

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

NASSAU COUNTY LEGISLATURE

RULES COMMITTEE

RICHARD NICOLELLO, Chairman

1550 Franklin Avenue
Mineola, New York

Monday, May 7, 2018
1:11 P.M

1

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

3

4 RICHARD NICOLELLO,
Chairman5 HOWARD KOPEL,
Vice Chairman

6

STEVE RHOADS

7

LAURA SCHAEFER

8

9 KEVAN ABRAHAMS,
Ranking

10 DELIA DERIGGI-WHITTON

11 SIELA BYNOE

12 MICHAEL C. PULITZER,
Clerk of the Legislature

13

14

15

16

17

18

19

20

21

22

23

24

25

1

2

LIST OF SPEAKERS

3

4 LIEUTENANT GREG STEPHANOFF 8

5 NORMAN GERSMAN 10

6 NANCY STANTON 17

7 META MEREDAY 18

8 DAVID RICH 19

9 KEN ARNOLD 21

10 BRIAN NUGENT 43

11 BRIAN LIBERT. 44

12 PAUL BRODERICK 47

13 VICKI CORDOVA 50

14 LISA LOCURTO 63

15 BRIAN HALL 76

16 ASSISTANT CHIEF PRIEST 95

17 GREGORY MAY 97

18 NICOLAS SERANDIS 102

19 KEVIN WALSH 107

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

INSERTS

By Reference:

Consent Clerk Items:

169, 172, 173, 177, 178, 179, 180, 181, 185,
186, 187, 188, 189, 190, 191, 192, 193, 196,
197, 202, 203, 204, 205, 206, 207, addendum
214.
Locate in minutes of the Public Safety;
Planning/Development; Public Works;
Health and Social Services;
Finance Committees dated 5-7-18.....86

1 Rules Committee/5-7-18

2 CHAIRMAN NICOLELLO: I'd ask the
3 Rules Committee to come to the chamber.
4 Let's start the committee off as we always
5 do by the Pledge of Allegiance and ask
6 Legislator Colonel Bill Gaylor to please
7 lead us.

8 (The Pledge of Allegiance was
9 recited.)

10 CHAIRMAN NICOLELLO: Mike, would
11 you call the roll, please?

12 CLERK PULITZER: Thank you. Roll
13 call Rules Committee. Legislator Siela
14 Bynoe?

15 LEGISLATOR BYNOE: Here.

16 CLERK PULITZER: Legislator Delia
17 DeRiggi-Whitton?

18 LEGISLATOR DERIGGI-WHITTON: Here.

19 CLERK PULITZER: Ranking Member
20 Kevan Abrahams?

21 (No verbal response.)

22 CLERK PULITZER: Legislator Laura
23 Schaefer?

24 LEGISLATOR SCHAEFER: Here.

25 CLERK PULITZER: Legislator

1 Rules Committee/5-7-18

2 Steven Rhoads?

3 LEGISLATOR RHOADS: Here.

4 CLERK PULITZER: Vice-Chairman

5 Howard Kopel?

6 LEGISLATOR KOPEL: Here.

7 CLERK PULITZER: And Chairman

8 Richard Nicoletello?

9 CHAIRMAN NICOLELLO: Here.

10 CLERK PULITZER: We have a
11 quorum, sir.

12 LEGISLATOR ABRAHAMS: I'm here.

13 CHAIRMAN NICOLELLO: Thank you.

14 We are all here. Before we start, two
15 things I wanted to mention. First is for
16 those who are here to speak on Tobacco 21,
17 that will be presented in the Health
18 Committee first.

19 What we do first here is we cover
20 the contracts in the Rules Committee that
21 will take a little bit of time and I believe
22 there may be a committee or two before
23 Health. So you have a little bit of time
24 before Tobacco 21 actually will be called.

25 Secondly, I have a slip from

1 Rules Committee/5-7-18

2 Mr. Gene Monahan. There is no item today
3 with respect to the fueling of marine
4 vehicles. So there's nothing to come and
5 speak to us before on this issue today.

6 On the Full Legislature on May
7 23rd there also will be no item but we do
8 have a half hour of public comment so it's
9 more appropriate to come and make general
10 comments at that time.

11 But, again, there is no specific
12 item with which Mr. Monahan wants to speak.
13 So there is no opportunity today to speak on
14 that fire prevention ordinance for Nassau
15 County.

16 We are going to go right to the
17 rules, the contracts in the Rules Committee.

18 I'm starting with Contract E-45
19 of 2018, a resolution authorizing the County
20 Executive to execute a personal services
21 agreement between the County of Nassau
22 acting on behalf of the Nassau County Police
23 Department and Crime Victim Center, Inc.
24 D/b/a/ Parents for Megan's Law.

25 LEGISLATOR RHOADS: So moved.

1 Rules Committee/5-7-18

2 LEGISLATOR SCHAEFER: Second.

3 CHAIRMAN NICOLELLO: Moved by
4 Legislator Rhoads, seconded by Legislator
5 Schaefer.

6 LIEUTENANT STEPHANOFF: Good
7 afternoon. Lieutenant Greg Stephanoff,
8 Nassau County Police Department.

9 Item E-45-18 is an item, a
10 contract with Parents for Megan's Law. The
11 contractor will assist the department in its
12 goal of the prevention of childhood sexual
13 abuse by providing a hotline to access
14 information about sex offenders, literature,
15 outreach to increase dissemination of sex
16 offender notifications and counseling
17 referrals to the Nassau Coalition Against
18 Child Abuse and Neglect.

19 The contract is late. We had
20 trouble with the disclosure forms with
21 Parents for Megan's Law. They went back and
22 forth a little bit with our legal bureau.
23 We don't pay by service for them like we're
24 not getting anything and paying them.

25 We subsidize them as an entity

1 Rules Committee/5-7-18

2 for the things that they do to combat sex
3 abuse.

4 So they get sources of funding
5 and we are one of the sources of funding
6 that helps them function.

7 CHAIRMAN NICOLELLO: Thank you,
8 Lieutenant. They do a fantastic job in a
9 very important and serious area. Do any
10 legislators have any questions?

11 (No verbal response.)

12 Is there any public comment?

13 (No verbal response.)

14 All those in favor signify by
15 saying aye.

16 (Aye.)

17 Those opposed?

18 (No verbal response.)

19 That item carries unanimously.

20 Thank you.

21 E-46 we are not going to call
22 that at this time. It's tied to an item
23 that will go through the committees a little
24 bit later on.

25 The Rules Committee will return

1 Rules Committee/5-7-18
2 after those committees and consider whatever
3 remains to be done.

4 E-47 of 2018 is a resolution
5 authorizing the County Executive to execute
6 an amendment to a personal services
7 agreement between the County of Nassau
8 acting on behalf of the office of community
9 develop and Tabriztchi and Company, CPA.

10 LEGISLATOR ABRAHAMS: So moved.

11 LEGISLATOR BYNOE: Second.

12 CHAIRMAN NICOLELLO: Moved by
13 Legislator Minority Leader Abrahams,
14 seconded by Legislator Bynoe.

15 MR. GERSMAN: Norman Gersman from
16 the Office of Community Development. Good
17 afternoon, chairman, and members of the
18 committee.

19 This resolution is here because
20 about during 2011 we had a contract with
21 this accounting firm and they did the work.
22 They analyzed and they reviewed our
23 accounting, then they never billed us.

24 Someone then in our accounting
25 area disencumbered the funds. The

1 Rules Committee/5-7-18

2 accounting firm is due the money. So we
3 were instructed to file and submit to you an
4 amendment to the original contract so the
5 accounting firm can be paid.

6 The amendment is \$40,000 and that
7 was the balance that was the original
8 contract. As I said, the work has been done
9 so they deserve to be paid.

10 CHAIRMAN NICOLELLO: When was the
11 work actually done?

12 MR. GERSMAN: 2011, 2012.

13 CHAIRMAN NICOLELLO: How is it
14 that it didn't work its way back assuming
15 that whatever they did that was incorrect,
16 failure to make payments, how is it that it
17 took six years to get back to us?

18 MR. GERSMAN: Well, from what I
19 know, I do know that we had contacted them
20 several times for them to submit bills.
21 They never submitted a bill. When they
22 finally did, as I said the money had been
23 disencumbered. We went through a process
24 with the Comptroller's Office which took
25 quite some time whether to determine whether

1 Rules Committee/5-7-18

2 they would pay it or not.

3 Finally it was determined that an
4 amendment to the original contract should be
5 submitted.

6 CHAIRMAN NICOLELLO: Minority
7 Leader Abrahams.

8 LEGISLATOR ABRAHAMS: Presiding
9 Officer answered one of my questions. Has
10 this contract been paid?

11 MR. GERSMAN: No. Not at all.

12 LEGISLATOR ABRAHAMS: No money
13 has been furnished to this firm?

14 MR. GERSMAN: No. I have a copy
15 of a voucher with me that will be submitted
16 once it's approved.

17 LEGISLATOR ABRAHAMS: And the
18 \$40,000 is part of the payment of the
19 contract or this is the entire contract?

20 MR. GERSMAN: That was the entire
21 contract.

22 LEGISLATOR ABRAHAMS: Okay. I
23 have nothing further.

24 CHAIRMAN NICOLELLO: Any other
25 questions? Legislator Bynoe.

1 Rules Committee/5-7-18

2 LEGISLATOR BYNOE: Could you tell
3 me exactly what service this firm is
4 providing for us?

5 MR. GERSMAN: They already
6 provided it. They reviewed our finances at
7 that point. Most of it was Section 8
8 housing and they reviewed and analyzed it
9 and actually restructured our financing at
10 that time.

11 LEGISLATOR BYNOE: They were a
12 fee accountant or were they the auditor?

13 MR. GERSMAN: It was an hourly
14 with a contract up to \$40,000.

15 LEGISLATOR BYNOE: As fee
16 accountants or as auditors?

17 MR. GERSMAN: Fee accountants.

18 LEGISLATOR BYNOE: So there is an
19 aspect of compliance requirement that they
20 were looking -- making sure we were --

21 MR. GERSMAN: Absolutely. They
22 reviewed all our bookkeeping and accounting
23 and analyzed it. As I said, we restructured
24 according to them and it was important for
25 our Section 8 housing, emergency shelter

1 Rules Committee/5-7-18

2 grant housing, and for community development
3 as part of the job.

4 LEGISLATOR BYNOE: It's just odd
5 to me that the entity that was charged with
6 making sure we were in compliance failed to
7 be in compliance.

8 Are they doing any other work for
9 the county?

10 MR. GERSMAN: That I don't know.
11 It's odd to be me also that an accounting
12 firm wouldn't have a handle on the accounts
13 receivable.

14 LEGISLATOR BYNOE: So they were a
15 one time service provider or did they
16 provide in years thereafter and got paid?

17 MR. GERSMAN: No. This is the
18 only contract we have had with them as far
19 as I know.

20 LEGISLATOR BYNOE: Okay. We
21 should look at that as performance if they
22 were ever to respond again.

23 MR. GERSMAN: They performed the
24 job, but they just --

25 LEGISLATOR BYNOE: But there is

1 Rules Committee/5-7-18

2 still a performance requirement, performance
3 issue there that they didn't themselves even
4 move through their finances properly to
5 determine that \$40,000 wasn't paid to them.
6 All right, thank you.

7 MR. GERSMAN: Correct.

8 CHAIRMAN NICOLELLO: Deputy
9 Presiding Officer Kopel.

10 LEGISLATOR KOPEL: Yes. One
11 question. This is 100 percent federally
12 funded I see.

13 MR. GERSMAN: Yes.

14 LEGISLATOR KOPEL: Was it already
15 funded?

16 MR. GERSMAN: It was funded and
17 disencumbered.

18 LEGISLATOR KOPEL: We have the
19 money or spent the money or what? Just in a
20 general fund at this point?

21 MR. GERSMAN: I believe it's in a
22 general fund now.

23 LEGISLATOR KOPEL: All right.
24 Thank you.

25 CHAIRMAN NICOLELLO: And their

1 Rules Committee/5-7-18

2 performance was satisfactory?

3 MR. GERSMAN: Yes, that's
4 definitely so.

5 CHAIRMAN NICOLELLO: All right.
6 Any other questions?

7 (No verbal response.)

8 Is there any public comment?

9 (No verbal response.)

10 All those in favor signify by
11 saying aye.

12 (Aye.)

13 Those opposed?

14 (No verbal response.)

