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NASSAU COUNTY LEGISLATURE

RULES COMMITTEE

NORMA GONSALVES, Chairwoman

1550 Franklin Avenue
Mineola, New York

Monday, April 24, 2017
4:25 P.M

1

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

3

4 NORMA GONSALVES,
 Chairwoman5 RICHARD NICOLELLO,
 Vice Chairman

6

HOWARD KOPEL

7

DENNIS DUNNE

8

9 KEVAN ABRAHAMS,
 Ranking

10 DELIA DERIGGI-WHITTON

11 CARRIE SOLAGES

12 MICHAEL C. PULITZER,
 Clerk of the Legislature

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2 CHAIRWOMAN GONSALVES: We are now
3 in session. Mr. Clerk, please call the roll
4 for the Rules Committee.

5 CLERK PULITZER: Roll call for
6 Rules Committee. Carrie Solages?

7 LEGISLATOR SOLAGES: Here.

8 CLERK PULITZER: Legislator
9 DeRiggi-Whitton?

10 LEGISLATOR DERIGGI-WHITTON:
11 Here.

12 CLERK PULITZER: Ranking Member
13 Kevan Abrahams?

14 LEGISLATOR ABRAHAMS: Here.

15 CLERK PULITZER: Alternate Deputy
16 Presiding Officer Howard Kopel?

17 LEGISLATOR KOPEL: Here.

18 CLERK PULITZER: Legislator
19 Dennis Dunne?

20 LEGISLATOR DUNNE: Here.

21 CLERK PULITZER: Vice Chairman
22 Richard Nicoletto?

23 LEGISLATOR NICOLELLO: Here.

24 CLERK PULITZER: Chairwoman Norma
25 Gonsalves?

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2 CHAIRWOMAN GONSALVES: Present.

3 CLERK PULITZER: We have a
4 quorum, ma'am.

5 CHAIRWOMAN GONSALVES: Here we
6 go. The first item is A-8, a resolution
7 authorizing the Director of Nassau County
8 Office of Purchasing to request oversight of
9 a contract between the County of Nassau
10 acting on behalf of the Nassau County
11 department of Public Works and Maffucci &
12 Son, Inc.

13 Motion, please.

14 LEGISLATOR DUNNE: So moved.

15 LEGISLATOR KOPEL: Second.

16 CHAIRWOMAN GONSALVES: Moved by
17 Legislator Dunne, seconded by Legislator
18 Kopel. Okay, Mr. Arnold.

19 MR. ARNOLD: Ken Arnold, Public
20 Works. A-8 is a contract for gas heater
21 repair. The purchase order was put out
22 through the Office of Purchasing. There
23 were 16 vendors that were notified
24 electronically. None of which were minority
25 business or veteran owned. Minority Affairs

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2 did have a copy and did contact our bidders.
3 There were eight bids received and we are
4 looking to award it to the lowest
5 responsible bidder which is Maffucci & Son.

6 CHAIRWOMAN GONSALVES: Any
7 questions of Mr. Arnold regarding the
8 contract? Minority Leader.

9 LEGISLATOR ABRAHAMS: Thank you,
10 Madam Presiding Officer. Ken, I'm reading
11 through our backup and according to our
12 backup there was a handwritten note on the
13 back of a formal bid recommendation that
14 Maffucci was the lowest bidder. Who wrote
15 the note and why did it come in the form of
16 a note?

17 MR. ARNOLD: I believe that's
18 done by purchasing but I'm not 100 sure.

19 LEGISLATOR ABRAHAMS: Is that the
20 one that says Tempco Maffucci therefore
21 Maffucci & Sons was the lowest bidder?

22 LEGISLATOR ABRAHAMS: Yes.

23 MR. ARNOLD: I believe that's
24 their recommendation.

25 LEGISLATOR ABRAHAMS: Who from

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2 purchasing?

3 MR. ARNOLD: I would assume Fran
4 Fisher did it, but I'm not 100 sure. She's
5 the buyer.

6 LEGISLATOR ABRAHAMS: You're
7 saying -- oh, I see what you're saying.

8 MR. ARNOLD: Michael Schlernoff,
9 I think it works through their process.

10 LEGISLATOR ABRAHAMS: They should
11 probably sign this bottom part here. I
12 understand it wasn't able to fit on the
13 front side of the page, but they should
14 probably just sign the back. Okay.

15 CHAIRWOMAN GONSALVES: Any public
16 comment? Ms. Mereday.

17 MS. MEREDAY: Meta Mereday.
18 Since no one else seems to want to speak.
19 I'm glad there was at least some outreach to
20 veteran and minority businesses but the fact
21 that we can nod our heads and we did
22 outreach, but the fact that once again we
23 have an alleged bill that's been sitting on
24 the books probably gathering layers of dust
25 for veteran owned business, to have no

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2 clearinghouse, no programs, no outreach, no
3 directory, it does not surprise me that
4 there was not at least one veteran business
5 that could have at least submitted for this.

6 So I can only speak to the
7 outrage as it pertains to the thousands of
8 veterans on Long Island, and has the largest
9 population in New York State and northeast
10 region to once again call on this
11 Legislature to do something other than the
12 ongoing lip service as it pertains to
13 actively persuing those avenues and
14 opportunities to increase those options for
15 veterans and service disabled veterans to
16 get contract opportunities in this county
17 for the millions of dollars that you are
18 borrowing on the backs of these overtaxed
19 taxpayers.

20 So the fact that no one spoke to
21 that other than to hear the line that
22 Mr. Arnold made that there was outreach but
23 to who?

24 There is no directory. There is
25 no program within Nassau County that speaks

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2 to the development aspect of service
3 disabled and veteran owned businesses to
4 even get them to apply, let alone qualify
5 for these contracts.

6 So I'm still asking and trying to
7 find out when is there going to be some
8 earmarked funding, bonding or some kind of
9 project or process that will actively
10 implement what is outlined in the Veteran
11 Owned Business Act that is now three years
12 old, one year from your actual agreement to
13 make it happen?

14 Because, again, we can talk about
15 the demolishing of buildings but we can't
16 reach out to any demolition companies that
17 are owned and operated by veteran owned
18 businesses.

19 And, they do exist, and they do
20 have the capacity to take on a \$2 million
21 project, but we will never know it in Nassau
22 County because we do not have any programs
23 in place to address that.

24 There is no affirmative action.
25 There is no service disabled quota. There

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2 is no, as I said, clearinghouse, nothing,
3 zero, nada, zilch.

4 We are coming into a graduating
5 session, where we have graduates who have
6 been able to utilize the post 911 GI bill,
7 and, again, they cannot get work in Nassau
8 County. They cannot afford to live in
9 Nassau County to raise their families here
10 in Nassau County.

