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NASSAU COUNTY LEGISLATURE

RULES COMMITTEE

NORMA GONSALVES, Chairwoman

1550 Franklin Avenue
Mineola, New York

Monday, June 26, 2017
1:08 P.M

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

3

4 NORMA GONSALVES,
Chairwoman5 RICHARD NICOLELLO,
Vice Chairman

6

7 HOWARD KOPEL

8

9 VINCENT MUSCARELLA

10

11 KEVAN ABRAHAM, (Siela Bynoe substituting)
Ranking

12 DELIA DERIGGI-WHITTON

13 ARNOLD DRUCKER

14 MICHAEL C. PULITZER,
Clerk of the Legislature

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LIST OF SPEAKERS

KENNETH ARNOLD	7
GERALD PODLESACK	10
SAMUEL LITTMAN	11
VICKI CORDOVA	16
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INSERTS

By Reference:

Consent Clerk Items:

240, 242, 244, 246, 248, 249, 255, 256, 257,
260, 261, 262, 263, 264, 265, 266, 267, 268

Locate in minutes of the Public Safety;
Public Works; Health and
Social Services; Finance Committees
Dated 6-26-17.....53

Clerk Item 254
Locate in minutes of the Public Works and
Finance Committees dated 6-26-17.....74

1 Rules Committee/6-26-17

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

4 Legislator Gaylor, please lead us
5 in the Pledge of Allegiance.

6 (The Pledge of Allegiance was
7 recited.)

8 CHAIRWOMAN GONSALVES: Thank you,
9 Legislator Gaylor. Rules Committee is now
10 in session. As we usually do, we go through
11 the contract portion of the Rules Committee
12 and then recess to hear from other
13 committees whose testimony will be
14 incorporated into the remainder of the Rules
15 Committee agenda.

16 Without any further ado, please
17 call the roll, Mr. Pulitzer.

18 CLERK PULITZER: Chairwoman Norma
19 Gonsalves?

20 CHAIRWOMAN GONSALVES: Present.

21 CLERK PULITZER: Vice Chairman
22 Richard Nicolello?

23 LEGISLATOR NICOLELLO: Here.

24 CLERK PULITZER: Legislator
25 Howard Kopel?

1 Rules Committee/6-26-17

2 LEGISLATOR KOPEL: Here.

3 CLERK PULITZER: Legislator

4 Vincent Muscarella?

5 LEGISLATOR MUSCARELLA: Here.

6 CLERK PULITZER: Substituting for

7 Ranking Member Kevan Abrahams is Siela

8 Bynoe?

9 LEGISLATOR BYNOE: Here.

10 CLERK PULITZER: Legislator

11 DeRiggi-Whitton Whitton?

12 LEGISLATOR DERIGGI-WHITTON:

13 Here.

14 CLERK PULITZER: Legislator

15 Arnold Drucker?

16 LEGISLATOR DRUCKER: Here.

17 CLERK PULITZER: We have a

18 quorum, ma'am.

19 CHAIRWOMAN GONSALVES: Thank you

20 very much, Mr. Pulitzer.

21 Beginning with the first

22 contract, Item A-30, a resolution

23 authorizing the director of Nassau County

24 Office of Purchasing to award and execute a

25 contract between the County of Nassau acting

1 Rules Committee/6-26-17
2 on behalf of the Nassau County Department of
3 Public Works and 128-13 Rockaway Boulevard
4 d/b/a Ozone Park Lumber.

5 Motion, please.

6 LEGISLATOR NICOLELLO: So moved.

7 LEGISLATOR MUSCARELLA: Second.

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

11 MR. ARNOLD: Ken Arnold,
12 Department of Public Works. A-30 is a
13 blanket order for the supplying of ACQ
14 lumber for the Department of Public Works
15 for various projects that it goes through.
16 There were three bidders on the project and
17 Ozone was the lowest proposer.

18 CHAIRWOMAN GONSALVES: Any
19 questions or comments for Mr. Arnold on 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 Contract A-30 signify by saying

1 Rules Committee/6-26-17

2 aye.

3 (Aye.)

4 Any opposed?

5 (Nay.)

6 The contract passes four to
7 three.

8 The next one is B-15, a
9 resolution authorizing the County Executive
10 award and execute a contract between the
11 County of Nassau acting on behalf of the
12 Nassau County Department of Public Works and
13 Landtek Group, Inc.

14 Motion, please.

15 LEGISLATOR KOPEL: So moved.

16 LEGISLATOR NICOLELLO: Second.

17 CHAIRWOMAN GONSALVES: Moved by
18 Legislator Kopel, seconded by Legislator
19 Nicolello. Mr. Arnold.

20 MR. ARNOLD: B-15 is a
21 requirements contract for our civil site
22 work that the department utilizes. It's a
23 two year contract for \$4 million a year for
24 a total of \$8 million.

25 We had three bidders on the

1 Rules Committee/6-26-17

2 project and the lowest responsible bidder
3 was LandTek Group.

4 CHAIRWOMAN GONSALVES: Are there
5 any other comments or questions from the
6 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 B-15 signify by saying aye.

12 (Aye.)

13 Any opposed?

14 (Nay.)

15 The contract passes four to
16 three.

17 The next one is E-135-17, a
18 personal services agreement between the
19 County of Nassau acting on behalf of the
20 Nassau County Department of Parks,
21 Recreation and Museums and Steve Dassa
22 Entertainment.

23 Motion, please.

24 LEGISLATOR MUSCARELLA: So moved.

25 LEGISLATOR KOPEL: Second.

1 Rules Committee/6-26-17

2 CHAIRWOMAN GONSALVES: Moved by
3 Legislator Muscarella, seconded by
4 Legislator Kopel. Who is here from Parks
5 for this one?

6 MR. PODLESAK: There doesn't seem
7 to be anyone here from parks yet.

8 CHAIRWOMAN GONSALVES: Are we
9 going too fast for them? I'm going to ask
10 for a motion to table.

11 LEGISLATOR NICOLELLO: So moved.

12 LEGISLATOR KOPEL: Second.

13 CHAIRWOMAN GONSALVES: Moved by
14 Legislator Nicolello, seconded by Legislator
15 Kopel. All those in favor of tabling E-135
16 signify by saying aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 It is tabled.

21 The next one is E-138, a personal
22 services agreement between the County of
23 Nassau acting on behalf of the Nassau County
24 Attorney's Office and Meyer Suozzi English &
25 Klein, P.C.

1 Rules Committee/6-26-17

2 Motion, please.

3 LEGISLATOR NICOLELLO: So moved.

4 LEGISLATOR MUSCARELLA: Second.

5 CHAIRWOMAN GONSALVES: Moved by
6 Legislator Nicolello, seconded by Legislator
7 Muscarella. Who is here to speak on this
8 item?

9 MR. LITTMAN: Good afternoon
10 everyone. Samuel Littman from the County
11 Attorney's Office. This is an amendment to
12 an existing outside counsel contract. This
13 committee approved it in 2015. Any
14 questions?

15 CHAIRWOMAN GONSALVES: Any
16 questions, comments?

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-138 signify by saying aye.

22 (Aye.)

23 Any opposed?

24 (Nay.)

25 The item passes four to three.

1 Rules Committee/6-26-17

2 The next item is E-139, a
3 personal services agreement between the
4 County of Nassau acting on behalf of the
5 Nassau County Department of Parks,
6 Recreation and Museums and the Agoodman
7 Enterprises Corporation.

8 Motion, please.

9 LEGISLATOR NICOLELLO: So moved.

10 LEGISLATOR KOPEL: Second.

11 CHAIRWOMAN GONSALVES: Moved by
12 Legislator Nicolello, seconded by Legislator
13 Kopel. I guess there's no one here from
14 parks. We will move to table.

15 LEGISLATOR NICOLELLO: So moved.

16 LEGISLATOR KOPEL: Second.

17 CHAIRWOMAN GONSALVES: Moved by
18 Legislator Nicolello, seconded by Legislator
19 Kopel. All those in favor of tabling E-139
20 signify by saying aye.

