

1
2 NASSAU COUNTY LEGISLATURE

3
4 FULL LEGISLATURE MEETING

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7
8 RICHARD NICOLELLO

9 PRESIDING OFFICER

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12
13
14 County Executive and Legislative Building

15 1550 Franklin Avenue

16 Mineola, New York

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18 *****

19
20 Monday, June 28, 2021

21 1:16 p.m.

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25 TAKEN BY: KAREN LORENZO, OFFICIAL COURT REPORTER

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LEGISLATOR RICHARD J. NICOLELO
PRESIDING OFFICER
9TH Legislative District

LEGISLATOR HOWARD KOPEL
Deputy Presiding Officer
7th Legislative District

LEGISLATOR DENISE FORD
Alternate Presiding Officer
4th Legislative District

LEGISLATOR KEVAN ABRAHAMS
Minority Leader
1st Legislative District

LEGISLATOR SIELA BYNOE
2nd Legislative District

LEGISLATOR CARRIE SOLAGES
3rd Legislative District

LEGISLATOR DEBRA MULE
5th Legislative District

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LEGISLATOR C. WILLIAM GAYLOR, III

6th Legislative District

LEGISLATOR VINCENT T. MUSCARELLA -- ABSENT

8th Legislative District

LEGISLATOR ELLEN BIRNBAUM

10th Legislative District

LEGISLATOR DELIA DERIGGI-WHITTON

11th Legislative District

LEGISLATOR JAMES KENNEDY

12th Legislative District

LEGISLATOR THOMAS MCKEVITT

13th Legislative District

LEGISLATOR LAURA SCHAEFER

14th Legislative District

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LEGISLATOR JOHN FERRETTI, JR.

13th Legislative District

LEGISLATOR ANDREW DRUCKER

16th Legislative District

LEGISLATOR ROSE WALKER

17th Legislative District

LEGISLATOR JOSHUA LAFAZAN

18th Legislative District

LEGISLATOR STEVEN RHOADS

19th Legislative District

MICHAEL PULITZER

Clerk of the Legislature

1
2 A L S O A P P E A R E D:

3
4 TOP COP CEREMONY

5 Police Commissioner Ryder

6 Officer McGrath

7 Officer Phillips

8 Officer Tuffarelli

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10 PUBLIC COMMENT:

11 Brian Sullivan, Nassau COBA

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13 Doreen Dunne, Girls on The Run Long Island

14 ***

15 Pearl Jacobs, Uniondale

16 ***

17 Ivan Sayles, CARES Grant Money

18 ***

19 Thomas Kaufman, Gas Tax

20
21 CALENDAR (IN ORDER OF APPEARANCE):

22 ITEM 26

23 Kevin Smith, Deputy Commissioner

24 Tatum Fox, Deputy County Executive (Tele.)

25 Patrick Ryder, Police Commissioner

ITEM 4

Dr. Jermaine F. Williams, President NCC
Julia Izquierdo, VP, Finance
Adrian Kerrigan, VP Institutional Advancement

ITEM 2

Dave Rich, Executive Director, TPVA

ITEM 3

Ken Arnold, Commissioner, Pub. Works (Tele.)

ITEM 23

Evelyn Tsimis, Deputy County Executive
Conal Denion, County Attorney Office (Tele.)
Andy Persich, Office of Management & Budget

ITEM 24

Dave Rich, Executive Director, TPVA
Dan Gregware, County Attorney's Office
Allison Malhame
Robert Cleary, Chief Procurement Officer
Jodi Franzese, Inspector General Office (Tele.)
Ned Schwartz, Inspector General Office (Tele.)

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2 PRESIDING OFFICER NICOLELLO: All
3 right. I'm going to call the meeting of
4 the Nassau County Legislature to order.
5 Ladies and gentlemen, please rise as
6 Minority Leader Abrahams leads us in the
7 Pledge of Allegiance.

8 (Whereupon, the Pledge of
9 Allegiance is recited.)

10 PRESIDING OFFICER NICOLELLO: Thank
11 you.

12 Mr. Clerk, could you please call the
13 roll?

14 CLERK PULITZER: Thank you,
15 Presiding Officer.

16 Roll call, June 28:
17 Deputy Presiding Officer Howard
18 Kopel?

19 LEGISLATOR KOPEL: Here.

20 CLERK PULITZER: Alternate Presiding
21 officer Denise Ford?

22 LEGISLATOR FORD: Here.

23 CLERK PULITZER: Thank you.

24 Legislator Siela Bynoe?

25 LEGISLATOR BYNOE: Here.

CLERK PULITZER: Legislator Carrie
Solages?

LEGISLATOR SOLAGES: Here.

CLERK PULITZER: Legislator Debra
Mule?

LEGISLATGOR MULE: Here.

CLERK PULITZER: Legislator C.
William Gaylor, III?

LEGISLATOR GAYLOR: Present.

CLERK PULITZER: Thank you.
Legislator Vincent Muscarella?

LEGISLATOR MUSCARELLA: (No
response.)

CLERK PULITZER: We'll come back.
Legislator Ellen Birnbaum?

LEGISLATOR BIRNBAUM: Here

CLERK PULITZER: Legislator Delia
Deriggi-Whitton?

LEGISLATOR DERIGGI-WHITTON: Here.

CLERK PULITZER: Legislator James
Kennedy?

LEGISLATOR KENNEDY: Here.

CLERK PULITZER: Legislator Tom
McKevitt?

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LEGISLATOR MCKEVITT: Here.

CLERK PULITZER: Legislator Laura
Schaefer?

LEGISLATOR SCHAEFER: Here.

CLERK PULITZER: Legislator John
Ferretti?

LEGISLATOR FERRETTI: Here.

CLERK PULITZER: Legislator Arnold
Drucker?

LEGISLATOR DRUCKER: Here.

CLERK PULITZER: Legislator Rose
Walker?

LEGISLATOR WALKER: Here.

CLERK PULITZER: Legislator Joshua
Lafazan?

LEGISLATOR LAFAZAN: Here.

CLERK PULITZER: Legislator Steven
Rhoads?

LEGISLATOR RHOADS: Present.

CLERK PULITZER: Minority Leader
Kevan Abrahams?

LEGISLATOR ABRAHAMS: Here.

CLERK PULITZER: Legislator Vincent
Muscarella?

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2 PRESIDING OFFICER NICOLELLO: He is
3 away.

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

6 PRESIDING OFFICER NICOLELLO: Thank
7 you.

8 As another sign that things are
9 getting back to normal, we are going to
10 be resuming a tradition we have here of
11 honoring our top cops each month at our
12 legislature meetings.

13 Today we have three honorees, police
14 officers from the First Precinct. I
15 would ask Legislator Steve Rhoads, to
16 introduce our Top Cops. Actually, I'm
17 going to withdraw that. I invite them
18 up. I'm not sure who is here from Police
19 Benevolent Association to do the
20 presentation, but I invite you to come
21 and do that.

22 MR. MULLICK: Good afternoon,
23 everybody. Kevin Mullick, Chairman of
24 the Board of Trustees of the Nassau
25 County Police Benevolent Association.

1
2 James McDermott wasn't able to make it
3 today, so I'm honored to present the Top
4 Cops for June, 2021.

5 On March 25, 2021 at approximately
6 1600 hours First Precinct Officers Ryan
7 Phillips, Patrick McGrath, and Joseph
8 Tuffarelli were assigned to Patrol within
9 the confines of Wantagh when they were
10 assigned to a call for an emotionally
11 disturbed person.

12 The complainant, a social worker,
13 called 9-1-1, stating that he received a
14 phone call from an emotional distressed
15 male who expressed intent to harm
16 himself. The subject also stated that he
17 intended to harm responding Officers.

18 Upon their arrival, Officers made
19 contact with the subject via a department
20 issued cell phone. They explained to the
21 subject that they were there to help him.
22 The subject agreed to come outside with
23 his hands in the air to ensure the safety
24 of everyone involved, but when the
25 subject exited the home, officers

1
2 immediately observed that the subject was
3 armed with a large hunting knife in his
4 right hand. The subject refused multiple
5 verbal commands to drop the knife. The
6 subject then walked toward the officers
7 with the large hunting knife. Officers
8 retreated in an attempt to maintain a
9 safe distance from the subject.

10 Officers Phillips and McGrath
11 pointed their tasers at the subject while
12 continuing to give verbal commands. The
13 subject continued to walk towards the
14 officers ignoring their verbal commands
15 and ignoring their verbal commands to
16 drop the knife.

17 At this time, Officer McGrath
18 deployed his taser at the subject, but
19 the taser was not effective. Officer
20 Phillips then deployed his taser
21 successfully, incapacitating the subject
22 and allowing fellow Officer Tuffarelli to
23 take the subject into custody without
24 further incident. The subject was then
25 transported to a mental health facility

1
2 so he could receive the help that he
3 needed.

4 Due to their quick thinking and
5 excellent tactics, the officers were able
6 to take the subject into custody without
7 further incident or injury. At a serious
8 risk to their own personal safety, the
9 officers were able to diffuse a violent
10 situation.

11 The PBA is proud to name Police
12 Officers Ryan Phillips, Patrick McGrath
13 and Joseph Tufarelli as its Legislative
14 Top Cops for June of 2021 (applause).

15 POLICE COMMISSIONER RYDER: First of
16 all, it's great to see everybody back and
17 back up here where we are discussing good
18 positive stories done by our men and
19 women in law enforcement.

20 All the tools that you give them and
21 all the resources and the support that
22 you give them is why that was a
23 successful conclusion. The training we
24 now do about deescalation, our new mental
25 health crisis response that is underway,

1
2 and the processes about keeping and
3 making sure that we get those that needed
4 treatment, not prison, treatment. That
5 is what we've been doing and the officers
6 did an outstanding job using the tactics
7 they were taught in the police academy.

8 Again, it is thanks to all of you
9 and supporting us and making sure we have
10 tools to do that job and a thanks to the
11 training they get at the academy.

12 We now have our new building and new
13 class up and running, but it is also
14 thanks to the three men that stand behind
15 me for what they did that night, taking
16 the time to respect the life of another
17 and then using the proper tools that were
18 given to them so we have a great
19 successful conclusion.

20 Congratulations to them and, again,
21 thank you very much (applause).

22 OFFICER PHILLIPS: Hello, my name is
23 Ryan Phillips. I would just like to
24 thank -- well, this is a great honor to
25 be here right now.

1
2 I would like to thank the Nassau
3 County Legislators, the PBA, and the
4 President James McDermott and Police
5 Commissioner Ryder. This is a great
6 honor and it's really nice to get the
7 recognition from all of you. Thank you.
8 (Applause.)

9 PRESIDING OFFICER NICOLELLO:
10 Legislator Rhoads.

11 LEGISLATOR RHOADS: Thank you very
12 much, Presiding Officer.

13 I just want to say, I'm so happy
14 that you are here today and we are back
15 in a position where can again celebrate
16 the remarkable achievements and
17 accomplishments of so many of the
18 outstanding police officers that we have
19 here in the Nassau County Police
20 Department.

21 One of the most discouraging things
22 that we've seen over the course of the
23 last year is that there are elements of
24 society that are attempting to turn our
25 police officers who are out there to

1
2 protect and serve the public everyday
3 into public enemies instead of the public
4 heros that they are.

5 Every profession has those
6 individuals who don't live up to those
7 ideals, but the vast majority, 99%,
8 almost completely, are police officers
9 like yourselves that are out there doing
10 their job every single day putting their
11 lives at risk to help save lives and to
12 help keep people safe and to protect our
13 communities. So getting back to
14 Legislative Top Cops as a legislature,
15 gives us the opportunity that you won't
16 see on the front page of *Newsday* or the
17 *Daily News*, that is celebrate those
18 accomplishments, say thanks to all police
19 officers that do such a tremendous job.
20 This is beautiful example of exactly what
21 we're talking about.

22 You know, here you are presented
23 with someone who wanted to take your
24 lives, and instead of reacting to the
25 situation negatively, you relied upon

1
2 your training, you relied upon your
3 discretion, you relied upon your heroism
4 and your judgement to take a step back,
5 right? When someone came after you with
6 a knife, you retreated to maintain a safe
7 distance. When he wouldn't drop the
8 knife, instead of going for a gun, you
9 went for a taser which is the training
10 that you received, making, again, the
11 right to decision to preserve and protect
12 the the life of somebody who was
13 perfectly willing to take yours, but you
14 used discretion to save his life, get
15 that individual the help that he needed
16 and at the same time, protect the public
17 from someone who was emotionally
18 disturbed and dangerous, not only to
19 himself, but to the community around him.
20 These are the types of actions that go on
21 every single day, not just here at the
22 Nassau County Police Department, but in
23 all police departments all across the
24 country. These are the things that we
25 should be talking about.

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2 And, yes, absolutely, we had an
3 involved and appropriate discussion about
4 reforms and ways that we could do things
5 better, but we should never forget that
6 there are people out there who wear the
7 uniform of our county and wear police
8 uniforms, law enforcement uniforms, all
9 across the country who are out there
10 doing their very best putting their lives
11 on the line to keep us safe. That's the
12 thing that we need to keep in mind and we
13 need to celebrate.

14 Officer Phillips, Officer McGrath,
15 and Officer Tufarelli, I want say on
16 behalf of the Legislature and on behalf
17 of the people of Nassau County, thank you
18 for your heroism. Thank you for what you
19 did, not only to save this life, but to
20 save countless others, potentially, from
21 someone who is truly dangerous and get
22 them the help that they needed.

23 So God bless you for what you do
24 every single day, and God bless all of
25 our Nassau County Police Officers for the

1
2 tremendous job that they do in keeping us
3 safe. (Applause.)

4 PRESIDING OFFICER NICOLELLO: Okay.
5 Would anyone else like to add anything?
6 If not, we would be honored if you joined
7 us up in the well and we will take a
8 photograph of the presentation of the
9 citation.

10 (Whereupon, presentation of
11 citation takes place.)
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3 PRESIDING OFFICER NICOLELLO: Next
4 is the Public Comment portion of our
5 meeting.

6 I would like to invite Brian
7 Sullivan, the president of Nassau County
8 Correction Officer's Benevolent
9 Association.

10 MR. SULLIVAN: Good afternoon,
11 everyone. I'll give everybody a chance
12 to get settled after that very nice
13 event, nice ceremony. Obviously, that
14 was a great event for the police
15 department. Glad to see that. I plan to
16 do something similar in the future with
17 our correction officers.

18 I'm Brian Sullivan, President of the
19 Nassau County Correction Officer's
20 Benevolent Association for the record.

21 Before I get started, the thing I
22 want to speak to about the Capital Plan,
23 the Capital Budget, I can't help myself.
24 With the Commissioner speaking about
25 training and deescalation techniques and

1
2 mental health training; wow, what a
3 concept. I wonder what that's like, but
4 that's for another budget meeting.

5 I'm here representing Nassau County
6 Correction Officers and I am here, as I
7 said, to speak on the Capital Plan. I
8 have stood and spoken here on countless
9 occasions regarding the infrastructure
10 problems we face at the correctional
11 facility: Crumbling buildings, numerous
12 electrical and plumbing problems,
13 locksmithing issues, HVAC, lighting,
14 mold, dilapidated vehicles, etcetera.
15 I've also spoken here numerous times
16 about the Jail Master Plan, usually a six
17 year Jail Master Plan that is designed to
18 alleviate and correct all of these
19 issues. I've had several meetings with
20 the last several jail administrations.
21 Plans have been discussed.
22 Pie-in-the-sky ideas of building chilled
23 water plants to use for air conditioning
24 and heating, putting up new buildings,
25 etcetera. They're all great ideas, but

1
2 they're all fantasies. None of that's
3 ever happening any time soon at the jail
4 because nobody wants to invest in
5 correctional facilities.

6 We currently have an architectural
7 design firm after years of discussion
8 touring our facilities doing an overview
9 of our place along with a firm that
10 reviews criminal justice initiatives and
11 alternatives, etcetera. This same group
12 actually are the same ones that did the
13 studies of closing Ryker's Island in the
14 City and building high-rise borough based
15 alternatives with boutique shops and
16 restaurants below them. Why we're
17 exploring these avenues is a mystery to
18 me because that's another fantasy. It's
19 not happening here, it's certainly not
20 going to be happening in New York City
21 any time soon.

22 I fought for years to get out HVAC
23 issues fixed in our facility, all while
24 new precincts were built in Nassau
25 County, parks were rebuilt, a new Social

1
2 Services building was built, and as we
3 spoke of at last year's budget meeting, a
4 new property building is being built for
5 the police department along with a
6 training academy that we're involved
7 with.

8 It took years to address our major
9 HVAC issues (heating/ventilation/air
10 conditioning). Many were finally
11 completed so our staff didn't have to
12 work in a correctional environment in
13 stifling heat, but we still have over 60
14 air conditioning units that are still in
15 need of replacement in many areas of our
16 facility.

17 Like every year in budgets, from our
18 perspective, the police department asks
19 for dollars and they get it; they deserve
20 it. They deserve every penny they get.
21 We ask for pennies and we get salt.
22 Going back to the entire Sposato
23 administration as continues now, we
24 cannot get our infrastructure problems
25 adequately addressed or lined up no

1
2 matter what we do. I'm not sure what we
3 need to do to get these things rolling,
4 as we see new buildings and initiatives
5 being done all around the County.

6 We all know no one wants to invest
7 money into correctional facilities,
8 especially in today's climate with so
9 many of our elected leaders in the state
10 looking to release dangerous criminals
11 loose on the public everyday and put the
12 criminal justice system out of business.

13 But you know what? This is also a
14 social issue inside our jails. Before,
15 it used to be, who wants to make
16 criminals and our jails comfortable? We
17 don't need to put money into jails.
18 Let's just pay the salaries and what it
19 needs to run them.

20 But it's much more than that.
21 Environment dictates safety in our
22 facilities: Heat creates tension;
23 neglect creates liability and security
24 risk -- severe security risks. Please
25 remember -- and I know everyone here

1
2 does, but I want to say it for the record
3 -- that we have over 1,000 of our Nassau
4 County employees working in these
5 dilapidated buildings that have numerous
6 safety and security concerns,
7 particularly since now we are only
8 housing the worst of the worst inmates
9 because through bail reform, the lesser
10 crimes -- some of them not so lesser --
11 are released out onto the streets.

12 I know not everything is going to
13 get fixed at once. Look how long it's
14 taken us to get issues addressed that I
15 spoke of like the ACs vehicles that were
16 finally purchased after years of neglect
17 and debate. We continue to have vehicle
18 fleet problems that create safety and
19 security concerns. The issue is, where
20 do we start?

21 I just want to read you a quick, if
22 you'll indulge me:

23 "...Facility Capital Repairs that
24 are at the top of the list - - there are
25 several others -- but at the top of the

1
2 list our 832 Building, named because it
3 has 832 cells in it, copper lines for
4 domestic water lines are currently being
5 held together with clamps and rubber
6 gaskets due to inferior copper
7 installation;

8 Waterproofing at B. D. in the 832
9 Building, the inability to maintain
10 temperatures. There is a 70-year-old hot
11 water tank that hasn't been replaced in
12 our B Building; 70 years old;

13 Number one on the list is the 832
14 building roof. Currently, roofing is 15
15 years old pending Department of Public
16 Works resolution, I'll get into that in a
17 second;

18 There is fencing that separates us
19 from the old folks home in the Knolls.
20 That fencing was installed in 1992, it's
21 outlived its use for life and is now a
22 security concern. Senior citizens living
23 next door to the jail;

24 As I spoke about, HVAC;

25 A fire alarm upgrade. We are at end

1
2 of life on compute and nodes that were
3 submitted in 2014. They are unable to
4 service all of the troubles in our fire
5 alarm systems;

6 Community sirens to restore
7 community alerts for the surrounding
8 areas haven't been replaced;

9 Parking lot, things like that, we
10 need topcoats;

11 Additionally, from our logistical
12 support unit itself, if you'll allow me,
13 we used to have back in the year 2000, 68
14 mechanics working in the jail. We
15 currently have 20 people in our
16 logistical support unit, of which 14 are
17 actual mechanics, trained mechanics;

18 We have over 2,000 toilets and
19 showers to maintain. We currently have
20 150 cells out of service in the plumbing
21 and HVAC. Due to us having no one
22 working in the HVAC field on staff, we
23 have to utilize outside contractors on
24 almost a daily basis;

25 The next trade of importance is

1
2 electricians. We have three on extended
3 leave due to injuries. One has been here
4 for 40 years and is going to soon retire.
5 That leaves us currently with one. In a
6 facility of this size, people like
7 electricians are indispensable during
8 especially extreme weather-related
9 events;

10 The jail currently, and for the last
11 couple of years, has no locksmiths. How
12 many locks and keys do you think are in a
13 correctional facility? We have no actual
14 certified locksmiths on staff at the
15 correctional facility. We have other
16 maintenance men that make due;

17 The importance of maintaining
18 mechanics at the correctional center is
19 extremely urgent. Not only do they
20 provide mechanical things -- electrical,
21 plumbing -- they are also responsible for
22 removing snow, doing laundry for the
23 inmates, supplies, etcetera;

24 The County has over 160 vehicles in
25 our fleet. We currently have two garage

1
2 mechanics, one of which is out on
3 extended leave;

4 Lastly, we have no welders. The
5 jail is full of bars, full of metal, full
6 of everything like that and we don't have
7 any welders on staff.

8 With this said, all of these things
9 need to be prioritized. They have been
10 prioritized. The mantra here for years
11 and years has been no money, no money, no
12 money. Plus, we're behind the wall so
13 who sees it. The only one ranting and
14 raving is me here. With an appointed
15 sheriff, he can't stand up here and rant
16 and rave, like I do, and bring attention
17 to what people don't see behind the
18 scenes, so, unfortunately, that job falls
19 to me.

20 I have to bring special attention to
21 the roofing issue. Our 832 Building is
22 in dire need of replacement; not repair,
23 replacement. It's 15 years old and
24 through our investigation, wasn't done
25 correctly by the vendor 15 years ago. We

1
2 currently have the Department of Public
3 Works sending two men teams with what
4 amounts to caulking guns trying to plug
5 holes in the roof in the facade. It's the
6 biggest waste of time I've ever seen.
7 We're spitting in the wind with this
8 roof. I also have a video that I'm going
9 to send you of the roof that is actually
10 flapping in the breeze that was patched,
11 goes back to 2019. It was patched, never
12 been replaced yet. One of those flex
13 seal kind of deals. They put it down and
14 the roof was actually flapping. That
15 roof is still there, it was tacked down.
16 You can imagine what it's like now 2021.

17 Additionally, when the previous
18 administration replaced the AC units,
19 they simply went over the current
20 compromised roof creating more roofing
21 problems. Everything was done backwards
22 here because it was all done on an
23 emergency basis.

24 Reading some highlights of previous
25 Capital Plans, if you'll indulge me:

1
2 "...the 2020-2022 Capital
3 Improvement Plan talks about projects to
4 provide body scanners. There was
5 \$800,000 allocated for body scanners.
6 That ended up -- with our fiscal problems
7 before, that money disappeared and our
8 department went a different route to buy
9 different types of body scanners which
10 were bought and it was done in a much
11 better fashion. What happened to that
12 \$800,000, I have no idea;

13 We talk about the Jail Six Year
14 Master Plan supporting the rehabilitation
15 of the Nassau County Correctional Center
16 for current day and future needs. Two
17 objectives are to reduce the amount of
18 maintenance as well as properly address
19 deficiencies and repairs. That is 2020
20 to 2022;

21 2014 to 2016 we talk about a Capital
22 Plan for which the initial focus would be
23 to rehabilitate portions of Cellblock A
24 for housing inmates. I have no idea what
25 Cellblock A referred to back then, we

1
2 have an A building that hasn't housed any
3 inmates since 1993.

4 After this is complete, evaluations
5 are being made assessing additional needs
6 of the facility, and here I am again.

7 We go back to the 2007 Capital
8 Budget, the Correctional Center projects
9 include a Jail Six Year Master Plan.
10 That seems to come up year. Kitchen
11 retrofits, vehicle reimbursement, things
12 like that.

13 We talk yearly, yearly, yearly about
14 the Jail Six Year Master Plan, but
15 nothing ever seems to get done, unless
16 it's done on an emergency basis.

17 If there's one thing I'd like to see
18 accomplished with this round of Capital
19 Budget Hearings, is to establish
20 performance bars. Timelines. I want to
21 see dates nailed down for these projects
22 to commence. No more generalized
23 statements that the listed projects are
24 part of a Capital Plan that we're
25 exploring. As you can see, obviously, the

1
2 Jail Six Year Master Plan goes back at
3 least to 2004 and earlier.

4 The only Capital Expenditures that
5 occurred here are emergency expenditures.
6 Does anybody remember the Muffin
7 (Phonetic) Monsters from last year.
8 Muffin Monster sewage treatment choppers
9 that are in the buildings. Years of
10 neglect that caused a shutdown of one of
11 our main buildings because we didn't
12 address this long foreseen and long
13 discussed sewage problem. The building
14 had to be shut down, all the inmates had
15 to be moved to the other side of the
16 facility so we could replace sewage
17 treatment grinders that gave out after 20
18 years. They just could not be fixed any
19 more. That all had to be done on an
20 emergency basis.

21 With roofs falling in on our heads,
22 the main focus of the previous
23 administration was to have inmate visitor
24 shelters installed. That was done. Thank
25 God we have visitor shelters so the

1
2 visitors to our facility can step in out
3 of the rain. The only problem is, it
4 continues to rain inside our building,
5 when it's raining outside because the
6 roofs are all compromised.

7 There is a daily death rattle from
8 our plumbing and electric issues. Our
9 computers and and IT issues are a
10 disaster and, once again, we don't have a
11 locksmith in a correctional facility. We
12 make do instead; what make do means, I
13 have no idea. What happens when we need
14 a locksmith in an emergency situation,
15 hope the electrician can fix it? That's
16 not a good mix inside a correctional
17 facility.

18 Safety and security since the day I
19 started here is a buzz word; Safety and
20 security, Safety and security, Safety and
21 security. None of that can be
22 accomplished if the buildings are falling
23 down over our heads and the can is
24 continually kicked down the road.

25 My number one priority here, again,

1
2 is please help us fix the roof in the 832
3 Building. Slip and fall hazards,
4 officers running into dorms where inmates
5 are fighting and we have to separate them
6 and we're running through puddles of rain
7 water inside a dormitory; it's insane
8 that we have to deal with this year in
9 and year out.

10 I appreciate the time. I'll take
11 any questions if anybody has any.

12 PRESIDING OFFICER NICOLELLO: Thank
13 you, Brian. We appreciate your repeated
14 visits here to make us aware of what is
15 happening at the Correctional Facility.

16 As you know, we, I think at your
17 instance, toured the facility a couple of
18 years ago, so we firsthand witnessed some
19 of the defects that you are discussing
20 today.

21 I do remember in 2018, the Minority
22 Leader, myself, and members of the
23 administration went to your offices to
24 talk about remedying some of these
25 issues. In particular, the subject of

1
2 the Master Plan came up and was
3 repeatedly answers to want we are going
4 to do going forward and here were are
5 almost three years later and there's been
6 very little movement.

7 MR. SULLIVAN: Right.

8 PRESIDING OFFICER NICOLELLO: As you
9 know, we held up the Capital Plan because
10 of these issues and we have commitments
11 now from the administration on the 832
12 Building to get that roof replaced in a
13 timely fashion.

14 But you're right, we have to insist
15 on time lines going forward for when the
16 work is going to be done. We intend to
17 stay on top of this until those
18 conditions are upgraded as our fine
19 employees have a right to be working in.
20 We will stay on top of this.

21 MR. SULLIVAN: I appreciate it,
22 Legislator Nicolello. It's funny, I've
23 said it here before a couple of times.
24 I'm usually here advocating to hire
25 correction officers. That's something

1
2 that I will do again at the budget
3 hearings in October.

4 I'm also here -- it's funny, I don't
5 represent CSEA employees and I'm here
6 trying to advocate to hire CSEA employees
7 in another union so we have a safe and
8 secure facility here. I appreciate the
9 time. Anybody else?

10 PRESIDING OFFICER NICOLELLO:
11 Legislator Ford and then Legislator
12 Deriggi-Whitton.

13 LEGISLATOR FORD: Good afternoon,
14 Brian. Thank you very much. I guess and
15 I agree with Presiding Officer that we
16 will make sure that that roof gets
17 replaced. We have to start these projects
18 and make sure we follow them through and
19 start with a better plan so that we are
20 not doing everything by emergency. I
21 agree that it does create an unsafe
22 condition.

23 Considering the fact that when you
24 talk about the fence being so old and you
25 have elderly. And because of bail

1
2 reform, we only have the most egregious
3 of criminals that basically living now in
4 the Nassau Correctional Facility, so we
5 need to totally address this. We will
6 being having a public hearing on this, a
7 public safety hearing on this probably
8 within the next three weeks.

9 MR. SULLIVAN: Right.

10 LEGISLATOR FORD: I intend though,
11 and I'm going to ask if you would then
12 take me on a tour through the jail to
13 highlight prior to this hearing a lot of
14 the grievances that you brought up in
15 regard to the buildings, the conditions
16 and stuff like that. I even have a
17 concern as well even when you talk about
18 the vehicles. Because as I understand, I
19 don't know where we are will all the
20 vehicles, if they are all up to date,
21 because I know these are the same
22 vehicles that we use to transfer the
23 adolescent defendants. It just seems to
24 be a lot of patchwork type of stuff. I
25 understand the sheriff really can't get

1
2 up here and complain, but I would really
3 like to see him to see him get up here
4 and tell us what he is going to do to
5 start to correcting a lot of these
6 issues, because we thought three years
7 ago they started working on all this
8 stuff and obviously they haven't. I
9 think we need to address this
10 specifically. I know in the past, Jerry
11 Laracuta (phonetic) had talked about the
12 locksmiths. You have special types of
13 locks for the jails cells and stuff like
14 that. So this is something -- we're
15 back. The pandemic is over. We are
16 back.

17 MR. SULLIVAN: I sat here originally
18 with a whole presentation about our
19 vehicles, what is that, two years ago.
20 It was very eye opening. Since then,
21 maybe I just have to keep coming here and
22 doing that type of stuff, because a lot
23 of our vehicles were replaced, we still
24 have several that need to be replaced.
25 But it's amazing when you expose some of

1
2 the issues that are there, that action
3 comes around.

4 LEGISLATOR FORD: I'm also concerned
5 about the number of employees that we
6 have there. I always advocate for more.
7 I think you need it a lot of times, I'm
8 sure you're aware. You might have
9 officers that have to work overtime.
10 They might be doing double shifts or
11 whatever and if something happens, as
12 much as it's nice and people say, oh,
13 well, they're making money. Sometimes,
14 they want to go home.

15 MR. SULLIVAN: You can't go home.

16 LEGISLATOR FORD: Yeah. And that is
17 a sad fact.

18 We will do what ever we can. I will
19 reach out to you this afternoon and we
20 will set up a tour and then we will
21 schedule a public safety hearing.

22 MR. SULLIVAN: Thank you.

23 PRESIDING OFFICER NICOLELLO:
24 Legislator Deriggi-Whitton and then
25 Legislator Rhoads.

1
2 LEGISLATOR DERIGGI-WHITTON: Thank
3 you. Thanks for coming down. I know it
4 is a hassle, but it does keep us informed
5 and I appreciate it.

6 So where are we with the vehicles?
7 Because I know there was a million
8 dollars put in at one point under the
9 prior administration and I know some of
10 that wasn't spent. Then I'm understanding
11 another \$318,000 for sheriff vehicles are
12 also part of this capital?

13 MR. SULLIVAN: I believe that's
14 going forward. The one thing that I say
15 here every year is that we had to pull
16 out a million dollars to buy several
17 vehicles and we did buy several patrol
18 vehicles and transportations vehicles,
19 medical unit is in dire need of vehicles,
20 stuff like that. If you have some older
21 vehicles, if you have -- in the past, it
22 was \$250,000 a year that was allocated
23 for our transportation budget. That gets
24 eaten up with maintenance. A lot of
25 maintenance and a lot of repair on older

1
2 vehicles so you're not buying new
3 vehicles with that.

4 LEGISLATOR DERIGGI-WHITTON: So with
5 the 1.3 though, were you able to--

6 MR. SULLIVAN: We did buy several
7 vehicles. Like I said, after that last
8 presentation that I gave here, it took at
9 least two rounds to get the orders done
10 right because they always kick back the
11 order if a comma isn't in the right
12 place. But we did get several new patrol
13 vehicles, transportation vehicles, but we
14 still need more. I believe there are
15 numerous old Crown Vics that are still
16 being used by many of our people that
17 aren't even in production anymore and
18 it's very expensive to keep things like
19 that up and running. They all need to be
20 replaced.

21 LEGISLATOR DERIGGI-WHITTON: The
22 \$300,000 that's coming now -- 313 or
23 something. Do you have that allocated --
24 because I think what happened last time,
25 like you said, it just seemed to sit for

1
2 a long time.

3 MR. SULLIVAN: I can guarantee
4 almost all of that is allocated for
5 repairs.

6 LEGISLATOR DERIGGI-WHITTON: Really?

7 MR. SULLIVAN: That's not going to
8 be for the purchase of new vehicles.

9 LEGISLATOR DERIGGI-WHITTON:
10 \$318,000 for repairs for cars, wow.

11 MR. SULLIVAN: I will double check
12 that for you, but that's what's gone on
13 in the past. When you have \$250,000 in
14 there, that's kept on the side for
15 repairs and upkeep and maintenance.

16 LEGISLATOR DERIGGI-WHITTON: All
17 right. Just check on the million too.
18 The last time we met, there was I think
19 only -- I don't want to say the wrong
20 number, because I don't recall exactly.
21 But there wasn't a very big percentage of
22 that that was spent.

23 MR. SULLIVAN: That was spent, yeah.

24 LEGISLATOR DERIGGI-WHITTON: So
25 let's just see what's left and see what

1
2 we can do to move it forward.

3 The two million that you are getting
4 today, do you have that allocated in your
5 mind, what you want to do with that. I
6 know you said your priority is the roof.

7 MR. SULLIVAN: My priority is the
8 roof. We don't have a price for the
9 roof. All of the stuff, the back up
10 information that I have gotten, we are up
11 there just filling with little cans and
12 caulking guns and things like that. We
13 need to find out exactly what it's going
14 to cost. DPW I'm sure will have that
15 because there's been studies done before,
16 but I have not been given number and I
17 don't know whether two million is going
18 to cover that for the 832 Building.

19 LEGISLATOR DERIGGI-WHITTON: All
20 right. Just keep us -- even via e-mail --
21 advised. I felt good when I saw some of
22 these numbers. Especially for the
23 vehicles. I thought we were making
24 strides. You are the one that --

25 MR. SULLIVAN: If we don't keep a

1
2 rolling system going --

3 LEGISLATOR DERIGGI-WHITTON: I
4 agree. I would also like to attend,
5 either with Legislator Ford, or however
6 you would like to do it, I'm always
7 available.

