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6 NASSAU COUNTY LEGISLATURE

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8 NORMA GONSALVES,

9 PRESIDING OFFICER

10

11 RULES COMMITTEE

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13 LEGISLATOR NORMA GONSALVES

14 CHAIR

15

16

17 Theodore Roosevelt Building

18 1550 Franklin Avenue

19 Mineola, New York

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21

22 December 14, 2016

23 5:13 P.M.

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

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4 LEGISLATOR NORMA GONSALVES

5 Chair

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7 LEGISLATOR LAURA SCHAEFER

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9 LEGISLATOR DENNIS DUNNE

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11 LEGISLATOR RICHARD NICOLELLO

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13 LEGISLATOR KEVAN ABRAHAMS

14 Ranking member

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16 LEGISLATOR CARRIE SOLAGES

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18 LEGISLATOR DELIA DERIGGI-WHITTON

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1 Rules - 12-14-16

2 LEGISLATOR GONSALVES: Mr.

3 Pulitzer call the Rules roll.

4 MR. PULITZER: Thank you
5 Presiding Officer. Rules Committee roll
6 call. Legislator Carrie Solages.

7 LEGISLATOR SOLAGES: Here.

8 MR. PULITZER: Legislator Delia
9 DeRiggi-Whitton.

10 LEGISLATOR DeRIGGI-WHITTON:
11 Here.

12 MR. PULITZER: Ranking member
13 Kevan Abrahams.

14 LEGISLATOR ABRAHAMS: Here.

15 MR. PULITZER: Substituting for
16 Alternate Deputy Presiding Officer Howard
17 Kopel will be Legislator Laura Schaefer.

18 LEGISLATOR SCHAEFER: Thank you.

19 MR. PULITZER: Legislator Dennis
20 Dunne.

21 LEGISLATOR DUNNE: Here.

22 MR. PULITZER: Vice chairman
23 Richard Nicolello.

24 LEGISLATOR NICOLELLO: Here.

25 MR. PULITZER: Chairwoman Norma

1 Rules - 12-14-16

2 Gonsalves.

3 LEGISLATOR GONSALVES: Present.

4 MR. PULITZER: We have a quorum.

5 LEGISLATOR GONSALVES: Thank you
6 very much.

7 The first item is item 611,
8 resolution 611, a resolution to authorize the
9 county executive to bid at a mortgage
10 foreclosure sale up to an amount certain to
11 ensure clear and marketable title and execute
12 all pertinent documents in connection
13 therewith to consummate the acquisition by the
14 county of certain premises located in
15 Bethpage, Town of Oyster Bay, County of
16 Nassau, State of New York, said property known
17 as Section 46, block 323, lot 291 unit 2 on
18 the land and tax map of the county of Nassau.

19 Moved by Legislator Dunne. Second
20 by Legislator Nicoletto. Who is going to talk
21 about this one?

22 MR. PODLESACK: I will. This item
23 is for permission to bid on real property. My
24 instructions from the county attorney for this
25 matter is to respectfully request that all

1 Rules - 12-14-16

2 questions be deferred to the meeting of the
3 full legislature on this item should it be
4 passed through.

5 LEGISLATOR GONSALVES: Say that
6 again.

7 MR. PODLESAK: Just to tee it up.

8 LEGISLATOR ABRAHAMS: I
9 understand that. I know this was an item that
10 was possibly being discussed for an emergency
11 but this item we're talking about a lot of
12 money and we just don't have the information.
13 For us to do anything we would have to hear
14 about this in executive session first today to
15 hear about it.

16 MR. PODLESAK: As I said, my
17 instructions from the county attorney was to
18 request that the executive session be held for
19 the full legislative session and not before
20 the committee.

21 LEGISLATOR GONSALVES: The
22 purpose of today's meeting is just to tee it
23 up for the full leg and at that time we would
24 go into executive session. Any questions or
25 comments from the legislators? Any public

1 Rules - 12-14-16

2 comment on this?

3 LEGISLATOR ABRAHAMS: I want the
4 record to reflect being that there is no one
5 here to provide any level of expertise on
6 this, it would have been, I believe, more
7 appropriate to hear the expertise before the
8 full legislative meeting, which will probably
9 take place in the next week or so. But I
10 think it would be more important to have that
11 meeting with counsel first and then we can
12 decide over the next week based on what we
13 heard how we would proceed.

14 It sounds like to me the outside
15 counsel that's going to be part of this is
16 going to come the same day and then we have to
17 digest what they say and take a vote on that
18 day. It seems to me it would work better if
19 we heard what they had to say today, digest
20 it, maybe tee it and then from there proceed
21 to see where we are in the full leg. Rather
22 than trying to make a decision on the same day
23 in five minutes after we walk out on the
24 floor. But that's just my opinion.

25 LEGISLATOR GONSALVES: How would

1 Rules - 12-14-16

2 you comment to that? All I can say is that
3 when it comes before the full leg I think we
4 would probably have ample opportunity to vet
5 this in the full leg in executive session,
6 correct?

7 MR. PODLESAC: I would assume so
8 also ma'am. You run the executive session.

9 LEGISLATOR GONSALVES: For this
10 item we have outside counsel and we know who
11 that outside counsel is?

12 MR. PODLESAC: We do.

13 LEGISLATOR GONSALVES: Are you at
14 liberty to tell us who it is? Are we at
15 liberty to tell who it is?

16 MR. PODLESAC: My instructions is
17 that we would rather wait for the full leg.

18 LEGISLATOR GONSALVES: It's
19 outside counsel I'm sure?

20 MR. PODLESAC: Yes. That I can
21 say.

22 LEGISLATOR ABRAHAMS: Jerry, can
23 our counsel reach out to the outside counsel?

24 MR. PODLESAC: I will discuss
25 that with your counsel after the session or

1 Rules - 12-14-16

2 someone will from my office.

3 LEGISLATOR GONSALVES:

4 Mr. Podlesak, guess what? we're going to have
5 to wait until we call this item before the
6 full leg but we need ample time to discuss
7 this in executive session so all of our
8 questions are answered. Some of us know who
9 the outside counsel is and so it's not the big
10 secret. But I'm not going to put you in a
11 situation to tell us on the record.

12 MR. PODLESAK: I appreciate that.

13 LEGISLATOR GONSALVES: In order
14 to tee this up and since there's no other
15 comment on the part of my colleagues and no
16 public comment, I'm going to move to a vote.
17 All those in favor of item 611-16 signify by
18 saying aye. Any opposed? We have four ayes
19 and three abstentions. The item passes and it
20 will be moved on to the full leg.

21 Now we go on to the various
22 contracts. And so the first contract is A-40,
23 a resolution authorizing the director of
24 Nassau County Office of Purchasing to award
25 and execute a contract between the County of

1 Rules - 12-14-16

2 Nassau acting on behalf of the Nassau County
3 Police Department and Vectra Networks.

4 A motion please. Moved by
5 Legislator Dunne. Second by Legislator
6 Schaefer.

7 MR. STEPHANOFF: Good afternoon.
8 Lieutenant Greg Stephanoff from the police
9 department. This is A-40-16 is to authorize
10 and award a purchase order to Vectra Networks
11 for the annual campus brain software and
12 support subscription for Nassau County Police
13 Department. This request is for a sole source
14 purchase. Vectra Networks is the only
15 supplier who can provide the service in the
16 Long Island metropolitan area.

17 This request is required to
18 increase the security of the police
19 department's data network by discovering and
20 alerting management of internal and external
21 threats attempting to steal data and disrupt
22 normal network operations. This purchase is
23 for hardware and software that will be
24 installed on our network that is going to add
25 an extra layer of protection from cyber

1 Rules - 12-14-16

2 security attacks. The cost is \$149,800 and
3 it's funded through Port Security Grant with a
4 match.

5 LEGISLATOR GONSALVES: Any
6 questions of the lieutenant? Legislator
7 DeRiggi-Whitton.

8 LEGISLATOR DERIGGI-WHITTON: Did
9 you say this is a sole source?

10 MR. STEPHANOFF: Yes. They own
11 patents on the equipment and the software. I
12 spoke to my IT department. This equipment and
13 this software will be added to our network.
14 They claim it's the best for cyber security
15 attacks that's out there.

16 LEGISLATOR GONSALVES: Any other
17 questions or comments? Who's going? Minority
18 Leader.

19 LEGISLATOR ABRAHAMS: It sounds
20 like this may be more of a copyright protected
21 issue than a sole source. Because sole source
22 to us would mean that they're the only entity
23 that can provide this service. It sounds like
24 based off of the proprietary issues with the
25 software they have basically created an

1 Rules - 12-14-16

2 environment where they are the only person.
3 It doesn't sound like to me they are. Just
4 explain to me again how the department figures
5 them to be a sole source outside of the
6 proprietary software issue.

7 MR. STEPHANOFF: They created the
8 software and the hardware that at this time
9 they are the sole source for this area. There
10 is no one else that supplies this equipment
11 and also the software. Again cyber intrusion
12 -- we are funding this through the Port
13 Security Grant. We are a partner with the
14 New York New Jersey Port and we share
15 intelligence and the grant is asking us,
16 supplying us funding to increase our network
17 security.

18 LEGISLATOR ABRAHAMS: Is there
19 any comparable?

20 MR. STEPHANOFF: I spoke to
21 several people in IT and they said no.

22 LEGISLATOR ABRAHAMS: Our IT?

23 MR. STEPHANOFF: The police
24 department's IT.

25 LEGISLATOR ABRAHAMS: The

1 Rules - 12-14-16

2 county. That's what I meant to say.

3 MR. STEPHANOFF: We have
4 protection in place. This is going to add
5 another layer so that if anybody does get past
6 whatever we have in place now this is going to
7 add another layer of protection.

8 LEGISLATOR NICOLELLO: Speaking
9 for myself, the only difficulty I'm having
10 with the concept is there are so many firms,
11 entities that provide cyber security. I'm not
12 sure why this would be a sole source provider.

