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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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16

17 Theodore Roosevelt Building

18 1550 Franklin Avenue

19 Mineola, New York

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21

22 Monday, December 13, 2021

23 2:45 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

11

12    LEGISLATOR LAURA SCHAEFER

13

14    LEGISLATOR KEVAN ABRAHAMS

15                     Ranking member

16

17    LEGISLATOR DELIA DERIGGI-WHITTON

18

19    LEGISLATOR ARNOLD DRUCKER

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2 LEGISLATOR NICOLELLO: Mike, I'm  
3 going to call the Rules Committee to order.

4 MR. PULITZER: Thank you  
5 Presiding Officer. Rules Committee roll  
6 call. Substituting for Siela Bynoe would be  
7 Arnold Drucker.

8 LEGISLATOR DRUCKER: Here.

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

11 LEGISLATOR DERIGGI-WHITTON:  
12 Here.

13 MR. PULITZER: Ranking Member  
14 Kevan Abrahams.

15 LEGISLATOR ABRAHAMS: Here.

16 MR. PULITZER: Legislator Laura  
17 Schaefer.

18 LEGISLATOR SCHAEFER: Here.

19 MR. PULITZER: Legislator Steven  
20 Rhoads.

21 LEGISLATOR RHOADS: Present.

22 MR. PULITZER: Vice Chairman  
23 Howard Kopel.

24 LEGISLATOR KOPEL: Here.

25 MR. PULITZER: Chairman Richard

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2 Nicoletello.

3 LEGISLATOR NICOLELLO: Here.

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

6 LEGISLATOR NICOLELLO: We have a  
7 couple of items on the main calendar and an  
8 addendum. Since we have an addendum, we need  
9 a motion to suspend the rules. Moved by  
10 Legislator DeRiggi-Whitton. Seconded by  
11 Legislator Schaefer. All in favor of  
12 suspending the rules signify by saying aye.  
13 Those opposed? Carries unanimously.

14 We have three items. They are  
15 contracts. I will call them all together and  
16 then we will vote on them all together unless  
17 they need to be separated.

18 B-29 is a resolution authorizing  
19 the county executive to execute a contract  
20 amendment between the county and Posillico  
21 Civil, Inc.

22 E-188 is a resolution authorizing  
23 the county executive to execute a personal  
24 services agreement between the county and  
25 Vincentlette Law Firm.

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2 And A-66 of 2021, a resolution  
3 authorizing the director of Nassau County  
4 Office of Purchasing to award and execute a  
5 contract between the county and Thimgan and  
6 Associates.

7 Those items are moved by Minority  
8 Leader Abrahams. Seconded by Deputy Presiding  
9 Officer Kopel.

10 First contract is a public works  
11 contract and it's B-29.

12 MS. HODAK: Jane Hodak, Nassau  
13 County Department of Public Works. This is an  
14 amendment to an emergency contract with  
15 Posillico. Posillico did emergency work for  
16 the county immediately after Hurricane Sandy.  
17 The contract is being amended so that they may  
18 be fully compensated for the costs of  
19 performing those services. And what the  
20 amendment does is it allows for the payment of  
21 sales tax that they incurred on consumable  
22 items.

23 Normally when a contractor,  
24 normally when we do contract work a contractor  
25 submits a bid. With that bid they estimate

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2 the unit of consumable items that they will  
3 need. Garbage bags, rags absorbent pads,  
4 disinfectant and things like that and that's  
5 included in the bid. Because this was an  
6 emergency contract in which it was done  
7 totally on T and M, time and materials, the  
8 bid was not prepared.

9 So now we are amending the contract  
10 to include the sales tax because that --  
11 normally that's not something that would come  
12 before the comptroller in a voucher for  
13 payment because it's included in the bid and  
14 sales tax on material that's incorporated into  
15 the construction is excluded and we use forms  
16 that we pass on to vendors to do that.

17 This is basically -- the purpose of  
18 the contract was to, of course, pay them in  
19 full for all of the services and work that  
20 they provided. This will allow for a  
21 clarification to make it clear that they  
22 should be paid for the sales tax on those  
23 consumable items of which, given the nature of  
24 the work they were doing, was considerable.

