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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, June 27, 2022
3:51 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

9

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 SIELA BYNOE

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1 Rules - 6-27-22

2 LEGISLATOR NICOLELLO: Call the
3 Rules Committee to order. Mike could you call
4 the roll?

5 MR. PULITZER: Thank you
6 Presiding Officer. Rules Committee roll
7 call.

8 MR. PULITZER: Legislator Siela
9 Bynoe.

10 LEGISLATOR BYNOE: Here.

11 MR. PULITZER: Legislator Delia
12 DeRiggi-Whitton.

13 LEGISLATOR DERIGGI-WHITTON:
14 Here.

15 MR. PULITZER: Ranking member
16 Kevan Abrahams.

17 LEGISLATOR ABRAHAMS: Here.

18 MR. PULITZER: Legislator Laura
19 Schaefer.

20 LEGISLATOR SCHAEFER: Here.

21 MR. PULITZER: Legislator Steven
22 Rhoads.

23 LEGISLATOR RHOADS: Present.

24 MR. PULITZER: Vice Chairman
25 Howard Kopel.

1 Rules - 6-27-22

2 LEGISLATOR KOPEL: Here.

3 MR. PULITZER: Chairman Richard
4 Nicoletto.

5 LEGISLATOR NICOLELLO: Here.

6 MR. PULITZER: We have a quorum
7 sir.

8 LEGISLATOR NICOLELLO: Thank
9 you. We have a number of contracts to
10 consider this afternoon, and I'll call them
11 all at once so they're before us for
12 consideration.

13 A-18, A-21 of 2022. Are
14 resolutions authorizing the commissioner of
15 shared services to execute or approve
16 additional funding for blanket purchase orders
17 between the county and Eagle Control Corp. and
18 Patifico Corporation.

19 B-3, 2022 is a resolution
20 authorizing the county executive to execute a
21 contract amendment between the county and
22 Welsbach Electric Corp.

23 E-68, E-69, E-70, E-72, E-73, U-3
24 of 2022 are resolutions authorizing the county
25 executive to execute personal services

1 Rules - 6-27-22
 2 agreements or amendments to personal services
 3 agreements between the county and the Selex
 4 EX, the Law Office of Vincent D. McNamara,
 5 Howard S. Krebs, Sokoloff Stern, Ed Moore
 6 Advertising Agency, Inc., Backstage Pass Media
 7 Production.

8 We need a motion by Deputy
 9 Presiding Officer Kopel. Seconded by Minority
 10 Leader Abrahams to put those contracts before
 11 us. Also we need to untable two contracts.
 12 B-1 of 2022 is a resolution authorizing the
 13 county executive to award and execute a
 14 contract between the county and EA
 15 Restoration.

16 E-54, a resolution authorizing the
 17 county executive to execute an amendment to a
 18 personal services agreement between the county
 19 and Kaufman Dolowich and Voluck.

20 Motion by Minority Leader
 21 Abrahams. Seconded by Deputy Presiding
 22 Officer Kopel to untable. All in favor of
 23 untabling signify by saying aye. Those
 24 opposed? They carry unanimously.

25 First order of business before we

1 Rules - 6-27-22

2 start considering contracts, we need a motion
3 to table A-18 and B-3 of 2022.

4 Note for the record that Minority
5 Leader Abrahams will not be participating or
6 voting or discussing the tabling of contracts
7 A-18 and B-3. We'll consider them
8 separately. A motion to table A-18? Moved by
9 Legislator Rhoads. Seconded by Legislator
10 DeRiggi-Whitton. All in favor of tabling that
11 contract signify by saying aye.

12 B-3. A motion by Legislator
13 Rhoads. Seconded by Legislator Schaefer. All
14 in favor of tabling that item signify by
15 saying aye. That motion succeeds by a vote of
16 six to nothing with Minority Leader Abrahams
17 not voting. As convoluted as that might be.

18 The first contract to be considered
19 is with the police department. E-68 with
20 Selex.

21 MR. FIELD: Good afternoon.
22 William Field, inspector with the police
23 department.

24 Item E-68-22 this is an amendment
25 to extend the contract for services related to

1 Rules - 6-27-22
2 the department's license plate readers. This
3 amendment is with Selex who does business as
4 LSAG. The purpose is to extend the term of
5 the contract for one additional year. They
6 were selected as a sole source provider and
7 their system is a proprietary system of
8 hardware and software.

