1. 6-8-20 Items

Documents:

ER 13-20 FOR ORD. 49-20.PDF
ER 14-20 FOR ORD. 50-20.PDF
ORD. 49-20.PDF
ORD. 50-20.PDF

2. Meeting Minutes

Documents:

FULL LEGISATIVE SESSION, 06-08-20.PDF
EMERGENCY RESOLUTION NO. 13 – 2020

AN EMERGENCY RESOLUTION DECLARING AN EMERGENCY FOR IMMEDIATE ACTION UPON AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE BOARD OF ELECTIONS (BAEL20000001).

WHEREAS, the Honorable Laura Curran, County Executive, has submitted to this County Legislature a written recommendation dated June 8, 2020, pursuant to the provisions of the County Government Law of Nassau County; and

WHEREAS, the said recommendation refers to an emergency resolution declaring an emergency for immediate action upon an ordinance supplemental to the annual appropriation ordinance in connection with the Board of Elections (BAEL20000001), and

WHEREAS, the said recommendation is that the County Legislature adopt a resolution declaring that an emergency exists in Nassau County the nature of which is to take immediate action upon the aforesaid resolutions; now, therefore be it

RESOLVED, that the County Legislature hereby declares that an emergency exists within Nassau County, the nature of which is to consider and to take immediate action upon the aforesaid resolutions before this Legislature.
EMERGENCY RESOLUTION NO.  14–2020

AN EMERGENCY RESOLUTION DECLARING AN EMERGENCY FOR IMMEDIATE ACTION UPON AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE BOARD OF ELECTIONS (BAEL20000002).

WHEREAS, the Honorable Laura Curran, County Executive, has submitted to this County Legislature a written recommendation dated June 8, 2020, pursuant to the provisions of the County Government Law of Nassau County; and

WHEREAS, the said recommendation refers to an emergency resolution declaring an emergency for immediate action upon an ordinance supplemental to the annual appropriation ordinance in connection with the Board of Elections (BAEL20000002), and

WHEREAS, the said recommendation is that the County Legislature adopt a resolution declaring that an emergency exists in Nassau County the nature of which is to take immediate action upon the aforesaid resolutions; now, therefore be it

RESOLVED, that the County Legislature hereby declares that an emergency exists within Nassau County, the nature of which is to consider and to take immediate action upon the aforesaid resolutions before this Legislature.
AN ORDINANCE supplemental to the annual appropriation ordinance in connection with the Board of Elections.

WHEREAS, Nassau County has received certain revenue; and
WHEREAS, such funds have not been otherwise appropriated; and
WHEREAS, the County Executive, by communication dated June 1, 2020, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,
WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<table>
<thead>
<tr>
<th>TOTAL AMOUNT (in dollars)</th>
<th>SOURCE OF FUNDS</th>
<th>APPROPRIATED TO:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>FUND</td>
<td>DEPT. CODE/Index</td>
</tr>
<tr>
<td>1,996,434.34</td>
<td>GRT</td>
<td>EL</td>
</tr>
</tbody>
</table>

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this
supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.
ORDINANCE NO. 50 –2020

AN ORDINANCE supplemental to the annual appropriation ordinance in connection with the Board of Elections.

WHEREAS, Nassau County has received certain revenue; and
WHEREAS, such funds have not been otherwise appropriated; and
WHEREAS, the County Executive, by communication dated June 1, 2020, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<table>
<thead>
<tr>
<th>TOTAL AMOUNT</th>
<th>SOURCE OF FUNDS</th>
<th>APPROPRIATED TO:</th>
</tr>
</thead>
<tbody>
<tr>
<td>737,313.64</td>
<td>New York State Board of Elections</td>
<td>GRT EL DD 737,313.64</td>
</tr>
</tbody>
</table>

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this
supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. ("routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment"), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.
NASSAU COUNTY LEGISLATURE

RICHARD NICOLELLO
PRESIDING OFFICER

LEGISLATIVE SESSION

County Executive and Legislative Building
1550 Franklin Avenue
Mineola, New York

Monday, June 8, 2020
1:20 P.M.
APPEARANCES:

LEGISLATOR RICHARD J. NICOLELLO
Presiding Officer
9th Legislative District

LEGISLATOR HOWARD KOPEL
Deputy Presiding Officer
7th Legislative District

LEGISLATOR DENISE FORD
Alternate Presiding Officer
4th Legislative District

LEGISLATOR KEVAN ABRAHAMS
Minority Leader
1st Legislative District

LEGISLATOR SIELA BYNOE
2nd Legislative District

LEGISLATOR CARRIE SOLAGES
3rd Legislative District
LEGISLATOR DEBRA MULE
5th Legislative District

LEGISLATOR C. WILLIAM GAYLOR III
6th Legislative District

LEGISLATOR VINCENT T. MUSCARELLA
8th Legislative District

LEGISLATOR ELLEN BIRNBAUM
10th Legislative District

LEGISLATOR DELIA DERIGGI-WHITTON
11th Legislative District

LEGISLATOR JAMES KENNEDY
12th Legislative District

LEGISLATOR THOMAS MCKEVITT
13th Legislative District

LEGISLATOR LAURA SCHAEFER
14th Legislative District
LEGISLATOR JOHN FERRETTI, JR.
15th Legislative District

LEGISLATOR ANDREW DRUCKER
16th Legislative District

LEGISLATOR ROSE WALKER
17th Legislative District

LEGISLATOR JOSHUA LAFAZAN
18th Legislative District

LEGISLATOR STEVEN RHOADS
19th Legislative District

MICHAEL PULITZER
Clerk of the Legislature
LEGISLATOR NICOLELLO: We are good to go here, so I am going to call the meeting of the legislature to order and ask that Legislator Bynoe lead us in the Pledge of Allegiance and please remain standing for a moment of silence after that.

Let's we have a moment of silence for George Floyd as well as the dozen of others including ex-captain David Dorn from the Saint Louis Police Department who lost their lives in the unrest the last two weeks.

Thank you.

Call the roll for the legislative meeting. Deputy Presiding Officer Kopel.

LEGISLATOR KOPEL: I'm here.

LEGISLATOR NICOLELLO: Legislator Ford.

LEGISLATOR FORD: Here.

LEGISLATOR NICOLELLO: Legislator Bynoe.

LEGISLATOR BYNOE: Here.

LEGISLATOR NICOLELLO: Legislator Solages. Are you there Carrie? We'll come back to him. Legislator Mule.
LEGISLATOR MULE: Here.

LEGISLATOR NICOLELLO: Legislator Gaylor.

LEGISLATOR GAYLOR: Here.

LEGISLATOR NICOLELLO: Legislator Muscarella.

LEGISLATOR MUSCARELLA: Here.

LEGISLATOR NICOLELLO: Legislator Birnbaum.

LEGISLATOR BIRNBAUM: Here.

LEGISLATOR NICOLELLO: Legislator DeRiggi-Whitton.

LEGISLATOR DERIGGI-WHITTON: Here.

LEGISLATOR NICOLELLO: Legislator James Kennedy.

LEGISLATOR KENNEDY: Here.

LEGISLATOR NICOLELLO: Legislator McKevitt.

LEGISLATOR MCKEVTIT: Here.

LEGISLATOR NICOLELLO: Legislator Schaefer.

LEGISLATOR SCHAEFER: Here.

LEGISLATOR NICOLELLO: Legislator
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FERRETTI: Here.

LEGISLATOR NICOLELLO: Legislator

Drucker.

DRUCKER: Here.

LEGISLATOR NICOLELLO: Legislator

Walker.

WALKER: Here.

LEGISLATOR NICOLELLO: Legislator

Lafazan.

LAFAZAN: Here.

LEGISLATOR NICOLELLO:

RHOADS: Present.

LEGISLATOR NICOLELLO: Minority Leader Abrahams.

ABRAHAMS: Here.

LEGISLATOR NICOLELLO: I'm here.

Legislator Solages are you there?

SOLAGES: I'm here.

LEGISLATOR NICOLELLO: All 19 of us are here and present for the meeting.

We have an emergency agenda.

Before we do that I'm going to note for the record that we have one email public comment
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from Meta J. Mereday. Been provided to the clerk's office. It will be made a part of the record for the meeting today.

We have an emergency agenda of two items. We are going to need an emergency with respect to items 142 and 143. Both of which are ordinances supplemental to the annual appropriation ordinance in connection with the board of elections. Motion to establish the emergency by Legislator Schaefer. Seconded by Legislator Walker. All in favor of the emergency signify by saying aye. Those opposed? Carries unanimously.

