

NASSAU COUNTY LEGISLATURE  
FULL LEGISLATURE MEETING

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RICHARD NICOLELLO, PRESIDING OFFICER

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**County Executive and Legislative Building**  
**1550 Franklin Avenue**  
**Mineola, New York**

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Monday, October 23, 2023

1:14 p.m.

TAKEN BY: KAREN LORENZO, OFFICIAL COURT REPORTER

LEGISLATOR RICHARD J. NICOLELLO

Presiding Officer

9TH Legislative District

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LEGISLATOR HOWARD KOPEL

Deputy Presiding Officer

7th Legislative District

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LEGISLATOR DENISE FORD

Alternate Presiding Officer

4th Legislative District

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LEGISLATOR KEVAN ABRAHAMS

Minority Leader

1st Legislative District

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LEGISLATOR SIELA BYNOE

2nd Legislative District

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LEGISLATOR CARRIE SOLAGES

3rd Legislative District

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LEGISLATOR DEBRA MULE

5th Legislative District

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LEGISLATOR C. WILLIAM GAYLOR, III

6th Legislative District

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LEGISLATOR JOHN J. GIUFFRE

8th Legislative District

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LEGISLATOR MAZI MELESA PILIP

10th Legislative District

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LEGISLATOR DELIA DERIGGI-WHITTON

11th Legislative District

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LEGISLATOR JAMES KENNEDY

12th Legislative District

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LEGISLATOR THOMAS MCKEVITT

13th Legislative District

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LEGISLATOR LAURA SCHAEFER

14th Legislative District

LEGISLATOR JOHN FERRETTI, JR.

15th Legislative District

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LEGISLATOR ARNOLD W. DRUCKER

16th Legislative District

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LEGISLATOR ROSE MARIE WALKER

17th Legislative District

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LEGISLATOR JOSHUA LAFAZAN

18th Legislative District

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LEGISLATOR MICHAEL GIANGREGORIO

19th Legislative District

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MICHAEL PULITZER

Clerk of the Legislature

ALSO APPEARED:

ANDY PERSICH, OMB

JACK KHZOUS, NICE

KEN ARNOLD, DPW

JODI FRANZESE, INSPECTOR GENERAL

JANE HOUDEK, DPW

**Public comment:**

Jerry Kornbluth, NCC

Greg May, Island Harvest

Richard Clolery

Susan Hansen

Valerie Dorsey

Eric Alexander

Barbara Mercer

Hari Dhoundiyal

Biana DePena

Yaron Levy

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2                   PRESIDING OFFICER NICOLELLO: I'm  
3 going to call this meeting to order and  
4 welcome everyone. To start things off  
5 Legislator Denise Ford will lead us in  
6 the Pledge of Allegiance. Please rise.

7                   (Whereupon, the Pledge of  
8 Allegiance is said by all.)

9                   PRESIDING OFFICER NICOLELLO: Thank  
10 you, Denise.

11                   We do not have Top Cops today. The  
12 police representatives and unions are  
13 attending a memorial service for a police  
14 officer who died in the line of duty  
15 today. So we're going straight to the to  
16 the public comment.

17                   Before we do that, I'm going to ask  
18 our clerk to call the roll, please.

19                   CLERK PULITZER: Thank you,  
20 Presiding Officer.

21                   Roll call. Deputy Presiding Officer  
22 Howard Kopel?

23                   LEGISLATOR KOPEL: Here.

24                   CLERK PULITZER: Alternate Deputy  
25 Presiding Officer Denise Ford?

LEGISLATOR FORD: Here.

CLERK PULITZER: Legislator Siela  
Bynoe?

LEGISLATOR BYNOE: Here.

CLERK PULITZER: Legislator Carrie  
A. Solages?

LEGISLATOR SOLAGES: Here.

CLERK PULITZER: Legislator Debra  
Mule?

LEGISLATOR MULE: Here.

CLERK PULITZER: Legislator C.  
William Gaylor, III?

LEGISLATOR GAYLOR: Present.

CLERK PULITZER: Thank you.  
Legislator John Giuffre?

LEGISLATOR GIUFFRE: Here.

CLERK PULITZER: Legislator Mazi  
Pilip?

LEGISLATOR PILIP: Here.

CLERK PULITZER: Legislator Delia  
DeRiggi-Whitton?

LEGISLATOR DERIGGI-WHITTON: Here.

CLERK PULITZER: Legislator James  
Kennedy?

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LEGISLATOR KENNEDY: Here.

CLERK PULITZER: Thank you.

Legislator Thomas McKevitt?

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  
Marie Walker?

LEGISLATOR WALKER: Here.

CLERK PULITZER: Legislator Joshua  
Lafazan?

LEGISLATOR LAFAZAN: Here.

CLERK PULITZER: Legislator  
Giangregorio?

LEGISLATOR GIANGREGORIO: Here.

CLERK PULITZER: Minority Leader  
Kevan Abrahams?



LEGISLATOR ABRAHAMS: Here.

CLERK PULITZER: Presiding Officer  
Richard Nicolello?

PRESIDING OFFICER NICOLELLO: Here.

CLERK PULITZER: We have a quorum,  
sir.

PRESIDING OFFICER NICOLELLO: Okay.  
Thank you very much.

We are going to go right into public  
comment. If you have not already  
submitted a slip for public comment, the  
slips are over here to your left. We ask  
you to please fill them out, hand them to  
the ladies at the Clerk's table, and  
we'll call you in turn.

Now, almost every one of these slips  
relates to Long Island Bus, the contract  
which will be considering soon. I'm  
assuming that you'll want to speak when  
the bus contract is called. So I'm going  
to delay calling you. Two of the slips  
are non bus related. I'll call them. If  
there's anyone else who is here to speak  
about the bus and needs to speak now,

1  
2 please come up to the microphone after  
3 those two slips are called.

4 The first slip is for Susan Hansen  
5 from Rocky Point.

6 MS. HANSEN: I'm a volunteer with  
7 New York Citizens Audit, not an official  
8 spokesperson. My comments are my own  
9 based on my understanding and research  
10 from multiple sources.

