

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

NASSAU COUNTY LEGISLATURE

RULES COMMITTEE

NORMA GONSALVES, Chairwoman

1550 Franklin Avenue
Mineola, New York

Monday, August 1, 2016
6:47 P.M

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

NORMA GONSALVES, (Substituted by
Chairwoman C. William Gaylor, III)

RICHARD NICOLELLO,
Vice Chairman

DENNIS DUNNE

HOWARD KOPEL

KEVAN ABRAHAMS,
Ranking

JUDY JACOBS (Substituted by Delia
DeRiggi-Whitton)

CARRIE SOLAGES

MICHAEL C. PULITZER,
Clerk of the Legislature

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

LIST OF SPEAKERS

LIEUTENANT GREG STEPHANOFF.....	5
LIEUTENANT GREGG MAGNIFICO.....	8
MICHAEL SCHLERNOFF.....	9
KENNETH ARNOLD.....	11
CONAL DENION.....	14
GERALD PODLESACK.....	21
TOM DELANEY.....	26
MICHAEL OLNEY.....	35

1 Rules Committee/8-1-16

2 VICE-CHAIRMAN NICOLELLO: I'd ask
3 the clerk to please call the roll for the
4 Rules Committee. Legislator Gaylor will be
5 substituting for Legislator Gonsalves.

6 CLERK PULITZER: Thank you. The
7 roll call for the Rules Committee is as
8 follows, Legislator Carrie Solages?

9 LEGISLATOR SOLAGES: Here.

10 CLERK PULITZER: Legislator
11 Judith Jacobs is absent. Legislator Delia
12 DeRiggi-Whitton?

13 LEGISLATOR DERIGGI-WHITTON:
14 Here.

15 CLERK PULITZER: Ranking Member
16 Kevan Abrahams?

17 LEGISLATOR ABRAHAMS: Here.

18 CLERK PULITZER: Alternate Deputy
19 Presiding Officer Howard Kopel?

20 LEGISLATOR KOPEL: Here.

21 CLERK PULITZER: Legislator
22 Dennis Dunne?

23 LEGISLATOR DUNNE: Here.

24 CLERK PULITZER: Vice Chairman
25 Richard Nicoletto?

1 Rules Committee/8-1-16

2 VICE-CHAIRMAN NICOLELLO: Here.

3 CLERK PULITZER: Substituting for
4 Chairwoman Norma Gonsalves is Mr. Gaylor?

5 LEGISLATOR GAYLOR: Here.

6 VICE-CHAIRMAN NICOLELLO: Thank
7 you. Clerk Item A-27 of 2016, a resolution
8 authorizing the Director of Nassau County
9 Office of Purchasing to award and execute a
10 contract between the County of Nassau acting
11 on behalf of the Nassau County Police
12 Department, Marine Bureau, and Safe Boats
13 International.

14 Motion, please.

15 LEGISLATOR KOPEL: So moved.

16 LEGISLATOR DUNNE: Second.

17 VICE-CHAIRMAN NICOLELLO: Moved
18 by Legislator Kopel, seconded by Legislator
19 Dunne.

20 LIEUTENANT STEPHANOFF: Good
21 afternoon. Lieutenant Greg Stephanoff.
22 Item A-27 is to award a purchase order
23 between Safe Boats International and the
24 Nassau County Police Department. The total
25 cost is \$768,186.48. The funding is 75

1 Rules Committee/8-1-16
2 percent from a port security grant and 25
3 percent capital CRP funds. Pricing is from
4 a GAC contract. These boats will be
5 equipped with radiation detection equipment
6 in order to provide improved chemical,
7 biological, radiological, nuclear and
8 explosive detection capabilities within the
9 New York port area of responsibility.

10 The NCPD is recognized as
11 providing layered security within the
12 eastern sector of the port security of
13 New York and contains several critical
14 infrastructure, key resource locations,
15 including a portion of JFK, on the South
16 Shore, and the Throgs Neck Bridge on the
17 North Shore.

18 There's also several regulated
19 facilities located on both north and south
20 shore waterways of Nassau County's area of
21 responsibilities which are actively
22 patrolled. I gave a hand out of the areas
23 that are patrolled, not to discuss them in
24 open forum.

