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NASSAU COUNTY LEGISLATURE

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RICHARD NICOLELLO

7

PRESIDING OFFICER

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RULES COMMITTEE

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LEGISLATOR RICHARD NICOLELLO

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CHAIR

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Theodore Roosevelt Building

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1550 Franklin Avenue

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Mineola, New York

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Monday, April 8, 2021

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2:08 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

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10 LEGISLATOR STEVEN RHOADS

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12 LEGISLATOR LAURA SCHAEFER

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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 - 4-12-21

2 LEGISLATOR NICOLELLO: Mike, you
3 want to do the Rules Committee?

4 MR. PULITZER: Legislator Delia
5 DeRiggi-Whitton.

6 LEGISLATOR DERIGGI-WHITTON:
7 Here.

8 MR. PULITZER: Ranking member
9 Kevan Abrahams.

10 LEGISLATOR ABRAHAMS: Here.

11 MR. PULITZER: Legislator Laura
12 Schaefer.

13 LEGISLATOR SCHAEFER: Here.

14 MR. PULITZER: Legislator Steven
15 Rhoads.

16 LEGISLATOR RHOADS: Present.

17 MR. PULITZER: Vice Chairman
18 Howard Kopel.

19 LEGISLATOR KOPEL: Here.

20 MR. PULITZER: Chairman Richard
21 Nicolello.

22 LEGISLATOR NICOLELLO: Here.

23 MR. PULITZER: We have a quorum
24 sir.

25 LEGISLATOR NICOLELLO: We will do

1 Rules - 4-12-21

2 the contracts portion of the Rules Committee
3 now, and, as we have been doing, we are going
4 to call the items all at once, hear from them
5 and there will be a vote later on on all the
6 items collectively. Let's get started.

7 A-10, A-18, A-19, A-22, A-24 are
8 resolutions authorizing the commissioner of
9 shared services to award and execute purchase
10 orders or blanket purchase orders between the
11 county and Recreational Products, Nassau
12 Suffolk Turf Services, SiteOne Landscape
13 Supply, Traffic Safety Service L.L.C., Beyer
14 Ford.

15 B-9, B-10, B-11, B-12, B-13, B-14
16 of 2021, resolutions authorizing the county to
17 award and execute contracts between the county
18 and Triumph Construction Corp., Pizzirusso
19 Landscaping, Macedo Contracting, Mace
20 Contracting, D.P. Civil, Inc.

21 E-36, E-37, E-38, E-39, E-40, E-41,
22 E-42, E-43, E-44, E-45, E-46, E-47, E-48, E-49
23 E-50, E-51, E-52, E-53, E-54, E-55, E-56, E-57
24 E-58, E-59, E-60. These are resolutions
25 authorizing the county executive to execute

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2 personal services agreements or amendments to
3 personal service agreements between the county
4 and Milliman, Inc., Nassau County Vocational
5 Education and Extension Board, J.C. Broderick
6 and Associates, Word Power Unlimited, Liro
7 Architects, DeBruin Engineering, Wilson Elser,
8 West Group Law, Montifort Healy, The Safe
9 Center, The Change Healthcare Practice
10 Management Solutions, PKF O'Connor, SVAM
11 International, ITT, Lamb and Barnosky,
12 Bisciglie and Associates, Discover Long
13 Island, RTR Financial Services, AllianceOne
14 Receivables, The Crime Victims Center,
15 Dickinson 1 L.L.C., Bonadio Co., L.L.P.

16 Motion by Deputy Presiding Officer
17 Kopel and seconded by Minority Leader Abrahams
18 to put those before us. All those contracts
19 are now before the committee.

20 I know there's some people here for
21 several of the contracts. We've gotten word
22 that several of these contracts are going to
23 be tabled because the inspector general is
24 still investigating. I will let you know
25 which ones now in case you're here for those

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2 you don't have to stick around.

3 With respect to the Parks
4 Department, A-10 of 2021 American Recreational
5 Products. With respect to the treasurer, E-49
6 of 2021 PKF O'Connor Davies. With respect to
7 TPVA, Traffic and Parking, E-57 2021
8 AllianceOne Receivables Management, Inc. And
9 lastly, Human Services, E-60 of 2021 with
10 Bonadio and Associates.

11 Again, those four contracts the
12 inspector general is still investigating.
13 We're going to table for today. In fact, I
14 will take a motion right now to table.
15 Legislator DeRiggi-Whitton. Seconded by
16 Legislator Bynoe. All in favor of tabling
17 those four contracts signify by saying aye.
18 Those opposed? Carry unanimously. They're
19 tabled.

20 Let's go into the contracts
21 starting with Parks. We have other contracts
22 with Parks.

23 MS. KASO: Tori Kaso with the
24 Department of Parks. A-18 and A-19-21 are
25 blanket purchase orders for horticultural

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2 products. A-18 is with Nassau Suffolk Turf
3 Services for the 52 items for which they were
4 the lowest responsible bidder. Then the
5 remaining 29 items are A-19 which is the order
6 with All Pro Horticulture for which they were
7 the lowest responsible bidder.

8 LEGISLATOR NICOLELLO: These are
9 for horticultural --

10 MS. KASO: Products. Like
11 fertilizer, pesticides, herbicides. Mostly
12 for the golf courses.

13 LEGISLATOR NICOLELLO: The two
14 contracts combined have a value of about \$2.7
15 million?

16 MS. KASO: Yes, we believe that
17 with A-18 there is a misinterpretation between
18 the department and shared services. But the
19 amount that was given to them was meant to be
20 over the five years but it was then multiplied
21 to over \$2 million. So it should be
22 comparable to A-19, All Pro.

23 LEGISLATOR NICOLELLO: A-18 this
24 is a blanket purchase order. It will extend
25 over the course of five years, is that what

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2 you're saying?

3 MS. KASO: Yes.

4 LEGISLATOR NICOLELLO: And over
5 the course of the five years the total cost
6 will be \$2 million?

7 MS. KASO: No. It should
8 actually be closer to what A-19 is.

9 LEGISLATOR NICOLELLO: The total
10 cost over five years will be in the range of
11 \$500,000 or so? \$600,000?

12 MS. KASO: Yes, 500, \$600,000.

13 LEGISLATOR NICOLELLO: I think
14 we're going to need to correct that first one
15 to the correct amount. I think what we will
16 do is we'll table that and move forward with
17 the other contract. Does that present a
18 problem for the Parks Department? We're
19 planning to put a Rules Committee on in two
20 weeks.

21 Katy, do you want to add
22 something?

23 MS. HORST: I'm going to try and
24 get that corrected today, if that's all right
25 with you?

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2 LEGISLATOR NICOLELLO: We'll
3 table it for now and then if we can get it
4 corrected today we'll put it on the Rules
5 Committee later on. Can we do it that way?
6 Let's try to do it that way. For now let's
7 table A-18, 2021. Motion to table Legislator
8 Rhoads. Seconded by Legislator Schaefer. All
9 in favor of tabling signify by saying aye.
10 That's tabled for now. Any questions now on
11 A-19? Go on to the next one.

12 MS. KASO: E-55 is an amendment
13 to the agreement with Discover Long Island
14 through December 31st of this year to allow
15 the department to conduct the solicitation,
16 second, finalized solicitation process. RFP
17 PK 01272106 was issued on January 27th. We
18 received four responses and we're currently in
19 the evaluation process.

20 LEGISLATOR NICOLELLO: Legislator
21 DeRiggi-Whitton.

22 LEGISLATOR DERIGGI-WHITTON: I'm
23 sorry to do this but can we go back to A-19?
24 Is this just for one year or is this also for
25 five years?

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2 MS. KASO: It's five years.

3 They're both for five years.

4 LEGISLATOR DERIGGI-WHITTON: They
5 both should really say that. It's a purchase
6 order for 625. It doesn't in any way state
7 that it's for five years. I think if we're
8 correcting one maybe we should correct both.

9 LEGISLATOR NICOLELLO: Actually,
10 that's a good question. Do we usually have a
11 term for the blanket purchase orders? I don't
12 know if someone from the administration can
13 answer that one.

14 MS. HORST: I believe we've
15 included the max amount of the contract but we
16 don't usually include the term on purchase
17 orders. If it's the request of the
18 legislature going forward we can absolutely
19 include the number of years.

20 LEGISLATOR NICOLELLO: I think
21 that we would like to see the term. I think
22 it is important for us to know if we're
23 issuing a blanket order whether it's one year
24 or five years or ten years. I think it's
25 something that the legislators would want to

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2 know.

3 MS. HORST: Sure. I think
4 they're all for five years but going forward
5 we can absolutely include the number of years
6 that the purchase order is for.

7 LEGISLATOR NICOLELLO: All
8 purchase orders are for five years?

9 MS. HORST: That's what Mr. Banks
10 just told me. He's working on the correction
11 of the staff summary. But going forward we
12 will include it.

