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6 NASSAU COUNTY LEGISLATURE

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8 RICHARD NICOLELLO

9 PRESIDING OFFICER

10

11 RULES COMMITTEE

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13 LEGISLATOR RICHARD NICOLELLO

14 CHAIR

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16

17 Theodore Roosevelt Building

18 1550 Franklin Avenue

19 Mineola, New York

20

21

22 September 9, 2020

23 1:46 P.M.

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

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4 LEGISLATOR RICHARD NICOLELLO

5 Chair

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7 LEGISLATOR HOWARD KOPEL

8 Vice Chair

9

10 LEGISLATOR STEVEN RHOADS

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12 LEGISLATOR LAURA SCHAEFER

13

14 LEGISLATOR KEVAN ABRAHAMS

15 Ranking member

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17 LEGISLATOR DELIA DERIGGI-WHITTON

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19 LEGISLATOR SIELA BYNOE

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1 Rules - 09-09-20

2 LEGISLATOR NICOLELLO: We are
3 going to start with the committee meetings
4 today. I apologize for being late. We had a
5 hearing this morning which went a little
6 overtime and we needed a little extra time to
7 prepare for the meeting. What we are going to
8 do is we will have the Rules Committee first,
9 which will be contracts only. After we are
10 done with the Rules we will recess, then
11 Finance and Rules will come back afterwards.

12 Start things off I would like to
13 ask Legislator Denise Ford to lead us in the
14 Pledge of Allegiance.

15 Mike, you want to call the roll?

16 MR. PULITZER: Yes. Thank you.
17 The roll call for the Rules Committee.
18 Legislator Siela Bynoe.

19 LEGISLATOR BYNOE: Here.

20 MR. PULITZER: Legislator Delia
21 DeRiggi-Whitton.

22 LEGISLATOR DERIGGI-WHITTON:
23 Here.

24 MR. PULITZER: Ranking member
25 Kevan Abrahams.

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2 LEGISLATOR ABRAHAMS: Here.

3 MR. PULITZER: Legislator Laura
4 Schaefer.

5 LEGISLATOR SCHAEFER: Here.

6 MR. PULITZER: Legislator Steven
7 Rhoads.

8 LEGISLATOR RHOADS: Present.

9 MR. PULITZER: Vice chairman
10 Howard Kopel.

11 LEGISLATOR KOPEL: Here.

12 MR. PULITZER: Chairman Richard
13 Nicoletto.

14 LEGISLATOR NICOLELLO: Here.

15 MR. PULITZER: We have a quorum
16 sir.

17 LEGISLATOR NICOLELLO: So we get
18 this out of the way now, I would ask for a
19 motion to suspend the rules so we can consider
20 the items on the addendum. Moved by
21 Legislator Rhoads. Seconded by Legislator
22 Bynoe. All in favor of suspending the rules
23 signify by saying aye. Those opposed? The
24 rules are suspended.

25 I'm going to call all the contracts

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2 at once and then we will consider them after
3 that.

4 A-15, A-33, A-42, A-48 2020
5 resolutions authorizing the commissioner of
6 shared services to award and execute or
7 approve additional funds for blanket purchase
8 orders between the county and Eastern
9 Communications, Best Climate Predator Pest
10 Control, Intel Tech Security Services.

11 B-18 and B-25 of 2020 resolutions
12 authorizing the county executive to award and
13 execute contracts between the county and
14 Chesterfield Associates and Welsbach Electric
15 Corp.

16 E-117, E-118, E-119, E-120, E-121
17 E-122, E-123, E-124 resolutions authorizing
18 the county executive to execute personal
19 services agreements or amendments to personal
20 services agreements between the county and
21 Jacobs Project Management Company, Lockwood
22 Kessler and Barlett, LKB Consulting Engineers,
23 Liro Engineers, NV5 New York Engineers, US
24 Imaging, Inc. and IIT, Inc.