25 This purchase will integrate

1 Rules Committee/8-1-16

2 other equipment purchased. The video
3 dowing system for the helicopters as
4 demonstrated in last year's budget hearing,
5 land base detection equipment, mobile
6 detection equipment, and portable hand held
7 detection equipment.

8 Safe Boats is a sole source
9 manufacturer of foam stabilized watercraft
10 in North America. Working on the set of
11 exclusive patents and licenses, only Safe
12 Boat International utilizes a full sized
13 foam collar system for floatation and
14 stability and rendering. Safe's collar
15 system is more durable than air collar
16 system which is susceptible to deflation and
17 catastrophic failure due to temperature
18 fluctuations, live fire from bullets or
19 direct impact.

20 With Safe's collar system,
21 there's no deflation of the collar in any
22 circumstance because it's 100 percent foam.
23 If unforeseen circumstances like gunfire or
24 a collision, Safe's design and engineer
25 features insures the survivability of the

1 Rules Committee/8-1-16

2 crew and enable them to continue to perform
3 their jobs in the event of a catastrophic
4 hole breach.

5 The Safe Boats can be trailered
6 to locations making them easy to deploy to
7 different situations.

8 VICE-CHAIRMAN NICOLELLO: I have
9 a question. The choice of Safe Boats
10 International, was that done by a committee,
11 or a process that selected this particular
12 vendor?

13 LIEUTENANT MAGNIFICO: Hi. My
14 name is Gregg Magnifico, I'm a Lieutenant
15 with the Marine Bureau. I've been there for
16 18 years.

17 We have previous use of Safe
18 Boats. We've had them since 2006. We have
19 the 27 foot safe boats since then and
20 they've performed flawlessly.

21 So that's why we'd like to stick
22 with them.

23 VICE-CHAIRMAN NICOLELLO: So that
24 was the recommendation of the marine bureau?

25 MR. MAGNIFICO: Yes, previous

1 Rules Committee/8-1-16
2 experience, past experience in the last ten
3 years.

4 VICE-CHAIRMAN NICOLELLO: Any
5 other questions? Legislator Solages.

6 LEGISLATOR SOLAGES: Thank you.
7 Good afternoon. You say sole source, is
8 that verbatim from the vendor or did you
9 independently --

10 LIEUTENANT STEPHANOFF: They hold
11 patents on the technology for -- if you take
12 live fire or a collision, it won't sink --
13 when you get a hole breach, other boats will
14 sink. These boats will stay afloat, not
15 forever, but they will stay afloat enabling
16 you to finish your job or get rescued.

17 LEGISLATOR SOLAGES: What did you
18 do independently to verify the factual
19 representations that this is a sole source
20 provider?

21 MR. SCHLERNOFF: Mike Schlernoff,
22 director of purchasing. They specified the
23 specific type of boat, manufactured by this
24 company which hold patents.

25 My understanding because I

1 Rules Committee/8-1-16

2 contacted the County Attorney about this is,
3 as long as they have patent protection, we
4 can't go out and get the boat from anybody
5 else.

6 LEGISLATOR SOLAGES: Thank you
7 very much. And Lieutenant, just again,
8 thank you for your hard work.

9 VICE-CHAIRMAN NICOLELLO: Any
10 other questions?

11 (No verbal response.)

12 Is there any public comment?

13 (No verbal response.)

14 All those in favor signify by
15 saying aye.

16 (Aye.)

17 Those opposed?

18 (No verbal response.)

19 The item carries unanimously.

20 Item B30 of 2016, a resolution
21 authorizing the County Executive to award
22 and execute a contract between the County of
23 Nassau acting on behalf of the Nassau County
24 Department of Public Works and Welsbach
25 Electric Corp.

1 Rules Committee/8-1-16

2 LEGISLATOR DUNNE: So moved.

3 LEGISLATOR GAYLOR: Second.

4 VICE-CHAIRMAN NICOLELLO: Moved
5 by Legislator Dunne, seconded by Legislator
6 Gaylor.

7 MR. ARNOLD: Ken Arnold, Public
8 Works. Item B30 is a construction contract
9 for the reconstruction of traffic signals on
10 Old County Road, Phase 2. Phase 2 is the
11 East side of Old County Road. This is a
12 state funded contract at 80 percent.