13 MR. STEPHANOFF: Like I said,
14 they informed that the equipment and software
15 right now this is the state of the art that's
16 out there. With the threats that have been
17 coming in and the attacks that we face that
18 this is the best that's out there to combat
19 that. The sensitive nature of what our data
20 is and our network they feel that this is the
21 best.

22 LEGISLATOR NICOLELLO: They have
23 been here for a while, Vectra?

24 MR. STEPHANOFF: This is a proven
25 company yes, that has installed it in various

1 Rules - 12-14-16

2 locations and it's proven technology.

3 LEGISLATOR NICOLELLO: It's

4 hardware and software that they provide?

5 MR. STEPHANOFF: Yes.

6 LEGISLATOR NICOLELLO: Okay.

7 Thank you.

8 LEGISLATOR GONSALVES: Legislator

9 DeRiggi-Whitton.

10 LEGISLATOR DERIGGI-WHITTON: Have

11 you been happy with this company? Have you

12 been able to get enough support, technical

13 support when needed?

14 MR. STEPHANOFF: We haven't

15 installed this yet. This is to do the

16 purchase for this. The research that our IT

17 department did they couldn't come up with

18 anything comparable to this.

19 LEGISLATOR DERIGGI-WHITTON: Did

20 you ever use this company before?

21 MR. STEPHANOFF: Not that I'm

22 aware of.

23 LEGISLATOR DERIGGI-WHITTON: We

24 thought we had knowledge of it being used

25 before having problem with support.

1 Rules - 12-14-16

2 MR. STEPHANOFF: Not that I
3 recall.

4 LEGISLATOR DeRIGGI-WHITTON: Just
5 one last thing. Kind of what like Legislator
6 Nicoletto said. Do you feel comfortable
7 knowing that there is only one company that
8 can help us?

9 MR. STEPHANOFF: From my
10 conversations, I asked the same questions.
11 They convinced me that this software is the
12 best, state of the art to combat cyber
13 attacks. With what's been going on
14 nationwide.

15 LEGISLATOR DERIGGI-WHITTON: I
16 respect your opinion.

17 LEGISLATOR GONSALVES: Okay? No
18 public comment? Therefore, all those in favor
19 of A-40 signify by saying aye. Any opposed?
20 The item passes unanimously.

21 The next one is A-43. I believe
22 it's for you too. A resolution authorizing
23 the director of Nassau County Office of
24 Purchasing to award and execute a contract
25 between the County of Nassau acting on behalf

1 Rules - 12-14-16
2 of the Nassau County Police Department and
3 Intergraph Corporation.

4 Motion please. Moved by Legislator
5 Dunne. Second by Legislator Schaefer.

6 MR. STEPHANOFF: A 43-16 is to
7 award a purchase order for a computer aided
8 dispatch and record management software. This
9 is for maintenance and an upgrade. We are
10 going to be upgrading our computer aided
11 dispatch to the latest software. And we are
12 also going to -- this item is also going to
13 help us phase in to the new record management
14 system that we are going to be rolling out
15 next year. The cost is \$349,710. This is a
16 partial payment this year and we will make an
17 additional payment next year. This will
18 expire in August next year.

19 LEGISLATOR GONSALVES: Any
20 questions of the lieutenant? Any public
21 comment? Minority Leader ask your question.
22 Legislator DeRiggi-Whitton she loves it here.

23 LEGISLATOR DERIGGI-WHITTON: This
24 is a company that we've used before, correct?

25 MR. STEPHANOFF: This is

1 Rules - 12-14-16

2 currently our computer aided dispatch and our
3 record management. We have been using them.

4 LEGISLATOR DERIGGI-WHITTON: I
5 think this is the one we've been told by
6 possibly other police officers and --

7 MR. STEPHANOFF: Yes. We are
8 keeping the computer aided dispatch, because
9 that's worked well, and we're using this,
10 we're going to upgrade the software to the
11 latest software. The software we have I
12 believe is 2001 which is coming to the end of
13 life. So we are going to upgrade it and also
14 upgrade this with the same company and it's
15 going to be a similar environment. So the
16 training will be minimal.

17 And the RMS, record management
18 part, that's what we're going to phase out.
19 That's what you are referring to and we're
20 rolling out next year. Phase this out and
21 roll into the new product next year. And this
22 contract will enable to us do that as well.

23 LEGISLATOR DeRIGGI-WHITTON: Do
24 you feel comfortable entering into a contract
25 before the upgrades? What if we're not

1 Rules - 12-14-16

2 happy?

3 MR. STEPHANOFF: To upgrade
4 what?

5 LEGISLATOR DERIGGI-WHITTON:
6 We're entering into a contract with this
7 company and then we're going to see their
8 upgrades to the software, correct?

9 MR. STEPHANOFF: Yeah. I believe
10 they have looked at it already and the
11 computer aided dispatch that the currently
12 supply is working well for the department.
13 We've been using them for some time now and
14 we're satisfied with them. But the only thing
15 is the software is old, so it's going to be
16 end of life. So we are getting an upgrade for
17 it.

18 LEGISLATOR DERIGGI-WHITTON:
19 Again, I think that this was a concern of a
20 number of police officers.

21 MR. STEPHANOFF: The record
22 management software, that's the part that was
23 concerning to the cops. That's the part we're
24 phasing out. We also need this because right
25 now we're using two systems for record

1 Rules - 12-14-16

2 management software, and we're going to merge
3 both into the new system and we need to merge
4 the data as well. But I hear your concerns.

5 LEGISLATOR DERIGGI-WHITTON: We
6 are kind of entering into a contract with the
7 hope that there will be an improvement. I can
8 almost feel better if they improved it first
9 and then we entered into the contract.

10 MR. STEPHANOFF: We're not
11 looking for the improvement in the record
12 management. That's the concern.

13 LEGISLATOR DERIGGI-WHITTON: But
14 this agreement goes for both, right?

15 MR. STEPHANOFF: We still need it
16 until we roll out the new product. We have to
17 have something in place. The new product is
18 being developed and it's going to be rolled
19 out next year.

20 LEGISLATOR DERIGGI-WHITTON: So
21 this contract only goes through --

22 MR. STEPHANOFF: This one we're
23 paying a partial payment just so that we don't
24 use all funds in this budget. So we're using
25 a partial payment this year and then out of

1 Rules - 12-14-16

2 next year's budget we're going to pay the
3 balance so we don't hit the budget all at
4 once.

5 LEGISLATOR DERIGGI-WHITTON: So
6 we're voting on a contract that ends in two
7 weeks?

8 MR. STEPHANOFF: No. The full
9 contract ends in August, next year. This is a
10 partial payment for this year.

11 LEGISLATOR DERIGGI-WHITTON:
12 Unless we have this wrong, I have the terms
13 going from August 1, 2016 through December 31,
14 2016. There's no page number but I have the
15 term as 8-1-16 to 12-31.

16 MR. STEPHANOFF: That's just for
17 this payment and then I'm going to present
18 another item next year for the balance and it
19 will take us to August of next year.

20 LEGISLATOR DERIGGI-WHITTON: So
21 this vote is for really it's just going to
22 expire in a couple of weeks.

23 MR. STEPHANOFF: Like I said,
24 we're going to make the balance of the
25 payment. The bill came in originally for

1 Rules - 12-14-16

2 \$840,000 I believe and we worked with our
3 counsel to split the payment and we're going
4 to start the computer aided dispatch upgrade
5 is going to begin early next year and then the
6 phase out will be later on in the year for the
7 RMS. Record management part.

8 LEGISLATOR DERIGGI-WHITTON: Not
9 to beat a dead horse, when do you expect the
10 improvements to the record keeping and all
11 that?

12 MR. STEPHANOFF: I believe it's
13 going to be the later part of next year. I
14 think it's going to roll out in stages. Not
15 going to roll out all at once. I imagine it
16 will be precinct by precinct the way we did it
17 in the past.

18 LEGISLATOR GONSALVES: Minority
19 leader yes? No? Any other comments from the
20 legislators? Any public comment? There being
21 none, all those in favor of A-43 signify by
22 saying aye. Any opposed? We have four to
23 two.

24 The next one is E-246. A personal
25 services agreement between the County of

1 Rules - 12-14-16

2 Nassau acting on behalf of the Department of
3 Public Works and Arcadis CE, Inc., successor
4 by merger to Malcolm Pirnie, Inc.

5 Motion please. Moved by Legislator
6 Dunne. Second by Legislator Nicoletto.

7 MR. DAVENPORT: Good evening.
8 Joe Davenport, Nassau County Department of
9 Public Works.

10 This item is an amendment to an
11 existing environmental on-call agreement
12 Arcadis with Malcolm Pirnie, the water
13 division of Arcadis. It amends their existing
14 on-call agreement to increase their cost
15 ceiling by \$150,000 from \$1 million to
16 \$1,150,000. It also changes the language in
17 the agreement that will allow them to complete
18 assignments or tasks after the expiration date
19 of the agreement. No new assignments will be
20 given to them but they can complete ongoing
21 work more efficiently.

22 LEGISLATOR GONSALVES: Questions
23 of Mr. Davenport? Legislator
24 DeRiggi-Whitton.

25 LEGISLATOR DERIGGI-WHITTON: We

1 Rules - 12-14-16

2 just have a question concerning the amended
3 language to the term section of the contract.
4 It says any tax order issued to the firm prior
5 to the expiration date of the agreement may be
6 complete in its entirety even if the work
7 performed by the expiration date of the
8 agreement. So, for each specific task ordered
9 where work is performed beyond the agreement
10 expiration date the firm will be authorized in
11 writing by the department to perform and be
12 compensated for their services.

13 This is kind of like giving them a
14 lot of wiggle room, right?

15 MR. DAVENPORT: I don't believe
16 so. During the term of the agreement we've
17 given them a work assignment, this will allow
18 us to have them finish it in its entirety even
19 if the work carries them beyond the end of
20 their agreement. There's no new assignments
21 given to them. No increases afterwards. It's
22 just so they can complete the task. In our
23 eyes it wouldn't make sense that their
24 agreement ends, we have to stop them and then
25 reprocur someone else to finish up the end of

1 Rules - 12-14-16

2 a design project or managing something in
3 construction.