25 That is moved by Minority Leader

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2 Kevan Abrahams. Seconded by Deputy Presiding
3 Officer Howard Kopel. All the contracts are
4 before us.

5 We will start off with A-15 of
6 2020, which is with the police department and
7 Eastern Communications Limited.

8 MR. FIELD: Good afternoon.
9 Deputy inspector Field, Nassau County Police
10 Department. Item A-15-20 is to award a
11 blanket purchase order for Eastern
12 Communications. They will be helping us
13 maintain and repair Nassau County Police
14 Department radio sites and over 5,000 portable
15 and mobile radios. The system and the radios
16 are used by numerous agencies including OEM,
17 DPW, public safety, the auxiliary police as
18 well as the fire service. The agreement
19 provides 24 hours a day coverage for any and
20 all issues with the system and equipment. The
21 maximum amount authorized under this blanket
22 purchase order is \$1.5 million from general
23 funds.

24 LEGISLATOR NICOLELLO: Any
25 questions from the legislators? I think we're

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2 good. Thank you. Next contracts are with
3 public works. There's two that are going to
4 be tabled. Those are the contracts A-33 of
5 2020, B-18 of 2020. A-33 is with Best Climate
6 Control. B-18 is with Chesterfield
7 Associates. The inspector general is
8 continuing her investigation which is done as
9 a matter of course but she has not completed
10 the investigation, so we are going to table
11 those for now.

12 Motion to table by Legislator
13 DeRiggi-Whitton. Seconded by Legislator
14 Schaefer. All in favor of tabling those two
15 contracts signify by saying aye. Those
16 opposed? Contracts pass unanimously -- the
17 contracts are tabled.

18 I'm sorry. I didn't see you
19 there.

20 MS. FRANZESE: My apologies.
21 Just wanted to speak briefly to A-33-20. That
22 actually we had an issue regarding a
23 questionnaire form that we hadn't received
24 when we sent the note to the legislature.
25 Yesterday we received it and reviewed it last

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2 night. At this point it's good to go if it's
3 amenable to the legislature.

4 LEGISLATOR NICOLELLO: The other
5 one still the investigation continues?

6 MS. FRANZESE: That's correct.

7 LEGISLATOR NICOLELLO: Motion to
8 untable by Legislator Rhoads. Seconded by
9 Legislator Schaefer. All in favor of
10 untabling A-33 signify by saying aye. Those
11 opposed? Carries unanimously. Now it's back
12 on the table. So we are now going to consider
13 Best Climate Control as contractor and need
14 someone from public works.

15 MR. ARNOLD: Ken Arnold, public
16 works. A-33 is Best Climate Control is a
17 contract cap raise. They do our HVAC
18 maintenance at various facilities. We also
19 use them for certain types of capital
20 improvements when it's replacing equipment
21 that has reached its lifetime. It's a capital
22 expense not an operating expense.

23 LEGISLATOR NICOLELLO: The
24 increase here is sizeable. It's striking. It
25 goes from \$425,000 to \$6,425,000. Why is

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2 there an increase of this magnitude?

3 MR. ARNOLD: We have a large
4 project at the district court we wanted to
5 work on. There's a building management system
6 and there's a lot of valves and dampers that
7 need to be replaced. That's the majority of
8 the money. And also we anticipate some larger
9 work to be done due to the COVID emergency
10 with filters and air handlers and that type of
11 stuff.

12 LEGISLATOR NICOLELLO: When this
13 went out to bid those projects were not
14 anticipated?

15 MR. ARNOLD: That's correct.

16 LEGISLATOR NICOLELLO: You
17 indicated some of the work may be related to
18 COVID?

19 MR. ARNOLD: We are anticipating
20 that we might be asked to do some additional
21 work this winter so we want to have the
22 capacity to address those situations.

23 LEGISLATOR NICOLELLO: Would that
24 work, the money spent on COVID-related work,
25 would those monies be recoverable from the

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2 state? Or federal government rather.

