

NASSAU COUNTY LEGISLATURE

COMMITTEES MEETING

HOWARD KOPEL

PRESIDING OFFICER

CHAIRMAN

RULES COMMITTEE

County Executive and Legislative Building

1550 Franklin Avenue

Mineola, New York

Monday, February 26, 2024

3:19 p.m.

TAKEN BY: KAREN LORENZO, OFFICIAL COURT REPORTER

A P P E A R A N C E S

CHAIRMAN HOWARD KOPEL

VICE CHAIRMAN THOMAS MCKEVITT

LEGISLATOR JOHN FERRETTI

LEGISLATOR JAMES KENNEDY

LEGISLATOR DELIA DERIGGI-WHITTON

LEGISLATOR SIELA BYNOE

LEGISLATOR ARNOLD DRUCKER

MICHAEL PULITZER Clerk of the Legislature

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CHAIRMAN KOPEL: Rules Committee.
Mike, would you please call the roll for
the Rules Committee?

CLERK PULITZER: Roll call, Rules
Committee. Chairman Howard Kopel?

CHAIRMAN KOPEL: Here.

CLERK PULITZER: Vice Chairman
Thomas McKevitt?

LEGISLATOR MCKEVITT: Here.

CLERK PULITZER: Legislator John
Ferretti.

LEGISLATOR FERRETTI: Here.

CLERK PULITZER: Legislator Kennedy?

LEGISLATOR KENNEDY: Here.

CLERK PULITZER: Ranking member
Delia DeRiggi-Whitton?

LEGISLATOR DERIGGI-WHITTON: Here.

CLERK PULITZER: Legislator Siela
Bynoe?

LEGISLATOR BYNOE: Here.

CLERK PULITZER: Legislator Arnold
Drucker?

LEGISLATOR DRUCKER: Here.

CLERK PULITZER: We have a quorum,

1
2 sir.

3 CHAIRMAN KOPEL: We have several
4 contracts that we are going to consider
5 today.

6 I am now going to call all of them
7 together:

8 B1-24; E20-24; E21-24; E23-24; E24;
9 E25.

10 Motion by Mr. McKevitt, seconded by
11 Ms. DeRiggi-Whitton.

12 I need a motion to table E2; E6 and
13 E13.

14 Motion to table by Mr. Ferretti and
15 seconded by Ms. Bynoe.

16 All those in favor of untabling
17 those three, please so indicate by
18 saying, "Aye".

19 (Whereupon, all members of
20 the Rules Committee respond in
21 favor with, "Aye".)

22 CHAIRMAN KOPEL: Any opposed?

23 (Whereupon, no verbal
24 response.)

25 CHAIRMAN KOPEL: Those items are

1
2 untabled.

3 Now, I'm going to call E2, E6 and
4 E13 as well.

5 Once again, motion by Mr. Ferretti,
6 seconded by Ms. Bynoe.

7 First item we will consider is E13
8 which is a contract with Milliman, and
9 that's what the Comptroller's Office.

10 Anyone here from the Comptroller?

11 MR. CASOLARO: Good afternoon, Mr.
12 Majority Leader, members of the
13 legislative body. For the Comptroller,
14 Elaine Phillips. I'm Charlie Casolaro,
15 Chief Counsel.

16 You have an amendment here to the
17 Milliman contract. Milliman is a company
18 that provides actuarial services to the
19 county. We're asking for a small increase
20 in the contract amount of \$10,433. They
21 provide assistance to the County and
22 meeting the GASB requirements (Government
23 Accounting Standards Review Board)
24 pursuant to different sections of the
25 GASB law.

As time goes on, these government requirements becoming more and more complicated and more and more time consuming, and we ask for this small increase in the contract amendment.

CHAIRMAN KOPEL: Thank you, Charlie.

LEGISLATOR DERIGGI-WHITTON: It's not pertaining to this, but if you could just convey my appreciation to the Comptroller for the issue with Sea Cliff.

MR. CASOLARO: I will indeed, Legislator.

LEGISLATOR DERIGGI-WHITTON: I know that you were part of that.

MR. CASOLARO: Yeah. I will indeed.

CHAIRMAN KOPEL: Anyone else?

(Whereupon, no verbal response.)

CHAIRMAN KOPEL: Thank you, Charlie.

MR. CASOLARO: You're welcome.

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CHAIRMAN KOPEL: Next one is with purchasing. That would be E23. That is a contract with Auction International Inc.

MS. MALHAME: Good afternoon, Allison Malhame, Chief Deputy Commissioner, Shared Services.

This is a revenue contract for surplus auction services. An RFP was issued in June 2023. Eight vendors viewed the solicitation and two submitted proposals. Auctions International, Inc., our incumbent vendor, was selected as they offered the best service and return to the County. Nassau will receive 100% of the accepted bid amount and Auctions International will be compensated by a 10% markup that is paid for by the winning bidder.