4 LEGISLATOR DERIGGI-WHITTON: So
5 they're getting paid a set fee basically is
6 what you're saying?

7 MR. DAVENPORT: The contract
8 allows either a lump sum for the assignment
9 for it can be a reimbursable type of hourly
10 rate.

11 LEGISLATOR DERIGGI-WHITTON: I do
12 think the language is little -- we've had a
13 lot of problems up here where we get the
14 contract towards the very end of the term and
15 it's brought to us. That's almost what this
16 sounds like. It almost sounds like they could
17 be given something at the 11th and have to
18 complete it without coming before the Leg.

19 MR. DAVENPORT: That is what
20 these agreements allow. It's an on-call
21 agreement and up to its ceiling amount we can
22 issue task orders, work order and encumber
23 money working through the comptroller's office
24 to give them an assignment. But we cannot go
25 above the ceiling without amending the

1 Rules - 12-14-16

2 agreement, which we are asking for today.

3 LEGISLATOR DERIGGI-WHITTON: It
4 does almost sound like a new policy in the
5 sense that you're actually allowing -- I know
6 it's emergency and per diem and all that but
7 it kind of seems to be --

8 MR. DAVENPORT: It's not a new
9 policy. We have similar contracts for
10 building work, highway work, the environmental
11 work. We have requirements contracts for
12 construction work. You authorize a contract.
13 It has a set ceiling. And then we can issue
14 work orders for urgently needed work up to
15 that ceiling amount. To exceed that ceiling
16 amount we would have to come back and gain
17 your approval.

18 LEGISLATOR DERIGGI-WHITTON: So
19 even though usually contracts have a start
20 date and finish date but this is kind of --
21 okay.

22 LEGISLATOR GONSALVES: Legislator
23 Nicolello.

24 LEGISLATOR NICOLELLO: This is
25 what my understanding of what you're saying.

1 Rules - 12-14-16

2 Say for example it's three months before the
3 termination of the agreement and you want to
4 give them something to do that needs to be
5 done at one of our sewage treatment plants or
6 elsewhere. You would not be able to give them
7 that task if you knew it was going to end in
8 three months. You actually probably have to
9 be in a position in which this work would sit
10 for three, four, five months because you knew
11 that potentially they could not finish it in
12 the time period allotted.

13 MR. DAVENPORT: That's exactly
14 the case. We would have to defer work and it
15 may be urgently needed work and may only take
16 them six months. But as you point out, if
17 there's only three or four months left in the
18 contract we are waiting until some point we
19 have a successor.

20 LEGISLATOR NICOLELLO: It gives
21 you some flexibility.

22 MR. DAVENPORT: Correct.

23 LEGISLATOR GONSALVES: Any other
24 comments? Any public comment? There being
25 none, all those in favor of E-246 signify by

1 Rules - 12-14-16

2 saying aye. Any opposed? The item passes
3 four to two.

4 Before I call the next item there
5 is someone here who has asked to speak before
6 this body and to clarify a situation that was
7 not clarified earlier when we called the
8 item. That's Liz Locansolo.

9 MS. LOCANSOLO: Good afternoon
10 Presiding Officer and legislators. Thank you
11 for giving me this opportunity to clarify.
12 I'm sorry, I don't have the item number in
13 front of me but it is the resolution to
14 provide the county executive.

15 LEGISLATOR GONSALVES: 611.

16 MS. LOCANSOLO: 611. What I
17 would like to clarify is that prior to this
18 item being called and prior to today both
19 sides were fully briefed. As a matter of
20 fact, I was on the conference call with the
21 minority leader and his counsel briefing them
22 on exactly what this auction was all about,
23 how it came about and providing them with some
24 information sufficient we believed to have
25 them agree to an emergency and hear the entire

1 Rules - 12-14-16

2 item in an executive session.

3 At that time I think it's important
4 to point out counsel for the minority leader
5 expressed that he absolutely understood why
6 anything concerning this auction -- it's a
7 bid, we don't know who else will be bidding
8 there -- that all the information would have
9 to be provided in executive section.

10 During that conference call we were
11 also asked who outside counsel was. And at
12 that time the minority leader was provided
13 with the name. So I'm not quite sure why he
14 asked that question today. It's Bond and
15 Shonett, the same exact name as I provided to
16 the minority leader and his counsel during the
17 conference call.

18 As to the question of whether or
19 not his counsel may reach out to outside
20 counsel the answer is no. That would defeat
21 the purpose of executive session and that
22 could potentially violate the necessary
23 confidentiality to protect the interest of the
24 county should the county be approved to bid at
25 this auction. Thank you.

1 Rules - 12-14-16

2 LEGISLATOR GONSALVES: Ms.

3 Locansolo, just to clarify, you met with both
4 sides regarding this item?

5 MS. LOCANSOLO: That's correct.

6 LEGISLATOR GONSALVES: And any
7 information was shared by both sides?

8 MS. LOCANSOLO: That's correct.

9 LEGISLATOR GONSALVES: Thank
10 you.

11 Minority Leader.

12 LEGISLATOR ABRAHAMS:

13 Ms. Locansolo reached out to us yesterday I
14 believe in regards to a conference call on
15 this matter wherein she shared with us that
16 this is something that has come to her
17 attention I believe some time this week. That
18 being said, I expressed to the county
19 executive that it would be more prudent, on
20 our second call, to have some level of
21 executive session even though we were not
22 comfortable with granting the emergency to see
23 if we would be comfortable with an emergency
24 and he had a lot of other reasons to not
25 provide the counsel to us before we would

1 Rules - 12-14-16

2 grant the actual emergency. Which we have
3 done plenty of times.

4 That being said, it would be very
5 hard for us, based on what I heard yesterday,
6 which was some information but not answers to
7 all our questions, to provide votes to an
8 emergency when we did not have the full
9 information which we would have loved to have
10 heard in executive session before we decide
11 whether to grant the emergency.

12 LEGISLATOR GONSALVES: It's our
13 intention, Ms. Locansolo, is that when this
14 does come up again, which is going to be
15 hopefully before the holiday, that we will be
16 briefed completely in its entirety prior to
17 before we even sit down to address this item.
18 That's our intention. I need to get
19 everything known in executive session that
20 needs for the entire body so that they can
21 make a wise decision in whether or not we
22 should go forward with it.

23 MS. LOCANSOLO: That's our
24 absolute intention.

25 LEGISLATOR GONSALVES: If we have

1 Rules - 12-14-16

2 to meet earlier then when we intend to call
3 this item back in a special session we shall
4 do that. That's where we stand. We want all
5 the information put out on the table for all
6 of the members of the legislature to hear at
7 the same time.

8 MS. LOCANSOLO: Absolutely.

9 LEGISLATOR GONSALVES: Thank you
10 very much.

11 Now, the next item 261, a personal
12 services agreement between the county of
13 Nassau acting on behalf of the county
14 Department of Public Works and Greenman
15 Pedersen.

16 Motion please. Moved by Legislator
17 Dunne. Second by Legislator Schaefer.

18 Let's hear it Donna Boyle.

19 MS. BOYLE: Donna Boyle, civil
20 engineer, Nassau County Department of Public
21 Works.

22 It's an amendment to an agreement
23 between Nassau County and Greenman Pedersen
24 Incorporated. They did the design work that
25 let us get approximately eight to \$10 million

1 Rules - 12-14-16
2 of federal money for rebuilding the Barnum
3 Island Bridge complex. The work has started.
4 Their agreement expires in December. This
5 will let them stay on for the 18 month
6 construction window. Does anybody have any
7 questions?

8 LEGISLATOR GONSALVES: Any
9 questions for Ms. Boyle?

10 LEGISLATOR DERIGGI-WHITTON: With
11 question number 12 in the backup of the
12 business history disclosure.

13 MS. BOYLE: You're going to have
14 to give me the question.

15 LEGISLATOR DERIGGI-WHITTON: They
16 answered yes. This is the question as to
17 whether or not this business has been
18 affiliated with or subject to a criminal
19 investigation.

20 MS. BOYLE: Correct. If you read
21 the backup you will see that they are a
22 national firm and the backup outlines two
23 cases that they have ongoing. One where they
24 were investigated by the state of Vermont and
25 the other where they were investigated by I'm

1 Rules - 12-14-16

2 going to say the state of Kentucky.

3 LEGISLATOR DERIGGI-WHITTON: I
4 think Philadelphia.

5 MS. BOYLE: Philadelphia. That's
6 Pennsylvania. Sorry. I thought it was
7 Kentucky.

8 LEGISLATOR DERIGGI-WHITTON:
9 Actually you're right. There was a \$4,500 --

10 MS. BOYLE: Fee paid to OSHA in
11 Kentucky. One guy didn't wear hearing
12 protection. So they paid a fine for not
13 wearing hearing protection.

14 LEGISLATOR DERIGGI-WHITTON: It
15 was Philadelphia also where several employees
16 assigned to the project were interviewed by
17 the government, subpoenaed by the grand jury.
18 The investigation is ongoing. According to
19 GPI they cannot disclose more information.

20 MS. BOYLE: Right. That was from
21 2013 and they haven't heard anything back?

22 LEGISLATOR DeRIGGI-WHITTON: I
23 don't know. It just says it's still ongoing.

24 MS. BOYLE: I think if you read
25 some additional backup to one of the questions

1 Rules - 12-14-16

2 it refers you to another question and that's
3 where it goes into the 2013 date.

4 LEGISLATOR DERIGGI-WHITTON: May
5 of 2013. But do you have kind of any --
6 there's no -- you didn't receive any release?

7 MS. BOYLE: They haven't received
8 any additional questions. That has not been
9 closed. But since they haven't heard anything
10 since 2013 they're just kind of in limbo.
11 It's been three years now. So.