9 LEGISLATOR NICOLELLO: The
10 contract, though, with the extension expires
11 on July 31 of 2022. Is there something in the
12 works for another contract for them or is this
13 going to be it?

14 MR. FIELD: Yes, sir. We're
15 currently trying to figure out the best way to
16 proceed. We have a couple of options we're
17 weighing and we're working with the county
18 attorney because we don't have a lot of time.

19 LEGISLATOR NICOLELLO: Those
20 options include another extension for Selex?

21 MR. FIELD: Possibly.

22 LEGISLATOR NICOLELLO: But you
23 haven't made a determination yet.

24 Legislator DeRiggi-Whitton.

25 LEGISLATOR DERIGGI-WHITTON: Do

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2 you know if this is a considered a sole
3 source?

4 MR. FIELD: Yes. This was
5 originally, back in 2016, determined as a sole
6 source. It's their hardware, their software
7 system that they maintain for us.

8 LEGISLATOR DERIGGI-WHITTON: I
9 guess we can probably get an extension a
10 little bit easier if that's the case.

11 LEGISLATOR NICOLELLO: Any other
12 debate or discussion? Thank you inspector.

13 E-70 of 2022. This is with TPVA
14 and Howard Krebs.

15 MR. MULLIN: Mark Mullin, general
16 counsel to TPVA. As many of you are aware,
17 TPVA is in need of judicial hearing officers.
18 The Honorable Judge Howard Krebs has applied.
19 He's qualified under the statute and has been
20 approved by the administrative judge.

21 LEGISLATOR NICOLELLO: Any
22 discussion or debate? Thank you.

23 Next item is with the parks
24 department and it's E-73 of 2022.

25 MS. BELYEA: Good afternoon

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2 Presiding Officer. Darcy Belyea. I'm joining
3 you remotely today.

4 We are looking to amend a personal
5 services agreement of a contract in place
6 since March 1, 2020 as a result of an RFP. We
7 are seeking to extend the term for two years.
8 It would now expire on February 28, 2025. For
9 purposes of additional funding, which I will
10 explain momentarily, will be to develop a new
11 broad-based marketing plan for Nassau County
12 that would promote tourism to the county from
13 the tri-state area as well as from our own
14 residents here in the county as you work to
15 recover from the COVID-19 pandemic.

16 The goal is to have people from
17 within Nassau County and the tri-state come to
18 Nassau, spend money in our stores and
19 restaurants, stay in our hotels and also visit
20 our county parks, beaches, museums and
21 preserves which have all seen a dramatic drop
22 in visitation and revenue numbers due to the
23 pandemic.

24 And the funding that we would like
25 to add was budgeted for by the prior

1 Rules - 6-27-22
2 administration. The additional funds to
3 initially be added are \$600,000 from ARPA
4 funding. The maximum amount of the contract
5 shall be increased from \$450,000 by an
6 additional \$1.8 million over the term to a
7 total of \$2.25 million. Funding sources will
8 be \$150,000 per year as it currently is from
9 hotel-motel funds and the balance from ARPA
10 funds as I previously mentioned as allocated
11 by the previous administration.

12 And I am excited about continuing
13 to work with the Ed Moore Agency who's done
14 nice work with the county in recent years and
15 also our county team to bring people to
16 Nassau, encourage our own residents to visit
17 facilities and attend events as we continue to
18 be open in Nassau County.

19 LEGISLATOR NICOLELLO: I have
20 some questions. Is this taking the place of
21 the contract with Discover Long Island or
22 supplemental?

23 MS. BELYEA: No. This will
24 supplement, work in concert. Again, a more
25 broad-based marketing plan specific for

1 Rules - 6-27-22
2 Nassau. The Discover Long Island contract
3 currently has expired and we're in the process
4 of reissuing an RFP. The prior administration
5 had reissued an RFP and we weren't comfortable
6 moving forward with their selection. So we
7 are in the process of reissuing that. But
8 this is separate and apart from that.

9 LEGISLATOR NICOLELLO: In terms
10 of the ARPA funds will they be used, in
11 addition to this year, will they be used in
12 the next two years as well? Do you anticipate
13 those funds being available? Do you
14 anticipate those funds still being available
15 in the next two years?

16 MS. BELYEA: I would think so.
17 With additionally hopefully added.

18 LEGISLATOR NICOLELLO: Anyone
19 else have questions? Yes.

20 LEGISLATOR DERIGGI-WHITTON: Hi
21 commissioner. This is Legislator Whitton. I
22 understand that they're going to increase
23 everything and I think that's great to help
24 but it's only going to be for the Nassau
25 County events or --?

