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NASSAU COUNTY LEGISLATURE

RULES COMMITTEE

NORMA GONSALVES, Chairwoman

1550 Franklin Avenue
Mineola, New York

Monday, October 2, 2017
1:15 P.M

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

NORMA GONSALVES,
Chairwoman

RICHARD NICOLELLO,
Vice Chairman

HOWARD KOPEL

DENNIS DUNNE

KEVAN ABRAHAMS,
Ranking

DELIA DERIGGI-WHITTON

SIELA BYNOE

MICHAEL C. PULITZER,
Clerk of the Legislature

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Dated 10-2-17.....39

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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: Please
9 remain standing for a moment of silence for
10 the victims of the Las Vegas shooting.

11 (A moment of silence was
12 observed.)

13 CHAIRWOMAN GONSALVES: Thank you.
14 And tomorrow marks the fifth anniversary of
15 the passing of former Presiding Officer
16 Peter Schmitt. I would like you all to
17 remember him in your thoughts and prayers.
18 Thank you very much.

19 LEGISLATOR ABRAHAMS: The Human
20 Rights Commission of Nassau County will be
21 holding a vigil on Wednesday at 5:30 on the
22 steps of this building also in recognition
23 of the victims of the Las Vegas shooting as
24 well, which we all are invited too as well.

25

1 Rules Committee/10-2-17

2 CHAIRWOMAN GONSALVES: Thank you
3 very much. I just got word about it.

4 The Rules Committee is now in
5 session. We have a contract period which is
6 not too long and, after the contracts are
7 heard and approved, or denied, whichever the
8 case may be, we will recess to go into the
9 other committees so we can then come back
10 and do the final items on the Rules
11 Committee.

12 Now, for the members of the Rules
13 Committee, Mr. Pulitzer, please call the
14 roll.

15 CLERK PULITZER: Thank you,
16 ma'am. Rules Committee. Legislator Selia
17 Bynoe?

18 LEGISLATOR BYNOE: Here.

19 CLERK PULITZER: Legislator Delia
20 DeRiggi-Whitton?

21 LEGISLATOR DERIGGI-WHITTON:
22 Here.

23 CLERK PULITZER: Ranking Member
24 Kevan Abrahams?

25 LEGISLATOR ABRAHAMS: Here.

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2 CLERK PULITZER: Alternate Deputy
3 Presiding Officer Howard Kopel?

4 LEGISLATOR KOPEL: Here.

5 CLERK PULITZER: Legislator
6 Vincent Muscarella?

7 LEGISLATOR MUSCARELLA: Here.

8 CLERK PULITZER: Vice Chairman
9 Richard Nicoletello?

10 LEGISLATOR NICOLELLO: Here.

11 CLERK PULITZER: Chairwoman Norma
12 Gonsalves?

13 CHAIRWOMAN GONSALVES: Present.

14 CLERK PULITZER: We have a
15 quorum, ma'am.

16 CHAIRWOMAN GONSALVES: Thank you
17 very much, Mr. Pulitzer.

18 The first item is contract A-45,
19 a resolution authorizing the director of
20 Nassau County Office of Purchasing to
21 request oversight of a contract between the
22 County of Nassau acting on behalf of various
23 county departments and American Ware, Inc.

24 A motion, please.

25 LEGISLATOR NICOLELLO: So moved.

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2 LEGISLATOR MUSCARELLA: Second.

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

6 MR. SCHLERNOFF: Michael
7 Schlernoff, director of purchasing.

8 This contract has been in place
9 since 2015 and has now reached a level that
10 requires oversight.

11 It's being used by nine different
12 agencies within the county to obtain work
13 clothing and cleaning and maintenance of the
14 work clothing.

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

18 (No verbal response.)

19 Is there any public comment?

20 (No verbal response.)

21 There being none, all those in
22 favor of A-45 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 contract is A-49, a
4 resolution authorizing the director of
5 Nassau County Office of Purchasing to award
6 and execute a contract between the County of
7 Nassau acting on behalf of the Nassau County
8 Correctional Center and H. Schrier &
9 Company, Inc.

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. Who is here to speak on this
16 item?

17 MS. HALL: Good afternoon
18 legislators. Narda Hall, Correctional
19 Center. The item before you is to authorize
20 and award a blanket purchase order for
21 groceries for the Nassau County Correctional
22 Center for H. Schrier & Company.

23 The bid was advertised in Newsday
24 and posted to the Nassau County website bid
25 solicitation board. We had 13 vendors view

1 Rules Committee/10-2-17

2 the bid, none of whom were minority, women
3 or veteran owned. Minority affairs was
4 given a copy of the bid. Four vendors
5 submitted the bid. None of whom are located
6 in Nassau County. H. Schrier & Company
7 located in Brooklyn, New York submitted bids
8 for 205 items and it is recommended that H.
9 Schrier be awarded a contract for 75 of
10 these items.

11 When those items are calculated
12 by unit of measure, such as pounds, ounces
13 or grams, H. Schrier is the lowest
14 responsible bidder for each of those 78
15 items. The remaining items are being
16 awarded to the lowest cost responsible
17 bidders for those items.

18 Historically, Schrier has held
19 food requirement contracts with Nassau
20 County with satisfactory performance.

21 The cost of the contract is
22 \$119,801.15.

23 CHAIRWOMAN GONSALVES: Any
24 questions? Minority Leader.

25 LEGISLATOR ABRAHAMS: Thank you,

1 Rules Committee/10-2-17

2 Madam Presiding Officer. The cost of this
3 contract in the past? I know this is only
4 78 of the 205 items, I don't know if you
5 have that level of detail and I envision
6 that there be will be subsequent contracts
7 that come in for the balance of 205 items of
8 the 78 that we are not considering today.

9 MS. HALL: Yes.

10 LEGISLATOR ABRAHAMS: But of the
11 78 that are being done today, have you done
12 a cost by cost analysis?

13 MR. SCHLERNOFF: No, this is the
14 only contract that meets the requirements
15 for oversight. All the rest are below
16 \$100,000 -- actually, two other contracts --
17 in fact, I saw them today and approved them
18 today of just waiting on the oversight.

19 LEGISLATOR ABRAHAMS: Those
20 contracts are under?

21 MR. SCHLERNOFF: Are under
22 \$100,000.

23 LEGISLATOR ABRAHAMS: Two things;
24 one, the names of those vendors for those
25 other contracts that are under \$100,000;

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2 and, two, I guess my question more directed
3 before was the cost of these 78 items, do
4 you have a breakdown of what we should be
5 paying for these items, are we paying more
6 than we paid in the past, less than in the
7 past, when it all adds up, when you add up
8 all the contracts for all the 205 items?

9 MR. SCHNERNOFF: Well, when we
10 review, we review each item separately and
11 make the award for each item and whoever is
12 the lowest cost per item that vendor gets
13 that item and we combine them all into three
14 different contracts.

15 LEGISLATOR ABRAHAMS: That part I
16 got. If you take the contracts --

17 MR. SCHNERNOFF: The price is the
18 same or off --

19 LEGISLATOR ABRAHAMS: The total.

20 MR. SCHNERNOFF: I don't know. I
21 don't compare them to last years or the
22 previous two years ago.

23 LEGISLATOR ABRAHAMS: How do you
24 know -- how do you estimate we're getting a
25 fair price?

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2 CHAIRWOMAN GONSALVES: How do you
3 determine we're getting a fair price?

4 MR. SCHNERNOFF: Because we do
5 competitive bidding and that's how we
6 determine whether we are getting a fair
7 price.

8 LEGISLATOR ABRAHAMS: Okay. So
9 if the competitive bids all came in and this
10 contract totaled \$500,000 and that was the
11 lowest bid, we would say that's was the best
12 price?

13 MR. SCHNERNOFF: Well, we review
14 the contract with the agency. If the agency
15 feels that the pricing is excessive, they
16 would tell us and we would not make the
17 reward for that item.

18 LEGISLATOR ABRAHAMS: So this
19 conversation is about pricing, in this case
20 it would be with the agency with the
21 correctional center?

22 MR. SCHNERNOFF: Yes.

23 LEGISLATOR ABRAHAMS: And they
24 feel its pricing is balanced and fair than
25 in the past?

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2 MR. SCHNERNOFF: Yes. Do you
3 still want the names of the other two?

4 LEGISLATOR ABRAHAMS: If you have
5 them.

6 MR. SCHNERNOFF: I will get them
7 in a minute.

8 LEGISLATOR ABRAHAMS: While
9 Michael is getting that together, there are
10 other vendors from what I understand who
11 bid on this were Nova, Universal Coffee
12 and Elwood.

13 Were those bidders, did they
14 receive contract awards for the balance of
15 the items between the 78 and the 205?

16 If the names are different, than
17 the names of the other bidders on these 78
18 items then, that's one point. But I'm
19 trying to figure out who are the other
20 bidders -- I mean, can we rule out it was
21 Nova, Universal Coffee or Elwood for the
22 items that would be about 137 items?

23 Can we rule out these other
24 bidders?

25 MS. HALL: I would have to find

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2 out who are the other bidders at this point.
3 I don't have that information because it's
4 indicated it's been bid out. I can get the
5 information for you.

6 LEGISLATOR ABRAHAMS: Okay.

7 MR. BECKER: I think he went back
8 in the anteroom to make a phone call.

9 LEGISLATOR NICOLELLO: Motion to
10 table.

11 LEGISLATOR KOPEL: Second.

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

15 All those in favor of tabling
16 this item signify by saying aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 The item is now tabled until we
21 get the answers to the questions that were
22 posed. Thank you very much.