15 Carries unanimously. Thank you,
16 Mr. Gersman.

17 MR. GERSMAN: Thank you, Mr.
18 Chairman.

19 CHAIRMAN NICOLELLO: E-48 of
20 2018, a resolution authorizing the County
21 Executive to execute an amendment to a
22 personal services agreement between the
23 county acting on behalf of the Department of
24 Information Technology and Sierra Cedar,
25 Inc.

1 Rules Committee/5-7-18

2 LEGISLATOR DERIGGI-WHITTON: So
3 moved.

4 LEGISLATOR KOPEL: Second.

5 CHAIRMAN NICOLELLO: Moved by
6 Legislator DeRiggi-Whitton, seconded by
7 Legislator Kopel. It's before us. That
8 puts the contract before the committee.
9 Let's hear about it.

10 MS. STANTON: Nancy Stanton, IT.
11 This is for people hosting agreement. We
12 are looking for an extension of six months
13 and \$180,000 in funds. We are working on an
14 RFP now for a new contract.

15 CHAIRMAN NICOLELLO: Any
16 questions? Any estimate of when that new
17 contract would be ready to go?

18 MS. STANTON: Within the next six
19 months hopefully.

20 CHAIRMAN NICOLELLO: So they will
21 complete their work and we will be ready to
22 go whether it's with them or somebody else?

23 MS. STANTON: Correct.

24 CHAIRMAN NICOLELLO: Any other
25 questions?

1 Rules Committee/5-7-18

2 (No verbal response.)

3 Is there any public comment?

4 MS. MEREDAY: Meta J. Mereday,
5 Baldwin resident. I'm just concerned with
6 regard to this being an extension on an
7 existing contract and hearing that an RFP is
8 under development which would require the
9 process to take place that it has to be
10 disseminated, information has to be received,
11 reviewed, those particular entities who were
12 going to be applying for this would have to
13 be vetted et cetera et cetera.

14 So what is the assurance that
15 they will not be coming back in another six
16 months because you're either not ready or
17 don't have a viable candidate?

18 I'm doubly concerned that those
19 that sit here on this committee have not
20 asked this question.

21 CHAIRMAN NICOLELLO: Ms. Stanton,
22 would you like to respond to that?

23 MS. STANTON: The RFP is well
24 under way at this point. We have gotten
25 all our feedback from the vendors and we're

1 Rules Committee/5-7-18

2 making a decision. I don't see any reason
3 for it not to go.

4 CHAIRMAN NICOLELLO: Any other
5 public comment?

6 (No verbal response.)

7 All those in favor signify by
8 saying aye.

9 (Aye.)

10 Those opposed?

11 (No verbal response.)

12 Carries unanimously.

13 E-49 of '18, a resolution to
14 authorize the County Executive to execute an
15 amendment to a personal services agreement
16 between the County of Nassau acting on
17 behalf of the Department of IT and Quest
18 Computer Products, Inc.

19 LEGISLATOR RHOADS: So moved.

20 LEGISLATOR SCHAEFER: Second.

21 CHAIRMAN NICOLELLO: Moved by
22 Legislator Rhoads, seconded by Legislator
23 Schaefer.

24 MR. RICH: David Rich, Executive
25 Director of the Traffic and Parking

1 Rules Committee/5-7-18

2 Violations. This is a maintenance contract
3 for one year. I would just like to let you
4 that it was delayed and that was due to the
5 vendor had moved and there were some issues
6 getting the current insurance certificate as
7 well as a notary page missing. So it's
8 dated that it started on April 1st instead
9 of current.

10 Basically the contract is
11 maintenance contract for a system that was
12 installed back in 1995 that traffic and
13 parking uses. Without the maintenance
14 contract we wouldn't be able to use the
15 actual application.

16 We currently have an outstanding
17 RFP where with we received three proposals.
18 We are looking to replace the system
19 hopefully within a year or two.

20 CHAIRMAN NICOLELLO: That is our
21 question because we have had this contract
22 since 1996 according to the backup.

23 So it's going out to RFP and
24 could be replaced in the next couple of
25 years.

1 Rules Committee/5-7-18

2 MR. RICH: Yes.

3 CHAIRMAN NICOLELLO: Any other
4 questions?

5 (No verbal response.)

6 Is there any public comment?

7 (No verbal response.)

8 All those in favor signify by
9 saying aye.

10 (Aye.)

11 Those opposed?

12 (No verbal response.)

13 It carries unanimously.

14 Thank you, Mr. Rich.

15 E-50, a resolution authorizing
16 the County Executive to execute a personal
17 services agreement between the county acting
18 on behalf of the Department of Public Works
19 and Liro Engineers, Inc.

20 LEGISLATOR KOPEL: So moved.

21 LEGISLATOR BYNOE: Second.

22 CHAIRMAN NICOLELLO: Moved by
23 Legislator Kopel, seconded by Legislator
24 Bynoe.

25 MR. ARNOLD: Ken Arnold,

1 Rules Committee/5-7-18

2 Department of Public Works. E-50 is a
3 construction management contract for phase
4 43 of resurfacing program. It's a federally
5 funded project and as such we are bringing
6 in outside consultants to help us with that
7 endeavor. Liro was the technically ranked
8 proposal at a cost of \$896,000.

9 CHAIRMAN NICOLELLO: What does
10 technical ranking mean?

11 MR. ARNOLD: We have a criteria
12 that we go through each proposal on;
13 experience of the firm experience, the team,
14 schedule, technical approach, and then our
15 committee reviews each one of those criteria
16 and we have a technical score.

17 Once there's a technical score,
18 we have a determination of who is the
19 highest ranked firm technically and then we
20 open the cost proposals.

21 CHAIRMAN NICOLELLO: What was the
22 last thing you said? Open what?

23 MR. ARNOLD: The cost proposals
24 after we rank them technically, we do not
25 look at costs as part of our technical

1 Rules Committee/5-7-18

2 review.

3 CHAIRMAN NICOLELLO: Who is on
4 the committee?

5 MR. ARNOLD: The committee will
6 vary. Typically it's a deputy, a unit head,
7 and one or two of the engineering staff.
8 Sometimes if we are short staffed we will
9 have myself or another deputy on it also.

10 CHAIRMAN NICOLELLO: Legislator
11 Rhoads.

12 LEGISLATOR RHOADS: Good
13 afternoon, Ken. Quick question. How long
14 does that vetting process take place?

15 MR. ARNOLD: The review committee
16 process?

17 LEGISLATOR RHOADS: Yes.

18 MR. ARNOLD: Two to three weeks
19 depending on our work load at the time.

20 LEGISLATOR RHOADS: Generally I
21 know you indicated it varies, the actual
22 membership of the committee, is there a
23 minimum membership?

24 MR. ARNOLD: We looked at a
25 minimum of three minimum on there, usually

1 Rules Committee/5-7-18

2 hopefully two that have professional
3 licenses.

4 LEGISLATOR RHOADS: Thank you.

5 CHAIRMAN NICOLELLO: Are there
6 any other questions? Minority Leader
7 Abrahams.

8 LEGISLATOR ABRAHAMS: Hey Ken.
9 We noticed in some of the disclosures that
10 have been provided to the Legislature, just
11 some inconsistencies in regards to whether
12 or not the entity is being investigated or
13 not, have you guys picked up on these
14 inconsistencies with these disclosure forms?

15 MR. ARNOLD: Liro has a couple of
16 subsidiary firms so it's complicated to go
17 through which firm has actually
18 investigated. We've gone through all that
19 and our attorney has spoken to them about
20 their investigations and we feel there is no
21 issue with the current status of the firm.

22 It is difficult because they have
23 so many different companies underneath it.
24 Some have violations, some don't.

25 LEGISLATOR ABRAHAMS: Counsel is

1 Rules Committee/5-7-18

2 advising me, Ken, that there are some issues
3 with their principals not just the sub
4 components of their principals.

5 MR. ARNOLD: I don't have it in
6 front of me, but some of those principals
7 are not tied to all the firms so you have to
8 be careful. Some principals are working on
9 certain subsidiaries and some are not.
10 That's confusing with the way Liro is set
11 up.

12 LEGISLATOR ABRAHAMS: Is it
13 possible, Mr. Chairman, to have Mr. Arnold
14 meet with our counsel to clear up some of
15 these matters? When is this contract -- we
16 haven't started this contract, have we?

17 MR. ARNOLD: No. The
18 construction contract is ready to go. We
19 are just waiting for this go so we can do
20 this phase of work this summer.

21 It is important to get the phase
22 done because we are waiting for this one
23 contract to start work.

24 LEGISLATOR ABRAHAMS: What I'm
25 proposing is may -- it seems like we have a

1 Rules Committee/5-7-18

2 pretty hefty rules calendar, is it possible
3 to meet with counsel now and bring it back
4 up today?

5 CHAIRMAN NICOLELLO: Sure.
6 That's fine. But Legislator Rhoads had a
7 question before we move on.

8 LEGISLATOR RHOADS: Out of
9 curiosity, Ken, this panel that is created,
10 how does one go about getting on the panel?

11 MR. ARNOLD: The commissioner's
12 office decides who is on the review
13 committee. Usually the project manager will
14 come to the commissioner's office and either
15 the deputy or myself will decide who is
16 available to be on the committee based on
17 their expertise whether they are running the
18 job or not, so on and so forth.

19 LEGISLATOR RHOADS: But in terms
20 of approved contractors, how does that
21 process work?

22 MR. ARNOLD: We advertise our
23 bids in Newsday and on the county website,
24 it's open, anybody can submit.

25 LEGISLATOR RHOADS: That would be

1 Rules Committee/5-7-18

2 at the RFP point?

3 MR. ARNOLD: Yes.

4 LEGISLATOR RHOADS: So there's no
5 predetermination as to what firms are
6 acceptable?

7 MR. ARNOLD: We have no
8 pre-qualifications.

9 LEGISLATOR RHOADS: Okay.
10 Thanks.

11 CHAIRMAN NICOLELLO: Legislator
12 DeRiggi-Whitton.

13 LEGISLATOR DERIGGI-WHITTON: Ken,
14 under the circumstances that we're faced
15 with, is there any procedure in place
16 reviewing the contracts that were approved
17 by former Deputy County Executive.

18 MR. ARNOLD: What's the question?

19 LEGISLATOR DERIGGI-WHITTON: Is
20 there any mechanism in place that were
21 approved by Deputy County Executive Walker
22 considering the charges that were bought up?

23 MR. ARNOLD: All the contracts or
24 particularly to those firms?

25 LEGISLATOR DERIGGI-WHITTON: The

1 Rules Committee/5-7-18

2 ones we are going to be voting for today, or
3 asking us to approve today. The fact that
4 these were approved by someone that's now
5 indicted for this, for steering contracts.

6 CHAIRMAN NICOLELLO: I would just
7 caution us, legislators, if you are going to
8 make statements like that on the record, you
9 better be right, be accurate, and very
10 precise, because if you're not you're
11 slandering people.

12 LEGISLATOR DERIGGI-WHITTON: I
13 understand. But is there a mechanism in
14 place to review the contracts that were
15 approved by this Deputy County Executive?

16 MR. ARNOLD: All contracts in
17 front of you today were reviewed by the
18 compliance people of the County Executive's
19 Office.

20 LEGISLATOR DERIGGI-WHITTON: But
21 this was accepted and approved on November
22 11, 2017.

23 MR. ARNOLD: But it would not
24 have gotten to this state without the sign
25 off of the current administration.

1 Rules Committee/5-7-18

2 LEGISLATOR DERIGGI-WHITTON: The
3 current administration approved this
4 contract as well?

5 MR. ARNOLD: That is correct.

6 LEGISLATOR DERIGGI-WHITTON:
7 Thank you.

8 CHAIRMAN NICOLELLO: I think
9 Minority Leader Abrahams requested a motion
10 to table. I'll second it so that we have an
11 opportunity for counsel to discuss this with
12 you, Mr. Arnold.

13 Motion to table before us. All
14 in favor of tabling signify by saying aye.

15 (Aye.)

16 Those opposed?

17 (No verbal response.)

18 This item is tabled. Mr. Arnold,
19 I just ask you also in addition to meeting
20 with minority counsel, meet with majority
21 counsel as well.

22 E-151, a resolution authorizing
23 the County Executive to execute an amendment
24 to a personal services agreement between the
25 County of Nassau acting on behalf of the

1 Rules Committee/5-7-18

2 Department of Information Technology and
3 IIT, Inc.

4 LEGISLATOR SCHAEFER: So moved.

5 LEGISLATOR KOPEL: Second.

6 CHAIRMAN NICOLELLO: Moved by
7 Legislator Schaefer, seconded by Deputy
8 Presiding Officer Kopel. Now it is before
9 us.

