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NASSAU COUNTY LEGISLATURE

RULES COMMITTEE

NORMA GONSALVES, Chairwoman

1550 Franklin Avenue
Mineola, New York

Monday, March 13, 2017
1:21 P.M

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

NORMA GONSALVES,
Chairwoman

RICHARD NICOLELLO,
Vice Chairman

HOWARD KOPEL

DENNIS DUNNE (substituted by
Legislator Muscarella)

KEVAN ABRAHAMS,
Ranking

DELIA DERIGGI-WHITTON

CARRIE SOLAGES

MICHAEL C. PULITZER,
Clerk of the Legislature

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95-17, 106-17, 107-17, 119-17, 122-17,
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Planning/Development; Health and
Social Services; Finance Committees

Dated 3-13-17.....118

1 Rules Committee/3-13-17

2 CHAIRWOMAN GONSALVES: Will my
3 colleagues join us in the chamber.

4 Legislator Dunne, please lead us
5 in the Pledge of Allegiance.

6 (The Pledge of Allegiance was
7 recited.)

8 CHAIRWOMAN GONSALVES: At this
9 time the Rules Committee begins and the
10 first order of business for the Rules
11 Committee are the contracts that have been
12 presented to us.

13 Once we do the contracts, we then
14 recess so the other committees can meet and
15 then we come back to Rules Committee.

16 So, Mr. Pulitzer, please call the
17 roll for the Rules Committee.

18 CLERK PULITZER: Carrie Solages?

19 LEGISLATOR SOLAGES: Here.

20 CLERK PULITZER: Legislator
21 DeRiggi-Whitton?

22 LEGISLATOR DERIGGI-WHITTON:
23 Here.

24 CLERK PULITZER: Ranking Member
25 Kevan Abrahams?

1 Rules Committee/3-13-17

2 LEGISLATOR ABRAHAMS: Here.

3 CLERK PULITZER: Legislator

4 Howard Kopel?

5 LEGISLATOR KOPEL: Here.

6 CLERK PULITZER: Substituting for

7 Legislator Dennis Dunne will be Legislator

8 Vincent Muscarella.

9 LEGISLATOR MUSCARELLA: Here.

10 CLERK PULITZER: Vice Chairman

11 Richard Nicoletello?

12 LEGISLATOR NICOLELLO: Here.

13 CLERK PULITZER: Chairwoman Norma

14 Gonsalves?

15 CHAIRWOMAN GONSALVES: Present.

16 CLERK PULITZER: We have a

17 quorum, ma'am.

18 CHAIRWOMAN GONSALVES: By the

19 way, we have Legislator Muscarella

20 substituting for Legislator Dennis Dunne.

21 CLERK PULITZER: Yes, ma'am.

22 CHAIRWOMAN GONSALVES: We begin

23 with Item A-2-17, a resolution authorizing

24 the Director of Nassau County Office of

25 Purchasing to award and execute a contract

1 Rules Committee/3-13-17

2 between the County of Nassau acting on
3 behalf of the Department of Information
4 Technology and Tyler Technologies.

5 Motion, please.

6 LEGISLATOR KOPEL: So moved.

7 LEGISLATOR NICOLELLO: Second.

8 CHAIRWOMAN GONSALVES: Moved by
9 Legislator Kopel, seconded by Legislator
10 Nicolello. Who is here to speak on this
11 item?

12 COMMISSIONER EISENSTEIN: Good
13 afternoon. Hello. Ed Eisenstein, IT
14 Commissioner of Information Technology.
15 This contract is the maintenance renewal for
16 the system that manages all the assessment
17 data.

18 CHAIRWOMAN GONSALVES: Any
19 questions or comments? Minority Leader.

20 LEGISLATOR ABRAHAMS: Thank you,
21 Madam Presiding Officer. How are you? I
22 just want to make sure of the understanding
23 of the period of the contract. It's our
24 understanding that this contract has
25 commenced 15 months ago, from now, is that

1 Rules Committee/3-13-17

2 correct?

3 COMMISSIONER EISENSTEIN: I don't
4 believe -- I have to double check that.

5 LEGISLATOR ABRAHAMS: Well, we
6 have the --

7 COMMISSIONER EISENSTEIN: It's
8 2016 and 2017.

9 LEGISLATOR ABRAHAMS: We have the
10 term of the maintenance period starting on
11 January 1, 2016.

12 COMMISSIONER EISENSTEIN: 2016
13 that is accurate. Yes.

14 LEGISLATOR ABRAHAMS: January 1.

15 COMMISSIONER EISENSTEIN: Of
16 2016.

17 LEGISLATOR ABRAHAMS: So we are
18 approving the contract in March of 2017 that
19 started in January 1 of 2016?

20 COMMISSIONER EISENSTEIN: For the
21 maintenance of last year and this year, yes,
22 sir.

23 LEGISLATOR ABRAHAMS: So my
24 question was, did this contract begin or was
25 it commenced prior to this Legislative

1 Rules Committee/3-13-17

2 approval?

3 COMMISSIONER EISENSTEIN: Was it
4 commenced?

5 LEGISLATOR ABRAHAMS: Did it
6 begin before this body had a chance to
7 approve it?

8 COMMISSIONER EISENSTEIN: I'll
9 have to see how they used the vendor in that
10 term. I'll have to get back to you on that.

11 LEGISLATOR ABRAHAMS: Let's make
12 it simpler. This contract started on
13 January 1, 2016.

14 COMMISSIONER EISENSTEIN: Yes,
15 sir.

16 LEGISLATOR ABRAHAMS: And today
17 is March 13, 2017.

18 COMMISSIONER EISENSTEIN: Yes.

19 LEGISLATOR ABRAHAMS: Did they do
20 any work between January 1 and March 13th?

21 COMMISSIONER EISENSTEIN: I'll
22 have to double check that and get back to
23 you. I don't know personally what work was
24 done within that period.

25 LEGISLATOR ABRAHAMS: So, Madam

1 Rules Committee/3-13-17

2 Presiding Officer, one more thing before we
3 consider that motion, I know that we've all
4 had an opportunity to read that in NIFA's
5 correspondence to the county the use of the
6 contract approval request form.

7 In that language, it talks about
8 NIFA before they consider contracts, for the
9 same issues that have been brought out by
10 this committee, that they render services no
11 later than the date -- let me make sure I'm
12 reading this correctly.

13 So if I'm understanding this
14 clause, and I'm referencing page two of the
15 Nassau Interim Finance Authority contract
16 approval request, have you seen this,
17 Mr. Eisenstein?

18 COMMISSIONER EISENSTEIN: Yes, I
19 have, sir.

20 LEGISLATOR ABRAHAMS: One of the
21 things it indicates in the last session on
22 page two is NIFA approves this contract/
23 amendment but no time charges shall be
24 recognized or paid for services rendered
25 prior to the later of the date of the NIFA

1 Rules Committee/3-13-17

2 approval. And the date that the contract
3 amendment has been fully executed by all
4 parties.

5 So, my interpretation is that
6 they won't even consider it being that it
7 goes 15 months prior to the actual date of
8 the Legislature, or the date that they --
9 well, they probably won't get it until we
10 actually approve it, so I don't see how this
11 contract can go forward. Is that your
12 understanding as well?

13 COMMISSIONER EISENSTEIN: My
14 understanding is this has been a trusted
15 vendor in the county for many years. It's a
16 critical system to the county, and certainly
17 our department and the rest of them do our
18 best to manage these maintenance agreements
19 to the best of our ability.

20 This is not a new vendor. This
21 is an existing vendor and certainly the
22 relationship and the support is needed.

23 LEGISLATOR ABRAHAMS: But your
24 understanding doesn't really address what
25 NIFA just indicates that they are not going

1 Rules Committee/3-13-17
2 to consider contracts that start or initiate
3 prior to them -- before they are able to
4 approve.

5 COMMISSIONER EISENSTEIN: I
6 apologize, Legislator. I don't know how
7 NIFA is going to react to this nor do I know
8 how they do business.

9 LEGISLATOR ABRAHAMS: Okay.
10 Nothing further. I will support the motion
11 to table.

12 LEGISLATOR NICOLELLO: So moved.

13 CHAIRWOMAN GONSALVES: Moved to
14 table by Legislator Nicolello.

15 LEGISLATOR KOPEL: Second.

16 CHAIRWOMAN GONSALVES: Seconded
17 by Legislator Kopel. All those in favor of
18 tabling Item A-2 signify by saying aye.

19 (Aye.)

20 Any opposed?

21 (No verbal response.)

22 The item is tabled seven to zero.

23 The next item is B-4-17, a
24 resolution authorizing the County Executive
25 to execute and award a contract between the

1 Rules Committee/3-13-17

2 County of Nassau acting on behalf of the
3 Nassau County Department of Public Works and
4 RJ Industries, Inc.

5 A motion, please.

6 LEGISLATOR MUSCARELLA: So moved.

7 LEGISLATOR KOPEL: Second.

8 CHAIRWOMAN GONSALVES: Moved by
9 Legislator Muscarella, seconded by
10 Legislator Kopel. Mr. Arnold.

11 MR. ARNOLD: Ken Arnold Public
12 Works. Item B-4-17 is a resolution for a
13 contract for the retrofitting of the Bay
14 Park Sewage Treatment Plant, secondary
15 treatment system, to include full year
16 operation of a BNR system. BNR is the
17 removal of nitrogen from the effluent.

18 The department received four bids
19 and the lowest responsible bidder is RJ
20 Industries. In addition, RJ is indicating
21 that they will have a 30 percent
22 participation of MWBEs.

23 CHAIRWOMAN GONSALVES: Any
24 questions or comments for Mr. Arnold?
25 Legislator Solages.

1 Rules Committee/3-13-17

2 LEGISLATOR SOLAGES: Thank you,
3 Madam Presiding Officer. Good afternoon,
4 Mr. Arnold. When was the last time we did
5 this? This seems quite familiar to me that
6 we made a request, or your office made a
7 request for this quite recently?

8 MR. ARNOLD: I was before this
9 body a few months ago regarding proprietary
10 equipment for nitrogen removal. That might
11 have been the discussion that you remember.

12 LEGISLATOR SOLAGES: Why is it
13 necessary to do this then if we had done
14 that then?

15 MR. ARNOLD: One, the proprietary
16 equipment for nitrogen removal is a separate
17 contract that you have not seen yet which
18 will be side stream treatment of nitrogen.
19 This is for full scale treatment of nitrogen
20 on the secondary system which is the
21 aeration tanks and the final tanks at the
22 facility.

23 LEGISLATOR SOLAGES: I'm not an
24 engineer or environmental expert, but can
25 you provide more information as to why both

1 Rules Committee/3-13-17

2 treatments are necessary?

3 MR. ARNOLD: Sure. Side stream
4 treatment is when we take the sludge out of
5 the sewage treatment plants and de-water the
6 sludge. There's a high concentration of
7 nitrogen in that water that is pressed out
8 of the sludge. The side stream treatment
9 will actually treat that side water and
10 remove the nitrogen from that before it gets
11 returned back to the plant process.

12 Full scale nitrogen treatment,
13 which is this contract proposed today, is
14 making modifications to the existing system
15 to allow the bugs in the aeration tank to
16 pick up and eat more of the nitrogen and
17 thus eliminate from the effluent stream,

18 LEGISLATOR SOLAGES: But after
19 both treatments, how much nitrogen is left
20 in the waste, percentage wise?

21 MR. ARNOLD: I don't have that in
22 front of me. I would have to get that
23 information back to you. I don't have that
24 memorized in front of me.

25 LEGISLATOR SOLAGES: Did the

1 Rules Committee/3-13-17

2 contractor begin to provide the labor and
3 materials associated with the aeration tank
4 process modification before receiving
5 approval from this Legislature?

6 MR. ARNOLD: No, he did not.

7 LEGISLATOR SOLAGES: Isn't that
8 necessary to provide that information, that
9 modification before approval?

10 MR. ARNOLD: Supply the
11 materials?

12 LEGISLATOR SOLAGES: Yes.

13 MR. ARNOLD: The actual materials
14 of the stuff he's putting out at the plant?

15 LEGISLATOR SOLAGES: No.
16 Specifically, did he provide labor and
17 materials associated with the aeration tank
18 process modification before receiving
19 approval?

20 MR. ARNOLD: When you say receive
21 materials and labor, can you give me an
22 example?

23 LEGISLATOR SOLAGES: I think you
24 answered the question already. One more
25 question, is it possible to obtain a

1 Rules Committee/3-13-17

2 comprehensive list of repairs, renovations,
3 and improvements to the sewer system since
4 Hurricane Sandy and the amount expended on
5 each and how much has been reimbursed by
6 FEMA and New York State?

7 MR. ARNOLD: The report is almost
8 in its final format and we will get that out
9 to both sides of the aisle as soon as it's
10 completed, probably I would think in the
11 next week or so.

12 LEGISLATOR SOLAGES: That's
13 great. Thank you very much.

14 CHAIRWOMAN GONSALVES: Legislator
15 Nicolello.

16 LEGISLATOR NICOLELLO: This has a
17 FEMA reimbursement?

18 MR. ARNOLD: Yes, 100 percent
19 reimbursement through the 428 program.

20 CHAIRWOMAN GONSALVES: Any public
21 comment?

22 (No verbal response.)

23 There being none, all those in
24 favor of B-4 signify by saying aye.

25 (Aye.)

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2 Any opposed?

3 (Nay.)

4 The item passes four to three.

5 I'm going to call three

6 contracts; E-23, E-35 and E-57.

7 I will read them all into the
8 record and ask for a motion. E-23-17 is a
9 personal services agreement between the
10 County of Nassau acting on behalf of the
11 Department of Social Services and One World
12 Judicial Services, Inc.

13 E-35 is a personal services
14 agreement between the County of Nassau
15 acting on behalf of the Department of Social
16 Services and CareerArc Group, L.L.C, D.B.A.
17 Tweetmyjobs.com;

18 E-57 is a personal services
19 agreement between the County of Nassau
20 acting on behalf of the Nassau County
21 Attorney's Office and the Law Offices of
22 Robert B. Macchia & Associates.

23 Motion, please, for each of
24 these.

25 LEGISLATOR KOPEL: So moved.

1 Rules Committee/3-13-17

2 LEGISLATOR NICOLELLO: Second.

3 CHAIRWOMAN GONSALVES: Moved by
4 Legislator Kopel, seconded by Legislator
5 Nicolello. Who is here to speak on this
6 item? Now I'm going to ask for a motion to
7 table. Motion to table E-23, E-35 and E57.

8 LEGISLATOR KOPEL: So moved.

9 LEGISLATOR NICOLELLO: Second.

10 CHAIRWOMAN GONSALVES: Moved by
11 Legislator Kopel, seconded by Legislator
12 Nicolello. All those in favor of tabling
13 each of these items signify by saying aye.

14 (Aye.)

15 Any opposed?

16 (No verbal response.)

17 Unanimous decision?

18 LEGISLATOR ABRAHAMS: Yes.

19 CHAIRWOMAN GONSALVES: The next
20 item is E-33, a personal services agreement
21 between the County of Nassau acting on
22 behalf of the Nassau County Department of
23 Human Services Office of Mental Health,
24 Chemical Dependency and Developmental
25 Disabilities Services and David Hymowitz,

1 Rules Committee/3-13-17

2 LMSW.

3 Motion, please.

4 LEGISLATOR MUSCARELLA: So moved.

5 LEGISLATOR NICOLELLO: Second.

6 CHAIRWOMAN GONSALVES: Moved by

7 Legislator Muscarella, seconded by

8 Legislator Nicoletto. Who do we have?

9 MR. HALL: Brian Hall, Human
10 Services. This is a human service contract
11 with David Hymowitz. It's a January 1st,
12 '17 through December 31st, '18 contract.

