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NASSAU COUNTY LEGISLATURE

RICHARD NICOLELLO  
PRESIDING OFFICER

RULES COMMITTEE

LEGISLATOR RICHARD NICOLELLO  
CHAIR

Theodore Roosevelt Building  
1550 Franklin Avenue  
Mineola, New York

July 13, 2020

1:22 P.M.

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

LEGISLATOR RICHARD NICOLELLO  
Chair

LEGISLATOR HOWARD KOPEL  
Vice Chair

LEGISLATOR STEVEN RHOADS

LEGISLATOR LAURA SCHAEFER

LEGISLATOR KEVAN ABRAHAMS  
Ranking member

LEGISLATOR DELIA DERIGGI-WHITTON

LEGISLATOR SIELA BYNOE

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2 LEGISLATOR NICOLELLO: We have a  
3 Rules Committee today. We have a reconvening  
4 of a full legislative meeting. First thing  
5 I'm going to do is to call the roll for the  
6 Rules Committee. There's one item in the  
7 Rules Committee we're going to call first  
8 which is the Transdev contract and then we're  
9 going to put the Rules in recess, go into the  
10 full legislative meeting to consider the  
11 emergencies and come back to the Rules  
12 Committee.

13 Michael, if you don't mind, could  
14 you call the roll for the Rules Committee.

15 MR. PULITZER: Yes, sir.  
16 Legislator Siela Bynoe.

17 LEGISLATOR BYNOE: Here.

18 MR. PULITZER: Legislator Delia  
19 DeRiggi-Whitton.

20 LEGISLATOR DERIGGI-WHITTON:  
21 Here.

22 MR. PULITZER: Ranking member  
23 Kevan Abrahams.

24 LEGISLATOR ABRAHAMS: Here.

25 MR. PULITZER: Legislator Steven

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2 Rhoads.

3 LEGISLATOR RHOADS: Here.

4 MR. PULITZER: Vice Chairman

5 Howard Kopel.

6 LEGISLATOR KOPEL: Here.

7 MR. PULITZER: Chairman Richard

8 Nicolello.

9 LEGISLATOR NICOLELLO: Here.

10 MR. PULITZER: We have a quorum

11 sir.

12 MR. PULITZER: Legislator Laura

13 Schaefer.

14 LEGISLATOR SCHAEFER: Here.

15 LEGISLATOR NICOLELLO: I would  
16 like to ask Legislator Laura Schaefer to lead  
17 us in the Pledge of Allegiance please.

18 We are going to call Item 145 of  
19 2020 which needs a motion to untable. Moved  
20 by Legislator Kopel. Seconded by Legislator  
21 Schaefer. All in favor of untabling signify  
22 by saying aye. Those opposed? Carries  
23 unanimously.

24 This is the ordinance to authorize  
25 the county executive to execute an amendment

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2 to a contract with Transdev Services, Inc. for  
3 the management, operation and maintenance of  
4 the Nassau County Bus System. Mr. Arnold.

5 MR. ARNOLD: Ken Arnold, Public  
6 Works.

7 As the presiding officer said, this  
8 is a contract amendment for Transdev. It is  
9 their seventh amendment and this is mainly to  
10 deal with the COVID emergency that allows us  
11 to accept the CARES Act funding at the service  
12 reductions and also look to amend the  
13 agreement for two additional years while we  
14 procure new services.

15 LEGISLATOR NICOLELLO: I see that  
16 Mr. Khzouz is here from Transdev. I wanted to  
17 recognize Duwayne Gregory, former presiding  
18 officer of the Suffolk County Legislature, who  
19 is here with us today. Good to see you.

20 I think we would like to maybe have  
21 a presentation from Mr. Khzouz.

22 MR. KHZOUZ: Mr. Speaker, how are  
23 you? Legislators. I'm here really just to  
24 answer any questions regarding service.  
25 Regarding service over the last few months or

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2 service planning going forward or any other  
3 questions you may have regarding the contract  
4 extension.

5 LEGISLATOR NICOLELLO:

6 Legislators? Legislator DeRiggi-Whitton.

7 LEGISLATOR DERIGGI-WHITTON: Good  
8 afternoon. How are you?

9 MR. KHZOUZ: Good legislator.  
10 How are you?

11 LEGISLATOR DERIGGI-WHITTON: I  
12 was just looking through the backup and I saw  
13 that you are receiving a decent amount from  
14 the CARES Act, correct?

15 MR. KHZOUZ: Correct.

16 LEGISLATOR DERIGGI-WHITTON: As  
17 far as your losses, I don't know the exact  
18 amount to date, how much of an impact do you  
19 expect to have because of this CARES Act  
20 funding?

21 MR. KHZOUZ: The CARES Act  
22 funding will ensure that we can stay at the  
23 current level of full service through the end  
24 of the year assuming no other funding is  
25 loss. So it really makes us for and keeps the

1 Rules 7-13-20  
2 current workforce in place. But it makes up  
3 mostly for costs associated with COVID but  
4 also lost fare box revenue and those types of  
5 things. It's imperative that we obviously  
6 have the funding to continue the service at  
7 the level it is so that we can get people back  
8 to work and hopefully back to school this  
9 fall.

10 LEGISLATOR DERIGGI-WHITTON: Do  
11 you feel that it kind of indemnifies you? Do  
12 you feel the loss to COVID will not be an  
13 issue for the upcoming months? Should let's  
14 hope for the best and we're not hit with it  
15 again.

16 MR. KHZOUZ: Right. So this will  
17 ensure, like I said, all things being equal  
18 stays in place, we should not see any  
19 deterioration of service hours or support for  
20 the system.

21 LEGISLATOR DERIGGI-WHITTON: So  
22 just to put on the record, you are receiving  
23 \$33 million from the CARES Act?

24 MR. KHZOUZ: Yes. The county is.

25 LEGISLATOR DERIGGI-WHITTON:

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2 We're giving it to you.

3 MR. KHZOUZ: Exactly.

4 LEGISLATOR DERIGGI-WHITTON: As  
5 far as the state funding do you have any  
6 concerns as to -- or has this amount been  
7 guaranteed the 12 point --

8 MR. KHZOUZ: Well, yeah, funding  
9 from the state side obviously could be an  
10 issue. It just depends on how the rest of the  
11 year goes. How tax revenue holds up. And we  
12 know that tax revenue is under strain right  
13 now. But there's always a possibility of  
14 having to make adjustments and it's all based  
15 on funding availability.

16 LEGISLATOR DERIGGI-WHITTON: I  
17 know we are in unprecedented times and  
18 everyone is sort of unclear as to where their  
19 financial bearings will be in the future.  
20 We've kind of had a lot of discussions as to  
21 what to do with this. My hope is as long as  
22 you really make every effort possible not to  
23 cut any routes and not to raise fares, and I  
24 have enjoyed working with you in the past, so  
25 I am going to be supporting this but I do know

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2 that some of the legislators are concerned  
3 because we just don't want to be hit with that  
4 scenario and really have no negotiations  
5 because we are extending the time.

6 MR. KHZOUZ: I understand your  
7 concerns. Certainly it is not to our benefit  
8 to cut routes or service. That means we have  
9 to reduce our workforce. That means we have  
10 to adjust all the schedules. It does not  
11 benefit us at all and that's the last thing we  
12 want.

13 Again, we are bound by the county  
14 agreement to balance the budget and based upon  
15 the available funding we have to adjust  
16 accordingly. That being said, being who we  
17 are, and hopefully many of you know us, we  
18 tend to be very innovative. We tend to be  
19 very creative. We tend to figure out ways to  
20 stretch the value of the services we offer.  
21 But again, we have to do that as situations  
22 change, right?

23 LEGISLATOR DERIGGI-WHITTON:

24 Again, I enjoyed working with you from the  
25 Port Washington shuttle. I'm hoping we can

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2 continue efforts like that. All right.

3 Again, I'm going to support it but we do

4 appreciate you making every effort.

5 LEGISLATOR NICOLELLO: How is  
6 ridership looking? Is it starting to come  
7 back?

8 MR. KHZOUZ: Currently we are on  
9 the fixed route side at 58 percent pre-COVID  
10 levels. Which is pretty strong for the  
11 Northeast. We are well above what the MTA is  
12 showing as a fixed route bus ridership. We're  
13 well above Westchester County and well above  
14 Suffolk. So, it's coming back at about the  
15 rate of five to ten percent a week. I haven't  
16 seen today's numbers from last week. But we  
17 are fairly confident that we will see about 75  
18 percent of the ridership come back before the  
19 end of the year. Maybe even a little higher  
20 depending on how school attendance is for in  
21 classroom training.

22 LEGISLATOR NICOLELLO: I'm  
23 assuming you're doing all sorts of cleaning  
24 and all sorts --

25 MR. KHZOUZ: Yes, sir. We clean

1 Rules 7-13-20  
2 our vehicles three times a day minimum. They  
3 get cleaned when they pull into Hempstead  
4 Transit Center and they get sanitized there.  
5 Plus they get decleaned overnight plus one  
6 more time midday. It's a multistep process.  
7 Very time consuming. Very labor intensive but  
8 it's certainly worth it.

9 LEGISLATOR NICOLELLO: I know  
10 this is difficult to do, but have you been  
11 able to do any sort of projections as to what  
12 the ridership is going to look like in say  
13 2021?

14 MR. KHZOUZ: It is difficult.  
15 That's the hard part. We don't. We're all  
16 sort of making this up as we go along, right?  
17 All these new protocols and procedures. We  
18 don't know exactly. We are anticipating  
19 possibly up to 80, 85 percent return. But at  
20 this point, you all know me, I'm pretty  
21 honest, it is a guess at this point. Based  
22 upon how things are coming back currently  
23 there is no reason why we should not make that  
24 goal. But that still leaves a 15 percent  
25 deficit which is quite a bit in our service.

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2 On the paratransit side it's much  
3 slower return. We're only at about 35 percent  
4 of pre-COVID levels. We anticipate maybe  
5 getting up to 60 percent for next year. But  
6 that again is somewhat of a guess. There is a  
7 lot of wiggle room there. But I'm working  
8 very closely with the all the systems in  
9 New York to compare and contrast and look at  
10 different best practices to get people back on  
11 the vehicles.

12 LEGISLATOR NICOLELLO: Now, if it  
13 returns to 80 to 85 percent is that a model  
14 that allows NICE bus to continue to be a  
15 profitable venture or even break even?

16 MR. KHZOUZ: Again, we have to  
17 adjust. Just like any business we do have to  
18 adjust our expenses to match the available  
19 funding. So it's a proportional level of  
20 adjustment. So, that's what we have to do.  
21 But we also have to be very aggressive on the  
22 state level -- I say that with all warmth --  
23 to ensure that the state understands what our  
24 needs are and properly communicate that.

25 LEGISLATOR NICOLELLO: Just

1 Rules 7-13-20

2 briefly and I will turn it to over to other  
3 legislators, but if there is a proposal to  
4 change routes or anything of that nature it  
5 would have to go to the transit committee,  
6 correct?

7 MR. KHZOUZ: Yes, sir.

8 LEGISLATOR NICOLELLO: It would  
9 require approval from the transit committee,  
10 there would be a public notice and public  
11 comment and participation involved, right?

12 MR. KHZOUZ: Correct.

13 LEGISLATOR NICOLELLO: But you  
14 already made a representation that you will do  
15 everything in your power to avoid that,  
16 correct?

17 MR. KHZOUZ: Yes sir.

18 LEGISLATOR NICOLELLO: Legislator  
19 Walker.

20 LEGISLATOR WALKER: Obviously  
21 when everything sort of stopped with COVID,  
22 how were we with the I think it was more or  
23 less like a trial where you were having people  
24 in certain areas call in rather than be a  
25 steady bus, you know, certain times the bus

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2 would -- you'd have people call and kind of  
3 arrange for the bus to come.

4 MR. KHZOUZ: Yes, Legislator  
5 Walker. Back in 2016 and 2017 we were the  
6 first hailed microtransit public transit  
7 system in the US. We launched a trial called  
8 Link in Freeport. I will say that we were  
9 probably a little early and the technology  
10 wasn't quite there yet. Operationally we  
11 weren't quite there yet. And I don't think  
12 our passengers weren't there quite yet.

13 We learned a lot from that and took  
14 some of the experience we took from that and  
15 took them to Port Washington and took them to  
16 Elmont, flex seat, and really succeeded  
17 there. There are new models coming up that  
18 might serve the county very well. The  
19 evolution of that technology has come a long  
20 way.

21 LEGISLATOR WALKER: Because, you  
22 know, I know we would try very, like you said,  
23 you would really try hard not to have to cut  
24 any of our routes. But if as time passes and  
25 you realize that there's two people on this

1 Rules 7-13-20  
2 route or whatever, I mean, it would be much  
3 easier, I think it would be more beneficial to  
4 you and for them to be able to focus on those  
5 two people than you know.

6 MR. KHZOUZ: Yes ma'am. Those  
7 are the types of scenarios that we are looking  
8 at and continue to study.

9 LEGISLATOR WALKER: Thank you.

10 LEGISLATOR NICOLELLO: Minority  
11 Leader Abrahams.

12 LEGISLATOR ABRAHAMS: Thanks  
13 Rich. I appreciate it. My question is more  
14 tied to piggyback for the things we talked  
15 about in terms of the route reductions as well  
16 as the fare increases. Obviously we don't  
17 envision anything for 2020, but we are  
18 extending the contract two years beyond 2021  
19 and I know no one has a crystal ball but  
20 however I am concerned to some degree that we  
21 are extending Transdev without having any type  
22 of assurances. Things could look better in  
23 Albany or if things look better anywhere else  
24 and if there's an increase in funding, by  
25 extending the contract for two more years we

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2 don't have a greater understanding or knowing  
3 of whether or not there will be protections in  
4 place.