13 VICE-CHAIRMAN NICOLELLO: This is
14 funded?

15 MR. ARNOLD: Yes, it is.

16 VICE-CHAIRMAN NICOLELLO:
17 Obviously we had traffic signal bonding
18 items go down before. Is this from previous
19 funding, previous authorization?

20 MR. ARNOLD: This is from a bond
21 ordinance that was done previously.

22 VICE-CHAIRMAN NICOLELLO: Okay.

23 LEGISLATOR ABRAHAMS: Mr. Arnold,
24 so there is the money?

25 MR. ARNOLD: There is a specific

1 Rules Committee/8-1-16

2 capital project for this work and it is
3 funded.

4 LEGISLATOR ABRAHAMS: So the bond
5 authorization that's before us today, when
6 would that work begin, simultaneously?

7 Maybe I'm confusing the two, but
8 there was a bond authorization earlier for
9 traffic signal maintenance.

10 MR. ARNOLD: That was a separate
11 capital project for a separate project.
12 They are not interchangeable.

13 LEGISLATOR ABRAHAMS: This one is
14 specifically for Old Country Road between
15 Wantagh Parkway?

16 LEGISLATOR ABRAHAMS: And the one
17 we did earlier was --

18 MR. ARNOLD: That was for Phase 5
19 for Middle Neck and Lakeville Road.

20 LEGISLATOR ABRAHAMS: Gotcha. Is
21 there any left over money like this one
22 here?

23 MR. ARNOLD: No. We looked at
24 the capital projects that were borrowed by
25 purpose and there's no funding available at

1 Rules Committee/8-1-16

2 this time.

3 LEGISLATOR ABRAHAMS: Thank you,
4 Mr. Arnold.

5 VICE-CHAIRMAN NICOLELLO: Do we
6 have any further questions on this item?

7 (No verbal response.)

8 Is there any public comment?

9 (No verbal response.)

10 All those in favor signify by
11 saying aye.

12 (Aye.)

13 Those opposed?

14 (Nay.)

15 Abstentions?

16 (No verbal response.)

17 Passes four to three.

18 E-187 of 2016 is a resolution to
19 authorize the County Executive to execute an
20 amendment to a special counsel contract
21 between the County of Nassau acting on
22 behalf of the Nassau County Attorney's
23 Office and Cecelia Ameranti-Byrne.

24 LEGISLATOR GAYLOR: So moved.

25 LEGISLATOR KOPEL: Second.

1 Rules Committee/8-1-16

2 VICE-CHAIRMAN NICOLELLO: Moved
3 by Legislator Gaylor, seconded by Legislator
4 Kopel,

5 MR. DENION: Conal Denion, County
6 Attorney's Office. This is an amendment to
7 an outside counsel contract consisting of
8 the drafting research and counseling
9 assisting the County Attorney's Office in
10 the implementation of legislation, New York
11 State or federal legislation as requested by
12 the office, including by not limited to the
13 disputed assessment fund.

14 This amendment adds an option to
15 renew for one year and adds \$30,000 to the
16 amount of the contract.

17 VICE-CHAIRMAN NICOLELLO: Any
18 questions? Legislator DeRiggi-Whitton.

19 LEGISLATOR DERIGGI-WHITTON: Do
20 you know how many hours this attorney worked
21 on?

22 MR. DENION: I do not have that
23 information, no.

24 LEGISLATOR DERIGGI-WHITTON:
25 Because I know part of this item is

1 Rules Committee/8-1-16
2 requesting a \$49,000 allowance and, from
3 what I understand, the rate would be \$175 an
4 hour.

5 MR. DENION: The question is?
6 I'm sorry.

7 LEGISLATOR DERIGGI-WHITTON: So
8 did she actually work like 285 hours on
9 this?

10 MR. DENION: I don't have that
11 information.

12 LEGISLATOR DERIGGI-WHITTON: How
13 do we approve --

14 MR. DENION: I'm assuming the
15 decision has been made she was approaching
16 the original cap of 24,900 and then the
17 budget for going forward for the rest of the
18 year and the option year would be another
19 \$30,000.

20 LEGISLATOR DERIGGI-WHITTON: Can
21 we get a copy of her billing hours for this?

22 MR. DENION: I can take that
23 request back. I don't what the state of
24 that is.

25 LEGISLATOR DERIGGI-WHITTON: To

1 Rules Committee/8-1-16

2 justify this amount. It's a lot more than
3 what the original amount was.