10 MS. STANTON: Nancy Stanton, IT.
11 This is one of our 16 supplemental
12 contracts. We are looking to increase the
13 ceiling of the contract by \$600,000. We are
14 looking to encumber \$300,000 now. \$220,000
15 is for capital for ERP and \$80,000 will be
16 used for other projects.

17 CHAIRMAN NICOLELLO: My question
18 is, we see many of these supplemental
19 staffing contracts and this took place well
20 before you were commissioner.

21 Is there a view or an idea about
22 moving more to doing staffing in-house as
23 opposed to having these supplemental
24 staffing contracts?

25 MS. STANTON: We try and we do.

1 Rules Committee/5-7-18

2 We use these supplemental contracts for
3 skill sets that we don't have in-house.

4 CHAIRMAN NICOLELLO: So to the
5 extent we can develop them in house I think
6 it would be the preference of the committee.

7 MS. STANTON: Absolutely.

8 CHAIRMAN NICOLELLO: Any other
9 questions?

10 (No verbal response.)

11 Any public comment?

12 MS. MEREDAY: Meta J. Mereday,
13 Baldwin resident. My question has to do or
14 questions have to do with I guess the point
15 that the Presiding Officer was making in
16 regard to the supplemental contracts and the
17 need to develop from within when we don't
18 seem to do extensive outreach definitely
19 from a diverse standpoint to recruit
20 individuals and/or organizations and
21 companies who can provide these types of
22 services.

23 So, again, I'm asking as it
24 pertains to how we can step up our overall
25 outreach considering I heard in the previous

1 Rules Committee/5-7-18
2 discussion that they promote these contracts
3 through Newsday and the county website which
4 as a matter of fact on the county website
5 said that today was a Full Legislative
6 meeting. So the accuracy of the county
7 website and the utilization of same is also
8 something that's very questionable despite
9 its cost factor.

10 So I'm asking on the record what
11 exactly is Nassau County doing to increase
12 its outreach to be more inclusive possibly
13 looking at maybe other types of publications
14 that impact the residents that are in the
15 county, different types of aspects for
16 outreach so we're not paying for all these
17 contracts and it might cut do down on the
18 need to have all these investigations and
19 scandals and last minute companies that seem
20 to get these multi-million contracts through
21 no vetting at all.

22 CHAIRMAN NICOLELLO: Thank you,
23 Ms. Mereday. Any other public comment?

24 (No verbal response.)

25 Hearing none, all in favor

1 Rules Committee/5-7-18

2 signify by saying aye.

3 (Aye.)

4 Those opposed?

5 (No verbal response.)

6 That contract passes unanimously.

7 Thank you, Ms. Stanton.

8 E-52 of 2018, a resolution
9 authorizing the County Executive to execute
10 a personal services agreement between the
11 county acting on behalf of DPW and Arcadis
12 of New York, Inc.

13 LEGISLATOR DERIGGI-WHITTON: So
14 moved.

15 LEGISLATOR BYNOE: Second.

16 CHAIRMAN NICOLELLO: Moved by
17 Legislator DeRiggi-Whitton, seconded by
18 Legislator Bynoe.

19 MR. ARNOLD: Ken Arnold,
20 Department of Public Works. E-52 is a
21 special services contract with Arcadis for
22 building construction management on call
23 services. Arcadis is one of ten firms we
24 have selected for this service for the
25 digital work orders assigned to the contract

1 Rules Committee/5-7-18
2 depending on the projects that we have
3 in-house.

4 CHAIRMAN NICOLELLO: Are there
5 any violations or citations with this
6 contractor?

7 Are there any OSHA citations
8 relating to this contractor?

9 MR. ARNOLD: I'm double checking.
10 I'm not sure if there was one issue with the
11 firm that we resolved with them. I have to
12 go to the back up.

13 They had a couple disclosures.
14 We were satisfied with everything that they
15 responded to us.

16 CHAIRMAN NICOLELLO: There was
17 apparently an investigation out of state
18 with respect to Arcadis contracts. Did you
19 look into that as well?

20 MR. ARNOLD: Yes, we did.

21 CHAIRMAN NICOLELLO: You accepted
22 their responses?

23 MR. ARNOLD: Yes, they did.

24 CHAIRMAN NICOLELLO: It's the
25 recommendation of Public Works that we can

1 Rules Committee/5-7-18

2 go ahead with this contract with this
3 contractor?

4 MR. ARNOLD: Yes.

5 CHAIRMAN NICOLELLO: Minority
6 Leader Abrahams.

7 LEGISLATOR ABRAHAMS: Thank you,
8 Presiding Officer. I think some of the
9 questioning that I had was tied to whether
10 or not what the county has done just to make
11 a note for the record, the principal
12 questionnaire form, question ten, was
13 answered yes.

14 One of the things we have
15 highlighted in their response is that on
16 February 22nd Arcadis was served with a
17 special grand jury subpoena by the Alabama
18 AG's Office seeking documents related to its
19 contracts with invoices issued to and work
20 performed for the Birmingham Water Works
21 Board and other government entities in
22 Alabama.

23 The allegations pertained to a
24 matter in which the data that was being
25 collected and recorded in health and safety

1 Rules Committee/5-7-18
2 issues and compliance with anti harassment
3 non discrimination.

4 Also take note that there's the
5 letter dated February 6th, 2018 from
6 Arcadis.

7 I'm sorry, in 2016 the present
8 state and federal law enforcement that was
9 commenced, there was an investigation,
10 corruption investigation commenced in
11 Alabama that alleges the former Arcadis VP
12 Jerry Jones funneled money to a
13 subcontractor who in turn allegedly paid and
14 provided benefits to the Birmingham Water
15 Board official and member of his family.

16 I'm just concerned from the
17 standpoint that it sounds like to me this is
18 still an on going investigation, correct?

19 MR. ARNOLD: I'm double-checking.

20 LEGISLATOR ABRAHAMS: While Ken
21 does that, it seems like we really don't
22 know what the outcome has come from those
23 outside investigations.

24 It begs the point of what
25 additional internal compliance controls

1 Rules Committee/5-7-18

2 Arcadis is considering while this is going
3 on and while they are seeking procurement
4 from municipalities, and having these
5 controls if they're seeking any have been
6 implemented.

7 Ken is trying to find an answer.

8 MR. ARNOLD: I have to go back to
9 talk to my counsel. I didn't do this
10 personally myself. This was done by my
11 compliance people.

12 CHAIRMAN NICOLELLO: Motion to
13 table.

14 LEGISLATOR ABRAHAMS: Sure.

15 LEGISLATOR BYNOE: Second.

16 CHAIRMAN NICOLELLO: Moved by
17 Legislator Abrahams, seconded by Legislator
18 Bynoe. All those in favor of tabling
19 signify by saying aye.

20 (Aye.)

21 Those opposed?

22 (No verbal response.)

23 The contract is tabled.

24 E-54, a resolution authorizing
25 the County Executive to execute an amendment

1 Rules Committee/5-7-18
2 to a personal services agreement between the
3 county acting on behalf of the Department of
4 Public Works and Excel Reporting, Inc.

5 LEGISLATOR SCHAEFER: So moved.

6 LEGISLATOR RHOADS: Second.

7 CHAIRMAN NICOLELLO: Moved by
8 Legislator Schaefer, seconded by Legislator
9 Rhoads.

10 MR. ARNOLD: We are not calling
11 53 today?

12 CHAIRMAN NICOLELLO: I will call
13 that in a moment, I apologize, I had marked
14 to table under the wrong item. So E-54.

15 MR. ARNOLD: Ken Arnold. E-54 is
16 a contract amendment with Excel Reporting.
17 They're the stenographer firm for our
18 planning commission meetings. This is a
19 retroactive contract. The contract expired
20 at the end the year.

21 In year's past we extended the
22 contract at the department level, but when
23 we looked at this this year we understood
24 the way the agreement was written that it
25 should come to you for your approval which

1 Rules Committee/5-7-18

2 is why this is late.

3 We had it teed up at the end of
4 the year to do it internally and determined
5 it had to come in front of your body to be
6 extended.

7 CHAIRMAN NICOLELLO: Okay. Any
8 questions for Mr. Arnold on this contract?

9 (No verbal response.)

10 Is there any public comment?

11 (No verbal response.)

12 All those in favor signify by
13 saying aye.

14 (Aye.)

15 Those opposed?

16 (No verbal response.)

17 Carries unanimously.

18 Let's go back to E-53. It's a
19 resolution authorizing the County Executive
20 to execute a personal services agreement
21 between the county acting on behalf the DPW
22 and H2M Architects and Engineers.

23 LEGISLATOR KOPEL: So moved.

24 LEGISLATOR DERIGGI-WHITTON:

25 Second.

1 Rules Committee/5-7-18

2 CHAIRMAN NICOLELLO: Moved by
3 Legislator Kopel, seconded by Legislator
4 DeRiggi-Whitton.

5 MR. ARNOLD: E-53 is another
6 building on call contract professional
7 services to support the department. H2M was
8 one of the highest ranked technically ranked
9 firms and that's why we are recommending
10 them.

11 CHAIRMAN NICOLELLO: Any
12 questions?

13 (No verbal response.)

14 Any public /KPHEPL?

15 Hearing none, all in favor --
16 Legislator DeRiggi-Whitton.

17 LEGISLATOR DERIGGI-WHITTON: I
18 want to correct my statement on the record
19 of my prior statement which is, I just felt
20 that we should possibly take a look at some
21 the contracts that were accepted by Deputy
22 County Executive Rob Walker and in stating
23 so I just mentioned he was indicted for
24 obstruction of justice. I just want to make
25 sure it was clear not that it was not for

1 Rules Committee/5-7-18

2 contracts -- it was being mentioned that he
3 was being investigated for contract
4 steering.

5 So, again, my concern, I
6 understand that the new administration is
7 also looking at these but, as a legislator,
8 maybe I would feel better if we had some
9 process in line to have someone else on the
10 record say that they also accept these
11 contracts, just to cover any question of us
12 going forward. So thank you.

13 CHAIRMAN NICOLELLO: Thank you.
14 Basically we are at the stage of voting on
15 this item. All in favor signify by saying
16 aye. Signify by saying aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 The contract carries unanimously.

21 E-55 of 2018 is a resolution
22 authorizing the County Executive to execute
23 an amendment to a personal services
24 agreement between the county acting on
25 behalf of the Department of Parks,

1 Rules Committee/5-7-18
2 Recreation, and Museums and Steve Dassa
3 Entertainment.

4 LEGISLATOR ABRAHAMS: So moved.

5 LEGISLATOR RHOADS: Second.

6 CHAIRMAN NICOLELLO: Moved by
7 Minority Leader Abrahams, seconded by
8 Legislator Rhoads.

9 I'm going to call the second one
10 because I think they are similar.

11 E-57 is a resolution authorizing
12 the County Executive to execute a personal
13 services agreement between -- sorry, I
14 jumped again.

15 56, a resolution authorizing the
16 County Executive to execute an amendment to
17 a personal services agreement between the
18 County of Nassau acting on behalf of the
19 Nassau County Department of Parks,
20 Recreation and Museums and Gregg Raffa.

21 Motion, please.

22 LEGISLATOR BYNOE: So moved.

23 LEGISLATOR SCHAEFER: Second.

24 CHAIRMAN NICOLELLO: Moved by
25 Legislator Bynoe, seconded by Legislator

1 Rules Committee/5-7-18

2 Schaefer. Now both are before the
3 committee.

4 MR. NUGENT: Brian Nugent, Deputy
5 Commissioner of Parks.

6 These are two contracts to amend
7 the booking agencies for our shows at
8 Lakeside Theatre, noon time concerts. Steve
9 Dassa will be doing the noon time concerts
10 as well as a show at Chelsea Mansion and a
11 lake side show. Gregg Raffa will be doing a
12 U-2 concert tribute act at Lakeside Theatre.

13 All of those are procured via an
14 RFP that was issued two years ago. We plan
15 on reissuing it this year.

16 CHAIRMAN NICOLELLO: Any
17 questions?

18 (No verbal response.)

19 Is there any public comment?

20 (No verbal response.)

21 All those in favor signify by
22 saying aye.

23 (Aye.)

24 Those opposed?

25 (No verbal response.)

1 Rules Committee/5-7-18

2 Those contracts carry
3 unanimously.

4 We will call the next two
5 together as well. E-57, E-58, resolutions
6 authorizing the County Executive to execute
7 personal services agreements between the
8 County of Nassau acting on behalf the County
9 Attorney's Office and Bee Reporting Agency,
10 Inc. And Veretext Legal Solutions.