25 LEGISLATOR NICOLELLO: Any

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2 questions? Legislator Rhoads.

3 LEGISLATOR RHOADS: Super Storm  
4 Sandy was in 2012. So we're talking about  
5 nine years ago?

6 MS. HODAK: Right.

7 LEGISLATOR RHOADS: Why now?

8 MS. HODAK: Because we were  
9 trying to work it out with the comptroller and  
10 with the vendor for a period of time. Then,  
11 quite honestly, I think it may have been  
12 missed by some individuals to be addressed.  
13 But we would like to, of course, compensate  
14 the vendor for the outlay of money for the  
15 purpose of performing the contract work.

16 LEGISLATOR RHOADS: What's the  
17 dollar amount that we're talking about? Since  
18 we must know what the finite amount is.

19 MS. HODAK: It's about \$30,000.

20 LEGISLATOR RHOADS: Thank you.

21 LEGISLATOR NICOLELLO: Legislator  
22 Schaefer.

23 LEGISLATOR SCHAEFER: Hi. Quick  
24 question. Do you know exactly where the work  
25 was done? Was it throughout Nassau County?

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2 Certain sites?

3 MS. HODAK: No, no. It was at  
4 the Bay Park plant. It was at the flooded  
5 facility.

6 LEGISLATOR SCHAEFER: Just  
7 there?

8 MS. HODAK: Yes.

9 LEGISLATOR NICOLELLO: Any other  
10 questions? Thank you Jane. Before you leave  
11 Jane.

12 LEGISLATOR RHOADS: Sorry about  
13 that. If the county had purchased the  
14 materials itself isn't the county exempt from  
15 sales tax?

16 MS. HODAK: The county is exempt  
17 for materials that -- you mean like the rags  
18 and the things like that? Like if we  
19 purchased rags and things?

20 LEGISLATOR RHOADS: Right.

21 MS. HODAK: I don't really know  
22 but the vendor itself is not excluded from  
23 sales tax when it utilizes those types of  
24 materials in the performance of its work. So,  
25 that's an amount of money that they expend and



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2 normally include in their bid price here.

3 We're just trying to correct this contract so  
4 it follows the normal course of compensation  
5 to the vendors.

6 LEGISLATOR RHOADS: Okay. Thank  
7 you.

8 LEGISLATOR NICOLELLO: Anyone  
9 else?

10 LEGISLATOR DERIGGI-WHITTON: Can  
11 I ask a question?

12 LEGISLATOR NICOLELLO: Yes.

13 LEGISLATOR DERIGGI-WHITTON: Is  
14 there any outstanding contracts from this  
15 time?

16 MS. HODAK: There's still a lot  
17 of remedial work ongoing at the Bay Park  
18 facility. So, in general, this was emergency  
19 work done immediately after the impacts of the  
20 storm to remedy the plant. But there's still  
21 a lot of remedial work ongoing at the facility  
22 right now.

23 LEGISLATOR DERIGGI-WHITTON: But  
24 is there -- this was nine years ago. Do we  
25 know if there's any contracts in this state

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2 that we're still like pending from years ago?

3 MS. HODAK: I'm having a little  
4 trouble hearing you.

5 LEGISLATOR DERIGGI-WHITTON: Are  
6 we aware of any other contracts that are in  
7 this situation that are still pending?

8 MS. HODAK: No.

9 LEGISLATOR NICOLELLO: Delia, do  
10 you have any other questions?

11 LEGISLATOR DERIGGI-WHITTON: No.  
12 Thank you.

13 LEGISLATOR NICOLELLO: Any other  
14 questions? Thanks again Jane.

15 Next contract is with the county  
16 attorney's office. Item 188 2021 with the  
17 Vincelette law firm.

18 MS. LOCURTO: Good afternoon.  
19 Lisa LoCurto from the county attorney's  
20 office. This is a special counsel contract to  
21 retain counsel to assist the county attorney's  
22 office in trying a tax certiorari matter. If  
23 there are any questions.