11 So, I'm asking the question, when
12 are we going to do something for veteran
13 owned and service disabled veteran owned
14 businesses who are the true job creators for
15 veterans. Thank you.

16 CHAIRWOMAN GONSALVES: Any other
17 public comment?

18 (No verbal response.)

19 There being none, all those in
20 favor of A-8 signify by saying aye.

21 (Aye.)

22 Any opposed?

23 (Nay.)

24 The item passes four to three.

25 The next item is A-11, a contract

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2 between the County of Nassau acting on
3 behalf of the Nassau County Department of
4 Public Works and Clinical Delivery Systems.

5 Motion, please.

6 LEGISLATOR DUNNE: So moved.

7 LEGISLATOR NICOLELLO: Second.

8 CHAIRWOMAN GONSALVES: Moved by
9 Legislator Dunne, seconded by Legislator
10 Nicolello.

11 MR. ARNOLD: Ken Arnold, Public
12 Works. A-11 is a maintenance contract for
13 compressor repairs, at various county
14 buildings and facilities.

15 This was advertised in Newsday
16 and put on the bid board. We had 13 vendors
17 who viewed the bid, one was veteran owned.

18 Minority Affairs was given a copy
19 of the bids. We received four bids and the
20 lowest selected -- lowest bidder was
21 Clinical Delivery Systems.

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

24 (No verbal response.)

25 Is there -- I'm sorry.

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2 Legislator DeRiggi-Whitton?

3 LEGISLATOR DERIGGI-WHITTON:

4 Finance wanted to know if this was coming
5 from the general fund or capital fund?

6 MR. ARNOLD: Maintenance and
7 repair would come from the operating fund.

8 CHAIRWOMAN GONSALVES: Any other
9 comments?

10 (No verbal response.)

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

13 (Aye.)

14 Any opposed?

15 (Nay.)

16 The item passes four to three.

17 The next item is A-14, a contract
18 between the County of Nassau acting on
19 behalf of the various Nassau County
20 departments and Hi Tech Air Conditioning
21 Service, Inc.

22 Motion, please.

23 LEGISLATOR KOPEL: So moved.

24 LEGISLATOR NICOLELLO: Second.

25 CHAIRWOMAN GONSALVES: Moved by

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

4 MR. ARNOLD: A-14 is a
5 maintenance contract for Blazer-Levor Air
6 Conditioning Repair Units. These are the
7 units that cool our computer systems.

8 We, again, advertised both in
9 Newsday and the bid solicitation board.
10 There were nine vendors that viewed the bid.
11 One of which was an MWBE. Minority Affairs
12 was given a copy of the bid prior to it
13 going out.

14 A total of three bids were
15 received, and the lowest responsible bidder
16 was Hi Tech Air Conditioning Services.

17 CHAIRWOMAN GONSALVES: Legislator
18 Kopel.

19 LEGISLATOR KOPEL: Was this on
20 the list of the delayed contracts, do you
21 know?

22 MR. ARNOLD: I do not believe so,
23 no.

24 LEGISLATOR KOPEL: The first year
25 is already done.

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2 MR. ARNOLD: I'd have to speak to
3 purchasing on that.

4 LEGISLATOR KOPEL: Can you also
5 speak to purchasing if indeed -- and I'm not
6 saying, I didn't have a chance to go through
7 that whole list, if this is not on the list,
8 then that's a problem. The list seems to be
9 growing I just want to say. If it keeps on
10 growing this is a problem for me at least,
11 if not for others.

12 MR. ARNOLD: I think when this
13 says it's been in effect, I think we've come
14 to this body because we're over the \$100,000
15 which requires your oversight.

16 That might be the issue. It's in
17 effect or reaching \$100,000 threshold which
18 is why it is coming to you for your
19 approval.

20 CHAIRWOMAN GONSALVES: Legislator
21 DeRiggi-Whitton.

22 LEGISLATOR DERIGGI-WHITTON: Do
23 you know if any of the disclosure forms have
24 been updated since 2015, or are we still
25 going to go with the original disclosure

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2 forms?

3 MR. ARNOLD: The forms that are
4 in this package is what they use. I didn't
5 do the vetting on this. The purchasing
6 department does the vetting on these items.
7 So I assume whatever is in this package is
8 what was utilized for their vetting.

9 LEGISLATOR DERIGGI-WHITTON: So I
10 don't think they have been updated since
11 2015. It's not up to whatever standard we
12 put into place recently.

13 MR. ARNOLD: I know in working
14 with them now, they are getting updated
15 forms, but I can't speak to these exactly.
16 I know my own concrete contractor, they're
17 asking for updated forms to do the same type
18 of --

19 LEGISLATOR DERIGGI-WHITTON:
20 Maybe we should ask for them for this also.
21 Just to clarify again, there was a question
22 as to whether or not this was coming from
23 general fund or capital fund also with the
24 finance.

25 MR. ARNOLD: Coming from

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2 operating.

3 LEGISLATOR DERIGGI-WHITTON:

4 Maybe you can just find out about the forms
5 so that would help.

6 CHAIRWOMAN GONSALVES: Legislator
7 Nicolello.

8 LEGISLATOR NICOLELLO: You asked
9 the same question before and you all guys
10 voted against it so why -- not making any
11 judgements but why are you asking?

12 LEGISLATOR DERIGGI-WHITTON:
13 Because we want to make sure things are done
14 the proper way. It's a whole format, and if
15 we feel it's up to the standard of
16 procurement, and we feel comfortable, then
17 I'm happy to vote for things, believe me.

18 CHAIRWOMAN GONSALVES: Any public
19 comment?

20 (No verbal response.)

21 There being none, all those in
22 favor of A-14 signify by saying aye.

23 (Aye.)

24 Any opposed?

25 (Nay.)

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2 The item passes four to three.

3 A-15, a contract between the
4 County of Nassau acting on behalf of various
5 Nassau County agencies and Gabrielli Truck
6 Sales Limited.

7 Motion, please.

8 LEGISLATOR DUNNE: So moved.

9 LEGISLATOR KOPEL: Second.

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

13 MR. ARNOLD: I missed it, the
14 last item was a vote 4-3?

15 CHAIRWOMAN GONSALVES: Yes.

16 MR. ARNOLD: Okay. Item A-15 is
17 a contract with Gabrielli for OEM which is
18 operating maintenance truck parts for Ford,
19 Mack and Caterpillar trucks.

20 The bids went out, reviewed by
21 seven vendors. One which was a minority
22 business. Minority Affairs again was given
23 the bid for outreach, and there were three
24 vendors that submitted bid.

25 This award is associated with

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2 only Ford, Mack and Caterpillar.

3 It's my understanding from
4 purchasing that they'll be another contract
5 coming to you for other types of truck parts
6 that are not awarded as part of this bid
7 even though all the bids were asked for at
8 the same time. Any questions?

