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6 NASSAU COUNTY LEGISLATURE

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8 RICHARD NICOLELLO

9 PRESIDING OFFICER

10

11 RULES COMMITTEE

12

13 LEGISLATOR RICHARD NICOLELLO

14 CHAIR

15

16

17 Theodore Roosevelt Building

18 1550 Franklin Avenue

19 Mineola, New York

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21

22 Monday, March 8, 2021

23 1:43 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

11

12 LEGISLATOR LAURA SCHAEFER

13

14 LEGISLATOR KEVAN ABRAHAMS

15 Ranking member

16

17 LEGISLATOR DELIA DERIGGI-WHITTON

18

19 LEGISLATOR SIELA BYNOE

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2 LEGISLATOR NICOLELLO: Call the
3 Rules Committee to order. Mike, just call the
4 roll.

5 MR. PULITZER: Thank you Rich.
6 Rules Committee roll call. Legislator Siela
7 Bynoe.

8 LEGISLATOR BYNOE: Here.

9 MR. PULITZER: Legislator Delia
10 DeRiggi-Whitton.

11 LEGISLATOR DERIGGI-WHITTON:
12 Here.

13 MR. PULITZER: Ranking Member
14 Kevan Abrahams.

15 LEGISLATOR ABRAHAMS: Here.

16 MR. PULITZER: Legislator Laura
17 Schaefer.

18 LEGISLATOR SCHAEFER: Here.

19 MR. PULITZER: Legislator Steven
20 Rhoads.

21 LEGISLATOR RHOADS: Present.

22 MR. PULITZER: Vice Chairman
23 Howard Kopel.

24 LEGISLATOR KOPEL: Here.

25 MR. PULITZER: Chairman Richard

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2 Nicoletello.

3 LEGISLATOR NICOLELLO: Here.

4 MR. PULITZER: We have a quorum
5 sir.

6 LEGISLATOR NICOLELLO: Thank
7 you. We had the Pledge of Allegiance before
8 our hearing this morning. We will forego that
9 at the moment.

10 The first things we do in Rules are
11 the committees and call all of the contracts
12 together starting with A-3, A-4, A-5, A-8,
13 A-9, A-11, A-15 of 2021.

14 These are resolutions authorizing
15 the commissioner of shared services to award
16 or approve additional funds or funding for
17 blanket purchase orders between the county and
18 Long Island FQHC, DF Stone Contracting, Winter
19 Brothers Hauling, Enecon Northeast, Attenti
20 US, Taub's Carpet and Tile and NPA Computers.

21 A-13-21, A-20-21. These are
22 resolutions authorizing the commissioner of
23 shared services to award and execute purchase
24 orders between the county and Better Air
25 Quality and General Audio Visual.

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2 B-2 and B-8 2021. Resolution
3 authorizing the county executive to award and
4 execute contracts between the county and
5 Palace Electrical Contractors and Eldor
6 Contracting Corp.

7 E-25, E-26. Let me correct at
8 record. In terms of the last two, I'm not
9 calling B-2 of '21 at this time which involves
10 Palace Electrical Contractors. We'll call
11 that later. One of our members has to recuse
12 himself.

13 So this is just B-8 of '21. A
14 resolution authorizing the county executive to
15 award and execute a contract between the
16 county and Eldor Contracting Corp.

17 E-25, E-26, E-27, E-28, E-29, E-30,
18 E-31, E-32, E-33, E-34, E-35. Resolution
19 authorizing the county executive to execute
20 personal services agreements or amendments to
21 personal service agreements between the county
22 and Precise Court Reporting, De Bruin
23 Engineering, Robert J. Bishop, James Lytle,
24 Belmont Child Care Association, Adopt a
25 Highway Maintenance Corporation, Village of

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2 Freeport, Hispanic Counseling Center and Liro
3 GIS.

4 Motion by Deputy Presiding Officer
5 Kopel. Seconded by Minority Leader Kevan
6 Abrahams. Those contracts are before us. I'm
7 also going to take a motion to untable the
8 following. A-32, A-67, E-162.

9 A-32 is a resolution ratifying the
10 commissioner of shared services award and
11 execute a purchase order between the county
12 and Fastenal Company.

13 A-67 is a resolution ratifying the
14 commissioner of shared services award and
15 execution of a purchase order between the
16 county and Castle Transit Mix.

17 Lastly, E-162 is a resolution
18 authorizing the county executive to execute a
19 personal services agreement between the county
20 and WSP USA.

21 Motion to untable by Legislator
22 Bynoe. Seconded by Legislator Rhoads. For
23 those three contracts all in favor of
24 untabling signify by saying aye. Those
25 opposed? The matters are untabled. Carries

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2 unanimously.

3 Start off with A-3 of 2021. It's a
4 contract with the county and Long Island
5 FQHC.

6 MR. BRODERICK: Legislators, good
7 afternoon. Paul Broderick, Department of
8 Social Services. The item before you is a
9 request to increase the blanket purchase order
10 between the county and federally qualified
11 health centers to increase the contract amount
12 from \$483,000 to \$2.5 million.

13 LEGISLATOR NICOLELLO: Paul, this
14 morning you were identified as the deputy
15 commissioner of health.

16 MR. BRODERICK: That's incorrect.

17 LEGISLATOR NICOLELLO: That was
18 incorrect on the agenda.

19 MR. BRODERICK: Yes sir.

20 LEGISLATOR NICOLELLO: I was
21 wondering when you had made the transfer.

22 MR. BRODERICK: I didn't see
23 that.

24 LEGISLATOR NICOLELLO: It was on
25 the agenda.

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2 MR. BRODERICK: My apologies.

3 LEGISLATOR NICOLELLO: Any
4 questions on this item? No. I think we're
5 good. There's a second one with emergency
6 services that we just untabled. I don't know
7 if you're handling that or not.

8 MR. BRODERICK: I'm not familiar
9 with that.

10 LEGISLATOR NICOLELLO: That's
11 with Fastenal Company. Is that public works?

12 MS. HORST: It's an OEM item with
13 Tom Delaney on the line.

14 LEGISLATOR NICOLELLO: Why don't
15 we do it now under emergency management.

16 MS. HORST: Go ahead Tom.

17 MR. DELANEY: The Fastenal item
18 is for a mask purchase that we had. They
19 supplied us with \$196,000 worth of masks.
20 We've already made a partial payment to them,
21 under \$100,000, to try to get them some
22 funding for this. We've already accepted
23 delivery and we'd just like to see this move
24 forward.

25 LEGISLATOR NICOLELLO: Anyone

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2 have any questions on either of these two
3 contracts? We're good. Thank you Tom.

4 Move on to the purchasing contracts
5 starting with A-4 of 2021 with DF Stone
6 Contracting Limited.

7 MR. ARNOLD: Good afternoon. Ken
8 Arnold, Public Works. A-4 is a blanket order
9 stone and gravel. It includes our stand that
10 we use for ice control. We had seven bids
11 received. DF Stone was the selected vendor.
12 Contract cap is \$975,000.