23 The next item is a personal
24 services agreement, E-190, between the
25 County of Nassau acting on behalf of the

1 Rules Committee/10-2-17

2 Nassau County Attorney's Office and Leahy
3 and Johnson, PC.

4 Motion, please.

5 LEGISLATOR MUSCARELLA: So moved.

6 LEGISLATOR KOPEL: Second.

7 CHAIRWOMAN GONSALVES: Moved by
8 Legislator Muscarella, seconded by
9 Legislator Kopel. Who is here to speak on
10 this item?

11 MS. KRISSEL: Good afternoon,
12 legislators. Deputy County Attorney Martha
13 Krisel. This is an amendment for additional
14 funds for outside counsel adding \$450,000 to
15 a total of \$700,000. It's for a litigation
16 matter.

17 CHAIRWOMAN GONSALVES: Any
18 questions from the legislators? Legislator
19 DeRiggi-Whitton.

20 LEGISLATOR DERIGGI-WHITTON: Is
21 it okay if Mr. Cleary comes up for one quick
22 question?

23 MS. KRISSEL: On this personal
24 services contract?

25 LEGISLATOR DERIGGI-WHITTON: Yes.

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2 I was trying to decipher if this
3 is the same contract as the one that you
4 have listed as number 19 on this list?

5 MR. CLEARY: I don't believe so.
6 I think this one is not retroactive. It's
7 from December 13th to completion of the
8 services.

9 LEGISLATOR DERIGGI-WHITTON: I
10 wasn't sure. Thank you.

11 CHAIRWOMAN GONSALVES: Any other
12 comments or questions from the legislators?
13 Minority Leader. Hold on. I'm sorry, do
14 you have another question?

15 LEGISLATOR DERIGGI-WHITTON: No.
16 He can take it.

17 CHAIRWOMAN GONSALVES: Minority
18 Leader.

19 LEGISLATOR ABRAHAMS: Just to
20 piggyback on Legislator DeRiggi-Whitton's
21 question. The item that we are referring
22 to, 19, I guess by coincidence, Mr. Cleary,
23 it has the same time frame. This contract
24 started on 1-1-14 that's why it prompted us
25 to think it was on the list. The amount is

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2 \$600,000 even though it doesn't tie into the
3 \$450,000 increase. It just seems like a
4 contract with the same vendor while at the
5 same time started in the same year seems to
6 be a coincidence I guess. Am I surmising
7 that correctly, it's a coincidence?

8 Do we know the merit of those
9 services being provided in Item 19 on the
10 retroactive contract list?

11 MR. CLEARY: I'm sorry, I know I
12 sent out a revised list this morning. Are
13 you working from the list that was
14 previously distributed?

15 LEGISLATOR ABRAHAMS: No. This
16 one was submitted as of 9-22.

17 MR. CLEARY: Okay. So I'm
18 actually carrying the 10-2 list right now so
19 I may actually have a different number on
20 the list. I do not have Leahy and Johnson
21 on this list. It may have come off in the
22 interim.

23 LEGISLATOR ABRAHAMS: I'm sorry?

24 MR. CLEARY: I do not have Leahy
25 and Johnson on the list that I sent this

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2 morning. That item was either identified as
3 not retroactive or approved. I'm not sure
4 which. It may have been this item.

5 There may have been some
6 confusion because of the time frame but this
7 time we are not listing it on the list as a
8 retroactive contract.

9 LEGISLATOR ABRAHAMS: Just from
10 an administrative standpoint, I know you
11 sent these items to our attention if you can
12 send them to Cecilia Capers our deputy
13 minority counsel, she does the review for
14 us, that would be appreciated.

15 MR. CLEARY: Sure.

16 LEGISLATOR ABRAHAMS: I don't
17 want to get into the merits of this. I
18 don't want to get into the merits that would
19 warrant us to go into executive session, so
20 I'm not going to talk about the case, per
21 se, but I do have a question in regards to
22 the amount of claims that have been
23 submitted by Leahy and Johnson for payment
24 and how much has been paid to date.

25 MS. KRISSEL: This vendor does

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2 other work for the County Attorney as well.

3 LEGISLATOR ABRAHAMS: I mean on
4 this particular.

5 MS. KRISSEL: On this particular
6 one?

7 LEGISLATOR ABRAHAMS: Yes.

8 MS. KRISSEL: I think that I did.
9 I'm going to double-check, if you would like
10 me to, but I think we have made payments and
11 to make any additional payments we need the
12 extra money. I think claims have been
13 submitted and processed, but, Christy, can
14 you call over and confirm that?

15 LEGISLATOR ABRAHAMS: Do you know
16 how much?

17 MS. KRISSEL: I personally do not
18 but I can have a phone call made over to
19 accounting over at County Attorney to get
20 that information.

21 LEGISLATOR ABRAHAMS: My next
22 question would be, according to our back up,
23 this was voted on in the Rules Committee on
24 June 30th, 2014. At that time it was
25 E-161-14, but it appears at that time the

1 Rules Committee/10-2-17

2 contract was not fully executed by the
3 County Executive's signature until seven
4 months ago on March 1. Can you explain to
5 us or clarify that large --

6 MS. KRISEL: Legislator, I
7 personally cannot. I'm not familiar with
8 that round of approval, but, again, I will
9 be happy to get that information for you.

10 LEGISLATOR ABRAHAMS: I would ask
11 for a motion to table, Madam Presiding
12 Officer.

13 LEGISLATOR DERIGGI-WHITTON:
14 Seconded.

15 CHAIRWOMAN GONSALVES: Moved by
16 Minority Leader, seconded by Legislator
17 DeRiggi-Whitton. All those in favor of
18 tabling Item E-190 signify by saying aye.

19 (Aye.)

20 Any opposed?

21 (No verbal response.)

22 The item is tabled until we get
23 the additional information.

24 MS. KRISEL: We are working on it
25 and I will signal to you when we have all

1 Rules Committee/10-2-17

2 that information in place.

3 CHAIRWOMAN GONSALVES: I believe
4 we have the information for A-49 and at this
5 point I need a motion to untable A-49.

6 LEGISLATOR NICOLELLO: So moved.

7 LEGISLATOR KOPEL: Second.

8 CHAIRWOMAN GONSALVES: Moved by
9 Legislator Nicolello, seconded by Legislator
10 Kopel. All those in favor of untabling A-49
11 signify by saying aye.

12 (Aye.)

13 Any opposed?

14 (No verbal response.)

15 The item is untabled. What did
16 you find out?

17 MR. SCHLERNOFF: The names of the
18 three other bidders were Nova, Universal
19 Coffee, and Elwood International.

20 LEGISLATOR ABRAHAMS: They were
21 awarded the contracts under the \$100,000?

22 MR. SCHLERNOFF: Yes, their total
23 would be less than \$100,000.

24 LEGISLATOR ABRAHAMS: I have
25 nothing further.

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2 CHAIRWOMAN GONSALVES: Are there
3 any other comments or questions regarding
4 this 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 A-49 signify by saying aye.

10 (Aye.)

11 Any opposed?

12 (Nay.)

13 The item passes four to three.

14 We're waiting for the additional
15 information, correct, so we are not going to
16 untable E-190, so we will move on to the
17 next item which is E-192, a personal
18 services agreement between the County of
19 Nassau acting on behalf of the Nassau County
20 Department of Public Works and Lockwood
21 Kessler and Bartlett, Inc.

22 Motion, please.

23 LEGISLATOR KOPEL: So moved.

24 LEGISLATOR MUSCARELLA: Second.

25 CHAIRWOMAN GONSALVES: Moved by

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

4 MR. ARNOLD: Ken Arnold,
5 Department of Public Works. E-192 is a
6 contract amendment with LKB for our civil
7 site construction management contract.

8 This is a retroactive contract
9 but I would like to state the contractor is
10 not working at any risk right now, he is
11 working under an open encumbrance and the
12 contract allows him to complete ongoing
13 work.

14 This amendment will allow us to
15 extend the contract 18 additional months and
16 add new money into the contract to cover
17 future work that the department needs
18 covered.

19 CHAIRWOMAN GONSALVES: Any
20 questions of Mr. Arnold? Yes, Minority
21 Leader.

22 LEGISLATOR ABRAHAMS: Ken, what's
23 the source of this money?

24 MR. ARNOLD: This would be
25 capital funds.

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2 LEGISLATOR ABRAHAMS: From what
3 bond?

4 MR. ARNOLD: Mostly road
5 resurfacing at this point.

6 LEGISLATOR ABRAHAMS: When was
7 that bonding approved?

8 MR. ARNOLD: I believe a year ago
9 this month.

10 LEGISLATOR ABRAHAMS: How much is
11 left of that money?

12 MR. ARNOLD: I would have to go
13 back and put that together.

14 LEGISLATOR ABRAHAMS: Our records
15 indicate there's well in excess of more than
16 half available, over \$35 million; does that
17 seem accurate?

18 MR. ARNOLD: That seems a little
19 high but I know that there are significant
20 projects that are out to bid and being
21 awarded so that number could be that high in
22 the financial system but a lot of it is
23 allocated towards phases that we are working
24 towards getting contractors on board for.

25 LEGISLATOR ABRAHAMS: But it

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2 sounds like obviously there's money to do
3 road resurfacing?

