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NASSAU COUNTY LEGISLATURE

RULES COMMITTEE

RICHARD NICOLELLO, Chairman

1550 Franklin Avenue  
Mineola, New York

Monday, November 25, 2019  
4:46 P.M

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2     A P P E A R A N C E S :

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4     RICHARD NICOLELLO,  
Chairman

5

Howard KOPEL,  
Vice Chairman

6

STEVE RHOADS

7

LAURA SCHAEFER

8

KEVAN ABRAHAMS,  
Ranking

9

10    DELIA DERIGGI-WHITTON

11    SIELA BYNOE

12    MICHAEL C. PULITZER,  
Clerk of the Legislature

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LIST OF SPEAKERS

MARYELLEN LAURAIN.....6  
DEPUTY INSPECTOR GREG STEPHANOFF.....10

1 Rules Committee/11-25-19

2 CHAIRMAN NICOLELLO: I call the  
3 Rules Committee to order. Mike, can you  
4 call the roll?

5 CLERK PULITZER: Thank you,  
6 Presiding Officer. Roll call for the Rules  
7 Committee. Legislator Delia  
8 DeRiggi-Whitton?

9 LEGISLATOR DERIGGI-WHITTON: Here.

10 CLERK PULITZER: Ranking Member  
11 Kevan Abrahams? He's here?

12 LEGISLATOR ABRAHAMS: Here.

13 CLERK PULITZER: Legislator Siela  
14 Bynoe?

15 LEGISLATOR BYNOE: Here.

16 CLERK PULITZER: Legislator Laura  
17 Schaefer?

18 LEGISLATOR SCHAEFER: Here.

19 CLERK PULITZER: Legislator  
20 Steven Rhoads?

21 LEGISLATOR RHOADS: Present.

22 CLERK PULITZER: Vice-Chairman  
23 Howard Kopel?

24 LEGISLATOR KOPEL: Here.

25 CLERK PULITZER: And Chairman,

1 Rules Committee/11-25-19

2 Mr. Richard Nicoletello?

3 CHAIRMAN NICOLELLO: Here.

4 CLERK PULITZER: We have a  
5 quorum, sir.

6 CHAIRMAN NICOLELLO: Thank you.

7 The first item is B-17 of 2019, a  
8 resolution authorizing the County Executive  
9 to award and execute a contract between the  
10 county acting on behalf of the Nassau County  
11 Department of Public Works and EA  
12 Restoration, Inc.

13 LEGISLATOR DERIGGI-WHITTON: So  
14 moved.

15 LEGISLATOR SCHAEFER: Second.

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

19 The item is before us, however,  
20 we are going to table that. We need a  
21 motion to table.

22 LEGISLATOR RHOADS: So moved.

23 LEGISLATOR DERIGGI-WHITTON:  
24 Second.

25 CHAIRMAN NICOLELLO: Moved by

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

5 (Aye.)

6 Those opposed?

7 (No verbal response.)

8 Item is tabled.

9 E-205 of 2019 is a resolution  
10 authorizing the County Executive to execute  
11 a personal services agreement between the  
12 county and VMC Group.

13 LEGISLATOR KOPEL: So moved.

14 LEGISLATOR ABRAHAMS: Second.

15 CHAIRMAN NICOLELLO: Moved by  
16 Deputy Presiding Officer Kopel, seconded by  
17 Minority Leader Abrahams.

18 MS. LAURAIN: Good evening,  
19 MaryEllen Laurain, Department of Health.  
20 Item 205-19 is a contract with VMC Group  
21 Incorporated. The contract shall not exceed  
22 \$300,000 each year; services to be provided  
23 by the contractor are solely to contract and  
24 pay the municipal representatives for their  
25 representation at the committee on preschool

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2 special education.

3 The Health Department staff  
4 assigns and supervises these reps. These  
5 reps, their role is to provide guidance,  
6 knowledge, and their expertise at these  
7 meetings.

8 CHAIRMAN NICOLELLO: This is  
9 something we do annually, correct?

10 MS. LAURAIN: Yes. This is a  
11 term, November 1 to October 31, 2024.

12 CHAIRMAN NICOLELLO: I recall  
13 seeing that this entity, company is located  
14 in kind of remote?

15 MS. LAURAIN: They're located in  
16 Niagara Falls.

17 CHAIRMAN NICOLELLO: How do they  
18 administer or provide these resources or  
19 individuals to the county?

20 MS. LAURAIN: So they pay. We  
21 contract with them and they pay the reps.  
22 Before we were individually contracting and  
23 we weren't able to utilize all the money  
24 within the budget year, so it became more  
25 efficient to go to one contractor who would

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2 then contract with each representative.

3 CHAIRMAN NICOLELLO: If the  
4 county finds that the work of any particular  
5 representative is not satisfactory, the  
6 county can insist that that person not  
7 continue?