11 I want to respond to recent  
12 statements reported in local papers. New  
13 York Citizens Audit volunteers do not  
14 represent themselves as Board of Election  
15 officials. They do not demand any  
16 information from residents, and they do  
17 not attempt to intimidate or threaten  
18 anyone. These are indeed serious  
19 allegations, but they are false.

20 It's most unfortunate that there was  
21 a very defamatory article printed in  
22 local papers, and that Letitia James and  
23 other authorities did not do the  
24 necessary due diligence to investigate  
25 these claims before making a spectacle of

1  
2 it with the sensationalized and  
3 slanderous news stories.

4 The second topic I want to bring up  
5 has to do with your voting machines,  
6 Nassau County, in particular. The New  
7 York State Board of Elections newly  
8 approved ES&S Express Vote XL machines,  
9 eliminate hand marked paper ballots and  
10 the ability to audit elections and they  
11 compromise election integrity. These are  
12 newly approved machines by the State and  
13 they are being considered for purchase in  
14 Nassau County. You already have E&S  
15 machines as your voting machines that are  
16 in place.

17 The new machines do not use  
18 traditional hand mark ballots. They use a  
19 touch screen to select voting choices.  
20 They produce a printed receipt with the  
21 voter selection and a barcode. The  
22 barcode is used to count the votes. You  
23 are unable to verify if the barcode  
24 reflects the voter choice, because you  
25 can't read a barcode. And as a result,

1  
2 this kind of negates the ability to have  
3 an audit in an election. If you count the  
4 printed receipts, you're looking at the  
5 name, but that's not what the machine  
6 counts. The machine counts the barcode.

7 This will also result in longer  
8 voting lines and wait times because these  
9 are all-in-one voting machine. It will  
10 increase the risk of technical failures,  
11 the cost for the machines and the  
12 maintenance, and it will diminish trust  
13 in the voting system.

14 So what I would ask of you as the  
15 legislators to please investigate this,  
16 please look into the voting machines used  
17 in your county and consider these serious  
18 concerns.

19 Thank you.

20 PRESIDING OFFICER NICOLELLO: Thank  
21 you. For the current round of voting  
22 that's going to take place in the next  
23 couple of weeks, they are using the  
24 existing machines and not using the new  
25 machines approved by the State. And I

1  
2 believe if they ever want to move to  
3 that, I think they'll have to submit an  
4 item to this Legislature. So before  
5 before they ever move, it'll be a  
6 legislative item, if they ever propose  
7 going to the new machines. But as of now,  
8 the early voting starting next week and  
9 the election on November 7th, the  
10 existing machines will be used in Nassau  
11 County.

12 Yaron Levy.

13 MR. LEVY: Thank you very much,  
14 Presiding Officer.

15 My name is Yaron Levy. I'm not going  
16 to be in any official capacity today. I'm  
17 as a constituent of Legislative District  
18 10.

19 On behalf of myself and many others  
20 there that feel the same sentiment, I  
21 would like to express a great debt of  
22 thank you courage, fortitude and  
23 leadership skills -- as an elected  
24 official, I'm sure we can all appreciate  
25 taking the helm and the fort when needed.

1  
2 I would like to express a great  
3 tribute of thanks to Mazi Melissa Pilip,  
4 which is our elected official for  
5 championing day and night despite her  
6 public engagements, her personal  
7 engagements on behalf of Israel, and  
8 standing up as a true bastion, a true  
9 bastion of leadership.

10 I would like to also tell you that  
11 your words have resonated not only in the  
12 county of Nassau. They have resonated in  
13 the City of New York, they've resonated  
14 in the greater state of New York, and  
15 they have resonated internationally. It's  
16 very easy to stay content in our comfort  
17 zone and 'oh, that's not that's got  
18 nothing to do with me. Better not. Let's  
19 just -- I'm pretty busy right now'.  
20 There's so many distractions that can  
21 take away from the real issues which stay  
22 pressing at current. And for that, the  
23 entire District 10 tells you thank you.  
24 Thank you for your leadership. Thank you  
25 for your ability to see past not only

1  
2 your private engagements and your elected  
3 official engagements, but the global  
4 sphere. I yield the time.

5 Thank you very much.

6 PRESIDING OFFICER NICOLELLO: Thank  
7 you, Mr. Levy.

8 LEGISLATOR PILIP: Yaron, I just want  
9 to say this. I didn't know about you  
10 planning to come here and to talk about  
11 the things I was doing in the last two  
12 weeks. This is my obligation as a Jew,  
13 as a former Israeli Defense Force member,  
14 as a person who has so many family  
15 members in Israel, I think I'm doing what  
16 I need to do. But thank you for coming  
17 all the way here to say that.

18 I also would like to take the  
19 opportunity to thank the American people,  
20 my colleagues in government, who  
21 understanding the pain that the nation of  
22 Israel is feeling right now in this  
23 moment.

24 So thank you.

25 PRESIDING OFFICER NICOLELLO: Thank

you.

LEGISLATOR FORD: Thank you. That  
was very nice.

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PRESIDING OFFICER NICOLELLO: So  
we're moving right along with the  
business. The first thing we need to do  
is a motion to suspend the Rules.

Moved by Legislator Ford, seconded  
by Deputy Presiding Officer Kopel.

All those in favor of suspending the  
Rules signify by saying, "Aye".

(Whereupon, all members of  
the Full Legislature respond in  
favor with, "Aye".)

PRESIDING OFFICER NICOLELLO: Those  
opposed?

(Whereupon, no verbal  
response.)

PRESIDING OFFICER NICOLELLO:  
Carries unanimously.

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2                   PRESIDING OFFICER NICOLELLO: We  
3 will do the Consent Calendar then there  
4 will be a vote on an individual to  
5 District Court, then we go into the bus  
6 hearing.