21 (Aye.)

22 Any opposed?

23 (No verbal response.)

24 The item is tabled.

25 The next one is E-140, a personal

1 Rules Committee/6-26-17

2 services agreement between the County of
3 Nassau acting on behalf of the Nassau County
4 Department of Public Works and Lockwood
5 Kessler & Bartlett, Inc.

6 Motion, please.

7 LEGISLATOR NICOLELLO: So moved.

8 LEGISLATOR KOPEL: Second.

9 CHAIRWOMAN GONSALVES: Moved by
10 Legislator Nicolello, seconded by Legislator
11 Kopel. Who is here to speak on this one?
12 Ken, is that yours? We are on E-140.

13 MR. ARNOLD: E-140 is a contract
14 amendment for LKB. They're our construction
15 management firm on the Cedar Lawrence
16 diversion. We are currently undergoing the
17 last phase of work which is the demolition
18 of both of those facilities.

19 This amendment is for time only.
20 The underlying contract expired actually
21 yesterday and this contract will take us to
22 the next two years.

23 CHAIRWOMAN GONSALVES: Are there
24 any other comments or questions for Mr.
25 Arnold?

1 Rules Committee/6-26-17

2 (No verbal response.)

3 Is there any public comment?

4 (No verbal response.)

5 There being none, all those in
6 favor of E-140 signify by saying aye.

7 (Aye.)

8 Any opposed?

9 (Nay.)

10 The item passes four to three.

11 The next item is E-141, a
12 personal services agreement between the
13 County of Nassau acting on behalf of the
14 Medical Examiner and Peter M. Farmer, M.D.
15 Motion, please.

16 LEGISLATOR MUSCARELLA: So moved.

17 LEGISLATOR KOPEL: Second.

18 CHAIRWOMAN GONSALVES: Moved by
19 Legislator Muscarella, seconded by
20 Legislator Kopel. Anyone here from the ME's
21 office, Mr. Becker?

22 MR. BECKER: I don't know what
23 happened today but they're supposed to be
24 here. What can I tell you?

25 CHAIRWOMAN GONSALVES: ME's

1 Rules Committee/6-26-17

2 office. No one here. Motion to table.

3 LEGISLATOR NICOLELLO: So moved.

4 LEGISLATOR KOPEL: Second.

5 CHAIRWOMAN GONSALVES: Moved by
6 Legislator Nicolello, seconded by Legislator
7 Kopel. All those in favor of tabling Item
8 E-141 signify by saying aye.

9 (Aye.)

10 Any opposed?

11 (No verbal response.)

12 The item is tabled.

13 E-142, a personal services
14 agreement between the County of Nassau
15 acting on behalf of the Medical Examiner and
16 Richard Serchuk, DDS.

17 Motion, please.

18 LEGISLATOR NICOLELLO: So moved.

19 LEGISLATOR KOPEL: Second.

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

23 I'm assuming that he is not or
24 she is not in.

25 Motion to table, please.

1 Rules Committee/6-26-17

2 LEGISLATOR NICOLELLO: So moved.

3 LEGISLATOR KOPEL: Second.

4 CHAIRWOMAN GONSALVES: Moved by
5 Legislator Nicolello, seconded by Legislator
6 Kopel. All those in favor signify by saying
7 aye.

8 (Aye.)

9 Any opposed?

10 (No verbal response.)

11 The item is tabled.

12 The next item is E-143, a
13 personal services agreement between the
14 County of Nassau acting on behalf of the
15 Nassau County District Attorney's Office and
16 Adelphi University Institute of Parenting.
17 Motion, please.

18 LEGISLATOR NICOLELLO: So moved.

19 LEGISLATOR KOPEL: Second.

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

23 MS. CORDOVA: Hi. Vicki Cordova
24 for the DA's Office. This is an amendment
25 to an agreement with Adelphi University

1 Rules Committee/6-26-17

2 Institute for Parenting to add 15,250 to the
3 original contract amount of \$234,005. The
4 additional amount is for cognitive testing,
5 cognitive testing materials, equipment and
6 conferences. The goal of this partnership
7 with Adelphi is to reduce recidivism and to
8 prevent intergenerational involvement in the
9 criminal justice system by advancing the
10 closer to CRIM initiative which seeks to
11 support healthy environment and reduce the
12 effects of toxic stress for children whose
13 parents or guardians have been arrested for
14 committing crimes.

15 CHAIRWOMAN GONSALVES: Are there
16 any other comments or questions from the
17 legislators? Legislator DeRiggi-Whitton.

18 LEGISLATOR DERIGGI-WHITTON: We
19 are going to be happy to support this, but,
20 again, I just wanted to point out the fact
21 that the term goes from August 1st, 2016 --

22 MS. CORDOVA: It's an amendment.

23 LEGISLATOR DERIGGI-WHITTON: That
24 was the original contract?

25 MS. CORDOVA: It's amending the

1 Rules Committee/6-26-17
2 original contract which does not expire
3 until the end of July of this year.

4 LEGISLATOR DERIGGI-WHITTON: So
5 this is just an increase from now through
6 July?

7 MS. CORDOVA: Correct.

8 LEGISLATOR DERIGGI-WHITTON: Thank
9 you for clarifying that.

10 CHAIRWOMAN GONSALVES: Is there
11 any public comment?

12 (No verbal response.)

13 There being none, all those in
14 favor of E-143 signify by saying aye.

15 (Aye.)

16 Any opposed?

17 (No verbal response.)

18 The item passes unanimously.

19 The next item is E-145, a
20 personal services agreement between the
21 County of Nassau acting on behalf of the
22 Nassau County Department of Social Services
23 and Family Focus Adoption Services.

24 Motion, please.

25 LEGISLATOR NICOLELLO: So moved.

1 Rules Committee/6-26-17

2 LEGISLATOR MUSCARELLA: Second.

3 CHAIRWOMAN GONSALVES: Moved by
4 Legislator Nicoletto, seconded by Legislator
5 Muscarella.

6 MR. BRODERICK: Good afternoon.
7 Paul Broderick, Deputy Commissioner,
8 Department of Social Services.

9 The contract before you is
10 between Department of Social Services and
11 Family Focus Adoption Services to the
12 department. The contract is \$130,000. Do
13 you have any questions?

14 CHAIRWOMAN GONSALVES: Are there
15 any other comments or questions from the
16 legislators? Legislator Nicoletto.

17 LEGISLATOR NICOLELLO: It's late
18 this contract? The term starts January 1st,
19 2017?

20 MR. BRODERICK: Yes. Our
21 apologies for that. I think what we're
22 seeing now is just some residuals from all
23 the change in the forms of last year.

24 I mean, after we -- I guess it
25 solidified for one cycle we should be better

1 Rules Committee/6-26-17

2 off next year. The vendor did have a little
3 bit of issues going back and forth on how to
4 fill the forms out.

5 LEGISLATOR NICOLELLO: It's a
6 valuable service and we're not going to hold
7 something like this up.

8 MR. BRODERICK: Thank you.

9 CHAIRWOMAN GONSALVES: Is there
10 any public comment?

11 (No verbal response.)

12 There being none, all those in
13 favor of Item E-145 signify by saying aye.

14 (Aye.)

15 Any opposed?

16 (No verbal response.)

17 The item passes unanimously.

18 The next two items; E-146 and
19 E-147, personal service agreements between
20 the County of Nassau acting on behalf of the
21 Nassau County Department of Public Health
22 and Rehabilitates Physical Therapy, PLLC
23 d/b/a Leap Physical Therapy.

24 And E-147, personal service
25 agreement between the County of Nassau

1 Rules Committee/6-26-17
2 acting on behalf of the Nassau County
3 Department of Public Health and Anne Roffe
4 OTR/L.

5 Motion, please.

6 LEGISLATOR NICOLELLO: So moved.

7 LEGISLATOR KOPEL: Second.

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

11 MS. LAURAIN: Good afternoon.
12 MaryEllen Laurain, Department of Health.

13 E-146-17 and E-147-17 are both
14 penny contracts. One is with Leap Physical
15 Therapy and the other with Anne Roffe.
16 These are contracts and they're both penny
17 and for the preschool special education
18 program to provide related services and they
19 are mandated.