4 MR. ARNOLD: That is correct.

5 LEGISLATOR ABRAHAMS: Nothing
6 further.

7 CHAIRWOMAN GONSALVES: Legislator
8 Bynoe.

9 LEGISLATOR BYNOE: Thank you,
10 Presiding Officer. Good afternoon, Mr.
11 Arnold. I have a question that is in the
12 similar vein to Legislator Abrahams
13 regarding how we're using the bonding
14 capital money.

15 So you've stated there's capital
16 money available to now do road paving and
17 road work, correct?

18 MR. ARNOLD: That is correct.

19 LEGISLATOR BYNOE: Is there money
20 also available for traffic studies because I
21 know this body some months ago did some
22 bonding for traffic studies?

23 MR. ARNOLD: That is correct.

24 LEGISLATOR BYNOE: So the other
25 day I was requesting that we look, because

1 Rules Committee/10-2-17

2 it was a request made to my office from the
3 local fire department in Westbury who stated
4 they were having trouble accessing and
5 exiting from the fire house during
6 emergencies.

7 It was stated that I should look
8 at putting in a CRP for a traffic study. I
9 found that odd. Is there money available to
10 do traffic studies?

11 MR. ARNOLD: As I stated in my
12 email, there's two pieces of that work. The
13 the study the department can look at, I have
14 been working on a response back to your
15 aid's question, but any installation of that
16 equipment, because it is on a non-county
17 facility.

18 It has to be installed in the
19 fire house and maintained by the fire
20 department. We always look for the CRP
21 funding to cover that work.

22 LEGISLATOR BYNOE: But there is
23 money available for us to even do the study
24 to determine if there is some sort of
25 intervention required?

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2 MR. ARNOLD: I will look back in
3 my notes to make sure that's something we
4 can do. I don't remember the last time that
5 I did it if it required CRP. I have to talk
6 to my bond counsel.

7 LEGISLATOR BYNOE: Thank you.

8 CHAIRWOMAN GONSALVES: Legislator
9 Nicolello.

10 LEGISLATOR NICOLELLO: Just to
11 follow-up with a bunch of the requests I put
12 in for the traffic studies seem to be rather
13 slow. Is there a large cue of these
14 projects?

15 MR. ARNOLD: Yes, the department
16 has a very large cue of these traffic
17 requests. We work very diligently to get to
18 them all, but, yes, there is a very large
19 cue.

20 LEGISLATOR NICOLELLO: Thank you.

21 CHAIRWOMAN GONSALVES: Legislator
22 Bynoe.

23 LEGISLATOR BYNOE: So that leads
24 me to the question that we should or could
25 be doing to alleviate the bottleneck so if

1 Rules Committee/10-2-17

2 there are safety issues I think we need to
3 be looking at them as expeditiously as
4 possible. So, is there something that we
5 can be doing differently?

6 MR. ARNOLD: The department has
7 this issue, we brought on a new director of
8 engineering. We're in the process of
9 bringing another engineer on for the traffic
10 group and we're also looking at our
11 consultant support and working with the
12 union on that aspect also to address these
13 situations.

14 LEGISLATOR BYNOE: I have one
15 that's in from December of 2015 and so I'm
16 definitely concerned.

17 MR. ARNOLD: All the items are
18 looked at, they are triaged to make sure
19 there is no high level safety issues that we
20 address immediately, and then they're all
21 put in the cue to be addressed.

22 If someone is looking for a
23 signal or something new, if there's an
24 accident associated with that, those are
25 culled out and they're looked at first.

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2 Everything else is put in the cue and looked
3 at in a timely fashion.

4 LEGISLATOR BYNOE: Okay. So
5 we're looking at staffing a little
6 differently so that we can achieve better
7 outcomes, quicker outcomes?

8 MR. ARNOLD: Yes. We're looking
9 to address those.

10 CHAIRWOMAN GONSALVES: Legislator
11 DeRiggi-Whitton.

12 LEGISLATOR DERIGGI-WHITTON: I
13 was told that part of the delay for some of
14 the traffic studies and things was coming
15 from the Comptroller's Office; have you
16 experienced that?

17 MR. ARNOLD: Well, if we bring a
18 consultant on board for a project, that
19 advisement needs approvals from many levels.
20 So there are always delays. You're probably
21 speaking to the Manorhaven study. We got
22 that approval today, but we have to wait for
23 the paper to be processed through, not just
24 the Comptroller's Office, but all the other
25 agencies.

1 Rules Committee/10-2-17

2 But the Comptroller's Office is
3 right now our longest time we wait for.

4 LEGISLATOR DERIGGI-WHITTON:

5 Right. That I guess is what I was trying to
6 get at. That would be the number one delay
7 you think, right?

8 MR. ARNOLD: Well, they have
9 their process, and I wouldn't call it a
10 delay, I would call it their process.

11 LEGISLATOR DERIGGI-WHITTON:

12 Right, and we're just trying to see if what
13 we can do to make it --

14 MR. ARNOLD: We work with them on
15 a constant basis --

16 LEGISLATOR DERIGGI-WHITTON: I'm
17 not suggesting there is a problem, I'm just
18 wondering what takes the longest amount of
19 time, but if that's the case, that should be
20 looked into a little just to have it.

21 MR. ARNOLD: If things are
22 approved, and we have the new CRS system,
23 the electronic routing for these items, so
24 things are improving as people get used to
25 the routing of the advisements in the

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2 contracts.

3 LEGISLATOR DERIGGI-WHITTON:

4 Thank you, Ken.

5 CHAIRWOMAN GONSALVES: Any other

6 comments from the legislators?

7 (No verbal response.)

8 Is there any public comment?

9 (No verbal response.)

10 There being none, all those in
11 favor of E-192 signify by saying aye.

12 (Aye.)

13 Any opposed?

14 (Nay.)

15 The item passes four to three.

16 Do we have the information for
17 190?

18 MS. KRISSEL: We do not have it at
19 this time.

20 CHAIRWOMAN GONSALVES: Okay.

21 Then I'm going to leave it tabled and recess
22 rules and then come back after Public Safety
23 and Finance have had an opportunity to meet
24 and discuss the items on their agendas.

25 So, without any further ado,

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2 Rules is now recessed and Public Safety is
3 next.

4 MR. BECKER: Jeffrey Clark wants
5 to make a statement on behalf of the county
6 clerk and it would be okay if he makes it
7 now before Finance, Public Safety and other
8 committees rather than have him waiting
9 around for an extended period of time?

10 CHAIRWOMAN GONSALVES:

11 Mr. Becker, is it on an item?

12 MR. BECKER: It's on the budget.
13 It won't be that long so I guess we can
14 wait.

15 MR. BECKER: Okay. It's your
16 decision.

17 (Whereupon, the Full Legislative
18 Committee recessed at 1:40 p.m. and
19 reconvened at 2:57 p.m.)

20 CHAIRWOMAN GONSALVES: Rules is
21 back in session and I'm going to ask for a
22 motion to untable Item E-190.

23 LEGISLATOR NICOLELLO: So moved.

24 LEGISLATOR KOPEL: Second.

25 CHAIRWOMAN GONSALVES: Moved by

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2 Legislator Nicoletto, seconded by Legislator
3 Kopel. All those in favor of untabling
4 E-190 signify by saying aye.

5 (Aye.)

6 Any opposed?

7 (No verbal response.)

8 The item is untabled. I believe
9 we have information that was requested,
10 correct?

11 MS. KRISSEL: Yes. Deputy County
12 Attorney Martha Krisel. I apologize for not
13 having the information ready earlier.

14 Legislator Abrahams, I believe
15 you had two questions; one being how much
16 money had been paid to date and the answer
17 is \$215,000.

18 And the second question pertained
19 to what had been described as a delay in the
20 passage as opposed to the execution of the
21 underlying contract. The answer to that
22 question is that the contract was executed
23 when funds did become available, at the time
24 there was a delay in the funds becoming
25 available. So that was the delay factor.

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2 LEGISLATOR ABRAHAMS: If I may,
3 Madam Presiding Officer.

4 CHAIRWOMAN GONSALVES: Minority
5 Leader, yes.

6 LEGISLATOR ABRAHAMS: Thank you.
7 I want to thank you for getting that
8 information quickly.

9 I feel based on what you said in
10 your first response, you said 250 or 215?

11 MS. KRISSEL: 215.

12 LEGISLATOR ABRAHAMS: And the
13 original amount was 250?

14 MS. KRISSEL: That's correct.

15 LEGISLATOR ABRAHAMS: I hate to
16 ask my next question and obviously knowing
17 the circumstances of this case, I'm trying
18 to be conscience of the fact that we may
19 need to go in executive session.

20 I need to make sure I'm clear,
21 what status, without talking about the case,
22 what status are we at in the case, are you
23 at liberty to discuss that?

24 MS. KRISSEL: Not at this time.

25 LEGISLATOR ABRAHAMS: You have to

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2 go into executive session to tell us that?

3 MS. KRISEL: Correct.

4 LEGISLATOR ABRAHAMS: I'm trying
5 to get an understanding of where we are in
6 the case and how that commensurates with the
7 215 that we have spent. That's kind of what
8 I'm trying --

9 MS. KRISEL: So there has been,
10 just in the normal course of litigation
11 there have been proceedings that have taken
12 place to date. That's resulted in those
13 expenditures and those payments and the need
14 for the additional expenditures.

15 LEGISLATOR ABRAHAMS: Hold on one
16 second.

17 Counsel has advised me that the
18 proceedings obviously are part of the public
19 record. Being that they're part of the
20 public record, anyone from the public can
21 access them. Can you tell me where we are
22 in regards to those proceedings?