7                   Consent Calendar are items that went  
8 through Committees less than weeks ago.  
9 We had a full debate and discussion at  
10 that time and it's been agreed by the  
11 Majority and Minority that no further  
12 debate and discussion is needed at this  
13 time:

14                   Item 3, Ordinance 62; Item 4,  
15 Ordinance 63; Item 5, Ordinance 64; Item  
16 6, Ordinance 65; Item 7, Ordinance 66;  
17 Item 8, Ordinance 67; Item 9, Ordinance  
18 68; Item 10, Ordinance 69; Item 11;  
19 Ordinance 70; Item 13, Resolution 194;  
20 Item 14, Resolution 195; Item 15,  
21 Resolution 196; Item 16, Resolution 197;  
22 Item 18, Resolution 199; Item 19,  
23 Resolution 200; Item 20, Resolution 201;  
24 Item 21, Resolution 202; Item 22,  
25 Resolution 203; Item 23, Resolution 204;

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2 Item 24, Resolution 205; Item 25,  
3 Resolution 206; Item 26, Resolution 207;  
4 Item 27, Resolution 208; Item 28,  
5 Resolution 209, Item 29, Resolution 210;  
6 Item 30, Resolution 211; Item 31,  
7 Resolution 212; Item 32, Resolution 213.

8 Motion by Minority Leader Abrahams,  
9 seconded by Deputy Presiding Officer  
10 Kopel. Any debate or discussion?

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 Full Legislature respond in  
18 favor with, "Aye".)

19 PRESIDING OFFICER NICOLELLO: Those  
20 opposed?

21 (Whereupon, no verbal  
22 response.)

23 PRESIDING OFFICER NICOLELLO: They  
24 pass unanimously.

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2 PRESIDING OFFICER NICOLELLO: Item  
3 17, Resolution 198. It is a Resolution  
4 confirming the appointment by the County  
5 Executive of Madeliene Petrara Perrin as  
6 a judge of the District Court of the  
7 County of Nassau for the Fourth Judicial  
8 District.

9 Motion by Legislator Ferretti,  
10 seconded by Legislator Giuffre.

11 We have the item to consider.

12 MS. PETRARA PERRIN: Good afternoon,  
13 Presiding Officer Nicoletto, Deputy  
14 Presiding Officer Howard Kopel and fellow  
15 legislators.

16 My name is Madeliene Petrara Perrin.  
17 I would like to thank County Executive  
18 Bruce Blakeman for having appointed me as  
19 judge of the Nassau County District  
20 Court. It is an honor and privilege to be  
21 before you today and considered for judge  
22 in this great county.

23 I thank each of you for your  
24 consideration of this judicial  
25 appointment, as well as the work you do

for the people of Nassau County.

Thank you again.

PRESIDING OFFICER NICOLELLO: Thank  
you very much. I appreciate those  
remarks.

Any debate or discussion?

(Whereupon, no verbal  
response.)

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

(Whereupon, all members of  
the Full Legislature respond in  
favor with, "Aye".)

PRESIDING OFFICER NICOLELLO: Those  
opposed?

(Whereupon, no verbal  
response.)

PRESIDING OFFICER NICOLELLO:  
Carries unanimously. And I'll be the  
first to congratulate you, Judge.

MS. PETRARA PERRIN: Thank you, all.

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2                   PRESIDING OFFICER NICOLELLO: Item 1,  
3                   which is a hearing on a proposed  
4                   Ordinance 61. An ordinance to authorize  
5                   the County Executive to execute an  
6                   agreement between the County of Nassau  
7                   acting on behalf of the County Department  
8                   of Public Works and Transdev Services,  
9                   Inc., for the management, operation and  
10                  maintenance of a Nassau County bus  
11                  system.

12                  Motion by Legislator Walker,  
13                  seconded by Legislator Giangregorio.

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

16                  (Whereupon, all members of  
17                  the Full Legislature respond in  
18                  favor with, "Aye".)

19                  PRESIDING OFFICER NICOLELLO: Those  
20                  opposed?

21                  (Whereupon, no verbal  
22                  response.)

23                  PRESIDING OFFICER NICOLELLO: The  
24                  hearing is open.

25                  Ken?

1  
2 COMMISSIONER ARNOLD: Good  
3 afternoon, Ken Arnold, Commissioner of  
4 Public Works, Nassau County.

5 As per General Municipal Law 119-R  
6 Nassau County and Local Law 15-1972 the  
7 County's authorized to provide a bus  
8 service.

9 In 2010, MTA indicated that their  
10 subsidy to the bus service would have to  
11 be increased significantly, which led the  
12 County to move towards a private  
13 operator.

14 In 2010, the County solicited  
15 private companies to provide the service.  
16 Veolia, now known as Transdev, was  
17 selected and they have been the operator  
18 for the County's bus service, which is  
19 known as NICE.

20 Veolia as Transdev has received good  
21 and satisfactory reviews every year by  
22 the Department, and there's been no major  
23 findings by the FTA in their Triennial  
24 Review.

25 Transdev's contract was extended

1  
2 under the terms in 2014 for an additional  
3 five years, and it also was amended in  
4 2020, which the current contract expires  
5 at the end of this year.

6 In anticipation of that, the  
7 Department issued an RFP for bus  
8 transportation services in January of  
9 '22, with the plan to have a new firm in  
10 place by the end of the year. Initially,  
11 four companies showed interest. Proposals  
12 were received by two firms.

13 The Evaluation Committee was made up  
14 of people from Social Services, Human  
15 Services, Public Works, Minority Affairs  
16 and the Office of Management and Budget.

17 The evaluation showed that they  
18 received the highest technical score and  
19 had the most comprehensive and responsive  
20 proposal and support, and would provide  
21 the best value to the County.

22 Transdev will perform all tests  
23 necessary to manage, operate and maintain  
24 the the County's current bus service  
25 called NICE for a period of seven years



1  
2 from January 1, 2024. This contract has  
3 an option to renew at five years and then  
4 another additional three years.

5 The calendar year for 2024 has a  
6 proposed operating budget of \$169  
7 million. The fare box, advertising and  
8 non operating revenue portion of that is  
9 \$31.4 million.

10 The total contract amount of 169 is  
11 subject to the approval of both the  
12 County Legislature, which will happen end  
13 of this month through the Department's  
14 budget, and then we go to the bus transit  
15 committee for their approval.

16 The contract is made up of two  
17 parts: The fixed fee covers  
18 administrative, benefits, insurance,  
19 security services, marketing, utilities.

20 And there's a variable fee that  
21 covers operator, mechanic, labor and  
22 benefits, insurance, revenue, vehicle  
23 parts, consumables, inventory and fuel.

