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NASSAU COUNTY LEGISLATURE

RICHARD NICOLELLO  
PRESIDING OFFICER

RULES COMMITTEE

LEGISLATOR RICHARD NICOLELLO

CHAIR

Theodore Roosevelt Building  
1550 Franklin Avenue  
Mineola, New York

Monday, October 4, 2021

1:09 P.M.

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

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4 LEGISLATOR RICHARD NICOLELLO

5 Chair

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7 LEGISLATOR HOWARD KOPEL

8 Vice Chair

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10 LEGISLATOR STEVEN RHOADS

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12 LEGISLATOR LAURA SCHAEFER

13

14 LEGISLATOR KEVAN ABRAHAMS

15 Ranking member

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17 LEGISLATOR DELIA DERIGGI-WHITTON

18

19 LEGISLATOR SIELA BYNOE

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1 Rules - 10-4-21

2 LEGISLATOR NICOLELLO: I'm going  
3 to call the Rules Committee to order and ask  
4 Legislator Schaefer to lead us in the Pledge  
5 and please remain standing for a moment of  
6 silence afterwards.

7 Liz Muller passed away over the  
8 weekend. She's the mother of Bill Muller,  
9 counsel and former clerk of the legislature.  
10 So I'd you to all keep her and the family in  
11 your thoughts and prayers. Thank you.

12 Mike, call the roll for the Rules  
13 Committee.

14 MR. PULITZER: Thank you  
15 Presiding Officer. Rules Committee roll  
16 call. Legislator Siela Bynoe.

17 LEGISLATOR BYNOE: Here.

18 MR. PULITZER: Thank you.  
19 Legislator Delia DeRiggi-Whitton.

20 LEGISLATOR DERIGGI-WHITTON:  
21 Here.

22 MR. PULITZER: Ranking Member  
23 Kevan Abrahams.

24 LEGISLATOR ABRAHAMS: Here.

25 MR. PULITZER: Legislator Laura

1 Rules - 10-4-21

2 Schaefer.

3 LEGISLATOR SCHAEFER: Here.

4 MR. PULITZER: Legislator Steven  
5 Rhoads.

6 LEGISLATOR RHOADS: Present.

7 MR. PULITZER: Vice Chairman

8 Howard Kopel.

9 LEGISLATOR KOPEL: Here.

10 MR. PULITZER: Chairman Richard  
11 Nicolello.

12 LEGISLATOR NICOLELLO: Here.

13 MR. PULITZER: We have a quorum  
14 sir.

15 LEGISLATOR NICOLELLO: Thank  
16 you. As we always do, we are starting with  
17 the contracts portion of the rules agenda and  
18 I'm going to call those contracts together and  
19 we will be considering them individually. A-2  
20 of 2021. A-47, A-49.

21 Resolutions authorizing the  
22 commissioner of shared services to award and  
23 execute a purchase order or blanket purchase  
24 orders between the county and Advanced  
25 Measurement Technology, Inc., Sprague

1 Rules - 10-4-21  
2 Operating Resources, Lemco Services, Inc.  
3 E-141, E-142, E-143, E-144, E-145.  
4 These are resolutions authorizing the county  
5 executive to execute personal services  
6 agreements or amendments to personal service  
7 agreements between the county and DRC  
8 Emergency Services, Ashbritt, Inc., Capital  
9 Resource Management, Aetna Life Insurance  
10 Company and Cameron Engineering.

11 Those items are moved by Legislator  
12 Rhoads. Seconded by Minority Leader  
13 Abrahams. They are all before us now. Let's  
14 start off with the police department contract  
15 which is A-2.

16 MR. FIELD: William Field,  
17 inspector with the police department. Item  
18 A-2 2021 is to award and authorize a purchase  
19 order for the Detective XN Radiation  
20 Identifier from Advanced Measurement  
21 Technology, Incorporated.