12 LEGISLATOR DERIGGI-WHITTON: Do
13 you know what this claim was in Philadelphia?

14 MS. BOYLE: No, I do not. I only
15 have the information that they supplied.

16 LEGISLATOR DERIGGI-WHITTON: So
17 we don't know what they were being investigate
18 for?

19 MS. BOYLE: I believe there was
20 one guy -- they actually interviewed two staff
21 members. I didn't see his EBT or any of that
22 stuff. I don't have any of that information.

23 LEGISLATOR DERIGGI-WHITTON: Just
24 to go on the record, the same case which has
25 to do with Philadelphia, a gentleman was

1 Rules - 12-14-16

2 suspended. Something regarding an antitrust
3 investigation. Do you know if he's still
4 suspended? Did we receive a release for
5 that?

6 MS. BOYLE: No, we did not. It's
7 still part of that 2013 investigation that
8 they've heard nothing from.

9 LEGISLATOR DERIGGI-WHITTON: Do
10 you feel comfortable giving a contract to a
11 company -- we just had the issue on West Shore
12 Road. It's like sort of reminding me of that
13 where we had a problem with a past criminal
14 investigation.

15 MS. BOYLE: Actually, the thing
16 on West Shore Road was much more recent in
17 that it happened this year. I understand your
18 concern on that. But this one is in excess of
19 three and a half years old now. I know our
20 federal government works slow. That's still
21 an exceptionally long time.

22 LEGISLATOR DERIGGI-WHITTON: It
23 sounds about right as far as what I've seen
24 with investigations. I think this is a lot of
25 red flags. The fact that there's more than

1 Rules - 12-14-16

2 pending and there has been suspensions. I
3 don't know. I think it should really be
4 something we should consider if we want to
5 enter into a contract with this firm.

6 MS. BOYLE: They did do the
7 design work. We are just looking to extend
8 the current agreement so they can finish the
9 work of the Barnum Island Bridge.

10 MR. CLEARY: Robert Cleary,
11 director of procurement compliance.

12 I want to speak to the one
13 investigation that you were asking about
14 regarding the former employee. We did look
15 into that issue and it does not have any
16 impact on their current operating capacity or
17 integrity. It has to do with a dispute with a
18 former employee regarding the terms I think of
19 their -- effectively of their separation
20 basically. It was an issue that was
21 investigated that we have never received a
22 formal summary of it. But it doesn't seem to
23 be something that is currently an issue.

24 LEGISLATOR DERIGGI-WHITTON: This
25 is the Philadelphia one or the other one, the

1 Rules - 12-14-16

2 Kentucky one?

3 MS. BOYLE: The Kentucky one they
4 paid a fine. There's one in Vermont and one
5 in Kentucky.

6 LEGISLATOR DeRIGGI-WHITTON: They
7 paid two fines so far. Was this gentleman
8 still working for the company designing these
9 bridges while this investigation was going
10 on?

11 MR. CLEARY: I thought it was a
12 former employee that was the subject of the
13 investigation at this point.

14 LEGISLATOR DERIGGI-WHITTON: So
15 several employees assigned to this project
16 were interviewed by the government and
17 subpoenaed to testify before the grand jury.
18 That's the same thing it's still in 2013. But
19 it's still pending right.

20 MR. CLEARY: The fact that the
21 investigation is pending just means that it
22 hasn't been formally closed. There's been no
23 recent action against the company. They
24 continued to do business in a lot of different
25 capacities. They're former employees. If

1 Rules - 12-14-16

2 they were current employees we would ask for a
3 little bit more details of their corrective
4 action as far as containment of their
5 behaviors and preventing other employees from
6 having the same kind of problems.

7 LEGISLATOR DERIGGI-WHITTON: Do
8 you know why the US District Court was looking
9 into these? Was it these two projects that
10 they were looking into or was it some other
11 matter?

12 MS. BOYLE: The one in Kentucky
13 and the one in Vermont they were OSHA
14 violations. In one case a guy was on a site
15 and the decibel level varied and he didn't
16 have earplugs on continuously. So he got an
17 OSHA fine. Which is different than an
18 investigation.

19 LEGISLATOR DERIGGI-WHITTON: He
20 didn't go to the grand jury for that?

21 MS. BOYLE: No. Neither did the
22 Kentucky one. Those were both OSHA. The
23 other one Philadelphia is the one I don't have
24 the information on.

25 LEGISLATOR DERIGGI-WHITTON:

1 Rules - 12-14-16

2 That's the one that seems to be kind of
3 glaring here because it does involve -- I
4 mean, did we any problems with the bids, do
5 you know?

6 MS. BOYLE: We did not. We
7 haven't had any problems. Also realize that
8 this is a national firm. If you look at their
9 office locations you can see that they are in
10 Florida and Pennsylvania and we're dealing
11 with the local Babylon office. I've never had
12 any issues with work from them and they have
13 been very responsive.

14 LEGISLATOR DERIGGI-WHITTON:
15 We're on high alert right now and with a
16 company that has a number of -- the OSHA is
17 one thing but once a grand jury --

18 MS. BOYLE: They only have the
19 one investigation in a 65 year history. I'd
20 say that's pretty good.

21 LEGISLATOR DeRIGGI-WHITTON:
22 That's what they disclosed. We just asked for
23 disclosures. I don't know if that's their
24 whole history of what they disclosed. But
25 anyway, the bottom line is we don't know

1 Rules - 12-14-16

2 exactly what the accusations are even. They
3 could have an issue with who knows what and we
4 don't even know. They're both bridge
5 projects. I don't know. I'm voting no.

6 LEGISLATOR GONSALVES: There
7 being no other comments, no public comment,
8 all those in favor of E-261 signify by saying
9 aye. The item passes four to two. Thank you
10 Donna. I think we're okay. It passes four to
11 two. Read your emails.

12 E-263, a personal services
13 agreement between the County of Nassau and
14 Nassau Health Care Corporation.

15 Motion please. Moved by Legislator
16 Dunne. Second by Legislator Nicoletto.

17 Anybody here to speak on it?

18 MS. LAURAIN: Mary Ellen Laurain,
19 Department of Health. Item 263-16 is an
20 amendment to a contract with the Nassau Health
21 Care Corporation. It's in the amount of \$5
22 million. It extends our mandated public
23 health programs. We get \$1.8 million back in
24 state aid. This, as you know, in 1999 the
25 Nassau Health Care Corporation became a public

1 Rules - 12-14-16

2 benefit corporation. And as a result of that
3 the Health Department Clinical Services went
4 under that corporation and they have been
5 providing this service since 1999.

6 LEGISLATOR GONSALVES: Legislator
7 Nicolello.

8 LEGISLATOR NICOLELLO: My backup
9 says that the term begins January 1, 2016.
10 Why is it coming to us at the end of 2016?

11 MS. LAURAIN: There were many
12 delays in the hospital getting the paperwork
13 to us and the contract back.

14 LEGISLATOR NICOLELLO: I don't
15 know what you can do about that.

16 MS. LAURAIN: The department was
17 diligent in trying to get the contract to you
18 in a timely fashion.

19 LEGISLATOR GONSALVES: Any other
20 comments? Any other questions? Any public
21 comment? All those in favor of E-263 signify
22 by saying aye. Any opposed? It was six to
23 zero. Who wasn't here? Dennis. So it's five
24 to zero but it passes anyway.

25 264, a personal services agreement

1 Rules - 12-14-16
2 between the County of Nassau acting on behalf
3 of the Nassau County Public Administrator and
4 Calabrese and associates CPAs, PC.

5 A motion please. Moved by
6 Legislator Dunne. Second by Legislator
7 Nicoletto. Who is going to speak on this
8 one? What do we have Mr. Podlesak?

9 MR. PODLESK: I have no
10 information on it.

11 LEGISLATOR GONSALVES: And nobody
12 is here. For the record, so we don't table
13 the item, we have SEPA requires the public
14 administrator to conduct an annual audit of
15 his office by an independent certified public
16 accountant and a report based on the audit
17 must be filed with the surrogate of the county
18 where appointed, the attorney general of New
19 York State and the comptroller of New York
20 State.

21 And it's an agreement that I think
22 is for \$7,300. They only received one
23 response to the solicitation and that being
24 Calabrese and Associates and that's the
25 information I have. If that doesn't satisfy

1 Rules - 12-14-16

2 you guess what? As far as the disclosure if
3 you have any questions that's all you're going
4 to get. It's in the backup.

5 I'm going to ask that we take the
6 vote. All those in favor of item 264 signify
7 by saying aye. Any opposed? The item passes
8 four to two.

9 266, a personal services agreement
10 between the County of Nassau acting on behalf
11 of the Nassau County Department of Public
12 Works and D and B Engineers and Architects.
13 And we have Deputy Commissioner Davenport.

14 Motion. Moved by Legislator
15 Dunne. Second by Legislator Schaefer.

16 MR. DAVENPORT: This item is a
17 professional services agreement with the firm
18 of Dvirka and Bartilucci for design services
19 for a project to storm harden three waste
20 water pumping stations. The department issued
21 a request for proposals in July. We received
22 two proposals. Both proposals were highly
23 rated, and the department is recommending the
24 awarding of this assignment to Dvirka and
25 Bartilucci having the requisite qualification

1 Rules - 12-14-16

2 and experience and proposing the lowest cost.

3 LEGISLATOR GONSALVES: Any
4 questions of Mr. Davenport? Any public
5 comment? There being none, all those in favor
6 of E-266 signify by saying aye. Any opposed?
7 The item passes four to two.

8 The next item is E-267, a personal
9 services agreement between the County of
10 Nassau acting on behalf of the Nassau County
11 Department of Social Services and Alexander S.
12 Bardey M.D., P.L.L.C.

