that might not be the nature of
9 their crime. We can definitely share information
10 with you on that.

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

14 MR. BRODERICK: Absolutely.

15 CHAIRWOMAN WALKER: Thank you, Mr.
16 Broderick.

17 Any other questions or comments?

18 (No verbal response.)

19 Any public comment? Ms. Mereday.

20 MS. MEREDAY: Meta Mereday, Baldwin.

21 Again, Legislator Bynoe continues to encourage me
22 because she does ask the questions as it pertains
23 to my tax dollars. As I sit back and I'm
24 frustrated with the fact that my elected
25 officials continue to just nod heads when it

2 comes down to our money and you have these
3 questions that sit there but you just continue to
4 pass it along as if somebody else is going to be
5 responsible for it.

6 I can't see how you can fund an
7 initiative where you don't have all the
8 information presented to you - how this money is
9 actually being utilized, what is the success
10 rate? What are the benchmarks in place? The
11 determination of the participants. What is the
12 level of recidivism within that group set itself?
13 How can you just sit there and justify, well,
14 we're just going to move it forward? What will
15 it take to actually get that emphasis in place
16 that we have to stop somewhere? The bleeding has
17 to stop somewhere. We have to look at what we
18 are doing with people's money and their lives.
19 You have to stop somewhere.

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

2 relief.

3 Hearings don't do it. Criminal
4 convictions don't do it. The district attorney
5 coming here doesn't do it. You're renewing
6 contracts, extending deals. You're acting like
7 you want to do what is right by the people but
8 you are still, you know, embodying the same
9 nonsense that is costing people. The fact that
10 you have to legislate about zombie houses. You
11 have to address the issue that we have to do
12 something about re-entry.

13 Re-entry is not just about, you know,
14 helping them to mend their ways when they get out
15 and then they still don't have a job or they
16 don't have a job that gives them enough money so
17 that they can stay here. We don't provide them
18 enough resources so that they can move themselves
19 from their chemical dependency. So they repeat
20 those same bad habits, go back to those same
21 scenarios, and they look like all of us.

22 What is it going to take for you to
23 realize that this bleeding has to stop? And I
24 know my words are just bouncing in the air
25 because you got this side and you got that side.

2 But you're killing us. In the meantime, you're
3 killing us, killing us, because we're all one
4 body.

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

7 CHAIRWOMAN WALKER: Any other comments?
8 (No verbal response.)

9 Any other public comments?
10 (No verbal response.)

11 All those in favor of Clerk Item 231-16
12 signify by saying aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 Any abstentions?

17 (No verbal response.)

18 Then this will move on to Finance.

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

22 CHAIRMAN NICOLELLO: The next item is
23 going to be an executive session so we will hold
24 that. We are going to hold 236-16 is also
25 executive session.

2 245-16 is a resolution authorizing the
3 County of Nassau to file an application for
4 federal assistance with the U.S. Department of
5 Housing and Urban Development.

6 LEGISLATOR WALKER: So moved.

7 LEGISLATOR KOPEL: Second.

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

10 Any discussion?

11 (No verbal response.)

12 Any public comment?

13 (No verbal response.)

14 All in favor signify by saying aye.

15 (Aye.)

16 Those opposed?

17 (No verbal response.)

18 That item carries unanimously.

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

25 LEGISLATOR MACKENZIE: So moved.

2 LEGISLATOR WALKER: Second.

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

5 That item is before this committee.

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

9 (Whereupon, the following is the minutes
10 of the June 27, 2016, Public Safety Committee
11 pertaining to Clerk Item 235-16.)

12 CHAIRMAN DUNNE: The first item to come
13 before this committee is Item 235-16, a
14 resolution authorizing the signing of the New
15 York State Department of Transportation
16 supplemental grant agreement for funds to support
17 enforcement of high occupancy vehicle (HOV)
18 traffic laws on the Long Island Expressway.

19 I have a motion by Denise Ford, seconded
20 by Rose Walker.

21 On this item, yes.

22 LIEUTENANT STEPHANOFF: Lieutenant Greg
23 Stephanoff from the police department.

24 Item 235 -

25 CHAIRMAN DUNNE: The motion was by

2 Denise Ford, seconded by Rose Walker. I'm sorry.

3 LIEUTENANT STEPHANOFF: Item 235-16 is a
4 grant from New York State for HOV lane
5 enforcement. It's for \$501,800. This is a - the
6 state supplemented just for the first six months
7 for this year. This is not a full year. This is
8 going to be a six-month grant.

9 This money is going to be used for extra
10 personnel to go out and patrol the HOV to enforce
11 the laws in relation to the HOV lanes. Also,
12 they will do auto accident, anything that comes
13 up in those HOV lanes will be enforced as well.

14 CHAIRMAN DUNNE: And this comes from the
15 state?

16 LIEUTENANT STEPHANOFF: Yes.

17 CHAIRMAN DUNNE: Fully funded. Okay.
18 Any questions by any of the legislators?

19 (No verbal response.)

20 Any public comment?

21 (No verbal response.)

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

24 (Aye.)

25 Any against?

2 (No verbal response.)

3 This passes on to Finance.

4 (Whereupon, the following is the
5 continuation of the minutes of the June 27, 2016,
6 Finance Committee meeting.)

7 CHAIRMAN NICOLELLO: Any discussion on
8 this item?

9 (No verbal response.)

10 Public comment?

11 (No verbal response.)

12 All in favor signify by saying aye.

13 (Aye.)

14 It carries unanimously.

15 Item 236-16 is also an executive session
16 item so we will come back to that.

17 Item 237-16 is a resolution authorizing
18 the county executive to execute a grant agreement
19 between the County of Nassau, acting on behalf of
20 the Department of Parks, Recreation, and Museums,
21 and the African American Genealogical Society.

22 LEGISLATOR WALKER: So moved.

23 LEGISLATOR KOPEL: Second.

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

2 Any discussion?

3 (No verbal response.)

4 Public comment?

5 (No verbal response.)

6 All in favor signify by saying aye.

7 (Aye.)

8 Those opposed?

9 (No verbal response.)

10 It carries unanimously.

11 Item 241-2016 is a resolution to
12 authorize the transfer of appropriations
13 heretofore made within the budget for the year
14 2016.

15 LEGISLATOR MACKENZIE: So moved.

16 LEGISLATOR KOPEL: Second.

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

19 That item is before the committee.

20 Any discussion?

21 (No verbal response.)

22 Any public comment?

23 (No verbal response.)

24 All in favor signify by saying aye.

25 (Aye.)

2 Those opposed?

3 (No verbal response.)

4 That item carries unanimously.

5 Legislator Walker, do you want to make a
6 motion to suspend the rules?

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

9 LEGISLATOR KOPEL: Second.

10 CHAIRMAN NICOLELLO: Seconded by
11 Legislator Kopel.

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

14 (Aye.)

15 Those opposed?

16 (No verbal response.)

17 The rules are suspended.

18 We have an addendum. We have another
19 item that is going to go into executive session,
20 that's 240-16. We will call them all for
21 executive session at once.

22 Next several items - 242, 243, 244, 245,
23 246, 247, 248, 249, 250 - are all ordinances
24 supplemental to the annual appropriation
25 ordinance in connection with the Office of the

1 Rules Committee - 6-27-16 114
2 County Executive, Department of Health,
3 Department of Social Services, and the Medical
4 Examiner, Division of Forensic Services.
5 LEGISLATOR WALKER: So moved.
6 LEGISLATOR KOPEL: Second.
7 CHAIRMAN NICOLELLO: Moved by Legislator
8 Walker, seconded by Legislator Kopel.
9 Those items are before the committee.
10 Any discussion?
11 (No verbal response.)
12 Any public comment?
13 (No verbal response.)
14 All in favor signify by saying aye.
15 (Aye.)
16 Those opposed?
17 (No verbal response.)
18 Carries unanimously.
19 (The following is the minutes of the June
20 27, 2016, Health Committee pertaining to Clerk
21 Items 242, 243, 244, 245, 246, 247, 248, 249,
22 250-16.)
23 There are six items on the addendum. I first
24 need a motion to suspend the rules.
25 LEGISLATOR GAYLOR: So moved.

2 LEGISLATOR KENNEDY: Second.

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

5 All in favor of suspending the rules?

6 (Aye.)

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

9 Clerk Item 243-16, it is an ordinance
10 supplemental to the annual appropriation
11 ordinance in connection with the Department of
12 Health.

13 Clerk Item 244-16, Clerk Item 245-16,
14 Clerk Item 249-16, and 250-16 are also all
15 ordinances supplemental to the annual
16 appropriation ordinance in connection with the
17 Department of Health.

18 May I have a motion, please?

19 LEGISLATOR GAYLOR: Motion.

20 LEGISLATOR KOPEL: Second.

21 CHAIRWOMAN WALKER: Motion by Legislator
22 Gaylor, seconded by Legislator Kopel.

23 MS. GOETZ: We have Mary Ellen Laurain.

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

2 Item 243-16 is a supplemental
3 appropriation in the amount of \$54,172. This is
4 for the child and family safety grant. It's 100
5 percent funded through New York State Office of
6 Children and Family Services. This team reviews
7 all deaths of children who reside in Nassau
8 County and whose death is unexplained or
9 unexpected. This program just won a national
10 award for its Safe Sleep Program.

11 CHAIRWOMAN WALKER: Any questions by the
12 legislators for Ms. Laurain?

13 (No verbal response.)

14 Any public comment?

15 (No verbal response.)

16 Clerk Item 244-16.

17 MS. LAURAIN: Item 244-16 is a
18 supplemental appropriation in the amount of
19 \$43,145. This for our tuberculosis public health
20 campaign. This is an additional COLA award, and
21 it is funded through New York State Department of
22 Health. Total funding after this award is
23 \$566,745.

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

2 (No verbal response.)

3 Any public comment?

4 (No verbal response.)

5 Clerk Item 245-16.

6 MS. LAURAIN: Item 245-16 is a
7 supplemental appropriation in the amount of
8 \$24,720. This is for our immunization action
9 plan. It is funded through New York State
10 Department of Health. It is also an additional
11 COLA award. Total funding after the award is
12 \$324,720. This program protects the public from
13 vaccine preventable diseases.

14 CHAIRWOMAN WALKER: Any questions or
15 comments from the legislators?

16 (No verbal response.)

17 Any public comment?

18 (No verbal response.)

19 Clerk Item 249-16.

20 MS. LAURAIN: Item 249-16 is a
21 supplemental appropriation for the HIV
22 surveillance and partner notification in the
23 amount of \$283,552. This is New York State
24 Department of Health funded, and it is a mandated
25 program.

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

4 (No verbal response.)

5 Any public comment?

6 (No verbal response.)

7 Okay. Clerk Item 250-16.

8 MS. LAURAIN: Item 250-16 is a
9 supplemental appropriation in the amount of
10 \$214,775 for the childhood lead poison prevention
11 grant. This is funded through New York State
12 Department of Health and provides comprehensive
13 services to reduce the prevalence of blood lead
14 in children under age six.

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

17 (No verbal response.)

18 Any public comment?

19 (No verbal response.)

20 Clerk Items 243, 244, 245, 249, and 250-
21 16, all those in favor signify by saying aye.

22 (Aye.)