13 He was picked to perform our
14 mental health training and Narcan training.
15 It's a part-time position. We put an ad out
16 in Monster.com. The proposals were due on
17 December 5th. 17 proposals were received,
18 evaluated, he was chosen, at which time we
19 put the start of the contract process. This
20 is 50 percent state and 50 percent county.

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

23 LEGISLATOR DERIGGI-WHITTON: Can
24 I ask a quick question?

25 CHAIRWOMAN GONSALVES: Who is

1 Rules Committee/3-13-17

2 "can I"? Legislator DeRiggi-Whitton.

3 LEGISLATOR DERIGGI-WHITTON: As
4 far as any other person that is trained in
5 this type of service, would you consider
6 this pretty much a sole service contract?
7 Or do you think there are a number of
8 different people we can --

9 MR. HALL: Actually, he was a
10 full time trainer for us for the last couple
11 of years. Then he had to scale back to part
12 time because he took on another position.
13 So we continue to use him because he's
14 familiar with the training and he was
15 actually in charge of the training for the
16 last three years.

17 LEGISLATOR DERIGGI-WHITTON: So
18 we had a total of 17 people apply and you
19 feel he's really the best one we can use?

20 MR. HALL: That's what the
21 Commissioner, Dr. Dolan, he was part of the
22 people that evaluated it, and based on his
23 past performance over the last three years,
24 and having I guess very good results from
25 these trainings and the Narcan trainings,

1 Rules Committee/3-13-17

2 they wanted to keep him.

3 LEGISLATOR DERIGGI-WHITTON: I
4 just want to tell you something. I've been
5 extremely impressed with David. I think he
6 puts in such a personal touch that it's
7 really been effective. We normally don't do
8 this because of this crisis and we all have
9 friends that have lost kids. We know so
10 many people. We are taking a leap of faith
11 in this situation. So please go back and
12 tell David that we have total respect for
13 him.

14 MR. HALL: I'll let him know.
15 Thank you.

16 CHAIRWOMAN GONSALVES: Are there
17 any other comments or questions from the
18 legislators?

19 (No verbal response.)

20 Is there any public comment?

21 (No verbal response.)

22 There being none, all those in
23 favor of E-33 signify by saying aye.

24 (Aye.)

25 Any opposed?

1 Rules Committee/3-13-17

2 (No verbal response.)

3 It is unanimous.

4 Next one is E-43-17, a personal
5 services agreement between the County of
6 Nassau acting on behalf of the Nassau County
7 District Attorney and the Safe Center of
8 Long Island, Inc.

9 Motion, please.

10 LEGISLATOR NICOLELLO: So moved.

11 LEGISLATOR KOPEL: Second.

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

15 MR. MCMANUS: Bob McManus,
16 District Attorney's Office. This is a one
17 year extension of an agreement for the Safe
18 Center to conduct a 24 hour hotline for
19 victims of domestic violence, rape and
20 sexual assault. The hotline facilitates
21 crisis intervention and operates in
22 conjunction with the contractor's Police
23 Partnership Project which is a collaboration
24 between the Safe Center, the District
25 Attorney's Office, the Nassau County Police

1 Rules Committee/3-13-17

2 Department, and the eight local police
3 departments within Nassau County.

4 CHAIRWOMAN GONSALVES: Legislator
5 Solages.

6 LEGISLATOR SOLAGES: Good
7 afternoon. Thank you. My question, I
8 guess, is more so about the operation at the
9 Safe Center.

10 Hypothetically, if there is a
11 victim of domestic violence who may not
12 happen to be a US citizen and, as a result
13 of the recent media frenzy on changes or
14 increased enforcement of immigration laws,
15 will a representative at the Safe Center
16 inquire as to the immigration status of the
17 victim?

18 MR. MCMANUS: No, sir.

19 LEGISLATOR SOLAGES: Okay.
20 That's great. Thank you very much.

21 CHAIRWOMAN GONSALVES: Any other
22 comments?

23 LEGISLATOR SOLAGES: Just a
24 follow-up question. I'm sorry. Will they
25 assist the victim in possibly obtaining a

1 Rules Committee/3-13-17

2 U-Visa if there is a valid case on domestic
3 violence?

4 MR. MCMANUS: The Safe Center
5 would refer that individual to some type of
6 social service agency that can provide that
7 type of assistance.

8 LEGISLATOR SOLAGES: I was told
9 that the Nassau County Police Department
10 recently, there was a speech by Acting
11 Police Commissioner Krumpter, he stated that
12 they have been working with your office in
13 trying to assist certain individuals with
14 U-Vs as if they are actually victims of
15 domestic violence.

16 MR. MCMANUS: That's correct.

17 LEGISLATOR SOLAGES: So I guess
18 is there a certain number of UVs available
19 or how would you actually effectuate that
20 process?

21 MR. MCMANUS: I don't have a
22 number for you on that but I can certainly
23 get some follow-up information.

24 LEGISLATOR SOLAGES: Thank you.
25 Because right now in many communities across

1 Rules Committee/3-13-17

2 Nassau County there's a large degree of
3 fear, many people living in fear, people who
4 are not citizens.

5 The more information that you
6 could provide would be very helpful
7 especially for many victims who
8 unfortunately are preyed upon by other
9 members of their community. So, please, I
10 would really appreciate that.

11 MR. MCMANUS: Absolutely.

12 CHAIRWOMAN GONSALVES: Any other
13 comments or questions?

14 (No verbal response.)

15 Is there any public comment?

16 (No verbal response.)

17 There being none, all those in
18 favor of Contract E-43 signify by saying
19 aye.

20 (Aye.)

21 Any opposed?

22 (No verbal response.)

23 Unanimous.

24 MR. MCMANUS: Thank you.

25 CHAIRWOMAN GONSALVES: I'm going

1 Rules Committee/3-13-17

2 to group several of the contracts together
3 because they are all dealing with Traffic
4 and Parking Violations Agency.

5 They are E-44, E-46, E-51, E-52,
6 E-53, and U-7. I will repeat the items that
7 we're calling together dealing with the
8 Traffic and Parking Violations Agency.
9 Begin with E-44, E-46, E-47 and E-49, E-50,
10 E-51, E-52, E-53 and U-7.

11 A motion, please.

12 LEGISLATOR KOPEL: So moved.

13 LEGISLATOR MUSCARELLA: Second.

14 CHAIRWOMAN GONSALVES: Moved by
15 Legislator Kopel, seconded by Legislator
16 Muscarella. Judge Marks.

17 JUDGE MARKS: John Marks,
18 Executive Director of Nassau County Traffic
19 and Parking Violations Agency.

20 MR. RICH: Dave Rich, Deputy
21 Director of Nassau County Traffic and
22 Parking Violations Agency.

23 JUDGE MARKS: I believe there are
24 nine contracts before the court. Eight are
25 renewals of existing sitting judges, the

1 Rules Committee/3-13-17

2 other is a new appointee, Judge Grella, who
3 just left the Court of Claims, his
4 background is District Court, Court of New
5 York, State Court of Claims, is retired and
6 hopes to be a judicial hearing officer at
7 TPVA.

8 CHAIRWOMAN GONSALVES: Any
9 questions of Judge Marks?

10 (No verbal response.)

11 Is there any public comment?

12 (No verbal response.)

13 There being none, all those in
14 favor of the items called signify by saying
15 aye.

16 (Aye.)

17 Any opposed?

18 (No verbal response.)

19 It's unanimous.

20 The next item is E-45, a personal
21 services agreement between the County of
22 Nassau acting on behalf of the Nassau County
23 Attorney's Office and Bisceglie &
24 Associates, PC.

25 Motion, please.

1 Rules Committee/3-13-17

2 LEGISLATOR NICOLELLO: So moved.

3 LEGISLATOR KOPEL: Second.

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

7 MR. LITTMAN: Sam Littman from
8 the Nassau County Attorney's Office. Good
9 afternoon everyone. This is actually a
10 contract at the request of the Comptroller's
11 Office. The Comptroller asked for outside
12 counsel in this case and the County Attorney
13 approved it. It's related to a labor case
14 inside the Comptroller's Office. Any
15 questions?

16 CHAIRWOMAN GONSALVES: We are on
17 E-45 a personal services agreement.

18 LEGISLATOR ABRAHAMS: Madam
19 Presiding Officer?

20 CHAIRWOMAN GONSALVES: Minority
21 Leader.

22 LEGISLATOR ABRAHAMS: The term of
23 this contract is January 1, 2017 to December
24 31, 2018, correct?

25 MR. LITTMAN: Correct. No work

1 Rules Committee/3-13-17

2 has been commenced yet on this contract.

3 LEGISLATOR ABRAHAMS: And no work
4 can be billed to the county prior to this
5 contract?

6 MR. LITTMAN: Correct.

7 LEGISLATOR ABRAHAMS: Thank you.

8 CHAIRWOMAN GONSALVES: Any other
9 questions or comments from the legislators?
10 Minority Leader.

11 LEGISLATOR ABRAHAMS: And, Mr.
12 Littman, I defer to counsel, would it be
13 better for the administration to just have
14 this contract term to have it be amended to
15 reflect today?

16 MR. LITTMAN: The contract terms
17 can be for one year so it was actually
18 negotiated in January and I think that's the
19 date that was agreed upon. I don't know if
20 it matters, to be honest with you.

21 I think the term that we have now
22 will be fine, I don't think it will be an
23 issue. If we need to extend it, we will
24 come back before you and ask for that
25 extension.

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2 LEGISLATOR ABRAHAMS: I guess
3 what I'm driving at, because the Legislature
4 is approving the terms, could the law firm
5 bill the county for something that happened
6 on March 1st?

7 MR. LITTMAN: No.

8 LEGISLATOR ABRAHAMS: Why would
9 you say no?

10 MR. LITTMAN: No work has been
11 commenced.

12 LEGISLATOR ABRAHAMS: What I'm
13 saying, if they bill the county --

14 MR. LITTMAN: Any bill that you
15 get, any bill that the county will get, I'm
16 sorry, will be going forward from today's
17 date, because they have not commenced any
18 work on this contract yet.

19 LEGISLATOR ABRAHAMS: I
20 understand that they haven't done anything.
21 What I'm saying is, it keeps everything
22 uniformed. Maybe it's more of a procedural
23 thing than anything else.

24 MR. LITTMAN: It probably is more
25 of a procedural thing. Like I said, I

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2 really don't think it will matter in this
3 case with all due respect, Legislator
4 Abrahams.

5 LEGISLATOR ABRAHAMS: Thank you.

6 CHAIRWOMAN GONSALVES: Legislator
7 Kopel.

8 LEGISLATOR KOPEL: I'm just
9 encouraged to see that the departments are
10 actually advising people not to do work in
11 advance of it. I think that the comments
12 that all of us are making here have been
13 taken to heart. I'm encouraged by that I'm
14 hoping that we are going to continue to see
15 progress and that we won't have these
16 conversations anymore not too long from now.

17 MR. LITTMAN: That's our
18 intention going forward.

19 CHAIRWOMAN GONSALVES: Thank you
20 very much, Mr. Littman. Any public comment?

21 Is there any public comment?

22 (No verbal response.)

23 There being none, all those in
24 favor of E-45 signify by saying aye.

25 (Aye.)

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2 Any opposed?

3 (Nay.)

4 The item passes four to three.

5 The next item is item E-54, a
6 personal services agreement between the
7 County of Nassau acting on behalf of the
8 Nassau County Department of Public Works and
9 D&B Engineers and Architects, P.C.

10 Motion, please.

11 LEGISLATOR NICOLELLO: So moved.

12 LEGISLATOR MUSCARELLA: Second.

13 CHAIRWOMAN GONSALVES: Moved by
14 Legislator Nicolello, seconded by Legislator
15 Muscarella.

16 MR. ARNOLD: Ken Arnold, Public
17 Works. E-54-17 is a contract amendment
18 associated with the Bay Park effluent screen
19 project. Diverka & Bartilucci is the design
20 consultant on the project. They supply
21 construction, engineering support, during
22 the construction period. This amendment is
23 for a two year extension. The original
24 contract expired January 4th of 2017.

25 CHAIRWOMAN GONSALVES: Any

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2 questions of Mr. Arnold regarding this item?

3 (No verbal response.)

4 Is there any public comment?

5 (No verbal response.)

6 There being none, all those in
7 favor of E-54 signify by saying aye.

8 (Aye.)

9 Any opposed?

10 (Nay.)

11 The item passes four to three.

12 The next item is E-55, a personal
13 services agreement between the County of
14 Nassau acting on behalf of the Nassau County
15 Police Department and ShotSpotter, Inc.

16 A motion, please.

17 LEGISLATOR NICOLELLO: So moved.

18 LEGISLATOR KOPEL: Second.

19 CHAIRWOMAN GONSALVES: Moved by
20 Legislator Nicolello, seconded by Legislator
21 Kopel. Lieutenant.

22 LIEUTENANT STEPHANOFF: Good
23 afternoon, Lieutenant Greg Stephanoff from
24 the police.

25 Item E-55 is an item to extend

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2 the contract and expand the geographical
3 service area of ShotSpotter which is a
4 gunshot detection and location system.

5 This will expand the system into
6 Elmont and Freeport giving the coverage area
7 of Hempstead, Uniondale, Roosevelt,
8 Freeport, Elmont and Long Beach.

9 The system will work together
10 with each other. The villages of Hempstead
11 and Freeport Police and Nassau County police
12 will all work together sharing information
13 to help the residents.

14 The cost is \$730,000 which is
15 going to be part asset and part capital for
16 the payments.

17 CHAIRWOMAN GONSALVES: Legislator
18 Kopel.

19 LEGISLATOR KOPEL: Good
20 afternoon. I'm just curious about this
21 system. Is this money for equipment that we
22 will own or is it for services? How does
23 this work?

24 LIEUTENANT STEPHANOFF: I believe
25 the equipment we own, it gets installed in

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2 the areas.

3 LEGISLATOR KOPEL: So basically
4 once we own it it's ours, we're not paying
5 for ongoing services.

6 LIEUTENANT STEPHANOFF: Well,
7 what we just pay for which went before you
8 is maintenance. We will do a maintenance
9 contract just to cover the maintenance if
10 anything needs to be serviced.

11 LEGISLATOR KOPEL: Got it. But
12 that's not what this is for.

13 LIEUTENANT STEPHANOFF: No. This
14 is for expansion.

15 LEGISLATOR KOPEL: Is it an
16 acoustic type system?

17 LIEUTENANT STEPHANOFF: What this
18 is, it sensors in an area that detects and
19 locates gunshots and sends it back to our
20 communications bureau so that we can
21 dispatch cars immediately to the area.

22 LEGISLATOR KOPEL: It can
23 distinguish gunshots from other similar
24 types of sounds?

25 LIEUTENANT STEPHANOFF: Yes.

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2 It's actually a learning system where it
3 takes in sounds and over time it actually --
4 the areas that we have had it in, it
5 actually gets down where it learns the
6 sounds.

7 LEGISLATOR KOPEL: Different
8 areas it might sound differently, a gunshot?

9 LIEUTENANT STEPHANOFF: No. But
10 you can have a car back fire.

11 LEGISLATOR KOPEL: I mean, you're
12 saying it's learning in each area?

13 LIEUTENANT STEPHANOFF: No. The
14 system itself as one unit.

15 LEGISLATOR KOPEL: It does its
16 own or does it come with all that learning
17 built in with the software?

18 LIEUTENANT STEPHANOFF: Because
19 if something comes in and it determines it's
20 not, we put it in as it's not a gunshot and
21 it learns from that.

