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NASSAU COUNTY LEGISLATURE

RULES COMMITTEE

NORMA GONSALVES, Chairwoman

1550 Franklin Avenue
Mineola, New York

Wednesday, October 5, 2016
1:09 P.M

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

NORMA GONSALVES,
Chairwoman

RICHARD NICOLELLO, (Substituted by
Vice Chairman Vincent Muscarella)

HOWARD KOPEL

DENNIS DUNNE

KEVAN ABRAHAMS,
Ranking

DELIA DERIGGI-WHITTON

CARRIE SOLAGES

MICHAEL C. PULITZER,
Clerk of the Legislature

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

5 (The Pledge of Allegiance was
6 recited.)

7 CHAIRWOMAN GONSALVES: This
8 session is for committees and we begin with
9 the Rules Committee. It is customary, we do
10 the contracts first, and then we recess so
11 the remaining committees can meet and
12 forward items to the Rules Committee.

13 So, without any further ado, Mr.
14 Pulitzer, please call the roll for the Rules
15 Committee.

16 CLERK PULITZER: Thank you,
17 ma'am. Norma Gonsalves, chairwoman?

18 CHAIRWOMAN GONSALVES: Present.

19 CLERK PULITZER: Substituting for
20 Vice Chairman Nicoletto Vincent Muscarella?

21 LEGISLATOR MUSCARELLA: Here.

22 CLERK PULITZER: Legislator
23 Dennis Dunne?

24 LEGISLATOR DUNNE: Here.

25 CLERK PULITZER: Legislator

1 Rules Committee/10-5-16

2 Howard Kopel?

3 LEGISLATOR KOPEL: Here.

4 CLERK PULITZER: Ranking Member

5 Kevan Abrahams?

6 LEGISLATOR ABRAHAMS: Here.

7 CLERK PULITZER: Ms.

8 DeRiggi-Whitton?

9 LEGISLATOR DERIGGI-WHITTON:

10 Here.

11 CLERK PULITZER: Carrie Solages?

12 LEGISLATOR SOLAGES: Here.

13 CLERK PULITZER: We have a
14 quorum, ma'am.

15 CHAIRWOMAN GONSALVES: Thank you
16 very much, Mr. Pulitzer. Off we go to the
17 contracts that are before us today.

18 Beginning with A-20-16, a
19 resolution authorizing the director of
20 Nassau County, Office of Purchasing to award
21 and execute a contract between the County of
22 Nassau acting on behalf of the Nassau County
23 Police Department Aviation Unit and Dallas
24 Airmotive, Inc.

25 Motion, please.

1 Rules Committee/10-5-16

2 LEGISLATOR DUNNE: So moved.

3 LEGISLATOR KOPEL: Second.

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

7 LIEUTENANT STEPHANOFF: Good
8 afternoon, Lieutenant Greg Stephanoff from
9 the Police Department.

10 Item A-20 is to authorize and
11 award a blanket purchase order with Dallas
12 Airmotive Incorporated. This is a service
13 contract for the two new helicopters that we
14 just purchased to do engine overhaul and
15 repair to keep the helicopters maintained.

16 CHAIRWOMAN GONSALVES: I need to
17 enter into the record the time that the item
18 was submitted and it was September 27, 2016
19 at 3:58 in the afternoon.

20 Any questions of the lieutenant
21 regarding this item? Legislator
22 DeRiggi-Whitton.

23 LEGISLATOR DERIGGI-WHITTON:
24 Thank you. Is this a sole source type of
25 situation?

1 Rules Committee/10-5-16

2 LIEUTENANT STEPHANOFF: No. This
3 was advertised in Newsday and posted on the
4 county bid solicitation and it was chosen
5 from two vendors. We didn't use it as a
6 sole source.

7 LEGISLATOR DERIGGI-WHITTON:

8 Under previous contracts, how much do the
9 helicopter repairs usually cost annually?

10 LIEUTENANT STEPHANOFF: It goes
11 by flight hours. With the FAA regulations,
12 per flight hours, you have to maintain the
13 helicopter, the same with an aircraft.

14 We do an overhaul every 4,000
15 flight hours and in between we use it if
16 there's any repair that we have to make.
17 Repairs, it's as things go, and the flight
18 hours are periodic overhauls that we have to
19 do per the FAA.

20 LEGISLATOR DERIGGI-WHITTON: This
21 question might be better for the County
22 Attorney's Office, but do you know why
23 paragraph B of the amendment indemnification
24 clause, please explain how that works, it
25 seems like it's not a typical or standard

1 Rules Committee/10-5-16

2 clause as far as holding the county
3 harmless. I don't see the County Attorney
4 here on that.

5 MR. BECKER: Somebody from the
6 County Attorney's Office is supposed to be
7 here. If you want to hold it for a few
8 minutes, he will be here shortly to answer
9 that question.

10 CHAIRWOMAN GONSALVES: Okay.
11 Motion to table.

12 LEGISLATOR MUSCARELLA: So moved.

13 LEGISLATOR KOPEL: Second.

14 CHAIRWOMAN GONSALVES: Moved by
15 Legislator Muscarella, seconded by
16 Legislator Kopel. All those in favor of
17 tabling the item signify by saying aye.

18 (Aye.)

19 Any opposed?

20 (No verbal response.)

21 The item is tabled.

22 Mr. Becker, hopefully someone
23 from the County Attorney's Office could be
24 here? Thank you very much.

25 The next item is A-36, a

1 Rules Committee/10-5-16
2 resolution authorizing the director of
3 Nassau County Office of Purchasing to award
4 and execute a contract between the County of
5 Nassau acting on behalf of the Nassau County
6 Correctional Center and HL Shrier & Company,
7 Inc.

8 Motion, please.

9 LEGISLATOR DUNNE: So moved.

10 LEGISLATOR MUSCARELLA: Second.

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

15 MS. HALL: Good afternoon,
16 legislators.

17 CHAIRWOMAN GONSALVES: Good
18 afternoon.

19 MS. HALL: Narda Hall from the
20 Correctional Center. The item before you is
21 for H. Shrier & Company. The item is for
22 food for the correctional center. H. Shrier
23 & Company is located in Brooklyn, New York.

24 They submitted bids for 204 items
25 and it is recommended that Shrier & Company

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2 be awarded a contract for 75 of these items
3 with an estimated total of \$112,964.82.

4 When these items are calculated
5 by unit or measure, such as pounds, ounces
6 or grams, H. Shrier, Inc. is the lowest cost
7 responsible bidder for each of these 75
8 items. The remaining items are being
9 awarded to the lowest cost responsible
10 bidders for those items.

11 Historically, the company has
12 held food requirement contracts with Nassau
13 County with satisfactory performances and
14 the award is for an estimated six months.

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

17 (No verbal response.)

18 There being none, is there any
19 public comment?

20 (No verbal response.)

21 There being none, all those in
22 favor of Contract A-36 signify by saying
23 aye.

24 (Aye.)

25 Any opposed?

1 Rules Committee/10-5-16

2 (Nay.)

3 The item passes four to three.

4 Thank you very much.

5 The next item is B-12-16, a
6 resolution authorizing the County Executive
7 to award and execute a contract between the
8 County of Nassau acting on behalf of the
9 Nassau County Department of Public Works and
10 RJ Industries, Inc.

11 A motion, please.

12 LEGISLATOR DUNNE: So moved.

13 LEGISLATOR KOPEL: Second.

14 CHAIRWOMAN GONSALVES: Moved by
15 Legislator Dunne, seconded by Legislator
16 Kopel. Who is here to speak on this item?
17 Mr. Arnold.

18 MR. ARNOLD: Kenneth Arnold,
19 Public Works. B-12 is a construction
20 contract for the relocation and hardening of
21 pump stations located on Doherty Boulevard,
22 Bayview Avenue and Roslyn Road. These pump
23 stations damaged by Super Storm Sandy and
24 they will be part of this contract and this
25 work will be reimbursed by FEMA.

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2 CHAIRWOMAN GONSALVES: Any
3 questions of Mr. Arnold on this contract?
4 Legislator DeRiggi-Whitton.

5 LEGISLATOR DERIGGI-WHITTON: Has
6 this already been submitted to FEMA or are
7 you going to be submitting it in the future?

8 MR. ARNOLD: The work plans have
9 already been submitted to FEMA as part of
10 our overall recovery effort, and they will
11 get the individual contracts as they get
12 approved and they're initiated.

13 LEGISLATOR DERIGGI-WHITTON: So
14 is it technically like a new claim to FEMA
15 or has it been in the works for three years?

16 MR. ARNOLD: This is part of the
17 agreement with FEMA for the \$800 million
18 worth of work part of that scope of work.

19 LEGISLATOR DERIGGI-WHITTON: Thank
20 you.

21 CHAIRWOMAN GONSALVES: Is that
22 it, Legislator DeRiggi-Whitton?

23 LEGISLATOR DERIGGI-WHITTON: Yes.

24 CHAIRWOMAN GONSALVES: Any other
25 comments or questions regarding the item?

1 Rules Committee/10-5-16

2 (No verbal response.)

3 There being none, is there any
4 public comment? B-12-16, Ms. Mereday.

5 MS. MEREDAY: Good afternoon,
6 Meta J. Mereday, Baldwin. My question again
7 has to do with the outreach in terms of the
8 inclusion of diverse businesses with regard
9 to this contract since we are considering
10 reimbursement via federal funds.

11 You may have that information but
12 those of us out here are not privy to
13 knowing if -- I don't necessarily need to
14 hear about how this has been posted, et
15 cetera, I need to know specifics in terms of
16 what are the subcontracting goals have been
17 achieved and what companies specifically are
18 being included in this process. Thank you.

19 CHAIRWOMAN GONSALVES: You're
20 welcome. There being no other public
21 comment, all those in favor of B-12 -- go
22 ahead, Minority Leader.