23 Any opposed?

24 Any abstentions?

25 These items will move on to the Finance

2 Committee.

3 (Whereupon, the following is the
4 continuation of the June 27, 2016, minutes of the
5 Finance Committee meeting.)

6 CHAIRMAN NICOLELLO: Items 251 and 252
7 are resolutions to authorize the transfer of
8 appropriations heretofore made within the budget
9 for the year 2016.

10 LEGISLATOR KOPEL: So moved.

11 LEGISLATOR MACKENZIE: Second.

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

14 Any discussion?

15 (No verbal response.)

16 Any public comment?

17 (No verbal response.)

18 All in favor signify by saying aye.

19 (Aye.)

20 Those opposed?

21 (No verbal response.)

22 Those items carry unanimously.

23 Item 253-2016 is a bond ordinance
24 providing for a capital expenditure to finance
25 the capital projects identified herein within the

2 County of Nassau and authorizing \$11,600,000 of
3 bonds of the County of Nassau to finance such
4 expenditure.

5 LEGISLATOR KOPEL: So moved.

6 LEGISLATOR WALKER: Second.

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

9 This is an item that obviously had much
10 debate about at the Full Legislature. It is the
11 attention of the Majority to move this along so
12 that it's in a position for the Full Legislature
13 at some point to be moved - to be passed, in
14 other words, so to expedite the process.

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

16 MR. ARNOLD: In addition to my testimony
17 from the last Full Leg? No. Just that this is
18 an important project. It's associated with the
19 county's consent order. Under our fuel storage
20 tanks, it's holding up our moving forward with
21 work that is required to be done.

22 CHAIRMAN NICOLELLO: Okay. Thanks.

23 Any questions? Legislator DeRiggi-
24 Whitton.

25 LEGISLATOR DeRIGGI-WHITTON: In our

2 prior conversation, when Legislator MacKenzie
3 brought up a project, honestly, that contract,
4 after it was awarded, was one of the ones that I
5 had an issue with. I'm afraid that some of the
6 people that were involved with the company were
7 not disclosed prior to the vote. It was later
8 determined that there were possible relations,
9 even in the comptroller's office. It's just
10 another example of -

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

14 LEGISLATOR DeRIGGI-WHITTON: You
15 mentioned the contracts when you mentioned with
16 your capital project.

17 LEGISLATOR MACKENZIE: G&M Land Moving
18 is the person who -

19 LEGISLATOR DeRIGGI-WHITTON: No. The
20 prior two contracts were awarded to someone who
21 was a possible relative to someone who worked in
22 the comptroller's office. So it's another
23 example of why we need further investigation into
24 these contracts.

25 LEGISLATOR MACKENZIE: It's not an

2 example of anything.

3 LEGISLATOR DeRIGGI-WHITTON: It
4 definitely is.

5 LEGISLATOR MACKENZIE: You shouldn't
6 make any allegations that there was any
7 impropriety there because there has never been an
8 allegation of any impropriety on those prior two
9 contracts, number one.

10 LEGISLATOR DeRIGGI-WHITTON: I don't
11 know.

12 LEGISLATOR MACKENZIE: And number two -

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

15 LEGISLATOR MACKENZIE: the contract
16 that's currently was voted upon is with a
17 completely different company. So to try to
18 associate the two is reckless.

19 If you want to make allegations about
20 people and accuse them of wrongdoing on the
21 record that's your own -

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

24 LEGISLATOR MACKENZIE: business. But
25 I'm not going to allow you to make allegations

2 about people when there were no allegations of -

3 LEGISLATOR DeRIGGI-WHITTON: There were
4 allegations of -

5 LEGISLATOR MACKENZIE: wrongdoing.

6 LEGISLATOR DeRIGGI-WHITTON: a
7 relationship between someone who worked in the
8 comptroller's office and someone who was a
9 principal in the contract, okay.

10 Do you know who the principals are at
11 this new company? Have you seen that list?
12 Because I haven't seen it yet. Do you know the
13 principals of that company that you just
14 mentioned? I haven't gotten a copy of it. So
15 we're hoping to get that.

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

18 LEGISLATOR DeRIGGI-WHITTON: I know.
19 It's a question of who the principals are of
20 that.

21 Just continuing on. I just also want to
22 mention that I don't go out of my way by sending
23 emails to elected officials in your district,
24 okay. I really don't. But speaking to a lot of
25 them was very interesting, including 22 phone

2 calls without a phone call back. So, anyway.

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

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

7 LEGISLATOR DeRIGGI-WHITTON: Ask him.
8 Ask him.

9 LEGISLATOR MACKENZIE: Number two. It's
10 absolutely untrue. I actually saw the gentleman
11 on Monday night and not a word was mentioned.
12 It's not true.

13 LEGISLATOR DeRIGGI-WHITTON: Right. But
14 you should talk to him about that.

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

17 CHAIRMAN NICOLELLO: Can we focus on
18 this item?

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

22 LEGISLATOR DeRIGGI-WHITTON: I don't
23 know why you sent all the emails into my
24 district, but I thought that was childish,
25 honestly. I have copies of them if you want

2 them. Anyway.

3 Getting back to this item. I just wanted
4 to ask you about the - the report that was made
5 regarding these tanks, was there anything in
6 there indicating that there is actual leakage?
7 I'm just curious. That the tanks are actually
8 leaking.

9 MR. ARNOLD: The tanks are not leaking
10 at this moment. We're monitoring them
11 continuously.

12 LEGISLATOR DeRIGGI-WHITTON: Okay.
13 Thank you. I appreciate it. Thank you very
14 much.

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

21 LEGISLATOR DeRIGGI-WHITTON: Thank you
22 very much.

23 CHAIRMAN NICOLELLO: Any other
24 questions?

25 (No verbal response.)

2 Any public comment?

3 (No verbal response.)

4 Hearing none; all in favor signify by
5 saying aye.

6 (Aye.)

7 Those opposed?

8 (Nay.)

9 LEGISLATOR CURRAN: I'm abstaining.

10 CHAIRMAN NICOLELLO: The item passes
11 four votes for, two votes no, and one abstention.
12 It moves on the Rules Committee.

13 (Whereupon, the following is the
14 continuation of the minutes of the June 27, 2016,
15 Rules Committee meeting.)

16 CHAIRWOMAN GONSALVES: If there are no
17 further comments, all those in favor of the items
18 I just called signify by saying aye.

19 (Aye.)

20 Any opposed?

21 (No verbal response.)

22 The items pass unanimously.

23 Now, trying to move things along. I'm
24 going to go to the two items that were tabled
25 earlier.

2 The first item that was tabled was Item
3 E-154. I need a motion to untable E-154.

4 LEGISLATOR DUNNE: So moved.

5 LEGISLATOR NICOLELLO: Second.

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

9 All those in favor of untabling Item 154,
10 which is the personal services agreement on
11 behalf of Nassau County Department of Correction
12 and the Nassau Council of Black Clergy Unified
13 Council of Churches.

14 All those in favor of untabling E-154
15 signify by saying aye.

16 (Aye.)

17 Any opposed?

18 (No verbal response.)

19 E-154 is now untabled.

20 I believe, Mr. May, you can address this
21 item that we did not address earlier.

22 MR. MAY: Yes. I apologize for that,
23 Madam Presiding Officer.

24 CHAIRWOMAN GONSALVES: That's quite
25 alright.

2 MR. MAY: This is the contract for the
3 Council of Black Churches. It is chaplaincy
4 service. I believe the denomination is
5 Evangelical Restoration Community Service. It's
6 in the - I think it's - on one of the disclosure
7 forms is the exact denomination.

8 This is a contract that we've been doing
9 routinely here at the county. I think the last
10 time we approved it was in 2013, prior to that
11 was 2011. In both instances the vote went seven-
12 nothing. This contract has been \$40,000 for as
13 far back as I could find it. This is just a
14 standard chaplaincy services contract for the
15 jail.

16 CHAIRWOMAN GONSALVES: Any questions of
17 Mr. May on this item?

18 LEGISLATOR SOLAGES: Quick question.

19 CHAIRWOMAN GONSALVES: Legislator
20 Solages.

21 LEGISLATOR SOLAGES: Thank you.
22 Commissioner May, good afternoon.

23 MR. MAY: Good afternoon. How are you?

24 LEGISLATOR SOLAGES: Well, thank you.

25 I know that we have approved contracts

2 for this same type of service, as it relates to
3 the Rockville Centre Diocese -

4 MR. MAY: Correct.

5 LEGISLATOR SOLAGES: and also as it
6 relates for those at the facility who observe the
7 Jewish faith.

8 MR. MAY: Yep.

9 LEGISLATOR SOLAGES: But I was wondering
10 if there are any contracts that have been
11 approved for those who observe the Islamic faith.
12 I'm sure there may be a -

13 MR. MAY: I believe there is. I'd have
14 to go back and take a look at the contracts. I
15 could certainly find out. I believe I've seen it
16 before, just the name of the vendor is not
17 springing to mind. But I could certainly find
18 out and get back to you.

19 LEGISLATOR SOLAGES: Thank you.

20 MR. MAY: You're welcome.

21 CHAIRWOMAN GONSALVES: No other
22 questions?

23 (No verbal response.)

24 No other comments?

25 (No verbal response.)

2 No public comment?

3 (No verbal response.)

4 All those in favor of E-154 signify by
5 saying aye.

6 (Aye.)

7 Any opposed?

8 (No verbal response.)

9 The item passes unanimously.

10 MR. MAY: Thank you.

11 CHAIRWOMAN GONSALVES: Don't go away.

12 You've got one more, unless you're not going to
13 speak on this one.

14 E-156 was also tabled. A motion to -
15 sorry. My apologies. We're not doing that one.

16 The other item that was tabled was Item
17 U-48, a personal services agreement between the
18 County of Nassau, acting on behalf of the Nassau
19 County Office of Housing and Homeless Services
20 and Leslie Francis, Esquire.

21 Motion to untable?

22 LEGISLATOR DUNNE: So moved.

23 LEGISLATOR NICOLELLO: Second.

24 CHAIRWOMAN GONSALVES: Moved by

25 Legislator Dunne, seconded by Legislator

2 Nicoletello.

3 All those in favor of untabling U-48
4 signify by saying aye.

5 (Aye.)

6 Any opposed?

7 (No verbal response.)

8 The item is untabled.

9 I believe, Mr. Sarcone, that the earlier
10 -

11 MR. SARCONE: The resume was provided.

12 CHAIRWOMAN GONSALVES: we had asked for
13 a copy of the resume -

14 MR. SARCONE: Yes, it's been provided.

15 CHAIRWOMAN GONSALVES: for Leslie
16 Francis.

17 MR. SARCONE: It's been provided.

18 CHAIRWOMAN GONSALVES: Yes. I have mine
19 in front of me. Everyone receive a copy of the
20 resume of Leslie Francis.

21 Any questions of Mr. Sarcone regarding
22 this personal services agreement?

23 (No verbal response.)

24 No questions?

25 (No verbal response.)

2 You're all satisfied? Okay. I'm not
3 going to ask for public comment because there is
4 no one here to ask it of.

5 Therefore, all those in favor of U-48
6 signify by saying aye.

7 (Aye.)