13 LEGISLATOR NICOLELLO: Obviously
14 we're at the end of the season. We have
15 special supplies for this last --

16 MR. ARNOLD: Yes, we have plenty
17 material on stock.

18 LEGISLATOR NICOLELLO: And that
19 carries over from year to year obviously?

20 MR. ARNOLD: Yes. We keep a
21 stockpile.

22 LEGISLATOR NICOLELLO: Any
23 questions from the legislators. Next contract
24 is A-8 with Enecon Northeast.

25 MR. ARNOLD: A-5 Winter

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2 Brothers?

3 LEGISLATOR NICOLELLO: We had A-8
4 under this, under purchasing. Is that
5 actually with you or somebody else?

6 MR. ARNOLD: I have A-8 also.

7 LEGISLATOR NICOLELLO: Why don't
8 you go with that.

9 MR. ARNOLD: A-8, this is a
10 contract for concrete, metal and tank
11 repairs. This was bid in 2019. This is a cap
12 extension from \$4 million, which was \$800,000
13 per year, to \$11 million, which I think is 1.6
14 million per year.

15 LEGISLATOR NICOLELLO: Legislator
16 Kopel.

17 LEGISLATOR KOPEL: Ken, question
18 I have is many of these contracts go from four
19 million to 11 million, things like that. Why
20 is this not a new contract? Why is this not
21 going out to be rebid instead of doing this
22 kind of job?

23 MR. ARNOLD: I would want to
24 speak to purchasing, but I believe this
25 contract had duration on it and we're just

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2 increasing the cap for the different types of
3 work. I guess in the past the cap was not
4 always -- it was required to be increased so
5 we were able to do additional work.

6 LEGISLATOR KOPEL: I get what it
7 is that's happening over here.

8 MR. ARNOLD: That's a question
9 for procurement. They make the decisions what
10 goes out to bid and what doesn't go out to
11 bid. Especially in the purchasing world.

12 LEGISLATOR KOPEL: Do you think
13 we can get somebody from procurement here or
14 somebody who can answer that question. It's
15 not an isolated question. In other words, you
16 can have a contract that's several years old
17 and they just keep on increasing the amount
18 instead of rebidding it and we might very well
19 get better bids now several years down the
20 road. This doesn't seem appropriate. I'm not
21 questioning you.

22 MR. ARNOLD: I understand. I
23 just don't know the answer. I wasn't part of
24 that decision making.

25 LEGISLATOR KOPEL: Okay.

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2 LEGISLATOR NICOLELLO: I think we
3 have someone approaching the mic. Don't go
4 too far Ken.

5 MR. BANKS: Good afternoon. My
6 name is Vaughn Banks, deputy commissioner with
7 Department of Purchasing.

8 In regards to your question, the
9 original contract was not that old before DPW
10 got into this and found that they needed to
11 actually do more work, along with other
12 agencies that utilize this particular
13 contract. Normally when contract is near its
14 conclusion we will actually rebid. We didn't
15 feel the need -- because we're pretty much in
16 the middle of this, we didn't see the need to
17 rebid this.

18 LEGISLATOR KOPEL: I get it when
19 you have a contract for let's say engineering
20 services where it's not really practical to go
21 ahead, or construction for that matter, you
22 can't really change horses in midstream. That
23 makes a lot of sense. But when you're doing a
24 procurement for materials or something of the
25 like I'd like to understand the guidelines.

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2 Do you have guidelines that you can provide
3 for us?

4 MR. ARNOLD: Just real quick
5 legislator. This is not just for materials.
6 This is actually a service. They actually
7 apply the material, the coatings on the items
8 also. So we're not just buying cans of this
9 material.

10 LEGISLATOR KOPEL: But my point
11 would apply, none the less, since you're not
12 talking about switching somebody in the middle
13 of a discreet project. You're talking about
14 many different projects.

15 MR. ARNOLD: I just wanted to
16 clarify that it wasn't just material.

17 LEGISLATOR KOPEL: Thank you.
18 But my point I think would still be valid. Do
19 you have guidelines? Are there guidelines or
20 is this just decisions made on an ad hoc
21 basis?

22 MR. BANKS: This is not an ad hoc
23 type decision. This is an ongoing contract
24 that's not at its conclusion.

25 LEGISLATOR KOPEL: I understand

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2 but you're really not responding to my
3 question. I'm talking -- let's not even --
4 while I might be able to disagree with what
5 your point is on this contract, my question is
6 really more general in nature. And this is
7 not an isolated type of thing that comes
8 before us. This happens fairly often.

9 So, once again, I would like to
10 understand how these contracts are -- how
11 these decisions are made. We'd like to get
12 some clarity. Perhaps you can provide that
13 for this committee soon as to what the
14 guidelines are as to when a contract needs to
15 be rebid and when it doesn't need to be
16 rebid. Do you even have guidelines for that
17 matter?

18 MR. BANKS: A contract gets rebid
19 when it meets its conclusion. These contracts
20 are bid at five year terms with one-year
21 renewals. When a contract concludes we rebid.

22 LEGISLATOR KOPEL: But this way
23 there could be internal contracts because you
24 just keep renewing it. Look, I don't really
25 care to debate the point. We're not getting

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2 anywhere. My question specifically now is,
3 does the department have guidelines and can
4 you get those to us?

5 MR. BANKS: Sure. We can explain
6 it at another time. Sure.

7 LEGISLATOR KOPEL: Do you have
8 guidelines that people are using?

9 MR. BANKS: Yes.

10 LEGISLATOR KOPEL: Can you get
11 those written guidelines to us?

12 MR. BANKS: As far as a
13 contract's length? What in particular --

14 LEGISLATOR KOPEL: What I'm
15 asking you is, what are the decision points
16 that are utilized in extending a contract or
17 increasing the cap on a contract as opposed to
18 going out for bids on additional supplies or
19 materials or whatever it is that we're doing.
20 Services. What are those guidelines? We'd
21 like to see that. That would be useful for
22 this committee I think.

23 MR. BANKS: I don't have that
24 with me.

25 LEGISLATOR KOPEL: I understand.

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2 LEGISLATOR NICOLELLO: But you'll
3 provide it to us, right?

4 LEGISLATOR KOPEL: Maybe over the
5 next week or so you can perhaps provide it.

6 MR. BANKS: Absolutely. But
7 whenever we do this we do this after speaking
8 with the requesting agency. If it's something
9 that we may have to terminate a contract for
10 whatever reason, it's no longer good for the
11 county or it's something that would --

12 LEGISLATOR KOPEL: Again, with
13 all due respect, it's not really responsive.
14 Just go ahead please and provide it to the
15 Majority counsel and Minority counsel if you
16 would. Then we can have the discussion
17 further if it's warranted. Thank you.

18 LEGISLATOR NICOLELLO: Ken, in
19 terms of what's being provided for this
20 contract it's very general terms. It says
21 concrete, metal and tank repairs. I assume
22 it's a tank repair and concrete and metal
23 work?