9 CHAIRWOMAN GONSALVES: Any
10 questions of Mr. Arnold?

11 (No verbal response.)

12 Is there any public comment?

13 (No verbal response.)

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

16 (Aye.)

17 Any opposed?

18 (Nay.)

19 The item passes four to three.

20 A-21, a contract between the
21 County of Nassau acting on behalf of the
22 Nassau County Department of Recreation,
23 Parks and Museum and North Shore Golf Car
24 Repair Service, Inc.

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. Who is here to speak on this
7 item? This is parks.

8 MR. LEWIS: Hi. How are you
9 doing? Tom Lewis, golf maintenance. This
10 is a lease for renewing the lease for the
11 four years for the golf carts that we rent
12 to the public.

13 CHAIRWOMAN GONSALVES: Any
14 questions? Minority Leader.

15 LEGISLATOR ABRAHAMS: How are
16 you? How many bids have we received?

17 MR. LEWIS: I'm not aware of
18 that. I don't have that information with
19 me.

20 LEGISLATOR ABRAHAMS: I just
21 wanted to confirm, our records reflect that
22 one bid was received and I just wanted to
23 confirm how do we determine we're getting
24 the most reasonable price if we only receive
25 one bid?

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2 MR. LEWIS: I wouldn't know how
3 that works. That's purchasing.

4 LEGISLATOR ABRAHAMS: Thanks.
5 Motion to table.

6 LEGISLATOR DERIGGI-WHITTON: I'll
7 second it.

8 CHAIRWOMAN GONSALVES: Any public
9 comment?

10 LEGISLATOR ABRAHAMS: There's a
11 motion to table.

12 CHAIRWOMAN GONSALVES: A motion
13 to table by Minority Leader. Is there a
14 second?

15 LEGISLATOR DERIGGI-WHITTON:
16 Second.

17 CHAIRWOMAN GONSALVES: All those
18 in favor of tabling this item signify saying
19 aye.

20 (Aye.)

21 Any opposed?

22 (Nay.)

23 The item is not tabled.

24 Now for the item itself, A-21,
25 all those in favor of A-21 signify by saying

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2 aye.

3 (Aye.)

4 Any opposed?

5 (Nay.)

6 The item passes four to three.

7 The next item is B-2, a contract
8 amendment between the County of Nassau
9 acting on behalf of the Nassau County
10 Department of Public Works and the Landtek
11 Group, Inc.

12 Motion, please.

13 LEGISLATOR DUNNE: So moved.

14 LEGISLATOR NICOLELLO: Second.

15 CHAIRWOMAN GONSALVES: Moved by
16 Legislator Dunne, seconded by Legislator
17 Nicolello. Okay, go ahead.

18 MR. ARNOLD: Item B-2 is the
19 first item for the Department's civil site
20 requirements contract. The base contract
21 was for \$8 million and this amendment raises
22 the cap by \$1 million while we look to award
23 its replacement contract.

24 This contract also is extended
25 until January 22nd of 2018.

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2 Also please be aware that there
3 was some work done under this amendment in
4 order to get the Wantagh fields done in time
5 for this season, so there was some work that
6 was done while this contract was being
7 processed. Here for any questions.

8 CHAIRWOMAN GONSALVES: Any
9 questions for Mr. Arnold on this item?

10 (No verbal response.)

11 Is there any public comment?

12 (No verbal response.)

13 There being none, all those in
14 favor of B-2 signify by saying aye.

15 (Aye.)

16 Any opposed?

17 (Nay.)

18 The item passes four to three.

19 The next item is B-8, a contract, an
20 emergency contract between the County of
21 Nassau acting on behalf of the Nassau County
22 Department Of Public Works and Bancker
23 Construction Corp.

24 Motion, please.

25 LEGISLATOR DUNNE: So moved.

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2 LEGISLATOR KOPEL: Second.

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

6 MR. ARNOLD: B-8 is an emergency
7 contract for the replacement and upgrade of
8 the water main system at the correctional
9 facility. This is in association with that
10 bond ordinance that was approved and we put
11 out an emergency contract.

12 We did solicit bids for the
13 contract. We had two bidders and Bancker
14 was the lowest responsible bidder. And
15 notice to proceed was issued on this
16 contract, as it's an emergency and work is
17 ongoing.

18 CHAIRWOMAN GONSALVES: Any
19 questions of Mr. Arnold regarding this
20 contract?

21 (No verbal response.)

22 Is there any public comment?

23 (No verbal response.)

24 There being none, all those in
25 favor of B-8 signify by saying aye.

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2 (Aye.)

3 Any opposed?

4 (Nay.)

5 The item passes four to three.

6 The next item is E-65, a personal
7 services agreement between the County of
8 Nassau acting on behalf of the Nassau County
9 Department of Corrections and Rehabilitation
10 Medicine Services.

11 Motion, please.

12 LEGISLATOR KOPEL: So moved.

13 LEGISLATOR DUNNE: Second.

14 CHAIRWOMAN GONSALVES: Moved by
15 Legislator Kopel, seconded by Legislator
16 Dunne.

17 MS. HALL: Good evening,
18 Legislature. Narda Hall, Correctional
19 Center. Item E-65-17 is for the
20 Rehabilitation Medicine Services.

21 They enable the Nassau County
22 Sheriff's Department and the Nassau County
23 Sheriff's Correction Officer's Benevolent
24 Association to resolve disputed cases of
25 illness or injuries resulting from incidents

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2 while correction officers are performing
3 their official police, peace officer duties
4 pursuant to the laws of New York State.

5 The impact on funding is \$49,000.
6 The term is from January 1, 2017 through
7 December 31, 2017.

8 CHAIRWOMAN GONSALVES: Any
9 questions from the legislators? Legislator
10 DeRiggi-Whitton.

11 LEGISLATOR DERIGGI-WHITTON: Just
12 it's January of 2017 at the start. So,
13 again, it goes into the late category.

14 MS. HALL: The item was initially
15 submitted from last year.

16 We usually start our contracts in
17 October or November, but there was a lot of
18 back and forth with the vendors because some
19 of the information was either, a, missing,
20 or incompleted improperly and, again, the
21 budget is not voted until January.

22 We actually had to wait to submit
23 it then after we receive partial
24 information.

25 LEGISLATOR DERIGGI-WHITTON: If

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2 you can convey to them that it's really the
3 feeling I believe of this entire Legislature
4 that we're going to -- we might be losing
5 funding should they not comply on time.
6 There is no way -- if they can't fill out
7 the paperwork and have it in time then they
8 won't be paid, and I think that message has
9 to get across, not only in your department
10 but all of them. Thank you.

11 MS. HALL: Thank you.

12 CHAIRWOMAN GONSALVES: Any public
13 comment?

14 (No verbal response.)

