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NASSAU COUNTY LEGISLATURE

RULES COMMITTEE

NORMA GONSALVES, Chairwoman

1550 Franklin Avenue
Mineola, New York

Monday, February 13, 2017
1:32 P.M

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

NORMA GONSALVES ,
Chairwoman

RICHARD NICOLELLO ,
Vice Chairman

HOWARD KOPEL

DENNIS DUNNE

KEVAN ABRAHAMS ,
Ranking

DELIA DERIGGI-WHITTON

CARRIE SOLAGES

MICHAEL C. PULITZER ,
Clerk of the Legislature

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LIST OF SPEAKERS

EILEEN KRIEB	1 0
KENNETH ARNOLD	2 0
VICKI CORDOVA	2 4
AARON LOPEZ WATKINS	2 9
MARYELLEN LAURAIN	3 6
ROBERT CLEARY	4 4
SAM LITTMAN	7 3
PAUL BRODERICK	8 0
KEVIN WALSH	8 2
GERRY PODLESACK	1 0 6
JACQUELINE DELL	1 2 2
ASSISTANT CHIEF PRIEST	1 2 6
ROBERT MEHRAN	1 2 9
ARYEH LEMBERGER	1 3 1
BEAUMONT JEFFERSON	1 3 9
MAGGIE MALITO	1 4 2
MARTIN BLUM	1 4 4
ANGEL CEPEDA	1 4 5

INSERTS

By Reference:

Consent Clerk Items:

25, 17, 26, 27, 33, 37, 38, 39, 40, 41, 42,
43, 44, 46, 47, 48, 49, 50, 60, 61, 62, 63,
64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74,
75, 76, 77, 78, 79, 80, 82, 83, 84, 85, 87,
89, 93, 81-17, 102-17, 103-17 104-17.

Locate in minutes of the Public Safety,
Planning and Development, Health and
Social Services, and Finance Committees
dated 2-13-17.....140

1 Rules Committee/2-13-17

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

4 We will begin with Legislator
5 Dunne, would you please lead us in the
6 Pledge of Allegiance, and, apologies, but
7 there's a lot of activity today that really
8 kept us from getting out here promptly. But
9 we certainly don't like to keep people
10 waiting, especially those who have to
11 travel. I see somebody out there. Aaron,
12 are you out there? All right. I expect you
13 to help us, you know that.

14 Without any further ado, are we
15 ready for the Pledge of Allegiance?

16 (Whereupon, the Pledge of
17 Allegiance was recited.)

18 CHAIRWOMAN GONSALVES: Thank you,
19 Legislator Dunne. This is committee day and
20 we always begin with the Rules Committee and
21 contracts that are before us.

22 So the rest of the legislators
23 can sit here and listen. Or they can go on
24 and prepare for the rest of the committees.

25 So, without any further ado, I'm

1 Rules Committee/2-13-17

2 going to ask Mr. Pulitzer to please call the
3 roll for the Rules Committee.

4 By the way, after we address the
5 contracts on Rules, we recess Rules so the
6 other committees can then meet and we
7 incorporate the testimony of those
8 committees into the rest of the Rules
9 agenda.

10 Without any further ado, who is
11 calling the roll for the Rules Committee?

12 CLERK PULITZER: Thank you.

13 Rules Committee.

14 CLERK PULITZER: Carrie Solages?

15 LEGISLATOR SOLAGES: Here.

16 CLERK PULITZER: Legislator Delia
17 DeRiggi-Whitton?

18 LEGISLATOR DERIGGI-WHITTON:

19 Here.

20 CLERK PULITZER: Ranking Member
21 Kevan Abrahams?

22 LEGISLATOR ABRAHAMS: Here.

23 CLERK PULITZER: Alternate Deputy
24 Presiding Officer Howard Kopel?

25 LEGISLATOR KOPEL: Here.

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2 CLERK PULITZER: Legislator
3 Dennis Dunne?

4 LEGISLATOR DUNNE: Here.

5 CLERK PULITZER: Vice Chairman
6 Richard Nicoletto?

7 LEGISLATOR NICOLELLO: Here.

8 CLERK PULITZER: Chairwoman Norma
9 Gonsalves?

10 CHAIRWOMAN GONSALVES: Present.
11 Thank you very much.

12 CLERK PULITZER: We have a
13 quorum, ma'am.

14 CHAIRWOMAN GONSALVES: Okay. As
15 I said, we begin with the contracts and then
16 we will recess so the other committees can
17 meet and bring their items to the floor.

18 LEGISLATOR DUNNE: I just want to
19 make a quick announcement. Former
20 Legislator Fran Becker's brother, we all
21 know Hillary, Fran's brother Hillary made it
22 into the National Wrestling Hall of Fame
23 because he has run an incredible youth
24 program at Lynbrook. It's called the Titan
25 Wrestling Program, and it's with his uncle,

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2 Bob Becker, we all knew him as Baldie Bob
3 Becker, this wonderful wonderful man who has
4 recently passed away, but one of the fellows
5 that went through the program was Hillary's
6 son, and last night he pinned his man in the
7 finals of the Nassau County Championship.

8 So his great friend, he wrestled
9 back in St. Pauls, I think it was, but the
10 Becker wrestling clan has really come to
11 fruition with this young kid who is quite a
12 wrestler.

13 Not only that, but Wantagh High
14 School put seven guys in the final, and
15 edged out the standing champions, Long
16 Beach.

17 Now, Long Beach beat Wantagh by
18 two points in the team championships two
19 weeks ago. And yesterday was the
20 individuals. And Wantagh kicked butt, they
21 were really really good last night.

22 So, if anybody missed the
23 wrestling championships here in Nassau
24 County, you missed some really great
25 entertainment, great talent on the wrestling

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2 mats. So, Frannie, congratulations to Joe,
3 your nephew, and, God bless, and, Wantagh
4 and Long Beach, great teams. Thank you.

5 CHAIRWOMAN GONSALVES: I need to
6 make an announcement, at 6:30 tonight, in
7 this chamber, there's going to be a hands
8 and hearts against Heroin addiction. It's
9 going to be here in chamber and the
10 highlight of course is going to be many
11 organizations are going to be here
12 presenting information on the opportunities
13 for residents and groups to receive whatever
14 they can in information against Heroin
15 addiction.

16 I have to say, unfortunately,
17 this weekend, someone, a 19 year old,
18 succumbed to a Heroin overdose.

19 So, no matter how much we try, we
20 still have not done enough to try to lessen
21 the loss of young lives to addiction.

22 So, if you can be here tonight,
23 it would be nice.

24 Without any further ado, we're
25 ready to go into contracts.

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2 We're beginning with the first
3 contract, contract with the Office of
4 Purchasing and A-Turf Inc.

5 Motion, please.

6 LEGISLATOR DUNNE: So moved.

7 LEGISLATOR KOPEL: Second.

8 CHAIRWOMAN GONSALVES: Moved by
9 Legislator Dunne, seconded by Legislator
10 Kopel. It's Item A-3-17. Who is here to
11 speak on this item?

12 MS. KRIEB: Eileen Krieb,
13 Department of Parks. I'm here seeking your
14 approval to authorize the award of a
15 purchase order to A-Turf Incorporated to
16 furnish and install a high density
17 commercially grade replacement carpet at
18 Mitchel Athletic Complex, home of Nassau
19 Community College athletic programs and
20 utilized by many various high schools. They
21 are Uniondale, East Meadow, Chaminade,
22 Kellenberg, and some of our camps. The
23 solicitation was advertised in Newsday and
24 posted to the county bids solicitation board
25 where 35 vendors were notified

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2 electronically of the bid.

3 Three vendors were women owned
4 businesses, minority affairs received copies
5 of the bids and four bids were received,
6 none of which were minority women or veteran
7 owned.

8 The existing turf at Mitchel
9 Complex is ten years old. Last year we had
10 a G-Max test to assess the condition and we
11 were informed that it had exceeded its
12 useful life.

13 We were allowed one more year to
14 continue our repairs, but now we're at the
15 point that it's severely worn and a safety
16 issue and it becomes a liability.

17 A purchase order in the amount of
18 \$351,550 would be the cost of the contract.
19 All fees raised at Mitchel stay at Mitchel
20 in a designated account. So this project
21 will be funded through the designated
22 account which has been set up at Mitchel.

23 In anticipation of this
24 replacement, Parks has set aside funding
25 each year so we have more than a sufficient

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2 amount of money to cover this contract.

3 CHAIRWOMAN GONSALVES: Any
4 questions from the legislators? Legislator
5 Nicolello.

6 LEGISLATOR NICOLELLO: I just
7 want to reemphasize something you just said,
8 which is that a number of local colleges do
9 use that field at Molloy and other colleges,
10 correct?

11 MS. KRIEB: Correct.

12 LEGISLATOR NICOLELLO: And Nassau
13 Community College uses it extensively, they
14 are virtually --

15 MS. KRIEB: It's their home for
16 all their athletic programs.

17 LEGISLATOR NICOLELLO: Football,
18 soccer, lacrosse?

19 MS. KRIEB: Yes.

20 LEGISLATOR NICOLELLO: And that's
21 no charge, it's basically a service to the
22 students?

23 MS. KRIEB: Yes, they pay no
24 fees. The other schools do pay a fee which
25 brings in about \$300,000 a year.

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2 LEGISLATOR NICOLELLO: And, as I
3 said, that field, in particular, gets
4 extensive extensive use?

5 MS. KRIEB: Yes.

6 LEGISLATOR NICOLELLO: Thank you.

7 CHAIRWOMAN GONSALVES: Any other?
8 Legislator Solages.

9 LEGISLATOR SOLAGES: Good
10 afternoon. Thank you very much for being
11 here.

12 My question I guess is about what
13 you will be replacing this field with. Is
14 it correct that the replacement turf is made
15 of tire crumbs which is comprises bits of
16 shredded arsenic, benzene, cadmium and nickel
17 as well as other compounds according to the
18 EPA? As we used to know the EPA, not the
19 new EPA. But is it true that the
20 replacement turf is made up of these items?

21 MS. KRIEB: I don't know to the
22 detail you're saying. I know the density of
23 the product we are putting in and I also
24 know that DPW has responded to these kind of
25 questions in the past on other installations

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2 that we've made.

3 LEGISLATOR SOLAGES: As to this
4 installation, and I'm glad that you know
5 about the density, but in terms of the
6 actual material, are you aware of the
7 components of the material?

8 MS. KRIEB: Again, I'm not an
9 engineer to know the details of it, but I do
10 understand the density is much thicker, the
11 pile is more dense than the others. It
12 would require less of a base of the crumb
13 rubber which is always being questioned.

14 LEGISLATOR SOLAGES: But it does
15 contain the crumb rubber that I'm referring
16 to?

17 MS. KRIEB: Yes. Some. But much
18 less than in the past.

19 LEGISLATOR SOLAGES: The same
20 crumb rubber that contains arsenic, benzene,
21 cadmium, and nickel that some people will be
22 using?

23 MS. KRIEB: I don't know what
24 it's composed of, I'm sorry.

25 LEGISLATOR SOLAGES: Legislator

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2 Judy Jacobs and Representative Steve Israel
3 have in the past, may she rest in peace, of
4 course, raised concerns about the safety of
5 such fields.

6 In a 2009 EPA study for such
7 fields said that the concentrations of the
8 components were below levels of concern but
9 added that the study was too limited to draw
10 comprehensive conclusions.

11 A state department fact sheet
12 says that based on available information,
13 the chemical exposures from the crumb rubber
14 and the synthetic turf do not pose a public
15 health. That's what a health department
16 study said. I'm also referring to an
17 editorial by Newsday dated January 25th.

18 So, my questions going forward
19 is, are you aware that the NFL Buffalo Bills
20 had issues with this A-Turf product on their
21 stadium field, are you aware of that?

22 MS. KRIEB: No.

23 LEGISLATOR SOLAGES: And is the
24 rubber infield built on the field due to
25 improperly using the snow tractor had to

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2 stop a past game. Do we know if any infield
3 materials used by A-Turf mentioned
4 previously are safe for children? Do we
5 know that this material is safe for
6 children? I see you, counselor.

7 MS. KRIEB: If there was any
8 danger to children, this product would
9 definitely not be recommended. It's been
10 recently installed in local high schools in
11 this area on Long Island.

12 And, again, I would think that
13 the research on it would never allow them to
14 install something that was unsafe. This is
15 a replacement carpet, it's not brand new.
16 We are tearing up what's there and we're
17 laying a new carpet. It's not a new turf
18 field we are putting in, but the carpet is
19 brand new.

20 LEGISLATOR SOLAGES: In the past
21 several years, have we done synthetic turf
22 fields in Mitchel Field?

23 MS. KRIEB: No. This is a ten
24 year old carpet. I'm sorry, Nassau County,
25 Molloy College I believe installed something

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2 there, but this is the county field that
3 we're doing.

4 LEGISLATOR SOLAGES: What is the
5 typical life span for a synthetic turf field
6 before they need to be replaced?

7 MS. KRIEB: I'm not sure.

8 LEGISLATOR SOLAGES: But, bottom
9 line, is this field safe for children?

10 MS. KRIEB: Again, I would assume
11 that it is safe for children or else it
12 wouldn't be installed or sold as a product.

13 LEGISLATOR SOLAGES: So that is
14 an assumption?

15 MS. KRIEB: Yes.

16 CHAIRWOMAN GONSALVES: Legislator
17 Dunne.

18 LEGISLATOR DUNNE: The New York
19 Dormitory Authority allows the NCAA teams to
20 play on this kind of field, correct?

21 MS. KRIEB: Correct.

22 LEGISLATOR DUNNE: And in your
23 backup you always ask them when you put out
24 for a contract to make sure it's non-tox
25 stuff that's being put on the field, is that

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2 part of the --

3 MS. KRIEB: That's part of the
4 specification, yes.

5 LEGISLATOR DUNNE: And is there a
6 ten year or 15 year guarantee with these
7 fields?

8 MS. KRIEB: I'm not sure. I
9 think I read that there is a ten year
10 warranty with this purchase order but I
11 would have to review it again.

12 LEGISLATOR DUNNE: So the ten
13 years with the previous one is finalized.
14 Okay.

15 I've seen an awful lot of, I
16 guess, Land Tech doing high schools
17 everywhere. They're very, very shy of
18 making the same price. Is their product
19 different or is it the same produce just
20 less expensive?

21 MS. KRIEB: We put out the spec
22 sheet. I'm not sure exactly what they did
23 but their price came in higher. So we went
24 for the best quality and the best price.

25 LEGISLATOR DUNNE: Excellent.

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2 You answered all my questions. Thank you so
3 much.

4 CHAIRWOMAN GONSALVES: Any public
5 comment on this contract?

6 Is there any public comment?

7 (No verbal response.)

8 There being none, all those in
9 favor of Contract A-3-17 signify by saying
10 aye.

11 (Aye.)

12 Any opposed?

13 (Nay.)

14 The contract passes four to
15 three.

16 The next contract is B-1-17, a
17 resolution authorizing the County Executive
18 to award and execute a contract between the
19 County of Nassau acting on behalf of the
20 Nassau County Department of Public Works and
21 the Franklin Company Contractors, Inc.

22 Motion, please.

23 LEGISLATOR DUNNE: So moved.

24 LEGISLATOR NICOLELLO: Second.

25 CHAIRWOMAN GONSALVES: Moved by

1 Rules Committee/2-13-17

2 Legislator Dunne, seconded by Legislator
3 Nicolello. Mr. Arnold.

4 MR. ARNOLD: Kenneth Arnold,
5 Public Works. B-1 is a bid contract for the
6 removal of the storage tank at the Manhasset
7 Garage associated with the storm water
8 system and the installation of a new 500
9 gallon storm water tank. There were five
10 bidders and Franklin was the lowest
11 responsible bidder.

12 CHAIRWOMAN GONSALVES: Minority
13 Leader.

14 LEGISLATOR ABRAHAMS: Thank you,
15 Madam Presiding Officer. I just wanted to
16 confirm, this \$10 million bond, when was
17 this authorization passed? This contract
18 was part of what bond authorization?

19 MR. ARNOLD: The most recent one
20 with the \$10 million bond ordinance.

21 LEGISLATOR ABRAHAMS: Was this
22 the one passed in October?

23 MR. ARNOLD: Yes.

24 LEGISLATOR ABRAHAMS: I was under
25 the impression that NIFA didn't approve that

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2 bonding.

3 MR. ARNOLD: They approved it
4 pending the multiyear plan being approved.
5 Once the multiyear plan was approved then
6 they approved it.

7 LEGISLATOR ABRAHAMS: Did they
8 approved the entire 50 million or just this
9 \$10 million?

10 MR. ARNOLD: This is only \$10
11 million.

12 LEGISLATOR ABRAHAMS: No. But it
13 was part of that 50 million bond.

14 MR. ARNOLD: It was along with
15 the traffic projects at that time.

16 LEGISLATOR ABRAHAMS: I just want
17 to make sure. So the 10.6 million that has
18 gone before NIFA and NIFA has said it was
19 approved as long as we approved the
20 multiyear plan?

21 MR. ARNOLD: Yes.

22 LEGISLATOR ABRAHAMS: And the
23 remaining 40 million is still subject to --

24 MR. ARNOLD: No. I would have to
25 double check but I believe all the bonding

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2 was continent on the multiyear plan being
3 approved at that time.

4 LEGISLATOR ABRAHAMS: Okay.

5 MR. ARNOLD: Not just the \$10
6 million.

7 LEGISLATOR ABRAHAMS: I
8 understand, and from our standpoint, and
9 I've been saying this very publically, that
10 bonding was done at a very late hour where
11 there wasn't proper public discourse nor the
12 public being properly notified and just
13 based on the fact of lack of transparency
14 we're going to vote against it. But, thank
15 you, Mr. Arnold.

16 CHAIRWOMAN GONSALVES: Legislator
17 Nicolello.

18 LEGISLATOR NICOLELLO: Mr.
19 Arnold, why are they replacing the tank?

20 MR. ARNOLD: They are out of
21 compliance with the EPA and, as part of our
22 consent order, we have a lot of tank work to
23 do throughout the county. This is one of
24 the facilities we need to address.

25 LEGISLATOR NICOLELLO: Why are

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2 they out of compliance? What does that
3 mean?

4 MR. ARNOLD: Fuel storage tanks
5 have a certain date range that they're
6 allowed to be in service. These tanks were
7 past that date range and need to be removed
8 and replaced.

9 LEGISLATOR NICOLELLO: So if you
10 leave them in the ground past their useful
11 life, there is a danger they can leak,
12 correct?

13 MR. ARNOLD: That's correct.

14 LEGISLATOR ABRAHAMS: So you have
15 an environmental issue possibly that results
16 from leaving the storage tanks in the ground
17 beyond their useful life?

18 MR. ARNOLD: That's correct.

19 LEGISLATOR NICOLELLO: Obviously,
20 I mean environmental issues were brought up
21 before, but I think this is a very important
22 environmental issue as well, so I would urge
23 all of my colleagues to vote for this rather
24 than leave a potentially dangerous condition
25 in the soil.

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2 CHAIRWOMAN GONSALVES: Any other
3 comments from the legislators?

4 (No verbal response.)

5 Is there any public comment?

6 (No verbal response.)

7 There being none, all those in
8 favor of B-1-17 signify by saying aye.

9 (Aye.)

10 Any opposed?

11 (Nay.)

12 The item passes four to three.

13 The next item is E-3-17, a
14 personal services agreement between the
15 County of Nassau acting on behalf of the
16 Nassau County District Attorney's Office and
17 the Hispanic Counseling Center, Inc.

18 Motion, please.

19 LEGISLATOR KOPEL: So moved.

20 LEGISLATOR NICOLELLO: Second.

21 CHAIRWOMAN GONSALVES: Moved by
22 Legislator Kopel, seconded by Legislator
23 Nicolello. Who is here to speak on this
24 item?

25 MS. CORDOVA: Hi. Vicki Cordova

1 Rules Committee/2-13-17

2 from the DA's Office.

3 The item before you is an
4 agreement with the Hispanic Counseling
5 Center to conduct the Batterer's
6 Intervention Program. This is a program
7 designed to address the problem of domestic
8 violence by providing education and
9 counseling to change the behavior of those
10 who commit domestic violence and to provide
11 services to those who are victimized by it.