I'm going to call the items. 142 and 143 are both ordinances supplemental to the annual appropriation ordinance in connection with the board of elections.

Moved by Legislator Ford. Seconded by Legislator DeRiggi-Whitton. That item is before us. Do we have a speaker on this?

MR. NEDELKA: Larry Nedelka from the board of elections. This is a reimbursable grant from the state of New York that they got from funding out of Washington...
D.C. The share to the county and state was $1,996,434. It's to be used for COVID-related expenses. In other words, for the election coming up on June 23rd and the early voting preceding that, these dollars are to help us with out-of-the-ordinary expenses. For example, we had to do an absentee ballot mailing program to all eligible voters in an effort to try and get people the right to vote without necessarily subjected them to going out in public. So it's expenses that we would not normally have had in an election that the state is reimbursing. But because it's reimbursable we have to ask you to loan us the money until we can do it.

This grant has a short life. It runs to about the middle of November. So the claims should be in fairly quickly and the money will be back to the county within a couple of months.

LEGISLATOR NICOLELLO: Any questions?

LEGISLATOR FORD: With the primary election coming up what the cost is,
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the $1.9 million, with COVID related it has nothing to do with PPE because there will be no polling places open, is that what you're saying?

MR. NEDELKA: No. We have early voting starting on Saturday and we have a consolidated number of polling places because people have contacted the board that they do wish to vote in public. For example, to have the polling places open, we are required by executive order and the state board of elections regulations to sanitize all of our polling places. That's approximately $265,000 using the county's vendor for sanitizing buildings.

The PPEs that we are purchasing are basically masks and gloves. We are buying them for the poll workers who have to sit there during the day to sign people in. We use them for the staff. They are taking in thousands and thousands of envelopes a day and we don't have necessarily the massive equipment necessary to sanitize the envelopes. So we are doing everything we
Now, some of the disinfectant we are getting for the poll sites we are getting from the state through OEM. Some other materials that we can we're getting from the county. But we're talking, for example, on primary day 30,000 pair of gloves. The county only gets so much from the state. We have the money coming in from the state to cover COVID-related expenses such as this is. So, we can buy our own gloves and masks and keep the masks that the county gets for their first responders and people in the hospitals. It's a big load.

LEGISLATOR FORD: So this money also will this also cover for the general election as well?

MR. NEDELKA: This money will cover all expenses for the general election such as what's left over after the primary. For example, we bought -- since we don't know how many people will show up to vote on primary day, we buy for what we estimate it could be. If we don't go through anywhere
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near the number of gloves and masks that are available for the primary, those will be locked away and used for November.

LEGISLATOR FORD: What do you do with the extra money? Because when you say that like to sanitize the polling places it would be like say $400,000 to do the polling places, right? To sanitize them. And then if there's maybe 30,000 masks or even 100,000 masks that might end up like bumping us -- like say if you're going to be generous it would be a million dollars. You can very well have extra money after this. What do you do with the extra money? Do you give it back to New York State or are you allowed to reallocate it to other expenses?

MR. NEDELKA: Let me put it to you this way, I can tell unequivocally, there will not be a single penny left of this money. Because the absentee ballot program alone is costing us close to $1.4 million between printing and postage.

LEGISLATOR FORD: So the actual absentee ballots, the whole program, will be
covered under this?

MR. NEDELKA: Correct. Even though we normally have an absentee ballot vote for a primary or general election, we have never been compelled to mail it out. But, not only do we have to pay the postage to send it out, we have to pay the business reply for it to come back because to force somebody to put a stamp on it could be construed if they can't get to the post office or have a stamp as disenfranchisement. They can't get their ballot in the mail.

So we have to pay for all the ballot applications to go out, the ballot applications that come back and then the ballots themselves.

We've taken measures to try and save money in the same process. Back in the beginning of the year, I worked with the postal service to get the board of elections nonprofit mailing status for certain things. So when we mailed out the absentee ballot applications we saved $93,000 on postage. That $93,000 isn't like hey, here's a pile of
money, let's go have a good lunch. It's
$93,000 to offset the business replay mail
coming in.

But I fixed it with the post office
to get a different status on that. Instead of
paying a buck forty for every envelope that
comes back we pay 80 cents. We are trying to
squeeze 50 cents out a nickel where we
normally try to squeeze a quarter. And the
fact that this money comes from the state
helps us get our job done and helps the county
where they don't see the hit on the operating
budget. In the mean time, you just have to
give us the front money to take care of this.