15 There being none, all those in
16 favor of E-65 signify by saying aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 It's unanimous. Don't shock me
21 now.

22 E-88, a personal services
23 agreement between the County of Nassau
24 acting on behalf of the Nassau County
25 Department of Social Services and the Safe

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2 Center Long Island, Inc.

3 Motion, please.

4 LEGISLATOR DUNNE: So moved.

5 LEGISLATOR NICOLELLO: Second.

6 CHAIRWOMAN GONSALVES: Moved by

7 Legislator Dunne, seconded by Legislator

8 Nicolello. Mr. Broderick.

9 MR. BRODERICK: Good afternoon,
10 legislators, Paul Broderick, Deputy
11 Commissioner, Department of Social Services.
12 The contract before you an agreement between
13 the Department of Social Services and the
14 Safe Center to provide -- this is in support
15 of the Safe Harbor Project. They provide
16 mental health services and clinical
17 assessments to eligible youth. Do you have
18 any questions?

19 CHAIRWOMAN GONSALVES: Any
20 questions of Mr. Broderick? Go ahead,
21 Legislator DeRiggi-Whitton.

22 LEGISLATOR DERIGGI-WHITTON: Just
23 the same comment which is that this started
24 on January 1st of 2017, correct?

25 MR. BRODERICK: That is correct.

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2 LEGISLATOR DERIGGI-WHITTON: Is
3 there anything you can do as far as speaking
4 to people as far as getting the forms in
5 earlier, we would really appreciate it?

6 MR. BRODERICK: We work
7 extensively along with Robert Cleary, the
8 not for profit task group and with the Safe
9 Center to get their forms in in a timely
10 fashion. We are working with them.

11 LEGISLATOR DERIGGI-WHITTON:
12 Again, just wanted to make sure. Just one
13 last thing. Is this a sole source this
14 contract?

15 MR. BRODERICK: I would say yes,
16 given their expertise, absolutely.

17 LEGISLATOR DERIGGI-WHITTON:
18 Thank you.

19 CHAIRWOMAN GONSALVES: Any public
20 comment?

21 (No verbal response.)

22 There being none, all those in
23 favor of E-88 signify by saying aye.

24 (Aye.)

25 Any opposed?

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2 (No verbal response.)

3 Unanimous.

4 The next item is E-92, a personal
5 services agreement between the County of
6 Nassau acting on behalf of the Nassau County
7 Board of Elections and Nuzzi Brothers Moving
8 Services, Inc.

9 Motion, please.

10 LEGISLATOR KOPEL: So moved.

11 LEGISLATOR DUNNE: Second.

12 CHAIRWOMAN GONSALVES: Moved by
13 Legislator Kopel, seconded by Legislator
14 Dunne. Anybody here to talk about this one?

15 LEGISLATOR ABRAHAMS: I believe
16 this is, if I remember correctly, this is
17 the third time we're doing these moving
18 services for the Board of Elections, and if
19 I recollect, when the respective commissions
20 for the Democrat Republican sides come down,
21 I believe that the procurement from our
22 standpoint, which is important to us, the
23 procurement is handled by the Board of
24 Elections.

25 We would see no problem being

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2 that we did the first two we would proceed
3 today. But it's up to you in terms of how
4 you want to proceed.

5 CHAIRWOMAN GONSALVES: I have no
6 problem with that. I don't know if there is
7 any public comment?

8 (No verbal response.)

9 There being none, all those in
10 favor of E-92 signify by saying aye.

11 (Aye.)

12 Any opposed?

13 (No verbal response.)

14 The item passes unanimously.

15 E-95, a personal services
16 agreement between the County of Nassau
17 acting on behalf of the Nassau County
18 District Attorney and MaryHaven Center of
19 Hope.

20 Motion, please.

21 LEGISLATOR NICOLELLO: So moved.

22 LEGISLATOR DUNNE: Second.

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

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2 MR. MCMANUS: Bob McManus,
3 District Attorney Office. This is a no cost
4 extension of an agreement with Mary Haven
5 Center of Hope to provide residential
6 treatment to individuals who have survived
7 heroin overdoses.

8 Very often, addicts who overdose
9 are quickly released from the hospital,
10 often in the throws of withdrawal.

11 This program treats these
12 individuals before they have a chance to use
13 drugs again or commit crimes to obtain money
14 to buy drugs.

15 Mary Haven is the only Nassau
16 County facility certified by the New York
17 State Office of Alcoholism and Substance
18 Abuse Services to provide residential
19 chemical dependence and stabilization
20 services.

21 CHAIRWOMAN GONSALVES: Any
22 questions from the legislators?

23 (No verbal response.)

24 Is there any public comment?

25 Yes, Mr. Budnick.

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2 MR. BUDNICK: As I have mentioned
3 before, the county used to have a facility
4 called Topic House, number one.

5 Number two, having this money go
6 through the District Attorney's Office
7 creates an ethical problem and creates an
8 essential appearance of impropriety because
9 of the fact that this money is going through
10 the District Attorney's Office, these people
11 have already committed crimes, and, forgive
12 me for saying this, they may think
13 potentially that this is making them immune
14 because this money is coming from the
15 District Attorney's Office through to Mary
16 Haven, and I consider that that is not
17 exactly appropriate and, not anything the
18 county really wants to do through the
19 District Attorney's Office, and I do believe
20 it should be being done through other
21 agencies of the county. Thank you very
22 much.

23 And the heroin problem is
24 horrendous and getting more so because there
25 are new drugs being added to this stuff that

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2 literally will kill people trying to save
3 people who have or are in the process of
4 overdosing. God bless us all. And we need
5 it.

6 CHAIRWOMAN GONSALVES: There
7 being no other comments, all those in favor
8 signify --

9 LEGISLATOR ABRAHAMS: Excuse me.
10 Mr. McManus? I apologize, Madam Presiding
11 Officer.

12 Just real quick. The procurement
13 process was solely handled by the District
14 Attorney's Office?

15 MR. MCMANUS: Yes.

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

19 (No verbal response.)

20 Is there any public comment?

21 (No verbal response.)

22 There being none, all those in
23 favor of E-95 signify by saying aye.

24 (Aye.)

25 Any opposed?

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2 (No verbal response.)

3 The item passes unanimously.

4 The next item is E-96, a personal
5 services agreement between the County of
6 Nassau acting on behalf of the Nassau County
7 District Attorney's Office and Suzanne Hand
8 and Associates, Inc.

9 Motion, please.

10 LEGISLATOR KOPEL: So moved.

11 LEGISLATOR DUNNE: Second.

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

15 MR. MCMANUS: Yes. This is the
16 fourth and final extension of our agreement
17 Suzanne Hand and Associates for mandated
18 grand jury court reporting services.

19 We are required by law to provide
20 grand jury transcripts at the request of
21 defense attorneys.

22 CHAIRWOMAN GONSALVES: Any
23 comments or questions?

24 (No verbal response.)