24 MR. ARNOLD: Yes. A good
25 example, legislator, is Sixth Precinct. A lot

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2 of the interior of that building was
3 resealed. Remember the concrete block walls
4 that we walked around and saw. A lot of that
5 was done by Enecon. Especially the exterior
6 of the building. That's one way we use it.
7 We use it in bathrooms. We don't tile
8 bathrooms anymore. Most bathrooms when
9 they're redone they're stripped down to the
10 concrete and then they're sealed using this
11 product. It saves us lot of time and much
12 easier to maintain.

13 The pools are painted with this
14 product. Instead of using just regular paint,
15 we find that we're getting better lasting with
16 painting with this product. A lot of
17 different applications on the concrete side.
18 On the tank side, yes, we have some fiberglass
19 and metal tanks that we do coat using this
20 contract also.

21 LEGISLATOR NICOLELLO: Is this
22 product they're talking about unique to
23 Enecon?

24 MR. ARNOLD: Yes, it is.

25 LEGISLATOR NICOLELLO: Meaning

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2 that whatever it is that's being sealed in
3 sealant or whatever it is that's being applied
4 that's something that they are solely capable
5 of producing as opposed to DPW itself
6 purchasing it?

7 MR. ARNOLD: I know when they
8 apply they supply a warranty for the length of
9 the material. I'm not sure if we'd have that
10 if we applied the material. I'm not sure if
11 we could apply it and if we have the warranty
12 that they provide when they put the material
13 on.

14 LEGISLATOR NICOLELLO: I guess
15 the follow-up question is, why can't county
16 employees do this work? Why isn't civil
17 service --

18 MR. ARNOLD: I'd have to look at
19 the MSDS. What health and safety requirements
20 to apply the materials. Are our guys trained
21 properly to apply the material. I always like
22 to look for the warranty that comes along with
23 applying the material. If I know that if I
24 have an issue with it I can have the vendor
25 take care of the issue and not have to do it

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2 myself. Those would be the major concerns I
3 would have by us applying it.

4 LEGISLATOR NICOLELLO: Can you
5 guarantee this committee that this is not
6 taking the work away from the county
7 workforce? Away from the county workforce
8 that could be done in-house?

9 MR. ARNOLD: It's a little bit of
10 a loaded question because my guys can tile.
11 If I choose not to tile and use this product
12 instead what is the correct answer? So,
13 there's alternative things that could be done
14 that would not use this product that my guys
15 have done historically. This is a new
16 product. For the last five or six years we've
17 been using it in a lot of locations. That's
18 why I don't want to say yes or no on that
19 answer. I hope you understand that.

20 LEGISLATOR NICOLELLO: I
21 appreciate that. So, the key here is that
22 this is a unique product that the county
23 itself, county workforce is not itself using
24 so that there are advantages over say for
25 example tiling, advantages to using this

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2 service to apply the sealant as opposed to
3 doing a tiling, correct?

4 MR. ARNOLD: Yes.

5 LEGISLATOR NICOLELLO: And it's
6 been determined that that's in the best
7 interest of the county to continue doing this
8 type of work?

9 MR. ARNOLD: Yes. Speaking with
10 facilities team they all like the way the
11 product performs and it's a much better
12 alternative.

13 LEGISLATOR NICOLELLO: But as we
14 sit here today, the county workforce could not
15 be itself, to your knowledge, be itself could
16 be applying this sealant?

17 MR. ARNOLD: To my knowledge not
18 applying the sealant.

19 LEGISLATOR NICOLELLO: Any other
20 questions? Ken, you want to move on to the
21 next one.

22 MR. ARNOLD: A-11?

23 LEGISLATOR NICOLELLO: Yes.
24 That's yours as well?

25 MR. ARNOLD: A-11 is blanket

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2 order for furnish and install carpeting and
3 vinyl floor tile. We had three bids. Taub's
4 was determined to be the lowest responsible
5 bidder. The cap for this contract is \$3.275
6 million.

7 LEGISLATOR NICOLELLO: Any
8 questions on this contract? Let's go on to
9 the next one. Now we're going to A-5.

10 MR. ARNOLD: A-5 is a blanket
11 service contract used for the disposal of
12 nonemergency storm drain debris. Three bids
13 were received. Winter Brothers was determined
14 to be the lowest responsible bidder. The
15 contract cap is \$15 million. This is the
16 contract that we use to get rid of our road
17 sweepings, anything we pick up in the right of
18 way. Anything road maintenance picks up
19 that's not during the emergency storm.

20 LEGISLATOR NICOLELLO: This one
21 also goes to Howard's point. This is a
22 contract that apparently the previous maximum
23 amount was \$1,700,000. Now it's being raised
24 to \$15 million.

25 MR. ARNOLD: This was rebid.

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2 LEGISLATOR NICOLELLO: Any
3 questions on this contract? Legislator
4 DeRiggi-Whitton.

5 LEGISLATOR DERIGGI-WHITTON: Hi
6 Ken. I think we all know that unfortunately
7 Eric Winter passed away. Do you know that
8 this company is still going to be in
9 existence?

10 MR. ARNOLD: Yes. This company
11 was vetted after that sad event.

12 LEGISLATOR NICOLELLO: Any other
13 questions? Go on to the next one which is
14 A-13, Better Air Quality.

15 MR. ARNOLD: A-13 is a HVAC duct
16 work cleaning contract. Two bids were
17 received. Better Air Quality was determined
18 to be the lowest responsible bidder. The
19 contract cap is \$2.5 million.

20 LEGISLATOR NICOLELLO: Any
21 questions on this one? Hearing none, we're
22 going to skip Palace Electrical Contracting.
23 We will discuss that at the end of your
24 presentation and make a separate vote on that
25 one.

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2 MR. ARNOLD: There are two Palace
3 contracts, B-2 and B-3?

4 LEGISLATOR NICOLELLO: Do we have
5 a B-3. Just B-2. Again, we're skipping that
6 one and coming back. B-8 is an Eldor
7 contract.

8 MR. ARNOLD: B-8 is the
9 construction contract for what we call E4 at
10 Bay Park. E4 is the contractor is that is
11 bringing outside power feeders into the plant
12 so we can get off the on-site power generation
13 facilities. PSEG has their phase of work and
14 then the county has a certain phase of work
15 that we need to do on the plant property to
16 make this project viable.

17 So, Eldor is the lowest responsible
18 bidder for the work associated with it. It's
19 all funded through our 428 Program. The FEMA
20 money that we have.

21 LEGISLATOR NICOLELLO: Are you
22 finished with that part of your presentation?

23 MR. ARNOLD: Yeah.

24 LEGISLATOR NICOLELLO: Any
25 questions or discussions? Let's go to E-26,

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2 De Bruin Engineering.

3 MR. ARNOLD: E-26 is for
4 professional services related to on-call
5 environmental construction management
6 services. We had 13 firms submit this on-call
7 request. De Bruin is one of eight that will
8 be selected. The contract cap for this work
9 will be \$1 million.

10 LEGISLATOR NICOLELLO: Any
11 questions on E-26? No. E-30.

12 MR. ARNOLD: E-30 is the Adopt a
13 Highway maintenance program. So, the county
14 reprocured the Adopt a Highway program. We
15 had two bidders. Firm of Adopt a Highway
16 Maintenance Corporation of New York was the
17 selected vendor. We did vet the vendor based
18 on the past issues we've had and they have
19 been performing since we changed our
20 management structure surrounding them and we
21 are confident that they can do the work and
22 provide the service.