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2 MS. BELYEA: No. Our goal is to
3 get people to shop in our stores, eat in our
4 restaurants, stay in our hotels and also come
5 to Nassau County. And while you're here
6 hopefully enjoy an event or two and visit one
7 of our amazing parks or preserves.

8 LEGISLATOR DERIGGI-WHITTON: How
9 are you going to decide what hotels to promote
10 or what restaurants?

11 MS. BELYEA: We aren't going to
12 specifically support or promote individual
13 businesses. But the end goal is to have a
14 broad-based marketing plan that gets bodies
15 here in Nassau County staying, eating,
16 shopping and doing.

17 LEGISLATOR DERIGGI-WHITTON: It
18 is a big increase because it used to be 150
19 per year and now we're going up to about 750 a
20 year. Do you have like feel secure with the
21 plan that you've seen? There's a pretty good
22 outline of the efforts they're going to be
23 making?

24 MS. BELYEA: I worked with Ed
25 Moore since I came on in January and his work

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2 has been great. We're going to work with him
3 and the consultant, Adora, actually help to
4 oversee as well to make sure that we are
5 following suit with how the funds can be
6 used. But I hope to model a plan in line with
7 what other municipalities are currently using
8 their ARPA funds for. A close example to us
9 would be Gloucester County, New Jersey,
10 Boston, Washington D.C.

11 LEGISLATOR DERIGGI-WHITTON: As
12 far as the ARPA funding you've had that looked
13 into, correct? Because I know there was a
14 question that like I don't know if you can
15 hire personnel with that funding.

16 MS. BELYEA: No. I have full
17 confidence in our team from OMB and county
18 attorney's office and we've both been working
19 together as a team along with county
20 communications with the consultant Adora and
21 they've been advising us on how we can use
22 these funds. They'll guide us as needed as we
23 go along.

24 LEGISLATOR DERIGGI-WHITTON:
25 Thank you.

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2 LEGISLATOR NICOLELLO: Another
3 question. Does Ed Moore Agency have
4 experience in broad-based marketing?
5 Obviously he's been in a more narrow function
6 with the county for years in terms of
7 promoting our concerts and actually probably
8 booking concerts. Does he have experience?

9 MS. BELYEA: Yes, sir. We have
10 the luxury of having him subcontract out to
11 production houses and other consultants as
12 well. So if there is a time when he needs
13 assistance we can call on them.

14 LEGISLATOR NICOLELLO: What would
15 differentiate what he's going to be doing as
16 opposed to what the vendor will be doing that
17 responds to the RFP? What's different about
18 his role? Is it the same?

19 MS. BELYEA: Truthfully, no. His
20 role is different because we want to bring
21 people here to the county and immediately
22 increase our revenue and visitors to our own
23 facilities as well as private businesses as I
24 mentioned. What I have seen from what I have
25 reviewed and met with who was awarded the RFP

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2 last year and also meeting with Discover a
3 couple of times they are very regionally
4 based, not Nassau County specific. So we're
5 looking to put more of a focus here on our
6 county.

7 LEGISLATOR NICOLELLO: Any other
8 questions? All right. Thank you Darcy.

9 MS. BELYEA: Thank you.

10 LEGISLATOR NICOLELLO: Next parks
11 item is a contract U-3 with Backstage Pass
12 Media.

13 MR. MESSNER: Tim Messner, deputy
14 commissioner with the parks department.

15 The contract you have before you is
16 an award to Backstage Pass Media who is a
17 performer that was awarded a contract based on
18 a RFQ process. This is retroactive.
19 Unfortunately we did not get this to you in
20 time for the first concert series that we had
21 dated June 11th.

22 LEGISLATOR NICOLELLO: Any
23 questions to Tim? No? Thank you.

24 Next contracts are with the county
25 attorney's office, E-54.

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2 MR. LIBERT: Brian Libert from
3 the county attorney's office. This is a
4 contract with Kaufman Dolowich Vullock for the
5 case known as Volpe. The case actually has
6 now been transferred. This is actually a
7 closeout contract. It is a labor and
8 employment matter. Of course I'm happy to
9 answer any questions.

10 LEGISLATOR NICOLELLO: I don't
11 know if you can answer, do you know why it was
12 transferred to a new counsel? I don't know if
13 you can answer it anyway.