11 LEGISLATOR RHOADS: So moved.

12 LEGISLATOR DERIGGI-WHITTON:
13 Second.

14 CHAIRMAN NICOLELLO: Moved by
15 Legislator Rhoads, seconded by Legislator
16 DeRiggi-Whitton.

17 MR. LIBERT: Brian Libert, County
18 Attorney's Office. These are two contracts
19 for court reporting services. They are used
20 in all litigation to the County Attorney's
21 Office and the county does get standards
22 rates from these services.

23 CHAIRMAN NICOLELLO: Any
24 questions? Legislator Rhoads.

25 LEGISLATOR RHOADS: Just a quick

1 Rules Committee/5-7-18

2 question. I notice obviously we have
3 several personal service agreement for
4 transcription services, for court reporting
5 services.

6 Has there been any investigation
7 by the administration -- I don't know if
8 it's possible, that instead of doing these
9 piecemeal, wouldn't we be getting a better
10 deal if we put out a proposal for all of the
11 court reporting services for the county.

12 MR. LIBERT: I can check on that,
13 but my understanding is in the past, and I
14 think we did one within the last two years
15 where we did put out an RFP to the whole
16 county and any court reporting service that
17 responded had the opportunity to bid. The
18 way I understand it, the business is open
19 for anyone that wants to respond.

20 LEGISLATOR RHOADS: Of course it
21 is, the question that I have is, since there
22 are multiple agencies that are using court
23 reporting services, instead of the
24 individual agencies reaching individual
25 deals on behalf of the county with

1 Rules Committee/5-7-18

2 individual companies, wouldn't it be more
3 cost efficient and more effective to simply
4 have all of the departments or agencies use
5 one court reporting service?

6 MR. LIBERT: I don't think that
7 it would be possible to use one single court
8 reporting service, but to the extent you're
9 making the point that it would be logical to
10 have all of them come through one
11 clearinghouse, I think that would be at
12 least something worth considering.

13 I don't think all the work could
14 go one court reporter, there's probably not
15 enough court reporters in one particular
16 agency for that.

17 LEGISLATOR RHOADS: Fair enough.

18 CHAIRMAN NICOLELLO: Any other
19 questions?

20 (No verbal response.)

21 Is there any public comment?

22 (No verbal response.)

23 Thank you, Brian. All those in
24 favor signify by saying aye.

25 (Aye.)

1 Rules Committee/5-7-18

2 Those opposed?

3 (No verbal response.)

4 Those two contracts pass
5 unanimously.

6 E-59 of 2018 is a resolution
7 authorizing the County Executive to execute
8 an amendment to a personal services
9 agreement between the County acting on
10 behalf of the Department of Social Services
11 and Island Harvest Limited.

12 LEGISLATOR BYNOE: So moved.

13 LEGISLATOR KOPEL: Second.

14 CHAIRMAN NICOLELLO: Moved by
15 Legislator Bynoe, seconded by Legislator
16 Deputy Presiding Officer Kopel.

17 MR. BRODERICK: Good afternoon.
18 Paul Broderick, Deputy Commissioner,
19 Department of Social Services.

20 The item before is you a contract
21 for \$24,500 between the Department of Social
22 Services and Island Harvest. The purpose of
23 the contract is to support their operation
24 who as you know work with various food
25 pantries throughout Nassau County to deal

1 Rules Committee/5-7-18
2 with food insecurity. Do you have any
3 questions?

4 CHAIRMAN NICOLELLO: Any
5 questions?

6 (No verbal response.)

7 Any public comment?

8 MS. MEREDAY: Meta J. Mereday,
9 Baldwin resident. I'm just concerned that I
10 would hope that we could look at identifying
11 some additional resources if possible with
12 regard to this particular issue because the
13 food insecurity is not something that's just
14 impacting our children. It's also impacting
15 our students particularly our student
16 veterans on our college campuses as well as
17 our seniors. Many of our seniors who are
18 veteran couples basically facing the same
19 type of issues.

20 I'm hoping, I'm putting it out
21 there for consideration since we have no
22 problem tossing hundreds of thousands of
23 dollars for legal services, accounting,
24 professional services, friends and
25 relatives, that if we could look at doing

1 Rules Committee/5-7-18

2 something a little bit innovatively and
3 eradicate the food insecurity since we waste
4 so much of the taxpayers money not to
5 mention food.

6 Just for the record, Presiding
7 Officer, I'm in support of this I'm just
8 putting it on the record I'm hoping that it
9 might stimulate some thought processes when
10 we go to the budget to fund more programs so
11 that we are more proactive versus reactive.
12 Because a number of starving children are
13 increasing. Thank you.

14 CHAIRMAN NICOLELLO: Thank you,
15 Ms. Mereday. Island Harvest does do a
16 phenomenal job doing exactly what you
17 suggest. Any other public comment?

18 (No verbal response.)

19 Thank you, Paul. All in favor
20 signify by saying aye.

21 (Aye.)

22 Any opposed?

23 (No verbal response.)

24 Carries unanimously.

25 E-60 is a resolution to authorize

1 Rules Committee/5-7-18

2 the County Executive to execute a personal
3 services agreement between the County of
4 Nassau acting on behalf of the District
5 Attorney Office and Susan Hand Associates,
6 Inc.

7 LEGISLATOR SCHAEFER: So moved.

8 LEGISLATOR DERIGGI-WHITTON:
9 Second.

10 CHAIRMAN NICOLELLO: Moved by
11 Legislator Schaefer, seconded by Legislator
12 DeRiggi-Whitton.

13 MR. CORDOVA: Vicki Cordova for
14 the District Attorney's Office. We request
15 approval for \$176,000 contract with Susan
16 Hand for Court Reporting Services for court
17 reporting of the grand jury minutes that are
18 mandated by law.

19 CHAIRMAN NICOLELLO: Do we have
20 any questions on this item?

21 (No verbal response.)

22 Is there any public comment?

23 (No verbal response.)

24 All those in favor signify by
25 saying aye.

1 Rules Committee/5-7-18

2 (Aye.)

3 Those opposed?

4 (No verbal response.)

5 Carries unanimously. Thank you.

6 E-61, is a resolution to

7 authorize the County Executive to execute a
8 personal services agreement between the
9 County of Nassau acting on behalf of the
10 County Attorney and Abrams Fensterman
11 Fensterman Eisman Formato Wolf & Carone,
12 LLP.

13 LEGISLATOR RHOADS: So moved.

14 LEGISLATOR ABRAHAMS: Second.

15 CHAIRMAN NICOLELLO: Moved by
16 Legislator Rhoads, seconded by Minority
17 Leader Abrahams.

18 MR. LIBERT: Good afternoon.

19 Brian Libert from the County Attorney's
20 Office again. That is a contract with
21 Abrams and Fensterman. The total contract
22 value is for less than \$50,000 and outside
23 counsel has previously acknowledged that any
24 work they have done cannot be guaranteed
25 under this new contract.

1 Rules Committee/5-7-18

2 CHAIRMAN NICOLELLO: That begs
3 the question. When did they start doing
4 work?

5 MR. LIBERT: Within the last 30
6 days so we have been pretty quick here as
7 far as a time line goes.

8 CHAIRMAN NICOLELLO: Was this the
9 story about a contractor or firm doing work
10 for the county without a contract for a
11 couple of months, two or three months
12 starting back in December or January, is
13 this the one?

14 MR. LIBERT: I don't think it's
15 that one. Not that same one, but I'm aware
16 of what you are referring to.

17 CHAIRMAN NICOLELLO: The question
18 I have for you about this is, Abrams
19 Fensterman is an outstanding law firm, one
20 of the prominent law firms on Long Island.
21 But I looked at their website and they don't
22 talk at all about doing civil rights work.
23 I even looked at, there's a pull down menu
24 for selecting attorneys by the areas of
25 practice and civil rights is not even

1 Rules Committee/5-7-18

2 mentioned.

3 So how do you determine whether a
4 particular law firm is qualified to work on
5 a particular area of law?

6 MR. LIBERT: The County
7 Attorney's Office has previously solicited
8 requests for qualifications from various
9 different law firms. We have law firms that
10 are qualified in different areas and
11 typically we just don't rely on what's on
12 the website for what a firm is qualified for
13 but what they might tell us during that RFQ
14 process.

15 CHAIRMAN NICOLELLO: So whatever
16 information that was provided during the RFQ
17 process was sufficient for the County
18 Attorney to determine they were qualified to
19 do civil rights work; is that what you're
20 saying?

21 MR. LIBERT: That would be my
22 understanding, yes.

23 CHAIRMAN NICOLELLO: Do we have
24 any other questions? Legislator Rhoads and
25 then Legislator Bynoe.

1 Rules Committee/5-7-18

2 LEGISLATOR RHOADS: Thank you,
3 Mr. Chairman. The process by which you
4 actually evaluate a firm and whether or not
5 it should be added to the panel, can you
6 describe that process?

7 MR. LIBERT: As it relates to
8 this contract specifically or generically?

9 LEGISLATOR RHOADS: Generally.

10 MR. LIBERT: Well, I would speak
11 extremely generically as in regards to the
12 county contracting process as I'm sure all
13 of you are aware, the county sets out an RFQ
14 or RFP which designates certain
15 specifications for the services that need to
16 be performed.

17 In this instance, it might
18 describe the nature of the legal matters
19 that we need them to handle. We might have
20 some specific rates to be involved and then
21 each firm will get an opportunity to respond
22 and essentially claim that they are or
23 aren't qualified in a particular area.

24 LEGISLATOR RHOADS: Well, I guess
25 the question I have is that based on the

1 Rules Committee/5-7-18

2 back up material, it indicates that a
3 response was put in by the firm, a request
4 was put in by the firm to be added to the
5 panel with respect to 1983 litigation on
6 March 26th of 2018. That this particular
7 contract start date is March 27 of 2018.

8 So if you could describe for me
9 what kind of vetting process or
10 investigation was done based upon the fact
11 that it's not listed on their website to
12 ensure that the firm actually does handle
13 1983 litigation what its qualifications are
14 and how they would represent the county in
15 this particular instance?

16 MR. LIBERT: Well, of course
17 there are discussions with the principals in
18 the firm to determine if they were qualified
19 between the county, attorney's office, and
20 the firm.

21 LEGISLATOR RHOADS: If the
22 request didn't come in until 24 hours before
23 it was granted, can you describe exactly
24 when that took place, how it took place and
25 what occurred?

1 Rules Committee/5-7-18

2 MR. LIBERT: The attorney who is
3 handling this matter, Ms. Barkett was
4 previously at another firm. We were
5 familiar with her personally and she has
6 moved offices from her previous firm to this
7 office and that is why we engaged that firm,
8 pardon me, Amy Marion.

9 LEGISLATOR RHOADS: Can you
10 describe for us -- and she had been working
11 on this particular case?

12 MR. LIBERT: No. We were
13 familiar with her abilities in this area,
14 which is what you're asking.

15 LEGISLATOR RHOADS: She was
16 working for the County Attorney's Office at
17 one time?

18 MR. LIBERT: Not on this matter.
19 She may have -- she was a known quantity to
20 us. She was known in this area of law.

21 LEGISLATOR RHOADS: I'm asking
22 Ms. Marion, did she move from the County
23 Attorney's Office to a private firm or from
24 one firm to another?

25 MR. LIBERT: No, from one firm to

1 Rules Committee/5-7-18

2 another.

3 LEGISLATOR RHOADS: So
4 essentially the decision was made on a prior
5 knowledge and a prior relationship with one
6 particular attorney who changed firms?

7 MR. LIBERT: That's correct,
8 legislator.

9 LEGISLATOR RHOADS: Just so I
10 understand. Can you describe for us the
11 nature of the litigation that we're talking
12 about?

13 MR. LIBERT: My understanding is
14 it's a civil rights litigation involving the
15 board of elections. I wouldn't go much
16 further into the weeds on it than that.

17 LEGISLATOR RHOADS: I don't know
18 if this is something to really ask about.

19 CHAIRMAN NICOLELLO: What was the
20 question?

21 LEGISLATOR RHOADS: I wanted to
22 know the nature of the litigation and the
23 allegations against the parties. Because I
24 don't know if it's people individually that
25 are named, if it's the Board of Elections

1 Rules Committee/5-7-18

2 that's named. I don't know if -- we haven't
3 ruled on any indemnification with respect to
4 this so I'm just curious as to how it is --

5 CHAIRMAN NICOLELLO: Let's ask
6 the County Attorney, can you answer the
7 question?

8 MR. LIBERT: Was there a question
9 mark somewhere there?

10 LEGISLATOR RHOADS: There are a
11 couple of question marks in there and I will
12 try to break it down. Let me know when we
13 reach a topic when you don't feel
14 comfortable that I'm talking about.