23 LEGISLATOR NICOLELLO: This one
24 is troublesome to me and to others. There was
25 an extensive investigation by one of our local

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2 reporters, one of the New York City reporters,
3 who uncovered that they were not doing what
4 they were supposed to do. In fact, garbage
5 was remaining in locations month after month
6 after month.

7 It's also been disclosed that the
8 2003 contract -- I'm sorry, after the contract
9 expired the vendor was still selling
10 sponsorships. That there were similar news
11 stories for Adopt a Highway programs in
12 Pennsylvania as well as Colorado. Why
13 wouldn't this vendor be taken off the list?
14 And why would we want to go back to Adopt a
15 Highway with that as the background?

16 MR. ARNOLD: After that issue was
17 brought to light we changed the management
18 structure and had a different group of people
19 overseeing them. Since that point they've
20 been performing the work that's been requested
21 along our service road and Peninsula
22 Boulevard, the two roads that they manage.

23 I understand the concerns but the
24 department felt that once we had the right
25 oversight on the firm that they've been

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2 performing as required. I believe that they
3 have been operating under a month to month
4 since the contract expired. I have to speak
5 to my real estate people about that.

6 And in looking at the options that
7 we had it was a better choice of vendors.
8 There's not many people that do this type of
9 work in the state.

10 LEGISLATOR NICOLELLO: With that
11 history, with the issues being uncovered and
12 was documented, I mean, the reporter went back
13 on a monthly basis, tagged certain debris and
14 went back the following month and it was
15 there. And then added additional tagged
16 debris and it was still there.

17 MR. ARNOLD: I understand the
18 problem we had back I think it was two and a
19 half years ago. When I first became
20 commissioner I know we dealt with that. We've
21 been tracking the amount of debris that
22 they've been picking up ever since. My road
23 maintenance people are now in charge of this
24 operation. Have said they've been very
25 successful in doing the work. If there was an

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2 issue that came up we would follow our
3 procurement policies and deal with it
4 accordingly in the future.

5 LEGISLATOR NICOLELLO: The fact
6 that we had to put more supervision in place
7 doesn't excuse their lack of performance and
8 their complete disregard for the health,
9 welfare and safety of residents by allowing
10 this condition to exist.

11 Does anyone else have any questions
12 on this contract?

13 Kevan, we didn't pick up exactly
14 what you said.

15 LEGISLATOR ABRAHAMS: You asked
16 if anybody else had any questions.

17 LEGISLATOR NICOLELLO: Yes.

18 LEGISLATOR ABRAHAMS: Thank you.

19 Ken, our concerns are tied to the same
20 concerns that Rich brought up. Can you
21 provide to the committee how the two firm that
22 responded were scored? I can't believe with
23 the history that we know and what we've heard
24 again today from the floor regarding this one
25 particular company that someone can score

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2 lower than them with the history we know about
3 this existing company that is before us today.

4 MR. ARNOLD: Give me one second.

5 LEGISLATOR ABRAHAMS: Sure.

6 MR. ARNOLD: Understand I'm not
7 on the selection committee so I have to go
8 back and look at the notes.

9 LEGISLATOR ABRAHAMS: I
10 understand.

11 MR. ARNOLD: One of the
12 requirements of the RFP was an annual fee per
13 sign that they put up. The selected vendor is
14 supplying that fee. The second vendor was not
15 and that was one of the major issues that we
16 had in reviewing of the proposals.

17 LEGISLATOR ABRAHAMS: So, I'm
18 guessing that issue received some high
19 priority?

20 MR. ARNOLD: Yes.

21 LEGISLATOR ABRAHAMS: The issues
22 that were identified by news reports doesn't
23 carry the same level of priority?

24 MR. ARNOLD: I will say that
25 since we put the corrective measures put in

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2 place by the department after the news report
3 came up, we felt they made the corrections
4 they had to make and we will continue to
5 monitor them to make sure that they perform as
6 per the contract.

7 LEGISLATOR ABRAHAMS: I can tell
8 you though, not to give you a hard time on
9 this, I don't think you need to monitor them
10 at all. Honestly, we see it every day when I
11 drive down our streets and roads. I can
12 monitor it for you. The bottom line is, from
13 our standpoint, we shouldn't have to spend
14 this level of county resources to monitor a
15 contract that everyone in the public can see.
16 I mean, I would have liked to have seen a
17 different vendor be selected in this process.

18 But I think in the interim, we
19 would need to see some level of competence
20 that what you guys have in place can assure
21 that this doesn't happen again.

22 So, I suggest, if it's okay with
23 you presiding officer, that we table this
24 matter for today and then we have both of our
25 staffs go over the protocols in regards to how

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2 to monitor this contract going forward. Which
3 honestly, I think if we're spending ten
4 minutes today on monitoring this contract
5 we're spending too much. We shouldn't have to
6 do that. Especially with the history that
7 this vendor had. I'm perplex as to how they'd
8 have a second chance.

9 LEGISLATOR NICOLELLO: I agree
10 with the tabling. I've been told also that
11 the inspector general is still investigating
12 this matter.

13 MR. ARNOLD: I wasn't expecting
14 it to be called today. So, I was a little
15 hesitant with my answers. I didn't really
16 prep because I heard she was also still
17 reviewing it.

18 LEGISLATOR NICOLELLO: We need
19 some additional time at the very minimum.
20 Minority Leader makes a motion to table. I'll
21 will second that motion. All in favor of
22 tabling signify by saying aye. Those opposed?
23 The item is tabled. E-32 --

24 MR. SCHNEIDER: Brian Schneider,
25 deputy county executive. Presiding Officer,

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2 the administration would offer, when you're
3 ready, that we can make a briefing to both
4 sides to go over the procurement and the
5 checks that were put in place since the
6 illuminating news report came out.

7 I also did want to just make a note
8 that as part of this contract the only road
9 that this firm is working on is the service
10 road to the expressway. If there are other
11 county roads that are viewed as garbage strewn
12 that's not part of the work that this
13 contractor is supposed to be taking care of.
14 So, I just wanted to make that matter known.

15 Also, we followed up with CBS TV
16 regarding their story that was done in 2018
17 and the reporter offered to do a follow-up
18 before this item was going to be called who
19 will indicate that the level of effort that
20 this contractor has been making since that
21 correction was made in 2018 has been
22 phenomenal. I just wanted to put that on the
23 record.

24 LEGISLATOR NICOLELLO: I
25 appreciate that and we will take you up on

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2 your offer to do a briefing. Did we actually
3 vote on that or no? All in favor of tabling
4 signify by saying aye. Those opposed? The
5 item is tabled.

6 E-32 of 2021 is a contract with De
7 Bruin Engineering.

8 MR. ARNOLD: I'm also covering 31
9 today, the traffic safety item for the
10 department. Typically it's an item Chris
11 Mistron would have covered.