24 LEGISLATOR NICOLELLO: Any  
25 questions?

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2 LEGISLATOR KOPEL: Why do you  
3 need special counsel for this?

4 MS. LOCURTO: This is a high  
5 value property that has a subject sale. It's  
6 a complicated trial and we wanted to use the  
7 assistance of special counsel whose tried  
8 similar cases in upstate New York with this  
9 large mass of land that's vacant and is very  
10 difficult to value.

11 LEGISLATOR KOPEL: The county  
12 attorney's office does not have people with  
13 the requisite experience and knowledge?

14 MS. LOCURTO: There was a  
15 decision to have counsel with extensive  
16 experience who had tried a similar case like  
17 this.

18 LEGISLATOR KOPEL: Lisa, but that  
19 didn't really answer the question. I asked  
20 the county attorney doesn't have anyone  
21 in-house who can --

22 MS. LOCURTO: We wanted special  
23 counsel with a specialized knowledge of tax  
24 certiorari proceedings and who would be best  
25 able to represent the county at trial.

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2 LEGISLATOR NICOLELLO: I think  
3 his question was what was it about this case  
4 that required someone to go outside the  
5 office? What specifically about this?

6 MS. LOCURTO: This is a very high  
7 profile property. It's unusual to have 97  
8 acres that are undeveloped. It does have a  
9 massive estate on it. However, there is very  
10 little vacant land in Nassau County. So, the  
11 question is, do you value it in its use and  
12 condition? That's going to be the key, main  
13 issue that's going to be at trial and it is  
14 going to impose a very difficult legal  
15 question for valuation before a supreme court  
16 judge.

17 LEGISLATOR NICOLELLO: Any other  
18 questions? Legislator Drucker.

19 LEGISLATOR DRUCKER: Thank you  
20 Presiding Officer.

21 LEGISLATOR NICOLELLO: Actually,  
22 I'll let you ask but you're not on the  
23 committee.

24 LEGISLATOR DRUCKER: I'm  
25 subbing.

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2 LEGISLATOR NICOLELLO: You are?

3 Okay.

4 LEGISLATOR DRUCKER: Are there  
5 cases involving undeveloped vacant land with a  
6 structure on it that the county attorney does  
7 in fact try before the supreme court? Like  
8 where do you draw the line?

9 MS. LOCURTO: This is a very  
10 unique property.

11 LEGISLATOR DRUCKER: What makes  
12 it unique?

13 MS. LOCURTO: It's unusual to  
14 have basically a mansion with 97 acres of  
15 undeveloped land. It's very unusual. 95  
16 percent of property in Nassau County has some  
17 type of improvement on it. There's very few  
18 acreage or vacant land. Any of those with  
19 large vacant land are either parks or  
20 tax-exempt because they're part of tax exempt  
21 entities such as the hospital or the jail  
22 facility or county government buildings. So  
23 this is an extremely unique type property.

24 LEGISLATOR DRUCKER: But surely  
25 the legal arguments to be made in a case like

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2 this are not novel. You have experienced,  
3 qualified attorneys who try tax certiorari  
4 cases all the time. If it involves 97 acres  
5 or ten acres does it change the legal  
6 arguments that need to be made?

7 MS. LOCURTO: The strategy was to  
8 pick a counsel that they believe will be best  
9 able to defend the assessor's market value  
10 placed on the property.

11 LEGISLATOR DRUCKER: So you're  
12 stating for the record that there's not one  
13 attorney in the county attorney's office that  
14 has the skill or the competence to handle a  
15 case like this?

16 MS. LOCURTO: I'm not saying that  
17 at all legislator and I think that would be  
18 very unfair to say to not only the tax  
19 certiorari attorneys that practice in that  
20 area and also the other attorneys in our  
21 office. There was a determination to make a  
22 trial strategy to put in a counsel that has  
23 tried this in other counties with similar  
24 issues for unique type property.

25 You can disagree with the trial

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2   strategy, that's fine, but we in the county  
3   attorney's office made the decision to pick  
4   this particular counsel to make the best  
5   argument and to defend the assessment.  
6   There's a potential here for a very large  
7   refund and it is incumbent upon us to do  
8   everything in our power to make sure that the  
9   taxpayers are best represented.