13 LEGISLATOR NICOLELLO: Is he
14 still here or did he leave?

15 MS. HORST: He's on the phone
16 trying to get the new staff summary.

17 MR. BANKS: Good afternoon.
18 These are all five year contracts for both
19 A-18 and A-19.

20 LEGISLATOR NICOLELLO: Is it
21 always the case where a blanket purchase order
22 has a five-year term?

23 MR. BANKS: In most cases, yes
24 sir.

25 LEGISLATOR NICOLELLO: But not

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2 all of them then?

3 MR. BANKS: Yes.

4 LEGISLATOR NICOLELLO: Legislator
5 DeRiggi-Whitton.

6 LEGISLATOR DERIGGI-WHITTON: When
7 we mention the term it says for one year from
8 the effective date the county has the right to
9 extend the blanket purchase order. I just
10 want to make sure if that's it -- so for five
11 years it's going to be divided by five or is
12 it going to total 625? It should just be, I
13 think, made more clear.

14 MR. BANKS: We can have that
15 adjusted to have that language so it makes it
16 a little bit more understandable. I believe I
17 can get that before you guys conclude for the
18 day.

19 LEGISLATOR NICOLELLO: That's
20 fine. Then we'll do that with both. Thank
21 you. We had already tabled A-18. So we will
22 table A-19 now. Motion to table by Legislator
23 DeRiggi-Whitton. Seconded by Legislator
24 Bynoe. All in favor of tabling signify by
25 saying aye. Passes unanimously.

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2 We were on Discover Long Island.
3 Were there any questions about this one,
4 E-55? No. I think you have one more, right?
5 Dickinson.

6 MS. KASO: E-59 is a use and
7 occupancy permit for filming at OBVR with
8 Dickinson 1 L.L.C. It is for a term of one
9 year with four one-year options to extend if
10 the show gets renewed for another season. The
11 reason it is before you is because -- so the
12 permittee gets individual use and occupancy
13 permits issued to it by the Department of Film
14 Office but we believe that it will be in the
15 amount over the \$25,000.

16 LEGISLATOR NICOLELLO: The only
17 question I had was, this is being filmed at
18 Old Bethpage, correct?

19 MS. KASO: Yes.

20 LEGISLATOR NICOLELLO: Are they
21 using those historic structures, the interior
22 of those structures to do this filming?

23 MS. KASO: They build temporary
24 sets and then deconstruct them at the end of
25 the permit. And they do have -- sometimes

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2 they do use interior shots of some of the
3 house and they'll get individual permits to
4 use those if and when they need them.

5 LEGISLATOR NICOLELLO: So they
6 would have to come back for individual permits
7 if they're going to go into one of those
8 houses?

9 MS. KASO: They go to the film
10 office for those individual permits.

11 LEGISLATOR NICOLELLO: I would
12 request that the film office, and I will
13 direct it to them as well as to the Parks
14 Department, but the people in charge of the
15 historical nature and preservation of those
16 properties I request that they be involved
17 with the permit process. Here's the reason.

18 When these movie and television
19 productions come into a building they can take
20 everything off the walls, they can try to
21 transform those locations and we just want to
22 make sure that there is no damage to the
23 historic nature of those properties.

24 MS. KASO: Absolutely. And the
25 Parks Department has the same philosophy.

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2 LEGISLATOR NICOLELLO: Any
3 questions or discussion? Legislator Rhoads.

4 LEGISLATOR RHOADS: Quick
5 question Katy. I was at Old Bethpage
6 Restoration actually over the weekend. Is
7 that by the Museum of Armor? There's an
8 entire set. It looks like a town.

9 MS. KASO: That might be the
10 Guilded Age for HBO.

11 LEGISLATOR RHOADS: It's
12 something completely different?

13 MS. KASO: Yes.

14 LEGISLATOR NICOLELLO: We did
15 that agreement several years ago. That's for
16 the Guilded Age. That's been delayed somewhat
17 because of COVID I believe.

18 MS. KASO: Yes. A lot of
19 productions have been delayed because of
20 COVID.

21 LEGISLATOR NICOLELLO: Legislator
22 Schaefer did you have a question? Thank you.

23 Next contracts are with the police
24 department starting off A-22.

25 MR. FIELD: Good afternoon.

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2 William Field, Deputy Inspector with the
3 police department.

4 The first item is A-22-21. This is
5 a purchase order between the county and
6 Traffic Safety Service L.L.C. This is to
7 award a purchase order of water barriers for
8 the Nassau County Police Department's
9 emergency vehicle operating course. Also
10 known as EVOC. This will be at the future
11 center of training and intelligence.

12 The Department of Shared Services
13 determined this to be a sole source
14 procurement. They are the sole vendor who
15 manufactures and sells these water barriers.
16 They are the best to ensure safety of our
17 trainers and trainees on the course and
18 there's no other product equivalent that can
19 provide similar benefits. The maximum amount
20 authorized under this purchase order is
21 \$134,568 and it will be asset forfeiture
22 funded.

23 LEGISLATOR NICOLELLO: Deputy
24 Presiding Officer Kopel.

25 LEGISLATOR KOPEL: Just a quick

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2 question for you. You say that there are --
3 is this the only manufacturer of water-filled
4 barriers that exists?

5 MR. FIELD: I can tell you from
6 the beginning of this they had difficulty
7 finding a provider that can supply this type
8 and this was the one provider that could was
9 able to provide I guess the number and also
10 the type we needed for the course.

11 LEGISLATOR KOPEL: I'm sorry. I
12 guess I don't understand. You're saying that
13 this is the only one that could provide the
14 number that we needed?

15 MR. FIELD: I guess both the
16 volume and the type we needed. The number we
17 needed.

18 LEGISLATOR KOPEL: And the type,
19 when you say "the type" once again, what's the
20 difference between types? Aren't these just
21 simply --

22 MR. FIELD: They're round
23 barriers. You'll generally see them around
24 some of the major roadways.

25 LEGISLATOR KOPEL: I would

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2 imagine, you go around the country you see
3 these all over the place, there's got to be
4 more than one manufacturer.

5 MR. FIELD: I believe they were
6 regionally distributed. This was quite some
7 time ago. I guess set up, distributed by
8 regional locations.

9 LEGISLATOR KOPEL: What do you
10 mean by that?

11 MR. FIELD: As in the
12 distributor, the manufacturer who makes the
13 product.

14 LEGISLATOR KOPEL: This
15 particular product. But what I'm asking is,
16 is this the only product, this is the only
17 water barrier product that exists?

18 MR. FIELD: I can't say it's the
19 only one.

20 LEGISLATOR KOPEL: Because the
21 backup seems to suggest that it is.

22 MR. FIELD: To fit the needs I
23 guess of the training course, yes.

24 LEGISLATOR KOPEL: What are those
25 needs and how are they different? Do you have

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2 any explanation for this?

3 MR. FIELD: No. I can try to get
4 you further on why they're the only vendor
5 that can provide this for you.

6 LEGISLATOR KOPEL: Is there any
7 urgency to have this done today as opposed to
8 a couple of weeks from now? You see, the
9 issue is that we've got a lot of sole source
10 contracts coming before us and we recently
11 started questioning these.

12 MR. FIELD: This was for the
13 specific type of barrier that was requested
14 for the course, and Mr. Banks just brought it
15 to attention, it's the TSS 590 water barrier.

16 LEGISLATOR KOPEL: Is that their
17 model number or is that a type?

18 MR. FIELD: I believe that's a
19 type that they were looking for to have on
20 this course.

21 LEGISLATOR KOPEL: What is it a
22 federal standard or something like that that's
23 promulgated?

24 MR. FIELD: I'm honestly not
25 sure. I can get that information for you.

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2 LEGISLATOR KOPEL: Why don't we
3 do that. Could you do that for us please?

4 MR. FIELD: Definitely will. I
5 can find out right now. Absolutely.

6 LEGISLATOR NICOLELLO: Why do we
7 want table it? Legislator DeRiggi-Whitton.

8 LEGISLATOR DERIGGI-WHITTON:
9 Mr. Banks, can I ask you to clarify this one
10 more time. I know it's a purchase order. It
11 says the county has the right to extend the
12 blanket purchase order for four additional
13 one-year terms. Now, does that mean that the
14 total 134,000 and change is going to be
15 divided by five years or is that 134,000 per
16 year?

17 MR. BANKS: That's correct.

18 LEGISLATOR DERIGGI-WHITTON:
19 What's correct?

20 MR. BANKS: In this case this is
21 a one-time purchase. This is not a blanket
22 order.

23 LEGISLATOR DERIGGI-WHITTON: But
24 it goes back, when it says the term, it says
25 the county has the right to extend the blanket

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2 purchase order for four additional one-year
3 terms without coming back to the legislature
4 basically. So, are we authorizing \$134,568 or
5 are we authorizing a half a million dollars?

6 MR. FIELD: I believe this is a
7 one-time purchase order for the number of
8 barriers that are needed to supply the
9 course. This is to set up the course at the
10 track, we call it a track, and this is a
11 one-time purchase to do so. They're actually
12 going to be set up by -- the county is
13 actually going to set them up. This is just
14 to purchase the product. The barriers.