12 The goal of the program is to
13 offer individuals an opportunity to change
14 learned behaviors by teaching them about
15 legal, social, emotional and psychological
16 implications of their behavior on family
17 members.

18 The program offers assessments,
19 information and referrals to appropriate
20 health and/or social service agencies.

21 The Hispanic Counseling Center is
22 the only agency in Nassau County licensed by
23 the State of New York to provide mental
24 health and substance abuse treatment to an
25 entirely bilingual/bicultural in an entirely

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2 bilingual/bicultural setting.

3 The Hispanic Counseling Center
4 has been in operation since 1977 and
5 presently serves more than 1,300 people each
6 month.

7 This program is funded with
8 forfeiture funds and therefore has no impact
9 on county general funds.

10 CHAIRWOMAN GONSALVES: Legislator
11 Nicolello.

12 LEGISLATOR NICOLELLO: I don't
13 think anyone is going to vote against the
14 Hispanic Counseling Center to provide the
15 service but, why, I see the term of the
16 contract is July 1st, 2016 to June 30th,
17 2017. My question is, why is it seven and a
18 half months late?

19 MS. CORDOVA: I believe the
20 initial problem was that -- and it's also a
21 renewal contract. The previous forms that
22 they had were outdated and they
23 unfortunately had to be redone and then
24 resubmitted.

25 LEGISLATOR NICOLELLO: My

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2 suggestion is, and this is the DA's Office,
3 and there is a number of county contracts
4 coming up that are late too.

5 But my suggestion is, since it
6 expires on June 30th, 2017, get to work on
7 the successor contracts, you get to bring it
8 to us before June 30th, 2017.

9 MS. CORDOVA: Okay.

10 LEGISLATOR NICOLELLO: Thank you.

11 CHAIRWOMAN GONSALVES: Legislator
12 Kopel.

13 LEGISLATOR KOPEL: So these are
14 selections made by the DA and executed by
15 the County Executive on behalf of the DA's
16 Office. Is that how it works?

17 MS. CORDOVA: Yes.

18 LEGISLATOR KOPEL: How many other
19 organizations do this? I'm not talking
20 about specifically Hispanic but overall? Do
21 you know? Is this a big program? Is it a
22 widespread program? Is it a program that's
23 confined just to this particular
24 organization?

25 MS. CORDOVA: I honestly don't

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2 know the answer. I can find out for you.

3 LEGISLATOR KOPEL: Could you
4 please find out for me? I would like to
5 know.

6 MS. CORDOVA: Okay.

7 CHAIRWOMAN GONSALVES: Any other
8 legislators? Legislator Solages.

9 LEGISLATOR SOLAGES: My question
10 I guess is, if a person speaks Haitian
11 Creole, can they get the translation service
12 or the benefit of that through the Hispanic
13 Counseling Service?

14 MS. CORDOVA: Again, something I
15 wouldn't be aware of. I really don't know
16 again.

17 LEGISLATOR SOLAGES: Okay. I
18 have seen in other counties that because
19 Haiti is located in Hispanola or Latin
20 American that they are able to get
21 translators as well for that population and
22 then there is a need here in Nassau County.

23 So perhaps your office or another
24 office could help follow up on that. I
25 would really appreciate that because we

1 Rules Committee/2-13-17

2 really do have a sizeable Haitian, Haitian
3 American population here in Nassau County.
4 Thank you.

5 MS. CORDOVA: I can check into it
6 and have someone get back to you.

7 CHAIRWOMAN GONSALVES: Any other
8 comments from the legislators? Legislator
9 Nicolello.

10 LEGISLATOR NICOLELLO: It's just
11 to follow-up on Legislator Solages' point, I
12 would just urge if it can't be done within
13 the context of this current year, you
14 prepare something for the year beginning in
15 June 30th so the next contract can
16 anticipate and have that service available
17 for the Haitian speaking, Creola speaking
18 population.

19 CHAIRWOMAN GONSALVES: Any public
20 comment?

21 (No verbal response.)

22 There being none, all those in
23 favor of E-3 -- Aaron, you have something on
24 this one?

25 MR. LOPEZ WATKINS: Yes, I do.

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2 CHAIRWOMAN GONSALVES: Please
3 come up.

4 MR. LOPEZ WATKINS: Always a
5 pleasure.

6 CHAIRWOMAN GONSALVES: You do
7 have a job to do you know that.

8 MR. LOPEZ WATKINS: I do have a
9 job but I also have a job for you guys to do
10 as well. First I would like to thank the
11 leadership of these caucuses in coming out
12 in bipartisan support for the buses.

13 I think it's huge that we got
14 both sides of the aisle and both sides of
15 the county to come together for more than
16 two minutes and say, yes, we all support the
17 same thing, but when we are trying to move
18 forth projects like this and reaching
19 communities that don't always get the
20 services they need, they need to be able to
21 get there, so let's talk about the buses
22 because that's why I'm here.

23 CHAIRWOMAN GONSALVES: You have
24 to tie it together. Tie it with this
25 contract. I'm not going to say no to you

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2 but you better be able to connect.

3 MR. LOPEZ WATKINS: We are
4 talking about the Latino community, we're
5 talking about the Haitian community, two of
6 my communities. Those communities utilize
7 the bus.

8 Right now we are about to hit,
9 coming Thursday, cuts, cuts across Long
10 Island on the buses. We can't let that
11 happen.

12 Right now there is still a \$6
13 million deficit in NICE buses' budget.
14 Although they've cut overhead, and managed
15 to cut costs here and there, they're still
16 planning on cutting these routes.

17 Right now I know that the county
18 has an \$11.9 million surplus in sales tax
19 revenue. A portion of that money needs to
20 go to the buses.

21 If we can just fill \$3 million, I
22 think it's a lot easier to get the state to
23 come in and give us emergency aid.

24 On top of that, the city is
25 trying to circumvent Nassau County and

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2 trying to undermine the power and the
3 responsibility that Nassau County
4 legislators have to our residents, to us.

5 By getting this Uber legislation
6 put forth, without getting any of the
7 municipality's money sent back --

8 CHAIRWOMAN GONSALVES: Eric, the
9 time.

10 MR. LOPEZ WATKINS: Give me a
11 second. We are going to lose our buses. We
12 are looking long term. We can't keep
13 providing services to underserved
14 communities if they're not going to be able
15 to get there.

16 If these victims of domestic
17 violence don't drive or if they need to get
18 away from an abusive spouse or partner, and
19 they don't have a car, they can't be left by
20 the side of their road because their bus was
21 cut and they couldn't get there.

22 We need a long term funding plan
23 for our buses which starts today, and we're
24 trying to get an additional \$3 million from
25 the surplus of sales tax. It's getting this

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2 Uber money sent back to Long Island, both
3 Nassau and Suffolk. And it means that you,
4 as this Legislative body, need to up the
5 amount of money we give NICE Bus.

6 \$2.5 million is not enough to run
7 a substantial strong and growing system.
8 It's just not going to work. It's great
9 that we have contracts like this on the
10 table and it's great that we're trying to
11 provide as many services to as many people
12 as possible, but if they're not drivers, we
13 are leaving them out in the cold.

14 Not every one in Nassau County
15 drives. I bet if you polled the people that
16 are going to be utilizing that center and
17 centers like it, they're not drivers.

18 So, please, as much as we've got
19 a job to get the riders out and talk to our
20 senators, you have a job to talk your
21 senators.

22 I can tell you right now, the
23 Republicans in office as senators don't like
24 me. They think I'm loud, they think I'm
25 obnoxious and they think I'm rude.

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2 So, please, at my behest, I beg
3 that you call your senators and you tell
4 them that these buses are not just for
5 Nassau, not just for Suffolk, they're for
6 all residents and we need this money. Thank
7 you.

8 CHAIRWOMAN GONSALVES: And,
9 Aaron, before we leave, you had a job to do
10 when we left that forum on -- I forgot what
11 date it was, but March 22nd there is a
12 coalition going to Albany, but I think I had
13 said something to you.

14 MR. LOPEZ WATKINS: We've got
15 letters. They're being signed.

16 CHAIRWOMAN GONSALVES: You need
17 letters.

18 MR. LOPEZ WATKINS: I will be
19 sending it out to everyone on the caucus as
20 well and I would like some feedback.
21 Because some legislators get back to me,
22 most don't. So I will send that email to
23 all of your offices tomorrow. If you want
24 to send pictures of you signing that letter
25 to us and we'll post it, blast it, whatever

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2 you want.

3 CHAIRWOMAN GONSALVES: But you
4 got to get those who are impacted by this to
5 write letters.

6 MR. LOPEZ WATKINS: It's not
7 going to be a problem, Norma.

8 CHAIRWOMAN GONSALVES: Okay.
9 Thank you. There being no other comment,
10 all those in favor of E-3-17 signify by
11 saying aye.

12 (Aye.)

13 Any opposed?

14 (No verbal response.)

15 It passes seven to zero.

16 The next one is E-6-17, a
17 personal services agreement between the
18 County of Nassau acting on behalf of the
19 Department of Health and Service Air, LLC.

20 Motion, please.

21 LEGISLATOR DUNNE: So moved.

22 LEGISLATOR NICOLELLO: Second.

23 CHAIRWOMAN GONSALVES: Moved by
24 Legislator Dunne, seconded by Legislator
25 Nicolello.

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2 Good afternoon.

3 MS. LAURAIN: Good afternoon,
4 Mary Ellen Laurain, Department of Health.

5 E-6-17 is a renewal to a contract
6 in the amount of \$96,179. This is with
7 Service Air. They provide transportation,
8 management and oversight to over 1,700
9 children who have developmental delays and
10 are in our preschool special education
11 program and early intervention.

12 Transportation is mandated and the county
13 receives 59.5 percent state reimbursement.

14 CHAIRWOMAN GONSALVES: Any
15 questions? Minority Leader Abrahams.

16 LEGISLATOR ABRAHAMS: How are
17 you?

18 MS. LAURAIN: Good. Thanks.

19 LEGISLATOR ABRAHAMS: Just trying
20 to make sure I understand the components of
21 the contract.

22 One of the things we see in the
23 backup is that Service Air's cost was
24 \$12,000 higher than the lowest bidder. Is
25 that your estimation as well?

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2 MS. LAURAIN: Yes, but my
3 understanding is that they provided over
4 \$60,000 in liquidated damages so that was
5 taken into consideration. I believe the RFP
6 was from 2012.

7 LEGISLATOR ABRAHAMS: And there's
8 more than one entity that can provide this
9 service?

10 MS. LAURAIN: I believe 2012 I'm
11 not sure, but I do believe we may have
12 received two bids. I don't have that in
13 front of me because it's a renewal. It just
14 went out to rebid in fact. So this is the
15 last year of this.

16 LEGISLATOR ABRAHAMS: If the
17 county did decide to go with a different
18 vendor, do you have any idea of the cost of
19 transitioning to a vendor?

20 MS. LAURAIN: We are in the
21 process of reviewing bids now so I don't
22 have that until we are done evaluating and
23 reviewing those.

24 LEGISLATOR ABRAHAMS: So you do
25 envision the county will issue a new RFP for

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2 these services?

3 MS. LAURAIN: There's a new RFP
4 out. I'm not sure who will be chosen.
5 That's still being evaluated.

6 LEGISLATOR ABRAHAMS: Is it
7 closed?

8 MS. LAURAIN: Yes. We received
9 the bids.

10 LEGISLATOR ABRAHAMS: Received
11 the bids and no more bids will come in?

12 MS. LAURAIN: Correct.

13 LEGISLATOR ABRAHAMS: So we're
14 going through the reveal process now?

15 MS. LAURAIN: Correct.

16 LEGISLATOR ABRAHAMS: When do we
17 plan on making a determination?

18 MS. LAURAIN: I believe that
19 should be made by the end of February. It's
20 anticipated.

21 LEGISLATOR ABRAHAMS: Recent?
22 Current?

23 MS. LAURAIN: Yes.

24 CHAIRWOMAN GONSALVES: Legislator
25 DeRiggi-Whitton.

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2 LEGISLATOR DERIGGI-WHITTON: So,
3 in keeping with Legislator Nicoletto's
4 questions, this term goes from September 1st
5 through August 31st, September 1st of 2016?

6 MS. LAURAIN: Yes.

7 LEGISLATOR DERIGGI-WHITTON: And
8 why are we seeing it today?

9 MS. LAURAIN: Because we had to
10 go back to the vendor with some disclosure
11 forms. There were some forms that needed to
12 be filled out and it delayed the process.

13 LEGISLATOR DERIGGI-WHITTON: You
14 know, we keep hearing it over and over.
15 This system has been in place for a while
16 and for us to -- today is February, so it
17 doesn't seem --

18 MS. LAURAIN: Understood.

19 LEGISLATOR DERIGGI-WHITTON: A
20 month a month or two, but to be almost six
21 months is pretty late. That's a significant
22 delay. And now you're saying you're going
23 in for another bid.

24 MS. LAURAIN: We received bids.

25 LEGISLATOR DERIGGI-WHITTON: This

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2 is for when?

3 MS. LAURAIN: For the school
4 year, generally begins in September and goes
5 through -- not many children use the
6 transportation in the summer months but
7 there are some.

8 LEGISLATOR DERIGGI-WHITTON: So,
9 technically, this company has been providing
10 the transportation for the whole school year
11 up until today, right?

12 MS. LAURAIN: Yes.

13 LEGISLATOR DERIGGI-WHITTON: So
14 we already encumbered that expense?

15 MS. LAURAIN: They have not been
16 paid for any services.

17 LEGISLATOR DERIGGI-WHITTON:
18 Again, you don't feel this is in any way a
19 sole source?

20 MS. LAURAIN: This went out for
21 RFP in 2012. We have been using this
22 specific vendor for over 20 years but it did
23 go out to RFP.

24 LEGISLATOR DERIGGI-WHITTON: But
25 you have been using them for 20 years?

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2 MS. LAURAIN: And then prior to
3 us when it was under mental health, I
4 believe they used the same vendor. We went
5 out to RFP and they were chosen.

6 LEGISLATOR DERIGGI-WHITTON: So
7 for 20 years.

8 MS. LAURAIN: I believe about 20
9 years. I don't have the exact time frame
10 but it's quite a few years. Transportation
11 is mandated by state law so we must provide
12 transportation to preschool.

13 LEGISLATOR DERIGGI-WHITTON: We
14 all get that. We are just trying to clean
15 up the process. We can't keep saying the
16 forms are the problems but --

17 MS. LAURAIN: It has been, but we
18 are working with legislative affairs and
19 Mr. Cleary's office and we also developed
20 our own internal spread sheets to keep it in
21 place so that this doesn't happen, but there
22 have been some in the past that have been
23 late so it sort of snowballed, but we're
24 working very hard for that not to happen.

25 LEGISLATOR DERIGGI-WHITTON: I

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2 know you have a lot going on but I think the
3 department heads are really going to have to
4 come down on these vendors when it's about a
5 month late, saying you're not going to get
6 paid.

7 Right now we do have a tendency
8 to make up for it so they do get paid, but
9 in the future, I think both sides we're
10 starting to feel that we're not going to do
11 that anymore. They really risk not being
12 paid if these forms are not sent in a timely
13 way and they have to know that.

14 CHAIRWOMAN GONSALVES: Legislator
15 Nicolello.

16 LEGISLATOR NICOLELLO: I just
17 don't get how the forms can delay something
18 six or seven months, so even a shorter time
19 period. If you look at the forms all
20 handwritten responses, I understand there
21 might be some questions, but it should take
22 a half hour for someone to fill out some of
23 these forms.

24 Again, I know they may have
25 questions and they may have to go back and

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2 forth in the department, but on this
3 calendar it was the item from the DA's
4 Office, health right now, this County
5 Attorney's Office, and it's routine now.

6 I think there's one on the
7 calendar that's actually a contract for
8 services that are going to be provided
9 starting in the future. The rest of these
10 have already started.

11 We just don't understand how it
12 is that every one of these contracts has
13 started already before they come to us.
14 It's almost as if the administration is
15 looking at us as just a rubber stamp up
16 here.

17 Whenever the new contracts are
18 coming or due for, this one in August, we
19 better get it before August 31st. It's
20 gotten to point where it's just ridiculous.
21 I don't mean this directed at you, obviously
22 you do a terrific job representing the
23 Health Department here.

24 But calendar wide, every contract
25 being late, we just don't understand it.

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2 We're getting frustrated with the system.

3 The systems have to be developed
4 so that contracts are in place or ready to
5 go before us before they start the services.
6 That's all it comes down to.

7 CHAIRWOMAN GONSALVES: I see
8 Mr. Cleary is there, and I wonder if he
9 wants to say a few words in regards to the
10 issues before him.

11 MR. CLEARY: Yes. Thank you.
12 Robert Cleary, director of procurement
13 compliance.

14 This has been a theme that has
15 been re-occurring and we're aware of it and
16 we're understanding that it's a problem.

17 It's going to take some time to
18 work down the backlog effectively but we are
19 starting to get our hands around this issue.
20 It's going to take a long time.

21 I've requested departments to
22 identify any retroactive contracts. We are
23 putting together a list and we're going to
24 try to manage our way through it.

25 There are going to be a number of

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2 contracts that are going to be presented
3 that are going to be retroactive going
4 forward, but hopefully we can at least get
5 our arms around it and stop it from
6 happening in the future.

7 You are absolutely right. The
8 contracts need to be processed timely in a
9 fashion so you can see them in the time to
10 review them before they become effective.
11 So we do hear what you're saying and we
12 recognize it's a problem.

13 So I ask that you bear with us as
14 we go through this but I will be happy to
15 work with you however you would like to try
16 to show that we are trying to manage this
17 better going forward.

18 CHAIRWOMAN GONSALVES: Minority
19 Leader.

20 LEGISLATOR ABRAHAMS: Mr. Cleary,
21 if I may suggest, it seems to be that the
22 county may never catch up or it's going to
23 take some time to actually review contracts
24 before they're actually approved.

25 I'm sure that there are contracts

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2 that are looking for implementation for
3 March and April, better yet April, that
4 stuff that's sent down from the
5 administration and start with those first.

6 Then, as you put together your
7 retroactive list, we should look at those in
8 their entirety at one particular time.

9 But, to me, it just seems like to
10 continue to go down, I can't agree more with
11 Deputy Presiding Officer Nicoletto, it seems
12 like we're going down, we are always playing
13 catch up, always six or seven months behind,
14 sometimes even longer.

15 I think we have to start with the
16 process where you can't send anything to the
17 Clerk's Office that will not be implemented
18 until at least April or May.

19 Then, from there, at least we
20 know we have a clean process. Then I'm sure
21 there are many other contracts that we can
22 consider at a later juncture when we
23 understand the whole parameter of them being
24 late.

25 I think that's the better way to

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2 go, we would avoid the concern; I mean, this
3 is a contract that is extremely necessary.
4 This is something where it's impacting
5 approximately 1,700 children.

6 We want to be able to vote for it
7 but the cloud of the procurement system on
8 this county, we are going to be forced to
9 vote no because of this constant practice of
10 these contracts coming down to us, in this
11 case, five months after the period.

12 So that would be my suggestion in
13 order in order to alleviate some of the
14 concerns and apprehension that's tied around
15 procurement in this county.

16 That if we can start anew with
17 the contracts that the Presiding Officer
18 would call and put on the agenda for our
19 March meeting, if we can start with those
20 contracts, not have an implementation date
21 before April 1, I think that would be the
22 best way to proceed.

23 From there, we understand you're
24 putting together your list. That list would
25 include dozens, if not hundreds, I don't

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2 know how many contracts fall into the
3 catchment area of stuff that were started
4 before April 1, but that would probably be
5 the best way for us to proceed.

6 I don't know how doable that is,
7 but I would say, oh, we're going to have
8 these discussions and you're going to keep
9 coming up all the way through the summer if
10 not the fall.

11 MR. CLEARY: Although I've been
12 trying to view it as what you suggest, two
13 separate categories, those that we have
14 enough time to actually do in advance and
15 the set of contracts that, by their very
16 time line, are going to be retroactive
17 effectively. We can manage that together,
18 however, whatever would work best for you.