8 MR. SULLIVAN: Sounds good.

9 PRESIDING OFFICER NICOLELLO:
10 Legislator Rhoads.

11 LEGISLATOR RHOADS: I was curious if
12 you happen to have anyone here from the
13 administration that could give us an
14 update on the roof replacement over at
15 the jail, since that, obviously, is an
16 important issue.

17 PRESIDING OFFICER NICOLELLO: I
18 think Ken Arnold is participating online.

19 COMMISSIONER ARNOLD: The question
20 is on the 832 roof?

21 LEGISLATOR RHOADS: Yes.

22 COMMISSIONER ARNOLD: So the 832
23 roof, we indicated with our Requirements
24 Contract the emergency work to patch the
25 roof while waiting for our new

1
2 consultant, LiRo, who recently started to
3 do an evaluation and immediate redesign
4 of the roofing system on the building.
5 The roofing system on the building is
6 already complicated because of the amount
7 of equipment that sits on the roof and
8 that is why it always has issues with
9 water infiltration. During our patching
10 work, we actually found locations where
11 some of the dog houses on top of the roof
12 were missing pieces which was causing a
13 lot of water infiltration. We have been
14 addressing that. LiRo has started their
15 work and their first test is to get a
16 plan on how to seal the roof and replace
17 it and then they will be looking at the
18 rest of the building which includes the
19 hot and water piping and various other
20 issues that will have to be discussed
21 with the Corrections Facility staff on
22 what we need to address.

23 LEGISLATOR RHOADS: Commissioner
24 Arnold, do we have a time table for when
25 we would expect these various phases to

1
2 be completed?

3 COMMISSIONER ARNOLD: I need to sit
4 with LiRo to get a time table. They're
5 just finishing their evaluation of the
6 roof. I have to sit with them and get a
7 time table based on what they're
8 recommending and the amount of work this
9 will require.

10 LEGISLATOR RHOADS: Is that
11 something that you're going to need to
12 wait until they do their evaluation to
13 create a time table, or is this something
14 you might be able to get in advance of
15 our public safety hearing?

16 COMMISSIONER ARNOLD: I need to
17 speak with them and see where they are in
18 their process. I will know once I get
19 back next week exactly where they are and
20 then I can tell you if I can produce a
21 timeframe of if we need a little bit more
22 time to put that together.

23 LEGISLATOR RHOADS: Let's try and
24 push them if we can. This is already
25 taken far longer than I think anybody

1
2 really reasonably expected.

3 COMMISSIONER ARNOLD: Understood.

4 The contract took much longer than we
5 wanted to. We did put a retroactive
6 start date in the contract halfway
7 through that process because I knew this
8 was going to be an issue. The did start,
9 I think Friday, I think it was a little
10 earlier than that to get this up and
11 running, which is also why and which also
12 why I spoke with the contractor out there
13 to do something immediately.

14 LEGISLATOR RHOADS: Thanks,

15 Commissioner Arnold.

16 PRESIDING OFFICER NICOLELLO: Okay.

17 Does anyone else have any questions or
18 comments?

19 (Whereupon, no verbal
20 response.)

21 PRESIDING OFFICER NICOLELLO: I

22 think we're good, Brian. Thank you very
23 much.

24 MR. SULLIVAN: See you at the

25 hearing. Thank you very much. Have a

good day.

1
2 PRESIDING OFFICER NICOLELLO: Next
3 Speaker is Doreen Dunne.

4 MS. DUNNE: Hello. Good afternoon.
5 My name is Doreen Dunne. I am the
6 executive director for Long Island for
7 "Girls on The Run". We are a national
8 non-profit. I'm here because this type
9 of program, as I'm going to explain, is
10 so important in any year, but now more so
11 than ever after we have come off such a
12 crazy year and a crazy time in all of our
13 lives.

14 Girls on The Run is an after school
15 program for girls in grades 3-8 that uses
16 a curriculum of lessons and
17 social/emotional learning lessons and we
18 integrate fun movement activities and
19 running, or course, and goal setting.
20 The girls ultimately complete an end of
21 season 5K at the end of the season which
22 is typically held right over here at
23 Hofstra University. They've been our
24 partner for a number of years. Girls on
25 The Run has been around for 25 years.

1
2 We've only been on Long Island in Nassau
3 County since Fall of 2012, and then only
4 since 2016 in Suffolk County.

5 On Long Island there is a lot of
6 opportunity for this age group, so what
7 we hope to do in our program is to get
8 girls at a young age and provide these
9 tools and strategies during there
10 formative years. The lessons cover
11 things such as managing their emotions,
12 self-taught manners, what we say in our
13 heads and out loud manners. As adults, I
14 think that is relevant as well. Each
15 lesson is reinforced with, like I said,
16 running.

17 We really want to get a lifetime
18 appreciation of fitness activity and
19 instill really important tools and
20 strategies. We rely on volunteers to
21 mentor our young girls in our
22 communities. We have scholarships sites
23 that are fully funded thanks to donors
24 and sponsorships.

25 The goal here, and the reason I'm

1
2 here, is to raise awareness of this type
3 of program, because it is just so crucial
4 that girls are given this opportunity for
5 after school programming that really
6 means something. And it's not a
7 competitive program, it's accessible to
8 all athletic abilities. Even if someone
9 is disabled mentally or physically, we
10 have adaptations in our programming to
11 accomplish that. But we really give kids
12 an opportunity to belong to part of a
13 team when live in such a competitive
14 culture. It's a place that they can
15 really belong and come and just be with
16 their peers and grow as humans at a
17 really young age as they're approaching
18 those middle school ages.

19 Like I said, I'm just here to grow
20 awareness. I would love to work with you
21 and work in developing, especially with a
22 particular focus on underserved
23 communities. That's a real big drive of
24 my own. A lot of districts, as you know,
25 didn't have after school programming or

1
2 clubs or recreational activities this
3 past year. It was hard enough to get
4 in-person school, so this is really a big
5 charge of mine to bring this program to
6 more underdeveloped communities to these
7 girls will have someplace to go and
8 belong and then to celebrate the 5K at
9 the send of the season.

10 We have two seasons a year. The
11 spring season, that goes March through
12 June. The girls meet twice a week for an
13 hour and a half, so it's a very
14 comprehensive program. Then we also have
15 a fall season that meets September
16 through December.

17 Our office just moved into
18 Eisenhower Park, I saw a few of you there
19 at our ribbon cutting ceremony, very
20 exciting. We will host a small summer
21 session at Eisenhower Park this summer.
22 We hope to see it grow on Long Island.
23 We do have many school districts, but it
24 doesn't have to be at a school district.
25 We look for partnerships at parks and

1
2 other opportunities for us to really
3 develop this program.

4 I really appreciate your time and
5 for you listening and for you listening.
6 If you have any questions; otherwise, I
7 would I love to just reach out by e-mail.
8 If anyone is interested in speaking with
9 me one on one, I could go on and on about
10 Girls on The Run, more than five minutes.

11 I really appreciate your time and
12 giving me this opportunity to share more
13 about this non-profit.

14 PRESIDING OFFICER NICOLELLO: Thank
15 you, Ms. Dunne. I think Ms. Schaefer has
16 a question.

17 LEGISLATOR SCHAEFER: Hi.

18 MS. DUNNE: Hi.

19 LEGISLATOR SCHAEFER: Thank you so
20 much for coming and talking about it. I
21 remember my niece was involved many years
22 ago in New Jersey, before you were here.
23 I heard a lot about the group and I think
24 it is great organization.

25 You said you were going to e-mail,

1
2 so I just wanted to, basically, ask you
3 to do that so we have your contact info
4 and get involved to whatever extent we
5 can.

6 MS. DUNNE: Thank you so much. I
7 appreciate that. We are all over the
8 country. We even have one in every
9 single state, so there's different
10 concentrations on this. It's been around
11 for long. That usually how people hear
12 about it, from relatives and friends in
13 different states.

14 Thank you so much.

15 LEGISLATOR SCHAEFER: You got it.
16 Thank you.

17 MS. DUNNE: Thank you, again, for
18 your time.

19 PRESIDING OFFICER NICOLELLO: Thank
20 you.

21
22 *****
23
24
25

1
2 PRESIDING OFFICER NICOLELLO:

3 Pearl Jacobs.

4 MS. JACOBS: Good afternoon.

5 Congratulations to our Top Cops.

6 I would hope that Commissioner Ryder
7 has the unwavering support of the entire
8 legislative body. The majority of the
9 times that I speak, I speak on behalf of
10 the Nostrand Gardens Civic Association in
11 Uniondale. Today I speak as a tax paying
12 resident.

13 I frequently speak regarding issues
14 of our minority communities being highly
15 taxed and under served here in Nassau
16 County where we pay some of the highest
17 in the nation, and there is minimal
18 investment in our communities; however,
19 our tax monies that are allocated for the
20 Nassau County Police Department I do not
21 complain about. Our community of
22 Uniondale is served and protected. I
23 would shutter to think what what our
24 quality would be like if we didn't have
25 the outstanding police department that we

1
2 do.

3 The comment that Commissioner Ryder
4 made concerning the low diversity
5 recruitment numbers in Nassau County was
6 not said with any malice or ill-intent.
7 Over the past several years, I have
8 attended numerous diversity recruitment
9 community meetings in Uniondale,
10 Roosevelt, and Elmont, attended by
11 Commissioner Ryder and his administrative
12 team. No commissioner has worked harder
13 than Commissioner Ryder in an effort to
14 improve diversity recruitment numbers
15 within Nassau County Police Department.
16 I can certainly attest to this.

17 Our community has and will continue
18 to support Nassau County diversity
19 recruitment efforts with outreach
20 efforts, yet diversity recruitment
21 efforts remain low. The root cause of
22 these diversity recruitment numbers is
23 attributed to a longstanding system of
24 systematic racism in our country that has
25 been allowed to fester generation after

1
2 generation. The social injustice that
3 many African Americans have suffered in
4 this country for generations lends to the
5 mistrust and apprehension of this current
6 generation.

7 Commissioner Ryder actions,
8 community connections, outreach and
9 support to minority communities has
10 demonstrated that he is a leader that not
11 just talks the talk. He is a man of
12 action, because a person's words mean
13 nothing if their actions are the complete
14 opposite.

15 As a county, we would be continue to
16 be better served by a leader with
17 vision, empathy, commitment, and a humble
18 nature to apologize when one makes a
19 mistake, as we all make mistakes.

20 Commissioner Ryder, thank you for
21 your leadership, your protection, and
22 dedication to all residents of Nassau
23 County, now and for many years to come.
24 God willing.

25 Now a word to the Legislative Body.

1
2 We all see what's happening in New York
3 City, which is just a 40 minute ride from
4 Nassau County that is a sad and scarey
5 set of affairs: Gun violence everyday,
6 children cannot play freely due to random
7 shootings, violence in subways, elderly
8 men and women being violently attacked
9 and mugged, fireworks being mistaken for
10 gunshots, indecent exposure and
11 defecation on city streets, racing cars
12 and motor cycles on residential streets
13 and in parks, noise pollution, and not to
14 mention the out of control sanitation
15 issues where there is litter everywhere.
16 People are leaving in droves because of
17 this extreme downturn and the quality of
18 life in New York City.

19 Quality of life the is the
20 foundation for every community. In my
21 opinion, this sad and disturbing downturn
22 is attributed to a severe lack of
23 leadership and lack of support and
24 respect for the police. Here in Nassau
25 County we are experiencing some of the

1
2 same deterioration of quality of life
3 that is currently in New York City. I
4 think we're being tested as a county.
5 You as the Legislative Body, along with
6 along with community support, are
7 essential in assisting our Police
8 Department. The use of technology would
9 be of great assist to law enforcement as
10 our police cannot be everywhere. New
11 York City got one thing right: That was
12 Vision Zero, putting lives before votes.
13 Let Nassau County put our lives before
14 votes.

15 Statistics prove that crime is
16 reduced by 25% in areas where cameras are
17 located. As civic president, I have
18 advocated for cameras in Uniondale, yet I
19 am still waiting for these cameras. As
20 police cannot be everywhere, technology
21 can add assistance and support and most
22 of all, save lives. I am pleased that
23 our police will soon be wearing cameras,
24 as this technology will be beneficial to
25 both the suspect and the officers.

1
2 Legislator Abrahams, I have a
3 question. Most recent improvements I see
4 on Westbury Avenue and Merrick Avenue
5 south of the Southern State, they look
6 beautiful with the new repaving, just
7 like Salisbury Park Drive. These roads
8 were in fair-to-good condition prior to
9 their repaving. Question: Is Jerusalem
10 Avenue, a roadway that is currently in
11 poor-to-fair condition, still on the
12 Capital Improvement Calendar for repair
13 this fall as you stated at the April 26th
14 legislative meeting?

15 LEGISLATOR ABRAHAMS: Yes.

16 MS. JACOBS: This fall?

17 LEGISLATOR ABRAHAMS: Yes.

18 MS. JACOBS: Okay. Do you what
19 month?

20 LEGISLATOR ABRAHAMS: The fall.

21 MS. JACOBS: The fall in general.

22 LEGISLATOR ABRAHAMS: Yes.

23 MS. JACOBS: So it will be done
24 before, let's say, November?

25 LEGISLATOR ABRAHAMS: I'm not going

1
2 to say that; I said the fall.

3 MS. JACOBS: I did see today, I
4 don't know, there might be a police
5 report on it, the bridge on the
6 Meadowbrook Parkway coming off of
7 Jerusalem Avenue, the overpass, there was
8 a car that lost its axil. I was going to
9 stop and take a picture, but the traffic
10 was too bad. So there was another
11 accident, not an accident, but he lost
12 his axil. Okay.

13 LEGISLATOR ABRAHAMS: The axil was
14 attributed to the road?

15 MS. JACOBS: Yes, it was.

16 LEGISLATOR ABRAHAMS: How do you
17 know that?

18 MS. JACOBS: Because he came over,
19 he ran over. He was sitting over there
20 and I asked him and he said it was
21 attributed to the bump. It was a low
22 car, it was a sports car, and he lost his
23 front left axil and his front left wheel
24 was that way (indicating).

25 LEGISLATOR ABRAHAMS: So it was a

one car accident.

MS. JACOBS: It was a one car
incident. Okay?

LEGISLATOR ABRAHAMS: Okay. Thank
you.

1
2 PRESIDING OFFICER NICOLELLO: Next
3 speaker is Juan Sayles; I don't know if I
4 have that correct or not.

5 MR. SAYLES: Good afternoon. That's
6 Ivan Sayles. That's okay.

7 PRESIDING OFFICER NICOLELLO: Sorry.
8 The "I" looks like a "J".

9 MR. SAYLES: That's okay.

10 I would like to introduce myself.
11 My name is Ivan Sayles. I'm a small
12 business owner of Rachel's Waterside
13 Grill on the Nautical Mile in Freeport
14 and the Tropics on the bayou. Former
15 president of the Freeport Chamber of
16 Commerce, current President of the
17 Nautical Mile Merchants Association.

18 I'm a small business man. If you
19 add up all the other small businessmen
20 and women like myself, we are actually
21 the largest in the business in the United
22 States. Unfortunately, we don't have a
23 big voice like big business, we have a
24 lot of tiny voices that need to be heard.

25 I want to talk about the CARES

1
2 money we have. I believe it's 63 --
3 forgive me if my actual numbers are
4 wrong. I'm hope you will get the concept
5 and the big picture. It is my
6 understanding you have about \$62.9
7 million in CARES money, \$20 million went
8 to Nassau County, \$10 million is a grant,
9 and \$10 million has been allocated for
10 loans.

11 I was the fourth commercial
12 application to get Sandy money after my
13 restaurant and home was destroyed. I got
14 my money four years later. I know that
15 had nothing to do with Nassau County, but
16 we're gonna get to the point on that. I
17 also applied for the restaurant grant in
18 November and ended up getting it, I
19 believe, in the first week of February.

20 My point is, the government is not
21 famous for its speed. The People in
22 need, need the money now. I have was
23 fortunate -- I was able to beg, borrow,
24 and steal to get my restaurant put back
25 together. It's ruined my credit and it

1
2 hasn't recovered since. I was fortunate.
3 A lot of other businesses during the past
4 pandemic are out of business and that is
5 evident by empty store fronts throughout
6 Nassau County. I'm urging you to take
7 this money and not use it for
8 infrastructure, not use it for anything
9 else. For whatever reason, the powers
10 that be have smiled upon the restaurant
11 industry and they have gotten PPP money
12 and grant money and, unfortunately, I
13 have to use that for certain things, like
14 payroll, rent, mortgage. But what I can't
15 use it for is to give it to the other
16 small businesses like my coffee guy, my
17 bread guy, the linen company, who
18 suffered just as much as everybody else,
19 but there is no grant specific for them.
20 For some reason, the powers that be
21 decided just restaurants. So now Nassau
22 County has the opportunity to give us
23 more money. I urge you to give it out in
24 a very speedy fashion so we can help
25 these people get the help they need

1
2 directly. That is pretty much it.

3 Also, I'm not a man of words, but I
4 would be more than happy to help any
5 committee or volunteer my time with any
6 committee or department to help expedite
7 the distribution of these funds to the
8 people who need it.

9 PRESIDING OFFICER NICOLELLO: Thank
10 you, Mr. Sayles.

11 Legislator Deriggi-Whitton?

12 LEGISLATOR DERIGGI-WHITTON: I just
13 want you to know that prior to today, the
14 funds were available for the Restaurant
15 Recovery Act as you mentioned. Going
16 forward, we are going to have
17 opportunities for all types of
18 businesses, for small business, so that
19 will help the people that give you
20 supplies, as well as other businesses
21 that did not have the opportunity under
22 the Restaurant Recovery Act.

23 MR. SAYLES: That's good. We applied
24 to a company, I hope you're not using
25 them anymore, called Zoom Grant, which

1
2 was horrendous. I think it took me about
3 six hours sitting in front of the
4 computer to fill out the application for
5 the grant. Because once you hit a
6 button, you had to wait until the other
7 10,000 people did it too. It was just a
8 horrendous system. I hope you do
9 something about it.

10 LEGISLATOR DERIGGI-WHITTON: I just
11 want to mention, I was on the American
12 Recovery Committee, so what we did to
13 help this exact situation is we opened up
14 an office in Eisenhower Park at Field 6.
15 We have representatives there that are
16 going to know about the Federal Grants,
17 the State Grants and the County Grants
18 all in one stop shopping. You have to go
19 on the website, it's Boost Nassau is the
20 portal. It's pretty simple to do. You
21 make an appointment and you can go and
22 meet with them and they can walk you
23 through everything and tell you exactly
24 what you are eligible for.

25 MR. SAYLES: Okay. It was more

1
2 specifically about the money that Nassau
3 County has in its hands now that needs to
4 be distributed as fast as it can to the
5 people that need it.

6 LEGISLATOR DERIGGI-WHITTON:

7 Hopefully, we're going to do it today.

8 The other thing is, from what I'm
9 understanding, you are less restricted
10 with some of the money that's available
11 at this point. You have to ask them to
12 get the clarification on that.

13 MR. SAYLES: All right, Legislator.

14 Thank you. Have a good afternoon.

15 PRESIDING OFFICER NICOLELLO: Thank
16 you, sir.

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2 PRESIDING OFFICER NICOLELLO: Thomas
3 Kaufman? Good afternoon.

4 MR. KAUFMAN: Good afternoon. Thank
5 you for taking the time listen to me.

6 I received this in the mail recently
7 (indicating). This is about the gas tax
8 that you're against raising; the tax on
9 gas, sir. This is yours, right
10 (indicating)?

11 PRESIDING OFFICER NICOLELLO: Yes.

12 MR. KAUFMAN: I'm against taxes, but
13 I'm really an environmentalist. My major
14 reason for being here today is to ask you
15 what you are doing in regards to the
16 environmental dealing with the situation
17 we are in right now. We have fires in
18 Arizona, fires in California, fires in
19 Australia, a major heat wave out west and
20 we are experiencing some of that here.
21 We know the climate change will make
22 people move all over the world. They
23 think 80 million people will be moving.
24 Some of those people will probably be
25 here on Long Island because of the rising

1
2 levels of the sea. Do we have a plan for
3 that on Long Island? Do we have a plan if
4 we actually have to move?

5 I know people are concerned, the
6 public is concerned with taxes and police
7 protection and fire protection, and so am
8 I. But if the climate is such a
9 disaster, the police, the fire, the
10 taxes, hmm, are they going to help us?
11 Are they going to change the environment?

12 I printed up something from *The*
13 *Guardian*, it's about the stratosphere.
14 The stratosphere is shrinking. Do we
15 know that? Do you have any idea about --
16 I will hand out these copies afterwards.

17 If we can't breathe, and we can't
18 drink the water, and we don't have enough
19 crops to feed ourselves, are we not in
20 serious situation? Nobody is going
21 answer, okay. What are you doing about
22 dealing with climate change? Do you have
23 any plan for the population on this
24 island to deal with what is happening in
25 the environment? Please don't tell me it

1
2 is the government's responsibility; it is
3 your responsibility. You are responsible
4 for your constituents. There are people
5 that are going to suffer massively due to
6 this climate situation. What have you
7 done in last 3-4 years since you've been
8 in office to deal with any of this?
9 Silence. Does this mean no one can
10 answer me? I can't have a dialogue with
11 somebody here? Somebody can't say, hey
12 --

13 PRESIDING OFFICER NICOLELLO: This
14 is a five minute comment period.

15 MR. KAUFMAN: I know it's five
16 minutes, but we can talk, can't we?

17 PRESIDING OFFICER NICOLELLO: It's
18 for you to make your comments and then,
19 if we want to respond, we can. It's
20 basically for you to make your comments.
21 It's not a dialogue.

22 MR. KAUFMAN: Okay. So at the end
23 of five minutes we can talk?

24 PRESIDING OFFICER NICOLELLO: At the
25 end of five minutes, you're done. If

1
2 anyone up here wants to respond, they
3 can. If not, then if you want to talk to
4 me off line at some point, I would be
5 happy to do so.

6 MR. KAUFMAN: Okay. Great.

7 An idea: I'm driving around town
8 and I see people in their cars texting
9 with their windows rolled up and their
10 engine running. This is adding to the
11 pollution in the environment. What is
12 Mineola going to do about that, or
13 anybody in Nassau County going to do
14 about that? I mean, they're fining
15 people in San Francisco for being in
16 their car for more than five minutes with
17 the engine running. They're also doing
18 it in New York City.

19 I have another question about
20 recycling. I put my stuff out on the
21 street everyday, but I don't know where
22 it goes, and I have a feeling it is not
23 actually being separated. Another issue
24 of mine.

25 Long Island Railroad is letting the

1
2 train sit on the tracks forever these
3 last couple of weekends, engine running.
4 Why? Makes no sense. None at all. It's
5 adding pollution to the environment, it's
6 adding noise pollution. Even the drivers
7 tell me it's the stupidest thing they've
8 ever seen. Okay. You're not the Long
9 Island Rail Road.

10 What are we doing to do about the
11 environment? That's really my question
12 here. What can you guys do? Who's in
13 charge? Who's in charge of the air
14 quality, the water quality, the food that
15 we eat? Who makes sure that the children
16 of the future, people behind me, your
17 grandchildren, are going to be able to
18 live in a healthy environment? Who's in
19 charge of that here?

20 You have committees. What committee
21 is gonna deal with any of this? All
22 around us we see the problems. We're not
23 stupid. You read the papers. You know
24 what's happening. You know the climate's
25 in danger, what are we going to do?

1
2 I have 13 seconds. I would love to
3 talk to anybody here to plan something
4 for the future. You have to have a plan.
5 You just can't keep going blindly into
6 the future. What is your plan?

7 Anybody want to talk?

8 PRESIDING OFFICER NICOLELLO: Thank
9 you for your time, Mr. Kaufman.

10 MR. KAUFMAN: Okay.

11 PRESIDING OFFICER NICOLELLO: I can
12 say this about the flyer I sent out --

13 MR. KAUFMAN: Yeah.

14 PRESIDING OFFICER NICOLELLO: I'm
15 going to make a statement. I listened to
16 you patiently for five minutes.

17 MR. KAUFMAN: Okay, please.

18 PRESIDING OFFICER NICOLELLO: I
19 stand firmly against the proposal to
20 raise gasoline taxes by 55 cents a
21 gallon. I stand firmly against the
22 proposal to raise the cost of home
23 heating and cooling, which according to
24 one estimate, would be an increase of 26%
25 increase of natural gas costs alone.

1
2 This would raise 16 billion dollars for
3 the State government; however, in a time
4 of us emerging from a pandemic, with
5 gasoline prices already sky rocketing,
6 with the economic fall out from the
7 pandemic, with seniors on fixed incomes,
8 people who are economically disadvantaged
9 having difficulty putting food on the
10 table, these proposals are a bad idea.
11 So I sent a mailer to my entire district
12 informing people of the proposals and to
13 contact their State Legislators. I stand
14 firmly behind that mailing and, as I
15 said, I oppose those proposals.

16 Fortunately, the State Legislature
17 has gone out of session, so it is
18 unlikely that that is going to happen
19 this year. But certainly, if we know
20 anything by the last few years, a
21 proposal such as cashless bail, it
22 certainly can be brought up again next
23 year. The important part of sending
24 mails outs is letting your constituents
25 know. Often times things happen in

1
2 government that your constituents aren't
3 aware of. I have a tremendous amount of
4 positive feedback back for that.

5 But the concept of raising gasoline
6 prices in this environment, raising the
7 cost of heating your house or cooling
8 your house is a terrible idea.

9 MR. KAUFMAN: I'm with you on that,
10 partially. But when people drive SUVs and
11 let them just sit there burning the gas
12 where ever they are. The bigger the car,
13 the more gas. We know that SUVs put 20%
14 CO2 in the air. There's something that
15 has to be done in order to cut down on
16 that. If the gas tax does that with
17 people, they take a much more serious
18 responsibility about how much gas they
19 burn, great. But if they don't -- when
20 it hits them in the pocketbook, it's
21 like, yeah, maybe I shouldn't let my car
22 run forever in the parking lot.

23 PRESIDING OFFICER NICOLELLO: I
24 mean, look, that's a point, but this is a
25 regressive tax. That person that's

1
2 driving the Escalade or the Yukon
3 probably has the wherewithal to pay for
4 the extra costs. What happens with taxes
5 like this is the people who could least
6 afford it, get hit the hardest. If
7 you're driving an Escalade, you can
8 probably pay 55 cents more a gallon.
9 It's gonna hurt a little bit, but the guy
10 who is using his car to get to work has
11 got to pay more for his gas, those are
12 the people that get hurt by something
13 like this.

14 MR. KAUFMAN: I understand that. I
15 really do. That is what the "*gilets*
16 *jaunes*" protested against in France two
17 years ago. But there has to be something
18 in order to deal with the environment and
19 help us keep the air clean.

20 PRESIDING OFFICER NICOLELLO: Look,
21 I'd be happy to discuss this with you.

22 MR. KAUFMAN: I'm ready.

23 PRESIDING OFFICER NICOLELLO: You
24 have my telephone number.

25 MR. KAUFMAN: Please do. Can we

1
2 have a meeting?

3 PRESIDING OFFICER NICOLELLO: Yes,
4 absolutely. My name and address is on --
5 what?

6 MR. KAUFMAN: Is there an
7 environmental committee here?

8 PRESIDING OFFICER NICOLELLO: We
9 have a committee called the Planning and
10 Development Environment Committee, so we
11 do have a committee to focuses on the
12 environmental issues.

13 MR. KAUFMAN: Will you invite me to
14 that?

15 PRESIDING OFFICER NICOLELLO: Yes.
16 When there is items before us, hearings,
17 we will make sure you are on the list.

18 MR. KAUFMAN: Thank you.

19 PRESIDING OFFICER NICOLELLO: Sure.

20 MR. KAUFMAN: Thank you. I
21 appreciate it.

22 PRESIDING OFFICER NICOLELLO: That
23 concludes our public comments for today.
24 We are going to go into the Legislative
25 Calendar. We are going to go a little

1
2 bit out of order. We have the
3 Commissioner of Police here. We want to
4 consider the item with respect to body
5 cameras. We are going to consider that
6 first. After that, we will do the
7 college, because we have the president of
8 the college here as well and then we will
9 get to the rest of the calendar.

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2 PRESIDING OFFICER NICOLELLO:

3 Start of with Item #26.

4 A resolution approving an amendment
5 via memorandum of understanding to the
6 Collective Bargaining Agreement between
7 the County of Nassau and the Nassau
8 County Police Benevolent Association.

9 That is moved by Legislator Ferretti
10 and seconded by Legislator Rhoads. The
11 item is before the Full Legislature. I
12 will turn the floor over to you.

13 COMMISSIONER SMITH: Good afternoon,
14 everybody.

15 So kind of where we left off the
16 last time we talked about it is, we come
17 into the possession of several body
18 cameras to conduct tests, both --

19 I'm sorry, Deputy Commissioner Kevin
20 Smith, Nassau County Police Department.

21 So we have come into possession of
22 several cameras. These are to perform
23 tests and to make sure they perform as we
24 expect with no reason that they wont.
25 Although, there are things like battery

1
2 life, durability on the camera itself and
3 the harnesses that keep the camera on the
4 police officer; video performance; the
5 uploading process, downloading process;
6 all things that are to be looked at.

7 We expect the cameras to be
8 introduced in the Eighth Precinct in
9 September, and parts of the Fifth
10 Precinct as well. At that point, it will
11 be kind of like a test, if you will, to
12 make sure the behave in the field as
13 expected by the officers that are wearing
14 them on a daily basis, 24-hour-a-day.

15 We have a Draft Policy that we are
16 working on. I know people are concerned
17 about a draft, we do. We've had several
18 policy meetings about it. We update the
19 draft regularly. As I've stated, there
20 are many facets of policing that are
21 going to have to be looked at. We will
22 mimic policies from other departments
23 around the area, New York City being one
24 of them and My HCP (phonetic) being
25 another organization that basically sets

1
2 policy on a lot of police issues around
3 the country. They will, of course, be
4 tailored to fit our needs for our
5 particular work environment. As you
6 know, we don't do certain procedural
7 things the same way that New York City
8 does. For instance, we relieve our
9 officers in the field, not at a central
10 location or a central station house.

11 Training modules will have to be
12 established as well. Both for the people
13 who are wearing the cameras, how to
14 operate the camera, as well as protocol
15 and policy which will be stated in the
16 draft.

17 In addition, the people who are
18 behind the scenes will have to be trained
19 as well. As staff that will be
20 accountable to our Intelligence Bureau on
21 a specific Body One Camera Unit which
22 will be manned by supervisors and Intel
23 analysts. They will be auditing the
24 process as well and making sure, trouble
25 shooting different situations that might

1
2 arise as people begin to be accustomed to
3 wearing these cameras, turning them on
4 and off at the appropriate times and
5 things of that nature, and to make sure
6 they are complying the appropriate way.

7 The video that's going to be
8 ascertained by the cameras will obviously
9 be used for a variety of things. The
10 District Attorney will probably receive a
11 variety of camera footage for things such
12 as discovery in criminal cases; looking
13 at video that will pertain to certain
14 investigations that we would loop;
15 analyze complaints; review circumstances
16 surrounding different police activity.

17 On the administrative end of the
18 program, it is going to be maintained, as
19 I said, by a staff. They too will have
20 to be trained. The training will
21 probably be more extensive, in that they
22 are going to be looking at most of the
23 video from behind the scenes, as I said,
24 in the Intel Bureau. They will also be
25 responsible for training; issuing new

1
2 directives; repairs or facilitating
3 repairs on the cameras as need be;
4 upgrades as we go along; and video
5 distribution, as I said, to the
6 appropriate authorities that might need
7 it, such as the District Attorney's
8 Office, Attorney General, whatever the
9 case may be. They will also be
10 responsible for liaison with the District
11 Attorney's Office, our internal ITU,
12 other agencies as need be.

13 The principle people behind helping
14 us are Getach who manufactures the device
15 itself, and Island Tech Services which
16 installs and maintains the working and
17 upgrades that might be needed as we move
18 on into this program.

19 PRESIDING OFFICER NICOLELLO: I take
20 it by your stopping, you're opening the
21 thing up to questions, correct?

22 COMMISSIONER SMITH: I'm ready.

23 PRESIDING OFFICER NICOLELLO: Okay.
24 The only question I have, and then I will
25 let the rest of the legislators go is, in

1
2 terms of turning the body camera on and
3 off, obviously, there would be a protocol
4 for when officers do that, correct?

5 COMMISSIONER SMITH: When the
6 officer puts the camera on, he has to
7 engage it to work. To be powered on, he
8 does that by pressing a button. Now it
9 is in a standby mode. When it's time to
10 actually record, if he is having a
11 conversation with someone or about to
12 have a conversation with someone or he is
13 going on call, he engages it lightly one
14 second. Basically, pressing it and going
15 like, one Mississippi, that type of
16 thing, and the camera engages. To shut
17 it off, he does the same thing, but he
18 counts three and then it will go off.

19 PRESIDING OFFICER NICOLELLO: In
20 terms of when they actually do that, when
21 they activate the camera, that will be
22 determined by protocol and policy of the
23 Department of interactions, calls --

24 COMMISSIONER SMITH: That's right.
25 Certain types of services will put it on,

1
2 vehicle and traffic stops will put it on.
3 As he engages the public. And if feels
4 the need, if he's having a conversation
5 with someone and he feels the need to
6 turn it on, he can turn it on at any
7 time.

8 PRESIDING OFFICER NICOLELLO: Okay.
9 The protocols and procedures will be
10 important to publicize. That will give
11 the public an extra level of comfort I
12 believe.

13 COMMISSIONER SMITH: Absolutely.
14 That will be done through RedLand
15 Strategies. They are going to look for
16 community outreach. They are going to
17 community outreach and they're going to
18 talk to different people and find out
19 what their expectations are, do they feel
20 there will be any problems with the
21 camera program.

22 I can't see a lot of people against
23 the camera program. I think the way we
24 are going to lay it out is going to be
25 pretty nice, pretty good. I think what

1
2 feeling is around the Police Department
3 is the officers are ready and prepared to
4 deal with it.

5 PRESIDING OFFICER NICOLELLO: Anyone
6 else?

7 Legislator Solages?

8 LEGISLATOR SOLAGES: Thank you,
9 Presiding Officer.

10 Good afternoon.

11 COMMISSIONER SMITH: Good afternoon.

12 LEGISLATOR SOLAGES: I noticed that
13 at the last meeting you mentioned that
14 the program would released through the
15 Eighth Precinct and today you mentioned
16 that it would be also unveiled for the
17 Fifth Precinct, which is the 3rd
18 District. Can you please describe more
19 information as to what led to that
20 difference?

21 COMMISSIONER SMITH: We wanted to
22 engage an entire precinct to see how it
23 runs on entire level. Now that entire
24 level was the Eighth Precinct. It's a
25 precinct that kind of falls into the

1
2 middle of items when it's calls for
3 service, has a large scope of people in
4 the Eighth Precinct, but much as I said,
5 calls for service was one of the big
6 determinations. We don't want to
7 overload the system at first. We also
8 decided at one point that the Fifth
9 Precinct would be a good area as well. A
10 few isolated cars in the Fifth and we are
11 constricted to by some budget restraints
12 too, as to how many cameras we can order
13 at the time.