15 LEGISLATOR DERIGGI-WHITTON: I
16 understand that. I'm sure you need it. I'm
17 just talking about the wording on the contract
18 that the county has the right to extend the
19 blanket purchase order for four additional
20 one-year terms. Again, I want to know what we
21 are authorizing. Is it 134,000 a year or a
22 total?

23 MS. HORST: Sorry. Katy Horst
24 from the administration. It's \$134,000 over
25 the life of the agreement. So, if they don't

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2 expend the money in 2021 and they need to do
3 it in 2022 they have the option to renew the
4 contract and spend the same amount of money.
5 But it's only a one-time usage.

6 LEGISLATOR DERIGGI-WHITTON:

7 One-time usage but they have the right to --
8 do you see that where it says the right to
9 extend the blanket purchase order for four
10 additional one year terms?

11 MS. HORST: I don't know what you
12 have.

13 LEGISLATOR DERIGGI-WHITTON:

14 That's in the term section.

15 MS. HORST: Legislator, do you a
16 page on that?

17 LEGISLATOR DERIGGI-WHITTON: It
18 seems to be that both blanket purchase orders
19 are five years. I think it would help us,
20 although this has probably been going on and I
21 haven't really noticed it as much, but is this
22 total a total of the entire purchase or where
23 you say it can be extended for four additional
24 one-year terms? What is the amount we're
25 authorizing today?

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2 MS. HORST: Total amount is the
3 \$134,568. Whether it takes one year or five
4 years that's the total amount that you are
5 authorizing for this contract to be used for.

6 LEGISLATOR DERIGGI-WHITTON: So
7 extending the blanket purchase order for four
8 additional terms years would encompass only
9 that \$134,000 or you'd have to come back to
10 the legislature for additional funding?

11 MS. HORST: Correct.

12 LEGISLATOR KOPEL: So, Katy, that
13 kind of raises the question of why you just
14 don't make it a five-year term to begin with.

15 MS. HORST: We're definitely
16 going to have some conversations after today's
17 discussion about how to clarify this going
18 forward so we don't have this confusion.

19 LEGISLATOR KOPEL: As I want to
20 acknowledge first of all that Katy did come
21 over to me just before we started everything
22 because we asked last time to get an update on
23 how these contracts were structured and often
24 why they're extended without being rebid. So,
25 this is probably a good thing to add to that

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2 submission.

3 MS. HORST: Absolutely.

4 LEGISLATOR KOPEL: Why I think
5 Legislator DeRiggi-Whitton was perfectly
6 apropos. And the other question as I say is,
7 why not a blanket five year?

8 MS. HORST: I don't know but we
9 will get back to you.

10 LEGISLATOR KOPEL: I'm sure you
11 will. Thank you.

12 LEGISLATOR NICOLELLO: You want
13 to table that?

14 LEGISLATOR KOPEL: I guess my
15 question to you earlier was -- unless he's got
16 an answer.

17 MR. FIELD: So, the
18 specifications for this actual TSS 590 they're
19 the only manufacturer of the barrier that can
20 withstand a crash in excess of 62 miles an
21 hour.

22 LEGISLATOR KOPEL: That's a good
23 answer I think.

24 LEGISLATOR NICOLELLO: TSS 590
25 isn't that the cyborg?

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2 LEGISLATOR DERIGGI-WHITTON:

3 Don't take it personally. We're not
4 questioning --

5 MR. FIELD: Not at all. I knew
6 there was a reason. I just didn't know the
7 specific specifications. I called and that
8 is -- it's the only barrier that can withstand
9 a 62 mile an hour or faster crash.

10 LEGISLATOR NICOLELLO: Let's go
11 to A-24, 2021.

12 MR. FIELD: A-24, 2021 is to
13 award and authorize two purchase orders
14 between the county and Beyer Ford L.L.C. to
15 purchase Ford police interceptors. This is
16 actually two separate requests. One is for
17 eight 2020 police interceptors. The other is
18 for 56 nonhybrid 2021 police interceptors and
19 26 hybrid police interceptors. Both purchase
20 orders are being awarded as a result of a
21 cooperative bid between Westchester, Nassau
22 and Suffolk County. The maximum amount
23 authorized under this purchase order is
24 \$4,440,791.18. It is capital funded. I think
25 that's all I have.

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2 LEGISLATOR NICOLELLO: Quick
3 question. Is there any sort of grant -- you
4 may not know this -- that would apply for the
5 county purchasing hybrid vehicles as opposed
6 to other vehicles? In other words, is there
7 incentive to be more environmentally
8 efficient?

9 MR. FIELD: Not to my knowledge.
10 It's definitely something I can have my office
11 look into. This is I believe the second time
12 we're purchasing nonhybrids -- hybrids. We
13 have purchased a couple in past but this is
14 the first larger group of them.

15 LEGISLATOR NICOLELLO: Any other
16 questions? Go to E-46.

17 MR. FIELD: E-46-21 is a contract
18 between the county and Safe Center LI,
19 Incorporated. This is an amendment to the
20 existing contract of Safe Center LI. This
21 company, this organization provides the
22 department with very important support
23 services regarding domestic violence and sex
24 and child abuse. Amendment is to only extend
25 the contract for a one-year period with a

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2 maximum amount of \$250,000.

3 LEGISLATOR NICOLELLO: Any
4 questions? E-48.

5 MR. FIELD: E-48-21 is an
6 amendment to extend the contract between the
7 county and Change Healthcare Incorporated.
8 They provide ambulance billing services for
9 the police department. The amendment is to
10 cover the term -- extend the term of the
11 previous contract by eight months and a day
12 through February 1, 2021. This covers the gap
13 period in which the new contract will come
14 into effect. It was approved by the Rules
15 Committee February 1, 2021.

16 They provide us with their
17 recording and transmission of our pre-hospital
18 care reports and also do our billing for
19 ambulance treatment.

20 LEGISLATOR NICOLELLO: Any
21 questions? E-58.

22 MR. FIELD: E-58-21 is a contract
23 between the county and Crime Victims Center
24 Incorporated. This is also an amendment to an
25 existing contract. The contract provides the

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2 police department with the goal of preventing
3 child sexual abuse as well as a 24-7
4 helpline. It also sends literature regarding
5 sex offenders and does an increase outreach
6 for sex offender notifications and does do
7 referrals to the Nassau Coalition Against
8 Child Abuse and Neglect. The contractor has
9 provided these services in the past and they
10 have a similar agreement with Suffolk County.

11 LEGISLATOR NICOLELLO: Any
12 questions? Thank you very much. Next
13 contracts are with the Public Works.

14 MR. ARNOLD: Ken Arnold, Public
15 Works. First, I just want to summarize B-9
16 through B-14. These are projects associated
17 with projects the county took on from the
18 governor's Office of Storm Recovery, Disaster
19 Recovery. These projects came from community
20 board meetings that were set up by the
21 governor's Office of Storm Recovery where
22 people actually gave in project ideas, they
23 put together a report and from those reports
24 these projects were developed.

25 LEGISLATOR NICOLELLO: Is there

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2 state money that's associated with all of
3 these?

4 MR. ARNOLD: Yes. There is some
5 county money for some of the projects that are
6 little bit bigger and in the county's best
7 interest to move forward on them. And that
8 bond ordinance that we are presenting later
9 today I can discuss the money aspect of that.

10 So, specifically to B-9 is a
11 contract to correct a flooding issue that has
12 been persistence in the community of
13 Lawrence. Lawrence is on board with this
14 project and has signed off on it since we will
15 be using the golf course as part of the pipe
16 conduit.

17 There were five acceptable bids and
18 Triumph was the lowest responsible bidder and
19 they have an MWBE of 14 percent.

20 LEGISLATOR KOPEL: When is that
21 starting?

22 MR. ARNOLD: That will start, we
23 get through today and the contract has to go
24 to NIFA full board meeting, so we hope to
25 start sometime by mid to late summer.

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2 LEGISLATOR NICOLELLO: The backup
3 indicated that there were ten bids received
4 and five were rejected. Is it usual to get
5 that many rejected?

6 MR. ARNOLD: No. We had a whole
7 selection of people bidding on it that had bid
8 on county projects before and they did their
9 proposals incorrectly. My office rushed out
10 corrections and they were able to correct it
11 in future bids. While the first set of bids,
12 I think two that came in the first day, a lot
13 were rejected. We corrected them for the next
14 following forward and some of these people won
15 bids later on.

16 LEGISLATOR NICOLELLO: Any other
17 questions on B-9? B-10.

18 MR. ARNOLD: B-10 is another
19 drainage project that will store backflow
20 valves on storm water outfalls and also
21 improve catch basins on Lido Boulevard. This
22 will help a community in Long Beach by the
23 Regent Street area. There were eight
24 acceptable proposals for this project and
25 Pizzirusso was determined to be the lowest

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2 responsible bidder. MWBE is at 30 percent for
3 this project.

4 LEGISLATOR NICOLELLO: Any
5 questions?

6 MR. ARNOLD: B-11 is a contract
7 that will make both traffic safety and
8 drainage improvements to the downtown segment
9 of Long Beach Road in the Village of Island
10 Park. We have worked with the mayor on this
11 project. There were ten acceptable proposals
12 and Macedo Contracting was determined to be
13 the lowest responsible bidder and their MWBE
14 is at 30 percent.