19 I think that there are probably
20 some that are already going to be
21 retroactive that are essential to get moved
22 as quickly as possible even though they are
23 retroactive. So it may be a matter of
24 prioritizing the items onto the list as best
25 we can.

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2 LEGISLATOR ABRAHAMS: And what
3 difference does it make if you send it to us
4 in March, what difference does it make if we
5 approve it in April if it's retroactive back
6 to November? It's one month difference.

7 What I'm trying to say is, we
8 need to have a process that moves forward at
9 least from a clean standpoint. And then
10 once you are able to put together all those
11 contracts, this Legislative body will
12 determine at that time the validity of those
13 contracts.

14 But, to me, it just seems like
15 every single committee, we are muddy in the
16 water with contracts, which I agree with
17 Deputy Presiding Officer Nicolello, we're
18 muddy in the water with contracts that, I'm
19 looking through the list, all these have
20 start dates prior to this legislative
21 meeting.

22 This one came close. This one
23 came close that we are going to do, E-14-17,
24 January 1 that came close. One of these go
25 back to 2015. I mean, it's not his fault.

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2 I'm not saying it's anybody's fault that's
3 standing there. But they get the brunt of
4 our displeasure.

5 I would strongly recommend if
6 it's possible that if we can't have the
7 contracts that are going to be implemented
8 on April 1 for our next Rules Committee
9 meeting, then you know what, there is no
10 Rules Committee meeting, there shouldn't be.

11 I don't understand why we are
12 continuing to support contracts and we know
13 full well that they're implemented. I can't
14 agree again with the statement, I don't know
15 if it was Rich or the Presiding Officer,
16 that talked about this Legislature is
17 treated as a rubber stamp. Why else are we
18 here?

19 We have an implementation date,
20 the contract starts. The contract goes
21 through procurement. You guys hand the
22 money out, you're making payments to the
23 vendor. What does this legislative body do?
24 What are we here for?

25 CHAIRWOMAN GONSALVES: Deputy

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2 Kopel.

3 LEGISLATOR KOPEL: Yes. Sorry.

4 But I'm going to pile on.

5 Several months ago, it's been
6 quite a few months that this has been going
7 on. I started talking about that if you
8 recall quite a few months ago. I said that,
9 I starting bringing up these contracts and
10 said we are just not going to vote for them.

11 As a matter of fact, I recall,
12 there were several contracts that we did not
13 vote for and did send back. Things seemed
14 to be getting a little bit better. Seemed
15 to be getting a little bit better for a
16 while. We just didn't seem to be getting as
17 many.

18 Somehow now it seems they're
19 bunch dumped on us. What is going on? I
20 think actually we're all in agreement here.
21 Something that comes to us and it's already
22 performed or substantially been performed,
23 the administration again, you, not 'you' but
24 the corporate you, is going to have a
25 problem. You may have a lawsuit.

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2 We're just not going to sit here
3 and essentially not do our jobs which is,
4 our job on this committee is to review
5 contracts and give our consent to contracts
6 if they make sense.

7 And when you come with something
8 that's already performed or even in process,
9 we can't do our job at all. Actually our
10 consenting ex post facto is really kind of
11 beside the point. One might even argue
12 improper. We're just not doing anything at
13 that point. Why are we here?

14 So you may want to take the list
15 and maybe just get it -- give us a list of
16 what you've got. I think the Minority
17 Leader suggested that. Give us a list of
18 what you've got outstanding there.

19 As a separate list, let's look at
20 that. But don't submit any new things
21 otherwise, just don't do it. Thanks.

22 CHAIRWOMAN GONSALVES: Legislator
23 DeRiggi-Whitton.

24 LEGISLATOR DERIGGI-WHITTON: One
25 last question.

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2 It's said over and over again
3 that we're having problems with the form.
4 Do you know what the problems are? Have you
5 identified them?

6 MR. CLEARY: Well, to that point
7 specifically. I think some of the questions
8 on the forms and some of the circumstances
9 the vendors confront are judgement calls.

10 So, inevitably, in certain
11 instances, there's going to be some back and
12 forth about what constitutes full
13 disclosure, vendor responsibility.

14 So those issues are very
15 difficult and may require several rounds of
16 discussion with the vendors to truly
17 understand the nature of the issues and
18 whether they present a problem for an award
19 of a contract.

20 As far as the basic answers to
21 the disclosures, we have tried to stabilize
22 that situation. We've done training with
23 non profits. We've posted some guidance on
24 the website. We've made departments aware
25 of that information being available.

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2 So we are doing our best to try
3 to communicate consistent clear answers to
4 those questions but, again, especially with
5 vendor responsibility and disclosures, there
6 are going to be issues that arise that do
7 require some re-thinking and finding the
8 right way to interpret the rules and apply
9 them.

10 LEGISLATOR DERIGGI-WHITTON: They
11 seem pretty straightforward to me, the
12 forms. I don't know if there is any way to
13 go back and see if there's anything in
14 comparison to another municipality.

15 I think at this point we really
16 need to let the vendors know that if these
17 forms are not complete, the County
18 Legislature will not be approving the
19 contract.

20 I think we have to push them a
21 little bit. I understand if it's a month
22 that they have a question with, but if I
23 wanted a pretty substantial job, I wouldn't
24 let it sit for six months before giving the
25 information my employer would want.

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2 So I think we really need to get
3 it across either on the forms or in some
4 way, that the delay is truly in the fact
5 that these forms are not being filled out
6 correctly, they can call for questions but
7 they have to be proactive.

8 Again, I'm happy to hear that we
9 sort of have a bit of an agreement up here
10 that we have been working for honestly for a
11 while, but for us to prove it, it's almost
12 worse than us not being here. It's almost
13 like we're basically approving something
14 with absolutely no oversight. And that's
15 exactly not the direction we want to go in.

16 MR. CLEARY: I will say this
17 about the disclosure questions.

18 I personally have been through
19 situations where a vendor has taken two or
20 three months to accept what they were being
21 told to file and to respond effectively to
22 the questions. So I can name some vendors
23 that I have personally been involved with
24 since I've been here where I've gone through
25 that process.

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2 I've been through other issues
3 with vendors in my previous experience where
4 it sometimes took a year to get everything
5 sorted out. But most of that is typically
6 contract negotiations, terms, and things
7 like that.

8 LEGISLATOR DERIGGI-WHITTON: Then
9 we shouldn't award those contracts to these
10 vendors. It's as simple as that. Very
11 rarely do we have a sole contract, sole
12 source situation. For the most part, this
13 is the whole reason why we are having these
14 questions. We want to weed out anyone who
15 might be having a problems with these
16 answers.

17 I mean, if someone asks me a
18 question about a political contribution and
19 I can say no, that's easy. If I have to go
20 back and forth on it or something else, that
21 might be one of the ones we want to weed
22 out.

23 So, I think the fact that we are
24 waiting so long and the contract is almost
25 over, it's really -- I know you've done a

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2 great job in bringing us up in the
3 procurement situation, but this, what's
4 going on now, is pretty much wiping out
5 everything you're doing and everything we
6 are doing. The contracts are happening
7 without our approval

8 MR. CLEARY: Well, going to that
9 last point, and we are doing everything we
10 can to go ahead of this and to, again,
11 communicate clear messages to vendors about
12 what's expected.

13 I think that you don't want to
14 discourage vendors from participating. I
15 think you want to invite vendors to do
16 business with the county and you want to
17 work with them so they can feel comfortable
18 doing that and understand what the
19 requirements are as best as possible.

20 There is a learning curve here
21 and it's going to continue. It's going to
22 be a matter of re-education periodically as
23 far as far as the forms are concerned. You
24 go through this in other jurisdictions as
25 well. It's not just here that we have this

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2 issue.

3 The issue is, perhaps, to some
4 degree, if you start doing this process
5 three months into a retroactive contract,
6 you a fundamentally different problem than
7 if you did it three months prior to that
8 contract starting or four or five months
9 preferably, so to give you guys the
10 opportunity to review it and weigh in on it.

11 Now, as far as the role that you
12 play, we don't have the authority to pay.
13 As far as I'm aware, we do not have the
14 authority to pay a vendor that hasn't had an
15 executed contract. So there is an operable
16 element in your review of this contract. So
17 even though it's retroactive, I think it's
18 very important obviously that we go through
19 that process and you feel comfortable with
20 the appropriate awards.

21 LEGISLATOR DERIGGI-WHITTON: Can
22 I just interrupt you for a second? You're
23 using the word retroactive very casually.
24 That's not the way that this government is
25 set up. We don't work retroactively.

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2 Literally, it's supposed to come
3 to us before it's executed. That's why
4 we're here again. So, for you to say
5 basically that it's like a common thing, oh,
6 these are all retroactive contracts, there
7 are no retroactive contracts.

8 These are all contracts that, for
9 some reason, these procurement forms or
10 whatever else the issue is, have not been
11 complete.

12 Now, more than half the contract
13 has already been done and we don't want to
14 not pay a company. I don't want to have
15 anyone go bankrupt because we say at this
16 point, oh, you did have a conflict.

17 You are putting us in a very
18 dangerous situation in the sense that we are
19 not going to pay vendors if we come up with
20 fact that there is a problem with it.

21 Here they are putting their own
22 money out paying their employees and
23 everything, and we're the ones that have to
24 determine if there is a conflict, if there's
25 a political issue, if there's even more than

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2 that that we have a real problem with.

3 So, although you're trying to be
4 nice to the vendors and protect them and not
5 push them too much with demanding too much,
6 you're really putting them in jeopardy of
7 not being paid.

8 MR. CLEARY: I don't mean to
9 sound cavalier about the retro activity. I
10 will say this. Everywhere there is public
11 procurement, there are issues with
12 retroactivity.

13 It is right now a bigger issue
14 here and I totally agree and that's the
15 reason that I did take the step of asking
16 for a list of retroactive contracts in
17 trying to start to get -- to manage this
18 process a little bit because I think it had
19 gotten away from us frankly. I do want you
20 to feel comfortable doing what you have to
21 do.

22 The reality is that there are
23 vendors who have performed services who are
24 performing services that everybody, I think
25 ultimately will agree are necessary, whether

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2 through that contract or any other that
3 ultimately will have to weigh in on, and
4 decide how best to manage those processes.
5 I'm trying to bring that to you in a more
6 orderly fashion than this piecemeal because
7 we've heard the message. We know this is an
8 issue that makes you very uncomfortable.

9 LEGISLATOR DERIGGI-WHITTON:

10 Before you were here we had issues where,
11 for instance, during a storm there was food
12 that was needed to be provided to the OEM.
13 There was a lot of pressure at that point
14 for us pay for. This is the kind of thing
15 that we don't want to have happen again. We
16 weren't aware of the relationship at that
17 point with the vendor and that was huge.
18 There are a lot of people in trouble right
19 now because of it.

20 So it might sound -- listen, do
21 you think anyone up here doesn't want to
22 provide buses for handicapped children? I
23 mean that's the last thing in the world we
24 don't want to do. None of us wanted to stop
25 giving food to the OEM workers.

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2 So, although it might seem like
3 an innocent contract, that doesn't protect
4 us at all. We are really past that. We
5 have to follow the due process for all
6 contracts.

7 MR. CLEARY: One thing that I do
8 want to point out specifically though about
9 non profits contracts that are funded
10 annually. There is structural impossibility
11 effectively of having a contract effectively
12 go through the full process when the funding
13 is approved in the budget in December
14 effectively loaded up then, and then the
15 services are mandated to start on January
16 1st. That would be one category where I
17 would suggest, and perhaps other social
18 service contracts where it's client services
19 funded by -- whether it's a mandate or a
20 clear social need, and also not for profits
21 also have more tenuous finances.

22 You may want to prioritize some
23 of those contracts as opposed to some of the
24 other contracts if you are looking at what's
25 retroactive and what's more important and

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2 what's less important.

3 Again, I think getting our arms
4 around what the problem is, and then coming
5 up with the right way to sort out how to
6 best manage it, is better than less nuanced
7 approaches to it, and in the interest of
8 getting done what the county needs to get
9 done and serving the people that we need to
10 serve.

11 So I'm going to do what I can to
12 give you guys the information you need to
13 see where you are and what the issue is.

14 And I and everybody in the
15 administration will work with you to try to
16 find our way out of this issue and prevent
17 it from recurring.

18 I think that this time next year
19 we still will have some effectively
20 retroactive social services contracts that
21 are mandated to start on January 1st because
22 we don't have a structural fix to that yet
23 that I've seen.

24 Other than that though, things
25 like the contract that we're talking about

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2 now, yes, this is, I believe it was an
3 extension, an amendment, these are the kinds
4 of things we can get ahead of as long as we
5 put them on the proper schedule and do what
6 we need to do and work with our vendors as
7 effectively as possible.

8 LEGISLATOR DERIGGI-WHITTON: We
9 are not asking you to bat a thousand, but
10 like the Minority Leader just mentioned, if
11 you look at this Rules packet, it's almost
12 like every contract is retroactive, as you
13 said, and that is just inexcusable.

14 Again, I'm not in any way trying
15 to criticize -- I think you have done some
16 very good work since you've been here and I
17 look forward for you to improve it even
18 more. But I think we have to look at those
19 forms. See what we can do to make it
20 easier, if the people know who to call if
21 they have a question, put that on the form.

22 We have to move it faster. I
23 think you are getting the message from both
24 sides. We are not going to approve them any
25 more. So there's a real danger of these

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2 people not being paid if they don't comply
3 faster or we don't move faster. Thank you.

4 MR. CLEARY: Understood. Thank
5 you.

6 CHAIRWOMAN GONSALVES: You
7 mentioned, Mr. Cleary, something about a
8 structural fix. What are you alluding to?

9 MR. CLEARY: Well, we have a
10 situation where the budget is passed. It's
11 ultimately approved by NIFA. Once it's
12 approved by NIFA, it's loaded in the
13 financial system. The structure of the
14 process is that until it's loaded in the
15 financial system, we cannot proceed with our
16 contracting process.

17 Processes inevitably take longer
18 than two, four, six weeks in many cases. In
19 many cases, it's really three months is kind
20 of minimal processing in a lot of cases.

21 So this sets us up for a problem
22 when you have annual contracts starting on
23 the budget year start date, you really can't
24 get that contract done in time.

25 I think that where we have the

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2 option, we should move away from that as a
3 contract start date. I think it doesn't
4 make sense to the extent possible to fix it
5 at that point because of this problem, but
6 there are state funded contracts and
7 possibly federally funded contracts that are
8 mandated that are required and we really
9 can't get away from it.

10 In the meantime, we kind of get
11 it from both sides because the state comes
12 back to us and complains that why haven't
13 you paid our vendors yet, the services have
14 started.

15 I have spent eight months trying
16 to find a way out of that particular maze
17 and I haven't succeeded because there are a
18 lot of different parts there that are very
19 difficult to move. But that's the biggest
20 one.

21 CHAIRWOMAN GONSALVES: Legislator
22 Kopel wants to ask of Mr. Cleary. Go,
23 Legislator Kopel.

24 LEGISLATOR KOPEL: So I guess I
25 don't quite understand why we can't go out

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2 and get bids even that we don't have the
3 funding fully in place. We don't have to
4 approve it maybe but we can go out and get
5 bids and we might even be able to get a
6 contingent approval here or something like
7 that even if the funding isn't in place. I
8 don't understand why it has to wait.

9 As far as I can see, the only
10 thing that should come before this body
11 that's late is, when you get a Sandy
12 situation or another type of emergent type
13 of problem where you're going out there.
14 We've got to get things done. Get it done
15 now. We can't wait for a Legislature to go
16 ahead and go through our normal processes.

17 But, otherwise, the signing of
18 the contract can wait maybe, that's up to
19 you, but there's no reason that I can see
20 that things shouldn't be loaded into the
21 system and processed through the system and
22 brought to us before, before the work
23 starts.

24 MR. CLEARY: In the case that I
25 was referring to, I guess the short answer

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2 is, I will take that back to the office and
3 see if I'm misunderstanding something. But
4 my understanding from all the conversations
5 that I've had is that we can't really
6 execute the contract. We can review.

7 LEGISLATOR KOPEL: That's
8 precisely what I said. Don't execute it.
9 You have authority to execute it from us and
10 we're done. Whether or not you execute it
11 before you've got whatever it is in place,
12 that's your deal. That's not ours.

13 But our deal is that we want to
14 be able to review and approve a contract
15 before the work starts, so that if we don't
16 like it we're not stuck in a box where the
17 work has already been done and we don't like
18 this vendor for whatever reason.

19 MR. CLEARY: If it's possible to
20 have all the social services January 1 start
21 contracts scheduled to be reviewed by the
22 leg prior to December 31st --

23 LEGISLATOR KOPEL: Is there a
24 reason why it wouldn't be possible?

25 MR. CLEARY: We will do what we

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2 can. My understanding is that historically
3 we haven't been able to do that for a
4 variety of reasons.

5 LEGISLATOR KOPEL: Well, what I
6 mean, don't you know who the bidders would
7 be?

8 MR. CLEARY: Well, in many cases,
9 directed sources.

10 LEGISLATOR KOPEL: So then if
11 it's a directed source, so you know it in
12 advance, you know what the scope of work is
13 going to be in the advance for the most
14 part, correct? You know it's going to be
15 done. You just maybe need to nail down
16 sources of funding and you could bring it to
17 us even on a contingent basis.

18 Yes, we authorize it here
19 provided that you got your funding done.
20 Then we've done our job.

21 But, when you bring it to us
22 after everything has been done, we can't
23 possibly do our job and you've effectively
24 bypassed us.

25 MR. CLEARY: As I said, I will

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2 take that back.

3 LEGISLATOR KOPEL: We are beating
4 the horse to death, I get that.

5 MR. CLEARY: Anything that we can
6 do to facilitate that we will. Generally
7 speaking, solicitation is not done in good
8 faith unless you have the funds or have
9 reasonable assurance that the funds will
10 exist.

11 LEGISLATOR KOPEL: Except if you
12 tell them so in advance. If you're dealing
13 with social service agencies who understand
14 this process, they will understand that part
15 of it as well. That's not a question of
16 good faith. I'm sorry, I have to disagree
17 with that one.

18 If you go out to bid and you say
19 go ahead and bid, but be advised that your
20 funding -- they're doing it now. They know
21 the funding isn't there and they're doing it
22 anyway. So there's no reason that if
23 they're willing to do it why can't they come
24 to us. Sorry, I just can't agree with that.

25 CHAIRWOMAN GONSALVES: Let's go.

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2 Minority Leader.

3 LEGISLATOR ABRAHAMS: Mr. Cleary,
4 I'm not going to, again, beat a dead horse
5 but, while we were debating discussing the
6 procedure in terms of getting things in a
7 timely manner, we just received a contract
8 for consideration today, which is going to
9 be done by addendum, A-1-2017, which, I
10 mean, I don't know how we can anticipate
11 doing any level of due diligence while we
12 are reviewing and debating contracts that
13 are before us that actually have been
14 calendared to suddenly change gears and
15 review a very lengthy contract of something
16 like 50, 60, to 75 pages of information.

17 The one thing I will credit you
18 with is the term is March 1, 2017. It
19 sounds like we are going to meet the
20 criteria of meeting the term but it just
21 seems a little ridiculous that we are not
22 going to be able to review this in a timely
23 matter and this body is going to vote on
24 something after reviewing it for all but an
25 hour or two.

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2 LEGISLATOR KOPEL: Mr. Cleary, I
3 have some Advil if you need.

4 MR. CLEARY: We'll do our best
5 to answer all the issues.

6 CHAIRWOMAN GONSALVES: Any public
7 comment?

8 (No verbal response.)

9 There being none, all those in
10 favor of Contract E-6 signify by saying aye.

11 (Aye.)

12 Any opposed?

13 (Nay.)

14 The item passes four to three.

15 Let's move on. The next item is
16 E-11-17, a resolution authorizing the County
17 Executive to execute an amendment to an
18 agreement between the County of Nassau
19 acting on behalf of the Nassau County
20 Attorney's Office and Sahn Ward Coschignano,
21 P.L.L.C.