22 To give you an example, when we
23 instituted ShotSpotter originally, we had
24 1,200 confirmed shots.

25 In that same location, we're down

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2 to less than 50. It has helped the areas.

3 LEGISLATOR KOPEL: Not confirmed,
4 suspected.

5 LIEUTENANT STEPHANOFF: We are
6 down to less than 50 confirmed shots from
7 1200. That was confirmed.

8 LEGISLATOR KOPEL: You mean the
9 system reduced the amount of actual
10 gunshots?

11 LIEUTENANT STEPHANOFF: No. The
12 system actually being implemented in the
13 area it helped to reduce.

14 LEGISLATOR KOPEL: Reduce it.
15 You actually in fact on the ground reduced
16 the numbers of gunshots that there were.
17 That's great. Thank you.

18 LIEUTENANT STEPHANOFF: Yes.

19 LEGISLATOR SOLAGES: Presiding
20 Officer.

21 CHAIRWOMAN GONSALVES: Legislator
22 Solages.

23 LEGISLATOR SOLAGES: I would also
24 like to thank your office and the minority
25 caucus as well for helping to bring this to

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2 the agenda and I would also like to thank
3 the Nassau County Police Department for
4 bringing this project to Elmont.

5 Unfortunately there have been
6 several incidents in which there were
7 alleged gunshots and I have spoken to many
8 community leaders and this technology has
9 been long awaited. I'm very thankful that
10 we are able to use technology to our favor.

11 I guess my question is, in
12 addition to implementing this, the goal is
13 to have this serve as a deterrent effect.
14 How will you help to promote I guess the
15 fact that now this system is operative in
16 Elmont so that those that are looking to
17 perpetrate crimes know not to do that in the
18 area?

19 LIEUTENANT STEPHANOFF: That can
20 be done through the community meetings that
21 we attend to get it out to the community and
22 the public at large. It has been effective.
23 I think the word gets out quick when it goes
24 up and we start responding to it.

25 Like I said, we can also

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2 disseminate that through the local meetings
3 that we go through with the precinct.

4 LEGISLATOR SOLAGES: I would
5 appreciate that.

6 Lastly, my question is, since
7 Elmont borders Queens and there may be some
8 alleged gun activity in Queens, how would it
9 distinguish between gun activity in Queens
10 and gun activity in Elmont?

11 LIEUTENANT STEPHANOFF: Well, the
12 way the system is mapped out, it will detect
13 in -- whatever area it gets installed in,
14 that's where it detects into. It won't have
15 the sensors available to pinpoint past where
16 it's installed in Elmont.

17 LEGISLATOR SOLAGES: Thank you
18 very much. I appreciate that.

19 CHAIRWOMAN GONSALVES: Minority
20 Leader.

21 LEGISLATOR ABRAHAMS: How are
22 you, Lieutenant?

23 LIEUTENANT STEPHANOFF: Good.
24 How are you?

25 LEGISLATOR ABRAHAMS: Good. I

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2 can speak to the testament of this
3 technology as you indicated. It's been in
4 the Uniondale Roosevelt area for almost ten
5 years and it might be a smidgen of north
6 Freeport too covered by the Roosevelt
7 radius.

8 I can tell you that this
9 technology works. I actually have been a
10 part of some of the simulations and I can
11 tell you it triangulates right down to feet
12 of where the shot is actually fired.

13 Also, this technology, I believe
14 it was originally used in Desert Storm I
15 think it was in helping with our U.S.
16 military and I can tell you that the
17 technology is tremendous.

18 And, second of all, I wasn't
19 aware of the amount of confirmed shots and
20 reduce reducing it down because now
21 criminals know that the police will now be
22 dispatched not based off of a phone call
23 that's made by somebody calling 911, they're
24 dispatched immediately based on this
25 technology. There might even be some areas

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2 that receive coverage, if I remember
3 correctly, from when Roosevelt and Uniondale
4 got it, there are areas on the peripheral
5 that are covered as well because the way
6 that the technology is set up, it's set up
7 where it may encompass -- I know it
8 encompasses some parts of north Freeport
9 right now as part of the Roosevelt area. So
10 there may be some benefits to some other
11 surrounding communities such as Baldwin or
12 Merrick depending on how the technology is
13 set up in Freeport and also in the Elmont
14 areas where there is Franklin Square or
15 Valley Stream or where ever, but it's
16 definitely technology that's worth investing
17 in and I'm glad to see it come before the
18 Legislature today.

19 LIEUTENANT STEPHANOFF: Thank
20 you.

21 LEGISLATOR SOLAGES: Just one
22 note, one small note to the operator of the
23 system, that the Belmont Stakes, when they
24 let the race go, there's one shot there, not
25 to count that in the system.

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2 CHAIRWOMAN GONSALVES: Legislator
3 Nicolello.

4 LEGISLATOR NICOLELLO: I just
5 have a question. I think Legislator
6 Abrahams may have covered this.

7 If there are reducing gunshots in
8 this particular area, as you indicated, from
9 1,200 to 100, is there a problem with the
10 bad guys, so to speak, learning that a
11 specific area has this technology and
12 shifting their behavior to somewhere else?

13 From what Minority Leader
14 Abrahams said, there's residual effects to
15 the surrounding areas, but are you seeing
16 that sort of problem at all?

17 LIEUTENANT STEPHANOFF: Not that
18 I -- I spoke to Lieutenant Castrigano, not
19 that he indicated to me. We're implementing
20 this in the areas that our intelligence is
21 leading us to, where we are having crime
22 problems with guns.

23 LEGISLATOR NICOLELLO: Thanks.

24 CHAIRWOMAN GONSALVES: I have a
25 question, Lieutenant. Where does this

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2 operation work out of? Is it with 911 at
3 all?

4 LIEUTENANT STEPHANOFF: Yes, it
5 feeds the information back to 911 to our
6 communications bureau so that we can
7 instantly dispatch vehicles to the area.

8 CHAIRWOMAN GONSALVES: Because I
9 have gone to 911 and I remember learning
10 about ShotSpotter and how they connect.

11 LIEUTENANT STEPHANOFF: Yes.

12 CHAIRWOMAN GONSALVES: Thank you
13 very much, Lieutenant. Any other questions?

14 (No verbal response.)

15 Is there any public comment?

16 (No verbal response.)

17 There being none, all those in
18 favor of E-55 signify by saying aye.

19 (Aye.)

20 Any opposed?

21 (No verbal response.)

22 Unanimous. Thank you,
23 Lieutenant.

24 The next item is E-56, a personal
25 services agreement between the County of

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2 Nassau acting on behalf of the Nassau County
3 Attorney's Office and Steven E. Losquadro.

4 A motion, please.

5 LEGISLATOR NICOLELLO: So moved.

6 LEGISLATOR MUSCARELLA: Second.

7 CHAIRWOMAN GONSALVES: Moved by
8 Legislator Nicoletto, seconded by Legislator
9 Muscarella. Mr. Littman.

10 MR. LITTMAN: Sam Littman, County
11 Attorney's Office. Hello again everyone.

12 This is a contract, Mr.
13 Losquadro's firm handled the first part of
14 this which was a discrimination claim which
15 involved the college. That matter was
16 settled.

17 As a result of that settlement or
18 claim, I should say, a retaliation claim was
19 brought by the same professor at the
20 college. It makes sense in this case to
21 keep the same firm that was handling this
22 matter to handle the new matter and there is
23 money left in the contract, approximately
24 \$13,000. So no new funds are going to be
25 expended. This extends the term of the

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2 contract.

3 CHAIRWOMAN GONSALVES: Any
4 questions from the legislators? Legislator
5 DeRiggi-Whitton.

6 LEGISLATOR DERIGGI-WHITTON:
7 Thank you. I understand that you're not
8 requesting additional funds, but this
9 contract did expire five months ago,
10 correct?

11 LEGISLATOR DERIGGI-WHITTON: So
12 the work has been continuing for the last
13 five months?

14 MR. LITTMAN: No. Really, there
15 was no work done. The retaliation claim was
16 recently filed.

17 The only work that was done was a
18 very minimal amount of work which was just
19 filing an answer to the initial complaint.
20 That's it.

21 As I said, there was money left
22 in the contract to cover that. The original
23 contract was for \$25,000. There was \$13,000
24 left. So any money spent came under the
25 terms of the old contract.

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2 LEGISLATOR DERIGGI-WHITTON: So
3 they haven't even started the work and
4 they're pretty much through this money.
5 Don't you think you have to request more
6 money or are you going to come back in a
7 year from now and say we spent --

8 MR. LITTMAN: Well, the whole
9 idea is we will come back before the
10 Legislature if we need more money, or before
11 this committee, and ask for more money,
12 which we will approve.

13 LEGISLATOR DERIGGI-WHITTON: I
14 would hope that before you spend it, because
15 lately what's been happening is we approve
16 the contract and then we don't get any
17 requests for increase in funding and they
18 come back, they did the work.

19 MR. LITTMAN: With all due
20 respect, certain cases dictate certain
21 reactions. This case was unusual in that
22 there were two claims, the second claim
23 coming out of the first claim which
24 necessitated our office through outside
25 counsel to do certain things and react in

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2 certain ways.

3 Sometimes it makes it very
4 difficult to come before this committee and
5 get approval for this. Sometimes, as I
6 said, the circumstances dictate the
7 response.

8 LEGISLATOR DERIGGI-WHITTON: And
9 these were human right matters regarding
10 land use Election Law and Commercial Law?

11 MR. LITTMAN: No, this was all
12 labor. Labor Law at the college.

13 LEGISLATOR DERIGGI-WHITTON:
14 Thank you.

15 CHAIRWOMAN GONSALVES: Legislator
16 Nicolello.

17 LEGISLATOR NICOLELLO: Can you
18 clarify how a retaliation claim came out of
19 a case that was settled?

20 MR. LITTMAN: The case was
21 settled and the claim, the allegation, is
22 that the college did certain things as a
23 result of that first discrimination claim to
24 retaliate for this professor bringing this
25 claim in the first place.

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2 LEGISLATOR NICOLELLO: He brought
3 the claim after the settlement of the first
4 actio?

5 MR. LITTMAN: Correct.

6 LEGISLATOR NICOLELLO: We are
7 defending the college in this matter?

8 MR. LITTMAN: That's correct as
9 well.

10 LEGISLATOR NICOLELLO: So if
11 there are claims against the college for
12 civil rights violations, it's the county
13 that actually defends the college?

14 MR. LITTMAN: If most cases, yes.

15 LEGISLATOR NICOLELLO: Do you
16 know why that is? They are a separate
17 entity basically.

18 MR. LITTMAN: We always assume
19 the defense of the college. There might be
20 some internal agreement somewhere from the
21 county with the college, but that's been
22 what's been going on since I have been here.

23 LEGISLATOR NICOLELLO: Thank you.

24 CHAIRWOMAN GONSALVES: Any other
25 comments or questions?

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2 (No verbal response.)

3 Is there any public comment?

4 (No verbal response.)

5 There being none, all those in
6 favor of E-56 signify by saying aye.

7 (Aye.)

8 Any opposed?

9 (Nay.)

10 Four to three.

11 Moving along to the next personal
12 services agreement which is E-58 between the
13 County of Nassau acting on behalf of the
14 Nassau County Department of Public Works and
15 Lockwood Kessler & Barlett, Inc.

16 Notion, please.

17 LEGISLATOR NICOLELLO: So moved.

18 LEGISLATOR KOPEL: Second.

19 CHAIRWOMAN GONSALVES: Moved by
20 Legislator Nicolello, seconded by Legislator
21 Kopel. And we have Mr. Arnold.

22 MR. ARNOLD: Ken Arnold, Public
23 Works. E-58-17 is a contract amendment
24 associated with the rehabilitation of pump
25 stations in the county. LKB was the design

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2 consultant on a certain number of these pump
3 stations and during the design services
4 during construction the contract had expired
5 and this amendment fills in that gap.

6 CHAIRWOMAN GONSALVES: Any
7 questions or comments for Mr. Arnold?
8 Legislator DeRiggi-Whitton.

9 LEGISLATOR DERIGGI-WHITTON: Has
10 there been any work done since July 18,
11 2016?

12 MR. ARNOLD: Yes.

13 LEGISLATOR DERIGGI-WHITTON: So
14 there has been in the interim between the
15 time the contract expired and now there's
16 been work done?

17 MR. ARNOLD: Yes. The consultant
18 is responsible for reviewing shop drawings
19 and technical support during construction so
20 there was some minor work that was done by
21 the consultant during that period.

22 LEGISLATOR DERIGGI-WHITTON: And
23 it's coming before us now because of why?

24 MR. ARNOLD: Both the engineering
25 firm and our project manager did not realize

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2 the contract had expired.

3 LEGISLATOR DERIGGI-WHITTON: Have
4 we made payment to them in that time?

5 MR. ARNOLD: I would have to go
6 back and check my records.

7 LEGISLATOR DERIGGI-WHITTON: I
8 think we should be the ones who realize the
9 contract expires, the county?

10 MR. ARNOLD: Yes, based on the
11 last session, the department is doing a
12 complete review of all their contracts to
13 make sure this does not occur again.

14 LEGISLATOR DERIGGI-WHITTON: So
15 the \$519,000, do you know how much of that
16 has been spent already?

17 MR. ARNOLD: A good portion of
18 that was associated with the design of the
19 pump stations, so I believe almost --
20 probably over \$300,000 of that was expended.

21 LEGISLATOR DERIGGI-WHITTON: So
22 we don't know how much was spent between the
23 time the contract expired and now, correct?

24 MR. ARNOLD: That is correct. I
25 would have to go back and look that up.

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2 LEGISLATOR DERIGGI-WHITTON: Do
3 you want to table it?

4 MR. ARNOLD: Of the complete
5 design of the agreement, the complete
6 agreement, 45 percent is paid of the
7 detailed design, so the balance of it would
8 be for the other services.

9 LEGISLATOR DERIGGI-WHITTON: Do
10 we know what they're doing?

11 MR. ARNOLD: Of course we know
12 what they're doing.

13 LEGISLATOR DERIGGI-WHITTON: What
14 were they doing during this time?

15 MR. ARNOLD: They're overseeing
16 the engineering support during construction,
17 so shop drawing review, changes that the
18 contractor may look to make on the project
19 and they also look at the claim packages for
20 any changes that were asked by the
21 contractor.

22 LEGISLATOR DERIGGI-WHITTON:
23 Well, again, I don't know how we are making
24 payments if the contract has expired but,
25 all right, thank you.

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2 CHAIRWOMAN GONSALVES: Legislator
3 Kopel.

4 LEGISLATOR KOPEL: I just want to
5 comment with respect to the suggestions by
6 my friends over to my left that we ought to
7 be tabling things constantly.

8 I think that the fact that a lot
9 of these contracts were late and being
10 brought to the Legislature is something that
11 the Republican side actually brought to
12 light some time ago. And we have been
13 pounding on it.

14 I do want to say it does seem, as
15 I said a few minutes, that to their credit,
16 the administration has been paying attention
17 and they have been making a significant
18 effort to catch up. We appreciate that.

19 However, I think the reaction to
20 that is not that we ought to cut off funding
21 for everything that's out there. We have to
22 recognize that it's going to take a little
23 bit of time to catch up and if we just start
24 wholesale denying payment to people who have
25 been performing work in good faith on the

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2 theory that this is the way that business
3 has always been done in this county, and we
4 would be simply creating a chaotic
5 situation. That would be a mistake.