23 MS. KRISEL: There has been a
24 fair amount of discovery that's taken place.

25 LEGISLATOR ABRAHAMS: Any

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2 motions?

3 MS. KRISEL: There have been
4 certain motions that have been made but I
5 would need to regroup with our back up on
6 exactly what those motions have been to the
7 extent that I would be comfortable not being
8 in executive session.

9 LEGISLATOR ABRAHAMS: Hold on a
10 second. Thank you. I don't have anything
11 further.

12 MS. KRISEL: Thank you.

13 CHAIRWOMAN GONSALVES: Any other
14 questions?

15 (No verbal response.)

16 Any public comment? Meta
17 Mereday.

18 MS. MEREDAY: Meta J. Mereday,
19 Baldwin resident. Just curious as to where
20 these additional funds were found for this,
21 just curious.

22 Clearly this wasn't a set amount,
23 it wasn't something, again, not having the
24 background on the case, per se, but when we
25 say you're doing an amendment, in essence,

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2 that's a change order which is a request for
3 funding, that wasn't something that was
4 already budgeted.

5 So, again, the public might want
6 to have an idea where we're getting all
7 these additional funds for these various and
8 sundry court cases requiring attorneys
9 outside of the County Attorney's Office.
10 Thank you.

11 CHAIRWOMAN GONSALVES: There
12 being no other comments, all those in favor
13 of E-190 -- yes, Minority Leader?

14 LEGISLATOR ABRAHAMS: Just in
15 regards to Ms. Mereday's question. The
16 source of the funds?

17 MS. KRISSEL: There is a contract
18 fund in the police department.

19 LEGISLATOR ABRAHAMS: It's funded
20 through the police department?

21 MS. KRISSEL: Correct.

22 CHAIRWOMAN GONSALVES: There
23 being no other comments, all those in favor
24 of E-190 signify by saying aye.

25 (Aye.)

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2 Any opposed?

3 (Nay.)

4 The item passes four to three.

5 Now, what is usually the case
6 when it comes to the other items on the
7 Rules Committee, there is what we call a
8 consent calendar and I been informed that
9 there are several items that have gone
10 through committees and are consensual.

11 Please incorporate the testimony
12 from those committees, incorporate by way of
13 reference.

14 (Whereupon, please refer to the
15 minutes of the Finance and Public Safety
16 Committees dated 10-2-17 pertaining to Clerk
17 Items 354, 362, 363, 367, 368, 369.)

18 So now I'm going to those items
19 that are on the consent calendar. Here we
20 go. Beginning with Item 354, Item 362, 363,
21 367, 368, 369.

22 Motion, please.

23 LEGISLATOR NICOLELLO: So moved.

24 LEGISLATOR KOPEL: Second.

25 CHAIRWOMAN GONSALVES: Moved by

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2 Legislator Nicoletto, seconded by Legislator
3 Kopel. All those in favor of those items
4 signify by saying aye.

5 (Aye.)

6 Those opposed?

7 (No verbal response.)

8 These items went through
9 committees, Mr. Lachapelle. These items
10 went through committees. That is the
11 legislative budget.

12 MR. LACHAPELLE: I would just
13 like to reiterate what I said in the Finance
14 Committee a couple of minutes ago.

15 I would like to add that I heard
16 from this board that a yes vote on the
17 budget isn't an endorsement of the budget
18 which kind of defies logic.

19 If you're not here to be a check
20 and a balance to the executive, what exactly
21 are you here for?

22 I just want to reiterate why we
23 are opposed to this fee and we suggest that
24 you vote it down today so that we can move
25 forward with the budget and when you debate

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2 on a budget tonight at the hearing, we are
3 debating on a budget that we can all agree
4 on and doesn't contain any fees.

5 So, the two reasons I want to
6 point out is that this is based on uncertain
7 revenue. The amount of home sales -- it's
8 completely dependent on the amount of home
9 sales transacted in the county and you can't
10 pinpoint that. The best mathematician in
11 this room can't pinpoint that number.

12 I'm afraid we will be back here
13 in a year if you pass these fees looking to
14 increase more fees.

15 I really don't endorse the idea
16 that you need to vote yes to this budget to
17 move forward.

18 I think that's a colossal waste
19 of time. If there is no appetite for these
20 fees to be passed, then let's vote the
21 budget down now so we can move forward and
22 pass a budget that we all have an appetite
23 for. Thank you.

24 CHAIRWOMAN GONSALVES: I did call
25 those items. Legislator Kopel, go ahead.

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2 LEGISLATOR KOPEL: Tim, I want to
3 say that the fact that we're passing this
4 through should not be misconstrued over
5 here.

6 What we are simply doing is we
7 are simply recognizing that the entire
8 Legislature is interested in discussing many
9 of these items.

10 Essentially what we are doing is,
11 instead of vetting it here, we are punting
12 and we're giving it to the entire
13 Legislature where it's going to be getting
14 heightened scrutiny from many more people.

15 So, basically, all we're doing is
16 not considering it now. That's all this
17 really is.

18 It's simply a requirement that it
19 must go through Rules, that's what we're
20 doing. By no means I don't believe that any
21 member of the Rules Committee would be ready
22 to endorse the budget as it was presented to
23 us by the County Executive.

24 I don't think anybody on either
25 side of the aisle, I don't believe that

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2 anybody is ready to rubber stamp it. That's
3 not what this was. Don't be concerned about
4 that.

5 MR. LACHAPELLE: So you will be
6 voting no?

7 LEGISLATOR KOPEL: On your items
8 I certainly will. I will let other people
9 speak for themselves.

10 CHAIRWOMAN GONSALVES: There will
11 be a time.

12 LEGISLATOR KOPEL: I don't think
13 it will be today at all.

14 CHAIRWOMAN GONSALVES: There will
15 be a time. All those in favor of the items
16 that were called signify by saying aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 The items pass unanimously.

21 Now for those items that are part
22 of the non-consent calendar; and beginning
23 I'm going to call three of them together;
24 Items 351, 352 and 353.

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. I believe that they were discussed
7 in Finance at length but if there are any
8 other questions from my colleagues, and I
9 believe that Minority Leader has a question
10 or two.

11 LEGISLATOR ABRAHAMS: It was my
12 understanding, and I exacted through the
13 Finance hearing that the questions weren't
14 allowed to be asked because we were going to
15 ask them at a later point.

16 I think the greater point that
17 was trying to be made by my colleagues is
18 the fact that there are revenue aspects to
19 this budget, let's just call it what it is,
20 there are fee increases tied to this budget,
21 and to vote for a budget ordinance that has
22 those fee increases, but, again, those fee
23 increases as far as I can see have not been
24 calendared for any legislative particular
25 day, to add those to pass a budget ordinance

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2 is almost in a way endorsing those fees to
3 be increased because we haven't even
4 considered the fees.

5 So I think, as Legislator Bynoe
6 said it, you're putting the cart before the
7 horse. We kind of know what happens with
8 fee increases in this county. I think
9 that's why we are pushing for them to be
10 called or at least to have debate and
11 discussion, and I think speak to what Mr.
12 Lachapelle and others have talked about in
13 regard to the fees.

14 I am glad to hear from you,
15 Howard, that the fees have no appetite and
16 are not going anywhere.

17 If we're not going to vote for
18 the fees but vote for a budget ordinance
19 that includes fee increases to the tune of
20 \$75 million, I understand, but we should be
21 a little cognizant to the public because we
22 are sending a very conflicting message for
23 the folks that are covering us here today,
24 whether they be from the public or even from
25 the media, they are covering -- the

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2 Legislature is voting for an item that
3 includes these items as part of its
4 document.

5 Just to get to my point that I
6 didn't get a chance to make yet --

7 LEGISLATOR KOPEL: Would you
8 allow me to respond to that point?

9 LEGISLATOR ABRAHAMS: Okay.

10 LEGISLATOR KOPEL: And that is
11 why I did jump in precisely to avoid people
12 misconstruing it in that manner. That is
13 why I jumped in with my comment and said
14 that it should not be and what we are really
15 doing is passing items of such serious
16 import to the entire Legislature to review,
17 and it's a technical requirement that we
18 just have it go through Rules.

19 I think I've said it quite
20 plainly and I think it's true for all of us.

21 LEGISLATOR ABRAHAMS: And,
22 Howard, I respect that position, however, I
23 think most people from the public have
24 experience that this Legislature has
25 especially in a year where the Legislature,

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2 all 19 legislators are pursuing re-election
3 or all 17, are pursuing re-election, going
4 into November 7, it just seems to me to add
5 a process that is transparent, to add a
6 process that is open, it seems to do these
7 fee increases or consider them on the eve of
8 an election, or close to that eve, or in
9 some cases, as we have seen in this body,
10 consider them after the election, to me,
11 seems -- that's not an assumption, that's
12 actually happened. We have approved fees
13 after the election has occurred.

14 That being said, I think that's
15 where we are and we want to be able to ask
16 these questions in this body and, to me, it
17 seems more appropriate to ask these
18 questions in committee.

19 If there is no appetite, as
20 Mr. Lachapelle has said, if there is no
21 appetite to do them, then we have to get to
22 work. We have well over -- we're working on
23 well over 25, \$30 million. That number is
24 growing in potential amendments.

25 Let's get to work now and let's

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2 fix this stuff now.

3 Let's amend the budget now and
4 let's make sure that we have a very concrete
5 message to the public that we will not
6 consider the fee increases as they appear
7 or, Madam Presiding Officer, maybe you can
8 even make it more clear and say they will
9 not be called for the 2018 budget. If we
10 can make that statement now, it would carry
11 much more weight.