22 Motion, please.

23 LEGISLATOR DUNNE: So moved.

24 LEGISLATOR NICOLELLO: Second.

25 CHAIRWOMAN GONSALVES: Moved by

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2 Legislator Dunne, seconded by Legislator
3 Nicolello. Who is here to speak on this
4 item?

5 MR. LITTMAN: Good afternoon
6 everyone. Sam Littman from the County
7 Attorney's Office. Glad I didn't go first.

8 CHAIRWOMAN GONSALVES: Go ahead.

9 MR. LITTMAN: This is an
10 amendment to an existing outside counsel
11 contract and I will take any questions.

12 CHAIRWOMAN GONSALVES: Any
13 questions for Mr. Littman? Legislator
14 DeRiggi-Whitton.

15 LEGISLATOR DERIGGI-WHITTON:
16 Well, I'm sure as you've just witnessed,
17 we're just wondering again, I want to put on
18 the record, not to beat a dead horse again,
19 but the terms of this contract are March
20 31st, 2016 to March 30, 2018. We missed it
21 by a year.

22 MR. LITTMAN: Well, the original
23 contract was executed back in 2014 actually,
24 and it was a \$24,900 contract for this law
25 firm to handle -- it turned into two cases.

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2 One case was one plaintiff turned into a
3 labor case and a federal wrongful false
4 arrest case.

5 The other case was a case that we
6 had a conflict which was an Admiralty Law
7 but at the time the contract was executed
8 there was no need to come before the
9 Legislature because the local law wasn't
10 enacted yet.

11 Now we are here because we're
12 seeking to amend the contract in terms of
13 extending the term and putting more money
14 into the contract. I understand everything
15 that was said prior.

16 LEGISLATOR DERIGGI-WHITTON: I,
17 again, I'm not questioning the need for the
18 special counsel with the cases, but, again,
19 we knew it a year ago that that was
20 happening. Not to reiterate too much, but
21 I'm sure you're feeling it. We are sensing
22 a change up here and we need you guys to be
23 all on board. No matter what. We need all
24 departments to understand the purpose, the
25 reason, and to comply.

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2 MR. LITTMAN: We are on board
3 and, with all due respect, that's why we are
4 here today. We are putting an additional
5 \$30,000 into this contract and we are coming
6 here for your approval at this point.

7 LEGISLATOR DERIGGI-WHITTON: I
8 mean, that's what you're going to do.
9 That's what we're supposed to consider.

10 MR. LITTMAN: Right.

11 LEGISLATOR DERIGGI-WHITTON: What
12 if we vote no? The bottom line is, we have
13 to be the first step.

14 MR. LITTMAN: Not disagreeing.

15 LEGISLATOR DERIGGI-WHITTON:
16 Thank you.

17 CHAIRWOMAN GONSALVES: Minority
18 Leader.

19 LEGISLATOR ABRAHAMS: Thank you,
20 Madam Presiding Officer. I just have a
21 question. The firm that we're talking about
22 is Sahn Ward Coschignano, correct?

23 MR. LITTMAN: Correct.

24 LEGISLATOR ABRAHAMS: Is this the
25 same Coschignano, Councilman Coschignano?

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2 MR. LITTMAN: That I don't know.
3 I think it is, Legislator Abrahams, but I
4 don't know for certain.

5 LEGISLATOR ABRAHAMS: I don't
6 know if it's on the disclosure. Can we find
7 that answer out?

8 MR. LITTMAN: Sure.

9 LEGISLATOR ABRAHAMS: Okay. It
10 is.

11 MR. LITTMAN: Chris Coschignano.

12 LEGISLATOR ABRAHAMS: Are we sure
13 that there hasn't been any additional
14 discussions between the County Executive and
15 Mr. Coschignano for his firm being selected
16 for this service outside of the realm of --

17 MR. LITTMAN: Not to my
18 knowledge. As I said, this took place in
19 2014 when they actually got this contract.

20 LEGISLATOR ABRAHAMS: I
21 understand. Look. I don't want to go down
22 this road. But some of the stuff that's
23 being alleged is also prior to 2016 as well.
24 If you could find out the answer for us --

25 MR. LITTMAN: If there was any

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2 conversation, how it came to be, I don't
3 know if we can ever get the answer to that
4 question, Legislator Abrahams, with all due
5 respect.

6 It was a contract -- we have a
7 panel of law firms. This firm was
8 considered because of the nature of the case
9 that we were giving them; one was Admiralty
10 Law and one had a labor -- a federal civil
11 rights action as well all involved. They
12 were chosen because of their ability to
13 handle those cases.

14 LEGISLATOR ABRAHAMS: Out of all
15 the firms that specialize in this level of
16 legal expertise, what makes them stand out
17 more than anyone else?

18 MR. LITTMAN: We have a panel
19 that's already in existence of a list of law
20 firms. Then, internally, we review the case
21 and make a determination which firm is best
22 matched up with that case. It's a legal
23 decision that comes from our office. It's
24 the County Attorney's Office that makes that
25 decision where this case will go to.

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2 LEGISLATOR ABRAHAMS: And what
3 was the basis of that decision in this case?

4 MR. LITTMAN: In this case it was
5 based on their experience in handling
6 certain cases and the case itself. Every
7 case is different and each case calls for a
8 different firm at certain points in time.

9 LEGISLATOR ABRAHAMS: Can you
10 site any of those particular cases off the
11 top of your head?

12 MR. LITTMAN: I really can't cite
13 any particular cases. We have a whole list
14 of cases that go to outside firms and an
15 existing panel.

16 LEGISLATOR ABRAHAMS: No, no. I
17 mean the ones with that firm name have done.

18 MR. LITTMAN: To my knowledge,
19 these are the only ones that have gone to
20 this law firm.

21 LEGISLATOR ABRAHAMS: How is the
22 hourly bidding in comparison to the other
23 firms?

24 MR. LITTMAN: It's a set rate.
25 When these firms agree to join our panel

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2 after they're selected, they agree to accept
3 the municipal rate. Everyone gets paid the
4 same rate.

5 LEGISLATOR ABRAHAMS: Thank you.

6 CHAIRWOMAN GONSALVES: There
7 being no other questions or comments, any
8 public comment?

9 (No verbal response.)

10 There being none, all those in
11 favor of E-11 signify by saying aye.

12 (Aye.)

13 Any opposed?

14 (Nay.)

15 The next contract is E-14-17, a
16 personal services agreement between the
17 County of Nassau acting on behalf of the
18 Nassau County Department of Social Services
19 and the Safe Center LI, Inc.

20 Motion, please.

21 LEGISLATOR DUNNE: So moved.

22 LEGISLATOR KOPEL: Second.

23 CHAIRWOMAN GONSALVES: Moved by
24 Legislator Dunne, seconded by Legislator
25 Kopel. Who is here to speak on this item?

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2 Mr. Broderick.

3 MR. BRODERICK: Good afternoon.

4 Paul Broderick, Deputy Commissioner,

5 Department of Social Services.

6 The contract before you is for an
7 agreement between the Department of Social
8 Services and the Safe Center for contractual
9 services which support domestic violence,
10 the 24 hour, seven day a week hot line, and
11 educating various stakeholders in the
12 community and running the annual DV
13 conference to make stakeholders in the
14 community aware of the services available.

15 The Safe Center works in
16 collaboration with the County Executive's
17 Domestic Violence Task Force.

18 The term of the contract is
19 January 1, 2017 through December 31st, 2017.
20 Any questions?

21 CHAIRWOMAN GONSALVES: Legislator
22 DeRiggi-Whitton.

23 LEGISLATOR DERIGGI-WHITTON: You
24 would basically state that the Safe Center
25 is the only one who provides this type of

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2 service; is that correct?

3 MR. BRODERICK: That's correct.

4 LEGISLATOR DERIGGI-WHITTON: So
5 this is pretty much what you would consider
6 a sole source?

7 MR. BRODERICK: By definition,
8 correct.

9 LEGISLATOR DERIGGI-WHITTON: And,
10 congratulations, because you won the closest
11 to being the on time contract.

12 MR. BRODERICK: I have another
13 contract coming up and we might change that
14 opinion in a minute. Thank you for
15 acknowledging that we try. Any questions?

16 (No verbal response.)

17 CHAIRWOMAN GONSALVES: Any public
18 comment?

19 (No verbal response.)

20 There being none, all those in
21 favor of Item E-14 signify by saying aye.

22 (Aye.)

23 Any opposed?

24 (No verbal response.)

25 Seven to zero.

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2 The next item is E-15, an
3 amendment to a personal services agreement
4 between the County of Nassau acting on
5 behalf of the Office of the Nassau County
6 Attorney and Bonds, Schoeneck & King,
7 P.L.L.C.

8 Motion, please.

9 LEGISLATOR DUNNE: So moved.

10 LEGISLATOR KOPEL: Second.

11 CHAIRWOMAN GONSALVES: Moved by
12 Legislator Dunne, seconded by Legislator
13 Kopel.

14 MR. WALSH: Good afternoon,
15 legislators. Kevin Walsh from the Office of
16 Real Estate Services.

17 This is an extension for a County
18 Attorney's contract with Bonds, Schoeneck &
19 King, who has been working with our office
20 on matters various transactional matters
21 that have issues, commercial issues with
22 bankruptcy and foreclosure.

23 CHAIRWOMAN GONSALVES: Any
24 questions of Mr. Walsh?

25 (No verbal response.)

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2 Is there any public comment?

3 (No verbal response.)

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

6 (Aye.)

7 Any opposed?

8 (Nay.)

9 The item passes four to three.

10 The next item is E-16, an
11 amendment to a personal services agreement
12 between the County of Nassau acting on
13 behalf of the Department of Social Services
14 and the Safe Center Long Island, Inc.

15 Motion, please.

16 LEGISLATOR DUNNE: So moved.

17 LEGISLATOR KOPEL: Second.

18 CHAIRWOMAN GONSALVES: Moved by
19 Legislator Dunne, seconded by Legislator
20 Kopel.

21 LEGISLATOR KOPEL: Move to table.

22 CHAIRWOMAN GONSALVES: Legislator
23 Kopel is moving to table Item E-16.

24 LEGISLATOR NICOLELLO: Second.

25 CHAIRWOMAN GONSALVES: Seconded

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2 by Legislator Nicoletto. All those in favor
3 of tabling E-16 signify by saying aye.

4 (Aye.)

5 Any opposed?

6 (No verbal response.)

7 The item is --

8 LEGISLATOR ABRAHAMS: What was
9 the reason for tabling? Is this something
10 that the whole body should benefit from? Is
11 there something missing in the backup or
12 something like that?

13 CHAIRWOMAN GONSALVES: We are
14 waiting for additional information and we
15 haven't gotten it.

16 LEGISLATOR ABRAHAMS: Can we get
17 that information too?

18 CHAIRWOMAN GONSALVES: No. Of
19 course. Whatever we get.

20 LEGISLATOR ABRAHAMS: You said no
21 first. Are you sure?

22 CHAIRWOMAN GONSALVES: I didn't
23 say maybe. Of course. Tabled E-16. Let's
24 move on to E-17.

25 E-17, an amendment to a personal

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2 services agreement between the County of
3 Nassau acting on behalf of the Department of
4 Social Services and Nassau Health Care
5 Corporation.

6 Motion, please.

7 LEGISLATOR DUNNE: So moved.

8 LEGISLATOR NICOLELLO: Second.

9 CHAIRWOMAN GONSALVES: Moved by
10 Legislator Dunne, seconded by Legislator
11 Nicolello. Who is here to talk on this one?

12 MR. BRODERICK: Paul Broderick.
13 The item before you is a contract between
14 the Department of Social Services and Nassau
15 Health Care Corporation to provide us with
16 nurses who determine eligibility for SSI and
17 SSD for residents who come into social
18 services.

19 The term of the contract was for
20 January 1st, 2016 through December 31st of
21 2016, do we have any questions?

22 LEGISLATOR KOPEL: Why?

23 MR. BRODERICK: Okay, why. Good
24 question. About two months ago, you had
25 received and approved the contract for NUMC

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2 for 2015. The reason why was lack of the
3 vendor submitting their paperwork back to
4 the county.

5 The department realized that the
6 pressing priorities we worked with
7 Legislative Affairs and the County
8 Attorney's Office to get the forms back from
9 Nassau Health Care Corporation, their board
10 of directors were apprehensive in signing
11 the disclosures. That was my understanding
12 for whatever reason they had. They provided
13 service. It wasn't as if we weren't trying
14 to get those forms back. They had
15 questions.

16 LEGISLATOR KOPEL: Are they the
17 only ones?

18 MR. BRODERICK: Are they the only
19 ones what?

20 LEGISLATOR KOPEL: Who can do
21 this.

22 MR. BRODERICK: That service, I
23 would say probably not, however, I know that
24 they're a preferred vendor. Or at the time
25 that when we entered into the contract --

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2 LEGISLATOR KOPEL: Perhaps they
3 ought not be preferred any more if they
4 can't get their act together.

5 MR. BRODERICK: That's not for me
6 to say, but I would say that in the time --

7 LEGISLATOR KOPEL: That's to
8 suggest --

9 MR. BRODERICK: You know, just as
10 a dialogue if you want to have that, from
11 our perspective as we entered into the
12 contract before all these forms came up, now
13 whether they -- I mean, over the past year,
14 the forms came out and they were
15 subsequently revised and updated as we went
16 along. That might have added to their
17 confusion.

18 LEGISLATOR KOPEL: What's going
19 on with 17?

20 MR. BRODERICK: 17 contract?

21 LEGISLATOR KOPEL: Yes.

22 MR. BRODERICK: We're just
23 getting to 16 now. I mean, I can follow up.

24 LEGISLATOR KOPEL: I mean, are
25 you going to bring that to this body on 18?

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2 MR. BRODERICK: The department,
3 we start our contract process in October.

4 LEGISLATOR KOPEL: No. What I
5 mean is that perhaps you ought to contract
6 with somebody in 17, cut that off, and go
7 with someone who is going to get their
8 paperwork in.

9 MR. BRODERICK: You know what, I
10 would rather work with our community
11 partners out there to say, look, it seems as
12 if we got the 15 through, so I guess
13 whatever issues were resolved with the
14 County Attorney's Office, we have the
15 contract now, so I don't anticipate unless
16 something else comes up where they have any
17 remaining issues. I hope not. I can't
18 envision that I ever heard that.

19 LEGISLATOR KOPEL: What I'm
20 saying is that, for 17, how long are we
21 going to wait until we get the 17 contract?

22 MR. BRODERICK: As I explained,
23 we already started the process. We'll look
24 into it. But, personally, I don't envision
25 the department issues lasting this long

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2 unless it's something new. So we anticipate
3 getting their contract back in a relatively
4 timely fashion.

5 LEGISLATOR KOPEL: You may want
6 to let them know that we may not approve it
7 if we don't.

8 MR. BRODERICK: Absolutely.

9 LEGISLATOR DUNNE: I have a
10 question.

11 CHAIRWOMAN GONSALVES: Legislator
12 Dunne.

13 LEGISLATOR DUNNE: Just real
14 quick, it's \$1.6 million we get
15 approximately from the state and federal
16 governments pass through, we give half a
17 million dollars towards it.

18 If it is to state that the
19 federal government that's taking the time to
20 get these grant monies to us and the
21 approvals and everything, shouldn't we get
22 to work on it now so we have 17 going?
23 Maybe we can jump start it by telling them,
24 look, we got to get it earlier.

25 It looks like the bulk of the

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2 money is coming from the state and federal
3 government; a million from the federal
4 government and 520,000 from the state. So
5 that's a lot of money not to take into the
6 county, especially the hospital because they
7 need every cent they can get.

8 So, in order to make sure we
9 don't lose them getting this kind of
10 reimbursement, should we light a fire under
11 them? How could you push it?

12 MR. BRODERICK: Legislator, you
13 bring up a good point. At the time we
14 weren't getting any kind of resolution in
15 the department working directly with them.
16 It's in the mail kind of thing.

17 When we consult with the County
18 Attorney's Office, they were so kind as to
19 lend a Deputy County Attorney to this
20 project to move it along.

21 So they worked with the legal
22 folks over in the NUMC to move the process
23 along to address their issues. They weren't
24 being very communicative but after
25 engagement it seems like they came through

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2 on the 15 contract, here we are in 16. So,
3 in theory, the 17 contract, there shouldn't
4 be any residual issues. Nothing has
5 changed.

6 LEGISLATOR DUNNE: Hopefully it
7 will be done quicker but, if need be,
8 somebody needs to get a kick in the butt.
9 Let us know. We have big shoes here. Let
10 us know ahead of time.

11 MR. BRODERICK: I appreciate it.
12 That makes sense. We brought up the same
13 point. They're out of money and we can't
14 seek reimbursement. So it's all money
15 coming to the county.

16 LEGISLATOR DUNNE: Thank you so
17 much. Thank you, Madam Chair.

18 CHAIRWOMAN GONSALVES: Any public
19 comment? Minority Leader.

20 LEGISLATOR ABRAHAMS: How are
21 you, Paul?

22 MR. BRODERICK: Good, legislator.
23 Thank you.

24 LEGISLATOR ABRAHAMS: I just have
25 a couple of questions if regard to the

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2 vendor integrity and disclosure forms.

3 In our reading of the forms,
4 there was information that was indicated in
5 response to question 13, in the past five
6 years has the business and/or its owners,
7 officers, or any affiliate business been
8 subject of an investigation by the
9 government agency and goes on to say, they
10 gave a response, which I guess they couldn't
11 fit the whole response, so they say, see
12 attached summary.

13 When you read the summary, the
14 response seems vague. It talks about the
15 situation that happened in 2014, with the
16 vice president of operations, Mr. Larry
17 Sladky, but then it talks about some other
18 possible investigations, even talks about 35
19 such 19 claims were found to be
20 unsubstantiated, 14 are pending. But there
21 is no information.

22 Did the department wave or give
23 the hospital an exemption to not respond to
24 this properly?

25 MR. BRODERICK: Legislator, I'm

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2 not overly familiar with that piece of the
3 form. So I really am not in a position to
4 answer it.

5 MR. BECKER: Minority Leader,
6 Mr. Cleary will respond to that, okay?

7 LEGISLATOR ABRAHAMS: Sure.

8 MR. CLEARY: Robert Cleary,
9 director of procurement compliance.

10 The original agreement with the
11 vendor, as I understand it, was established
12 as a separate entity, was to label it as the
13 preferred vendor for medical services for
14 the county.

15 And the departments have taken
16 that to be, this is the first vendor that we
17 approached for these issues. And in those
18 instances, when it seems advantageous to
19 both parties, we choose to proceed with the
20 contract, and that is how the vendor was
21 selected.

22 Now, the response to the question
23 referred to we did push back on. Originally
24 they answered the question just with the one
25 sentence that said this is confidential

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2 information due to HIPAA. They really can't
3 release any specifics regarding the
4 investigations.

5 So we had a few conversations
6 back and forth with them. We did tell them
7 that's really not at all along the lines of
8 what we accept from other vendors. We
9 understand it's a different relationship in
10 this instance than it is with the typical
11 competitive situation.

12 After a number of conversations
13 they came back with the response you see.
14 The response you've seen is vague as far as
15 the details are concerned.

16 However, they identify 35
17 investigations. 19 of them were
18 unsubstantiated, so those are not issues.
19 14 of them were pending. So those are not
20 issues because you can't use a pending
21 investigation generally as a reason to find
22 a vendor not responsible.

23 They did mention two that were
24 substantiated and were acted upon. They
25 implemented corrective action plans. They

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2 state specifically that they were accepted
3 by the NDs that found the violations.

4 We do not have the details of
5 those two corrective action plans. That
6 would be the information if I were to ask
7 for more that I would first ask for, but
8 given the preferred vendor status, given the
9 long standing relationship with the county,
10 and the cooperation in both directions, it
11 was felt this was at least sufficiently
12 responding to the issue. That they do not
13 have any outstanding investigations
14 resulting in penalties that they have not
15 corrected, and, therefore, we would have to
16 be concerned about and the conduct of any
17 future contract.