6 Unless we see something
7 egregious, it's my view that we ought to go
8 ahead and reward those people who have been
9 working in good faith as long as we see a
10 strenuous effort being made to correct a
11 situation which we all agree ought not to
12 have existed. But it has existed for
13 decades. And doing something that is
14 precipitous is probably unwise.

15 MR. BECKER: Legislator Kopel,
16 the administration wants to thank you and
17 appreciates your comments. Mr. Cleary,
18 myself, others in the administration, you've
19 already gotten some information as to
20 contracts that are behind.

21 The departments have woken up to
22 this problem and I think the Legislature,
23 your comments, Legislator Kopel, have been
24 taken and seriously considered and as we
25 say, we appreciate you acknowledging the

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2 departments who are working hard to
3 straighten out this issue and we agree to
4 stop payment for people that have been doing
5 work with the understanding that in good
6 faith they would be compensated.

7 Once again the NIFA problem is
8 another concern we have to deal with but
9 it's being addressed, each one of these
10 issues, and, on a case-by-case basis, we
11 understand and appreciate you acknowledging
12 the problem, and at least we are doing
13 everything that we can possibly can to deal
14 with the issue.

15 LEGISLATOR KOPEL: The difficult
16 you do quickly but the impossible might take
17 a little longer.

18 LEGISLATOR DERIGGI-WHITTON:
19 Norma, I just have a question.

20 CHAIRWOMAN GONSALVES: Legislator
21 Nicolello.

22 LEGISLATOR NICOLELLO: This is
23 FEMA funded, correct?

24 MR. ARNOLD: That is correct.

25 LEGISLATOR NICOLELLO: 100

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2 percent?

3 MR. ARNOLD: That's correct.

4 LEGISLATOR NICOLELLO: My comment
5 is this, you indicated you will be doing a
6 review of the contracts which is good in
7 case there's other contracts out there.

8 But I think what we want, what's
9 required is a review of the systems or the
10 procedures in place so that going forward,
11 the different procedures in place, these
12 types of things don't happen.

13 Again, it's not just a matter of
14 finding out what's in the process now that's
15 late and it's coming to us, it's a matter of
16 implementing policies, practices and
17 procedures that track these contracts so
18 that they don't come to us so late.

19 MR. ARNOLD: Understood. The
20 department has started issuing the notice to
21 proceed letters with the language that it's
22 their responsibility to notify the
23 department if their contracts expire with
24 sufficient time so we can react and amend
25 accordingly.

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2 LEGISLATOR NICOLELLO: That's
3 nice. But, again, it tries to impose upon
4 the contractor this obligation, they are
5 going to be doing the work, and I'm told it
6 would still be a difficult legal ground, but
7 the point is, we, as the county, should have
8 procedures in place to track these
9 contracts, to track the work and make sure
10 that if the authorization is ending that it
11 comes back to us. So it has to be an
12 internal policy rather than just saying it's
13 your issue now.

14 MR. ARNOLD: Understood.

15 CHAIRWOMAN GONSALVES: Legislator
16 DeRiggi-Whitton.

17 MR. BECKER: Deputy Presiding
18 Officer, I would like to acknowledge that
19 each department is doing that. This is
20 something that's being worked on. You're
21 not here to see it, but it's being worked on
22 on a daily basis. Mr. Cleary is
23 spearheading this effort and I think you've
24 seen some positive indications of us turning
25 this around and dealing with the problem.

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2 As Mr. Cleary said at the last
3 Legislative meeting, the first effort is to
4 actually identify the problem and find out
5 where the problem actually is. I don't want
6 to repeat some of the things he said, but
7 Mr. Cleary, myself, and others are, as I
8 said, once again, dealing with this on a
9 daily basis and we are committed to turning
10 this situation around and understand the
11 oversight efforts and requirements of this
12 body.

13 So we certainly apologize for
14 some of these things that have happened but
15 it's no way been intentional.

16 LEGISLATOR DERIGGI-WHITTON:
17 Norma, is that okay if I be recognized?

18 CHAIRWOMAN GONSALVES: Legislator
19 DeRiggi-Whitton.

20 LEGISLATOR DERIGGI-WHITTON: I
21 know the snow is coming. But the point is,
22 when we throw in good faith and everything
23 else, these are the situations that we run
24 into trouble with in the past. Oh, Sandy is
25 here, oh, we need to feed people, oh -- the

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2 bottom line, it's very simple. Before a
3 contract is paid, we have to approve it. If
4 a contract runs out, the work stops that
5 date. It should absolutely -- I agree with
6 Legislator Nicoletto, it does not fall on
7 the person that has the contract to tell us
8 when their contract expires.

9 This whole thing -- and I have to
10 also disagree, I have seen a change, and I'm
11 happy to see it, but this really came from
12 this side where we have been arguing with
13 these dates for the last number of months.
14 I know I have and I know my side has.

15 So, kudos to the fact that I
16 think we're making some improvements, but
17 there are still so much -- I think it should
18 actually be started with, look, before you
19 even get into what the contract is about, I
20 acknowledge that this contract expired six
21 months ago.

22 If we don't look at the backup,
23 that wouldn't be determined by the people
24 coming up here and testifying. So, unless
25 we catch it and we question it, it will go

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2 right through.

3 So, the fact that you are touting
4 the fact that you are bringing this to our
5 attention is really not the case. It's not
6 even discussed in most of the summaries that
7 your people are presenting to us.

8 It's really up to us to realize
9 the contract has been expired, see what
10 dates they were, see why it was expired, and
11 we've really been the ones fighting for
12 this.

13 I'm happy that we're making some
14 improvements but the fact that, even this is
15 a few hundred thousand dollars, it's really
16 in my opinion, it's very dangerous to let
17 this continue.

18 MR. BECKER: Legislator
19 DeRiggi-Whitton, I don't want to repeat
20 myself with comments that I made, but one of
21 the things that has been asked of the
22 departments if a contract is late to explain
23 to Legislative Affairs and Mr. Cleary, we
24 want a statement beforehand why a contract
25 may be late and that to expect when they

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2 come before the Legislature they have to
3 explain it, I think that's all positive.

4 LEGISLATOR DERIGGI-WHITTON: I
5 think maybe you should notify us. We look
6 at the backup also. But it's really not
7 brought up unless we ask about it. Honestly
8 I haven't seen it once, say, guess what, we
9 are six months without a contract and we
10 want a half a million dollars. I haven't
11 heard that yet.

12 MR. BECKER: Repeat that.

13 LEGISLATOR DERIGGI-WHITTON: You
14 never mentioned it.

15 MR. BECKER: Never mentioned
16 what?

17 LEGISLATOR DERIGGI-WHITTON: That
18 this contract expired six months ago. If we
19 didn't ask about it, and I have a lot of
20 respect for Mr. Arnold, but it was never
21 mentioned until we said it.

22 MR. BECKER: It's all on the
23 paperwork. It's obvious. To mention it
24 it's all right there before you. There is
25 absolutely no hiding it:

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2 LEGISLATOR DERIGGI-WHITTON: I
3 know. We look at it and we find it and
4 we're the ones who question it and that's
5 where the conversation starts.

6 So to say that you are trying to
7 tout the fact that you are bringing this to
8 our attention, the bottom line is, yes, it's
9 in the backup but it's never presented, so I
10 think it's a good responsible thing to say.
11 Look, this is one of those contracts that we
12 missed. This is one of the contracts that
13 we worked on for the last six months without
14 approval and here we go.

15 You know what, I think that would
16 be a little bit more honorable than just
17 assuming that we are going through the
18 backup, find it, question it, and then at
19 that point have it be an issue.

20 MR. BECKER: There's nothing
21 further to comment to.

22 CHAIRWOMAN GONSALVES: Mr.
23 Becker, I would prefer that we move on.
24 Let's move on, please.

25 Any public comment regarding this

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2 item?

3 LEGISLATOR DERIGGI-WHITTON:

4 There's a typo in the letter if you want to
5 redo it.

6 MR. HENSON: Good evening
7 everyone. My name is Dave Henson for the
8 record. I live in Nassau County.

9 This is bothering me. The
10 taxpayers in Nassau County are hurting and
11 it's one of the perfect examples. Whether
12 the money comes from Nassau County or state
13 or federal government, there is still
14 taxpayer paying that money.

15 I would suggest you stop that
16 contract. As a government employee, every
17 one has right to do their job in a
18 professional manner, and all the laws pass
19 right here, and I would suggest this
20 contract be stopped, because if I sign a
21 lease and don't comply with the lease, they
22 could sue me in court. And this is a
23 government.

24 So I'm asking you guys to stop
25 that contract. The contract expired. Apply

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2 the law. Sue those guys. Get our money
3 back. We are tired of you guys, we put you
4 in office to work for us, but you guys are
5 working for yourself.

6 I want to see every one in Nassau
7 County start to do their job, okay? I had a
8 store in East Meadow and I lost it in Sandy.
9 I went to FEMA for help, they show me
10 everything, they tell me to go to SBA. I
11 lost \$150,000 there. Didn't get a dime.
12 Didn't get a dime when people was tearing up
13 money. I didn't get nothing. I lose all my
14 money. I was also sued by the landlord.
15 They committed fraud but they will be locked
16 up very soon.

17 So I want that contract to stop.
18 As a government employee, I work for the
19 Port Authority of New York and New Jersey.
20 I could not do that if they lock me up so
21 I'm asking every one to stop those contracts
22 now in Public Works, too much corruption,
23 and we want to make sure how we know
24 contract are awarded in Nassau County.

25 When my family came here in 1600,

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2 in 1200 AD John Hanson formed the Town of
3 Hempstead in 1644, formed the United States,
4 March 1, 1781, when they were standing by
5 Queen Christina, have enough, with people
6 throughout New York State.

7 I want that contract to be
8 stopped. I want the Constitution to apply.
9 I want the law of Nassau County to apply.
10 Too much corruption. I'm getting ready to
11 get rid of all the villages in Nassau County
12 and also Garden City. I only want the town
13 and also the county that we can watch these
14 criminals and put them in jail and put them
15 away.

16 Kids are leaving here because
17 they can't afford it any more. The pain on
18 neighbors losing their house, the taxes, I'm
19 tired of these guys, appointed you up in
20 Nassau County.

21 FEMA is still the government,
22 still our federal dollars. Stop all
23 contracts now, effective immediately, the
24 Coliseum also is full of corruption. Suozzi
25 play politics, they have Avalon Bay, from

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2 West Virginia, where I have a business in
3 Buckleys, robbing us, stealing us, when they
4 get money from the state and the feds. All
5 of those guys should be locked up and put in
6 jail.

7 I want all contracts stopped now
8 that involve corruption and get the feds in
9 here to research here.

10 I got kids here. I'm tired of
11 you guys when we put you guys in government
12 to work for us you are working for
13 yourselves, and this is a perfect example
14 where Nassau County is failing. I love
15 Mitch MaKonna and Port Rampare because I
16 live in Kentucky. My taxes are only \$900
17 and 12,000 in Nassau County. I'm tired,
18 tired of what's going on here. People are
19 feeling the pain here in Nassau County. We
20 shouldn't have to. I'm tired. Do your
21 jobs. Stop those contracts. Sue those
22 guys.

23 CHAIRWOMAN GONSALVES: Thank you
24 very much.

25 There being no other comment, all

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2 those in favor of Contract E-58 signify by
3 saying aye.

4 (Aye.)

5 Any opposed?

6 (Nay.)

7 The item passes four to three.

8 The next one is E-60, a personal
9 services agreement between the County of
10 Nassau acting on behalf of the Nassau County
11 Attorney's Office and the Napoli Shkolnik,
12 P.L.L.C.

13 Motion, please.

14 LEGISLATOR NICOLELLO: So moved.

15 LEGISLATOR MUSCARELLA: Second.

16 CHAIRWOMAN GONSALVES: Moved by
17 Legislator Nicolello, seconded by Legislator
18 Muscarella.

19 MR. PODLESAK: Gerald Podlesak,
20 Deputy County Attorney. This is for an
21 affirmative litigation matter suing for
22 potential litigation against manufacturers
23 and distributors of prescription opiates.

24 CHAIRWOMAN GONSALVES: Yes,
25 Minority Leader Kevan.

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2 LEGISLATOR ABRAHAMS: Hey, Gerry,
3 how are you?

4 MR. PODLESAK: Good.

5 LEGISLATOR ABRAHAMS: I'm sure
6 you're aware, but on the disclosure form,
7 the partner, Hunter J. Shkolnik, pronouncing
8 that correctly? He indicated on the
9 principal questionnaire, question 13, that
10 he was convicted of a past five year tax
11 year of failing to file any required tax
12 returns or failed to pay any of the
13 applicable federal, or state, or local taxes
14 or other assessed charges including but not
15 limited to water and sewer charges.

16 I want to make sure for the
17 record that the County Attorney's Office was
18 aware that he indicated yes on this
19 particular form?

20 MR. PODLESAK: The County
21 Attorney's Office is aware of it.

22 He has indicated that he's paid
23 estimated taxes with an extension to file a
24 completed return and has paid a significant
25 portion of his tax penalty with the

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2 remainder to be paid by March 30th of this
3 year. We consider this to be a one time
4 unexpected event.

5 LEGISLATOR ABRAHAMS: So, the
6 county is aware. Did the county inquire as
7 to why the taxes were delayed or performed
8 any internal evaluation as to how the
9 information could be relevant to the
10 counsel's competency to represent this
11 county?

12 MR. PODLESACK: Apparently his
13 previous law firm had closed a recent
14 transaction between him and his firm. He
15 was assessed on papers for a very large
16 share of the profit that was unexpected and
17 was a one time event.

18 This required his accountant to
19 reassess his estimated taxes which turned
20 out to be an insufficient amount given the
21 unexpected allocation of past profits.

22 He asked his accountant to seek a
23 further extension and he was to do so but
24 according to the accountant, it would take
25 longer than 2017 to get considered. He has

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2 since paid a significant portion of the tax
3 and penalty, as I already indicated.

4 Apparently there was a snafu
5 involving his former firm and he has dealt
6 with it.

7 LEGISLATOR ABRAHAMS: Two things,
8 Gerry, in your response was there an
9 evaluation done or wasn't there an
10 evaluation done to determine his competency
11 to represent the county?

12 MR. PODLESAK: Yes, there was.

13 LEGISLATOR ABRAHAMS: There was?

14 MR. PODLESAK: Of course. We do
15 that for every contract that we bring before
16 you.

17 LEGISLATOR ABRAHAMS: Is that
18 evaluation written out or something verbally
19 done in the office?

20 MR. PODLESAK: It's done verbally
21 and it's a matter of conferences between
22 attorneys.

23 LEGISLATOR ABRAHAMS: During
24 those conferences with attorneys and the
25 evaluation, obviously because this contract

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2 is before us, the County Attorneys didn't
3 feel that his past discretions are any
4 reflection of his competency to represent
5 the county?

6 MR. PODLESAK: That's correct.

7 LEGISLATOR ABRAHAMS: So, then,
8 moving forward, can someone in your office
9 explain the experiences that his law firm
10 possesses in investigating and bringing an
11 action against manufacturers of prescription
12 opiates?

13 MR. PODLESAK: Certainly. They
14 have been working on this issue for over a
15 year now. They have been investigating
16 vendor claims on behalf of both individuals
17 and governmental entities against these
18 pharmaceutical manufacturers and
19 distributors for fraudulent and negligent
20 marketing and distribution of opioid pain
21 medications.