25 Is there any public comment? Mr.

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2 Budnick.

3 MR. BUDNICK: I want to add in
4 support that that there are very, very
5 strict time limits that the criminal
6 procedure law puts on how speedily grand
7 jury minutes are necessary and the result,
8 if they are not ready within the statutory
9 time, then the charges can be dismissed and
10 we are all at a big loss. This needs to be
11 approved, forgive me for saying, yesterday.

12 CHAIRWOMAN GONSALVES: Any other
13 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-96 signify by saying aye.

19 (Aye.)

20 Any opposed?

21 (No verbal response.)

22 The item passes unanimously.

23 The next item is E-97, a personal
24 services agreement between the County of
25 Nassau acting on behalf of the Nassau County

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2 Department of Information Technology and
3 Bowne Management Service systems, Inc.

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.

10 COMMISSIONER EISENSTEIN: Ed
11 Eisenstein, IT commissioner, how are you?
12 This is the Bowne GIS maintenance contract
13 being extended through to 2019. They are
14 our software vendor does all our geographic
15 mapping.

16 CHAIRWOMAN GONSALVES: Any
17 questions of Mr. Eisenstein? Minority
18 Leader.

19 LEGISLATOR ABRAHAMS: Mr.
20 Eisenstein, this RFP was issued on March 1,
21 2015, and according to the back and forth
22 proposals, they were received and evaluated,
23 all four vendors were selected. I guess
24 this would beg the question on why we
25 believe we need four vendors to perform the

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2 same service?

3 COMMISSIONER EISENSTEIN: Yes.

4 Thank you for asking me actually. We
5 believe we can get a better result of the
6 product. For many years it was just Bowne
7 that was doing all of the -- had the main
8 contract. We were able to design the
9 contract where we had four vendors in it.

10 So, throughout the years that we
11 have this contract for three years, we send
12 out statements of work to all of those
13 vendors to try to get the best we can out of
14 it.

15 We are doing that similarly with
16 other contracts, and have noticed if you
17 award it to more than one, everybody
18 sharpens their pencils throughout the years
19 of the contract. That is why we designed it
20 that way.

21 LEGISLATOR ABRAHAMS: Thank you.

22 CHAIRWOMAN GONSALVES: Legislator
23 Nicolello.

24 LEGISLATOR NICOLELLO: Just in
25 terms of the procedure, so you send out a

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2 statement of work to the vendors and they
3 all get back to you with the prices, this is
4 within the overall contract?

5 COMMISSIONER EISENSTEIN: Yes, as
6 a matter of fact, we begin to package
7 requests. If we want this particular item
8 done, what can those vendors do? We end up
9 getting significantly better pricing when we
10 get detail to what we're looking for as
11 opposed to getting these large blanket
12 agreements.

13 LEGISLATOR NICOLELLO: Seems like
14 a good idea.

15 COMMISSIONER EISENSTEIN: The
16 health department does the same. We follow
17 in their vein.

18 CHAIRWOMAN GONSALVES: Are there
19 any other comments or questions from the
20 legislators?

21 (No verbal response.)

22 Is there any public comment?

23 (No verbal response.)

24 There being none, all those in
25 favor of E-97 signify by saying aye.

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2 (Aye.)

3 Any opposed?

4 (Nay.)

5 The item passes four to three.

6 I'm going to call E-99 and E-100
7 together. E-99 is a personal services
8 agreement between the County of Nassau
9 acting on behalf of the Department of Public
10 Works, division of real estate services, and
11 Michael Haberman Associates, Inc.

12 And E-100 is a personal services
13 agreement between the County of Nassau
14 acting on behalf of the Department of Public
15 Works division of real estate services and
16 Smith Evaluation Services, Inc., d/b/a
17 Standard Evaluation.

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. Mr. Walsh.

24 MR. WALSH: Kevin Walsh, Office
25 of Real Estate Services. You have two of

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2 our on call appraisal contract one year
3 extensions with Haberman Associates and with
4 SVS.

5 Our other two were recently
6 extended earlier in this year. This will
7 extend these contracts to the end of the
8 year. Both contracts are capped at \$30,000
9 a year.

10 CHAIRWOMAN GONSALVES: Legislator
11 Nicolello.

12 LEGISLATOR NICOLELLO: I see that
13 these contracts are expiring December 9,
14 2017, which is only seven months away or
15 eight months away.

16 Are new contracts in the works so
17 that we will get them in a timely fashion?

18 MR. WALSH: We are going to have
19 the one year extensions. Now that they have
20 been through the disclosure process once, we
21 should be on time, timely and have these
22 extensions for the one year renewal. All
23 four of these will be up for one year
24 renewals through 18 and then looking at
25 probably new RFPs.

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2 LEGISLATOR NICOLELLO: So the
3 renewals will get to us in a timely fashion?

4 MR. WALSH: Yes.

5 CHAIRWOMAN GONSALVES: Any other
6 questions or comments?

7 (No verbal response.)

8 Is there any public comment?

9 (No verbal response.)

10 There being none, all those in
11 favor of E-99 and E-100 signify by saying
12 aye.

13 (Aye.)

14 Any opposed?

15 (Nay.)

16 The items pass four to three.

17 The next item is E-101, a
18 personal services agreement between the
19 County of Nassau acting on behalf of the
20 Nassau County Traffic and Parking Violations
21 Agency and Alliance One Receivables
22 Management, Inc.

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 MR. RICH: Dave Rich, Deputy
6 Director of Traffic and Parking Violations
7 Agency. This is a contract amendment to
8 allow Alliance One to be reimbursed for
9 certified mailings for default judgement.

10 Alliance One was one of 18
11 respondents back to a 2012 RFP for
12 collection services.

13 Last year the Fare Debt
14 Collections Practices Act no longer allows
15 TPVA or any other agencies where violations
16 are due to report them to credit reporting
17 agencies.

18 By being able to file default
19 judgments with the County Clerk, we get it
20 back on the credit reporting services.

21 Also to address Legislator
22 DeRiggi-Whitton last time I was here last
23 month, she had a question about the
24 certified mailings.

25 We reimburse up to \$15. What I

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2 failed to respond to and I forgot the
3 information at the time was that we actually
4 assess an additional \$15 so we can recoup
5 the outlay as well as we also assess an
6 additional \$75 fee which is called a default
7 conviction fee to every single debt that we
8 do a default conviction on which is part of
9 the default judgment. So we actually
10 reimburse ourselves for the cost.

11 CHAIRWOMAN GONSALVES: Any
12 questions?

13 LEGISLATOR DERIGGI-WHITTON: Can
14 I ask one quick one? Just as a mother of
15 teenagers driving. If you do get a ticket,
16 then the total cost after all that, if it
17 was in default, not that it ever would be,
18 would be about \$300?