13 A motion please. Moved by
14 Legislator Dunne. Second by Legislator
15 Nicoletto we have Mr. Broderick.

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

19 The contract before you is an
20 agreement between the Department of Social
21 Services and Dr. Alex Bardey. He is a
22 psychologist who will be performing mental
23 health evaluations on our adult protective
24 service population in conformance with New
25 York State mental health laws. Do you have

1 Rules - 12-14-16

2 any questions?

3 LEGISLATOR DERIGGI-WHITTON: Just
4 one quick point. Again, the terms are January
5 1, 2016 to December 31, 2016 and we're just
6 getting it now?

7 MR. BRODERICK: Actually we had --
8 yeah, you are just getting it now.

9 LEGISLATOR DERIGGI-WHITTON:
10 Thank you.

11 LEGISLATOR GONSALVES: Being no
12 other questions, all those in favor of the
13 E-267 signify by saying aye. Any opposed?
14 The item passes four to two.

15 E-268, a personal services
16 agreement between the County of Nassau acting
17 on behalf of the Nassau County Attorney's
18 Office and Wilson Elser Moskowitz Edelman and
19 Dicker LLP.

20 A motion. Moved by Legislator
21 Dunne. Second by Legislator Schaefer. Who's
22 here? Are you going to speak on it Mr.
23 Podlesak?

24 MR. PODLESAK: Yes, I am. This
25 is E-268-16. This is an amendment to an

1 Rules - 12-14-16

2 existing outside counsel contract to represent
3 the county in litigation related to asbestos
4 claims from working in the Nassau Coliseum and
5 the Haver cases and with EPA matters. This
6 amendment is to increase the maximum amount of
7 the contract by \$140,000.

8 LEGISLATOR GONSALVES: Any
9 questions of Mr. Podlesak? Any public
10 comment? There being none -- 268. County
11 attorney's office.

12 LEGISLATOR ABRAHAMS: Jerry, can
13 you identify what the billables are?

14 MR. PODLESAC: On this one I
15 cannot. I can get that information for you.

16 LEGISLATOR ABRAHAMS: Okay.

17 LEGISLATOR GONSALVES: Legislator
18 Schaefer you have a question?

19 LEGISLATOR SCHAEFER: I assume
20 this was from working in the Coliseum before
21 it was reconstructed?

22 MR. PODLESAC: Yes, it is. It's
23 a long-standing piece of litigation. Been
24 around for a while. There are over 120
25 litigants.

1 Rules - 12-14-16

2 LEGISLATOR SCHAEFER: What stage
3 is it at?

4 MR. PODLESAK: I believe that
5 they are still in discovery on it and that
6 there are several summary judgement motions
7 pending. There actually have already been
8 three summary judgement motions which the
9 outside counsel won but one of those may be
10 subject to an appeal.

11 LEGISLATOR SCHAEFER: Thank you.

12 LEGISLATOR GONSALVES: Legislator
13 DeRiggi-Whitton.

14 LEGISLATOR DeRIGGI-WHITTON: Was
15 that summary judgement on liability or
16 damages?

17 MR. PODLESAK: It would have been
18 on liability at this stage.

19 LEGISLATOR DeRIGGI-WHITTON: Do
20 you feel that that will be the case going
21 forward with some of the other plaintiffs?

22 MR. PODLESAK: It was a summary
23 judgement by the plaintiff for liability to
24 the county. At this point liability would
25 still be an issue.

1 Rules - 12-14-16

2 LEGISLATOR GONSALVES: Yes

3 Minority Leader.

4 LEGISLATOR ABRAHAMS: Jerry, does
5 the county attorney's office have billing
6 guidelines? And if so, can we have them?

7 MR. PODLESAC: I will take that
8 back to the office.

9 LEGISLATOR ABRAHAMS: Do you have
10 them? Not that you have them with you now but
11 do you have billing guidelines?

12 MR. PODLESAC: That's not in my
13 purview in the county attorney's office I will
14 have to take the matter back and speak to
15 Judge Foskey.

16 LEGISLATOR ABRAHAMS: I see Lisa
17 LoCurto's here. I would think this would be a
18 standard type of thing.

19 MR. PODLESAC: Yes, we do have
20 billing guidelines and we do give it to all
21 outside counsel.

22 LEGISLATOR ABRAHAMS: Can we get
23 copies of it?

24 MR. PODLESAC: That's going to be
25 Judge Foskey's decision. He's the boss. We

1 Rules - 12-14-16

2 can't make that decision for him.

3 LEGISLATOR ABRAHAMS: I

4 understand. Okay. Thank you.

5 LEGISLATOR GONSALVES: Any other

6 questions or comments? There being none, all

7 those in favor of E-268 signify by saying

8 aye. Any opposed? The item passes four to

9 two.

10 I'm going to ask Mr. Davenport to
11 come up and there are several items that have
12 to do with the Department of Public Works and
13 to move things along I'm going to call them
14 and hopefully you will be able to address each
15 and every one of them. I think I'm trying to
16 expedite the agenda.

17 We have E-269, a personal services
18 agreement between the County of Nassau acting
19 on behalf of the Department of Public Works
20 and Armond Corporation.

21 E-270, a personal services
22 agreement between the County of Nassau on
23 behalf of the Nassau County Department of
24 Public Works and D and B Engineers and
25 Architects.

1 Rules - 12-14-16

2 E-272, a public services agreement
3 between the County of Nassau acting on behalf
4 of the Nassau County Department of Public
5 Works and Greenman Pedersen, Inc.

6 E-275, a personal services
7 agreement between the County of Nassau acting
8 on behalf of the Nassau County Department of
9 Public Works and Wilson Appraisal Services.

10 And E-276, a personal services
11 agreement between the County of Nassau acting
12 on behalf of the Department of Public Works
13 and Lockwood, Kessler and Bartlett, Inc.

14 I believe that's the end of those.
15 Motion please for all those that I just
16 called. Moved by Legislator Dunne. Second by
17 Legislator Nicoletto.

18 Did anyone have any questions on
19 any one of those items that I just called?

20 Mr. Davenport, would you like to
21 give a brief overview of all the items I gave
22 you so that they will be satisfied and we can
23 move the agenda along.

24 MR. DAVENPORT: I would like to
25 but I can't give you an overview of every

1 Rules - 12-14-16

2 item. We have a couple of representatives
3 from Public Works that would have to speak on
4 these items.

5 LEGISLATOR GONSALVES: Who are
6 they? Tell us which one you're going to talk
7 on you.

8 MR. SALLEY: Sean Salley, Nassau
9 County Department of Public Works. Item 269,
10 a personal services agreement with Armond
11 Corporation.

12 This is a proposed contract with
13 the Armond Corporation to perform project
14 program management services in relation to the
15 county's Community Development Block Grant
16 Disaster Recovery Program. It is a project
17 that is funded through HUD through the
18 governor's office of storm recovery. The
19 department is managing several drainage and
20 storm recovery projects under the state's
21 Community Reconstruction Program. Armond will
22 be providing assistance to the county in terms
23 of HUD compliance review and reporting.

24 LEGISLATOR GONSALVES: Who is
25 going to speak on E-270? That was the one

1 Rules - 12-14-16

2 with D and B Engineers and Architects.

3 MR. DAVENPORT: Item 270 with D
4 and B is an amendment to an existing
5 professional services agreement for
6 construction management at the Bay Park Sewage
7 Treatment Plant for the construction of the
8 berm around the plant. As a result of
9 Hurricane Sandy the plant was flooded. One of
10 the first projects we started was the building
11 of a flood wall slash earth and berm to
12 surround the plant. Happy to say it is
13 complete. The plant is protected from future
14 similar storm events. During construction we
15 ran into some additional work that needed to
16 be constructed. This amendment provides for
17 additional fees for Dvirka and Bartilucci
18 throughout the management of that construction
19 project.

20 LEGISLATOR GONSALVES: The
21 construction of that berm is really
22 magnificent. I've been there.

23 We have E-272, a personal services
24 agreement between Public Works and Greenman
25 Pedersen, Inc. Who's that one?

1 Rules - 12-14-16

2 MR. LINDGREN: Jeff Lindgren,
3 Public Works this contract will provide
4 personnel for the 24 hour operation of the
5 county's traffic management center. We do
6 receive a subsidy from federal highway in the
7 amount of 80 percent.

8 LEGISLATOR GONSALVES: And
9 E-275. Also an amendment to a personal
10 services agreement between Public Works and
11 Wilson Appraisal Services Inc. Who speaks on
12 that one? It's an amendment between the
13 county of Nassau and the Department of Public
14 Works and Wilson Appraisal Services, Inc.
15 Anybody here to talk about it?

16 LEGISLATOR DUNNE: It's on-call
17 appraisal services.

18 LEGISLATOR GONSALVES: Give us a
19 brief statement on it.

20 MR. PODLESACK: I can't speak to
21 it because I don't know anything about it.
22 And the individual who has is no longer here.

23 LEGISLATOR GONSALVES: Who would
24 speak on this item Mr. Davenport? Mr.
25 Schneider is it you? Mr. Sully is it you?

1 Rules - 12-14-16

2 Lisa you got something?

3 MR. SCHNEIDER: Brian Schneider
4 Public Works. This is an amendment to an
5 existing contract for appraisal services
6 that's being conducted through real estate.
7 Wilson Appraisal Services has been doing this
8 work for a number of years for the
9 department. But unfortunately I was not
10 provided the actual details of the amendment.
11 And the person listed on the staff summary is
12 no longer here. But it is an amendment to an
13 existing contract with Wilson Appraisal
14 Services.

15 LEGISLATOR GONSALVES: I hate to
16 do this to you -- let me see what I have in my
17 notes.

18 LEGISLATOR DUNNE: The method
19 procured was there was an RFP issued in April
20 2013 where four firms responded.

21 MR. PODLESACK: I do have
22 additional information. It's generally used
23 for appraisal of real estate for purchase of
24 property and we do need to have an appraiser
25 who is under contract with the county in order

1 Rules - 12-14-16

2 to provide the real estate bureau the
3 information necessary.