20 CHAIRWOMAN GONSALVES: Are there
21 any other comments or questions from the
22 legislators?

23 LEGISLATOR DERIGGI-WHITTON: Hi.
24 Is this a sole source?

25 MS. LAURAIN: No. We have about

1 Rules Committee/6-26-17

2 150 of these contracts. They're all
3 pre-approved from New York State Department
4 of Education and all vetted through them.

5 LEGISLATOR DERIGGI-WHITTON:

6 Thank you.

7 CHAIRWOMAN GONSALVES: Is there
8 any public comment?

9 (No verbal response.)

10 There being none, all those in
11 favor of Items E-146 and E-147-17 signify by
12 saying aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 The items pass unanimously.

17 The next item is E-148-17, a
18 personal services agreement between the
19 County of Nassau acting on behalf of the
20 Nassau County Department of Public Works and
21 Cameron Engineering & Associates, LLP.

22 Motion, please.

23 LEGISLATOR NICOLELLO: So moved.

24 LEGISLATOR KOPEL: Second.

25 CHAIRWOMAN GONSALVES: Moved by

1 Rules Committee/6-26-17

2 Legislator Nicoletto, seconded by Legislator
3 Kopel.

4 MR. ARNOLD: Ken Arnold,
5 Department of Public Works.

6 E-148 is a construction
7 management contract for the construction of
8 the BNR upgrades for the Bay Park Sewage
9 Treatment Plant. BNR stands for Biological
10 Nutrient Removal. Cameron was the second
11 highest technically ranked firm. The
12 highest was dismissed because of ongoing
13 issues with investigations so Cameron is
14 also the best candidate to complete the
15 work.

16 We have a commencement date for
17 this contract for July 1st because we're
18 looking to get nutrient removal up and
19 running as quick as possible for the Bay
20 Park Plant.

21 CHAIRWOMAN GONSALVES: Are there
22 any other comments or any questions for Mr.
23 Arnold?

24 (No verbal response.)

25 Is there any public comment?

1 Rules Committee/6-26-17

2 (No verbal response.)

3 There being none, all those in
4 favor of Item E-148 signify by saying aye.

5 (Aye.)

6 Any opposed?

7 (Nay.)

8 The item passes four to three.

9 The next item is E-149, a
10 personal services agreement between the
11 County of Nassau and Arthur J. Gallagher
12 Risk Management Services, Inc. D/b/a the
13 Treiber Group.

14 Motion, please.

15 LEGISLATOR NICOLELLO: So moved.

16 LEGISLATOR KOPEL: Second.

17 CHAIRWOMAN GONSALVES: Moved by
18 Legislator Nicolello, seconded by Legislator
19 Kopel. Who is here to speak on this item?
20 And? Mr. Podlesak, are you going to speak
21 on this item?

22 MR. PODLESAK: No, I am not. I
23 request that we table it until we get
24 someone down here.

25 CHAIRWOMAN GONSALVES: Okay.

1 Rules Committee/6-26-17

2 Motion to table, please.

3 LEGISLATOR KOPEL: So moved.

4 LEGISLATOR NICOLELLO: Second.

5 CHAIRWOMAN GONSALVES: Moved by

6 Legislator Kopel, seconded by Legislator

7 Nicolello. All those in favor of tabling

8 Item E-149 signify by saying aye.

9 (Aye.)

10 Any opposed?

11 (No verbal response.)

12 The item is tabled.

13 The next item is E-150, a

14 personal services agreement between the

15 County of Nassau acting on behalf of the

16 Department of Public Works and DeBruin

17 Engineering PC.

18 Motion, please.

19 LEGISLATOR NICOLELLO: So moved.

20 LEGISLATOR KOPEL: Second.

21 CHAIRWOMAN GONSALVES: Moved by

22 Legislator Nicolello, seconded by Legislator

23 Kopel.

24 MR. ARNOLD: Ken Arnold,

25 Department of Public Works.

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2 E-150 is a construction
3 management contract for the Doxy Brook pump
4 station. Doxy Brook pump station is a storm
5 water pump station that alleviates flooding
6 in the Woodmere community. It was heavily
7 damaged during Sandy and this is to harden
8 to structure in the future. The
9 construction management contract will be
10 over seen by DeBruin Engineering. They were
11 technically ranked the highest firm. Any
12 questions?

13 CHAIRWOMAN GONSALVES: Legislator
14 Kopel has a question.

15 LEGISLATOR KOPEL: Tell me if you
16 would a little bit more about this project;
17 it's to eliminate flooding in Woodmere.
18 Whereabouts in Woodmere?

19 MR. ARNOLD: The community
20 between Peninsula Boulevard and Cedar Point
21 Lake, in that area, and this pump station
22 pumps out of Cedar Point Lake. During times
23 of high tide we have high tide flex valves
24 on, that light protecting any type of
25 extreme high tides and pushing any water in

1 Rules Committee/6-26-17

2 the community.

3 During extreme high tides those
4 valves will close and if we have rainfall
5 events we need to get the water out of that
6 lake which the pump station takes care of
7 that.

8 LEGISLATOR KOPEL: Does it also
9 handle because -- well, I guess it's only
10 town and county. Look, the flood source, as
11 opposed to the storm source, as opposed to,
12 I have to phrase it sometimes, as opposed to
13 the sanitary sewers, the storm sewers are
14 not all county, are they?

15 MR. ARNOLD: No. They're not.
16 Both town and county.

17 LEGISLATOR KOPEL: So this is
18 both?

19 MR. ARNOLD: Yes.

20 LEGISLATOR KOPEL: What has been
21 going on the last years?

22 MR. ARNOLD: Well, the pump
23 station is working but during -- what we've
24 had happen, during extreme high tides, the
25 pump station itself can get flooded, so

1 Rules Committee/6-26-17

2 we're looking to elevate it and harden it
3 with backup emergency power. So that's what
4 we are using our FEMA funding for. The pump
5 station technically is working but it's
6 vulnerable during extreme high tides and we
7 want to harden the structure so we have no
8 failures.

9 LEGISLATOR KOPEL: That's great.
10 Thank you.

11 CHAIRWOMAN GONSALVES: Is there
12 any public comment?

13 (No verbal response.)

14 There being none, all those in
15 favor of E-150 signify by saying aye.

16 (Aye.)

17 Any opposed?

18 (Nay.)

19 The item passes four to three.

20 The next item is E-151, a
21 personal services agreement between the
22 County of Nassau acting on behalf of the
23 Nassau County District Attorney's Office and
24 Hispanic Counseling Center, Inc.

25 Motion, please.

1 Rules Committee/6-26-17

2 LEGISLATOR NICOLELLO: So moved.

3 LEGISLATOR MUSCARELLA: Second.

4 CHAIRWOMAN GONSALVES: Moved by
5 Legislator Nicolello, seconded by Legislator
6 Muscarella.

7 MS. CORDOVA: This is a one year
8 extension of an existing agreement with the
9 Hispanic Counseling Center to conduct a
10 program called Batterers Intervention
11 Program to address the problem of domestic
12 violence by changing the behavior of
13 perpetrators to protect victims and
14 families.

15 The amendment extends the
16 expiration date of the agreement to June
17 30th, 2018 and the annual amount is \$85,000.

18 CHAIRWOMAN GONSALVES: Any
19 questions or comments from the legislators?

20 (No verbal response.)

21 Is there any public comment?

22 (No verbal response.)

23 There being none, all those in
24 favor of E-151 signify by saying aye.

25 (Aye.)

1 Rules Committee/6-26-17

2 Any opposed?

3 (No verbal response.)