14 MR. LIBERT: I would just say for
15 strategy reasons for the purposes of this
16 record.

17 LEGISLATOR NICOLELLO: Any other
18 questions on this contract?

19 Move to the second one which would
20 be E-69, Law Office of Vincent McNamara.

21 MR. LIBERT: This is a new
22 contract with the Law Office of Vincent
23 McNamara for a contract a case called Bram
24 Surup against Nassau County. This is a very
25 serious personal injury case and the county's

1 Rules - 6-27-22
2 involvement stems mostly from the transport of
3 the patient. And again, it's very serious and
4 that's why we need counsel.

5 LEGISLATOR NICOLELLO: Any
6 questions on this contract? Nope.

7 E-72 Sokoloff Stern.

8 MR. LIBERT: This is contract
9 with Sokoloff Stern for the case of Gurleen
10 Felix and the Estate of Matthew Felix. Last
11 month I was here I believe with two contracts
12 for the same case. There is a conflict in the
13 case and this is the third counsel that is
14 required due to that legal conflict.

15 LEGISLATOR NICOLELLO: Any
16 questions on this one? Thank you Brian.

17 MR. LIBERT: Have a great day.

18 LEGISLATOR NICOLELLO: We have
19 two contracts with public works. A-21.

20 MR. ARNOLD: A-21 is a purchase
21 order for Howell bathroom tissue and
22 dispensers. There were three vendors that
23 solicited on the bid and the bidder that we're
24 choosing is a small business minority and runs
25 his own business.

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2 LEGISLATOR NICOLELLO: Any

3 questions on this one?

4 Next one is B-1. Next and last
5 one.

6 MR. ARNOLD: B-1 is our general
7 construction requirements contract. This
8 contract we use for emergencies and for timely
9 projects that need to get done. We had two
10 bids received and E and A was the lowest
11 responsible bidder. There were some questions
12 from the IG that were satisfied.

13 LEGISLATOR NICOLELLO: Any
14 questions for this item? Legislator
15 DeRiggi-Whitton.

16 LEGISLATOR DERIGGI-WHITTON: I
17 understand the inspector general is on the
18 meeting. Jodi, are you there?

19 MS. FRANZESE: Good afternoon.
20 Jodi Franzese from the Office of the Inspector
21 General.

22 LEGISLATOR DERIGGI-WHITTON: If
23 you wouldn't mind just giving us a brief
24 update as to your findings.

25 MS. FRANZESE: So, our office was

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2 unable to find any evidence in the record that
3 DPW conducted a capacity assessment as part of
4 its vendor responsibility review. Since the
5 vendor was currently working on two of
6 Nassau's largest projects, we inquired of the
7 department as to whether or not they planned
8 to do or had done such an assessment. So DPW
9 gave us a detailed response that seems to be
10 the results of very careful consideration and
11 their response allayed our concerns.

12 LEGISLATOR DERIGGI-WHITTON: It
13 would be helpful if -- when did you receive
14 that response?

15 MS. FRANZESE: Actually, I
16 received it and I sent it to the members, the
17 people who are in my email send list.
18 Minority counsel, majority counsel, the
19 administration. I sent their response out I
20 think a week or so ago. But I can confirm the
21 date for you but that's -- and just to be
22 clear, if I could help with this. It was
23 never our intention to prevent this particular
24 award. We just wanted to make sure that the
25 vendor didn't have too much on their plate so

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2 that they could complete both the police
3 academy and the family court and then also
4 take on a requirements contract.

5 LEGISLATOR DERIGGI-WHITTON:

6 Thank you for putting everything on the
7 record. I appreciate it.

8 MS. FRANZESE: My pleasure.

9 LEGISLATOR NICOLELLO: Any other
10 questions? No? Now we are going to --
11 actually before we go to a vote we need to ask
12 if there's any public comment? Hearing none,
13 we're going to go for a vote on all those
14 contracts including E-68, E-70, E-73, U-3,
15 E-54, E-69, E-72, A-21 and B-1. All in favor
16 signify by saying aye. Those opposed? Carries
17 unanimously.

18 Motion to adjourn by Legislator
19 Rhoads. Seconded by Legislator Schaefer. All
20 in favor of adjourning signify by saying aye.
21 Those opposed? That carries unanimously.
22 We're adjourned.

23 (Meeting recessed at 3:41 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 sixth day of
July 2022.

FRANK GRAY