4 LEGISLATOR SCHAEFER: Is this an
5 amendment to add additional funding?

6 MR. PODLESAK: I believe so, yes.

7 LEGISLATOR GONSALVES: Guess what
8 we're going to move on because we haven't
9 taken a vote on any of them. So when we come
10 to that we will decide which way to go.

11 The next item is E-276, a personal
12 services agreement between the county of
13 Nassau acting on behalf of the Department of
14 Public Works and Lockwood Kessler and Bartlett
15 Inc. Who speaks on this one?

16 MR. IDAVAO: Richard Idavao,
17 Department of Public Works. This is a
18 personal services agreement with Lockwood
19 Bartlett Incorporated for construction
20 management and inspection on resurfacing phase
21 33, which is a federal aid project, and is
22 eligible for up to 80 percent reimbursement
23 with federal funds.

24 LEGISLATOR GONSALVES: We are
25 going to go back to each of the items and we

1 Rules - 12-14-16

2 will call them for a vote separately.

3 269. All those in favor of E-269
4 signify by saying aye. Any opposed? The item
5 passes four to two.

6 E-270. All those in favor of E-270
7 signify by saying aye. Any opposed?

8 Item E-272. All those in favor of
9 E-272 signify by saying aye. Any opposed?
10 The item passes four to two.

11 Item E-275. I think that's the one
12 we had a motion to table. Did we any response
13 to E-275? Mr. Podlesak did someone give a
14 response to E-275 regarding the appraisals?

15 I'm going to request a motion to
16 table E-275. All those in favor. A motion to
17 table please. Moved by Legislator Nicoletto.
18 Second by Legislator Schaefer. All those in
19 favor of tabling E-275 signify by saying aye.
20 This is six to zero so it is tabled.

21 Last one for DPW is E-276. All
22 those in favor of E-276 signify by saying
23 aye. Any opposed? The item passes four to
24 two.

25 Let's go back.

1 Rules - 12-14-16

2 E-271 an amendment to a personal
3 services agreement between the county of
4 Nassau acting on behalf of the Nassau County
5 Attorney's Office and Bee Ready Fishbein Hatte
6 and Donovan L.L.P.

7 Motion please. Moved by Legislator
8 Dunne. Second by Legislator Nicoletto. I
9 guess you can speak on this one.

10 MR. PODLESACK: This one I can
11 speak on. This is an amendment to an outside
12 counsel contract. Counsel provides legal
13 services to several county departments with
14 regard to labor and employment issues. This
15 amendment renews the contract by extending the
16 term for one year and increasing the maximum
17 amount by \$900,000.

18 LEGISLATOR GONSALVES: Any
19 questions regarding this item? Any public
20 comment? There being none, all those in favor
21 of E-271 signify by saying aye. Any opposed?
22 The item passes four to two.

23 The next item is E-273, a personal
24 services agreement between the County of
25 Nassau acting on behalf of the Office of

1 Rules - 12-14-16
2 Management and Budget and the Nassau County
3 Bar Association Assigned Counsel Defender Plan
4 Inc.

5 A motion please. Moved by
6 Legislator Dunne. Second by Legislator
7 Schaefer.

8 MR. PODLESACK: This is an ongoing
9 matter. We are required to fund defendants,
10 the representation of indigent defendants.
11 The Bar Association in one of the providers.
12 Legal Aid is another. These contracts come up
13 periodically and we are required by law to
14 provide this service.

15 LEGISLATOR GONSALVES: Any
16 questions or comments regarding this item?
17 Any public comment? There being none, all
18 those in favor of E-273 signify by saying
19 aye. Any opposed? All ayes.

20 The next one is E-274.

21 By the way that was six to zero.

22 E-274, a personal services
23 agreement between the county of Nassau acting
24 on behalf of the Office of Nassau County
25 Treasurer and Gila L.L.C. d/b/a Municipal

1 Rules - 12-14-16

2 Services Bureau.

3 Motion please. Moved by Legislator
4 Dunne. Seconded by Legislator Nicoletto.

5 MR. JEFFERSON: Beaumont
6 Jefferson, treasurer.

7 This personal services agreement
8 between Gila L.L.C. doing business as the
9 Municipal Service Bureau. This is for
10 collection of fees for several county
11 departments. They currently collect fees for
12 the county attorney's office, the emergency
13 ambulance billing, the probation department
14 and social services. The emergency ambulance
15 billing was removed from this contract and
16 will be presented to you under a different
17 contract. But they will continue to collect
18 on county attorney, social services and
19 probation and any other department that we
20 send to them for collection. It's an open
21 contract.

22 The fees are structured where they
23 receive 17.5 percent on \$400 or greater and
24 18.5 percent on anything that's 399 or less.
25 The average collection is approximately \$400.

1 Rules - 12-14-16

2 LEGISLATOR GONSALVES: Any
3 questions or comments from the legislators?
4 Any public comment? Let's go Legislator
5 DeRiggi-Whitton.

6 LEGISLATOR DERIGGI-WHITTON:
7 Regarding paragraph six of appendix A which
8 attorneys will be eligible for the list?

9 MR. JEFFERSON: Which attorneys
10 will be eligible for?

11 LEGISLATOR DeRIGGI-WHITTON: Will
12 be on the eligible list?

13 MR. JEFFERSON: I don't have the
14 contract in front of me but the contract is
15 written where it's all -- the attorneys that
16 they'll select -- currently they select --
17 they have one attorney that's a local
18 attorney. I don't have the name in front of
19 me. This is when they have to refer the cases
20 to an attorney and we actually get their
21 list. And I don't have the name of that
22 attorney currently.

23 LEGISLATOR DERIGGI-WHITTON: We
24 are kind of delegating to contractors the
25 power to enter into an outside counsel

1 Rules - 12-14-16

2 contract, right?

3 MR. JEFFERSON: No, we're not.

4 LEGISLATOR DERIGGI-WHITTON:

5 Okay.

6 LEGISLATOR GONSALVES: There
7 being no other questions or comments from the
8 public, all those in favor of E-274 signify by
9 saying aye. Any opposed? The item passes
10 four to two.

11 We already called E-276. The next
12 one is E-277. An amendment to a personal
13 services agreement between the County of
14 Nassau acting on behalf of the Nassau County
15 Attorney's Office and Rivkin Radler L.L.P.

16 A motion please. Moved by
17 Legislator Dunne. Second by Legislator
18 Schaefer. Who is here to speak on this one?
19 I guess it's you Mr. Podlesak.

20 MR. PODLESAK: One more time.
21 This is a contract where Rivkin is providing
22 legal services to the county in connection
23 with the litigation known as New York
24 Telephone Company against Town of North
25 Hempstead against Nassau County, as well as

1 Rules - 12-14-16
2 representing the county on matters relating to
3 issues presented by the suit and multiple
4 other claims and suits that relate to alleged
5 tax refunds claimed against the county where
6 such tax refund claimants assert various
7 causes of action for payment of refunds
8 including but not limited to claims made
9 pursuant to the so called county guarantee.
10 This increases the maximum amount of the
11 contract by \$875,000.

12 LEGISLATOR GONSALVES: Any
13 questions? Minority Leader.

14 LEGISLATOR ABRAHAMS: Jerry, I
15 want to make sure I note for the record that
16 we are increasing this contract by \$875,000,
17 correct?

18 MR. PODLESACK: That is correct.

19 LEGISLATOR ABRAHAMS: That will
20 bring the new maximum amount for this contract
21 to \$4.225 million?

22 MR. PODLESACK: I will take your
23 word. I don't have the number in front of me.

24 LEGISLATOR ABRAHAMS: Other than
25 what you indicated is there anything else that

1 Rules - 12-14-16

2 we can discuss on the record or does it need
3 to be discussed in executive session on the
4 status of this case?

5 MR. PODLESACK: I do not know if
6 there is actually anything that you would need
7 to know about the case. If you would like to
8 go in executive session.

9 LEGISLATOR ABRAHAM: No, I don't
10 want to go into executive session. What I'm
11 saying is, what's the status I guess? Are we
12 coming near the end? Near the middle?

13 MR. PODLESACK: There are two
14 groups of cases, the garbage districting
15 case. They're under appeal. And there's also
16 an attempt being made to settle some of them.

17 The Article 18 case is regarding
18 utilities, and that is going to be going to
19 trial to determine the amount of the refund
20 that the utilities are owed, if any. So one
21 is pending trial. The other one is moving
22 towards the end of the litigation.

23 LEGISLATOR ABRAHAM: Two
24 things. Do you expect that we will go over
25 this amount on this particular contract, this

1 Rules - 12-14-16

2 4.225? And second, when do we anticipate -- I
3 guess that's really my main question because
4 my second question ties to whether or not you
5 think this is going to go over.

6 MR. PODLESAK: There's no way of
7 really telling. The hope and expectation is
8 no. But litigation has a tendency to
9 sometimes take on a life of its own and any
10 number of things can happen that would extend
11 the matter and require an additional amount of
12 money being added. It's hard to tell with
13 litigation.

14 LEGISLATOR ABRAHAMS: Please keep
15 the legislature posted.

16 MR. PODLESAK: I've been told
17 that we are not encumbering the money now.
18 It's just in anticipation of further
19 requirements.

20 LEGISLATOR ABRAHAMS: Okay.
21 Thank you Jerry.

22 LEGISLATOR GONSALVES: Legislator
23 Nicoletto.

24 LEGISLATOR NICOLELLO: There's
25 appeal work to be done as well as a trial on

1 Rules - 12-14-16

2 damages?

3 MR. PODLESAK: Yes.

4 LEGISLATOR NICOLELLO: Do we know
5 when the trial on damages is scheduled for?

6 MR. PODLESAK: The expectation is
7 in January of 2017. But you know as well as I
8 trials have a tendency to be put off.