23 LEGISLATOR ABRAHAMS: Just to
24 answer Ms. Mereday's question in looking in
25 our backup as prepared by our counsel, the

1 Rules Committee/10-5-16

2 MWBE utilization plan, the letter dated on
3 February 5th, 2016, signed by Mr. John
4 Dormis of RJ Industries, he explains to your
5 point, Mrs. Mereday, that their utilization
6 rate was 6.89 percent, which is currently
7 below the 20 percent rate provided in the
8 contract.

9 His justification, we don't have
10 the -- I don't have the actual
11 correspondence in front of me, but I bring
12 it up because here is a clear example of a
13 vendor that is not achieving the utilization
14 rate or the goal that the county has set
15 out.

16 It sounds like to me that this
17 committee is prepared to vote for this
18 contract and vendor again which doesn't make
19 much sense if he hasn't been able to achieve
20 the actual goal.

21 Nonetheless, I just wanted to
22 shed that light. I don't know if it answers
23 your question directly but I just wanted to
24 give you more information that you may not
25 have known about.

1 Rules Committee/10-5-16

2 MS. MEREDAY: I definitely
3 appreciate that because it's not that I am
4 surprised by that, but it's just again that
5 we are continuing to dole out funding and
6 we're giving the premise that we are being
7 responsible in our fiduciary
8 responsibilities with the funding that we
9 are receiving from taxpayers, and we are not
10 abiding by the law.

11 If it's under ten percent, that's
12 not even in compliance with the state and
13 federal guidelines. So to not even question
14 the justification or to have that
15 information, the usual we can't find
16 anybody, they don't have the capacity, and
17 we are again in 2016, and we have not put
18 those parameters in place, but we still like
19 to put out these press releases that we are
20 doing so well and that we're so inclusive.

21 So I do appreciate getting that
22 information and unfortunately it's not new
23 information for me, but it does continue to
24 reinforce the fact that we are not doing
25 what we need to do for diverse businesses so

1 Rules Committee/10-5-16

2 we can't complain why they keep leaving and
3 why we are not able to provide jobs for --
4 particularly people of color and those who
5 are underrepresented in this county. Thank
6 you.

7 I just wanted to make sure that
8 was listed on the record so that when you
9 get asked by Newsday with regard to that,
10 please don't act like you didn't know.
11 Because we're giving them money, because
12 you're all going to support it, vote for it.
13 The majority is going to say this is what
14 we're going to do.

15 So please don't say anything
16 later that you didn't know and you have to
17 go back and check your paperwork because
18 it's right here on the record. Thank you.

19 CHAIRWOMAN GONSALVES: All those
20 in favor of B-12 signify by saying aye.

21 (Aye.)

22 Any opposed?

23 (Nay.)

24 The item passes four to three.

25 The next item is B-32-16, a

1 Rules Committee/10-5-16
2 resolution authorizing the County Executive
3 to award and execute a contract between the
4 County of Nassau acting on behalf of the
5 Nassau County Department of Public Works and
6 192 Branch Interior Services, Inc.

7 A motion, please.

8 LEGISLATOR DUNNE: So moved.

9 LEGISLATOR KOPEL: Second.

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

13 MR. ARNOLD: Kenneth Arnold,
14 Public Works. B-32 is a construction
15 requirements contract for lead and asbestos
16 abatement at various county facilities.
17 This contract is used by the department when
18 asbestos or lead contamination is run across
19 either by our facilities unit or by other
20 ongoing capital work, and this contract has
21 the expertise to remove the material
22 properly.

23 CHAIRWOMAN GONSALVES: Legislator
24 Solages.

25 LEGISLATOR SOLAGES: Good

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2 afternoon, Mr. Arnold. How are you doing?

3 MR. ARNOLD: I'm good. Thank
4 you.

5 LEGISLATOR SOLAGES: Can you
6 please explain on the record the difference
7 between the \$633,700 bid amount and the
8 contract amount of \$900,000 for the past two
9 years?

10 MR. ARNOLD: Can you say that
11 again?

12 LEGISLATOR SOLAGES: Can you
13 please explain on the record the difference
14 between the \$633,700 bid amount and the
15 contract amount of \$900,000 for two years?

16 MR. ARNOLD: So the engineer's
17 estimate is based upon what we assume is
18 units of work that will occur based on our
19 experience over the last two-year period.

20 That unit is utilized by the
21 contractors who apply their fee to that,
22 which is why the fee of the lowest bidder is
23 \$633,000 using our bid factors, their unit
24 prices come to that number.

25 LEGISLATOR SOLAGES: Why is the

1 Rules Committee/10-5-16

2 contract for \$900,000?

3 MR. ARNOLD: That's what we
4 believe we will need for cap space in the
5 contract over the two year period based on
6 our experience.

7 LEGISLATOR SOLAGES: But if you
8 look at these bids, 192 Branch Interior
9 Services and the other by Grammercy Group
10 Incorporated, there is a stark difference
11 between \$633,000 and \$3,322,710. Why such a
12 big difference?

13 MR. ARNOLD: It's based on the
14 contractors and bid prices. So some of the
15 contractors have much higher unit bid prices
16 than the other contractors.

17 LEGISLATOR SOLAGES: Thank you.

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

20 (No verbal response.)

21 Is there any public comment on
22 B-32?

23 (No verbal response.)

24 There being none, all those in
25 favor of Contract B-32 signify by saying

1 Rules Committee/10-5-16

2 aye.

3 (Aye.)

4 Any opposed?

5 (Nay.)

6 The item passes four to three.

7 The next item is E-217, which is
8 a personal services agreement between the
9 County of Nassau acting on behalf of the
10 County Department of Information Technology
11 and American Communication Industries.

12 Motion, please.

13 LEGISLATOR DUNNE: So moved.

14 LEGISLATOR KOPEL: Second.

15 CHAIRWOMAN GONSALVES: Moved by
16 Legislator Dunne, seconded by Legislator
17 Kopel. Who is here to speak on this item?
18 Do we have anyone from IT? No one here, Mr.
19 Becker?

20 MR. BECKER: Madam Chair, they're
21 supposed to be here, let me call them in.

22 CHAIRWOMAN GONSALVES: I'm going
23 to table it. A motion to table 217.

24 LEGISLATOR KOPEL: Second.

25 CHAIRWOMAN GONSALVES: Seconded

1 Rules Committee/10-5-16

2 by Legislator Kopel. All those in favor of
3 tabling E-217 signify by saying aye.

4 (Aye.)

5 Any opposed?

6 (No verbal response.)

7 The item is tabled.

8 The next item is E-221, a
9 personal services agreement between the
10 County of Nassau acting on behalf of the
11 Nassau County Department of Social Services
12 and Nassau Health Care Corporation.

13 Motion, please.

14 LEGISLATOR DUNNE: So moved.

15 LEGISLATOR MUSCARELLA: Second.

16 CHAIRWOMAN GONSALVES: Moved by
17 Legislator Dunne, seconded by Legislator
18 Muscarella. Who is here to speak on this
19 item?

20 MR. BRODERICK: Good afternoon,
21 Paul Broderick, Department of Social
22 Services.

23 The item before you is a contract
24 between the Department of Social Services
25 and Nassau Health Care Corporation for

1 Rules Committee/10-5-16

2 providing us with nurses. Do you have any
3 questions?

4 CHAIRWOMAN GONSALVES: Any
5 questions for Mr. Broderick? Legislator
6 DeRiggi-Whitton.

7 LEGISLATOR DERIGGI-WHITTON: Thank
8 you. I do support this but I have a
9 question about this contract. The original
10 contract expired December 31st of 2015; is
11 that correct?

12 MR. BRODERICK: I thought it was
13 earlier than that. It could have been '14.
14 This is a 2015 contract. So I guess really
15 your question and, just correct me if I'm
16 wrong, to get to the bottom line why is it
17 so delayed?

18 LEGISLATOR DERIGGI-WHITTON: Yes.

19 MR. BRODERICK: We had forwarded
20 this to, along with all of our other
21 contracts, for '15 at the time. We usually
22 send it out towards the end of the year.

23 The Health Care Corporation is
24 traditionally tardy in returning it back to
25 us. With the change in disclosure forms

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2 last year, I believe there were some issues
3 that they had on their side regarding
4 returning it back.

5 I know there were a number of
6 other contracts within the county and they
7 experienced similar issues in returning
8 contracts back to us.

9 To the best of my knowledge, the
10 County Attorney's Office had interceded to
11 get us that information and here is where we
12 are.

13 We received the information
14 recently and got it on the calendar. I
15 believe there is another contract with the
16 Health Department in a similar situation.

17 Last year, in anticipation of
18 this, we accrued monies. It didn't impact
19 any kind of funding or we didn't lose out on
20 any reimbursement opportunities.

21 LEGISLATOR DERIGGI-WHITTON:

22 That's what my next question was. So the
23 federal and the state money are still
24 available?

25 MR. BRODERICK: Absolutely. Part

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2 of the year end accounting, we accrued for
3 the liability because we did owe them the
4 money. We just didn't have a contract. We
5 were waiting for them to react and, as I
6 mentioned, the County Attorney basically
7 straightened that out for us, not only DSS,
8 but ultimately the Health Department has a
9 similar contract in a similar situation.

10 CHAIRWOMAN GONSALVES: Any other
11 questions from the legislators?

12 (No verbal response.)

13 Is there any public comment?

14 (No verbal response.)

15 There being none, all those in
16 favor of E-221 signify by saying aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 Minority Leader Kevan Abrahams
21 recused himself, so it passes six to zero.

22 The next item is E-222, a
23 personal services agreement between the
24 County of Nassau acting on behalf of the
25 County Department of Corrections and

1 Rules Committee/10-5-16

2 New York Board of Rabbis.

3 Motion, please.

4 LEGISLATOR DUNNE: So moved.

5 LEGISLATOR KOPEL: Second.

6 CHAIRWOMAN GONSALVES: Moved by
7 Legislator Dunne, seconded by Legislator
8 Kopel. Who is here to speak on this item?

9 MS. HALL: Narda Hall,
10 correctional center.

11 The item before you is for the
12 New York Board of Rabbis to provide
13 religious services and counseling to the
14 inmate population of the Nassau County
15 Correctional Center. The funding period is
16 for January through December 2016 for 8,400
17 \$400.