8 MS. LAURAIN: Yes, we meet with  
9 the representatives four to eight times a  
10 year. After each meeting they do have to  
11 provide us with a detailed report of the  
12 meeting.

13 CHAIRMAN NICOLELLO: Any other  
14 questions? Legislator DeRiggi-Whitton.

15 LEGISLATOR DERIGGI-WHITTON: Hi  
16 MaryEllen. This had a back up, it was an  
17 evaluation summary?

18 MS. LAURAIN: Yes.

19 LEGISLATOR DERIGGI-WHITTON: We  
20 were just mentioning how this is very  
21 helpful. Can we request that this be part  
22 of all the backup?

23 MS. LAURAIN: I actually oversee  
24 the contracts. We use that for every RFP  
25 that we go out with.



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2 LEGISLATOR DERIGGI-WHITTON: Can  
3 we get a copy of that going forward?

4 MS. LAURAIN: Certainly.

5 LEGISLATOR DERIGGI-WHITTON:  
6 Thank you very much. We haven't seen it in  
7 the backup before. It's a first time.

8 MS. LAURAIN: I sent that as a  
9 request, but we can certainly, as far as the  
10 Health Department, we can include that in  
11 our back up packages, but we have been using  
12 that for quite a long time.

13 LEGISLATOR DERIGGI-WHITTON: I  
14 don't think we usually get it though. Thank  
15 you.

16 CHAIRMAN NICOLELLO: Any other  
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.)

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2 Carries unanimously.

3 MS. LAURAIN: Thank you.

4 CHAIRMAN NICOLELLO: E-208, a  
5 resolution authorizing the County Executive  
6 to execute a personal services agreement  
7 between the county and NICE Systems Inc.

8 LEGISLATOR RHOADS: So moved.

9 LEGISLATOR SCHAEFER: Second.

10 CHAIRMAN NICOLELLO: Moved by  
11 Legislator Rhoads, seconded by Legislator  
12 Schaefer.

13 DEPUTY INSPECTOR STEPHANOFF:  
14 Good afternoon. Deputy Inspector Greg  
15 Stephanoff, Nassau County Police Department.

16 E-208 of '19 is a new contract to  
17 provide the police department and the  
18 District Attorney's Office with a single  
19 access solution for digital evidence  
20 management that will automate the clutching  
21 process and integrate contact from existing  
22 applications and source into a single  
23 digital case folder.

24 The solution will allow the  
25 police department to share case files with

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2 the District Attorney's Office and to  
3 facilitate the discovery and comply with the  
4 recent changes of discovery laws taken into  
5 effect on January 1st, 2020.

6 The total cost of this is  
7 \$1,390,460. We are encumbering \$239,000 to  
8 start the project.

9 This system will take the data,  
10 the case data from seven different systems  
11 in the police department. The CAT system,  
12 the Motorola premier one, which is a new  
13 arrest system, two interview room systems  
14 that we have, the informed 911 audio system  
15 which is our 911 intake where the calls come  
16 in, our crime scene photo system, and our  
17 property bureau system.

18 It will take all that, put it in  
19 a cloud base which is a secured system that  
20 also meets, it's in compliance with the FBI  
21 security policy, and it will give instant  
22 access to the DA's office. This will do it  
23 seamlessly automatically.

24 This is a sole source because we  
25 already use the NICE system for our 911

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2 which integrates with our CAD system. It's  
3 proprietary software. The NICE system also  
4 integrates with the other five systems  
5 allowing us to give a complete case file  
6 over to the District Attorney's Office for  
7 the discovery.

8 We used to have 30 day discovery  
9 and limited discovery. Starting January 1st  
10 we have full discovery of everything in a 15  
11 day period and that includes weekends.

12 So it has to be over there not to  
13 jeopardize the case. This will also --  
14 there are benefits to this besides the  
15 discovery laws.

16 We will have access as well as  
17 the DA's office. This will give the  
18 detectives instant access to all the  
19 information so they don't have to wait for  
20 the information, like if the crime scene has  
21 information or from anywhere else and  
22 they'll be able to work on the case  
23 immediately, save time and give them more  
24 time to do an investigation.

25 CHAIRMAN NICOLELLO: Very good.

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2 Legislator Rhoads.

3 LEGISLATOR RHOADS: Thank you,  
4 Mr. Chairman. Just so I'm correct in my  
5 understanding. This is a direct response to  
6 the changes in state law that was passed by  
7 the State Legislature and signed by the  
8 governor with respect to criminal justice  
9 reform?

10 DEPUTY INSPECTOR STEPHANOFF:  
11 Yes, it is.

12 LEGISLATOR RHOADS: Am I also  
13 correct in my understanding that in addition  
14 to imposing this on local government, they  
15 also elected not to provide any of the  
16 resources to actually update technology to  
17 be able to comply with these new  
18 requirements; is that correct?