14 LEGISLATOR SOLAGES: Understood.

15 The fact that you are willing to
16 increase the scope of the program beyond
17 the Eighth Precinct and also with the
18 Fifth Precinct, shows that you are
19 willing to learn the best capabilities
20 for this program to succeed. I
21 appreciate that, and I thank you for at
22 least this being a fluid plan and not
23 just a stagnant, stale plan. I
24 appreciate that.

25 Thank you.

1
2 COMMISSIONER SMITH: You are very
3 welcome.

4 PRESIDING OFFICER NICOLELLO: Any
5 other legislature have any questions for
6 Commissioner Smith?

7 LEGISLATOR DERIGGI-WHITTON: Is it
8 safe to say that anytime an officer goes
9 on a call, the camera will be turned on?

10 COMMISSIONER SMITH: That is
11 correct.

12 LEGISLATOR DERIGGI-WHITTON: That is
13 done manually by the police officer?

14 COMMISSIONER SMITH: That's correct.

15 LEGISLATOR DERIGGI-WHITTON: Is that
16 how it's always done in all departments?

17 COMMISSIONER SMITH: No. Every
18 department does it as they feel best
19 suited to do it. There are different
20 triggers that can be put on, different
21 devices to make the camera go on
22 automatically, but with that also could
23 come failure. That means batteries. For
24 instance, to take a gun out of your
25 holster, it means an extra battery has to

1
2 be put on it. To take your taser out,
3 your night stick out, if those are the
4 conditions that you want to put forward,
5 you may have additional failure.

6 Batteries have to be checked out more
7 frequently; how long do they last? We've
8 been advised even by the people who
9 manufacture the item, sometimes the less
10 triggers you have, the better off you
11 are.

12 Just how officers are trained with
13 tasers and weapons and night sticks, it
14 becomes muscle memory to make sure it
15 goes on and to hit it to make sure it
16 goes off. We feel this is the best way
17 to proceed at this time.

18 LEGISLATOR DERIGGI-WHITTON: Is
19 there anything required that the police
20 officer should put it on as they go to a
21 call; is that mandated in anyway?

22 COMMISSIONER SMITH: The whole
23 procedure will be a training session for
24 officers, so that they learn when it is
25 to be going on or when to take it off.

1
2 Even the policy will cover things such as
3 if an officer, perhaps, forgot to turn it
4 on; what would you do in that
5 circumstance? Well, you'd have to
6 contact the supervisor; perhaps, write a
7 report, perhaps, learned to be retrained
8 in it.

9 Initially, there will be mistakes.
10 I kind accept that that will happen. We
11 looked at other police departments, and
12 at first when they were introduced,
13 officers at times, maybe when they
14 haven't been trained for long enough or
15 had enough experience with the camera,
16 has maybe failed to put the camera on
17 once or twice. But they learn very
18 rapidly to do this. Just as they
19 learned, as I said, with their weapons
20 and other protocols, they learn how to do
21 it.

22 LEGISLATOR DERIGGI-WHITTON: Thank
23 you.

24 PRESIDING OFFICER NICOLELLO: Let me
25 just follow up again. The determination

1
2 of when officers turn on their cameras,
3 it's going to be specified in a written
4 procedure or protocol that's going to be
5 provided, correct?

6 COMMISSIONER SMITH: That is
7 correct. And we will provide that to the
8 public.

9 PRESIDING OFFICER NICOLELLO: Those
10 procedures are being developed now?

11 COMMISSIONER SMITH: They are.

12 PRESIDING OFFICER NICOLELLO: Is
13 that internally in the police department
14 with the consultants?

15 COMMISSIONER SMITH: Internally by
16 the police department and we have been
17 advised by the consultants at times.
18 When we ask them to research certain
19 questions for us, they provide that
20 pretty diligently.

21 Legislator Gaylor?

22 LEGISLATOR GAYLOR: Thank you,
23 Presiding Officer.

24 Commissioner, good afternoon.

25 COMMISSIONER SMITH: Good afternoon.

1
2 LEGISLATOR GAYLOR: Just two quick
3 questions: Are there currently any
4 villages that are using bodycams in
5 Nassau County?

6 COMMISSIONER SMITH: I think there
7 are several. I think Freeport has them
8 and I believe Malverne has them. I'm
9 not sure about other villages.

10 LEGISLATOR GAYLOR: Have you done
11 any coordination or checking with them on
12 their policies and procedures?

13 COMMISSIONER SMITH: Yeah. Some of
14 the people we have on our team have been
15 checking out with Freeport and Malverne
16 and talk kind of anecdotally about how
17 the cameras work.

18 LEGISLATOR GAYLOR: Okay. Great.

19 COMMISSIONER SMITH: I think they
20 have a different product than us.

21 LEGISLATOR GAYLOR: Okay. My second
22 question, unrelated to the first:
23 Instead of a manual procedure to engage
24 the body camera, is there a means or a
25 way that it can be automatically engaged

1
2 when the service call goes out to the
3 precinct car?

4 COMMISSIONER SMITH: It's called a
5 trigger device. There are many kinds of
6 trigger devices. The problem with the
7 more trigger devices you have, they're
8 more subject to failure. Trigger devices
9 need a battery to engage things.

10 LEGISLATOR GAYLOR: Right.

11 COMMISSIONER SMITH: An additional
12 battery. Other than the battery that
13 comes on the camera, any external battery
14 that we have that attaches to our camera
15 as well.

16 LEGISLATOR GAYLOR: All right. Part
17 of your study and analysis is looking at
18 these various means to trigger and
19 determine which is the best.

20 COMMISSIONER SMITH: We believe that
21 manual activation and manual off are the
22 way to go.

23 LEGISLATOR GAYLOR: Okay. Very
24 good. Thank you.

25 PRESIDING OFFICER NICOLELLO:

1
2 Legislator Walker?

3 LEGISLATOR WALKER: The battery that
4 they have to use for these cameras, is
5 there a way they can recharge them in
6 their vehicle? I mean, just like our
7 phones, there times that your battery can
8 go all day or a day and a half or
9 whatever, depending on how much you're
10 using it. Sometimes if you're using it
11 for a GPS, or whatever, certain things
12 use the battery up quicker. So our
13 officers, their shift is a long period of
14 time. If they were very active during
15 that time, could those batteries die and
16 they don't have access to recharging?

17 COMMISSIONER SMITH: All our
18 officers are going to be issued an
19 individual camera which has an internal
20 battery. It also has an external battery
21 that can be attached on. The internal
22 battery give them, perhaps, 12 hours, and
23 the external battery should feed the the
24 camera itself and, perhaps, give anywhere
25 from 5 to 6 more hours. In addition to

1
2 that, each officer will be issued what's
3 called a magnetic tether. Basically,
4 what that does is it's a plug in, just
5 like you might plug in your Iphone into
6 your car. It plugs in on one side and
7 the other is a magnet that holds it to
8 the bottom of the camera. It detaches
9 very easily. It can be just ripped away
10 or as the officer gets out, it can just
11 fall to the seat of the car. It does not
12 lock him into the car. That continues to
13 provide battery power as he's driving
14 around on, patrol as he is looking and
15 patrolling his neighborhoods, and things
16 of that nature.

17 LEGISLATOR WALKER: Thank you.

18 DEPUTY COUNTY EXECUTIVE FOX: Hi.
19 This is Deputy County Executive Tatum
20 Fox. I'm sorry to interrupt, Mr.
21 Presiding Officer. I am by phone.

22 PRESIDING OFFICER NICOLELLO: Go
23 ahead, Tatum.

24 DEPUTY COUNTY EXECUTIVE FOX: Hi,
25 everyone. I apologize that I am not

1
2 there. I just wanted to let you know I
3 am here. Thank you, Commissioner Smith
4 as well and the legislative body. I'm
5 away on family vacation for the first
6 time; otherwise, I would be there.

7 I just wanted to speak to question
8 regarding when the camera will be turned
9 on and while it appears at this point
10 with all the technology available, it
11 would be a manual process to turn the
12 cameras on, the camera itself, the
13 technology will allow us to explore
14 automatic triggers while they do come
15 with other items that would be necessary,
16 like blue tooth activation, and I will
17 leave that to the technical people, which
18 is not me. That is definitely something
19 -- this is a starting point and we can
20 explore all options and see what works
21 best in Nassau County with the body
22 cameras based upon input from this
23 Legislative Body, from the community, and
24 all updates of the policy will be shared
25 with the public for all to examen. It

1
2 will be an ongoing dialogue in regard to
3 the policy.

4 PRESIDING OFFICER NICOLELLO: Thank
5 you, Tatum.

6 DEPUTY COUNTY EXECUTIVE FOX: If
7 there are any other questions, I just
8 wanted to let you know I am here.

9 PRESIDING OFFICER NICOLELLO: Thank
10 you, Tatum.

11 Commissioner, did you want to add
12 anything?

13 POLICE COMMISSIONER RYDER: No. I
14 think Tatum said it perfect. You're all
15 going to get to see the policy and
16 procedures. We will go through them, and
17 we will release those publically when it
18 is all said and done so the public will
19 continue to have dialogue with Mike
20 Balbone (phonetic) and his team there.

21 PRESIDING OFFICER NICOLELLO: Are
22 there any other questions?

23 (Whereupon, no verbal
24 response.)

25 COMMISSIONER SMITH: Thank you for

1
2 your time.

3 PRESIDING OFFICER NICOLELLO: Thank
4 you Commissioner.

5 Any other debate or discussion on
6 this item?

7 (Whereupon, no verbal
8 response.)

9 PRESIDING OFFICER NICOLELLO:
10 Hearing none. All in favor?

11 (Whereupon, all members of
12 the Nassau County Legislature
13 respond in favor with, "Aye".)

14 PRESIDING OFFICER NICOLELLO: Those
15 opposed?

16 (Whereupon, no verbal
17 response.)

18 PRESIDING OFFICER NICOLELLO:
19 Carries unanimously, 18:0. Thank
20 you, all.

21
22 *****
23
24
25

1
2 PRESIDING OFFICER NICOLELLO: Item
3 #4. An ordinance to adopt the Nassau
4 County Budget for the Nassau Community
5 College for the Fiscal Year commencing
6 September 1, 2021 and ending August 31,
7 2022, and to appropriate revenues and the
8 total amount of monies to be raised by
9 taxation within the County of Nassau for
10 the purposed of Nassau Community College
11 for such fiscal year.

12 Moved by Legislator Drucker,
13 seconded by Legislator Walker.

14 So that puts this item before us.
15 Mr. President?

16 DR. WILLIAMS: Thank you. Good
17 afternoon, Legislators.

18 Jermaine, J-E-R-M-A-I-N-E, F.
19 Williams, President, Nassau Community
20 College. I'm joined by Julio Izquierdo,
21 Vice President, Finance of the College
22 and Adrian Kerrigan, Vice President for
23 Institutional Advancement.

24 PRESIDING OFFICER NICOLELLO: Before
25 you begin. We had a motion and a second

1
2 and we actually have to open the hearing.

3 DR. WILLIAMS: My apologies.

4 PRESIDING OFFICER NICOLELLO: No.
5 That was my fault.

6 All in favor for opening the
7 hearing, signify by saying, "Aye".

8 (Whereupon, all members of
9 the Nassau County Legislative
10 Body respond in favor with,
11 "Aye".)

12 PRESIDING OFFICER NICOLELLO: Those
13 opposed?

14 (Whereupon, no verbal
15 response.)

16 PRESIDING OFFICER NICOLELLO:
17 Hearing is open. Now the floor is
18 yours.

19 DR. WILLIAMS: My apologies.

20 Thank you, all the legislators for
21 taking the time to meet with the college
22 over the past several weeks. We
23 presented a presentation and we are
24 thankful for your insightful follow up to
25 help ensure that we're very candid in

1
2 terms of how the college is being good
3 stewards of the monies and the funds
4 providing for Nassau County.

5 We still remain the largest single
6 campus community college of the 30 SUNY.
7 A few weeks ago, 2,800+ students
8 graduated from Nassau Community College,
9 so we provide a great benefit to the
10 County and we are very thankful for your
11 ongoing support here today, and looking
12 for your continued support.

13 I would like to just reiterate
14 before any questions, comments or
15 concerns, that the budget before you
16 shows no tuition or fees increase and we,
17 obviously, are doing that for multiple
18 reasons. One of the primary outcomes is
19 to ensure the residents of Nassau County
20 are able to access a high quality
21 academic and student support experience
22 at an affordable rate.

23 I am definitely open to questions or
24 concerns.

25 PRESIDING OFFICER NICOLELLO: Thank

1
2 you.

3 My concern, and it's something I
4 brought up after our briefing and you had
5 provided a response in terms of the
6 recouping plan for the college. This is
7 a nationwide trend, but we have seen a
8 loss of the number of students attending
9 Nassau Community College and I think it
10 is crucial that we turn that around.

11 The efforts that you and your
12 administration are making I think have to
13 really be geared for success in terms of
14 brining more students to the college. It
15 is an excellent education opportunity at
16 a very reasonable cost. The more that we
17 can bring students in, not just from
18 Nassau County, but, perhaps, from other
19 areas of our state. I think one of the
20 recruitment plans is for international as
21 well, which I think that would be better
22 for the long term success for the
23 college, so we would like to see you be
24 very successful with your recruitment
25 efforts.

1
2 DR. WILLIAMS: Thank you. Thank
3 you, Presiding Officer. To that, we
4 have actually just started a partnership
5 that will commence in the Fall 2021 with
6 Adelphi University where students are able
7 to attend Nassau County and actually live
8 at Adelphi University. One of the things
9 you saw on the recruitment plan was
10 housing, given time and taking an
11 alternative approach, but still providing
12 the need.

13 One of the other components that I
14 can share about recruitment, students
15 will have two partnerships starting in
16 Fall of 2021 as well with Baldwin School
17 District and West Hempstead where several
18 high school seniors from those schools
19 will actually be taking their senior
20 class at Nassau Community College, which
21 is helping them experience Nassau
22 Community College. There is recruitment.
23 Hopefully, they will transition to Nassau
24 Community College.

25 One of the other features that I

1
2 will share is that Board of Trustees
3 recently approved a few academic programs
4 because we want to make sure we are
5 providing the academic programs that are
6 need. Cyber Security was recently
7 approved as well as Office Medical
8 Assistant. All of these and more, I
9 didn't even mentioned the other Duncan
10 (phonetic), that's up you your slate a
11 little later, which will provide an
12 opportunity for 200 students to be in our
13 hospitality program. We are endeavoring
14 to make changes so that we can increase
15 enrollment.

16 PRESIDING OFFICER NICOLELLO: Okay.
17 Does anyone else have any questions for
18 Dr. Williams?

19 Legislator Walker?

20 LEGISLATOR WALKER: I don't really
21 have a question, just a comment. I know
22 when I worked in the Hicksville School
23 District, I did a lot to encourage our
24 students to go to Nassau Community. Many
25 of them were not as affluent and could

1
2 not afford a four year right off the bat
3 and I would encourage them all the time.
4 Saying, you're gonna get a great
5 education, you work real hard, you can
6 get a scholarship to another four year
7 school and continue your education
8 wherever.

9 I love the idea with Adelphi,
10 because many of those students then might
11 go on to attend Adelphi for the rest of
12 their program and keep our students here
13 in Nassau County and on Long Island and
14 close by.

15 I know that high schools offer many
16 students college credits for classes.
17 Those college credits, are they
18 acceptable (sic) at Nassau also?

19 DR. WILLIAMS: The short answer is
20 yes. I could get into a very long
21 answer, but --

22 LEGISLATOR WALKER: The short answer
23 is yes.

24 DR. WILLIAMS: As long as they're an
25 accredited institution, then yes. They

1
2 would be accepted. We have several
3 students who come in with those transfer
4 credits.

5 LEGISLATOR WALKER: And anything I
6 can do and I'm sure many of the
7 legislators or all of us would say the
8 same thing, anything we could do within
9 our districts to help add recruitment to
10 our community college would be wonderful.

11 DR. WILLIAMS: Thank you. You all
12 did so much, as I look around and make
13 eye contact with several legislators who
14 I've talked with on several occasions.
15 Thank you.

16 LEGISLATOR WALKER: Thank you,
17 Legislator.

18 PRESIDING OFFICER NICOLELLO:
19 Legislator Drucker then Legislator Gaylor
20 then Legislator Mule.

21 LEGISLATOR DRUCKER: Thank you,
22 Presiding Officer.

23 Dr. Williams, it's always a pleasure
24 to see you.

25 DR. WILLIAMS: Likewise, sir.

1
2 LEGISLATOR DRUCKER: I want to
3 commend you on presenting a very good
4 budget this year. One that, despite the
5 challenges you're facing, does not
6 require a tuition increase, which is
7 certainly a very opportune time to not
8 have a tuition increase.

9 But it is still concerning to me and
10 I'm sure to all of us. I have a personal
11 affection to the college because of my
12 affiliation there and I would like to see
13 the college flourish and certainly be
14 able to sustain itself in years to come.
15 The disturbing trend of declining
16 enrollment is concerning to me and I'm
17 sure to all of us. When I was at the
18 college as a trustee, we had about
19 22-23,000 and we are down to about
20 12-13,000 and change now; is that
21 correct, Dr. Williams?

22 DR. WILLIAMS: Yes. That is as far
23 as the Fall --

24 LEGISLATOR DRUCKER: And you are
25 still anticipating a further decrease.

1
2 We have to try to reverse that. I have
3 been having conversations with you and
4 your staff and the administration here
5 and the Police Department to try to find
6 ways -- for example, we talked about the
7 Micro Credential Program and to use that
8 as a way to enhance enrollment and
9 retention and I would like to see those
10 initiatives pursued further by the
11 college, because this is an opportunity
12 for you to pull out all the stops and do
13 what you can to reverse the trend. You'd
14 be remiss, and we'd all be remiss, if you
15 don't explore every possibility to take
16 advantage of some of the things we have
17 to entice residents of Long Island to
18 come to the college. Not just young
19 people, working people, older people.

20 The college to this day remains a
21 feudal and wonderful opportunity as a
22 gateway, as a pathway to many, many
23 successful careers. This is a step that
24 many people in Nassau County and coming
25 off of a pandemic, this is a perfect

1
2 opportunity to take advantage of the
3 great institution Nassau Community
4 College has. I would like to see
5 initiatives that we've discussed be
6 advanced further.

7 I'm concerned, yes, you have a
8 budget that's gonna get you through this
9 year. I'm concerned about next year. I'm
10 concerned, you're not getting an increase
11 in funding from the County. I'd like to
12 see that increase as well. But with
13 attrition and with the current
14 enrollment, and with the increase in
15 expenses and the salary and contractual
16 obligations you have, I'm concerned. I'd
17 like to see a real initiative that is
18 imperative by the college to try to
19 reverse that.

20 DR. WILLIAMS: Thank you, Legislator
21 Drucker for all of your support and
22 comments. We are forward facing and
23 looking towards the future, absolutely.
24 And I know my expectation, I will confirm
25 when I return to the office, is that our

1
2 dean and chairperson of criminal justice
3 are meeting with you and your team and
4 others to really flesh out that idea and
5 talk more about it. It's just one idea,
6 but there are multiple ideas.

7 LEGISLATOR DRUCKER: Micro
8 Credentialing is really, really an
9 opportunity that we should not squander.
10 Do you agree?

11 DR. WILLIAMS: I do. Yes, yes. It
12 is something I know that as I looked
13 through the historical documents with the
14 college has been a conversation for
15 multiple years, and it is something that
16 we need to move forward with like we did
17 with dual enrollment and concurrent
18 enrollment and the Adelphi partnership.
19 We do recognize that potential and we are
20 pursuing it. Over all, not just with
21 just the specific --

22 LEGISLATOR DRUCKER: You know, you
23 can always count on my support of the
24 college and I'm sure most of us here as
25 well. All of us here as well.

1
2 But again, I'd like to see the
3 dialogue between us continue and even
4 grow so we can take advantage of these
5 opportunities and these initiatives. I
6 certainly have presented you with some.

7 DR. WILLIAMS: Thank you, Legislator
8 Drucker.

9 LEGISLATOR DRUCKER: Presiding
10 Officer?

11 PRESIDING OFFICER NICOLELLO:
12 Legislator Gaylor, then Legislator Mule.

13 LEGISLATOR GAYLOR: Thank you,
14 Presiding Officer.

15 So my colleague pretty much hit the
16 points that I was going to raise. I'm
17 particularly concerned about the
18 declining enrollment, because year after
19 year, at least the almost six years I've
20 been here, every year we hear the same
21 thing. Enrollment declining, we are
22 doing X, Y, and Z, it's gonna turn around
23 and it's not turning around. I challenge
24 you to put a stop to that and figure out
25 a solution here relatively quickly

1
2 because I don't know how much longer you
3 can go with declining enrollment and
4 stand before us and ask for salary
5 increases and budget increases. There's
6 going to come a point and time that you
7 may not get the budgets that you want,
8 like you will this year.

9 I attended Nassau Community back
10 1981 and it was a great opportunity and a
11 great time for me in my life. There was
12 a time when there was multiples of tens
13 of thousands of students attending Nassau
14 Community College and now we're down to
15 some very serious low numbers that if we
16 don't turn it around, we may lose this
17 gemstone in our count. Maybe it gets
18 consolidated with Suffolk Community or
19 maybe SUNY takes it over. Those things
20 are always possible and always talked
21 about.

22 So I challenge you to take this to
23 heart, okay. Turn this around quickly,
24 because you have the perfect opportunity
25 to fix the problems at the college.

1
2 That's where I'll leave it.

3 DR. WILLIAMS: Thank you, Legislator
4 Gaylor.

5 PRESIDING OFFICER NICOLELLO:
6 Legislator Mule.

7 LEGISLATOR MULE: Thank you,
8 Presiding Officer.

9 I too wish to congratulate you on
10 the budget this year and that there is
11 not increases for the students. I know
12 this is being done under extremely
13 difficult circumstances.

14 My question was going to be about
15 the possibility of having the students
16 stay at the campus, because I know there
17 is the one community college upstate
18 where they have dorms and you're telling
19 us that that is already in the works. I
20 think that's a really great opportunity.
21 I look forward to hearing more about that
22 and if it goes through.

23 Just to reiterate what everyone else
24 has said, we have to do whatever we can
25 to make sure that Nassau Community

1
2 remains a viable option for the students
3 of Nassau County.

4 Actually, I do have a question for
5 the presiding officer. It's my
6 understanding that back in January a
7 motion was filed to put Dr. Kishore
8 Kuncahm who is the superintendent of the
9 Freeport Schools on the Board of
10 Trustees. Given the fact that the county
11 population of Asian Americans is
12 increasing and you put forward the Office
13 of Asian American Affairs, which is a
14 wonderful thing, I think it would be
15 important to make sure that gets
16 calendared as soon as possible. He would
17 be a wonderful addition to the Board of
18 Trustees to the college, an incredible
19 asset. I know because I was the Board of
20 education working along side him and I
21 know what he can bring. Thank you.

22 PRESIDING OFFICER NICOLELLO: I
23 would agree. He is tremendously talented
24 educator and he would certainly bring his
25 talents to the College Board. The

1
2 proposal was made to replace George
3 Garden, who happens to be one of the only
4 Hispanic Americans who has been appointed
5 to any position of significance in the
6 County. There are certainly going to be
7 openings in the next couple of years and
8 it's certainly something we are going to
9 look at. We are still looking at him,
10 but of course it's -- you don't want to
11 take someone off who is doing a fine job
12 and who represents this community very
13 well. Let's put it that way.

14 PRESIDING OFFICER NICOLELLO:

15 Legislator DeRiggi-Whitton.

16 LEGISLATOR DERIGGI-WHITTON: Hi.

17 Good to see you.

18 I was just looking -- I know this
19 program was set up to it being,
20 hopefully, 30% County, 30% State, and the
21 State contribution is only the 21% right
22 now. I know it's based on enrollment,
23 but do you know how many students it
24 would take to get up to the 30%, how many
25 students of an increase it would take,

1
2 approximately? Sorry, it's a math
3 question.

4 DR. WILLIAMS: No, no. So, its
5 proportional. So even if we did increase
6 the students, the FTE is such that right
7 now, and I'm looking at the Vice
8 President of Finance, that it would not
9 happen, because the FTE is capped at
10 2,947 per FTE, so it actually would have
11 to increase in order for that third to
12 come into play.

13 LEGISLATOR DERIGGI-WHITTON: So
14 that's how we would be able to get the
15 third from the State? If you increase
16 the --

17 DR. WILLIAMS: Funding would need to
18 increase. It is still proportion.

19 MR. IZQUIERDO: The State would need
20 to increase the amount. Right now, it's
21 a fixed amount, so the 21% is going to be
22 21% no matter how many FTEs we have.

23 LEGISLATOR DERIGGI-WHITTON: I
24 thought it was based on enrollment.

25 MR. IZQUIERDO: It is based on

1
2 enrollment, but it is based on actual
3 FTE. What the County gives is based on a
4 total amount and that gets rolled out
5 through enrollment. The higher the
6 enrollment, the lower the percentage from
7 the County.

8 LEGISLATOR DERIGGI-WHITTON: Wow.

9 MR. IZQUIERDO: In terms of the
10 State, it will stay constant because they
11 go by FTE.

12 LEGISLATOR DERIGGI-WHITTON: And,
13 FTE, for the record is?

14 MR. IZQUIERDO: Full time equivalent
15 students.

16 LEGISLATOR DERIGGI-WHITTON: Full
17 time equivalent students. And that is
18 different from enrollment by how?

19 MR. IZQUIERDO: Enrollment you can
20 go by different ways: Head count, which
21 is part time/full time students, it's two
22 people, one part and one full time, that
23 is two head counts. FTE will be one and
24 a half.

25 LEGISLATOR DERIGGI-WHITTON: Really?

1
2 So, in other words, if you go part time
3 to Nassau Community College, the State is
4 not reimbursing anything?

5 MR. IZQUIERDO: They are
6 proportionate, so if they call part time
7 halftime, it will be counted at half FTE.

8 LEGISLATOR DERIGGI-WHITTON: Okay.
9 So we would have to increase our full
10 time enrollment to increase the State
11 funding.

12 MR. IZQUIERDO: Both. Both increase
13 the State funding.

14 LEGISLATOR DERIGGI-WHITTON: Okay.
15 All right. Thank you.

16 DR. WILLIAMS: The stenographer
17 needs your name and title.

18 MR. IZQUIERDO: My name is Jose
19 Izquierdo, Vice President of Finance.

20 PRESIDING OFFICER NICOLELLO:
21 Legislator Birnbaum?

22 LEGISLATOR BIRNBAUM: Hi. So during
23 COVID you were able to teach the students
24 virtually; you had classes remotely?

25 DR. WILLIAMS: Yes.

1
2 LEGISLATOR BIRNBAUM: And now, in
3 the fall semester, are you going to
4 continue doing any remote courses?
5 Because I was just thinking that might be
6 a way of getting at least some part time
7 students.

8 DR. WILLIAMS: Absolutely. We taught
9 less than 10% of the courses at a
10 face-to-face component in fall and spring
11 of this past year. Obviously, there were
12 clinical, labs, those types of
13 opportunities, but by in large, the
14 overwhelming majority of courses were
15 either remote or online.

16 What we have realized, to the point
17 you are getting at, Legislator, is that,
18 some of these are really good
19 opportunities to be taught remote or
20 online. So we want to not come back as
21 the previous Nassau Community College,
22 but we want to use this as an opportunity
23 to provide the educational platforms that
24 students need based on the 70+ programs
25 that we have and the diverse learners

1
2 that we have. Everyone doesn't want to
3 be or need to be face-to-face. We have
4 invested in technology so that we can
5 make that happen, and we are really
6 looking forward to really diversify how
7 we offer the educational opportunities.

8 LEGISLATOR BIRNBAUM: In terms of
9 outreach to all the high schools in
10 Nassau County, do you have liaisons with
11 each of the schools?

12 DR. WILLIAMS: Yes. I talk with or
13 communicate with superintendents, Our
14 Office of Admissions communicates with
15 principals, guidance counselors. I also
16 communicate with principals as well. Then
17 we have counselors who also go out and
18 they host events at local high schools,
19 at the college, at community
20 organizations, different places
21 throughout the County, yes.

22 LEGISLATOR BIRNBAUM: And in terms
23 of marketing, have you increased your
24 marketing efforts; are you doing
25 something differently now?

1
2 DR. WILLIAMS: We actually have, and
3 yes, we have increased and we are doing
4 something differently. We put out an RFP
5 several months ago for Vice President for
6 Institutional Advancement, it's a very
7 collaborative effort across the college
8 with faculty and students.

9 We have a new marketing firm that
10 just came on a few weeks ago. You may
11 see some of the College's new marketing
12 with Nassau Community College as the
13 smart choice. Really looking to grasp
14 that opportunity for the students and for
15 the influencers so they know to what
16 several of the legislators said, you can
17 start at Nassau Community College with
18 high quality academics and student
19 support at a really affordable rate and
20 then go wherever it is where you want go,
21 whether that's directly into the
22 workforce or transferring to a four year
23 institution or both. A lot have of our
24 students have a combination of both.

25 LEGISLATOR BIRNBAUM: Great. I hope

1
2 it's all very productive and that we see
3 the enrollment increase.

4 DR. WILLIAMS: Thank you,
5 Legislator.

6 PRESIDING OFFICER NICOLELLO: Okay.
7 Thank you. Anyone else?

8 (Whereupon, no verbal
9 response.)

10 PRESIDING OFFICER NICOLELLO: I
11 think we're good. Thank you, Dr.
12 Williams.

13 DR. WILLIAMS: Thank you,
14 Legislators. Thank you.

15 PRESIDING OFFICER NICOLELLO:
16 Legislator Drucker makes a motion to
17 close the hearing, second by Legislator
18 Walker. All in favor of closing the
19 hearing, signify by saying, "Aye".

20 (Whereupon, all members of
21 the Nassau County Legislative
22 Body respond in favor with,
23 "Aye".)

24 PRESIDING OFFICER NICOLELLO: Aye.
25 Those opposed?

(Whereupon, no verbal
response.)

PRESIDING OFFICER NICOLELLO:
Hearing is closed.

We are going to Item 10, which is an
ordinance to adopt the Nassau County
budget for the Nassau Community College
for the fiscal year commencing September
1, 2021 ending August 31, 2022 and to
appropriate revenues in the total amount
of monies to be raised by taxation within
the County for the purposes of the
college for such fiscal year.

Moved by Legislator Drucker,
seconded by Legislator Walker. Any
further debate or discussion?

(Whereupon, no verbal
response.)

PRESIDING OFFICER NICOLELLO: Any
public comment, which I neglected to do
during the hearing?

(Whereupon, no verbal
response.)

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PRESIDING OFFICER NICOLELLO:
Hearing none. All in favor signify by
saying, "Aye".

(Whereupon, all members of
the Nassau County LEgislative
Body respond in favor with,
"Aye".)

PRESIDING OFFICER NICOLELLO: Those
opposed?

(Whereupon, no verbal
response.)

PRESIDING OFFICER NICOLELLO: It
carries unanimously.

PRESIDING OFFICER NICOLELLO:

I'm going to call the Consent
Calendar next.

These are all items that went
through Committees a couple of weeks ago
and it's been agreed by the Majority and
Minority that no further debate or
discussion is needed at this point with
respect to these items:

Item 12, Ordinance 52; Item 14,
Ordinance 54; Item 15, Ordinance 551;
Item 16, Ordinance 56; Item 17, Ordinance
57; Item 18, Ordinance 58; Item 19,
Ordinance 59; Item 20, Ordinance 60; Item
21, Ordinance 61; Item 22, Ordinance 62;
Item 25, Resolution 90; Item 27,
Resolution 92; Item 28, Resolution 93;
Item 29, Resolution 94; Item 30,
Resolution 95; Item 31, Resolution 96;
Item 32, Resolution 97; Item 33,
Resolution 98; Item 34, Resolution 99;
Item 35, Resolution 100; Item 36;
Resolution 101; Item 37, Resolution 102;
Item 38, Resolution 103; Item 39,

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2 Resolution 104; Item 40, Resolution 105;
3 Item 41, Resolution 106; Item 42,
4 Resolution 107; Item 43, Resolution 108;
5 Item, 44, Resolution 109.

6 Moved by Deputy Presiding Officer
7 Kopel, Seconded by Minority Leader
8 Abrahams.

9 Any debate or discussion on these
10 items?

11 (Whereupon, no verbal
12 response.)

13 PRESIDING OFFICER NICOLELLO:
14 Hearing none, all in favor signify by
15 saying, "Aye".

16 (Whereupon, all members of
17 the Nassau County Legislative
18 Body respond in favor with,
19 "Aye".)

20 PRESIDING OFFICER NICOLELLO: Those
21 opposed?

22 (Whereupon, no verbal
23 response.)

24 PRESIDING OFFICER NICOLELLO:
25 Carries unanimously.

PRESIDING OFFICER NICOLELLO: Going
back to the start of the Calendar.

Item 1 is a Local Law to amend the
miscellaneous laws of Nassau County in
relation to the imposition of a public
safety fee and driver responsibility fee
for violations issued pursuant to Title
86 thereof.

Motion by Legislator Kennedy, second
by Legislator Schaefer.

That's a motion to open the hearing.

All those in favor of opening the
hearing, signify by saying, "Aye".

(Whereupon, all members of
the Nassau County Legislative
Body respond in favor by
saying, "Aye".)

PRESIDING OFFICER NICOLELLO: Those
Opposed?

(Whereupon, no verbal
response.)

PRESIDING OFFICER NICOLELLO:

Hearing is open. This item is in connection with another item on the Calendar today with respect to the school bus camera program that is about to be rolled out in the county, which has certain statutorily mandated fees associated with violations.

What this item does is it removes the public safety fee and the driver's responsibility fee from being added on top of the statutory fees, so it reduces the total fees that someone would pay for a violation by taking out the public safety fee of \$55 and the driver's responsibility fee of \$45 for tickets for violation in terms of the school bus camera program.

Anyone want to discuss or debate?
Legislator Birnbaum?

LEGISLATOR BIRNBAUM: I whole-heartedly support this legislation, just as I was whole-heartedly was not in support of similar legislation several

1
2 years ago when the \$55 public safety fee
3 and \$45 driver responsibility was tacked
4 onto the red light camera bill, because
5 as it says, these are fees and I don't
6 think it is what our goal is, to improve
7 safety.

8 So I whole-heartedly support no
9 including an extra \$100 tacked on and
10 imposing it on a vehicle when the
11 operator is stopped for illegally passing
12 a stopped bus.

13 PRESIDING OFFICER NICOLELLO: Okay.
14 Anyone else?

15 (Whereupon, no verbal
16 response.)

17 PRESIDING OFFICER NICOLELLO: Motion
18 by Minority Leader Abrahams to close the
19 hearing, second by Deputy Presiding
20 Officer Kopel.

21 All in favor of closing the hearing,
22 signify by saying, "Aye".

23 (Whereupon, all members of
24 the Nassau County Legislative
25 Body respond in favor by

1
2 saying, "Aye".)