10                   LEGISLATOR DRUCKER:     And I'm  
11   looking to save taxpayers as much money as we  
12   can too. I'm just wondering how that decision  
13   is made, your strategy, how do you arrive at  
14   that particular strategy?

15                   MS. LOCURTO:     It was in  
16   consultation with the acting assessor, the  
17   Assessment Review Commission. Because this  
18   spans over -- it goes back to the '12-13 tax  
19   year so we have over 11 tax years at issue and  
20   it is very difficult to value a property over  
21   that given span of time.

22                   LEGISLATOR DRUCKER:     Is there  
23   something you want to add?

24                   MS. LOCURTO:     No. I don't think  
25   we should discuss more of our litigation trial

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2 strategy in open session. The purpose of this  
3 contract, the purpose of my being here is to  
4 seek approval for special counsel. If you  
5 want to discuss the legal strategy or the  
6 competency of the staff that's something  
7 different. I would go into executive session  
8 if we're going to discuss further the county's  
9 legal strategy as to how we're going to defend  
10 this case then we should go into executive  
11 session.

12 LEGISLATOR DRUCKER: You're  
13 distorting my words. I'm not looking to  
14 discuss the strategy at all. I'm looking to  
15 find out the --

16 MS. LOCURTO: Legislator, I'm  
17 trying to answer your question but I didn't  
18 make that decision.

19 LEGISLATOR DRUCKER: I understand  
20 that. I'm looking to find out how that  
21 decision was made not the trial strategy.

22 MS. LOCURTO: The decision was in  
23 consultation, I'll repeat myself, we discussed  
24 with the county assessor, with the head of the  
25 Assessment Review Commission and legal counsel



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2 to determine what it was the best suited  
3 counsel to proceed to put together an  
4 effective defense. That's how the decision  
5 was made.

6 LEGISLATOR DRUCKER: So you're  
7 not going to answer the question. Thank you.

8 LEGISLATOR NICOLELLO: Is there a  
9 panel that we use for tax cert cases?

10 MS. LOCURTO: There is an  
11 established panel in the county attorney's  
12 office for special counsel. There are few  
13 firms that are deemed qualified to handle tax  
14 certiorari. As you know, it's a very  
15 specialized area of law. And there are few  
16 firms that would not pose a conflict of  
17 interest. So that's why this firm was  
18 selected.

19 LEGISLATOR NICOLELLO: But it is  
20 anticipated that occasionally the county would  
21 have to go outside the office to hire a firm  
22 to defend the county in a case?

23 MS. LOCURTO: Yes.

24 LEGISLATOR NICOLELLO: Legislator  
25 Rhoads.

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2 LEGISLATOR RHOADS: Ms. LoCurto,  
3 would it be fair to say that because of the  
4 complexity of the action there may be  
5 attorneys in the county attorney's tax  
6 certiorari department that are qualified to  
7 handle the case but because of the complexity  
8 of the case that would be the only case that  
9 the would be able to handle? Is one of the  
10 strategies going to outside counsel the fact  
11 that the number of staff you have and the  
12 resources that you have and the fact that  
13 that's all they would be able to work on to  
14 the detriment of the remaining cases in the  
15 portfolio?

16 MS. LOCURTO: Yes.

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

19 The last contract before us is with  
20 Information Technology and Assessment I  
21 guess. A-66 with Thimgan and Associates.

22 MR. JACOVINA: Good afternoon.  
23 Joe Jacovina, Deputy Commissioner Information  
24 and Technology. A-66, 2021 Thimgan and  
25 Associates for Department of Assessment.

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2 This is a renewal contract for  
3 three years for the Prognose software  
4 providing annual support and maintenance for  
5 the residential property value assessment  
6 software. This includes modeling training and  
7 a mentorship program in assessment.

8 We are asking for approval for  
9 \$550,000 for the first year of this contract.  
10 This is a sole source contract. I will be  
11 happy to answer any questions.