4 MR. DENION: I know there's been
5 a lot of work done with implementing the
6 disputed assessment fund which is a critical
7 initiative which is going live for the
8 upcoming tax year, so I think a lot of hours
9 have been put in for that. I assume that
10 accounts for the bulk of the work so far

11 LEGISLATOR DERIGGI-WHITTON: If
12 you could get us her billable hours I think
13 it would just help to show us what is
14 happening because this is almost two months
15 of work here.

16 MR. DENION: Okay. We will get
17 you the information.

18 LEGISLATOR DERIGGI-WHITTON:
19 Thanks very much.

20 LEGISLATOR ABRAHAMS: Thanks,
21 Rich. Conal, this contract, was this
22 approved by NIFA at any point?

23 MR. DENION: It was under \$25,000
24 before. So this one I believe with the
25 combined will go to NIFA.

1 Rules Committee/8-1-16

2 LEGISLATOR ABRAHAMS: I thought,
3 if I remember this correctly, now if I'm
4 looking at the two amounts, because it was
5 under \$25,000, and the amount so far is
6 54-9?

7 MR. DENION: So that's with this
8 amendment so it will go to NIFA with the
9 amendment I believe.

10 LEGISLATOR ABRAHAMS: I don't
11 maybe how they see but it was my
12 understanding that NIFA would not approve
13 payment for anything more than \$50,000 worth
14 of legal fees that are accrued prior to NIFA
15 approving the outside counsel contract.

16 MR. DENION: That's correct. I
17 agree. We haven't gone over. We haven't
18 paid the 50 as far as I know.

19 LEGISLATOR ABRAHAMS: We haven't
20 paid the 50?

21 MR. DENION: I don't believe so.

22 LEGISLATOR ABRAHAMS: How much
23 have we paid then?

24 MR. DENION: I don't have that
25 information.

1 Rules Committee/8-1-16

2 LEGISLATOR ABRAHAMS: We should
3 kind of have that idea before we approve it
4 or have it before us. Because we paid out
5 something because this contract started
6 January 1, 2016.

7 MR. DENION: Correct. And the
8 extension brings it to over the \$50,000
9 limit which will now go to NIFA and is the
10 cap as well.

11 LEGISLATOR ABRAHAMS: So did it
12 go over the 50 or not?

13 MR. DENION: I don't know. It
14 will. I don't believe it has, but I can't
15 verify that right now.

16 LEGISLATOR GAYLOR: Just for
17 clarification, the original contract was for
18 \$24,900.

19 MR. DENION: Correct.

20 LEGISLATOR GAYLOR: And this is a
21 request for \$30,000 additional dollar?

22 MR. DENION: Correct.

23 LEGISLATOR GAYLOR: So if this
24 was to be approved, then you would be
25 forwarding it to NIFA for their approval

1 Rules Committee/8-1-16

2 because it exceeds the \$50,000 --

3 MR. DENION: That's right.

4 LEGISLATOR GAYLOR: But we
5 haven't paid up to the \$24,900 on the
6 original contract?

7 MR. DENION: No. We wouldn't
8 have paid anything beyond that. Couldn't
9 have done that.

10 LEGISLATOR GAYLOR: Thank you.

11 VICE-CHAIRMAN NICOLELLO: Any
12 other questions?

13 LEGISLATOR ABRAHAMS: Conal, so
14 based on the response to Legislator Gaylor,
15 then that begs the question in regards to
16 the County Attorney's Office which requires
17 outside counsel provide County Attorney's
18 Office with at least 45 days prior written
19 notice of the date on which the counsel
20 anticipates reaching the \$50,000 cap. Did
21 you see that notice?

22 MR. DENION: I don't know whether
23 we received it or not.

24 LEGISLATOR ABRAHAMS: So I would
25 beg that we table this.

1 Rules Committee/8-1-16

2 VICE-CHAIRMAN NICOLELLO: Before
3 you make that motion, I think what he said
4 in response to Legislator Gaylor's question
5 was that he thinks they're approaching the
6 \$24,500 or 900 figure.

7 MR. DENION: Correct.

8 VICE-CHAIRMAN NICOLELLO: He
9 thinks they are approaching the original
10 authorization which why they they're coming
11 to us for an additional \$30,000. So why
12 would they need to notify 90 days? He's not
13 close to the \$50,000 now, or she's not.
14 Only at 24,000 at most.