15 LEGISLATOR NICOLELLO:
16 Questions? Keep going.

17 MR. ARNOLD: B-12 is a
18 construction of a storm water pump station and
19 also the installation of tide flex valves to
20 adjust flooding related to both rainfall and
21 high tides in the area of Cedarhurst by the
22 old treatment plant.

23 LEGISLATOR KOPEL: Same
24 schedule?

25 MR. ARNOLD: Yes. In this case

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2 the village will retain ownership of the pump
3 station once completed and will operate the
4 pump station. There were eight acceptable
5 bids and Mace Contracting was the lowest
6 responsible bidder. Their MWBE participation
7 is at 15 percent.

8 LEGISLATOR NICOLELLO:

9 Questions?

10 MR. ARNOLD: B-13 is a contract
11 that will address drainage issues again on
12 Lawrence Avenue in East Rockaway. It's the
13 installation of both tide flex valves to stop
14 backflow from high tides and also reinstalling
15 some storm water treatment and other pipe
16 modifications. There were eight acceptable
17 proposals and D.P. Civil was determined to be
18 the lowest responsible bidder and ten percent
19 participation MWBEs.

20 LEGISLATOR NICOLELLO: Questions
21 on that one.

22 LEGISLATOR KOPEL: Same question.

23 MR. ARNOLD: We're pushing them
24 on the same schedule.

25 LEGISLATOR NICOLELLO: B-14.

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2 MR. ARNOLD: B-14 is a project
3 that will reduce tidal flooding at Silver Lake
4 by installing tide flood valves and also
5 improve aquatic habitat by the installation of
6 a fish ladder and storm water treatment
7 devices. There were seven acceptable bidders
8 and D.P. Civil was determined to be the lowest
9 responsible bidder. WMBE at 21 percent.

10 LEGISLATOR NICOLELLO: Any
11 questions? The next one would be E-38.

12 MR. ARNOLD: E-38 is a contract
13 amendment for the department's asbestos and
14 lead design and monitoring contract. This
15 amendment was associated with design and
16 monitoring services that we need right now for
17 the lead remediation project at the Mitchell
18 Field housing complex and also at the landmark
19 park properties where we have the housing. We
20 are adding \$500,000 to assist the department
21 in this endeavor.

22 LEGISLATOR KOPEL: So Ken, on
23 this one, this is one of those where you've
24 got an initial contract of 400 and now you're
25 going up to 900. It seems to be work

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2 that's -- it's not a continuation of a
3 discreet project it's rather requirements; is
4 that correct?

5 MR. ARNOLD: It's a requirements,
6 yes.

7 LEGISLATOR KOPEL: So then why is
8 this not being rebid? Why are just we
9 amending an existing contract and more than
10 doubling its size instead of rebidding it?

11 MR. ARNOLD: This had come up
12 with an unexpected lead issue that has a very
13 tight timeline to address. We have to
14 remediate the Mitchell Field houses that have
15 people under the age of six in 90 days. We're
16 laying out the design and doing the
17 construction almost simultaneously and there's
18 a lot of unknowns when you do the assessments
19 of these homes. So it's in the best interests
20 of the county to proceed under this
21 requirements contract or on-call design
22 services contract to address these types of
23 situations.

24 LEGISLATOR KOPEL: So there's no
25 time to rebid is what you're saying?

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2 MR. ARNOLD: Right. No time.

3 LEGISLATOR KOPEL: And it's an
4 emergency?

5 MR. ARNOLD: Yes.

6 LEGISLATOR NICOLELLO: Any other
7 questions? E-40.

8 MR. ARNOLD: E-40 is a design
9 contract to address issues related to the A-32
10 building at the correctional center. There
11 were five proposals submitted. Liro was
12 selected as the highest technically ranked
13 proposer. The fee for these services is
14 \$685,000. The MWBE will be determined as we
15 proceed with the project.

16 LEGISLATOR NICOLELLO: Is this
17 connected to developing a master plan for the
18 property at the correctional center?

19 MR. ARNOLD: The master plan is
20 facility-wide. We already knew that A-32 had
21 some immediate issues. It's getting done in
22 parallel.

23 LEGISLATOR NICOLELLO: Any
24 questions? Legislator Bynoe.

25 LEGISLATOR BYNOE: Thank you

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2 Presiding Officer. Hi Ken. Can you tell me
3 what was the ranking criteria?

4 MR. ARNOLD: We do a technical
5 quality-based selection. We look at the
6 firm's experience, their team's experience,
7 the availability of their teams, their
8 background on similar projects. I believe
9 there's also where their office is located is
10 a five point on location. I'm not sure we
11 removed that in this one but a lot of times we
12 look at that also.

13 LEGISLATOR BYNOE: Do you have
14 intimate knowledge on what criteria they
15 ranked highest in?

16 MR. ARNOLD: I'm not part of the
17 selection committee so I do not know the
18 details other than what the recommendation of
19 award memo outlines.

20 LEGISLATOR BYNOE: I'd be
21 interested to what that was because they're
22 not the lowest ranked -- the lowest bidder but
23 you're saying the lowest most qualified
24 bidder.

25 MR. ARNOLD: Technical services

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2 are quality-based selections not lowest bid
3 selection. A lot of times we talk to the
4 vendors to get best and final offers. But
5 it's not always one where we get the cheapest
6 and also the most technically ranked.

7 LEGISLATOR BYNOE: I understand
8 that. I'd just like to know what criteria.
9 Particularly they were highest ranked.
10 Because if it's experience we're going to keep
11 ended up with the same companies.

12 MR. ARNOLD: Different types of
13 projects have different types of focus. But
14 we can get you -- that memo should outline
15 detail but if it doesn't I'll talk to my
16 staff.

17 LEGISLATOR BYNOE: What I have
18 doesn't.

19 MR. ARNOLD: I will see what else
20 I can provide for you.

21 LEGISLATOR NICOLELLO: Any other
22 questions? Last one with you is E-41.

23 MR. ARNOLD: E-41 is a
24 construction management contract for the
25 diversion of sewage from the Long Beach sewer

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2 plant to the South Shore Reclamation facility
3 previously known as the Bay Park facility.
4 This contract will oversee two construction
5 projects. We are bidding a force main and a
6 pump station project separately. Seven firms
7 submitted proposals with De Bruin having the
8 highest technically ranked proposal. Their
9 MWBE 20 percent and SDVOB is at six percent
10 for this project.

11 LEGISLATOR NICOLELLO: Any
12 questions? Legislator Bynoe.

13 LEGISLATOR BYNOE: Thank you.
14 Ken, this falls under the same criteria.

15 MR. ARNOLD: Yes.

16 LEGISLATOR BYNOE: I'm seeing
17 actually about a \$900,000 difference.

18 MR. ARNOLD: I believe the memo
19 explains the man hours behind the rationale of
20 what we looked at.

21 LEGISLATOR BYNOE: This is
22 significant enough that -- what's the time --
23 is there any real timelines connected to this
24 moving forward immediately? Because I really
25 would like to see the ranking on this. This

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2 is a \$900,000 difference.

3 MR. ARNOLD: Construction project
4 has not gone out to bid yet, so we do have a
5 little bit of time. Again, I will tell you
6 that it is a quality-based selection.

7 LEGISLATOR BYNOE: Would my
8 colleagues entertain tabling this?

9 LEGISLATOR NICOLELLO: Yes.

10 LEGISLATOR BYNOE: I'd like to
11 make a motion to table this.

12 LEGISLATOR NICOLELLO: Seconded
13 by Legislator DeRiggi-Whitton. All in favor
14 of tabling signify by saying aye. Those
15 opposed? Carries unanimously.

16 Ken, do you think you can get that
17 information within two weeks? We will
18 probably wind up with a Rules Committee on the
19 26th.

20 MR. ARNOLD: I don't know if I'll
21 make the 26th. I'm away next week. But I
22 will get to you as soon as possible. I'll
23 make sure it's on my timeline. We can work
24 together on this.

25 LEGISLATOR NICOLELLO: Thanks.

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2 Next contract is with the
3 comptroller's office, Milliman, Inc., E-36.

4 Hello Sergio.

5 MR. BLANCO: Thank you for having
6 me here. This is a contract with Milliman,
7 Inc. They perform our actuarial evaluation
8 services specifically related to OPEB, or
9 other post-employment benefits, as well as
10 worker's compensation liability valuations.

11 LEGISLATOR NICOLELLO: Any
12 questions? Thank you.

13 Next one is with the fire
14 commission, E-37, 2021, contract with the
15 Vocational Education Extension Board.

16 MR. UTTARO: Michael Uttaro,
17 assistant chief fire marshal, Nassau County.
18 This is the contract for 2021. It's a little
19 late getting to you. They are in need of
20 funding for the 2021 season for the Vocational
21 Education Extension Board which teaches
22 basically our 71 volunteer fire departments,
23 emergency medical technicians and others and
24 fire rescue and emergency medical services at
25 the Nassau County Fire Service Academy.