4 The item passes unanimously.

5 E-152, a personal services

6 agreement between the County of Nassau

7 acting on behalf of the Nassau County

8 Department of Public Works and Lockwood,

9 Kessler & Bartlett, Inc.

10 Motion, please.

11 LEGISLATOR NICOLELLO: So moved.

12 LEGISLATOR KOPEL: Second.

13 CHAIRWOMAN GONSALVES: Moved by

14 Legislator Nicolello, seconded by Legislator

15 Kopel. Okay, Mr. Arnold.

16 MR. ARNOLD: E-152 is a design

17 contract to evaluate and do design services

18 associated with the Bayville Bridge in the

19 north shore. The Bayville Bridge is an

20 older structure and we want to look at it

21 from top to bottom and utilizing state

22 funds, look to rehabilitate as many of the

23 components as possible to make it more

24 reliable.

25 The highest technically ranked

1 Rules Committee/6-26-17

2 firm which was GPI was not selected. The
3 department felt that the second firm which
4 was LKB has very much experience with the
5 county on our bridge structures and was the
6 best value in their determination.

7 CHAIRWOMAN GONSALVES: Are there
8 any other comments or questions from the
9 legislators?

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-152 signify by saying aye.

15 (Aye.)

16 Any opposed?

17 (Nay.)

18 The item passes four to three.

19 The next item is E-153, a
20 personal services agreement between the
21 County of Nassau acting on behalf of the
22 Nassau County Department of Social Services
23 and New York State Industries for the
24 disabled.

25 Motion, please.

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2 LEGISLATOR NICOLELLO: So moved.

3 LEGISLATOR KOPEL: Second.

4 CHAIRWOMAN GONSALVES: Moved by
5 Legislator Nicolello, seconded by Legislator
6 Kopel.

7 MR. BRODERICK: Good afternoon.
8 Paul Broderick, Deputy Commissioner,
9 Department of Social Services.

10 The contract before you is to
11 provide imaging service with the New York
12 State Industries for the Disabled. They
13 will be providing the manpower to provide
14 this service in-house.

15 CHAIRWOMAN GONSALVES: Any
16 comments or questions for Mr. Broderick
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-153 signify by saying aye.

22 (Aye.)

23 Any opposed?

24 (No verbal response.)

25 The item passes unanimously.

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2 The next item is U-25. I'm going
3 to block it with U-35 and U-37.

4 Motion, please.

5 LEGISLATOR NICOLELLO: So moved.

6 LEGISLATOR KOPEL: Second.

7 CHAIRWOMAN GONSALVES: Moved by
8 Legislator Nicolello, seconded by Legislator
9 Kopel. I don't believe there is anyone from
10 parks here as of yet.

11 LEGISLATOR NICOLELLO: So moved.

12 CHAIRWOMAN GONSALVES: So
13 Mr. Nicolello moved to table the items until
14 we have a representation from parks.

15 LEGISLATOR KOPEL: Second.

16 CHAIRWOMAN GONSALVES: And
17 seconded by Legislator Kopel. All those in
18 favor of tabling U-25, U-35 and U-37 signify
19 by saying aye.

20 (Aye.)

21 Any opposed?

22 (No verbal response.)

23 The items are tabled.

24 The next item is U-34, a personal
25 services agreement between the County of

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2 Nassau acting on behalf of the Nassau County
3 Department of Human Services Office for the
4 Aging and Long Island Marriott.

5 Motion, please.

6 LEGISLATOR NICOLELLO: So moved.

7 LEGISLATOR KOPEL: Second.

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

11 MR. HALL: Hi. Brian Hall,
12 Department of Human Services. This was a
13 contract between the department and Long
14 Island Marriott to hold our annual senior
15 year award luncheon. It was on May 19th.

16 We had sent three bids out in
17 March. The contract was sent out the end of
18 March. We didn't receive it back till May
19 7th, at which point we processed it and here
20 we are.

21 CHAIRWOMAN GONSALVES: Any
22 questions on this item?

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 U-34 signify by saying aye.

4 (Aye.)

5 Any opposed?

6 (Nay.)

7 The item passes four to three.

8 The next item is U-36, a personal
9 services agreement between the County of
10 Nassau acting on behalf of the Nassau County
11 Department of Traffic Safety Board and the
12 New York Coalition For Transportation
13 Safety.

14 Motion, please.

15 LEGISLATOR NICOLELLO: So moved.

16 LEGISLATOR KOPEL: Second.

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

20 I understand Mr. Mistrion had a
21 previous engagement this afternoon and he
22 wished he could be here to discuss this with
23 you. And if you have questions, I guess we
24 need to move it on and we need to table the
25 item.

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2 LEGISLATOR DERIGGI-WHITTON: I
3 think we are going to be in support of this
4 but this goes on our list as another late --
5 from January 1st. I think -- we are okay to
6 support it.

7 CHAIRWOMAN GONSALVES: Is there
8 any public comment?

9 (No verbal response.)

10 There being none, all those in
11 favor of U-36 signify by saying aye.

12 (Aye.)

13 Any opposed?

14 (No verbal response.)

15 The item passes unanimously.

16 The next item is U-39. The next
17 two items U-38 and U-39 are personal
18 services agreements between the County of
19 Nassau acting on behalf of the Nassau County
20 Department of Parks, Recreation and Museums
21 and Mlicata Entertainment, L.L.C.;

22 U-39 is a personal services
23 agreement between the County of Nassau
24 acting on behalf of the Nassau County
25 Department of Parks, Recreation and Museums

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2 and Mark Wanko DBA Idol Kings Entertainment.

3 Motion, please.

4 LEGISLATOR NICOLELLO: So moved.

5 LEGISLATOR KOPEL: Second.

6 CHAIRWOMAN GONSALVES: Moved by
7 Legislator Nicolello, seconded by Legislator
8 Kopel.

9 Because we don't have
10 representation I'm going to ask for a motion
11 to table.

12 LEGISLATOR NICOLELLO: So moved.

13 LEGISLATOR KOPEL: Second.

14 CHAIRWOMAN GONSALVES: Moved by
15 Legislator Nicolello, seconded by Legislator
16 Kopel. All those favor of tabling U-38 and
17 U-39 signify by saying aye.

18 (Aye.)

19 Any opposed?

20 (No verbal response.)

21 The items are tabled.

22 MR. BECKER: I just want to
23 apologize once again for Parks not being
24 here. They are always here on time as you
25 know that and I was told she was called some

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2 other place and had to be there. She is on
3 her way here.

4 CHAIRWOMAN GONSALVES: We will be
5 able to call her back.

6 MR. BECKER: Thank you, Madam
7 Chair.

8 CHAIRWOMAN GONSALVES: You're
9 welcome. The Rules Committee is now in
10 recess and the next committee I believe is
11 Public Safety.

12 (A recess was taken.)

13 CHAIRWOMAN GONSALVES: I believe
14 Parks is now here. So rather than wait
15 until the other committees, Ms. Krieb, we
16 are going to untable several of the items
17 that you were not here for.

18 So, let's go. The first item
19 that was tabled is E-135, a personal
20 services agreement between the County of
21 Nassau acting on behalf of the Nassau County
22 Department of Parks, Recreation and Museums
23 and Steve Dassa Entertainment.

24 Motion to untable, please.

25 LEGISLATOR NICOLELLO: So moved.

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2 LEGISLATOR KOPEL: Second.

3 CHAIRWOMAN GONSALVES: Moved by
4 Legislator Nicoletto, seconded by Legislator
5 Kopel. All those in favor of untabling
6 E-135 signify by saying aye.

7 (Aye.)

8 Any opposed?

9 (No verbal response.)

10 I have a request, Ms. Krieb, that
11 I should untable all items pertaining to
12 Parks and Recreation. That will make it a
13 lot easier for all concerned.

14 First of all E-135 is already
15 untabled. So I'm going to move for the
16 others to be untabled as well.

17 I'm beginning with the U
18 contracts, I believe, and I'm going to also
19 untable the personal service agreement E-139
20 between the Department of Parks, Recreation,
21 and Museums and A. Goodman Enterprises
22 Corp.;

23 Then U-25, a personal services
24 agreement between the County of Nassau
25 acting on behalf of the Nassau County

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2 Department of Parks, Recreation and Museums
3 and Mlicata Entertainment, L.L.C.