5 I guess what I'm going ask Transdev  
6 and we can work on it over the next couple of  
7 weeks as we go into committee, are we open to  
8 any level of agreement or understanding that  
9 going forward if there is additional monies  
10 that come in or anything that's discussed in  
11 terms of route reductions or fare funds  
12 increases should have some type of act on the  
13 agreement from my standpoint.

14 I think Legislator DeRiggi-Whitton  
15 said we plan to vote for it today in  
16 committee. We have every anticipation of  
17 voting for it in the full leg. But at the  
18 same time, we do want to try to protect the  
19 riders as much as we can, and I think not  
20 having some level of assurance in the greater  
21 outer two years but at the same time extending  
22 a contract for two years is a little bit  
23 concerning.

24 LEGISLATOR NICOLELLO: Thank you  
25 Kevan. Legislator Rhoads.

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2 LEGISLATOR RHOADS: And  
3 essentially that's the same concern that we  
4 have. I represent the 19th District which is  
5 the communities of Freeport through Seaford  
6 along the south shore. We probably lost about  
7 half a dozen routes over the last course of  
8 the last several years. There's been  
9 restoration of N-36 and N-62 but we are still  
10 negative on that.

11 The Link program was actually a  
12 program that was operating in my district  
13 which was then discontinued sort of a makeup  
14 for some of the routes that we had lost so  
15 there would be some service.

16 The concern is by extending this  
17 contract two years it denies us the  
18 opportunity to see if there's a better deal  
19 for our commuters potentially either with  
20 Transdev or with some other company. I'm just  
21 concerned that there is no assurance that by  
22 doing this that there's going to be a  
23 guaranteed preservation of routes going  
24 forward.

25 I understand and I appreciate the

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2 representation. As Minority Leader Abrahams  
3 mentioned, nobody has a crystal ball to be  
4 able to look into and see what the future  
5 holds. But I would really ask that Transdev,  
6 assuming this goes through today and assuming  
7 it goes through the full legislature, do  
8 everything in its power to avoid further route  
9 reductions and see if there are alternatives  
10 out there to be able to make restorations to  
11 provide some sort of service to residents in  
12 my district that have lost so much.

13 MR. KHZOUZ: I understand sir.

14 LEGISLATOR NICOLELLO: Anyone  
15 else? All right. Thank you Mr. Khzouz.  
16 Appreciate it. Hearing no further discussion,  
17 call for a vote on this item. All in favor  
18 signify by saying aye. Those opposed?  
19 Carries unanimously. That will be before the  
20 full legislature in three weeks.

21 Going to put the Rules Committee in  
22 recess and now we are going to go to the  
23 emergency agenda for the full legislature.

24 (Committee was recessed at 1:38  
25 p.m.)

1 Rules 7-13-20

2 (Committee was reconvened at 2  
3 p.m.)

4 LEGISLATOR NICOLELLO: Item 139  
5 of 2020 is a local law to extend the deadline  
6 for the imposition of penalties and interest  
7 for the late payment of general taxes due on  
8 July 1st in the year 2020 on property owned by  
9 deceased health care workers. That title  
10 should actually include also front line  
11 workers.

12 That's moved by Legislator  
13 Drucker. Seconded by Legislator Gaylor. Do  
14 you want to say a few words about that?

15 LEGISLATOR DRUCKER: Thank you  
16 presiding officer. It's extremely gratifying  
17 that the presiding officer and Legislator  
18 Gaylor has cosponsored this with me in an  
19 effort to do as much as we can. This is a  
20 debt of gratitude we owe to the front line  
21 workers and first responders that can never be  
22 repaid. Any bit of comfort and relief we can  
23 afford them is something we should always  
24 endeavor to try to do and this bill is  
25 designed to do just that. Give some more

1 Rules 7-13-20  
2 breathing room to families who have gone  
3 through the tragedy of losing a loved one to  
4 COVID-19. Especially those that have  
5 sacrificed and put their lives in jeopardy by  
6 fighting this virus each and every day and  
7 unfortunately succumbed to it.

8 It takes a lot of time to get their  
9 estates up and running and providing them this  
10 relief and this delay, this deferment of taxes  
11 is one measure that we can employ. And I'm  
12 grateful for the majority for putting this on  
13 the calendar and for allowing it to go  
14 further. Thank you very much.

15 LEGISLATOR NICOLELLO: Thank you  
16 Arnie. Good idea and we are wholly supportive  
17 obviously. It's just a way to give some  
18 relief to the families of those who have lost  
19 their lives in this pandemic.

20 Anyone else want to add anything?  
21 Hearing none, all in favor signify by saying  
22 aye. Those opposed? That carries  
23 unanimously.

24 147-2020 is a resolution to  
25 ceremonially designate a portion of the county

1                                 Rules 7-13-20  
2     road known as Charles Lindbergh Boulevard from  
3     the intersection of Geoffrey Avenue to the  
4     intersection of Earle Ovington Boulevard in  
5     Uniondale as William M. Wheeler Way and  
6     directing the Department of Public Works to  
7     install conspicuous signage along said  
8     roadway.

9                                 Moved by Minority Leader Abrahams.  
10    Seconded by Legislator Bynoe. Any debate or  
11    discussion on this? Hearing none, all in  
12    favor signify by saying aye. Those opposed?  
13    Carries unanimously.

14                                Item 149 is a local law to amend  
15    the Nassau County Administrative Code in  
16    relation to amending the Nassau County Human  
17    Rights Law to preclude discrimination based on  
18    certain visible characteristics.

19                                Moved by Legislator McKevitt.  
20    Seconded by Legislator Gaylor. This is  
21    actually patterned off of a local law that was  
22    passed in Suffolk within the last month which  
23    expands the human rights law to prohibit  
24    discrimination based on individual traits such  
25    as natural hair texture, protective hair

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2 styles and the donning of religious garments  
3 or items.

4 It's important in this day and age,  
5 especially with the diversity of our county,  
6 that we recognize that these hair styles,  
7 garments are important to people's different  
8 cultures and faiths and that they should be  
9 able to have those things without worrying  
10 about discrimination in terms of employment or  
11 housing or anything else. I think it's a very  
12 useful addition to our human rights law.  
13 Anyone else want to discuss this? Debate  
14 this?

15 LEGISLATOR GAYLOR: I just wanted  
16 to reiterate what you said. In this county we  
17 have such a large and growing Asian  
18 population, large populations with unique  
19 religious traditions and it's important that  
20 we take the time to recognize that fact and  
21 have such an ordinance as is before us right  
22 now. It's very important to recognize the  
23 cultural differences as well and we just can't  
24 accept anything with discrimination against  
25 any one particular group of people or class of

1 Rules 7-13-20

2 peoples based really for any reason.

3 So I'm glad to see this legislation  
4 going forwarded today and I appreciate all the  
5 positive votes that I expect we will get  
6 today.

7 LEGISLATOR NICOLELLO: Thank you  
8 Bill. Just to reiterate, even though this is  
9 the Rules Committee and there are only seven  
10 members, every member is invited to speak on  
11 any item that they want to. Obviously the  
12 seven of us can vote on it. Since we are not  
13 having the other committees it's important  
14 that every legislator here today gets a chance  
15 to have their say.

16 Legislator Drucker.

17 LEGISLATOR DRUCKER: Thank you  
18 very much Presiding Officer. I think this is  
19 a very worthwhile bill. I think it is  
20 necessary and you're right, in this day and  
21 age any opportunity that we can get to codify  
22 legislation to protect people who are unfairly  
23 discriminated against is worthwhile.

24 I just feel that we are falling a  
25 little short here in that over the past few

1 Rules 7-13-20

2 years I've introduced a bill to amend the  
3 human rights charter to include protection for  
4 the transgender community. And I think now  
5 more than ever we're seeing evidence of the  
6 transgender community, especially minority  
7 women who are victims of terrible violence and  
8 tragedy, this would be a perfect opportunity  
9 to add the transgender population to this  
10 bill.

11 They are an unfairly discriminated  
12 against group. They're not covered by the  
13 current code and the current charter.  
14 Although some might argue that they are but it  
15 has been proven that they are not in terms of  
16 discrimination in housing and employment and  
17 economic benefits. And especially now that  
18 they are targeted in various other ways just  
19 like people are targeted because of the way  
20 they appear, which this bill is trying to  
21 address. I think we have an opportunity now  
22 to include that group of people, that  
23 community, and I would really urge this body  
24 to consider that.

25 I have refiled the bill that I

1 Rules 7-13-20

2 filed a couple of years ago, and I'm hoping  
3 that perhaps the majority would consider it  
4 again in light of what's going on right now.  
5 Thank you very much Presiding Officer.

6 LEGISLATOR NICOLELLO: Thank  
7 you. I think we respectfully disagree on  
8 that. I think we disagree on the first part  
9 is that when the change to the human rights  
10 law was made years ago it was anticipated that  
11 it would cover transgender and they also  
12 included language that was general enough and  
13 broad enough that it would cover that group.  
14 What we favor is that general language.  
15 Because when you start specifying things you  
16 would wind up having to change the code on a  
17 regular basis. Just over the last few years  
18 the terminology has changed. By having the  
19 general catchall language in there you  
20 actually accomplish what you want to  
21 accomplish without specific changes that  
22 you're seeking.

23 LEGISLATOR DRUCKER: I would just  
24 add to that that really the only addition to  
25 qualify or to make it clear is just two words,

1                                 Rules 7-13-20  
2     just gender identity. I think gender identity  
3     is something that would cover it and it  
4     doesn't really open up the door to so much  
5     more interpretation. The way the code reads  
6     now you're talking about sexual orientation.  
7     That's not what gender identity is about.  
8     It's just something that is a hole that can be  
9     filled. I know, like you said, we disagree  
10    but I would hope that perhaps it can be  
11    brought to this body for discussion and have  
12    an open dialogue about it and then have it be  
13    voted on. That's all I'm asking for.

14                                 LEGISLATOR NICOLELLO:     The  
15    language that I think we go on learn is in  
16    referenced to perceived gender which certainly  
17    covers a whole wide range of people's whatever  
18    gender or transgender or whatever. I think  
19    that language is sufficient to do what we need  
20    it to do. And then on top of that you  
21    actually have New York State law changed and  
22    the Supreme Court which has weighed in in the  
23    last month or so. So I think there's  
24    certainly strong and adequate protection on  
25    the books.

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2 Anyone else? Okay. Hearing none,  
3 all in favor signify by saying aye. Those  
4 opposed? Carries unanimously.

5 Item 151-2020 is a resolution to  
6 establish a committee to study alternative  
7 approaches to mental health response and  
8 intervention by law enforcement.

9 Moved by Legislator Bynoe.

10 Seconded by Legislator Lafazan. So this is  
11 before the legislature. Anyone want to speak  
12 on this?

13 LEGISLATOR BYNOE: I can. Thank  
14 you Presiding Officer. So this resolution as  
15 stated is to set up a committee that would  
16 study how we could better serve individuals  
17 that are suffering with mental health here in  
18 Nassau County when there is an aided call to  
19 911. Similar to when there is an aided call  
20 to 911 and it is a medical issue, a physical  
21 medical issue, we dispatch EMTs. I believe  
22 that when there is an aided call that comes in  
23 and it's clear it is a mental health issue  
24 that we could respond differently other than  
25 just sending police.

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2 So Legislator Lafazan and myself  
3 were working on this separate and apart from  
4 each other and came to the realization that  
5 there could be two different approaches. We'd  
6 like a committee set up to look at the two  
7 different approaches that we have put forward  
8 and also include anything that the committee  
9 might come up with as well in how we can  
10 better serve those that are here in our county  
11 that are suffering from mental health. This  
12 committee would be chaired by the commissioner  
13 of police along with the commissioner of human  
14 services.

15 LEGISLATOR NICOLELLO: I was  
16 going to ask whether there was any specific  
17 incident that gave rise to wanting to form the  
18 committee? Was there a specific trend, a  
19 specific incident or I'm wondering about the  
20 origins.

21 LEGISLATOR BYNOE: Of this bill?

22 LEGISLATOR NICOLELLO: Yeah.

23 LEGISLATOR BYNOE: The bill is  
24 birthed out of there was an incident in  
25 Oceanside a little while ago, I think last

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2 year some time, where the person was suffering  
3 from mental health issues and the police came  
4 and unfortunately it didn't end well. We can  
5 go very recent, as in I think about last  
6 month, where Suffolk County police responded  
7 to an incident in Northport where the father  
8 called in and said my son is suffering with  
9 mental health and armed with a BB gun and  
10 nonetheless that didn't end well either.

11 Then more recent was the incident  
12 that occurred on the boardwalk in Far Rockaway  
13 when it was very clear that there was some  
14 mental health issues that were being exhibited  
15 and played out on the boardwalk and the police  
16 intervened and it didn't end well there  
17 either.

18 So I think there are many other  
19 incidents that are playing out across this  
20 nation similarly and I think this is an  
21 opportunity for us to look at how we can  
22 address that particular population in a way  
23 that we can have better outcomes.

24 LEGISLATOR NICOLELLO: That is a  
25 very sensitive area obviously just in terms of

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2 individuals who have disabilities or  
3 evidencing disabilities. The sense of the  
4 manner in which you have to treat them. So  
5 certainly, I mean, if there's any level of  
6 additional training that would be of  
7 assistance to our law enforcement we'd be  
8 interested or additional resources.

9 One thing we would like to see is  
10 maybe representatives of the minority and  
11 majority on the committee. Not necessarily  
12 legislators but representatives from both of  
13 our caucuses just to be there, participate and  
14 see about the direction it's going. We will  
15 likely be making an amendment to do that going  
16 forward. Legislator.