8 Any opposed?

9 (No verbal response.)

10 Four and three abstentions. It passes
11 the Rules Committee.

12 MR. SARCONI: Thank you. Good evening.

13 CHAIRWOMAN GONSALVES: We're not
14 untabling E-156. We are moving along to the
15 items that, of course, will be discussed
16 separately.

17 I'm going to start with the first one,
18 which is 217. It went through Finance. However,
19 it is a bond ordinance providing for a capital
20 expenditure to finance the capital projects
21 identified herein within the County of Nassau and
22 authorizing \$722,572 of bonds of the County of
23 Nassau to finance such expenditure pursuant to
24 the Local Finance Law of New York and the County
25 Government Law of Nassau County.

Motion, please?

LEGISLATOR KOPEL: So moved.

LEGISLATOR DUNNE: Second.

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

Any questions or comments regarding this?

(No verbal response.)

I believe there was testimony in the
Finance Committee as well, so it should be
incorporated.

(Whereupon, the following is the minutes
of the June 27, 2016, Finance Committee meeting
pertaining to Clerk Item 217-16.)

Item 217-16 is a bond ordinance providing
for a capital expenditure to finance the capital
projects identified herein within the County of
Nassau and authorizing \$722,572 of bonds of the
County to finance such expenditure.

LEGISLATOR KOPEL: So moved.

LEGISLATOR WALKER: Second.

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

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

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

3 CHAIRMAN NICOLELLO: Okay.

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

13 CHAIRMAN NICOLELLO: Is this something
14 we've done in the past?

15 MR. ARNOLD: That is correct.

16 CHAIRMAN NICOLELLO: Any other questions
17 among the legislators? Legislator DeRiggi-
18 Whitton.

19 LEGISLATOR DeRIGGI-WHITTON: I know that
20 NIFA passed a resolution on May 17 stating that
21 up to 20 million may be used for legal
22 settlements or other uses permitted by NIFA other
23 than for termination pay. It's really my opinion
24 that this type of project, we should be able to
25 find, you know, room in the 20 million to fit

2 something like this in. I guess it's more of a
3 statement then a question. I really do think
4 that we could, if we're careful, this is less
5 than, you know, less than five percent than what
6 is allotted there for this item. I hope that
7 that's what we use that funding for.

8 CHAIRMAN NICOLELLO: Just to note for
9 the record, the bond premium may be used for
10 settlements, which NIFA has indicated they will
11 not allow bonded monies to be used for
12 settlements. So to the extent that we use
13 capital projects, we use the bond premiums to pay
14 for capital projects, that money is no longer
15 available for settlement. I would note also that
16 today we have several settlements that we will be
17 considering, and each one of those settlements
18 will erode that amount of bond premium. In my
19 opinion, to spend the bond premium for that
20 purpose, for bonding purposes, which is
21 traditionally done by governments is not prudent
22 or reckless, depending on which way you want to
23 look at it.

24 Any other comments?

25 LEGISLATOR DeRIGGI-WHITTON: Just the

2 fact that NIFA approved it for that reason, I
3 think it's something that we should look into.
4 Rather than borrowing more money again, it's - it
5 was recommended by NIFA, otherwise I wouldn't be
6 saying it. I agree with NIFA.

7 LEGISLATOR MACKENZIE: So you no longer
8 have a problem with a contracting process? Is
9 your problem then with the way that these
10 contracts are being paid for? There seems to be
11 a change in position.

12 LEGISLATOR DeRIGGI-WHITTON: Not at all.
13 I just think as a thinking legislator we should
14 look at all aspects of what's going on in our
15 county. I also think we should be careful with
16 how we spend county money in letters and things
17 like that to other people's districts. I just
18 think it's totally improper.

19 CHAIRMAN NICOLELLO: Last week we were
20 considering a number of different items, bonded
21 items, some of which passed. Two of them are
22 back on the agenda this week, monies with respect
23 to the match for NICE Bus and \$11.6 million for
24 tank replacement, which is about 17 million or
25 so. It was suggested last week that we use the

2 bond premium for that. Apparently, this is an
3 unending pool of money that the democrats think
4 we can tap into.

5 As I said before, the bond premium -
6 since NIFA will not allow us to borrow for
7 settlements, to exhaust the bond premium, erode
8 the bond premium when we know we have settlements
9 coming to us would be a foolish thing to do.

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

13 CHAIRMAN NICOLELLO: Didn't we approve a
14 \$20 million settlement with, what was it, the
15 Town of Oyster Bay?

16 LEGISLATOR DeRIGGI-WHITTON: Which was
17 already from the prior amount. Remember that?
18 This is a new amount.

19 CHAIRMAN NICOLELLO: But we have used it
20 this year. Again, this is another 20 million,
21 but today we are exhausting a part of it with
22 settlements -

23 LEGISLATOR DeRIGGI-WHITTON: Right.

24 CHAIRMAN NICOLELLO: and this only half
25 way through the year. So if we exhaust all the

2 money, it's gone and you can't use it again. If
3 we have settlements, something of an emergency
4 nature at that point, we can't use it.

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

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

19 Listen. We've said it before. I don't
20 understand why you're not considering giving
21 independent clarification to an inspector
22 general. The whole purpose being, it would avoid
23 a situation like we saw with Blue Chips. If
24 someone doesn't agree with the independent, you
25 know, inspector general, that person cannot be

2 fired. And what we saw in that article just
3 exploited the fact that the employees did not
4 agree, they protested the contracts and yet it
5 still got passed. The reason why no one said
6 anything publicly or nothing else happened is
7 because they could have been afraid for their
8 jobs, possibly.

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

17 CHAIRMAN NICOLELLO: The elephant in the
18 room, from my perspective, is legislators who are
19 elected to do a job, who are here not doing that
20 job, who are slowing down and grinding to a halt
21 this county government for a political agenda.
22 So if we want to talk about elephants, let's look
23 -

24 LEGISLATOR DeRIGGI-WHITTON: In my
25 opinion, I think if you -

2 CHAIRMAN NICOLELLO: Wait. Are you
3 going to let me finish speaking, because I
4 usually let you finish speaking.

5 LEGISLATOR DeRIGGI-WHITTON: Go ahead.

6 CHAIRMAN NICOLELLO: Go ahead. Go
7 ahead. Thank you. I appreciate that.

8 Again, the elephant in the room is a
9 group of legislators who are abstaining on a vast
10 majority of contracts, who are voting no for
11 bonding, who are not doing their jobs, and who
12 are bringing this government to a grinding halt
13 for --

14 LEGISLATOR DeRIGGI-WHITTON: In my
15 opinion - are you done?

16 CHAIRMAN NICOLELLO: a political agenda.

17 LEGISLATOR DeRIGGI-WHITTON: In my
18 opinion -

19 CHAIRMAN NICOLELLO: Legislator DeRiggi-
20 Whitton.

21 LEGISLATOR DeRIGGI-WHITTON: Thank you,
22 Chairman.

23 Listen. I received a number of calls and
24 I spoke to a number of mayors about bonding for
25 different projects and they all, by the end of

2 the conversation, agreed with me that we need
3 some kind of reform, as well as 80 percent of the
4 population, according to certain surveys agree.

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

10 I'm glad that we no longer have the
11 25,000 and under contracts. I'm glad that there
12 is some type of disclosure. But the real thing
13 that we need, which is an independent inspector
14 general, I mean, you're really the obstructionist
15 because you absolutely refuse to even consider
16 it. You refuse to give any protection to the
17 person in this position. Without that, I don't
18 think that the person could function in this
19 position. So I honestly think you're the
20 obstructionist in this situation.

21 CHAIRMAN NICOLELLO: We have implemented
22 a number of reforms to the process and we have
23 implemented a number of reforms to the process
24 including the appointment of an individual who is
25 in the position of commissioner of investigation,

2 the procurement officer, lowering the threshold,
3 vendor disclosures, etcetera, etcetera, etcetera.
4 So the minority now is stopping government
5 because they want the commissioner of
6 investigations to have a contract. Now, if that
7 is a reason to stop government from working then
8 - let me say this - it's not a reason to stop
9 government from working.

10 I'm going to say this again. You can
11 have that position. You're free to do that.
12 This is simply a political attempt to keep this
13 issue alive as long as possible. And if you want
14 to stop the government from working, you're not
15 doing what the public elected you to come here
16 and do.

17 Legislator Bynoe.

18 LEGISLATOR DeRIGGI-WHITTON: I just
19 wanted to finish this. Is that okay?

20 CHAIRMAN NICOLELLO: I recognized
21 Legislator Bynoe, she has been waiting. Are you
22 ceding your time to Legislator DeRiggi-Whitton?

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

25 CHAIRMAN NICOLELLO: There isn't.

2 LEGISLATOR BYNOE: I'm allowing her to
3 go ahead, to finish her thought.

4 CHAIRMAN NICOLELLO: Right.

5 LEGISLATOR DeRIGGI-WHITTON: Those steps
6 that we've put in, which you have mentioned, I do
7 agree. Most of them came from this side as
8 recommendations. I do agree with what we've won
9 so far, but nothing we've done would have stopped
10 the Abtec or other contracts that I have a real
11 problem with.

12 The fact that the procurement officer
13 cannot subpoena is a real issue. This is all
14 things that we need to protect our taxpayers'
15 money. Honestly, I hear - and I don't know what
16 you hear from your constituents. But I'm
17 actually stopped at the bus stop with people
18 asking me what we're doing to make sure that this
19 stops and applauding the fact that we're not
20 bonding, we're not putting more money into this
21 system that we know is flawed.

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

25 CHAIRMAN NICOLELLO: By voting against

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

14 The movement of government has come to a
15 stop in many, many different ways. I could tell
16 you some issues I have had in my district is
17 getting emergency repaving done because we're
18 getting to the point where the funds that were
19 supposed to be approved for that haven't been
20 approved yet. To think that's nothing's happened
21 just shows that you don't have an understanding
22 of how government works.

23 Legislator Bynoe.

24 LEGISLATOR DeRIGGI-WHITTON: I just have
25 one last question. Rich, why is it that you have

2 - why will you not vote for someone being given
3 the guarantee of an independence so they feel
4 free to convey what information and what opinion
5 they have? I'm honestly, like, wait, I'm not
6 done.

7 I have a lot of respect for you. I think
8 you are smart, and I think that you don't like
9 what's going on either. And this is a way that
10 we can stop anything but highest criteria, which
11 our residents deserve.

12 CHAIRMAN NICOLELLO: Look. I have a lot
13 respect for you and all the members of your
14 caucus, and I think the same thing of all of you;
15 I think you are all bright individuals. I think
16 to argue over semantics, because you want an
17 inspector general and we have a commissioner of
18 investigations and you want this person to have a
19 contract so, therefore, you have to shut down the
20 government; in my opinion, that is either
21 completely irrational or it's political. One of
22 the two. So why won't you -

23 LEGISLATOR DeRIGGI-WHITTON: Can you
24 answer my question?

25 CHAIRMAN NICOLELLO: Because I don't

2 think it's necessary. It's not necessary.