15 Who are the parties to the
16 litigation?

17 MR. LIBERT: I would say all of
18 this would be a good and appropriate topic
19 for executive session.

20 CHAIRMAN NICOLELLO: Before we go
21 to executive session, I think there are
22 other questions that may not require that.
23 So let's go to Legislator Bynoe.

24 LEGISLATOR BYNOE: Presiding
25 Officer, I was just aware that Amy Marion

1 Rules Committee/5-7-18

2 had joined that firm. I was going to ask
3 the question of the County Attorney's Office
4 if that's how they made the decision to
5 determine that they were qualified to do
6 that type of work. Thank you.

7 MR. LIBERT: That's correct,
8 legislator.

9 CHAIRMAN NICOLELLO: Amy Marion
10 is a prominent civil rights attorney so
11 there's no question about her being
12 qualified.

13 But that raises another question.
14 She has been involved in litigation
15 representing parties in litigation against
16 the county. Are any of those actions still
17 alive still in progress?

18 MR. LIBERT: Not to my knowledge
19 and certainly we would not move forward if
20 there were any present conflict. We would
21 be checking that on our side as would Abrams
22 Fensterman. That's just not something that
23 anybody would be doing.

24 CHAIRMAN NICOLELLO: Legislator
25 Schaefer.

1 Rules Committee/5-7-18

2 LEGISLATOR SCHAEFER: Can I ask
3 you why is the County Attorney's Office not
4 handling this?

5 MR. LIBERT: There are at least
6 two inherent conflicts here. By law we
7 really can't handle this. We are conflicted
8 out.

9 LEGISLATOR SCHAEFER: Can you
10 explain what the conflicts are?

11 MR. LIBERT: Sure. Of course,
12 the County Attorney's Office represents the
13 board of elections and from our view just
14 the very nature of the charges and, again,
15 this is something that should go towards
16 executive session, the nature of the parties
17 that are named and the nature of the witness
18 litigation is going to go, we feel that the
19 office will be conflicted out.

20 In addition, of course, and this
21 was covered in Newsday, the current County
22 Attorney was involved in the underlying
23 litigation in this matter and it seems to me
24 that as per se conflict right there.

25 LEGISLATOR SCHAEFER: Okay.

1 Rules Committee/5-7-18

2 CHAIRMAN NICOLELLO: Any other
3 questions? I prefer that we ask all the
4 questions that we can now before we go to
5 executive session. I'm also going to offer
6 it up to the public before we go to
7 executive session.

8 LEGISLATOR RHOADS: Can you
9 explain when the RFQ was actually issued?

10 MR. LIBERT: I'm sorry?

11 LEGISLATOR RHOADS: When was the
12 RFQ put out?

13 MR. LIBERT: Which RFQ?

14 LEGISLATOR RHOADS: The RFQ off
15 of which you have now chosen this particular
16 firm.

17 MR. LIBERT: I don't know that.
18 I would have to check that because I know we
19 are in the process of issuing a new one as
20 we speak. I don't know off the top of my
21 head when the prior one was issued. It's
22 not information I have at my fingertips.

23 LEGISLATOR RHOADS: I'm presuming
24 it was issued prior to March 26, 2018?

25 MR. LIBERT: Yes. Very much.

1 Rules Committee/5-7-18

2 LEGISLATOR RHOADS: Do you know
3 how far prior to March 26th?

4 MR. LIBERT: I don't know and I
5 wouldn't want to surmise.

6 LEGISLATOR RHOADS: Was it issued
7 at some point in time during March of 2018?

8 MR. LIBERT: No.

9 LEGISLATOR RHOADS: More than a
10 month prior?

11 MR. LIBERT: Yes.

12 LEGISLATOR RHOADS: Just out of
13 curiosity, the specific amount of the
14 contract for \$49,800, was there any
15 particular reason why \$49,800 was chosen?

16 MR. LIBERT: I have no idea. I
17 don't think so.

18 LEGISLATOR RHOADS: The reason
19 for my question is that the NIFA threshold
20 for review is \$50,000.

21 MR. LIBERT: Can you repeat the
22 question?

23 LEGISLATOR RHOADS: The reason
24 for my question is that the NIFA threshold
25 for review by NIFA of these contracts is

1 Rules Committee/5-7-18

2 \$50,000.

3 I notice this one is coming in
4 \$200 under that threshold. Is there any
5 particular reason for that?

6 MR. LIBERT: I'm not familiar
7 with that NIFA issue. I'm informed by Chief
8 Deputy County Attorney Lisa LoCurto that
9 this was relative to a budget provided by
10 Abrams Fensterman for what they proposed
11 that the litigation would cost.

12 LEGISLATOR RHOADS: Do you know
13 if Abrams Fensterman was aware of the NIFA
14 threshold at the time they put together
15 their budget?

16 MR. LIBERT: I don't know and I
17 don't even know how I would know if I did
18 know.

19 LEGISLATOR RHOADS: I noticed
20 that you mentioned the existence of a
21 Newsday article.

22 MR. LIBERT: I think Legislator
23 Nicolello mentioned it.

24 LEGISLATOR RHOADS: Yes. It was
25 an article dated April 21st of 2018 and the

1 Rules Committee/5-7-18

2 administration indicated that the contract
3 was pending Legislative approval as of April
4 21st; however, the contract itself wasn't
5 filed with the clerk of the legislature
6 until April 30th.

7 Is there a particular reason for
8 that you're aware of?

9 MR. LIBERT: I think it just
10 takes time for the process to take place.
11 There is filing involved, first there has to
12 be drafting of the contract. The contract
13 has to be routed, it has to be approved and
14 there's a certain amount of processing and
15 disclosures involved in the process.
16 Frankly, I think that's pretty quick.

17 LEGISLATOR RHOADS: I don't
18 question the timing, I question the
19 statement made in Newsday that it was
20 pending legislative approval.

21 MR. LIBERT: Well, I'm sure it was
22 pending when that statement was made.
23 Whether it was actually in the clerk of the
24 leg, if it was moving ahead, that's still
25 pending I think from our side One West

1 Rules Committee/5-7-18

2 Street.

3 LEGISLATOR RHOADS: So you're
4 saying it was some ambiguity as to what
5 pending means?

6 MR. LIBERT: That's my view of
7 it, yes.

8 LEGISLATOR RHOADS: Now the firm,
9 the proposal from the firm, can you tell us
10 when that proposal was actually received?

11 MR. LIBERT: No, again, that
12 would go back to the prior RFP process date
13 that you were asking about, I just don't
14 know off the top of my head, I have no
15 knowledge of that.

16 LEGISLATOR RHOADS: What was the
17 nature of the March 26th letter, was that
18 the actual proposal from the firm?

19 MR. LIBERT: I guess I was here
20 on March 26th but I -- I probably saw a lot
21 of letters on March 26th. What is the March
22 26th letter, what are we talking about?

23 LEGISLATOR RHOADS: My
24 understanding is that there is
25 correspondence from the firm requesting to

1 Rules Committee/5-7-18

2 be added to the panel dated March 26th.

3 MR. LIBERT: I would have to
4 find out more information about that.

5 LEGISLATOR RHOADS: Okay. With
6 respect to that panel, what other firms are
7 on the 1983 panel?

8 MR. LIBERT: Again, that's not
9 information that I have at my fingertips but
10 certainly we can make it available to you.
11 Also with the understanding that we are in
12 the process of issuing a new RFP.

13 LEGISLATOR RHOADS: I understand
14 the rationale of choosing this particular,
15 the rationale behind adding the firm to this
16 particular panel was the movement of
17 Ms. Marion who obviously is a very qualified
18 attorney.

19 But the larger question is, what
20 was the rationale upon choosing this
21 particular firm as opposed to any of the
22 other firms on the 1983 panel?

23 MR. LIBERT: I think the same
24 reason you just reiterated. Maybe I'm
25 misunderstanding the question, but

1 Rules Committee/5-7-18

2 Ms. Marion is the reason.

3 LEGISLATOR RHOADS: No, no. Ms.
4 Marion is the reason that you added this
5 particular firm to the panel.

6 How did you actually make the
7 determination which of the firms on the
8 panel you were going to choose for this
9 particular litigation?

10 MR. LIBERT: It's that issue but
11 also there was a discussion with the board
12 of elections. Again, this is something that
13 should really go towards executive session
14 but there was deference given to the board
15 in their request for counsel as well.

16 LEGISLATOR RHOADS: Has the
17 county actually agreed to indemnify any
18 particular individual in this matter?

19 MR. LIBERT: Not that I'm aware
20 of at this time. But I just wouldn't speak
21 to it, I'm just not aware of it.

22 LEGISLATOR RHOADS: Okay. I
23 think the remainder of the questions for me
24 would be in executive session.

25 CHAIRMAN NICOLELLO: Before we go

1 Rules Committee/5-7-18

2 in, is there any public comment on this
3 item?

4 MS. MEREDAY: Meta J. Mereday,
5 Baldwin resident. The gentleman did answer
6 a few questions with regard to why this has
7 to be sent out so I do appreciate that
8 answer.

9 I'm concerned again with regard
10 to the increase in the litigation and the --
11 just the appearance in terms of again the
12 relationships that we have with the
13 organizations and, in this arena,
14 professional services, who seem to be
15 getting the work.

16 I'm concerned that it doesn't
17 seem like it was an open process when there
18 was already the assertion that you were
19 following a particular individual who was
20 working for a specific firm.

21 We are now again in 2018. Not
22 only am I hearing that you followed one
23 individual who is working for a firm who has
24 the background in civil rights law, I still
25 have yet to hear even in the presentations,

1 Rules Committee/5-7-18

2 unless all of you have the information that
3 you are just not sharing with the rest of us
4 and we have to hear about it one way or
5 another in News 12 or Newsday, where is the
6 outreach? Where is the inclusion? Where is
7 the diversity?

8 I have not heard anything, any
9 report, anything that speaks to that. I
10 would like to believe that here we are in
11 Long Island, close to 3 million individuals
12 with a certain number of lawyer firms
13 well-established that there were no other
14 law firms that had qualified civil rights
15 attorneys that could even could be
16 considered for this?

17 It really seems like this was
18 more like a sole source contract that was
19 wrapped around an RFP that was finalized in
20 a deal behind closed doors.

21 So when you go behind these
22 closed doors for executive session, let's
23 just take those things into consideration
24 because, again, we are the ones with our
25 backs and the taxpayers, those of us

1 Rules Committee/5-7-18
2 sticking around trying to protect our
3 properties when more of our neighbors are
4 running out in the middle of the night, that
5 when we are not addressing the specific
6 issues. We are not looking at the full
7 picture, the spectrum of the residents who
8 are here.

9 So it would be nice again as we
10 are in the midst of 2018 if we could hear
11 something else besides we need to review
12 contracts that were tainted or we need to
13 review contracts that because there was no
14 inclusion, or we need to review contracts
15 because we're not sure who signed and who
16 said what.

17 So, again, if you're taking this
18 or tabling this or going in the back room,
19 just remember what hides in the dark will
20 come out in the light. Thank you.

21 CHAIRMAN NICOLELLO: Thank you
22 Ms. Mereday.

23 LEGISLATOR RHOADS: So moved.

24 LEGISLATOR KOPEL: Second.

25 CHAIRMAN NICOLELLO: Legislator

1 Rules Committee/5-7-18

2 Rhoads makes a motion to go in executive
3 session, seconded by Deputy Presiding
4 Officer Kopel. All in favor of favor of
5 executive session signify by saying aye.

6 (Aye.)

7 Those opposed?

8 (No verbal response.)

9 We will be right back.

10 (Whereupon, the Rules Committee
11 recessed at 2:07 p.m. and reconvened at 2:25
12 p.m.)

13 CHAIRMAN NICOLELLO: We are back
14 from executive session. Legislator Rhoads,
15 you have something to ask?

16 LEGISLATOR RHOADS: Based upon
17 our discussion in executive session, it's my
18 understanding that the parties being
19 defended by specific requests had asked that
20 Ms. Marion be the attorney to defend them;
21 is that correct?

22 MS. LOCURTO: That is correct.

23 LEGISLATOR RHOADS: And that
24 Ms. Marion's prior firm had been on the
25 panel and was qualified to handle 1983

1 Rules Committee/5-7-18

2 litigation?

3 MS. LOCURTO: That is also
4 correct.

5 LEGISLATOR RHOADS: It's also my
6 understanding that, was it the County
7 Attorney's office that reached out to Ms.
8 Marion's new firm to request that they
9 submit a letter asking to be placed on the
10 panel for 1983, they were already on the
11 panel but in specific expertise of 1983
12 litigation.