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2 LEGISLATOR NICOLELLO: I know
3 that actually I spoke to Phil Malloy that
4 they're either out of funds or almost out of
5 funds. This is a recurring problem. A couple
6 of years ago we tried to deal with it with a
7 two-year contract and NIFA struck that. Is
8 there any way we can get these agreements
9 before April going forward?

10 MR. UTTARO: We are definitely
11 working on it. As soon as this is approved
12 we're going to start on the '20-22 contract so
13 we can get it through. It's myself and Bill
14 Pilzac, who is one of our division
15 supervisors, working on this contract. It is
16 actually an enormous effort. We got it
17 through everywhere it had to go. We had a
18 learning experience ourselves, and we're going
19 to work on getting it done this year so that
20 it is finalized and finished before the end of
21 2021 for 2022.

22 LEGISLATOR NICOLELLO: That would
23 be great. Legislator DeRiggi-Whitton.

24 LEGISLATOR DERIGGI-WHITTON: I
25 hope you don't mind, I just want to ask you a

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2 nonrelated question. How is your department
3 doing during COVID? Do you find that you're
4 able to inspect new businesses and everything
5 or has there been a huge delay?

6 MR. UTTARO: We were staffed
7 fully throughout the entire COVID pandemic.
8 We worked our guys in two separate shifts to
9 try to space them out to keep them safe. But
10 they all worked from the office. The
11 inspection of construction projects during the
12 height of the pandemic and the spring of last
13 year was suspended because everything was
14 suspended. We have gotten back into the full
15 swing of things.

16 In the time we were suspended from
17 in-person inspections they were doing plan
18 reviews so we got a lot of backlog done. But
19 construction and plans and everything else
20 have increased exponentially. They're on top
21 of it but there's definitely a big push to
22 open and there's a lot of businesses because
23 of delayed progress and funding that was in
24 place that they're in a big rush to get things
25 rolling. We're keeping up with it as best we

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2 can.

3 LEGISLATOR DERIGGI-WHITTON: I
4 was just curious, not to add to your pressure,
5 but I have been approached by certain
6 businesses waiting. Do you feel that's
7 temporary?

8 MR. UTTARO: It's somewhat
9 temporary but I'm sure everybody has somewhat
10 of the same story. We have a very high volume
11 of plans and inspections that come in. I have
12 a small group of guys that are actually out in
13 the field reviewing plans on certain days and
14 out in the field doing inspections on others.

15 There's some massive projects going
16 on, as you would know, up in Glen Cove with
17 the waterfront projects and other projects
18 around the county and we're still maintaining
19 doing our COVID enforcement as well. It's
20 been a hustle but they've been keeping with it
21 as best they can. If you have a particular
22 issue and something seriously delayed or in
23 financial jeopardy you can reach out to us and
24 we'll look into it.

25 LEGISLATOR DERIGGI-WHITTON:

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2 Thank you for all you're doing. You took on
3 both roles. It doesn't go unnoticed.

4 MR. UTTARO: Thank you.

5 LEGISLATOR NICOLELLO: I would
6 echo that. The fire marshal's office during
7 the height of the pandemic you guys are out
8 every day enforcing the regulations and you
9 did so in a way that was reasonable and
10 measured. You weren't looking to be punitive,
11 you won't putting people out of business, you
12 were giving them warnings and enforcing what
13 you had to. I think you did a magnificent
14 job.

15 MR. UTTARO: Thank you very
16 much. Appreciate it.

17 LEGISLATOR NICOLELLO: Anyone
18 else? I think we're good. Thank you.

19 Word Power Unlimited is the next
20 contract with the county clerk's office and
21 it's E-39.

22 MR. BUTLER: Good afternoon.
23 John Butler, fiscal officer for Nassau County
24 Clerk Maureen O'Connell's office. Item
25 E-39-21 is an amendment to extend time with

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2 vendor Word Power for an additional year of
3 services to provide bulk mail and
4 mailing-related items to our office.

5 LEGISLATOR NICOLELLO: This is
6 the informational stuff that the county clerk
7 puts out?

8 MR. BUTLER: Exactly.

9 LEGISLATOR NICOLELLO: Any
10 questions? I think we're good.

11 Next contract is with the county
12 attorney's office. I think actually there's
13 three with Wilson Elser. Why don't we do all
14 three of those together which is E-42, E-47
15 and E-50.

16 MS. MOLINARES: Good afternoon
17 Mr. Presiding Officer. This is chief deputy
18 county attorney Jessica Molinares. Also with
19 my colleague DCA Brian Libert.

20 LEGISLATOR NICOLELLO: Nice to
21 see Brian in person.

22 MS. MOLINARES: E-42-21 is a
23 contract amendment with the firm of Wilson
24 Elser for special counsel services relating to
25 the matter of Plainview Properties.

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2 LEGISLATOR NICOLELLO: Can I stop
3 you for one moment? With respect to E-42,
4 E-47 and E-50 2021 contracts with Wilson
5 Elser's office, let the record reflect that
6 Deputy Presiding Officer Kopel has left the
7 room. He's not participating in any debate,
8 discussion or vote on these three contracts.
9 You can go ahead.

10 MS. MOLINARES: E-42 relates to
11 special counsel services in the litigation
12 known as Plainview Properties. That is an
13 amendment as to funding only.

14 E-47 relates to special counsel
15 services in the matter of Jackson versus
16 Nassau County. That is an amendment as well
17 for funding.

18 And E-50 is also an amendment with
19 the matter of Rochester versus Nassau.

20 LEGISLATOR NICOLELLO: Any
21 legislators have any questions on these three
22 contracts? Hearing none, actually, what we're
23 going to do with these three is we'll have a
24 vote now on those separately. So, with
25 respect to E-42, E-47, E-50 of 2021 all in

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2 favor signify by saying aye. Any nays? They
3 pass unanimously and you can invite Legislator
4 Kopel back in.

5 We go to E-43 and E-45 both of
6 which are with the Westlaw group.

7 MS. MOLINARES: E-43, Presiding
8 Officer, is a new contract for special counsel
9 services. That's for a federal litigation,
10 federal civil rights to be clear, in the
11 matter of Samil Joseph.

12 E-45 is for special counsel
13 services with respect to affirmative
14 litigation related to the family court
15 matrimonial center construction.

16 LEGISLATOR NICOLELLO: Any
17 questions on these two? Backup's pretty
18 clear. We're good. You want to move on to
19 E-44 with Montfort Healy's office.

20 MS. MOLINARES: E-44 is also for
21 special counsel services relating to the
22 litigation known as Sharp versus Nassau
23 County. This is a federal civil rights
24 litigation.

25 LEGISLATOR NICOLELLO: The only

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2 question that we had was it looks like the
3 contract commenced on February 1, 2020. So,
4 it's over a year old. Can you tell us why we
5 are getting it now?

6 MS. MOLINARES: Yes, Mr.
7 Presiding Officer, unfortunately, admittedly
8 this contract there was some delay in the
9 preparation of the routing of this contract.
10 That is due to administrative error on my
11 office. That's something that we have
12 investigated and have rectified going
13 forward. They're now double and triple
14 checked with respect to that.

15 After that, however, when the
16 contract did get to the firm there was also
17 just some delays on the firm's end
18 unfortunately in navigating the vendor
19 portal. Also coupled with some difficulty
20 with expiration of certificates of insurance
21 as well as the proper disclosure of ownership,
22 of partners with ownership. So, there was a
23 sort of a combination of various factors that
24 led to this delay.

25 LEGISLATOR NICOLELLO: But you

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2 said you've addressed it within your office in
3 terms of monitoring these contracts and making
4 sure they're moved along in a timely fashion?

5 MS. MOLINARES: Correct.

6 LEGISLATOR NICOLELLO: We will
7 look forward to seeing that going forward.
8 Any other questions? E-53 with Lamb and
9 Barnosky.

10 MS. MOLINARES: E-53 also relates
11 to special counsel services. These are
12 related to numerous and various EEOC
13 complaints as well as PESH violations that
14 were filed against the county. This is a new
15 contract.

16 LEGISLATOR NICOLELLO: These
17 violations are ongoing? Obviously not
18 resolved yet?

19 MS. MOLINARES: They are not.

20 LEGISLATOR NICOLELLO: Any
21 questions? I think we're good. Thank you.
22 There's one more. E-54.

23 MS. MOLINARES: That's with the
24 firm of Bisciglie. This is an amendment
25 solely as to funding. This is a now resolved

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2 matter. We just received the appellate
3 decision I believe March 21, 2021, just a few
4 weeks ago. This is simply just to pay the
5 outstanding invoices to the firm.

6 LEGISLATOR NICOLELLO: This was
7 late too.

8 MS. MOLINARES: What happened
9 here was, because the appeal had been pending
10 so long, this had been a very inactive case.
11 We had not received any recent billings and,
12 quite frankly, it just was not on anyone's
13 radar across the board. Again, that's another
14 aspect that we have addressed in my office.

15 LEGISLATOR NICOLELLO: Do you
16 have an attorney or support staff who is now
17 focused on getting these contracts to us on a
18 regular basis?