3 LEGISLATOR DeRIGGI-WHITTON: Why not
4 give the person -

5 CHAIRMAN NICOLELLO: It's not necessary.

6 LEGISLATOR DeRIGGI-WHITTON: It is.

7 CHAIRMAN NICOLELLO: I'm answering your
8 question.

9 LEGISLATOR DeRIGGI-WHITTON: Look -

10 CHAIRMAN NICOLELLO: I answered your
11 question.

12 LEGISLATOR DeRIGGI-WHITTON: We say in
13 the Blue Chips article -

14 CHAIRMAN NICOLELLO: You asked me a
15 question, I answered it.

16 LEGISLATOR DeRIGGI-WHITTON: You didn't
17 answer it.

18 CHAIRMAN NICOLELLO: Why? Because I
19 didn't say yes?

20 LEGISLATOR DeRIGGI-WHITTON: Why don't
21 you feel comfortable giving someone the security
22 of a contract? Let's just go back to what
23 happened with Blue Chips. Other employees did
24 come up. Other, you know, people that are in
25 charge of different - I don't want to name anyone

2 - but different groups did come up and say that
3 they were not comfortable with this situation.
4 If we had someone that was secure in their job
5 and had a contract and did not have to worry
6 about the ramification of this situation that
7 could have been avoided. And that's \$50,000. It
8 doesn't sound like much, but that's just part of
9 it.

10 Just tell me why you don't feel
11 comfortable -

12 CHAIRMAN NICOLELLO: I told you why. I
13 don't believe after all - well, after all of the
14 reforms that we put into place, number one.
15 Number two. After surveying most of the counties
16 in the state, we have the most transparent
17 process in New York State.

18 That's real nice. We have a lot of
19 respect. We let you come up here all the time
20 and talk and nobody interrupts you. Right. But
21 we have the respect for you. We have the respect
22 for you, Ms. Mereday. We have the respect for
23 you to let you do what your rights say you are
24 able to do. But we sit here quietly. We sit
25 here quietly and listen to you. So when we're

2 having a discussion up here, you have to make let
3 out this fake cough. Obviously, it's not a two-
4 way street with you. It's obvious to us.

5 LEGISLATOR DeRIGGI-WHITTON: Let's sum
6 this up, Rich, just so I understand, Mr.
7 Nicolello.

8 CHAIRMAN NICOLELLO: I wasn't finished
9 talking, before Ms. Mereday decided she was going
10 to give that phony cough of hers, the loudest in
11 the room. I'm not insulting you. I'm just
12 asking you to have the same amount of respect for
13 us as human beings as we have for you.

14 You have the right to speak. You have
15 the right to speak. We understand that. But we
16 sit and listen to you respectfully. All right.
17 We're talking up here and you don't have the
18 respect to sit and listen to us. Yeah, you are
19 now.

20 LEGISLATOR DeRIGGI-WHITTON: Rich, just
21 to wrap this up.

22 CHAIRMAN NICOLELLO: Wait a second.
23 Let's wrap this up because I wasn't finished
24 speaking.

25 Very simply, it's completely unnecessary.

2 We have the most transparent contracting process
3 in the State of New York. We put in, in fact,
4 all these reforms. We have a commissioner of
5 investigations that's going to be doing exactly
6 what you want them to do. So to say, okay,
7 you've done all those things, we have the most
8 transparent system in the State of New York but
9 we want you to do more and we're going to shut
10 down government. That makes no sense to me.
11 It's irrational. So just for the sake of
12 principle I'm not going to agree to you.

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

17 LEGISLATOR DeRIGGI-WHITTON: So just to
18 be clear, you object to having an independent
19 inspector general with the protection -

20 CHAIRMAN NICOLELLO: This is going
21 around in a circle.

22 LEGISLATOR DeRIGGI-WHITTON: to
23 investigate - no.

24 CHAIRMAN NICOLELLO: Legislator Bynoe.

25 LEGISLATOR DeRIGGI-WHITTON: No.

2 CHAIRMAN NICOLELLO: This is going
3 around in a circle.

4 LEGISLATOR DeRIGGI-WHITTON: Just
5 explain to me one last time -

6 CHAIRMAN NICOLELLO: Legislator Bynoe,
7 you're up.

8 LEGISLATOR DeRIGGI-WHITTON: Mr.
9 Nicolello -

10 CHAIRMAN NICOLELLO: It's going around
11 in a circle.

12 LEGISLATOR DeRIGGI-WHITTON: I haven't
13 finished. So you are objecting to the idea of an
14 independent inspector general with a contract to
15 investigate public corruption?

16 CHAIRMAN NICOLELLO: I'm objecting to
17 you politically shutting down this government for
18 a political agenda.

19 LEGISLATOR DeRIGGI-WHITTON: Forget it.
20 You know what?

21 CHAIRMAN NICOLELLO: That's my
22 statement.

23 LEGISLATOR DeRIGGI-WHITTON: I've never
24 seen anything like it. But are you objecting to
25 -

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

5 LEGISLATOR DeRIGGI-WHITTON: On the
6 record you're going to object to having an
7 independent inspector with a contract to protect
8 their position -

9 CHAIRMAN NICOLELLO: We have an
10 independent inspector.

11 LEGISLATOR DeRIGGI-WHITTON: I'm not
12 finished, wait - to investigate public
13 corruption. Yes or no?

14 CHAIRMAN NICOLELLO: Yes or no?

15 LEGISLATOR DeRIGGI-WHITTON: Yes or no?

16 CHAIRMAN NICOLELLO: The answer to the
17 question is this - we have a commissioner of
18 investigations -

19 LEGISLATOR DeRIGGI-WHITTON: No. No.

20 CHAIRMAN NICOLELLO: who -

21 LEGISLATOR DeRIGGI-WHITTON: Yes or no?
22 Yes or no?

23 CHAIRMAN NICOLELLO: Wait. Wait. This
24 is not a cross examination. Are you out of your
25 mind?

2 LEGISLATOR DeRIGGI-WHITTON: No.

3 CHAIRMAN NICOLELLO: That's enough of
4 this. Legislator Bynoe, go ahead.

5 LEGISLATOR DeRIGGI-WHITTON: What is
6 that? Will we leave it blank? Is it a yes or a
7 no?

8 CHAIRMAN NICOLELLO: Do you want me to
9 tell you again? I think it's completely
10 irrational and a derogation of your public duties
11 to sit there and vote no for these public safety
12 health items for political reasons. So why do
13 you do that? Yes or no?

14 LEGISLATOR DeRIGGI-WHITTON: Because I
15 think that you're doing -

16 CHAIRMAN NICOLELLO: Why would you to do
17 something like that?

18 LEGISLATOR DeRIGGI-WHITTON: You are
19 being the obstructionist.

20 CHAIRMAN NICOLELLO: Why would you be an
21 obstructionist?

22 LEGISLATOR DeRIGGI-WHITTON: There is a
23 clear need and there is a political -

24 CHAIRMAN NICOLELLO: I'm an
25 obstructionist?

2 LEGISLATOR DeRIGGI-WHITTON: There is --
3 all of our constituents -

4 CHAIRMAN NICOLELLO: All right.

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

17 We've been embarrassed enough. So I
18 guess your answer is no.

19 CHAIRMAN NICOLELLO: I'm glad you're
20 bringing up obstructionist, because I'm assuming
21 when we get to the part of the calendar in which
22 we vote for the county match to make sure that we
23 still have buses running in this county for the
24 people who most need it - the students, the poor
25 people, that you're going to vote yes. If you

2 vote no, you are a 100 percent obstructionist.

3 LEGISLATOR DeRIGGI-WHITTON: That's
4 really not true. I believe, number one, number
5 one, I'm not ready to give more money without
6 this reassurance. All you have to do is say, you
7 know what? You're right. We've lived through
8 it. We've lived through -

9 CHAIRMAN NICOLELLO: Isn't that the
10 essence of extortion?

11 LEGISLATOR DeRIGGI-WHITTON: We've lived
12 through everything else.

13 CHAIRMAN NICOLELLO: Isn't that the
14 essence of extortion? We're not going to let you
15 run this government. We're not going to let the
16 buses roll -

17 LEGISLATOR DeRIGGI-WHITTON: Until we
18 know you're being careful.

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

23 LEGISLATOR DeRIGGI-WHITTON: I think the
24 people want this referendum, and I think that the
25 people want to see their money being accounted

2 for.

3 I don't understand how you don't agree
4 with that.

5 CHAIRMAN NICOLELLO: The people have a
6 say every two years.

7 LEGISLATOR DeRIGGI-WHITTON: I really
8 don't see how you don't agree with the fact that
9 we need this protection.

10 CHAIRMAN NICOLELLO: It boggles my mind
11 that you can't understand this very simple
12 position that we have. I don't think the issue
13 is with us. I honestly think the issue is with
14 you not understanding a very simple concept of
15 how government operates, but that's -

16 LEGISLATOR DeRIGGI-WHITTON: I don't
17 think government should operate this way, not
18 after seeing the Abtec, sitting here through the
19 Singh contract, and the VIP Splash. We've seen
20 one example after another. This is not the way
21 government should work. I think we have to fix
22 it.

23 CHAIRMAN NICOLELLO: Actually, the
24 process that this legislature has followed has -
25 you mentioned a number of different contracts.

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

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

22 Number two. I don't think any of the
23 things we put in place to this date would have
24 stopped an Abtec from being passed. Honestly,
25 like you said, we are dependent on getting the

2 correct information, but we've already seen that
3 that's not enough for us to depend on. We need
4 someone who can subpoena, and we need someone who
5 is secure enough to say what is going on before
6 the taxpayers' money is wasted.

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

9 Legislator Bynoe.

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

16 In our OMB report, the monthly report, as
17 of May 31, 2016, it stated that we're expected to
18 have a \$3.7 million surplus, and I'm suggesting
19 that we use that to pay this three-quarters of a
20 million dollars in expenses for the abatement.
21 So while I believe that we are going to be voting
22 no on issues, I do think that the administration
23 has the ability to administer government because
24 we have identified several pools of money to
25 which the administration has the ability to

2 utilize to make sure that essential services are
3 being provided.

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

22 I am in favor of us moving forward with
23 an IG. I think while we vote no, we have
24 identified several pools of money that is
25 available to this administration, and I think the

2 administration should do just that, administer
3 government.

4 Thank you.

5 CHAIRMAN NICOLELLO: Just two quick
6 points. I respectfully disagree with your
7 position.

8 Number one is that, you know, even if you
9 look at this \$3 million and we have a \$278
10 million capital plan which requires capital
11 borrowing, so that three million is a small
12 fraction.

13 Number two - we may even have a projected
14 \$3 million surplus at this point, but you only
15 look on television to see what's going on in the
16 financial markets, because of what happened with
17 Britain apparently, and you see also job reports
18 that are extremely discouraging. This county is
19 extremely reliant on sales taxes. So to blindly
20 go into the next six months and think that the
21 sales taxes are going to continue to perform is a
22 very risky proposition. We could very well see
23 the beginnings of a recession. We could see
24 impacts because of the loss of what's happening
25 in the stock market and people lose their

2 disposable income. You could see sales taxes
3 drop. So to go out and spend a projected surplus
4 in June when you have six months to go is not
5 something that is wise, in my opinion.