12 CHAIRWOMAN GONSALVES: Minority
13 Leader, the fact that we are teeing up the
14 budget items today does not mean that the
15 budget items, that we the budget that we
16 vote on October 30th is going to be the
17 same.

18 You can take that, and, just like
19 you just said, that you're working in ways
20 to compensate for not imposing the fees,
21 guess what? And so are we.

22 We are doing what we should do.
23 This is the budget that the County Executive
24 has presented to us. We tee it up for the
25 committees and for the budget hearings.

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2 When it comes to October 30th,
3 that's when we decide what is going to
4 happen and what's not going to happen.

5 So, the same budget that you see
6 today, most likely is not going to be the
7 budget that you see on October 30th and
8 we're not going to be waiting until Election
9 Day or after.

10 LEGISLATOR ABRAHAMS: Madam
11 Presiding Officer, you do understand you
12 are passing a budget, which we are not going
13 to support at this time, because obviously
14 it includes historic amounts of increases in
15 fees, whether it's public safety, tax
16 verification, tax map verification. It
17 includes enormous fees.

18 You are passing a document and at
19 the same time you are saying you're going to
20 change the document.

21 It makes better sense to send a
22 very clear message that we are not
23 supporting those fees not at this time, at
24 all. That's been our message. We've been
25 very clear that we are not supporting those

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2 fees and we plan to submit amendments to
3 address those fees.

4 CHAIRWOMAN GONSALVES: I believe,
5 Minority Leader, I think we are both on the
6 same page, but the process is different. I
7 know what you are trying to do and what
8 you're trying to say.

9 LEGISLATOR ABRAHAMS: The part
10 that is a little bit different and
11 disconcerting, Madam Presiding Officer, in
12 all due respect, is the fact that this
13 legislative body waits until the eve of the
14 election to either vote for the fees, or,
15 what's even worse, we've passed the fees
16 after the election.

17 That's the whole point of having
18 a budget process and a Charter that the
19 budget vote take place before the election
20 on October 30th.

21 CHAIRWOMAN GONSALVES: And it
22 will take place October 30th which is
23 approximately one week before the election.

24 So, the budget that you see
25 today, will most likely not be the budget we

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2 vote on on October 30th because between now
3 and then we are doing our due diligence to
4 find the resources --

5 LEGISLATOR ABRAHAMS: So
6 basically we're saying -- if I understand
7 this correctly, then we are not going to
8 pass the fees going into the October budget
9 vote, October 30 budget vote? No fee
10 increases will be passed? See, that's the
11 problem. If we can't come to a resolution
12 on that, then I don't understand.

13 CHAIRWOMAN GONSALVES: Listen to
14 me, Minority Leader. I said to you that the
15 budget that you see before you today, or
16 that we are voting on today, to tee it up
17 for the hearings, is not going to be the
18 same budget we vote on on October 30th.

19 The way you want to read it, if
20 you said you are looking for resources to
21 compensate for the loss of the revenue that
22 would be generated by these fees, and so are
23 we.

24 So, together, together, that
25 could very well mean that come October 30th

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2 that the fees may not be in the budget.

3 LEGISLATOR ABRAHAMS: I
4 understand.

5 CHAIRWOMAN GONSALVES: But we're
6 not waiting until after election. That's
7 been done before. It's not going to happen
8 now. It also happened when we had tax
9 increases that were done after the election
10 and we were not in the majority. So enough
11 is enough. I don't want to go there.

12 LEGISLATOR ABRAHAMS: You would
13 have to refresh my memory on that.

14 CHAIRWOMAN GONSALVES: I'm not
15 going to refresh your memory. I don't want
16 to debate this at this point.

17 I think it's important at this
18 point that we just move forward so we can do
19 what we have to do in the next two or three
20 weeks.

21 LEGISLATOR ABRAHAMS: Madam
22 Presiding Officer, you made a reference to
23 tax increases being increased after the
24 budget. I would need to understand when
25 that happened. I don't recall that

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2 happening.

3 CHAIRWOMAN GONSALVES: You may
4 not have been here.

5 LEGISLATOR ABRAHAMS: I have been
6 here for 15 years. I don't recall. I
7 recall that happening just recently -- the
8 County Executive had proposed a three
9 percent tax increase and you guys rejected
10 it until after the election.

11 CHAIRWOMAN GONSALVES: I don't
12 want to debate you, Minority Leader.
13 Legislator Nicoletto.

14 LEGISLATOR NICOLELLO: The
15 process, we do have these two hearings; one
16 of which is tonight, one of which is on
17 October 20th.

18 We do have, according to our
19 rules, we have to submit amendments. So the
20 amendments or potential changes to the
21 budget will be on the table, so to speak, by
22 October 23. It's not on the eve of the
23 election.

24 The actual adoption of the budget
25 on October 30th is a good week before the

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2 election, not on the eve of the election.
3 So we will be doing what we have to do on
4 that date.

5 We are very interested to see
6 what the minority proposes this year. I'm
7 sure they are interested to see what we will
8 propose and we will have a good two weeks
9 before the election when that's on the
10 table. The process is what it is. It's
11 completely transparent; people are going to
12 see exactly what we do well before the
13 election.

14 LEGISLATOR ABRAHAMS: Deputy
15 Presiding Officer Nicolello, the process is
16 not transparent because the folks that are
17 coming here tonight cannot speak to the
18 budget. That's the problem.

19 LEGISLATOR NICOLELLO: If they
20 stick around for the next hour and a half
21 for the budget hearing, if they stick
22 around, they can speak to the budget.

23 LEGISLATOR ABRAHAMS: No, no.
24 The folks that came here to speak on the
25 budget is public safety related. It's going

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2 to be the police department. The correction
3 officers. It's not going to be Ms.
4 D'Alleva, and Eric Naughton, that's the
5 problem.

6 Our questions are more tied to
7 the fact that there are \$70 million in fee
8 increases that are in this budget.

9 So that means the public has to
10 wait two weeks minimum or possibly into
11 October 30th before we get an answer. And
12 kind of what Ms. Mereday said earlier, it's
13 like, well, we voted for it already and we
14 weren't able to save all of the fee
15 increases but we saved some. That's the
16 problem.

17 LEGISLATOR NICOLELLO: Are you in
18 communication with Ms. D'Alleva? I'm sure
19 if there are questions that are so urgent,
20 if you need this to formulate your
21 amendments then I'm certain that she will
22 give you whatever information you want. If
23 it's a matter of you developing your
24 amendments.

25 LEGISLATOR ABRAHAMS: But she's

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2 not scheduled to be here and as a matter of
3 the public, she's not scheduled to be here
4 later on.

5 LEGISLATOR NICOLELLO: We're
6 going around in circles.

7 CHAIRWOMAN GONSALVES: Hold on.
8 On the 16th of October, we have a Full Leg
9 meeting. We have public comment at that
10 particular time.

11 There's an opportunity for people
12 to voice their concern at that time and they
13 could be budget related as well. At this
14 point in time --

15 LEGISLATOR DERIGGI-WHITTON: May
16 I, Norma?

17 CHAIRWOMAN GONSALVES: You may.

18 LEGISLATOR DERIGGI-WHITTON: I
19 just have a difference of opinion as far as
20 the procedure goes, I know, surprisingly.

21 But to pass something through by
22 voting yes, that's giving the public the
23 perception that we approve of what we're
24 voting on.

25 I really think for a hearing to

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2 be held, for a committee to be held and not
3 be able to ask any questions, the whole
4 point -- I understand that finance has
5 questions, but I sit here and I listen, and
6 there were a few things that they had
7 questions about that that made me think of
8 some questions and then I'm sure if we go
9 through the same issues under Rules, there
10 are other things that we can think about
11 that we may want to follow-up at the
12 hearing.

13 So to not ask questions during a
14 committee, which gives us all reason to
15 think about things, and then have a couple
16 of hours to think about it if we have to and
17 then ask a different question at the
18 hearing, and to just vote yes on something
19 that, basically, Madam Presiding Officer,
20 you just told us isn't going to be the item
21 at some point, I feel very uncomfortable
22 with that procedure.

23 I believe that's absolutely
24 opposite of any kind of transparency that
25 this board should stand for.

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2 CHAIRWOMAN GONSALVES: I'm going
3 to have the final statement. The final
4 statement is this: Every year when a budget
5 is presented to us, we do look at it very
6 diligently with every effort to make sure
7 that those items in the budget are not
8 offensive to the public.

9 And we're doing exactly the same
10 thing now. We have a job to do and that job
11 is to review the budget as presented to us
12 by the County Executive, and if we don't
13 like what he sent down to us then let me say
14 to you, we have the right and the ability to
15 change that budget and this has been the
16 procedure ever since I have been here.

17 So to underestimate the fact that
18 this particular item or items are not going
19 to be changed or that this is what we're
20 going to be doing down the road when it
21 comes to the final vote -- and let me also
22 say this to you, we are seven people sitting
23 here. There are 11 people who are not here.
24 They also have the right and the ability to
25 ask the same kinds of questions that you are

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2 asking. Now, without any further ado --

3 LEGISLATOR ABRAHAMS: Nobody is
4 taking that -- see, this is where we get
5 bogged down with misinformation. Nobody is
6 taking that right away from the other 11
7 members. All we are saying is, we want to
8 be able to ask questions on something that
9 is as big as \$75 million in fee increases.
10 Where is the money going? How is it making
11 these departments better?