12 LEGISLATOR KOPEL: I understand  
13 this has a standard cancellation for  
14 convenience clause, right?

15 MR. JACOVINA: I believe it does.

16 LEGISLATOR KOPEL: How is this  
17 fee paid? Is it paid as one lump sum  
18 annually?

19 MR. JACOVINA: No. It's paid  
20 \$550,000 a year for the three-year period.

21 LEGISLATOR KOPEL: That means  
22 annually?

23 MR. JACOVINA: Yes, annually.  
24 And then there's another 550,000 a year.

25 LEGISLATOR KOPEL: But it's paid

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2 at one shot?

3 MR. JACOVINA: No. We do not pay  
4 it in one shot.

5 LEGISLATOR KOPEL: I'm sorry.  
6 Each year you pay 550 in one shot or is it a  
7 monthly thing or something like that?

8 MR. JACOVINA: We believe it's  
9 quarterly.

10 LEGISLATOR KOPEL: If need be, if  
11 the new administration say decided to go ahead  
12 and cut that off is it cancelable during the  
13 year or is this a full year commitment?

14 MR. JACOVINA: That I'm not aware  
15 of.

16 MR. MILES: If I recall, the  
17 prior contract was opt in by years. I don't  
18 think it's something that you can cancel after  
19 a quarter. But we'd have to talk to the  
20 county attorney's office.

21 LEGISLATOR KOPEL: Okay.

22 LEGISLATOR NICOLELLO: When does  
23 the current license or contract expire? Is  
24 that at the end of this year?

25 MR. MILES: It just ended I

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2 believe in November.

3 LEGISLATOR NICOLELLO: And we're  
4 told that this software is vital to the  
5 operations of the Department of Assessment?

6 MR. MILES: Correct.

7 LEGISLATOR NICOLELLO: Can you  
8 briefly go into that for us?

9 MR. MILES: Absolutely. Prognose  
10 is a unique software wherein you can input  
11 models. So, for example, if there's six or  
12 seven models in the county you can input the  
13 data into Prognose and it will produce reports  
14 for you on a neighborhood or school district  
15 scale. We also use it for production of  
16 comparable market analyses for SCARs. So, for  
17 this past year I believe there were 13,000  
18 SCARs that were taken to hearings and we  
19 used -- Prognose produced the CMAs to defend  
20 the county's value.

21 LEGISLATOR NICOLELLO: Any other  
22 questions? Legislator Schaefer.

23 LEGISLATOR SCHAEFER: Quick  
24 question. Mr. Miles, if the roll is frozen  
25 then are we using Prognose? Do we not need

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2 Prognose? What's the purpose?

3 MR. MILES: I think you should  
4 still use Prognose one, especially for SCAR.  
5 No matter the status of the roll, whether it's  
6 paused or a trended roll or reassessment roll,  
7 you still need this program to produce  
8 comparable market analyses for court.

9 In terms of a valuation tool, I  
10 think no matter what, whether you're paused or  
11 you're in a valuation year it's good to know  
12 where you are as a status in the county and  
13 it's a program that you can use to analyze the  
14 circumstances. So, I think it's a tool that  
15 would be valuable to the new administration.

16 LEGISLATOR SCHAEFER: But we  
17 wouldn't be adding to it or anything, would  
18 we? Say the roll is going to remain frozen  
19 for the next year are we are adding anything  
20 to it or are we not?

21 MR. MILES: To the program?

22 LEGISLATOR SCHAEFER: Yes. Are  
23 we not necessarily updating anything?

24 MR. MILES: You could input  
25 data. It will produce values. So, whether

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2 it's of use to the new administration or not  
3 it's up to them. But I think it's a good  
4 analytical tool to have to see where we're  
5 at. And you can utilize the data internally  
6 from Adapt and connect it to this software to  
7 gauge where your neighborhoods are trending up  
8 and down. There's still volatility I would  
9 say with the neighborhoods where we are now.  
10 But I think it's definitely a useful tool for  
11 the new administration to see going forward  
12 how Omicron affects the market and if this is  
13 the new reality because the market is very  
14 high right now or whether it settles down. No  
15 matter what the situation is I think it's a  
16 valuable tool.