18 CHAIRWOMAN GONSALVES: Any
19 questions on this item?

20 (No verbal response.)

21 Is there any public comment?

22 (No verbal response.)

23 There being none, all those in
24 favor of E-222 signify by saying aye.

25 (Aye.)

1 Rules Committee/10-5-16

2 Any opposed?

3 (No verbal response.)

4 I guess the item passes again
5 this time seven to zero. Thank you very
6 much.

7 The next item is E-223, a
8 personal services agreement between the
9 County of Nassau acting on behalf of the
10 Nassau County Traffic and Parking Violations
11 Agency and Lawrence M. Schaefer.

12 Motion, please.

13 LEGISLATOR DUNNE: So moved.

14 LEGISLATOR KOPEL: Second.

15 CHAIRWOMAN GONSALVES: Moved by
16 Legislator Dunne, seconded by Legislator
17 Kopel. And we have?

18 MR. RICH: Dave Rich, Assistant
19 Executive Director of Traffic and Parking
20 Violations Agency.

21 The amendment is to extend the
22 one year contract for one of our judicial
23 hearing officers. We currently have 19
24 judicial hearing officers at TPVA.

25 CHAIRWOMAN GONSALVES: Any

1 Rules Committee/10-5-16

2 questions from the legislators regarding
3 this item?

4 (No verbal response.)

5 Is there any public comment?

6 (No verbal response.)

7 There being none, all those in
8 favor of E-223 signify by saying aye.

9 (Aye.)

10 Any opposed?

11 (No verbal response.)

12 The item passes unanimously.

13 The next item is E-224, a
14 personal services agreement between the
15 County of Nassau acting on behalf the Nassau
16 County Department of Public Works and
17 Gannett Plumbing Engineers and Architects.

18 Motion, please.

19 LEGISLATOR DUNNE: So moved.

20 LEGISLATOR MUSCARELLA: Second.

21 CHAIRWOMAN GONSALVES: Moved by
22 Legislator Dunne, seconded by Legislator
23 Muscarella. We have?

24 MR. ARNOLD: Kenneth Arnold,
25 Public Works.

1 Rules Committee/10-5-16

2 E-224 is a design contract for
3 the rehabilitation of the screening and
4 disinfection facility at Bay Park. This was
5 a facility that was damaged under Sandy and
6 this is a contract to repair the facility
7 and harden it for future storms. Gannett
8 Plumbing was the highest technically ranked
9 submittal.

10 CHAIRWOMAN GONSALVES: Any
11 questions of Mr. Arnold on this item?
12 Legislator Dunne.

13 LEGISLATOR DUNNE: Just a quick
14 question if you know. With the storm
15 supposedly coming towards us, is this going
16 to be done in time to prevent any damage?

17 MR. ARNOLD: That storm actually
18 turned out to sea so I'm not worried about
19 it at the moment. This work is only just
20 starting, the rest of Bay Park, I know
21 there's measures in place that if we had to
22 enclose the berm, it's not a completed
23 contract, there are contingencies for us to
24 encapsulate that facility in case of a
25 storm.

1 Rules Committee/10-5-16

2 LEGISLATOR DUNNE: Thank you.

3 CHAIRWOMAN GONSALVES: Any other
4 comments or questions from the legislators?
5 Minority leader.

6 LEGISLATOR ABRAHAMS: Mr. Arnold,
7 my question is more tied into the
8 termination date which is specified in the
9 contract as 12-31-20. The termination date
10 of the contract. So it would go to roughly
11 2020.

12 MR. ARNOLD: I agree.

13 LEGISLATOR ABRAHAMS: So my
14 greater question is, it appears that we are,
15 the entire amount of the contract, \$859,300
16 is being encumbered now.

17 MR. ARNOLD: That's correct.

18 LEGISLATOR ABRAHAMS: But
19 appendix B of the contract states that we
20 would be paying the installments monthly.

21 So I'm just trying to figure out
22 if the contract is to be paid \$859,300 now,
23 is it DPW disregarding an essential
24 provision of the contract.

25 MR. ARNOLD: Ask the question

1 Rules Committee/10-5-16

2 again.

3 LEGISLATOR ABRAHAMS: You had
4 agreed that the \$859,300 is being encumbered
5 now; is that correct?

6 MR. ARNOLD: That's correct.

7 LEGISLATOR ABRAHAMS: So Appendix
8 B of the contract states that the FDE shall
9 be paid in monthly installments; is that
10 correct?

11 MR. ARNOLD: That's correct.

12 LEGISLATOR ABRAHAMS: So my
13 question really becomes, if the contract is
14 paid \$859,300 now, isn't DPW disregarding an
15 essential provision?

16 MR. ARNOLD: No. We are covering
17 the full amount of the contract now. We'll
18 pay a percentage of that 859 over the
19 duration of the contract based on the
20 payment schedule.

21 LEGISLATOR ABRAHAMS: How does
22 that work? Let me write that down. So you
23 would encumber the 859?

24 MR. ARNOLD: Into the financial
25 system. So it's held against that contract.

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2 The contractor submits progress schedules of
3 what work was completed. I'm not sure if
4 this contract is based on percentage
5 complete or by a monthly allocation. I
6 would have to go through it myself.

7 But we would pay it based on
8 their progress throughout the duration of
9 the design services.

10 LEGISLATOR ABRAHAMS: I'm done.

11 CHAIRWOMAN GONSALVES: Mr. Arnold,
12 let me ask you this. The entire amount is
13 \$859,300. It will not exceed that amount of
14 money. That is going to be paid on a
15 monthly basis based on the work that is
16 being done?

17 MR. ARNOLD: Will not exceed that
18 amount unless we come back to you for
19 additional resources.

20 CHAIRWOMAN GONSALVES: Okay.
21 That's what I wanted to know.

22 Any other comments or questions
23 from the legislators?

24 (No verbal response.)

25 Is there any public comment? Ms.

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2 Mereday.

3 MS. MEREDAY: Meta J. Mereday,
4 Baldwin resident. Again, my question has to
5 do with the outreach and the inclusion of
6 underrepresented businesses in this.

7 Again, you have all these forms
8 and utilizations and qualifications but you
9 don't seem to be measuring up to the numbers
10 or the percentages that are in place.

11 Unfortunately all of you have the
12 information and the public doesn't find out
13 about it until there's a problem.

14 So I just need some clarification
15 with regard to what was the mechanism used
16 for the outreach in the bidding process, the
17 subcontracting utilization, the impact on
18 the community or the involvement of the
19 community as far as local business
20 enterprises, things of that nature.

21 I have asked and I do believe,
22 Presiding Officer, you do have the letter
23 that I've asked in terms of getting a
24 breakdown of utilization, if any, of service
25 disabled and veteran owned business. I'm

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2 still awaiting that.

3 I have yet to receive the
4 breakdown in terms of the utilization of
5 minority and women in business enterprises
6 in Nassau County.

7 I don't see why we continue to
8 have these issues in terms of getting this
9 type of issue because by the accounts with
10 this contract, the numbers are already low.
11 So you might as well put it out there and
12 own up to the fact that the job that is
13 being done with regard to diverse business
14 outreach basically stinks in Nassau County.

15 So let's try to do something
16 about it before the smell gets even worse
17 because we need to fix this problem as soon
18 as possible.

19 So that's pretty much my issue as
20 it pertains to this because we are using
21 state and federal funding. I can't stress
22 this enough that we are consistently in
23 violation. I know folks are looking at
24 elections, and they want to talk about all
25 the things they are doing for their

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2 constituents. But we're not representing
3 our constituency.

4 When I continue to see the
5 Veterans Services Committee that has nothing
6 on their agenda, that also bothers me. And
7 people up there who representing these
8 various committees, and they're not asking
9 the questions for those constituencies, that
10 bothers me as well.

11 So I know you're going to do what
12 you're going to do and the number is going
13 to be the same, but at least there is one
14 voice in the wilderness, one rock upon the
15 pond that's at least trying to generate some
16 ripple of conversation to get some awareness
17 and get something straight here while I can
18 still do that. Thank you.

19 CHAIRWOMAN GONSALVES: Thank you,
20 Ms. Mereday. Minority Leader.

21 LEGISLATOR ABRAHAMS: If I may.
22 Mr. Arnold is still here? Just a quick
23 question, Mr. Arnold.

24 So they're paying this contract
25 out in monthly installments. Is that tied

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2 to any level of completion of work?

3 MR. ARNOLD: I have to go back
4 and look at the contract. Sometimes they
5 have a certain duration to finish the work.
6 We have progress meetings with them, but
7 there may be no hard submittals as they go
8 through their monthly bills.

9 There is milestones on a
10 technical design report, on a certain final
11 design, but I don't think every monthly bill
12 is tied to a submittal. I would have to go
13 back and double check.

14 LEGISLATOR ABRAHAMS: My greater
15 question is really tied to ensuring that in
16 the event we don't go six months into paying
17 monthly installments, and they default or
18 they are not able to complete the work and
19 we are facing a product that's ten percent,
20 20 percent complete, but we have already
21 paid out six months worth of installments,
22 I'm just concerned that the county is not
23 being protected to insure that the money
24 that they are being paid is tied to the
25 completion of work.

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2 MR. ARNOLD: The department
3 scrutinizes all submittals and all claims
4 and we double check their progress versus
5 what their percent payment they have
6 achieved for any particular job as we go
7 through.

8 LEGISLATOR ABRAHAMS: But there
9 is nothing that we can do from the
10 department's standpoint to withhold payment
11 because it doesn't seem -- it's clearly tied
12 to work completed because it's required to
13 be paid on a monthly basis.

14 MR. ARNOLD: I have to go back
15 and look at the particulars on the contract,
16 but I don't believe so. But the department
17 will not be pay if the firm has not achieved
18 what we believe is the progress that needs
19 to be done under that monthly payment.