15 Any public comment?

16 (No verbal response.)

17 All those in favor signify by
18 saying aye.

19 (Aye.)

20 Those opposed?

21 (Nay.)

22 The item passes four to three.

23 Item E-188 of 2016 is a
24 resolution authorizing the County Executive
25 to execute and amendment to an outside

1 Rules Committee/8-1-16
2 counsel contract between the County of
3 Nassau acting on behalf of the Nassau County
4 Attorney's Office and Rifkin Radler, LLP.

5 LEGISLATOR DUNNE: So moved.

6 LEGISLATOR KOPEL: Second.

7 VICE-CHAIRMAN NICOLELLO: Moved
8 by Legislator Dunne, seconded by Legislator
9 Kopel.

10 MR. PODLESAK: Mr. Chairman, can
11 we table the matter?

12 VICE-CHAIRMAN NICOLELLO: Yes.
13 Motion to table.

14 LEGISLATOR GAYLOR: So moved.

15 LEGISLATOR DUNNE: Second.

16 VICE-CHAIRMAN NICOLELLO: Move to
17 table by Legislator Gaylor, seconded by
18 Legislator Dunne. All those in favor of
19 tabling signify by saying aye.

20 (Aye.)

21 Those opposed?

22 (No verbal response.)

23 The item is tabled.

24 Item E-189 of 2016 is a
25 resolution authorizing the County Executive

1 Rules Committee/8-1-16
2 to execute a personal services agreement
3 between the County of Nassau acting on
4 behalf of the Nassau County Department of
5 Public Works and DeBruin Engineering.

6 LEGISLATOR DUNNE: So moved.

7 LEGISLATOR GAYLOR: Second.

8 VICE-CHAIRMAN NICOLELLO: Moved
9 by Legislator Dunne, seconded by Legislator
10 Gaylor.

11 MR. ARNOLD: E-189 is a
12 professional services contract for
13 construction management for the
14 reconstruction of the Sage Lake Pump
15 Station. This is work is done under our
16 FEMA funding.

17 VICE-CHAIRMAN NICOLELLO: Do we
18 have any questions? Legislator
19 DeRiggi-Whitton.

20 LEGISLATOR DERIGGI-WHITTON: So
21 the FEMA funding, is that pertaining to
22 Super Storm Sandy?

23 MR. ARNOLD: Yes. This is the
24 money, we received the \$840 million. This
25 work is under that program.

1 Rules Committee/8-1-16

2 LEGISLATOR DERIGGI-WHITTON: The
3 Glen Cove pump stations, is that also under
4 the FEMA funding?

5 MR. ARNOLD: No, it is not

6 LEGISLATOR DERIGGI-WHITTON: Do
7 you know why?

8 MR. ARNOLD: There was no damage
9 occurred at those pump stations for that
10 work. There was other pump stations damaged
11 for Sandy, they were done initially. Dock
12 Street, and I can't think of the other one
13 off the top of my head, but this other work
14 that we're doing up in Glen Cove is not
15 Sandy related.

16 LEGISLATOR DERIGGI-WHITTON:
17 You're sure that that damage, there was
18 sewage spillage and all, that wasn't caused
19 by Sandy for sure?

20 MR. ARNOLD: That is correct.

21 LEGISLATOR DERIGGI-WHITTON: How
22 do we know that?

23 MR. ARNOLD: The engineers
24 assessed all the pump stations after the
25 storm and work plans were put together based

1 Rules Committee/8-1-16

2 on damage from the storm.

3 LEGISLATOR DERIGGI-WHITTON: So
4 there was no damage. That's interesting
5 that there would be no damage at all to the
6 pump stations in Glen Cove, but there are in
7 other areas.

8 MR. ARNOLD: There were two pump
9 stations in Glen Cove that were damaged,
10 they reconstructed the first work that we
11 did, actually those two pump stations were
12 actually washed away.

13 LEGISLATOR DERIGGI-WHITTON: I
14 think I know which one you're talking about.

15 MR. ARNOLD: And Dock Street.
16 And the remainder of the pump stations,
17 there was no damage to the work that we're
18 doing under this 3P, 312 bond ordinance
19 request is not Sandy related.

20 LEGISLATOR DERIGGI-WHITTON: I
21 don't know. I hope you're right. It seems
22 like we really got hit with that during that
23 time. I know it damaged some.