3 PRESIDING OFFICER NICOLELLO: Those
4 opposed.

5 (Whereupon, no verbal
6 response.)

7 PRESIDING OFFICER NICOLELLO:
8 Hearing is closed.

9 No we go to Item 5 which is a Local
10 Law to amend the miscellaneous laws of
11 Nassau County in relation to the
12 imposition of a public safety fee and
13 driver responsibility fee for violations
14 issued pursuant to Title 86 thereof.

15 Motion by Legislator Gaylor, second
16 by Legislator McKevitt.

17 Any further debate or discussion?

18 (Whereupon, no verbal
19 response.)

20 PRESIDING OFFICER NICOLELLO: All in
21 favor, signify by saying, "Aye".

22 (Whereupon, all members of
23 the Nassau County Legislative
24 Body respond in favor by
25 saying, "Aye".)

PRESIDING OFFICER NICOLELLO: Passes
unanimously.

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2
3 PRESIDING OFFICER NICOLELLO: Now we
4 go back to Item 2 for another hearing.

5 This is a Local Law to amend Title
6 86 of the Miscellaneous Laws of Nassau
7 County, as added by Local Law 19-2019 in
8 relation to changing to 60 days, the
9 period that a written warning will be
10 issued in lieu of a Notice of Liability
11 following commencement of the school bus
12 photo violation demonstration program.

13 Motion by Legislator Bynoe, second
14 by Legislator Ford to open the hearing.
15 All in favor of opening the hearing,
16 signify by saying, "Aye".

17 (Whereupon, all members of
18 the Nassau County Legislative
19 Body respond in favor by
20 saying, "Aye".)

21 PRESIDING OFFICER NICOLELLO: Those
22 opposed?

23 (Whereupon, no verbal
24 response.)
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PRESIDING OFFICER NICOLELLO:
Hearing is open.

Anyone want to speak on this one?
(Whereupon, no verbal
response.)

PRESIDING OFFICER NICOLELLO: Well,
obviously, it is what it says it is.
It's an extension of the warning period
following the commencement of the program
which I believe had said 30 days and now
we are extending it to 60.

Mr. Rich?

MR. RICH: David Rich, Traffic and
Parking Violations Agency. Good
afternoon, Legislators.

This is a proposed amendment to
extend the warning period to 60 days and
60 days per school district.

PRESIDING OFFICER NICOLELLO: Okay.
The second question that has come up and
maybe you could clarify, basically, this
60 day warning period for an individual
school district commences under this
amendment; it will commence when this

1
2 school district opts into the program,
3 correct?

4 MR. RICH: That's correct, yes.

5 PRESIDING OFFICER NICOLELLO: Does
6 anyone else have any questions for Mr.
7 Rich?

8 Legislator Birnbaum?

9 LEGISLATOR BIRNBAUM: Hi. Is this
10 program being run exactly like the red
11 light camera where somebody who receives
12 a fine will be able to go online and see
13 a video what happened?

14 MR. RICH: Yes.

15 LEGISLATOR BIRNBAUM: And they can
16 make an appearance in court if they want
17 to fight it?

18 MR. RICH: Yes. The first Notice of
19 Liability will have the information. If
20 they want to request a hearing, they can
21 submit a request for a hearing, or they
22 can pay it, or they can call us if they
23 have any questions. Same type of
24 noticing that we have for the red light
25 camera program.

1
2 LEGISLATOR BIRNBAUM: Are you aware
3 of any problems with the program that
4 necessitates this extended period of 60
5 days; has there been a problem in other
6 areas where it's been used, do you know?

7 MR. RICH: I'm not aware of any
8 information pertaining to that question.

9 LEGISLATOR BIRNBAUM: I'm just
10 concerned about divided highways, for
11 cars coming in the opposite direction,
12 not behind a bus, but from the other
13 direction and they're unable to see.

14 MR. RICH: If the cameras are unable
15 to capture the vehicle or plate, a
16 violation will not be issued.

17 LEGISLATOR BIRNBAUM: I'm talking
18 about the driver of the car who didn't
19 see the school bus, if there's traffic on
20 the road and going in the opposite
21 direction.

22 MR. RICH: Probably, initially, an
23 assumption would be we would issue the
24 Notice of Liability, but if the person
25 protested it and requested a hearing,

1
2 then the Judicial Hearing Officer would
3 hear their claim.

4 LEGISLATOR BIRNBAUM: Would we be
5 able to hear any kind of summary of how
6 many violations were issued in the 60 day
7 period that the test, you know, once it
8 gets initiated; would we just be able to
9 get some data of any kind?

10 MR. RICH: Yes.

11 LEGISLATOR BIRNBAUM: That would be
12 great.

13 LEGISLATOR FORD: Good afternoon.
14 When are we going to start letting the
15 public know about this and educating them
16 about the school bus cameras?

17 MR. RICH: I'm going to assume once
18 we execute the contract, we're gonna meet
19 with the vendor who is going to assist,
20 as well as the County's Press Office, in
21 providing a proper roll out and a Public
22 Safety notification.

23 LEGISLATOR FORD: Okay. Just to go
24 back to what Legislator Birnbaum brought
25 up about divided highway, I mean, I know

1
2 under state law, there are certain
3 medians you are not allowed to -- you
4 have to stop in both directions, but can
5 you find out if there is any use of a
6 median that would not have a car
7 subjected if they were going in the
8 opposite direction that they would be
9 subjected to having a ticket for passing
10 a stopped school bus?

11 MR. RICH: We do. What we're hoping
12 to do also is, during the rolling period,
13 it will also give us the opportunity to
14 identify where they may be issues where a
15 violation should not be issued, if it is
16 too far across or where the operator of
17 the vehicle did not have the opportunity
18 to view the school bus.

19 LEGISLATOR FORD: Okay. Then the
20 school bus cameras will be automatically
21 in service once the driver stops and
22 pulls the lever, or whatever it is, where
23 their doors open and the arm comes out,
24 correct?

25 MR. RICH: Yes, once the stop arm is

1
2 extended and the red lights are flashing,
3 the camera will be activated.

4 LEGISLATOR FORD: All right. Will
5 we also have training for the school bus
6 drivers so they know always when to open
7 the doors and not open? I know
8 sometimes, it has been brought up in
9 previous hearings, like if a school bus
10 driver may be waiting. Sometimes a
11 they're at a person's home and the
12 student may be delayed coming out, so not
13 to stop the traffic. They may sometimes
14 have it open, but they might wave people
15 through, to make sure they don't do
16 something like that.

17 MR. RICH: Yes. That's all part of
18 the roll out. The bus drivers will be
19 trained not to wave people by, but if
20 they do, they should close the stop arm
21 so that way at least a violation is not
22 captured.

23 LEGISLATOR FORD: Okay. Thank you
24 very much.

25 LEGISLATOR KOPEL: Not much of a

1
2 question, perhaps, just a note of caution
3 to inject into this. Those of us who
4 have been around a while may remember the
5 program where we had speed cameras near
6 the schools. The roll out was disastrous
7 and the program failed because of public
8 outrage, so I think we need to take extra
9 care in terms of the training of the
10 school bus drivers as well as the public
11 education and implementation of the
12 program to make sure that people don't
13 get tickets unfairly.

14 MR. RICH: Understood.

15 PRESIDING OFFICER NICOLELLO: Anyone
16 else?

17 Legislator Ferretti and Legislator
18 Walker.

19 LEGISLATOR FERRETTI: Good
20 afternoon, Mr. Rich.

21 MR. RICH: Good afternoon.

22 LEGISLATOR FERRETTI: The tickets
23 that will eventually result from a
24 violations of this school bus camera,
25 will they be subject to the same boot and

1
2 tow regulations as the outstanding red
3 light camera tickets?

4 MR. RICH: As I understand it, they
5 could be included in the Boot and Tow
6 Program, yes.

7 LEGISLATOR FERRETTI: You mean they
8 will be? What's the plan?

9 MR. RICH: Right now, they would be.
10 There is nothing in the ordinance that
11 prevents it. The are included because
12 it's considered a Photo Enforcement
13 Violation or a Notice of Liability.

14 LEGISLATOR FERRETTI: What's the
15 status of the Boot and Tow Program right
16 now; is it suspended right now or?

17 MR. RICH: It is still currently
18 suspended.

19 LEGISLATOR FERRETTI: Okay. Is
20 there gonna be any kind of warning to
21 violators that these ticket will be
22 subject to boot and tow if they are not
23 paid timely?

24 MR. RICH: The way we do it in our
25 own letters that TPVA sends out, we put

1
2 the warnings, so the additional includes
3 boot and tow, includes possibly a default
4 judgement. Then what happens is the case
5 is assigned to a collection vendor.
6 Again, it is more voluntary compliance
7 where in those warnings notice, it warns
8 of boot and tow, default judgement,
9 license suspension, registration
10 suspension. After that, if still no
11 response, then they are eligible for boot
12 and tow.

13 LEGISLATOR FERRETTI: Is the Traffic
14 Court open right now?

15 MR. RICH: Yes, it is.

16 LEGISLATOR FERRETTI: When did it
17 reopen?

18 MR. RICH: October 5th.

19 LEGISLATOR FERRETTI: Okay. I just
20 want to make sure the residents have the
21 proper notice that they're subject to
22 boot and tow, especially in light of the
23 fact that the court was closed for a
24 period of time and some people obviously
25 -- and, you know, this penalty for the

1
2 bus cameras is significantly higher than
3 the red light camera. Obviously, its
4 going to be, especially in these times,
5 difficult to pay right away, so it is a
6 concern I had with regard to the boot and
7 tow.

8 MR. RICH: We offer the folks
9 payment plans. As well, as I understand,
10 the boot and tow vendor now also offers a
11 payment arrangement as well. They will
12 have an opportunity for a payment
13 arrangement prior to being boot and towed
14 as well.

15 LEGISLATOR FERRETTI: Is there a
16 plan to restart the Boot and Tow Program;
17 is there a timeline?

18 MR. RICH: Not currently, no.

19 LEGISLATOR FERRETTI: Okay. Would
20 you be able to give us some advanced
21 notice as to when ever that is the case
22 when it is going to be restarted?

23 MR. RICH: Yes.

24 LEGISLATOR FERRETTI: Advanced in,
25 like, 30 days advanced?

1
2 MR. RICH: Yes. I mean, ideally,
3 once we bring our collection vendors
4 online, they will get first attempt and
5 then after that the Boot and Tow Program
6 would resume.

7 LEGISLATOR FERRETTI: Okay. Thank
8 you.

9 PRESIDING OFFICER NICOLELLO: Okay.
10 We have several legislators in line.

11 Legislator Walker, Legislator
12 Saloges, and then Legislator Gaylor.

13 LEGISLATOR WALKER: Thank you. I
14 have to say that this is something that I
15 look forward to once we work everything
16 out and our the school districts,
17 hopefully, will all come on board.

18 I have received many, many phone
19 calls from,my residents of people blowing
20 the stopped busses. It is a very, very
21 big concern to them. Often times there's
22 multiple children getting on a bus at a
23 bus stop and crossing the street in front
24 of the bus and then all of a sudden, a
25 car is flying by or whatever. Thank God

1
2 there hasn't been serious injuries in my
3 legislative district, but it doesn't say
4 that it couldn't happen.

5 I would hope that once school
6 districts do come on board that the
7 school districts provide the information
8 to their families and certainly the PTA.
9 Hopefully, I would be pushing for that in
10 my district, the PTA gets involved. It
11 isn't just these issues with the buses, I
12 have -- especially in front of my high
13 school and middle school -- parents
14 double and triple parked and kids are
15 cutting through. It's a very scarey
16 situation. Every year there is constant
17 calls about it. Obviously, they want us,
18 as Legislators, to fix everything; we
19 can't always fix everything, but I hope
20 this is one step moving forward that will
21 help to keep our children safe. That
22 really is a safety issue and that's what
23 we need to focus on, so thank you.

24 MR. RICH: Agreed.

25 LEGISLATOR SOLAGES: Thank you.

1
2 Thank you, Presiding Officer.

3 Quick question: Is there technology
4 that blocks out the face of the minor,
5 any minors to protect their privacy?
6 That's all, just a question.

7 MR. RICH: I'm not aware of that,
8 but I could check with the Vendor. I'm
9 not sure, but I will check with them.

10 LEGISLATOR SOLAGES: Thank you.

11 PRESIDING OFFICER NICOLELLO:
12 Legislator Gaylor?

13 LEGISLATOR GAYLOR: Thank you
14 Presiding Officer. Good afternoon, Mr.
15 Rich.

16 MR. RICH: Good afternoon.

17 LEGISLATOR GAYLOR: The violation --
18 first of all, is this truly a violation
19 of the VTL that someone would be charged
20 with for passing a school bus caught on
21 camera?

22 MR. RICH: Yes, it is; it is similar
23 to the red light camera.

24 LEGISLATOR GAYLOR: Are they issuing
25 a VTL 1172 on this case or --

1
2 MR. RICH: It is cited, but it will
3 be a Notice of Liability.

4 LEGISLATOR GAYLOR: So an 1172
5 carries a five point violation, we all
6 know you need 11 points before you lose
7 your license. Are there any points under
8 this program?

9 MR. RICH: No, there're not.

10 LEGISLATOR GAYLOR: Okay. Very
11 good.

12 This is a fine for a first offense
13 of \$250; does the fines escalate for
14 second and third offenses?

15 MR. RICH: Yes, they do.

16 LEGISLATOR GAYLOR: Okay. And the
17 probationary period or this 60 day period
18 was increased from 30 to 60 days, is my
19 understanding, to give additional
20 notifications to county residents or any
21 resident from any jurisdiction would get
22 a ticker, correct? You live out of
23 state, you can get a ticket.

24 MR. RICH: Yes, as long as you
25 commit the violation.

1
2 LEGISLATOR GAYLOR: Okay. So it
3 applies to everybody.

4 Do you know when Suffolk County
5 rolled this out when they had their
6 little probationary period, which I think
7 was 30 days, how many violations they
8 issued in that month?

9 MR. RICH: I saw the press
10 conference. I want to say it was above
11 20,000. I forgot the actual number.

12 LEGISLATOR GAYLOR: 20,000
13 violations for passing school buses?

14 MR. RICH: Warnings.

15 LEGISLATOR GAYLOR: Warnings. So
16 during the first 60 days, you're doing to
17 issue warnings. What if you get multiple
18 warnings during this 60 day, or do you
19 just get one and the second -- the second
20 violation during the warning period, is
21 that a ticket or is that another warning.

22 MR. RICH: No. It would still be --
23 anything that is issued or captured
24 within that 60 day period will still be a
25 warning, and it would be for each event

1
2 captured.

3 LEGISLATOR GAYLOR: So we could
4 reasonable expect like numbers, 10-20,000
5 violations a month for school bus
6 violations, correct.

7 MR. RICH: In the warnings, I would
8 say anything is possible, yes.

9 LEGISLATOR GAYLOR: Okay. Then you
10 see a lower number once this is fully
11 implemented -- each month.

12 MR. RICH: What we see in other
13 jurisdictions where they've done it
14 there's basically a 3% recidivist rate;
15 so less than 3% get a second violation.

16 LEGISLATOR GAYLOR: Okay. All
17 right. Is your agency staffed to handle
18 this increased workload, either court
19 reporters or judges or administrative
20 hearing officers or even just support
21 personnel, are they equipped to handle
22 the expected influx of tickets that the
23 County is now going to process?

24 MR. RICH: We will be. I spoke with
25 DCE Fox about it. We will make sure that

1
2 we will be.

3 LEGISLATOR GAYLOR: It's all good
4 then. You spoke to DCE Fox. Okay. I
5 got it. Thank you, Mr. Rich.

6 PRESIDING OFFICER NICOLELLO: Anyone
7 else?

8 (Whereupon, no verbal
9 response.)

10 PRESIDING OFFICER NICOLELLO: No.
11 Okay. Thank you.

12 MR. RICH: Thank you.

13 PRESIDING OFFICER NICOLELLO: Any
14 public comment? Come on up, Pearl.

15 MS. JACOBS: I applaud this
16 Resolution. I think it is past due.
17 Everyday, I see people run right past the
18 buses with the stop signs out. In fact,
19 last week I was stopped for a stopped bus
20 and the person in back of me, the idiot,
21 was honking me, okay. So I think -- what
22 is the fine, \$250? You should make it
23 \$1,000.

24 The school districts, they do have
25 the option to opt out of the program?

1
2 PRESIDING OFFICER NICOLELLO: They
3 would have to opt in.

4 MS. JACOBS: Oh, so they have to opt
5 in. So if they don't opt in, it is not
6 enforced in their school district,
7 correct?

8 PRESIDING OFFICER NICOLELLO:
9 Correct.

10 MS. JACOBS: Well, okay. I will
11 make sure Uniondale *will* opt in. Thank
12 you very much.

13 PRESIDING OFFICER NICOLELLO: Any
14 other public comments?

15 (Whereupon, no verbal
16 response.)

17 PRESIDING OFFICER NICOLELLO:
18 Hearing none, motion by Legislator Bynoe
19 to close the hearing, second by
20 Legislator Ford.

21 All in favor of closing the hearing,
22 signify by saying, "Aye".

23 (Whereupon, all members of
24 the Nassau County Legislative
25 Body respond in favor by

1
2 saying, "Aye".)

3 PRESIDING OFFICER NICOLELLO: Those
4 opposed?

5 (Whereupon, no verbal
6 response.)

7 PRESIDING OFFICER NICOLELLO: The
8 hearing is closed.

9 Now we go to Item #6, which is the
10 vote on this proposed Local Law to amend
11 Title 86 of the Miscellaneous Laws of
12 Nassau County as added by Local Law
13 19-2019 in relation to changing to 60
14 days the period that a written warning
15 will be issued in lieu of a Notice of
16 Liability following commencement of the
17 School Bus Photo Violation Demonstration
18 Program.

19 Motion by Legislator Ford, second by
20 Legislator Bynoe.

21 We need to amend this. The
22 amendment will clarify that the 60 day
23 warning period will apply to specific
24 school district after that school
25 district opts in.

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2 Motion to amend by Legislator
3 Ferretti, seconded by Legislator Ford.

4 Any discussion on the amendment?

5 (Whereupon, no verbal
6 response.)

7 PRESIDING OFFICER NICOLELLO:
8 Hearing none, all in favor of the
9 amendment, signify by saying, "Aye".

10 (Whereupon, all members of
11 the Nassau County Legislative
12 Body respond in favor by
13 saying, "Aye".)

14 PRESIDING OFFICER NICOLELLO: Those
15 opposed?

16 (Whereupon, no verbal
17 response.)

18 PRESIDING OFFICER NICOLELLO:
19 Carries unanimously.

20 Now as to the item as amended. Any
21 further debate or discussion?

22 (Whereupon, no verbal
23 response.)

24 PRESIDING OFFICER NICOLELLO:
25 Hearing none. All in favor, signify by

saying, "Aye".

(Whereupon, all members of
the Nassau County Legislative
Body respond in favor by
saying, "Aye".)

PRESIDING OFFICER NICOLELLO: Those
opposed?

(Whereupon, no verbal
response.)

PRESIDING OFFICER NICOLELLO:
Carries unanimously.

PRESIDING OFFICER NICOLELLO:

Now we are going to the Capital Plan Items.

Starting with Item #3, which is an ordinance to adopt the Capital Plan for the County of Nassau for the first year of the four-year capital plan to commence on January 1, 2021, pursuant to the provisions of Section 310 of the County Government Law of Nassau County.

Moved by Legislator Gaylor, seconded by Legislator Solages.

That's a motion to open the hearing, all in favor of opening the hearing, signify by saying, "Aye".

(Whereupon, all members of the Nassau County Legislative Body respond in favor by saying, "Aye".)

PRESIDING OFFICER NICOLELLO: Those opposed?

(Whereupon, no verbal response.)

PRESIDING OFFICER NICOLELLO:

Hearing is now open.

There is Ken Arnold.

COMMISSIONER ARNOLD: Good

afternoon, Presiding Officer. So Item 8 and Item 9 are associated with the Capital Budget and Four Year Capital Plan for 2021 and also 2020 which was just enacted on. The budget includes a total of \$242 million in General Capital and \$120 million in SSW Capital for a total of \$362 million. Thirty two percent or \$116 million is from non-County sources.

The 2021 plan includes 41 new projects. These projects, some are a roll over from 2020. These new projects are all further enhance traffic and safety projects, most notable being our Traffic Accident Prioritization Study, or as it's referred to in the Capital Plan as the Traffic Master Plan. It also includes various roads, repaving, streetscapes and park facility projects that's been added to address concerns

1
2 brought to the Administration.

3 Building condition continue to be a
4 focus and, as such, projects the police
5 academy, Five Towns Community
6 Center, Kellogg House and as mentioned
7 earlier, the expansion of the College
8 Hospitality Center.

9 Following, some new additions, like
10 EV charging stations, the body cameras,
11 which is part of the the 19th Amendment,
12 a new project that was proposed, and also
13 a Police Reform Act enhancement for
14 public areas project is also included.

15 I'm available to answer any
16 questions.

17 LEGISLATOR KOPEL: Good afternoon,
18 Ken.

19 On that Five Towns Community Center,
20 do you know off hand what that item is
21 and what we are doing there, what you're
22 planning.

23 COMMISSIONER ARNOLD: The Five Town
24 Community Center, currently we have a
25 project where we are working with GOSAR

1
2 for an emergency generator and also the
3 HVAC system for the building.

4 Additionally, the roof needs to be
5 done and we also need to look at the
6 building and see what other additions the
7 building needs for it's life services to
8 keep an adequate structure for the
9 current use.

10 LEGISLATOR KOPEL: Okay. I got it.

11 PRESIDING OFFICER NICOLELLO: Any
12 other questions?

13 Legislator Drucker?

14 LEGISLATOR DRUCKER: Thank you very
15 much, Presiding Officer.

16 I totally support this Bill, the
17 budget, but looking through the back up
18 that is presented to us, we noticed that
19 there are a number of projects for road
20 repair, Ken, in all of our districts.
21 One of the things I noticed that's in the
22 budget, is the half million dollars to
23 remove and replace curbs and sidewalks.
24 I know I speak to you about repairing
25 sidewalks a lot, and as a result, I'm

1
2 compelled to renew my appeal to the
3 majority to assign my Sidewalk Repair
4 Bill to a committee so it can be
5 advanced. It was filed a long time ago
6 and without that Bill, people in Nassau
7 County are being unfairly forced to
8 repair sidewalks on county roads that
9 have absolutely no connection to their
10 individual properties. Their back of
11 their house may be on a county road and
12 they may never use that sidewalk, but
13 they are required to repair it.

14 The result is that these sidewalks
15 all over the county are not being fixed
16 and they remain in a dangerous and
17 defective condition. And really is
18 something that helps. Every tax payer on
19 Long Island has a house on a county road
20 and I would like to see that Bill
21 advanced.

22 Again, thank you, Presiding Officer,
23 for allowing me the opportunity to say
24 that.

25 PRESIDING OFFICER NICOLELLO: Okay.

1
2 Thank you. Anyone else?

3 (Whereupon, no verbal
4 response.)

5 PRESIDING OFFICER NICOLELLO:
6 Hearing none, is there any public comment
7 on this hearing?

8 (Whereupon, no verbal
9 response.)

10 PRESIDING OFFICER NICOLELLO: Again,
11 hearing none.

12 Motion by Legislator Birnbaum,
13 seconded by Legislator Lafazan to close
14 the hearing. All in favor of closing the
15 hearing, signify by saying, "Aye".

16 (Whereupon, all members of
17 the Nassau County Legislative
18 Body respond in favor by
19 saying, "Aye".)

20 PRESIDING OFFICER NICOLELLO: Those
21 opposed?

22 (Whereupon, no verbal
23 response.)

24
25 PRESIDING OFFICER NICOLELLO:

1
2 Hearing is closed.

3 Now we move onto the Ordinances and
4 Resolutions to raise the Capital Plan.

5 Item #8, Ordinance 126, to adopt the
6 Capital Budget for the County of Nassau
7 for the first first year of the four year
8 plan to commence on January 1, 2021,
9 pursuant to the provisions of Section 310
10 of the County Government Law of Nassau
11 County.

12 Motion by Legislator Gaylor,
13 seconded by Legislator Deriggi-Whitton to
14 adopt that.

15 There were amendments which will
16 have to be in the form of an amendment in
17 the nature of a substitution which will
18 provide as follows:

19 Increases to funding for various
20 projects including various facilities;
21 Electric vehicle charging stations;

22 County building roof renovations;

23 Polaris Field upgrade;

24 Park furnishings;

25 County pool improvements;.

Traffic Signal improvements; and
A NICE bus grant;

Also adds projects for the Joysetta
and and Julius Pearse African American
Museum, as well as police reform-related
projects; and

Fire Service Academy Master Plan.

We need a motion to amend by
Legislator DeRiggi-Whitton, seconded by
Legislator Gaylor.

Any debate and discussion on the
amendment?

(Whereupon, no verbal
response.)

PRESIDING OFFICER NICOLELLO:
Hearing none, all in favor of the
amendment, signify by saying, "Aye".

(Whereupon, all members of
the Nassau County Legislative
Body respond in favor by
saying, "Aye".)

PRESIDING OFFICER NICOLELLO: Those
opposed?

(Whereupon, no verbal

response.)

PRESIDING OFFICER NICOLELLO: Passes
unanimously.

Now as to the item as amended, any
further debate or discussion?

(Whereupon, no verbal
response.)

PRESIDING OFFICER NICOLELLO: Any
public comment?

(Whereupon, no verbal
response.)

PRESIDING OFFICER NICOLELLO: All in
favor, signify by saying, "Aye".

(Whereupon, all members of
the Nassau County Legislative
Body respond in favor by
saying, "Aye".)

PRESIDING OFFICER NICOLELLO: Those
opposed?

(Whereupon, no verbal
response.)

PRESIDING OFFICER NICOLELLO: The
Ordinance 126 passes unanimously as
amended.

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2 We have to do the same thing with
3 respect to Resolution 168.

4 Resolution to adopt four year
5 Capital Plan for the County of Nassau to
6 commence on January 2021, pursuant to the
7 provisions of Section 310 of the County
8 Government Law of Nassau County.

9 Moved by Legislator DeRiggi-
10 Whitton, seconded by Legislator Gaylor.

11 There are amendments that have to be
12 made. The amendment is made by
13 Legislator Gaylor, seconded by Legislator
14 DeRiggi-Whitton.

15 Any debate or discussion on the
16 amendment?

17 (Whereupon, no response.)

18 PRESIDING OFFICER NICOLELLO: All in
19 favor of the amendment, signify by
20 saying, "Aye".

21 (Whereupon, all members of
22 the Nassau County Legislative
23 Body respond in favor by
24 saying, "Aye".)

25 PRESIDING OFFICER NICOLELLO: Those

1
2 opposed?

3 (Whereupon, no verbal
4 response.)

5 PRESIDING OFFICER NICOLELLO: Item
6 is amended.

7 As to the item amended, all in,
8 signify by saying, "Aye".

9 (Whereupon, all members of
10 the Nassau County Legislative
11 Body respond in favor by
12 saying, "Aye".)

13 PRESIDING OFFICER NICOLELLO: Those
14 opposed?

15 (Whereupon, no verbal
16 response.)

17 PRESIDING OFFICER NICOLELLO:
18 Resolution 168 passes unanimously.

19 PRESIDING OFFICER NICOLELLO: Then
20 we go to resolution of Ordinance 51,
21 which is item 11 on the calendar.

22 A Bond Ordinance providing for a
23 Capital Expenditure to finance the
24 capital projects identified herein within
25 the County Nassau and authorizing

1
2 \$284,976,622 of bonds of the County of
3 Nassau to finance such expenditure
4 pursuant to the Local Finance Law of New
5 York.

6 Moved by Legislator Kopel, seconded
7 by Minority Leader Abrahams. Any further
8 discussion on this item?

9 (Whereupon, no verbal
10 response.)

11 PRESIDING OFFICER NICOLELLO:
12 Hearing none, all in favor, signify by
13 saying, "Aye".

14 (Whereupon, all members of
15 the Nassau County Legislative
16 Body respond in favor by
17 saying, "Aye".)

18 PRESIDING OFFICER NICOLELLO: Those
19 opposed?

20 (Whereupon, no verbal
21 response.)

22 PRESIDING OFFICER NICOLELLO:
23 Carries unanimously.

24 *****
25

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2 PRESIDING OFFICER NICOLELLO: Move
3 to Item 23, Ordinance 63. An Ordinance
4 supplemental to the annual appropriation
5 ordinance in connection with the Office
6 of Management and Budget.

7 That is moved by Legislator Ford,
8 seconded by Legislator Bynoe, which puts
9 that before us. This is the American
10 Rescue Plan item. I know there are some
11 questions, do we have anyone from the
12 Administration?

13 DEPUTY COUNTY EXECUTIVE TSIMIS: Good
14 afternoon, Presiding Officer, Minority
15 Leader. Do you mind if I make a few very
16 brief remarks?

17 PRESIDING OFFICER NICOLELLO: No.

18 DEPUTY COUNTY EXECUTIVE TSIMIS:
19 Okay. Just to present it.

20 I'm Evelyn Tsimis, Deputy County
21 Executive for Economic Development. It
22 is my pleasure to be back with you today
23 following last week's public hearing. We
24 appreciated the public hearing and the
25 opportunity to present the County

1
2 Executive's Economic Recovery and
3 Community Reinvestment Package, which
4 would direct \$62.9 million dollars of ARP
5 funding to much needed assistance for
6 small businesses, non-profits, to develop
7 our workforce, revitalize our downtowns
8 and support our residents including our
9 seniors, veterans, youth and more. We
10 thank you for the discussion and the
11 suggestions.

12 As we stated, we consider this an
13 innovative process given the significant
14 funds still available in the first
15 payment still to come from Washington.

16 Last week our team outlined in
17 detail, the Administration's approach,
18 both in terms of the dollars we are
19 allocating, as well as the processes we
20 are putting in place for distribution of
21 this important funding.

22 To review, the categories of funding
23 in the \$62.9 million are as follows:

24 Just under \$18 million for health
25 and human services. These funds will be

1
2 directed to the County's non-profit
3 partners who are positioned to assist our
4 residents, many of whom are still
5 struggling with much needed support. We
6 also provide an opportunity for new
7 partners to apply. The funding is much
8 needed and the non-profit partners are
9 poised and ready to get to work;

10 We also outlined a \$32.5 million
11 Economic Development Program. This
12 includes \$20 million for small business
13 grants and loans. Building upon our
14 successful Restaurant Recovery Grant and
15 Boost Nassau Loan Programs;

16 Also included in our proposal is to
17 provide technical assistance to
18 businesses, ensure outreach to our MWBE,
19 boost local tourism, and infuse funds to
20 important workforce development
21 initiatives to promote apprenticeship
22 programs for skilled workers and
23 partnerships with local colleges for
24 training and upscaling our workforce;

25 We also outlined a proposal for a \$9

1
2 million investment in sewer and water
3 infrastructure including a \$3 million
4 Septic Replacement Program and funds for
5 a Multi-year Ground Water Conservation
6 Program;

7 Finally, we've included funds to
8 support our school districts and
9 additional resources for consulting
10 assistance essential to our managing of
11 this funding.

12 We will continue to build out our
13 administrative processes through a
14 universal portal for applications and
15 tracking of funds as well as our Boost
16 Nassau Resource Center and other
17 procedures to ensure the funds are
18 distributed fairly and following the
19 evolving federal guidance.

20 We look forward to your support in
21 promoting our Boost Nassau online portal,
22 a one stop shop for figuring out
23 eligibility and applying for Federal,
24 State, and County aide programs; those
25 already available and those coming online

1
2 as we build out our programs. I
3 appreciate some of the suggestions at
4 last weeks hearing that were made on many
5 of these topics.

6 We also expect to take the resource
7 program on the road, as our Office of
8 Minority Affairs and Asian Affairs and
9 Hispanic Affairs have done in the past,
10 to our county libraries and other places
11 where the communities are, understanding
12 the concern that not everyone can get to
13 Eisenhower Park and do so conveniently.

14 I think we all agree it has been a
15 long road to recovery, but Nassau County
16 is poised to come back from the COVID-19
17 pandemic stronger than ever. We urge you
18 to take this next step in directing
19 important Federal Assistance, by
20 approving the Administration's plan.

21 Thank you, We're happy to take some
22 questions.

23 PRESIDING OFFICER NICOLELLO: Thank
24 you, Evelyn.

25 Legislator Kopel?

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LEGISLATOR KOPEL: Thank you.

As you recall, Ms. Tsimis, last meeting during Committees, we had quite a few questions.

DEPUTY COUNTY EXECUTIVE TSIMIS:
Yes.

LEGISLATOR KOPEL: You, the collective you, promised some responses. I'm not aware of any responses. I can go through them, if you'd like.

DEPUTY COUNTY EXECUTIVE TSIMIS:
Sure. We can go through them. I don't know if any effort was made to provide them.

LEGISLATOR KOPEL: Not so far as I know.

DEPUTY COUNTY EXECUTIVE TSIMIS: I can give off a couple that I think came up in my presentation on Economic Development, if you'd like me to do that.

LEGISLATOR KOPEL: Sure. Why don't you go over that first.

DEPUTY COUNTY EXECUTIVE TSIMIS: I can start with that.

1
2 I think there was some questions
3 raised by Legislators Rhoads and Ferretti
4 and perhaps others, about the number of
5 grants we had distributed through our
6 Restaurant Recovery Grant Program. The
7 total number was 289, I think the
8 question was it 250 or 275, that number
9 has been changing. The final number was
10 287, I believe. That includes all of the
11 funding we allocated from the CDBG-CV
12 funds, so it was just it was just over \$2
13 million. The grant actually had been for
14 a little under 2.2, but some went for
15 administrative cost to National
16 Development Counsel that ran the program
17 for us, which turns out to be 1 in 5 of
18 the full service restaurants in Nassau
19 County. So we are pretty pleased with
20 that number. Do we think we can do more?
21 Absolutely. Are we excited about the
22 Small Business Grant Program? Yes. Just
23 to clarify so everyone understands, that
24 program is open right now, you can get an
25 application. We are funding it with the

1
2 \$800,000 that was remaining CDBG-CV
3 account. As of right now, people can
4 download those applications. I think we
5 have about \$300,000 worth of grants in
6 the pipeline already.

7 I'd also, while I'm at it, like to
8 address the concerns raised by Mr. Ian
9 (sic) Sayles earlier today who spoke
10 about the delays he felt he faced at the
11 beginning of the Restaurant Grant
12 Program. He applied in November, I
13 believe, and his grant was in his hands
14 by February. It is was late November,
15 because we did this right after
16 Thanksgiving; it was almost December. We
17 don't think three months is terrible.
18 Obviously, when we kicked it off, there
19 were actually some serious concerns with
20 the Zoom Grant portal. The vendor
21 subsequently switched to a different
22 portal, it's called the SM Apply and it's
23 part of Survey Monkey. I think they were
24 surprised by the volume of what came in
25 those first few days and weeks, but

1
2 within a few weeks, we adjusted that. I
3 think Mr. Sayles was probably caught up
4 in being one of the first applicants and
5 then it took his grant a little longer
6 than some of the others. Once we got the
7 process moving, they moved much quicker.
8 I just want to state that. Should we go
9 forward with the same vendor with the \$10
10 million allocation, if you're kind enough
11 to approve that today, we will look to
12 have things continue to move quickly, as
13 they have been lately.