4 U-35, a personal services
5 agreement between the County of Nassau
6 acting on behalf of the Nassau County
7 Department of Parks, Recreation and Museums
8 and Desert Highway Band, LLC;

9 One more, U-37, a personal
10 services agreement between the County of
11 Nassau acting on behalf of the Nassau County
12 Department of Parks, Recreation and Museums
13 and Stuart Markus DBA Gathering Time;

14 U-38, another personal services
15 agreement between the County of Nassau
16 acting on behalf of the Nassau County
17 Department of Parks, Recreation and Museums
18 and Mlicata Entertainment, L.L.C.;

19 And U-39 is a personal services
20 agreement between the County of Nassau
21 acting on behalf of the Nassau County
22 Department of Parks, Recreation and Museums
23 and Mark Wanko DBA Idol Kings Entertainment.

24 Motion to untable these items,
25 please.

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2 LEGISLATOR NICOLELLO: So moved.

3 LEGISLATOR KOPEL: Second.

4 CHAIRWOMAN GONSALVES: Moved by
5 Legislator Nicolello, seconded by Legislator
6 Kopel. All those in favor of untabling the
7 items I just called signify by saying aye.

8 (Aye.)

9 Any opposed?

10 (No verbal response.)

11 They are untabled.

12 Now you may speak to all of them.

13 MS. KRIEB: Eileen Krieb,
14 Department of Parks. I appreciate you
15 untabling them. I got stuck in traffic and
16 then outside it's real hard to get in here
17 so I apologize.

18 The first one is E-135 with Steve
19 Dassa Entertainment. That's in response to
20 an RFP last year.

21 This year we are just including
22 additional funding and specific concerts.
23 It's a renewal of last year's agreement but
24 it's an amendment to allow for this year's
25 concerts and more funding.

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2 CHAIRWOMAN GONSALVES: All those
3 in favor of E-135 -- who has a question?
4 Legislator Drucker.

5 LEGISLATOR DRUCKER: Thank you.
6 The first season was May of '16 through now?
7 Talking about E-135.

8 MS. KRIEB: It was last season
9 May 16, and now this year we are doing May
10 17.

11 LEGISLATOR DRUCKER: Right. But
12 the first season the budget was \$20,720 and
13 it doubled in price and now it's \$43,000?

14 MS. KRIEB: What they're doing,
15 they're accumulating the funds from last
16 year to this year so it was 20, whatever,
17 last year, and this year it's 23. So it's
18 an accumulation, accumulative of the three
19 year agreement that he has with us.

20 LEGISLATOR DRUCKER: So what
21 happened last year, it wasn't used?

22 MS. KRIEB: It was used.

23 LEGISLATOR DRUCKER: So how did
24 it accumulate?

25 MS. KRIEB: Well, we're only

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2 encumbering the amount we need for this
3 year.

4 LEGISLATOR DRUCKER: I'm
5 confused. You budgeted \$20,000 for a year
6 and the year is just concluded and you
7 haven't used it?

8 MS. KRIEB: The \$20,000 last year
9 was used, 100 percent was used. This is the
10 second year in the contract and we are
11 encumbering the \$23,000. So it's
12 accumulative of the amount and the next year
13 we'll have another one year contract with
14 him for the additional funds that we are
15 encumbering.

16 LEGISLATOR DRUCKER: So it's only
17 going up \$3,000 then, is that what you're
18 saying?

19 MS. KRIEB: No. It's \$23,000 new
20 money. So last year was 20, plus this year
21 plus 23, and the next year, he's a promoter,
22 he books the talent, so it's cumulative.

23 LEGISLATOR DRUCKER: Do you know
24 why it goes up?

25 MS. KRIEB: It depends on the

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2 talent that we are hiring. That's why we
3 come back to you for each year for the new
4 amount and the new talent.

5 LEGISLATOR DRUCKER: Thank you.

6 CHAIRWOMAN GONSALVES: Any other
7 comment?

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-135 signify by saying aye.

13 (Aye.)

14 Any opposed?

15 (Nay.)

16 The item passes four to three.

17 Going to E-139, it's the personal
18 services agreement between the County
19 Department of Parks, Recreation and Museums
20 and Agoodman Enterprises.

21 MS. KRIEB: This is a contract
22 with Andy Goodman who is the producer and
23 promoter for the Nassau County, the Show
24 Parade and Car Show.

25 It's funded through Hotel Motel

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2 funds and it's in the amount is \$62,000 for
3 this year's car show.

4 CHAIRWOMAN GONSALVES: Are there
5 any comments or questions for Ms. Krieb on
6 this item?

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-139 signify by saying aye.

12 (Aye.)

13 Any opposed?

14 (Nay.)

15 The item passes four to three.

16 We're going to the U contracts.

17 U-25, which is a personal services agreement
18 between the County of Nassau acting on
19 behalf of the Nassau County Department of
20 Parks, Recreation and Museums and Mlicata
21 Entertainment, LLC.

22 MS. KRIEB: This is a disco
23 unlimited show to be held at Lakeside
24 Theater in August and it's funded through
25 Hotel Motel in the amount of \$4,000.

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2 CHAIRWOMAN GONSALVES: Any
3 questions or comments for Ms. Krieb on this
4 item?

5 (No verbal response.)

6 Is there any public comment?

7 (No verbal response.)

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

10 (Aye.)

11 Any opposed?

12 (No verbal response.)

13 Unanimous. The next item is
14 U-35, a personal services agreement between
15 the County of Nassau acting on behalf of the
16 Nassau County Department of Parks,
17 Recreation and Museums and Desert Highway
18 Band, LLC. Talk to us about this one.

19 MS. KRIEB: This is also an
20 additional entertainment concert for
21 Lakeside Theater on July 8th. It's with
22 Desert Highway, it's funded through Hotel
23 Motel in the amount of \$4,150.

24 CHAIRWOMAN GONSALVES: Any
25 questions or comments for Ms. Krieb on this

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2 item?

3 (No verbal response.)

4 Is there any public comment?

5 (No verbal response.)

6 There being none, all those in
7 favor of U-35 signify by saying aye.

8 (Aye.)

9 Any opposed?

10 (No verbal response.)

11 It's unanimous.

12 The next item is U-37, a personal
13 services agreement between the Nassau County
14 Department of Parks, Recreation and Museums
15 and Stuart Markus d/b/a Gathering Time.
16 Talk to us about this one.

17 MS. KRIEB: This is entertainment
18 again for Lakeside Theater, the amount
19 funded through Hotel Motel in the amount of
20 \$1,000.

21 CHAIRWOMAN GONSALVES: Any
22 questions or comments?

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 U-37 signify by saying aye.

4 (Aye.)

5 Any opposed?

6 (No verbal response.)

7 The next one is U-38, a personal
8 services agreement between the County of
9 Nassau acting on behalf of the Nassau County
10 Department of Parks, Recreation and Museums
11 and Mlicata Entertainment, LLC. Talk to us
12 about this one.

13 MS. KRIEB: This is, as a
14 promoter, she's bringing in different
15 entertainment, on August 21st, the amount of
16 \$5,000, funded through Hotel Motel.

17 CHAIRWOMAN GONSALVES: Are there
18 any comments or questions for Ms. Krieb on
19 this item?

20 (No verbal response.)

21 Is there any public comment?

22 (No verbal response.)

23 There being none, all those in
24 favor of U-38 signify by saying aye.

25 (Aye.)

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2 Any opposed?

3 (Nay.)

4 The item passes four to three.

5 The last item is U-39, a personal
6 services agreement between the County of
7 Nassau acting on behalf of the Department of
8 Parks, Recreation and Museums and Mark Wanko
9 DBA Idol Kings Entertainment. Talk to us.

10 MS. KRIEB: This is entertainment
11 again for Lakeside Theater for the amount of
12 \$4,300. The performance is going to be in
13 July 1st prior to the fireworks.

14 CHAIRWOMAN GONSALVES: Any
15 questions or comments regarding this item?

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-39 signify by saying aye.

21 (Aye.)