18 LEGISLATOR ABRAHAMS: Mr. Cleary,
19 we are under the impression that the chief
20 procurement officer, yourself, grants an
21 exemption based on written recommendations
22 of the department chief contracting officer
23 setting forth reasons for the exemption
24 should be granted in regard to the responses
25 in the disclosure. Was that exemption

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2 granted?

3 MR. CLEARY: Effectively, yes. I
4 approved this responsibility determination.

5 LEGISLATOR ABRAHAMS: But it
6 wasn't written though.

7 MR. CLEARY: It was not written
8 but it was in the document path of this
9 particular document. So I participated in
10 the conference calls with the vendor and I
11 met with management and we approved the
12 document.

13 LEGISLATOR ABRAHAMS: So you
14 mentioned that obviously the disclosure
15 mentions 35 investigations were not -- let
16 me make sure I have the right terminology,
17 were unsubstantiated but 14 are pending.
18 However, there are various investigations
19 referred to in their question, number 13,
20 that they say, results of routine patient
21 complaints, but like how do we not know, or
22 can you speak with confidence that any of
23 investigations do not involve procurement or
24 misuse of hospital resources, or anything
25 that's criminal in nature? How do we not

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2 know that? Or how can we move forward with
3 not knowing that?

4 It just seems like they gave a
5 vague response and it's up to this
6 legislative body to accept it or not. If we
7 accept it, then we accept also the knowledge
8 that there is a possibility that these
9 investigations could involve procurement or
10 it may not, but we don't know, but we are
11 accepting that responsibility today because
12 we are accepting these vague responses.
13 Which, because we don't have a written
14 recommendation, this Legislature has no --
15 there's no substantiating proof, although
16 their intentions could be good, that we
17 should continue to support their intentions.

18 MR. CLEARY: Well, I don't have
19 any evidence either way, or they did not
20 divulge any details regarding those
21 investigations. As I mentioned, there were
22 two corrective action plans implemented. If
23 there were additional questions to ask at
24 this point, it should be about those two
25 correction action plans. We did request the

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2 details. They refused to provide them and
3 we are now at an impasse. This was the most
4 information they agreed to give us at that
5 time.

6 LEGISLATOR ABRAHAMS: Mr. Cleary,
7 if I'm understanding you correctly, did we
8 ask the question of those pending ones, did
9 we ask the question of any of them involve
10 any federal investigations regarding
11 procurement or any investigation with the
12 state regarding procurement? Did we ask the
13 question or we didn't ask the question?

14 MR. CLEARY: I don't believe we
15 asked specifically about procurement.

16 LEGISLATOR ABRAHAMS: Did we ask
17 about possible fraud? Did we ask about
18 fraud?

19 MR. CLEARY: We did not ask
20 specific questions about -- I mean, we asked
21 for the specifics. They refused to give
22 them to us, so we didn't ask for specific
23 categories of specifics because they were
24 refusing to give us any information.

25 LEGISLATOR ABRAHAMS: And based

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2 on what I heard you say before, they refused
3 to give it to us because they say it's tied
4 to HIPAA.

5 MR. CLEARY: Yes. Confidential.

6 LEGISLATOR ABRAHAMS: All of
7 them?

8 MR. CLEARY: They mentioned HIPAA
9 and another category that I can't recall.

10 LEGISLATOR ABRAHAMS: So it's
11 possible someone not tied to HIPAA but more
12 importantly it also sounds like we just
13 don't know?

14 MR. CLEARY: That's true.

15 LEGISLATOR ABRAHAMS: Madam
16 Presiding Officer, I move to table this.

17 LEGISLATOR DERIGGI-WHITTON: I
18 second it.

19 CHAIRWOMAN GONSALVES: A motion
20 to table is on the floor. All those in
21 favor of tabling Item E-17 signify by saying
22 aye.

23 (Aye.)

24 Any opposed?

25 (Nay.)

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2 We're not tabling it. However,
3 Mr. Cleary, I have a question of you. I
4 know you're not privy to much of the
5 information regarding these complaints.

6 However, you must have some idea
7 of the nature of the complaints in general.
8 This is a hospital. You have 35 complaints.
9 19 have been unsubstantiated and 14 of
10 course are still pending. Now, you have no
11 idea of what the nature of the complaints
12 were?

13 MR. CLEARY: The conversation
14 with the vendor involves patients, medical
15 care and patient concerns. Investigations
16 as a result of that. They did not give me
17 details though so I can't speak with
18 authority regarding the 35 cases that they
19 referred to.

20 MR. BRODERICK: Legislators, just
21 to be clear.

22 CHAIRWOMAN GONSALVES: Go ahead,
23 Mr. Broderick.

24 MR. BRODERICK: Just to be clear,
25 the nurses who provide the service work in

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2 our facility at 60 Charles Lindbergh
3 Boulevard. They do not provide direct
4 medical care. They provide evaluations.
5 They provide evaluations on applications
6 that are submitted to social security
7 administration. So I'm not really sure.
8 I'm not really sure of the questions
9 involving whether -- they don't do
10 procurement, they don't do direct nursing
11 skills, they're not involved with direct
12 patients, they provide evaluations on
13 residents. Just to make it clear on what
14 services they provide DSS.

15 LEGISLATOR ABRAHAMS: Just to
16 clarify, Mr. Broderick, sorry, Madam
17 Presiding Officer, you didn't get a chance
18 to properly recognize me, my concerns are
19 not tied to the nurses, per se, it's the
20 procurement process on how this developed,
21 and whether or not, questioning whether or
22 not this is a responsible vendor in terms of
23 that process.

24 MR. BRODERICK: On their
25 processing procedures?

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2 LEGISLATOR ABRAHAMS: In terms of
3 Nassau Healthcare Corporation.

4 MR. BRODERICK: On theirs, not
5 ours. Okay. I understand. I just wanted
6 to be clear of the services they're
7 providing.

8 LEGISLATOR ABRAHAMS: If I
9 understand, the disclosure that we're
10 referring to was filled out by Nassau Health
11 Care Corporation, correct?

12 MR. CLEARY: Yes. I know we are
13 focused on one specific question. It's the
14 entirety of the package that shows in good
15 faith tried to respond to the question we
16 asked. This is one point that we're stuck
17 on that they claimed the confidentiality
18 issues. I mean, they were trying to be
19 responsive to what we were asking.

20 LEGISLATOR ABRAHAMS: How do you
21 know that?

22 MR. CLEARY: I have no reason to
23 doubt it. They did give us an initial
24 response which we took issue with. We went
25 back to them. They gave us additional

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2 information which clearly was more than they
3 gave us originally.

4 As I said, all the other
5 disclosure requirements have been provided.
6 This is the one point we were stuck on,
7 frankly.

8 LEGISLATOR ABRAHAMS: I think,
9 Mr. Cleary, without knowing the nature of
10 the investigations and what exactly we're
11 talking about, it's hard to fathom that we
12 can come to a conclusion that they acted in
13 good faith because we don't if they did if
14 we don't know what the investigations are
15 about. They could be totally hiding
16 information and it looks like they provided
17 it in good faith because they are going back
18 and forth and they're giving you revised
19 responses to question 13, but we have
20 nothing further.

21 CHAIRWOMAN GONSALVES: Legislator
22 Nicolello.

23 LEGISLATOR NICOLELLO: Just from
24 my perspective, they're not your typical
25 outside vendor. Obviously we have a long

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2 standing relationship with the Nassau Health
3 Care Corporation. We have a connection to
4 them. We guarantee a portion of their
5 bonds. They are a public benefit
6 corporation.

7 I really question whether it was
8 the intent of the entire procurement process
9 to rope in public benefit corporations,
10 other municipalities. I think we're looking
11 at contracts and vendors, that type of
12 thing.

13 As you said, they're providing
14 nursing services for evaluation purposes. I
15 don't really see a reason why we should hold
16 this up because of this.

17 CHAIRWOMAN GONSALVES: Legislator
18 Dunne.

19 LEGISLATOR DUNNE: Have you been
20 using them already?

21 MR. BRODERICK: I'm sorry?

22 LEGISLATOR DUNNE: Have you been
23 using these nurses already?

24 MR. BRODERICK: Yes, sir.

25 LEGISLATOR DUNNE: And you're

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2 happy with them?

3 MR. BRODERICK: They provide good
4 services.

5 LEGISLATOR DUNNE: And there is
6 no district attorney that claims these
7 nurses have done anything wrong?

8 MR. BRODERICK: No. We haven't
9 heard any claims. We get audited. DSS gets
10 audited by the state and federal auditors
11 numerous times during the year.

12 LEGISLATOR DUNNE: They do no
13 procurement these nurses? All they do is go
14 and look at the credentials of whatever
15 patient --

16 MR. BRODERICK: They look at the
17 patient's demographics and evaluate them.

18 LEGISLATOR DUNNE: So if there's
19 something that's going on in the building
20 somewhere else or in a totally different
21 area shouldn't hold this project up; \$1.5
22 million from the state and federal
23 government and make sure that your
24 department can run efficiently, get this
25 contract done so you can continue the good

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2 work you're doing for the poor people in
3 Nassau County that need this help; is that
4 right?

5 MR. BRODERICK: Correct.

6 LEGISLATOR DUNNE: So we really
7 shouldn't be holding it up on something
8 that's going on possibly somewhere else in a
9 building that these people are working for.
10 These nurses are doing an incredible job and
11 we shouldn't hinder the people of Nassau
12 County getting that care. That's all I have
13 to say, Madam Chair.

14 MR. PODLESAK: Madam Chair, could
15 we just have half a second so I can confer
16 with my client.

17 LEGISLATOR ABRAHAMS: Mr. Cleary.

18 CHAIRWOMAN GONSALVES: Have you
19 finished your conference?

20 MR. PODLESAK: I have.

21 CHAIRWOMAN GONSALVES: Now,
22 Minority Leader.

23 LEGISLATOR ABRAHAMS: Thank you,
24 Madam Presiding Officer. Legislator Dunne
25 brought up some very good points. I want to

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2 make sure so I'm not interpreting what he
3 may have been inferring by accident.

4 If there are possible potential
5 investigations by the entity that is looking
6 to do contract work with 15 registered
7 nurses, would that bring up a level of
8 concern or not if they are being
9 investigated possibly for procurement
10 practices? Because Legislator Dunne kind of
11 inferred like it's in another building, it's
12 another issue, these ladies have nothing to
13 do with it. Sounds like it shouldn't matter
14 because it has nothing to do with these 15
15 nurses.

16 I don't want to infer anything
17 but I just want to make sure, is that your
18 understanding as well, like if they're being
19 investigated for things that may not be
20 connected to 15 registered nurses but they
21 are being investigated for other possible
22 infractions in regard to their procurement
23 process, would that be a level of concern to
24 you?

25 MR. CLEARY: The only thing that

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2 I can really speak to is the vendor
3 specifically stated that of the 35
4 investigations identified, two were found to
5 have merit. Corrective action plans were
6 implemented. And the institutions that were
7 investigating them accepted those corrective
8 action plans as satisfactory to resolve the
9 issues.

10 Outside of those two, we have 19
11 unsubstantiated claims which is not uncommon
12 and we have 14 that are pending. So the
13 only actionable information in that would be
14 the two corrective action plans, the two
15 that were accepted by the entities that
16 investigated as being satisfactorily
17 resolved.

18 LEGISLATOR ABRAHAMS: I mean, I
19 don't want to go down this road again and
20 beat a dead horse. So it seems like to me
21 that the 19 that have not been
22 substantiated, those we kind of put on the
23 back burner --

24 MR. CLEARY: They're off the
25 table. They're unsubstantiated. Found to

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2 have no merit.

3 LEGISLATOR ABRAHAMS: Found to
4 have no merit?

5 CHAIRWOMAN GONSALVES: Right.

6 LEGISLATOR ABRAHAMS: That's not
7 my understanding of what they wrote. It
8 sounds like to me if I read this correctly,
9 14 are still pending. 19 have been found to
10 be unsubstantiated, but 14 are still
11 pending.

12 MR. CLEARY: Yes, it is not
13 uncommon for a vendor to have an ongoing
14 investigation. The reality is that ongoing
15 investigations happen at all times for a
16 variety of reasons. And you do not hold,
17 generally speaking, current, ongoing,
18 unresolved investigations against a vendor
19 because they are still under investigation.
20 You don't have any reason to hold that
21 against them.

22 LEGISLATOR ABRAHAMS: I
23 understand that. But we didn't even ask the
24 question in regards to whether or not those
25 pending 14, are they federal investigations?

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2 Are they criminal in nature? The hospital
3 being investigated for its procurement
4 process? We didn't even ask the question.

5 But this body is to assume,
6 because when we take a vote on this matter,
7 we are taking a vote on the fact that we
8 accept their vague responses and the lack of
9 the question being asked in regard to their
10 procurement process. That's what we are
11 accepting when we vote if we vote yes.

12 To me, the fact that the
13 questions haven't been asked, and, yes, the
14 procurement may not be involved with these
15 15 nurses, I agree with Legislator Dunne,
16 but we maybe should be concerned that there
17 are 14 other investigations, could be
18 procurement, maybe not, but there are 14
19 other investigations, if they are tied to
20 procurement, I am concerned about this
21 entity and their practice and their
22 procurement, and I'm not looking to give
23 them a contract if one of those 14 is tied
24 to that.

25 But, if we ask the question, then

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2 maybe I would feel a little more
3 comfortable. But we didn't even ask the
4 question when it came up in the back and
5 forth in regards to their response to
6 question 13.

7 MR. CLEARY: I would say a couple
8 of things. We received no evidence that
9 there are criminal investigations going on,
10 although we don't have perfect information
11 in that regard. These are pending items.

12 Even if there were something that
13 was procurement related, the fact that it's
14 pending means that it isn't something that
15 should be held against the vendor.

16 The fact that they did have two
17 that were substantiated and were closed out
18 satisfactorily is telling, and also the fact
19 that it was two out of 35. Two out of 21 if
20 you want to look at it that way.

21 You know, we can always take
22 action. This is -- you manage a contract
23 and you manage your relationship with your
24 vendors in contract administration
25 differently than you do in reviewing a

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2 contract admittedly, we do not know what
3 those two particular investigations were
4 involving. But the pending items are
5 pending. Not something that we would be
6 able to make a decision based on anyway.

7 LEGISLATOR ABRAHAMS: I
8 understand they're pending. What I'm asking
9 is, why didn't we ask the question in
10 regards to the nature of the investigation?

11 MR. CLEARY: We asked for details
12 regarding the investigations and the
13 response you have before you is the response
14 that we received.

15 LEGISLATOR ABRAHAMS: Basically,
16 even after we asked for the information
17 about the investigations, they still chose
18 to be vague?

19 MR. CLEARY: Yes.

20 LEGISLATOR ABRAHAMS: I just
21 don't see how this Legislative body can
22 accept that response.

23 LEGISLATOR DUNNE: Just to answer
24 what you said about my remarks, let me just
25 liken it to, we provide transportation for

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2 veterans to Northport VA Hospital. The VA
3 hospital system is under tremendous lawsuits
4 all over the place, under investigation all
5 the time. So, should we not allow that
6 transportation to the VA hospital to be seen
7 by emergency room, be seen by nurses because
8 of the procurement of the VA facilities are
9 under question? No, we should continue to
10 give care to those veterans and get them out
11 there to Northport VA Hospital or whatever
12 VA facility there is.

13 So, to get the vehicle to give
14 these people DSS, Department of Social
15 Service benefits is the vehicle we take
16 people to Northport. It's just a
17 similarity.

18 We should not hold them up and
19 prevent them from getting the care they
20 need, get those social service benefits
21 because there might be something going on
22 there, there might be an investigation and
23 14 of them, they might get dismissed, who
24 knows, but that has nothing to do with what
25 you're doing, and we're really -- I think

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2 we're spinning wheels here. I think we
3 should just do it. I move the motion,
4 please.

5 CHAIRWOMAN GONSALVES: Hold on.
6 Hold on. I just have one question,
7 Mr. Cleary. In the backup, it alludes to
8 the fact that these were routine patient
9 complaints, what would be characterized as a
10 routine patient complaint? That's what it
11 says in the backups.

12 MR. CLEARY: The discussions that
13 we had involved medical care. I do not know
14 the details of it but that was the nature of
15 the responses that they were giving.

16 CHAIRWOMAN GONSALVES: The
17 medical care that they received?

18 MR. CLEARY: It related to
19 medical services.

20 CHAIRWOMAN GONSALVES: What is
21 considered medical services? Doctor didn't
22 visit, the nurse didn't come?

23 MR. BRODERICK: It could be
24 direct patient care, interacting, as opposed
25 to evaluations and just taking data and

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2 matching it against data eligibility
3 requirements.

4 CHAIRWOMAN GONSALVES: All right.
5 Legislator Nicoletto.

6 LEGISLATOR NICOLELLO: This is,
7 obviously, starting from the beginning, this
8 is services that were provided in the
9 calendar year 2016.

10 So I guess to turn this down at
11 this point would be I guess to jeopardize \$2
12 million of money flowing from the county to
13 the Nassau Health Care Corporation. I don't
14 know that they can afford it, and I think it
15 could jeopardize, at least in part, their
16 mission of serving the population in this
17 county with difficulties in health care and
18 themselves having difficulties with health
19 care.

20 So, at most, maybe going forward
21 you could ask the hospital if any of these
22 investigations current or past had to do
23 with nurses who were evaluating the
24 eligibility for social security income
25 and/or social security disability.

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2 I think you can ask that question
3 of them. Whether or not they have had
4 complaints with patient care or this or that
5 is irrelevant. But if they've had issues
6 with their nursing core having been
7 investigated with respect to the evaluation
8 of social security disability, then that's
9 irrelevant. Otherwise I would say it's not
10 irrelevant.

11 Again, just going back to my
12 original point, to turn this down now is to
13 jeopardize this money for services they've
14 already provided to us.

15 CHAIRWOMAN GONSALVES: One more,
16 then I will call the question. Minority
17 Leader.

18 LEGISLATOR ABRAHAMS: I just want
19 to make sure because I want to try and
20 bridge the gap here. I want to make sure I
21 understand this.

22 When they use the phrase that
23 they believe that the pending investigations
24 are routine patient complaints, are we
25 confident that those are patient complaints

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2 or could they be something else? Such as
3 what I identified before in terms of
4 investigations by the federal or state. If
5 you tell me all of them are routine patient
6 complaints, then --

7 MR. BECKER: That's what it says
8 in the statement; am I correct?

9 LEGISLATOR ABRAHAMS: No. It
10 doesn't say that in the statement. That's
11 what we infer from the statement.

12 MR. BECKER: First of all, I
13 would just like to point out to you that the
14 benefit corporation is a massive entity
15 doing close to a billion dollars worth of
16 business a year; am I not correct?

17 To have certain complaints like
18 these, I think -- I'm surprised there's not
19 more. And the issue also is, Minority
20 Leader, is that they have had two complaints
21 now and they have been resolved.

22 LEGISLATOR ABRAHAMS: Fran --

23 CHAIRWOMAN GONSALVES: I believe
24 Mr. Cleary is here, Mr. Broderick is here.

25 MR. BECKER: Yes. But we are

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2 covering the same ground again. Mr.
3 Broderick made it clear that they're
4 extremely satisfied --

5 CHAIRWOMAN GONSALVES: Excuse me,
6 Mr. Becker. I'm asking you to let Mr.
7 Cleary and -- excuse me. And Mr. Broderick
8 and of course the attorney as well,
9 Mr. Podlesak.

10 MR. BECKER: I'm not allowed to
11 say anything?

12 CHAIRWOMAN GONSALVES: No, you're
13 not.

14 MR. BECKER: Why not? The
15 administration is trying to make this happen
16 and wanted to make sure -- I was here when
17 we made this a benefit corporation.

18 CHAIRWOMAN GONSALVES: I'm
19 telling you right now, that hospital is in
20 my community, okay? It's very dear to me.
21 Let me tell you something --

22 MR. BECKER: But you know what, I
23 voted for this. You weren't here yet.

24 MR. BECKER: I was here and I
25 made the Nassau County Medical Center a

1 Rules Committee/2-13-17

2 benefit corporation and you weren't here
3 yet, Madam Chair.