14 Other questions I think I was asked
15 specifically about are the benefits of
16 loan versus grants. I think we just want
17 to state that, once again, we agree, we'd
18 love to do more in grants. There's still
19 money that can be allocated by the
20 Legislature with the County Executive
21 over the next few weeks, and hopefully
22 the Economic Advisory Council will
23 continue to discuss the business
24 assistance.

25 In terms of the loans, we have heard

1
2 from a number of businesses that, for
3 their long term survival and doing a lot
4 better, they could use larger amounts
5 than we would be able to do in the form
6 of a grant. The loan fund allows you to
7 do up to \$200,000 per grantee based on
8 their plans, how hard hit they were and
9 what their plans are for the future. We
10 do think the balance of grants and loans
11 is one that we'd like to continue to
12 make. Again, some of it is short term
13 and survival, and the rest of is sort of
14 showing what they can do if we invest in
15 them more over time.

16 I'm trying to think what other
17 questions were directed my way. I'm
18 happy to take them on.

19 LEGISLATOR KOPEL: All right. My
20 turn?

21 DEPUTY COUNTY EXECUTIVE TSIMIS:
22 Yup. Absolutely. Those were just the
23 two that popped in my head.

24 LEGISLATOR KOPEL: That's great and
25 I know those were definitely asked.

1
2 Well, let's start out with one of
3 the big ones. The \$375,100,000
4 intension; is that still there? When we
5 last spoke, you were going to get
6 guidance as to the permissibility of it
7 and if you intended go ahead; do you have
8 update on that?

9 DEPUTY COUNTY EXECUTIVE TSIMIS: I
10 do. As indicated last week, the
11 Administration had very productive
12 discussions with Senate Majority Leader
13 Schumer's Office, as well as with the US
14 Treasury. The Senator strongly supports
15 the concept of direct cash payments and
16 we know that direct cash payments are
17 clearly allowed. I don't want there to be
18 worry about that.

19 As you know, we are looking to
20 maximize the scope of the eligible
21 universe of recipients. The
22 Administration expects to file a specific
23 plan on that soon, and we will include
24 with that an opinion of counsel to
25 justify the expense, as you had

1
2 requested.

3 I don't have anything more to say on
4 that today, but that is where we are --

5 LEGISLATOR KOPEL: Okay. So if you
6 expect that that would be allowable, then
7 we can go further on that eventually.

8 DEPUTY COUNTY EXECUTIVE TSIMIS:
9 Cash payments are clearly allowed.

10 LEGISLATOR KOPEL: What about, one
11 of the questions I had asked at the time
12 was about the the allowability of using
13 funds to, perhaps, pay off, finally, some
14 of the claims for business owners that
15 have been hard hit, since that would
16 serve a dual purpose, it would certainly
17 strengthen a lot of the businesses that
18 desperately need the money now, as well
19 as defray some of the continuing interest
20 costs and lower the amount owed by the
21 County for these items. Is that
22 allowable; did you find that out?

23 DEPUTY COUNTY EXECUTIVE TSIMIS:
24 Yeah. I believe that Conal Denion from
25 the County Attorney's Office has been

1
2 looking into that item. He is on by
3 phone. My understanding was we couldn't
4 do something that would be considered tax
5 relief.

6 LEGISLATOR KOPEL: It's not tax
7 relief at all.

8 DEPUTY COUNTY EXECUTIVE TSIMIS:
9 Right. You're talking about something
10 else, so I don't know if there's a
11 response yet. I think Conal is available
12 by phone.

13 MR. DENION: I am available to
14 comment. It's Conal Denion from the
15 County Attorney's Office, Evelyn.

16 Legislator, the question is still
17 under review in the County Attorney's
18 Office and I will remind the County
19 Attorney of your interest and that you
20 asked the question again, but it is being
21 looked at the County Attorney's.

22 LEGISLATOR KOPEL: Okay. Thank you,
23 Conal.

24 Now, within spending categories, one
25 of the questions was whether the

1
2 Legislature would have input as to
3 specific grants. In other words, just to
4 give you an example, one of the examples
5 that I specifically mentioned last time
6 was within the youth programs. I
7 mentioned a group that has been very
8 active here in my district and, actually,
9 indeed beyond my district. They're not
10 one of the established programs.

11 DEPUTY COUNTY EXECUTIVE TSIMIS:

12 Right.

13 LEGISLATOR KOPEL: Are those other
14 people going to be considered, and do we
15 here in the Legislature get a say in
16 that?

17 Going further, other such questions
18 within the same general category: School
19 districts, I know it is intended to give
20 certain school districts. Do we have a
21 say as to which school districts and the
22 distribution? What about private
23 schools, what about charter schools, what
24 about the religious schools?

25 DEPUTY COUNTY EXECUTIVE TSIMIS: On

1
2 the question of the process we are going
3 to follow and the Legislative
4 involvement, our plan is process the
5 grants as quickly as we possibly can. We
6 are in the process of developing
7 guidelines for the eligible activities
8 and you wouldn't have to be a current
9 county vendor in order to be eligible.
10 So it what would be posted on the
11 County's Boost Nassau portal, it would be
12 an application, it would lay out the
13 criteria and then it would be treated as
14 a grant through that portal.

15 LEGISLATOR KOPEL: Who decides?

16 DEPUTY COUNTY EXECUTIVE TSIMIS: Our
17 consulting team and the County's team are
18 putting together the guidelines and the
19 criteria right now. That hasn't been
20 finalized.

21 LEGISLATOR KOPEL: Is it then your
22 response that the Legislature would not
23 have a role?

24 DEPUTY COUNTY EXECUTIVE TSIMIS: No.
25 My response is that we are finalizing the

1
2 guidelines and the criterial for the
3 grant portal and the application process.
4 We're not looking to upset the apple cart
5 of the items that are already approved by
6 the Legislature, versus items that may be
7 grants and don't require that. So I'm
8 not an expert in that realm, I just know
9 that we are developing that procedure
10 right now. We will be looking for
11 guidance. I think, if you recall, maybe
12 this was before I was here, but there had
13 been examples of the County receiving
14 emergency-related funding, such as the
15 CARES ACT and during Sandy. From what I
16 understand, in those prior, almost
17 similar, emergencies situations, we were
18 able to move funds quickly through an
19 application process. We are looking to
20 learn from those previous and hopefully
21 do better and move things even quicker
22 this time around, because we did hear
23 some concerns about how long that took.

24 Similarly with the our Septic
25 Program. As you know, there is an

1
2 existing program that is already
3 available for State funding for septic
4 replacement. Once the Legislature,
5 hopefully, approves the new funding from
6 ARP, we would use that as a model. The
7 guidelines are already in place, the
8 criteria for what you have to do in order
9 to secure the funding from ARP would be
10 available and our residents would be able
11 to apply.

12 LEGISLATOR KOPEL: Right.

13 Another one of the questions --

14 DEPUTY COUNTY EXECUTIVE TSIMIS: On
15 last --

16 LEGISLATOR KOPEL: Go ahead. Sorry.

17 DEPUTY COUNTY EXECUTIVE TSIMIS: One
18 last point is we also, obviously, have
19 the Legislators participating in the
20 Economic Advisory Council. Legislators
21 McKevitt and DeRiggi-Whitton, and we
22 could possibly, once we have this scoped
23 out a little bit more in terms of the
24 guidelines, we'd be happy to share it and
25 have those discussions.

1
2 LEGISLATOR KOPEL: The other
3 question I had was whether some of these
4 funds could not be used to displace some
5 County borrowing in terms of, for
6 instance, various capital projects in the
7 allowable categories. We spend an awful
8 lot of money every year, perhaps. This,
9 again, would be a financial benefit to
10 the County. The County is drowning in
11 debt.

12 DEPUTY COUNTY EXECUTIVE TSIMIS: So
13 think --

14 LEGISLATOR KOPEL: Perhaps we could
15 avoid some.

16 DEPUTY COUNTY EXECUTIVE TSIMIS: I
17 apologize, Legislator.

18 LEGISLATOR KOPEL: Go on, please.

19 DEPUTY COUNTY EXECUTIVE TSIMIS:
20 Yeah, I think there are two points on
21 that. One is we get see the specifics of
22 the infrastructure package coming down
23 from Washington. Also, the second piece
24 would be that we also have additional
25 funds here. I'm not precluding that, I

1
2 just think it's not in this particular
3 \$62.9 million phase. There will be
4 future phases with addition items and
5 additional support. If you have specifics
6 you'd like us to consider, we are
7 extremely interested in receiving those.

8 LEGISLATOR KOPEL: All right. I will
9 just conclude with a comment. That is
10 with respect to these particular items,
11 there are a lot of unanswered questions
12 and I don't particularly think we are
13 ready to vote, but, again I'm speaking
14 for myself. That's just my opinion. I'd
15 like to get some answers before go ahead
16 and vote, because at this point to some
17 extent, it would be kind of a blank
18 check.

19 PRESIDING OFFICER NICOLELLO:
20 Legislator Ferretti?

21 LEGISLATOR FERRETTI: Good
22 afternoon, Ms. Tsimis, how are you?

23 DEPUTY COUNTY EXECUTIVE TSIMIS: I'm
24 fine, Legislator. How are you?

25 LEGISLATOR FERRETTI: I'm doing

1
2 well, thank you.

3 The \$20 million for the Boost Nassau
4 Program that would be \$10 million equally
5 for the loan and for the grants, right?

6 DEPUTY COUNTY EXECUTIVE TSIMIS:

7 Yup.

8 LEGISLATOR FERRETTI: Would eligible
9 businesses be able to apply for both?

10 DEPUTY COUNTY EXECUTIVE TSIMIS:

11 Yes.

12 LEGISLATOR FERRETTI: So you can get
13 a grant and still apply for the loan?

14 DEPUTY COUNTY EXECUTIVE TSIMIS: You
15 you also apply -- our Boost Nassau Team
16 is helping them apply for the State
17 grant, which is a significant program as
18 well, \$800 million. Regina Williams from
19 the Boost Nassau team is here and we've
20 been really making an effort when we
21 speak to the residents and business
22 owners to encourage them to apply to the
23 County's program, which, again, we
24 haven't pushed out as much as we would
25 like, because we're holding, waiting for

1
2 the \$10 million to be allocated. We have
3 some money in the account, but we are
4 very anxious to get started and work with
5 all of you, once we have the allocation
6 of the \$10 million, but we are
7 encouraging businesses to do both -- all
8 three, in theory.

9 LEGISLATOR FERRETTI: Thank you.

10 Now, the 2.5 for the schools, when
11 we spoke last Monday, I had some
12 questions about the eligibility for that,
13 which school districts would be eligible,
14 what the requirements would be, how that
15 was going to be distributed. Do you have
16 any further clarification on that issue?

17 DEPUTY COUNTY EXECUTIVE TSIMIS: I
18 do not and I don't know if anyone else
19 from the Administration has an answer on
20 school districts. That's one piece I did
21 not work on, I apologize. I will see if
22 I can get you something before we wrap
23 today. You are looking for whether the
24 charter schools are eligible --

25 LEGISLATOR FERRETTI: That, also

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2 even the public school systems; how is it
3 going to be divided? What are the
4 eligibility requirements? Similar to
5 what Deputy Presiding Officer Kopel was
6 saying. Just asking for 2.5 however --

7 DEPUTY COUNTY EXECUTIVE TSIMIS:

8 Someone can correct me here, Andy or
9 someone, but I believe there is separate
10 funding directly going to the school
11 districts and this pot is to provide them
12 with assistance; is that correct?

13 MR. PERSICH: Good afternoon, Andy
14 Persich, Office of Management and Budget.

15 I believe the intent and purpose is
16 to help some of the school districts that
17 had broadband capability issues with
18 at-home school learning. We haven't
19 developed a plan as far as who the
20 recipients will be and what the need will
21 be, but I would imagine it would be based
22 on need, because school districts did
23 receive an exorbitant amount of money in
24 addition to relief from the Federal
25 Government, so I think we are just trying

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2 to expand based on the guidelines that we
3 have, that certain districts need a
4 little bit more boost or broadband boost,
5 for lack of a better thing, to get them
6 up and running for occasions that just
7 occurred.

8 LEGISLATOR FERRETTI: I understand
9 your response and I appreciate some
10 direction in terms of where you're
11 looking to go with that funding. I just
12 don't really know exactly what that
13 means. I don't know which districts had
14 broadband issues. I guess some further
15 clarification, if you can get that. Are
16 you aware of any districts that had
17 broadband issues?

18 MR. PERSICH: Legislator, me
19 personally, no; but I did hear that some
20 of the districts did have some issues
21 with getting online capabilities for the
22 student learnings. Whether they were
23 charter schools or public schools, I
24 don't know the answer to that, but I
25 think there were some issues.

1
2 DEPUTY COUNTY EXECUTIVE TSIMIS: I
3 will add, again, this is a marker. One
4 that we think is ready to fund and ready
5 to go. We also understand that as
6 legislators, you may have more visibility
7 into some of those things than we do. We
8 would urge you to get in touch our office
9 and we'll happily talk to you as we try
10 to sort out the details of making this
11 funding available to the school districts
12 that need it most.

13 The guidelines, as I mentioned, for
14 some of these programs are still in the
15 works. But we feel confident that those
16 together. Frankly, the discussion at
17 these meetings has been helpful to us.

18 LEGISLATOR FERRETTI: Yeah, I'm just
19 trying to wrap my head around it.

20 DEPUTY COUNTY EXECUTIVE TSIMIS:
21 It's a new process for everyone.

22 LEGISLATOR FERRETTI: Yep. I'm sure
23 every public school district had to make
24 some changes to the way they spent their
25 money over the year. I know the

1
2 districts in my legislative district,
3 they bought little chrome books for every
4 student. They were a hundred and
5 something dollars a student times however
6 many students. Who ultimately pays for
7 that? It's the tax payers, right? You
8 get the school budget and it goes up for
9 that amount. Every district really had
10 unexpected expenses last year and I'm
11 sure each district would have a list of
12 things they weren't predicting they had
13 to pay for and I just don't know how you
14 quantify how you're going to be
15 distributing this money. Just would like
16 a little bit more detail.

17 With regard to a question that
18 Deputy Presiding Officer Kopel asked you
19 of the \$100 million, the 375 payments, I
20 heard your response and I appreciate
21 that. But last Monday when we had our
22 hearing, we really had pretty targeted
23 questions and it was my understanding was
24 that the Administration was going to meet
25 with the Treasury Department, not just to

1
2 discuss whether direct cash payments can
3 be made to residents, I think that's a
4 foregone conclusion last Monday. I think
5 that the question that we took away, or
6 at least I took away, that you were going
7 to be presenting to the Treasury
8 Department is whether the County
9 Executive's proposal, which specifically
10 was going to sent direct \$375 cash
11 payments to 300,000 Nassau County
12 households that were eligible for STAR
13 and have STAR; was that question posed to
14 the Treasury Department in your meeting
15 late last week?

16 DEPUTY COUNTY EXECUTIVE TSIMIS: I
17 understand there were discussions
18 concerning both the direct cash payment
19 itself, as well as the universe of
20 eligible recipients. I know we are still
21 looking into that. I don't have anything
22 more to add on that point.

23 LEGISLATOR FERRETTI: Well, that's
24 tough for me to swallow, because that's
25 exactly what we spent hours discussing

1
2 last Monday and that's exactly what what
3 you indicated that the Administration was
4 going to discuss with the Treasury
5 Department late last week, so. That
6 wasn't brought up at the meeting? That
7 wasn't --

8 DEPUTY COUNTY EXECUTIVE TSIMIS: I
9 don't have anything more to say. We are
10 going to go through the same thing we
11 went through last week on this. For
12 better or for worse, the Administration's
13 position is that we are working on it and
14 we plan to file plan with the Legislature
15 soon to carry out what the County
16 Executive has announced and we are still
17 in discussions with the US Treasury
18 Department and internal. We intend to
19 provide an opinion of counsel at the
20 time. We intend to get you a plan as
21 soon as we can, but I don't really have
22 anything more to say today.

23 LEGISLATOR FERRETTI: You don't see
24 how one is related to the other; in other
25 words, that \$100 million allocation, you

1
2 want us to vote on \$63 million right now,
3 but you're contemplating \$100 million for
4 this 375. Our vote on the \$63 million
5 could change depending on how the \$100
6 million goes. I guess, you kind of
7 indicated you were gonna have answers for
8 us today after speaking to the Treasury
9 Department late last week. That doesn't
10 sound like you do.

11 DEPUTY COUNTY EXECUTIVE TSIMIS: I
12 don't have anything more to say. We will
13 file a plan.

14 We do think you can move on the
15 \$62.9 million of necessary relief for
16 businesses for our partner organizations
17 who are very interested. Some came and
18 spoke to you last week. Anyone who has
19 been on our Economic Advisory Counsel, we
20 have youth organizations, folks who help
21 folks with mental health issues. There's
22 really no reason to hold back this
23 proposal due to the continued work that
24 is going into the other one and getting
25 it right.

1
2 Obviously, our team feels strongly
3 that these programs are fundable, that we
4 are going to develop finalizing some of
5 the guidelines to push the money out
6 fairly and transparently. We've moved
7 pretty quickly to get a universal portal
8 up and we're adding to it everyday with
9 new opportunities. We just encourage you
10 to move this piece and we will continue
11 to talk about the other one.

12 LEGISLATOR FERRETTI: Back in May,
13 when plan was proposed for the direct
14 cash payments for \$375, the County
15 Executive stated she was planning on also
16 using the sales tax revenue that came in
17 at excess of what was predicted, in the
18 event that that was necessary to get
19 these direct cash payments out. Is that
20 still the plan of the Administration in
21 the event that the original plan of using
22 the Federal money for that purpose is not
23 permissible?

24 DEPUTY COUNTY EXECUTIVE TSIMIS: I
25 have no comment on that. I honestly

1
2 don't know.

3 LEGISLATOR FERRETTI: Does anyone
4 from the Administration know?

5 DEPUTY COUNTY EXECUTIVE TSIMIS: I
6 think it's probably best if we stick with
7 that we will file a plan soon and we
8 don't have any more comments on this item
9 at today's meeting.

10 LEGISLATOR FERRETTI: Okay. Thank
11 you.

12 DEPUTY COUNTY EXECUTIVE TSIMIS:
13 Thank you.

14 PRESIDING OFFICER NICOLELLO:
15 Legislator Schaefer?

16 LEGISLATOR SCHAEFER: Good
17 afternoon. How are you?

18 DEPUTY COUNTY EXECUTIVE TSIMIS:
19 Good afternoon.

20 Okay. I have a question about the
21 Small Business Grant Program.

22 DEPUTY COUNTY EXECUTIVE TSIMIS:
23 Sure.

24 LEGISLATOR SCHAEFER: I see it is
25 \$10,000 per eligible business.

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DEPUTY COUNTY EXECUTIVE TSIMIS:

Yes, uh-hmm.

LEGISLATOR SCHAEFER: Is that max
that they can get or is that what they
will get regardless of --

DEPUTY COUNTY EXECUTIVE TSIMIS:

That's what they will get. We initially
decided -- the restaurant grant we had
two levels of funding. It was if you had
10 or under employees, you got \$5,000 and
50 or under received \$10,000. We just
decided for simplicity many of the
smaller business -- actually, the
restaurants, we know they could have used
it. We may, if we end up with enough
funding, go back to some of those folks,
but for right now, we are going with the
\$10,000. We think it is very helpful and
it just simplifies things as well.

LEGISLATOR SCHAEFER: Okay. Is that
open for applications now?

DEPUTY COUNTY EXECUTIVE TSIMIS: It
is. There's just what's left in the
funds from the funds from the CDBG CARES

1
2 Act special allocation through Kevin
3 Crean's office. That could run out
4 within the next month or so if we don't
5 have additional funding from the
6 Legislature.

7 LEGISLATOR SCHAEFER: Okay.

8 Then I wanted to ask you about the
9 Tourism Program. The \$500,000 is going
10 to support a marketing promotional
11 campaign for Nassau County. Can you tell
12 me how much do we spent on marketing
13 promotional campaigning now?

14 DEPUTY COUNTY EXECUTIVE TSIMIS: The
15 County right now allocates -- the Parks
16 Department actually oversees this
17 contract, even though I consider tourism
18 economic development, I actually don't
19 live and breathe that contract -- but I
20 believe it's \$1 million of hotel/motel
21 taxes that's generated and goes to
22 Discover Long Island. I think that is
23 about a third of their budget. We've
24 felt that a half million -- even though
25 we got a lot of proposals and ideas from

1
2 Stu Richner (phonetic), from *The Herald*
3 papers, some of the members of the
4 Economic Advisory Council, lot of folks
5 talking about how to sort of boost
6 Nassau's visitor profile, including
7 something they announced last week up in
8 Port Washington, Legislator
9 DeRiggi-Whitton was up there talking
10 about the Downtown Deals Promotion -- but
11 we thought half, again, the budget, was a
12 good amount to do this, even though we
13 know New York City is spending 30 times
14 that on their tourism, that given our
15 investment of a million, that half a
16 million could be well spent in a good
17 amount of time. We would focus on our
18 downtown attractions, our downtowns, our
19 beaches, very Nassau County specific. As
20 opposed to the larger Discover Long
21 Island effort, which is discover Long
22 Island and more regional, this would be
23 just Nassau.

24 LEGISLATOR SCHAEFER: Okay. So this
25 \$500,000 would be in addition to the

1
2 million.

3 DEPUTY COUNTY EXECUTIVE TSIMIS: Yes.

4 LEGISLATOR SCHAEFER: And that's a
5 million a year, you say, that we
6 typically spend?

7 DEPUTY COUNTY EXECUTIVE TSIMIS:
8 Yes.

9 LEGISLATOR SCHAEFER: Okay. I think
10 this was it. Thank you.

11 PRESIDING OFFICER NICOLELLO:
12 Legislator Ford, then Legislator Rhoads.

13 LEGISLATOR FORD: Good afternoon.

14 DEPUTY COUNTY EXECUTIVE TSIMIS:
15 Good afternoon.

16 LEGISLATOR FORD: In regard to the
17 small businesses, do we have a list of
18 what type of business would be eligible
19 for any type of --

20 DEPUTY COUNTY EXECUTIVE TSIMIS:
21 We're looking primarily at the retail
22 sector. Again, back to the notion of
23 downtowns and boosting our downtowns.
24 The application is currently up on the
25 Boost Nassau portal. I don't know that I

1
2 brought it with me, but we're looking at,
3 sort of, if you think of whoever is on
4 that main street. It will be the retail,
5 service to the end user, purchaser.
6 We're not looking to fund professional
7 services necessarily; although, we know
8 many of them are located in our
9 downtowns, we just felt that we really
10 needed to target this, again, \$10 million
11 for the number of businesses we have in
12 Nassau. At some later date, perhaps we
13 can add a side funding and expand it to
14 professional services, for instance.

15 LEGISLATOR FORD: So hair salons
16 would still be able --

17 DEPUTY COUNTY EXECUTIVE TSIMIS:
18 Hair salons would be eligible, yes.

19 LEGISLATOR FORD: Mr. Sayles, I
20 think his name was --

21 DEPUTY COUNTY EXECUTIVE TSIMIS: Mr.
22 Sayles, yes.

23 LEGISLATOR FORD: He had indicated
24 also, I guess some of his providers, like
25 the bread guy --

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2 DEPUTY COUNTY EXECUTIVE TSIMIS: The
3 providers, exactly.

4 DEPUTY COUNTY EXECUTIVE TSIMIS: The
5 milk guy. What about them? This would
6 be, basically, the funding would only go
7 to Nassau based businesses, correct?

8 DEPUTY COUNTY EXECUTIVE TSIMIS:
9 That's correct.

10 LEGISLATOR FORD: So if he gets his
11 bread from somebody in Queens, that bread
12 business would not necessarily be
13 eligible.

14 DEPUTY COUNTY EXECUTIVE TSIMIS:
15 That's right. I'm not sure about
16 wholesalers, either. That would --
17 again, if there was more funding, maybe
18 we could look at something like that.
19 Right now, it's just for the retailer;
20 the people selling.

21 LEGISLATOR FORD: What about the
22 warehouse type of --

23 DEPUTY COUNTY EXECUTIVE TSIMIS: We
24 just got an application for one of those
25 actually. The team that's managing this

1
2 for us asked the question. We put it on
3 hold for the moment while we sort that
4 out. We will have to see how many
5 employees they have. If they're larger,
6 they wouldn't be eligible. If they're
7 smaller -- again, having your feedback is
8 helpful. Right now, we started with the
9 retailers, but we could look at that.

10 LEGISLATOR FORD: What about, I know
11 one of the issues that we had in Sandy
12 for the businesses was that they had to
13 have been in business, by certain time in
14 order to eligible for any type of Sandy
15 funding. We had some restaurants that
16 opened up in March, April or June of
17 2012, and then the storm hit in October,
18 so they lost everything. The were
19 completely demolished, and because they
20 had to be in business for a year prior to
21 Sandy, I guess with tax records and
22 things like that, they were not eligible.
23 They couldn't get any help whatsoever.
24 Are we going to limit ourselves? Because
25 I think of some businesses that probably

1
2 started right before the pandemic hit and
3 if they are hanging on by that thread,
4 would they be eligible for something like
5 this so they can stay in business?

6 DEPUTY COUNTY EXECUTIVE TSIMIS:

7 Yeah. We have them eligible the have to
8 be in operation after March 1, 2020 in an
9 attempt to capture those that were a
10 concern. I'm going to check on that. I
11 feel like with the restaurants we went
12 back a little further. I just need to
13 check.

14 LEGISLATOR FORD: So they had to be
15 in business prior to March 1st.

16 DEPUTY COUNTY EXECUTIVE TSIMIS:

17 Yeah, I'm not sure. No. It's after. As
18 long as their after March 1st. We didn't
19 have the same cutoff as we did with the
20 restaurant. Again, the eligibility
21 changed because the ARP eligibility is
22 not exactly the same as the CARES ACT/HUD
23 Grant. Those were very targeted. You
24 had to save at least one job. And there
25 other things about what the criteria were

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2 in the CARES, so we have been in the
3 process of making sure. Actually, the
4 applications that's up now checks the box
5 on both. We thought as soon as we get
6 the ARP funds, we could move quickly on
7 new applications using the new funds. We
8 wanted to make sure they were eligible.
9 That before or after March 1st date I
10 have to double check.

11 LEGISLATOR FORD: Perfect. And then
12 with the Veteran's Agencies, a lot of
13 them have small little service areas.
14 Like they might have a bar set up or a
15 kitchen and then they have hall, or
16 whatever. I know that in speaking with
17 some of my Veteran's Agencies that have
18 these establishments that it was a little
19 cumbersome: Asking for different
20 information, they had to have so many
21 employees. These are like small
22 businesses. They're mom and pop, and the
23 are part of Main Street. They may not
24 necessarily be on Main Street, but they
25 are part of the fabric of the community.

1
2 They do provide a lot of services.

3 Is there any way to relax some of
4 those rules to make it easier. Some of
5 them just maybe need \$5,000 or \$8,000.
6 They're not looking for large sums of
7 money. Just something that maybe can
8 help, because they're membership. Think
9 about the people that help keep their VFW
10 or American Legion open. Those people
11 could have been impacted by the pandemic.
12 A lot of times they make that extra money
13 by people renting out the halls; of
14 course, none of that happened. I would
15 ask if there's any way that we could,
16 sort of, relax the rules and just make it
17 a tad bit easier for them so that you're
18 not asking for social security number of
19 people or how many employees. I mean,
20 usually it's just a guy. The guy who's
21 head of it. He cleans the kitchen, he
22 does everything.

23 You know, I just think in
24 consideration of the services they do
25 provide to so many of our Veteran's

1
2 anyway, that we take a look at this and
3 say, "you know what? Let's be a little
4 bit kinder to them". It is a good group.

5 And then also, I guess with the
6 Veteran's is this also -- I know a woman
7 -- I for get the name of it -- she
8 provides a service where she does
9 outreach to the Veteran's, reflexology,
10 whatever. Would she then, with that type
11 of business, which she directs directly
12 Veteran's, would that be another business
13 that may be able to be eligible under the
14 Veterans?

15 DEPUTY COUNTY EXECUTIVE TSIMIS:

16 Yeah. I think we would encourage her to
17 apply. As long as they're either a
18 non-profit, a 501-C3 or a small business,
19 which ever way she would fall in,
20 hopefully, we could assist her.

21 On the other point, we have tried to
22 scale back the documentation from the
23 restaurant to now, but also have the
24 benefit of having the Boost Nassau
25 Center. I don't want to minimize how

1
2 much a real person can help when you're
3 struggling with this. We clearly have
4 businesses, the minute they heard -- I
5 think when we announced the Restaurant
6 Grant Program, there were businesses out
7 there that thought they will just give
8 their name and a check was gonna come.
9 Unfortunately, we have federal
10 restrictions and rules we have to follow.
11 They were one thing for CDBG-CV and
12 they're slightly different under ARP.
13 The County has a responsibility to make
14 sure, in this case under ARP, that the
15 business has suffered an economic loss
16 due to the pandemic. If we were to give
17 checks out without somehow documenting
18 that loss, then we would be the blame and
19 you would all be upset. We have to have
20 some paperwork.

21 LEGISLATOR FORD: Yes. I like the
22 fact that you said you would probably do
23 district outreach, getting to the
24 districts. Maybe we can coordinate it
25 with Chambers and do a tutorial. I know

1
2 whenever we do the Senior Programs where
3 people will figure out how to do their
4 senior exemptions, whatever, it's always
5 been very beneficial and has helped
6 people where they can go right in and get
7 everything done right then and there. I
8 think that is a great program and I will
9 be happy to work with you in my district
10 when you bring it there.

11 My last question. With the loans,
12 the difference between the loans and the
13 grants are that the grants are a limited
14 amount of money that a business will be
15 getting if they're eligible?

16 DEPUTY COUNTY EXECUTIVE TSIMIS:

17 Yes.

18 LEGISLATOR FORD: But the loans,
19 you're actually then provide an
20 opportunity for long range. Like said,
21 somebody may need \$100,000 to be able to
22 tide them over to 2023 or something like
23 that. Once the loan is paid back, so they
24 borrowed \$100,000 and I'm hoping the
25 interest will be very low.

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DEPUTY COUNTY EXECUTIVE TSIMIS:

They're low. They will be very, very
flow.

LEGISLATOR FORD: They're low.

Okay. When the proceeds are paid back,
does that money go back to the Federal
Government, or does it stay with us?

DEPUTY COUNTY EXECUTIVE TSIMIS:

That is an excellent question, and as of
last Friday I was waiting for an answer
based on the Treasury. I don't believe
it goes back to the Treasury. I think it
would probably stay in fund that we
created. I believe it can stay longer
than the 2026, but we're waiting for
confirmation of that. Obviously, we want
it to be revolving, not just come back
in. The consulting we've been working
with on this, National Development
Council, they believe it can be a
revolving fund that goes out, but I'm
waiting for confirmation of that from
Haggarty Consulting.

LEGISLATOR FORD: So then this can

1
2 maybe be something we can the over the
3 years, we can recycle.

4 DEPUTY COUNTY EXECUTIVE TSIMIS: It
5 would be wonderful.

6 LEGISLATOR FORD: Constantly recycle
7 back out to businesses on a small
8 business type of thing.

9 DEPUTY COUNTY EXECUTIVE TSIMIS:
10 Exactly.

11 LEGISLATOR FORD: And I know that
12 with the \$375 when it was proposed, I
13 read in the paper that the belief was
14 that, say you gave it to the STAR
15 homeowners, that that would be subject to
16 Federal Tax, so the people would only
17 realize \$250. The grant money that we
18 would be giving to businesses and
19 whatever, that is not subject to taxes at
20 all?

21 DEPUTY COUNTY EXECUTIVE TSIMIS: I
22 don't know of Conal knows the answer to
23 that. I always refer tax questions to
24 Conal.

25 LEGISLATOR FORD: Okay. I do ask

1
2 for a response to that, because that
3 would be something -- It would be unfair
4 to the businesses.

5 MR. DENION: I don't know if.

6 LEGISLATOR FORD: Oh, I didn't
7 realized he --

8 DEPUTY COUNTY EXECUTIVE TSIMIS:
9 He's on.

10 LEGISLATOR FORD: Sorry, Conal.

11 MR. DENION: Yeah, I don't know if
12 the County is able to answer tax
13 questions that apply to individuals.

14 LEGISLATOR FORD: So we need to find
15 out, right?

16 DEPUTY COUNTY EXECUTIVE TSIMIS:
17 Yeah.

18 LEGISLATOR FORD: Okay. Thank you.

19 MR. DENION: Again, I don't know if
20 this is something the County to provide
21 an opinion on, whether an individual is
22 going to be taxed. You can also ask the
23 County Attorney that question. I don't
24 know if that's something that is within
25 our ability to determine.

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2 LEGISLATOR FORD: But I think it is
3 important issue that we need to, because
4 if businesses think they're going to
5 receive \$20,000, but in the long run it's
6 only \$15,000, paying that tax on the
7 money may end up being another hardship
8 on them. I'm hoping that maybe we could
9 try to get that clarified and make it so
10 that -- maybe if we go to Senator Schumer
11 to confirm and have them do whatever they
12 need to do to ensure the fact that this
13 money would not be taxed. No taxes, a
14 tax-free grant. That's what my request
15 would be. Thank you.

16 DEPUTY COUNTY EXECUTIVE TSIMIS:

17 Thank you.

18 PRESIDING OFFICER NICOLELLO:

19 Legislator Rhoads.

20 LEGISLATOR RHOADS: Thank you,

21 Presiding Officer.

22 Deputy County Executive Tsimis, I
23 know you've been asked about this before
24 and I know it is an uncomfortable topic
25 for the Administration to be discussion,

1
2 but I do feel compelled to press for
3 answer. We know, based on what we've
4 been told by the Administration, that
5 there seems to be universal agreement
6 that direct cash payments can be made to
7 residents using the ARP Funds, correct?

8 DEPUTY COUNTY EXECUTIVE TSIMIS:

9 Correct.

10 LEGISLATOR RHOADS: And we know the
11 Administration's plan was to provide
12 roughly 300,000 residents with \$375
13 payments based upon their eligibility for
14 STAR; that was the plan, right?

15 DEPUTY COUNTY EXECUTIVE TSIMIS:

16 Correct.

17 LEGISLATOR RHOADS: Based upon the
18 fact that you're telling us that the
19 Administration has to get back with new
20 plan, can we infer from that that we are
21 not able to use STAR as a basis for
22 making those payments as promised?

23 DEPUTY COUNTY EXECUTIVE TSIMIS: I

24 don't think that is what I'm saying. I'm
25 saying that we are going to file a plan.