19 MS. MOLINARES: It's a cumulative
20 effort but we also do have an assigned deputy
21 county attorney who is an outside counsel
22 coordinator whose duties are solely to
23 interact and have this constant communication
24 with these outside counsel firms.

25 LEGISLATOR NICOLELLO: Just in

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2 terms of the diarying within your office to
3 get these things to us in a timely fashion,
4 you have I guess this outside deputy county
5 attorney or this deputy county attorney
6 charged with outside counsel. What about the
7 use of technology? Do you have spread sheets,
8 do you have that type of stuff?

9 MS. MOLINARES: We have. We've
10 actually implemented an outside counsel
11 contract committee that meets regularly that
12 uses spreadsheets as well as the Microsoft
13 planner. Which works as almost a triple check
14 as to the assignments that relate to everyone
15 pursuant to those regular meetings.

16 LEGISLATOR NICOLELLO: I
17 understand occasionally there may be a
18 contract that falls through the cracks or
19 whatever. You're getting difficulty getting
20 disclosures from law firms. But if you would
21 give us, the legislature, that something is
22 late it would be much better than us getting
23 it six months, seven months, 12 months later.

24 MS. MOLINARES: That is
25 absolutely something that we will work on,

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2 Presiding Officer, to the best of our ability.

3 LEGISLATOR NICOLELLO: Thank

4 you. Any questions? Thank you. Next

5 contract is with Information Technology.

6 There's two contracts. One is E-51 with SVAM

7 International and the other is E-52 with ITT.

8 MS. STANTON: Good afternoon.

9 Nancy Stanton, IT. E-51-21 SVAM

10 International, Inc. This new contract is for

11 recruitment services to assist the county in

12 attracting and hiring candidates in select IT

13 titles. Contract term is three years with two

14 one-year renewals for a total of five years.

15 Ceiling of \$80,000. This is a minority-owned

16 business.

17 LEGISLATOR NICOLELLO: Question I

18 have is, why does the county need to hire an

19 outside entity to recruit personnel?

20 MS. STANTON: This is

21 specifically for People Soft developers, which

22 we have been using contractors and we would

23 like to replace the contractors with CSEA

24 full-time employees.

25 LEGISLATOR NICOLELLO: Correct.

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2 But again, the department is unable to do its
3 own recruitment?

4 MS. STANTON: We have tried.
5 It's a very specific skill set. Very hard to
6 come by.

7 LEGISLATOR NICOLELLO: In terms
8 of working with civil service once somebody is
9 identified or is offered employment does that
10 part of the obligation fall on the county
11 personnel or does it fall on the outside
12 vendor?

13 MS. STANTON: No. This will be a
14 civil service title that they would be hired
15 in. And I have spoken several times with
16 Martha Crysel and she's totally on board.

17 LEGISLATOR NICOLELLO: Another
18 question I had is SVAM is already providing
19 supplemental staffing I think?

20 MS. STANTON: That's correct.

21 LEGISLATOR NICOLELLO: So they're
22 both providing supplemental staffing and they
23 will be recruiting staff? There's no conflict
24 there?

25 MS. STANTON: They responded to

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2 the RFP.

3 LEGISLATOR NICOLELLO: What's
4 their incentive to actually perform this
5 contract?

6 MS. STANTON: I don't know. But
7 they have the most amount of contractors with
8 us. So, I'm hoping they can help us hire.

9 LEGISLATOR NICOLELLO: It's a
10 little unusual, isn't it? Anyone else want to
11 chime in here? Legislator Bynoe.

12 LEGISLATOR BYNOE: I'm thrilled,
13 I think most of us are thrilled to hear that
14 you're moving in that direction because we
15 have been asking for quite some time for us
16 onboard folks that can bring this skill set to
17 our county government. But I do have to agree
18 with the presiding officer that we may have a
19 an inherent, created an inherent disservice to
20 ourselves because I think there is a conflict,
21 right? I'm not sure what --

22 MS. STANTON: I see this as a
23 disservice to them.

24 LEGISLATOR BYNOE: No.

25 MS. STANTON: No? We will be

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2 replacing -- the goal is to replace the
3 contractor.

4 LEGISLATOR BYNOE: So, how
5 motivated will they be to find folks if
6 they're going to be, you know, losing money on
7 the other hand? I think it would have been
8 better for us if we had a different company
9 acting in that role.

10 MS. STANTON: We have two
11 others. The next item on the calendar is one
12 of them and we're waiting for a third one to
13 send in their documents.

14 LEGISLATOR BYNOE: Let me
15 understand this. We're going to have three
16 different companies that we're going to engage
17 to provide one service?

18 MS. STANTON: To provide hiring.

19 LEGISLATOR BYNOE: For one skill
20 set?

21 MS. STANTON: Yes. People Soft
22 skill set. Whether it's developer, a database
23 administrator, yes.

24 LEGISLATOR BYNOE: Walk me
25 through -- Presiding Officer with your

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2 permission to go on to the other items -- can
3 you walk me through the difference between the
4 three different companies because I don't
5 understand why we hired three.

6 MS. STANTON: We felt it that
7 would give us a bigger opportunity to find the
8 best skill set we could find.

9 LEGISLATOR BYNOE: So they'll all
10 be working for the same goal?

11 MS. STANTON: Exactly.

12 LEGISLATOR BYNOE: Now I fully
13 understand. All three working for the same
14 goal?

15 MS. STANTON: Correct.

16 LEGISLATOR BYNOE: Again, applaud
17 you. This has been a long time coming but I
18 can't see using this company and paying them
19 the \$80,000 to do that.

20 MS. STANTON: It's \$80,000 over
21 five years. We have approval to hire three
22 people. Each of these vendors has a different
23 VAR they get. Whether it be 20 percent of an
24 annual salary one time. One is a flat rate.
25 The one that we haven't gotten the paperwork

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2 yet is a flat rate. Each time we hire from
3 them it's \$8,000 period and end of it. The
4 one you're going to hear next is 17 percent of
5 the first year annual salary. And SVAM that
6 we're discussing right now is 12 percent or
7 flat fee of \$15,000 depending on the annual
8 salary that they're coming in on, whichever is
9 less. The most would be \$15,000.

10 LEGISLATOR BYNOE: Is it that
11 we're potentially hiring some of their
12 staffers that are contracted to work with us
13 now?

14 MS. STANTON: It's possible. If
15 they would allow that. There are a few that
16 we would like. However, there are some
17 obstacles with several of them that work here
18 now. Which I can get into offline if you'd
19 like.

20 LEGISLATOR BYNOE: The other two
21 companies are they also providing contract
22 staff to us now?

23 MS. STANTON: One is, one person
24 from ITT. Which is the next one to be heard.

25 LEGISLATOR BYNOE: And the third

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2 one is, what's the name of that entity?

3 MS. STANTON: Elegant
4 Enterprisewide Solutions and we're waiting for
5 their paperwork.

6 LEGISLATOR BYNOE: I feel like
7 there's a conflict with SVAM.

8 MS. STANTON: They really bring
9 us good talent. I would hate to lose them as
10 an option here.

11 LEGISLATOR BYNOE: It would help
12 if maybe when the presiding officer asks the
13 question like why would they would be a viable
14 option given that we think there's an inherent
15 conflict if we had a stronger response. It
16 just leads me to believe that they gain and
17 earn money by providing the contract service
18 and I'm sure they earn more money doing that
19 than to start outsourcing the work.

20 MS. STANTON: I can't answer
21 that. We did an RFP, they responded.

22 LEGISLATOR BYNOE: Because they
23 responded doesn't mean that we should engage
24 them if we know there's a conflict.

25 MS. STANTON: This is Donna

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2 Nyland, project manager who worked on this
3 contract.

4 MS. NYLAND: Good afternoon. We
5 established a selection committee of four
6 individuals, two from HR and two from IT, to
7 go through all the RFP responses -- I believe
8 we had nine -- and look at the qualifications
9 of all the vendors and we scored them
10 accordingly. We had three that we -- the top
11 three winners is how we chose. SVAM and ITT
12 had a lot of experience placing People Soft
13 staff with other agencies, and so we felt that
14 they would be the best to bring candidates to
15 us when we did have a People Soft opening.
16 That's how they were chosen.

17 LEGISLATOR BYNOE: I'm troubled
18 by this. There's a conflict. I'm troubled by
19 this. I don't know that I would be able to
20 support this unless I have better
21 information. I just don't feel comfortable.

22 LEGISLATOR NICOLELLO: Can I make
23 one other point which is that I'm curious
24 about the incentive of SVAM or S-V-A-M. So
25 they find someone who they think is very

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2 qualified or they think is going to be
3 excellent at this, wouldn't their incentive to
4 be to hire that person as opposed to have the
5 county hire that person?

6 MS. STANTON: I can't speak for
7 them. I was surprised also. But they bring
8 us very good candidates. We didn't want to
9 knock them out of the running here.

10 LEGISLATOR NICOLELLO: I think
11 maybe we'll have to have further discussion
12 with respect SVAM consider it going forward.
13 We have a motion to table.