12 I think a lot of these questions
13 came up in public comment and, because we
14 have this archaic policy of not asking
15 questions when it pertains to \$75 million in
16 new fees, which sounds like are dead on
17 arrival, I don't understand why we can't ask
18 the questions.

19 To say that both the departments
20 are coming later on tonight and tomorrow,
21 who made the determination that we were
22 going to raise fees by \$75 million? Who
23 made that determination?

24 That's a budget OMB
25 administrative policy. The folks in the

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2 Police Department, in the Clerk's Office
3 clearly told there was a representative from
4 the Clerk's Office said we are against the
5 fees. So who made this decision?

6 If the County Executive made the
7 decision, he should answer these questions
8 before this legislative body moves forward.
9 To me it doesn't make any sense. It's dead
10 on arrival, that means we got to roll up our
11 sleeves and get to work now.

12 CHAIRWOMAN GONSALVES: We are
13 doing that. There is nothing stopping us
14 from doing that.

15 LEGISLATOR ABRAHAMS: No. We are
16 kicking the can down the road because I'm
17 willing to say we are going to come up with
18 our amendments. You may not like our
19 amendments. Therefore, since you do not
20 like our amendments, our amendments will not
21 pass.

22 CHAIRWOMAN GONSALVES: I'm
23 calling the question. I just said, I'm
24 calling the question.

25 LEGISLATOR BYNOE: Presiding

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2 Officer, I didn't have an opportunity to
3 address this issue.

4 CHAIRWOMAN GONSALVES: Were you
5 on Finance?

6 LEGISLATOR BYNOE: I was on
7 Finance.

8 CHAIRWOMAN GONSALVES: I just
9 said that we're calling the question.

10 LEGISLATOR BYNOE: It's a
11 different audience. You weren't on finance,
12 Presiding Officer.

13 CHAIRWOMAN GONSALVES: I was
14 listening in the caucus room.

15 LEGISLATOR BYNOE: I would like
16 to present a reasonable request.

17 CHAIRWOMAN GONSALVES: All those
18 in favor of 351 -- I'm sorry, I called the
19 question, 351.

20 LEGISLATOR BYNOE: Presiding
21 Officer, I make a motion to table.

22 LEGISLATOR DERIGGI-WHITTON: I
23 second it.

24 LEGISLATOR BYNOE: On the motion,
25 Presiding Officer --

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2 LEGISLATOR NICOLELLO: There's no
3 debate or discussion on a motion to table.

4 CHAIRWOMAN GONSALVES: No debate
5 on a motion to table. You know that.

6 LEGISLATOR BYNOE: I need to
7 explain my vote in support of the tabling of
8 this.

9 CHAIRWOMAN GONSALVES: No, you
10 don't.

11 LEGISLATOR BYNOE: I do need to.
12 I feel that I need to. The point --

13 CHAIRWOMAN GONSALVES: When you
14 vote -- no, you're not doing that now.

15 LEGISLATOR BYNOE: So call the
16 vote.

17 CHAIRWOMAN GONSALVES: All those
18 in favor of tabling 351, 352, 353 signify by
19 saying aye.

20 (Aye.)

21 LEGISLATOR BYNOE: To explain my
22 vote --

23 CHAIRWOMAN GONSALVES: I'm
24 telling you right now, I just said, I gave
25 you an opportunity to call for a table. I

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2 also said I wanted to call the question.

3 Since you voted in the affirmative you can.

4 I will do it again, all those in
5 favor of tabling 351, 352, 353 signify by
6 saying aye.

7 (Aye.)

8 Those opposed signify by saying
9 nay.

10 (Nay.)

11 LEGISLATOR BYNOE: I'm explaining
12 my vote to say that, Presiding Officer, that
13 I actually agree with everything that was
14 said by Legislator DeRiggi-Whitton and
15 Legislator Abrahams.

16 I do think this whole process is
17 out of order, and that I think that we
18 should have the hearing before the
19 committees because it's during these
20 committees that we can do the work of
21 presenting possible solutions to any issues
22 that we find in the budget.

23 I think that we're rendering this
24 particular committee impotent because we are
25 not doing what we should be doing. We are

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2 ineffective and we might as well not have
3 committees if we are not going to follow the
4 Charter.

5 LEGISLATOR KOPEL: If you have a
6 real solution, we would love to hear the
7 plan.

8 LEGISLATOR BYNOE: We might be
9 able to through meaningful conversation.

10 CHAIRWOMAN GONSALVES: The motion
11 to table fails.

12 LEGISLATOR BYNOE: Through
13 meaningful conversation, we might come up
14 with a solution. We might work together and
15 come up with a solution.

16 LEGISLATOR KOPEL: That's what
17 we're going to do.

18 LEGISLATOR BYNOE: We can't do
19 that if we go into public hearings. That's
20 not how it works.

21 LEGISLATOR NICOLELLO: I just
22 wanted to note for the record that if we
23 continue to go in circles we will be
24 starting the hearing, so --

25 CHAIRWOMAN GONSALVES: The motion

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2 to table fails four to three.

3 Now for the items themselves;

4 351, 352, 353, all those in favor signify by
5 saying saying aye.

6 (Aye.)

7 Any opposed?

8 (Nay.)

9 The items pass four to three.

10 I'm sorry, sometimes we can get full of
11 ourselves. Let's go.

12 The next item that was not on the
13 consent calendar is Item 360 I believe, a
14 resolution authorizing the County Executive
15 to execute an amendment to grant agreement
16 between the County of Nassau acting on
17 behalf of the Department of Parks,
18 Recreation, and Museums and the Levittown
19 Post 1171, Inc.

20 Motion, please.

21 LEGISLATOR NICOLELLO: So moved.

22 LEGISLATOR KOPEL: Second.

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

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2 MS. KRIEB: Eileen Krieb,
3 Department of Parks. This is an amendment
4 to extend the term from December to March to
5 give the Levittown Post a chance to satisfy
6 their advanced grant that was given to them
7 for a Vietnam monument.

8 CHAIRWOMAN GONSALVES: Any
9 questions for Ms. Krieb?

10 (No verbal response.)

11 Any public comment?

12 MS. MEREDAY: Meta J. Mereday,
13 Baldwin resident. And, guess what? I'm in
14 support of this one, just so you know.

15 The reason I am in support of
16 this one is because, at least for no other
17 reason, the fact that we are doing
18 something, there's actually something on
19 this agenda for this group that pertains to
20 veterans. So I am definitely in support of
21 this.

22 And, while I'm here, since I was
23 not recognized for public comment for the
24 prior discussion, since it was cut off and
25 the public was not allowed to speak on the

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2 issue, again, I reiterate our concerns in
3 regards to this budget. It just poses the
4 question since most of you in the public and
5 Newsday and everyone else knew about these
6 egregious fees that even the County Clerk is
7 opposed to, why wasn't that opportunity, if
8 this side has ideas --

9 CHAIRWOMAN GONSALVES: Ms.
10 Mereday, stay on topic. Are you in favor?

11 MS. MEREDAY: You did not give me
12 the opportunity to speak on that, so that's
13 why I was putting it on the record while I'm
14 here.

15 CHAIRWOMAN GONSALVES: Speaking
16 on Item 360 and you said you were in favor
17 it. That's it.

18 MS. MEREDAY: Not exactly.
19 Because you did not give me the opportunity
20 for the public comment that I was entitled
21 to because I did acknowledge myself in the
22 public quietly.

23 So I'm putting it on the record
24 that I am in support of this item and it's
25 my hope that we have other items that can

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2 positively impact our veteran community.

3 Thank you. I'm still waiting.

4 CHAIRWOMAN GONSALVES: I told

5 you, you and I are going to talk one of

6 these days regarding the veterans.

7 All those in favor of 360 signify

8 by saying aye.

9 (Aye.)

10 Any opposed?

11 (No verbal response.)

12 Everyone is in favor. So it's

13 unanimous.

14 We have 361, a local law amending

15 Title 24 of the miscellaneous laws of Nassau

16 County in relation to extending the Hotel

17 Motel occupancy tax.

18 I heard a great deal of

19 discussion from I believe Legislator Bynoe

20 while I was in the caucus room listening to

21 everything that was being said here. Trust

22 me, I listen. Any further questions?

23 LEGISLATOR NICOLELLO: So moved.

24 LEGISLATOR KOPEL: Second.

25 CHAIRWOMAN GONSALVES: Moved by

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2 Legislator Nicoletto, seconded by Legislator
3 Kopel. Yes, Minority Leader.

4 LEGISLATOR ABRAHAMS: If I may.
5 Thank you, Madam Presiding Officer. Just
6 more of a general comment. This is not
7 really directed at the administration but it
8 seems to follow a common theme in regards to
9 projects from folks from this side, don't
10 really receive the full consideration that
11 they should.

12 The reason why I say that is
13 because, as we saw earlier, or last week
14 with the Uniondale street scape, in regards
15 to the improvement of the downtown Uniondale
16 community, there are four projects that have
17 not been called that all resinate from
18 Legislator DeRiggi-Whitton's district, the
19 Village of Sands Point, the friends of
20 Cedarmere, Baxter Pond Foundation, and Sea
21 Cliff Chamber of Players.

22 All of these projects are very
23 worthy as we've seen in the 2016 list of
24 projects. Money that goes to the Historical
25 Society of Massapeguas, African American

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2 Museum, friends of Bailey Arboretum,
3 ChrisEvers Yearling, East Meadow Soccer
4 Clubs. These seem to be all vital places
5 where money is going in regards to the Hotel
6 Motel.