1
2 It wouldn't be a new one, because we
3 haven't filed one before. The specific
4 details that will be in the County
5 Executive's plan will be before you in
6 short order. I really don't have
7 anything more to say today.

8 LEGISLATOR RHOADS: Well, you didn't
9 file a plan, but the County Executive
10 went out and had a press conference and
11 that's the plan that she announced. It's
12 not something that was filed with the
13 Legislature, it was filed with the
14 public.

15 DEPUTY COUNTY EXECUTIVE TSIMIS:
16 Okay.

17 LEGISLATOR RHOADS: Are we to assume
18 the plan that will be filed with
19 Legislature is that roughly 300,000 will
20 receive \$375 base upon STAR?

21 DEPUTY COUNTY EXECUTIVE TSIMIS: I
22 don't have anything more to say on this
23 today. I'm sorry, Legislator. I just
24 don't.

25 LEGISLATOR RHOADS: Well, the

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2 conversation did take place with the
3 Treasury Department late last week, as
4 was indicated --

5 DEPUTY COUNTY EXECUTIVE TSIMIS: And
6 I reported to you that the Senator
7 supports the cash payments strongly, the
8 US Treasury has indicated that we can
9 make them, and that we're looking to
10 maximize the scope of the eligible
11 universe of recipients, and we will have
12 a plan to you as soon as we can.

13 PRESIDING OFFICER NICOLELLO: Oh, is
14 it the Administration's plan to make it
15 available to more than just STAR
16 recipients?

17 DEPUTY COUNTY EXECUTIVE TSIMIS: I
18 don't have any further comment on the
19 plan at all.

20 LEGISLATOR RHOADS: Were present on
21 the call?

22 DEPUTY COUNTY EXECUTIVE TSIMIS: I
23 was not.

24 LEGISLATOR RHOADS: Who was actually
25 on that call with the Treasury

1
2 Department?

3 DEPUTY COUNTY EXECUTIVE TSIMIS: I
4 actually don't know.

5 LEGISLATOR RHOADS: Was Conal Denion
6 on the call with the Treasury Department?

7 MR. DENION: This is Conal. I was
8 on the call and I will defer any
9 questions to the Administration to my
10 client on the nature of the call.

11 LEGISLATOR RHOADS: We are your
12 client, Conal.

13 MR. DENION: Again, the
14 Administration, it is it up to the County
15 Executive to advise whether or not she is
16 going to answer questions about that with
17 counsel on the call. I realize that the
18 County Attorney's Office works for the
19 entire county, but as you know, they are
20 questions where counsel represents the
21 County, but also the County Executive --
22 first reports to the County Executive, so
23 I'm going to defer those questions to the
24 Administration.

25 LEGISLATOR RHOADS: I only have two

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2 questions, Mr. Denion. Question one is,
3 was the question asked whether or not
4 direct payments can be made using STAR as
5 the criteria for eligibility? Because
6 based on basis the hearing last week,
7 that was really the only relevant
8 question. So was the question asked?

9 MR. DENION: Again, I will defer the
10 question to the Administration, questions
11 regarding the call to the Administration.

12 LEGISLATOR RHOADS: So as our
13 counsel, which you are, you're refusing
14 to answer that question?

15 MR. DENION: No. I'm not refusing
16 to answer. I have to take it up to the
17 County Attorney who I report to as well.
18 Again, between the Administration and the
19 County Attorney, I can discuss that
20 question and we can get you an answer to
21 whether the Administration -- I believe
22 that they have spoken to the issue and I
23 will defer to them on whether they want
24 Counsel to address any particular
25 questions or whether they would like to

1
2 do that themselves.

3 LEGISLATOR RHOADS: Who else was on
4 the call, Mr. Denion. You may not feel
5 comfortable answering that question, but
6 I'm curious if any of the other
7 participants on the call might be able to
8 answer it; who else was on the call?

9 MR. DENION: Again, I'm going to
10 defer those questions to the
11 Administration. I don't know if Katy is
12 there in the room, but I think it's a
13 question between the Legislature and the
14 Administration and I will defer to the
15 administration on how they would like to
16 address that question.

17 DEPUTY COUNTY EXECUTIVE TSIMIS:
18 I'll speak for the Administration and
19 just reiterate what we've said. I've
20 said it already. I don't think it is
21 going change. We have nothing more to
22 say on this topic and we, very
23 respectfully, and thankfully appreciate
24 if we can try to look at the \$62.9
25 million item before you and continue

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2 discussions on the other item on a
3 separate track. That is where we are,
4 Legislator, we can go around it, but that
5 is where we are.

6 LEGISLATOR RHOADS: The problem is,
7 as Legislator Ferretti pointed out, is
8 that the conversation is not just about
9 the \$62.9 million, because how we spend
10 the \$62.9 million, or whether it can be
11 more than that, depends upon the answers
12 to what the acceptable use is of the \$100
13 million. If that \$100 million is on the
14 table, then we can talk about maybe
15 supplementing what's in the \$62.9
16 million, shifting it around, using it for
17 other priorities that are related to
18 pandemic expenses. To say that we are
19 only going to talk about the \$62.9 that's
20 before us, and by the way, we don't have
21 a lot of information about that \$62.9
22 million, other than that you want to
23 spend \$62.9 million, there is an
24 interrelationship between the two. We are
25 talking about a part of a pool of \$192

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2 million that's available to be spent
3 that's already in the County's coffers.
4 I know the Administration would like to
5 handle it in the piece mail fashion
6 because it might be more convenient for
7 them, but we also, as legislators, have
8 to look at the broader scope of the
9 entirety of the 192 to make sure that
10 where we're spending it is spending in a
11 way that best reflects the priorities
12 that are best gonna help businesses and
13 residents in the pandemic.

14 DEPUTY COUNTY EXECUTIVE TSIMIS: I
15 understand your position. We do think
16 this meeting and the vote is on the \$62.9
17 million. The other item is not before
18 you today. We did not bring it forward
19 to you and we would appreciate your vote
20 on this item. We do think that you have
21 some flexibility given the significant
22 amount of funding coming in still this
23 year and next year to fund the \$62.9
24 million, address the other proposal
25 separately, and still come up with great

1
2 ideas of other things that we should
3 include that we might have missed in our
4 \$62.9 assistance for small businesses
5 that need it for youth services
6 organizations that are poised and ready
7 to help our young people and all the rest
8 of it, Legislator. It is a matter of
9 approach, I understand you disagree with
10 the Administration's approach, but here
11 we are and we respectfully request a vote
12 on the item before you.

13 DEPUTY COUNTY EXECUTIVE TSIMIS: I
14 appreciate that position from the
15 Administration and it's clear that we're
16 not going to receive an answer. I do
17 find it rather instructive, however, that
18 the one question that we asked at the
19 hearing, which we were promised an answer
20 to based upon the conversation that the
21 Administration was having with the
22 Treasury Department, you are refusing to
23 provide us with that answer. It is
24 rather telling. I suspect it is answer
25 that you didn't want to get and it's an

1
2 answer that probably will prevent you
3 from being able to use STAR as the basis
4 for making those direct cash payments,
5 which leads to a bevy of other questions.
6 Whether those questions are answered
7 today, or whether those questions are
8 answered a few weeks down the road when
9 the Administration finally presents its
10 plan, if residents are not receiving the
11 \$375 check based upon STAR that the
12 Administration promised in a very public
13 way intentionally, residents need to know
14 that. It is an issue of transparency.
15 It's an issue of fairness. They need to
16 know it. I have no choice but to accept
17 your answer. At the point, I'll move on,
18 but we really deserve to have that
19 information.

20 Now, with respect to the Boost
21 Nassau Local Business Program. Do we
22 actually have a definitive answer --
23 actually, I'll switch to the Boost Nassau
24 Small Business Loan Program since I
25 believe them to be interrelated -- do we

1
2 really have a definitive answer since
3 you're asking us to approve \$10 million
4 dollars for this loan program, whether
5 that \$10 million dollars is going to have
6 to go back to the Federal Government in
7 2026 when we are required to have
8 exhausted the funds?

9 DEPUTY COUNTY EXECUTIVE TSIMIS: We
10 believe --

11 LEGISLATOR RHOADS: You believe it,
12 but did you get an answer from the
13 Treasury Department?

14 DEPUTY COUNTY EXECUTIVE TSIMIS:
15 Yes, we are waiting for confirmation from
16 Haggarty Consulting that is looking at it
17 right now.

18 Look, either way, ARP allows for
19 loans. I don't believe they intended for
20 the money to go back. I think the loan
21 programs that have been set up in the
22 past -- Boost Nassau, which we funded
23 through New York Forward, gets paid back
24 into a fund, but it doesn't go back to
25 the Federal Government. I just don't

1
2 want to speak out of turn, because the
3 Haggarty Consulting team wanted to double
4 check with the Treasury and review the
5 guidelines and details and they said it
6 might even need a comment in advance of
7 the July date. The consultant that had
8 managed the prior loan fund for us
9 believes it can be a long term loan
10 program that sort of grows Nassau. I'm
11 hoping they're right and that's where we
12 are on it. Either way, you have quite a
13 few years to loan and get the money back.
14 I'm hopeful that we will be able to do
15 something along those lines.

16 LEGISLATOR RHOADS: But the concern
17 that I have is that when we had the
18 hearing last Monday, the idea was for us
19 to ask questions and for us to be able to
20 get answers in advance of us having to
21 vote on something. Right now, the
22 Administration is asking us to vote to
23 allocate \$10 million towards the loan
24 program when we don't have a definitive
25 answer from the Treasury Department that

1
2 we're not going to end up forfeiting that
3 \$10 million because it actually wasn't
4 dispersed.

5 DEPUTY COUNTY EXECUTIVE TSIMIS: A
6 loan program is absolutely allowable
7 under ARP guidelines. I know it is. And
8 the specific guidelines of our program
9 need to be written in a way to ensure we
10 get the maximum use of those loan dollars
11 for the most businesses in Nassau County.
12 We have not crafted the loan in the final
13 detail and had it scrubbed by our
14 consultants yet, but I can assure you
15 that we will advance a loan program. It
16 will be consistent with our guidelines.
17 I think you will be pleased with the
18 effort, just like the ones that we
19 advanced through the CARES ACT funding
20 and that many businesses took advantage
21 of. I can get you a report on that as
22 well.

23 We are using this money very wisely
24 and prudently. Some of it is a little
25 bit in the weeds; details with the

1
2 Treasury guidance, it has been evolving.
3 We are very anxious to do everything
4 exactly right. I understand your concern,
5 Legislator.

6 LEGISLATOR RHOADS: Well, it is not
7 really a discussion that's in the weeds,
8 it's a discussion that's relevant. We
9 are limiting the amount of money that we
10 are providing as a grant program so that
11 we can create a \$10 million loan program,
12 which we think we are able to do, and we
13 think we might not have to turn the money
14 back in 2026.

15 The question that I have -- which I
16 don't know of Mr. Persich is still in the
17 room, and I sort of said this at the
18 hearing -- for me, the context of this is
19 what happened with the CARES ACT money.
20 We were told there was a \$385 million
21 deficit. The Administration asked us to
22 approve the use of CARES ACT funds.
23 Ninety five percent of the CARES ACT
24 funds that we got that covers salaries
25 and benefit that help close a budget gap

1
2 and in the next month, we are announcing
3 there's a \$78 million surplus. So
4 there's \$78 million that could have gone
5 to businesses, could have gone to
6 residents, could have gone to a variety
7 of other pandemic-related uses that is
8 sitting in a County bank account right
9 now, as opposed to having provided that
10 relief. So when we are analyzing this,
11 forgive me, I know the administration
12 wants to fairly and transparently
13 distribute this money, but transparency
14 hasn't really been a strong suit here.
15 I'm looking at how you're spending this
16 money in the context of wanting to have
17 solid answers, before I actually give up
18 the only voice I have on this, which is
19 my vote, on the plan.

20 We want to provide this money. We
21 want to get it out to public, but we need
22 you to help us by providing us the
23 information that we need in order to be
24 able to do that.

25 DEPUTY COUNTY EXECUTIVE TSIMIS: I

1
2 understand. I believe we can reallocate
3 the funds.

4 DEPUTY COUNTY EXECUTIVE TSIMIS: So
5 my question for Mr. Persich is, look,
6 there's a question with respect to this
7 loan program and whether or not we are
8 ultimately going to have to turn back the
9 \$10 million if it's not exhausted. We
10 don't have a definitive answer on that.
11 In the short term why isn't it a better
12 plan to simply take the \$10,million
13 allocation, allocate it to the grant
14 program so that there's \$20 million in
15 grants and use part of the \$78 million
16 that's sitting in surplus that should
17 have gone to businesses and residents in
18 the first place, and use that to fund the
19 loan program and provide twice the
20 impact?

21 MR. PERSICH: I'll defer on whether
22 we can use surplus money to create a
23 revolving loan program under local
24 finance. I think Conal would probably be
25 better to answer that. I dont think we

1
2 can do that. I think with the ARP
3 funding, because it's federal money, it
4 doesn't restrict us, so it's segregated.
5 It's not taxpayer money. Remember, money
6 we have in the General and Operating
7 Funds come from tax collection. It gets
8 a little dicey with that.

9 That said, I think the ARP funding
10 -- the plan with the loan program is to
11 create a revolving loan program that will
12 be --

13 LEGISLATOR RHOADS: I understand the
14 concept and I agree with the concept. The
15 question is should we be using money that
16 we can hand directly to businesses and
17 say, you know what, we're gonna take \$10
18 million and put that in our pockets and
19 we're gonna dole it out as part of a loan
20 program where, ultimately, the \$10
21 million in principle will still be County
22 dollars, as opposed to being used to
23 assist businesses and residents in direct
24 payments.

25 MR. PERSICH: I completely

1
2 understand what you're saying. I think
3 it gets into a little bit more of a gray
4 area. The buckets, as I term them as,
5 what you can do with certain buckets of
6 money, this bucket of money I think meets
7 the criteria that it's eligible for a
8 loan program. Now, can it go endless? I
9 think that's one of the questions out
10 there. I think this is the policy of the
11 Administration. They put forth a plan
12 saying we're gonna give \$10 million in
13 grants and we're gonna do \$10 million in
14 a loan program. It's like with every
15 other budget here, I mean, it's dynamic.
16 This is all new and guidance changes.
17 CARES guidance changed day-to-day.
18 That's how they think, it's one of those
19 things that it's a policy decision, of
20 course. I think we set a plan in front of
21 you to make a decision that we want to do
22 this loan program.

23 LEGISLATOR RHOADS: I know that's
24 the Administration's decision. All to
25 often it seems the Administration's

1
2 approach is, well, we think we can do
3 this and if we can't, then we'll deal
4 with the consequences later. I don't
5 want a situation where in 2026 we're
6 looking back at this and saying, oh,
7 gosh. I guess we shouldn't have used it
8 for loans because now we gotta write the
9 Federal Government a check for \$10
10 million to pay them back the money.

11 Wouldn't it make more sense to get
12 the answer to the question first, before
13 we actually create the loan program, and
14 if the answer is something we don't like,
15 we can reallocate those \$10 million
16 towards a grant program.

17 DEPUTY COUNTY EXECUTIVE TSIMIS: I
18 just want to be clear, National
19 Development Council, they are a very well
20 regarded national non-profit that's been
21 running the County's Restaurant Grant,
22 Loan, and the new Main Street Grant
23 program using all their dollars, they
24 proposed how to run the \$10 million loan
25 program. We're just in the process.

1
2 They believe it can be done and it can be
3 a very significant effort for Nassau
4 County's businesses. We are double
5 checking everything with Haggarty, who's
6 the newly onboard consultant, to make
7 sure what they said is accurate so that
8 we can spend the money this way.

9 I believe we can reallocate if we
10 needed to, if we choose to do more in
11 grants rather than the loan. Again,
12 you're clearly allowed to do a loan
13 program under ARP.

14 LEGISLATOR RHOADS: I get that you
15 can do the loan program. The ultimate
16 question is whether you're able to keep
17 the money that you use as principle
18 beyond 2026.

19 DEPUTY COUNTY EXECUTIVE TSIMIS:
20 Yup. Understood; understood.

21 LEGISLATOR RHOADS: You don't know
22 the answer to that, right?

23 DEPUTY COUNTY EXECUTIVE TSIMIS:
24 Conal can help me out. I think we took a
25 quick look at that and we asked Haggarty

1
2 Consulting to confirm that we could and
3 we are waiting for an answer.

4 LEGISLATOR RHOADS: As we sit here
5 today when we're supposed to be voting on
6 this, we don't know that answer.

7 DEPUTY COUNTY EXECUTIVE TSIMIS: I'm
8 hesitant to say. I personally don't know
9 for sure, so that's where we are.

10 LEGISLATOR RHOADS: Okay. And it's
11 National --

12 DEPUTY COUNTY EXECUTIVE TSIMIS:
13 National Development Council.

14 LEGISLATOR RHOADS: Did you ask
15 National Development Council about the
16 \$100 million?

17 DEPUTY COUNTY EXECUTIVE TSIMIS: No.

18 LEGISLATOR RHOADS: I didn't think
19 so.

20 DEPUTY COUNTY EXECUTIVE TSIMIS:
21 They've been involved with the business
22 grants and loans from the beginning of
23 the pandemic, a long time consultant to
24 the Office of Community Development and
25 very well regarded.

1
2 LEGISLATOR RHOADS: Do we have a
3 definition yet as to what a retail sector
4 business is? That was one of the
5 questions that was asked Monday.

6 DEPUTY COUNTY EXECUTIVE TSIMIS: I
7 apologize. I did not bring the
8 application for the Boost Nassau Grant
9 Program with me for today's vote. I had
10 it last week. I thought that would be
11 discussed at the hearing. We do have the
12 specific outlines of the application that
13 is currently, as I said, up on the portal
14 for CDBG CARES ACT and it was consistent
15 with what's eligible under the ARP as
16 well. I just don't have it with me,
17 Legislator. I apologize.

18 LEGISLATOR RHOADS: It's okay.

19 DEPUTY COUNTY EXECUTIVE TSIMIS: But
20 a retail business is what you would think
21 it is. It's the retailers that are on
22 the main street. The laundry mat and the
23 little corner store. It's the bagel shop
24 that wasn't eligible for the restaurant
25 grants; they're eligible now. We've

1
2 tried to expand it to reach everyone as
3 you walk down that main street and you
4 pass a small business, those are the
5 folks that we are aiming to help.

6 LEGISLATOR RHOADS: The \$10,000
7 limit on these grants is a self-imposed
8 limit, isn't it?

9 DEPUTY COUNTY EXECUTIVE TSIMIS:
10 Yes.

11 LEGISLATOR RHOADS: So we're not
12 limited by the Federal Government --

13 DEPUTY COUNTY EXECUTIVE TSIMIS: No.

14 LEGISLATOR RHOADS: As far as the
15 \$10,000, so we could make it more if we
16 wanted to.

17 DEPUTY COUNTY EXECUTIVE TSIMIS:
18 That's correct.

19 LEGISLATOR RHOADS: The rationale
20 behind using the loan program versus the
21 grant program is that it enables us to
22 give out larger loans than the \$10,000
23 that we've self-imposed as a limit.

24 DEPUTY COUNTY EXECUTIVE TSIMIS:
25 That's correct.

1
2 LEGISLATOR RHOADS: So in theory, if
3 we were to scrap the loan program and
4 give a grant program, we could actually
5 increase the \$10,000 and make it more
6 useful for certain businesses.

7 DEPUTY COUNTY EXECUTIVE TSIMIS: I
8 believe you could. I think, again, you'd
9 have to go back to the purpose of the ARP
10 funding. It's to make up for losses due
11 to the pandemic and businesses do need to
12 make a showing of that. For many small
13 businesses, the size, we really found the
14 \$10,000 mark what they'd find helpful.

15 LEGISLATOR RHOADS: To be perfectly
16 honest, a mom and pop business that
17 closed their doors for three months
18 during the pandemic, the \$10,000 is
19 barely gonna cover rent. As I mentioned,
20 we are encouraging them to go for the
21 State's program as well. We are working
22 very closely with them to get them as
23 much money as we can.

24 LEGISLATOR RHOADS: By the way, if
25 anyone is already in it, and I believe

1
2 you indicated that the Boost Nassau
3 Program is already giving out grant money
4 through CBDG?

5 DEPUTY COUNTY EXECUTIVE TSIMIS:
6 CDBG.

7 LEGISLATOR RHOADS: Are businesses
8 that have already received grant money
9 going to be eligible again to receive
10 grants through --

11 DEPUTY COUNTY EXECUTIVE TSIMIS: As
12 of now, we were thinking now. We would
13 like to see a new bucket of businesses
14 get the grant money. The only one
15 category I mentioned is, perhaps, some of
16 the restaurants who might have gotten the
17 smaller dollar figure. If we have funds
18 available at a later date, we might try
19 to fund them again. Right now, we're
20 looking to fund new businesses, not those
21 who just received a restaurant grant.

22 LEGISLATOR RHOADS: The other
23 question that I had, that I would like an
24 answer to, back on Monday was that we are
25 using \$9 million, essentially, for

1
2 infrastructure projects, including \$3
3 million for the Septic Tank Fund that you
4 want to create. My concern with that is,
5 not that the programs themselves aren't
6 valuable programs. Clearly, they are.
7 There is a clear environmental impact,
8 certainly, with respect to the septic
9 tank program. The question I have is
10 whether it's an appropriate use of what
11 are supposed to be COVID relief funds for
12 an item that really isn't directly
13 related to COVID. Mr. Persich or Mr.
14 Denion, would we be able to use budgetary
15 surplus or another County Fund to fund
16 those programs, as we do any other
17 infrastructure program? It'd free up \$9
18 million to be put into either direct
19 payments or grants to local businesses.

20 DEPUTY COUNTY EXECUTIVE TSIMIS:

21 You're talking about the infrastructure
22 for water and sewer, right?

23 LEGISLATOR RHOADS: Right.

24 DEPUTY COUNTY EXECUTIVE TSIMIS: I
25 mean, that is eligible under ARP.

1
2 LEGISLATOR RHOADS: I understand you
3 can do it. My question is, are there
4 sources of funding we can use within the
5 County's existing funds outside of the
6 \$192 million that we are receiving, that
7 we can use to fund those programs and
8 free up \$9 million to go into direct
9 pandemic relief, which I believe is more
10 appropriately suited to where this money
11 should go.

12 DEPUTY COUNTY EXECUTIVE TSIMIS: I
13 think the Federal Government considered
14 this direct pandemic relief by including
15 water and sewer in the eligible
16 categories for ARP expenses, and the
17 Administration has tried in the \$62.9
18 million plan to balance a number of very
19 worthy causes, as you mentioned. In the
20 scheme of things, we think the \$9 million
21 is the right figure for this use at this
22 time. I know Deputy County Executive
23 Schneider is looking at some other items
24 in the space of environmental and other
25 areas, but for right now we felt this was

1
2 the right amount for something that is
3 clearly eligible.

4 Again, we are anxious to get some of
5 these programs started. I think there
6 was a lot of interest in both the septic
7 program and the water conservation
8 initiative, which is a multi-year.

9 LEGISLATOR RHOADS: I'm sure there
10 is and I'm sure they're valuable.

11 My questions isn't whether it's
12 acceptable under the guidelines that are
13 imposed by the Federal Government. My
14 question is: Are there other monies that
15 we could be using to fund them not as
16 part of this pandemic program; in other
17 words, can we use part of the \$78 million
18 surplus? Can we use that to fund the
19 program?

20 MR. PERSICH: I will get back to you
21 on that, Legislator. I don't know the
22 answer to that. The only funding issue I
23 would think is probably because it is
24 sewage related and that type of an effect
25 may be coming out of the Sewer and Storm

1
2 Water Fund; I don't know the answer to
3 that question. Whether I can take surplus
4 dollars to give a tax payer relief on a
5 septic system in his house. You know
6 what I mean? I don't think that fits the
7 general purpose of LFL as far as how we
8 disperse money out. Under the General
9 Fund or the five major operating funds, I
10 know what fits the criteria. I don't
11 know about Sewer and Storm water.

12 LEGISLATOR RHOADS: Again, it's go
13 nothing to do with the validity of the
14 idea or the concept itself. It's just
15 I'd like to maximize the dollars that we
16 are using that we are getting from the
17 Federal Government for things that are
18 directly related to the pandemic and
19 getting help into the hands of people who
20 suffered as a result of COVID-19. If
21 there's another way for us to accomplish
22 the same goal through the septic program
23 using other funds, I prefer to do that.
24 I would love to get the answer to that
25 questions before we actually had to vote

1
2 on this, which is one of the reasons why
3 I asked the question on Monday -- last
4 Monday. So if we could please get an
5 answer, that would help me figure out
6 what I want to do with this.

7 MR. PERSICH: We'll get back to you
8 on that.

9 LEGISLATOR RHOADS: Thank you.

10 PRESIDING OFFICER NICOLELLO:
11 Legislator Mule?

12 LEGISLATOR MULE: Thank you,
13 Presiding Officer.

14 I was listening to what was being
15 said about Boost Nassau Business Grant
16 Fund, that's \$10 million; is that
17 correct?

18 DEPUTY COUNTY EXECUTIVE TSIMIS:
19 Yes.

20 DEPUTY COUNTY EXECUTIVE TSIMIS: Let
21 me backtrack a little bit before that.

22 The group that was put together that
23 had the Hofstra President --

24 DEPUTY COUNTY EXECUTIVE TSIMIS: The
25 Economic Advisory Council.

1
2 LEGISLATGOR MULE: That was all
3 based on questionnaires that were sent
4 out and you got responses from I think
5 around 1,000 business?

6 DEPUTY COUNTY EXECUTIVE TSIMIS:
7 Correct, Legislator.

8 LEGISLATGOR MULE: So would the
9 answers to those questionnaires form the
10 basis of this plan that you're using?

11 DEPUTY COUNTY EXECUTIVE TSIMIS: It
12 was one of the inputs that we used. We
13 also looked at, clearly, residents and
14 businesses who responded were interested
15 in small business grants. They liked
16 loans as well for longer term investment
17 and to help them recover from larger
18 losses.

19 We also looked at the HRNA study
20 that was done for the Rausch (phonetic)
21 Foundation about how to help downtowns,
22 which also talked about grants and loans
23 and the direction of our funding to those
24 purposes. HRNA actually presented to the
25 members of the Economic Advisory Council,

1
2 which includes, as the legislators who
3 serve on it know, all the major Chamber
4 of Commerce, Hispanic American Chamber,
5 African American Chamber, and also the
6 Council of Chambers. We also have small
7 business people themselves on. Of
8 course, everyone says, we'd love to have
9 a grant. You always want the cash
10 infusion, but there is interest in loans.
11 It did come from all of those sources
12 that I mentioned.

13 LEGISLATGOR MULE: So the decisions
14 that were made were based on studies and
15 based on the actual interest of the small
16 business owners themselves; is that
17 correct?

18 DEPUTY COUNTY EXECUTIVE TSIMIS: I
19 think that's fair to say, and people have
20 spoken directly to me and to the County
21 Executive. It's sort of in all these
22 different forums you hear the same thing.
23 Some people will say forgivable loan,
24 because they want the larger amount and
25 they know there's just a limited pot of

1
2 funding. The forgivable loans, to my
3 understanding, I think only the Federal
4 Government can forgive loans. So what we
5 are looking at is an extremely low
6 percent, one percent, to keep folks
7 engaged in the program.

8 LEGISLATGOR MULE: So let me get
9 back to my original question. The \$10
10 million for the grant and another \$10
11 million for the loan; is that correct?

12 DEPUTY COUNTY EXECUTIVE TSIMIS:
13 Yes. Separate.

14 LEGISLATGOR MULE: Separate, right.
15 But if we didn't have this \$62 million
16 today, which would include the \$10
17 million and the \$10 million -- and I
18 think I heard you say that people who
19 come to the Boost Nassau Office and apply
20 for the grant, that money will not be
21 available; is that correct?

22 DEPUTY COUNTY EXECUTIVE TSIMIS: We
23 have a few hundred thousand, I'm gonna
24 say, left in the CDBG-CV account --

25 LEGISLATGOR MULE: I'm sorry. Can

1
2 you repeat the amount?

3 DEPUTY COUNTY EXECUTIVE TSIMIS:

4 CDBG --

5 LEGISLATGOR MULE: No, I got that.
6 What was the amount?

7 DEPUTY COUNTY EXECUTIVE TSIMIS: A
8 few hundred thousand, about \$300,000. We
9 have about \$800,000 in Kevin Crean's,
10 Office of Community Development account.
11 This is all CARES, special CARES ACT
12 allocation that you all directed. That's
13 how we did the food distributions and
14 free PPE kits and grants and loans in the
15 height of the pandemic. So there was
16 some money left in there. I think about
17 \$350,000 -- it's not out the door because
18 it's a reimbursement, but it is on way
19 out the door. At \$10,000 a pop, it will
20 go pretty quickly, if we don't have new
21 influx of funding from the ARP.

22 LEGISLATGOR MULE: Right. Okay. To
23 my way of thinking, we should be doing
24 what we can to help the small businesses.
25 I do support this.

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DEPUTY COUNTY EXECUTIVE TSIMIS:
Thank you, Legislator. I appreciate it.

PRESIDING OFFICER NICOLELLO:
Legislator Gaylor?

LEGISLATOR GAYLOR: Thank you,
Presiding Officer.

Good afternoon, Deputy County
Executive Tsimis.

DEPUTY COUNTY EXECUTIVE TSIMIS:
Good afternoon.

LEGISLATOR GAYLOR: How are you
today?

DEPUTY COUNTY EXECUTIVE TSIMIS: I'm
find. How are you?

LEGISLATOR GAYLOR: All right. So I
have a couple of questions that I need
clarification.

On grants that we've already given
during COVID to businesses to help them
out, would they also be eligible again
for grant money or would they fall to the
bottom and we'd be looking to give grant
money to different businesses? I thought
I heard you say that one in five business

1
2 have received some kind of grant already.
3 Would this grant money target the other
4 four out of five?

5 DEPUTY COUNTY EXECUTIVE TSIMIS:

6 Yes. That was out of the number of full
7 service restaurant that we think there
8 are in Nassau County, that's based on the
9 Department of Health. We only provided
10 restaurant grants to full service
11 restaurants that had a permit with the
12 County. Again, this was in the height of
13 COVID when safety was an issue, so we
14 also wanted to follow very closely with
15 the Health Department and they were a
16 huge help. We are, at that point,
17 planning to look at, again, a larger pool
18 of small businesses, not just the small
19 business restaurant. We are looking to
20 fund as many as possible with the \$10
21 million, and not to give repeat grants to
22 the restaurants who already received a
23 grant; at least not initially.

24 LEGISLATOR GAYLOR: Okay. Is the
25 awarding of the grant based on first come

1
2 or first serve of is there some kind of
3 order of merit listing based on criteria,
4 or what determines business "A" gets it
5 and not business "B", or "C", or "C" gets
6 it versus "A, B, or C"?

7 DEPUTY COUNTY EXECUTIVE TSIMIS: To
8 some extent, it's first come first serve,
9 entering the portal and submitting the
10 all the right paperwork. You don't fully
11 enter it until you get everything in, but
12 then in terms of who gets funded, they
13 have to meet the criteria outlined in the
14 application, which follows the ARP
15 eligibility. Again, they have to prove
16 they've had economic hard due to the
17 pandemic. They have to promise to use
18 the funds for certain types of expenses
19 like rent, they commit to that in the
20 portal process, and then they're funded.

21 LEGISLATOR GAYLOR: How will the
22 public become aware? What's the
23 Administration's plan to publicize the
24 various programs?

25 DEPUTY COUNTY EXECUTIVE TSIMIS:

1
2 Actually, included in the budget before
3 you is the \$500,000 for the Boost Nassau
4 Center itself, which includes the
5 temporary staffing that we've put in
6 there. We have a great team. Dr. Regina
7 Williams from the Office of Minority
8 Affairs is leading. We have a about three
9 new hires and a few more on the way. It
10 will support the staffing, but we are
11 also looking to place some advertisements
12 to get the word out about the Boost
13 Center itself and the resources that are
14 available.

15 We're also looking to spend another
16 million plus, about 1.5 million for
17 partnerships with non-profit
18 organizations that would include -- we've
19 gotten some proposals already from
20 Hofstra, we know the Nassau County
21 Chamber of Commerce wants to be involved
22 to get the word out. We had Eric
23 Alexander present last week at the public
24 hearing stating we had to get the word
25 out at the ground level. To the extent

1
2 that the potential partners are
3 non-profits, we would be able to fund
4 them.

5 Again, it all goes back to the
6 portal. Applications would be made by
7 these non-profit organizations. Like I
8 mentioned, Hofstra, Nassau Community
9 College may have a way to get out to the
10 businesses, I'm not sure, but they would
11 be eligible to participate in our efforts
12 to get the word out.

13 In addition to that, as I mentioned,
14 we are looking to take the Boost Nassau
15 Program on the road as things have opened
16 up and we can do public meetings again
17 and go visit folks in libraries and
18 community centers. We would follow the
19 lead of our Office of Minority Affairs,
20 Hispanic Affairs, and Asian Affairs and
21 set up programs in libraries and places
22 like that. We would love to work
23 collaboratively with legislators in their
24 districts.

25 LEGISLATOR GAYLOR: If I heard you

1
2 correctly, the small business restaurants
3 would have to apply through some
4 non-profit agency to get into the portal?

5 DEPUTY COUNTY EXECUTIVE TSIMIS: Oh,
6 no. I'm talking about how we're gonna
7 get the word out.

8 LEGISLATOR GAYLOR: I want to know
9 how the small business restaurant owner
10 is gonna know that this program exists.

11 DEPUTY COUNTY EXECUTIVE TSIMIS: I
12 was just telling you all the different
13 ways we're gonna get the word out.

14 LEGISLATOR GAYLOR: I got it and I
15 understand 100%.

16 DEPUTY COUNTY EXECUTIVE TSIMIS:
17 They have to go through the portal, Boost
18 Nassau.

19 LEGISLATOR GAYLOR: How are they
20 gonna know that?

21 DEPUTY COUNTY EXECUTIVE TSIMIS:
22 You're gonna tell them, I'm gonna tell
23 them, the County Executive is gonna keep
24 saying it, and we're gonna have
25 newsletters and flyers and we're gonna

1
2 get the word out. Our outreach offices
3 will host programs and we're gonna look
4 it as a partnership with all of you.
5 Regina Williams will be out there as
6 well. She's a powerhouse. We'll get the
7 word out. I assure you, Legislator, if
8 the money is allocated, we will let
9 people know it is there and we will
10 encourage you to join us in that effort.

11 LEGISLATOR GAYLOR: Sure. All
12 right.

13 I think I heard you say, and I'm
14 paraphrasing, but it might be pretty
15 close, there's a lot of interest in water
16 and sewer programs. When it came to the
17 9 or 10 million funding. I would assume
18 when there was not a lot of interest, for
19 our Veteran's, because you've only
20 allocated \$1 million for the 42,500
21 Veterans that live in Nassau County. And
22 42,500 that live here would benefit
23 individually maybe to the tune of \$22 if
24 we were to divvy up that \$1 million. And
25 I know your list of what you want to do

1
2 with the \$1 million includes such things
3 as provide transitional housing, food,
4 financial, employment training,
5 healthcare, mental health, counseling,
6 substance abuse counseling, emergency
7 housing, food pantry, employment
8 counseling, educational benefits; how
9 does \$1 million do that for 42,500
10 people?