20 LEGISLATOR ABRAHAMS: Okay. All
21 right. Thank you.

22 CHAIRWOMAN GONSALVES: There
23 being no other comments, all those in favor
24 of E-224 signify by saying aye.

25 (Aye.)

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2 Any opposed?

3 (Nay.)

4 It passes four to three.

5 I believe, Mr. Arnold, the next
6 three items E-225, E-226 and E-227 are all
7 personal services agreement involved with
8 the Department of Public Works.

9 I'm going to call the three of
10 them together but you can speak on them
11 separately.

12 On E-225, a personal services
13 agreement between the County of Nassau
14 acting on behalf of the Nassau County
15 Department of Public Works and Nassau County
16 Soil and Water Conservation District;

17 226, a personal services
18 agreement between the County of Nassau and
19 on behalf of the County Department of Public
20 Works and Liro Engineers;

21 E-227, a personal services
22 agreement between the County of Nassau
23 acting on behalf of the Department of Public
24 Works and DMV Engineers & Architects.

25 Motion, please.

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2 LEGISLATOR DUNNE: So moved.

3 LEGISLATOR KOPEL: Second.

4 CHAIRWOMAN GONSALVES: Moved by
5 Legislator Dunne, seconded by Legislator
6 Kopel. Mr. Schneider, I guess you're going
7 to speak on the first one.

8 MR. SCHNEIDER: Correct. Brian
9 Schneider, Public Works. E-225-16 is an
10 this agreement tween the county and the
11 Nassau County Soil and Water Conservation
12 District.

13 This is an ongoing yearly
14 agreement. Specifically the funding will
15 assist the Soil and Water Conservation
16 District in providing a local match for
17 state and federal grants that will improve
18 the soil and water related resources as well
19 as assisting the county with compliance
20 regarding the phase two storm water
21 regulation program.

22 As you know, a number of board
23 members appeared before the Full Leg a
24 couple of weeks ago, either to be appointed
25 or reappointed.

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2 At that meeting, you heard a
3 review of the mission of the Soil and Water
4 Conservation District. So if you have any
5 questions I would be able to answer some of
6 those.

7 This agreement is for \$85,000.
8 Again, it's a yearly agreement that we're
9 looking to get executed now.

10 CHAIRWOMAN GONSALVES: Any
11 questions of Mr. Schneider?

12 (No verbal response.)

13 Is there any public comment?

14 (No verbal response.)

15 There being none, all those in
16 favor of E-225 signify by saying aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 That's unanimous.

21 E-226, who is here to speak on
22 that one? Mr. Arnold, it's yours.

23 MR. ARNOLD: Ken Arnold, Public
24 Works. E-226 is a contract amendment for
25 the department's on call civil site

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2 construction management contract. This
3 amendment is to increase the cap of the
4 contract by \$500,000.

5 CHAIRWOMAN GONSALVES: Mr. Arnold,
6 would you, just for those who are in the
7 chambers and on the dais, explain what an on
8 call contract is.

9 MR. ARNOLD: We pre-qualify firms
10 to assist the department in various areas of
11 expertise. This one is our construction
12 management of our roadway, drainage and
13 bridge work.

14 From the list of the on call
15 contractors, we put out mini bids that the
16 department evaluates and we select the most
17 qualified consultant and then most available
18 consultant for that particular project.

19 That money is encumbered through
20 the comptroller's office at that time. We
21 are looking to increase the cap which allows
22 us to assign additional work to the
23 consultant.

24 CHAIRWOMAN GONSALVES: Thank you
25 very much. Legislator DeRiggi-Whitton.

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2 LEGISLATOR DERIGGI-WHITTON: I
3 have a quick question regarding the term of
4 the contracts. Are these dates correct, May
5 27, 2014 through May 26, 2016?

6 MR. ARNOLD: Is that off the
7 amendment or the original agreement? I
8 don't have it in front of me.

9 LEGISLATOR DERIGGI-WHITTON: It's
10 off the amendment number two but it says the
11 terms of contract are May 27th, 2014 through
12 May 26, 2016. There are no other dates that
13 I see.

14 MR. ARNOLD: I would have to go
15 back and double-check. That's what the
16 amendment is for. That's what my engineers
17 indicated they needed. I would have to go
18 back because, as you mention, that's a past
19 date, so I would have to clarify.

20 LEGISLATOR DERIGGI-WHITTON:
21 Right. Already expired. Maybe we should
22 table it until we get the correct date.

23 CHAIRWOMAN GONSALVES: I just
24 have one question regarding this contract.
25 Why is the contract before the Legislature

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2 at this time?

3 MR. ARNOLD: We require
4 additional cap space to assign work.

5 LEGISLATOR DERIGGI-WHITTON: But
6 if the dates expired --

7 MR. ARNOLD: I would have to go
8 back to my computer and look at what the
9 date issue might be.

10 LEGISLATOR DUNNE: It says it's a
11 24 month contract.

12 LEGISLATOR DERIGGI-WHITTON:
13 Expires 2016.

14 MR. ARNOLD: I would have to see
15 if that's a typo. I don't have it in front
16 of me. You want to table, I can go look and
17 come back to this.

18 CHAIRWOMAN GONSALVES: Motion to
19 table?

20 LEGISLATOR DUNNE: So moved.

21 LEGISLATOR KOPEL: Second.

22 CHAIRWOMAN GONSALVES: Moved by
23 Legislator Dunne, seconded by Legislator
24 Kopel. All those in favor signify by saying
25 aye.

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2 (Aye.)

3 Any opposed?

4 (No verbal response.)

5 The item is tabled. It will give
6 Mr. Arnold a chance to go and check his
7 paperwork.

8 The next item, I guess, Ken, you
9 are going to speak on this as well, a
10 personal services agreement.

11 MR. ARNOLD: Yes. Item 227 is a
12 contract amendment to the design contract
13 associated with the storm water pumping
14 station at Bay Park. The contract requires
15 additional cap space.

16 When we initially proposed the
17 project it was an engineer's estimate of
18 around \$13 million. The bids came in closer
19 to \$16 million and the designer is paid
20 based upon the percent of the construction
21 value. So in that case we needed to amend
22 their contract to add additional funds.

23 CHAIRWOMAN GONSALVES: Any
24 questions or comments for Mr. Arnold
25 regarding this contract?

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2 (No verbal response.)

3 Is there any public comment?

4 Minority leader.

5 LEGISLATOR ABRAHAMS: Thank you.

6 This is the same question I just want to put
7 on the record again that I had before. The
8 contract again has a monthly amount. This
9 contract goes out to December 31, 2018.

10 We are encumbering the entire
11 amount and the contract is to be paid out in
12 monthly installments.

13 I just want to make sure for the
14 record that we are tying any progress in the
15 project and we are monitoring on a monthly
16 basis to insure that the county doesn't pay
17 out on a monthly basis and somehow we lose
18 our eye on the fact of how much progress is
19 going to be done.

20 In the event of a default, we are
21 left with monies that's been paid out and
22 not the work product that equals that money.

23 I just want to make sure for the
24 record that the department will do that.

25 MR. ARNOLD: That's correct.

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2 And, in this case, we owe the vendor the
3 money because he's already done the work and
4 the contract was bid and came in at a higher
5 number which is why we need the amendment to
6 make the consultant whole.

7 LEGISLATOR ABRAHAMS: Thank you.

8 CHAIRWOMAN GONSALVES: Is there
9 any public comment regarding the item?
10 Ms. Mereday.

11 MS. MEREDAY: Meta Mereday.
12 Again, my issue is, I'm still waiting to get
13 an answer, a nod, something with regard to
14 the lack of inclusion particularly when we
15 are talking about the millions of dollars
16 that have already been invested in Bay Park
17 and the fact that we have so many residents
18 particularly on the South Shore as we are
19 doling out millions and hundreds of
20 thousands of dollars and we're not taking
21 into consideration that we have a number of
22 residents who are now being charged with pay
23 back or charged back from FEMA for services
24 that were rendered on their homes that are
25 still not made whole.

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2 So, to hear that there is a
3 contractor that already made millions of
4 dollars that may have extended his contract
5 or his contract period and he needs to be
6 made whole, does not concern me as much as
7 the residents who are still paying taxes in
8 Nassau County and cannot live in their
9 homes.

10 Were we're not doing anything
11 progressively or proactively with regard to
12 including service disabled, veteran owned
13 business, minority and women owned business
14 in these contracts and these projects that
15 are both state and federally funded.

16 We're exposing ourselves to
17 lawsuits. Even though this body seems to
18 enjoy the fact of putting money out for
19 personal service contracts for attorneys to
20 add to the extensive number that we already
21 have in the County Attorney's Office, me, as
22 a taxpayer, I have a problem with watching
23 this situation continue to unfold and no one
24 is actively pursuing something of
25 significance to make a difference.

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2 A photo opportunity and a 30
3 minute veteran job fair when there are no
4 jobs and no benchmarks and no results is not
5 impressing me.

6 It clearly is not impressing all
7 of those who are leaving here literally in
8 the middle of the night and increasing the
9 number of zombie houses. But, oh yeah,
10 that's right, you have a land bank that
11 you're going to use that.

12 CLERK PULITZER: Your three
13 minutes have expired.

14 MS. MEREDAY: Not a problem. I
15 think the point was made. And you folks can
16 sit here and silence does breed consent, so
17 I'm just putting that out there too.

18 CHAIRWOMAN GONSALVES: There
19 being no other comments, all those in favor
20 of the E-227 signify by saying aye.

21 (Aye.)

22 Any opposed?

23 (Nay.)

24 The item passes four to three.

25 I'm going to ask for a motion to

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2 untable A-20. I believe someone is here to
3 speak on this item; am I correct? Motion to
4 untable A-20.

5 LEGISLATOR DUNNE: So moved.

6 LEGISLATOR KOPEL: Second.

7 CHAIRWOMAN GONSALVES: Moved by
8 Legislator Dunne, seconded by Legislator
9 Kopel. All those in favor of untabling
10 signify by saying aye.

11 (Aye.)

12 Any opposed?

13 (No verbal response.)