22 Any opposed?

23 (No verbal response.)

24 The item passes unanimously.

25 Now, is there anyone from the

1 Rules Committee/6-26-17

2 ME's office here?

3 (No verbal response.)

4 CHAIRWOMAN GONSALVES: There
5 being none --

6 MR. BECKER: That's not going to
7 happen today apparently, at least as far as
8 I know of. But I appreciate that you passed
9 the Hotel California concert because the
10 words somehow apply to me, you check out but
11 you never leave. I check out as being a
12 legislator but still here.

13 CHAIRWOMAN GONSALVES: That's
14 okay. No problem.

15 MR. BECKER: We'll have to do the
16 ME's office next go around. Thank you,
17 Madam Chair. I apologize.

18 CHAIRWOMAN GONSALVES: We are now
19 in recess. Yes?

20 MR. PODLESAK: There was a tabled
21 matter involving budget.

22 CHAIRWOMAN GONSALVES: Is it an
23 item that we tabled? What is it?

24 MR. PODLESAK: E-149.

25 CHAIRWOMAN GONSALVES: Someone is

1 Rules Committee/6-26-17

2 here for this. Motion to untable.

3 LEGISLATOR NICOLELLO: So moved.

4 LEGISLATOR KOPEL: Second.

5 CHAIRWOMAN GONSALVES: Moved by
6 Legislator Nicolello, seconded by Legislator
7 Kopel. All those in favor of untabling
8 E-149 signify by saying aye.

9 (Aye.)

10 Any opposed?

11 (No verbal response.)

12 The item is untabled.

13 MS. D'ALLEVA: Roseann D'Alleva
14 from the budget office. It's to extend the
15 Arthur J. Gallagher brokerage contract that
16 the county has for insurance.

17 CHAIRWOMAN GONSALVES: Any
18 questions? Legislator DeRiggi-Whitton.

19 LEGISLATOR DERIGGI-WHITTON: Now,
20 they get a seven percent commission on all
21 the premiums?

22 MS. D'ALLEVA: Yes. The county
23 is primarily self insured, but the few
24 insurance policies that we do have, the RFP
25 was put out in 2012, and they were the

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2 lowest bidder at seven percent, and they are
3 still holding on to the seven percent five
4 years later.

5 LEGISLATOR DERIGGI-WHITTON: Do
6 you know how much they have received to
7 date?

8 MS. D'ALLEVA: No, but it's
9 relatively small because we basically have
10 maybe \$300,000 worth of insurance premium
11 policies in total, so it would be seven
12 percent of that number on an annual basis.

13 LEGISLATOR DERIGGI-WHITTON: Okay.
14 Thank you.

15 CHAIRWOMAN GONSALVES: Any other
16 comments or questions?

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-149 signify by saying aye.

22 (Aye.)

23 Any opposed?

24 (Nay.)

25 The item passes four to three.

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2 We are now in recess. Public
3 Safety is the next committee.

4 (Whereupon, the Rules Committee
5 recessed at 1:47 p.m. and reconvened at 2:56
6 p.m.)

7 CHAIRWOMAN GONSALVES: Rules is
8 back in session. As is customary, we have a
9 consent calendar and the testimony from the
10 other committees will be incorporated by
11 reference.

12 I will begin to call those items.
13 I'm going to begin with Resolution 240,
14 242, 244, 246, 248, 249, 255, 256, 257, 260,
15 261, 262, 263, 264, 265, 266, 267, 268.

16 As I just said, the testimony
17 from the other committees will be
18 incorporated by reference.

19 (Whereupon, please refer to the
20 minutes of the Public Safety, Public Works,
21 Health and Social Services and Finance
22 Committees dated 6-26-17 pertaining to Clerk
23 Items 240, 242, 244, 246, 248, 249, 255,
24 256, 257, 260, 261, 262, 263, 264, 265, 266,
25 267, 268.)

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2 Motion, please.

3 LEGISLATOR KOPEL: So moved.

4 LEGISLATOR NICOLELLO: Second.

5 CHAIRWOMAN GONSALVES: Moved by

6 Legislator Kopel, seconded by Legislator

7 Nicolello. Any further questions?

8 (No verbal response.)

9 There being none, all those in
10 favor of the items just called signify by
11 saying aye.

12 (Aye.)

13 Any opposed?

14 (No verbal response.)

15 The items pass unanimously.

16 The first item on non consent
17 agenda is 241, a local law to amend the
18 administrative code of Nassau County with
19 respect to imposition of wireless
20 communication service surcharges pursuant to
21 the authority of tax law to Section 186G.
22 Who is speaking on this one?

23 Motion, please.

24 LEGISLATOR NICOLELLO: So moved.

25 LEGISLATOR KOPEL: Second.

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

5 MR. PODLESAK: As I said in
6 Finance, this is a change in the law that
7 was, in the state, removed the individual
8 authorization for wireless surcharge and
9 they have put it all as one item in the one
10 law in the tax law. It also adds the
11 prepaid services.

12 CHAIRWOMAN GONSALVES: Any
13 additional questions for Mr. Podlesak?

14 (No verbal response.)

15 Is there any public comment?

16 (No verbal response.)

17 There being none, all those in
18 favor of 241 signify by saying aye.

19 (Aye.)

20 Any opposed?

21 (Nay.)

22 The item passes four to three.

23 We move on to Item 250, a
24 resolution to accept a gift offered by a
25 donor to the Nassau County Police

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2 Department.

3 Motion, please.

4 LEGISLATOR NICOLELLO: So moved.

5 LEGISLATOR MUSCARELLA: Second.

6 CHAIRWOMAN GONSALVES: Moved by
7 Legislator Nicolello, seconded by Legislator
8 Muscarella. I believe the Lieutenant is on
9 his way.

10 LIEUTENANT STEPHANOFF: Good
11 afternoon. Lieutenant Greg Stephanoff,
12 Nassau County Police Department. Item
13 250-17 is to accept a donation of air
14 conditioning unit from the Nassau County
15 Police Foundation for use in Nassau County
16 Police Property Bureau. This is
17 approximately a \$30,000 donation. The
18 Property Bureau houses evidence often and it
19 is a critical piece of equipment to have
20 heating and cooling in that area.

21 CHAIRWOMAN GONSALVES: Any
22 questions of the lieutenant?

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 Item 250 signify by saying aye.

4 (Aye.)

5 Any opposed?

6 (No verbal response.)

7 The item passes unanimously.

8 Thank you, Lieutenant.

9 Moving on to Item 269, a local
10 law to amend the County Government Law of
11 Nassau County in relation to the Code of
12 Ethics.

13 Motion, please.

14 LEGISLATOR NICOLELLO: So moved.

15 LEGISLATOR KOPEL: Second.

16 CHAIRWOMAN GONSALVES: Moved by
17 Legislator Nicolello, seconded by Legislator
18 Kopel.

19 Now, I have a statement regarding
20 this item and, as we were made aware, we
21 have before us amendments to the Nassau
22 County Code of Ethics.

23 The proposed law will be a
24 subject of a hearing and a vote before the
25 Full Legislature on July 10th.

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2 The goal of this proposal is to
3 make Nassau County's ethics law one of the
4 most comprehensive in the State of New York.

5 To do so, we conducted a review
6 of existing ethic codes from various
7 counties, other counties within the state,
8 and have incorporated many of the ethical
9 standards and practices we found into this
10 proposal. The amendments we will place on
11 the record today accomplish the following:
12 The amendment would have composition to
13 prohibit any more than two members of the
14 same political party from serving at the
15 time;

16 Add staff and counsel independent
17 of any other county agency ensuring that the
18 resources of the Board of Ethics are
19 specifically included in the county budget.

20 This framework is similar to the
21 Commissioner of Investigations who currently
22 serves as the investigatory arm of the
23 Board. It requires the Board to develop
24 written guidelines as to the procedures that
25 it shall follow and in the determination and

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2 investigation of a complaint. Such
3 guidelines shall be posted to the official
4 website of Nassau County.