7 But for whatever reason, we have
8 not seen these items be called. The County
9 Executive has sent these items down. They
10 all have clerk item numbers. They seem like
11 they're worthy for funding and for some
12 reason they do not get called.

13 It seems like they follow the
14 same theme as the CRP and the IMAs, like
15 there is some type of back door punishment
16 to the folks on our side of the aisle.

17 So, again, although we plan to
18 support this item 361-17, we are just noting
19 for the record, again, that there are worthy
20 items and the people of these areas though
21 they may not, most people that pay towards
22 Hotel Motel come from outside of Nassau
23 County, we understand that, but I know full
24 well that most of the vendors they are
25 paying that money to do have businesses in

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2 this legislative district.

3 And if those monies are coming
4 in, those communities should see a benefit
5 in regards to their particular project or
6 their particular entities and they all have
7 clerk item numbers totaling \$112,000, which
8 the County Executive has sent down and said
9 they should go forward, but they have not
10 seen the light of day in terms of debate or
11 discussion today in the Legislature.

12 I'm sorry, can you comment on why
13 and when can we anticipate them being
14 called?

15 LEGISLATOR NICOLELLO: When are
16 you going to vote for the capital plan? If
17 you want to do this, we can do this every
18 week. You know what our position is. We
19 know what your position is. We can do this
20 every week if you want.

21 LEGISLATOR ABRAHAMS: Rich, for
22 you to say that -- I know you say that in
23 part jest, but, in all seriousness, that has
24 nothing to do with what I just talked about.

25 This is Hotel Motel money.

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2 Nothing to do with bonding. Not one thing
3 to do with bonding.

4 These projects are all worthy.
5 To say that there is some type of -- it's
6 political extortion.

7 The bottom line is, to tie these
8 projects, which are all viable, to capital
9 bonding, which quite frankly Mr. Arnold
10 said, for the record today, there is well in
11 excess of \$30 million, your argument was
12 that there was no money for resurfacing
13 folks. These guys are holding up
14 everything.

15 Mr. Arnold said for the record
16 that there is well in excess of money to do
17 road resurfacing. So where is your argument
18 coming from that we need to do in excess of
19 \$160 million in capital money today in order
20 for Democratic projects to go forward?

21 You guys are holding this up
22 because you want your cake and you want to
23 be able to eat it too all in the same day.
24 It's not right.

25 The people of this county, all

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2 people of the county; whether they live in
3 Uniondale, Roosevelt, Massapequa, Glen Cove,
4 Locust Valley, they all pay taxes.

5 They all have the right to see
6 their money be spent. You are holding up --
7 I can't even say you are holding it up for
8 financial reasons because Mr. Arnold said on
9 the record today, that's why I asked the
10 question, that there is money there for
11 resurfacing.

12 So I don't understand your
13 argument, what are we holding up? Tell us
14 what projects are being held up that you can
15 codify by the record because the road
16 resurfacing is not it. We just did the road
17 resurfacing today and there is money there
18 for additional contracts that are being
19 bid.

20 So, tell me specifically what we
21 are holding up? And don't say the dollar
22 amount of bonding again because the road
23 resurfacing was a big part of your argument
24 last week and the road resurfacing has more
25 than enough money. I would love to hear it.

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2 CHAIRWOMAN GONSALVES: Again, I
3 think we are really going astray for a
4 while. 361-17 has nothing to do with what
5 you're saying. It doesn't. Because many of
6 those projects that you are talking about
7 are not funded through Hotel Motel. I know
8 what you are trying to.

9 LEGISLATOR ABRAHAMS: Madam
10 Presiding Officer, Legislator Nicolello
11 said, and I know part of it was in jest, he
12 said, when are you going to vote on the
13 capital plan, and that's what opened the
14 door for me to talk about all these other
15 projects.

16 CHAIRWOMAN GONSALVES: I know and
17 I can open two other doors and I'm not going
18 to do it.

19 LEGISLATOR ABRAHAMS: Okay. But,
20 to me, it seems like the capital plan vote
21 is tied to hurting Democratic districts in
22 which we should be in the business of
23 helping all taxpayers, whether they live in
24 Massapequa, Glen Cove, Farmingdale,
25 Uniondale, it doesn't matter. They pay

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2 their taxes, again, I want to remind this
3 legislative body, the money that we are
4 talking about for the capital plan was
5 previously bonded. The County Executive
6 sent these items down for a vote.

7 This legislative body still
8 refuses to consider it. It's like some
9 personal political extortion vendetta.
10 Then, on top of it, today, the Hotel Motel
11 money, which we plan to support, we want to
12 encourage tourism in Nassau County, that's
13 absolutely not the case.

14 But, here we are, because the
15 money can be spent. There are four items.
16 If there was one, I would say, you know
17 what, we don't have an argument. But there
18 are four items that exist from Legislator
19 DeRiggi-Whitton's district that she presides
20 over, and, again, all four of them can't
21 even receive the light of day.

22 CHAIRWOMAN GONSALVES: Okay.
23 Minority Leader, one more comment and it's
24 going to Legislator Nicolello.

25 LEGISLATOR NICOLELLO: I have to

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2 say that if that's the standards, what he's
3 announcing, that our votes, or our failure
4 to pass things has hurt people in some of
5 the districts, I have to say that you guys
6 are much better than us because by failing
7 to approve the bond issue voting, the
8 business in this county, you are hurting
9 every district.

10 So you are better at this than we
11 are, so you guys, by holding up \$93 million
12 in funding, whatever the number is, is
13 hurting every district.

14 LEGISLATOR ABRAHAMS: Rich, let's
15 be honest, we're not hurting anybody.
16 Mr. Arnold got up there today and said
17 there's money for road resurfacing. We are
18 moving forward with road resurfacing.

19 We just passed a contract based
20 on the \$50 million that was passed in
21 October, we passed money for road
22 resurfacing. So tell me what we are holding
23 up? Tell me exactly what we are holding up.
24 Other than your --

25 LEGISLATOR NICOLELLO: You don't

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2 want to hear my answer.

3 LEGISLATOR ABRAHAMS: I would
4 love to hear a direct answer to the
5 question. I'm asking. Tell me how, out of
6 the \$90 million you are proposing, tell me
7 exactly which projects, specifically, we are
8 holding up.

9 LEGISLATOR NICOLELLO: We will
10 give you the list.

11 LEGISLATOR ABRAHAMS: Because you
12 don't have it.

13 LEGISLATOR NICOLELLO: I don't
14 have it in my hand.

15 LEGISLATOR ABRAHAMS: But you
16 hung your hat on last week that we were
17 holding up the resurfacing. Go back and
18 check the records. You hung your hat that
19 we were holding up massive road projects
20 across Nassau County because Democrat won't
21 budge, and traffic studies are not
22 happening. That was your words last week.

23 Then, when I had Mr. Arnold here
24 at the podium, he totally contradicted that.
25 He said, no, we have \$50 million, and, on

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2 top of that --

3 MR. BECKER: Legislator Abrahams,
4 he didn't contradict that. You are
5 incorrect. Most of that money is already
6 encumbered is what he said.

7 LEGISLATOR ABRAHAMS: Fran, to
8 answer your question, the comment was made
9 that we were holding up projects. We are
10 not holding up anything.

11 LEGISLATOR NICOLELLO: I have a
12 response. You asked me to tell you what
13 you're holding up.

14 Since you want to hear it. Here
15 we go, sewer pump station upgrades, Sea
16 Cliff sewers, various county parks
17 infrastructure improvements, road
18 resurfacing, E-government, network --

19 LEGISLATOR ABRAHAMS: You just
20 mentioned road resurfacing.

21 LEGISLATOR NICOLELLO: You don't
22 want to hear me? You're acting like one of
23 those leftist professors at college, you
24 want to shut everybody else down.

25 LEGISLATOR ABRAHAMS: Rich, you

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2 are reading from a list that somebody handed
3 you. You just said road resurfacing.

4 LEGISLATOR NICOLELLO: You asked
5 me to tell you what you are holding up. You
6 are smart enough to understand that because
7 there's some money that they're spending
8 down that's residual money for these
9 purposes, the fact that that money is not
10 going to last forever, these bond issues
11 that are proposed, additional projects have
12 to be done. That's what this represents.
13 You know that.

14 Once we spend this \$30 million,
15 the county doesn't stop spending money. Our
16 road resurfacing and our infrastructure
17 project doesn't stop.

18 Obviously, the reason we have a
19 capital plan every year is that this work is
20 ongoing. The fact that some money is
21 available spent down doesn't mean we don't
22 need the rest of it. You hold it up for a
23 year and say we don't need it, that doesn't
24 make any sense from a governmental
25 standpoint.

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2 LEGISLATOR ABRAHAMS: I don't
3 think anybody is making an argument that we
4 don't need it. But there is more based on
5 Mr. Arnold's argument that it's there. That
6 part you can't refute.

7 CHAIRWOMAN GONSALVES: Ms.
8 Mereday, let's go. I'm ready to move. Item
9 361.

10 MS. MEREDAY: I'm sorry, I don't
11 really understand. I'm trying to come to
12 the forum to be informed, to understand
13 where our tax dollars are going. I'm not
14 bringing the hostility. I'm really not in
15 any particular mood to be in receipt of it
16 either.

17 So as it pertains to this law, I
18 am concerned about, again, where these
19 monies are going and how it's being
20 translated, but it's unfortunate because the
21 public does not get the answers to the
22 questions and the concerns continue to grow
23 with regard to asking earlier about where
24 parks and rec money was going and how
25 specifically it had to be earmarked to

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2 Mitchell Field and not getting any
3 background information as to why.