Any questions?

CHAIRMAN KOPEL: Any questions?

(Whereupon, no verbal response.)

CHAIRMAN KOPEL: Okay. Thank you.

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CHAIRMAN KOPEL: The next two are
with the county attorney.

First one is E20 and that is a
contract with Bond, Schoeneck & King.
County Attorney?

Mr. Libert, how are you?

MR. LIBERT: Good afternoon. Good.
How are you, Legislator?

This is a contract with Bond
Schoeneck for the case known as Wayland.
This case involves mislabeled alcohol in
the Village of Farmingdale.

CHAIRMAN KOPEL: Go on.

MR. LIBERT: This is a contract for
an outside counsel firm with the law firm
of Bond Schoeneck to represent the County
in the case known as Wayland. Sorry if
that was assumed for the record purposes.

CHAIRMAN KOPEL: And the reason you
need an outside attorney on this is?

MR. LIBERT: This was a complex
matter. Because of the complications of
the facts and some potential conflicts,
the outside counsel was necessary.

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2 CHAIRMAN KOPEL: Okay. Any
3 questions?

4 (Whereupon, no verbal
5 response.)

6 CHAIRMAN KOPEL: All right. Next
7 was E24, Lewis Johs.

8 MR. LIBERT: This is a contract
9 legal services with Lewis Johs. It has a
10 couple of captions. So, just for the
11 record, I would say we call it Abramoff
12 or Communello (phonetic). It is also
13 sometimes known as a Estate of Yog De
14 Buena (phonetic).

15 The point is that it was previously
16 handled by Cuomo, and it is being
17 switched now to Lewis Johs relative to
18 legal strategy.

19 CHAIRMAN KOPEL: Any questions?

20 (Whereupon, no verbal
21 response.)

22 CHAIRMAN KOPEL: Thank you.
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24 *****
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2 CHAIRMAN KOPEL: The next bunch of
3 contracts are with Public Works. Ken?

4 Hello, Ken. How are you? First ON,
5 B1, which is E&A Restoration.

6 COMMISSIONER ARNOLD: Yes. Good
7 afternoon. Ken Arnold, Public works.

8 B1 is a construction contract
9 associated with the immediate roof issues
10 and replacement of the HVAC equipment for
11 the 832 building at the correctional
12 facility. This office previously notified
13 this body in a June memo that this would
14 be done under emergency declaration by
15 the County Executive.

16 As stated in the memo, design was
17 expedited and procurement was followed
18 under normal business. Three bids were
19 received in November. The low bidder was
20 determined to be non-responsive. E&A was
21 determined to be the the second lowest
22 bidder and the most responsible bidder,
23 and was recommended for award at a
24 contract cost of \$15.3 million. This bid
25 was in line with our engineers estimate

1
2 as outlined in the June memo this
3 department wrote. The Department issued a
4 notice to proceed immediately. Once all
5 vetting was completed, and E&A has been
6 issued a notice to proceed as of January
7 22nd of this year.

8 The contract duration is for 12
9 months. Thirty percent or \$4 million of
10 this contract work will be done by an
11 STVOB.

12 CHAIRMAN KOPEL: Any questions?
13 Yes.

14 LEGISLATOR DERIGGI-WHITTON: Hi,
15 Ken. We recently visited the jail, and
16 I'm happy. I know they're excited to get
17 the work started. We're all very much in
18 support.

19 I had a quick question. On the drop
20 ceiling in the hallways and all are
21 really affected by the roof leaking. They
22 have an official diagnosis of mold or
23 something. Do you know if that's also
24 included in this contract?

25 COMMISSIONER ARNOLD: I do not

1
2 believe the drop ceiling -- that would be
3 something I believe the Correctional
4 Facility will take care of. But we did do
5 a mold survey in the building and there
6 was no mold issue. But I will speak with
7 Corrections about how they're handling
8 the drop ceiling.

9 LEGISLATOR DERIGGI-WHITTON: Yeah.
10 It looked pretty bad. If you could just
11 see. And I thought maybe it would be
12 connected with the roof.

13 COMMISSIONER ARNOLD: I'll double
14 check. I don't think it is, but I'll
15 double check.

16 LEGISLATOR DERIGGI-WHITTON: All
17 right. And thank you for doing this
18 project.

19 COMMISSIONER ARNOLD: You're
20 welcome.

21 LEGISLATOR DRUCKER: Ken, quick
22 question. As the Minority Leader stated,
23 we were recently there, and they conveyed
24 to us the urgency of getting this roof
25 done. Any idea when the project's going

1
2 to start and how long you anticipate?