19 DEPUTY INSPECTOR STEPHANOFF: As  
20 far as funds?

21 LEGISLATOR RHOADS: Correct.

22 DEPUTY INSPECTOR STEPHANOFF: I  
23 can't say if there aren't going to be any  
24 funds, but we're hoping there will be but  
25 we're not sure.

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2 LEGISLATOR RHOADS: As of right  
3 now you don't have any idea whether there  
4 will be funds or not?

5 DEPUTY INSPECTOR STEPHANOFF: As  
6 of right now I don't know.

7 LEGISLATOR RHOADS: So this may  
8 very well be yet another unfunded mandate  
9 that's imposed, separate and apart of the  
10 absurdity, and you can't comment on that but  
11 I can, from the absurdity of these new  
12 requirements, as far as you know, this would  
13 be yet another unfunded mandate from the  
14 state as far as you know today?

15 DEPUTY INSPECTOR STEPHANOFF: It  
16 could be as far as I know.

17 LEGISLATOR RHOADS: Apparently  
18 the governor has indicated there will be no  
19 funds to cover that so that possibility is  
20 apparently foreclosed. So now do you not  
21 only have to deal with these new  
22 requirements, but you also, the taxpayers of  
23 Nassau County also have to pay for this  
24 insanity.

25 The \$1.3 million that we're

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2 talking about here for this particular  
3 contract, does that also include interface  
4 with -- that's the county police department,  
5 but does that also include information put  
6 in by local police departments, villages,  
7 for example, city?

8 DEPUTY INSPECTOR STEPHANOFF: I  
9 can find out. I'm not sure about the  
10 villages but I can find out if we can  
11 integrate the villages as well.

12 If they share anything that we do  
13 will be collected to the DA's office for the  
14 village because they use a lot of our  
15 resources, crime scene, detectives, anything  
16 in that respect will be collected for them.

17 LEGISLATOR RHOADS: But we don't  
18 know if that's the entirety of everything  
19 that has to go into the system?

20 DEPUTY INSPECTOR STEPHANOFF: I'm  
21 not sure if it includes like if the village  
22 has their own arrest processing system, then  
23 they would have to turn that over  
24 themselves. I'm not sure if it will  
25 integrate in that respect.

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2 LEGISLATOR RHOADS: So the \$1.3  
3 million as far as we know may not include  
4 additional costs that would wind up having  
5 to be paid by residents in local villages or  
6 local jurisdictions where that information  
7 is not provided to the county police  
8 department on a normal basis?

9 DEPUTY INSPECTOR STEPHANOFF: I'm  
10 not aware of it. I can find out but I'm not  
11 aware of the villages. Some of the villages  
12 do process with us and that will be  
13 included.

14 LEGISLATOR RHOADS: But, for  
15 example, and I don't know this to be the  
16 case, if the village of Freeport, for  
17 example, uses our crime lab, that's  
18 information that would wind up having to --  
19 that information would be covered as far as  
20 the \$1.3 million?

21 DEPUTY INSPECTOR STEPHANOFF: Yes.

22 LEGISLATOR RHOADS: However, if  
23 they have their own arrest processing  
24 software, their own investigators working,  
25 that information would have to be disclosed



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2 separately by them if they're not using  
3 county resources already?

4 DEPUTY INSPECTOR STEPHANOFF: Yes.

5 LEGISLATOR RHOADS: Thank you.

6 CHAIRMAN NICOLELLO: Any other  
7 legislators?

8 (No verbal response.)

9 Is there any public comment?

10 (No verbal response.)

11 All those in favor signify by  
12 saying aye.

13 (Aye.)

14 Those opposed?

15 (No verbal response.)

16 Carries unanimously.

17 Motion to adjourn?

18 LEGISLATOR SCHAEFER: So moved.

19 LEGISLATOR RHOADS: Second.

20 CHAIRMAN NICOLELLO: Moved by  
21 Legislator Schaefer, seconded by Legislator  
22 Rhoads. All in favor of adjourning signify  
23 by saying aye.

24 (Aye.)

25 Those opposed?

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2 (No verbal response.)

3 Carries unanimously. Thank you.

4 Happy Thanksgiving.

5 (Whereupon, the Rules Committee  
6 adjourned at 4:57 p.m.)

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C E R T I F I C A T E

I, FRANK GRAY, a Shorthand Reporter and  
Notary Public in and for the State of New  
York, do hereby stated:

THAT I attended at the time and place  
above mentioned and took stenographic record  
of the proceedings in the above-entitled  
matter;

THAT the foregoing transcript is a true  
and accurate transcript of the same and the  
whole thereof, according to the best of my  
ability and belief.

IN WITNESS WHEREOF, I have hereunto set  
my hand this 16th day of December, 2019.

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FRANK GRAY