3 MR. ARNOLD: My understanding any
4 capital improvement right now the way the
5 funding was received is not but we will work
6 with FEMA on PWs, project worksheets, to see
7 what we can do through that program. But
8 through the CARES funding I don't believe
9 anything capital can be reimbursed.

10 LEGISLATOR NICOLELLO: We may be
11 able to recover monies from FEMA possibly?

12 MR. ARNOLD: Right. Through the
13 project worksheet program.

14 LEGISLATOR NICOLELLO: What is
15 that 75 percent?

16 MR. ARNOLD: I think 75 or 80.

17 LEGISLATOR NICOLELLO: There's a
18 county share?

19 MR. ARNOLD: Yes.

20 LEGISLATOR NICOLELLO: Anyone
21 have any other questions on this? Legislator
22 Bynoe.

23 LEGISLATOR BYNOE: Thank you
24 Presiding Officer. Good afternoon
25 Commissioner Arnold.

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2 MR. ARNOLD: Good afternoon.

3 This is a considerable amount of additional
4 work that this entity would be awarded. I
5 just want to make sure that they have the
6 capacity to be able to do this work especially
7 since some of it is related to COVID and
8 should be executed timely.

9 MR. ARNOLD: Yes. The issue with
10 any HVAC equipment is always lead time to
11 actually buy the equipment. They have no
12 control over that. But they have the capacity
13 to do the work once we get the equipment
14 through the different supply chains.

15 LEGISLATOR BYNOE: Thank you.

16 LEGISLATOR NICOLELLO: Are there
17 any other questions? Let's go on to the next
18 contract, A-42, Predator Pest Control.

19 MR. ARNOLD: A-42 is a new
20 contract for pest control through Integrated
21 Pest Management System. County department has
22 always had a pest control contract to deal
23 with termites, rats, whatever issue comes up
24 at a county facility this allows to us respond
25 in a timely manner to deal with this

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2 situation.

3 LEGISLATOR NICOLELLO: This is
4 inside facilities only or is it also outside
5 potentially at parks or other places?

6 MR. ARNOLD: For rats obviously
7 we would use it for rat control around county
8 buildings. It would not be not for private
9 properties.

10 LEGISLATOR NICOLELLO: Simply
11 county facilities?

12 MR. ARNOLD: Yes.

13 LEGISLATOR NICOLELLO: The sum of
14 two plus million dollars, is that how much we
15 spend roughly in a given year?

16 MR. ARNOLD: That's the cap over
17 a couple of years. That's not one annual
18 cost.

19 LEGISLATOR NICOLELLO: Roughly a
20 million plus a year to pay for --

21 MR. ARNOLD: Probably around
22 500. Something like that. I think the
23 contract is three or four years.

24 LEGISLATOR NICOLELLO: Any other
25 questions? I guess not. Move on to the next

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2 one. Chesterfield has been tabled. Next one
3 would be Welsbach.

4 MR. ARNOLD: Welsbach is our
5 traffic signal maintenance contract. We
6 utilize it -- we do not maintain our own
7 traffic signals. Welsbach does all the
8 maintenance and takes all the liability along
9 with that maintenance to make sure everything
10 is up and running at all times.

11 This contract is paid mostly out of
12 our operating fund. I think around three
13 million per year. We do have some capital
14 funds included in this because if some signal
15 equipment gets damaged or needs to be repaired
16 and it's a capital expense we utilize that
17 funding source for that work.

18 We had two bidders and Welsbach was
19 the lowest responsible bidder. They're
20 marginal on the MWBE because most of the work
21 they self-perform.

22 LEGISLATOR NICOLELLO: Why do you
23 think you only had two bidders? This is a
24 large contracts.

25 MR. ARNOLD: Historically we've

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2 only receive one or two bidders on this
3 contract. Many contractors don't want to get
4 involved with the liability aspect of the work
5 because they are protecting the county if
6 something happens. And the recordkeeping
7 associated to make sure what's running and not
8 running at all times, I believe that is the
9 biggest reason most people walk away.