4 CHAIRWOMAN GONSALVES: You don't
5 have the floor. You are out of order. Now
6 get off. Don't you listen?

7 LEGISLATOR ABRAHAMS: Madam
8 Presiding Officer, if I could have the
9 floor. I get it --

10 CHAIRWOMAN GONSALVES: Minority
11 Leader, go ahead.

12 LEGISLATOR ABRAHAMS: Thank you.
13 The phrase routine patient complaints is
14 something that's being referred. So I want
15 to make sure I understand this correctly.

16 The 14 pending, can we speak
17 unequivocally on the record and definitively
18 that those 14 pending investigations are
19 routine patient complaints? If we can say
20 that, then it's --

21 MR. BECKER: But it states that,
22 doesn't it?

23 LEGISLATOR ABRAHAMS: No, it
24 doesn't.

25 MR. BECKER: It doesn't state

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2 that?

3 LEGISLATOR ABRAHAMS: Fran, let
4 Mr. Cleary respond. It doesn't say that.

5 CHAIRWOMAN GONSALVES: It's not
6 his purview. It's Mr. Cleary's and Mr.
7 Broderick's and Mr. Podlesak's.

8 LEGISLATOR ABRAHAMS: If we can
9 speak definitively, are there any
10 investigations that do not include routine
11 patient complaints? I guess that's the same
12 thing, I'm just asking it a different way.

13 MR. CLEARY: We don't know.

14 LEGISLATOR ABRAHAMS: Okay. So
15 we don't know. Thank you, Mr. Cleary.

16 CHAIRWOMAN GONSALVES: As far as
17 you know, Mr. Broderick, you don't know
18 either?

19 MR. BRODERICK: Not aware of any
20 issues.

21 CHAIRWOMAN GONSALVES: That's on
22 the record. Okay?

23 On the question, all those in
24 favor of E-17 signify by saying aye.

25 (Aye.)

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2 Any opposed?

3 (Nay.)

4 I can understand why there's
5 concern, but at the same time I can also
6 understand that I'm not going to be
7 responsible for putting -- losing funding
8 for that hospital.

9 LEGISLATOR DERIGGI-WHITTON: But
10 that also says we need the contracts earlier
11 so we're not in that position.

12 CHAIRWOMAN GONSALVES: I think
13 Mr. Cleary heard that loud and clear today.
14 You need to get these people to get off the
15 dime and do what they have to do ASAP.
16 That's it.

17 E-18, an amendment to a personal
18 services agreement between the County of
19 Nassau acting on behalf of the Office of the
20 Nassau County Attorney and Veritext Corp.

21 LEGISLATOR NICOLELLO: Madam
22 Chair, there's four of these.

23 CHAIRWOMAN GONSALVES: I will go
24 ahead if you want.

25 LEGISLATOR NICOLELLO: I would

1 Rules Committee/2-13-17
2 suggest that we do all court reporting
3 contracts.

4 CHAIRWOMAN GONSALVES: I will
5 call them all. Are you prepared to speak to
6 all four relating to the County Attorney's
7 Office?

8 MS. DELL: Yes.

9 CHAIRWOMAN GONSALVES: Then I
10 will call them all. We are going then to
11 E-19 which is an amendment to a personal
12 services between the County of Nassau acting
13 on behalf of the Office of the Nassau County
14 Attorney and Precise Court Reporting
15 Services, Inc.;

16 E-21, an amendment to a personal
17 services agreement between the County of
18 Nassau acting on behalf of the Office of the
19 Nassau County Attorney and Excel Court
20 Reporting, Inc.;

21 E-22, an amendment to a personal
22 services agreement between the County of
23 Nassau acting on behalf of the Office of the
24 Nassau County Attorney and EnRight Court
25 Reporting, Inc.

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2 Motion on all four items, please.

3 LEGISLATOR DUNNE: So moved.

4 LEGISLATOR NICOLELLO: Second.

5 CHAIRWOMAN GONSALVES: Moved by

6 Legislator Dunne, seconded by Legislator

7 Nicolello. Now you need to speak on all

8 four.

9 MS. DELL: Deputy County Attorney

10 Jacqueline Dell for the County Attorney's

11 Office. These are amendments to contracts

12 for court reporting services on an as needed

13 basis. The amendments renew and extend the

14 contracts for one additional year. This is

15 for 2017.

16 LEGISLATOR KOPEL: It says '16

17 through '17.

18 MS. DELL: That's the first year

19 of the contract. This is an amendment to

20 exercise one of our available options to

21 renew.

22 LEGISLATOR KOPEL: This is only

23 for '17?

24 MS. DELL: Yes.

25 LEGISLATOR NICOLELLO: So it's

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2 only a month and a half late.

3 CHAIRWOMAN GONSALVES: Just for
4 the record I included E-18 as well, okay,
5 E-18, so that you have all of them there.
6 19, 21 and 22.

7 Jackie, are you finished, do you
8 have anything else to add?

9 MS. DELL: No.

10 CHAIRWOMAN GONSALVES: Any
11 questions of Jackie?

12 (No verbal response.)

13 Is there any public comment?

14 (No verbal response.)

15 There being none, all those in
16 favor of E-18, E-19, E-21 and E-22 signify
17 by saying aye.

18 (Aye.)

19 Any opposed?

20 (Nay.)

21 Four to three for all four.

22 Let's go. Moving on. Now I'm
23 going to E-20, an amendment to a personal
24 services agreement between the County of
25 Nassau acting on behalf of the Nassau County

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2 Attorney's Office and the Law Office of
3 Vincent D. MacNamara.

4 Motion, please.

5 LEGISLATOR KOPEL: So moved.

6 LEGISLATOR NICOLELLO: Second.

7 CHAIRWOMAN GONSALVES: Moved by
8 Legislator Kopel, seconded by Legislator
9 Nicolello. Okay, Mr. Littman.

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

12 This is an amendment to an
13 existing contract. We thought this case was
14 going to be tried probably in October or
15 late 2016. The new trial date is March of
16 2017. This extends the time of the
17 contract.

18 The Legislature actually approved
19 an amendment to this contract I believe in
20 March of last year. Any questions?

21 CHAIRWOMAN GONSALVES: Thank you.
22 Any questions of Mr. Littman?

23 (No verbal response.)

24 Is there any public comment?

25 (No verbal response.)

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

4 (Aye.)

5 Any opposed?

6 (Nay.)

7 The item passes four to three.

8 The next one is E-24, a personal
9 services agreement between the County of
10 Nassau acting on behalf of the Nassau County
11 Department of Fire Commission and Nassau
12 County Vocational Education and Extension
13 Board.

14 Motion, please.

15 LEGISLATOR DUNNE: So moved.

16 LEGISLATOR NICOLELLO: Second.

17 CHAIRWOMAN GONSALVES: Moved by
18 Legislator Dunne, seconded by Legislator
19 Nicolello.

20 ASSISTANT CHIEF PRIEST: Good
21 afternoon members. John Priest, Assistant
22 Chief Fire Marshal. The item before you is
23 the annual contract with the Vocational
24 Education and Extension Board to administer
25 and run fire fighter training at the Nassau

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2 County Fire Service Academy, the Nassau
3 County EMS Academy and Nurse Vocational
4 Education.

5 CHAIRWOMAN GONSALVES: Any
6 questions of Mr. Priest. Legislator
7 DeRiggi-Whitton.

8 LEGISLATOR DERIGGI-WHITTON: We
9 appreciate you getting this pretty much on
10 time also. Thank you so much.

11 ASSISTANT CHIEF PRIEST: We were
12 close.

13 CHAIRWOMAN GONSALVES: Thank you.
14 Any other questions besides a
15 congratulations getting it here to us on
16 time?

17 (No verbal response.)

18 Is there any public comment?

19 (No verbal response.)

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

22 (Aye.)

23 Any opposed?

24 (No verbal response.)

25 It's unanimous.

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2 The next one is E-25, an
3 amendment to an agreement between the County
4 of Nassau acting on behalf of the Nassau
5 County Attorney's Office and Dimascio &
6 Associates, L.L.P.

7 Motion, please.

8 LEGISLATOR DUNNE: So moved.

9 LEGISLATOR NICOLELLO: Second.

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

14 MR. PODLESAK: Can this be
15 tabled, Madam Chairwoman?

16 CHAIRWOMAN GONSALVES: Tabled?
17 You want to table it, we will table it.

18 Motion, please.

19 LEGISLATOR DUNNE: So moved.

20 LEGISLATOR NICOLELLO: Second.

21 CHAIRWOMAN GONSALVES: Moved by
22 Legislator Dunne, seconded by Legislator
23 Nicolello. All those in favor of tabling
24 Item E-25 signify by saying aye.

25 (Aye.)

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2 Any opposed?

3 (No verbal response.)

4 The next one is E-26, an
5 amendment to a personal services agreement
6 between the County of Nassau acting on
7 behalf of the Office of the Nassau County
8 Attorney and Ryan Brennan and Donnolly,
9 L.L.P.

10 Motion, please.

11 LEGISLATOR DUNNE: So moved.

12 LEGISLATOR KOPEL: Second.

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

16 MR. MEHRAN: Good afternoon.

17 Deputy County Attorney Robert Mehran, Junior
18 from the Office of the County Attorney.

19 This is a contract that expired
20 on January 31st of 2017. It's an amendment
21 exercising one of the available option to
22 renew the contract for one year and increase
23 the maximum amount of the contract by
24 \$24,900. This is a special counsel for the
25 county's three indemnification review

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2 boards, police, peace officers, and all the
3 other employees.

4 CHAIRWOMAN GONSALVES: Any
5 questions from the legislators?

6 (No verbal response.)

7 Is there any public comment?

8 (No verbal response.)

9 There being none, all those in
10 favor of E-26 signify by saying aye.

11 (Aye.)

12 Any opposed?

13 (Nay.)

14 The item passes four to three.

15 The next one is E-27, an
16 amendment to a personal services agreement
17 between the County of Nassau acting on
18 behalf of the Nassau County Department of
19 Planning and Parsons Brinckerhoff, Inc.
20 F/K/A PB Americas, Inc.

21 Motion, please.

22 LEGISLATOR DUNNE: So moved.

23 LEGISLATOR NICOLELLO: Second.

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

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2 Nicolello. Who is here to speak on this
3 item?

4 MR. LEMBERGER: Aryeh Lemberger,
5 Department of Public Works.

6 This is an amendment to a
7 personal services agreement with Parsons
8 Brinckerhoff. They are the project
9 management contractor to the county
10 performing the Nassau Hub Transit Initiative
11 Study. This is a contract amendment to
12 increase the term of the contract so they
13 can continue to provide project management
14 services to the county for the duration of
15 the project and to the next phase of the
16 project.

17 CHAIRWOMAN GONSALVES: Legislator
18 Nicolello.

19 LEGISLATOR NICOLELLO: First of
20 all, you shouldn't be here, you should be
21 out doing traffic studies. But, other than
22 that, this is funded through grants. It's
23 not something that's -- the funding for this
24 consultant is being funded, I believe,
25 through federal grants, et cetera; am I

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2 correct?

3 MR. LEMBERGER: 80 percent
4 federal, ten percent state, and ten percent
5 county.

6 LEGISLATOR NICOLELLO: Because we
7 were looking at mass transit in that area
8 for at least 20 years.

9 MR. LEMBERGER: There have been
10 many studies in the past, yes.

11 LEGISLATOR NICOLELLO: Thank you.

12 CHAIRWOMAN GONSALVES: Any other
13 questions or comments?

14 (No verbal response.)

15 Is there any public comment?

16 (No verbal response.)

17 There being none, all those in
18 favor of E-27 signify by saying aye.

19 (Aye.)

20 Any opposed?

21 (Nay.)

22 The item passes four to three.

23 The next item is E-28, an
24 amendment to a personal services agreement
25 between the County of Nassau acting on

1 Rules Committee/2-13-17
2 behalf of the Nassau County Attorney's
3 Office and Cecelia Ameranti-Byrne, Esquire.
4 Motion, please.

5 LEGISLATOR DUNNE: So moved.

6 LEGISLATOR NICOLELLO: Second.

7 CHAIRWOMAN GONSALVES: Moved by
8 Legislator Dunne, seconded by Legislator
9 Nicolello. We have?

10 MR. MEHRAN: Good afternoon.
11 Deputy County Attorney Robert Mehran, Junior
12 from the Nassau County Attorney's Office.
13 This is an amendment for services for
14 outside counsel for drafting, researching,
15 counseling and assisting in the
16 implementation of legislation on any New
17 York State or County initiatives as
18 requested by the Department of Assessment.
19 Specifically, in this instance,
20 counsel is also been assisting with the DAF
21 program and we are not adding any money to
22 the contract. There is still money
23 remaining in the original contract, it's
24 just extending the term for a year in case
25 we need their services.

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2 CHAIRWOMAN GONSALVES: Yes, you
3 may.

4 LEGISLATOR KOPEL: What do you
5 mean in case you need? The term is '16
6 through '17, isn't it? Or is it for '16
7 through 18? Never mind. It's only one
8 year.

9 CHAIRWOMAN GONSALVES: Comments
10 or questions?

11 (No verbal response.)

12 Is there any public comment?

13 (No verbal response.)

14 There being none, all those in
15 favor of E-28 signify by saying aye.

16 (Aye.)

17 Any opposed?

18 (Nay.)

19 The item passes four to three.

20 The next item is E-30, a personal
21 services agreement between the County of
22 Nassau acting on behalf of the Nassau County
23 Department of Public Works and Cameron
24 Engineering and Associates, L.L.P.

25 Motion, please.

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2 LEGISLATOR DUNNE: So moved.

3 LEGISLATOR NICOLELLO: Second.

4 CHAIRWOMAN GONSALVES: Moved by
5 Legislator Dunne, seconded by Legislator
6 Nicolello. Mr. Arnold, what can you tell
7 us?

8 MR. ARNOLD: Good afternoon.

9 E-30 is a design contract for the Park Beach
10 section in the Lido area, Atlantic Beach
11 area. It is for a drainage and traffic
12 calming study being partially funded by
13 Gosar funds. We had six proposals, and
14 Cameron was the highest technically ranked
15 proposer providing the best value for the
16 county.

17 CHAIRWOMAN GONSALVES: Any
18 questions or questions for Mr. Arnold?

19 (No verbal response.)

20 Is there any public comment?

21 (No verbal response.)

22 There being none, all those in
23 favor of E-30 signify by saying aye.

24 (Aye.)

25 Any opposed?

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2 (Nay.)

3 The item passes four to three.

4 Next is E-34, a personal services
5 agreement between the County of Nassau
6 acting on behalf of the Department of Health
7 and Doreit S. Bialer, MA, OTR/L, P.C.

8 Motion, please.

9 LEGISLATOR DUNNE: So moved.

10 LEGISLATOR KOPEL: Second.

11 CHAIRWOMAN GONSALVES: Moved by
12 Legislator Dunne, seconded by Legislator
13 Kopel. Ms. Laurain.

14 MS. LAURAIN: Good afternoon,
15 MaryEllen Laurain. E-34-17 is a penny
16 contract with Dr. Doreit Bialer.

17 This is to provide related
18 special education services to preschool
19 children between the age of three and five.
20 Dr. Bailer is an occupational therapist.
21 She was recently approved by the state to
22 provide these services. Services have not
23 begun and will not begin until the contract
24 is approved and executed.

25 CHAIRWOMAN GONSALVES: That's

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2 good.

3 MS. LAURAIN: Any questions of
4 MaryEllen Laurain? What do you have,
5 Legislator DeRiggi-Whitton?

6 LEGISLATOR DERIGGI-WHITTON: Is
7 this considered a sole source type of
8 situation?

9 MS. LAURAIN: No. Preschool,
10 special education providers by law must be
11 approved by the State Education Department
12 and then are given to the counties the
13 information to provide services, and then
14 the county contracts with the provider. We
15 have about 150 of these providers.

16 LEGISLATOR DERIGGI-WHITTON: So
17 the name was chosen from a state list?

18 MS. LAURAIN: The State Education
19 Department must approve. These are usually
20 physical therapists, occupational
21 therapists, and we have about 150 of them
22 that are approved by the state ed and by law
23 we must review and contract with providers
24 that are approved by State Ed.

25 LEGISLATOR DERIGGI-WHITTON: So

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2 the state approves a panel of providers and
3 we chose from there?

4 MS. LAURAIN: The state approves
5 the credentials and then we review it and
6 then we enter into contract to provide.
7 It's state law.

8 CHAIRWOMAN GONSALVES: Any other
9 questions or comments?

10 (No verbal response.)

11 Is there any public comment?

12 (No verbal response.)

13 There being none, all those in
14 favor of E-34 signify by saying aye.

15 (Aye.)

16 Any opposed?

17 (Nay.)

18 The item passes four to three.

19 We have one more item which is
20 U-2 before we recess and that's a
21 resolution, U-2, a resolution authorizing
22 the county executive to execute a personal
23 services agreement between the County of
24 Nassau acting on behalf of the Nassau County
25 treasurer and Auctions International, Inc.

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2 Motion, please.

3 LEGISLATOR DUNNE: So moved.

4 LEGISLATOR KOPEL: Second.

5 CHAIRWOMAN GONSALVES: Moved by

6 Legislator Dunne, seconded by Legislator

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

8 MR. JEFFERSON: Good afternoon.

9 Beaumont Jefferson, County Treasurer. The

10 item before you is a contract for personal

11 services. It's Auctions International.

12 They perform an in-person auction. Any

13 questions?

14 CHAIRWOMAN GONSALVES: Any

15 questions, any comments?

16 (No verbal response.)

17 Is there any public comment?

18 (No verbal response.)

19 There being none, all those in

20 favor of U-2 signify by saying aye.

21 (Aye.)

22 Any opposed?

23 (Nay.)

24 Thank you. Passes four to three.

25 Rules is now in recess.

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2 (Whereupon, the Rules Committee
3 recessed at 3:33 p.m. and reconvened at 5:49
4 p.m.)

5 CHAIRWOMAN GONSALVES: Rules is
6 back in session. As we usually do, we call
7 the consent calendar. Those items on the
8 Rules Committee that have gone through
9 committees and, again, I ask that the
10 testimony be incorporated by reference from
11 those committees.

12 So here we go, Item 25, 17, 26,
13 27, 33, 37, 38, 39, 40, 41, 42, 43, 44, 46,
14 47, 48, 49, 50, I'm there are several
15 appointments to the youth board, that's 60,
16 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71,
17 72, 73, 74, 75, 76, 77, 78, 79, and I
18 believe those are them, and of course the
19 others on the consent calendar would be 80,
20 82, 83, 84, 85, 87, 89, 93.

21 (Whereupon, please refer to the
22 minutes of the Public Safety, Planning and
23 Development, Health & Social Services, and
24 Finance Committees dated 2-13-17 pertaining
25 to Clerk Items item 25, 17, 26, 27, 33, 37,

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2 38, 39, 40, 41, 42, 43, 44, 46, 47, 48, 49,
3 50, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69,
4 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80,
5 82, 83, 84, 85, 87, 89, 93.)

6 A motion, please.

7 LEGISLATOR DUNNE: So moved.

8 LEGISLATOR KOPEL: Second.

9 CHAIRWOMAN GONSALVES: Moved by
10 Legislator Dunne, seconded by Legislator
11 Kopel. All those in favor signify by saying
12 aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 The items pass, I guess since
17 it's consent calendar, unanimous.

18 Now, before, we did it again,
19 Maggie, you sat here for the entire. You
20 must love this place. Mr. Blum, you did
21 too, and I know Mr. Pizzarelli was here
22 until a few minutes ago and Mr. Cepeda.

23 Come on up and at least we can
24 say hello to you. I know that Mr. Blum
25 could not be here to the 27th meeting so

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2 he's here today to really and truly say
3 thank you to this body.

4 Maggie, you did this with the
5 Regional Planning Commission and now you did
6 it with the youth board.

7 MS. MALITO: Well, we're happy to
8 be here and we're happy in fact that you are
9 considering the individuals that we are
10 recommending for the youth board.

11 As in the case of my not for
12 profit agencies that we fund through Nassau
13 County funding, we always encourage them to
14 reach out into the community and build their
15 boards and develop the kind of expertise and
16 diversity that is essential in running
17 programs in a county like this county.