14 LEGISLATOR SCHAEFER: Presiding
15 Officer, can I ask one question while we're on
16 the topic? Thanks.

17 I'm just curious because we're
18 looking at three different companies here. If
19 I'm an individual who knows the People Soft
20 software, I'm one of those candidates, am I
21 able to give my information or be a potential
22 employee or be someone that the company would
23 put out to hire by all three companies? You
24 know what I'm saying? I feel like it could be
25 duplicative. Is it like a headhunter type of

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2 organization?

3 MS. STANTON: Sure. But we can
4 take whoever brings that candidate to us
5 first.

6 LEGISLATOR SCHAEFER: So if I am
7 one of those candidates though, I can have my
8 information with all three of those
9 companies?

10 MS. STANTON: I would think so.
11 Yes. Sure.

12 LEGISLATOR SCHAEFER: So there's
13 no specific reason why -- you're saying we
14 would use all three to get the best
15 candidate?

16 MS. STANTON: Yeah. I'm looking
17 to hire right now three people. I'm not
18 looking for an army. Whoever comes to me
19 first and whoever's best qualified and passes
20 our interview that's the person that will be
21 hired. If they come to us through SVAM first
22 and ITT second well SVAM is going to get it
23 and vice versa.

24 LEGISLATOR SCHAEFER: I just feel
25 like three is a lot to have to go to and pay

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2 just to get three candidates.

3 MS. STANTON: But you're only
4 paying that fee if you hire them. In fact,
5 one of them, which one was it that said if you
6 hire them and it doesn't work out in six
7 months, SVAM said if we hire them and in 90
8 days it doesn't work out they'll refund the
9 money or find another candidate for us.

10 LEGISLATOR SCHAEFER: What do the
11 other two do?

12 MS. STANTON: They didn't say
13 anything about it.

14 LEGISLATOR SCHAEFER: They don't
15 have a refund type of policy?

16 MS. STANTON: No.

17 LEGISLATOR BYNOE: Could you tell
18 me about the pay structure for the positions
19 that we're looking to hire within the county
20 government versus what we're paying these
21 entities to employ them?

22 MS. STANTON: It works the same
23 way. There's steps. The salary range we're
24 looking at I believe is 90 to 125 depending on
25 their skill set.

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2 LEGISLATOR BYNOE: Thank you.

3 LEGISLATOR NICOLELLO: We have a
4 motion to table on contract E-51. Moved by
5 Legislator Bynoe. Seconded by Deputy
6 Presiding Officer Kopel. All in favor of
7 tabling that item signify by saying aye.
8 Those opposed? That's tabled. Any other
9 questions about ITT? No. Thank you.

10 Last contract we have today is with
11 TPVA, E-56, 2021.

12 MR. RICH: Good afternoon. Dave
13 Rich, executive director of the Traffic and
14 Parking Violations Agency. Good afternoon
15 legislators.

16 LEGISLATOR NICOLELLO: Good
17 afternoon.

18 MR. RICH: This current vendor
19 was one of two vendors that was selected from
20 an RFP that was issued back in February of
21 2020. There were eight proposals. The
22 services are collecting unpaid fines that are
23 owed by the motorists of Nassau County traffic
24 violations, parking violations and photo
25 enforcement violations.

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2 LEGISLATOR NICOLELLO: My
3 question with this one is, RTR appears that
4 the fee for collecting debt is 6.5 percent and
5 with the one that is actually not being called
6 today the fee was 13.9 percent. Why wouldn't
7 we just give all the work to RTR?

8 MR. RICH: There's a couple of
9 reasons. The major one is RTR was our prior
10 vendor. Their contract just expired back in
11 September. It was the same fee structure for
12 both vendors. We always want to be able to
13 look at the performance of any vendor. If we
14 feel that the vendor is not performing we're
15 going to transfer cases over.

16 Currently on RTR we have them
17 collecting traffic cases, which are a little
18 more complex, even though they're charging a
19 lower rate. But the other vendor actually
20 works in coordination with our boot and tow
21 vendor and also our red light camera vendor.
22 S it's a higher charge for the different
23 interfaces as well.

24 LEGISLATOR NICOLELLO: In any
25 event, the only one before us is RTR.

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2 MR. RICH: Actually one other
3 thing to mention too is that it is actually
4 technically no cost to the county because
5 whatever is charged by the vendor the debt is
6 owed by the debtor also. We send the
7 additional fee back to the debtor for those
8 collection fees.

9 LEGISLATOR NICOLELLO: The
10 debtors are by and large our residents so
11 that's a concern.

12 MR. RICH: Yes.

13 LEGISLATOR NICOLELLO: Any
14 questions on this contract? I think we're
15 good.

16 Now we have these contracts before
17 us for a vote. E-55, E-59, A-22, A-24, E-46,
18 E-48, E-58, B-9, B-10, B-11, B-12, B-13, B-14,
19 E-38, E-40, E-36, E-37, E-39, E-43, E-45,
20 E-44, E-53, E-54, E-52 and E-56. Any further
21 debate or discussion? Any public comment?
22 All in favor signify by saying aye. Those
23 opposed? Carry unanimously.

24 Before we go to recess let's vote
25 on those contracts that I just called. All in

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2 favor -- actually, we did vote already,
3 correct?

4 Before we go into recess there is
5 one contract that the IG had been
6 investigating that has been resolved. That
7 investigation has been completed, and that is
8 the contract which we had tabled for E-49 of
9 2021 with PKF O'Connor Davies.

10 I think what we need is a motion to
11 untable. Moved by Deputy Presiding Officer
12 Kopel. Seconded by Legislator Rhoads. All in
13 favor of untabling that contract signify by
14 saying aye. Those opposed? It's untabled.

15 If there's a representative from
16 the treasurer's office here.

17 MR. JEFFERSON: Good afternoon
18 legislators. Thank you for hearing this
19 contract. Item number E-49-21 is a contract
20 for accounting and financial statement
21 preparation services with PKF O'Connor
22 Davies. This contract with PKF O'Connor
23 Davies is to assist the treasurer's office
24 with the Nassau County Sewer and Storm Water
25 annual financial statement and required

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2 filings. The contract covers services for
3 fiscal years 2020 through 2024. The first
4 year cost is \$23,000 with annual increases of
5 \$500 per year.

6 LEGISLATOR NICOLELLO: Any
7 questions or debate? I think we're all good.
8 Thank you.

9 LEGISLATOR NICOLELLO: All in
10 favor of E-49 signify by saying aye. Those
11 opposed? Carries unanimously. Now we will go
12 into recess.

13 (Committee recessed at 3:20 p.m.)

14 (Committee reconvened at 5:43 p.m.)

15 LEGISLATOR NICOLELLO: Let's call
16 the Rules Committee back into session. First
17 item of business is those two contracts that
18 we had tabled earlier. Apparently we have
19 received the corrected backup. Those
20 contracts are A-18 and A-19 of 2021. Motion
21 to untable by Legislator Schaefer. Seconded
22 by Legislator Rhoads. All in favor of
23 untabling signify by saying aye. Those
24 opposed? Carries unanimously. It's
25 untabled.

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2 Do we have someone from the
3 administration here on the contracts? This is
4 Nassau-Suffolk Turf Services and Landscape
5 Supply Company as well.

6 MS. KASO: With All Pro
7 Horticulture and Nassau-Suffolk for
8 horticultural products.

9 LEGISLATOR NICOLELLO: My notes
10 here say the corrected backup received in the
11 case of maximum amount for A-18 is \$625,000.
12 The term is one year plus four-year option to
13 renew. A-19 term is one year and plus four
14 one-year options to renew.

15 MS. KASO: That's correct.

16 LEGISLATOR NICOLELLO: Do we
17 still have any questions on these two?

18 LEGISLATOR DERIGGI-WHITTON: No,
19 but if it's okay maybe not only for the Parks
20 but whenever we have a purchase order that is
21 for five years or extended more than what's
22 stated I think it should really be more clear
23 for us how many years and what the total
24 amount allotted would be. All right? It
25 would just clear it up and make it easier for

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2 us.

3 LEGISLATOR NICOLELLO: Any other
4 debate or discussion? All in favor of those
5 two contracts signify by saying aye. Those
6 opposed? Carries unanimously. Thank you.

7 I think we need a motion to suspend
8 the rules. Moved by Deputy Presiding Officer
9 Kopel. Seconded by Legislator Rhoads. All in
10 favor of suspending the rules signify by
11 saying aye. Those opposed? Carries
12 unanimously.

13 Now, I'm going to call the consent
14 items that went through committees earlier.
15 These include 93 of 2021. 97, 98, 99, 100,
16 101, 102, 103, 109, 110, 111, 112, 113, 114,
17 115, 116, 117, 118, 127, 130, 131, 132, 133,
18 134, 135, 136, 137, 138, 141. Now the
19 addendum items. 139, 143, 144, 145, 146, 147,
20 149.

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

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2 Next several items all involve
3 donations to the Nassau County Police
4 Department. 104, 105, 106, 107, 108.
5 Resolutions to accept a gift offered by the --
6 resolutions to accept gifts offered by the
7 Nassau County Police Department Foundation to
8 the Nassau County Police Department.