17 LEGISLATOR BYNOE: Can I just  
18 respond to that? So, I understand why you  
19 would think it's important to have  
20 representation from the minority or the  
21 majority. I respectfully disagree because  
22 what I'm not trying to do is make this  
23 political. I think experts should be on that  
24 body. Individuals who are steeped in police  
25 law enforcement experience skills and also

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2 those that are skilled in mental health. This  
3 is not a political issue. This is an issue  
4 where we are trying to aid those that are  
5 suffering, and I think that what's appropriate  
6 at this time is that those that have the  
7 expertise be on that body.

8 We could have inserted ourselves.  
9 I mean, we put the bill together for the  
10 purpose of having this study and we did not  
11 think to include -- we thought about it but we  
12 knew we were not experts. That's why we want  
13 experts to convene and to be able to then  
14 provide to this body and to the county  
15 executive a plan. Something that would be  
16 very well thought out, deliberately.  
17 Everything done in decency and order. I don't  
18 think that I personally wouldn't have any  
19 expertise to sit on that body. I think that  
20 that needs to come from the experts.

21 LEGISLATOR NICOLELLO: I will  
22 turn it over to the deputy presiding officer.  
23 I think in terms of expertise it's not really  
24 what we would be looking for. It would be  
25 more of somebody representing of this body who

1                   Rules 7-13-20  
2    are the elected officials in the county who  
3    would have an interest in terms of being a  
4    public policy -- of representing the peoples'  
5    interest. Not necessarily someone with a  
6    degree or doctorate or anything like that.

7                   LEGISLATOR BYNOE:     I think we get  
8    that opportunity because the report is to come  
9    to this body. The purpose of the report is to  
10   then be provided to this body. They're not  
11   empowered to make a vote on our behalf. They  
12   will put the plan together and then give it to  
13   us. That's when we have an opportunity to  
14   have our voices registered.

15                  LEGISLATOR NICOLELLO:     I also  
16    think it would give us a little bit more  
17    information as the process unfolds. Again,  
18    depending on the size of the committee we are  
19    not talking about legislators actually, we're  
20    talking about staff. They wouldn't be really  
21    guiding the committee. Simply be more to  
22    provide an input from the legislators as well  
23    to keep an understanding of the direction of  
24    the committee is going with.

25                                   Deputy Presiding Officer.

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2 LEGISLATOR KOPEL: Thank you  
3 Presiding Officer. I'm a little bit wary of  
4 some of the direction of the way that this is  
5 framed. I think that it's very hard for  
6 anyone to argue that we ought not to have some  
7 better training and to make sure that there is  
8 a proper reaction to when there is a mental  
9 health issue that manifests itself into a  
10 police call. We don't want people who are  
11 unable to communicate properly and to defend  
12 themselves properly to be treated as common  
13 criminals. That leads to some unfortunate  
14 results, and we've all seen that, as you  
15 pointed out, around the country.

16 But once again, if the direction is  
17 the way it's stated here is that we're going  
18 to study alternatives to the police and I  
19 would much rather see the study pointed at  
20 better training within the police department  
21 for police who are responding to do know what  
22 to do. We certainly don't want to have the  
23 specter of a social worker responding to  
24 holdups or something like that. That's  
25 obviously not going to work.

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2 So once again, I would like to see  
3 something that's directed more at training  
4 within the police department and perhaps, if  
5 necessary, maybe additions to the police  
6 department, maybe people who are specially  
7 trained to deal with this kind of situation to  
8 be embedded within the police department. But  
9 I really do think that the function should not  
10 be taken out of the police department.

11 LEGISLATOR BYNOE: To your point,  
12 Legislator Kopel, this bill, actually this  
13 resolution, has two components to it. One in  
14 which the crisis intervention team would  
15 respond along with police. This is not in  
16 place of the police. Would respond with the  
17 police but take the lead.

18 The other proposal here to be  
19 reviewed is to have a group that would be  
20 embedded within the police department so that  
21 they would be specially trained and they would  
22 be embedded within the police department. It  
23 has two components that would be looked at.  
24 None of which was eliminating police.

25 LEGISLATOR KOPEL: So perhaps we

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2 are not in disagreement. Perhaps it's the  
3 word over here where it says that it's  
4 alternatives to the police.

5 LEGISLATOR BYNOE: Studying  
6 alternatives to how we respond to mental  
7 health calls.

8 LEGISLATOR KOPEL: Alternatives  
9 to having it in the police. Okay, whatever it  
10 is it could be just a matter of semantics and  
11 if that's the case --

12 LEGISLATOR BYNOE: I don't think  
13 it's even a matter of semantics.

14 LEGISLATOR KOPEL: I believe we  
15 can agree to disagree on that.

16 LEGISLATOR BYNOE: Just to be  
17 clear. It was never intended for us to have  
18 this team respond without the police. The  
19 study was for this team that's already in  
20 place, that the county is already utilizing,  
21 that some police officers already sometimes  
22 called to go with them when they know it's a  
23 mental health issue. And sometimes the family  
24 can call this team directly without calling  
25 the police.

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2 LEGISLATOR KOPEL: I will just  
3 take another look.

4 LEGISLATOR BYNOE: I want to be  
5 clear that we weren't trying to substitute.

6 LEGISLATOR KOPEL: Good. I'll  
7 take another look and if it's clear it's  
8 clear. If it's not perhaps we can just  
9 clarify the wording a little bit before the  
10 final vote at the full leg.

11 LEGISLATOR NICOLELLO: Legislator  
12 Ford.

13 LEGISLATOR FORD: I understand  
14 what you're saying Legislator Bynoe. So that  
15 there is something that's already in place  
16 with the police department to be able to  
17 respond to these calls that deal with mental  
18 health issues. Once a family member or  
19 somebody who's making the call identifies it  
20 like somebody is bipolar, they're acting  
21 erratically. So then the police would know.

22 So actually, in essence, this  
23 committee may be able to come up with a plan  
24 to say that a certain portion of police  
25 officers should go for training, for extra

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2 training in regard to being able to identify  
3 these types of situations and how to deal with  
4 people who have mental health problems.  
5 Correct? It's not necessarily where we're  
6 going to take social workers. Me may be able  
7 to identify within the police department and  
8 do enhanced training and another specialized  
9 task force so those people then can be -- I'm  
10 just saying that this is something that can  
11 come out of this committee. I'm not saying  
12 that it will.

13 LEGISLATOR BYNOE: Correct.

14 LEGISLATOR FORD: How many  
15 members is it anticipating? Because it's not  
16 on here. Is there a limit on the number of  
17 committee members that are allowed to be on  
18 this? Because right now you just have  
19 cochaired by the PD and human services. You  
20 just have a group of people, social workers,  
21 mental health. Is there like a limit on how  
22 many people would be on this committee?

23 LEGISLATOR BYNOE: We did not  
24 enumerate because we felt that the police  
25 commissioner and the commissioner of human

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2 services would be able to identify experts in  
3 their field that they feel that they would be  
4 able to work with to come to a conclusion on  
5 what that would look like.

6 LEGISLATOR FORD: So then they  
7 would also set the parameters of the committee  
8 as well?

9 LEGISLATOR BYNOE: That's  
10 correct.

11 LEGISLATOR FORD: I sort of agree  
12 with the presiding officer though in a way  
13 that if we, as elected officials, have  
14 somebody just to sit there and not to report  
15 or anything but just to understand the process  
16 and how these people are interacting and  
17 everything. Because it will give us, before  
18 it comes to the full leg, maybe a basic idea  
19 of what is happening within this committee.

20 But when we talk about -- I  
21 understand -- but the community members, which  
22 community members would they be? I mean is  
23 that just anybody who is in a community or are  
24 we trying to limit it to people on this  
25 committee that would be law enforcement,

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2 public health? And then I guess and  
3 individuals in organizations with expertise  
4 and issues affecting individual's with mental  
5 illness. I guess it could be like group homes  
6 and stuff like that. They would be able to  
7 know. What community members would that be?  
8 If we're saying that if you don't want  
9 somebody from this community what community  
10 members would they identify as being on this  
11 committee?

12 LEGISLATOR BYNOE: When you say I  
13 don't want someone from this community --

14 LEGISLATOR FORD: When the  
15 presiding officer had said about maybe having  
16 representatives from minority and majority  
17 legislature, you know, you wanted it to be  
18 more like just the professionals. I  
19 understand your viewpoint. I'm not arguing  
20 with you on this. I'm not arguing about this  
21 legislation. But what I'm saying is, what  
22 community members would that be that you would  
23 bring on to this committee?

24 LEGISLATOR BYNOE: Again, we are  
25 forming the committee but the committee would

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2 be led by the two commissioners. So those  
3 commissioners would be able to identify what  
4 community groups or individuals within the  
5 community they feel would be helpful in their  
6 discussion as they work through the plan.

7 So, I think having staff, if we  
8 wanted to have staffers attend the meetings I  
9 don't see nothing wrong with that. We just  
10 didn't look to have appointments to that body  
11 because we don't feel that we have that level  
12 of expertise to have people be a part of it.  
13 We feel like the commissioner of police and  
14 the commissioner of human services who are  
15 steeped in their respective roles in areas  
16 will be able to identify those people. But if  
17 we want to have staffers attend the meetings  
18 to be able to then brief the majority and the  
19 minority I don't see anything wrong with that.

20 LEGISLATOR FORD: So then even  
21 with -- and the report would be issued within  
22 six months?

23 LEGISLATOR BYNOE: Correct.

24 LEGISLATOR FORD: But what if  
25 they can't meet? I guess they would have to

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2 do zoom meetings.

3 LEGISLATOR BYNOE: Yes.

4 LEGISLATOR FORD: Thank you.

5 LEGISLATOR NICOLELLO: Legislator  
6 Walker then Legislator Schaefer.

7 LEGISLATOR WALKER: As far as --  
8 would you imagine that like the committee  
9 would basically be the commissioner of the  
10 police department and commissioner of human  
11 services and then they would just meet? They  
12 really wouldn't be part of the committee but  
13 they would consult with, as it says here, with  
14 say social workers. Maybe perhaps they would  
15 have a meeting with some social workers, some  
16 mental health professionals some public  
17 health -- not necessarily all at once. But  
18 they would consult with these various group  
19 leaders in those fields. So those people  
20 really wouldn't be part of the committee.  
21 They would just be who they would consult with  
22 and then the two cochairs would come up with  
23 their report and give it back to us. Is that  
24 what --

25 LEGISLATOR BYNOE: Hold on a

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2 second. I think Josh wants to weigh in. Josh  
3 do you want to weigh in?

4 LEGISLATOR LAFAZAN: I'm here.  
5 Can you hear me? No, I just wanted to say I  
6 appreciate working with Legislator Bynoe on  
7 this important and timely piece of  
8 legislation. I'm personally fine with having  
9 staffers as observers. I know I worked in the  
10 past on similar committees. I know with  
11 Legislator Schaefer working on our addiction  
12 bill. I think having staff with different  
13 expertise can guide this process. So I'm fine  
14 having staff as observers working through the  
15 process.

16 I'm also fine if we want to  
17 enumerate specific changes in terms of the  
18 committee. It will be important for this  
19 legislature in a bipartisan fashion to pass  
20 this committee because I believe every police  
21 department in America, including ours, can  
22 benefit from a thorough review of new ideas  
23 and processes. Obviously this bill has my  
24 full support and I'm hoping we can pass this  
25 on to full leg.

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2 LEGISLATOR NICOLELLO: Okay. Are  
3 you done?

4 LEGISLATOR BYNOE: I thought Josh  
5 was going to answer you. So, the committee,  
6 I've been on a couple of committees. I served  
7 on the Hamlin Task Force. There are times  
8 when the committee, a group of folks would  
9 meet together and there were times when there  
10 were one-offs. These two chairs can determine  
11 how they are going to move forward in  
12 analyzing how the county can do better or  
13 provide additional support to those that are  
14 calling regarding mental health aided calls.  
15 Okay?

16 LEGISLATOR NICOLELLO: Legislator  
17 Schaefer.

18 LEGISLATOR SCHAEFER: Maybe these  
19 are questions for you or maybe these are more  
20 for the study but I just figured I'd ask. So  
21 my understanding was we have a mobile health  
22 crisis unit in the county already; is that  
23 right? We do. Okay. Do you know what their  
24 role is? You started to talk about it a  
25 little bit before. If you know, what do they

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2 typically do?

3 LEGISLATOR BYNOE: There are  
4 times when they are called directly and then  
5 there are times when called directly by a  
6 family member and there are times when they  
7 are called to accompany police to a situation  
8 that they know involves a mental health person  
9 suffering from mental health. So that's how  
10 it works from my understanding.

11 LEGISLATOR SCHAEFER: Do we get a  
12 lot of calls that involve mental health?

13 LEGISLATOR BYNOE: I don't have  
14 the statistics. That would probably be for  
15 the police commissioner.

16 LEGISLATOR SCHAEFER: I saw that  
17 you said something in here about either just  
18 expanding on the role of the current Nassau  
19 County Mobile Crisis team, where you were  
20 talking about creating Nassau County Police  
21 Department Mental Health Response Unit. Was  
22 that something that you foresee or maybe this  
23 is again maybe for the study. Is it staffed  
24 by police? Is it staffed by mental health  
25 professionals?

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2 LEGISLATOR BYNOE: There's  
3 various different models for that. It's  
4 playing out across the country.

5 LEGISLATOR SCHAEFER: That's what  
6 I figured. You would have information about  
7 other models.

8 LEGISLATOR BYNOE: There are  
9 several models to that. As stated, there  
10 could be a special task force within the  
11 police department or it could be an expansion  
12 of the mobile crisis unit. And there could be  
13 a third scenario that we might not have even  
14 thought of. The idea is for them to sit down  
15 and work on this issue and bundle up maybe  
16 potentially other ideas or figure out what's  
17 best for this county and how to move forward.  
18 That to me, working with the police  
19 commissioner and the commissioner of human  
20 services, the two experts in their  
21 representative fields, that they would be able  
22 to figure out how we can do better.