4 So, since the numbers will always
5 be the same in term of the vote break, you
6 are going to do what you are going to do
7 anyway, but I just feel that, again, the
8 process of governing in this county really
9 has to change and unfortunately it's not
10 going to start with the group before me.

11 So it really just saddens me that
12 we have to have this type of situation and
13 the needs of those who are voiceless in this
14 county are not being heard. That really
15 makes me very sad.

16 So, as it pertains to this, I'm
17 just hoping that questions do get asked but
18 they won't get answered, and there is really
19 no point in my mind to have public comment
20 if the public itself is going to be
21 disrespected, if the taxpayers are going to
22 continue to be disenfranchised and
23 overtaxed.

24 So we will have to continue to be
25 more concerned about the zombie homes

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2 because folks don't really care about the
3 roads in Uniondale, and they don't care
4 about the seniors and those who continue to
5 be the most vulnerable because we are in
6 storm front locations. We have hotels and
7 motels that are closed. So even some of
8 those entities that you feel you are getting
9 a tax from are not even in operation. So
10 what are you doing about that? If this is
11 perceived as a revenue stream, and, again,
12 you are going to be voting on a budget that
13 has no true revenue base, that unfortunately
14 means that the taxpayers are going to be
15 taxed again and the voices of the public are
16 not being heard. You should all be ashamed
17 of that.

18 The way that you conduct
19 yourselves even among yourselves is very
20 disrespectful and it does not warrant really
21 the majority of you even being re-elected.
22 Again, the voters will have to speak on that
23 issue. And hopefully we can have some type
24 of positive and productive change so that we
25 do not have any type of significant problems

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2 that will arise in this county. Thank you.

3 CHAIRWOMAN GONSALVES: All those
4 in favor --

5 LEGISLATOR ABRAHAMS: Madam
6 Presiding Officer, you never answered my
7 question when these clerk items will be
8 addressed.

9 CHAIRWOMAN GONSALVES: I'm
10 calling the question. The item is 361-17.
11 All those in favor signify by saying aye.

12 (Aye.)

13 Any opposed?

14 (No verbal response.)

15 LEGISLATOR DERIGGI-WHITTON:
16 We're going to vote for it but I ask that
17 these be considered since I feel it's
18 personal at this point. These are the only
19 ones in my district. I would appreciate it.
20 They were sent down by the County Executive
21 which I appreciate.

22 CHAIRWOMAN GONSALVES: Is it
23 unanimous? It's unanimous.

24 LEGISLATOR DERIGGI-WHITTON: We
25 are going to support it because there's a

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2 lot of good projects but so are the friends
3 of Cedermere and just because I'm the
4 representative, they shouldn't be
5 discriminated against.

6 CHAIRWOMAN GONSALVES: The next
7 item is 379-17, a resolution to accept a
8 gift offer by the New York Autofest to the
9 New York Police Department.

10 Motion, please.

11 LEGISLATOR NICOLELLO: So moved.

12 LEGISLATOR MUSCARELLA: Second.

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

16 LIEUTENANT STEPHANOFF: Good
17 afternoon. Lieutenant Greg Stephanoff,
18 Nassau County Police Department.

19 Item 379 of '17 is an item to
20 accept from New York Autofest a donation of
21 one canine vest, approximately \$1,000. This
22 is a vest for the dog in case the situation
23 arises that we need to use it for him.

24 CHAIRWOMAN GONSALVES: Any
25 questions of the lieutenant?

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2 (No verbal response.)
3 Is there any public comment?
4 (No verbal response.)
5 There being none, all those in
6 favor of Item 379-17 signify by saying aye.
7 (Aye.)
8 Any opposed?
9 (No verbal response.)
10 The item passes unanimously.
11 Now I need a motion to suspend
12 the rules.
13 Motion, please.
14 LEGISLATOR KOPEL: So moved.
15 LEGISLATOR NICOLELLO: Second.
16 CHAIRWOMAN GONSALVES: Moved by
17 Legislator Kopel, seconded by Legislator
18 Nicolello. All those in favor of suspending
19 the rules signify by saying aye.
20 (Aye.)
21 Any opposed?
22 (No verbal response.)
23 The rules are suspended.
24 The item is 383-17, a resolution
25 ratifying the act of the County Executive in

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2 executing a memorandum of agreement between
3 the County of Nassau and the Nassau
4 Community College Federation of Teachers.

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. By the way, again, this is
11 being teed up and will be before the Full
12 Leg on the the 16th.

13 MS. MURRAY: Good afternoon,
14 Madam Presiding Officer, Mr. Minority Leader
15 and all of the legislators. Kate Murray,
16 here on behalf of Nassau Community College.

17 I'm also joined by Mr. Frank
18 Frescenda who is the president of the NCCFT.

19 Before you this afternoon is the
20 NCCFT MOU that was agreed upon. It is a
21 three year agreement that runs from
22 September 1, 2017 through August 31st, 2020.
23 There are a number of changed terms.

24 Within the MOU, including some
25 work rules, some grievance procedures, of

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2 the members compensation. The changes to
3 the compensation package include some wage
4 increases, reasonable, modest ones, I think
5 Mr. Frescenda would say.

6 They will be incorporated into
7 the existing graded and step salary plan for
8 2017, 2018 there will be a one percent
9 increase, in wages in 2018 2019 there will
10 be a one and a quarter percent increase. In
11 2019-20, they'll be a 1.5 percent increase
12 in salary.

13 With regard to the first year,
14 the one percent increase for '17-'18 that is
15 included and supported in the 2017-18 Nassau
16 Community College budget which was passed
17 unanimously by this body back in June of
18 this year.

19 Normally we would have Mr. John
20 Gross who is the chief negotiator for the
21 college to be here. Unfortunately he had a
22 death in his family. He could not make it.
23 He's actually out of state today.

24 He will, however, appear on
25 October 16th if there were any deeper

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2 questions with regard to some of the
3 substantive items.

4 Although I know from
5 Mr. Frescenda that he said he's memorized
6 every word of the MOU as a good union
7 president does. So if there are any
8 questions on this MOU?

9 LEGISLATOR ABRAHAMS: How are
10 you, Kate? Obviously, I think, Kate, you
11 mentioned in your opening statement that
12 this MOA covers -- is covered in not only
13 the budget that was passed earlier year for
14 the 2017-18 but it also is addressed in the
15 multiyear plan as the college perceives
16 going forward?

17 MS. MURRAY: No. Actually, for
18 this year we do one budget at a time but
19 certainly those numbers will be
20 incorporated. The vice president for
21 finance is beginning to create the budget
22 for '18-'19. And certainly the one and a
23 quarter percent that would be represented in
24 wage increases for '18-'19 would be part and
25 parcel of that budget proposal. But for '17

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2 and '18 it is covered.

3 LEGISLATOR ABRAHAMS: And then
4 eventually it will be covered?

5 MS. MURRAY: Yes, absolutely.

6 LEGISLATOR ABRAHAMS: Then I
7 guess the other question which we will
8 probably delve into, which Mr. Gross needs
9 to speak on this or President Keen, it's our
10 understanding that the middle state is going
11 to be at the college over the next couple of
12 days which obviously, no agreement is done
13 in a vacuum, so this agreement probably
14 considers many of those facets that the
15 middle states have concerns about being
16 addressed which may require some level of
17 parts of this MOA as well.

18 It is your impression as well as
19 your understanding that voting for this
20 agreement will address those aspects that
21 the concerns that the middle states have
22 had?

23 MR. FRESCENDA: Yes. Part of the
24 agreement in this MOA addresses the roles
25 and responsibilities of various

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2 administrators at Nassau Community College.

3 One of the standards that this
4 falls under is leadership. We failed that
5 standard. And one of the requirements was
6 to demonstrate to middle states that the
7 roles and responsibilities of the
8 administration were clearly outlined.

9 So there are aspects of this MOA,
10 and I can name them, some of them have to do
11 with appointment policies, have to do with
12 disciplinary issues, has to do with
13 grievances where we have codified the roles
14 and responsibilities of deans and vice
15 presidents to comply with middle state
16 standard number five.

17 MS. MURRAY: And, also, if we're
18 lucky enough and fortunate enough to have
19 this committee pass this MOU at least onto
20 the Full Legislature for October 16th, it's
21 another piece and indicator to the middle
22 state's team which will be here on campus on
23 Wednesday, that their piece has broken out
24 and that various constituencies are dealing
25 with each other well, peacefully and can

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2 actually strike a good collective bargaining
3 agreement.

4 LEGISLATOR ABRAHAMS: Okay. I
5 don't have anything further.

6 CHAIRWOMAN GONSALVES: Any public
7 comment?

8 (No verbal response.)

9 There being none, all those in
10 favor of Item 383-17 signify by saying aye.

11 (Aye.)

12 Any opposed?

13 (No verbal response.)

14 It's unanimous. Thank you very
15 much. See you on the 16th.

16 There being no other business for
17 the Rules Committee, a motion to adjourn.

18 LEGISLATOR KOPEL: So moved.

19 LEGISLATOR NICOLELLO: Second.

20 CHAIRWOMAN GONSALVES: Moved by
21 Legislator Kopel, seconded by Legislator
22 Nicolello. All those in favor signify by
23 saying aye.

24 (Aye.)

25 Any opposed?

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2 (No verbal response.)

3 The Rules Committee is now
4 adjourned.

5 (Whereupon, the Rules Committee
6 adjourned at 3:53 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 16th day of October, 2017.

FRANK GRAY