12 LEGISLATOR NICOLELLO: Traffic
13 Safety Board. You want to do that?

14 MR. ARNOLD: Sure. E-31 is a
15 contract with the Village of Freeport to
16 provide funding for the DWI enforcement for
17 the period of 2021 to 2025. The contract has
18 \$11,000 being authorized annually for that
19 period.

20 LEGISLATOR NICOLELLO: Any
21 questions on E-31? Ken or Katy, going forward
22 maybe if the administration would let us know
23 which speakers are going to be speaking on
24 which contract. We try to organize --

25 MR. ARNOLD: It was a last minute

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2 decision we made on Friday.

3 LEGISLATOR NICOLELLO: We try to
4 organize it so that if it's Public Works
5 related contracts you come up for a block of
6 time instead of jumping back and forth.

7 MR. ARNOLD: Understood.

8 LEGISLATOR NICOLELLO: E-32.

9 MR. ARNOLD: E-32 is a contract
10 amendment for De Bruin Engineering associated
11 with our Cedar Creek digester rehabilitation
12 project. It's an extension only amendment.
13 Adequate funding in the contract.

14 LEGISLATOR NICOLELLO: Any
15 questions or discussion? You have an item on
16 the calendar that was a tabled item, right?

17 MR. ARNOLD: Yes. I have two I
18 believe. A-67 and E-162.

19 LEGISLATOR NICOLELLO: Since
20 you're here let's do those as well. They've
21 already been untabled and they're before us.

22 MR. ARNOLD: A-67 is a service
23 contract to provide concrete ready mix for the
24 department's projects. It has a cap of \$2.5
25 million and Castle Transit was the lowest

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2 responsible bidder. There were two bidders on
3 that project contract.

4 LEGISLATOR NICOLELLO: Any
5 questions or discussion on A-67? All right.
6 Then go to E-162.

7 MR. ARNOLD: E-162 is a
8 professional services contract with WSP USA,
9 Inc. as far as shared mobility management
10 plan. We had five proposers for this project
11 and WSP was the selected and highest
12 technically ranked firm. They're providing 14
13 percent WBE utilization and we will be using
14 this contract to do a shared mobility study
15 which will also include looking at the future
16 bus ridership.

17 LEGISLATOR NICOLELLO: Tell us
18 just briefly what a shared mobility plan is.
19 Shared mobile management plan is.

20 MR. ARNOLD: You have -- it's the
21 shared use of bicycles, pedestrians, e-bikes.
22 Looking at the future for the use of our
23 roadways and what's the best way to approach
24 this. We have a grant for this work. I think
25 it's UPWP. So it's partially funded through a

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2 grant. It's just looking at all the other
3 uses of the roadways for the future.

4 LEGISLATOR NICOLELLO: This is
5 obviously a good purpose. When do you
6 anticipate the study will be done?

7 MR. ARNOLD: I don't have that in
8 front of me. I know it has time frames. The
9 first part of the work is the bus work.
10 That's critical for the bus RFP. We want to
11 get some data from them as part of that. That
12 was the initial encumbrance. That's why it's
13 a two-piece encumbrance on the contract. I
14 can get you a better schedule.

15 LEGISLATOR NICOLELLO: Any other
16 questions on this one? Legislator
17 DeRiggi-Whitton.

18 LEGISLATOR DERIGGI-WHITTON: Hi
19 Ken. It says here that the Nassau County
20 Legislature will be part of this advisory
21 committee. Do you know any of the details of
22 that?

23 MR. ARNOLD: If that's what it
24 says that's what we will be doing. Sean
25 Sallie will be heading this up. Any type of

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2 project that has a planning component we
3 usually look to get stakeholders input as we
4 go through the process.

5 LEGISLATOR NICOLELLO: Any other
6 questions? Legislator Bynoe.

7 LEGISLATOR BYNOE: I'm sorry. Is
8 the Jodi Franzese here.

9 MS. FRANZESE: I'm here
10 legislator. Jodi Franzese, Office of the
11 Inspector General. How are you?

12 LEGISLATOR BYNOE: Did you have
13 any concerns regarding this contract?

14 MS. FRANZESE: I'm sorry, are we
15 talking about the WSP contract?

16 LEGISLATOR BYNOE: Yes.

17 MS. FRANZESE: We have had some
18 disclosure issues initially. Both issues have
19 been cured through the administration and/or
20 the vendor. And that's the lion's share of
21 what we were concerned about.

22 LEGISLATOR BYNOE: There were no
23 other issues that popped up regarding OSHA or
24 anything like that?

25 MS. FRANZESE: I'm sorry, my mic

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2 is not so great. You said regarding what?

3 LEGISLATOR BYNOE: OSHA. Did you
4 have any OSHA issues on this?

5 MS. FRANZESE: We read the OSHA
6 report and we were made aware that one of the
7 companies that I think was purchased by WSP
8 was involved in an OSHA investigation. From
9 the reading of the report it did seem that
10 they were -- they weren't contracted for what
11 they probably should have been doing. And
12 there was, as I'm sure you know, a calamity
13 that happened in Florida.

14 LEGISLATOR BYNOE: Yes. So we
15 don't have any concerns and you're fine with
16 the contract as stated in any of these? For
17 the issue regarding OSHA has been resolved and
18 no longer an issue for us, for Nassau,
19 correct?

20 MS. FRANZESE: Yes. In the sense
21 that the OSHA report made it clear that the
22 affiliate of WSP was just one small piece of
23 otherwise a really bad situation. Their
24 performance didn't directly cause anything.
25 It was more that their actions had they been

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2 more robust may have helped a little bit. But
3 it didn't place the blame on that particular
4 company. At this point we don't have any
5 concerns beyond that.

6 LEGISLATOR BYNOE: I appreciate
7 it. Thank you very much.

8 LEGISLATOR NICOLELLO: Did we
9 cover E-32 yet? That's also an agreement with
10 De Bruin.

11 MR. ARNOLD: I believe we did
12 both, yes.

13 LEGISLATOR NICOLELLO: B-2 with
14 Palace Electrical Contractors, I think we'll
15 do that now. I didn't call it so I'm going to
16 call it now. A resolution authorizing the
17 county executive to award and execute a
18 contract between the county and Palace
19 Electrical Contractors. B-2 of 2021.

20 Moved by Legislator
21 DeRiggi-Whitton. Seconded by Legislator
22 Schaefer. Note for the record that Legislator
23 Rhoads has left the chambers. Is not
24 participating in any debate, discussion or
25 vote on this contract. You want to tell us

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2 what this contract with Palace Electrical
3 Contractors is.

4 MR. ARNOLD: B-2 is a bid
5 contract to replace the fire alarms, the
6 emergency lights at the following facilities.
7 Garvey's Point Preserve, Tackapusha Preserve,
8 North Woodmere Park admin buildings, Nassau
9 Hall and Milanin House and Milanin Parish
10 House in Eisenhower Park.

11 Three bids were received. Palace
12 was the lowest responsible bidder. \$474,000.
13 There is no MWBE as the are doing all the work
14 in-house self-performing.