5 It prevents board members from
6 holding any public office seeking election
7 to any public office. Being a public
8 employee in any jurisdiction, have business
9 dealings with the county, or any elected
10 official, holding any political party
11 office, appearing as a lobbyist before the
12 county, or making a contribution to any
13 county elected official or candidate for
14 county office.

15 Where advisory opinions are
16 requested, the board shall render an opinion
17 within 30 days or provide notification and
18 reasons why it cannot.

19 The Board shall provide ethics
20 training, guidance documents, seminars and
21 education to the Nassau County Offices,
22 employees, boards and commissions, either by
23 request for by its own initiative.

24 The code shall be distributed to
25 all county employees. All new employees

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2 shall be provided a copy of the code.

3 Acknowledge receipt and state that they will
4 abide by all rules and requirements.

5 The Board shall maintain a
6 website posting instructional and provide an
7 annual report to the Legislature and County
8 Executive summarizing its performance over
9 the previous year.

10 The Board shall hold regular
11 meetings and post its annual schedule on the
12 official website of Nassau County.

13 In addition, the Board may
14 recommend changes to the code when
15 necessary.

16 Prohibits any officer or employee
17 from intentionally inducing any county
18 officer or employee to violate the Code of
19 Ethics. Whereas, where an officer or
20 employee acquires an interest in any
21 existing or proposed legislation, contract,
22 purchase agreement, lease agreement, use and
23 occupancy agreement, or other agreement with
24 the county such interest must be disclosed
25 to the Board.

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2 As this is a Legislative
3 initiative and currently under the review of
4 the County Attorney's Office, we ask that
5 any questions or concerns that any member of
6 the Rules Committee has at this time be
7 placed on the record so that we may be
8 prepared to better address them as the
9 Legislative process continues.

10 So, it is now open to any
11 questions that you may have for the record.
12 And, so, Legislator DeRiggi-Whitton, we will
13 make sure those questions are referred to
14 the proper agency particularly the County
15 Attorney.

16 LEGISLATOR DERIGGI-WHITTON:
17 Thank you. My first question would be
18 whether or not the Board has the ability to
19 subpoena records?

20 The next one would be who exactly
21 are they depending on to be doing the
22 investigations for any issues that are
23 brought before them, meaning the Board, and
24 are those people independent or are they
25 protected any safe guards protecting their

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2 job?

3 The third one, which I kind of
4 consider still to be the most important one
5 is, if we are willing to go this far and
6 create this board, I don't understand why we
7 wouldn't just go ahead and appoint an
8 Inspector General. I think that would truly
9 show we are independent and free of any type
10 of corruption or coercion.

11 Again, I think this almost does
12 it but it doesn't quite get to the point
13 where I think Nassau County has to be.
14 Thank you.

15 CHAIRWOMAN GONSALVES: Any other
16 questions? We will put them on the record,
17 please, so that we can have them.

18 LEGISLATOR DERIGGI-WHITTON: We
19 might have a few additional but also we will
20 have the answers prior to?

21 CHAIRWOMAN GONSALVES:
22 Absolutely. They should be to us before the
23 hearing on the 10th. Legislator Bynoe.

24 LEGISLATOR BYNOE: Thank you,
25 Presiding Officer.

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2 My question is regarding the
3 individuals who are going to be independent
4 of any other department that would be
5 facilitating investigations.

6 So, I question why this -- first
7 of all, let me say any step forward is
8 movement in the right direction.

9 I plan to support this, I may not
10 be on the rules on the day of, but I think
11 this is a good step forward.

12 However, it begs the question why
13 the Ethics Board would have an individual or
14 individuals who would be independent of any
15 other office investigate these issues but
16 the Commissioner of Investigations is still
17 relying on the investigators of the County
18 Attorney's Office.

19 And so, the Board, I would argue
20 has more independence than the county
21 Commissioner of Investigations, and in so
22 much that they're not employees, right, and
23 we're making sure there is some independence
24 because we're saying they can't have
25 donated, all this, that and the other, and

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2 so we go to some lengths to create some
3 level of independence for this body, right,
4 for the Ethics Board?

5 So why would we not think it
6 appropriate if a case where the person is
7 employed by the county, and was selected by
8 the County Executive, that we're not
9 providing that same level of independence
10 for their investigators? Those
11 investigators should be only -- the
12 investigators for the Commissioner of
13 Investigations should enjoy the same level
14 of independence as does this particular
15 Board of Ethics.

16 That's my question and I'm
17 putting it on the record and I know there's
18 probably some argument it's not related to
19 the matter but I think it very much related
20 to the matter.

21 CHAIRWOMAN GONSALVES: Legislator
22 Bynoe, you know this will go before the Full
23 Leg, so you will have an opportunity.

24 LEGISLATOR BYNOE: Great.

25 CHAIRWOMAN GONSALVES: And I'm

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2 sure that Mr. Podlesak is taking it all
3 down, you're taking it all down, right? I
4 hope. We are, that's for sure.

5 MR. PODLESAK: For the record,
6 I'm going to be in Key West on the 10th.

7 CHAIRWOMAN GONSALVES: Don't rub
8 it in now. That's it. Any others?
9 Legislator Drucker.

10 LEGISLATOR DRUCKER: Thank you,
11 Madam Chair. It's no doubt that the
12 minority caucus here is very supportive of
13 strengthening the Board of Ethics. It's
14 something that is necessary and we are in
15 favor of that.

16 However, as has been indicated a
17 number of times there are certain things we
18 think it doesn't go far enough.

19 My colleague, Legislator
20 Birnbaum, introduced some legislation and we
21 need to be circumspect with respect to
22 appointments of acting commissioners. I
23 think that's something that's worthy of
24 further discussion. We have acting
25 commissioners of certain departments that

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2 are in there for a very, very lengthy period
3 of time without any sort of oversight or
4 confirmation.

5 There has been legislation,
6 again, Legislator Birnbaum introduced that
7 we should add to that that no individual
8 shall serve as an acting head of a county
9 department or office or as an acting member
10 of a county board or county commission which
11 requires legislative confirmation for a
12 period longer than six months without
13 confirmation by the County Legislature. So
14 I think that's something that's worthy of --

15 CHAIRWOMAN GONSALVES: Legislator
16 Drucker, you should know that we do know
17 that Legislator Birnbaum has submitted
18 legislation and we are looking at it and we
19 are also considering legislation regarding
20 acting commissioners.

21 LEGISLATOR DRUCKER: Thank you
22 very much. I wanted to put that on the
23 record.

24 CHAIRWOMAN GONSALVES: So that
25 will be something that we will be taking up

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2 in the very near future.

3 LEGISLATOR DRUCKER: Thank you,
4 Madam Chair.

5 CHAIRWOMAN GONSALVES: Any other
6 questions for the record? Okay, Legislator
7 DeRiggi-Whitton.

8 LEGISLATOR DERIGGI-WHITTON:
9 Thank you, Norma. Just to follow-up again,
10 we are wondering if the Board,
11 What if the Board themselves have
12 some type of question where they want
13 something investigated? Can they institute
14 that investigation on its own or do they
15 have to wait until somebody else brings it
16 up?

17 Also, we were wondering if they
18 would also periodically conduct audits for
19 various audits, whether it be for
20 departments or contracts or whatever else,
21 will they have the resources or the ability
22 to conduct audits as well?

23 CHAIRWOMAN GONSALVES: Legislator
24 Nicolello.

25 LEGISLATOR NICOLELLO: I this is

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2 just supposed to be taking information, but
3 one of the changes that was made addresses
4 that directly. It gives the Board the power
5 to initiate an investigation by a majority
6 vote of the Board.

7 LEGISLATOR DERIGGI-WHITTON:

8 Then how would that happen? Would they be
9 the ones that are doing it, or --

10 LEGISLATOR NICOLELLO: I guess
11 that would either be a complaint or they can
12 do it on their own by a majority vote.