24 The contract is capped at a profit  
25 of 4%.

1  
2           The budget of 169 includes platform  
3           rate hours that approximately 20% less  
4           than similar operating bus operations in  
5           the region, which is MTA and we looked at  
6           Westchester also.

7           The On-time performance bus  
8           monitoring, cleanliness and safety that  
9           are all measured by NICE bus and reported  
10          to us is in the 90th percentile.

11          Reportable incidents of accidents  
12          when compared to last time the MTA ran  
13          the bus service is 45% less accident  
14          rate.

15          Open for any questions.

16          PRESIDING OFFICER NICOLELLO: Is  
17          there anyone else from the Administration  
18          that's going to be speaking?

19          COMMISSIONER ARNOLD: It depends on  
20          the questions. We have a bunch of people  
21          here depending on the questions.

22          PRESIDING OFFICER NICOLELLO: Before  
23          we go into questions, I just want to  
24          welcome I see Jack Khzouz, the CEO of  
25          NICE is here with us.

1  
2 All right. Any questions from the  
3 legislators?

4 LEGISLATOR ABRAHAMS: I don't really  
5 have a question, Ken. I just have  
6 something I want to solidify for the  
7 record. And I think you started to jump  
8 on it a little bit when you talked about  
9 the contract amount.

10 COMMISSIONER ARNOLD: Yes.

11 LEGISLATOR ABRAHAMS: The contract  
12 amount for 2024 was \$169,270,605. But it  
13 does escalate through the seven years of  
14 the contract, right?

15 COMMISSIONER ARNOLD: The contract  
16 has a 3% maximum obligation in it by the  
17 County.

18 LEGISLATOR ABRAHAMS: So I just  
19 wanted to make sure that we establish for  
20 the record that in 2024, the contract  
21 amount is \$169 million, but by 2030 it's  
22 \$202.1 million, for a total contract of  
23 \$1.3 billion.

24 COMMISSIONER ARNOLD: That's the  
25 maximum obligated amount, yes.

1  
2                   LEGISLATOR ABRAHAMS: That's what  
3 I'll make sure of.

4                   And is there a maximum obligated  
5 amount for the fare box, or is it the  
6 same number that you mentioned on the  
7 record, 31 million?

8                   COMMISSIONER ARNOLD: Well, fare box  
9 -- every year the budget is looked at by  
10 NICE talking to people from my Department  
11 and we determine what a reasonable, fare  
12 box estimate is for the County's budget.  
13 We'll look at ridership trends and decide  
14 is fare box increasing, decreasing. And  
15 we'll make that proposal to the Office of  
16 Management and Budget, they look at that  
17 and then it's considered part of our  
18 budget submittal that you see at the end  
19 of this month.

20                   LEGISLATOR ABRAHAMS: So you don't  
21 have a forecast similar to what I'm  
22 looking at in our backup for years 1-7?

23                   COMMISSIONER ARNOLD: We believe  
24 that the service will continue to grow.  
25 But you look with what Covid did to the

1  
2 service, we're still recovering from  
3 that. I think we've finally seen numbers  
4 that are coming back to pre-COVID levels.  
5 But I would not say that it's a hard 3%  
6 estimate each year. We look at different  
7 factors that are trending on how the bus  
8 service is being used.

9 LEGISLATOR ABRAHAMS: Okay. Nothing  
10 further.

11 Thank you.

12 PRESIDING OFFICER NICOLELLO:  
13 Legislator Bynoe, I think you had a  
14 question.

15 LEGISLATOR BYNOE: Thank you,  
16 Presiding Officer.

17 Hi, Ken.

18 COMMISSIONER ARNOLD: Good  
19 afternoon.

20 LEGISLATOR BYNOE: So I have  
21 questions about the procurement process,  
22 and I have some questions about the  
23 service and routes and things of that  
24 nature.

25 Should I address the procurement

1  
2 issues with you?

3 COMMISSIONER ARNOLD: Sure. And  
4 people will come up that that I need.  
5 Yes.

6 LEGISLATOR BYNOE: Okay.

7 First I'd like to question, you said  
8 there were two bids that came in, right?  
9 Or two responses.

10 COMMISSIONER ARNOLD: Two responses.  
11 Yes.

12 LEGISLATOR BYNOE: And one of the  
13 responders, I believe, had a lot of  
14 communication back and forth with the  
15 Administration regarding questions, open  
16 issues, with the scope of service; is  
17 that correct?

18 COMMISSIONER ARNOLD: Well, we had  
19 an addenda process where we take  
20 questions from the vendors, and I think  
21 we issued 5 or 6 addendums on this  
22 process, answering questions throughout  
23 the solicitation.

24 LEGISLATOR BYNOE: Okay. And how  
25 many different questions were included in

1  
2 those amendments?

3 COMMISSIONER ARNOLD: I think there  
4 was probably around 50. Let me get  
5 Sharon.

6 (Whereupon, off record  
7 consultation.)

8 COMMISSIONER ARNOLD: We had about  
9 200; some were repetitive.

10 LEGISLATOR BYNOE: Is it unusual to  
11 get that number of questions?

12 COMMISSIONER ARNOLD: Depends on the  
13 size of the project. When I bid larger  
14 building projects, I will get  
15 dramatically more question and answer  
16 than if I bid a smaller construction  
17 project. So I would think 200 is not  
18 unreasonable for the size and scope of  
19 this contract.

20 LEGISLATOR BYNOE: When the process  
21 was concluded and then the announcement  
22 of the successor, there was a protest  
23 that was put in after that?

24 COMMISSIONER ARNOLD: There was a  
25 bid protest that was submitted to the

1  
2 Department. The Department went through  
3 the protest in great detail. We put  
4 together a response and was submitted  
5 back to the vendor, and there was no  
6 further follow up by that vendor.

7 LEGISLATOR BYNOE: Okay. What does a  
8 protest process typically look like?

9 COMMISSIONER ARNOLD: Typically,  
10 it's asking questions that they think  
11 something might have been unfairly  
12 portrayed or answers were not responded  
13 to properly. And then we put together a  
14 response to those concerns, laying out  
15 why we did what we did and how it  
16 conforms with our policy.

17 LEGISLATOR BYNOE: Okay. So who  
18 undertakes that protest process? Is it  
19 your department directly is it the County  
20 Attorney, who's involved?