17 LEGISLATOR SCHAEFER: One more  
18 question. What if we don't renew it? What  
19 happens to the information? Is it not  
20 usable? What happens to the program?

21 MR. MILES: From a valuation  
22 standpoint we'd have to create a new program.  
23 I don't know where we would be at. I think in  
24 terms of SCAR I think we would be scrambling  
25 to find a new program to produce comparable

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2 market analyses, and I think you would put the  
3 county in a tough position to defend the roll  
4 and it could put us in a situation of high  
5 refund liability.

6 LEGISLATOR SCHAEFER: Are you  
7 typically -- sorry another question --  
8 typically utilizing information for SCAR year  
9 round?

10 MR. MILES: Yes. Yearly basis.  
11 We usually try to use comparable sales closest  
12 to the taxable status date. We usually  
13 bookend the years. You can use prior to the  
14 taxable status date or post the taxable status  
15 date but you try to get around that tax year.

16 LEGISLATOR SCHAEFER: But if it  
17 wasn't renewed we just wouldn't be able to new  
18 information in? Would we be able to retain  
19 what we have there?

20 MR. MILES: We have the data  
21 in-house, the sales data, but the way that it  
22 produces the analyses we wouldn't be able to  
23 replicate it to the extent that this program  
24 produces.

25 LEGISLATOR SCHAEFER: Okay.



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2 Thank you.

3 LEGISLATOR NICOLELLO: Legislator  
4 Rhoads.

5 LEGISLATOR RHOADS: Just one last  
6 question. I appreciate your answers so far.  
7 I guess the reluctance is with an incoming  
8 administration you would like to give them the  
9 opportunity to be able to evaluate what's  
10 going to work best for their strategy and  
11 locking them into a one year, what sounds like  
12 at least a one year term and a three-year  
13 contract. What happens if we were to delay  
14 this a month to give the incoming  
15 administration the opportunity to be able to  
16 conduct that evaluation?

17 MR. MILES: You know, because of  
18 SCAR being close to done I'm not sure if there  
19 would really be an impact in terms of SCAR.  
20 It would be nice for the new administration to  
21 have the ability to look at the program right  
22 when they begin to see if they want to start  
23 a -- if they want to do a reassessment or a  
24 trend. It's up to the new administration.  
25 You could delay it. I think it would be

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2 better not to but, you know.

3 LEGISLATOR RHOADS: Thank you.

4 LEGISLATOR NICOLELLO: You did  
5 say that the license or contract had expired,  
6 the current contract, right?

7 MR. MILES: Yes. We did produce  
8 the CMAs for the end of the month because  
9 there are cases calendared to the end of the  
10 month. But, you know, you do lose the support  
11 then if you want to make changes to the market  
12 analysis in the program. So that's something  
13 to consider. We are at the tail end of the  
14 calendar. That's something to consider in  
15 terms of liability. But, you know, I highly  
16 recommend the program to the new  
17 administration. But it is something that can  
18 be delayed but I highly recommend to move  
19 forward with the program.

20 LEGISLATOR NICOLELLO: If we  
21 don't vote on it now by the time we go  
22 through -- we're looking at the middle of  
23 January. You're looking at an entire month.

24 MR. MILES: That's right.

25 LEGISLATOR NICOLELLO: Does that

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2 create a problem?

3 MR. MILES: Not in terms of  
4 SCAR. In terms of begin processing for trends  
5 or values I think every month is very  
6 valuable. The way that the calendar works,  
7 when you do valuations you really want to  
8 start as soon as those sales come in and, you  
9 know, when you do reassessment you like to  
10 have your numbers done or a trend or something  
11 like that in the fall. So every month you  
12 lose I think it's important. I think it's  
13 valuable to have every month that you can  
14 because of the size of the county. Like I  
15 said before, it's incomparable the number of  
16 parcels. So, it's tough to start on a good  
17 foot if you push this back too long I think.

18 LEGISLATOR NICOLELLO: A couple  
19 of more questions. It was told to us it could  
20 be cancelled for convenience. But now there's  
21 some sort of representation it would probably  
22 be not feasible for an entire year.