22 This solicitation was posted in  
23 Newsday and posted on the Nassau County bid  
24 solicitation board. The lowest responsible  
25 bidder meeting specifications was Advanced

1 Rules - 10-4-21

2 Measurements Technology Incorporated. The  
3 maximum amount authorized under this is  
4 \$170,838.88. It's grant funded.

5 This is a system used to detect  
6 radiation from a source that we may not know  
7 so that we can best respond to it and identify  
8 what it is. Make sure the situation can be  
9 resolved in as safe a way as possible.

10 LEGISLATOR NICOLELLO: Any  
11 questions? Legislator Rhoads has a question.

12 LEGISLATOR RHOADS: When the  
13 equipment is procured is that something that's  
14 shared with the fire service as well or is  
15 this --

16 MR. FIELD: It's used by our  
17 emergency services. So it's something we  
18 could definitely let them know that we have.

19 LEGISLATOR RHOADS: Thank you.

20 LEGISLATOR NICOLELLO: Thank you  
21 inspector.

22 LEGISLATOR NICOLELLO: The next  
23 contracts are with the Department of Public  
24 Works.

25 MR. ARNOLD: Good afternoon. Ken

1 Rules - 10-4-21  
2 Arnold, Public Works. A-47 is a service  
3 blanket order for supply of gasoline, both  
4 regular and premium, to various county  
5 facilities. There were three bids and Sprague  
6 Operating Resources was the lowest responsible  
7 bidder.

8 LEGISLATOR NICOLELLO: Any  
9 questions? The next one is E-49.

10 MR. ARNOLD: E-49 is a blanket  
11 order contract for the maintenance and repair  
12 of transformation services and high voltage  
13 electric. We had one bidder, Lemco, as the  
14 lowest responsible bidder.

15 LEGISLATOR NICOLELLO: Is this  
16 something what the Department of Public Works  
17 ordinarily does? This type of --

18 MR. ARNOLD: We don't do high  
19 voltage. And actually Lemco the problem we  
20 had at One West Street that's that contract  
21 that's actually repairing that.

22 LEGISLATOR NICOLELLO: Any other  
23 questions? Take the next two together because  
24 they're similar, E-141, E-142.

25 MR. ARNOLD: E-141 and 142 are

1 Rules - 10-4-21  
2 disaster management services. These are the  
3 contracts that we will use if we had a  
4 tropical or any type of other event that we  
5 had an emergency and required assistance for  
6 debris removal, both vegetative and wipe  
7 debris. We put out a solicitation. We had  
8 six proposals. DRC and Ashbritt were the two  
9 highest technically ranked with the exception  
10 of Crowder Gulf. Crowder Gulf did not meet  
11 our payment for prevailing wage rate schedule  
12 so they were nonresponsive.

13 LEGISLATOR ABRAHAMS: Ken, this  
14 has nothing to do with you but we had  
15 requested from the inspector general a review  
16 of the contracts and we're still awaiting that  
17 review. But I understand, obviously, we are  
18 in the heightened season where this type of  
19 debris removal is going to be required. I'm  
20 kind of asking the question I already know the  
21 response. Obviously this contract was delayed  
22 or it's on call approval was delayed it limits  
23 your ability to actually --

24 MR. ARNOLD: If you want to table  
25 it to get that information back I'm okay with

1 Rules - 10-4-21

2 that. If we had an emergency we would issue  
3 the work and then we would just notify you.  
4 We can do it that way.

5 LEGISLATOR ABRAHAMS: Is she  
6 supposed to get the response today?

7 MR. ARNOLD: DRC I think, I  
8 understand you have everything. I think  
9 Ashbritt there's one piece you're missing.

10 LEGISLATOR ABRAHAMS: Is she on  
11 the phone?

12 MR. ARNOLD: My understanding is  
13 one of the questions is about termination of  
14 employees.

15 MS. FRANZESE: I'm here Minority  
16 Leader.

17 LEGISLATOR ABRAHAMS: Hi Jodi.

18 MS. FRANZESE: Hi everyone. Jodi  
19 Franzese, Office of the Inspector General. If  
20 I could just clear it up briefly. Regarding  
21 142-21 the vendor hasn't provided specifics  
22 about cancelled contracts. That's what we're  
23 waiting on. DRC is good to go. But we still  
24 haven't received that information that we  
25 requested from Ashbritt.