13 MS. LOCURTO: Correct.

14 LEGISLATOR RHOADS: And once
15 they submitted that letter, they were
16 approved for this particular contract?

17 MS. LOCURTO: Correct.

18 LEGISLATOR RHOADS: And did work
19 on this contract begin on March 27th?

20 MS. LOCURTO: Unfortunately
21 because of the nature of the litigation, we
22 were waiting to hopefully have the contract
23 approved before work could be performed.
24 There has been an application by the
25 plaintiffs to hold the county in default.

1 Rules Committee/5-7-18

2 We do not want that to happen. So we had to
3 authorize Ms. Marion to go ahead, make her
4 appearance, but we cautioned her with the
5 understanding that while she is representing
6 the county and the county defendants any
7 work performed is subject to legislative
8 approval.

9 LEGISLATOR RHOADS: Because of
10 the specific action that is going on as part
11 of the active litigation, you were forced to
12 make the appointment pending approval and
13 permit her to work to avoid damage to the
14 litigation?

15 MS. LOCURTO: Correct.

16 LEGISLATOR RHOADS: And am I also
17 correct in my understanding that the amount
18 of the contract for \$49,8000 and its
19 relationship to NIFA's threshold for review
20 is purely coincidental?

21 MS. LOCURTO: Yes.

22 LEGISLATOR RHOADS: It is our
23 hope obviously that the actual cost of the
24 defense will be substantially less than the
25 \$49,800?

1 Rules Committee/5-7-18

2 MS. LOCURTO: Yes, and we
3 anticipate that.

4 LEGISLATOR RHOADS: Thank you,
5 Mr. Chairman, thank you, Ms. Locurto.

6 CHAIRMAN NICOLELLO: Minority
7 Leader Abrahams.

8 LEGISLATOR ABRAHAMS: Ms. Locurto
9 or Mr. Libert, just a quick question. I
10 wanted to summarize. The procurement
11 practices that were conducted to select
12 Abrams Fensterman Fensterman Eisman Formato
13 Ferrara Wolf & Carone LLP were in
14 conformance with the practices within the
15 procurement process of the county?

16 MR. LIBERT: Yes.

17 LEGISLATOR ABRAHAMS: That's all
18 I needed to know. Thank you.

19 CHAIRMAN NICOLELLO: All right.
20 We are going to vote on this now.

21 All in favor signify by saying
22 aye.

23 (Aye.)

24 Those opposed?

25 (No verbal response.)

1 Rules Committee/5-7-18

2 Carries unanimously.

3 There are four U contracts
4 remaining. I'm going to call them
5 altogether. U-6 is a resolution authorizing
6 the County Executive to execute a personal
7 services agreement between the county acting
8 on behalf of the Department of Human
9 Services, Office of Youth Services and the
10 Association For the Community Parent Center,
11 Inc.

12 U-7, 8 and 9 are all resolutions
13 authorizing the County Executive to execute
14 personal services agreements between the
15 county acting on behalf of the Department of
16 Parks Recreation and Museums and Max
17 Rowland, Mary Nagin, and Mlicata
18 Entertainment.

19 LEGISLATOR KOPEL: So moved.

20 LEGISLATOR ABRAHAMS: Second.

21 CHAIRMAN NICOLELLO: Moved by
22 Deputy Presiding Officer Kopel, seconded by
23 Minority Leader Abrahams.

24 All of those contracts are before
25 us now. Brian Hall.

1 Rules Committee/5-7-18

2 MR. HALL: I'm here for U-6-18.

3 Brian Hall, Human Services. This is a
4 contract between the Youth Service Division
5 with the association for the community
6 parent center.

7 It's a \$7,500 contract. It is a
8 January contract. It was a little late due
9 to forms going back and forth having to be
10 corrected before they could process the
11 contract.

12 This contract is for agency
13 transition from elementary to middle school
14 with an emphasize on substance abuse,
15 prevention, education, and awareness
16 project.

17 CHAIRMAN NICOLELLO: Any
18 questions for Mr. Hall?

19 (No verbal response.)

20 Hearing none, let's hear from the
21 other three and vote on all four together.
22 Thank you.

23 MR. NUGENT: Brian Nugent, Nassau
24 County Department of Parks, Recreations and
25 Museums. I got a little off track. I got a

1 Rules Committee/5-7-18

2 little off track. I think we have a
3 contract with Max Rowland and Mary Nagin,
4 those are both performers at Old Bethpage
5 Village Restoration. One is for \$5,000, one
6 is for \$4,700.

7 Those two contracts to be
8 cleared, they started two days ago. May 6,
9 May 5 and 6. We had something this past
10 weekend. They were for \$300 each. That's
11 about it.

12 I guess the other ones is
13 MLicata, she performs -- she is a booking
14 agent who books a disco show, an '80s
15 explosion show, and a 45 r.p.m. which will
16 be performed at TD Bank fireworks show at
17 Lakeside Theatre.

18 CHAIRMAN NICOLELLO: Any
19 questions?

20 (No verbal response.)

21 Any public comment?

22 MS. MEREDAY: Meta J. Mereday,
23 Baldwin resident. My question or request
24 has to do with the locations for these
25 events of all four youth related program

1 Rules Committee/5-7-18

2 with the accessibility for many of our
3 youth, not to mention many of our adults,
4 definitely our seniors to get to those
5 events where they continue to take place.

6 It was our hope with the new
7 administration that everything would not be
8 in Bethpage. There's a lot of residents in
9 the South Shore, even in the north shore who
10 cannot get to Old Bethpage or really any
11 part of Bethpage.

12 We have a number of parks
13 throughout Nassau County that would be much
14 more accessible and definitely provide more
15 diversity of attendance if we could kind of
16 broaden the scope.

17 I don't know if this relates, but
18 as everyone else reads everything in
19 Newsday, I do too.

20 I just read recently in the May
21 6th about the Long Island parks getting \$16
22 million in upgrades; is that something that
23 the county and parks department is going to
24 be looking into as an opportunity for maybe
25 some of our young people to get jobs or to

1 Rules Committee/5-7-18

2 work in areas of environmental protection or
3 things of that nature?

4 I just want to again put that out
5 there if there is anything that's going to
6 help us save money and provide for the
7 aesthetics as well as the environment and
8 create some jobs and keep our residents and
9 our young people occupied and in their
10 homes, it's something to give some
11 consideration for.

12 So if someone can speak to that,
13 I would appreciate being told, thank you for
14 my comments, but I would like to actually
15 hear somebody who is responding to it and
16 doing something about anything that I happen
17 to suggest. It would kind of help me.

18 CHAIRMAN NICOLELLO: The
19 contracts for Rowland and Naggin are to
20 provide traditional 19th Century Dance
21 music. So obviously that is what ties it
22 into Old Bethpage which obviously is a 19th
23 Century structure and location of historic
24 nature.

25 I don't think that would be

1 Rules Committee/5-7-18

2 appropriate anywhere else in the county.

3 Then you have the contract for
4 MLicata which is Lakeside Theatre which is
5 accessible for most. I didn't see it. I
6 don't believe that it would be for county
7 parks. If it had to do with state funds it
8 would be probably upgraded to New York state
9 parks. We would love to have \$16 million
10 for state funds.

11 MS. MEREDAY: If we're partnering
12 and aligning, county residents pay taxes,
13 state local, whatever, fees et cetera.

14 So, again, as our stewards so to
15 speak, I would think it might be an
16 opportunity to reach out to the state to
17 look at some of these things that could be
18 set up as a grant to provide these
19 opportunities.

20 We do have other historic
21 locations where this entertainment can take
22 place. We have a facility that's basically
23 falling apart that could get historical
24 landmark status, the Kellogg House in
25 Baldwin that could be a location. Actually,

1 Rules Committee/5-7-18

2 Baldwin residents are waiting for the county
3 to decide what it wants to do with the
4 property. So there are other locations like
5 I said other than Bethpage. Thank you.

6 CHAIRMAN NICOLELLO: Thank you.
7 Mr. Nugent, did you want to add anything?

8 MR. NUGENT: I was going to
9 reiterate what you said that that was a 19th
10 century village and that's specific to that.
11 We also do try to have at least one program
12 at every park where feasible, so we do do a
13 lot of shows down at Wantagh Park and Grant
14 Park as well as movies at Mackey Park.

15 It is something that we look
16 into. We do try and we do consider
17 ourselves amenable to the whole county.
18 That's all.

19 CHAIRMAN NICOLELLO: Thank you.
20 I'm going to call these items now. U-6,
21 U-7, U-8, U-9, all in favor signify by
22 saying aye.

23 (Aye.)

24 Those opposed?

25 (No verbal response.)

1 Rules Committee/5-7-18

2 Carries unanimously.

3 One more item of business before
4 we turn it over to the committees. E-21 of
5 2018 is a resolution authorizing the County
6 Executive to execute a personal services
7 agreement between the county acting on
8 behalf of the traffic and parking and Robert
9 Horowitz. Motion to untable.

10 LEGISLATOR RHOADS: So moved.

11 LEGISLATOR SCHAEFER: Second.

12 CHAIRMAN NICOLELLO: Moved by
13 Legislator Rhoads, Legislator Schaefer
14 seconds that.

15 All in favor of untabling signify
16 by saying aye.

17 (Aye.)

18 Those opposed?

19 (No verbal response.)

20 Carries unanimously. The matter
21 is now before us.

22 MR. RICH: David Rich, Executive
23 Director of Traffic and Parking Violations
24 Agency. Judge Horowitz has been a judge, a
25 judicial hearing officer with Nassau traffic

1 Rules Committee/5-7-18

2 and parking since 2004. We are just looking
3 to renew his contract.

4 CHAIRMAN NICOLELLO: I think we
5 had tabled it in the past because of his
6 address in Manhattan.

7 He's reached out to us indicating
8 that he had moved into Manhattan. He had
9 spent many many years as a JHO, judicial
10 hearing officer of Nassau County, and he
11 simply requested that he be allowed to
12 continue his contract until the end of this
13 year.

14 I don't see a problem with that
15 since he has provided service to us for many
16 years.

17 Anyone have any questions or
18 thoughts on this?

19 LEGISLATOR ABRAHAMS: Is there
20 any requirement that he live in Nassau?

21 MR. RICH: There is no legal
22 requirement. The County Attorney did
23 research that.

24 LEGISLATOR ABRAHAMS: Thank you.

25 CHAIRMAN NICOLELLO: Any other

1 Rules Committee/5-7-18

2 comments or questions?

3 (No verbal response.)

4 Is there any public comment?

5 (No verbal response.)

6 All those in favor of E-21

7 signify by saying aye.

8 (Aye.)

9 Those opposed?

10 (No verbal response.)

11 Carries unanimously.

12 We will put the committee in

13 recess while the other committees go

14 forward. Public Safety first.

15 (Whereupon, the Rules Committee

16 recessed at 2:38 p.m. and reconvened at 5:10

17 p.m.)

18 CHAIRMAN NICOLELLO: I'm going to

19 call the Rules Committee back into session.

20 The first thing we need to do is make a

21 motion to suspend the rules on the addendum.

22 LEGISLATOR RHOADS: So moved.

23 LEGISLATOR DERIGGI-WHITTON:

24 Second.

25 CHAIRMAN NICOLELLO: Moved by

1 Rules Committee/5-7-18

2 Legislator Rhoads, seconded by Legislator
3 DeRiggi-Whitton. All in favor of suspending
4 the rules signify by saying aye.

5 (Aye.)

6 Those opposed?

7 (No verbal response.)

8 The rules are suspended.

9 We have a number of items that
10 are going to be called. Actually, before we
11 get to that, there is one contract that we
12 to call at this time which we held before.

13 E-46 of 2018, a resolution
14 authorizing the County Executive to execute
15 a personal services agreement between the
16 county acting on behalf of Traffic and
17 Parking and Campanelli and Associates.

18 LEGISLATOR SCHAEFER: So moved.

19 LEGISLATOR KOPEL: Second.

20 CHAIRMAN NICOLELLO: Moved by
21 Legislator Schaefer, seconded by Deputy
22 Presiding Officer Kopel. That item is
23 before the committee. Can I get a motion to
24 table?

25 LEGISLATOR ABRAHAMS: So moved.

1 Rules Committee/5-7-18

2 LEGISLATOR RHOADS: Second.

3 CHAIRMAN NICOLELLO: Minority
4 Leader makes a motion to table, Legislator
5 Rhoads seconds it. All those in favor
6 signify by saying aye.

7 (Aye.)

8 Those opposed?

9 (No verbal response.)