23 LEGISLATOR SCHAEFER: I think  
24 that's all I have.

25 LEGISLATOR NICOLELLO: Legislator

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2 Ferretti.

3 LEGISLATOR FERRETTI: Thank you  
4 Presiding Officer. Has anyone on the minority  
5 reached out to either of the commissioners to  
6 see if they support this legislation?

7 LEGISLATOR BYNOE: I spoke  
8 briefly with the commissioner of human  
9 services and the mobile crisis unit is already  
10 up and running. So, I don't think that there  
11 would be a problem with considering expanding  
12 it. And I have not spoken with the police  
13 commission on this issue. I've spoken with  
14 the previous police commissioner about the  
15 issue of mental health in so much that we  
16 pushed in special trainers. They came in and  
17 trained our police cadets in the academy in  
18 mental health first aid. I think there were  
19 over 400 plus cadets that came out from the  
20 academy trained in mental health first aid.  
21 I've been working on mental health as an issue  
22 throughout my tenure here, but I have not  
23 spoken to this police commissioner about this  
24 particular initiative.

25 LEGISLATOR FERRETTI: I'm not

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2 asking for you to speak for either of the  
3 commissioners but logistically at least these  
4 commissioners could form these committees on  
5 their own, couldn't they? It would not  
6 require legislation if they so chose to.

7 LEGISLATOR BYNOE: If they so  
8 chose to. Just like other committees that  
9 were birthed out of this legislature it could  
10 have been done without a resolution, correct?

11 LEGISLATOR FERRETTI: Thank you.

12 LEGISLATOR NICOLELLO: Legislator  
13 Schaefer.

14 LEGISLATOR SCHAEFER: I knew I  
15 had another one. I saw in here it said in the  
16 legislation it talks about approximately 840  
17 hours of instruction that police cadets get.  
18 But this is based on an international, you  
19 know, study I guess or report. And that only  
20 ten are devoted to mental illness. Now I know  
21 you've had some role in increasing some of the  
22 training. Do you know how many hours our  
23 police officers get for mental health  
24 training? Especially with the bill you put in  
25 a while back about increasing theirs.

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2 LEGISLATOR BYNOE: I don't know.  
3 I can't speak directly for the police  
4 academy. I know what I had worked towards  
5 with Police Commissioner Krumpter was to  
6 provide mental health first aid in the public  
7 safety component and that training was eight  
8 hours. But there was also additional  
9 instruction that was provided aside from that  
10 training.

11 LEGISLATOR SCHAEFER: So it's  
12 likely more than ten let's hope and that's  
13 good. Just my thoughts also, just because  
14 like everybody else on the legislature I think  
15 we see a lot of letters go back and forth and  
16 I think, and obviously I don't have a say in  
17 it, having someone from the respective unions  
18 be involved in this too so that any changes  
19 that could be made they can move forward with  
20 them. It doesn't have to be something where  
21 they want to make certain changes and then the  
22 unions are going to have a problem with it  
23 contractual. That's just my thoughts.

24 LEGISLATOR NICOLELLO: Anyone  
25 else? Just wanted to note for the record that

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2 we have received public comment. An email  
3 this morning from Susan Gottehrer, the  
4 director of the Nassau County section portion  
5 of the New York Civil Liberties Union.  
6 Comments with respect to the materials that  
7 are posted on I guess the clerk's page or the  
8 county's website in terms of what's on our  
9 agenda as well as the public comment period.  
10 She also has questions regarding how the  
11 committee is going to be formed, the  
12 formation, and that process.

13 I think perhaps Siela maybe if you  
14 want to get back to her before the next  
15 meeting might be useful.

16 Arnie just one other thing. At the  
17 next meeting we are going to seek to have the  
18 commissioner of human services and the  
19 commissioner of police here or their  
20 representatives. I really would like to hear  
21 from them in terms of their view points of  
22 this. And specifically with respect to the  
23 police department, maybe they can shed a  
24 little bit more light on what procedures, what  
25 processes they have in place already. I think

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2 that would be useful to hear. Again, I would  
3 like to hear from both of them as well. I  
4 think we all would.

5 Legislator Drucker.

6 LEGISLATOR DRUCKER: Thank you  
7 Presiding Officer. I just got an email though  
8 from Susan Gottehrer who requested that her  
9 statement be read into the record as has been  
10 the practice since we have gone into no  
11 public -- you know, people coming here  
12 personally. That public statements and the  
13 like are read into the record as we normally  
14 would. I just wanted to tell that she had  
15 sent me that email.

16 LEGISLATOR NICOLELLO: That  
17 actually is not the practice that we've had.  
18 We've had for the last three months plus. We  
19 have accepted the comments and made them part  
20 of the record and each legislator gets the  
21 comments. And to the extent that responses  
22 are needed then we can respond in that  
23 fashion. Specifically if there's an issue in  
24 a legislator's district that legislator can  
25 respond.

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2 But as I indicated, how it's  
3 perceived the committee will be formed and I  
4 think those are questions that perhaps those  
5 sponsors would be best be able to answer.

6 And in terms of the process at the  
7 legislature and/or the website of the county  
8 in terms of posted materials that is something  
9 that we will look at. Those are the two main  
10 points that she made.

11 LEGISLATOR DRUCKER: Just thought  
12 I would convey what I received.

13 LEGISLATOR NICOLELLO: Any other  
14 comments or discussion? Hearing none, all in  
15 favor signify by saying aye. Those opposed?  
16 Carries unanimously.

17 139 is a local law to extend the  
18 deadline -- I'm sorry, that's where we  
19 started. 153 of 2020 is a resolution setting  
20 forth the officers and employees deemed to  
21 hold policy-making positions for filing year  
22 2020, fiscal year 2019 annual statements of  
23 financial disclosure.

24 That will be moved by Minority  
25 Leader Abrahams. Seconded by Legislator

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2 Rhoads. Any debate or discussion on this  
3 item? Just as a reminder, they are due by  
4 August 15th. No debate or discussion? I'm  
5 sorry. August 10th they're due by. The  
6 statements are due August 10th.

7 No further debate or discussion?  
8 All in favor signify by saying aye. Those  
9 opposed? Carries unanimously.

10 155 is a resolution to authorize  
11 the transfer of appropriations heretofore made  
12 within the budget for the year 2020.

13 Moved by Legislator Bynoe.  
14 Seconded by Legislator DeRiggi-Whitton. Any  
15 debate or discussion? Hearing none, all in  
16 favor signify by saying aye. Those opposed?  
17 Carries unanimously.

18 156 and 157 these are ordinances  
19 supplemental to the annual appropriations  
20 ordinance in connection with the Office of  
21 Emergency Management and the police  
22 department.

23 Moved by Legislator Schaefer.  
24 Seconded by Deputy Presiding Officer Kopel.  
25 Any debate or discussion on these supplemental

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2 appropriations? Hearing none, all in favor  
3 signify by saying aye. Those opposed? Carries  
4 unanimously.

5 The next several items starting  
6 with 158 are resolutions to accept gifts  
7 offered by the Nassau County Police Department  
8 Foundation to the Nassau County Police  
9 Department. These are items 158, 159, 160,  
10 161, 162, 163, 164, 165, 166, 167.

11 Moved by Legislator  
12 DeRiggi-Whitton. Seconded by Legislator  
13 Schaefer.

14 Ms. Gottehrer in her comments had  
15 asked for additional information about what  
16 these gifts were. I will just go through a  
17 little bit of the backup. 158 is a donation  
18 of PPE for use by the police department.  
19 Surgical masks, N-95 masks, hand sanitizers,  
20 sanitizing wipes.

21 159 is also surgical masks. N-95  
22 masks. As well as boxes of Girl Scout  
23 cookies.

24 160 is face masks, bottled water et  
25 cetera.

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2 161 surgical masks, face shields.  
3 162 is PPE.  
4 163 is Nabisco cookies, Poland  
5 Spring water, hand sanitizers.  
6 164 is Easter candy and hand  
7 sanitizer.  
8 165 is N-95 masks, cleaning  
9 supplies, food values.  
10 166 surgical masks. Treo  
11 beverages.  
12 167 electric atomizer, surface  
13 cleaning gels et cetera. Those are the  
14 items. I'm relatively certain these food  
15 stuffs are probably given to those who are  
16 working the COVID epidemic and putting the  
17 time in and are unable to -- it's just a nice  
18 gesture for some people who are working during  
19 the COVID.  
20 In any event, those are those  
21 items. Any debate or discussion? Hearing  
22 none, all in favor signify by saying aye.  
23 Those opposed? They carry unanimously.  
24 168 and 169 these are resolutions  
25 authorizing the county executive to execute

1 Rules 7-13-20  
2 intermunicipal agreements with the  
3 incorporated village of Kensington in relation  
4 to a project to install automatic irrigation  
5 on parkland abutting Middle Country Road and  
6 to install fencing on Middle Neck Road.

7 169 is a similar agreement with the  
8 village of Massapequa Park in relation to a  
9 project for the renovation of basketball  
10 courts at Brady Park.

11 Moved by Legislator Kopel. Deputy  
12 Presiding Officer Kopel. Seconded by  
13 Legislator Rhoads. Any debate or discussion?  
14 Hearing none, all in favor signify by saying  
15 aye. Carries unanimously.

16 We have to move now to the second  
17 addendum. First addendum has contracts which  
18 we will consider after all these items are  
19 done.

20 Second addendum. I will need a  
21 motion to suspend the rules. Moved by  
22 Legislator Schaefer. Seconded by Legislator  
23 DeRiggi-Whitton. All in favor of suspending  
24 the rules signify by saying aye. Those  
25 opposed? Carries unanimously.

1 Rules 7-13-20

2 First item is 144. That's going to  
3 require an executive session. So that's going  
4 to be the last thing we do today.

5 170 and 171 these are ordinances  
6 supplemental to the annual appropriation  
7 ordinance in connection with the health  
8 department.

9 Moved by Minority Leader Abrahams.  
10 Seconded by Deputy Presiding Officer Kopel.  
11 Any debate or discussion? All in favor  
12 signify by saying aye. Those opposed?  
13 Carries unanimously.

14 172 is a resolution making certain  
15 determinations pursuant to the New York State  
16 SEQRA and authorizing the county executive on  
17 behalf of the county to execute an extension  
18 to a lease agreement between the Massapequa  
19 Union Free School District as landlord and the  
20 county of Nassau.

21 Moved by Legislator Rhoads.  
22 Seconded by Legislator Bynoe. Is there any  
23 debate or discussion on this item? Hearing  
24 none, all in favor signify by saying aye.  
25 Those opposed? Carries unanimously.

1 Rules 7-13-20

2 173 is a resolution authorizing the  
3 county executive to execute an intermunicipal  
4 agreement with the City of Long Beach with  
5 respect to assisting the county in  
6 representation, recommendation and defense of  
7 assessment challenges brought by municipal  
8 employees of the county.

9 This is moved by Legislator Bynoe.  
10 Seconded by Legislator Schaefer. Any debate  
11 or discussion on this item? We did the same  
12 thing last year. All in favor signify by  
13 saying aye. Those opposed? Carries  
14 unanimously.

15 175 is a resolution establishing a  
16 standard workday for elected officials in  
17 Nassau County who are members of the New York  
18 State and local retirement system.

19 Moved by Deputy Presiding Officer  
20 Kopel. Seconded by Minority Leader Abrahams.  
21 Any debate or discussion? Hearing none, all  
22 in favor signify by saying aye. Aye.

23 176 is a local law amending Local  
24 Law 18 of 1994 as last amended by Local Law 9  
25 of 2017 and as incorporated in Chapter 4 Title

1 Rules 7-13-20  
2 9 of the miscellaneous laws of the county in  
3 relation to imposing additional rates of sales  
4 and compensating use taxes authorized by  
5 Section 1210 of the tax law and continuing a  
6 local government assistance program authorized  
7 by Section 1262E of the tax law.

8 That is moved by Legislator  
9 Rhoads. Seconded by Legislator Schaefer. Any  
10 debate or discussion? Hearing none, all in  
11 favor signify by saying aye. Those opposed?  
12 Carries unanimously.

13 177 is a resolution authorizing the  
14 county executive to execute a grant agreement  
15 between the county acting on behalf of the  
16 Department of Parks and the Glen Cove Downtown  
17 District Management Association.

18 Moved by Legislator  
19 DeRiggi-Whitton. Seconded by Legislator  
20 Bynoe. Any debate or discussion on this,  
21 177? Hearing none, all in favor signify by  
22 saying aye. Those opposed? Carries  
23 unanimously.

24 Going back to the contracts. We  
25 are going to contracts. There are several in

1 Rules 7-13-20  
2 which the inspector general has flagged I  
3 guess with respect to disclosure statements  
4 and other such deficiencies that she's  
5 apparently still working with. What I'm going  
6 to do is call the rest of the items and then  
7 we will go back to the ones that she has  
8 issues with, and if they're not resolved by  
9 the end of the day we will wind up either not  
10 calling them or tabling them.

11 Here is what we're going to do. We  
12 are going to call all these items together,  
13 all the contracts together, at least with  
14 respect to the ones on the main calendar.  
15 When we get to ones that the IG has issues  
16 with we will make a motion to table with  
17 respect to those. But here we go.

18 Again, I'm calling all these items  
19 and as we go along if we need to table items  
20 we will.

21 Items A-8 and A-30 of 2020. These  
22 are resolutions authorizing the commissioner  
23 of shared services to award and execute a  
24 purchase order between the county of Nassau  
25 and Systems Engineering Technologies Corp. as

1 Rules 7-13-20

2 well as Cogsdale Corporation.

3 A-28 is a resolution ratifying the  
4 commissioner of shared services to award and  
5 execute a purchase order between the county  
6 and Solow and Company, Inc.