23 MR. MILES: Please don't quote me  
24 on that. We would have to talk to the county  
25 attorney about that. I know the substance. I

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2 know the program. I don't know the details of  
3 the contract itself in terms of the options.

4 LEGISLATOR NICOLELLO: So, the  
5 new roll of the Department of Assessment  
6 freezing or is it doing trending,  
7 reassessment, do you know yet?

8 MR. MILES: Currently we are on  
9 pace to pause due to the volatility of the  
10 market. But we, you know, do have a contract  
11 with Standard Valuations Services and they did  
12 provide trends, commercial and residential.  
13 That's not to say they can't be inputted. I  
14 think that's probably a question for the  
15 transition what they want to do. I'd probably  
16 recommend closing the year on a pause and  
17 probably starting a new just based on the  
18 situation right now. But again, that's for  
19 the policymakers.

20 LEGISLATOR NICOLELLO: Does  
21 Standard Valuations use Prognose?

22 MR. MILES: They use Thimgan  
23 Associates as a subcontractor and he would use  
24 this program.

25 LEGISLATOR NICOLELLO: That's

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2 different. Any other questions? All right.  
3 Did I have a motion to second on that? I did  
4 at the beginning, right. Any public comment  
5 on those contracts?

6 MS. MEREDAY: Meta J. Mereday. I  
7 work my way backwards I guess. The most  
8 recent one with regard to hearing that it was  
9 a sole source contract, I'm just curious as to  
10 how that contract was generated? And also, I  
11 continue to not hear that any of the vendors  
12 that are brought before this body, this  
13 county, have any representation as a minority  
14 women or veteran-owned business. Again, if  
15 we're talking about diversity, inclusion and  
16 most importantly equity, since we are in the  
17 top five of taxpayers, and I'm sure that  
18 creators and entrepreneurs of color who are  
19 veterans and also disabled who live and work  
20 in this county would like the opportunity to  
21 at least access a contract maybe within county  
22 government but I've yet to hear that reference  
23 mentioned in that.

24 Also, I was concerned about that  
25 there was a previous contract for the

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2 payment. I say we have to render those costs  
3 from Superstorm Sandy then we have to render  
4 those costs. Unfortunately, there was a lot  
5 of waste, misappropriation that was a part of  
6 the funding and the resource distribution from  
7 Superstorm Sandy. So, my concern continues to  
8 be the lack of let's just say accountability  
9 with regard to the contracts that was  
10 administered by the county for that process.  
11 And I can only hope that we can do a better  
12 job when we get federal funds. I'm not asking  
13 for another super storm or natural disaster.  
14 But in light of that, I'm hoping that we have  
15 learned some lessons as it pertains to  
16 contracting opportunities and being more  
17 inclusive, diverse and equitable. But I  
18 really am concerned again about the sole  
19 source process and the delay as far as getting  
20 information for contracts that relate to  
21 Sandy.

22 And my last question as it pertains  
23 to that Bay Park project, it was mentioned  
24 that there were other remedial activities  
25 going on. I'm hoping that there isn't going

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2 to be a situation where we have double billing  
3 because we have the conversion process that is  
4 taking place starting at Bay Park going to  
5 Cedar Creek. So, a lot of the activities  
6 relating to preparing the facility for that  
7 will require resource outlay. So, I'm hoping  
8 that we're not paying two different  
9 contractors for similar work that's involved  
10 in that particular project as well as that  
11 facility. Thank you.

12 LEGISLATOR NICOLELLO: Thank you  
13 very much. Any other public comment? If not,  
14 I'll call for a vote on these three contracts,  
15 B-29, E-188 and A-67. All in favor signify by  
16 saying aye. Those opposed? They carry  
17 unanimously.

18 Motion to recess by Legislator  
19 Drucker, who's new to the committee. Seconded  
20 by Legislator Rhoads. All in favor of  
21 recessing signify by saying aye. Those  
22 opposed? Rules is recessed.

23 (Committee recessed at 3:16 p.m.)  
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CERTIFICATION

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

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

IN WITNESS WHEREOF, I have  
hereunto set my hand this 27th day of  
December 2021.

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FRANK GRAY