1 Rules - 10-4-21

2 MR. ARNOLD: We reached out to  
3 Ashbritt again this morning to ask for that  
4 list and if it didn't exist just to tell us it  
5 didn't exist.

6 LEGISLATOR ABRAHAMS: Okay.

7 LEGISLATOR NICOLELLO: We have a  
8 meeting on the 25th I believe and other  
9 meetings before that. So if necessary we can  
10 throw a Rules Committee on.

11 LEGISLATOR ABRAHAMS: Just to be  
12 clear, sorry presiding officer, not to cut you  
13 off, just to be clear Ken, so if there was  
14 something that occurred between now and the  
15 next time we would be able to meet you will  
16 still be able to meet your obligation to  
17 remove --

18 MR. ARNOLD: When we had Henri  
19 coming up this way we reached out to both of  
20 the firms and we were ready to utilize  
21 Ashbritt for the emergency but we cancelled  
22 them because the storm veered off. So, if we  
23 had to do something, working with the  
24 procurement office declaring an emergency, we  
25 can utilize these contracts and their

1 Rules - 10-4-21

2 procurement.

3 LEGISLATOR ABRAHAMS: Just wanted  
4 to double check that. Thank you.

5 MR. CLEARY: Robert Cleary, chief  
6 procurement and compliance officer. I just  
7 want to clarify one thing that Ken just said.  
8 Ashbritt did respond very recently that they  
9 don't maintain a list of cancelled contracts.  
10 That is the latest information that we  
11 received. I not sure exactly how that's going  
12 to be taken by the Office of the Inspector  
13 General.

14 LEGISLATOR DERIGGI-WHITTON: Can  
15 you just explain the difference between the  
16 two contracts? Is it just that you want two  
17 companies or are there different tasks?

18 MR. ARNOLD: We want multiple  
19 companies because if a storm is coming various  
20 municipalities reach out to vendors and we  
21 wanted to have the ability to reach out to  
22 multiple vendors to secure crews. If the  
23 storm was like Sandy where we had to go back  
24 and get additional crews we want to know  
25 there's a pool of companies that we can

1 Rules - 10-4-21

2 utilize.

3 LEGISLATOR DERIGGI-WHITTON: But  
4 they pretty much do the same type of work?

5 MR. ARNOLD: Yes.

6 LEGISLATOR NICOLELLO: Legislator  
7 Schaefer.

8 LEGISLATOR SCHAEFER: Hi  
9 commissioner. Just a quick question. What  
10 happened with Crowder Gulf? Weren't they the  
11 number one ranked?

12 MR. ARNOLD: So, if you're  
13 familiar with what the issue we went through  
14 during with Sandy which was prevailing wage  
15 rates, we required that proof of their salary  
16 structures and some firms would not give that  
17 information to us.

18 LEGISLATOR SCHAEFER: So they  
19 were one of those firms?

20 MR. ARNOLD: Yes.

21 LEGISLATOR SCHAEFER: Did they  
22 change their mind at any point and say we will  
23 do it?

24 MR. ARNOLD: No. They just asked  
25 us to deem them nonresponsive.

1 Rules - 10-4-21

2 LEGISLATOR SCHAEFER: Thank you.

3 LEGISLATOR NICOLELLO: As to  
4 E-142, do we have a motion to table? Moved by  
5 Legislator Rhoads. Seconded by Deputy  
6 Presiding Officer Kopel. All in favor of  
7 tabling E-142 signify by saying aye. Those  
8 opposed? The item is tabled.