9 Moved by Legislator Rhoads.
10 Seconded by Legislator DeRiggi-Whitton.

11 MR. FIELD: Good afternoon. I'm
12 104-21 is a donation of six patrol bicycles
13 from the Nassau County Police Department
14 Foundation valued at \$8,400.

15 Item 105-21 is to accept a donation
16 of 12,000 eight ounce bottles of hand
17 sanitizer, also from the Foundation, valued at
18 approximately \$24,300.

19 Item 106-21 is to accept a donation
20 of 3200 safety goggles from the Foundation
21 estimated at approximately \$16,000.

22 Item 107-21 is to accept a donation
23 of 20 stationary bicycles from the
24 Foundation. Estimated value of \$10,000.

25 And item 108-21 is to accept a

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2 donation of snow removal equipment as well as
3 some cleaning products from the Foundation.

4 It's valued at approximately \$2,732.47.

5 LEGISLATOR NICOLELLO: Any
6 questions? Thank you sir. Any public
7 comments? Hearing none, all in favor signify
8 by saying aye. Those opposed? Carries
9 unanimously.

10 The next several items are all home
11 rule messages. 119 of 2021 a resolution
12 requesting the legislature of the state of New
13 York to enact and the governor to approve an
14 act to amend the retirement and social
15 security law in relation to the retirement of
16 members who serve as police medics, police
17 medic supervisors and members who perform
18 police-related medic services in the Nassau
19 County Police Department.

20 120 a resolution requesting the
21 legislature of the state of New York to enact
22 and the governor to approve an act to amend
23 the retirement and social security law in
24 relation to the providing performance of duty
25 disability retirement benefits for the

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2 employee titles police medic, police medic
3 supervisor, police medic coordinator, bureau
4 director emergency ambulance and deputy bureau
5 director emergency ambulance in the employ of
6 Nassau County.

7 121 a resolution requesting the
8 legislature of the state of New York to enact
9 and the governor to approve an act to amend
10 the retirement and Social Security law in
11 relation to establishing a death benefit for
12 deputy sheriffs employed by the county.

13 122 is a resolution requesting the
14 legislature of the state of New York to enact
15 and the governor to approve an act to amend
16 the Retirement and Social Security law in
17 relation to providing accidental disability
18 retirement benefits for chief, fire marshals,
19 assistant chief fire marshals, division
20 supervising fire marshals, supervising fire
21 marshals and fire marshal trainees in Nassau
22 County.

23 123 is a resolution requesting the
24 legislature of the state of New York to enact
25 and the governor to approve an act to amend

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2 the Retirement and Social Security law in
3 relation to providing a heart disease
4 presumption for certain fire marshals in
5 Nassau County.

6 Moved by Legislator Schaefer.

7 Seconded by Legislator Bynoe. I don't think
8 there's a need to go over the details of
9 these. I think the actual resolutions told
10 you exactly what they were all about. Any
11 debate or discussion? Any public comment?
12 All in favor signify by saying aye. Those
13 opposed? Carries unanimously.

14 124, 125, 126. 124 is a resolution
15 confirming the county executive's appointment
16 of Rizwan Qureshi to the Nassau County Board
17 of Health pursuant to Sections 203 and 902 of
18 the Nassau County Charter.

19 125 and 126 are resolutions
20 confirming the Nassau County executive's
21 appointments of John Fabian and Michael
22 McDermott to the Nassau County Vocational and
23 Education Extension Board, VEEB.

24 Moved by Legislator Rhoads.

25 Seconded by Legislator Bynoe. Any debate or

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2 discussion on these appointments? Hearing
3 none, all in favor signify by saying aye.
4 Those opposed? Carries unanimously.

5 Now we have two items on the
6 addendum. 128 is a resolution authorizing the
7 county executive to execute an intermunicipal
8 agreement with the Village of Sea Cliff in
9 relation to a project to restore two
10 ballfields at Clifton Park for the village.

11 That's moved by Legislator
12 DeRiggi-Whitton. Seconded by Legislator
13 Schaefer. Any debate or discussion? Any
14 public comment?

15 LEGISLATOR DERIGGI-WHITTON:
16 Thank you for doing that.

17 LEGISLATOR NICOLELLO: I
18 understand this one has been in the works for
19 quite some time.

20 LEGISLATOR DERIGGI-WHITTON: The
21 gentleman who came to us I think his son is no
22 longer playing baseball. It was a few years.

23 LEGISLATOR NICOLELLO: Any debate
24 or discussion? Any public comment? All in
25 favor signify by saying aye. Those opposed?

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2 Carries unanimously.

3 142 is a resolution to require the
4 county to comply with the terms of the
5 settlement agreement between Eric Berliner and
6 others and Nassau County and County Department
7 of Assessment.

8 Moved by Legislator Schaefer.

9 Seconded by Deputy Presiding Officer Kopel.

10 Does anyone want me to describe this?

11 This basically, I will do this
12 really briefly, the settlement requires the
13 county to do a number of things. The
14 settlement was apparently reached in October
15 of 2020. The county must remove the
16 calculation ladders or ladder reports from its
17 website and include in plain English
18 narratives and hyperlinks thereon.

19 The county must publicize 180
20 factors used by the computer modeling system
21 and must explain how it determined
22 neighborhoods, market areas, neighborhood
23 factors and publish a map of market areas.

24 That's basically a synopsis.

25 There's more details to this but essentially

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2 we are moving by resolution to have the county
3 actually comply with the settlement they
4 reached six months ago. Legislator
5 DeRiggi-Whitton.

6 LEGISLATOR DERIGGI-WHITTON: From
7 what I'm understanding, we are now in
8 compliance, which I sort of have to agree that
9 I wish it was a little bit sooner than it
10 was. Given that -- I almost think this is not
11 necessary maybe at this point. But possibly,
12 I asked my counsel to look into the
13 possibility of us creating legislation that
14 would ensure that this information is not only
15 done now but for the future every time there's
16 any type of reassessment.

17 So, although I don't think we
18 really need this piece of legislation because
19 I think it is complied with, I hope it is, I
20 would be interested in maybe doing a
21 bipartisan piece of legislation that stated
22 that all this information has to always be
23 available for any future roll.

24 LEGISLATOR NICOLELLO: I think we
25 can certainly something consider that

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2 legislation. Legislator Rhoads.

3 LEGISLATOR RHOADS: We haven't
4 had the opportunity yet to confirm that what
5 the county executive and Department of
6 Assessment put up on the website is actually
7 in compliance with the Berliner agreement.
8 I'm also concerned that the fact that it took
9 six months and it was only because, I mean,
10 it's hard to ignore the coincidence, it's only
11 because this legislation existed that there
12 was compliance with the Berliner settlement.

13 To be totally honest, when you look
14 at the five year phase-in information, which I
15 know is completely separate, and how as soon
16 as tax bills came out and people were seeing
17 what the impact was in year one of the five
18 year phase-in all of a sudden that information
19 magically disappeared from the website and
20 we've had to fight to get that back on. The
21 fact that it happens to be up on the website
22 now gives me no confidence that it will still
23 be there tomorrow.

24 So, I think there's still a reason
25 to advance the legislation today and if we

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2 want to work on codifying something on a
3 permanent basis in a bipartisan fashion we can
4 certainly explore that. But I don't think
5 today's developments have changed the fact
6 that this bill needs to pass now.

7 LEGISLATOR NICOLELLO: Anyone
8 else want to have a say? If not, any public
9 comment? All in favor of this item signify by
10 saying --

11 LEGISLATOR DERIGGI-WHITTON: Can
12 we have a minute?

13 LEGISLATOR NICOLELLO: Yes.

14 LEGISLATOR DERIGGI-WHITTON: Our
15 caucus is going to abstain on this with the
16 hope that what we've been told is that the
17 court order has been complied with and all the
18 information is up to date.

19 We've also been advised by counsel
20 that there is question as to whether or not
21 the legislature has any right to interfere
22 with another branch of government complying
23 with a court order.

24 For those two reasons, we're going
25 to abstain. But I feel very strongly about

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2 assessment as I think everyone knows.

3 So, I really am serious about the
4 fact that I want to make sure the information
5 is up there and correct, and I would like to
6 look into the idea of this being the standard
7 going forward. That all of this information,
8 all the algorithms, everything is transparent
9 and accessible to the average person, not
10 necessarily having to hire an attorney or
11 anything else.

12 So, again, we're going to abstain
13 but we are looking to make sure that
14 everything was updated correctly.

15 LEGISLATOR NICOLELLO: So, let's
16 go to the vote then. All in favor signify by
17 saying aye. All opposed? Abstaining? It
18 passes by a four in favor and three
19 abstentions.

20 Motion to adjourn by Legislator
21 Rhoads. Seconded by Legislator Schaefer. All
22 in favor of adjourning signify by saying aye.
23 Those opposed? We are adjourned.

24 (Committee was recessed at 6:01
25 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 20th day of
April 2021

FRANK GRAY