15 LEGISLATOR NICOLELLO: Any
16 questions or debate? Hearing none, let's vote
17 on this specific contract which is B-2. All
18 in favor signify by aye. Those opposed?
19 Carries unanimously.

20 Next contract is with probation.
21 A-9 is a contract with Attenti US, Inc.
22 Someone here from probation?

23 MR. SCHILIRO: Joe Schiliro,
24 fiscal officer.

25 LEGISLATOR NICOLELLO: Tell us

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2 about the contract with Attenti.

3 MR. SCHILIRO: This is to
4 increase the funding on the blanket purchase
5 order for Attenti USA for electronic
6 monitoring. The previous blanket had been for
7 \$100,000. This is increasing the blanket
8 \$250,000 based on the increase need for
9 electronic monitoring arising from bail
10 reform. Pretrial bail reform. Our cost has
11 increased from this vendor from \$5400 January
12 of 2020. We're now running up to \$30,000 a
13 month.

14 LEGISLATOR KOPEL: Just the same
15 question applies over here. If you were tuned
16 in before the increase is multiples of -- the
17 new amount is multiples of the new amount.
18 What was the original contract?

19 MR. SCHILIRO: The previous was
20 \$100,000.

21 LEGISLATOR KOPEL: When was the
22 original contract?

23 MR. SCHILIRO: This is going
24 back, this is a blanket that's going back
25 several years.

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2 LEGISLATOR KOPEL: Why is this
3 not being rebid?

4 MR. SCHILIRO: I'm sorry, what
5 was the question?

6 LEGISLATOR KOPEL: I asked why is
7 this not being rebid as opposed to being
8 extended and enlarged?

9 MR. SCHILIRO: I'm sorry but I'm
10 still unable to hear the question.

11 LEGISLATOR KOPEL: What I asked
12 you is why is this contract not being rebid as
13 opposed to being enlarged and extended?

14 MR. SCHILIRO: I'm sorry
15 legislator, why is it not being what?

16 LEGISLATOR KOPEL: Rebid.

17 MR. SCHILIRO: It was rebid. It
18 was rebid I believe this was rebid about a
19 year ago. But we did not know what the extent
20 of the impact of electronic monitoring and
21 bail reform was going to be.

22 LEGISLATOR KOPEL: I'm sorry.
23 The original --

24 MR. SCHILIRO: It was rebid in
25 July of 2020.

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2 LEGISLATOR KOPEL: July of 2020
3 it was rebid?

4 MR. SCHILIRO: Yes.

5 LEGISLATOR KOPEL: What was the
6 amount at that time?

7 MR. SCHILIRO: At that time we
8 were running \$6,000 a month.

9 LEGISLATOR KOPEL: And now the
10 new amount?

11 MR. SCHILIRO: The bail reform
12 went into effect in February of 2020. Our
13 costs increased -- actually, I'm sorry, that
14 \$6,000 a month was just for pretrial. But our
15 Attenti invoices were averaging 8,000,
16 \$12,000, \$10,000, \$10,000. We did not have a
17 real good read on what the impact of bail
18 reform was going to be until we got into late
19 fall where COVID restrictions were starting to
20 be lifted and we could get a better read on
21 what to come back to for additional funding.

22 Our funding on pretrial bail reform
23 went from zero in January, \$4,300 in February,
24 increased to again the \$6,000 range over the
25 summer months and then in October increased to

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2 \$14,000. Again in November. \$15,000 in
3 December. And currently for just pretrial
4 we're at \$17,000 a month.

5 LEGISLATOR KOPEL: Fine. So at
6 the time that it was bid in July of 2020, I
7 think that's when you said, you anticipated
8 and probably projected in your bid package a
9 cost or contract amount of something like
10 \$6,000 a month if I understood you correctly.

11 MR. SCHILIRO: At the time it was
12 rebid what?

13 LEGISLATOR KOPEL: You
14 anticipated a monthly cost of approximately
15 \$6,000 a month at that time?

16 MR. SCHILIRO: Yes.

17 LEGISLATOR KOPEL: That was the
18 amount specified I presume in the bid
19 package?

20 MR. SCHILIRO: We wanted to have
21 a better read on what we thought we were going
22 to have to come back for additional funding
23 rather than to overreach prior to having any
24 kind of track record on this.

25 LEGISLATOR KOPEL: Look, my

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2 question was, and we're probably going to have
3 to go ahead with this, my question was, if
4 we're now proposing to spend several multiples
5 of what we originally anticipated would it not
6 be appropriate to rebid this contract at this
7 time?

8 MR. SCHILIRO: Based on the -- I
9 think this was the only, if I'm not mistaken,
10 I don't think there were any other bids
11 received other than Attenti at the time that
12 this was rebid. I'm not 100 percent sure but
13 I think there were no other bids received that
14 met the specifications at least.

15 LEGISLATOR KOPEL: Okay. Thank
16 you.

17 LEGISLATOR NICOLELLO: Any other
18 questions or discussion? Thank you.

19 Next several contracts with
20 information technology starting with A-15 with
21 NPA Computers, Inc.

22 MS. STANTON: Good afternoon.
23 Nancy Stanton. A-15-21. This is to authorize
24 and award a blanket purchase order for
25 comprehensive computer repair and preventative

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2 maintenances to NPA computers, Inc. NPA was
3 the lowest responsible bidder meeting the
4 county's expectations. The selected vendor
5 will maintain older IT equipment that is off
6 warranty for the county, county clerk,
7 comptroller, DA and DSS. These maintenance
8 services allow IT to extend the useful life of
9 this equipment eliminating the need to
10 purchase equipment on a more frequent basis.
11 The blanket is for a period five years maximum
12 1.5.

13 LEGISLATOR NICOLELLO: Any
14 questions on this one or discussion? No. I
15 think we have two contracts that follow with
16 Liro.

17 MS STANTON: E-34-21. The term
18 of this contract is November 24, 2015 until
19 November 24, 2020. This amendment extends the
20 contract three additional months to February
21 24, 2021 to allow time for the new agreement
22 with Liro to be approved. The new agreement
23 was fully executed on February 10th. This
24 amendment also increases funds by \$100,000.
25 We currently use this vendor for supplemental

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2 staffing doing GIS tax mapping in the
3 assessment department.

4 LEGISLATOR NICOLELLO: The
5 obvious question is, if you knew that it was
6 going to take some time to sign off and
7 execute E-35 why wasn't the extension of E-34
8 given to us earlier? In other words, we're
9 giving an extension that's already expired.

10 MS. HORST: Presiding Officer,
11 Katy Horst from the administration.
12 Commissioner Stanton has been here a number of
13 time and you have all requested that she
14 provide you with her staffing plan. We held
15 this because you made it very clear that this
16 supplemental staffing and contracts weren't
17 going to move forward until you were provided
18 that plan. So that plan has been provided and
19 we at that time felt we could move this
20 forward to you for your approval.