19 MR. RICH: Basically what it is,
20 just to walk you through the process, TPVA
21 sends out two collection notices.

22 If you fail to respond to our two
23 collection notices on top of actually
24 receiving the original ticket from the
25 officer, we then send it to a collection

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2 agent. Then they send additional collection
3 letters.

4 If you now request a trial, fail
5 to appear for the trial or take no action,
6 then we will do a default conviction and we
7 will file a lien with the county clerk.

8 LEGISLATOR DERIGGI-WHITTON: So
9 this is not pertaining to red light cameras,
10 this is just for moving violations?

11 MR. RICH: No. This is the
12 contract for Alliance One which does our
13 parking as well as our photo enforcement
14 violations.

15 LEGISLATOR DERIGGI-WHITTON:
16 Thank you.

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

19 LEGISLATOR ABRAHAMS: If I may,
20 just to add for the record, according to the
21 backup, the vendor disclosed that, not that
22 this is an indictment of guilt, but they
23 were the subject of three investigations in
24 North Carolina, Maryland, and New York; one
25 by the North Carolina Department of

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2 Investigations and others by the Maryland
3 Financial Regulation Board and the New York
4 City Department of Consumer Affairs.

5 Was the department aware of these
6 three investigations?

7 Did they inquire? Is the
8 department aware of this?

9 MR. RICH: Yes, we were. I think
10 we did provide responses from the vendor
11 about those. I believe the only one that
12 was still ongoing was the New York City one.

13 Just to add one other thing. We
14 did do a proof of concept mailing back in
15 October where the vendor sent out 2,000
16 warnings letters of which 16 percent of the
17 folks responded and we closed 16 percent of
18 the cases, and we also showed after doing a
19 mailing cost and a collection fee, we still
20 netted \$55,000 on that small mailing.

21 CHAIRWOMAN GONSALVES: Any public
22 comment?

23 (No verbal response.)

24 There being none, all those in
25 favor of E-101 signify by saying aye.

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2 (Aye.)

3 Any opposed?

4 (Nay.)

5 The item passes four to three.

6 The next item is E-104, a
7 personal services agreement between the
8 County of Nassau acting on behalf of the
9 Nassau County Attorney's Office and Quatela
10 Chimeri, P L.L.C.

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.

17 MR. LITTMAN: Sam Littman from
18 the County Attorney's Office. Good
19 afternoon.

20 This is an amendment to an
21 outside counsel contract which expired on
22 April 8th, 2017. It extends the term to
23 April 8th of 2019. Any questions?

24 CHAIRWOMAN GONSALVES: Any
25 questions? Legislator DeRiggi-Whitton:

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2 LEGISLATOR DERIGGI-WHITTON: Do
3 you know what exactly was being litigated?

4 MR. LITTMAN: There are several
5 cases being hand by this firm. They are all
6 ongoing. One has to do with the race
7 racism, which is the housing discrimination
8 lawsuit filed against the county.

9 The other one involves Looks
10 Great. It actually was a motor vehicle
11 accident during the cleanup of Hurricane
12 Sandy.

13 LEGISLATOR DERIGGI-WHITTON: Was
14 that that big truck on the LIE?

15 MR. LITTMAN: Exactly.

16 LEGISLATOR DERIGGI-WHITTON: Is
17 that still pending?

18 MR. LITTMAN: That's still
19 pending. They took out like 38 cars with
20 that truck and there are several aspects of
21 that case including a declaratory judgement
22 action that's involved that's currently
23 being appealed.

24 LEGISLATOR DERIGGI-WHITTON: There
25 was a death involved in that?

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2 MR. LITTMAN: I believe so.

3 LEGISLATOR DERIGGI-WHITTON:

4 There was a woman, yes. So do you have any
5 idea, where are we with that, is that coming
6 to trial soon?

7 MR. LITTMAN: I don't want to get
8 into the details but there are 38 plaintiffs
9 with 38 plaintiffs it gets complicated and
10 drawn out.

11 Hopefully it will move as quickly
12 as possible. We're not adding any money to
13 the contract at this point. We're just
14 extending time. Hopefully that will all be
15 resolved with the money that we have
16 available in the time that we are setting.

17 LEGISLATOR DERIGGI-WHITTON: So I
18 was worried about this, where does the
19 county, where do they rest in that lawsuit,
20 looks great is primary and then we are going
21 to be secondary coverage?

22 MR. LITTMAN: It's hard to tell
23 at this point because there was an action
24 trying to determine that exact question, who
25 was responsible, if Looks Great was going to

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2 defend and indemnify the county or not. So
3 that's still ongoing.

4 LEGISLATOR DERIGGI-WHITTON: So
5 we don't know if the county is indemnified?

6 MR. LITTMAN: Correct, at this
7 point. There was an original ruling that
8 said we were not, and that is the subject of
9 the appeal that we are handling in-house.

10 LEGISLATOR DERIGGI-WHITTON:
11 Handling in house?

12 MR. LITTMAN: Yes.

13 LEGISLATOR DERIGGI-WHITTON: Such
14 a big thing we're handling in-house?

15 MR. LITTMAN: Yes. The appeal
16 portion of it.

17 LEGISLATOR DERIGGI-WHITTON: Was
18 there a problem to where the truck was
19 going?

20 MR. LITTMAN: Don't know the
21 details, again, I really don't want to
22 comment on it because this is pending
23 litigation.

24 LEGISLATOR DERIGGI-WHITTON: I
25 heard that that was the issue, that it

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2 wasn't going to a legal dumping place
3 possibly?

4 MR. LITTMAN: I don't want to get
5 into the details, with all due respect.

6 CHAIRWOMAN GONSALVES: Legislator
7 Nicoletto.

8 LEGISLATOR NICOLELLO: I don't
9 know if you can answer this one either, but
10 if the county is the owner -- if this is an
11 independent contractor, why is the county in
12 the case at all?

13 MR. LITTMAN: That's a good
14 question and also the subject of the pending
15 litigation.

16 LEGISLATOR DERIGGI-WHITTON: So,
17 no offense to our County Attorney's Office
18 but are we -- would this appeal, we have a
19 lot on the line, you know, God help us if
20 we're held in.

21 Do you feel comfortable that --

22 MR. LITTMAN: More importantly,
23 the county attorney feels comfortable. He's
24 reviewed it. I trust his judgement. You
25 should trust his judgement as well and he

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2 believes we should be handling this appeal
3 in-house at least at this time.

4 LEGISLATOR DERIGGI-WHITTON: Do
5 you think at some point we can just find out
6 what the limits are for Looks Great Service,
7 just to have the knowledge of it as a
8 legislator?