21 COMMISSIONER ARNOLD: The Department  
22 Contracting Officer prepares the response  
23 working with Robert Cleary.

24 LEGISLATOR BYNOE: Okay. Does the  
25 IG's office get involved in that at all?



1  
2 MS. HOUDEK: Good afternoon,  
3 Legislators. Jane Houdek, Nassau County  
4 Department of Public Works General  
5 Counsel and Department Chief Contracting  
6 Officer.

7 So the other bidder, and I'm sorry,  
8 the name escapes me at this moment  
9 because this happened well over a year  
10 ago, submitted a bid protest. And in that  
11 bid protest, they cited a lot of  
12 boilerplate law that we responded to. And  
13 then they identified a number of issues  
14 that they thought that they were entitled  
15 to receive information regarding. Most  
16 of that information was either provided  
17 to them and we sent that out in the  
18 response, or it was information about how  
19 Transdev internally operates. It would be  
20 not information that we would have as the  
21 County, nor would it be information that  
22 would have been germane to the contract  
23 solicitation.

24 So we provided that response, and  
25 they hired a good law firm to craft their

1  
2 initial protest. We gave them that  
3 response, and we didn't hear anything  
4 further from them. And they were  
5 certainly at liberty to pursue that with  
6 either Robert Cleary or through what's  
7 known as an Article 78 process in the  
8 courts. You're an experienced  
9 legislator, so you know what happens in  
10 situations like that.

11 So they did not pursue that. But  
12 throughout, it was very clear to me when  
13 I undertook an extensive review of the  
14 contract file, that Sharon Persaud had  
15 done a really good job patiently  
16 answering their questions, despite the  
17 fact that it was very obvious that they  
18 really weren't asking questions about our  
19 contract and our contracting procedure.  
20 But they really wanted to know how NICE  
21 internally operates to be a successful  
22 company.

23 LEGISLATOR BYNOE: So while I would  
24 like to think that most of us have some  
25 experience with that, but I would tell

1  
2           you that I have no idea how a protest is  
3           managed internally. I know that one has  
4           the ability to file an Article 78 in the  
5           event in the event that they felt it was  
6           arbitrary and capricious and the like.  
7           But in terms of how you manage your  
8           process internally for a protest, I have  
9           no idea how that process would work. So I  
10          thank you for both you and Ken explaining  
11          that to me this morning.

12                 So I had received some  
13           correspondence from them where they were  
14           asking for -- I'm not going to go through  
15           the file. And like you said, it was  
16           probably about a year ago.

17                 MS. HOUDEK: Right.

18                 LEGISLATOR BYNOE: Just as we talk  
19           about it now, when did we let this RFP?

20                 COMMISSIONER ARNOLD: The RFP was  
21           issued in January of this year.

22                 LEGISLATOR BYNOE: Thought it was  
23           '22.

24                         (Whereupon, off record  
25           clarification.)

1  
2 COMMISSIONER ARNOLD: January of  
3 '22. I'm sorry.

4 LEGISLATOR BYNOE: It's a long time  
5 coming.

6 COMMISSIONER ARNOLD: Yeah.

7 COMMISSIONER ARNOLD: Was the  
8 protest part of the delay or -- I don't I  
9 think the decision was made in what,  
10 April or something? Or in the spring.

11 COMMISSIONER ARNOLD: There was time  
12 we had to take to answer the protest. So  
13 I would say it probably was a little bit  
14 of a delay.

15 LEGISLATOR BYNOE: Okay.

16 In reading through some of what they  
17 asked for and that they were concerned  
18 about about a year ago or so was  
19 regarding if they were taking over the  
20 plant, right? If they were going to be  
21 responsible for the physical plants of  
22 some of the operating facilities, they  
23 wanted to see things like the utility  
24 space and things like that. And there was  
25 some concerns and not being able to see

1  
2 those spaces. And I wouldn't say that  
3 should be confidential information  
4 because they would need to know if  
5 they're taking responsibility for the  
6 management of those areas and some of  
7 those burdens, then they should know what  
8 they're taking on. They should be able to  
9 do those inspections. They had a lengthy  
10 list of things. I'd like to hear from  
11 the IG if to see if she reviewed that  
12 process and if she's comfortable with,  
13 first, our RFP process and then, second,  
14 the response to the protests. Because I  
15 personally only knew that they did a  
16 protest this morning. Someone contacted  
17 me to tell me they did a protest. Prior  
18 to that, I know that they made complaints  
19 and that they had filed a grievance, so  
20 to speak, with me prior to even NICE Bus  
21 being selected. And I referred all that  
22 information to the IG's office, because  
23 that's not my my role and that's the role  
24 of the IG. And so I'd like to hear from  
25 the IG this morning. Or this afternoon.

1  
2 INSPECTOR GENERAL: Good afternoon.

3 LEGISLATOR BYNOE: Good afternoon.

4 So my question specifically is, I  
5 know you reviewed some documentation that  
6 was sent to me that I felt you were the  
7 appropriate entity to review it, so I  
8 sent it to you, and I believe you  
9 reviewed those documents and that was  
10 prior to any decision making by way of  
11 the Administration and its selection, and  
12 you felt in that moment that it was not  
13 an issue based on the things that I  
14 showed you, even though they were 200  
15 additional questions and several  
16 different amendments that were issued.  
17 Did you review the protest as well that  
18 came in after?

19 INSPECTOR GENERAL: I didn't review  
20 the protest. We had had a meeting at some  
21 point discussing -- it was a while ago  
22 too -- but I can ensure to you that we  
23 reviewed all of the questions that were  
24 asked. And you're right there quite a  
25 bit. But we didn't find anything. We

1  
2 didn't find any red flags with respect to  
3 the questions, other than there were a  
4 bunch.

5 I also wanted to let you know that  
6 my office was present at the  
7 Administration Selection Committee  
8 meetings for the entire process and,  
9 again, we didn't find anything  
10 inappropriate.

11 LEGISLATOR BYNOE: Okay. And by way  
12 of the protests, did you receive that?  
13 Did you know about it?

14 INSPECTOR GENERAL: I actually never  
15 get -- they don't actually loop us into  
16 bid protests. I learn of them because  
17 people talk, but they don't usually just  
18 come to me.