24 MR. ARNOLD: The department has a
25 very big program. A lot of experts. We

1 Rules Committee/8-1-16

2 looked at everything.

3 LEGISLATOR DERIGGI-WHITTON: All
4 right.

5 LEGISLATOR GAYLOR: Now, this
6 entire amount, \$1,237,600 will be reimbursed
7 from FEMA funds; is that correct?

8 MR. ARNOLD: That is correct.

9 VICE-CHAIRMAN NICOLELLO: Any
10 other questions?

11 (No verbal response.)

12 Is there any public comment?

13 (No verbal response.)

14 All those in favor signify by
15 saying aye.

16 (Aye.)

17 Those opposed?

18 (Nay.)

19 Passes four to three.

20 Item 190 of 2016 is a resolution
21 authorizing the County Executive to execute
22 an amendment to a personal services
23 agreement between the County of Nassau
24 acting on behalf of the Nassau County Office
25 of Emergency Management and Nassau County

1 Rules Committee/8-1-16

2 Vocational Education and Extension Board.

3 LEGISLATOR DUNNE: So moved.

4 LEGISLATOR GAYLOR: Second.

5 VICE-CHAIRMAN NICOLELLO: Moved
6 by Legislator Dunne, seconded by Legislator
7 Gaylor. The item is before the committee.

8 MR. DELANEY: Hi. Tom Delaney,
9 Nassau County OEM. This is a \$350,000
10 amendment funded with Homeland Security
11 Grant Funds to provide training to our first
12 responders.

13 Training is what we call NIMS
14 compliant, National Incident Management
15 System which are FEMA training classes,
16 actually Department of Homeland Security
17 authorized training classes.

18 This will help our first
19 responders in the event of a disaster
20 whether Natural or Manmade Terrorism event
21 to be able to perform their duties.

22 LEGISLATOR SOLAGES: Thank you.
23 Is this a sole source contract?

24 MR. DELANEY: VEEB is considered
25 by many accounts to be a sole source vendor,

1 Rules Committee/8-1-16

2 that is correct.

3 VICE-CHAIRMAN NICOLELLO: Thank
4 you, Mr. Delaney. Do we have any further
5 questions on this item?

6 (No verbal response.)

7 Is there any public comment?

8 (No verbal response.)

9 All those in favor signify by
10 saying aye.

11 (Aye.)

12 Those opposed?

13 (No verbal response.)

14 Carries unanimously.

15 LEGISLATOR DUNNE: Just one
16 thing, Mr. Delaney. Thank you for offering
17 the legislators lunch before. It was a long
18 day and you provided lunch for us. Most
19 people didn't take advantage of it but I
20 did, thank you.

21 VICE-CHAIRMAN NICOLELLO: Clerk
22 Item U69 of 2016 is a resolution authorizing
23 the County Executive to execute a personal
24 services agreement between the County of
25 Nassau acting on behalf of the Department of

1 Rules Committee/8-1-16
2 Parks, Recreation, and Museums and Left
3 Field Productions, Inc.

4 LEGISLATOR DUNNE: So moved.

5 LEGISLATOR KOPEL: Second.

6 VICE-CHAIRMAN NICOLELLO: Moved
7 by Legislator Dunne, seconded by Legislator
8 Kopel.

9 MR. PODLESAK: Eileen had a
10 family emergency and she asked me to present
11 it. It's a sole source contract for Neil
12 Burg's 100 years of Broadway to present it
13 at the Lakeside Theatre in Eisenhower Park
14 on August 27 of 2016.

15 It's a specialized, unique
16 service. It involves skills that cannot be
17 evaluated through a competitive bid process
18 and it will be for a musical performance of
19 two hours on that date.

20 VICE-CHAIRMAN NICOLELLO: Any
21 questions?

22 LEGISLATOR KOPEL: One question
23 here. This contract term is almost
24 finished. It started back in March 1st.
25 Why is this coming --

1 Rules Committee/8-1-16

2 MR. PODLESAK: I don't know why
3 it's coming to you now but this is for a
4 single performance that is occurring.

5 LEGISLATOR KOPEL: I understand
6 that. But are we now obligated even if we
7 don't vote, I mean, it's already done? It's
8 already done.