9 MR. LITTMAN: In terms of what?

10 LEGISLATOR DERIGGI-WHITTON:
11 Their liability insurance.

12 MR. LITTMAN: Their insurance, we
13 can find that out, of course.

14 LEGISLATOR DERIGGI-WHITTON: Do
15 we require a certain amount?

16 MR. LITTMAN: Yes. Not on every
17 single contract. It differs on every single
18 situation in contract, but at this time I
19 believe when the contract was entered into
20 with Looks Great, there was an insurance
21 agreement that Looks Great had with an
22 independent carrier that we reviewed before
23 entering into this agreement. I don't have
24 it in front of me.

25 LEGISLATOR DERIGGI-WHITTON: I

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2 hope it was a big policy.

3 MR. LITTMAN: Probably.

4 LEGISLATOR DERIGGI-WHITTON: Can
5 you tell us what the other lawsuit was, the
6 race racism, what was that, give us that
7 without going into too much detail?

8 MR. LITTMAN: Without too much
9 detail, what it basically is is a lawsuit
10 against the county saying that instead of
11 promoting integration, we promote
12 segregation by our housing policies because
13 we plant affordable housing complexes in
14 minority areas.

15 LEGISLATOR DERIGGI-WHITTON: My
16 counsel just stated that he asked for a
17 briefing on the status of that case, can we
18 get a briefing on both cases, Looks Great
19 and this? Just referred to my counsel for
20 that.

21 MR. LITTMAN: Sure.

22 LEGISLATOR NICOLELLO: Can you
23 include the majority counsel too?

24 MR. LITTMAN: Okay. We'll do
25 that in executive session some time in the

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2 future or whenever you guys want to set it
3 up and do it.

4 CHAIRWOMAN GONSALVES: Any public
5 comment?

6 (No verbal response.)

7 There being none, all those in
8 favor of E-104 signify by saying aye.

9 (Aye.)

10 Any opposed?

11 (Nay.)

12 The item passes four to three.

13 Next is E-105, a personal
14 services agreement between the County of
15 Nassau acting on behalf of the Nassau County
16 Treasurer's Office and Albrecht, Viggiano,
17 Zurek & Company, P.C.

18 Motion, please.

19 LEGISLATOR KOPEL: So moved.

20 LEGISLATOR DUNNE: Second.

21 CHAIRWOMAN GONSALVES: Moved by
22 Legislator Kopel, seconded by Legislator
23 Dunne.

24 MR. JEFFERSON: Beaumont
25 Jefferson. Good afternoon. The item before

1 Rules Committee/4-24-17

2 you is a three year contract with AVC to
3 assist the county in the preparation of the
4 Sewer Finance Authority financial
5 statements, and also the New York State
6 Authority Budget office reporting.

7 This three year contract, the
8 first year is 30,500. Just for full
9 disclosure, this process began in September
10 21st of 2016. That's where we actually
11 started a procurement process. We started
12 the work on the financial statements in
13 order to meet the budget office deadline of
14 3-31-2017, so some the work has been done on
15 the first year contract.

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

18 (No verbal response.)

19 Is there any public comment?

20 (No verbal response.)

21 There being none, all those in
22 favor of E-105 signify by saying aye.

23 (Aye.)

24 Any opposed?

25 (Nay.)

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2 The item passes four to three.

3 The next item is E-108, a
4 personal services agreement between the
5 County of Nassau acting on behalf of the
6 Traffic & Parking Violations Agency and
7 Richard A. Lapera.

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. RICH: Dave Rich, Deputy
15 Director, TPVA. This is an extension of an
16 existing contract for Judge Lapera. While
17 the term started January 1st for the
18 extension, he has not performed any work
19 this year, and also as of last month when I
20 stated that during the summer we hoped to
21 amend the current contracts for a total of a
22 five year period, a three year term, and two
23 one year extensions so it would reduce the
24 amount of paperwork which currently is 19
25 contracts coming through every one's hands.

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2 CHAIRWOMAN GONSALVES: Any
3 questions of Mr. Rich?

4 (No verbal response.)

5 Is there any public comment?

6 (No verbal response.)

7 There being none, all those in
8 favor of E-108 signify by saying aye.

9 (Aye.)

10 Any opposed?

11 (No verbal response.)

12 Unanimous.

13 The next item is E-109, a
14 personal services agreement between the
15 County of Nassau acting on behalf of the
16 Nassau County Department of Public Works and
17 D&B Engineers & Architects, P.C.

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. We have Mr. Arnold.

24 MR. ARNOLD: E-109 is a contract
25 amendment for Diverka & Bartilucci

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2 associated with their design service
3 contract for certain pump stations. The
4 base contract expires in July of '17. This
5 is a one year extension for time only.

6 CHAIRWOMAN GONSALVES: Any
7 questions of Mr. Arnold regarding this item?

8 (No verbal response.)

9 Is there any public comment?

10 (No verbal response.)

11 There being none, all those in
12 favor of E-109 signify by saying aye.

13 (Aye.)

14 Any opposed?

15 (Nay.)

16 The item passes four to three.

17 The next item is a U contract,
18 U-4, a personal services agreement between
19 the County of Nassau acting on behalf of the
20 Department of Corrections and Long Island
21 Veterinary Specialists, P.C.

22 Motion, please.

23 LEGISLATOR DUNNE: So moved.

24 LEGISLATOR KOPEL: Second.

25 CHAIRWOMAN GONSALVES: Moved by

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2 Legislator Dunne, seconded by Legislator
3 Kopel.

4 MS. HALL: Narda Hall,
5 Correctional Center. Item U-4-17 is for
6 Long Island Veterinary Specialist for the
7 canine unit at the Nassau County
8 Correctional Center.

9 These veterinary services are
10 provided for the health and welfare of the
11 dogs. The service will include but not
12 limited to hospitalization, medicines, labs
13 and tests. It's for a term of January
14 through December of 2017 with an impact of
15 \$9,000.

16 CHAIRWOMAN GONSALVES: Any
17 questions?

18 (No verbal response.)

19 Is there any public comment?

20 (No verbal response.)

21 There being none, all those in
22 favor of U-4 signify by saying aye.

23 (Aye.)

24 Any opposed?

25 (No verbal response.)

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2 The item passes unanimously.

3 The next item is U-14, a personal
4 services agreement between the County of
5 Nassau acting on behalf of the Department of
6 Correction and Kevin L. Henesy, Cavalry
7 Chapel.

8 Motion, please.

9 LEGISLATOR DUNNE: So moved.

10 LEGISLATOR NICOLELLO: Second.

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

15 MS. HALL: Narda Hall,
16 Correctional Center. Item U-14-17 is for
17 Kevin Henesy Cavalry Chapel for the
18 correctional center. The impact is \$8,400
19 for a term of January through December of
20 2017. It's supervise religious services and
21 counseling to inmate population at the
22 Nassau County Correctional Center.

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

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2 (No verbal response.)