22 They have been working with
23 physicians, pharmacists and addiction
24 specialists. New York remains one of the
25 hardest hit.

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2 Napoli Shkolnik are pursuing
3 claims against the largest manufacturers and
4 marketers of opioid pain medication. We can
5 give you the names of some of these if you
6 would like them. I'd rather not read them
7 into the record.

8 They believe they have claims for
9 deceptive acts and practices, false
10 advertising, public nuisance, fraud, unjust
11 enrichment, and other violations.

12 They are a national law firm with
13 nine offices located across the country.
14 Local counsel relationships are in other
15 states.

16 They have undertaken leadership
17 roles in pharmaceutical litigation
18 nationwide. Some examples of the firm's
19 past success include over \$800 million
20 recovered for 911 ground zero workers and
21 \$650 million settlement to resolve claims
22 against the manufacturer of the drug
23 Pradaxa.

24 Mr. Napoli has also lead
25 litigation against the manufacturer of the

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2 diet drug Fen Phen leading to a \$22 billion
3 settlement.

4 They are actively litigating
5 opiate addiction litigation on behalf of
6 communities across the country. The opiate
7 litigation team is being handled out of
8 their Long Island headquarters as well as
9 their Los Angeles office.

10 LEGISLATOR ABRAHAMS: To
11 summarize, so basically any potential
12 lawsuit will be similar to the legal action
13 when the Attorney General of 46 states sued
14 the major tobacco industry manufacturers, is
15 that what we're looking towards?

16 MR. PODLESACK: I think that is a
17 rough comparison but I think it's as good as
18 we can get at this point.

19 LEGISLATOR ABRAHAMS: What's the
20 timetable for any investigations or any
21 actions to begin to take place.

22 MR. PODLESACK: I'm unaware if
23 there is in fact any timetable. I believe
24 they are being hired in order to institute
25 this in the most expeditious manner for the

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2 benefit of all their clients including the
3 county.

4 LEGISLATOR ABRAHAMS: Well, if
5 you could, just continue to inform the
6 Legislature of any regarding investigations
7 or filings of lawsuits. Please keep us
8 notified.

9 MR. PODLESAK: I will bring that
10 back to the attorney coordinating this
11 matter.

12 LEGISLATOR ABRAHAMS: Thank you.

13 CHAIRWOMAN GONSALVES: Legislator
14 Kopel.

15 LEGISLATOR KOPEL: This is very
16 interesting. I'd like to understand it
17 better, please.

18 The damages to the county would
19 be -- what type of damages would you expect
20 the county to incur specifically by virtue
21 of, what you said, false advertising?

22 MR. PODLESAK: False advertising
23 was one of them but --

24 LEGISLATOR KOPEL: If you were to
25 construct one or two hypothetical cases to

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2 which -- the behavior in which something
3 that you would object, what would those look
4 like? I'm trying to understand what this is
5 about.

6 MR. PODLESAK: I think you are
7 getting beyond my capabilities at this
8 point, Mr. Kopel.

9 LEGISLATOR KOPEL: I'm just
10 trying to understand what it is. We are
11 approving a contract for -- go out and sue
12 manufacturers, but I'm not sure exactly what
13 it is that we want to sue them for before
14 we're approving a contract, why are we suing
15 these people? These are FDA approved drugs.
16 We are not talking about drug dealers,
17 illegal drugs, illicit drugs, right?

18 MR. PODLESAK: Indeed. Let me
19 cite what they say to us. Their goal is to
20 fully compensate the county for the
21 expenditures and burdens placed on the
22 county due to the actions of the potential
23 debt defendants.

24 LEGISLATOR KOPEL: With all due
25 respect, that doesn't tell me a thing about

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2 what it is that they are doing wrong.

3 If we are authorizing someone to
4 go sue these people, why? I would like to
5 understand why is it that we are suing them,
6 and if we don't understand why, I don't
7 think, one, that we should authorize anyone,
8 a lawsuit to proceed.

9 I think that's something that
10 behooves us -- it's incumbent upon us to
11 know what's going on before we initiate a
12 lawsuit.

13 MR. PODLESACK: I would just --

14 LEGISLATOR KOPEL: Also, would
15 these things also be subject of some class
16 actions someplace, where the county is being
17 injured?

18 MR. PODLESACK: Let's not forget
19 there are human costs involved, social
20 services costs involved, and we're also
21 dealing with the police department, and
22 situations involving ambulances.

23 LEGISLATOR KOPEL: And these are
24 capable of being quantified?

25 LEGISLATOR KOPEL: The law firm

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2 believes that it can. May I just point one
3 thing out to you, sir? This is being taken
4 on at no cost to the county. We are not
5 going out of pocket on this.

6 LEGISLATOR KOPEL: I know what a
7 contingency fee is, I'm well aware of that.
8 I understand that.

9 MR. PODLESACK: Well, there are
10 some contingency fees where the costs and
11 expenses are born by the client. In this
12 particular one, no costs or expenses are
13 being fitted by us.

14 LEGISLATOR KOPEL: I'm fully in
15 favor of going ahead and suing someone to
16 recover costs in a case where we believe
17 that someone has done us wrong. Someone has
18 actually caused us injury. But I'm not
19 hearing how that happened. That's all. I
20 don't see that we're being told what it is
21 that we are upset about.

22 MR. PODLESACK: This is very
23 similar to the tobacco litigation that the
24 Minority Leader mentioned before. It's also
25 the societal cost of tobacco. Societal

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2 costs of these opioids.

3 LEGISLATOR KOPEL: So what we are
4 trying to do is, if someone is prescribed
5 some medication, we are being asked to
6 inject ourselves between the doctor and the
7 patient and decide whether or not that was
8 justified or that's going to cost us --
9 anyway --

10 CHAIRWOMAN GONSALVES: I have a
11 question, Mr. Podlesak. The question is
12 simply this: We have this firm who's going
13 to be investigating the misuse of opiates.

14 In the event that they have to go
15 to trial, are they willing to go to trial on
16 behalf of the county?

17 MR. PODLESAK: Of course they
18 are.

19 CHAIRWOMAN GONSALVES: They are.
20 As part of the contract?

21 MR. PODLESAK: That would be part
22 of the contract. And it's against
23 pharmaceutical manufacturers and
24 distributors for the fraudulent and
25 negligent marketing and distribution of

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2 these medications. We're not talking about
3 something that would not be regular or what
4 one would consider normal. This is for the
5 over and above and profiteering based opiate
6 sales.

7 CHAIRWOMAN GONSALVES: I have a
8 request to table.

9 LEGISLATOR KOPEL: Motion to
10 table.

11 CHAIRWOMAN GONSALVES: Is there a
12 second?

13 LEGISLATOR DERIGGI-WHITTON:
14 Second.

15 CHAIRWOMAN GONSALVES: Seconded
16 by Legislator DeRiggi-Whitton. All those in
17 favor of tabling -- and a motion was made to
18 table by Legislator Kopel, seconded by
19 Legislator DeRiggi-Whitton. All those in
20 favor the tabling E-60, signify by saying
21 aye.

22 (Aye.)

23 Any opposed?

24 (No verbal response.)

25 The item is tabled.

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2 MR. PODLESAK: I would appreciate
3 it if the legislators who have questions
4 direct them to my office and we will see --

5 LEGISLATOR KOPEL: I think we are
6 all in agreement basically, we would just
7 like to understand it better. What is it
8 that we are upset about?

9 CHAIRWOMAN GONSALVES:
10 Mr. Podlesak, we will send you questions of
11 concern, and you are going to send us back
12 the answers to those questions; is that
13 correct?

14 MR. PODLESAK: I will see that
15 someone who perhaps has greater knowledge
16 and greater ability will answer your
17 questions.

18 CHAIRWOMAN GONSALVES: At this
19 point we have just tabled this item and we
20 will be looking to you for assistance in
21 addressing some of the concerns that we
22 have.

23 MR. PODLESAK: Certainly.

24 CHAIRWOMAN GONSALVES: Thank you
25 very much.

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2 The next item is E-64, a personal
3 services agreement between the County of
4 Nassau acting on behalf of the Nassau County
5 Department of Social Services and Bonadio &
6 Company, L.L.P.

7 Motion, please.

8 LEGISLATOR NICOLELLO: So moved.

9 LEGISLATOR MUSCARELLA: Second.

10 CHAIRWOMAN GONSALVES: Moved by
11 Legislator Nicolello, seconded by Legislator
12 Muscarella. Who is here to speak on this
13 item? Mr. Broderick.

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

17 The item before you is a contract
18 at no cost for renewal for a contract,
19 Bonadio Group who provides auditing services
20 to the Department of Social Services. The
21 contract period is from January 1 of this
22 year through the end of this year.

23 As I mentioned, this firm has
24 provided auditing services for the
25 department in the past.

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2 Recently, the department re-RFP'd
3 these services and has a new vendor on
4 board. However, they work in conjunction
5 with the only New York State Office of
6 Medicaid Inspector General and perform
7 audits at the direction of the only, the
8 only, has changed direction a number of
9 times, and Bonadio Group has one audit
10 outstanding.

11 So, right now, they haven't been
12 performing any services as of late, but they
13 have to finish one audit that was started
14 last year. So that is why the department is
15 requesting this no cost extension. Do you
16 have any questions?

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

19 (No verbal response.)

20 Is there any public comment?

21 (No verbal response.)

22 There being none, all those in
23 favor of E-64 signify by saying aye.

24 (Aye.)

25 Any opposed?

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2 (Nay.)

3 The item passes four to three.

4 The next item is E-66, a personal
5 services agreement between the County of
6 Nassau acting on behalf of the Department of
7 Social Services and Family and Children's
8 Association.

9 Motion, please.

10 LEGISLATOR KOPEL: So moved.

11 LEGISLATOR NICOLELLO: Second.

12 CHAIRWOMAN GONSALVES: Moved by
13 Legislator Kopel, seconded by Legislator
14 Nicolello. Mr. Broderick, you are on again.

15 MR. BRODERICK: Yes. This
16 contract is for Family and Children's
17 Association for preventive services. It is
18 from January 1 of this year through the end
19 of this year, December 31st. It's for
20 mandated services and the contract provides
21 preventive services to prevent out of home
22 placement for at risk youth. Any questions?

23 CHAIRWOMAN GONSALVES: Are there
24 any other comments or questions from the
25 legislators?

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2 (No verbal response.)

3 Is there any public comment?

4 (No verbal response.)

5 There being none, all those in
6 favor of E-66 signify by saying aye.

7 (Aye.)

8 Any opposed?

9 (No verbal response.)

10 The item passes unanimously.

11 The next item is E-67, and I'm
12 going to call E-71 with that item as well,
13 which is another personal services
14 agreement. E-67 a personal services
15 agreement between the County of Nassau
16 acting on behalf of the Nassau County Board
17 of Elections and Super Express Service, Inc.
18 d/b/a The Moving Doctor;

19 And E-71, a personal services
20 agreement between the County of Nassau
21 acting on behalf of the Nassau County Board
22 of Elections and All American Van Lines,
23 Inc.

24 Motion, please.

25 LEGISLATOR NICOLELLO: So moved.

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2 LEGISLATOR MUSCARELLA: Second.

3 CHAIRWOMAN GONSALVES: Moved by
4 Legislator Nicoletto, seconded by Legislator
5 Muscarella. Who is here to speak on these
6 two items?

7 MR. NEDELKA: Hi. Larry Nedelka
8 with the Board of Elections. I just wanted
9 to clarify this. Neither of these two are
10 personal services agreements. They are
11 competitively bid, competitively sealed open
12 bid contracts.

13 These two resolutions are for
14 renewals of the existing contract that was
15 put in place.

16 The initial paperwork was begun
17 towards the end of last year. The renewal
18 is for January 1st. We have not had any
19 elections yet that would require these
20 movers to transport election machines to and
21 from the polling sites to the Board of
22 Elections.

23 First one that we anticipate is
24 the special in May. This contract renewal
25 will take place and be in effect at that

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2 time.

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

6 LEGISLATOR ABRAHAMS: Larry, how
7 are you? Just a quick question in regard to
8 the procurement process, it was handled by
9 your office not by the county's procurement
10 process?

11 MR. NEDELKA: Correct. The Board
12 of Elections handles all of our -- we handle
13 all of our own purchasing, we handle all of
14 our own contracts. This is done
15 bi-partisanly from creation to contract.
16 Everything when they come, they're clocked
17 in, and they're sealed with trackable
18 labels. They're locked up into a room that
19 needs two separate keys to open at the same
20 time. So there is no opportunity for
21 anybody to take a peak or mutilate or walk
22 off with any kind of sealed bids.

23 We take it very seriously and
24 this is a process that we have done for many
25 many years. As a result of our doing it

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2 this way, we have actually found that we
3 have increased the competitiveness of the
4 bids. We actually a third and -- a fourth
5 bidder that came on board with the new
6 system. We believe the way we are doing it
7 gives the county a good bang for its buck.

8 LEGISLATOR ABRAHAMS: Thank you.

9 CHAIRWOMAN GONSALVES: Any other
10 comments or questions?

11 (No verbal response.)

12 Is there any public comment?

13 (No verbal response.)

14 There being none, all those in
15 favor of E-67 and 71 signify by saying aye.

16 (Aye.)

17 Any opposed?

18 (No verbal response.)

19 I am to assume it was unanimous.

20 The next item is E-68, a personal
21 services agreement between the County of
22 Nassau acting on behalf of the Nassau County
23 Attorney's Office and Bartlett McDonough &
24 Monaghan, L.L.P.

25 Motion, please.

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2 LEGISLATOR NICOLELLO: So moved.

3 LEGISLATOR KOPEL: Second.

4 CHAIRWOMAN GONSALVES: Moved by
5 Legislator Nicolello, seconded by Legislator
6 Kopel. Mr. Littman.

7 MR. LITTMAN: Good afternoon
8 everyone. This is the second amendment to
9 this contract. Amendment number one was
10 approved by this committee. What this
11 amendment does, it extends the time on the
12 contract and the amendment expired on March
13 1st of this year.

14 It extends the term of the
15 contract and it puts more money into the
16 contract. Bartlett McDonough is handling
17 about six cases for the county. Any
18 questions?

19 CHAIRWOMAN GONSALVES: Any
20 questions?

21 (No verbal response.)

22 Is there any public comment?

23 (No verbal response.)

24 There being none, all those in
25 favor of E-68 signify by saying aye.

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2 (Aye.)

3 Any opposed?

4 (Nay.)

5 The item passes four to three.

6 The next item is E-69, a personal
7 services agreement between the County of
8 Nassau acting on behalf of the Nassau County
9 Attorney's Office and Rivkin Radler, L.L.P.

10 Motion, please.

11 LEGISLATOR NICOLELLO: So moved.

12 LEGISLATOR KOPEL: Second.

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

16 MR. MARIN: Good afternoon.

17 Deputy County Attorney Robert Marin, Jr. On
18 behalf of the County Attorney's Office.

19 This is an amendment for an
20 existing contract with Rivkin Radler to
21 assist with the ongoing annual income
22 expense litigation.

23 There is currently money and term
24 left in the contract. This is in
25 anticipation of future costs.

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2 CHAIRWOMAN GONSALVES: Legislator
3 Nicolello.

