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6 NASSAU COUNTY LEGISLATURE

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8 RICHARD NICOLELLO

9 PRESIDING OFFICER

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11 RULES COMMITTEE

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13 LEGISLATOR RICHARD NICOLELLO

14 CHAIR

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17 Theodore Roosevelt Building

18 1550 Franklin Avenue

19 Mineola, New York

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21

22 Monday, October 4, 2021

23 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

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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

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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

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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

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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

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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

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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.

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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

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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

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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.

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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

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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

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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

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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

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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.

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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

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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

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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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1 CERTIFICATION

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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.

FRANK GRAY