3 COMMISSIONER ARNOLD: The contract
4 was started January 22nd of this year.
5 It's a 12 month contract. The contract
6 has long lead item procurements
7 associated with it. We included contract
8 provisions that would allow us to buy
9 space on the assembly lines to expedite
10 purchasing of equipment. The schedule is
11 currently put together with the
12 contractor for our approval, and we'll
13 have more information on how that
14 timeline will work in the future. But
15 it's a 12 month duration, so the contract
16 work should be done in 12 months.

17 LEGISLATOR DRUCKER: So that means
18 you only have about ten months left of
19 the contract. There's a real sense of
20 urgency over there and getting things
21 done, specifically with regard to the
22 roof and the HVAC system.

23 COMMISSIONER ARNOLD: The magnitude
24 of this job is \$15 million. It is a very
25 large project. And projects of that size

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2 will take some time.

3 LEGISLATOR DRUCKER: You can't
4 narrow it down?

5 COMMISSIONER ARNOLD: No, because
6 you have to order the equipment. You have
7 to change all the HVAC equipment along
8 the roof. It can't all be done at one
9 single point. You have to work in phases
10 to keep the facility running because
11 remember, the jail still operates. So we
12 we narrowed it down to a 12 month
13 duration was the most expedient thing we
14 could do.

15 LEGISLATOR DRUCKER: Okay, let's
16 hope for the best. Thank you.

17 COMMISSIONER ARNOLD: All right.
18 Next will be E2, which is with WSP USA.

19 COMMISSIONER ARNOLD: Can I do E4
20 together because they're both the same
21 item, same purpose. I mean E6.

22 CHAIRMAN KOPEL: Yeah, sure.

23 COMMISSIONER ARNOLD: E2 and E6 are
24 both professional services contracts
25 associated with our on-call traffic

1
2 engineering services. 17 proposals were
3 received, the top ten firms with some
4 were selected VHB and WSP, which are
5 these two items, are the last two to be
6 awarded these contracts. These contracts
7 are a five year duration with a total
8 contract cap of \$10.5 million.

9 CHAIRMAN KOPEL: Okay. Any
10 questions?

11 (Whereupon, no verbal
12 response.)

13 CHAIRMAN KOPEL: All right. Thank
14 you.

15 E21.

16 COMMISSIONER ARNOLD: E21-24 is a
17 professional services contract research
18 with the design services for the Mill
19 Neck Road culvert over Forster's Brook
20 and Valley Stream. Nine proposals were
21 received and the Review Committee entered
22 into final negotiation with the top four
23 highest technically ranked firms.
24 Ultimately, the Review Committee
25 determined that Hardesty and Hanover

provided the best value and team and team
to complete the project at a fee of
\$700,000. WBE participation is at 3%.

CHAIRMAN KOPEL: Okay, thanks. Any
questions?

(Whereupon, no verbal
response.)

CHAIRMAN KOPEL: Okay. We have one
left, E-25 with Greenman-Pederson. Mr.
Kennedy moves to table, Mr. Drucker
seconds.

Any debate or discussion on that?

(Whereupon, no verbal
response.)

CHAIRMAN KOPEL: All those in favor
of tabling that item, please say, "Aye"

(Whereupon, all members of
the Rules Committee respond in
favor with, "Aye".)

CHAIRMAN KOPEL: Any opposed?

(Whereupon, no verbal
response.)

CHAIRMAN KOPEL: We're done, Ken.
Thank you.

Any public comment on our contracts?

(Whereupon, no verbal
response.)

CHAIRMAN KOPEL: Okay. Hearing none.

All those in favor of these
contracts, E13; E23; E20; E24; B1; E2;
E6; E21; please so indicate by saying,
"Aye".

(Whereupon, all members of
the Rules Committee respond in
favor with, "Aye".)

CHAIRMAN KOPEL: Any opposed?

(Whereupon, no verbal
response.)

CHAIRMAN KOPEL: Those are
unanimous.

CHAIRMAN KOPEL: Mr. Drucker moves
to adjourn, Mr. Ferretti seconds that
motion.

All in favor of adjourning, please
say, "Aye".

(Whereupon, all members of
the Rules Committee respond in
favor with, "Aye".)

CHAIRMAN KOPEL: Any opposed?

(Whereupon, no verbal
response.)

CHAIRMAN KOPEL: We are adjourned.

(Whereupon, the Rules
Committee is adjourned, 3:32
p.m.)

C E R T I F I C A T E

STATE OF NEW YORK)

: SS.:

COUNTY OF NASSAU)

I, KAREN LORENZO, a Notary Public
for and within the State of New York, do
hereby certify:

That the above is a correct
transcription of my stenographic notes.

IN WITNESS WHEREOF, I have hereunto
set my hand this 26th day of February, 2024.

Karen Lorenzo

Karen Lorenzo

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