10 LEGISLATOR NICOLELLO: Is it also
11 because of the resources that the contractor
12 has to have?

13 MR. ARNOLD: Yes.

14 LEGISLATOR NICOLELLO: Any other
15 questions? Go on to the next one, Jacobs
16 Project Management.

17 MR. ARNOLD: Jacobs Project
18 Management, which is E-117, is a construction
19 management contract for the effluent screening
20 of disinfectant facility at Bay Park. They
21 will oversee the construction of that work.
22 Their MWBE is at 21 percent. It's funded
23 through the FEMA 428 program. We had seven
24 bidders for that project.

25 LEGISLATOR NICOLELLO: Any

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2 questions? I believe the next three are with
3 Lockwood Kessler and Bartlett.

4 MR. ARNOLD: That is correct.
5 E-118 is a contract amendment which is
6 retroactive. They're doing the construction
7 management for the SCADA work at our pump
8 stations. When I say SCADA that's
9 instrumentation and control. We are looking
10 to reduce the reliance on manpower to operate
11 these facilities. We have more e-signal
12 equipment coming back to essential control
13 room which will allow us to see situations
14 quicker than the way we are currently doing
15 it.

16 This is for an additional \$725,000
17 and it's for one year plus one additional year
18 that the department can extend. Due to the
19 lateness of the contract the department will
20 have to extend the contract right away and we
21 are comfortable that we will get all this work
22 done by the end of that one contract
23 extension.

24 LEGISLATOR NICOLELLO: Questions
25 on this one? E-119.

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2 MR. ARNOLD: E-119 is a design
3 services contract for the rehabilitation of
4 Charles Lindbergh Bridge. That bridge goes
5 over Meadowbrook Parkway. We had seven bids
6 received. LKB was the selected vendor. They
7 will do a complete reinspection of the bridge,
8 identify issues with the bridge and then put
9 the design contract together to address all
10 these issues. We do have the construction for
11 this work on the New York State TIP which
12 makes it eligible for 80 percent
13 reimbursement.

14 LEGISLATOR NICOLELLO: Legislator
15 Schaefer.

16 LEGISLATOR SCHAEFER: Just a
17 quick question commissioner. Do you know how
18 long this construction will take? Do you have
19 any kind of timetable set up for it?

20 MR. ARNOLD: We're looking
21 starting construction I think 2022, towards
22 the late part of 2022. Typically bridge work
23 takes 18 months to do so we're looking
24 somewhere in that ballpark right now.

25 LEGISLATOR NICOLELLO: Any other

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2 questions? 120.

3 MR. ARNOLD: 120 is a
4 construction management services contract for
5 the Cedar Creek Bay Park digester gas
6 handling. For this one we had nine firms
7 submit. They will oversee the rehabilitation
8 contract that went to this body I think the
9 last session. It's for both plants. And the
10 MWBE is at 20 percent. This is not being
11 funded through the 428 program. This county
12 funded.

13 LEGISLATOR NICOLELLO: Quick
14 question. Can you just describe for us what
15 the digester gas handling project is?

16 MR. ARNOLD: The digesters
17 produce methane as part of its breakdown of
18 sludge. That methane is handled through
19 compressors and secondary compressors, storage
20 tank. All that equipment is being upgraded at
21 both plants.

22 LEGISLATOR NICOLELLO: Any
23 questions on this one? Alright. Next one is
24 121, Liro.

25 MR. ARNOLD: 121 is a contract

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2 amendment for our on-call civil construction
3 management services. We had to add additional
4 capacity to the contract due to the large
5 number of resurfacing projects and other work
6 that we have coming out. We needed more
7 capacity as we awarded work. Both Liro, which
8 is E-121 and NV5, which is E-122, were at
9 their cap and they would be dismissed from
10 getting additional work if we did not raise
11 their cap.