18 Over the past 18 months we've
19 gone through a vetting process with 12 of
20 the new candidates. We're very proud of the
21 individuals that have come forth and have
22 said yes, they would like very much to make
23 a commitment to us and to our communities.
24 So, today, after your consideration of their
25 resumes I would very much like for you to

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2 consider that they should in fact be members
3 of our youth board.

4 Remember, it is not a policy
5 making board, but the amount of time that is
6 spent in the communities, looking at our
7 issues, they're about youth employment,
8 education, teen pregnancy, and anti-violence
9 measures, and every one of the individuals
10 that come before you today, many of them
11 could not be here. Mr. Blum is here of
12 course, and Angel Cepeda is a businessman
13 and educator, and Mr. Pizzarelli had to
14 leave, he's actually teaching a class at
15 Adelphi.

16 I know that they represent the
17 best and the brightest and real leaders in
18 Nassau County.

19 I would also ask that you
20 consider the board that's been in place for
21 the past three years has worked very hard.

22 They're not here before you.
23 They are working in the communities with our
24 agencies helping them to be better and to
25 gain a greater capacity to provide services.

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2 So this is what we're here for
3 today and I'm hoping that we can come back
4 on the 27th for confirmation.

5 CHAIRWOMAN GONSALVES: And
6 hopefully you're not going to wait till now.

7 MS. MALITO: And we will wait if
8 we have to.

9 CHAIRWOMAN GONSALVES: I know you
10 will. I know how patient you are. I'm glad
11 Angel you are here, and Mr. Blum you are
12 here as well.

13 I understand that you've been
14 involved with the youth board for how many
15 years?

16 MR. BLUM: Since about 2012. An
17 before that from Hofstra assisting the youth
18 board and many of the agencies of the county
19 and a whole host of activities using the
20 resources of the university.

21 CHAIRWOMAN GONSALVES: Super. So
22 you're not going to be here on the 27th and
23 we're happy you were able to stay till now.
24 Let us know a little bit about you. And,
25 Angel, I know you probably will be back on

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2 the 27th, but you may as well say something
3 too.

4 MR. CEPEDA: Yes. I will be here
5 on the 27th. Let me just say that I'm both
6 humbled and excited to be able to -- when I
7 was invited to participate and work with
8 this group because I can bring my expertise
9 and experience and hopefully continue the
10 successful work that's being done at the
11 youth board and youth department.

12 Thank you so much for that
13 opportunity.

14 CHAIRWOMAN GONSALVES: Thank you
15 for being so patient and waiting until six
16 o'clock almost.

17 MS. MALITO: Well, I know that we
18 have 20 individuals that are before you.
19 They will be here on the 27th and I
20 appreciate very much the consideration that
21 you've given to this wonderful, I believe,
22 this wonderful group of individuals who
23 represent, truly represent our communities
24 here in Nassau. Thank you very much.

25 CHAIRWOMAN GONSALVES: Thank you

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2 very much. Legislator DeRiggi-Whitton.

3 LEGISLATOR DERIGGI-WHITTON: Hi.

4 How many people in total are on the board?

5 MS. MALITO: 20. It's a robust
6 board. It's the largest number of
7 individuals. That happens because every one
8 that we've chosen we know. They're busy
9 with their own lives. But they have been
10 very dedicated in coming to meetings and
11 being with us.

12 LEGISLATOR DERIGGI-WHITTON:

13 That's great. I'm glad to hear it's a whole
14 new board. I'm a Hofstra grad, so we have
15 to vote.

16 MS. MALITO: Oh, yes, Martin
17 Blum, absolutely.

18 MR. BLUM: Yes. Thank you very
19 much for your time and your support
20 throughout all the years. Thank you.

21 CHAIRWOMAN GONSALVES: Thank you
22 for staying. See you on the 27th except for
23 you Mr. Blum.

24 MS. MALITO: And happy birthday.

25 CHAIRWOMAN GONSALVES: See what

1 Rules Committee/2-13-17

2 you missed? Now to go to the items that
3 were not on the consent calendar. The first
4 item is 622-16.

5 A resolution authorizing the
6 County Executive to execute an
7 intermunicipal agreement with the village of
8 Lynbrook in relation to a project to procure
9 and install decorative street signs for the
10 village.

11 Motion, please.

12 LEGISLATOR DUNNE: So moved.

13 LEGISLATOR KOPEL: Second.

14 CHAIRWOMAN GONSALVES: Moved by
15 Legislator Dunne, seconded by Legislator
16 Kopel. Are there any comments or questions
17 from the legislators?

18 (No verbal response.)

19 Is there any public comment?

20 (No verbal response.)

21 There being none, all those in
22 favor of 622-16 signify by saying aye.

23 (Aye.)

24 Any opposed?

25 (No verbal response.)

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2 Next one is Item 14-17, all the
3 rest will be '17, a bond ordinance providing
4 for a capital expenditure to finance the
5 capital projects identified herein within
6 the County of Nassau and authorizing \$3
7 dollars of bonds of the County of Nassau to
8 finance such expenditure pursuant to the
9 Local Finance Law of New York and County
10 Governmental Law of Nassau County.

11 Motion, please.

12 LEGISLATOR DUNNE: So moved.

13 LEGISLATOR NICOLELLO: Second.

14 CHAIRWOMAN GONSALVES: Moved by
15 Legislator Dunne, seconded by Legislator
16 Nicolello. Who is talking about this one?

17 MR. ARNOLD: Item 14-17 is a
18 capital bond ordinance associated with the
19 traffic parking violations bureau computer
20 aided system design replacement. It's to
21 replace their current computer system that
22 Dave Rich on the previous committee had said
23 was antiquated and cannot keep up with
24 current needs.

25 CHAIRWOMAN GONSALVES: Any

1 Rules Committee/2-13-17

2 questions of Arnold?

3 (No verbal response.)

4 Is there any public comment?

5 (No verbal response.)

6 There being none, all those in
7 favor of 14-17 signify by saying aye.

8 (Aye.)

9 Any opposed?

10 (Nay.)

11 The item passes four to three.

12 16-17, a bond ordinance providing
13 for a capital expenditure to finance the
14 capital projects identified herein within
15 the County of Nassau and authorizing \$2
16 million of bonds of the County of Nassau to
17 finance such expenditure pursuant to the
18 Local Finance Law of New York and County
19 Governmental Law of Nassau County.

20 Motion, please.

21 LEGISLATOR DUNNE: So moved.

22 LEGISLATOR KOPEL: Second.

23 CHAIRWOMAN GONSALVES: Moved by
24 Legislator Dunne, seconded by Legislator
25 Kopel. Mr. Arnold.

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2 MR. ARNOLD: Item 16-17 is a
3 capital project for the department
4 technology equipment replacement.

5 As the commissioner of IT
6 previously spoke, this capital project is
7 used to replace aging equipment, hardware,
8 computers, printers, and any of that sort
9 that's used by the various departments
10 throughout the county.

11 CHAIRWOMAN GONSALVES: Are there
12 any other comments or questions for Mr.
13 Arnold?

14 (No verbal response.)

15 Is there any public comment?

16 (No verbal response.)

17 There being none, all those in
18 favor of 16-17 signify by saying aye.

19 (Aye.)

20 Any opposed?

21 (Nay.)

22 Four to three.

23 17-17, a bond ordinance providing
24 for a capital expenditure to finance the
25 capital projects identified herein within

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2 the County of Nassau and authorizing
3 \$600,000 of bonds of the County of Nassau to
4 finance such expenditure pursuant to the
5 Local Finance Law of New York and the County
6 Governmental Law of Nassau County.

7 Motion, please.

8 LEGISLATOR NICOLELLO: So moved.

9 LEGISLATOR DUNNE: Second.

10 CHAIRWOMAN GONSALVES: Moved by
11 Legislator Nicoletto, seconded by Legislator
12 Dunne.

13 LIEUTENANT STEPHANOFF: Lieutenant
14 Greg Stephanoff. Item 17-17 is to request
15 capital bond ordinance in the amount of
16 \$600,000. This is going to be used for
17 in-car computers for new vehicles that we
18 purchase.

19 CHAIRWOMAN GONSALVES: Yes,
20 Minority Leader.

21 LEGISLATOR ABRAHAMS: Thank you,
22 Madam Presiding Officer. Not a question
23 just more of a statement just to regurgitate
24 and state again what Legislator Bynoe had
25 indicated earlier that obviously we had met

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2 with the commissioner today and we're
3 looking forward to some information from
4 him, regarding some of our questions using
5 the state list. And, from that standpoint,
6 making sure that we a very, very thorough
7 and transparent procurement process.

8 Then I believe the second point
9 that Legislator Bynoe had brought up was the
10 bond language in making sure that it
11 references that the bonding would be
12 specifically used for these projects and no
13 other projects that the county
14 administration would deem to be used.

15 Once we see those two things, we
16 would obviously consider voting in the
17 affirmative in two weeks, but we plan to
18 vote yes tonight with the assumption based
19 off the word that we receive from the
20 commissioner, as well as what we believe
21 we've heard from the administration in
22 regards to changing of the bond language in
23 good faith in the hopes that we see these
24 things in two weeks.

25 CHAIRWOMAN GONSALVES: Thank you

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2 very much.

3 Is there any public comment?

4 (No verbal response.)

5 There being none, all those in
6 favor of 17-17 signify by saying aye.

7 (Aye.)

8 Any opposed?

9 (No verbal response.)

10 The vote is six so zero.

11 19-17, a resolution to confirm
12 the County Executive's reappointment of Leon
13 Campo to the Correctional Center Board of
14 Visitors pursuant to Section 2004 of the
15 Nassau County Charter. I think I'm going to
16 put all of them in here;

17 Item 20-17, a resolution to
18 confirm the County Executive's reappointment
19 of Helen Meittinis to the Correctional
20 Center Board of Visitors pursuant to Section
21 2004;

22 21-17, a resolution to confirm
23 the County Executive's reappointment of
24 Michael Califano to the Correctional Center
25 Board of Visitors pursuant to Section 2004

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2 of the Nassau County Charter;

3 22-17, a resolution to confirm
4 the County Executive's reappointment of
5 Alphonzo Albright to the Correctional Center
6 Board of Visitors pursuant to Section 2004
7 of the Nassau County Charter;

8 23-17, a resolution to confirm
9 the County Executive's reappointment of
10 Michael J. Ferrandino to the Correctional
11 Center Board of Visitors pursuant to Section
12 2004 of the Nassau County Charter.

13 I believe there's one more and
14 I'm going to go to 31. 31-17 is a
15 confirmation of the County Executive's
16 reappointment of Humberto Chavez to the
17 Correctional Center Board of Visitors
18 pursuant to Section 2004 of the Nassau
19 County Charter.

20 Now, a motion, please.

21 LEGISLATOR DUNNE: So moved.

22 LEGISLATOR KOPEL: Second.

23 CHAIRWOMAN GONSALVES: Moved by
24 Legislator Dunne, seconded by Legislator
25 Kopel. Any questions? Minority Leader

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2 Abrahams.

3 LEGISLATOR ABRAHAMS: Is there
4 anyone here from the administration? Fran,
5 can you speak on this?

6 MR. BECKER: I believe I can.

7 LEGISLATOR ABRAHAMS: I want to
8 make sure I confirm for the record that the
9 people that we are -- all the people that
10 are up for consideration tonight are all
11 reappointments? They have all been
12 previously on the Board of Visitors?

13 MR. BECKER: The paperwork didn't
14 indicate that in the resolutions that you
15 got?

16 LEGISLATOR ABRAHAMS: I just
17 wanted to confirm for the record -- I know
18 Mr. Leon Campo, Ms. Helen Meittinis, Michael
19 Calafano, Alphonso Albright. I just want to
20 confirm it for the record.

21 MR. BECKER: Yes, they are all
22 reappointments, that's correct.

23 LEGISLATOR ABRAHAMS: And I don't
24 have anything against them individually,
25 actually I think Mr. Campo was a

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2 superintendent of schools in East Meadow and
3 I know Helen Meittinis as well, but it just
4 seems to be a bit concerning that this board
5 hasn't been functioning for quite some time.

6 There's been concerns about
7 oversight at the jail and it seems like this
8 would -- I would think that the
9 administration would consider bringing in
10 folks that would be able to have a different
11 perspective and, unfortunately, I do not see
12 that here with re-appointing the same
13 people.

14 CHAIRWOMAN GONSALVES: I think,
15 Mr. Becker, it should be noted that Humberto
16 Chavez is a newcomer to the Board of
17 Visitors. He is not a reappointment. I
18 think we need to correct the record that
19 Mr. Chavez is a new appointee to the Board
20 of Visitors.

21 MR. BECKER: Madam Chair, you are
22 likely correct. There's probably a misprint
23 in there.

24 CHAIRWOMAN GONSALVES: I don't
25 know, do we have to amend it to say the

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2 appointment of? This is the only one that's
3 a new appointee to the Board of Visitors.

4 MR. PODLESACK: Presiding Officer,
5 are you getting that from the actual
6 resolution that he's a new appointment?

7 CHAIRWOMAN GONSALVES: I don't
8 know. I have here in front of me that he's
9 a reappointment. I'm saying that's not
10 true. I'm saying he's a new appointment.

11 MR. PODLESACK: Do we have the
12 actual resolution?

13 CHAIRWOMAN GONSALVES: The actual
14 resolution, I have no idea where it is, but
15 Mr. Humberto Chavez is a new appointee.

16 MR. PODLESACK: All it has to say
17 is what it says it's in the resolution. If
18 the resolution says it's a new appointment,
19 it's a new appointment, it's what governs.

20 CHAIRWOMAN GONSALVES: On the
21 agenda it says reappointment, but on the
22 backup it is the appointment of.

23 So I think I'm going to correct
24 it to say that it's the appointment of
25 Humberto Chavez to the Correctional Center

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2 Board of Visitors.

3 MR. PODLESACK: Sounds like an
4 obvious error in the agenda.

5 CHAIRWOMAN GONSALVES: Looks like
6 that. As long as the resolution indicates
7 that it is an appointment and not a
8 reappointment.

9 Any public comment?

10 (No verbal response.)

11 I'm going to just say this one
12 thing, the Board of Visitors has been a part
13 of the Charter for many many years.

14 It wasn't until recently that the
15 administration felt it necessary to activate
16 that Board of Visitors. It could have been
17 done many years ago but it wasn't done.

18 I think some of the things that
19 we're not aware of is that the Board of
20 Visitors is an independent body, and it
21 should be, and the Board of Visitors is also
22 a group of volunteers who certainly have
23 given time to their communities, and I
24 believe that they are willing to serve, and
25 I have to say that their job is really very

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2 minimum.

3 Their job is to receive
4 grievances from the public and the families
5 of those who are incarcerated at the jail.
6 Then, ask for an investigation. I believe
7 that is the role of the board of visitors;
8 am I correct? Who is going to answer that
9 question,

10 MR. BECKER: You are correct. As
11 a Legislator that is what I've always
12 believed it to be when I was on the
13 Legislature.

14 CHAIRWOMAN GONSALVES: Let me
15 tell you something, this body could have had
16 a board of visitors when the minority was in
17 the majority, and when we had a County
18 Executive who could have easily implemented
19 this board.

20 So, without really -- I'm telling
21 you right now, you see all the people that
22 volunteer, they get nothing out of it except
23 agita, like we do sometimes.

24 I have to tell you, the 20 people
25 who have been appointed, appointed to the

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2 youth board, it's all volunteer. Yet,
3 they're willing to volunteer.

4 We need a lot more volunteers who
5 have no ax to grind who certainly have the
6 interest of not only the residents of Nassau
7 County but also, as far as the correctional
8 facility is concerned, the trustees or
9 inmates of the facility as well.

10 So I'm not going to belabor this,
11 I just simply think there was plenty of time
12 in the past to activate this Board of
13 Visitors and I'm telling you right now that
14 they are new to this -- that's why they were
15 reappointed because there was confusion as
16 to what their role is.

17 Now the confusion hopefully has
18 been clarified. If you would like to say
19 anything else, Minority Leader, please feel
20 free.

21 LEGISLATOR ABRAHAMS: Just two
22 points of clarity. One, I do agree with
23 your point that the Board of Visitors, one
24 of their roles is to investigate and review
25 and --

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2 CHAIRWOMAN GONSALVES: Excuse me,
3 they do not investigate.

4 LEGISLATOR ABRAHAMS: I'm
5 actually reading from the County Charter.

6 CHAIRWOMAN GONSALVES: I'm
7 telling you right now --

8 LEGISLATOR ABRAHAMS: What's your
9 source?

10 CHAIRWOMAN GONSALVES: But they
11 have grievances related to them and then
12 they are obligated then to get an
13 investigation going.

14 LEGISLATOR ABRAHAMS: Norma, I'm
15 reading from it.

16 CHAIRWOMAN GONSALVES: Read it.

17 LEGISLATOR ABRAHAMS: It says
18 Nassau County Charter on the book. I'm not
19 making it up.

20 It says right here, to
21 investigate, review, or take other actions
22 as shall be deemed necessary or proper with
23 respect to inmate complaints, like you just
24 said, let me finish, or grievances,
25 regarding the correctional center, as shall

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2 be called to their attention in writing.

3 But my greater point is, there's
4 also six other points of things that they
5 are required to do which talks about a cadre
6 of things, obtain correctional center
7 personnel, and information deemed necessary
8 to carry out the board powers and duties.
9 To request and receive temporary office
10 space in the correctional center;

11 To report periodically to the
12 sheriff and, where appropriate, to make such
13 recommendations to the sheriff as necessary
14 to fulfill the purpose of this section;

15 To meet on a regular basis at
16 time and place designated by the chair of
17 the board -- didn't think that was
18 happening.

19 And the point also is, just to
20 correct the record, the county executive did
21 not reactivate it. He is actually
22 instructed by the courts to do so. So it
23 wasn't something that he had an epiphany and
24 decided to do it, he was actually forced to
25 do it by the courts based off of a lawsuit

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2 that was filed in the court system.

3 Just to clarify the record.

4 Thank you.

5 CHAIRWOMAN GONSALVES: You're
6 welcome. Any other information, any other
7 comments from the public regarding these
8 appointments?

9 (No verbal response.)

10 There being none, all those in
11 favor signify by saying aye.

12 (Aye.)

13 Any opposed?

14 (Nay.)

15 We have four to two for all of
16 these appointments.

17 Let's move on to the next item,
18 32-17. It's a resolution authorizing the
19 County Executive to execute an
20 intermunicipal agreement with the Town of
21 Hempstead in relation to procuring and
22 plantings trees on Harbor Isle, Island Park.

23 Motion, please.

24 LEGISLATOR DUNNE: So moved.

25 LEGISLATOR KOPEL: Second.

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2 CHAIRWOMAN GONSALVES: Moved by
3 Legislator Dunne, seconded by Legislator
4 Kopel. Any questions or comments regarding
5 the item?

6 Is there any public comment?

7 (No verbal response.)

8 There being none, all those in
9 favor of 32-17 signify by saying aye.

10 (Aye.)

11 Any opposed?

12 (No verbal response.)

13 Six to zero.

14 Item 45-17, a resolution
15 authorizing the County Executive to execute
16 an intermunicipal agreement with the Wantagh
17 Fire District in relation to obtaining two
18 thermal imaging cameras.

19 Motion, please.

20 LEGISLATOR DUNNE: So moved.

21 LEGISLATOR KOPEL: Second.

22 CHAIRWOMAN GONSALVES: Moved by
23 Legislator Dunne, seconded by Legislator
24 Kopel. Any comments or questions from the
25 legislators?

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2 (No verbal response.)

3 Is there any public comment?

4 (No verbal response.)

5 There being none, all those in
6 favor of 45-17 signify by saying aye.

7 (Aye.)

8 Any opposed?

9 (No verbal response.)

10 The item passes six to zero.

11 Item 51-17, a bond ordinance
12 providing for a capital expenditure to
13 finance the capital project identified
14 herein within the County of Nassau and
15 authorizing \$4,600,000 of bonds of the
16 County of Nassau to finance such expenditure
17 pursuant to the Local Finance Law of
18 New York and the County Governmental Law of
19 Nassau County.