14 The item is untabled.

15 MR. BECKER: Thank you, Madam
16 Chair, thank you for your patience. Dan
17 Grippo is here to answer any questions on
18 A-20.

19 MR. GRIPPO: Good afternoon. Dan
20 Grippo from the County Attorney's Office.

21 So my understanding of this item
22 when it was originally submitted there were
23 questions or at least a question regarding
24 the indemnity provisions of the contract.

25 The vendor sought to change the

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2 provision to make it discretionary and, by
3 that I mean, the vendor giving itself an
4 option whether to defend the county,
5 indemnify and defend, our standard provision
6 makes defense and indemnification mandatory
7 not discretionary.

8 So, we had to change the original
9 submission which contained the language the
10 vendor may defend the county.

11 And, now, the amendment in the
12 nature of a substitution for this item has
13 an indemnity clause where it, B, the
14 indemnifying party shall indemnify and
15 defend.

16 So we've removed the
17 objectionable discretionary language and
18 substituted a mandatory provision.

19 CHAIRWOMAN GONSALVES: Legislator
20 DeRiggi-Whitton.

21 LEGISLATOR DERIGGI-WHITTON: I
22 don't think we have a copy of that. When
23 did you make that change?

24 CHAIRWOMAN GONSALVES: September
25 29; am I correct?

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2 MR. GRIPPO: Yes. It's time
3 stamped September 27th received Nassau Clerk
4 of the Legislature.

5 CHAIRWOMAN GONSALVES: So it was.

6 LEGISLATOR DERIGGI-WHITTON: This
7 is legal opinion, but it's saying that each
8 party shall be solely responsible. So they
9 are not indemnifying the county in any way?

10 MR. GRIPPO: So on the question
11 of the discretion versus the mandatory, the
12 shall is that part.

13 The each party is, what this is
14 assist a reciprocal bad act indemnity, in
15 other words, each party is responsible for
16 its own negligible acts or omissions and
17 agrees to defend and indemnify the other
18 party for damages arising from those acts or
19 omissions.

20 So it's a reciprocal one, but
21 it's not discretionary. It's mandatory.

22 LEGISLATOR DERIGGI-WHITTON: So
23 in your opinion, is the county being
24 protected by this contract?

25 MR. GRIPPO: Yes. Again, it's a

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2 reciprocal bad act indemnity.

3 CHAIRWOMAN GONSALVES: There
4 being no other questions or comments, all
5 those in favor of A-20 signify by saying
6 aye.

7 (Aye.)

8 Any opposed?

9 (No verbal response.)

10 The item passes four to three.

11 Mr. Arnold, are you ready for us
12 to untable your item? No. Okay. We will
13 continue.

14 Next item is E-228, a personal
15 services agreement between the County of
16 Nassau acting on behalf of the Traffic
17 Safety Board and Dedicated Incorporated.

18 Motion, please.

19 LEGISLATOR DUNNE: So moved.

20 LEGISLATOR MUSCARELLA: Second.

21 CHAIRWOMAN GONSALVES: Moved by
22 Legislator Dunne, seconded by Legislator
23 Muscarella. Who is here to speak on this
24 item? Mr. Becker, what do we have?

25 MR. BECKER: He says he will be

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2 here in a few minutes.

3 CHAIRWOMAN GONSALVES: So we have
4 to table it. Motion, please.

5 LEGISLATOR MUSCARELLA: So moved.

6 LEGISLATOR KOPEL: Second.

7 CHAIRWOMAN GONSALVES: Moved by
8 Legislator Muscarella, seconded by
9 Legislator Kopel. All those in favor of
10 tabling E-228 signify by saying aye.

11 (Aye.)

12 Any opposed?

13 (No verbal response.)

14 The item is tabled.

15 E-229, a personal services
16 agreement between the County of Nassau
17 acting on behalf of the County Department of
18 Health and Nassau Health Care Corporation.

19 I believe the minority leader is
20 recusing himself, correct? Yes.

21 LEGISLATOR DUNNE: So moved.

22 LEGISLATOR KOPEL: Second.

23 CHAIRWOMAN GONSALVES: Moved by
24 Legislator Dunne, seconded by Legislator
25 Kopel. Who do we have?

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2 MS. LORRAINE: MaryEllen

3 Lorraine, Department of Health.

4 E-229 is a contract with the
5 Nassau County Department of Health and the
6 Nassau Health Care Corporation for \$94,534.
7 This is to provide the WIC Program with peer
8 counseling for breast feeding. This is 100
9 percent grant funded and is a mandate of the
10 grant.

11 CHAIRWOMAN GONSALVES: Any
12 questions or comments?

13 (No verbal response.)

14 There being none, all those in
15 favor of E-229 signify by saying aye.

16 (Aye.)

17 Any opposed?

18 (No verbal response.)

19 The item passes six to zero.

20 The next item is E-230, a
21 personal services agreement between the
22 County of Nassau acting on behalf of the
23 Department of Public Works Division of Real
24 Estate Services and ACC Real Estate
25 Services.

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2 Now, I'm going to -- just one
3 moment please. There is an item that's not
4 a contract but it is related to the E-230
5 and I'm going to call that item as well.
6 The item I'm going to call in conjunction
7 with the item I just called which is Item
8 E-230 is Item 409.

9 I believe it's an ordinance
10 regarding the -- I'm trying to cut it down,
11 an offer of purchase from Namdar Realty
12 Group L.L.C. of certain premises located in
13 the Incorporated Village of Hempstead, Town
14 of Hempstead, County of Nassau, State of New
15 York, said property Town of Hempstead,
16 County of Nassau, State of New York, said
17 property known as section 34, block 333-02,
18 lot 2 on the land and tax map of the County
19 of Nassau and authorizing the County
20 Executive to execute a deed contract of sale
21 intermunicipal agreement for mortgage and
22 tax pay off and all pertinent documents in
23 connection therewith to consummate the sale
24 and vacating and cancelling all county held
25 tax liens and any and all tax obligations

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2 not yet ripe for lien status related to such
3 properties.

4 I need a motion for E-230 and a
5 motion for 409 together.

6 LEGISLATOR DUNNE: So moved.

7 LEGISLATOR KOPEL: Second.

8 CHAIRWOMAN GONSALVES: Moved by
9 Legislator Dunne, seconded by Legislator
10 Kopel. And now we have someone to talk
11 about the contract as well as the ordinance
12 related to it.

13 MR. WALSH: Good afternoon,
14 legislators. Kevin Walsh from the Office of
15 Real Estate Services.

16 You actually have two separate
17 items here, really three agreements for
18 authorization and approval. A property
19 management contract, short term property
20 management contract for a building in
21 Hempstead, 100 Main Street. I'm sure many
22 of the legislators are familiar with it,
23 it's the commercial retail building across
24 the street from the district court.

25 The county acquired this property

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2 in December 2014 through a tax deed. Tax
3 redemption process was undertaken and action
4 acquired title.

5 We are requesting approval to
6 sell this property. We issued an RFP,
7 actually two RFPs in late 2014 and reviewed
8 them to 2015. We are looking for your
9 approval to sell this property to Namdar
10 Realty Group who was the responsible highest
11 proposer.

12 Also, I just want to point out
13 the property management contract was a six
14 month contract that we've extended and we've
15 extended it a final time to the end of the
16 year. We expect to close on this
17 transaction hopefully before the end of this
18 month if possible.

19 We have a buyer who is taking
20 title, subject to no conditions, all cash.
21 So we hope that this will close
22 expeditiously.

23 CHAIRWOMAN GONSALVES: I can take
24 questions regarding the contract itself.
25 Anyone from the legislature who wishes to

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2 comment, E-230?

3 LEGISLATOR DERIGGI-WHITTON: I
4 just want to make a point of reference. The
5 Legislature is receiving this contract now
6 when the original date expired over a year
7 ago; is that correct?

8 MR. WALSH: The original contract
9 was a six month contract. It went into
10 effect when we took title, we needed someone
11 to manage the building.

12 We retained through a
13 solicitation process the existing property
14 manager who has actually managed the
15 building for approximately 20 years.

16 The property manager, when the
17 building was in receivership, there was a
18 mortgage foreclosure in 2006, we renewed it
19 for six months. We were hoping we were
20 going to get this process done sooner, and
21 then now we are finally at the finish line.

22 The property manager actually
23 restructured its corporation so it took time
24 to get all the disclosures together but this
25 is a final six month. The reason it didn't

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2 come to the Legislature at the outset, it's
3 not a contract where the county expends any
4 money. It's a revenue contract. They get
5 paid from some of the revenues they collect.
6 But this contract will terminate upon
7 closing.

8 LEGISLATOR DERIGGI-WHITTON: So
9 during the time the county does not pay
10 money?

11 MR. WALSH: That's correct.

12 LEGISLATOR DERIGGI-WHITTON: And
13 that's why the cost is -- okay. Thank you.

14 MR. WALSH: Correct.

15 CHAIRWOMAN GONSALVES: Even
16 though Item 409 needs to go before the
17 Planning Commission, I think maybe you could
18 talk about it and just give us some insight
19 into what we are going to table 409,

20 MR. WALSH: 409 actually we
21 submitted a little late. The Planning
22 Commission did approve it and issued a neg
23 dec. Actually we got the paperwork this
24 morning, but it was approved in August by
25 the Planning Commission with no conditions.

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2 It's a commercial building. The county
3 typically does not own buildings like this,
4 this is kind of unique because of the long
5 history of the building and it had not been
6 paying taxes for many years.

7 CHAIRWOMAN GONSALVES: Any other
8 questions or comments regarding E-230, the
9 contract itself?

10 (No verbal response.)

11 Is there any public comment
12 regarding the contract, E-230?

13 LEGISLATOR ABRAHAMS: Madam
14 Presiding Officer, I just want to make sure
15 that the folks that are here today for this
16 contract, will they be coming back for item
17 409 when it's called in Planning?