21 LEGISLATOR NICOLELLO: Okay. All
22 right. Anyone have any other questions for
23 this? Did you cover E-35 or not?

24 MS. STANTON: We're going to do
25 E-35-21 now? LiRo GIS Inc. This new contract

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2 for GIS services. Contract term is March 1,
3 2021 to February 29, 2024 with two one-year
4 renewals for a total of five years. We're
5 asking to encumber \$400,000 at this time. We
6 use this vendor for monthly GIS data
7 maintenance, GIS data maintenance for police
8 CAD system and tax map tool migrations for
9 assessment.

10 LEGISLATOR NICOLELLO: Any
11 questions or debate?

12 MS. STANTON: Thank you.

13 LEGISLATOR NICOLELLO: Next
14 contract was with the Nassau County Police
15 Department, A-20-21, General Audio-Visual. No
16 pressure Inspector Field. Just note that the
17 commissioner and some of the top brass are
18 behind you.

19 MR. FIELD: Thank you very much.
20 Good afternoon. William Field, deputy
21 inspector with the police department.

22 Item A-20-21 is a direct purchase
23 order between the county and General
24 Audio-Visual Incorporated. This vendor is
25 going to provide and install an audio visual

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2 system at the new police academy. It will
3 including projectors, projection TVs, cable,
4 speakers and other visual education aids at
5 the new academy. 33 vendors viewed the bid.
6 Only four made bids. The maximum amount
7 authorized under this purchase order is
8 \$1,191,796.

9 LEGISLATOR NICOLELLO: Any
10 questions or debate? Thank you.

11 The next one is with the district
12 attorney's office, E-25, with Precise Court
13 Reporting.

14 MS. HORST: Bob, are you
15 available? I will do my best. Katy Horst
16 from the administration. This is a contract
17 with Precise Court Reporting for \$352,000.
18 It's says the district attorney's office is
19 required by law to furnish transcripts of
20 grand jury proceedings upon request to
21 defendants and their counsel.

22 LEGISLATOR NICOLELLO: Any
23 questions or discussion? I think we're good.

24 The next one is E-33, Hispanic
25 Counseling Center. I need a motion to table

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2 as the inspector general is still
3 investigating this item. So Legislator Rhoads
4 makes a motion to table. Seconded by
5 Legislator DeRiggi-Whitton. All in favor of
6 tabling it signify by saying aye. Those
7 opposed? Carries unanimously. E-33 is
8 tabled.

9 Next two are with the county
10 attorney's office. They are E-27 with Robert
11 Bishop. E-28 with James Lytle.

12 MR. LIBERT: Good afternoon
13 legislators. Brian Libert from the county
14 attorney's office. These are amendments to
15 existing contracts with the county's lobbyist
16 Robert Bishop at Manatt Phelps. If you have
17 any questions happy to answer the same.

18 LEGISLATOR NICOLELLO: I just
19 want to put some things on the record which
20 will record, actually an agreement between us
21 and the county executive. These two lobbyists
22 will provide the county attorney, county,
23 presiding officer and minority leader with
24 written monthly progress reports on county
25 legislation and other legislation that may

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2 affect the interest of the county.

3 They will establish meetings with
4 key legislators and their staff to advance
5 legislation of county interest and concern.

6 It will notify the presiding
7 officer and minority leader of legislation to
8 be advanced at the request or on behalf of the
9 county prior to taking any action with respect
10 to such legislation. And they will timely
11 respond to inquiries from the presiding
12 officer and minority leader and their
13 respective counsel as to any actions taken or
14 proposed to be taken by the lobbyist; to
15 clarify existing legislation and to explain
16 proposed bills and the impact that they may
17 have on the county and its residents.

18 This also will require them to have
19 meetings at the request of the minority leader
20 and myself.

21 So those terms have been
22 incorporated into the contract. We wanted to
23 make sure that the legislature has access to
24 the lobbyists who are in Albany advocating and
25 promoting legislation on behalf of the

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2 county. Anyone want to add anything or
3 discuss anything? That's good.

4 MR. LIBERT: Thank you. Have a
5 great day.

6 LEGISLATOR NICOLELLO: Thank
7 you. Last one for today will be with Human
8 Services E-29 of 2021 with the Belmont Child
9 Care Association.

10 MS. HORST: This is a contract
11 with Belmont Child Care Association. The
12 Child Care Association consists of a
13 comprehensive program entitled by BCCA Arts
14 and Cultural Programs. Students will
15 participate in dance, music and art classes
16 virtually and all supplies shall be provided
17 by the program. This is a contract it will
18 serve 54 youths at a per capita of 389 per
19 student.

20 LEGISLATOR NICOLELLO: Thank
21 you. Any debate or discussion on this
22 contract? Hearing none, let's sum up the
23 contracts that are before us and be voted on
24 at this time. They include the following;
25 A-3, A-4, A-8, A-11, A-5, B-8, B-26, E-32,

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2 A-9, A-15, E-34, E-35, A-20, E-25, E-27, E-28,
3 E-29, E-31, E-32 A-67 and E-162.

4 Any further debate or discussion?

5 Any public comment? Hearing none, all in
6 favor signify by saying aye. Those opposed?
7 The contracts pass unanimously.

8 We will put Rules into recess.

9 A-32. All in favor of A-32 signify
10 by saying aye. Those opposed? That carries
11 unanimously as well.

12 We will put the committee in recess
13 and move on to the other committees.

14 (Committee recessed at 2:42 p.m.)

15 (Committee reconvened at 5:01 p.m.)

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2 LEGISLATOR NICOLELLO: Call the
3 Rules Committee back into session. So, we
4 need a motion to suspend the rules by
5 Legislator Schaefer. Seconded by Deputy
6 Presiding Officer Kopel. All in favor of
7 suspending the rules signify by saying aye.
8 Those opposed? Rules are suspended.

9 Going to call the consent calendar
10 which are items that just went through other
11 committees and it's been determined that no
12 further debate or discussion is needed at this
13 point. They will be moved on to full
14 legislature.

15 Clerk item 39 of 2021. 58, 59, 60,
16 65 of 2021. 66, 67, 68, 69, 70. Go all the
17 way to 80. 81, 82, 83, 86, 87. Now to the
18 addendum. 88 and 91. Those are the consent
19 items. We need a motion by Legislator
20 DeRiggi-Whitton. Seconded by Legislator
21 Bynoe. Any debate or discussion? All in
22 favor signify by saying aye. Those opposed?
23 They carry unanimously.

24 Item 55 of 2021 is a resolution to
25 ceremonially designate a portion of the county

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2 road known as Uniondale Avenue between Nassau
3 Road and Jerusalem Avenue in Uniondale as
4 Catanese Way and directing the Department of
5 Public Works to install conspicuous signage
6 along said roadway.

7 Moved by Minority Leader Abrahams.
8 Seconded by Legislator Bynoe. Any debate or
9 discussion? All in favor signify by saying
10 aye. Those opposed? Carries unanimously.

11 57 is a resolution changing the
12 official name of the community room in the
13 administration building in North Woodmere Park
14 to the Sylvia Kaminetsky room.

15 Moved by Deputy Presiding Officer
16 Kopel. Seconded by Legislator Rhoads. Any
17 debate or discussion? All in favor signify by
18 saying aye. Any nays? No. Passes
19 unanimously.