9 LEGISLATOR NICOLELLO: This
10 number is tremendous. As well as this total
11 number is tremendous.

12 MR. PODLESAK: The estimated
13 liability in the Article 18 litigation could
14 be as high as \$200 million.

15 LEGISLATOR NICOLELLO: We know
16 that. Understood. But these numbers are
17 really incredible. Thank you.

18 LEGISLATOR GONSALVES: Any other
19 questions or comments? Any public comment?
20 There being none, all those in favor of E-277
21 signify by saying aye. Any opposed? The item
22 passes four to two.

23 Next item is E-278, an amendment to
24 a personal services agreement between the
25 County of Nassau acting on behalf of the

1 Rules - 12-14-16

2 Nassau County District Attorney's Office and
3 Precise Court Reporting Services, Inc.

4 A motion please. Moved by
5 Legislator Dunne. Second by Legislator
6 Nicoletto. Who's here?

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

9 This is a one year extension of an
10 existing agreement with Precise Court
11 Reporting for grand jury court reporting. The
12 District Attorney's Office is required by law
13 to provide transcripts of all grand jury
14 proceedings upon request by defense
15 attorneys. Transcripts are also used by
16 assistant district attorneys in conducting
17 prosecutions.

18 This agreement was originally
19 entered into after the District Attorney's
20 Office issued a formal RFP and we have been
21 very satisfied with the vendor's performance.

22 LEGISLATOR GONSALVES: Any
23 questions? Any comments? Any public
24 comment? There being none, all those in favor
25 of E-278 signify by saying aye. Any opposed?

Regal Reporting Service
516-747-7353

1 Rules - 12-14-16

2 Four to two. It was E-278. I figured it
3 was. Six zero.

4 There are a number of U contracts.
5 I'm going to call them all. Most of them, in
6 fact all of them I think, a good portion of
7 them have to do with the Traffic Safety Board.

8 The first one is U-83, a personal
9 services agreement between Nassau County
10 acting on behalf of the Nassau County
11 Department of Traffic Safety Board and the
12 city of Glen Cove.

13 U-84, a personal services agreement
14 between the County Department of Traffic
15 Safety Board and the city of Glen Cove.

16 U-85, a personal services agreement
17 between the County of Nassau acting on behalf
18 of the Nassau County Department of Traffic
19 Safety Board and the city of Glen Cove.

20 U-86, a personal services agreement
21 between the county of Nassau acting on behalf
22 of the Nassau County Department of Traffic
23 Safety Board and the city of Long Beach.

24 U-87, a personal services agreement
25 between the county of Nassau acting on behalf

1 Rules - 12-14-16
2 of the Department of Traffic Safety Board and
3 the city of Long Beach.

4 U-88 is another personal services
5 agreement between the county of Nassau acting
6 on behalf of the county Department of Traffic
7 Safety Board and the city of Long Beach.

8 U-89, a personal services agreement
9 between the County of Nassau acting on behalf
10 of the Nassau County Department of Traffic
11 Safety Board and the village of Malverne.

12 U-90, a personal services agreement
13 between the county of Nassau acting on behalf
14 of the county Department of Traffic Safety
15 Board and the Village of Port Washington
16 Police District.

17 U-91, a personal services agreement
18 between the county of Nassau acting on behalf
19 of the county Department of Traffic Safety
20 Board and the village of Garden City.

21 U-92, a personal services agreement
22 between the county of Nassau acting on behalf
23 of the Department of Traffic Safety Board and
24 the village of Garden City.

25 U-93, a personal services agreement

1 Rules - 12-14-16

2 between the county of Nassau acting on behalf
3 of the county Department of Traffic Safety
4 Board and the village of Garden City.

5 U-94, a resolution authorizing the
6 county executive to execute a personal
7 services agreement between the County of
8 Nassau acting on behalf of the Nassau Traffic
9 Department of Traffic Safety Board and the
10 village of Malverne.

11 U-95 -- that's it. That was the
12 last one for the Traffic Safety Board sorry
13 about that.

14 A motion please. Moved by
15 Legislator Dunne. Seconded by Legislator
16 Nicoletto.

17 There are a number of items here
18 can anyone give us a synopsis on any of this.
19 Any questions that you may have guys?

20 MR. PODLESACK: I don't know if I
21 can answer any questions.

22 LEGISLATOR GONSALVES: They have
23 no questions. You're off the hook. There
24 being no questions on the part of the
25 legislators and no public comment, all those

1 Rules - 12-14-16

2 in favor of the items I just called U-83,
3 U-84, U-85, U-86, U-87, U-88, U-89, U-90,
4 U-91, U-92, U-93 and U-94. All those in favor
5 of those items signify by saying aye. Any
6 opposed?

7 Are they six to zero? You got to
8 get with the program. Six to zero. Some of
9 them are in your district.

10 U-95, a personal services agreement
11 between the County of Nassau acting on behalf
12 of the Office of the Nassau County Attorney
13 and Long Island Auto Appraisers, Inc.

14 A motion please. Moved by
15 Legislator Dunne. Second by Legislator
16 Schaefer.

17 Do you have anything to tell us
18 about this since it is the county attorney's
19 office?

20 MR. PODLESAC: This is an
21 amendment to a contract with a contractor that
22 provides property damage appraisals related to
23 vehicles and machinery. This amendment
24 increases the maximum amount of the contract
25 by \$6,000 and extends the term for one month.

1 Rules - 12-14-16

2 The county attorney's office is currently in
3 the process of issuing a new RFP for appraisal
4 services and the extension of this contract
5 will allow the office to finalize that process
6 without a gap in service. We have been doing
7 business with this firm since 2009.

8 LEGISLATOR GONSALVES: Any
9 questions of Mr. Podlesak on this? There
10 being none, all those in favor of U-95 signify
11 by saying aye. Any opposed? Now we can hear
12 you. Four to two.

13 U-96, a personal services agreement
14 between the County of Nassau acting on behalf
15 of the Nassau County Department of Parks,
16 Recreation and Museums and Wildlife in need of
17 Rescue and Rehabilitation.

18 Motion please. Moved by Legislator
19 Dunne. Second by Legislator Nicoletto.

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

22 This is a contract with the
23 Wildlife in Need of Rescue and
24 Rehabilitation. They hold the permits for all
25 the rescue animals at our museum in Seaford,

1 Rules - 12-14-16

2 Tackapusha Museum. They are also licensed
3 with the DEC and the Federal Fish and
4 Wildlife. So they have the agency permits as
5 well as the permit to take care of the animals
6 there.

7 LEGISLATOR GONSALVES: Any
8 questions of Ms. Krieb? Any public comment?
9 There being none, all those in favor of U-96
10 signify by saying aye. Any opposed? I didn't
11 hear any nays. I guess they are all for the
12 animals. Six to zero.

13 We need to untable I believe we
14 have two items to untable. The first one is
15 E-188. A motion to untable E-188. Moved by
16 Legislator Dunne. Second by Legislator
17 Schaefer. All those in favor of untabling
18 E-188 signify by saying aye. Any nays? We
19 are untabling it and it's six to zero.

20 This is a personal services
21 contract. An amendment to I believe to an
22 outside counsel contract between the County of
23 Nassau acting on behalf of the Nassau County
24 Attorney's Office and Rivkin Radler LLC.

25 Moved by Legislator Dunne. Second

1 Rules - 12-14-16

2 by Legislator Nicoletto. What are you going
3 to tell us Mr. Podlesak?

4 MR. PODLESAC: This is an
5 amendment to an outside counsel contract to
6 represent the county and/or any such other
7 parties as the county may be required to
8 defend in various matters as requested by the
9 county attorney or his designee within the
10 following areas of law which the department
11 has determined counsel to be qualified. That
12 includes health, insurance, land use, zoning,
13 construction litigation, appeals, bankruptcy,
14 election law, unemployment and labor law,
15 commercial litigation, real property
16 transactions, tax cert, tort law and
17 commercial transactions.

18 The firm was originally assigned to
19 the case Daniel Russell against the county.
20 This matter is being resolved by settlement.
21 This amendment renews and extends the contract
22 for two years and increases the maximum amount
23 by \$101,000. The Russell matter is concluded
24 and this amendment accomplishes two tasks. It
25 exercises our option to renew the contract for

1 Rules - 12-14-16

2 future litigation and there are a few items
3 that they have not been compensated for in the
4 Russell matter. Including prepping witnesses,
5 pretrial motion, settlement discussions and
6 the final settlement documentation.

7 LEGISLATOR GONSALVES: Legislator
8 DeRiggi-Whitton has a question.

9 LEGISLATOR DERIGGI-WHITTON: This
10 new extension runs from January 28, 2015 to
11 January 28, 2017?

12 MR. PODLESACK: That may be a
13 misprint.

14 LEGISLATOR DERIGGI-WHITTON: If
15 so, then everything is already encumbered,
16 right?

17 MR. PODLESACK: The money has been
18 encumbered. This is only an extension to the
19 end of January.

20 LEGISLATOR DERIGGI-WHITTON: So
21 they have already spent another \$100,000 from
22 what we authorized and now they're coming to
23 us for an extension that's really was already
24 done. So, in other words, they basically just
25 overextended \$100,000.

1 Rules - 12-14-16

2 MR. PODLESAK: It's litigation
3 and sometimes costs add up.

4 LEGISLATOR DERIGGI-WHITTON:
5 Right. But shouldn't you come before it's
6 already spent? Like \$100,000 is already
7 spent. I'm all right if we're really doing
8 what you said before which is that we're
9 getting them lined up for future litigation
10 but it's already spent, the full amount,
11 right?

12 MR. PODLESAK: It's not the full
13 amount. And it is involved with the case they
14 had been working on. That matter has been
15 concluded but the paperwork and the documents
16 on that they have done the work on and they
17 are entitled to be compensated for it.