18 CHAIRWOMAN GONSALVES: Yes.
19 They're not going away. It's going to go
20 through Planning.

21 LEGISLATOR ABRAHAMS: Are we
22 going to do 409 as part of the Rules at this
23 point?

24 CHAIRWOMAN GONSALVES: No. Can't
25 do that.

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2 CHAIRWOMAN GONSALVES: No. I
3 need to table that item because it really
4 has to go through committees first.

5 I'm going back to E-230. Any
6 other comments?

7 (No verbal response.)

8 There being none, all those in
9 favor of E-230 signify by saying aye.

10 (Aye.)

11 Any opposed?

12 (Nay.)

13 The item passes four to three.

14 Now, I'm going to make a fact
15 that I did call 409. I need a motion to
16 table 409.

17 LEGISLATOR DUNNE: So moved.

18 LEGISLATOR KOPEL: Second.

19 CHAIRWOMAN GONSALVES: Moved by
20 Legislator Dunne, seconded by Legislator
21 Kopel. All those in favor of tabling 409
22 signify by saying aye.

23 (Aye.)

24 Any opposed?

25 (No verbal response.)

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2 That item is tabled until the
3 committees have an opportunity to address
4 the item.

5 I don't know if I have any more
6 contracts. Am I finished with contracts?

7 MR. BECKER: Madam chair?

8 CHAIRWOMAN GONSALVES: Mr. Arnold
9 is ready so we need to untable Item 226. Is
10 that the one, Mr. Arnold?

11 Motion to untable 226.

12 LEGISLATOR DUNNE: So moved.

13 LEGISLATOR KOPEL: Second.

14 CHAIRWOMAN GONSALVES: Moved by
15 Legislator Dunne, seconded by Legislator
16 Kopel. All those in favor of untabling
17 E-226 signify by saying aye.

18 (Aye.)

19 Any opposed?

20 (No verbal response.)

21 Now Mr. Arnold.

22 MR. BECKER: Madam Chair, as soon
23 as you are finished with Mr. Arnold we can
24 also take a look at and then untable E-217.
25 We have somebody to speak on that contract.

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2 CHAIRWOMAN GONSALVES: I have to
3 see what you're talking about.

4 MR. BECKER: Mr. Arnold will
5 speak on the contract you just untabled, and
6 we also can untable E-217 after Mr. Arnold.

7 CHAIRWOMAN GONSALVES: Let
8 Mr. Arnold speak please.

9 MR. ARNOLD: Ken Arnold, Public
10 Works. Item E-226, the base contract is a
11 two year contract with a one year extension
12 at the commissioner's discretion which is
13 why we are looking to increase the cap at
14 this point. This contract will actually
15 expire in 2017 in May.

16 CHAIRWOMAN GONSALVES: Any
17 questions? Legislator DeRiggi-Whitton.

18 LEGISLATOR DERIGGI-WHITTON: Can
19 you just clarify for the record then what
20 the terms of this contract that we're voting
21 on, what the dates are?

22 MR. ARNOLD: If you go back to
23 the base contract, it's a two year contract,
24 but then the department is allowed to extend
25 it for one additional year which the

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2 department has done by letter. So the
3 contract will expire May of '17.

4 LEGISLATOR DERIGGI-WHITTON: We
5 don't have that in writing. So you're just
6 talking about a contract that's going from
7 October 5th to May 17th or May 26th of 2017?

8 MR. ARNOLD: Yes. The contract
9 was put in effect an additional year at the
10 department's discretion. So we wrote that
11 letter prior to the expiration in May of '16
12 to it will be extended till May of '17.

13 LEGISLATOR DERIGGI-WHITTON: Well,
14 you don't have to come to the Leg to extend
15 it till May --

16 MR. ARNOLD: If it's in the
17 contract, it allows it to happen, we do not
18 have to come to the Leg.

19 LEGISLATOR DERIGGI-WHITTON: So
20 you are coming here today for what?

21 MR. ARNOLD: Additional cap
22 capacity. The contract has a good cap
23 capacity of a certain amount. Currently we
24 have assigned work to that amount so in
25 order for this firm to receive additional

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2 work to be available to compete with the
3 other firms, we have to increase that
4 capacity and the department is choosing to
5 increase it by a half a million dollars.

6 CHAIRWOMAN GONSALVES: I have a
7 question. The term of the contract goes to
8 May of 2017?

9 MR. ARNOLD: Yes.

10 CHAIRWOMAN GONSALVES: You don't
11 have to come back to us?

12 MR. ARNOLD: After May of 2017 we
13 will have to have a new contract. If we
14 want to go past May of 2017 we have to amend
15 it for time.

16 CHAIRWOMAN GONSALVES: Thank you
17 very much, Mr. Arnold. Any other comments?

18 LEGISLATOR DERIGGI-WHITTON: I
19 just want to say that -- should mention that
20 in the amendment that it was extended a
21 year. I have it here.

22 MR. ARNOLD: You're correct. We
23 should clarify it. I can see where your
24 question came from and we apologize.

25 CHAIRWOMAN GONSALVES: No

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2 problem. Public comment?

3 MS. MEREDAY: Yes. Meta Mereday.
4 I definitely have serious issues with Liro
5 Engineers and clearly they are making lots
6 of money and the results again with the
7 South Shore residents have not been
8 favorable.

9 I really question how we are
10 continuing to just dole out money and I'm
11 still questioning where is the
12 accountability? Where are the results when
13 we have residents that are still having
14 problems? Even myself, with my home, have
15 had problems with Liro Engineers who came to
16 my home and said I didn't have any damage
17 related to the storm. I'm still trying to
18 figure that one out.

19 I would hope that somewhere,
20 because it doesn't seem to be in the public
21 forum, so maybe behind the scenes, I'm
22 trying to remain hopeful that someone is
23 asking the questions and someone is drilling
24 down to get some kind of accountability and
25 results, some kind of benchmarking in terms

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2 of what is being done and what is the
3 satisfaction for the residents who are now
4 being charged to pay back money that they
5 don't have as we are doling out money for
6 more consultants to allegedly do the work to
7 make residents whole.

8 I can't stress enough that we are
9 being bled dry and, as we are looking at
10 that time budget, that is probably going to
11 include more increased fees for parking and
12 things of that nature, that I'm begging all
13 of you sitting there that you look out for
14 the interests of the taxpayers.

15 We're the ones that have to pay
16 for the increased fees for the parking and
17 getting into these various institutions on
18 the guise that our property taxes are not
19 going to be increased.

20 You're increasing everything else
21 but you're not benefiting us. And there
22 needs to be more accountability. We need to
23 actually look at what the money that we are
24 expending is actually being used for aside
25 from salaries and vacations and alliances

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2 and pancake breakfasts. We need to see what
3 the residents are doing.

4 I know quite a few residents that
5 have to dig deep to pay back \$50,000 here,
6 \$100,000 there, for the repairs on their
7 homes that still have not been done. Thank
8 you.

9 And, particularly with Liro, they
10 made enough money and there is no inclusion
11 process with them, and their diversity
12 initiatives are pitiful to say the least.
13 If there is no one over there to ask the
14 questions, then I will have to look for
15 other means to get my issues addressed as a
16 taxpayer, because my issues are not being
17 represented here. Thank you.

18 CHAIRWOMAN GONSALVES: You're
19 welcome. There being no other comments, all
20 those in favor of E-226 signify by saying
21 aye.

22 (Aye.)

23 Any opposed?

24 (No verbal response.)

25 The item passes four to three.

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2 I believe it was requested that
3 we untable 217; am I correct

4 MR. BECKER: That is correct. I
5 have Al Perez here to speak on it.

6 CHAIRWOMAN GONSALVES: A motion
7 to untable E-217.

8 LEGISLATOR DUNNE: So moved.

9 LEGISLATOR KOPEL: Second.

10 CHAIRWOMAN GONSALVES: Moved by
11 Legislator Dunne, seconded by Legislator
12 Kopel. All those in favor of untabling
13 E-217 signify by saying aye.

14 (Aye.)

15 Any opposed?

16 (No verbal response.)

17 The item is untabled. Mr. Al
18 Perez.

19 MR. PEREZ: Good afternoon. Al
20 Perez, Nassau County IT. What American
21 Communications Industry is a supplier of
22 parts, cabling, and they perform network
23 cabling in the IT space for Nassau County.

24 CHAIRWOMAN GONSALVES: Any
25 questions? Legislator DeRiggi-Whitton.

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2 LEGISLATOR DERIGGI-WHITTON: I'll
3 go right to the main question. There is a
4 resume in the backup for a Mr. John Leasie.
5 Do you know if he is an employee of this
6 company?

7 MR. PEREZ: I don't know. I'm
8 sorry.

9 LEGISLATOR DERIGGI-WHITTON: I've
10 been told he is an employee of Nassau
11 County. Do you know if he's an employee of
12 Nassau County?

13 MR. PEREZ: I do not know. I can
14 get that information for you.

15 LEGISLATOR DERIGGI-WHITTON:
16 Should we table that, Norma? I would like
17 to make a motion.

18 CHAIRWOMAN GONSALVES: Have a
19 motion to table by Legislator
20 DeRiggi-Whitton. Second by --

21 MR. PEREZ: I have just been
22 informed he's not a county employee.

23 CHAIRWOMAN GONSALVES: Then we're
24 not going to table it.

25 LEGISLATOR DERIGGI-WHITTON: Do

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2 we have any other type of contract with him
3 through the county, do you know?

4 MR. PEREZ: With this gentleman?

5 LEGISLATOR DERIGGI-WHITTON: Yes.

6 MR. PEREZ: I'm not aware. I can
7 find out.

8 LEGISLATOR DERIGGI-WHITTON: From
9 what I understand, he does some type of work
10 for the county. To what capacity, I might
11 not be 100 percent sure. But I understand
12 he's either a contractor -- if he's not an
13 employee, we weren't sure about that. But
14 if you say no, then he might be a contractor
15 for the county.

16 MR. PEREZ: It appears that he
17 is. I will get you all that information
18 from the appropriate source. I personally
19 do not know.