7 B-13, B-14, B-17, B-19, B-20, B-23  
8 resolutions authorizing the county executive  
9 to award and execute a contract or contract  
10 amendment between the county and DF Stone  
11 Contracting, Metro Paving L.L.C., WHM Plumbing  
12 and Heating Contractors, Safety Markings,  
13 Inc., Posillico Civil, Inc.

14 E-83, E-84, E-85, E-86, E-89, E-90,  
15 E-91, E-92, E-93, E-94, E-96, E-97, E-98, E-99  
16 resolutions authorizing the county executive  
17 to execute personal services agreements or  
18 amendments to personal service agreements  
19 between the county and Liro Program and  
20 Construction Management, Maximus Consulting  
21 Services, Inc., Leadership Training, Inc., KS  
22 Engineers, Gannett Fleming Engineers, Davis  
23 Vision, Inc., Atlantic Tactical, Inc., Cameron  
24 Engineers and Associates, Tomas Klimas, Inc.,  
25 N and P Engineering, Architecture, Bee Ready

1 Rules 7-13-20  
2 Fishbein Hatter and Donovan and the Zoghlin  
3 Group.

4 As to all of those items,  
5 Legislator Rhoads makes a motion and  
6 Legislator Schaefer seconds that motion. All  
7 those contracts are before us.

8 Start off with A-8 which is a  
9 contract with the police department and Sytech  
10 Corporation.

11 MR. FIELD: Good afternoon. I'm  
12 William Field, deputy inspector for the Nassau  
13 County Police Department's Personnel and  
14 Accounting Bureau.

15 Item A-8-20 is a contract between  
16 the county and Systems Engineering Technology  
17 Corp. Also known as Sytech. This is a sole  
18 source purchase request for an Adax Four, a  
19 system upgrade, which includes an upgrade to  
20 existing software that the county currently  
21 owns as well as new hardware to replace  
22 outdated and failing hardware. The upgrade is  
23 necessary to also bring our existing software  
24 up to current technology standards and to keep  
25 the Adax system functioning properly.

1 Rules 7-13-20

2 Sytech Adax Four collection system  
3 is a proprietary hardware-software system that  
4 the police department has been using since  
5 2004. Sytech is the sole provider of the  
6 system and does not use resellers.

7 Therefore, Sytech is the only  
8 vendor that can provider the county with the  
9 software upgrade and compatible hardware  
10 that's necessary for the Adax 4 system. This  
11 purchase is necessary to allow the police  
12 department to continue to provide state and  
13 local and federal agencies with technical  
14 support for court-ordered Title 3 wire taps.

15 The police department has  
16 determined that the upgrade to the existing  
17 software and the replacement of the outdated  
18 hardware is in the county's best interest as  
19 opposed to replacing it with a new system  
20 which would be cost prohibitive.

21 The maximum amount authorized under  
22 this purchase order is \$192,750.

23 LEGISLATOR NICOLELLO: Can you  
24 tell us what a Title 3 wire tap is?

25 MR. FIELD: In regards to that

1 Rules 7-13-20

2 I'm actually going to defer to detective  
3 lieutenant Devon Ross. He is our electronics  
4 squad supervisor and has the most expertise  
5 when it comes to the technical components that  
6 the Sytech Adax system 4 offers us.

7 MR. ROSS: A title 3 wire tap is  
8 an eavesdropping warrant. It's audio and  
9 data.

10 LEGISLATOR NICOLELLO: These are  
11 wire taps that are ordered by pursuant -- done  
12 pursuant to court order?

13 MR. ROSS: Never. Always  
14 pursuant to court order.

15 LEGISLATOR NICOLELLO: That was  
16 the only question I had. Anyone else have any  
17 questions about this? Thank you. I think we  
18 have two other police contracts. We will hear  
19 Cogsdale as well although we might wind up  
20 holding that. Tabling that. A-30 is the  
21 contract with Cogsdale Corp.

22 MS. STANTON: Nancy Stanton, IT  
23 commissioner. Cogsdale Corporation. This is  
24 the annual renewal for maintenance and support  
25 for the county's data warehouse. Software

1 Rules 7-13-20  
2 supporting our county financial system known  
3 as Famous. This request is for \$118,925.28.  
4 The term is July 1, 2020 through June 30,  
5 2021.

6 LEGISLATOR NICOLELLO: Sergio.

7 MR. BLANCO: Sergio Blanco from  
8 the comptroller's office. We're here to  
9 answer any questions if asked from  
10 comptroller's office as we are one of the  
11 departments that use these services.

12 LEGISLATOR NICOLELLO: Any  
13 questions? I think we're good. Thank you  
14 Sergio. A-92. That's the contract with  
15 Atlantic Tactical.

16 MR. FIELD: Good afternoon. Item  
17 E-92-2020 is a contract between the police  
18 department and Atlantic Tactical. This is an  
19 amendment to an existing contract to provide  
20 the police department with uniform services.  
21 It is to exercise a one year remaining option  
22 and to renew the term of the contract through  
23 the end of 2020. An RFP was initially issued  
24 in June of 2015. Two vendors submitted  
25 proposals in response and Atlantic Tactical

1 Rules 7-13-20  
2 was the highest scoring proposer.

3 LEGISLATOR NICOLELLO: Any  
4 questions? Thank you inspector.

5 Good. How you doing?

6 MS. FRANZESE: Jodi Franzese,  
7 inspector general for Nassau County. Hello.  
8 So, we had a lot of contract review forms that  
9 we sent to you I realize. Should I go through  
10 them? Would it be easier to start with the --  
11 those are done first?

12 LEGISLATOR NICOLELLO: Unless  
13 anyone has a question with respect to those  
14 that have been done and satisfactory I think  
15 we'll just go to the ones that have not  
16 received all information on.

17 MS. FRANZESE: The only two that  
18 we are waiting on information from the  
19 departments is Gannett Fleming Engineers and  
20 Architects. That's E-90 and E-93.

21 LEGISLATOR NICOLELLO: That's  
22 it?

23 MS. FRANZESE: There's one more.  
24 And the other one that we haven't received any  
25 information yet from the department is

1 Rules 7-13-20

2 A-30-2020. The remaining we either didn't  
3 find anything of note or we did and the  
4 department submitted appropriate forms and  
5 information so that we're not going to take  
6 any further action.

7 LEGISLATOR NICOLELLO: So the  
8 only ones right now where information is  
9 outstanding are A-30, E-90 and E-93.

10 MS. FRANZESE: Yes. That's  
11 right. Nice to see you.

12 LEGISLATOR DERIGGI-WHITTON: I  
13 just have one quick question. Can you just  
14 describe the information that you still need?

15 MS. FRANZESE: Sure. Gannett  
16 Fleming we found it seems that the vendor  
17 failed to disclose several of its affiliates  
18 and we haven't seen them amend their forms yet  
19 and we haven't gotten contact from the  
20 department that they did that yet. That's  
21 that one.

22 The second one is Cogsdale  
23 Corporation. They also failed to disclose an  
24 affiliated company on their business history  
25 form. And also one of the vendor's vice

1 Rules 7-13-20

2 president failed to disclose that he is the  
3 vice president of another company which is an  
4 affiliate of the vendor. It seems that they  
5 have numerous vice presidents that didn't  
6 submit principal questionnaire forms. We  
7 haven't gotten to the end of that yet.

8 LEGISLATOR DERIGGI-WHITTON: So  
9 what do you suggest? That we table those?

10 MS. FRANZESE: I have been told  
11 that they are working on it right now. If you  
12 were to push it to the end I don't know if  
13 they can get it done by the end of your  
14 session.

15 It's not going to happen? It's not  
16 going to happen.

17 LEGISLATOR NICOLELLO: Legislator  
18 Schaefer.

19 MS. FRANZESE: So Gannett is not  
20 going to be done by today, the work that the  
21 department is doing. And Cogsdale will get  
22 done?

23 LEGISLATOR NICOLELLO: Nancy are  
24 you still on the call?

25 MS. STANTON: Yes, Nancy is

1 Rules 7-13-20  
2 here. We did reach out to the vendor this  
3 morning. It seems that their parent company  
4 is Constellation and then they have Harris and  
5 Cogsdale beneath them. They are updating the  
6 disclosure form so that only EVP of Cogsdale  
7 did and I'm surprised it hasn't been sent over  
8 yet.

9 LEGISLATOR NICOLELLO: We are  
10 going to table that and the Gannett contracts  
11 and if you get us the information to the  
12 satisfaction of the inspector general's office  
13 we will move on Cogsdale today. If not, we  
14 will be having another Rules Committee in  
15 three weeks.

16 MS. STANTON: Thank you.

17 LEGISLATOR SCHAEFER: I had a  
18 quick question. Are both of these vendors new  
19 to our contracting process?

20 MS. FRANZESE: No.

21 MS. STANTON: No, they're not.  
22 Cogsdale is the sole source that we have been  
23 using for years. It's for our financial  
24 system. And I'm not really sure what went  
25 wrong here. But they are -- Constellation is

1 Rules 7-13-20

2 the parent company, the umbrella, and the  
3 other companies fall underneath it. There's  
4 only one EVP that works for Cogsdale and I  
5 guess he misstated something on the form. So  
6 they are working on it now. We are watching  
7 emails go back and forth.

8 LEGISLATOR SCHAEFER: Thank you.

9 LEGISLATOR NICOLELLO: Thank  
10 you. Take a motion to table items A-30 of  
11 2020, E-90 and E-93 of 2020. Moved by  
12 Legislator Schaefer. Seconded by Deputy  
13 Presiding Officer Kopel. All in favor of  
14 tabling signify by saying aye. Those  
15 opposed? Carries unanimously.

16 Next contract is A-28 of 2020. It  
17 is an agreement involving Emergency Management  
18 with Solow and Company. Do we have anyone  
19 here to speak on A-28?

20 MR. NOLAN: Good afternoon.  
21 Chris Nolan from the Office of Management and  
22 Budget. This is a purchase order that we are  
23 asking you to ratify. It was an emergency  
24 purchase for three-ply surgical masks, 250,000  
25 of them, in the amount of \$150,000 total.

1 Rules 7-13-20

2 These were purchased early on, about two  
3 months ago, and the average cost for those  
4 masks was 60 cents, which was a very good  
5 price at that point in time.

6 LEGISLATOR NICOLELLO: Is this  
7 covered by CARES Act funding?

8 MR. NOLAN: Yes. We should be  
9 able to get it back through either CARES Act  
10 or FEMA funds.

11 LEGISLATOR NICOLELLO: Legislator  
12 Rhoads.

13 LEGISLATOR RHOADS: Just a quick  
14 procedural question. When these contracts are  
15 actually I guess being -- when vendors are  
16 selected by emergency to provide services, do  
17 we typically comply with our usual MWBE  
18 requirements or no?

19 MR. NOLAN: I know that every  
20 attempt is made to reach out to as many  
21 responsible vendors as possible. I can't  
22 speak to this specific effort on this one, but  
23 I believe that is the practice that they look  
24 to see where ever they can get it from. In  
25 this case sourcing surgical masks at one time

1 Rules 7-13-20

2 was very difficult. So I can't speak to the  
3 exact answer that you're -- the exact question  
4 that you're asking.

5 LEGISLATOR RHOADS: Do we have  
6 any knowledge as to what attempts we made in  
7 this particular case?

8 MR. NOLAN: Tom Delaney is I  
9 believe on. He could speak to what efforts he  
10 pursued in order to execute this purchase  
11 order. Tom.

12 MR. DELANEY: This is Tom  
13 Delaney, Office of Emergency Management. You  
14 guys copy?

15 LEGISLATOR RHOADS: Yes, we hear  
16 you.

17 MR. DELANEY: As we all know,  
18 during the beginning of this emergency event  
19 it was extremely difficult to try to obtain  
20 any PPE from our normal channels. That would  
21 include great companies living Granger,  
22 Vasenol. But we had put in orders very early  
23 on in the incident. They are in fact still  
24 standing waiting to be delivered.

25 We've reached out to find uncommon

1 Rules 7-13-20  
2 sources to secure vital PPE including face  
3 masks that needed to protect our employees and  
4 others performing emergency response work.  
5 The price that we obtained from Draxcello at  
6 60 cents each was by far the best price I had  
7 seen at the time that we made this  
8 procurement. Other vendors were charging  
9 double that price. So we did make a best  
10 effort that we could but we needed to get this  
11 emergency PPE in and we could not wait for our  
12 normal channels to deliver.

13 LEGISLATOR RHOADS: Thank you.

14 LEGISLATOR NICOLELLO: Next  
15 contract is they're going to be public works  
16 contracts. Starting with B-13. DF Stone  
17 Contracting.

18 MR. ARNOLD: Ken Arnold, public  
19 works. DF Stone is a contract amendment to  
20 restore funds that were utilized on the  
21 Wheatley Road emergency project. Looking to  
22 raise the cap by \$2 million.

23 LEGISLATOR NICOLELLO: Any  
24 questions? No? Go to the next one.

25 MR. ARNOLD: B-14. B-14 is a

1 Rules 7-13-20  
2 resurfacing phase PR5. It covers  
3 approximately 65 lane miles of road. We had  
4 five bidders. Metro was the second lowest  
5 bidder. The lowest bidder was found  
6 nonresponsive and was eliminated. Metro is  
7 below the engineer's estimate and they're  
8 using MWBE at 3.5 percent.

9 LEGISLATOR NICOLELLO: Quick  
10 question on repaving in general. How did you  
11 do during the peak of the pandemic? No one  
12 was on the roads. Were you able to accomplish  
13 more repaving at that time?

14 MR. ARNOLD: Unfortunately most  
15 of that was before all our contracts were in  
16 place. We did a little bit of work. We were  
17 able to do a couple of roads during the day  
18 that normally we would have to do at night.  
19 But it was a little bit before we were ready  
20 to go. We didn't get really started with the  
21 weather until April.