9 So we have E-141. My notes  
10 indicate that you had recently submitted three  
11 disaster relief management contracts and on  
12 September 13th the Rules Committee passed two  
13 of those contracts. Apparently the backup  
14 said that the administration would only be  
15 awarding disaster relief management contracts  
16 to three vendors and now it appears that  
17 you're --

18 MR. ARNOLD: Different  
19 contracts. Those three are monitoring  
20 contracts. Where these are actually  
21 management. It's kind of weird how they word  
22 it. The monitoring supplies the department  
23 with resources to help us oversee the  
24 operations and count trucks, make sure we get  
25 our reimbursements. The management is

1 Rules - 10-4-21

2 actually the physical removal of the material.

3 LEGISLATOR NICOLELLO: And this  
4 is management?

5 MR. ARNOLD: These two are  
6 management.

7 LEGISLATOR NICOLELLO: Thank  
8 you. Any other questions for Ken on this  
9 contract? Last one you have is E-145.

10 MR. ARNOLD: E-145 is a contract  
11 amendment for Cameron Engineering. It is  
12 retroactive. It's for an additional \$109,000  
13 and extension of time until this month. This  
14 is associated with our park and beach GOSA  
15 project. While we were designing the project  
16 we ran into a fiscal issue where we had to  
17 divide the project into two pieces to keep it  
18 on schedule. So we ended up bidding only  
19 phase one. Phase two we're chasing grant  
20 money as we speak.

21 But to keep the project on schedule  
22 we directed Cameron to make some changes in  
23 design to break into two pieces. And also to  
24 add some traffic signal equipment that was in  
25 disrepair in the same corridor. We wanted to

1 Rules - 10-4-21  
2 make sure we got it taken care of at the same  
3 time.

4 LEGISLATOR NICOLELLO: Any  
5 questions? No. Thank you Ken.

6 Treasurer's office. E-143.

7 MS. ENELLA: Good afternoon.  
8 Lisa Enella, deputy county treasurer. This is  
9 an amendment to exercise the final renewal  
10 option for one year for debt collection  
11 services. This is for the collection of  
12 ambulance billings for individuals who  
13 insurance paid them directly and kept the  
14 insurance proceeds.

15 LEGISLATOR NICOLELLO: Very  
16 good. Any questions on this contract? Thank  
17 you.

18 The last one we have contract was  
19 with human resources, E-144.

20 MS. HOWARD: Good afternoon.  
21 Marissa Howard, director of human resources.

22 Item E-144-21 is a request to  
23 approve the renewal for the Aetna health  
24 insurance for the 2021 calendar year. This  
25 renewal will allow the county to continue to

1 Rules - 10-4-21  
2 provide health insurance benefits to county  
3 employees through December of 2021. This plan  
4 was an option for all employees hired after  
5 April 2014.

6 With 2022 around the corner, the  
7 county has been working to find a replacement  
8 to the health insurance Aetna plan. Earlier  
9 this year the county issued an RFP to find a  
10 replacement health insurance plan. A  
11 committee comprised of the county and union  
12 representatives have been working regularly to  
13 review the submitted proposals and working  
14 together have selected a vendor. The contract  
15 for the replacement plan will be submitted to  
16 your review for approval in the coming weeks.

17 LEGISLATOR NICOLELLO: Have there  
18 been any changes to this contract over the  
19 course of the time from 2014 to the present?

20 MS. HOWARD: There has not.

21 LEGISLATOR NICOLELLO: Do the  
22 employees have to pay premiums towards this  
23 contract or no?

24 MS. HOWARD: Currently for the  
25 2021 calendar year the Aetna rates did exceed

1 Rules - 10-4-21

2 85 percent. So employees are paying for the  
3 delta.

4 LEGISLATOR NICOLELLO: Any other  
5 questions?

6 LEGISLATOR DERIGGI-WHITTON: So  
7 the delay was primarily because Aetna didn't  
8 complete the paperwork; is that correct?