19 LEGISLATOR BYNOE: Yeah, I would, I  
20 would think that given the fact that  
21 those items would eventually end up at  
22 the Legislature, that protests that are  
23 birthed out of these RFP process, the  
24 procurement process, should be directed  
25 to the IG's Office. Because when I read

1  
2 your report, I didn't feel any need to  
3 ask any additional questions until this  
4 morning when I learned that there was a  
5 protest that was put in. And then we went  
6 back and looked at the report, and there  
7 was no indication that you were aware of  
8 a protest. And I think that this Body  
9 should be made aware of protests. And I  
10 think our IG, who is the investigative  
11 arm of the Legislative Body, should also  
12 be informed so that we vet those issues  
13 and we're not here on the day of trying  
14 to make sure that our process maintained  
15 a proper level of integrity.

16 So I know I can't ask you to do  
17 something unless you know about it.

18 INSPECTOR GENERAL: That's true.

19 LEGISLATOR BYNOE: All right.

20 So just for the record, you're  
21 saying that you found nothing wrong with  
22 the procurement process, that you  
23 attended those meetings, you reviewed all  
24 the documents that I forwarded to you,  
25 and you feel that this contract meets a



1  
2 high level of integrity and that you have  
3 no problems.

4 INSPECTOR GENERAL: And we had a  
5 back and forth with DPW with some  
6 questions and the answers that we  
7 received were reasonable.

8 LEGISLATOR BYNOE: Thank you.

9 INSPECTOR GENERAL: Thank you.

10 LEGISLATOR BYNOE: Is Mr. Cleary  
11 here? No? Okay. Chris?

12 MR. LEIMONE: Hi.

13 LEGISLATOR BYNOE: Mr. Lemoine, I'm  
14 just putting on the record a request that  
15 when the Legislature is going to receive  
16 contracts and we're going to engage in  
17 this type of decision making with such a  
18 large dollar amount tied to it in such an  
19 important service -- but in any case, if  
20 there is a protest that's made that the  
21 Legislative Body be made aware of it, and  
22 that the IG's office also be made aware  
23 of it so that it's vetted, we're aware of  
24 it in advance, and we can make a  
25 decision, a sound decision. But for me to

1  
2 learn today that there was a protest kind  
3 of puts me in a quandary. I'm happy that  
4 the IG was here and she could clarify for  
5 the record that she didn't see a problem.

6 Can we get some level of --

7 MR. LEIMONE: Yes. Of course,  
8 Legislator.

9 LEGISLATOR BYNOE: So moving  
10 forward, we will get records of protests  
11 when you send a contract out.

12 MR. LEIMONE: For contracts that go  
13 to the Legislature, yes, we will work to  
14 implement that. Yes.

15 LEGISLATOR BYNOE: Okay. Thank you.

16 My next set of questions is  
17 regarding service delivery and they are  
18 brief little, short little issues I  
19 believe we can touch on.

20 So first, I first want to thank  
21 President Jack Khzouz for really being  
22 accessible and highly responsive whenever  
23 my office reached out regarding any  
24 issues of ridership. I just have one  
25 request. We have had certain times when

1  
2 bus stops have been eliminated and then  
3 we received the calls and I called Jack,  
4 and then he says, oh yeah, you know, the  
5 stop is used, but it's not used  
6 regularly. And then we find out that it's  
7 an elderly person who uses the route. And  
8 so he reinstates the bus stop or they did  
9 a loop one time that was going into, I  
10 think, a little small mall and then they  
11 stopped it. In any event, you really  
12 work to make sure that we can restore  
13 those things if possible. And it usually  
14 takes like a week or two once we come to  
15 the agreement that there would be  
16 restoration. I think that if you could  
17 let us know that you're considering some  
18 of those changes in advance, it could be  
19 less disruption to the riders. And I  
20 think it would be a good courtesy for all  
21 of us up here if there was going to be  
22 that type of change. I know you don't  
23 have to. I'm asking for the courtesy.

24 MR. KHZOUZ: Thank you for the  
25 question, Legislator. You're completely

1  
2 right.

3 We have 2500 stops in the county,  
4 and it's my responsibility to communicate  
5 with all of you when we affect any of  
6 your constituents on the road. Sometimes,  
7 to be honest with you, it's my fault.  
8 Stops at me. But you all know,  
9 Legislator, you pointed out, I'm just a  
10 phone call away and I always pick up my  
11 phone.

12 So within those issues that you  
13 spoke about, we took care of that last  
14 stop literally within 24 hours and put it  
15 back. But it should have never been  
16 removed to begin with, or at least not  
17 without your understanding and  
18 cooperation. So I completely understand.

19 Thank you.

20 LEGISLATOR BYNOE: Thank you.

21 I think the next question is going  
22 to be okay for you too.

23 So I'm learning that folks are  
24 getting on the bus and not paying  
25 sometimes. Talk to us a little bit about

1  
2 that.

3 MR. KHZOUZ: Fare evasion is an  
4 issue. And fares make up, as Ken had  
5 mentioned, make up a good amount of our  
6 revenue that helps again drive the amount  
7 of service we put out there. It is a fine  
8 line to understand the reasoning behind  
9 that. And we don't ask our drivers to do  
10 that because of course, that could end up  
11 in an escalated situation that we don't  
12 want to put anybody in harm's way for  
13 \$2.90. Right. So it is a fine line. Do we  
14 know how much fare evasion affects us? We  
15 think it may be 10 to 12 to 15% just by  
16 observation, just by speaking to the  
17 drivers, just by understanding ridership  
18 versus fare collection. You can look at  
19 the Delta and figure out what it is. Is  
20 there a good way to solve fare evasion  
21 other than putting a police officer on  
22 every bus? No there's not. So what we try  
23 to do is educate the public and educate  
24 the drivers on how to properly handle  
25 that, educate our supervisors how to

1  
2 properly handle that. But it is a  
3 difficult situation that every service in  
4 the country is dealing with right now.