4 LEGISLATOR NICOLELLO: This is
5 for the income and expense litigation?

6 MR. MARIN: Yes.

7 LEGISLATOR NICOLELLO: The total
8 would be up to \$600,000 for this one law?

9 MR. MARIN: That I don't know. I
10 believe -- I know that Rivkin Radler is
11 handling several cases, at least four cases
12 at the moment. They are not exclusive to
13 the income and expense litigation.

14 So I don't believe they have four
15 separate contracts. I believe this is just
16 an umbrella all encompassing for legal
17 services.

18 LEGISLATOR NICOLELLO: In the
19 backup it says Donald and Norman Boening
20 versus the County of Nassau Department of
21 Assessment.

22 MR. MARIN: This specific
23 \$155,000 is earmarked for the ongoing ASA
24 litigation.

25 LEGISLATOR NICOLELLO: This is an

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2 enormous amount of money to pay for it.
3 It's of critical importance to the county,
4 but the fact that there has been a TRO in
5 place off and on for years is mind boggling.

6 MR. MARIN: Frustrating is
7 another word as well.

8 LEGISLATOR NICOLELLO: Thank you.

9 CHAIRWOMAN GONSALVES: Minority
10 Leader.

11 LEGISLATOR ABRAHAMS: Could you
12 give us the status of the case?

13 MR. MARIN: I don't know how
14 extensive I can get into it since it is
15 ongoing, but from a scheduling standpoint we
16 are due back in court at the end of March.
17 The temporary restraining order is in place
18 and we hope to have it lifted.

19 LEGISLATOR ABRAHAMS: How much
20 money has the county been billed by Rivkin
21 Radler to date?

22 MR. MARIN: On this specific case
23 I would have to check. I don't know.

24 LEGISLATOR ABRAHAMS: I assume we
25 are increasing the contract, the maximum

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2 amount of the contract to \$155,000 to
3 \$605,000 so I'm assuming they're close to
4 the \$455,000?

5 MR. MARIN: The amount of work on
6 this case since the filing for the TRO has
7 been astronomical. Astronomical. It's an
8 incredible amount of work that they're
9 putting into it. It involves court
10 appearance, involves interviews, involves
11 document preparation. It's an incredible
12 amount of work.

13 LEGISLATOR ABRAHAMS: I guess
14 what I'm asking is, the Legislature is to
15 take action on this contract today to
16 increase the amount by \$155,000, but we
17 don't know how much hours have been billed
18 to the county nor do we know how much the
19 county has been billed for?

20 MR. MARIN: For the ASA at this
21 point I don't have that information. We are
22 bringing it to you while there's still money
23 left and while there's still term left
24 versus bringing it to you after they have
25 done the work and we need to reimburse them

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2 for the work that has been performed. So we
3 are trying to stay ahead of the game, which
4 I know is of important to this body.

5 LEGISLATOR ABRAHAMS: While
6 there's still money left?

7 MR. MARIN: There is not much.

8 LEGISLATOR ABRAHAMS: How much?

9 MR. MARIN: I don't know, but I'm
10 telling you first hand they have been
11 working nonstop on this. I have been
12 working with them on this, and it's an
13 incredible amount of work.

14 LEGISLATOR ABRAHAMS: What I'm
15 saying is, we don't know how much. We are
16 saying not much but we don't know how much.

17 MR. MARIN: I don't know how much
18 but I'm sure someone else does.

19 LEGISLATOR ABRAHAMS: No, no.
20 You said earlier that there's not much left.

21 MR. MARIN: Correct.

22 LEGISLATOR ABRAHAMS: Well, how
23 do you know that?

24 MR. MARIN: Speaking to them.

25 LEGISLATOR ABRAHAMS: Who is them

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2 again?

3 MR. MARIN: Rivkin Radler.

4 LEGISLATOR ABRAHAMS: Oh, Rivkin
5 Radler. So they're telling us how much we
6 have left to pay them?

7 MR. MARIN: That was attorney
8 banter.

9 LEGISLATOR ABRAHAMS: I
10 understand.

11 MR. MARIN: We have \$79,000 left
12 in the existing contract.

13 LEGISLATOR ABRAHAMS: \$79,000
14 left in the existing contract?

15 MR. MARIN: Yes.

16 LEGISLATOR NICOLELLO: I guess we
17 can expect this litigation will not be
18 wrapped up soon?

19 MR. MARIN: I would love for it
20 to be wrapped up soon, but that's up to the
21 judge.

22 LEGISLATOR ABRAHAMS: I'm sorry.
23 Just one more question. With the \$79,000
24 that's left and the \$155,000 that the
25 contract is being increased by which brings

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2 it up to the maximum amount, will that be
3 enough or will this Legislature coming back
4 and we will see more?

5 MR. MARIN: It's impossible to
6 answer that. It depends on the judge.
7 Litigation is a beast. You don't know.

8 LEGISLATOR ABRAHAMS: Thank you.

9 CHAIRWOMAN GONSALVES: Any other
10 comments?

11 (No verbal response.)

12 Is there any public comment?

13 (No verbal response.)

14 There being none, all those in
15 favor of E-69 signify by saying aye.

16 (Aye.)

17 Any opposed?

18 (Nay.)

19 The item passes four to three.

20 Moving along to E-72, a personal
21 services agreement between the County of
22 Nassau acting on behalf of the Nassau County
23 Office of Human Resources and Healthplex,
24 Inc.

25 Motion, please.

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2 LEGISLATOR NICOLELLO: So moved.

3 LEGISLATOR KOPEL: Second.

4 CHAIRWOMAN GONSALVES: Moved by
5 Legislator Nicolello, seconded by Legislator
6 Kopel. Okay, it's yours.

7 MS. NORI: Hi. Mary Nori, County
8 Attorney's Office. I'm joined by two
9 members of the Comptroller's Office, Sergio
10 Blanco, and Mike Runwald.

11 This is a contract, a personal
12 services contract to provide dental
13 insurance to Nassau County full-time
14 employees, part time benefit eligible
15 employees as well as their dependents.

16 CHAIRWOMAN GONSALVES: Any
17 questions or exempts for the legislators?

18 (No verbal response.)

19 Is there any public comment?

20 (No verbal response.)

21 There being none, all those in
22 favor of E-72 signify by saying aye.

23 (Aye.)

24 Any opposed?

25 (No verbal response.)

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2 It's unanimous, I presume.

3 The next item is E-73, a personal
4 services agreement between the County of
5 Nassau acting on behalf of the Nassau County
6 Department of Parks, Recreation and Museums
7 and Susan Maxwell.

8 Motion, please.

9 LEGISLATOR NICOLELLO: So moved.

10 LEGISLATOR MUSCARELLA: Second.

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

14 MS. KRIEB: Good afternoon.

15 Eileen Krieb from the Department of Parks.
16 This is a personal service contract for the
17 Empire Games in the amount of \$22,000 funded
18 through the Hotel Motel Tax Grant.

19 CHAIRWOMAN GONSALVES: Are there
20 any other comments or questions from the
21 legislators of Ms. Krieb?

22 (No verbal response.)

23 Is there any public comment?

24 (No verbal response.)

25 There being none, all those in

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2 favor of E-73 signify by saying aye.

3 (Aye.)

4 Any opposed?

5 (No verbal response.)

6 Unanimous.

7 The next item is E-74, a personal
8 services agreement between the County of
9 Nassau acting on behalf of the Nassau County
10 Department of Parks, Recreation, and Museums
11 and Ed Moore Advertising Agency.

12 Motion, please.

13 LEGISLATOR NICOLELLO: So moved.

14 LEGISLATOR KOPEL: Second.

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

18 MS. KRIEB: Eileen Krieb,
19 Department of Parks. This is a contract to
20 provide the development and implementation
21 of a comprehensive purchasing of multimedia
22 forums of media and advertising for the
23 Nassau County Parks Department.

24 The amount of \$100,000 funded
25 again through Hotel Motel grant money, and

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2 the contract has not begun and it was
3 acquired through a procurement of an RFP
4 last year.

5 CHAIRWOMAN GONSALVES: Legislator
6 Nicolello.

7 LEGISLATOR NICOLELLO: I just
8 want to confirm it. I thought you just said
9 it, but the contract has not begun, or this
10 agency has not performed any services?

11 MS. KRIEB: No, not yet.

12 CHAIRWOMAN GONSALVES: Any other
13 questions or comments? Minority Leader.

14 LEGISLATOR ABRAHAMS: If I
15 understand the backup correctly, there are
16 172 potential proposers that this was sent
17 to and one proposer responded? Am I
18 understanding that right, Ms. Krieb?

19 MS. KRIEB: 172 requested copies
20 of the RFP and one proposer was received and
21 evaluated. Correct.

22 LEGISLATOR ABRAHAMS: Did we take
23 a look at the criteria. Maybe something
24 that the 171 other proposers looked at that
25 said that there might be a criteria there

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2 that they couldn't meet that -- it just
3 looks like when you have 172 people
4 requested, it appears that the RFP was
5 narrowly tailored to one particular person.

6 MS. KRIEB: I'm not familiar but
7 this was an RFP that was issued in '14 for
8 three years. So this is the third time we
9 are coming before you with the same
10 contract.

11 LEGISLATOR ABRAHAMS: I know.
12 It's passed along majority minority four
13 three in the past I realize.

14 I'm just curious when you have
15 172 potential proposers, it just looks like
16 it's being tailored for one person because
17 there may be a clause there that they can't
18 do.

19 I guess what I'm asking is, has
20 your department or the County Attorney's
21 Office reviewed the RFP to determine or to
22 rule that out?

23 MS. KRIEB: The criteria, I do
24 remember that we did evaluate very closely
25 was the savings of going to an individual

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2 like this as opposed to what we were doing
3 in the past where the Parks Department was
4 going out and purchasing our own media, our
5 own advertising in the papers.

6 So this person who came forward,
7 this company, the reason why I remember it
8 being such a positive thing was mainly
9 because they were able to purchase such a
10 larger volume and save us money.

11 LEGISLATOR ABRAHAMS: On April 1,
12 2016, this body passed by another four to
13 three approval, E-106-16, and the term of
14 that contract was April 1, 2016 through
15 March 31st, 2017, from what our
16 understanding is to do the same work and the
17 scope under this contract.

18 MS. KRIEB: Correct.

19 LEGISLATOR ABRAHAMS: Is that
20 contract, is that indicative of what this
21 contract is, how are the two contracts
22 different?

23 MS. KRIEB: Same contract. We
24 had to renew the term because we ran out of
25 money. It's a new budget line that we're

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2 using for \$100,000.

3 LEGISLATOR ABRAHAMS: We didn't
4 run out of the term though, correct? The
5 31st of March is another 18 days.

6 MS. KRIEB: If anticipation of
7 getting all the paperwork together, we
8 extended the term and the money together.
9 Only 18 days, we had the whole summer season
10 to advertise our events.

11 LEGISLATOR ABRAHAMS: Counsel is
12 telling me we should have -- make sure the
13 appendixes are updated as well, they're
14 reflecting 2016 as well.

15 MS. KRIEB: I see. It must have
16 been an error. They used the same template
17 and didn't update the dates.

18 That appendix is an example of
19 what we have done in the past. It's not
20 what we are going to be doing this year.
21 That's why it's got last year's date on it.
22 This is a sample of the type of advertising
23 we did last year.

24 LEGISLATOR ABRAHAMS: But the
25 appendix reflects what the contract is for?

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2 MS. KRIEB: Correct. But the
3 dates are going to change. This is the '16
4 calendar. We haven't even booked the
5 entertainment for '17 yet.

6 LEGISLATOR ABRAHAMS: So maybe we
7 should have this stuff re-revised and it
8 could come back to us.

9 MS. KRIEB: We would be late then
10 if we have to do that because we have to
11 book the advertising prior to the season.

12 LEGISLATOR ABRAHAMS: I
13 understand that but then it's hard for us to
14 approve an appendix which we believe is part
15 of a contract that is not accurate.

16 MS. KRIEB: It's an appendix as
17 an example of the type of media placement
18 we're going to have.

19 LEGISLATOR ABRAHAMS: As part of
20 an example, you said?

21 MS. KRIEB: It's a sampling of
22 what we've have done in the past which we
23 will be doing again now.

24 If we wait until we book the
25 entertainment and then come before with the

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2 exact calendar, we will miss the cut off
3 again to be within the term of this
4 contract.

5 LEGISLATOR ABRAHAMS: Again, just
6 for the record, the term of the contract
7 that we approved back on April 1, 2016 was
8 through March 31st, 2017. So the language
9 should reflect that it's not overlapping.
10 Nothing further, Madam Presiding Officer.

11 CHAIRWOMAN GONSALVES: Any public
12 comment?

13 (No verbal response.)

14 There being none, all those in
15 favor of E-74 signify by saying aye.

16 (Aye.)

17 Any opposed?

18 (Nay.)

19 The item passes four to three.

20 E-75, a personal services
21 agreement between the County of Nassau
22 acting on behalf of the Nassau County
23 Department of Parks, Recreation and Museums
24 and Greater Long Island Running Club.

25 Motion, please.

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2 LEGISLATOR NICOLELLO: So moved.

3 LEGISLATOR KOPEL: Second.

4 CHAIRWOMAN GONSALVES: Moved by
5 Legislator Nicolello, seconded by Legislator
6 Kopel. Ms. Krieb.

7 MS. KRIEB: Eileen Krieb,
8 Department of Parks. This is a contract
9 with the Greater Long Island Running Club
10 for running races and classroom for
11 coordinating, implementing, conducting races
12 that will supplement our Nassau County
13 marathon.

14 This contract has already
15 started. It's 14 sessions of races and five
16 of them have already been implemented.

17 The problem with the delay was
18 that the contract was started in December
19 and the vendor had much difficulty with the
20 paperwork which has been returned many times
21 as well as our insurance requirements. So I
22 come before you today for a \$24,290 contract
23 funded by Hotel Motel and, as I said, it's
24 for Greater Long Island Running Club for
25 track races and classroom workshops prior to

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2 the marathon.

3 CHAIRWOMAN GONSALVES: Any
4 questions or comments?

5 LEGISLATOR ABRAHAMS: Quick
6 question. Is there a fee associated to join
7 this program?

8 MS. KRIEB: A fee, yes.

9 LEGISLATOR ABRAHAMS: What is
10 that fee?

11 MS. KRIEB: The application fee
12 is through the Greater Long Island Running
13 Club. This is for their coaching and for
14 their event.

15 LEGISLATOR ABRAHAMS: How much is
16 the fee?

17 MS. KRIEB: I don't know.

18 CHAIRWOMAN GONSALVES: Any public
19 comment?

20 (No verbal response.)

21 There being none, all those in
22 favor of E-75 signify by saying aye.

23 (Aye.)

24 Any opposed?

25 (Nay.)

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2 Next item is E-76, a personal
3 services agreement between the County of
4 Nassau acting on behalf of the Nassau County
5 Department of Parks, Recreation and Museums
6 and Dover Gourmet Corp.

7 Motion, please.

8 LEGISLATOR NICOELLO: So moved.

9 LEGISLATOR KOPEL: Second.

10 CHAIRWOMAN GONSALVES: Moved by
11 Legislator Nicoello, seconded by Legislator
12 Kopel. Let's go.

13 MS. KRIEB: That is a contract
14 with Dover Gourmet for their services to
15 help supplement and provide catered food and
16 beverages and rental equipment for our
17 Lakeside Theatre, Empire Games and other
18 special events for Nassau County parks.

19 It's in the amount of \$110,000
20 and it's prior to the season beginning so
21 none of their services have yet been
22 provided.