12 LEGISLATOR NICOLELLO: Any
13 questions on this one, 121? 122 you just
14 touched on. It's basically the same.

15 MR. ARNOLD: Same thing just a
16 different firm.

17 LEGISLATOR NICOLELLO: Any
18 questions on 122? Thank you Ken. Do you have
19 a question? I guess not.

20 Next two that we're going to call
21 are with the county clerk's office. That
22 would be A-48, E-123.

23 MR. BUTLER: John Butler, fiscal
24 officer, Nassau County Clerk Maureen
25 O'Connell's office. First item before you is

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2 for an updated video security system at our
3 office. The existing system is outdated and
4 has served its useful life. This new modern
5 system allows our office to better secure
6 taxpayer dollars as well as the safety and
7 security of our employees and the public using
8 our services. Our office processed over \$260
9 million in transactions last year and securing
10 and monitoring these transactions in a secured
11 environment is of utmost importance to clerk.
12 Three bids were received and the low bidder
13 was Intelli-Tec.

14 LEGISLATOR NICOLELLO: The
15 clerk's office, in addition to handling credit
16 card transactions handles cash as well?

17 MR. BUTLER: Still handle cash.

18 LEGISLATOR NICOLELLO: Any
19 questions on this contract, A-48? E-123.

20 MR. BUTLER: This item before you
21 is the result of a procurement the office
22 undertook as it continues to modernize and
23 digitize its operations. The office is
24 undergoing a backfill project to digitize and
25 make searchable online land use property

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2 records for the period 1993 back to 1980.

3 Six bids were received in response
4 to our RFP. Our evaluation committee
5 unanimously selected US Imaging as the winning
6 bidder. Rolls of film will be converted to
7 digital images that are viewable and
8 searchable online at US Land Records dot com.

9 LEGISLATOR NICOLELLO: This one
10 benefits the public at large because it's
11 making this available as opposed to having
12 people go and do searches at the facility.

13 MR. BUTLER: Exactly.

14 LEGISLATOR NICOLELLO: Anyone
15 else? Any questions? Thank you. This is
16 next to last contract. E-124 of 2020 with
17 IIT, Inc.

18 MS. STANTON: Good afternoon.
19 Nancy Stanton, IT. E-124-20, IIT, Inc. This
20 amendment is to increase funds by \$550,000.
21 The contract term is from January 5, 2016 to
22 January 4, 2021. We currently use this vendor
23 for supplemental staffing and this is a
24 minority-owned business.

25 LEGISLATOR NICOLELLO: Any

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2 questions on this contract? Thank you Nancy.

3 There is one contract that we are
4 going to untable. That would be E-109 of
5 2020. So we need a motion to untable. It's a
6 personal services agreement between the county
7 and De Bruin Engineering PC. Motion to untable
8 by Legislator Schaefer. Seconded by
9 Legislator DeRiggi-Whitton.

10 MR. ARNOLD: This is a CM
11 contract for the ring pad and hardening of the
12 East Avenue ejector station. There were nine
13 proposers. De Bruin was considered as the
14 highest technically ranked proposer. The cost
15 is also least expensive. And they're running
16 MWBE around 13 percent. This job is funded
17 through the 428 program.

18 LEGISLATOR NICOLELLO: Any
19 questions on this? Thank you Ken. Is there
20 any public comment on these contracts that
21 we've discussed? Hearing none, all in favor
22 of approving these contracts signify by saying
23 aye. Those opposed? Carries unanimously. We
24 are going to put the Rules Committee in recess
25 and will be back later.

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2 (Committee was recessed at 2:07
3 p.m.)
4 (Committee reconvened at 3:53 p.m.)
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2 LEGISLATOR NICOLELLO: We are
3 calling the Rules Committee out of recess. We
4 have a number of items that went through
5 committees, through the Finance Committee a
6 moment ago. These items we agreed can be
7 passed on consent without any further debate
8 or discussion. Items 69, 101, 102, 135, 174,
9 189, 193, 194, 195, 196, 202, 203, 204, 205,
10 206, 207, 208, 209, 210, 211, 219, 220, 225.
11 Then on the addendum, just 235.