LEGISLATOR FORD: Thank you for
the clarification. I really appreciate it.

LEGISLATOR NICOLELLO: I have one
quick question to follow-up. You were
mentioning the absentee ballots being mailed
to all voters. I have heard of incidents in
which the homeowners are getting multiple
mailings because there were people who lived
in the house previously who are still on the
roll. Are you getting more than the usual
response in terms of people saying you should do this to correct the rolls?

MR. NEDELKA: I do the fiscal side. So I can get you the answer on the election side. There's always going to be that. We send out a million mail check cards every year. You get them yourselves. They tell you where you vote and that you're registered and give your information.

The problem that we have is any organization that would have a big mailing list would have is if people don't tell us they don't live there anymore we have no way of knowing to take them off the rolls. You sell your house and you move and you go thank God I'm now in Florida but you don't tell the board of elections you're going to keep getting mail until somebody as the new resident tells us to take them off.

LEGISLATOR NICOLELLO: Thank you. Legislator Rhoads.

LEGISLATOR RHOADS: I was under the impression if someone didn't cast a ballot within five years they were automatically
dropped from the rolls, is that not the case?

MR. NEDELKA: I can get you a clarification. What we don't do is --

LEGISLATOR RHOADS: Other legislators are shaking their heads no.

MR. NEDELKA: We don't purge the list. After a certain period of time they go on what's called an inactive list. For example, if you don't vote in five years, maybe your kid went away to college, he comes back and now he votes, he's still on the roll as an active and when he goes to the polling place he uses what's called an affidavit ballot. Fills out an envelope with his information, it gets verified, he's there, boom, he's reactivated.

LEGISLATOR RHOADS: I'm just a little concerned with mailing actual ballots out. Especially when there's been no response from an actual voter. Only because I've gotten phone calls in the office -- a gentleman called me actually over the weekend that he received ballots for the previous owner of the house that passed away in 2009.
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and wanted to know what to do.

MR. NEDELKA: What the previous owner would have gotten would have been the mailing for the absentee ballot application. It would not have been the ballot. We are only sending ballots out to those people who are returning an application. And then we have bipartisan teams that actually stop to go through the computer, make sure the people who are sending them in are eligible to vote in any one of the primaries that are taking place.

We're just not carte blanche mailing out ballots to everybody. They have to apply for it under the temporary COVID reason, and then we mail out the ballot to them and then they have the right to send it in or just change their mind and come and vote. As you know, some people will send an absentee ballot in and then change their mind and come and vote which overrides the paper ballot.

LEGISLATOR RHOADS: Thanks for the answer. I appreciate it.
LEGISLATOR NICOLELLO: Legislator DeRiggi-Whitton.

LEGISLATOR DERIGGI-WHITTON:

Larry, I'm very sorry for your losses. I just had some other questions. Is this money going to be able to cover the partitions that we're going to need for the board of elections for social distancing and all?

MR. NEDELKA: At the board? I have to tell you that this county should be proud of the fact that they have one of the best DPW departments around. They have, under their own operating guidelines, they've been able to give us some of these partitions. We've purchased partitions for election day. So even with a mask somebody could -- the barrier is there to protect the voter and the election worker that much more than just a simple mask would do. Whenever we can get the material covered under other sources that's been done.

LEGISLATOR DERIGGI-WHITTON:

That's for the election day or primary day.

MR. NEDELKA: That's in our
offices for every day because they're all working in cubicles and they're doing the best of observing the social distancing. This is a layer of protection for them. At the polling place itself we're using some plastic barriers. But those are portable and they can be taken down and sanitized and used for other elections and that's coming out of the grant.

LEGISLATOR DERIGGI-WHITTON:
Thank you.

LEGISLATOR NICOLELLO: Anyone else? Thank you Larry. All in favor of these items signify by saying aye. Those opposed? Carries unanimously.

Actually, we are going to put the meeting in recess in the event that we do have to come back. Nothing is planned as of now but our next meeting is in three weeks. So in the event we have business to do before then we will have the meeting in recess. We will not have to call another meeting.

(Meeting was recessed at 1:35 p.m.)
CERTIFICATION

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this 15th day of June 2020

FRANK GRAY