5 LEGISLATOR BYNOE: So your number  
6 might even be higher because in speaking  
7 to a bus driver, he says, we just kind of  
8 don't even report it anymore. You don't  
9 want them to get into an interaction.  
10 They've been told not to. Their union has  
11 counseled them against doing that. And it  
12 just, I guess, becomes a little more  
13 troublesome for them to have to even do  
14 the reporting. But the numbers are high.  
15 I know that you have a counsel that you,  
16 you work with. I don't know how we can,  
17 the Legislative Body, how we can work  
18 together to get that number down without  
19 putting our drivers in in danger. But  
20 that's concerning.

21 MR. KHZOUZ: It is; It is.

22 The other issue we have too is when  
23 we have a bus full of people trying to  
24 get somewhere on time, and we're trying  
25 to run a 90-95% on time performance,

1  
2 that's our goal and we're hitting that  
3 goal, to stop the whole bus and hold it  
4 for response, whether it be from a  
5 supervisor or the police -- our police  
6 departments are very busy and, again, to  
7 respond to a \$2.90 issue is somewhat  
8 difficult.

9 I totally understand. We are working  
10 as a group across the country, both on on  
11 the national level and the New York State  
12 level, to come up with creative solutions  
13 that are both compassionate in some  
14 cases, but also a little bit firmer. And  
15 I think as we progress out of this Covid  
16 recovery, we'll see a little bit better  
17 fare box recovery on that.

18 LEGISLATOR BYNOE: Okay. I see the  
19 challenge that you're up against on that.  
20 So thank you for your answers, I  
21 appreciate it.

22 Thank you.

23 PRESIDING OFFICER NICOLELLO:  
24 Legislator Ford then Legislator Solages.

25 LEGISLATOR FORD: Good afternoon. So

1  
2 the budget that we have with this  
3 contract, that's strictly for operating  
4 and maintenance. The bus company then  
5 also does a capital plan for the buses;  
6 am I correct? So the \$167 million is  
7 basically for employees benefits, taking  
8 care of the staff and whatever?

9 COMMISSIONER ARNOLD: Yes.

10 LEGISLATOR FORD: Okay.

11 When you look at the respondents to  
12 the RFP, since Transdev has been serving  
13 as our bus system for quite many years,  
14 do we take a look at the number of  
15 complaints and everything? Do we take  
16 that into consideration? Because I don't  
17 think they seem to have a lot.

18 COMMISSIONER ARNOLD: Yes. Part of  
19 any award of a contract we look at their  
20 performance on other contracts. So their  
21 performance both on our current contract  
22 and their other work around the country  
23 would all have been looked at, yes.

24 LEGISLATOR FORD: All right.

25 And I have to echo what Legislator



1  
2 Bynoe had said. Mr. Khzouz, you've  
3 always been very responsive. And whenever  
4 we've called over for anything that we've  
5 gotten satisfactory answers and I really  
6 appreciate that. Even with looking at  
7 different routes, I know you had met with  
8 the City Manager down in Long Beach to  
9 come up with some ideas. Hopefully, I  
10 know that with the Able-Ride system we  
11 now under law, you're going to be  
12 expanding it into Queens and Suffolk, I  
13 guess, or whatever it is or however this  
14 is going to change. But I'm hoping maybe  
15 moving forward that we may consider at  
16 some point even expanding the geographic  
17 mile. I know it's of a great cost, but  
18 especially for our residents here in the  
19 county, for so many more residents that  
20 just cannot ride buses that cannot drive  
21 themselves, I'm hoping that maybe we  
22 could look at that to be expanded and  
23 come up with some, maybe sometimes when  
24 you have allow somebody give them a  
25 reprieve to allow them to be able to take

1  
2 an Able-Ride, to be able to get access to  
3 their doctor's appointments and so forth  
4 and so forth.

5 So that would be just my closing  
6 statement. I won't be here, but I feel  
7 like Judy Jacobs is sitting on my  
8 shoulder right now saying, because that  
9 was her big thing, the Able-Ride and the  
10 expansion of it and make it more  
11 accessible to many of our residents here  
12 in Nassau County. But I thank you very  
13 much. And, Commissioner, thank you very  
14 much for your testimony today.

15 PRESIDING OFFICER NICOLELLO:  
16 Legislator Solages.

17 LEGISLATOR SOLAGES: Thank you very  
18 much, Presiding Officer.

19 Good afternoon. How are you doing,  
20 Commissioner?

21 COMMISSIONER ARNOLD: How are you?

22 LEGISLATOR SOLAGES: Nice to say  
23 good afternoon, Mr. Jack (sic), as well.  
24 Thank you for being here.

25 My district, the Third Legislative

1  
2 district, borders in New York City. Many  
3 of my constituents live in Elmont or  
4 Valley Stream, but take public  
5 transportation to go to work. Their  
6 dependence upon public transportation and  
7 upon your system is very important. And  
8 I've reached out to you regarding several  
9 issues. In fact, I'm very glad to see one  
10 of my constituents who has reached out to  
11 you before, also here today. And so my  
12 line of questioning is more so regarding  
13 service and what this contract provides.  
14 Can you please provide more information  
15 as to on time performance records  
16 regarding --

17 COMMISSIONER ARNOLD: I'll let Jack  
18 go over that.

19 LEGISLATOR SOLAGES: Thank you.

20 MR. KHZOUZ: Thank you, Legislator.

21 As I discussed previously or  
22 mentioned previously, we have 2500 stops.  
23 Our fixed route on time performance  
24 currently is at 90%. September is always  
25 our most challenging month because we

1  
2 have back to school and on time  
3 performance dips down to about 87-88%.  
4 Overall, our goal up until September was  
5 90, our actual was 92%. So we dipped a  
6 little bit in September. We're back up to  
7 90 currently. We want to hit 92 to 95.  
8 The way we measure on-time performance is  
9 the industry standard: One minute early,  
10 five minutes late. So you have a six  
11 minute window around that arrival time,  
12 one minute early, five minutes late. And  
13 again, understanding that we have Nassau  
14 County traffic and Queens and Flushing  
15 traffic to deal with, 2500 stops to make  
16 and relatively full buses, sometimes  
17 that's a challenge to make. But what we  
18 do is we take the data, we have a very  
19 technically driven service, we take the  
20 data that we measure and feed it back  
21 into the schedule and planning system  
22 with the input of the drivers, and we  
23 adjust that schedule every quarter to  
24 adjust seasonally or detour minded. When  
25 we know that there's going to be a detour

1  
2 in a specific area, we adjust those  
3 schedules to try to accommodate as much  
4 as we can. But that's an average. So yes,  
5 your trip for one day might be late.  
6 There may be a breakdown, there may be an  
7 accident. But in general we perform at a  
8 very, very high rate.