13 LEGISLATOR DERIGGI-WHITTON: By a
14 majority vote, they can?

15 LEGISLATOR NICOLELLO: They can
16 initiate an investigation. It's paragraph
17 10B to give the Board that authority.

18 LEGISLATOR DERIGGI-WHITTON: Does
19 that follow a complaint or they can do it
20 completely on their own?

21 LEGISLATOR NICOLELLO: It says,
22 I'll tell you what it says, the Board shall
23 have the authority to investigate complaints
24 of actions in violation of that section.

25 And what was added was, or may

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2 initiate an investigation by a majority vote
3 of the Board. So I take it the board can
4 take a complaint to investigate or they can
5 just initiate it on their own.

6 LEGISLATOR DERIGGI-WHITTON: Okay.
7 Thank you.

8 CHAIRWOMAN GONSALVES: Any other
9 questions for the record?

10 (No verbal response.)

11 There being none, I think I was
12 asked to wait a short time.

13 LEGISLATOR DERIGGI-WHITTON: To
14 appease my attorney, can we get what
15 Legislator Nicoletto just stated, can you
16 put that in the answer as well?

17 CHAIRWOMAN GONSALVES: Okay. No
18 problem. I think you've asked for a little
19 time, am I correct, before we take a vote or
20 what?

21 LEGISLATOR DERIGGI-WHITTON: We
22 are in kind of in a strange situation
23 because we would like to support it, but we
24 really feel we need these answers first.

25 CHAIRWOMAN GONSALVES: That's

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2 your choice.

3 LEGISLATOR DERIGGI-WHITTON: Hold
4 on one second.

5 CHAIRWOMAN GONSALVES: That's
6 what I thought you had asked for.

7 LEGISLATOR DERIGGI-WHITTON: May
8 I say something, Norma?

9 CHAIRWOMAN GONSALVES: Legislator
10 DeRiggi-Whitton Whitton.

11 LEGISLATOR DERIGGI-WHITTON:
12 We are in good faith willing to pass this
13 through but we request not only that these
14 issues are addressed in writing from the
15 County Attorney's Office, but possibly to do
16 it in a timely way so we have time to review
17 it prior to Full Leg.

18 CHAIRWOMAN GONSALVES: Any other
19 comment before we take a vote?

20 (No verbal response.)

21 All right. Ready, set, go?

22 Anymore? Go back to the item which is Item
23 269, all those in favor of Item 269 signify
24 by saying aye.

25 (Aye.)

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2 Any opposed?

3 (No verbal response.)

4 It is passed unanimously.

5 Now we have one item left on the
6 regular Rules agenda which is Item 270, a
7 resolution to appoint Bobby K. Kalotee as
8 the director to the board of the Nassau
9 Healthcare Corporation.

10 Motion, please.

11 LEGISLATOR KOPEL: So moved.

12 LEGISLATOR NICOLELLO: Second.

13 CHAIRWOMAN GONSALVES: Moved by
14 Legislator Kopel, seconded by Legislator
15 Nicolello.

16 I believe the individual that is
17 being recommended will be here at the Full
18 Leg meeting.

19 Are there any questions, comments
20 from the 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 270 signify by saying aye.

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2 (Aye.)

3 Any opposed?

4 (No verbal response.)

5 Any abstentions?

6 (Abstain.)

7 Four, zero, three.

8 We have two addendums, Addendum 1
9 and Addendum 2. I need a motion to suspend
10 the rules to entertain Addendum 1 and
11 Addendum 2.

12 Motion, please.

13 LEGISLATOR NICOLELLO: So moved.

14 LEGISLATOR KOPEL: Second.

15 CHAIRWOMAN GONSALVES: Moved by
16 Legislator Nicolello, seconded by Legislator
17 Kopel. All those in favor of Addendum 1 and
18 2 signify by saying aye.

19 (Aye.)

20 Any opposed?

21 (No verbal response.)

22 The rules are suspended.

23 We now have the first item which
24 is Addendum 1, Item 254, a resolution
25 authorizing the County of Nassau to

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2 participate in a federal and transportation

3 project providing for Merrick Road over

4 Milburn Creek Rehabilitation, pin number

5 0761.37BIN3300202-2 and authorizing the

6 County Executive of the County of Nassau to

7 execute the agreement on behalf of the

8 county with New York State Department of

9 Transportation for the advancement of said

10 federal aid transportation projects in

11 Nassau County, New York.

12 Motion, please.

13 LEGISLATOR NICOLELLO: So moved.

14 LEGISLATOR MUSCARELLA: Second.

15 CHAIRWOMAN GONSALVES: Moved by

16 Legislator Nicolello, seconded by Legislator

17 Muscarella.

18 I have a question, just hold on.

19 Mr. Becker, are you going to speak on this

20 item? I know it went through Public Works

21 and Finance.

22 MR. BECKER: I think Ken spoke on

23 this already. I think he might have

24 forgotten and left.

25 CHAIRWOMAN GONSALVES: That's

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2 okay. Then, of course, the testimony from
3 the other committees will be incorporated by
4 reference.

5 (Whereupon, please refer to the
6 minutes of the Public Works and Finance
7 Committees dated 6-26-17 pertaining to Clerk
8 Item 254.)

9 MR. BECKER: Thank you, Madam
10 Chair.

11 CHAIRWOMAN GONSALVES: If there
12 are no other questions or comments regarding
13 this item, any public comment?

14 (No verbal response.)

15 There being none, all those favor
16 of 254 signify by saying aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 The item passes unanimously.

21 Thank you.

22 The second one is Addendum 2,
23 it's Clerk Item 280, that item is a
24 resolution authorizing County Attorney to
25 compromise and settle the claims of

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2 plaintiff Antoine Taylor as set forth in the
3 action entitled Margaret Dowdell and
4 Michelle Shriki, et al versus John E.
5 Imhoff, as Commissioner, CV-10 pursuant to
6 the County Law, County Government Law of
7 Nassau County, and the Nassau County
8 administrative code.

9 Motion, please.

10 LEGISLATOR NICOLELLO: So moved.

11 LEGISLATOR KOPEL: Second.

12 CHAIRWOMAN GONSALVES: Moved by
13 Legislator Nicolello, seconded by Legislator
14 Kopel. I believe we have Mr. Podlesak.

15 MR. PODLESAK: We're going to
16 need to go into executive session because
17 this is a settlement.

18 CHAIRWOMAN GONSALVES: I need a
19 motion to go into executive session.

20 LEGISLATOR KOPEL: So moved.

21 LEGISLATOR NICOLELLO: Second.

22 CHAIRWOMAN GONSALVES: Moved by
23 Legislator Kopel, seconded by Legislator
24 Nicolello. All those in favor of going into
25 executive session signify by saying aye.

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2 (Aye.)

3 Any opposed?

4 (No verbal response.)

5 We are in executive session.

6 Will my colleagues and attorneys come into
7 the conference room.

8 (Whereupon, the Rules Committee
9 recessed into executive session at 3:22
10 p.m. and reconvened at 3:40 p.m.)

11 LEGISLATOR NICOLELLO: Based on
12 information I learned in executive session,
13 I'm recusing myself on this item.

14 CHAIRWOMAN GONSALVES: So we move
15 on to the vote for the item which was Item
16 280. We will go back to the Item 280 which
17 is the Margaret Dowdell and Michelle Shriki
18 legislation, all those in favor of the
19 resolution 280 signify by saying aye.

20 (Aye.)

21 Any opposed?

22 (No verbal response.)

23 It is unanimous, six zero.

24 Motion to adjourn.

25 LEGISLATOR KOPEL: So moved.

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2 LEGISLATOR MUSCARELLA: Second.

3 CHAIRWOMAN GONSALVES: Moved by
4 Legislator Kopel, seconded by Legislator
5 Muscarella. All those in favor of
6 adjourning please signify by saying aye.

7 (Aye.)

8 Any opposed?

9 (No verbal response.)

10 The meeting is adjourned. I
11 should have gotten Legislator Nicoletto back
12 here, but, that's okay, it was the last
13 item. It was a six to zero vote to adjourn.

14 (Whereupon, the Rules Committee
15 adjourned at 3:41 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 29th day of June, 2017.

FRANK GRAY