20 Motion, please.

21 LEGISLATOR DUNNE: So moved.

22 LEGISLATOR NICOLELLO: Second.

23 CHAIRWOMAN GONSALVES: Moved by

24 Legislator Dunne, seconded by Legislator

25 Nicolello. Lieutenant.

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2 LIEUTENANT STEPHANOFF: Good
3 evening. Greg Stephanoff from the Police.
4 Item 51-17 is requesting a capital bond
5 ordinance to authorize the multiyear
6 borrowing of \$4,600,000. This is for our
7 police fleet replacement to replace -- to
8 stay within the replacement cycle to replace
9 older vehicles with high mileage.

10 CHAIRWOMAN GONSALVES: Any
11 questions or comments? Go ahead.

12 LEGISLATOR DERIGGI-WHITTON: Just
13 to reiterate what we said earlier, we're
14 just hoping to get the list from you
15 regarding, not only the vehicles, but the
16 mileage, correct? And some other
17 information. So, thank you, for doing that.
18 We do need the bond language also to be
19 adjusted.

20 LIEUTENANT STEPHANOFF: Sure.

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

23 LIEUTENANT STEPHANOFF: Well, I
24 believe this item has to go toward our fleet
25 replacement. This capital project is

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2 dedicated to fleet replacement.

3 LEGISLATOR ABRAHAMS: It can't be
4 used on anything else.

5 CHAIRWOMAN GONSALVES:
6 Lieutenant, it's just for fleet replacement,
7 nothing else?

8 LIEUTENANT STEPHANOFF: That's
9 what this capital project is for, but we'll
10 make sure.

11 LEGISLATOR ABRAHAMS: I think,
12 Lieutenant, what Legislator DeRiggi-Whitton
13 is talking about the legal language in the
14 actual bond ordinance, does it reflect --

15 LIEUTENANT STEPHANOFF: Okay.
16 We'll make sure.

17 CHAIRWOMAN GONSALVES: Is that
18 what you're trying to say? Okay. I did ask
19 for any public comment.

20 There being none, all those in
21 favor of 51-17 signify by saying aye.

22 (Aye.)

23 Any opposed?

24 (No verbal response.)

25 Six to zero.

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2 52-17, a bond ordinance providing
3 for a capital expenditure to finance the
4 capital projects identified here within the
5 County of Nassau and authorizing \$1,200,000
6 of bonds of the County of Nassau to finance
7 such expenditure pursuant to the Local
8 Finance Law of New York and the County
9 Governmental Law of Nassau County.

10 Motion, please.

11 LEGISLATOR DUNNE: So moved.

12 LEGISLATOR KOPEL: Second.

13 CHAIRWOMAN GONSALVES: Moved by
14 Legislator Dunne, seconded by Legislator
15 Kopel. Assistant Chief.

16 ASSISTANT CHIEF PRIEST: Good
17 evening members. Assistant Chief John
18 Priest from the Fire Marshal's Office.

19 This bond ordinance would be for
20 the replacement of vehicles at the Nassau
21 County Fire Marshal's Office including
22 emergency response vehicles, investigation
23 vehicles and hazardous materials vehicles.

24 CHAIRWOMAN GONSALVES: I believe
25 there were questions that were addressed to

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2 you and hopefully they will be forthcoming.

3 ASSISTANT CHIEF PRIEST: We will
4 be prepared in two weeks as requested.

5 CHAIRWOMAN GONSALVES: Okay. If
6 there are no other questions or comments
7 from the public, all those in favor of 52-17
8 signify by saying aye.

9 (Aye.)

10 Any opposed?

11 (No verbal response.)

12 It's six to zero.

13 53-17 is an ordinance to amend
14 ordinance number 13-2016 adopting the
15 capital budget for the year 2016 for the
16 County of Nassau corresponding to the first
17 year of the four year capital plan pursuant
18 to the provisions of Section 310 of the
19 County Government Law of Nassau County.

20 Motion, please.

21 LEGISLATOR DUNNE: So moved.

22 LEGISLATOR KOPEL: Second.

23 CHAIRWOMAN GONSALVES: Moved by
24 Legislator Dunne, seconded by Legislator
25 Kopel. Mr. Arnold anything new to add?

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2 MR. ARNOLD: No. This is just a
3 capital budget amendment, two projects, and
4 the addition of a third.

5 CHAIRWOMAN GONSALVES: Any
6 additional questions from the legislators?

7 (No verbal response.)

8 Is there any public comment?

9 (No verbal response.)

10 There being none, all those in
11 favor of 53-17 signify by saying aye.

12 (Aye.)

13 Any opposed?

14 (No verbal response.)

15 Thank you that helps.

16 Item 54-17, a bond ordinance
17 providing for a capital expenditure to
18 finance the capital projects identified
19 herein within the County of Nassau and
20 authorizing \$5,109,000 of bonds of the
21 County of Nassau to finance such expenditure
22 pursuant to the Local Finance Law of New
23 York and the County Governmental Law of
24 Nassau County.

25 Motion, please.

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2 LEGISLATOR DUNNE: So moved.

3 LEGISLATOR NICOLELLO: Second.

4 CHAIRWOMAN GONSALVES: Moved by

5 Legislator Dunne, seconded by Legislator

6 Nicolello.

7 LIEUTENANT STEPHANOFF: Good

8 evening. Lieutenant Greg Stephanoff. Item

9 54-17 is to request a capital bond

10 ordinance. This project is to upgrade our

11 911 system.

12 We will be upgrading the 911

13 system, it's becoming end of life from the

14 manufacturer, from the vendor. So we will

15 be upgrading the 911 system which is the

16 call intake, the recording system and also a

17 back up system in case the main system goes

18 down.

19 CHAIRWOMAN GONSALVES: Any

20 further questions of the Lieutenant?

21 Did the commissioner speak to us

22 today regarding this item?

23 LEGISLATOR ABRAHAMS: Yes, I

24 think he's getting us more information, as

25 we said before, more information on the

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2 state's list as well as the bond ordinance
3 reflecting the language can only be used on
4 this project.

5 CHAIRWOMAN GONSALVES: There is
6 no point in my asking. Is there any public
7 comment?

8 (No verbal response.)

9 There being none, all those in
10 favor of 54-17 signify by saying aye.

11 (Aye.)

12 Any opposed?

13 (No verbal response.)

14 It's unanimous.

15 55-17, a capital expenditure to
16 finance the capital projects identified
17 herein within the County of Nassau and
18 authorizing \$1,000,000 of bonds of the
19 County of Nassau to finance such expenditure
20 pursuant to the Local Finance Law of New
21 York and the County Governmental Law of
22 Nassau County.

23 Motion, please.

24 LEGISLATOR DUNNE: So moved.

25 LEGISLATOR KOPEL: Second.

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2 CHAIRWOMAN GONSALVES: Moved by
3 Legislator Dunne, seconded by Legislator
4 Kopel.

5 LIEUTENANT STEPHANOFF: Good
6 evening. Item 55-17 is to request capital
7 bond ordinance to authorize the borrowing of
8 \$1 million. This is for our police
9 department specialty vehicle replacement.
10 This will replace vehicles that are used for
11 emergency service and bomb squad and it will
12 be used for high mileage -- older vehicles
13 for high mileage.

14 CHAIRWOMAN GONSALVES: Any
15 additional comments or questions?

16 LEGISLATOR ABRAHAMS: I feel like
17 the day is getting long. So it's the same
18 thing I said for 54-17, if you can do that.

19 CHAIRWOMAN GONSALVES: Okay.
20 Lieutenant, if they are requesting
21 additional information from the Finance
22 Committee, would you be able to get that
23 information to this body, okay?

24 LIEUTENANT STEPHANOFF: Yes.

25 CHAIRWOMAN GONSALVES: Any public

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2 comment?

3 (No verbal response.)

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

6 (Aye.)

7 Any opposed?

8 (No verbal response.)

9 Unanimous.

10 We have several here. 56-17,
11 another bond ordinance providing for a
12 capital expenditure to finance the capital
13 projects identified herein within the County
14 of Nassau and authorizing \$3 million of
15 bonds of the County of Nassau to finance
16 such expenditure pursuant to the Local
17 Finance Law of New York and the County
18 Governmental Law of Nassau County.

19 Motion, please.

20 LEGISLATOR DUNNE: So moved.

21 LEGISLATOR NICOLELLO: Second.

22 CHAIRWOMAN GONSALVES: Moved by
23 Legislator Dunne, seconded by Legislator
24 Nicolello. Mr. Arnold.

25 MR. ARNOLD: Item 56-17 is for

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2 our traffic construction modification. The
3 department feels this is a public safety
4 concern as the work that gets done on this
5 capital project is the replacement upgrading
6 of traffic signal equipment based on the
7 complaints the department receives and
8 studies the department undertakes and
9 completes. This project is for \$3 million
10 of upgrades.

11 CHAIRWOMAN GONSALVES: Any other
12 information that you're requesting from Mr.
13 Arnold regarding this item?

14 (No verbal response.)

15 Is there any public comment?

16 (No verbal response.)

17 There being none, all those in
18 favor of 56-17 signify by saying aye.

19 (Aye.)

20 Any opposed?

21 (Nay.)

22 So we have four to two.

23 Next is 57-17, a bond ordinance
24 providing for a capital expenditure to
25 finance the capital projects identified

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2 herein within the County of Nassau and
3 authorizing \$1 million of bonds of the
4 County of Nassau to finance such expenditure
5 pursuant to the Local Finance Law of New
6 York and the County Governmental Law of
7 Nassau County.

8 Motion, please.

9 LEGISLATOR DUNNE: So moved.

10 LEGISLATOR KOPEL: Second.

11 CHAIRWOMAN GONSALVES: Moved by
12 Legislator Dunne, seconded by Legislator
13 Kopel. Mr. Arnold.

14 MR. ARNOLD: 57-17 is another
15 project that the department feels is public
16 safety. It's regarding our pavement marking
17 program. As you understand, pavement
18 markings are on all county roads to make
19 sure that all the residents using the roads
20 know the confines of the lanes and various
21 other traffic markings.

22 This project will help finance
23 upcoming phases of work and help us deal
24 with worn out localized areas.

25 CHAIRWOMAN GONSALVES: Legislator

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2 Dunne.

3 LEGISLATOR DUNNE: Yes. With the
4 snowstorms and all, it gets worn out pretty
5 quick, right, so for the safety of the
6 children and crossing in front of the
7 schools, this painting is really necessary,
8 right?

9 MR. ARNOLD: Yes. It's the
10 markings in the road that let the residents
11 know where the crosswalks are, stop lines
12 are, lane markings, so on and so forth.
13 Yes, the plows do hit these items and they
14 do wear out over time.

15 LEGISLATOR DUNNE: Thank you.

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

19 (No verbal response.)

20 Is there any public comment?

21 (No verbal response.)

22 There being none, all those in
23 favor of 57-17 signify by saying aye.

24 (Aye.)

25 Any opposed?

1 Rules Committee/2-13-17

2 (Nay.)

3 Passes four to two.

4 Item 58-17 is a bond ordinance
5 for a capital expenditure authorizing \$1
6 million of bonds to the County of Nassau to
7 finance such expenditure pursuant to the
8 Local Finance Law of New York and the County
9 Governmental Law of Nassau County.

10 Motion, please.

11 LEGISLATOR DUNNE: So moved.

12 LEGISLATOR KOPEL: Second.

13 CHAIRWOMAN GONSALVES: Moved by
14 Legislator Dunne, seconded by Legislator
15 Kopel. Mr. Arnold.

16 MR. ARNOLD: 58-17 is a third of
17 these traffic related capital projects that
18 the department feels are public safety.
19 This is our traffic studies project. This
20 is the project we utilize to do studies and
21 investigations of the various complaints and
22 inquiries that the department receives from
23 the general public and from various other
24 organizations. Currently the department has
25 a backlog of almost 1,000 complaints that we

1 Rules Committee/2-13-17
2 need to get to. We need this for our
3 capital back charge and also our consultant
4 expertise.

5 CHAIRWOMAN GONSALVES: Any
6 questions? Legislator DeRiggi-Whitton who
7 doesn't want to go home.

8 LEGISLATOR DERIGGI-WHITTON:
9 The list that you provided us it's just not
10 clear. Is this where you're going to do the
11 traffic studies or is it traffic signals?

12 MR. ARNOLD: It is the traffic
13 signals.

14 LEGISLATOR DERIGGI-WHITTON: We
15 didn't get a list of the traffic studies.

16 MR. ARNOLD: That was only asked
17 of me this afternoon. I will get that to
18 you.

19 LEGISLATOR DERIGGI-WHITTON: So
20 we will put it on record again like the
21 other issues that if you would provide it to
22 us by Full Leg.

23 MR. ARNOLD: Yes. We will take
24 care of that.

25 CHAIRWOMAN GONSALVES: Any public

1 Rules Committee/2-13-17

2 comment?

3 (No verbal response.)

4 There being none, all those in
5 favor of 58-17 signify by saying aye.

6 (Aye.)

7 Any opposed?

8 (Nay.)

9 Item passes four to two.

10 Item 59-17 is a bond ordinance to
11 finance capital projects identified here
12 within the County of Nassau and authorizing
13 \$1 million of bonds to the County of Nassau
14 to finance such expenditure pursuant to the
15 Local Finance Law of New York and the County
16 Governmental Law of Nassau County.

17 Motion, please.

18 LEGISLATOR DUNNE: So moved.

19 LEGISLATOR KOPEL: Second.

20 CHAIRWOMAN GONSALVES: Moved by
21 Legislator Dunne, seconded by Legislator
22 Kopel. Mr. Arnold.

23 MR. ARNOLD: 59-17 is a capital
24 project associated with asbestos and lead
25 abatement. Various county buildings have

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2 asbestos and lead that need to be abated on
3 occasion when other ongoing work is being
4 done by the department. This allows us to
5 fund that work in an efficient manner. We
6 do find this is public safety and it
7 protects the habitants of the building and
8 our workers.

9 CHAIRWOMAN GONSALVES: Any other
10 questions for Mr. Arnold regarding this
11 item?

12 (No verbal response.)

13 Is there any public comment?

14 (No verbal response.)

15 There being none, all those in
16 favor of 59-17 signify by saying aye.

17 (Aye.)

18 Any opposed?

19 (Nay.)

20 The item passes four to two.

21 I believe I have one more item.

22 I believe it is 90-17, a local law to amend
23 the administrative code of Nassau County to
24 require the analysis and approval of a
25 professional engineer prior to the use of

1 Rules Committee/2-13-17

2 heavy equipment on or over bridges in Nassau
3 County.

4 Motion, please.

5 LEGISLATOR DUNNE: So moved.

6 LEGISLATOR KOPEL: Second.

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

10 MR. PODLESIAK: This is a
11 legislative item. This is not an executive
12 item, so it speaks for itself.

13 CHAIRWOMAN GONSALVES: Legislator
14 Dunne has a statement I think regarding what
15 this item is for the edification of those of
16 us who are on this committee.

17 LEGISLATOR DUNNE: The Bridge
18 Rehabilitation Law is a local law that is
19 before us as a legislative initiative. We
20 are advancing in hopes of formalizing a
21 process that will better protect our bridge
22 infrastructure. The law mandates, it's
23 simple, prior to the use of heavy equipment
24 on any of the 88 bridges that are located in
25 Nassau County that are owned by the County

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2 of Nassau, the Department of Public Works
3 shall require the certification from a New
4 York State certified engineer that the use
5 of such heavy equipment will not damage the
6 bridge components.

7 By way of background law, as it
8 currently stands, limits the use of
9 equipment on bridges to jack hammers,
10 however, allows contractors to utilize heavy
11 equipment only with the special permission
12 with the Department of Public Works.

13 It is my understanding that the
14 engineers in the Department of Public Works
15 currently evaluate multiple fractures
16 including the bridge's age, condition, the
17 load specification and hosts of other
18 considerations prior to authorizing any
19 means or methods of bridge reconstruction.

20 This law is intended to continue
21 the formalize those steps and allow for
22 these considerations to be vetted in
23 conjunction with the determination of what
24 means and methods are advisable on any
25 bridge reconstruction and before any such

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2 approvals are granted.

3 I have not asked DPW to be here
4 today as this as a legislative item, and
5 committee item subject to hearing before any
6 vote will be had.

7 I do want to address any
8 questions that members may have and ask that
9 these questions be put on record today or at
10 any time before the hearing so we can have
11 them addressed or, at the very least, better
12 discussed.

13 CHAIRWOMAN GONSALVES: So we're
14 going to wait for the hearing on the 27th
15 regarding this legislation unless you have a
16 question.

17 LEGISLATOR ABRAHAMS: Our counsel
18 had a chance to briefly look it over. It
19 seems like it's fine. We don't have an
20 issue. I'm curious, Legislator Dunne, what
21 prompted to take up this legislation? Are
22 there incidences that you have seen?

23 LEGISLATOR DUNNE: Across the
24 nation bridges are falling apart. My father
25 was a labor foreman. He used to carry

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2 steel. The steel reinforces the concrete.
3 Lap is tied to the steel and the cement
4 workers pour the concrete.

5 Now, when you use heavy equipment
6 on elevated structures, they cause stress
7 fractures in the steel that reinforce and
8 pieces of concrete are falling off of
9 bridges across the country. So, if we do
10 this, we will protect our children, my
11 grandchildren.

12 LEGISLATOR ABRAHAMS: I didn't
13 know if something happened in Nassau.

14 LEGISLATOR DUNNE: No, it's
15 nationwide.

16 CHAIRWOMAN GONSALVES: Okay. I'm
17 sure there is no public comment.

18 MR. PODLESACK: I just wanted to
19 say something. I just finished revising the
20 admin code. With this being passed, it's
21 already going to be obsolete. I put all
22 that work into it, it's only going to be one
23 month. You couldn't wait one month, could
24 you?

25 CHAIRWOMAN GONSALVES: All those

1 Rules Committee/2-13-17
2 in favor of Item 90-17 signify by saying
3 aye.

4 (Aye.)

5 Any opposed?

6 (No verbal response.)

7 Remember, this is six zero.

8 I have a Rules Committee
9 addendum, motion to suspend the rules.

10 LEGISLATOR DUNNE: So moved.

11 LEGISLATOR KOPEL: Second.

12 CHAIRWOMAN GONSALVES: Moved by
13 Legislator Dunne, seconded by Legislator
14 Kopel. All those in favor of suspending the
15 rules, signify by saying aye.

16 (Aye.)

17 Any opposed?

18 (No verbal response.)

19 The rules are now suspended.

20 These items did go through
21 Finance. These items are 81-17, 102-17,
22 103-17 and 104-17. They were heard in
23 Finance as well, so whatever testimony again
24 incorporated by reference.

25 Motion, please.

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2 LEGISLATOR KOPEL: So moved.

3 LEGISLATOR DUNNE: Second.

4 CHAIRWOMAN GONSALVES: Moved by

5 Legislator Kopel, seconded by Legislator

6 Dunne. Any questions or comments,

7 additional questions or comments?

8 (No verbal response.)

9 Is there any public comment?

10 (No verbal response.)

11 There being none, all those in

12 favor of those items signify by saying aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 Abstain?

17 (Abstain.)

18 So we have the items pass four

19 zero two. Now a motion to adjourn.

20 LEGISLATOR DUNNE: So moved.

21 LEGISLATOR KOPEL: Second.

22 CHAIRWOMAN GONSALVES: Moved by

23 Legislator Dunne, seconded by Legislator

24 Kopel. All those in favor signify by saying

25 aye.

1 Rules Committee/2-13-17

2 (Aye.)

3 Any opposed?

4 (No verbal response.)

5 The meeting is now adjourned.

6 (Whereupon, the Rules Committee

7 adjourned at 6:41 p.m.)

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C E R T I F I C A T E

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

THAT I attended at the time and place
above mentioned and took stenographic record
of the proceedings in the above-entitled
matter;

THAT the foregoing transcript is a true
and accurate transcript of the same and the
whole thereof, according to the best of my
ability and belief.

IN WITNESS WHEREOF, I have hereunto set
my hand this 23rd day of February, 2017.

FRANK GRAY