6 LEGISLATOR BYNOE: Okay. But again,
7 there are capital funds that could be
8 disencumbered to deal with some of these issues
9 and I think we need to look at that. We didn't
10 just identify one pool of money that would allow
11 the administration to move forward and govern
12 appropriately; we identified a few, at least
13 three or four different pools of money. Each
14 time we speak to those pools of money there is
15 some argument or some contention as to why we
16 won't do it. Not why we can't do it, why we
17 won't do it. So I think we need to look passed
18 why we won't do it and start doing the work of
19 the people with that money. The money is there.
20 Prioritize. You've clearly identified those
21 issues that you think are essential or the
22 administration, or whoever else. Now we are
23 seeing things in piecemeal that are considered to
24 be essential, and we've identified pools of money
25 that can address those things.

2 LEGISLATOR MACKENZIE: Okay. So is it
3 clear then you would no longer have any problem
4 with the process and how they got to this body
5 and how those contracts were evaluated as long as
6 the money came from a different place? The
7 position seems to be inconsistent to me.

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

16 I'll tell you what I hear in my district.
17 When I go around my district, we have capital
18 projects there that severely impact the health
19 and safety of some of the communities there. And
20 many legislators on this body formerly
21 represented those areas and campaigned very
22 strongly for those projects to go forward. Now
23 that they no longer represent that area their
24 positions have changed. There are no allegations
25 of any, any impropriety in the awarding of the

2 contracts that are at issue there or the bonding.
3 So, when I go around my district people say to me
4 how come all of a sudden they want an
5 investigator general; when they were in charge it
6 wasn't such a high moment of principle. When
7 they had members of their body being indicted
8 nobody asked for an investigator general. Now
9 you have one contract in this body that's
10 actually being investigated and resulted in a
11 criminal charge and all of a sudden an
12 investigator general is needed.

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

19 I think the hypocrisy of this is clear,
20 and I think the fact that your history on this
21 issue is so inconsistent really reveals it to be
22 what it is is - it's a political agenda. It's
23 been well reported that it's being dictated to
24 you by other people, by political bosses, and we
25 all see through that. So I think for you to get

2 on a high horse and talk to us about these things
3 day after day gets a little bit tiresome for
4 everyone.

5 If we could just deal with the items in
6 front of us it would save us a lot of time and a
7 lot of theater.

8 LEGISLATOR BYNOE: Well, I just want to
9 - I'm sorry, Mr. MacKenzie, Legislator MacKenzie
10 -

11 CHAIRMAN NICOLELLO: Legislator Bynoe.

12 LEGISLATOR BYNOE: To that point - thank
13 you, Chair.

14 I think the message has been pretty
15 consistent. The message is that we are not
16 comfortable giving you yet another pool of
17 capital funds to move forward unless we have an
18 independent inspector general. Until that time,
19 we are not just going to approve the capital
20 plan. We will look at emergency items, items
21 related to emergency responders. However, we are
22 not going to support even some of the contracts
23 that come forward because we don't know that they
24 are vetted properly. Okay. So I think our
25 message has been very consistent and very clear

2 that we're not going to give you any additional
3 money. However, there is money that is available
4 to you for the use of addressing these emergency
5 items, to which you guys have pulled out of I
6 guess the capital plan, and you should move
7 forward in using that money.

8 LEGISLATOR MACKENZIE: So then -

9 LEGISLATOR BYNOE: I think that's pretty
10 clear.

11 LEGISLATOR MACKENZIE: So then there's
12 no problem with the contracting process that gets
13 those items here, it's the problem with where the
14 money comes from. It's completely inconsistent to
15 say that certain items you're going to consider
16 and if there is other money available you will
17 vote for them -

18 LEGISLATOR BYNOE: There's a problem
19 with the -

20 LEGISLATOR MACKENZIE: when you're
21 saying it's the contracting process that you have
22 a problem with. Because those items that you
23 want to find other money for to pay for go
24 through the same contracting process. It's a
25 completely inconsistent position.

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

12 I think we can go back and forth, and I'm
13 comfortable doing this all day. But, as you
14 mentioned, there are some items before us. Until
15 I think both sides decide to get serious about
16 what our constituents are asking for, that 84
17 percent of the people that were polled about
18 reform want to see something that's serious. And
19 while I agree that we have made tremendous
20 lengths to this point - and to be mentioned that
21 it was really with the pressure of this caucus
22 and at the suggestions of this caucus that a lot
23 of those changes were made - I don't think we
24 should fall short of really doing a complete job.
25 Just to say that you've done something doesn't

2 mean that you don't do all that you can, and I
3 think that we're falling short of that. Let's do
4 something meaningful. Let's not waste our time.

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

7 MR. ARNOLD: Just on the procurement of
8 asbestos. That would be a publicly bid contract.
9 We go with the lowest responsible bidder. It
10 would not be an RFP process. It would be a
11 publicly bid contract through our procurement
12 process.

13 CHAIRMAN NICOLELLO: Thank you.
14 Any public comment? Ms. Mereday.

15 MS. MEREDAY: Meta Mereday, Baldwin,
16 taxpayer and one who has a right, as do many
17 other residents, to speak before this body, not
18 because someone let me.

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

25 Just from a historical background, Deputy

2 Nicolello, you don't know me nor do I know you.
3 I'll try to be respectful of you, but I require
4 the same. So your comments to me were highly
5 uncalled for.

6 Now with regard to this issue, the bond
7 issue. Just from a point of personal reference.
8 If you might recall, and the record should
9 dictate, that I was in full support of the total
10 body pushing for the buses because, again, there
11 are individuals out here who are being
12 detrimentally harmed by this back and forth. I
13 understand what this side of the room is dealing
14 with but I also disagree in regard to those
15 issues that pertain to the residents who cannot
16 speak for themselves. I am here to be a voice
17 for the voiceless. On top of that is veterans.
18 Because I am again appalled at the fact that we
19 are once again detailing information about major
20 contracts and the veterans services initiative
21 for this county is again blank. Where is an
22 initiative that is focusing on involving veteran
23 businesses in this process? Just to say it's
24 going to go to an open bid process, to who?

25 We again have a bill on the books that I

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

17 This whole situation right here is a
18 farce. It's ridiculous, it's sad, but most
19 importantly it is costly to the residents. This
20 room can't be filled because most of the people
21 who are impacted by this are working two and
22 three jobs just to try to stay in this county.

23 CLERK PULITZER: Ma'am, your three
24 minutes are up.

25 MS. MEREDAY: So somebody has got to

2 stop it, whether it is this side - trust me, at
3 this point they are not going to agree to an
4 inspector general. If they're not even going to
5 give you the courtesy of a discussion, you need
6 to move forward.

7 This side. Start thinking for yourselves
8 and start representing your constituency.
9 Because people are tired. Tired. It's about
10 time. It is about time that you start speaking
11 your own mind and representing your constituency.

12 CHAIRMAN NICOLELLO: Ms. Mereday, could
13 you wrap up, please.

14 MS. MEREDAY: I will wrap up when I'm
15 ready to wrap up.

16 9-11 responders. \$500,000 was invested
17 in this and you got to find more money to fix
18 this. And you want to authorize more money to
19 try to do something, to do it wrong.

20 And as I said to you before when I was
21 sitting there, I will give you your respect and
22 apologize to you because I was not allowed to -
23 it was not public comment at that point. I will
24 give you that respect and apologize to you for
25 that.

2 CHAIRMAN NICOLELLO: You do not have to
3 apologize.

4 All in favor of 217-16 signify by saying
5 aye.

6 (Aye.)

7 Those opposed?

8 (Nay.)

9 LEGISLATOR CURRAN: I abstain.

10 CHAIRMAN NICOLELLO: Four-two-one. Four
11 votes in the affirmative, two negative, and one
12 abstention.

13 (Whereupon, the following is the
14 continuation of the minutes of the June 27, 2016,
15 Rules Committee meeting.)

16 CHAIRWOMAN GONSALVES: If there are no
17 other questions or comments regarding 217; all
18 those in favor signify by saying aye.

19 (Aye.)

20 Any opposed?

21 (Nay.)

22 Four-three. It passes four to three.

23 Moving quickly along.

24 Item 239, an ordinance providing for a
25 capital expenditure to finance the payment of

2 certain judgments or compromised or settled
3 claims against the County of Nassau and
4 authorizing \$45 million of bonds of the County of
5 Nassau to finance said expenditure, and making
6 certain determinations pursuant to the State
7 Environmental Quality Review Act, pursuant to the
8 Local Finance Law of New York and the County
9 Government Law of Nassau County.

10 Motion, please?

11 LEGISLATOR DUNNE: So moved.

12 LEGISLATOR KOPEL: Second.

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

15 Again, the testimony of the Finance
16 Committee should be incorporated.

17 (Whereupon, the following is the minutes
18 of the June 27, 2016, Finance Committee meeting
19 pertaining to Clerk Item 239-16.)

20 We now have three executive session items -
21 before we go to executive session, actually, Item
22 239-16 I skipped before - it's an ordinance
23 providing for a capital expenditure to finance
24 the payment of certain judgments or compromised
25 or settled claims against the County of Nassau

and authorizing \$45 million of bonds of the county to finance said expenditure.

LEGISLATOR KOPEL: So moved.

LEGISLATOR WALKER: Second.

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

The item is before the committee.

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

MS. LOCURTO: Absolutely, Legislator.

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

MS. LOCURTO: I will do that. The purpose of this bond ordinance is to take the place of a posting of a supersedeas bond in the civil litigation of the *Restivo/Halstead* matter. After a second civil trial and jury determination of \$36 million, the plaintiff sought enforcement of the judgment, plus attorney's fees. Appeals

of the first civil jury trial and the second trial were made and they are currently being litigated.

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

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

12 I think that - that's required by
13 stipulation.

14 CHAIRMAN NICOLELLO: Required by
15 stipulation or by the court?

16 MS. LOCURTO: It was stipulated and so
17 ordered by the court.

18 CHAIRMAN NICOLELLO: Any questions?
19 Legislator Curran.

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

25 MS. LOCURTO: Okay. When you litigate a

2 case, if you lose or if you lose the case and say
3 I want to appeal that case, normally in state
4 court a municipality is entitled to a stay while
5 the appeal process is playing out, because I
6 shouldn't have to pay until I know what the
7 appeal court is going to say. In the federal
8 court the rules are slightly different. You
9 don't get to stay the enforcement while the
10 appeal is pending. You have to make an
11 application and the federal judge has to grant
12 you permission to stay the enforcement. In one
13 of the things you can argue to say why a stay
14 should be in place is you have to demonstrate to
15 the court that the litigant, at the end of the
16 appeal, has the ability to pay. How you
17 demonstrate your ability to pay is you can post a
18 bond, what they call a supersedeas bond. The
19 civil litigant says - normally, for example, you
20 would say I put up collateral, I put up my house,
21 because it's a million dollar judgment, I have a
22 \$500,000 house or whatever and I'll put up my
23 house as an asset to guarantee that I have the
24 ability to pay. We're in a unique situation
25 because we're not the typical civil litigant,

2 we're a municipality. Our funding and our
3 ability to pay is either because we can borrow,
4 if it's an extraordinary judgment, we can raise
5 taxes to pay our judgments, those are the means
6 of paying. So we have advocated to the court
7 saying we, one, we want a stay because it's on
8 appeal and we don't know the outcome of the
9 appeal. Maybe I ultimately don't have to pay the
10 judgment because it's going to be overturned on
11 appeal. And I don't want to post a supersedeas
12 bond because I'm not the typical civil litigant.
13 I'm a government. I can't, you know, normally
14 you could put up collateral of your home or
15 whatever. But I can't put up because the county
16 assets are not such that they lend themselves.
17 Plus, the financial burden of posting that bond
18 and paying for it is just too extraordinary for
19 the municipality.