12 Moved by Legislator Rhoads.
13 Seconded by Deputy Presiding Officer Kopel.
14 Any further debate or discussion? Any public
15 comment? Hearing none, all in favor signify
16 by saying aye.

17 We have a bunch of appointments to
18 the Minority Affairs Counsel. 181, 182, 183,
19 184, 185, 186, 187, 188. They include George
20 Siberon, Reginald Benjamin, Biena Depena,
21 Natalie Mitchell-Cange, Paul Quintyne, Kim
22 Jenkins, Mickheila Jasmin-Beamon, Natalie
23 Borneo.

24 Moved by Minority Leader Abrahams.
25 Seconded by Deputy Presiding Officer Kopel.

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2 Any debate or discussion on these
3 appointments? Obviously they'll be invited to
4 come on the nomination day if they choose to
5 do so but we generally don't have a discussion
6 at this point. Anyway, any debate or
7 discussion on these? Hearing none, all in
8 favor signify by saying aye. Those opposed?
9 Carries unanimously.

10 Item 197 is a resolution to
11 designate the Nassau County Police
12 headquarters building located at 1490 Franklin
13 Avenue, Mineola, New York as the William J.
14 Willett Nassau County Police Headquarters.

15 I will make that motion. Seconded
16 by Legislator Bynoe. Any debate or discussion
17 on this item? Hearing none, any public
18 comment? All in favor signify by saying aye.
19 Those opposed? Carries unanimously.

20 I'm going to combine this one, the
21 next one, which is 199 of 2020, with item
22 226. 199 is a resolution appointing a
23 Democratic commissioner of elections for the
24 County of Nassau. 226 is a resolution
25 appointing a Republican commissioner of

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2 elections for the county of Nassau.

3 Moved by Deputy Presiding Officer
4 Kopel. Seconded by Minority Leader Abrahams.
5 Any debate or discussion on these two items?
6 Hearing none, any public comment? All in
7 favor signify by saying aye. Those opposed?
8 Carries unanimously.

9 We have a number of IMAs now. 212,
10 213, 214, 215, 216, 217, 218. Continuing on,
11 221, 222, 223, 224 and that's it.

12 These are resolutions authorizing
13 the county executive to execute intermunicipal
14 agreements with the Village of Hempstead, Sea
15 Cliff, Village of Garden City, Lido and Point
16 Lookout Fire District, Village of Malverne,
17 Village of East Rockaway, Village of
18 Muttontown, Village of Freeport, Levittown
19 Union-Free School District, Village of
20 Lawrence, Town of Oyster Bay.

21 Moved by Legislator Rhoads.
22 Seconded by Legislator Schaefer. Any debate
23 or discussion on these items? Hearing none,
24 all in favor signify by saying aye. Those
25 opposed? They carry unanimously.

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2 We then go to the addendum items
3 which are also IMAs. 227, 228, 229, 230, 231,
4 232, 233, 234. These are resolutions
5 authorizing the county executive to execute
6 intermunicipal agreements with the Village of
7 Hempstead, Lynbrook, Syossett Central School
8 District, Hewlett Bay Fire District, North
9 Merrick Union-Free School District, Westbury
10 Memorial Public Library, Westbury Water and
11 Fire District, Levittown Union-Free School
12 District.

13 Moved by Legislator Bynoe.
14 Seconded by Legislator Schaefer. Any debate
15 or discussion? Any public comment? All in
16 favor signify by saying aye. Those opposed?
17 Carries unanimously.

18 Motion to adjourn? Legislator
19 Rhoads. Seconded by Legislator
20 DeRiggi-Whitton. All in favor of adjourning
21 signify by saying aye. Those opposed? We are
22 adjourned.

23 (Committee was adjourned at 3:51
24 p.m.)

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CERTIFICATION

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

THAT the foregoing is a true and
accurate transcript of my stenographic
notes.

IN WITNESS WHEREOF, I have
hereunto set my hand this 19th day of
September 2020

FRANK GRAY