20 64 is not being called. Jumping to
21 72.

22 MS. HORST: Presiding Officer,
23 may I make a quick statement about 64-21?

24 LEGISLATOR NICOLELLO: Yes.

25 MS. HORST: I know there's been

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2 some confusion. I want to clarify that the
3 administration had hoped that today that 64-21
4 would have passed with the understanding that
5 changes would need to be made. We look
6 forward to working with this body to make
7 those changes and having the item pass as soon
8 as possible.

9 LEGISLATOR NICOLELLO: Thank
10 you. We will be meeting next Monday at two
11 p.m. the Public Safety Committee to consider
12 that item after the commissioner said that
13 changes were in the works as early as this
14 Thursday we thought it better to hear the item
15 as changed on Monday.

16 72 of 2021 is a resolution to
17 ceremonially designate a portion of the county
18 road known as Forest Avenue between Birch Hill
19 Road and Birch Street as Sergeant Robert
20 Hendriks Way and directing the Department of
21 Public Works to install conspicuous signage
22 along said roadway.

23 Moved by Legislator
24 DeRiggi-Whitton. Seconded by Legislator
25 Schaefer. Any debate or discussion? All in

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2 favor signify by saying aye. Those opposed?
3 Carries unanimously.

4 82. I'm sorry, 84 of 2021. A
5 resolution to accept a gift offered by Nancy
6 Lieberman Charities to the Nassau County
7 Department of Parks, Recreation and Museums
8 and to enter into an agreement in relation to
9 such gift.

10 Moved by Legislator Bynoe.

11 Seconded by Legislator Rhoads. Any debate or
12 discussion on this item? Hearing none, all in
13 favor signify by saying aye. Those opposed?
14 It carries unanimously.

15 We have two appointments to the
16 Civil Service Commission. We'll call them
17 both together. 26, 27. A resolution to
18 confirm the county executive's appointments of
19 Michael DeLuca and Steven Markowitz to the
20 Civil Service Commission.

21 Moved by Minority Leader Abrahams.

22 Seconded by Deputy Presiding Officer Kopel.
23 Any debate or discussion? All in favor
24 signify by saying aye. Those opposed?
25 Carries unanimously.

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2 85 of 2021, a resolution confirming
3 the appointment by the county executive of
4 David I. Levine as a judge of the district
5 court for the Tenth Judicial District pursuant
6 to Section 21(D) of Article 6 of the
7 constitution of the state of New York.

8 Moved by Legislator

9 DeRiggi-Whitton. Seconded by Legislator
10 Bynoe. Any debate or discussion? Hearing
11 none, all in favor signify by saying aye.
12 Those opposed? Carries unanimously.

13 89 of 2021 is a resolution changing
14 the name of the African-American Museum of
15 Nassau County located in Hempstead, New York
16 to the Joysetta and Julius Pearse
17 African-American Museum of Nassau County.

18 Moved by Legislator Bynoe.

19 Seconded by Legislator Rhoads. Any debate or
20 discussion on this item? Hearing none, all in
21 favor signify by saying aye. Passes
22 unanimously.

23 Item 90 of 2021 is a resolution to
24 establish a memorial at Eisenhower Park to
25 honor those that have lost their lives due to

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2 the COVID-19 pandemic.

3 Moved by Legislator Schaefer.

4 Seconded by Legislator Kopel. Any debate or
5 discussion? Hearing none, all in favor
6 signify by saying aye. Those opposed?
7 Carries unanimously.

8 Last item is 92. A local law to
9 amend the county government law of Nassau
10 County to expand disclosure requirements to
11 permittees under use and occupancy permits for
12 the county property.

13 The legislature has previously --
14 I'm sorry, before I do that -- moved by
15 Legislator Rhoads. Seconded by Legislator
16 Schaefer.

17 The legislature has previously
18 enacted laws regarding disclosures for
19 individuals who enter into contracts with the
20 county. However, there are individuals who
21 reside on county property under a use and
22 occupancy permit who, pursuant to the existing
23 law, are not required to disclose such
24 information, including things such as
25 principals, lobbyists and campaign

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2 contributions.

3 This law changes that by creating
4 new forms that must be completed by future and
5 existing individuals on county property
6 pursuant to a use and occupancy agreement.

7 Essentially, this is in response to
8 the use and occupancy permit regarding a
9 residence located at the Sands Point
10 Preserve. On the same date that it was
11 considered by this legislature a \$20,000
12 contribution was made to the county
13 executive. We were not aware of the
14 contributions and certainly it would have been
15 something that we would have -- there was a
16 history of contributions actually -- we
17 certainly would have considered in the global
18 sense of looking at the use and occupancy
19 permit.

20 So, it is essentially a loophole
21 because there was a disclosure form submitted
22 but that was for the realty company that
23 assists the county in placing these
24 permitees.

25 So, just as every other vendor and

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2 entity that does business with the county has
3 to disclose certain information pursuant to
4 the reforms we adopted several years ago,
5 rightly so, those who have use an occupancy
6 permits should also disclose the same so we
7 have all the relevant information that we
8 need.

9 Does anyone else want to discuss
10 this? Legislator Rhoads.

11 LEGISLATOR RHOADS: I think
12 obviously it's an important piece of
13 legislation. We've been trying to increase
14 transparency. It is a loophole unfortunately
15 that was exposed in item 146-20 which was
16 considered by the legislature last month with
17 regard to Sands Point, the Mills Floyd
18 property.

19 It came to light shortly after our
20 vote on that that not only was there a \$20,000
21 contribution made to the county executive's
22 campaign on the day that the item was
23 considered by the legislature, but in fact it
24 appears as though there had been approximately
25 \$119,000 in contributions that were made in

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2 the four years up until that point.

3 So, that's something obviously the
4 legislature should have known about at the
5 time we were considering that because
6 obviously, whether there is any correlation
7 between the two, you know, it's certainly
8 probably has to be checked. But I certainly
9 have no idea whether there is. But that's
10 certainly something that we should have been,
11 we would have asked about certainly if we had
12 known about that at the time this was before
13 us for consideration. This legislation will
14 afford us the opportunity to do that in the
15 future.

16 LEGISLATOR NICOLELLO: Anyone
17 else want to add anything to this? Again, the
18 whole concept and the whole purpose behind the
19 legislation several years ago to require
20 greater disclosures was to avoid conflicts,
21 number one. And number two, to ensure that
22 the legislature had full information about
23 each and every vendor and make sure that there
24 was nothing that we considered untowards.
25 This closes a loophole. I mean, the fact that

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2 the contribution occurred the same day as the
3 use and occupancy permit certainly should
4 raise red flags regardless of who was involved
5 with this.

6 Anyway, any further debate or
7 discussion? Hearing none, all in favor
8 signify by saying aye. Those opposed? It
9 carries unanimously.

10 I need a motion to adjourn by
11 Legislator Rhoads. Seconded by Legislator
12 Schaefer. All in favor of adjourning signify
13 by saying aye. Those opposed? Carries
14 unanimously.

15 (Committee was adjourned at 5:12
16 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 13th day of
March 2021

FRANK GRAY