10 Carries unanimously. These are
11 the consent items. Before I do that,
12 actually I want to note for the record that
13 we would incorporate by reference the
14 minutes of the other committees that were
15 held before us today.

16 (Whereupon, please refer to the
17 minutes of the Public Safety, Public Works
18 and Parks, Health and Social Services, and
19 the Planning Development and Environment
20 Committee; and Finance Committees dated
21 5-7-18.)

22 CHAIRMAN NICOLELLO: They are
23 consent items 169, 172, 173, 177, 178, 179,
24 180, 181, 185, 186, 187, 188, 189, 190, 191,
25 192, 193, 196, 197, 202, 203, 204, 205, 206,

1 Rules Committee/5-7-18

2 207, and one item on the addendum 214.

3 These items went through the committees
4 earlier and it was agreed that we will pass
5 these all along in a block. Motion?

6 LEGISLATOR SCHAEFER: So moved.

7 LEGISLATOR BYNOE: Second.

8 CHAIRMAN NICOLELLO: Moved by
9 Legislator Schaefer, seconded by Legislator
10 Bynoe. Items are before the committee.

11 All those in favor signify by
12 saying aye.

13 (Aye.)

14 Those opposed?

15 (No verbal response.)

16 They carry unanimously. There is
17 a number of appointments to the Minority
18 Affairs Committee. I'm going to call one
19 separately because our Minority Leader has
20 to recuse himself.

21 153, it's a resolution to confirm
22 the County Executive's appointment of Debra
23 Wheat Williams to the Minority Affairs
24 Council.

25 Let the record reflect that

1 Rules Committee/5-7-18

2 Minority Leader Abrahams has left the
3 chamber and is not participating in any
4 debate or discussion on this item.

5 LEGISLATOR BYNOE: So moved.

6 LEGISLATOR DERIGGI-WHITTON:

7 Second.

8 CHAIRMAN NICOLELLO: Moved by
9 Legislator Bynoe, seconded by Legislator
10 DeRiggi-Whitton. Do we have any debate or
11 discussion?

12 (No verbal response.)

13 Is there any public comment?

14 (No verbal response.)

15 All those in favor signify by
16 saying aye.

17 (Aye.)

18 Those opposed?

19 (No verbal response.)

20 That item carries unanimously.
21 Invite Legislator Abrahams back in.

22 I'm going to call the rest of
23 these together so that we will pass these
24 and move them along to the Full Legislature.
25 150, 152, 154, 155, 156, 157, 158, 161, 163,

1 Rules Committee/5-7-18

2 165, 166, 167, 168, 170. They are all
3 appointments to the Minority Affairs
4 Council. I don't think it's necessary to
5 read the names right now.

6 LEGISLATOR KOPEL: So moved.

7 LEGISLATOR SCHAEFER: Second.

8 CHAIRMAN NICOLELLO: Moved by
9 Legislator Kopel, seconded by Legislator
10 Schaefer. All of these appointments are
11 before the committee. All those in favor
12 signify by saying aye.

13 (Aye.)

14 Those opposed?

15 (No verbal response.)

16 Carries unanimously. They will
17 be on the Full Legislature on the 23rd.

18 Item 176 is a resolution
19 authorizing the County Executive to execute
20 an intermunicipal agreement with the Wantagh
21 Union Free School District to improve the
22 soft ball fields at Wantagh High School.

23 LEGISLATOR RHOADS: So moved.

24 LEGISLATOR SCHAEFER: Second.

25 CHAIRMAN NICOLELLO: Moved by

1 Rules Committee/5-7-18

2 Legislator Rhoads, seconded by Legislator
3 Schaefer. Do we have any debate or
4 discussion?

5 (No verbal response.)

6 Is there any public comment?

7 (No verbal response.)

8 All those in favor signify by
9 saying aye.

10 (Aye.)

11 Those opposed?

12 (No verbal response.)

13 Carries unanimously.

14 There are three items that should
15 have been on the consent items but I
16 neglected to call; 182, 183 and 184.

17 LEGISLATOR BYNOE: So moved.

18 LEGISLATOR DERIGGI-WHITTON:

19 Second.

20 CHAIRMAN NICOLELLO: Moved by
21 Legislator Bynoe, seconded by Legislator
22 DeRiggi-Whitton. These items are before the
23 committee. Do we have any debate or
24 discussion?

25 (No verbal response.)

1 Rules Committee/5-7-18

2 Is there any public comment?

3 (No verbal response.)

4 All those in favor signify by
5 saying aye.

6 (Aye.)

7 Those opposed?

8 (No verbal response.)

9 Those items carry unanimously.

10 Moving to 194 of 2018, a
11 resolution to authorize the County Executive
12 to execute an intermunicipal agreement with
13 the Village of Williston Park in relation to
14 a project to procure SCBA refills station
15 for the Village fire department. I will
16 make the motion.

17 LEGISLATOR ABRAHAMS: Second.

18 CHAIRMAN NICOLELLO: I made the
19 motion, seconded by Legislator Abrahams.
20 It's a county grant to provide this
21 refilling station which the village fire
22 department is desperately in need of.

23 Any questions or discussion?

24 (No verbal response.)

25 Is there any public comment?

1 Rules Committee/5-7-18

2 (No verbal response.)

3 All those in favor signify by
4 saying aye.

5 (Aye.)

6 Those opposed?

7 (No verbal response.)

8 Carries unanimously.

9 Item 195, a resolution
10 authorizing the County Executive to execute
11 an amendment to an intermunicipal agreement
12 with the Town of Hempstead in relation to
13 providing lifeguard services at Nickerson
14 Beach.

15 LEGISLATOR SCHAEFER: So moved.

16 LEGISLATOR BYNOE: Second.

17 CHAIRMAN NICOLELLO: Moved by
18 Legislator Schaefer, seconded by Legislator
19 Bynoe. That is a rules only item.

20 MR. NUGENT: Brian Nugent, Deputy
21 Commissioner Nassau County Parks Department.
22 This is an amendment to an existing IMA that
23 provides ocean lifeguards to Nickerson Beach
24 park as well as first aid services.

25 CHAIRMAN NICOLELLO: This is

1 Rules Committee/5-7-18

2 something we do every year, correct?

3 MR. NUGENT: Yes, we don't have
4 ocean life guards.

5 CHAIRMAN NICOLELLO: There are
6 town beaches on either side also?

7 MR. NUGENT: Yes, it makes the
8 beach contiguous.

9 CHAIRMAN NICOLELLO: Do we have
10 any questions for Mr. Nugent?

11 (No verbal response.)

12 Is there any public comment?

13 (No verbal response.)

14 All those in favor signify by
15 saying aye.

16 (Aye.)

17 Those opposed?

18 (No verbal response.)

19 Carries unanimously. 198, a
20 resolution to accept a gift offered by the
21 Nassau County Police Department Foundation
22 to the Nassau County Police Department.

23 LEGISLATOR DERIGGI-WHITTON: So
24 moved.

25 LEGISLATOR ABRAHAMS: Second.

1 Rules Committee/5-7-18

2 CHAIRMAN NICOLELLO: Moved by
3 Legislator DeRiggi-Whitton, seconded by
4 Minority Leader Abrahams.

5 LIEUTENANT STEPHANOFF: Good
6 afternoon. Lieutenant Greg Stephanoff,
7 Nassau County Police Department. Item
8 198-18 is to allow a donation from a Nassau
9 County foundation. They wish to sponsor the
10 Nassau County Police Department breakfast
11 briefing scheduled for June 2018 at the
12 Fresh Meadow Country Club.

13 This is for the department to
14 give an accounting of all the donations that
15 were made previously to the department for
16 the foundation board and the Commissioner
17 will give a briefing on how it benefitted
18 the department and the citizens of Nassau
19 County.

20 CHAIRMAN NICOLELLO: Any
21 questions or discussion?

22 (No verbal response.)

23 Is there any public comment?

24 (No verbal response.)

25 Thank you, Lieutenant. All those

1 Rules Committee/5-7-18

2 in favor signify by saying aye.

3 (Aye.)

4 Those opposed?

5 (No verbal response.)

6 Carries unanimously.

7 199 is a local law to amend the
8 Nassau County Charter to adjust the
9 qualifications of administrative employees
10 of the fire commission.

11 LEGISLATOR RHOADS: So moved.

12 LEGISLATOR SCHAEFER: Second.

13 CHAIRMAN NICOLELLO: Moved by
14 Legislator Rhoads, seconded by Legislator
15 Schaefer.

16 ASSISTANT CHIEF PRIEST: Good
17 afternoon. John Priest, Assistant Chief
18 Fire Marshall, Nassau County Fire Marshal's
19 Office.

20 Members, the item before you is
21 to help define from the get-go members of
22 the Fire Marshal's Office who are out doing
23 inspections and enforcing the fire
24 prevention ordinance had to have five years
25 of service in the volunteer fire service of

1 Rules Committee/5-7-18

2 Nassau before they could be hired.

3 Back when that was established,
4 said that those who were purely clerical
5 could be waived from that requirement. The
6 item before you is to define further which
7 positions need the five years and which
8 clerical positions do not.

9 It gives the chief fire marshal
10 the ability to determine whether or not some
11 positions need it or do not need that
12 requirement.

13 CHAIRMAN NICOLELLO: Has there
14 been any feedback from the fire department
15 themselves, are they comfortable with this?

16 ASSISTANT CHIEF PRIEST: To the
17 best of my knowledge, yes, sir.

18 CHAIRMAN NICOLELLO: Any other
19 questions?

20 (No verbal response.)

21 Any public comment?

22 (No verbal response.)

23 Thank you, John.

24 All in favor signify by saying
25 aye.

1 Rules Committee/5-7-18

2 (Aye.)

3 Those opposed?

4 (No verbal response.)

5 Carries unanimously.

6 200 is an ordinance amending
7 ordinance number 155 of 2014 which amended
8 ordinance number 113 of 2005 which amended
9 ordinance number 90 of 2003 entitled to
10 establish a Taxi and Limousine Commission
11 and to provide for the registration of for
12 hire vehicles.

13 LEGISLATOR KOPEL: So moved.

14 LEGISLATOR BYNOE: Second.

15 CHAIRMAN NICOLELLO: Moved by
16 Deputy Presiding Officer Kopel, and seconded
17 by Legislator Bynoe.

18 MR. MAY: Greg May, Consumer
19 Affairs Commissioner. This is an
20 administerial ordinance, I think it is,
21 changing any reference to the Taxi and
22 Limousine Commission to the Nassau County
23 Department of Consumer Affairs and the local
24 law that merged the two departments, it was
25 essentially incorporated by reference, if

1 Rules Committee/5-7-18

2 there was a reference to a TLC, it meant
3 Consumer Affairs, and this is cleaning that
4 up and making it official so any reprints of
5 the administrative code had the correct
6 language in it.

7 CHAIRMAN NICOLELLO: Easy enough.
8 Thank you, Greg. Any questions?

9 (No verbal response.)

10 Any public comments?

11 MS. MEREDAY: Meta J. Mereday. I
12 just had a question about the last part on
13 this ordinance, blurb, where it says and to
14 provide for the registration of for hire
15 vehicles, is that something new or change
16 something? This doesn't relate to Uber,
17 Lift or anything of that nature.

18 MR. MAY: Thank you. State law
19 changed the definition of Uber vehicles to
20 the transportation network company vehicle.
21 The local law that combined the two
22 departments clarified our roll in ensuring
23 compliance with the state law.

24 For hire vehicle is a term of art
25 that the county has used and most

1 Rules Committee/5-7-18

2 jurisdictions use for what we would
3 colloquially call taxis. So, no, the for
4 hire vehicle is not new.

5 CHAIRMAN NICOLELLO: Thank you.

6 Is there any other public comment?

7 (No verbal response.)

8 All those in favor signify by
9 saying aye.

10 (Aye.)

11 Those opposed?

12 (No verbal response.)

13 The item carries unanimously.

14 We have two items on the addendum
15 to cover.

16 212 of 2018 is a local law to
17 amend the Nassau County administrative code
18 to prohibit the use and sale of sparkling
19 devices.

20 LEGISLATOR DERIGGI-WHITTON: So
21 moved.

22 LEGISLATOR RHOADS: Second.

23 CHAIRMAN NICOLELLO: Moved by
24 Legislator DeRiggi-Whitton, seconded by
25 Legislator Rhoads.

1 Rules Committee/5-7-18

2 ASSISTANT CHIEF PRIEST: John
3 Priest. The item before you is to
4 technically what they call opt out of a New
5 York State law. All of these items were
6 prohibited until 2015 when Governor Cuomo
7 signed a law allowing their sale.