9 MR. PODLESAK: It's a single
10 performance on August 27th.

11 LEGISLATOR KOPEL: I understand,
12 but a lot of the work has already been done;
13 is that right?

14 MR. PODLESAK: No. It's a single
15 performance on August 27th of two hours.

16 LEGISLATOR KOPEL: So what is the
17 term of the contract?

18 MR. PODLESAK: It's irrelevant in
19 the sense that this is a single performance
20 that's going to occur on one day by this
21 contractor.

22 LEGISLATOR KOPEL: So you don't
23 know what the reason is for a term run from
24 March through the end of August?

25 MR. PODLESAK: I could not tell

1 Rules Committee/8-1-16

2 you why. It was probably the date that it
3 was brought in. But this is for a single
4 performance that occurs in the future.

5 LEGISLATOR DUNNE: March through
6 August is when they do the shows. And this
7 is one of the shows that's done on August
8 27th and it's 100 years of Broadway. So
9 it's going to be really a great thing.

10 LEGISLATOR KOPEL: I'm not
11 questioning whether or not it's going to be
12 a great thing. I really don't like the --
13 I'm questioning the value. I'm questioning
14 the way it's being done. I don't like that.
15 I've said it many times.

16 But I guess you're saying if we
17 wanted we could pull the plug on it, as a
18 theoretical question?

19 MR. PODLESACK: I hope it's a
20 theoretical question.

21 LEGISLATOR KOPEL: The question
22 is important to me in terms of --

23 MR. PODLESACK: I would hesitate
24 to advise the Legislature in this regard.
25 It's still in the future so, of course, as

1 Rules Committee/8-1-16

2 from a theoretical standpoint, you could of
3 course pull the plug.

4 LEGISLATOR DUNNE: It says it was
5 approved July 18, 2016. So it's fairly new.
6 It might have been added on.

7 LEGISLATOR KOPEL: So what you're
8 saying this might have been just a mistake?
9 We can't do anything about this right now,
10 but would you pass on that they've got to be
11 more accurate in what they're writing over
12 here?

13 I've said it before and already
14 started actually on a few occasions to vote
15 against things when performances have
16 already been done. It sounds like the
17 performance has not been done in this case,
18 and, therefore, we could vote no and
19 theoretically kill it, which is going to
20 allow me to vote yes this time, but it's not
21 going to continue with many of these deals.

22 VICE-CHAIRMAN NICOLELLO: So we
23 need some direction in these contract terms
24 and how they relate to -- the term of the
25 contract as it relates to a performance like

1 Rules Committee/8-1-16

2 this, why would they do that?

3 MR. PODLESAK: I will discuss the
4 point with the attorney in the office who
5 handles these matters for the Parks
6 Department.

7 LEGISLATOR KOPEL: Thank you.

8 VICE-CHAIRMAN NICOLELLO: Do we
9 have any further discussion on this item?

10 (No verbal response.)

11 Is there any public comment?

12 (No verbal response.)

13 All those in favor signify by
14 saying aye.

15 (Aye.)

16 Those opposed?

17 (Nay.)

18 Passes four to three.

19 We have two items that are going
20 to be untabled; Item 156 of 2016, it's a
21 resolution authorizing the County Executive
22 to execute an amendment to a personal
23 services agreement between the County of
24 Nassau acting on behalf of the Office of
25 Executive Auctions International, Inc.

1 Rules Committee/8-1-16

2 Motion to untable.

3 LEGISLATOR KOPEL: So moved.

4 LEGISLATOR GAYLOR: Second.

5 VICE-CHAIRMAN NICOLELLO: Moved
6 by Legislator Kopel, seconded by Legislator
7 Gaylor. All those in favor of untabling
8 signify by saying aye.

9 (Aye.)

10 Those opposed?

11 (No verbal response.)

12 Matter is before the committee.

13 Mr. Schlernoff.

14 MR. SCHLERNOFF: This is a
15 renewal of an approved contract that we have
16 Auctions International to auction off
17 surplus real property of the county.

18 The original contract was
19 approved by the Legislature and now the
20 rules require that we come back to you every
21 year to get a renewal of the original
22 contract.

23 VICE-CHAIRMAN NICOLELLO: How
24 long did this contract --

25 MR. SCHLERNOFF: I believe it's

1 Rules Committee/8-1-16

2 five years, as I recall.