22 LEGISLATOR NICOLELLO: Anyone  
23 else have any questions? Mr. Rhoads.

24 LEGISLATOR RHOADS: I just for  
25 the record want to say that Merrick Road was

1 Rules 7-13-20

2 done.

3 LEGISLATOR NICOLELLO: Legislator  
4 DeRiggi-Whitton.

5 LEGISLATOR DERIGGI-WHITTON: Were  
6 the funds necessary for these two items were  
7 they already bonded for?

8 MR. ARNOLD: We have  
9 approximately at the start of the season we  
10 have \$42 million of cash proceeds for our  
11 resurfacing program. That gets us about 140  
12 150 lane miles of road. In addition, we  
13 applied for our TRIPS funding which was  
14 another I think five and a half million  
15 dollars. So we're hoping to get somewhere  
16 around 160 lane miles of road done. PR3 along  
17 with PR1 and two would all fit under that  
18 funding.

19 The only condition that can come up  
20 is utility conflicts that may delay the  
21 projects towards the end. The three PRs that  
22 you have seen to date are all funded with the  
23 cash proceeds we have. We'll be representing  
24 a couple of more contracts either next session  
25 or the session after, which is phases 62, 65

1 Rules 7-13-20

2 and 66. Cash proceeds will be problematic for  
3 those stages and we will have to figure out  
4 how we are going to proceed at that point.

5 LEGISLATOR DERIGGI-WHITTON: So  
6 two the million for the prior contract is also  
7 covered?

8 MR. ARNOLD: DF Stone is an  
9 emergency contract. That can be funded from a  
10 number of sources. If any emergency does  
11 arise we will work with OMB on our cash  
12 proceeds to address the emergencies.

13 LEGISLATOR DERIGGI-WHITTON: I've  
14 heard that we might have some type of lists  
15 within the next like couple of weeks as to  
16 what projects such as streetscape which would  
17 not be under the paving, right?

18 MR. ARNOLD: Correct. The  
19 streetscapes is a different funding sources.  
20 They typically have their own capital  
21 projects. And yes, the department working  
22 with OMB is putting together a priority list  
23 of safety related projects for the cash  
24 proceeds that we currently have.

25 LEGISLATOR DERIGGI-WHITTON: Do

1 Rules 7-13-20

2 you have any idea in your mind as to how many  
3 will have to be cancelled or postponed?

4 MR. ARNOLD: Not at this time.

5 We are proceeding with all designs because we  
6 also want to be ready for shovel-ready  
7 projects in case there's stimulus program. So  
8 designs have not slowed down because of this  
9 issue. But certain construction projects  
10 have, yes.

11 LEGISLATOR DERIGGI-WHITTON:

12 Hopefully we will have that list in the next  
13 week or two?

14 MR. ARNOLD: Probably be a little  
15 bit longer than that.

16 LEGISLATOR NICOLELLO: Any other  
17 questions? B-17.

18 MR. ARNOLD: B-17 is the Bay Park  
19 rehab of the effluent screens disinfectant  
20 facility. It's under the county's 428  
21 program, which means it's 100 percent  
22 reimbursed. We had five bidders. WHM was the  
23 lowest responsible bidder. And the MWBE is at  
24 20 percent.

25 LEGISLATOR NICOLELLO: Is this

1 Rules 7-13-20

2 limited to Bay Park?

3 MR. ARNOLD: Yes. This is just a  
4 Bay Park project through the funding that we  
5 got through FEMA to do upgrades.

6 LEGISLATOR NICOLELLO: Deputy  
7 Presiding Officer Kopel.

8 LEGISLATOR KOPEL: Thank you.  
9 Ken, I see -- how long will it take for these  
10 things to be fabricated and installed?

11 MR. ARNOLD: This project, I  
12 don't have in front of me, typically projects  
13 like this take 18 to 24 months.

14 LEGISLATOR KOPEL: Right now  
15 three out of the four are not working?

16 MR. ARNOLD: Correct. We are  
17 maintaining the units to keep the one working.

18 LEGISLATOR KOPEL: You're sure  
19 that you'll be able to keep -- it sounds like  
20 we're in a potential catastrophic situation  
21 here.

22 MR. ARNOLD: Effluent screening  
23 is a polishing. While we want to keep the  
24 screens operating for permit, if there was an  
25 emergency we would go out and address it as an

1 Rules 7-13-20

2 emergency. Once we have this contract on  
3 board we have a little more leeway to get  
4 certain things done quicker if we have to.

5 LEGISLATOR KOPEL: If I  
6 understand you correctly then if this thing  
7 failed it would not --

8 MR. ARNOLD: It's a polishing of  
9 what goes into Reynolds Channel. So yes, we  
10 want to keep the screens running but it's not  
11 a --

12 LEGISLATOR KOPEL: Not the end of  
13 the world.

14 MR. ARNOLD: Not the end of the  
15 world. But it is a permit requirement to have  
16 effluent screens at Bay Park.

17 LEGISLATOR KOPEL: Would it  
18 affect the permit then?

19 MR. ARNOLD: Yes. We would have  
20 to work with the state on how to address that.

21 LEGISLATOR NICOLELLO: Legislator  
22 Walker.

23 LEGISLATOR WALKER: Thank you  
24 Ken. Can I ask how long have the three that  
25 are not working have they not been working?

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2 MR. ARNOLD: I don't have that  
3 stuff in front of me. I know it's been quite  
4 a bit of time that we've had issues with the  
5 effluent screens. But I believe part of the  
6 challenge is that we couldn't take the whole  
7 plant down at the same time to do all the  
8 repairs and everything at once. So we had to  
9 prioritize what we worked on first. That's  
10 why the effluent screens disinfectant facility  
11 is one of the later things that we are doing.

12 LEGISLATOR WALKER: Okay. Thank  
13 you.

14 LEGISLATOR NICOLELLO: The backup  
15 indicates that the bids were opened nearly two  
16 years ago. Do you know why this was delayed  
17 to this point?

18 MR. ARNOLD: We had some issues  
19 with disclosures. We had issues just  
20 prioritizing the work to get the package put  
21 together. I had both my engineers that do  
22 this work retire. We've had new staff on.  
23 Brought them up to speed. Some of this should  
24 have happened nine months ago but we are doing  
25 the best we can do.

1 Rules 7-13-20

2 LEGISLATOR NICOLELLO: Is this  
3 eligible for FEMA reimbursement?

4 MR. ARNOLD: One hundred  
5 percent.

6 LEGISLATOR NICOLELLO: And the  
7 delay then is not --

8 MR. ARNOLD: Not impact it.

9 LEGISLATOR NICOLELLO: Any other  
10 questions? Let's move on to the next two  
11 together, right?

12 MR. ARNOLD: Yeah. B-19 and  
13 B-20. I'll read them together. B-19 and B-20  
14 are paving marking contracts. That's our  
15 lines on the roads for those that may not  
16 know. And symbols. Both are 80 percent  
17 reimburse by New York State DOT. In both  
18 cases Safety Markings was the only bidder on  
19 the project. The department looked at this  
20 and there are no really other competition for  
21 Safety Markings in this area. It's a similar  
22 thing that New York State goes through. And  
23 Safety Marking does all our subcontracting  
24 work on our resurfacing project.

25 We did receive New York State

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2 concurrence for utilizing Safety Markings and  
3 they have been working with us for over the  
4 last five years on all our work at a minimum.

5 LEGISLATOR NICOLELLO: Any debate  
6 or discussion or questions? Go to B-23.

7 MR. ARNOLD: B-23 is another FEMA  
8 project through our 428 program for the  
9 reconstruction of the East Avenue ejector  
10 station. It's 100 percent reimbursed. We had  
11 four bids. Posillico was the second lowest  
12 bidder. The lowest bidder, RJ, withdrew their  
13 bid when they did their bid analysis and  
14 realized they missed a major component of the  
15 bid.

16 The MWBE is at ten percent for this  
17 project. It's a little lower than we like but  
18 this is a smaller project and it's hard to get  
19 20 percent on the smaller projects.

20 LEGISLATOR NICOLELLO: Any  
21 questions? Minority Leader Abrahams.

22 LEGISLATOR ABRAHAMS: Ken, to  
23 item E-19 it's kind of hard to hear on my  
24 device. Are we still discussing B-19 and  
25 B-20?

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2 LEGISLATOR NICOLELLO: Yes.

3 LEGISLATOR ABRAHAMS: Thank you.

4 My question as it relates to the backup from  
5 what we can tell from the backup that the  
6 company in question Side Markings.

7 MR. ARNOLD: Safety Markings.

8 LEGISLATOR ABRAHAMS: I  
9 apologize. I believe there was some issues in  
10 regards to a local lawsuit that was filed or  
11 discriminatory hostile racial environment at  
12 their particular site. From what I can tell  
13 from the backup the Connecticut DOT as well as  
14 the New York Department of Transportation both  
15 did not find anything in their audit that  
16 indicated that. However, the two individuals  
17 that did file the lawsuit also indicated I  
18 guess they actually won their lawsuit and  
19 there was some payment made. Substantial.

20 My question is more related to,  
21 one, are you satisfied with the fact that the  
22 audit that was done by New York State and the  
23 Connecticut Department of Transportation is a  
24 satisfactory demonstration that Safety  
25 Markings has basically ensured that their

1 Rules 7-13-20  
2 employees are working in a safe and not  
3 hostile, racially charged environment?

4 And two, what would give you that  
5 level of comfortability? Have you brought  
6 this up with Safety Markings? I know they  
7 disclosed it on the forms but I'm not too sure  
8 if it came up in discussions after they were  
9 awarded.

10 MR. ARNOLD: The department did  
11 their due diligence on this issue and we are  
12 comfortable with their responses.

13 LEGISLATOR ABRAHAMS: Describe  
14 the due diligence the department has done.

15 MR. ARNOLD: We spoke to them  
16 about the backup on what occurred. They  
17 responded and they put in processes that look  
18 to avoid it in the future. We also talked to  
19 New York State DOT who utilizes them on many  
20 contracts and they felt the same.

21 LEGISLATOR ABRAHAMS: From your  
22 standpoint, you are confident that Safety  
23 Markings corrected issues that they had in  
24 their referenced lawsuit and they do not have  
25 an environment that is discriminatory or in

1 Rules 7-13-20

2 any way racially insensitive or a hostile work  
3 environment?

4 MR. ARNOLD: Yes.

5 LEGISLATOR ABRAHAMS: Okay.

6 LEGISLATOR NICOLELLO: Any other  
7 questions? Hearing none, move on to the next  
8 one, B-23.

9 MR. ARNOLD: I read my statement  
10 on B-23.

11 LEGISLATOR NICOLELLO: Any  
12 questions on B-23? Let's go to the next two,  
13 both with Liro.

14 MR. ARNOLD: E-83 is an amendment  
15 to the department's on call project management  
16 contract with Liro. We are looking to extend  
17 it for two years. There's no additional  
18 funding required. The main reason we are  
19 extending this contract is that they are  
20 involved with our tank program working with  
21 our department staff in all our compliance  
22 issues in responding.

23 Liro, we are looking to replace  
24 this contract. We have a draft that should go  
25 out probably within the next month or so for

1 Rules 7-13-20  
2 the tank program specifically. Not a project  
3 management contract. But in the interim I  
4 want to make sure we have continued coverage  
5 for this work. This contract actually expires  
6 August 8th. So it's not a retro.

7 LEGISLATOR NICOLELLO: Next one.

8 MR. ARNOLD: E-85 is an amendment  
9 for the Cedar Creek construction management  
10 contract associated with the effluent screens  
11 and disinfectant facility. This is a retro  
12 contract. Expired on May of 2020. The  
13 amendment is to increase the cap and to add an  
14 additional year.

15 LEGISLATOR NICOLELLO: Any  
16 questions as to these two contracts? Hearing  
17 none, why don't we skip -- next one is KS  
18 Engineers.

19 MR. ARNOLD: E-89 is a design  
20 contract for the rehab of the Cutter Mill Road  
21 Bayview Avenue Bridge over the Long Island  
22 Railroad. Four firms submitted. KSE was the  
23 highest technically ranked and also was the  
24 lowest cost. KSE is a minority business  
25 enterprise and they're also using a WBE for

1 Rules 7-13-20

2 surveying. So this contract will have 90  
3 percent MWBE. This project design is  
4 reimbursed in New York State at 80 percent.

5 LEGISLATOR NICOLELLO: Is this  
6 bridge a county bridge or is it owned by the  
7 railroad?

8 MR. ARNOLD: It's a county  
9 bridge. We would not work on it unless it was  
10 our responsibility.

11 LEGISLATOR NICOLELLO: Okay. I  
12 guess we're not calling -- we already tabled  
13 Gannett Fleming.

14 MR. ARNOLD: Yes. That's takes a  
15 little bit of work. They're a large company  
16 and the affiliate will require some research.  
17 I don't want to rush it today.

18 LEGISLATOR NICOLELLO: As I said,  
19 we will schedule a Rules Committee on the  
20 third. If it's done by then we will consider  
21 it then. E-94.

22 MR. ARNOLD: E-94 is a  
23 retrocontract. I apologize for the delay on  
24 getting this one to you. It's an amendment  
25 for time only associated with our Bonds Avenue

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2 Hempstead pump station. It's only for time.

3 There's adequate funding in the contract.

4 LEGISLATOR NICOLELLO: Any

5 questions on E-94? Go ahead to Nelson and

6 Pope E-96.

7 MR. ARNOLD: E-96 is the

8 construction management contract associated

9 with the pavement marking contract that we

10 just heard for Safety Markings. Nelson and

11 Pope will oversee the work for those two

12 contracts under this. This is also a New York

13 State reimbursed contract. The MWBE is at 21

14 percent. We had five proposals. Nelson Pope

15 was the highest ranked and best value to the

16 county.

17 LEGISLATOR KOPEL: Sorry. Just

18 for my own education. What kind of management

19 do you need for pavement markings?