18 LEGISLATOR DERIGGI-WHITTON: But
19 honestly, it was a \$25,000 contract. It's
20 being increased by \$101,000 and it expires in
21 like a little over a month and we've spent all
22 the money. Basically they spent a \$100,000
23 more than we okayed and now they're coming to
24 us to okay it after the money was spent. They
25 spent the full amount. The contract is over

1 Rules - 12-14-16

2 January 28, 2017. So it's over in a month.
3 Why are we extending it only for a month if we
4 are going to use it for future law cases? It
5 doesn't seem to make sense that we're
6 extending it only a month. It just seems
7 we're kind of covering up for the fact that
8 they went \$100,000 over what we authorized
9 them.

10 LEGISLATOR GONSALVES: Lisa, can
11 you contribute to this at all?

12 MS. LOCURTO: The contract
13 contemplated that there would be one year
14 renewal options. This one there were two. We
15 are exercising it. We thought the litigation
16 was going to conclude sooner than we had
17 anticipated. And actually if you look at the
18 other contracts that were untabled originally
19 it was one of the under \$25,000 contracts.
20 But it got caught up in the sweep of all the
21 contracts being now anything even under
22 \$25,000 didn't come before the legislature and
23 now every contract regardless over \$1,000 had
24 to come to the legislature.

25 So, in time, they were doing work

1 Rules - 12-14-16

2 at the request of the county to ensure that we
3 didn't default in the litigation.

4 So the contract we are extending
5 the term, exercising it in the event that if
6 we needed them to do another contract. We
7 don't anticipate another case. But if there
8 was that's why the extension was being
9 exercised.

10 LEGISLATOR DERIGGI-WHITTON: This
11 goes to show why it's good that we do the
12 \$25,000 now. This was only allowed to
13 \$25,000. In other words, it never came before
14 the leg, right, because it was passed before
15 we required --

16 MS. LOCURTO: It was going to
17 come before the leg but you would have been
18 approving an expired contract. So it didn't
19 make sense to go forward with the \$25,000
20 contract. Because it took so long to get
21 contracts, determine what contracts were going
22 under and over. Plus the new disclosure
23 forms. It would be improper to put before the
24 legislature a contract that did not fulfill
25 all the new requirements that you need in

1 Rules - 12-14-16

2 order to vet the contracts and make an
3 affirmative decision.

4 LEGISLATOR DERIGGI-WHITTON: This
5 is again, I'm going to restate what I just
6 said, this is why I'm happy we switched it
7 down to \$1,000. Because technically what
8 could have happened it was awarded, they spent
9 more than it was awarded for and now they're
10 saying we're extending it for future law cases
11 yet we are only extending it for a month. The
12 whole thing sounds terrible I think but thank
13 you.

14 LEGISLATOR GONSALVES: Legislator
15 Nicolello.

16 LEGISLATOR NICOLELLO: Bottom
17 line is they already did the work, is that
18 what you're telling us?

19 MS. LOCURTO: Yes. And there is
20 a problem. This case is settled. But because
21 the plaintiff has a lien on the settlement
22 it's difficult for us to determine whether or
23 not there are issues with it? But for all
24 intents and purposes the case is settled.

25 LEGISLATOR NICOLELLO: I think we

1 Rules - 12-14-16

2 are losing patience with this type of thing
3 that's happening. We've already voted down a
4 couple of contracts. I think that's going to
5 start happening on a regular basis. Because
6 if this continues to happen where terms start
7 ten months before the contract comes before
8 us, contracts for whatever reason, the money
9 is already spent. We can't continue to do
10 this. I understand there was difficulty this
11 year because of the changes in procedures.
12 But going forward I think we just don't have
13 any patience for this stuff anymore. The
14 contracts are going to have to come to us
15 unless there's an emergency of some kind which
16 can be explained, they're going to have to
17 come to us in a timely fashion. Otherwise
18 we're going to vote them down and so be it.

19 LEGISLATOR ABRAHAMS: Deputy
20 presiding officer? Lisa, Jerry how many more
21 are in the pipeline that are like this where
22 there are contracts that are started that
23 somehow we're going to see in February, March
24 or April? Are there more should we expect?

25 MR. PODLESAS: We are actually

1 Rules - 12-14-16

2 not sure but we are attempting to ascertain if
3 there are any other contracts out there like
4 that.

5 LEGISLATOR ABRAHAMS: How soon
6 can you turn that around to us Jerry?

7 MR. PODLESAK: We'll do the best
8 we can. That's the only answer I can give
9 you.

10 LEGISLATOR GONSALVES: There
11 being no other questions or comments, all
12 those in favor of E-188 signify by saying
13 aye. Any opposed? The item passes four to
14 two.

15 The other item that requires a
16 motion to untable is E-262. A personal
17 services agreement and an amendment to a
18 personal services agreement between the county
19 of Nassau acting on behalf of the Nassau
20 County Attorney's Office and Ultimate Process
21 Servers Inc.

22 Motion please. Moved by Legislator
23 Dunne. Second by Legislator Schaefer. All
24 those in favor of untabling E-262 signify by
25 saying aye. Any opposed? The item is

1 Rules - 12-14-16

2 untabled. As for the item E-262 a motion
3 please. It's untabled it's fine.

4 Mr. Podlesak.

5 MR. PODLESAK: This is an
6 amendment to provide process serving in
7 connection with the misdemeanor DWI forfeiture
8 program, family court proceedings and other
9 litigation that might be defended by the
10 county attorney's office.

11 LEGISLATOR GONSALVES: Any
12 questions of Mr. Podlesak on this item?

13 LEGISLATOR ABRAHAMS: Just for
14 the record, I want to make sure I understand.
15 Last time, if I may, if I remember correctly,
16 this one, Jerry, is 339 days after the
17 contract expired. It was a contract that was
18 extended until December 31st of this year?

19 MR. PODLESAK: Yes.

20 LEGISLATOR ABRAHAMS: It's just
21 coming to us now. I have to check the record
22 for justification. I think I remember this
23 one with my counsel refresh my memory. This
24 is the one where the two ladies from your
25 office were saying that there was some type of

1 Rules - 12-14-16

2 confusion. They thought that the entity
3 didn't realize that they had to do some
4 additional --

5 MR. PODLESACK: Right. They
6 didn't realize they had two contracts. They
7 thought it was only one. And they had taken
8 some time in order to get the paperwork
9 straightened out. As soon as we discovered
10 the issue when they sent us bills we
11 diligently tried to correct the matter and now
12 we've brought it to the legislature as quickly
13 as we could.

14 LEGISLATOR ABRAHAM: I do
15 remember this.

16 MR. PODLESACK: Everything that we
17 know about it is that they did make an honest
18 mistake. They thought they were performing
19 contracted services under the one contract and
20 they didn't realize they had to renew this one
21 also.

22 LEGISLATOR ABRAHAM: I remember
23 this one because I think we had asked the
24 question -- it seems like the negligence was
25 on their part because your office did their

1 Rules - 12-14-16

2 due diligence, but you reached out to them and
3 they seemed like they ignored it or they
4 didn't realize that they had to do it.

5 MR. PODLESACK: They didn't
6 realize.

7 LEGISLATOR ABRAHAMS: I remember
8 this now.

9 MR. PODLESACK: It was a troubling
10 piece.

11 LEGISLATOR GONSALVES: There
12 being no other comments or questions, no
13 public comment, all those in favor of E-267
14 signify by saying aye. Any opposed? Four to
15 two.

16 We have an agenda item. I need a
17 motion to suspend the rules. We have one
18 addendum item. Motion to suspend the rules.
19 Moved by Legislator Dunne. Second by
20 Legislator Schaefer. All those in favor of
21 suspending the rules signify by saying aye.
22 Any opposed? The rules are suspended.

23 The item is 606. A resolution to
24 authorize the transfer of appropriations
25 heretofore made within the budget for the year

1 Rules - 12-14-16

2 2016.

3 A motion please. Moved by
4 Legislator Dunne. Second by Legislator
5 Nicoletto. I don't know if there is any
6 questions or comments regarding this one. Is
7 there anything Mr. Podlesak that you want to
8 shed any light on regarding this one?

9 MR. PODLESAK: This is the one
10 for payment of debt service. There was a
11 software issue where the money was -- there
12 are two accounts, a principal fund and an
13 interest fund. And while the debt service was
14 required by law to be paid it was paid. But
15 unfortunately there was a mistake as to the
16 allocation of the money between the two funds
17 and this board transfer rectifies that. It
18 was discovered only after the fact that it had
19 happened and the county was obligated under
20 law to make the payment on the debt service.

21 LEGISLATOR GONSALVES: Any
22 comments or questions from the legislators?

23 LEGISLATOR DERIGGI-WHITTON: How
24 much is the board transfer? We can't find the
25 item.

1 Rules - 12-14-16

2 MR. PODLESAK: I can't find the
3 item either.

4 LEGISLATOR GONSALVES: This item
5 transfers \$860,000 from interest to principal
6 in the debt service fund to reallocate the
7 budget appropriation between principal and
8 interest. And of course impact on funding it
9 says these transfers have no impact on the
10 overall budget as it represents the transfer
11 of existing funds between departments object
12 codes and all responsibilities centers within
13 the same department. That's the item.

14 LEGISLATOR DeRIGGI-WHITTON: Does
15 this have to go through Finance? It doesn't
16 have to go through Finance to do the budget
17 transfer?

18 LEGISLATOR GONSALVES: No. It's
19 a transfer of appropriations. I think we're
20 okay as far as it just going before Rules.
21 For the record, I think we have to make sure
22 this is done before the end of the year. It
23 does not require us to go through Finance.

24 All those in favor of 606 signify
25 by saying aye. Any opposed? The item passes

1 Rules - 12-14-16

2 four to two.

3 Motion to adjourn please. Moved by
4 Legislator Dunne. Second by Legislator
5 Nicoletto. All those in favor signify by
6 saying aye. Any opposed? We are all ready to
7 go home.

8 (TIME NOTED: 7:00 P.M.)

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Rules - 12-14-16

CERTIFICATION

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

THAT the foregoing is a true and
accurate transcript of my stenographic
notes.

IN WITNESS WHEREOF, I have
hereunto set my hand this 28th day of
December 2016

FRANK GRAY