20 To show the court, to demonstrate, look,
21 the municipality is going to pay if and when
22 there are no further appeals going to be taken,
23 there is no further impediment to pay, that the
24 judgment is final and we are obligated to pay, we
25 are asking the court to say - we're demonstrating

2 to the court our good faith that we're going to
3 have - in the event we have to pay, we're hoping
4 we don't have to pay. But in the event we do
5 have to pay, we're going to create a mechanism,
6 which is this bonding approval. We're going to
7 have a bond in place approved that if we have to
8 pay, and it's all conditioned. If you read the
9 backup in the bond, it's all conditioned of
10 certain things happening. But if, at the end of
11 the day, we have to pay, the bond is in place and
12 ready to be paid should the county be obligated
13 to pay.

14 LEGISLATOR CURRAN: Great. Thank you
15 very much.

16 MS. LOCURTO: You're welcome.

17 LEGISLATOR CURRAN: Well done.

18 CHAIRMAN NICOLELLO: Any additional
19 questions? Legislator DeRiggi-Whitton.

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

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

24 LEGISLATOR DeRIGGI-WHITTON: Is there a
25 day or a date that you have from the courts? Is

2 there anything in writing stating that?

3 MS. LOCURTO: The court has asked us to
4 put it on the calendar to be presented to the
5 legislature and that's what we're doing right
6 now, we're presenting it to the legislature.

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

9 MS. LOCURTO: As soon as practical.

10 LEGISLATOR DeRIGGI-WHITTON: As soon as
11 possible? Is that in the order? Do you have the
12 copy of the order?

13 MS. LOCURTO: I provided it to your
14 counsel.

15 LEGISLATOR DeRIGGI-WHITTON: Is there a
16 date in that?

17 MS. LOCURTO: There is not a specified
18 date.

19 LEGISLATOR DeRIGGI-WHITTON: I have to
20 also just go back. If we're not going to use the
21 litigation fund from the ways that NIFA
22 suggested, I think this is the perfect example of
23 when we should use it. I think we should
24 definitely use the litigation fund for this. I
25 can't understand why we wouldn't.

2 How much does this type of bond cost?

3 DEPUTY COUNTY EXECUTIVE NAUGHTON: Hi.

4 Eric Naughton, Deputy County Executive for
5 Finance.

6 Legislator, this is the exact case where
7 you should not litigation fund. The litigation
8 fund, NIFA agreed we would not use it for
9 extraordinary types of litigation. A \$45 million
10 payment would qualify as extraordinary. That is
11 something that we should bond for.

12 LEGISLATOR DeRIGGI-WHITTON: But how
13 much - to get this type of bond, first of all, we
14 used it for Oyster Bay, but - if we're talking
15 about this type of bond -

16 DEPUTY COUNTY EXECUTIVE NAUGHTON: That
17 was a different example. That example, we saved
18 money by being able to settle it quickly.

19 LEGISLATOR DeRIGGI-WHITTON: The bond
20 for the 45 million is how much?

21 DEPUTY COUNTY EXECUTIVE NAUGHTON:
22 Depending on the market, and right now we don't
23 have to go out for it but the interest rate may
24 be about three percent, mostly. Again, to pay
25 for something of that -

2 LEGISLATOR DeRIGGI-WHITTON: This is for
3 45 million, we're talking three percent of the 45
4 million.

5 DEPUTY COUNTY EXECUTIVE NAUGHTON: That
6 is correct.

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

10 DEPUTY COUNTY EXECUTIVE NAUGHTON: No.
11 Right now all they're asking for right now is the
12 bond ordinance, that's all that's be asked for at
13 this moment.

14 LEGISLATOR MACKENZIE: Delia, can I just
15 interject to clarify something? I don't want to
16 interrupt you.

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

19 CHAIRMAN NICOLELLO: Legislator
20 MacKenzie.

21 LEGISLATOR MACKENZIE: The whole point
22 of this is the court is allowing us just to pass
23 the ordinance which allows us to take a bond
24 without actually taking the bond.

25 DEPUTY COUNTY EXECUTIVE NAUGHTON: That

2 is correct.

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

11 DEPUTY COUNTY EXECUTIVE NAUGHTON: That
12 is absolutely correct, Legislator MacKenzie.

13 LEGISLATOR MACKENZIE: So this will
14 cause the county in the immediate term to borrow
15 no money and cost nothing other than passing this
16 ordinance and the two cents the paper cost.

17 DEPUTY COUNTY EXECUTIVE NAUGHTON: No
18 bonds would be issued.

19 CHAIRMAN NICOLELLO: Legislator DeRiggi-
20 Whitton.

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

25 DEPUTY COUNTY EXECUTIVE NAUGHTON: I'll

2 defer to counsel on that one.

3 MS. LOCURTO: No. We don't come back to
4 the legislature. However, it is still subject to
5 NIFA approval. The sale of any bond proceeds
6 would require NIFA to approve.

7 LEGISLATOR DeRIGGI-WHITTON: So us
8 giving the okay for this ordinance basically is
9 okaying the \$45 million in bonding should you
10 use.

11 MS. LOCURTO: If necessary. It's
12 conditioned, though.

13 LEGISLATOR DeRIGGI-WHITTON: I
14 understood what you said. I think we're really
15 actually giving the okay to bond for the 45
16 million should we not be successful.

17 CHAIRMAN NICOLELLO: Legislator
18 MacKenzie.

19 LEGISLATOR MACKENZIE: I'm sorry. I
20 misunderstood your position. I thought you said
21 that the cost of the bonding wouldn't be that
22 much and we should use the litigation fund to pay
23 for the cost of the bonding. So I was just trying
24 to clarify what was going on. I know exactly
25 what this does. And I know that in the

2 eventuality if they lose, that's giving authority
3 to bond for it.

4 LEGISLATOR DeRIGGI-WHITTON: I thought
5 that there was a small amount that we had to pay
6 upfront to get it. If that's not the case, then
7 that's great. But we're still going ahead and
8 giving you the 45 million should we lose without
9 you coming back to the legislature.

10 CHAIRMAN NICOLELLO: Legislator Kopel.

11 LEGISLATOR KOPEL: Legislator DeRiggi-
12 Whitton, the only thing that I would also point
13 out is that if you go ahead and spend the money
14 out of the bond fund - I'm sorry, the litigation
15 fund - besides for the fact that you're
16 decreasing the amount available in that fund for
17 use in litigation settlements which it's needed
18 for. In the event that this bond - in the event
19 that we lose all the appeals, this bond could be
20 called upon. Isn't that right?

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

23 LEGISLATOR KOPEL: The bond would be
24 called upon. We'd have to fund that somehow. We
25 wouldn't have any choice. Not only that, they

2 could actually, I suppose if we didn't take care
3 of it immediately, pull money out of our
4 accounts. All kinds of nasty stuff can happen.
5 And we really don't have a great deal, as much as
6 I think I've shown over the years, I don't like
7 to borrow money. This is one of those cases that
8 I think that maybe we just don't have a choice.
9 But to go ahead and authorize it because a
10 judgment is a judgment and it's got to be paid
11 one way or the other if it happens. This is a
12 no-cost way of just hedging our best for the time
13 being.

14 CHAIRMAN NICOLELLO: Legislator
15 MacKenzie and then Legislator DeRiggi-Whitton.

16 LEGISLATOR MACKENZIE: I'm sorry. I
17 think that it would make even less sense to pay
18 this out of actual cash funds or bond premiums
19 now because it's still under appeal. Isn't the
20 whole point of this to stop us from paying now,
21 give us an opportunity to appeal, and in the
22 event that we're successful we won't pay
23 anything. So why would we pay now if the case
24 isn't concluded? I'm not sure why we would -
25 well, I think that's almost a question.

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

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

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

2 LEGISLATOR DeRIGGI-WHITTON: If they're
3 successful.

4 MS. LOCURTO: I just want to clarify
5 that there's no - the verdict is the verdict.
6 The number is fixed.

7 LEGISLATOR DeRIGGI-WHITTON: So when you
8 appeal the judge is not given the option of
9 mitigating the award?

10 MS. LOCURTO: Not under these
11 circumstances. We're either going to pay zero or
12 we're going to pay -

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

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

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

22 MS. LOCURTO: Now we're going into
23 executive session.

24 CHAIRMAN NICOLELLO: Just as long as you
25 are comfortable with continuing.

2 MS. LOCURTO: Right.

3 CHAIRMAN NICOLELLO: But I wouldn't
4 stray too far into anything having to do with the
5 merits.

6 MS. LOCURTO: Sure. That is what is on
7 the record. Civil trial number one, jury
8 verdict, no liability against the county who are
9 defendants. That verdict, there were three
10 defendants, the verdict was set aside for two of
11 them and a second civil trial was ordered. That
12 second civil trial resulted in a jury award of
13 \$36 million. That trial number one and trial
14 number two are being appealed. We hope that the
15 verdict in trial one, which says no liability
16 against the county and no liability against the
17 defendants, stands. But we don't know the
18 outcome of that. The Appellate Court could say
19 second civil trial verdict stands, so you have to
20 pay money. Or there could be a third, which is
21 they could order a completely new trial and it
22 could be a completely new amount, depending on
23 whether or not - what the jury finds.

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

2 MS. LOCURTO: We appealed everything -
3 damages -

4 LEGISLATOR DeRIGGI-WHITTON: So what you
5 said before about it being zero or 45 is just on
6 the liability, but the damages is going to be
7 also heard at some point, correct? Is it
8 bifurcated, basically, like we have the liability
9 and then -

10 MS. LOCURTO: I'm not sure. It's
11 unlikely that they will reduce it. It was a jury
12 award, a jury finding of liability and they
13 determined the amount.

14 LEGISLATOR DeRIGGI-WHITTON: But we're
15 appealing it.

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

18 LEGISLATOR DeRIGGI-WHITTON: Okay. When
19 answering - are we appealing the damages, the
20 answer is?

21 MS. LOCURTO: Yes.

22 LEGISLATOR DeRIGGI-WHITTON: We are.

23 MS. LOCURTO: Yes.

24 LEGISLATOR DeRIGGI-WHITTON: If we're
25 appealing it, we're not doing it for no reason,

2 we're doing it to see if we can get reduced
3 damages.

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

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

10 CHAIRMAN NICOLELLO: The bottom line is
11 the judge so ordered the stipulation saying that
12 \$45 million is what we were required to authorize
13 in bonding.

14 MS. LOCURTO: Correct. Because if
15 that's upheld, then that's what we're going to be
16 required to pay.

17 CHAIRMAN NICOLELLO: Just a question for
18 you. Personal injury cases when they go up, in
19 the state courts the damages can be reduced by
20 the courts. Is that likely in a civil rights
21 case that the Second Circuit is going to look at
22 the damages and say, no, it's another number?