20 LEGISLATOR DERIGGI-WHITTON: Then
21 I will make the motion to table.

22 CHAIRWOMAN GONSALVES: Motion to
23 table E-217 by Legislator DeRiggi-Whitton.

24 LEGISLATOR SOLAGES: Second.

25 CHAIRWOMAN GONSALVES: Seconded

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2 by Legislator Solages. All those in favor
3 of tabling E-217 signify by saying aye.

4 (Aye.)

5 Any opposed?

6 (No verbal response.)

7 The item is tabled.

8 We now I believe have Traffic.

9 MR. BECKER: That's correct.

10 Chris Mistrion is here to testify on that
11 item.

12 CHAIRWOMAN GONSALVES: We have
13 E-228; am I correct, I believe that it is.
14 It has to do with Traffic Safety Board. A
15 motion to untable 228.

16 LEGISLATOR DUNNE: So moved.

17 LEGISLATOR KOPEL: Second.

18 CHAIRWOMAN GONSALVES: Moved by
19 Legislator Dunne, seconded by Legislator
20 Kopel. All those in favor of untabling
21 E-228 signify by saying aye.

22 (Aye.)

23 Any opposed?

24 (No verbal response.)

25 The item is untabled.

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2 Mr. Mistron, nice to see you.

3 MR. MISTRON: Nice to be seen.

4 Currently the item before you is for an
5 organization called dedicated. In
6 conjunction with several other community
7 groups through the school education programs
8 for drinking and driving, as well as
9 community programs, and we are currently
10 also working on a project to highlight
11 locations where DWI crashes have occurred.
12 The president has dedicated March Lee who,
13 as many of you know, has been a professional
14 in the world of DWI enforcement and
15 education.

16 CHAIRWOMAN GONSALVES: Any
17 questions of Mr. Mistron? Legislator
18 DeRiggi-Whitton.

19 LEGISLATOR DERIGGI-WHITTON: I'm
20 fully in support of this. But this goes
21 back to -- the contract term I have is
22 January 1st, 2016 through December 31st,
23 2016. Do you know come it's taken so long
24 to come before the leg?

25 MR. MISTRON: Well, actually it's

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2 going to be a problem, you are going to be
3 getting a lot of my contracts in the coming
4 weeks.

5 What happened was, we had some
6 delay in the funding and then it gets
7 approved by the state. Between the time --
8 while this money it comes straight from the
9 state for use in the programs.

10 So they have actually authorized
11 the use or the moving of this program, but
12 the state itself did not get me an
13 authorized contract until some time around
14 the end of June, July. And by the time we
15 got all the other paperwork in place, that
16 was the delay.

17 LEGISLATOR DERIGGI-WHITTON: So
18 do you have everything in place to continue
19 on until 2017 or not yet?

20 MR. MISTRON: Actually we just
21 submitted the 2017 plan and grant programs
22 which actually I've been told they will be
23 approved and we have to have actually 2017
24 in place prior, if not the first month of
25 2017.

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2 But this was just a year because
3 of transition with the way the grants
4 happened, provided by the state, there's
5 been a delay on everything.

6 As I said, you will be witness of
7 that in the coming weeks as everything else
8 comes through. And it's 100 percent funded,
9 by the way.

10 LEGISLATOR DERIGGI-WHITTON: I
11 know. I have no problem with the contract.
12 I know Howard Kopel keeps his eye on the
13 dates of contracts.

14 CHAIRWOMAN GONSALVES: There
15 being no other questions or comments, no
16 public comment?

17 (No verbal response.)

18 All those in favor of E-228
19 signify by saying aye.

20 (Aye.)

21 Any opposed?

22 (No verbal response.)

23 The item passes unanimously.

24 Thank you, Mr. Mistrion.

25 Now I think I'm going to go to an

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2 item that was tabled previously and I'm
3 going to ask for a motion to untable E-161,
4 which is a personal services agreement
5 between the County of Nassau acting on
6 behalf of the Nassau County Department of
7 Public Works and Looks Great Services Inc.

8 Motion to untable, please.

9 LEGISLATOR DUNNE: So moved.

10 LEGISLATOR KOPEL: Second.

11 CHAIRWOMAN GONSALVES: Moved by
12 Legislator Dunne, seconded by Legislator
13 Kopel. All those in favor of tabling E-161
14 signify by saying aye.

15 (Aye.)

16 Any opposed?

17 (No verbal response.)

18 The item is untabled.

19 MR. SCHNEIDER: Brian Schneider,
20 Public Works, and I have Dan Grippo with me
21 from the County Attorney's Office.

22 On July 27th, this item was
23 tabled. It was in a package of five other
24 debris removal contracts which were approved
25 that day. This was one that was tabled.

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2 Subsequent to that, there was
3 another debris removal contract that was
4 approved two weeks ago.

5 So there was a question from the
6 Legislature regarding some Department of
7 Labor issues. We reached out to the vendor
8 who supplied supplemental information and
9 their business history form and basically
10 the County Attorney will contest that all
11 the issues that were brought up have been
12 satisfactory resolved to our estimation and
13 we are recommending that the contract be
14 approved at this time.

15 Given the pending weather that's
16 coming in, we would like to be fully staffed
17 with all the potential debris contractors in
18 place, given the fact that obviously there
19 is something coming up this weekend, and
20 also for the remainder of the hurricane
21 season which goes through November.

22 CHAIRWOMAN GONSALVES: Any
23 comments or questions from the legislators?
24 Minority leader, are you ready?

25 LEGISLATOR ABRAHAMS: Mr.

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2 Schneider, just a question in regards to the
3 proposal that was sent out. What was the
4 proposal time frame of when it was sent out?
5 I'm just making sure -- my counsel advises
6 me that we were using an older proposal from
7 2013.

8 MR. SCHNEIDER: When it was sent
9 out? Can I just grab the staff summary?
10 Mr. Greg Weir is going back to grab the
11 staff summary which I lent him for making
12 copies. But the staff summary in your
13 packages indicates that it was bid in 2013.
14 LEGISLATOR ABRAHAMS: Yes, late
15 2012, early 2013.

16 MR. SCHNEIDER: Correct. And I
17 think, as I testified in the July 25th
18 session, that there was a period of time
19 when we were reaching out to the Department
20 of Labor for a classification of what this
21 type of work would be classified as.

22 That was one of the reasons why
23 there were so many issues that were brought
24 up during the debris removal during Super
25 Storm Sandy.

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2 We did have some conflicting
3 information from the Department of Labor
4 that it was not going to be classified as a
5 public work type of construction, or type
6 work, and we needed to have a clear
7 delineation of what the type of work was
8 going to be classified as by the Department
9 of Labor.

10 So that is basically the reason
11 why this RFP was issued in 2013 and we did
12 not come to the Legislature until 2016 to
13 get these debris removal contracts passed.
14 They were actually filed in 2015 but they
15 were never called.

16 LEGISLATOR ABRAHAMS: My next
17 question is tied to obviously the prevailing
18 wage issues that have come up regarding
19 Looks Great. The department is comfortable
20 with pursuing a contract with Looks Great,
21 keeping that in mind?

22 MR. SCHNEIDER: Absolutely. The
23 issues that were brought up through the
24 entities that were brought their claims
25 against Looks Great actually have existing

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2 contracts with Looks Great.

3 So those matters were settled.

4 They are actively working with that

5 contractor right now.

6 LEGISLATOR ABRAHAMS: But they

7 paid fines, I believe, right?

8 MR. SCHNEIDER: Correct.

9 LEGISLATOR ABRAHAMS: Last, but

10 not least, obviously we were receiving

11 millions in FEMA reimbursement that were

12 tied to the work that Looks Great has

13 provided. Have we received what we were

14 entitled to in regards to that reimbursement

15 of that cleanup work.

16 MR. SCHNEIDER: For the most

17 part, yes, there are several of the project

18 worksheets, the PWs, that are still going

19 through closeout right now. We can provide

20 an updated spreadsheet of the payouts from

21 FEMA regarding those efforts.

22 LEGISLATOR ABRAHAMS: This is

23 work for four years.

24 MR. SCHNEIDER: It doesn't

25 matter.

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2 LEGISLATOR ABRAHAMS: How much is
3 outstanding?

4 MR. SCHNEIDER: I don't have that
5 information in front of me but I can
6 certainly have that by the end the day.

7 LEGISLATOR ABRAHAMS: If you can
8 send it to me or send it to our staff, Cecil
9 Kapers, Peter Klein, and Michelle Darcy, I
10 would appreciate it.

11 MR. SCHNEIDER: Sure.

12 CHAIRWOMAN GONSALVES: Any public
13 comment regarding E-161? Ms. Mereday.

14 MS. MEREDAY: Again, the
15 utilization format, what is the percentage
16 of service disabled veterans, veteran owned
17 businesses, minority owned businesses with
18 regard to this contract, what are the
19 contracting goals, have them been achieved?
20 Does anybody care about even initiating it,
21 et cetera, et cetera?

22 Some day I hope to get an answer
23 to the question because I did pose it in
24 writing as I was requested to do and I have
25 not received a response in writing, via

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2 phone call, smokescreen, email, nothing.

3 So, I'm just asking again, with
4 regard to getting a breakdown, as far as
5 these multi million dollar contracts that we
6 are giving out, that we want to make sure we
7 get our federal funding back, but we can't
8 seem to follow the law in terms of the
9 inclusion of people of color or diverse
10 backgrounds in these opportunities.

11 So I may be the single voice in
12 the wilderness, but I'm going to keep on
13 speaking it until somebody out there hears
14 it besides the attorney general. But if
15 they're the only ones that are going to
16 listen. Yes, ma'am. Is someone going to
17 give me an answer? I don't want to keep
18 doing the, you know, your three minutes have
19 expired, and then I'm done.

20 CHAIRWOMAN GONSALVES: Somebody
21 is going to give you an answer,

22 MS. MEREDAY: Thank you.

23 CHAIRWOMAN GONSALVES: E-161, all
24 those in favor of E-161, signify by saying
25 aye.

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2 (Aye.)