9 MS. HOWARD: The delay for the  
10 submission of this was due to COVID. The  
11 disclosures expired and we had to execute an  
12 amendment to the contract which they took a  
13 little bit to get back to us.

14 LEGISLATOR DERIGGI-WHITTON: The  
15 coverage is still available for the employees  
16 that selected this.

17 MS. HOWARD: Correct. For the  
18 remainder of the year.

19 LEGISLATOR DERIGGI-WHITTON: Do  
20 you think you are going to be eliminating  
21 Aetna going forward or you're just going to  
22 see?

23 MS. HOWARD: The committee has  
24 made a selection. It could result in Aetna  
25 being replaced with a new vendor.

1 Rules - 10-4-21

2 LEGISLATOR NICOLELLO: Do you  
3 know about how many percentage-wise of our  
4 workforce take advantage of this option?

5 MS. HOWARD: Current enrollment  
6 there's about 2600 employees.

7 LEGISLATOR NICOLELLO: Out of the  
8 total workforce?

9 MS. HOWARD: Correct.

10 LEGISLATOR NICOLELLO: Any other  
11 questions? Thank you very much.

12 I'm going to call all those items  
13 excluding E-143 for a vote. It's A-2, A-47,  
14 A-49, E-141, E-145, E-143, E-144. Any further  
15 debate or discussion? Any public comment on  
16 these contracts? If not, all in favor signify  
17 by saying aye. Those opposed? Carries  
18 unanimously. We will put Rules Committee in  
19 recess and Public Safety is next.

20 (Committee recessed at 1:26 p.m.)

21 (Committee reconvened at 1:50 p.m.)

22 LEGISLATOR NICOLELLO: Call Rules  
23 Committee out of recess and I'm going to call  
24 the consent calendar which are items that just  
25 went through other committee. No further

1 Rules - 10-4-21  
2 debate or discussion is needed at this time on  
3 these. The consent calendar includes 351,  
4 352, 353, 354, 355, 362, 363, 364, 365, 366,  
5 367, 368, 369, 371, 372 and that's it.

6 Moved by Legislator  
7 DeRiggi-Whitton. Seconded by Legislator  
8 Schaefer. Any debate or discussion on the  
9 consent items? Hearing none, all in favor  
10 signify by saying aye. Those opposed? Carries  
11 unanimously.

12 One item remaining which is 370. A  
13 resolution authorizing the county executive to  
14 execute an intermunicipal agreement with the  
15 Town of North Hempstead and various villages  
16 in relation to the Manhasset Bay Protection  
17 Committee. I will move that. Seconded by  
18 Minority Leader Abrahams. And the item is  
19 before us.

20 MR. ARNOLD: Good afternoon, Ken  
21 Arnold, Public Works. 370 is an IMA with the  
22 Town of North Hempstead which they administer  
23 the contract for the Manhasset Bay Protection  
24 Committee, which the county is a member. This  
25 committee works on water quality issues for

1 Rules - 10-4-21

2 Manhasset Bay. The committee is important for  
3 the county's requirements associated with our  
4 storm water permit as this committee does a  
5 lot of public education, outreach and plan  
6 development for the future protection.

7 LEGISLATOR NICOLELLO: This  
8 agreement has been in place for a number of  
9 years, correct?

10 MR. ARNOLD: This probably goes  
11 back 15 or 20 years now.

12 LEGISLATOR NICOLELLO: Any  
13 discussion or questions? We're good. Thank  
14 you. All in favor signify by saying aye.  
15 Those opposed? Carries unanimously.

16 Motion to adjourn. Legislator  
17 Rhoads. Seconded by Legislator Schaefer. All  
18 in favor of adjourning signify by saying aye.  
19 Those opposed? Rules Committee is adjourned.

20 (Committee adjourned at 1:53 p.m.)

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CERTIFICATION

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

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

IN WITNESS WHEREOF, I have  
hereunto set my hand this 11th day of  
October 2021.

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FRANK GRAY