3 Is there any public comment?

4 (No verbal response.)

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

7 (Aye.)

8 Any opposed?

9 (No verbal response.)

10 Unanimous.

11 Now I need a motion to untable
12 two items, beginning with first one, item
13 E-57, a personal services agreement between
14 the County of Nassau acting on behalf of the
15 Nassau County Attorney's Office and the law
16 offices of Robert P. Macchia & Associates.

17 Motion to untable, please.

18 LEGISLATOR DUNNE: So moved.

19 LEGISLATOR NICOLELLO: Second.

20 CHAIRWOMAN GONSALVES: Moved by
21 Legislator Dunne, seconded by Legislator
22 Nicolello. All those in favor of untabling
23 E-57 signify by saying aye.

24 (Aye.)

25 Any opposed?

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2 (No verbal response.)

3 The item is untabled.

4 MR. LITTMAN: Sam Littman for the
5 County Attorney's Office. As you can see,
6 this contract expired on December 7, 2016.
7 We are looking to extend it for one year to
8 December 7, 2017. We are not putting any
9 more money into the contract.

10 A case was assigned to this law
11 firm I believe last year before the contract
12 expired.

13 It was a conflict case in which
14 the defendant was also a plaintiff in
15 another action against the county so we had
16 to go to outside counsel.

17 We chose Mr. Macchia's office to
18 handle the case and now we are asking to
19 extend the contract for one year. Not one
20 year from today, but one year from the date
21 of expiration.

22 CHAIRWOMAN GONSALVES: Any
23 questions of Mr. Littman? Yes, Minority
24 Leader.

25 LEGISLATOR ABRAHAMS: I think our

1 Rules Committee/4-24-17

2 concerns were tied to that Mr.
3 Macchia indicated on the principal
4 questionnaire form, question 12, past five
5 tax years, have you failed to file any
6 required tax returns or failed to pay any
7 applicable federal, state, local taxes. He
8 indicated, I thought the answer was in the
9 negative. Negative to our perspective.

10 MR. LITTMAN: I understand your
11 question. Our office investigated the tax
12 issue and we are satisfied that everything
13 is taken care of to date and we are
14 comfortable using this firm to represent the
15 county in this lawsuit.

16 LEGISLATOR ABRAHAMS: Can you
17 elaborate on the issue?

18 MR. LITTMAN: The issue was, in a
19 nutshell, there were unpaid taxes. He
20 restructured his business and as part of the
21 restructuring there were certain items or
22 dollars that were due according to the tax
23 authorities.

24 He disagreed. What happened was
25 he explained that to his accountant. His

1 Rules Committee/4-24-17

2 accountant handled it. And at this point we
3 are satisfied that everything is being done
4 that should be done. It was about money
5 owed to the government.

6 LEGISLATOR ABRAHAMS: I have
7 nothing further.

8 CHAIRWOMAN GONSALVES: Any public
9 comment?

10 (No verbal response.)

11 There being none, all those in
12 favor of E-57 signify by saying aye.

13 (Aye.)

14 Any opposed?

15 (Nay.)

16 The item passes four to two.

17 The next item is E-61, a motion
18 to untable E-61.

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. That was a personal services
25 agreement between the County of Nassau

1 Rules Committee/4-24-17
2 acting on behalf of the Nassau County
3 Department of Public Works and Nelson and
4 Pope Engineers and Surveyors.

5 All those in favor of untabling
6 E-61 signify by saying aye.

7 (Aye.)

8 Any opposed?

9 (No verbal response.)

10 The item is untabled.

11 MR. ARNOLD: Ken Arnold, Public
12 Works. E-61 is a contract amendment where
13 we are looking to retroactively set the date
14 back to May of 2016 from its execution date
15 of August.

16 The department had asked the
17 consultant to proceed with design services
18 so we can make state deadlines.

19 I believe the question before you
20 last time was how much of those design
21 services were expended during this period of
22 time, which was \$13,000 of the overall
23 contract which is at -- it was \$300,000, the
24 original contract -- the original contract
25 was 147.

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2 CHAIRWOMAN GONSALVES: Any

3 questions or 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 E-61 signify by saying aye.

9 (Aye.)

10 Any opposed?

11 (Nay.)

12 Four to two. There are no other
13 contracts before us today and so motion to
14 adjourn.

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 All those in favor of adjourning
22 the Rules Committee, signify by saying aye.

23 (Aye.)

24 Any opposed?

25 (No verbal response.)

1 Rules Committee/4-24-17

2 (Whereupon, the Rules Committee
3 adjourned at 5:12 p.m.)

4 CHAIRWOMAN GONSALVES: Now, I'm
5 asking the members of the Rules Committee to
6 please remain in place because we do have
7 the procurement director, Mr. Cleary, here
8 to give us a briefing.

9 I think in all due respect, since
10 he's been sitting here for so long that we
11 should sit a little longer. Here we go, Mr.
12 Cleary, it's yours. Introduce yourself Mr.
13 Cleary and the reason why you're here and we
14 can move on.

15 LEGISLATOR ABRAHAMS: Before Mr.
16 Cleary begins, wouldn't it be more
17 appropriate if we had the entire Legislature
18 here?

19 CHAIRWOMAN GONSALVES: Well, we
20 hoped they would have stayed. Since it
21 pertains mainly to the Rules Committee, it
22 would be appropriate for us to hear
23 Mr. Cleary at the Rules Committee. But the
24 choice was up to the individuals.

25 The only thing I can say to you,

1 Rules Committee/4-24-17

2 I hate to do this to you, Mr. Cleary, but I
3 know you have been waiting. If you feel
4 more comfortable doing it before the entire
5 body, it's really up to you.

6 It will be useful for the entire
7 body. I'm going to make a decision and I
8 hate to do this to you after sitting here so
9 long.

10 MR. CLEARY: For the record, I'm
11 Robert Cleary, director of procurement
12 compliance.

13 I'm happy to speak to the
14 committee, happy to speak to the Full
15 Legislature, whatever is preferred by
16 Legislature, frankly.

17 This issue is not going away
18 quickly so it's not like there would be only
19 one opportunity for this issue to come up.
20 It's come up several times already tonight.

21 So I don't know what your
22 preference is. I would rather satisfy the
23 body, however you would prefer.

24 CHAIRWOMAN GONSALVES: The only
25 thing is the next meeting that we have which

1 Rules Committee/4-24-17

2 is May 8 is committees. Maybe we can do it
3 at the beginning since everybody will
4 probably be here for their committee.

5 So I am sorry, I apologize for
6 you staying so long, but I think that what
7 you have to tell us is for the rest of us to
8 hear it as well. We can do it once instead
9 of twice. Thank you, Mr. Cleary.

10 (TIME NOTED: 5:15 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 12th day of May, 2017.

FRANK GRAY