11 Veterans who have served our country
12 so we could sit here today and talk for
13 hours about this ARP funding, but yet
14 your Administration only grants \$1
15 million for our Veteran's, but a lot of
16 interest in water and sewer programs. I
17 think there's a disconnect there. I'd
18 like to hear what your thoughts are on
19 why we have disrespected the Veterans.

20 DEPUTY COUNTY EXECUTIVE TSIMIS:

21 Legislator, thank you for the opportunity
22 to comment on that. At last week's
23 public hearing, I'm not sure if you were
24 here for this part, Deputy County
25 Executive Kyle Rose-Lauder laid out the

1
2 plan for helping the Veteran Non Profit
3 Organizations. I think her point was --
4 again, this is not my area -- is that our
5 own Department of Veteran Services does a
6 tremendous amount dealing directly with
7 Veterans and helping them and getting
8 them all kinds of assistance as evidenced
9 by the recent stand down.

10 The idea though, there are
11 non-profit organizations who support
12 Veterans who do not currently have
13 contracts with the County and we are
14 looking to start some new partnerships
15 with those organizations and the
16 Department of Veteran Services, I
17 believe, identified those organizations.
18 I think there may have been some
19 conversations with some of them and that
20 the \$1 million was based on a
21 determination of what would be a good,
22 sort of, first year effort with those
23 non-profit organizations.

24 Again, as something new and above
25 what the County's own Office of Veteran

1
2 Affairs does to support our Veterans who
3 be, obviously, care very deeply about.

4 LEGISLATOR GAYLOR: Sure. Our
5 Veteran's Service Agency does a great
6 job. There's no doubt about it. Ralph
7 Esposito and everyone of the employees
8 over there should be commended for the
9 efforts that they do.

10 My understanding is none of this \$1
11 million will go to supplement the Nassau
12 County Veteran's Service Agency; is that
13 correct?

14 DEPUTY COUNTY EXECUTIVE TSIMIS: I
15 believe it's for non-profit partners of
16 the County to provide services, which is
17 the case for some of the other
18 categories, to provide services. Which
19 is the case for some of the other
20 categories that we are funding as well;
21 Youth Services, Office of the Aging. This
22 is to provide supplemental funding to the
23 County's partners who provide direct
24 services to those individuals.

25 LEGISLATOR GAYLOR: Who are those

1
2 partners?

3 DEPUTY COUNTY EXECUTIVE TSIMIS: I
4 believe Deputy County Executive Kyle
5 Rose-Lauder presented on that last week;
6 I dont have the list.

7 LEGISLATOR GAYLOR: That was before
8 Committee. We are before the Full
9 Legislature. Is the Deputy County
10 Executive here to talk? To speak? Can
11 you call to get her to speak?

12 DEPUTY COUNTY EXECUTIVE TSIMIS: If
13 it is necessary, we can see if she
14 available.

15 LEGISLATOR GAYLOR: Would you do
16 that?

17 DEPUTY COUNTY EXECUTIVE TSIMIS:
18 You're looking for a list of agencies
19 that --

20 LEGISLATOR GAYLOR: I want to know
21 how the \$1 million is going to be spent.
22 I want to know what input the County
23 Administration used to determine why only
24 \$1 million was allocated to from these
25 monies to Veterans; it's pretty simple.

1
2 DEPUTY COUNTY EXECUTIVE TSIMIS: I
3 know the intention, again, as we've
4 mentioned, applications would be on the
5 portal for non-profit organizations to
6 submit proposals for, again, with
7 criteria that would be developed for them
8 to apply for funds in the Veteran's
9 Services area, as is the case with Youth
10 Services, Mental Health Services and
11 others.

12 Again, the Department Heads have
13 been very involved in this. We have
14 throughout the Health and Human Services
15 vertical, some very knowledgeable team
16 members. I believe I've identified those
17 non-profit partners that we already have.
18 As I mentioned, in the area of the VSA,
19 we do not have partners that receive
20 funding from the County, so this would be
21 a new effort. I look at it as this is
22 something we've never done before and a
23 great opportunity for the Administration
24 to stake its claim and help Veterans in a
25 new way, by providing funding directly

1
2 to non-profits that provide those
3 services. Again, with all due respect, I
4 don't look at it as a negative. I think
5 it seems to me to be a positive that we
6 are doing something we've never done
7 before.

8 LEGISLATOR GAYLOR: But I'd like to
9 know which non-profit agencies that
10 you're talking about. There are many of
11 them that come under heavy scrutiny
12 because the administrative fees are very
13 costly and the amount that they actually
14 push forward for the Veteran is *de*
15 *minimus* for every dollar they get: High
16 overhead, they keep the money, they pay
17 their salaries for themselves and they
18 give very little to the Veteran. I think
19 it behooves us to know who we're giving
20 the money to and what their overhead
21 costs are and exactly how much of each
22 dollar is in support of a Veteran. It is
23 pretty straight forward.

24 DEPUTY COUNTY EXECUTIVE TSIMIS:
25 That's an important point and I think

1
2 that maybe as part of the criteria that
3 are developed for determining which if
4 the non-profits receive grants, one of
5 the criteria we can ask to include is
6 what's the percentage going back to
7 administrative costs. That's a great
8 suggestion, Legislator. I'm happy to
9 take it back and make sure the VSA team
10 and Deputy County Executive Rose --
11 Lauder take that into account.

12 LEGISLATOR GAYLOR: Please do.
13 Veterans are a very important part of our
14 County here and we owe them a lot, so
15 please take that back. Please take my
16 comments and concerns and thank you for
17 the great jog that you've done.

18 DEPUTY COUNTY EXECUTIVE TSIMIS:
19 Thank you.

20 PRESIDING OFFICER NICOLELLO:
21 Minority Leader Abrahams.

22 LEGISLATOR ABRAHAMS: How are you,
23 Ms. Tsimis?

24 DEPUTY COUNTY EXECUTIVE TSIMIS: I'm
25 well. How are you, Minority Leader?

1
2 LEGISLATOR ABRAHAMS: Well, thank
3 you. This is my first time back.

4 DEPUTY COUNTY EXECUTIVE TSIMIS:
5 Good to see you.

6 LEGISLATOR ABRAHAMS: I'm happy to
7 hear, one, the County's use of Rescue
8 Plan money is proceeding forward. I am
9 concerned, because from what I'm hearing
10 from the Majority, is that there's a
11 potential that it may be tabled. I'm
12 concerned because I've heard from
13 residents throughout the County for the
14 last 13 or 14 months, those that have
15 struggled, those that received a direct
16 payment that they received from the
17 Federal Government directly some time
18 ago, they are still struggling. That
19 doesn't only include residents, it
20 includes all the entities that we're
21 talking about helping with the Rescue
22 Plan today. I'm hopeful that this will
23 go forward, but it sounds like it won't.

24 I do have a question, because I know
25 there's been a lot of discussion that's

1
2 been centered around the \$375 direct
3 payment initiative the County Executive
4 announced some time ago. I just want to
5 make sure that's clear for the record,
6 that is not before this body today;
7 however, I do respect the Majority's
8 concerns in regard to whether or not the
9 amount will be permissible based off of
10 the guidelines of using STAR. I'm
11 correct --

12 DEPUTY COUNTY EXECUTIVE TSIMIS:

13 You're correct, Legislator.

14 LEGISLATOR ABRAHAMS: So we can help
15 a hand full of folks to the tune of
16 almost \$63 million and get that process
17 going today. One of the questions and
18 why, you know, my Finance Director,
19 Michelle Darcy is coming up to me, I just
20 want to be clear, of the \$62.9, how much
21 of that will be contractual expenses
22 that will come back to the Legislature?
23 Those that are asking questions in
24 regards to what we have, potentially a
25 blank check that's gonna go out, I

1
2 believe a substantial amount of that
3 would come back to the Legislature at
4 some point for Rules Committee or it will
5 be for the entire Legislature. Let me
6 clarify that. It will be Rules Committee
7 members in that particular committee.

8 DEPUTY COUNTY EXECUTIVE TSIMIS: I
9 don't.

10 MR. PERSICH: As part of a
11 supplemental appropriation that we
12 presented forward to you, it's \$60.4
13 million.

14 LEGISLATOR ABRAHAMS: So \$60.4 of
15 the \$62.9 million would come back to this
16 body in the form of contracts before the
17 Rules Committee; not all 19 of us, but
18 some of us that sit on that committee
19 will have an opportunity to review those
20 contracts and see how this money is being
21 spent?

22 MR. PERSICH: The answer to the
23 questions is yes. It will be part of the
24 Contractual Service line and who we
25 enlist to do these programs will come

1
2 before you.

3 LEGISLATOR ABRAHAMS: So to me, is
4 there any impediment from your
5 discussions, and I'm assuming your
6 discussions with the Department of
7 Treasury or even with the Majority Leader
8 in the Senate, Chuck Schumer, had been
9 more centered around the direct payments,
10 but has there been any discussions in
11 anything that you've presented as part of
12 the \$62.9 million that is not permissible
13 by the Department of Treasury or anyone
14 you've spoken to? What I'm driving at
15 is, all these particular measures that
16 you've identified in terms of using the
17 \$62.9 million has been deemed
18 permissible, whether by the Department
19 Treasury or any entity in the Federal
20 Government.

21 MR. PERSICH: We vetted these
22 programs through out consultants, as well
23 as our internal vetting process that we
24 have here. We believe all these programs
25 are eligible under the guidance that was

1
2 given to us.

3 LEGISLATOR ABRAHAMS: If I may, let
4 me just try to summarize this. So we
5 have \$62.9 million of which there's been
6 no entity in the Federal Government, and
7 based on your discussions with the
8 Federal Government, they've all been
9 vetted and seem to be approved for use
10 based off of those guidelines. On top of
11 that, of the \$62.9 million, \$60.4
12 million, which I don't know the
13 percentages of that, maybe you know,
14 Andy, sounds like a very high percentage
15 -- like 98% -- Will come back to the
16 Legislative Body for a vote. So even
17 though things may not be clear in terms
18 of how well-defined it may be for some
19 that want to see it on this particular
20 body, a large percentage of it, which to
21 get the ball rolling, a large percentage
22 of it would come back to this Legislative
23 Body -- I'm sorry, to the Rules Committee
24 Body, for a particular vote.

25 So, to me, I don't see the great

1
2 impediment. I've heard from residents not
3 for the last 13, 14, 15, some odd months;
4 they're struggling, they need this. I
5 think any time delaying this process,
6 whether is a week or two weeks or two
7 months is going to be a disservice to
8 those constituents, and I'm talking about
9 the business community, the
10 community-based community. I think to
11 their standpoint, it'd be a disservice.

12 If I can spend two seconds, because
13 I know my colleagues have spent some time
14 talking about the direct payment in terms
15 of more clarity. The direct payment, I
16 know we're trying to define the universe,
17 and, Ms. Tsimis, I heard your statement
18 in terms of leaving it where that is
19 today. There are certain populations
20 that within that particular universe of
21 using the STAR program, which would be up
22 to \$500,000 per household -- there are
23 certain, I would think, demographics of
24 folks that would meet what we kind of saw
25 last year with the Federal Government.

1
2 Those populations I'm speaking of would
3 be like folks who received enhanced STAR,
4 or even folks that received a senior tax
5 exemption, which we can justify their
6 salary income. If push came to shove
7 and you weren't able to get a response,
8 is the County looking to pivot to
9 potentially those populations? Because I
10 don't think anyone up here would argue
11 that folks that are enhanced STAR, which
12 is a much lesser salary than folks that
13 are on regular STAR, as well as the
14 senior tax exemption to them. Actually,
15 I hope no one is arguing direct payment
16 assistance to anyone. I think from that
17 standpoint, we should be more assisting
18 you in making sure that anyone that lives
19 in this County is able to get some type
20 of relief as pertaining to the last 15
21 months. I respect the questions and the
22 dialogue and the debate and I think we
23 need to do our due diligence as
24 legislators, but I don't think, if I'm
25 hearing everyone correctly, everyone is

1
2 saying we want to support the County
3 Executive in this initiative in terms of
4 getting direct payment assistance to
5 everyone in this county.

6 So I ask the question, and I will go
7 back to it again, has the County looked
8 at the potential opportunity in the event
9 this does get stalled or you don't get
10 the proper responses? To address some of
11 the concerns I think I heard from
12 Legislator Ferretti and Legislator
13 Rhoads, as pertains to other populations
14 where we know the universe could be
15 shrank (sic) to some degree, but at the
16 same time it would model kind of what the
17 Federal Government did in terms of the
18 income levels. Has the County looked at
19 those particular opportunities and those
20 demographics with the enhanced STAR and
21 the senior tax exemption?

22 DEPUTY COUNTY EXECUTIVE TSIMIS: I
23 think it is safe to say that we are
24 looking at the universe of who will get
25 the checks right now and it's probably

1
2 best if I don't talk about pivoting,
3 because we are very much on the original
4 plan and sorting that all through.

5 But I appreciate your remarks about,
6 I think we can all agree, that there are
7 many residents that deserve the
8 assistance and that we should be working
9 collaboratively to get it to them, so
10 thank you.

11 LEGISLATOR ABRAHAMS: Well, thank
12 you.

13 I guess this question might have
14 been asked already: When do you
15 anticipate being able to get a response
16 or being able to formalize a plan?

17 DEPUTY COUNTY EXECUTIVE TSIMIS:
18 Formalizing the plan, I don't know what
19 the timeframe is; hopefully, as soon as
20 possible.

21 LEGISLATOR ABRAHAMS: Well, that's
22 what I'm driving at.

23 DEPUTY COUNTY EXECUTIVE TSIMIS:
24 Things are a little bit up the air --

25 LEGISLATOR ABRAHAMS: I hate the

1
2 fact that you're caught and stuck in the
3 bureaucracy of Washington DC and the red
4 tape that exists there. From that
5 standpoint, I want to try to see how fast
6 we can drive through that. I have
7 constituents all throughout my district
8 that would love to be able to get \$375.
9 If there is anything my office can do to
10 help make that process happen, then I'm
11 open to doing it. I think we should take
12 a more supportive role towards ensuring
13 that the County actually gets the plan
14 done. I'm not too caught up in when the
15 County Executive announced it versus --

16 DEPUTY COUNTY EXECUTIVE TSIMIS: It
17 gets done.

18 LEGISLATOR ABRAHAMS: To me, the
19 bottom line is, we need to get this done
20 and how do we get it done. I want to be
21 able to extend my office as a support
22 role for that.

23 DEPUTY COUNTY EXECUTIVE TSIMIS:
24 Thank you, Legislator.

25 LEGISLATOR ABRAHAMS: That being

1
2 said, I just want to encourage all of my
3 colleagues today to vote through the
4 \$62.9 million.

5 Based on the testimony from Mrs.
6 Tsimis and from Andy, it clearly -- the
7 Legislative process would be that the
8 Rules Committee would get another
9 opportunity to vote on 60.4 of the 62.9,
10 which, Andy, I'm still giving you time as
11 a human math machine to be able to give
12 me the percentage on. I believe it's a
13 very high percentage that would still
14 come back to this Body before one penny
15 of that \$60.4 million is actually
16 dispersed. So we have an opportunity
17 today to do something that would send a
18 strong message to the business community,
19 to the community-based community and to
20 many other folks. We have an opportunity
21 to send a very strong message that we go
22 their back and we are supportive of them,
23 rather than it get caught in the
24 murkiness of a potential table, because
25 that shows that maybe we don't clearly

1
2 know exactly how we want to deal with
3 this and how we want to proceed.

4 I would encourage my colleagues to
5 support that based off the fact that
6 \$60.4 million will come back and be
7 presented to the Rules Committee at a
8 later point before one penny of that
9 \$60.4 is dispersed.

10 Do you have that percentage, Andy?
11 I saw you calculating it on your phone.

12 MR. PERSICH: Ninety six percent.

13 LEGISLATOR ABRAHAMS: Ninety six
14 percent, thank you very much.

15 DEPUTY COUNTY EXECUTIVE TSIMIS: At
16 the risk of -- you've been extremely
17 helpful, Minority Leader, and at the risk
18 of disagreeing, I do think we are --
19 earlier in my remarks, I mentioned that
20 for some of the grants we are looking to
21 expedite and the process would look the
22 same as other grants that the County
23 does. I'm not an expert on that, but I
24 do think there may be a difference
25 between a grant and a contract. Some

1
2 will come back to Rules and I'm not sure
3 that that full dollar figure that the
4 Budget Director cited --

5 LEGISLATOR ABRAHAMS: Okay. Could
6 you get back to this Body, would you be
7 able to get that number?

8 I don't know if there's anymore
9 questions, Presiding Officer, but would
10 you be able to get that percentage for
11 us?

12 DEPUTY COUNTY EXECUTIVE TSIMIS:
13 Yeah. We can get that for you.

14 LEGISLATOR ABRAHAMS: Thank you.

15 PRESIDING OFFICER NICOLELLO: How
16 long will it take you to get that?

17 DEPUTY COUNTY EXECUTIVE TSIMIS:
18 Again, like I said, I believe we are
19 developing the process for an expedited
20 grant program, but, maybe Andy is right.
21 I don't want to stand in the way of this.
22 I hate to say that almost 100% are coming
23 back before you as contract amendments.
24 I think that's what you're saying. I'm
25 not sure that's accurate. I think we're

1
2 looking at a way to expedite to existing
3 County vendors funding because this is,
4 again, emergency funding.

5 LEGISLATOR ABRAHAMS: The reason I
6 brought it up is because I think that
7 will allow this process to go forward,
8 but at the same time it would alleviate
9 some of the concerns of potentially
10 writing a blank check.

11 DEPUTY COUNTY EXECUTIVE TSIMIS: I
12 understand. He seems sure.

13 MR. PERSICH: Despite what Evelyn is
14 saying, I think the process will be we
15 will contract with these grantor agencies
16 that will distribute the funds. We will
17 select a vendor from that and they will
18 be the ones that will be administering
19 the funds.

20 LEGISLATOR ABRAHAMS: We would still
21 approve that --

22 (Whereupon, crosstalk.)

23 MR. PERSICH: -- on 95% of the
24 money, because we don't do this stuff in
25 house. We don't have the capability --

1
2 LEGISLATOR ABRAHAMS: I'm still
3 comfortable with that percentage. That is
4 really what I'm driving at. When those
5 contracts, whether it is with that
6 particular entity that is going to
7 disperse the grant money, we're still
8 going to have approve that particular
9 contract. And you may have a contract
10 that disperses that many other smaller
11 agencies which is totally fine, but
12 ultimately, we will have a bite at that
13 apple to be able to approve those monies.

14 MR. PERSICH: You have to look at it
15 another way too. It's the way the
16 structure of the County Budget is done.
17 We have only certain ways to put
18 supplements into certain, I use the term
19 buckets again. You know, how are we going
20 to spend this money. I have to see what
21 best fits this and this is how it fits
22 into that bucket, that category, of how
23 we are going to disperse funds.

24 LEGISLATOR ABRAHAMS: I gotcha.

25 MR. PERSICH: Because the way the

1
2 budget is written. It's by control
3 center, then by department, and then it
4 goes down to the object code level, which
5 is how we disperse money here.

6 LEGISLATOR ABRAHAMS: I understand.

7 PRESIDING OFFICER NICOLELLO: Just
8 so I'm clear on one of the big specifics,
9 the Boost Nassau Program, in terms of the
10 Main Street Small Business Grant Program
11 and the Small Business Loan Program, all
12 would come back to the Legislature in the
13 form of contracts, is that what you're
14 saying, Andy?

15 MR. PERSICH: I'm saying the vendor
16 that will be administering that program
17 will come before this Body.

18 PRESIDING OFFICER NICOLELLO: Okay.
19 All right.

20 All right, we are going to --
21 Legislator Rhoads?

22 LEGISLATOR RHOADS: And at that
23 time, will we be able to ask questions
24 regarding the grant program criteria?

25 MR. PERSICH: I would say yes, but

1
2 that's a programmatic thing.

3 DEPUTY COUNTY EXECUTIVE TSIMIS: We
4 haven't gotten that far, Legislator, but
5 if that's the process you're looking for
6 then --

7 LEGISLATOR RHOADS: Well, if I can
8 ask. If the idea is to get immediate
9 assistance --

10 DEPUTY COUNTY EXECUTIVE TSIMIS: I
11 believe the County Executive's Office was
12 speaking to the County Attorney's Office
13 and the Office of Procurement and
14 Consultants to try to come up with the
15 most expeditious way of getting this
16 funding in the hands of the qualified
17 organizations that are going run various
18 programs for us. So I think --

19 LEGISLATOR RHOADS: I was under the
20 impression the Boost Nassau Program was
21 already providing --

22 DEPUTY COUNTY EXECUTIVE TSIMIS: It
23 is, but now we're changing the funding
24 source to ARP. It is up and running with
25 CDBG-CV and the issue that is under

1
2 review was whether we can proceed with
3 the same vendor with additional funding
4 without coming back to the Legislature.
5 Could it be done as a grant, would be
6 need to amend the contract that they have
7 with the Office of Community Development.
8 These are all in the weeds, but very
9 important details that we've been working
10 through for the last week since we knew
11 this money was coming and determined that
12 this was something that the County
13 Executive and the Economics Advisory
14 Council and everything else wanted to try
15 to accomplish. I'm sorry if it's a
16 little in the weeds, but this is where
17 we're living right now. We are trying to
18 make everything exactly right by County
19 procedures, by ARP regulations, and so
20 that question is one that is under
21 review. Right now, this organization is
22 managing what was the Restaurant Grant
23 Program, pivoted to a Small Business
24 Grant Program, using the same funding
25 stream and we just added to the current

1
2 contract. It was a contract amendment and
3 we put a new funding source in. Now if
4 it's \$10 million more, I personally, as
5 the DCE over this subject matter, wanted
6 to have a few checks on that to make sure
7 it's done properly whether it we could
8 either do it in the form of a grant
9 directly to National Development Council,
10 the are an eligible non-profit, or do we
11 need to do a contract that will then come
12 before this Legislature. That's why I'm
13 a little hesitant about what about what
14 Andy is saying to you, because we've been
15 looking at both of those options.

16 LEGISLATOR RHOADS: So we don't know
17 whether it's coming back to us or not at
18 this point?

19 DEPUTY COUNTY EXECUTIVE TSIMIS:
20 Assuming that you want it to, then we
21 will lead in that direction. At least on
22 those two programs, because I think this
23 is that significant; the grant and the
24 loan.

25 LEGISLATOR RHOADS: What's the

1
2 timeframe we can expect? If we were to
3 approve this today, what's the timeframe
4 we could expect money to actually get
5 into the hands of businesses?

6 DEPUTY COUNTY EXECUTIVE TSIMIS:

7 Look, if it was a grant that's allowable
8 under ARP regulations, County
9 Procurement, etcetera, that would move
10 faster, because it wouldn't necessarily
11 need to come back to the Legislature. If
12 we determine that it needs to come back
13 to the Legislature, that's going to add a
14 month or so to putting the \$10 million
15 into these funds. It's just is what it
16 is. Everything has it's tradeoff, as a
17 relative of mine always says.

18 LEGISLATOR RHOADS: In terms of the
19 grant program itself, are there any
20 provisions within that program
21 specifically for MWBE?

22 DEPUTY COUNTY EXECUTIVE TSIMIS:

23 Well, we absolutely -- we didn't set
24 aside MWBE Funds, but we will absolutely
25 make a push on MWBEs as we did with the

1
2 restaurant grant.

3 LEGISLATOR RHOADS: Okay. Thank
4 you.

5 DEPUTY COUNTY EXECUTIVE TSIMIS:
6 You're welcome.

7 PRESIDING OFFICER NICOLELLO: We're
8 gonna take a break, the caucus, for a few
9 moments, and then we'll be back.

10 (Whereupon, at 5:11 p.m., a
11 brief recess is taken.)

12 (Whereupon, at 5:41 p.m.,
13 Legislative Body is back in
14 session.)

15 PRESIDING OFFICER NICOLELLO: Okay.
16 We are back. We've concluded the
17 questioning, obviously, so I'm going to
18 give the legislators an opportunity to
19 make statements, if they want, before we
20 vote on this.

21 Legislators? Deputy Presiding
22 Officer Kopel.

23 LEGISLATOR KOPEL: Thank you. At
24 the outset of this discussion I said that
25 I would like to table it pending the

1
2 receipt of answers to the questions that
3 we asked several weeks ago. We didn't
4 get the answers till now. We didn't get
5 any answers today to the questions that
6 we asked. Nonetheless, I am persuaded
7 this time that we ought to vote to go
8 ahead with this relying on the good faith
9 of the Administration that these funds
10 will be fairly distributed in each case,
11 and that the wishes of all of the
12 Legislators will be considered in a fair
13 way, and that there is not going to be
14 any favoritism shown.

15 However, I would lay down a marker:
16 Going forward, we do need to have much
17 more transparency in terms of the future
18 allocation of funds from this traunch of
19 money and certainly for those who will be
20 here when the next traunch comes through.
21 We need to take many things into
22 consideration. This county has got a lot
23 of fiscal problems. The fact that we
24 have extra money now, should not bind ut
25 to the fact that overall we have an

1
2 issues. That issue is, among other
3 things, is that we've got people who are
4 running businesses, who own buildings who
5 run businesses, for instance, who are
6 waiting for years in many cases for tax
7 SERP money to come to them. That would
8 help these businesses. Right in the
9 middle of a pandemic or the end of a
10 pandemic, they could use this money.

11 At the same time, the County is
12 paying 9%, 9%, that's crazy. You can't
13 get 9% anywhere. Nine percent this is
14 costing the County on this money and
15 we're not going ahead and paying for it
16 and that doesn't make any sense to me.

17 I think that we need to be far more
18 -- and that's just one of the items for
19 which we ought to be thinking about.
20 Using this money in a way that -- this is
21 a unique opportunity -- we need to use
22 this money in a way that is going to help
23 people to be sure, but it's also going to
24 help the County in the long run. Not
25 only in the short run, not only tomorrow.

1
2 It's very nice. If we give people a few
3 bucks -- and certainly many people can
4 use it, I don't deny that -- but we need
5 to do it in a smart way. We need to do
6 it in a way that it's going to help
7 people not only today, but tomorrow.
8 It's going to help us keep taxes down,
9 it's going to help us pay back people to
10 whom we own money.

11 As I say, I will vote for this today
12 relying on the good faith of the
13 Administration, but laying down that
14 marker that going forward we need to see
15 more information and we need to have
16 better cooperation from the
17 Administration.

18 PRESIDING OFFICER NICOLELLO:
19 Legislator Ford.

20 LEGISLATOR FORD: Thank you very
21 much Presiding Officer.

22 I whole-heartedly agree with you,
23 Legislator Kopel. I am voting yes, but I
24 am disappointed in the lack of answers to
25 the questions answers to the questions

1
2 raised by many in my caucus. This is an
3 important initiative to help our
4 businesses, Veterans and many others. We
5 need to be assured this is distributed
6 fairly. These urgent votes of these
7 monies has to stop and all future
8 spending specifics must be brought
9 forward in questions, even those that are
10 uncomfortable, must be answered.

11 I also, as we talk about this
12 urgency and how we have to help our small
13 businesses and we need to get this done,
14 I understand that. But I also echo the
15 sentiments by Legislator Kopel that when
16 we have businesses that are still waiting
17 the tax SERP, their money, when they have
18 successfully grieved their assessments
19 and they are owed tens of thousands of
20 dollars by this County, and they're not
21 getting that funding, I think that that
22 is a disgrace. You can't declare and say
23 you want to help in this sense, but we're
24 not gonna help on that sense. I think it
25 is about time that we start looking at

1
2 all these issues and listening to all of
3 us and our questions and concerns of the
4 many businesses and many residents that
5 we represent as well. Let's all start
6 working together so that we can make sure
7 this County succeeds and does well in the
8 future years to come.

9 Thank you.

10 PRESIDING OFFICER NICOLELLO:
11 Legislator Ferretti.

12 LEGISLATOR FERRETTI: Thank you,
13 Presiding Officer.

14 I, too, will be voting in favor of
15 this \$62.9 million, but I just want to
16 stress the focus on this \$100 million
17 that was previous promised by the
18 Administration to residents in forms of
19 direct cash payments. I was sitting in
20 the back at the time, but I heard some
21 members of the Minority talk about the
22 urgency of this vote today, the \$62.9
23 million. I didn't hear much, though,
24 about the urgency that residents are
25 facing. There are plenty of residents,

1
2 middle class Nassau County residents who
3 maybe didn't qualify for some of the
4 Federal stimulus checks so far. I get
5 plenty that come to me and say, I haven't
6 received a dollar, while they were
7 promised by this Administration that they
8 would be receiving \$375. Nothing that
9 we've heard over the last seven days,
10 including the hearing a week ago, has
11 convinced me that that's still the plan.

12 I know in my district, you can count
13 on one hand how many residents would not
14 have qualified for this direct cash
15 payment. They were all promised by this
16 administration that they'd be getting in.
17 I think we really need to see going
18 forward a plan quickly, as to what is
19 going to be happening with that \$100
20 million. Again, that is more than half
21 of the money that's been given to Nassau
22 County through this program and it's just
23 floating out there in the wind. Not only
24 was this promised to residents, but we,
25 this Legislature, was promised an answer

1
2 after your meeting with the Treasury
3 Department which we have not received,
4 still.

5 Please, if you can get those answers
6 to us. If it is not going to go the way
7 the Administration promised, whatever the
8 alternative plan is, we certainly need to
9 know what it is. And I would certainly
10 hope that it is going to encompass the
11 same residents that were promised this
12 direct payment a month ago.

13 Thank you.

14 PRESIDING OFFICER NICOLELLO:
15 Legislator Rhoads?

16 LEGISLATOR RHOADS: I, too, am going
17 to be reluctantly voting yes on the \$62.9
18 million spending plan from the
19 Administration.

20 My concern is, sort of what I
21 expressed during my questioning, it is
22 really not a plan. I gotta say the
23 Administration has really lowered the bar
24 on transparency and on getting us
25 information that we need in order to be

1
2 able to make decision that obviously have
3 a significant impact on businesses and
4 residents in our district. And we've
5 been put in a difficult position. The
6 last thing we want to do is hold up
7 getting relief to residents. I wish the
8 Administration showed the same sense of
9 urgency, essentially, when it took \$78
10 million out of the hands of businesses
11 and the mouths of residents out of the
12 CARES ACT funding that we received based
13 on what ultimately was a
14 misrepresentation about the County's
15 budget status.

16 I know that we are taking the
17 Administration on faith as Deputy
18 Presiding Officer Kopel mentioned, but I
19 have a hard time taking the
20 administration on faith. Because when it
21 comes to assessment, when it comes to
22 CARES ACT, when it comes to borrowing,
23 when it comes to probably at least two
24 dozen other instances that I could point
25 to over the course of the last

1
2 three-and-a-half-years, taking the
3 Administration on faith really hasn't
4 turned out very well. But here we are
5 doing this again, because, ultimately, we
6 want to get funds into the hands of
7 residents which is already been delayed
8 as a results of the Administration's
9 handling of the CARES ACT funding, which
10 has already been delayed by almost eight
11 or nine months. We don't want to be a
12 source of further delay.

13 I fully expect that over the course
14 of the next few weeks as the
15 administration figures out what its
16 actually plan is, which we would have
17 liked to have seen before our vote, we're
18 gonna hold our feet to the fire. The
19 idea is to get this money into the hands
20 of residents and businesses as quickly as
21 possible -- and groups -- as quickly as
22 possible.

23 Now that it's approved, the pressure
24 it on you to get it done. We have done
25 or doing our part in allocating the

1
2 funds, it is up to you now to get your
3 are act together and come up with the
4 details of this plan because it is
5 already been delayed far too long. This
6 wasn't a surprise that we were receiving
7 this money. I don't know why when we
8 received it, why we waited till May to
9 seemingly formulate what we've been
10 presented. This is something that should
11 have been the subject of months of
12 discussion and the fact that we are at
13 the point we where we are now with
14 nothing but general ideas and platitudes
15 is really source of tremendous
16 frustration.

17 I'm gonna vote yes today because we
18 want to do our part in trying to get the
19 money out as quickly as possible. But
20 going forward, we've got to demand better
21 and the Administration has to do better.
22 This is just unacceptable.

23 PRESIDING OFFICER NICOLELLO: Okay.
24 Just briefly to add to that. Obviously,
25 there's a balance between the desire to

1
2 get these monies to our small businesses
3 and residents as quickly as possible
4 after suffering so much during the
5 pandemic, but that has to be balanced
6 with doing our due diligence to make sure
7 things are done properly, that there's
8 authorization, that there's detail. And
9 most telling example of when somebody
10 apparently didn't do that was the County
11 Executive who announced on May 17th that
12 there was a plan to send direct payments
13 to everyone who received STAR and a month
14 later the Administration is scrambling to
15 get clarification that all STAR
16 recipients can receive this. Again, you
17 have to do your due diligence before you
18 approve of these things.

19 We need to make sure that those who
20 suffered greatly, our residents, our
21 economically disadvantaged residents, our
22 middle class, receive payments. We have
23 to make sure our businesses, Veterans and
24 seniors are supported. We have to make
25 sure they have adequate support in this.

1
2 We are confident by the fact that
3 the vast majority of the spending will
4 come back to us in the form of contracts,
5 so I will support this as well.

6 Anyone else? Legislator Walker?

7 LEGISLATOR WALKER: Just another
8 comment regarding the Veterans. I just
9 want to be sure. I know that Legislator
10 Ford asked about the various Posts, and
11 so on and so forth, and you said,
12 hopefully, you would try to make them be
13 able to qualify and they can even come
14 and sit and have a meeting, or whatever.
15 To those other organizations, the non
16 profit organizations that assist our
17 Veterans as Legislator Gaylor said, many
18 of those outside organizations -- when I
19 say I'm guilty of it myself, I gave to
20 many organizations that I found out after
21 the fact that a miniscule amount -- if I
22 have \$25, they were lucky if they got
23 fifty cents. I want to make sure that
24 any of those organizations, the money is
25 going to the Veterans, or I'd rather just

1
2 see it go to the Veterans themselves in
3 Nassau County, not going to outside
4 agencies. I know you said that's
5 something you are going to check on, but
6 that is very important to me.

7 PRESIDING OFFICER NICOLELLO: Anyone
8 else like to speak?

9 (Whereupon, no verbal
10 response.)

11 PRESIDING OFFICER NICOLELLO:
12 Hearing none, All in favor, signify by
13 saying, "Aye".

14 (Whereupon, all members of
15 the Nassau County Legislative
16 Body respond in favor by
17 saying, "Aye".)

18 PRESIDING OFFICER NICOLELLO: Those
19 opposed?

20 (Whereupon, no verbal
21 response.)