20 MR. ARNOLD: We need somebody at

21 the sites to make sure the roads are clear.

22 We need to inspect the work to make sure it's

23 done properly on it's layout. I mean pavement

24 markings I'm always amazed at the detailed

25 drawings that are associated with putting

1 Rules 7-13-20  
2 marks on the road because of liability. And  
3 also to work on all the paperwork and  
4 requirements for New York State for  
5 reimbursement for both contractors' work.

6 LEGISLATOR KOPEL: So the  
7 contractor themselves don't have all this  
8 in-house?

9 MR. ARNOLD: We have to have  
10 oversight on what the contractor does for the  
11 purposes of making sure it's all done  
12 properly.

13 LEGISLATOR KOPEL: Okay.

14 LEGISLATOR NICOLELLO: Any other  
15 questions on this contract? Hearing none,  
16 while you are up Ken we have two contracts  
17 that previously came before the committee that  
18 we are going to untable. So why don't we take  
19 care of them at the same time. First one --  
20 actually we'll untable both of them at the  
21 same time. Both of which were tabled because  
22 of discussions with the CSEA.

23 The two contracts are B-8 of 2020,  
24 a contract between public works and Welsbach  
25 Electric Corp. of Long Island.

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2 And E-66, a contract between the  
3 public works department and Greenman  
4 Pederson.

5 Legislator Schaefer makes a motion  
6 to untable. Legislator DeRiggi-Whitton  
7 seconds that. All in favor of untabling  
8 signify by saying aye. Those opposed?  
9 Carries unanimously. Why don't you go over  
10 these contracts?

11 MR. ARNOLD: Thank you. B-8 and  
12 E-66 are both associated with the traffic  
13 management center. B-8 is with Welsbach and  
14 it covers the in-field maintenance and  
15 operation of the cameras, the controllers and  
16 everything associated with bringing data back  
17 to the management center.

18 E-66 is a personal services  
19 contract with Greenman Pederson and that is  
20 our staff that manages, not manages but  
21 maintains 24-7 presence in the control room  
22 and puts out changes to the system as required  
23 and notifications of items that we get back to  
24 the public. We have a website, we have a  
25 Facebook page, we have a lot of different ways

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2 that we put information on what is occurring  
3 on our roads back to the public.

4 In addition, we request utilities  
5 to inform us of road closures and when they do  
6 this is all put on our website as information.

7 LEGISLATOR NICOLELLO: Any  
8 questions about these two contracts? Hearing  
9 none, I think that's it for public works  
10 contracts. Thanks.

11 Next contract is E-84. It is a  
12 contract with the Maximus Consulting Services,  
13 Inc. and the comptroller's office.

14 MR. BLANCO: Good afternoon.  
15 Sergio Blanco from the comptroller's office.  
16 Thank you for giving me the opportunity here  
17 to present this contract. This is again a  
18 contract with Maximus Consulting Services.  
19 They help us create our indirect cost  
20 allocation plan. It is a wonderful contract.  
21 We spend just under \$30,000 and we actually  
22 recovered almost \$2.7 million in 2019 as a  
23 result of these services. So I'm very excited  
24 for this to go forward.

25 I should note that we expect to

1 Rules 7-13-20  
2 issue an RFP this month or early in August for  
3 these very same services going forward. So  
4 this will be last amendment with this vendor.  
5 Thank you.

6 LEGISLATOR NICOLELLO: Any  
7 questions? Sounds like you got the better of  
8 this deal.

9 MR. BLANCO: Yes, sir.

10 LEGISLATOR NICOLELLO: No  
11 questions? Move on to the next one. Thank  
12 you Sergio. Probation department. Next  
13 contract is E-86, 2020, a contract with the  
14 Leadership Training Institute, Inc.

15 MR. SCHRILLO: This is Joe  
16 Schrillo, fiscal officer, county department of  
17 probation. This is a contract for educational  
18 services provided at the juvenile detention  
19 center. The dollar amount is \$342,342.

20 LEGISLATOR NICOLELLO: Could you  
21 just repeat your name for the record.

22 MR. SCHRILLO: Joe Schrillo,  
23 fiscal officer for the Nassau County  
24 Department of Probation fiscal.

25 LEGISLATOR NICOLELLO: Any

1 Rules 7-13-20  
2 questions on this contract? Hearing none,  
3 thank you. Move on to the next one. Next one  
4 is with human resources and Davis Vision, Inc.  
5 Speaker for human resources? This is the  
6 contract with Davis Vision.

7 MS. HORST: Marissa are you on  
8 the line?

9 MS. HOWARD: Marissa Howard,  
10 director of human resources. Item E-91-20 is  
11 a ten year amendment contract between the  
12 county and Davis Vision, the county's eye  
13 provider. There is no increase in cost per  
14 relief for the contract period. It's good  
15 through the end of the year.

16 LEGISLATOR NICOLELLO: Any  
17 questions? Thank you. Next one is human  
18 services and Tomas Klimas-Mikalauskas. Anyone  
19 here from human services?

20 MR. HALL: Brian Hall from human  
21 services. This is a contract with Tomas  
22 Klimas. He's one of our lawyers who goes to  
23 the mental health court and he takes care of  
24 the AOL and some other items that they have to  
25 do in the courts. This is 100 percent grant

1 Rules 7-13-20  
2 funded by New York State Office of Mental  
3 Health.

4 LEGISLATOR NICOLELLO: Any  
5 questions? Thank you Brian. Next three  
6 contracts are with the county attorney's  
7 office. First two are with the law firm of  
8 Bee, Ready, Fishbein, Hatter and Donovan.  
9 They are 97 and 98.

10 MS. KALPAKIS: Good afternoon.  
11 County attorney Jessica Moninares Kalpakis.  
12 I'm here to answer any questions you may have.

13 LEGISLATOR NICOLELLO: If you can  
14 give us just a brief overview of what the two  
15 contracts are for. Two contracts with Bee  
16 Ready.

17 MS. KALPAKIS: We have two  
18 contracts. They are separated by subject  
19 matter. One relates to labor and employment  
20 discrimination matters, and the second  
21 contract, E-98, relates to wage and hour  
22 matters under the Fair Labor Standards Act.

23 LEGISLATOR NICOLELLO: Any  
24 questions on these two? Why don't you cover  
25 the third contract. I think it's Zoghlin

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2 Group. I don't know if that goes through the  
3 Office of Legal Counsel for the planning  
4 commission.

5 MS. KALPAKIS: Excuse me. E-99?

6 LEGISLATOR NICOLELLO: Yes.

7 MS. KALPAKIS: That's a contract  
8 for counsel services with the Zoghlin Group.  
9 That's the legal services to be provided to  
10 the Nassau County Planning Commission.

11 LEGISLATOR NICOLELLO: Is that  
12 with respect to a specific matter or in  
13 general?

14 MS. KALPAKIS: Generally  
15 speaking. It relates to providing legal  
16 interpretations under the New York State  
17 Environmental Quality Review Act which relates  
18 to the Willow View Estates project, also known  
19 as the Woodmere Country Club.

20 LEGISLATOR NICOLELLO: Any  
21 questions? We're good. Thank you.

22 MS. KALPAKIS: Thank you.

23 LEGISLATOR NICOLELLO: Why don't  
24 we have a vote on these contracts that are  
25 before us and then we're going to move on to

1 Rules 7-13-20  
2 the three addendums which we will cover  
3 separately. But these are all the contracts  
4 that have been called with the exception of  
5 A-30, E-90, E-93. Those three are tabled but  
6 these are all the rest of the contracts we  
7 have heard about today. All in favor signify  
8 by saying aye. Those opposed? They carry  
9 unanimously.

10 Now we move to the addendum. We've  
11 already had a motion to suspend the rules. We  
12 have three contracts on the addendum. First  
13 addendum. E-79, E-80 and E-82.

14 E-79 is a resolution authorizing  
15 the county executive to execute a personal  
16 services agreement between the county of  
17 Nassau and Coliseum Kitchen, Inc.

18 E-80 and 82 are resolutions  
19 authorizing the county executive to execute a  
20 license agreement between the county and  
21 Lessings, Inc. and Culinart Group Inc.

22 That's moved by Legislator  
23 DeRiggi-Whitton. Seconded by Legislator  
24 Bynoe. Those contracts are before us. Who do  
25 we have to speak about these things?

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2 MS. KASO: Victoria Kaso from the  
3 parks department. So, E-79 is a license  
4 agreement for the operation and promotion of  
5 catering services for special events and  
6 picnics in Nassau County parks. This is  
7 intended to be one of three options that will  
8 be able to provide residents so that they have  
9 a selection of different caterers to choose  
10 from for their permitted picnics. They will  
11 be paying the county 12 percent of gross  
12 receipts for their permits.

13 LEGISLATOR NICOLELLO: Legislator  
14 Rhoads.

15 LEGISLATOR RHOADS: Good  
16 afternoon. Just in my understanding of the  
17 backup material is that these aren't -- E-79  
18 for example is with respect to specific  
19 parks. My understanding is this isn't to  
20 provide residents with a menu of options from  
21 which to choose. These three contracts are  
22 for services to be provided at specific  
23 locations. There is no overlap between the  
24 three.

25 MS. KASO: No. This is

1 Rules 7-13-20  
2 specifically for permitted picnics. All three  
3 caterers that we are hoping to eventually have  
4 agreements with will be options for each  
5 park. There's no exclusivity with the  
6 permitted picnic caterers.

7 LEGISLATOR RHOADS: Looking at  
8 E-79 of '20. It's Coliseum Kitchen is  
9 providing services at Eisenhower, North  
10 Woodmere Park, Bay Park, Christopher Morley,  
11 Wantagh Park, Mitchel Athletic Complex, Inwood  
12 Park, Grant Park, Centennial Park, Reverend  
13 Mackey Park, Cedar Creek, Washington Avenue  
14 Park, Garvey's Point Museum and Preserve,  
15 Tackapusha and all preserves except  
16 Elderfields, Bailey Arboretum, the Holocaust  
17 Center, Sands Point Preserve, Chelsea Mansion  
18 and grounds and Cedarmere.

19 Then you have the Culinart Group  
20 which is to provide catering operations at  
21 Chelsea Mansion, which is specifically  
22 excluded from the other agreement. And then  
23 you have Lessings Incorporated which is to  
24 provide catering operations solely at Old  
25 Bethpage Village Restoration.

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2 How is that providing residents  
3 with a choice? In other words, if I want to  
4 go to Wantagh Park I can only deal with one  
5 vendor not three.

6 MS. KASO: No. The other two  
7 caterers that we are intending on having those  
8 contracts are not before you yet. They are  
9 still getting departmental approvals. So  
10 Lessings and Culinart are both for -- Lessings  
11 is obviously is for the barn at OBVR and then  
12 Culinart is for Chelsea Mansion. Those are  
13 for the catering and marketing of private  
14 gatherings such as weddings. And they're  
15 contributing a much more significant amount of  
16 revenue to the county in their contracts.

17 The other picnic caterers that  
18 aren't before you yet they will, both of them,  
19 also have all of those parks that are listed  
20 for Coliseum available to them for this  
21 specific service.

22 LEGISLATOR RHOADS: So why  
23 wouldn't you present them all at the same  
24 time?

25 MS. KASO: Because just the

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2 negotiations for the other two took a little  
3 bit longer and getting the forms finalized.  
4 So, there is a little bit of a delay because  
5 they will also be operating our concessions.  
6 So it was a little bit more complicated for  
7 their contracts.

8 LEGISLATOR RHOADS: So Coliseum  
9 is not going to be operating the concessions,  
10 correct?

11 MS. KASO: Correct. Our RFP that  
12 we issued gave proposers the option to specify  
13 services in parks and not necessarily have to  
14 take on everything. And Coliseum Caterers did  
15 not want to operate stand-alone concession  
16 stands.

17 LEGISLATOR RHOADS: Is there an  
18 overall plan on the part of the administration  
19 as to how this, how operations at the parks  
20 and how concessions at the parks and how food  
21 at the parks is going to be delivered and when  
22 will we be provided with that overall plan?

23 MS. KASO: In terms of in the  
24 current state or just an overall view of how  
25 it's going to be operating?

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2 LEGISLATOR RHOADS: For example,  
3 there isn't a relation between the two. For  
4 example, operating a concession may not be as  
5 profitable. So typically you have the  
6 catering services provided by the same company  
7 because the catering services are more  
8 profitable. So it makes it possible for them  
9 to operate the concession. What's the  
10 interrelationship between the three?

11 MS. KASO: So the two other  
12 agreements that are on their way for  
13 consideration they both operate concessions in  
14 specific parks and also have the option to --  
15 they are one of three picnic caterers and they  
16 have all of the parks open to them. So when a  
17 resident or a group books a picnic we give  
18 them the contact information for all three no  
19 matter which park they're in. Concessions are  
20 obviously limited to the specific parks that  
21 they will be operating in.

22 LEGISLATOR RHOADS: I know we're  
23 getting a little bit ahead of ourselves but  
24 with respect to the concessions how does what  
25 the county executive done with respect to food

1 Rules 7-13-20  
2 trucks going to impact concessions? Are the  
3 concessions going to replace the food trucks,  
4 operating in conjunction with the food  
5 trucks? Are the concessionaires even aware of  
6 the fact that there are food trucks  
7 theoretically undercutting the sales in  
8 individual parks? How does that work?

9 MS. KASO: In terms of food  
10 trucks, in our parks that have pools and ice  
11 rinks and then also Eisenhower and Cedar  
12 Creek, the two concessionaires whose  
13 agreements will hopefully be in front of you  
14 next time around, they both have the  
15 coordinating ability to oversee the two. The  
16 food trucks currently in Eisenhower are under  
17 the umbrella of the concessionaire for  
18 Eisenhower. It's just not ad hoc food trucks  
19 coming in to Eisenhower Park.