3 Any opposed?

4 (Nay.)

5 The item passes four to three.

6 That ends the contract portion of
7 the Rules Committee. We will recess. The
8 next committee up is Planning.

9 (Whereupon, the Rules Committee
10 recessed at 2:26 p.m. and reconvened at 5:50
11 p.m.)

12 CHAIRWOMAN GONSALVES: The
13 committee is now back in session, please.
14 Everyone who is on Rules, please take a
15 seat.

16 As is customary, we put forth the
17 consent items on the Rules Committee where
18 both the minority and the majority have
19 agreed, and I several items, and, again, I'm
20 going to say this once, we're going to
21 incorporate the testimony by reference to
22 committees. I don't want to do it wrong.

23 I'm going to call the first item,
24 which is consent 391-16, 406-16, 407, 408,
25 and 411.

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2 I believe those are the only
3 consent items on the regular agenda. I
4 already told the clerk that we would
5 incorporate the testimony by reference.

6 (Whereupon, please refer to the
7 minutes of the Public Works Committee and
8 Finance Committee dated 10-5-16 pertaining
9 to Clerk Items 391-16, 406-16, 407, 408, and
10 411.)

11 Motion to put forth these items.

12 LEGISLATOR KOPEL: So moved.

13 LEGISLATOR DUNNE: Second.

14 CHAIRWOMAN GONSALVES: Moved by
15 Legislator Kopel, seconded by Legislator
16 Dunne. Again the testimony has been
17 incorporated by reference from the
18 committees. All those in favor of the items
19 that were called, signify by saying aye.

20 (Aye.)

21 Any opposed?

22 (No verbal response.)

23 Those items pass unanimously.

24 I need a motion to suspend the
25 rules because we have two addendums,

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2 Addendum 1 and Addendum 2.

3 A motion, please.

4 LEGISLATOR DUNNE: So moved.

5 LEGISLATOR MUSCARELLA: Second.

6 CHAIRWOMAN GONSALVES: Moved by

7 Legislator Dunne, seconded by Legislator

8 Muscarella. Any questions or comments

9 regarding suspending the rules?

10 (No verbal response.)

11 There being none, all those in

12 favor of suspending the rules signify by

13 saying aye.

14 (Aye.)

15 Any opposed?

16 (No verbal response.)

17 The rules are suspended.

18 On the addendum there is one

19 consent item. I believe that's the only one

20 on the addendum. That's Item 303-16.

21 Again, the testimony incorporated

22 by reference of the committees.

23 (Whereupon, please refer to the

24 minutes of the Finance Committee dated

25 10-5-16 pertaining to Clerk Item 303-16.)

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2 CHAIRWOMAN GONSALVES: That's the
3 resolution regarding Jonathan Warton, a case
4 against the County of Nassau.

5 A motion, please.

6 LEGISLATOR DUNNE: So moved.

7 LEGISLATOR KOPEL: Second.

8 CHAIRWOMAN GONSALVES: Moved by
9 Legislator Dunne, seconded by Legislator
10 Kopel. I believe all questions were
11 answered. I don't know if there's any
12 additional questions, but I think that it's
13 a consent item.

14 So all those in favor of 303,
15 signify by saying aye.

16 (Aye.)

17 Any opposed?

18 (No verbal response.)

19 The item passes unanimously.

20 Now, going back to the items that
21 were not part of the consent agenda and
22 we're going to begin with, I think I'm going
23 to try to, where possible, to combine some
24 of the items.

25 I'm going to block several of the

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2 items and they were also heard in Finance.

3 It's item 392, 393, 394, 395, 396, 397, 398.

4 Motion, please.

5 LEGISLATOR DUNNE: So moved.

6 LEGISLATOR KOPEL: Second.

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

10 CHAIRWOMAN GONSALVES: Are there
11 any other comments or questions from the
12 legislators on these items?

13 (No verbal response.)

14 Is there any public comment?

15 (No verbal response.)

16 There being none, all those in
17 favor of each of these items called signify
18 by saying aye.

19 (Aye.)

20 Any opposed?

21 (Nay.)

22 So we have four three. Thank you
23 very much.

24 We have three other items that we
25 can call together. They are Item 388, heard

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2 in finance; again, that testimony is
3 incorporated by reference to the committee
4 which is an ordinance; 389 ordinance also
5 heard in finance; and 390, a resolution
6 which is also heard in Finance.

7 (Whereupon, please refer to the
8 minutes of the Finance Committee dated
9 10-5-16 pertaining to Clerk Items 388, 389,
10 390-16.)

11 Motion, please.

12 LEGISLATOR KOPEL: So moved.

13 LEGISLATOR DUNNE: Second.

14 CHAIRWOMAN GONSALVES: Moved by
15 Legislator Kopel, seconded by Legislator
16 Dunne. Any questions, comments regarding
17 those items?

18 (No verbal response.)

19 Is there any public comment?

20 (No verbal response.)

21 There being none, all those in
22 favor of 388, 389, and 390 signify by saying
23 aye.

24 (Aye.)

25 Any opposed?

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2 (Nay.)

3 The items pass four to three.

4 We're going to Item 399, a
5 resolution to accept a gift of a fast track
6 program valued at \$36,411 to the Nassau
7 County Department of Information Technology
8 from Microsoft, Inc.

9 Motion, please.

10 LEGISLATOR DUNNE: So moved.

11 LEGISLATOR MUSCARELLA: Second.

12 CHAIRWOMAN GONSALVES: Moved by
13 Legislator Dunne, seconded by Legislator
14 Muscarella. Any questions, comments
15 regarding this item?

16 (No verbal response.)

17 Is there any public comment?

18 (No verbal response.)

19 There being none, all those in
20 favor of 399 signify by saying aye.

21 (Aye.)

22 Any opposed?

23 (No verbal response.)

24 Item passes unanimously.

25 The next item is 409, which was

1 Rules Committee/10-5-16

2 heard in Planning as well as Finance, an
3 ordinance.

4 Motion, please.

5 LEGISLATOR DUNNE: So moved.

6 LEGISLATOR KOPEL: Second.

7 CHAIRWOMAN GONSALVES: Moved by
8 Legislator Dunne, seconded by Legislator
9 Kopel. Any questions, comments regarding
10 409?

11 (No verbal response.)

12 Is there any public comment?

13 (No verbal response.)

14 There being none, all those in
15 favor of 409 signify by saying aye.

16 My apologize, before we take a
17 motion of 409, I need a motion to untable
18 it.

19 LEGISLATOR DUNNE: So moved.

20 LEGISLATOR KOPEL: Second.

21 CHAIRWOMAN GONSALVES: Moved by
22 Legislator Dunne, seconded by Legislator
23 Kopel. All those in favor of untabling 409
24 signify by saying aye.

25 (Aye.)

1 Rules Committee/10-5-16

2 Any opposed?

3 (No verbal response.)

4 The item is untabled unanimously.

5 Now, for the item again, 409, a motion was

6 made by I believe Legislator Kopel and was

7 seconded by Legislator Dunne, correct?

8 Any questions or comments

9 regarding 409?

10 (No verbal response.)

11 There being none, all those in

12 favor of 409 signify by saying aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 It's unanimous.

17 Let's move on. We have to go to

18 the addendums and see what we have on the

19 addendums. On the addendums, we have a

20 number of bond ordinances.

21 I believe we probably can bulk

22 them all. Beginning with Item 413, these

23 are all ordinances requiring a bond for

24 capital expenditures.

25 I'll begin with 413, 414, 417,

1 Rules Committee/10-5-16

2 419, 420, 422, 428, 429, 430, 431, 432, 435,
3 446, 456, 484, 485, 488, 502.

4 Motion, please.

5 LEGISLATOR DUNNE: So moved.

6 LEGISLATOR MUSCARELLA: Second.

7 CHAIRWOMAN GONSALVES: Moved by
8 Legislator Dunne, seconded by Legislator
9 Muscarella. Are there any other comments or
10 questions regarding those items?

11 (No verbal response.)

12 Again, we incorporate by
13 reference the testimony of the committees.

14 (Whereupon, please refer to the
15 minutes of the Finance Committee dated
16 10-5-16 pertaining to Clerk Items 413, 414,
17 417, 419, 420, 422, 428, 429, 430, 431, 432,
18 435, 446, 456, 484, 485, 488, 502.)

19 Is there any public comment?

20 (No verbal response.)

21 There being none, all those in
22 favor of the items just called signify by
23 saying aye.

24 (Aye.)

25 Any opposed?

1 Rules Committee/10-5-16

2 (Nay.)

3 The items pass four to three.

4 The items that were called was four to
5 three.

6 499 is a resolution to accept a
7 gift offered by a donor to the Nassau County
8 Veterans Services Agency.

9 Motion, please.

10 LEGISLATOR DUNNE: So moved.

11 LEGISLATOR KOPEL: Second.

12 CHAIRWOMAN GONSALVES: Moved by
13 Legislator Dunne, seconded by Legislator
14 Kopel. Any questions, comments regarding
15 this item?

16 (No verbal response.)

17 Is there any public comment?

18 (No verbal response.)

19 There being none, all those in
20 favor of 499 signify by saying aye.

21 (Aye.)

22 Any opposed?

23 (No verbal response.)

24 Again, it's unanimous. I think
25 that is it. Am I right? Motion to adjourn

1 Rules Committee/10-5-16

2 the Rules Committee.

3 Motion, please.

4 LEGISLATOR DUNNE: So moved.

5 LEGISLATOR KOPEL: Second.

6 CHAIRWOMAN GONSALVES: Moved by
7 Legislator Dunne, seconded by Legislator
8 Kopel. All those in favor of adjourning the
9 Rules Committee signify by saying aye.

10 (Aye.)

11 Any opposed?

12 (No verbal response.)

13 We stand adjourned.

14 (Whereupon, the Rules Committee
15 adjourned at 6:08 p.m.)

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C E R T I F I C A T E

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

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

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

IN WITNESS WHEREOF, I have hereunto set
my hand this 19th day of October, 2016.

FRANK GRAY