23 CHAIRWOMAN GONSALVES: Any
24 questions or comments? Minority Leader.

25 LEGISLATOR ABRAHAMS: I guess

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2 it's more of a question for Gerry. On the
3 business history form and similar to the
4 item that came up earlier. Question 13,
5 whether in the pass five years has the
6 business or its owners, officers, or
7 affiliated business been subject of an
8 investigation by a government agency. They
9 indicated yes.

10 I just want to make sure that the
11 County Attorney's Office is aware that they
12 filed yes to make sure that they can still
13 fulfill their obligation to the county.

14 MR. PODLESACK: We are aware of it
15 and we do not believe that it is any
16 hindrance to them performing the contract.

17 LEGISLATOR ABRAHAMS: Apparently
18 were you aware also that the County
19 Comptroller conducted an audit in December
20 of 2016?

21 MS. KRIEB: Yes, we are.

22 LEGISLATOR ABRAHAMS: And the
23 Comptroller found that late payment, failure
24 to remit full license fees, failure to
25 submit documentation and revenue and failure

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2 to complete required capital improvements,
3 et cetera, were you aware of that
4 documentation in Comptroller's report as
5 well?

6 MS. KRIEB: Yes. We have been
7 working with the Comptroller's Office to
8 satisfy that through the vendor.

9 LEGISLATOR ABRAHAMS: And you
10 don't believe that any of this would
11 jeopardize their ability to provide quality
12 service and keep up with the agreement to
13 the county?

14 MS. KRIEB: Correct.

15 LEGISLATOR ABRAHAMS: I don't
16 have anything further.

17 CHAIRWOMAN GONSALVES: Any
18 public comment?

19 (No verbal response.)

20 There being none, all those in
21 favor of E-76 signify by saying aye.

22 (Aye.)

23 Any opposed?

24 (Nay.)

25 The item passes four to three.

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2 The next item is E-77, a personal
3 services agreement between the County of
4 Nassau acting on behalf of the Department of
5 Social Services and Benzaquen Psychological
6 Services, P.L.L.C.

7 Motion, please.

8 LEGISLATOR NICOLELLO: So moved.

9 LEGISLATOR KOPEL: Second.

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

13 MR. BRODERICK: Paul Broderick,
14 Deputy Commissioner, Department of Social
15 Services.

16 The contract before you is
17 between the Benzaquen Psychological Services
18 and the Department of Social Services to
19 provide psychiatric evaluations. Written
20 reports and court appearance and court
21 testimony. Do you have any questions?

22 CHAIRWOMAN GONSALVES: Any
23 questions of Mr. Broderick?

24 (No verbal response.)

25 Is there any public comment?

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2 (No verbal response.)

3 There being none, all those in
4 favor of E-77 signify by saying aye.

5 (Aye.)

6 Any opposed?

7 (Nay.)

8 Four to three.

9 The next items are U contracts,
10 U-5, a personal services agreement between
11 the County of Nassau acting on behalf of the
12 Nassau County Medical Examiner and David
13 Lynn, DDS.

14 Motion, please.

15 LEGISLATOR KOPEL: So moved.

16 LEGISLATOR NICOLELLO: Second.

17 CHAIRWOMAN GONSALVES: Moved by
18 Legislator Kopel, seconded by Legislator
19 Nicolello. Who is here to speak on this
20 item?

21 MR. HAHN: Timothy Hahn, Medical
22 Examiner's Office.

23 This is a personal Services
24 Contract for forensic odontologist to
25 provide dental identification for those

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2 bodies where normal identification means
3 cannot be conducted.

4 The terms of the contract is from
5 April 1st, 2017 to April 1st of 2018.

6 CHAIRWOMAN GONSALVES: Are there
7 any questions for Mr. Hahn?

8 (No verbal response.)

9 Is there any public comment?

10 (No verbal response.)

11 There being none, all those in
12 favor of U-5 signify by saying aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 Item passes unanimously.

17 The next item is U-6, a personal
18 services agreement between the County of
19 Nassau acting on behalf of the Nassau County
20 Department of Corrections and Ta-Ha Masjid.

21 Motion, please.

22 LEGISLATOR NICOLELLO: So moved.

23 LEGISLATOR KOPEL: Second.

24 CHAIRWOMAN GONSALVES: Moved by
25 Legislator Nicolello, seconded by Legislator

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2 Kopel. Who is here to speak on this item?

3 MS. HALL: Good afternoon,
4 legislators. Narda Hall, Correctional
5 Center. Item U-6-17 is for Ta-Ha Masjid
6 provide religious services and counseling to
7 the inmate population of the Nassau County
8 Correctional Center.

9 The New York City Commission of
10 Correction mandates that all inmate have the
11 right to hold any religious belief and
12 requires that the facility permit religious
13 advisors to conduct congregated religious
14 activities at least once per week. The
15 impact is from January through December of
16 2017 with a budget of \$8,400.

17 CHAIRWOMAN GONSALVES: Any
18 questions from the legislators?

19 (No verbal response.)

20 Is there any public comment?

21 (No verbal response.)

22 There being none, all those in
23 favor of U-6 signify by saying aye.

24 (Aye.)

25 Any opposed?

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2 (No verbal response.)

3 Unanimous.

4 I'm going to ask for a motion to
5 untable E-16, a personal services agreement
6 between the County of Nassau acting on
7 behalf of the Department of Social Services
8 and the Safe Center of Long Island, Inc.

9 Motion to untable, please.

10 LEGISLATOR ABRAHAMS: So moved.

11 LEGISLATOR NICOLELLO: Second.

12 CHAIRWOMAN GONSALVES: Moved by
13 Minority Leader Kevan, seconded by
14 Legislator Nicolello. All those in favor of
15 untabling E-16 signify by saying aye.

16 (Aye.)

17 Any opposed?

18 (No verbal response.)

19 The item is untabled. The item
20 is untabled. Mr. Broderick.

21 MR. BRODERICK: The item before
22 you is a contract between the Department of
23 Social Services and the Safe Center for
24 Child Abuse and Neglect Services. They
25 coordinate the department's sexual and

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2 substance abuse cases. They coordinate
3 efforts between the Department of Social
4 Services, has two units of case workers
5 there working in collaboration with the
6 police department and the District
7 Attorney's Office to address child abuse and
8 neglect cases.

9 The reason why, this was
10 previously at the February 13th rules
11 meeting, and the department had requested it
12 to be tabled while we were working with the
13 CSEA. They originally had an objection to
14 the contract which has subsequently been
15 removed. Do you have any questions?

16 CHAIRWOMAN GONSALVES: Any
17 questions of Mr. Broderick?

18 (No verbal response.)

19 Is there any public comment?

20 (No verbal response.)

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

23 (Aye.)

24 Any opposed?

25 (No verbal response.)

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2 Unanimous. Rules is now in
3 recess to give the other committees an
4 opportunity to get through their agendas.

5 (Whereupon, the Rules Committee
6 recessed at 3:04 p.m. and reconvened at 4:28
7 p.m.)

8 CHAIRWOMAN GONSALVES: Rules is
9 back in session.

10 I'm going to call the items that
11 went through committees and seemed to go
12 without any problem. I will call those
13 items first. Then we will go to the other
14 items individually.

15 We have Clerk Item 95-17, an
16 ordinance related to the purchase of
17 property from Breezy Hill Group, L.L.C. of
18 certain premises located in Westbury, town
19 of North Hempstead, County of Nassau County,
20 State of New York and so on, section 11,
21 Block 504, Lot 7 on the land and tax map of
22 the County of Nassau and authorizing the
23 County Executive to execute a deed contract
24 of sale and all pertinent documents in
25 connection therewith.

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2 To expedite the agenda, I'm going
3 to call the other items 95-17, 106-17,
4 107-17, 119-17, 122-17, 123-17, 126.
5 Testimony from the committees incorporated
6 by reference.

7 (Whereupon, please refer to the
8 minutes of the Public Safety,
9 Planning and Development, Health and
10 Social Services, and Finance Committees
11 pertaining to Clerk Items 95-17, 106-17,
12 107-17, 119-17, 122-17, 123-17, 126;
13 3-13-17)

14 A motion, please, on those items.

15 LEGISLATOR NICOLELLO: So moved.

16 LEGISLATOR MUSCARELLA: Second.

17 CHAIRWOMAN GONSALVES: Moved by
18 Legislator Nicolello, seconded by Legislator
19 Muscarella. All those in favor of those
20 items signify by saying aye.

21 (Aye.)

22 Any opposed?

23 (No verbal response.)

24 Those items pass unanimously.

25 Now for the non-consent agenda,

1 Rules Committee/3-13-17

2 we have item 96-17, an ordinance to
3 authorize the adoption of Dock, a retired
4 Nassau County Police service dog.

5 Motion, please.

6 LEGISLATOR MUSCARELLA: So moved.

7 LEGISLATOR NICOLELLO: Second.

8 CHAIRWOMAN GONSALVES: Moved by
9 Legislator Muscarella, seconded by
10 Legislator Nicoletto. Who is here to speak
11 on this item?

12 CHAIRWOMAN GONSALVES: Okay,
13 Lieutenant.

14 LIEUTENANT STEPHANOFF: Item
15 96-17 is to allow the transfer of a retired
16 Nassau County Police canine unit to the
17 adoptive officer. The officer assumes full
18 responsibility for the dog for the
19 retirement expenses with a vet feeding and
20 housing and everything. The dog has passed
21 the useful life for the department to
22 operate as a canine dog.

23 CHAIRWOMAN GONSALVES: Is it a
24 German Sheppard?

25 MR. STEPHANOFF: I believe so.

1 Rules Committee/3-13-17

2 CHAIRWOMAN GONSALVES: How old is
3 the dog?

4 MR. STEPHANOFF: Generally the
5 dogs are eight, nine years old. That's how
6 long they can operate as a canine dog. Then
7 they just don't have the capacity to do the
8 things that are necessary.

9 CHAIRWOMAN GONSALVES: Any
10 questions regarding this item?

11 (No verbal response.)

12 Is there any public comment?

13 (No verbal response.)

14 There being none, all those in
15 favor of Item 96 signify by saying aye.

16 (Aye.)

17 Any opposed?

18 (No verbal response.)

19 Unanimous. Thank you,
20 Lieutenant.

21 Now I have a number of
22 appointments to the Human Rights Commission
23 and I'm going to call them all at once but
24 they are being heard for the first time.

25 So I will begin with 98, which is

1 Rules Committee/3-13-17

2 the appointment of Vivian Pereira to the
3 Commission on Human Rights;

4 99, which is the appointment of
5 Kenneth Heino to the Commission on Human
6 Rights;

7 100, which is the reappointment
8 of Zahid Syed to the Commission on Human
9 Rights;

10 101, the reappointment of Arie
11 Weissman to the Commission on Human Rights;

12 108, the reappointment of
13 Immacula Oligario to the Commission on Human
14 Rights;

15 109, the appointment of Shirley
16 Shing to the Commission on Human Rights;

17 112, the reappointment of
18 Sharanjit Singh Thind to the Commission;

19 121, the appointment of Bobby
20 Kalotee to the Commission on Human Rights;

21 I believe that's the end of the
22 appointments to the Human Rights Commission.

23 Motion, please.

24 LEGISLATOR NICOLELLO: So moved.

25 LEGISLATOR KOPEL: Second.

1 Rules Committee/3-13-17

2 CHAIRWOMAN GONSALVES: Moved by
3 Legislator Nicoletto, seconded by Legislator
4 Kopel. Any questions regarding these
5 appointments or reappointments? Minority
6 Leader.

7 LEGISLATOR ABRAHAMS: Fran, are
8 you pitch hitting today?

9 MR. BECKER: Yes, I am kind of
10 pitch hitting. The Chair works full time
11 and couldn't make it here today.

12 LEGISLATOR ABRAHAMS: We normally
13 don't expect them to come until Full Leg but
14 I just wanted to put some questions on the
15 radar.

16 MR. BECKER: Do you want me to
17 get answers for you?

18 LEGISLATOR ABRAHAMS: Yes.
19 Between now and the 27th.

20 MR. BECKER: Happy to do it.

21 LEGISLATOR ABRAHAMS: We just
22 wanted to make sure, obviously, we wanted to
23 make sure we had a clear interpretation of
24 the Charter as it pertains to the Human
25 Rights Commission versus the Office of Human

1 Rules Committee/3-13-17

2 Rights which I believe the acting executive
3 director is Rodney McCray.

4 MR. BECKER: That's correct.

5 LEGISLATOR ABRAHAMS: So if
6 someone was to bring something to the
7 attention of the Human Rights Commission,
8 whose responsibility would it be to
9 investigate the matter further on behalf of
10 that client or that person bringing that
11 towards the county?

12 MR. BECKER: I'm not going to
13 pretend to know that answer but I would know
14 as much as you would know having been on the
15 Legislature for 20 years.

16 LEGISLATOR ABRAHAMS: I always
17 thought it was the Office Of Human Rights
18 that actually did the work.

19 MR. BECKER: That's correct.

20 LEGISLATOR ABRAHAMS: I was under
21 the impression that his office would do the
22 work and the Commission oversees it.

23 The way I have been enlightened,
24 in reading through the Charter again, it
25 sounds like it's the Commission that does

1 Rules Committee/3-13-17

2 the investigative work. I just want to make
3 sure I have a clear understanding of how
4 each of these members plan to work with in
5 their capacity with the office and that kind
6 of thing.

7 MR. BECKER: Can we make a
8 presentation on that at the next meeting?

9 LEGISLATOR ABRAHAMS: Sure.
10 That's what I'm saying.

11 MR. BECKER: We'll do that.
12 That's great. For sure.

13 LEGISLATOR ABRAHAMS: The second
14 matter was as it pertains to Mr. Zahid Syed,
15 his matter, there was obviously some
16 investigations that were occurring with his
17 work in his capacity with the Town of
18 Hempstead Office versus his capacity here in
19 the county, some accusations of being
20 clocked in in one place and also being
21 clocked in another place at the same time.
22 Have those matters been rectified or cleared
23 up?

24 MR. BECKER: I recall that too.
25 Let me get an answer for you on that too.

1 Rules Committee/3-13-17

2 Actually, what I will do is I'll have
3 something sent to both attorneys regarding
4 that, an explanation, you will have it in
5 advance of that next meeting. Then, if you
6 have any further questions, the members will
7 be here to answer those questions.

8 LEGISLATOR ABRAHAMS: I just
9 remember the stories, might have might have
10 been Newsday or News 12. But I never saw
11 the matter being cleared up.

12 MR. BECKER: I remember that as
13 well and I will get you an answer on that.

14 CHAIRWOMAN GONSALVES: Any other
15 comments or questions?

16 (No verbal response.)

17 Is there any public comment on
18 the items that were called?

19 (No verbal response.)

20 There being none, all those in
21 favor of 98, 99, 100, 101, 106, 108, 109 and
22 112, and 121, all in favor signify by saying
23 aye.

24 (Aye.)

25 Any opposed?

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2 (No verbal response.)

3 The items pass.

4 LEGISLATOR ABRAHAMS: Madam

5 Presiding Officer, we are basically voting
6 yes, obviously we hold the right and reserve
7 judgement until we actually meet each of the
8 individuals individually.

9 CHAIRWOMAN GONSALVES: You will
10 have that opportunity.

11 LEGISLATOR ABRAHAMS: Yes. And
12 our response or our vote could change in the
13 Full Leg, but right now we are willing to
14 pass them through.

15 CHAIRWOMAN GONSALVES: All right.
16 The next item is Item 127, a resolution
17 authorizing the County Executive to execute
18 an IMA with the Freeport Public School
19 District to renovate the new vision school.