20 LEGISLATOR RHOADS: But I guess  
21 it kind of underscores my point in the sense  
22 that for myself as a legislator I would like  
23 to see all of the agreements at the same time  
24 because I would like to see how all of the  
25 agreements interrelate to make sure that there

1 Rules 7-13-20  
2 isn't competing services, to make sure that  
3 there aren't areas where those agreements  
4 overlap. Sort of addressing these on an ad  
5 hoc piecemeal basis prohibits us from doing  
6 that.

7 MS. KASO: Well, that's certainly  
8 understandable. We have been trying to get  
9 these through to you as soon as possible.  
10 Lessings and Culinart are not -- I would say  
11 they are separate from the overall concessions  
12 agreement. Since those are like they're  
13 on-site catering and they're marketing and  
14 booking weddings and showing the location and  
15 everything like that.

16 In terms of competing services, I  
17 would say that one reason that the other two  
18 aren't in front of you is because we have been  
19 doing a very thorough job of trying to ensure  
20 that there aren't competing services.

21 For example, one of the contracts  
22 will be the concessionaire for Eisenhower and  
23 Cedar Creek and the food trucks will be under  
24 his umbrella. And then concessions obviously  
25 will be his as well. And then the other one

1 Rules 7-13-20  
2 will be for the parks with pools and then also  
3 Cow Meadow.

4 LEGISLATOR RHOADS: So the only  
5 one where that presents a potential issue from  
6 my understanding of your answer is E-79. E-80  
7 and E-82, Lessings and Culinart Group, are to  
8 provide specific catering services at a  
9 specific location?

10 MS. KASO: Correct.

11 LEGISLATOR RHOADS: The intention  
12 of the administration is that they will be the  
13 only caterer at that particular venue?

14 MS. KASO: Yes.

15 LEGISLATOR RHOADS: Okay. Is  
16 there a particular -- I notice in the term of  
17 79 that the services were actually to start I  
18 guess retroactive to March 5 of 2020 for a  
19 five-year term. What's the rational behind  
20 that and why is this getting to us so late?

21 MS. KASO: The rational behind  
22 that is before everything had to be shut down  
23 so permits for picnics open up in February.  
24 And so obviously once you book a picnic you  
25 want to book everything else that goes along

1 Rules 7-13-20  
2 with it. So, we had been working very  
3 diligently to get all three of the picnic  
4 catering contracts submitted for approval as  
5 quick as possible so that they would be able  
6 to book their caterers for these picnics. And  
7 then obviously everything sort of shut down  
8 and people couldn't find notaries to get  
9 contracts notarized. It just was a very much  
10 more slower than usual process trying to get  
11 everything completed.

12 LEGISLATOR RHOADS: If I wanted  
13 to go to Wantagh Park yesterday for a picnic,  
14 which I guess in theory I can do?

15 MS. KASO: To book a picnic?

16 LEGISLATOR RHOADS: If I had  
17 wanted to have had a picnic yesterday who  
18 would I have contacted in order to arrange a  
19 group?

20 MS. KASO: Who would you have  
21 contacted? You would have contacted Wantagh  
22 and you would have booked your picnic permit  
23 there, in theory, if we were permitting  
24 picnics at the moment, and then they would  
25 give you the information for the caterers.

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2 LEGISLATOR RHOADS: So we're not  
3 issuing picnic permits at the moment?

4 MS. KASO: No.

5 LEGISLATOR RHOADS: Do we have  
6 any plans to be issuing picnic permits any  
7 time in the near future?

8 MS. KASO: I believe as soon as  
9 safely possible.

10 LEGISLATOR RHOADS: Do we have  
11 any idea as to when that is?

12 MS. KASO: If you give me one  
13 second I can ask or I can get that answer to  
14 you as soon as possible after.

15 LEGISLATOR RHOADS: We're  
16 considering it now though that's the problem.

17 MS. KASO: Sure. Give me one  
18 second. We are issuing them for picnics that  
19 are under 25 people and then for anything  
20 larger than that we are waiting for the state  
21 guidelines and guidance on that. We do have  
22 some picnics that were on the books in  
23 February that haven't yet been cancelled  
24 because everybody is holding out hope.

25 LEGISLATOR RHOADS: As of right

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2 now if I wanted to book a picnic for 25 or  
3 fewer people I'm able to bring in food on my  
4 own because there's no contract for a  
5 caterer?

6 MS. KASO: You can bring your own  
7 food any time. But if you're going to have it  
8 catered it has to be through one of the  
9 caterers.

10 LEGISLATOR RHOADS: But you have  
11 no caterer right now, right?

12 MS. KASO: We have short-term  
13 permits so that they are all able to book  
14 these picnics. But obviously once the longer  
15 term contract comes into place it will  
16 supersede them.

17 LEGISLATOR RHOADS: I guess my  
18 question is, it's not going to prohibit people  
19 who are booking a picnic for 25 or fewer  
20 people from obtaining a caterer if we were to  
21 wait for consideration of E-79 until we have  
22 the other two contracts with the other vendors  
23 that are providing those services, correct?

24 MS. KASO: In terms of providing  
25 the service to the residents or the group

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2 booking the picnic not at this moment, no.

3 LEGISLATOR RHOADS: Thank you.

4 LEGISLATOR NICOLELLO: Legislator  
5 DeRiggi-Whitton.

6 LEGISLATOR DERIGGI-WHITTON:  
7 Could you possibly provide us with the list of  
8 the other companies that answered this RFP?

9 MS. KASO: All of them or the  
10 ones that were --?

11 LEGISLATOR DERIGGI-WHITTON: All  
12 of them. You don't have to do it right now  
13 but in the next week or so.

14 MS. KASO: I actually sent that  
15 to leg affairs previously but I will follow-up  
16 and have them send it along again.

17 LEGISLATOR NICOLELLO: Deputy  
18 Presiding Officer Kopel.

19 LEGISLATOR KOPEL: What kind of  
20 controls do we have in place? In other words,  
21 can these vendors just charge whatever they  
22 want? What kind of controls do you have to  
23 make sure that they are fair and reasonable?  
24 And what about quality controls?

25 MS. KASO: Can you hold on one

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2 moment?

3 LEGISLATOR KOPEL: Even two. Go  
4 ahead.

5 MR. MCDERMOTT: Legislators,  
6 presiding officer, this is Dennis McDermott,  
7 deputy county attorney. I think I can answer  
8 that question Legislator Kopel. All of these  
9 licenses require the licensee to submit to  
10 parks not less than 60 days before the first  
11 day of each operating year's schedule which  
12 includes --

13 LEGISLATOR KOPEL: I'm sorry.  
14 I'm having a little difficult understanding.

15 MR. MCDERMOTT: And is subject to  
16 the parks approval.

17 LEGISLATOR KOPEL: Please do me a  
18 favor and say that again. Would you mind  
19 because I had a little bit of difficulty  
20 understanding you.

21 MR. MCDERMOTT: No problem.  
22 Every license has a requirement in it for the  
23 licensee to submit to parks prior to each  
24 operating year all of their schedules, which  
25 is prices, rates for catering services,

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2 products to be provided, and they all are  
3 subject to the reasonable approval of parks.  
4 Any change in the prices during the year must  
5 receive prior approval from the parks in  
6 writing.

7 LEGISLATOR KOPEL: If there were  
8 some perceived deterioration in quality, I  
9 suppose that's rather subjective, there's no  
10 way for anyone to monitor that is there? In  
11 other words, if I go to a venue --

12 MR. MCDERMOTT: I think that  
13 would come that we would get feedback I think  
14 if someone was providing less than good food  
15 in this case and the parks would address it to  
16 them. And we always have a right to terminate  
17 all of these contracts if the services aren't  
18 being provided.

19 LEGISLATOR KOPEL: One way it  
20 might manifest itself should that happen is a  
21 dramatic drop off in business and concurrently  
22 in remittances to the county.

23 One more question please. We have  
24 some very significant minorities in the  
25 county. Specifically those who eat either

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2 halal or kosher food. What do these people  
3 do? Are they just simply precluded?

4 MR. MCDERMOTT: Was that question  
5 for me legislator?

6 LEGISLATOR KOPEL: Whoever it is  
7 that wants to answer it. I don't know.

8 MS. KASO: So the concessionaires  
9 do take into consideration people's specific  
10 diet needs. For example, I know that one of  
11 the concessionaires whose contract isn't in  
12 front of you has been working on a kosher  
13 options for other -- sorry, work from home  
14 brain -- for one of the parks, Woodmere.

15 LEGISLATOR KOPEL: You would have  
16 Woodmere, you would have Grant Park and I  
17 suppose some others as well.

18 MS. KASO: It is something that  
19 they all are very aware of and taking into  
20 consideration. And I would say that one of  
21 the benefits of having the ability to have the  
22 diversity of food trucks is that if we end up  
23 having a food truck tussle or something like  
24 that or just a regular food truck that is at  
25 one of the parks food trucks are very specific

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2 to the type of food they are serving and you  
3 can bring in varying options for people's --

4 LEGISLATOR KOPEL: I'm not really  
5 clear. You said one of the vendors is working  
6 on these options at one park?

7 MS. KASO: That was just an  
8 example that I knew off the top of my head.

9 LEGISLATOR KOPEL: Is it fair to  
10 say you don't know the answer yet?

11 MS. KASO: On what type of  
12 options they specifically have or the fact  
13 that they are considering these specific diet  
14 needs?

15 LEGISLATOR KOPEL: Yes. Both.

16 MS. KASO: I do know. I can say  
17 assuredly that they are considering these  
18 special dietary needs. Their exact menus I am  
19 not 100 percent sure of.

20 LEGISLATOR KOPEL: They are  
21 considering. Okay.

22 LEGISLATOR NICOLELLO: This is  
23 Rich Nicolello just to follow-up. When do you  
24 believe that you can -- that the other  
25 concession agreements can be brought to the

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2 legislature?

3 MS. KASO: They are already  
4 routing through the approvals so we will work  
5 to get them to you as soon as possible for the  
6 next meeting.

7 LEGISLATOR NICOLELLO: Just a  
8 general question as to the food trucks that  
9 are anticipated to be somewhat under the  
10 umbrella of the concessions. Who is going to  
11 be choosing those food trucks? Who is going  
12 to be monitoring what they do? Is it the  
13 intention of the county to put them under the  
14 jurisdiction of the vendors that have the  
15 concessions and they will make those  
16 decisions?

17 MS. KASO: So, we have gotten  
18 some interest of food trucks to come in and we  
19 do give their information to the  
20 concessionaires for consideration. For the  
21 specific parks that the concessionaires are in  
22 charge of the food trucks for they will be the  
23 ones bringing them in. Obviously if they  
24 aren't popular we have a say in the matter of  
25 whether or not they stay there. Also if

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2 they're not doing great business I'm sure they  
3 don't want to stay there and pay a permit  
4 fee.

5 Then in terms of health department  
6 and all of those regulatory permits they are  
7 all required meet all of the standards and  
8 have all of the necessary permits for that.

9 LEGISLATOR NICOLELLO: It seems  
10 that the whole picture with respect to these  
11 concessions remains vague, and I think we need  
12 additional details especially as to E-79.  
13 E-80 and E-82 the agreements with Lessings and  
14 Culinart seem to be different because they are  
15 for one venue and my understanding is that  
16 these vendors need to get up and running as  
17 soon as possible at those locations to be able  
18 to book events, which hopefully can happen in  
19 the fall, as well as they have obligations for  
20 capital services.

21 But from my perspective, the  
22 contract with Coliseum Kitchens is only part  
23 of a larger picture and the entire picture  
24 remains very cloudy to us. Anyone else have  
25 any questions?

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2 LEGISLATOR RHOADS: Not a  
3 question but I would make a motion to table  
4 E-79 at this time.

5 LEGISLATOR NICOLELLO: Seconded  
6 by Deputy Presiding Officer Kopel. All in  
7 favor of tabling E-79 signify by saying aye.  
8 Carries unanimously.

9 The other two remaining are E-80  
10 and E-82. Does anyone have any additional  
11 questions on those two? Hearing none, all in  
12 favor of E-80 and 82 signify by saying aye.  
13 Those opposed? Those two carry unanimously.  
14 Thank you very much.

15 MS. KASO: Thank you.

16 LEGISLATOR NICOLELLO: We have a  
17 meeting on August 3rd. I don't know what kind  
18 of timeline you're looking at but that will  
19 probably be our last meeting until September.

20 The one item that remains  
21 outstanding is 144 of '20. It's a resolution  
22 authorizing the county executive to compromise  
23 and settle the claims of plaintiff as set  
24 forth in the action entitled United States of  
25 American versus County of Nassau. The

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2 settlement will be pursuant to the county law,  
3 the government law and the administrative  
4 code.

5 That is moved by Legislator  
6 Rhoads. Seconded by Legislator  
7 DeRiggi-Whitton. Now that that's before us we  
8 need a motion to go into executive session.  
9 Moved by Legislator Rhoads. Seconded by  
10 Legislator DeRiggi-Whitton. All in favor of  
11 going into executive session signify by saying  
12 aye. Those opposed? Carries unanimously.

13 (A recess was taken.)

14 LEGISLATOR NICOLELLO: We are out  
15 of recess and we have this item 144 of 2020.  
16 Any debate or discussion? Hearing none, all  
17 in favor signify by saying aye. Those  
18 opposed? Carries unanimously.

19 Need a motion to adjourn. Moved by  
20 Legislator Schaefer. Seconded by Legislator  
21 Walker. All in favor of adjourning signify  
22 by -- that's seconded by Legislator Rhoads.  
23 All in favor of adjourning signify by saying  
24 aye. Those opposed? Carries unanimously.  
25 Thank you.

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2 (Committee was adjourned at four  
3 p.m.)  
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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 23rd day of  
August 2020

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FRANK GRAY