22 PRESIDING OFFICER NICOLELLO:
23 Carries unanimously.

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25 *****

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3 PRESIDING OFFICER NICOLELLO: Item
4 #7. A vote on a proposed Local Law to
5 amend Article 10 of the Nassau County
6 Administrative Code to require written
7 notification to towns, villages, cities,
8 and school districts of agreements
9 proposed to be entered into by Nassau
10 County for the operation of multi-unit
11 shelters to be located within such
12 jurisdictions.

13 Motion by Legislator Walker,
14 seconded by Legislator Schaefer for this
15 item.

16 In response to questions that were
17 raised by the Minority about the
18 definitions of the legislation, we have
19 submitted an amendment to provide more
20 detail and more description of exactly
21 what this is intended to cover. Without
22 going into too much detail, the specific
23 definitions was to take it from State Law
24 in terms of the shelters that would be
25 affected by this. I would need a motion

1
2 for an amendment in the nature of a
3 substitution.

4 Moved by Legislator Rhoads, seconded
5 by Legislator Ford.

6 Anyone want to debate the definition
7 section of the amendment?

8 Legislator Drucker?

9 LEGISLATOR DRUCKER: Thank you,
10 Presiding Officer.

11 I don't have a debate, but I was
12 apprised by our legal staff that there
13 might be a technical error in the
14 language: Section 10.1.1, it says in the
15 last sentence, "...a commercial
16 hotel/motel used as temporary placement
17 pursuant to Section 352.3(E) of this
18 Title.." I think it's supposed to refer
19 to not this title, but Title 18 of the
20 New York Code Rules and Regulations. I
21 don't know if that is something that
22 warrants a correction that can be done
23 immediately, or whatever.

24 PRESIDING OFFICER NICOLELLO: We're
25 gonna find out.

1
2 LEGISLATOR DRUCKER: We're gonna
3 find out.

4 (Whereupon, off the record
5 discussion.)

6 PRESIDING OFFICER NICOLELLO: It
7 appears that an error was made. Thank
8 you for pointing that out. Obviously, we
9 wouldn't want this to be adopted with an
10 error, even though it is a typographical
11 type of error, we want it to be as clear
12 as possible.

13 LEGISLATOR DRUCKER: I'm good, but
14 not that good. You could blame the
15 Minority Counsel for that (laughter).

16 PRESIDING OFFICER NICOLELLO: Fine
17 (laughter).

18 All right. I need a motion to
19 table.

20 Moved by Legislator Walker, second
21 by Legislator Drucker. All in favor to
22 table, signify by saying, "Aye".

23 (Whereupon, all members of
24 the Nassau County Legislative
25 Body respond in favor by

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saying, "Aye".)

PRESIDING OFFICER NICOLELLO: Those
opposed?

(Whereupon, no verbal
response.)

PRESIDING OFFICER NICOLELLO: It's
tabled.

1
2 PRESIDING OFFICER NICOLELLO: We
3 have one item left, Item #24. A
4 Resolution authorizing the County
5 Executive to execute an agreement with
6 American Traffic Solutions Inc., D/B/A
7 Verra Mobility, and two Agreements with
8 school districts in relation to the
9 County's School Bus Stop Arm Photo
10 Enforcement Program.

11 Moved by Deputy Presiding Officer
12 Kopel, seconded by Minority Leader
13 Abrahams.

14 Do we have someone from the
15 Administration to speak on this? I
16 believe we're going to need the IG as
17 well.

18 INSPECTOR GENERAL FRANZESE: I'm
19 here, Presiding Officer.

20 PRESIDING OFFICER NICOLELLO: Okay.
21 Thank you.

22 DEPUTY COUNTY ATTORNEY GREGWARE:
23 Dan Gregware, Deputy County Attorney.
24 Today we're asking the Legislature to
25 authorize the County Executive to enter

1
2 into Verra Mobility to install, operate,
3 and maintain a school bus photo violation
4 monitoring system on school buses owned,
5 operated by, or under contract with
6 school districts located within the
7 County as part of the County's Stop Arm
8 Program.

9 We are also requesting the
10 Legislature to authorize the County
11 Executive to enter into participation
12 agreements with school districts located
13 within the County who wish to participate
14 in the Stop Arm Program.

15 Any questions?

16 PRESIDING OFFICER NICOLELLO: Yes.
17 We have a report from the IG. I'd like
18 to ask Jodi to comment on the finding s
19 or her review of this matter.

20 INSPECTOR GENERAL FRANZESE: Thank
21 you, Presiding Officer. Good afternoon,
22 everyone. This is Jodi Faranzese, Office
23 of the Inspector General. I'm here with
24 Deputy Inspector General Ned Schwartz.
25 As you all know, our office conducted a

1
2 review of the documents in the
3 Legislative Package, including the
4 adverse information that was disclosed by
5 the Vendor in the disclosure forms.

6 The information regarding the
7 investigation of this Vendor. During our
8 review, we spoke with the Inspector
9 General of the City of Chicago and the
10 City of New York to obtain as much as
11 information as we could so we can share
12 that with this Body.

13 At the point, I'm going to hand it
14 over to Ned Schwartz because he has been
15 working very hard on this.

16 DEPUTY INSPECTOR GENERAL SCHWARTZ:
17 Good afternoon. This is Ned Schwartz,
18 DIG.

19 Presently, the Vendor is under an
20 Independent Monitored Agreement with New
21 York City in connection with a number of
22 traffic cameras, pole mounted traffic
23 cameras that were installed by one of
24 it's own subsidiaries. Long story short,
25 issues came to light about improper

1
2 installation of some of these cameras.

3 Initially, 12 locations revealed 12 of
4 the 12 were not done correctly.

5 Subsequently, the Vendor engaged an
6 engineering firm to do broader check and
7 it was discovered that of the 749 camera
8 poles check, inspected, 485, which is
9 just under 65% were done improperly.

10 We understand the Vendor started
11 remediation work subsequent to that. In
12 March of this year, the Vendor in the
13 City of New York entered into a
14 Monitorship Agreement whereby, the
15 Vendor's remediation work as well as
16 future installation work were going to be
17 overseen by an independent engineering
18 monitor. That is ongoing.

19 We understand that the Vendor has
20 been in compliance thus far with the
21 Monitorship Agreement. We would note
22 that per the terms of the agreement, the
23 monitor is required to provide oversight
24 for 25% of the remediation and 25% of the
25 new installation work.

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2 We are in contact with the Chicago
3 IG. Some of the information is not
4 obtainable, we also understand that the
5 Vendor has indicated that it would share
6 with you the agreement it reached with
7 the City of Chicago, but only if you
8 could somehow ensure the confidentiality
9 of that agreement. It is a matter of
10 public record that the City of Chicago
11 OIG did conduct an investigation
12 pertaining to the Vendor's attribution of
13 an endorsement by a Chicago City
14 Official, which was not something that it
15 should have done. The Vendor did not
16 provide a copy of the Chicago IG report.
17 It did not agree, apparently, with
18 everything said. The City and the Vendor
19 entered into a two year Administrative
20 Oversight Agreement, which is,
21 essentially, an agreement not to do
22 anything wrong for those two years. That
23 would be, essentially, a deferred
24 situation. The vendor successfully
25 completed the two year period with no

1
2 adverse activities, so that agreement is
3 now expired.

4 Can we answer any questions?

5 PRESIDING OFFICER NICOLELLO: Any
6 questions for the IG Office?

7 Legislator Drucker?

8 LEGISLATOR DRUCKER: Presiding
9 Officer, I have a question for the
10 administration, not necessarily for the
11 IG.

12 PRESIDING OFFICER NICOLELLO: Yes.

13 LEGISLATOR DRUCKER: Perhaps Mr.
14 Cleary can stop up?

15 MR. CLEARY: Robert Clearly. Chief
16 Procurement and Compliance Officer.

17 LEGISLATOR DRUCKER: Firstly, I do
18 have a question of the IG's Office. Are
19 you committed to implementing the
20 Monitoring Program, or monitoring
21 situation if this contract is approved?

22 INSPECTOR GENERAL FRANZESE:
23 Legislator Drucker, after we had our
24 findings, we briefed both the Majority
25 and the Minority Counsel's Office, but we

1
2 also briefed the Administration and
3 indicated that in our view, a heightened
4 level of scrutiny with respect to this
5 contract may be a good idea for the
6 County. During the discussion, it was my
7 understanding that the Administration was
8 not dismissing that out of hand that,
9 perhaps, heightened scrutiny may be a
10 good idea.

11 LEGISLATOR DRUCKER: Okay. So then
12 I have a question for Mr. Cleary.

13 If that is in fact what is going to
14 go forward, how do you plan on
15 implementing that? Will it be part of
16 the contract, will it be memorialized in
17 the contract?

18 MR. CLEARY: Okay. We agree that
19 some additional scrutiny, given the
20 history of the Vendor, is warranted. The
21 issues that occurred on the previous
22 contract are not exactly equivalent to
23 the services that are going to performed
24 here; nevertheless, there's enough of a
25 history there for us to take note and to

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2 take some action on that.

3 This is a little bit different, so
4 there's a number of steps that can be
5 taken and will be taken with respect to
6 this contract that will add additional
7 scrutiny relative to other contracts.

8 The first thing is that every school
9 bus in New York State is inspected by New
10 York State DOT every six months,
11 including the equipment that this Vendor
12 would be installing using on these buses.
13 The have already worked with this Vendor,
14 first in photo busing Broome County. The
15 did have some issues with the initial
16 installation. They have dictated an 11
17 page guide that describes exactly how the
18 equipment has to be installed. That is
19 the guide that the company will use on
20 all buses in the state, including ours.
21 There is already inspection on every
22 single bus. It may not happen at the
23 time of the installation, but it will
24 happen within within six months. The
25 entire fleet is constantly being produced

1
2 for inspections to the State. That
3 proves for an additional level of
4 scrutiny that would not normally be
5 available on other contracts.

6 Now, this contract does not involve
7 installing fixtures, such as the poles
8 that were installed in New York City that
9 resulted in that particular monitorship.

10 We did speak to the Vendor about
11 that monitorship. They are not
12 recommending using that monitorship in
13 this county. We don't necessarily need
14 that need particular degree of scrutiny,
15 on the other hand. We can say our county
16 has been working with this Vendor,
17 including installing fixtures, for about
18 a decade, since 2009 I believe. My
19 understanding is that our Department of
20 Public Works has worked very closely in
21 inspecting those installation, so we have
22 a relationship in that regard.

23 The remaining elements of the
24 contract are the services provided and
25 the revenue process. Now, TPVA will be

1
2 reviewing all of the money before the
3 Vendor is paid. So there is additional
4 protection in that regard, because
5 there's no money going to the Vendor
6 until we've reviewed everything
7 thoroughly to ensure that every single
8 amount that's paid to them is correct. I
9 think Dave can speak to that more
10 thoroughly.

11 Any other elements of the scrutiny
12 of the contract that we want to talk
13 about?.

14 We will working with the Press
15 Office on the Public Notice and we will
16 be working with DPW on the signage.

17 Again, two different IG reports from
18 two different offices, two different
19 cities. There are obviously concerns; on
20 the other hand, in both cases, the
21 Vendor, once put on notice, has performed
22 acceptably.

23 We have an existing relationship
24 with the Vendor. We believe they are put
25 on notice now and we are going to be

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2 scrutinizing this as we go forward. I
3 think the Department will be willing to
4 report periodically, and I would be
5 willing to report as necessary regarding
6 any findings about the Vendor during the
7 course of the contract.

8 LEGISLATOR DRUCKER: So, is this
9 type of what you now call this type of
10 scrutiny, is that satisfactory to the
11 IG's office based on their findings have
12 been; is this satisfactory to the IG's
13 office?

14 Doesn't sound like there's a great
15 deal of scrutiny that is going to be
16 implemented by the County.

17 INSPECTOR GENERAL FRANZESE:
18 Legislator Drucker, I have to say that
19 from our discussions with the City of
20 Chicago and the City of New York, it does
21 seem clear that the Vendor, once it is
22 overseen by a little extra level of
23 scrutiny, the do seem comply. The City
24 of New York interaction with them was
25 positive in the sense that they complied

1
2 with the Agreement. They did what they
3 had to do. Same with the City of Chicago
4 as well. They got through the two years
5 of Administrative oversight without any
6 issues. I have no reason to doubt the
7 Administration and Mr. Cleary,
8 specifically, I have no reason to doubt
9 that he will not stay on top of this.
10 I'm not certain there -- I'm concerned,
11 but I do believe that this is something
12 that manageable by the County.

13 LEGISLATOR DRUCKER: That's good.
14 Listen, I want to commend the IG's Office
15 for uncovering and do the proper vetting,
16 because that's what you're entrusted to
17 do, and we, as a Legislative Body, have
18 to protect our residents so I'm
19 appreciative of that. But at the same
20 time, I don't want to see this contract
21 delayed. As long as there's proper
22 scrutiny, I'm okay with it. This
23 Legislation, it will save lives. It's
24 designed to protect the safety of
25 children and families. I know Legislator

1
2 Bynoe and myself have worked very hard to
3 get this legislation passed. It's that
4 important. To have it slowed down now
5 would be disastrous. We want to see is
6 passed and implemented so that the start
7 of the school year in September, we can
8 assure the residents in our respective
9 districts that their children and
10 themselves are safe.

11 Again, we have an obligation as
12 legislators to protect our residents and
13 provide the necessary oversight to all
14 our contracts. I just want to make sure
15 that the IG's Office is happy and that
16 the proper monitoring is sufficient to
17 oversee this. I'm okay with that.

18 PRESIDING OFFICER NICOLELLO: Here's
19 my concern with what you just said. It
20 is a lot of words, but it seems like what
21 you are saying is we're going to do
22 everything that we were going to do
23 beforehand, so we are simply going to do
24 the same thing. I don't see where
25 anything you said will provide an

1
2 additional level of scrutiny of their
3 activity. You're simply going to do what
4 you do with other contracts. That's
5 basically what you told us.

6 MR. CLEARY: Well, I think that this
7 contract, because of its very nature, has
8 additional scrutiny already built into it
9 through the form of New York State
10 looking at every single bus every six
11 months. That doesn't come with any of
12 our other contracts almost, right. So
13 you already have a physical inspection of
14 the equipment to make sure it is
15 installed properly, to make sure that
16 it's working properly, and it's on a
17 regular basis. And we're gonna be in
18 touch with the State regarding any
19 deficiencies in that regard. So I don't
20 think you can say there isn't any
21 additional scrutiny in what we would
22 normally do on another contract. Yes,
23 it's what we would do on this contract,
24 but that is an additional level of
25 scrutiny.

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2 PRESIDING OFFICER NICOLELLO: If I
3 made that reference, that was not
4 correct, but it seems as if, again, with
5 this extra stage of scrutiny, the
6 scrutiny they're going to get is exactly
7 the same they were going to get before
8 the IG's report. What level of comfort
9 do we have that they're getting the
10 scrutiny they should get, the additional
11 scrutiny?

12 MR. CLEARY: Well, we've already had
13 this discussion with the Vendor. They
14 understand that we are going to be
15 monitoring this performance more closely
16 than we would on other contracts. We've
17 offered to report back however often you
18 would want us to to ensure that. If, in
19 fact, there is a reason to institute a
20 monitorship, then, certainly, we will
21 insist on that.

22 If there is a failure on the
23 performance, if there's a failure on any
24 of those obligations -- one of the other
25 recommendations that wasn't spoken to

1
2 from the Inspector General's Office was
3 having a checklist of deliverables and
4 TPVA will be putting together and using
5 that scrupulously on this particular
6 contract.

7 Again, they have not had any
8 indication of financial or performance
9 other than those that were described.
10 Those particular problems do not relate
11 to this particular contract, but because
12 of all that's been found, all that's been
13 discussed, the fact that they are under a
14 monitorship in New York City, we are on
15 notice that we need to make sure that we
16 look at this more closely than other
17 contracts.

18 Now, we do have an ongoing
19 relationship with the Vendor, so we don't
20 expect any problems. Again, these
21 services are materially different than
22 those that they had problem with. We've
23 actually had some of those services and
24 had not had a problem.

25 So I agree with you that this is

1
2 largely the same implementation process
3 that we would us, but we don't have this
4 conversation with everyone here about
5 other contracts. We don't have this
6 conversation with the Vendor themselves,
7 we've already discussed the possibility
8 of having a monitorship, and if we find
9 that's it's necessary, we will go in
10 direction and make sure that that happens
11 if it's warranted.

12 PRESIDING OFFICER NICOLELLO: Have
13 you checked into this Administrative
14 Oversight Agreement that they apparently
15 have with the City of Chicago? It seems
16 like a lesser -- it seems like additional
17 scrutiny, but not to the extent of a
18 monitor. Have you considered that? Have
19 you raised that possibility with the
20 Vendor?

21 MR. CLEARY: I haven't spoken to
22 them about that, but we can certainly do
23 that. I mean, that was an internal
24 Chicago process. We don't have quite the
25 same process, but it doesn't mean that we

1
2 couldn't also take that as an additional
3 interim step, absolutely. I think the
4 Vendor would agree to something along
5 those lines.

6 PRESIDING OFFICER NICOLELLO:
7 Legislator Walker, did you have a
8 question?

9 LEGISLATOR WALKER: I just agree
10 with Presiding Officer. Who would we
11 even have in the County that was able to
12 make sure that this -- one of the
13 problems was the way things were wired or
14 something like that; we have somebody who
15 is able to do that?

16 MR. CLEARY: Well, as I said, the
17 work is being inspected by the State.
18 State. They're really the, I think, the
19 subject matter experts in this regard.
20 We'll have a functional familiarity with
21 the use and installation of the
22 equipment, but we are relying on the
23 State in that regard.

24 The State is already worked very
25 closely with this Vendor and the Vendor

1
2 understands what the State's obligations
3 are and so that gives us some reason to
4 believe that we're in better hands in
5 that regard than we would be otherwise.

6 LEGISLATOR WALKER: I mean, like I
7 said, I'm very much in favor of this
8 legislation. I hear constantly from my
9 residents regarding this issue.

10 I guess a part of me doesn't see
11 that we, as a county, already are gonna
12 have much more scrutiny of, as our
13 Presiding Officer said, than what's
14 already being done by the State, and the
15 Vendor, hopefully, learned it's lesson
16 and is doing the right thing.

17 MR. CLEARY: Well, I'm certainly
18 going to be working closely with Dave on
19 this contract, with TPVA on this
20 contract. So I, personally, am going to
21 have more scrutiny on this contract than
22 I would on almost any other contract
23 because of the way this has started and
24 the nature of it and who's impacted by
25 it. I, personally, know that I am going

1
2 to be looking at it a lot more closely
3 than some other contracts.

4 We will discuss with the Vendor the
5 interim suggested level of scrutiny and I
6 will report back on that, if that's
7 what's desired.

8 LEGISLATOR FORD: Good afternoon.
9 The contract is one thing, but I think
10 that some of the issues raised had to do
11 with the installation. And, I guess,
12 Rose was even talking about the wiring of
13 some of this equipment that they didn't
14 do it properly in New York City or
15 Chicago, or did I miss something here?

16 MR. CLEARY: Well, that was the
17 wiring in the New York City posts. I
18 should point out that the issues in New
19 York City were raised by the Vendor and
20 brought to the City's attention, which is
21 a good sign. It's not good that what
22 happened, happened. But at least when
23 they found the problem, they did come
24 forward and admit it.

25 LEGISLATOR FORD: I would say that,

1
2 I know the State will do their
3 investigating and do their inspections,
4 but I think with something like this
5 that's so important to us, because we
6 want to make sure that this program --
7 you know, I support it -- I want to make
8 sure it's working properly for the
9 benefit, especially, of our students, the
10 kids on the buses and stuff like that.
11 If we rely just upon the State to do all
12 the inspections, I think it would behoove
13 us to try to get somebody within the
14 County to have some working knowledge of
15 how these school bus arms operate and to
16 make sure that we, ourselves, can do our
17 own inspections at times to make sure
18 things are installed properly and working
19 properly instead of always waiting for
20 the State. Is this any way of achieving
21 that?

22 MR. CLEARY: I think we'll have to
23 talk to the State about that. Perhaps,
24 we can -- I don't know if we can
25 coordinate with them to have somebody

1
2 demonstrate what they're looking for so
3 we can have some internal capacity.
4 That's a fair point.

5 LEGISLATOR FORD: Yeah. I mean, to
6 rely on the State is crazy. This is very
7 important. We've been waiting a long time
8 for this.

9 Thank you.

10 MR. CLEARY: I'm sure we'll have the
11 ability along with the bus fleet
12 operators to be able to test the
13 equipment ourselves to ensure that it's
14 working, functioning properly, and at
15 least some of the installation we might
16 be able to inspect. But we're not the
17 subject matter experts, as I said, so we
18 would need some guidance in that regard.

19 LEGISLATOR FORD: Because if
20 somebody gets a ticket and they want to
21 go to court to say they got it
22 incorrectly, who does the inspection on
23 the school bus that created the ticket?
24 Who goes out to verify that that is
25 working properly and that that person

1
2 wasn't ticketed incorrectly?

3 MR. CLEARY: As I said, the fleet
4 operators are, presumably, inspecting the
5 buses every day before they go out. I
6 would have to believe that was the case.

7 LEGISLATOR FORD: They probably
8 would need to be sort of trained or
9 brought up to speed to understand how the
10 equipment works and how it's installed,
11 correct?

12 MR. CLEARY: Yes. There does have
13 to be a basic functional knowledge of the
14 equipment and the operations, absolutely.

15 LEGISLATOR FORD: All right. Thank
16 you.

17 PRESIDING OFFICER NICOLELLO:
18 Legislator DeRiggi-Whitton and then
19 Legislator Gaylor.

20 LEGISLATOR DERIGGI-WHITTON: Okay.
21 Do we know if the State actually looks at
22 the speed (sic) cameras as part of their
23 inspection?

24 MR. CLEARY: Yes. I've been told
25 that by the supervisor of the office.

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LEGISLATOR DERIGGI-WHITTON: Okay.
And they look at it for working and
accuracy and everything else, the State?

MR. CLEARY: They inspect that it's
been installed properly and operating
properly.

LEGISLATOR DERIGGI-WHITTON: Okay.
We were just discussing it with Counsel
and I think we're in an opportunity where
we could require ATS to hire an
independent monitor to do spot checks or
somehow keep an eye on it; why don't we
require that as terms of this contract?

MR. CLEARY: Well, we can have that
discussion with them again.

LEGISLATOR DERIGGI-WHITTON: Well,
maybe we should do it as part of this --
I mean, I know we would have to amend the
contract, but before we -- I mean, I
don't want to delay it either, but on the
other hand, I think we should put
something in that says that we're
requiring them, ATS -- they have this
record, they're the ones who have the

1
2 obligation to hire a subcontractor to do
3 periodic checks and report to the County.

4 MR. CLEARY: As I said, we did have
5 the discussion about Schwartz Engineering
6 (phonetic). At the time, they were
7 resisting to that, and they did point out
8 that New York State is looking at
9 everyone of these buses.

10 As far as the installation and
11 operation, I think that is a significant
12 degree of scrutiny that we don't, as I
13 said, usually have on these contracts.
14 If we find there's other performance
15 problems or that there are even issues in
16 that regard, then it certainly would be
17 warranted to continue its services.

18 LEGISLATOR DERIGGI-WHITTON: I think
19 we should take the proactive road and
20 just demand that they agree to hiring at
21 least for a year or so, whatever time we
22 feel comfortable. I mean, they're coming
23 to us with a little bit of a botched
24 record and we're giving them the benefit
25 of the doubt. I think it is okay. I

1
2 think it's understandable that the County
3 wants to move forward with this, but I
4 also think it's not out of the realm of
5 reality to tell them that they have to
6 hire an independent contractor to report
7 to us.

8 MR. CLEARY: Well, I will say,
9 again, we have a 10 year relationship
10 with the Vendor with acceptable
11 performance. The issue in New York City,
12 the allowed to occur, but they did raise
13 it and they are correcting it, obviously.

14 The issue in Chicago is, presumably,
15 not something that's going to happen
16 here, we'll have to watch for that, and
17 obviously not the primary work of the
18 contract.

19 This is not a situation that is as
20 clear cut as some other contracts where
21 we have mandated the hiring of an
22 integrity monitor. I think the reason
23 the Inspector General -- if I may put
24 words in their mouths, perhaps -- I think
25 the reason the Inspector General's Office

1
2 is suggesting additional scrutiny is
3 because there's a recognition that we're
4 not saying there's an integrity problem
5 here that clearly needs a monitor to be
6 able to do business with them. I mean,
7 right now, we are already doing business
8 with them.

9 I think it is something that does
10 warrant additional scrutiny, it does
11 warrant a heightened level of awareness
12 of what they're doing and making sure
13 they're actually checking every box in
14 their deliverables. I haven't come to
15 the conclusion that an integrity monitor
16 is the right course at this time for this
17 contract.

18 LEGISLATOR DERIGGI-WHITTON: Yeah.
19 More of an engineering. It's not that
20 we're questioning them abiding by the
21 contract, we're questioning their actual
22 ability to do the work correctly. It
23 would be more of an engineering expert
24 that would come in and do a report. I
25 don't think it would even be that costly.

1
2 Even if it's not every bus, I think we
3 should do our due diligence and take a
4 certain amount of the buses every six
5 months and really have somebody look at
6 them.

7 MR. CLEARY: It just was suggested
8 that I point out that the subsidiary that
9 did the work in New York City is not
10 going to be doing the work on this
11 contract, so we don't have that concern.

12 As far as, again, the technical
13 review of the installation, New York
14 State is doing that. Even if they're not
15 doing every single bus before it goes on
16 the road, they are going to be doing
17 these on a regular basis and they're
18 going to see if there's an issue.
19 They're gonna identify that pretty
20 quickly. It's not like it's out of the
21 question to have a separate private
22 Vendor inspect the work as well, but I
23 don't think that's really where our
24 concerns are likely to fall in this
25 particular contract. They've done other

1
2 work for us and it's been considered to
3 be acceptable, good work.

4 I think that the remedy that you're
5 suggesting is, perhaps, not the ideal way
6 to address the concerns that we have. I
7 think the concerns that we have need to
8 be addressed by vigorously enforcing the
9 terms of the contract and by documenting
10 that and by ensuring that every other
11 element of the contract works well, as
12 well as coordinating with New York State
13 to make sure the equipment is installed
14 and operating correctly.

15 LEGISLATOR DERIGGI-WHITTON: I guess
16 our level of comfort is a little
17 different. I just think when something
18 is brought to our attention as a
19 potential problem -- it's an important
20 contract for us, because we all want to
21 do the right thing for the safety of the
22 kids. I don't want to see something go
23 wrong that would in any way hamper this
24 program.

25 We're not asking them to spend a ton

1
2 of money and we're not asking for a huge
3 amount of inconvenience of their time or
4 the buses. I just think it kind of sends
5 a message that if you want to do business
6 in Nassau County and we have questions,
7 we're gonna come down on you and you're
8 the one that's gonna have to pay for it.
9 I think that's how we should approach it.
10 They should pay for it. This shouldn't be
11 a County expense to hire an engineer, I
12 think it should be this company.

13 I don't know if we can amend a
14 contract at this point, but I like that
15 idea. Again, it sends a message to
16 companies.

17 PRESIDING OFFICER NICOLELLO:
18 Legislator Gaylor, did you want to add
19 anything?

20 LEGISLATOR GAYLOR: Thank you,
21 Presiding Officer.

22 Just a couple of quick questions.
23 Is this same Vendor that Suffolk
24 currently uses?

25 MR. RICH: No, it is not.

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2 LEGISLATOR GAYLOR: Thank you, Mr.
3 Rich.

4 Second, how will we know if there's
5 a failure.

6 MR. RICH: For the most part, if we
7 don't retrieve any images or events
8 captured for the day, then we would know
9 that the camera is off line.

10 LEGISLATOR GAYLOR: Okay. Very
11 good. I'm gonna come back to that in a
12 sec.

13 What does the State inspect every
14 six months, is a vehicle inspection, akin
15 of the annual inspection, a personal
16 motor vehicle or will it include
17 inspection of the cameras, and are we for
18 sure that the State is inspecting the
19 cameras, video, mounting, wiring, the
20 components, there's a proper imaging; do
21 we know for a fact?

22 MR. CLEARY: As I said, I said to
23 the supervisor of the unit today and he
24 assured me, yes, they do inspect everyone
25 of these cameras when the bus comes in as

1
2 part of the inspection, including the
3 operation of the equipment, making sure
4 it's installed properly according to the
5 guidelines.

6 Again, they did have to come up with
7 an 11 page direction to the Vendor on how
8 to install these things properly, so it's
9 very clear what they told the Vendor what
10 to do, the Vendor understands that and
11 it's very clear on what they're going to
12 find acceptable and what they're not
13 going to find acceptable.

14 LEGISLATOR GAYLOR: Okay. Got it.
15 Thank you.

16 Coming back, Mr. Rich, to knowing if
17 there's a failure. So I get a ticket,
18 school bus ticket. I go to court. How
19 are you gonna prove the case? Is there
20 is a daily calibration check? Is there
21 an Affidavit from the Vendor on a daily
22 basis for every ticket? How are we gonna
23 do it; is it similar to the red light
24 cameras, or is it a different kind of
25 process? Can you just walk me through

1
2 that so I fell comfortable?

3 MR. RICH: I would actually have to
4 check. On the red light camera, we know
5 that there's a system start up and check
6 and it does a self-diagnosis. If it goes
7 off line, it automatically alerts the
8 Vendor. I have not gotten into the
9 details, unfortunately, with the school
10 bus stop arm on how that's done and how
11 the system starts up, so I would have to
12 get back to you on that information.

13 It's not similar to the school speed zone
14 camera where there's an affidavit by the
15 deployment, who installed it, if it was a
16 mobile unit and whether it was deployed
17 correctly. We're not at that level and I
18 don't see any requirement for that type
19 of information, but I will get back to
20 use on what we use or what the Vendor
21 would use to ensure that the system is
22 currently operating. I know that they
23 use the same type of cell service, so we
24 will be able to tell if it goes offline.
25 As far as the bus operator/driver, if

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2 they see something visibly, they will
3 report it immediately and we will know
4 that something is wrong with the camera.
5 If there is nothing visibly that you can
6 see that the system is offline, we would
7 have to refer to or rely to the systems
8 themselves to tell us the camera is
9 offline.

10 LEGISLATOR GAYLOR: So we would have
11 sufficient evidentiary basis to prosecute
12 somebody who gets a violation and wants
13 to challenge it?

14 MR. RICH: My goal is yes. I will
15 have to look into that for you.

16 LEGISLATOR GAYLOR: Okay. If you
17 would, please. I know we have the
18 probationary period we'll call it, so we
19 have some time; if you could and just let
20 us know. Appreciate it.

21 Thank you, gentlemen, ladies.

22 PRESIDING OFFICER NICOLELLO: Anyone
23 else?

24 Legislator Drucker?

25 LEGISLATOR DRUCKER: Just a real

1
2 quick question. Thank you, Presiding
3 Officer.

4 Mr. Cleary, would you be able to
5 commit -- as a way of satisfying our
6 concerns raised here, would you be able
7 to commit to doing a six month or one
8 year performance evaluation to see how
9 it's going, this way we don't have to
10 amend the contract. The Administration
11 just do an internal performance
12 evaluation every six months or every
13 year?

14 MR. CLEARY: Yes. I believe we
15 accommodate that.

16 LEGISLATOR DRUCKER: And this way,
17 we wouldn't have to amend the contract.

18 MR. CLEARY: I think it makes sense
19 to do anyway under the circumstances.

20 LEGISLATOR DRUCKER: Okay. I'm okay
21 with that.

22 PRESIDING OFFICER NICOLELLO:
23 Legislator Birnbaum?

24 LEGISLATOR BIRNBAUM: In accordance
25 to that, when we're giving the 60 day

1
2 preliminary, sort of, trial period, can
3 we also find out how it's working? You
4 would have that information on how many
5 tickets, violations have been noted.
6 Wouldn't we get an early signal at the
7 beginning?

8 MR. CLEARY: Yes.

9 LEGISLATOR BIRNBAUM: So you could
10 give us a report after 60 days when each
11 school system enacts this, then we can
12 see how it's playing out and then get
13 another report maybe six months or a year
14 later.

15 MR. CLEARY: Sure.

16 PRESIDING OFFICER NICOLELLO: I
17 share the concerns that Legislator
18 DeRiggi-Whitton has; however, I would
19 like to see something, perhaps, short of
20 amending the contract.

21 My suggestion is that we table this
22 for today. I will recess the meeting. We
23 will come back in two weeks for the
24 Committees and take it up at that time.
25 This way, Mr. Cleary, it gives you time.

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2 We had just gotten the IG's report. It
3 gives you time to speak to the Vendor and
4 maybe develop a plan to satisfy all or
5 our concerns.

6 MR. CLEARY: Understood.

7 PRESIDING OFFICER NICOLELLO: So it
8 will be two weeks. We have our Committee
9 on July 12, a recess today, and we will
10 just bring this contract back up.

11 Motion to table.

12 LEGISLATOR RHOADS: So moved.

13 PRESIDING OFFICER NICOLELLO: Who
14 was that? Legislator Rhoads, makes a
15 motion to table. Seconded by Legislator
16 DeRiggi-Whitton. All in favor of
17 tabling, signify by saying, "Aye".

18 PRESIDING OFFICER NICOLELLO: Aye.

19 LEGISLATOR KOPEL: Aye.

20 LEGISLATOR FORD: Aye.

21 LEGISLATOR BYNOE: Aye.

22 LEGISLATOR SOLAGES: Aye.

23 LEGISLATOR MULE: Aye.

24 LEGISLATOR GAYLOR: Aye.

25 LEGISLATOR BIRNBAUM: Aye.

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LEGISLATOR DERIGGI-WHITTON: Aye.

LEGISLATOR KENNEDY: Aye.

LEGISLATOR MCKEVITT: Aye.

LEGISLATOR SCHAEFER: Aye.

LEGISLATOR FERRETTI: Aye.

LEGISLATOR WALKER: Aye.

LEGISLATOR LAFAZAN: Aye.

LEGISLATOR RHOADS: Aye.

LEGISLATOR ABRAHAMS: Aye.

PRESIDING OFFICER NICOLELLO: Those
opposed?

LEGISLATOR DRUCKER: Nay.

(Whereupon, Presiding
Officer clarifies Ayes and
Nays.)

PRESIDING OFFICER NICOLELLO: Passes
by vote of 17 to 1, the motion to table.

I'm going to put this meeting to
recess and we will be calling it again in
two weeks.

(Whereupon, above item is
tabled, meeting is kept open;
meeting to recess, 6:36 p.m.)

C E R T I F I C A T E

STATE OF NEW YORK)
 : SS.:
COUNTY OF NASSAU)

I, KAREN LORENZO, a Notary Public for and
within the State of New York, do hereby
certify:

That the above is a correct transcription
of my stenographic notes.

I further certify that I am not related
to any of the parties to this action by blood
or by marriage and that I am in no way
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set
my hand this 28st day of June, 2021.

Karen Lorenzo
KAREN LORENZO

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