8 The City of New York was exempt
9 from that law. Suffolk County has already
10 opted out from that law.

11 These are commonly referred to as
12 sparklers cause over 6,000 injuries per year
13 burning at over 1200 degrees and easily
14 ignite combustible materials. They are the
15 leading cause of injury, fireworks injuries
16 in children under five years old.

17 CHAIRMAN NICOLELLO: So that's
18 why this is on the addendum. That's the
19 emergency because it's a public health
20 issue; is that what you're saying?

21 ASSISTANT CHIEF PRIEST: It is a
22 public safety issue. You want to call it
23 health injury issue, yes, and they will
24 become legal, I can't remember the date,
25 very soon, unless we opt out now.

1 Rules Committee/5-7-18

2 CHAIRMAN NICOLELLO: It's the
3 Fire Marshal's recommendation that we pass
4 this so we opt out and these remain illegal
5 in Nassau County?

6 ASSISTANT CHIEF PRIEST: That is
7 correct along with the Nassau County Fire
8 Commission representing the fire service.

9 CHAIRMAN NICOLELLO: Any other
10 questions?

11 (No verbal response.)

12 Is there any public comment?

13 (No verbal response.)

14 Hearing none, all those in favor
15 signify by saying aye.

16 (Aye.)

17 Those opposed?

18 (No verbal response.)

19 The item passes unanimously.

20 Thank you, John.

21 (Let left the /(clam better for
22 discussion on vote on 216)

23 Last but not least, 216 is an
24 item that Legislator Schaefer is going to
25 recuse herself on. Let the record reflect

1 Rules Committee/5-7-18

2 that Legislator Schaefer has left the
3 chamber and will not be participating in any
4 debate or discussion or vote on 216.

5 It's an ordinance making certain
6 determinations pursuant to the State
7 Environmental Quality Review Act and
8 authorizing the County Executive to execute
9 an amendment and consent to an assignment of
10 a lease between the county, as landlord, and
11 Belzona Molecular Inc. As tenant, for
12 premises located at 100 Charles Lindbergh
13 Boulevard and authorizing the County
14 Executive to execute any and all documents
15 in connection therewith.

16 LEGISLATOR BYNOE: So moved.

17 LEGISLATOR DERIGGI-WHITTON:
18 Second.

19 CHAIRMAN NICOLELLO: Moved by
20 Legislator Bynoe, seconded by Legislator
21 DeRiggi-Whitton.

22 MR. SERANDIS: Nicholas Serandis,
23 Deputy County Attorney.

24 This matter is coming before for
25 the reason that this is a Mitchell Field

1 Rules Committee/5-7-18

2 lease where we have a ground lease and the
3 provisions of the original lease state that
4 the lease could not be assigned to any party
5 could be a tax exempt entity, thereby
6 causing a necessity to amend the lease.

7 The proposal that was brought to
8 our attention was that the academy charter
9 school which currently operates as a charter
10 school in the Village of Hempstead on North
11 Franklin Avenue wanted to operate a charter
12 school within the confines of the Uniondale
13 school district and that's located this
14 Mitchell Field property.

15 The original lease of the
16 property was to Belzona Molecular which was
17 done around 1980. The current tenant of
18 that property is a financial type company,
19 118 Kings Point Road Associates and CLB 100
20 L.L.C.

21 They were I guess approached by
22 the charter school to assign the lease to
23 the charter school for the purposes of the
24 charter school arranging for the use of the
25 property as the charter school.

1 Rules Committee/5-7-18

2 The effect at the moment is on
3 taxes obviously because of their potential
4 acquisition of the property in this tax year
5 any proposed exemption or any exemption that
6 they may be entitled to would not take
7 effect until the date which is January 2 of
8 2019 for the 2020 taxes.

9 In addition they advised us that
10 they would tenants within the building and
11 that the tenants within the building would
12 retain approximately 20 percent of the
13 building for commercial purposes and not tax
14 exempt purposes.

15 So at that point, the Assessment
16 Department, even though they would be filing
17 for an exemption could alleviate 20 percent of
18 the property or the value they thought would
19 be represented the use by the private entity
20 on the tax roll and exempting the other
21 portion of that.

22 Just so we had spoken with them
23 on several occasions and apparently the
24 lease for that intention would be expiring
25 to 2022. At that point, the potential that

1 Rules Committee/5-7-18

2 the entire property would be tax exempt.

3 In the interim, the county
4 charter school had indicated that they are
5 seeking to open up the charter school in
6 September of this year. Therefore they
7 requested this consent to the amendment of
8 the current lease and the consent to
9 assignment to the charter school.

10 They plan to start by opening up
11 for the lower elementary grade, I believe
12 kindergarten through second grade, and
13 expand as their needs -- and hope to expand
14 eventually through the high school grade
15 level.

16 So that's basically what -- the
17 rent on the property does not change and as
18 a result and as the committee may be aware
19 at this point the county does not collect
20 the rent on the property having sold the
21 rental stream to an entity a number of years
22 ago for 35 years so the rent is collected by
23 another entity.

24 The other entity is aware of the
25 transaction and has said they have no

1 Rules Committee/5-7-18
2 objection to us consenting to the assignment
3 and amending the lease if that's what the
4 Legislature decides.

5 CHAIRMAN NICOLELLO: I think you
6 basically covered it. Does anyone have any
7 questions for Mr. Serandis?

8 LEGISLATOR ABRAHAMS: Thank you,
9 Presiding Officer. If you could just take
10 me back through, you had said that the
11 tenant or I guess the landlord will remain
12 in 20 percent of the building?

13 MR. SERANDIS: No. What
14 basically we have been advised is that there
15 currently is commercial entities on the
16 property because it's not owned by the --
17 the charter school is not the tenant of the
18 current property.

19 When they become the tenant if
20 this is approved, they indicated that the
21 entity that was there will be retaining
22 about 20 percent of the building until 2022,
23 a commercial entity that should remain.

24 LEGISLATOR ABRAHAMS: That's what
25 I just said. So the total size of the

1 Rules Committee/5-7-18

2 property is how much again?

3 MR. SERANDIS: It's over 100,000
4 square foot building, correct?

5 MR. WALSH: Kevin Walsh, this
6 building is approximately 80,000 square
7 feet.

8 LEGISLATOR ABRAHAMS: So 20
9 percent of that would be roughly 16,000
10 square feet which they will not be
11 retaining?

12 MR. WALSH: Indicates 20, so it
13 might be a little more.

14 LEGISLATOR ABRAHAMS: Do we know
15 the tax dollars that would have to be
16 absorbed by other property tax owners? Do
17 we know that total number? It's not going
18 to be lost revenue obviously because it's
19 going to be absorbed by other entities but
20 do we know that absorption number?

21 MR. SERANDIS: For this year the
22 current taxes paid by the property
23 approximately \$700,000 consisting of about
24 \$370,000 and \$302,000 in county, town,
25 special districts, like sewer, library, and

1 Rules Committee/5-7-18

2 fire district taxes.

3 Obviously if the assessment were
4 to hold and 20 percent or 25 percent of the
5 property would remain on the tax roll,
6 assuming it was 20 percent, about
7 approximately \$140,000 would remain on the
8 tax roll. Therefore there would be a tax
9 exemption of approximately \$560,000 between
10 school, town, and county and all of the
11 general taxes. That obviously won't take
12 effect for another year because of the
13 taxable status date.

14 LEGISLATOR ABRAHAMS: The school
15 proportion would be spread out between
16 commercial and residential?

17 MR. SERANDIS: Yes. I'm advised
18 by the Assessment Department that if the
19 exemption takes effect, it would be spread
20 out among all of the other classes which
21 would include residential, class two, which
22 is co-ops and condos; class three, which is
23 utilities and of course amongst the Class 4
24 properties which is commercial, that Class 4
25 would lose that assessed valuation in its

1 Rules Committee/5-7-18

2 valuations. Therefore, obviously the
3 corresponding increase for the taxpayers
4 within the Class 4 as well.

5 LEGISLATOR ABRAHAMS: Do you have
6 a breakdown of what the average absorption
7 number would be for those particular classes
8 within the school district? I know the
9 county and the town, those folks, it would a
10 very, very faint touch, like me tapping
11 Howard on the shoulder, but I'm talking
12 about the folks in the school district, how
13 much would they expect to see?

14 MR. SERANDIS: We haven't really
15 worked out those numbers yet, but, like I
16 said, approximately \$560,000 of it, taxes
17 that would be spread out overall. A portion
18 of it would go to homeowners but obviously a
19 portion would go to utilities as well as
20 condos and co-ops.

21 LEGISLATOR ABRAHAMS: How hard
22 would it be -- if I'm looking at this
23 correctly, you said 370 would be the amount
24 going towards the schools for this year.

25 However, you have to take 20

1 Rules Committee/5-7-18

2 percent off the 370 which roughly gives me
3 about 80,000, 74,000 less --

4 MR. SERANDIS: Probably down to
5 \$300,000 would be absorbed by the other
6 taxpayers in the district.

7 LEGISLATOR ABRAHAMS: Is it hard
8 for you and Mr. Walsh to figure out what
9 that would be in terms of the absorption by
10 each class?

11 MR. SERANDIS: We can ask the
12 Assessment Department to figure that out.

13 LEGISLATOR ABRAHAMS: Could they
14 get back to us in two weeks for the Full
15 Legislature?

16 MR. SERANDIS: Yes.

17 LEGISLATOR ABRAHAMS: And then my
18 last question, thank you for indulging me,
19 Presiding Officer, and my last question, in
20 the event that the lease with the academy
21 ends for any particular reason, the property
22 returns back to the tax rolls and I guess
23 the county is notified that the lease has
24 ended?

25 MR. SERANDIS: Well, what would

1 Rules Committee/5-7-18

2 happen is, right now the amendment provides
3 only for assignment to the charter school.
4 If the charter school would then ask to
5 assign that lease again, the county would
6 obviously would have to consent to that
7 assignment if the assignment was to a
8 commercial entity, the Assessment Department
9 would then reclassify the property as Class
10 4 and nonexempt.

11 LEGISLATOR ABRAHAMS: The
12 assignment in this case goes for how long,
13 what period of time?

14 MR. SERANDIS: The assignment is
15 perpetual. The lease is currently within
16 the -- it has three option periods of 33
17 years each. It's a 99 year lease.

18 LEGISLATOR ABRAHAMS: You said 33
19 years each?

20 MR. SERANDIS: Each. So it's a
21 99 year lease. In 2013, the entity that was
22 the ownership at that time exercised the
23 first option.

24 So we're currently in the middle
25 of the second 33 year period which has about

1 Rules Committee/5-7-18

2 another 28 years to go and then they can
3 exercise the option for another 33 years
4 after that. Potentially the lease has
5 another 66 years to go. That's common of
6 all the Mitchel Field leases whether -- of
7 all the properties that exist there.

8 LEGISLATOR ABRAHAMS: You said
9 middle and you through me off. You said
10 we're in the middle of the second?

11 MR. SERANDIS: They just
12 exercised the first option.

13 LEGISLATOR ABRAHAMS: You mean we
14 are in the beginning of the second, right?

15 MR. SERANDIS: Yes. It started
16 in 1980 the first option was up around 2013.
17 They exercised the entity then holding the
18 lease, exercised that option.

19 So now the option, it's five
20 years into the second option -- first
21 option. Then they can exercise the second
22 option 28 years from now for an additional
23 33 years.

24 LEGISLATOR ABRAHAMS: Got you.
25 Nothing further.

1 Rules Committee/5-7-18

2 CHAIRMAN NICOLELLO: Any other
3 questions for Mr. Serandis?

4 (No verbal response.)

5 Thank you, Nick. Hearing none,
6 any public comment?

7 (No verbal response.)

8 All those in favor signify by
9 saying aye.

10 (Aye.)

11 Abstain?

12 (Abstain.)

13 Those opposed?

14 (No verbal response.)

15 Unanimous? I'm sorry, it's four
16 in favor with two abstentions. It carries.
17 And will be on the Full Legislature on the
18 23rd.

19 Mr. Rhoads, want to make a motion
20 to adjourn?

21 LEGISLATOR RHOADS: So moved.

22 LEGISLATOR KOPEL: Second.

23 CHAIRMAN NICOLELLO: Moved by
24 Legislator Rhoads, seconded by Deputy
25 Presiding Officer Kopel. All in favor of

1 Rules Committee/5-7-18

2 adjourning signify by saying aye.

3 (Aye.)

4 Those opposed?

5 (No verbal response.)

6 We are adjourned.

7 (Whereupon, the Rules Committee

8 adjourned at 5:38 p.m.)

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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 24th day of May, 2018.

FRANK GRAY