23 MS. LOCURTO: You are correct in your
24 statement.

25 CHAIRMAN NICOLELLO: Legislator Bynoe,

did you have something to add?

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

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

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

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

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

I would ask for a motion on these four items to go into executive session. I'm going to

2 actually back up a second. I don't know that I
3 put those items before us.

4 LEGISLATOR WALKER: So moved.

5 LEGISLATOR KOPEL: Second.

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

8 The items are on the table. We have a
9 total of four items on the table now.

10 I ask for a motion to go into executive
11 session.

12 LEGISLATOR MACKENZIE: So moved.

13 LEGISLATOR WALKER: Second.

14 CHAIRMAN NICOLELLO: Legislator
15 MacKenzie moves to go into executive session,
16 seconded by Legislator Walker.

17 All in favor of executive session signify
18 by saying aye.

19 (Aye.)

20 Those opposed?

21 (No verbal response.)

22 We are in executive session.

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

25 (Whereupon, the Finance Committee

2 reconvened at 5:26 p.m.)

3 CHAIRMAN NICOLELLO: I call the Finance
4 Committee back to order. We are out of executive
5 session. I am going to call three of the four
6 items first.

7 233, 236, and 240-2016. Any further
8 discussion?

9 (No verbal response.)

10 Public comment?

11 (No verbal response.)

12 All in favor of those three items signify
13 by saying aye.

14 (Aye.)

15 That carries unanimously.

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

17 Any further discussion on that item?

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

20 LEGISLATOR DERIGGI-WHITTON: I just want
21 a clarification from Lisa Locurto. I understand
22 that the purpose of the bond is pretty much just
23 show good faith and hold off while we appeal. Is
24 that correct?

25 MS. LOCURTO: Yes.

2 LEGISLATOR DeRIGGI-WHITTON: Have we
3 started the appeal process with this?

4 MS. LOCURTO: Yes. The appeals have
5 been filed and oral argument was heard April
6 2016, I believe April 5, 2016.

7 LEGISLATOR DeRIGGI-WHITTON: So we
8 already appealed this, basically.

9 MS. LOCURTO: The appeal has been
10 briefed and there has been oral argument. The
11 decision, we are still awaiting decision on that
12 appeal.

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

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

18 LEGISLATOR DeRIGGI-WHITTON: But we've
19 already done it.

20 MS. LOCURTO: We are still in the appeal
21 process. We are still appealing.

22 LEGISLATOR DeRIGGI-WHITTON: We're
23 waiting for the decision.

24 MS. LOCURTO: And now we're waiting for
25 the decision, yes.

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

10 MS. LOCURTO: I'm clarifying now. I
11 hope you - I've answered your question, that you
12 understand the process.

13 LEGISLATOR DeRIGGI-WHITTON: The order
14 that we talked about, the stipulation, that was
15 signed about a year ago?

16 MS. LOCURTO: Yes.

17 LEGISLATOR DeRIGGI-WHITTON: And you're
18 going to provide us with a copy of that? Oh, you
19 have it. Okay.

20 MS. LOCURTO: I believe I already said
21 on the record that I already provided a copy to
22 your counsel. But I can provide it again.

23 LEGISLATOR DeRIGGI-WHITTON: I'm sorry.
24 I forgot that my attorney has it. But if we
25 could just get the copy of the communication that

2 was discussed, as far as requesting the bonding,
3 we discussed that inside.

4 MS. LOCURTO: Yes, Legislator. I have
5 your request from executive session and we will
6 provide it.

7 LEGISLATOR DeRIGGI-WHITTON: We're going
8 to need that before our next meeting.

9 MS. LOCURTO: Before the Full vote,
10 understood.

11 LEGISLATOR DeRIGGI-WHITTON: Which is in
12 two weeks.

13 We're going to hold off on this until we
14 get that information.

15 CHAIRMAN NICOLELLO: I'm going to call
16 for a vote on the item.

17 All in favor signify by saying aye.

18 (Aye.)

19 Those opposed?

20 (Nay.)

21 Passes by a vote of four to three.

22 (Whereupon, the following is the
23 continuation of the minutes of the June 27, 2016,
24 Rules Committee meeting.)

25 CHAIRWOMAN GONSALVES: Any further

2 comments regarding this item?

3 LEGISLATOR ABRAHAMS: I just wanted to
4 re-emphasize what I believe Legislator DeRiggi-
5 Whitton had made on the record, that we are
6 waiting for the information that I think Ms.
7 Locurto is going to provide that was from outside
8 counsel, that we had talked about in executive
9 session.

10 Today we will reaffirm the finance vote
11 among the minority in voting no, pending we
12 seeing that information which could change our
13 direction.

14 Thank you.

15 CHAIRWOMAN GONSALVES: Okay.

16 All those in favor of 239 signify by
17 saying aye.

18 (Aye.)

19 Those opposed?

20 (Nay.)

21 Okay. So the item passes four to three.

22 We're going to the addendum agenda.

23 Beginning with Item 253, a bond ordinance
24 providing for a capital expenditure to finance
25 the capital projects identified herein within the

2 County of Nassau and authorizing \$11,600,000 of
3 bonds of the County of Nassau to finance such
4 expenditure pursuant to the Local Finance Law of
5 New York and the County Government Law of Nassau
6 County.

7 Motion, please?

8 LEGISLATOR KOPEL: So moved.

9 LEGISLATOR DUNNE: Second.

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

12 Again, the testimony of the Finance
13 Committee should be incorporated.

14 (Whereupon, the following is the minutes
15 of the June 27, 2016, Finance Committee meeting
16 pertaining to Clerk Item 253-16.)

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

23 LEGISLATOR KOPEL: So moved.

24 LEGISLATOR WALKER: Second.

25 CHAIRMAN NICOLELLO: Moved by Legislator

2 Kopel, seconded by Legislator Walker.

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

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

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

16 CHAIRMAN NICOLELLO: Okay. Thanks.

17 Any questions? Legislator DeRiggi-
18 Whitton.

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

2 determined that there were possible relations,
3 even in the comptroller's office. It's just
4 another example of -

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

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

11 LEGISLATOR MACKENZIE: G&M Land Moving
12 is the person who -

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

19 LEGISLATOR MACKENZIE: It's not an
20 example of anything.

21 LEGISLATOR DeRIGGI-WHITTON: It
22 definitely is.

23 LEGISLATOR MACKENZIE: You shouldn't
24 make any allegations that there was any
25 impropriety there because there has never been an

2 allegation of any impropriety on those prior two
3 contracts, number one.

4 LEGISLATOR DeRIGGI-WHITTON: I don't
5 know.

6 LEGISLATOR MACKENZIE: And number two -

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

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

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

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

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

21 LEGISLATOR DeRIGGI-WHITTON: There were
22 allegations of -

23 LEGISLATOR MACKENZIE: wrongdoing.

24 LEGISLATOR DeRIGGI-WHITTON: a
25 relationship between someone who worked in the

2 comptroller's office and someone who was a
3 principal in the contract, okay.

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

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

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

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

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

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

25 LEGISLATOR DeRIGGI-WHITTON: Ask him.

2 Ask him.

3 LEGISLATOR MACKENZIE: Number two. It's
4 absolutely untrue. I actually saw the gentleman
5 on Monday night and not a word was mentioned.
6 It's not true.

7 LEGISLATOR DeRIGGI-WHITTON: Right. But
8 you should talk to him about that.

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

11 CHAIRMAN NICOLELLO: Can we focus on
12 this item?

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

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

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

2 leaking.

3 MR. ARNOLD: The tanks are not leaking
4 at this moment. We're monitoring them
5 continuously.

6 LEGISLATOR DeRIGGI-WHITTON: Okay.
7 Thank you. I appreciate it. Thank you very
8 much.

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

15 LEGISLATOR DeRIGGI-WHITTON: Thank you
16 very much.

17 CHAIRMAN NICOLELLO: Any other
18 questions?

19 (No verbal response.)

20 Any public comment?

21 (No verbal response.)

22 Hearing none; all in favor signify by
23 saying aye.

24 (Aye.)

25 Those opposed?

2 (Nay.)

3 LEGISLATOR CURRAN: I'm abstaining.

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

7 (Whereupon, the following is the
8 continuation of the minutes of the June 27, 2016,
9 Rules Committee meeting.)

10 CHAIRWOMAN GONSALVES: Any further
11 comment regarding this item?

12 (No verbal response.)

13 There being none; all those in favor of
14 253 signify by saying aye.

15 (Aye.)

16 Any opposed?

17 (Nay.)

18 The item passes four to three.

19 The next item is 254, a bond ordinance
20 providing for a capital expenditure to finance
21 the capital projects identified herein within the
22 County of Nassau and authorizing \$6,088,000 of
23 bonds of the County to finance such expenditure
24 pursuant to the Local Finance Law of New York and
25 the County Government Law of Nassau County.

Again, the testimony of the Finance Committee should be incorporated.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR NICOLELLO: Second.

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

(Whereupon, the following is the minutes of the June 27, 2016, Finance Committee pertaining to Clerk Item 254-16.)

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

LEGISLATOR KOPEL: So moved.

LEGISLATOR WALKER: Second.

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

This is the county match on the buses, right?

MR. ARNOLD: That is correct. This has presented previously to this body. This is the

2 ten percent match associated with the county bus
3 program.

4 CHAIRMAN NICOLELLO: Thank you. I have
5 a question for Mr. Setzer, who I see is in the
6 room.

7 MR. SETZER: Good afternoon, Mr.
8 Chairman.

9 CHAIRMAN NICOLELLO: Thank you for
10 joining us Mr. Setzer.

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

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

25 The issue that may not be apparent to

2 everyone is that the buses that are being
3 replaced have, in effect, an expiration date, a
4 hard expiration date that we cannot go passed.
5 Because they are compressed natural gas fueled,
6 there are some federal rules that apply, they
7 must be taken out of service, and so we must go
8 ahead with this, I would say. We must go ahead
9 with this procurement and we must fund it some
10 way. I suppose the alternative is to fund it out
11 of the operating budget, but that would have
12 other kinds of consequences that I think none of
13 us in the room here would like.

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

17 MR. SETZER: That's correct. Two routes
18 were restored beginning this morning and two
19 routes that had been eliminated earlier in the
20 year were replaced with a different style of
21 route using a smaller bus. Yes, that's correct.

22 CHAIRMAN NICOLELLO: Obviously, we've
23 had meetings, in a bipartisan fashion we were all
24 in support restoration of those bus routes.

25 MR. SETZER: Correct.

2 CHAIRMAN NICOLELLO: But when I saw this
3 story I'm questioning myself. Why are we going
4 ahead with restoring bus routes when the - by
5 failing to pass the match we're in jeopardy of
6 running out of buses at the end of the year, so
7 to speak, because some of them are going to have
8 to be shelved and we're not going to have the new
9 buses in place. How does it make sense to go
10 ahead with restoration under those circumstances?

11 MR. SETZER: Mr. Chairman, my purpose
12 here today is to kind of just make sure that you
13 have all the facts involved here. I think that's
14 really a policy question that I'm in no position
15 to comment on.