20 Motion, please.

21 LEGISLATOR NICOLELLO: So moved.

22 LEGISLATOR KOPEL: Second.

23 CHAIRWOMAN GONSALVES: Moved by
24 Legislator Nicolello, seconded by Legislator
25 Kopel. I don't know if there's anyone here

1 Rules Committee/3-13-17

2 to speak on that item.

3 MR. BECKER: Madam Chair, this is
4 a CRP that was presented to our office for
5 Legislator Rhoads for a playground in
6 Freeport.

7 CHAIRWOMAN GONSALVES: Right.
8 Any questions, comments from the legislators
9 regarding this item? Legislator
10 DeRiggi-Whitton.

11 LEGISLATOR DERIGGI-WHITTON: I
12 just have a quick comment. While I'm happy
13 that we're doing a playground in Freeport,
14 it's just come to our attention that a
15 number of our CRPs are really ready to go
16 and they have not seen the light of day.

17 I actually just received a letter
18 that was sent to the historical society in
19 Roslyn pertaining to an item that had been
20 bonded for years ago.

21 To tie it into certain other
22 bondings I really don't see as being fair.
23 There is still money available for CRPs as
24 well as bonding for projects that I have
25 from the time that Wayne Wink was actually

1 Rules Committee/3-13-17

2 the legislator.

3 So you know of course we hope to
4 be able to bond at some point in the future
5 for further projects, but, right now, with
6 these available funds, we do hope that this
7 side of the aisle and the people that we
8 represent get to see it, a CRP shortly.

9 Again, we have done many many for
10 the majority legislators, we had like to see
11 some of ours be called as well.

12 Fran, I have to commend you, you
13 have done a great job with organizing
14 everything. I know that's no easy task. I
15 think you are moving things along and then
16 they're just getting held up after you're
17 through with them. So I appreciate your
18 efforts. I just hope that ours get called.

19 MR. BECKER: Thank you for the
20 compliment, Legislator.

21 CHAIRWOMAN GONSALVES: Are there
22 any other comments or questions from the
23 legislators?

24 (No verbal response.)

25 Is there any public comment?

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2 (No verbal response.)

3 There being none, all those in
4 favor of Item 127 signify by saying aye.

5 (Aye.)

6 Any opposed?

7 (No verbal response.)

8 LEGISLATOR ABRAHAMS: Unanimous.

9 CHAIRWOMAN GONSALVES: Thank you
10 very much. The next item is 128, another
11 intermunicipal agreement with the New Hyde
12 Park Fire District in relation to obtaining
13 Scott Air Bottles and a Lucas Chest
14 Compression System.

15 Motion, please.

16 LEGISLATOR NICOLELLO: So moved.

17 LEGISLATOR MUSCARELLA: Second.

18 CHAIRWOMAN GONSALVES: Moved by
19 Legislator Nicolello, seconded by Legislator
20 Muscarella. Again, Mr. Becker.

21 MR. BECKER: This is once again a
22 CRP out of Deputy Presiding Officer Richard
23 Nicolello's Office for fire equipment for
24 the New Hyde Park Fire District.

25 CHAIRWOMAN GONSALVES: Any

1 Rules Committee/3-13-17

2 comments or questions from any of the
3 legislators?

4 (No verbal response.)

5 Is there any public comment?

6 (No verbal response.)

7 There being none, all those in
8 favor of 128 signify by saying aye.

9 (Aye.)

10 Any opposed?

11 (No verbal response.)

12 LEGISLATOR ABRAHAMS: Unanimous.

13 CHAIRWOMAN GONSALVES: Item 129
14 is an ordinance to regulate county rights of
15 way in relation to utilities.

16 Motion, please.

17 LEGISLATOR NICOLELLO: So moved.

18 LEGISLATOR MUSCARELLA: Second.

19 CHAIRWOMAN GONSALVES: Moved by
20 Legislator Nicolello, seconded by Legislator
21 Muscarella.

22 Now, I don't know, I'm going to
23 read a certain, Mr. Becker, if you are aware
24 of this piece of --

25 MR. BECKER: I'm sorry, which

1 Rules Committee/3-13-17

2 one?

3 CHAIRWOMAN GONSALVES: 129, an
4 ordinance to regulate the county rights of
5 way in relation to utilities.

6 MR. BECKER: Who's speaking on
7 this, Chris?

8 CHAIRWOMAN GONSALVES: I have the
9 information in front of me that I will share
10 with the rest of you. It's simply, this is
11 a legislative initiative that we are
12 advancing in relation to the regulation of
13 the county right of way.

14 This ordinance has three
15 components; one pertaining to abandoned
16 equipment, incomplete restoration of the
17 county right of way by the utilities and I
18 will explain that, and double damaged poles.

19 Another is a provision of the law
20 that's pretty straightforward in that a
21 utility put on notice, meaning PSEG, Verizon
22 and so forth, Cablevision, a utility put on
23 notice that its equipment has been
24 abandoned, is subjected to a daily fine
25 after given an opportunity to remove the

1 Rules Committee/3-13-17

2 pole.

3 Another provision of the
4 legislation that needs to be addressed is
5 the inadequate or incomplete restoration.
6 If it's not done according to the ordinance,
7 a fine will be imposed and is secured by a
8 construction and surety bond similar to that
9 which Nassau County requires for other
10 construction projects.

11 In addition, the double and
12 damaged poles and some of you may see them
13 in your districts, as I have, that have been
14 allowed to languish in the county right of
15 way, will now be subject to strict time
16 requirements for all parties that maintain
17 equipment on that pole.

18 We also have forwarded copies of
19 this legislation to the utilities and look
20 forward to discussing the issues with them
21 prior to legislative approval of this item
22 which will take place on the 27th.

23 It is a legislative initiative
24 that I have not asked DPW to attend, but I
25 do want to address any questions the members

1 Rules Committee/3-13-17

2 may have. I ask that these questions be
3 placed on the record today or at any time
4 before the Full Legislature so that we can
5 have these issues addressed or make
6 amendments if necessary. At the very least,
7 we can have a more productive discussion.

8 At this point I open the floor to
9 you, to members of this body, and if there
10 are questions that need to be addressed by
11 the attorneys or counsels within the
12 committee, then we will forward those
13 questions to those counsel. Is there any
14 questions regarding this legislation? Go
15 ahead.

16 LEGISLATOR DERIGGI-WHITTON: Just
17 as far as I understand, it's up to the DPW
18 sole discretion to require a construction
19 bond. Is there going to be any kind of
20 outline as to the parameters of that and how
21 much the bond is going to be? How a bond
22 has to be floated or however you want to
23 require it?

24 And, as far as notice to the
25 utility, I know a number of times the

1 Rules Committee/3-13-17

2 ownership might somehow be connected to more
3 than one utility, so how are they going to
4 notice the utility?

5 We had something similar to this
6 in Glen Cove, I thought it was a good idea.
7 It does promote responsibility for the work.
8 But I guess the other question would be,
9 would there be any kind of system in place
10 should the public wish to report such as a
11 situation, like the double poles? That's
12 all I have.

13 CHAIRWOMAN GONSALVES: Minority
14 Leader? No. Both counsel would sit and
15 discuss this and address the questions that
16 have been raised and any other questions
17 that may develop during the next two weeks
18 before we get to the Full Leg on the 27th.
19 Because you may think of others as the days
20 unfold.

21 But make sure that we get the
22 information that we need and I think the
23 best bet, as you said, both counsels should
24 be discussing the legislation.

25 Any public comment regarding this

1 Rules Committee/3-13-17

2 legislation?

3 (No verbal response.)

4 Again, we will have more
5 information to come on the 27th but prior to
6 that we, as legislators, will definitely be
7 apprised of whatever information you need
8 between now and then.

9 Now a vote, all those in favor of
10 129, signify by saying aye.

11 (Aye.)

12 Any opposed?

13 (No verbal response.)

14 It's unanimous. Thank you very
15 much.

16 Now, guess what, I need to motion
17 to suspend the rules. I'm going to ask for
18 a motion to untable E-60. A motion to
19 untable E-60.

20 Motion, please.

21 LEGISLATOR KOPEL: So moved.

22 LEGISLATOR NICOLELLO: Second.

23 CHAIRWOMAN GONSALVES: Moved by
24 Legislator Kopel, seconded by Legislator
25 Nicolello. All those in favor of untabling

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2 E-60 signify by saying aye.

3 (Aye.)

4 Any opposed?

5 (No verbal response.)

6 The item is untabled.

7 Now, Legislator Howard Kopel has
8 information that he wants to share with us.

9 LEGISLATOR KOPEL: Thank you,
10 Presiding Officer. Since I moved to table
11 this earlier, I got an email from
12 Commissioner Judge Foskey which provides the
13 information for which I was lacking and
14 explains why this is an important step for
15 us to take.

16 It explains the cause of action,
17 specifies that allegations that the
18 manufacturers of these drugs led to a severe
19 over prescription, that the manufacturers
20 misled physicians and pushed these
21 potentially harmful products on innocent
22 citizens of this county who consumed them.

23 Many of these citizens were
24 thrown on the mercies of the county services
25 as a result of that which cost the county a

1 Rules Committee/3-13-17

2 great deal of money.

3 This proposed retention of
4 counsel is to commence an action to recover
5 those costs and this action is further
6 similar to actions taken by many other
7 jurisdictions in New York and around the
8 country and, therefore, it is appropriate.
9 So, at it point, I'm withdrawing my
10 objections.

11 CHAIRWOMAN GONSALVES: Any other
12 concerns that were raised before and need to
13 be addressed?

14 (No verbal response.)

15 Is there any public comment?

16 (No verbal response.)

17 There being none, all those in
18 favor of E-60 signify by saying aye.

19 (Aye.)

20 Any opposed?

21 (Nay.)

22 The item passes four to three.

23 Now a motion to suspend the rules
24 because we have an addendum before us.
25 Motion, please, to suspend the rules.

1 Rules Committee/3-13-17

2 LEGISLATOR NICOLELLO: So moved.

3 LEGISLATOR KOPEL: Second.

4 CHAIRWOMAN GONSALVES: Moved by
5 Legislator Nicolello, seconded by Legislator
6 Kopel. All those in favor of suspending the
7 rules signify by saying aye.

8 (Aye.)

9 Any opposed?

10 (No verbal response.)

11 The rules are now suspended. We
12 go to the items on the addendum. We have
13 three items that we can call together having
14 to deal with the Assessment Review
15 Commission.

16 We have Item 86, Item 97, Item 18
17 is the appointment of David Chulwoo Lee to
18 the Assessment Review Commission;

19 86 is the appointment of Anthony
20 Ballato to the Assessment Review Commission;

21 Item 97 the reappointment of
22 Jacki Rogoff to the Assessment Review
23 Commission.

24 Motion, please.

25 LEGISLATOR KOPEL: So moved.

1 Rules Committee/3-13-17

2 LEGISLATOR NICOLELLO: Second.

3 CHAIRWOMAN GONSALVES: Moved by
4 Legislator Kopel, seconded by Legislator
5 Nicolello. Who is here to speak on this
6 item?

7 MS. LAVEMAN: Good afternoon.
8 Robin Laveman, Chairperson of the Assessment
9 Review Commission. We have before you today
10 an appointment, a request for an appointment
11 of Mr. Lee who is a new appointment as well
12 as a reappointment of Anthony Belato and
13 Jackie Rokoff who are currently
14 commissioners. Any questions?

15 CHAIRWOMAN GONSALVES: Go ahead,
16 Minority Leader.

17 LEGISLATOR ABRAHAMS: Thank you.
18 Not any questions but obviously more of a
19 general statement.

20 We all realize and recognize the
21 fact that the assessment system in this
22 county needs a grossly necessary overhaul
23 and from that standpoint alone, normally we
24 would pass through people with the hope of
25 getting an opportunity to meet with them and

1 Rules Committee/3-13-17
2 discuss with them in the Legislature.

3 I think in this case, because of
4 the assessment system needing a complete
5 overhaul in the sense that it's not working
6 and the system has become more frustrating
7 for the taxpayers, we are inclined to vote
8 no on these three appointments in committee
9 at this time.

10 CHAIRWOMAN GONSALVES: Any other
11 comment?

12 (No verbal response.)

13 Is there any public comment?

14 (No verbal response.)

15 There being none, all those in
16 favor of 18, 86 and 97 signify by saying
17 aye.

18 (Aye.)

19 Any opposed?

20 (Nay.)

21 The items pass four to three.

22 Now we have one more item on the addendum
23 which is 140-17, which is a resolution
24 requesting the Legislature of the State of
25 New York to amend the real property tax law

1 Rules Committee/3-13-17
2 in relation to partial abatement of county
3 taxes for senior citizens in special
4 assessing units.

5 Motion, please.

6 LEGISLATOR NICOLELLO: So moved.

7 LEGISLATOR MUSCARELLA: Second.

8 CHAIRWOMAN GONSALVES: Moved by
9 Legislator Nicolello, seconded by Legislator
10 Muscarella. Are you going to is speak on
11 that one, Mr. Becker?

12 MR. BECKER: Madam Chair, this is
13 a legislative item. I have no information
14 on this.

15 CHAIRWOMAN GONSALVES: This is
16 the senior tax abatement. Remember that
17 this was supposed to be extended? It didn't
18 get extended and finally we did put it
19 through and Albany, the assembly as well as
20 the senate, has passed legislation in favor
21 of this partial abatement of the county
22 taxes for senior citizens.

23 Right now what we are looking to
24 do, is send a Home Rule Message telling
25 Albany that we are on board. This way, in

1 Rules Committee/3-13-17

2 so doing, we can probably expedite the
3 process. That's what it's all about.

4 MR. BECKER: The county executive
5 is fully supportive of this initiative.

6 CHAIRWOMAN GONSALVES: Right.
7 And this will go before the Full Legislature
8 and, guess what, as soon as we get through
9 with this item. I believe you wanted to say
10 something, Minority Leader.

11 LEGISLATOR ABRAHAMS: Nothing for
12 you, Fran, but just in general, while we
13 understand that the Charter provides a 12
14 hour notice for special meeting, it's only
15 because of the tax abatement issue that's
16 affecting Nassau seniors in such a painful
17 way, and because of the legislative process
18 in Albany requires us to take expedited
19 action in order to do all, we can't give
20 abatement relief in the time for the June
21 general tax bills, July, sorry, but the
22 bills go out in June for July, we are
23 allowing and agreeing to consider this item
24 on short notice today;

25 However, we want to make sure

1 Rules Committee/3-13-17

2 that our actions today should not be
3 considered to be a precedent for dispensing
4 with the full notice of requirements in the
5 future. Thank you.

6 CHAIRWOMAN GONSALVES: That being
7 said, all those in favor of 140 signify by
8 saying aye.

9 (Aye.)

10 Any opposed?

11 (No verbal response.)

12 LEGISLATOR ABRAHAMS: Unanimous.

13 CHAIRWOMAN GONSALVES: A motion
14 to adjourn the Rules Committee.

15 LEGISLATOR NICOLELLO: So moved.

16 LEGISLATOR KOPEL: Second.

17 CHAIRWOMAN GONSALVES: Moved by
18 Legislator Nicolello, seconded by Legislator
19 Kopel. All those in favor of adjourning the
20 Rules Committee signify by saying aye.

21 (Aye.)

22 Any opposed?

23 (No verbal response.)

24 The Rules Committee is now
25 adjourned.

1 Rules Committee/3-13-17

2 (Whereupon, the Rules Committee
3 adjourned at 4:57 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 27th day of March, 2017.

FRANK GRAY