3 VICE-CHAIRMAN NICOLELLO: Are
4 there were any plans to rebid this?

5 MR. SCHLERNOFF: We don't bid it.
6 What they do is, we a contract with them
7 which has been in place I guess since 2006.
8 They auction off all the surplus items for
9 the county. Last year we got over \$300,000;
10 the year before that over \$400,000.

11 VICE-CHAIRMAN NICOLELLO: Any
12 other questions?

13 (No verbal response.)

14 Is there any public comment?

15 (No verbal response.)

16 All those in favor signify by
17 saying aye.

18 (Aye.)

19 Those opposed?

20 (Nay.)

21 Passes four to three.

22 Last one is U66, the last item on
23 the calendar, a resolution authorizing the
24 County Executive to execute an amendment to
25 a personal services agreement between the

1 Rules Committee/8-1-16

2 County of Nassau acting on behalf of the
3 Office of the County Comptroller and RR
4 Health Strategies, LLC.

5 Motion to untable.

6 LEGISLATOR DUNNE: So moved.

7 LEGISLATOR KOPEL: Second.

8 VICE-CHAIRMAN NICOLELLO:

9 Untabled by Legislator Dunne, seconded by
10 Legislator Kopel. All in favor of untabling
11 signify by saying aye.

12 (Aye.)

13 Those opposed?

14 (No verbal response.)

15 The matter is before the
16 committee. So, can you tell us what this
17 is?

18 MR. OLNEY: Yes. Michael Olney
19 from the County Comptroller's Office.

20 This is an amendment to a
21 contract for the third party administrator
22 for the County Smart Savings Program for
23 families and households that would otherwise
24 need multiple health insurance policies.

25 This vendor has been in place

1 Rules Committee/8-1-16

2 since the original contract in 2009. It was
3 twice amended. The current amendment would
4 take it through the end of September of this
5 year and the amount of the contract is
6 \$12,000.

7 The contract states that the
8 price for the review of each claim is set at
9 the original 2009 rate of \$600 so the total
10 cost of the contract will be a function of
11 how many claims are submitted during the
12 contract period.

13 VICE-CHAIRMAN NICOLELLO: My
14 notes indicate that the comptroller issued
15 it RFP, did not receive any responses and
16 then extended the deadline, is that it?

17 MR. OLNEY: That was in 2009. I
18 was not here in 2009 but that's my
19 understanding. The deadline was extended
20 and this was the only respondent at that
21 time.

22 VICE-CHAIRMAN NICOLELLO: Any
23 thought to going out for another RFP on this
24 item?

25 MR. OLNEY: Yes. There's been

1 Rules Committee/8-1-16
2 discussion in the office. We just have
3 people who submitted claims and we need to
4 have a contract in place to be able to pay
5 those claims and then the plan is to, after
6 this period, we will put this out to RFP
7 again and hopefully engender multiple
8 responses.

9 VICE-CHAIRMAN NICOLELLO: And the
10 contract procurement process here is handled
11 internally in the Comptroller's Office?

12 MR. OLNEY: I'm not sure I
13 understand your question.

14 VICE-CHAIRMAN NICOLELLO: Well,
15 it's not done through the County Executive's
16 Office or anything like that.

17 MR. OLNEY: Yes, we'll be doing
18 the procurement.

19 VICE-CHAIRMAN NICOLELLO: Okay.
20 Do we have any further questions on this
21 item?

22 (No verbal response.)

23 Is there any public comment?

24 (No verbal response.)

25 All those in favor signify by

1 Rules Committee/8-1-16
2 saying aye.
3 (Aye.)
4 Those opposed?
5 (Nay.)
6 The item passes four to three.
7 Motion to adjourn.
8 LEGISLATOR DUNNE: So moved.
9 LEGISLATOR KOPEL: Second.
10 VICE-CHAIRMAN NICOLELLO: Moved
11 by Legislator Dunne, seconded by Legislator
12 Kopel. All those in favor of adjourning
13 signify by saying aye.
14 (Aye.)
15 Those opposed?
16 (No verbal response.)
17 Committee is adjourned.
18 (Whereupon, the Rules Committee
19 adjourned at 7:16 p.m.)
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

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

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

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

IN WITNESS WHEREOF, I have hereunto set
my hand this 17th day of August, 2016.

FRANK GRAY