16 CHAIRMAN NICOLELLO: All right.
17 Obviously we want to see the restorations, but at
18 the same time we don't want to be in a position
19 when these buses - when the older buses in our
20 fleet are being forced to go to the side and us
21 not having buses to replace them. That's a
22 nightmare scenario for most of us.

23 MR. SETZER: I would say that most any
24 course of action that I can imagine that doesn't
25 include maintaining the capital replacement

2 program as designed ultimately leads to service
3 reductions. Either we take money out of the
4 operating budget or we don't have enough buses or
5 some combination of those things.

6 CHAIRMAN NICOLELLO: Legislator Walker.

7 LEGISLATOR WALKER: I would just like to
8 make sure I understand this right. If we don't
9 move ahead with this - and we obviously have -
10 these buses have been ordered to your
11 specification. These buses are coming in.

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

13 LEGISLATOR WALKER: Without this money
14 you will then really be forced to take it out of
15 your operating budget.

16 MR. SETZER: I think that would be the
17 alternative - that would be one alternative or
18 the county would have to find some other source
19 of local match for these buses.

20 LEGISLATOR WALKER: Now if you had to
21 take the money out of your operating budget,
22 would you still get the match from the federal
23 government?

24 MR. SETZER: No. These grants are ten
25 percent county, ten percent state, 80 percent

2 federal, and the county has to provide the local
3 match in order for the other dollars to flow.

4 So, no, we would not get any of it.

5 LEGISLATOR WALKER: So you - if you took
6 it out of your operating budget you would then be
7 lost without the other monies that you would have
8 received.

9 MR. SETZER: We would have to take 100
10 percent of the cost of the buses out of the
11 operating budget, which would be about 16 million
12 or else we'd have to take the local match out of
13 the operating budget, which would be 1.6 million,
14 either of which would have a huge effect.

15 LEGISLATOR WALKER: Huge effect.

16 MR. SETZER: Right.

17 LEGISLATOR WALKER: So, basically we
18 might then have a lot of new buses that might not
19 be going anywhere.

20 MR. SETZER: Yes. We'd have a newer
21 fleet but we wouldn't ultimately be able to
22 operate it.

23 LEGISLATOR WALKER: Operate the fleet,
24 right. Okay. Thank you.

25 CHAIRMAN NICOLELLO: Any other

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2 questions? Legislator Bynoe.
3 LEGISLATOR BYNOE: Thank you, Chair.
4 Hi, Mr. Setzer.
5 MR. SETZER: Hello, Legislator Bynoe.
6 LEGISLATOR BYNOE: Quick question. When
7 are we required to pay or you, NICE Bus, required
8 to pay for those buses?
9 LEGISLATOR BYNOE: Each individual bus
10 is about 460,000 -
11 LEGISLATOR BYNOE: Yeah. When?
12 MR. SETZER: Oh. When?
13 LEGISLATOR BYNOE: When, yes.
14 MR. SETZER: I think the requirement is
15 30 days after the buses are delivered and accept
16 the cash has to be there to make that payment.
17 LEGISLATOR BYNOE: Okay. And when are
18 we expecting to take delivery?
19 MR. SETZER: September through December,
20 they will be delivered over that period of time.
21 LEGISLATOR BYNOE: September through
22 December.
23 MR. SETZER: Of this year, yes.
24 LEGISLATOR BYNOE: Okay. Thank you.
25 Can I have a copy of - can we,

2 collectively, the body, have a copy of contract?

3 MR. SETZER: The purchase contract for
4 the buses?

5 LEGISLATOR BYNOE: Yeah.

6 MR. SETZER: Certainly.

7 LEGISLATOR BYNOE: Thank you.

8 CHAIRMAN NICOLELLO: Legislator DeRiggi-
9 Whitton.

10 LEGISLATOR DeRIGGI-WHITTON: Thank you.

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

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

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

21 MR. SETZER: Certainly.

22 LEGISLATOR DeRIGGI-WHITTON: And the
23 other thing that I have to just make a statement
24 about, Rich is saying that these buses might not
25 arrive and the earliest you expect them is

2 sometime in November, might not arrive until
3 December. So we're talking about January that we
4 would have to really hand over these funds.

5 MR. SETZER: They will be delivered over
6 the period of - they are each paid for
7 individually. They are accepted by us and then
8 paid for individually. The first one - the
9 delivery schedule starts in September, so some
10 time in October we would owe payment for the
11 first one.

12 LEGISLATOR DeRIGGI-WHITTON: And how
13 long is that acceptance process? How long does
14 that normally take?

15 MR. SETZER: Legislator, it depends on
16 the condition of the bus that when it's
17 delivered, I would expect this to go very quickly
18 because these buses are identical to the last
19 delivery that we got earlier - or last year. The
20 manufacturer knows exactly what we'll approve and
21 what we'll accept, so I would expect them to be
22 accepted within a matter of days of delivery.

23 LEGISLATOR DeRIGGI-WHITTON: Do you know
24 long it took last year to get all of the buses
25 that we ordered, like how many months or how long

2 it took when you first started to accept them to
3 the last bus that you got?

4 MR. SETZER: I'm sorry. I don't
5 remember. It was a larger order. I think there
6 were 50-some buses in that order. But once they
7 began to be delivered, we got almost one a day.
8 I would expect that it would be a similar kind of
9 schedule this time.

10 LEGISLATOR DeRIGGI-WHITTON: The bottom
11 line is this is something we could be talking
12 about, like you said, at the end of the year into
13 January possibly for payment. I just wanted to
14 clarify that.

15 We're having a referendum in November
16 regarding the inspector general, so I'm hoping,
17 you know, by that time we will be much more
18 comfortable with the situation that we're in.

19 LEGISLATOR MACKENZIE: I'm sorry. Can
20 you just clarify something? I might have missed
21 this point. When does the matching have to
22 either be shown to be available or be available?
23 It's not as these buses are delivered. Am I
24 understanding correctly? It doesn't go on a bus-
25 by-bus basis, right?

2 MR. SETZER: Legislator, I think the
3 answer to that question is that when the county
4 filed the grant application with the federal
5 government it made a commitment that the local
6 match would be available. It's not so much a
7 question of when but from where will that local
8 match be provided.

9 CHAIRMAN NICOLELLO: Any other
10 discussion?

11 (No verbal response.)

12 Thank you, Mr. Setzer.

13 MR. SETZER: Thank you.

14 CHAIRMAN NICOLELLO: Any public comment?

15 MR. ARNOLD: Just one clarification.

16 CHAIRMAN NICOLELLO: Sure.

17 MR. ARNOLD: On the testimony during the
18 tanks, West Shore Road Phase 3 was approved by
19 this body. So all the principals and vendor
20 disclosure were provided.

21 CHAIRMAN NICOLELLO: Okay.

22 Ms. Mereday. Ms. D'Aleva.

23 MS. D'ALLEVA: I just also want to add
24 that once the buses get delivered and payment is
25 put forth, we're supposed to pay in 72 hours, so

2 we don't really have 30 days. So once they are
3 delivered, payment has to be within 72 hours in
4 order for us to receive the funds from the
5 federal government.

6 LEGISLATOR DeRIGGI-WHITTON: So Mr.
7 Setzer was incorrect?

8 MS. D'ALLEVA: I believe so. Those are
9 the qualifications for the grant.

10 LEGISLATOR DeRIGGI-WHITTON: Can you
11 just provide us that information?

12 MS. D'ALLEVA: Sure.

13 CHAIRMAN NICOLELLO: Thank you.

14 Any other questions for Ms. D'Alewa?

15 (No verbal response.)

16 Thank you.

17 Ms. Mereday.

18 MS. MEREDAY: Meta Mereday, Baldwin, New
19 York.

20 Again, I strongly suggest that the body
21 take into consideration the needs of the
22 residents, particularly those who require this
23 transportation. This is their only means of
24 transportation.

25 I get it. Trust me. As you can see,

2 look around. I'm one of the few that comes here.
3 Because I pretty much work the overnight shift.
4 And yes, I do have physical limitations,
5 particularly the rugs in this room, because I am
6 sick when I leave here but I still have to work
7 overnight, just so we have that clear.

8 But we have to take into consideration
9 that agreeing to this scenario as it relates to
10 the residents who need the buses, agreeing in
11 body and unanimously takes nothing away from the
12 fight to have the procurement process overview
13 that is sorely needed in this county.

14 Again, I know I'm probably just talking
15 to myself on a microphone, which is okay, I talk
16 to myself often. It's all right. Sometimes I
17 agree. And since it's me, myself, and I there is
18 usually a split decision. Again, as Norma said
19 earlier, sometimes you just need a little humor
20 once in a while. That's important.

21 One other point I wanted to make in terms
22 of the earlier aspect of this. As I said, just
23 today there was a press conference at the White
24 House in terms of tech hiring grants that were
25 distributed. Four million dollars, you may not

2 know, went to LaGuardia Airport for programs for
3 advanced training to assist re-entry candidates,
4 low income, veterans and those particularly who
5 live in high cost regions, to prepare them so
6 that they could get jobs so that they can live in
7 these high-cost regions. LaGuardia Community
8 College got \$4 million. Suffolk Community
9 College got \$2.9 million. Westchester Community
10 College got \$4 million. Where is Nassau? Where
11 is Nassau County?

12 Last year Rochester got \$100,000 for
13 their veterans' facility. Nassau County doesn't
14 even have a veterans' facility. Again, where is
15 Nassau?

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

2 Thank you.

3 CHAIRMAN NICOLELLO: Thank you.

4 Hearing no further public comment; all in
5 favor signify by saying aye.

6 (Aye.)

7 Those opposed?

8 (Nay.)

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

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

13 CHAIRWOMAN GONSALVES: Any further
14 comments regarding 254? Minority Leader
15 Abrahams.

16 LEGISLATOR ABRAHAMS: Thank you, Madam
17 Presiding Officer.

18 I just wanted to again re-emphasize the
19 points that were made by Ranking Member DeRiggi-
20 Whitton. I don't think anyone can effectively
21 say that the merits that have been stated before
22 us, whether we could refute them or not,
23 obviously we want to be supporting new buses in
24 the county; however, there is a much greater
25 issue that is confronting Nassau County taxpayers

2 and that is the need for contract reform in this
3 county. I think that's been self identified. I
4 truly believe that, short of that, we would be
5 doing a disservice to the county to continue to
6 bond for money and not having the proper
7 oversight in place with independence in this
8 county.

9 I will strongly urge my colleagues in the
10 minority to vote negative.

11 Thank you.

12 CHAIRWOMAN GONSALVES: There being no
13 further comment; all those in favor of 254
14 signify by saying aye.

15 (Aye.)

16 Any opposed?

17 (Nay.)

18 The item passes four to three.

19 There being no further business for the
20 Rules Committee, I believe - did I miss one?

21 Motion to adjourn, please?

22 LEGISLATOR KOPEL: So moved.

23 LEGISLATOR DUNNE: Second.

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

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2 All those in favor signify by saying aye.
3 (Aye.)
4 Any opposed?
5 (No verbal response.)
6 The Rules Committee is now adjourned.
7 (Whereupon, the Rules Committee
8 adjourned.)
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C E R T I F I C A T E

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

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

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

IN WITNESS WHEREOF, I have hereunto set my
hand this 5th day of July, 2016.

FRANK GRAY