9 LEGISLATOR SOLAGES: But I've heard  
10 from constituents who say that, you know,  
11 they are waiting at the Jamaica station.  
12 They have been waiting there for over 15  
13 minutes, which is well beyond six  
14 minutes, and they have not had any other  
15 buses come within a reasonable, timely  
16 increment of time. And so, you know, what  
17 other factors are influencing your  
18 performance rate? I mean, is it the fact  
19 that, I mean, the number of bus drivers  
20 you have, is that a factor, or have you  
21 have an increase in bus drivers or a  
22 decrease in bus drivers?

23 MR. KHZOUZ: We as, again, every  
24 every bus company in the country has a  
25 shortage of bus drivers.

1  
2           You mentioned something that people  
3           are waiting 15 minutes, but it's beyond  
4           six minutes. Those two don't have  
5           anything to do with each other. There's a  
6           frequency of of travel, a frequency of  
7           buses that may be every 15 minutes. Okay.  
8           So if they're waiting 15 minutes, that  
9           may be the scheduled time that made the  
10          interval between buses. They have to look  
11          at their schedule. We also provide the  
12          bus app that tells them exactly when  
13          their bus is going to be there, so they  
14          don't really need to wait at a bus stop.  
15          And 60% of our travelers now use that app  
16          to plan their trips and find out where  
17          their buses are.

18                But remember, frequency and on-time  
19                performance are two different things. So  
20                if a constituent says I'm waiting 15  
21                minutes for bus doesn't necessarily mean  
22                the bus is late, that may be the  
23                frequency of the bus service.

24                That being said, if you speak to me  
25                and tell me, Jack, at this time 6:15

1  
2 people are waiting, their bus is late,  
3 then just call me and let me know. Let me  
4 know the time. Let me know the date. We  
5 will investigate and we'll adjust it as a  
6 schedule goes forward.

7 LEGISLATOR SOLAGES: But I have  
8 received those calls. Under the previous  
9 contract, did you have a certain number  
10 of buses allocated in that situation near  
11 the Jamaica depot, where if there is a  
12 bus arriving late beyond 15 minutes, can  
13 you provide for a quicker source to come  
14 there?

15 MR. KHZOUZ: So we do have spares  
16 and we stationed spares both at the depot  
17 and in some cases out at different  
18 points.

19 LEGISLATOR SOLAGES: Do we get more  
20 spares with this contract?

21 MR. KHZOUZ: You don't get any more  
22 spare because the spares are dictated by  
23 the FTA and how many total buses you you  
24 can own in the field. So it's a spare  
25 ratio and it's a really the amount of

1  
2 buses we can own based on the number of  
3 hours of service we put out. The FTA puts  
4 that out for us. And they say we can own  
5 about a 20% spare ratio. But again, any  
6 time you put more spares out that there  
7 aren't utilized, that's inefficiency out  
8 there also. So there's a lot of factors  
9 that go into that.

10 The way I think of Command Center  
11 when they're managing these -- and I  
12 think you've seen our command center  
13 looks like looks like an airport terminal  
14 in there with all the screens -- they are  
15 managing service as we go. There may be a  
16 driver available. There may be a bus  
17 available. There may not be. The bus may  
18 have gotten an accident. By the time we  
19 dispatch it. The other bus will get  
20 there. So there's a lot of moving parts  
21 to that.

22 LEGISLATOR SOLAGES: Going forward  
23 under this contract. Cutting runs or  
24 routes, what procedure will you engage in  
25 to inform the public? I've made a



1  
2 previous request upon this Body that this  
3 hearing be held in the evening, because  
4 many of my constituents were concerned  
5 about it could not be here during the  
6 daytime because they work. So going  
7 forward, when it comes to cutting routes  
8 or changing routes, what procedure will  
9 you afford and provide and how can we  
10 have greater access by the public to  
11 attend such meetings where such  
12 information is being provided?

13 MR. KHZOUZ: Yeah, we will certainly  
14 bring that up. There's a whole protocol  
15 around that besides just the meetings. We  
16 sent out notices on their app. We post in  
17 the buses, we take phone calls, we take  
18 all that input throughout the period.  
19 It's not just that 1 or 2 meetings, but  
20 yes, that is a very good point, and I'll  
21 certainly bring it to the Committee's  
22 attention. I don't control the Committee  
23 time meetings. That's not for me to  
24 control, but I will certainly bring it up  
25 as a strong suggestion. Let's put it that

1  
2 way.

3 LEGISLATOR SOLAGES: The environment  
4 is continuing to be a very, very  
5 important concern. Can you please provide  
6 information as to how the buses that are  
7 afforded through this contract will be  
8 able to meet carbon emission standards by  
9 2030 and 2050, please?

10 MR. KHZOUZ: So that's a great  
11 question. Your bus system is currently a  
12 low emissions bus system. This is a CNG  
13 system, compressed natural gas. It's not  
14 diesel. So that being said, compressed  
15 natural gas puts out 97% less emissions  
16 than a diesel bus does. The buses you see  
17 in the city are converting now, but many  
18 of those buses are still diesel buses. My  
19 counterparts upstate also run diesel  
20 buses. You're the only fleet in the  
21 country of this size that's compressed  
22 natural gas. So that gives us a leg up.

23 Number two, as of last week, we just  
24 started running our first electric bus  
25 that we received. It's on the road now,

1  
2 being beta tested and hopefully as we  
3 shake that bus out in the next few weeks  
4 or month or so, we should receive another  
5 four. That'll give us an understanding of  
6 the operational complexity that goes into  
7 running two different technologies CNG  
8 and electric. There are pluses and  
9 minuses to both. So that's a great point.

10 LEGISLATOR SOLAGES: Thank you.

11 But will we meet by 2030 or by 2050  
12 -- well, I guess that's beyond this  
13 contract, but are we on pace or are we on  
14 a plan to at least meet certain  
15 standards?

16 MR. KHZOUZ: That's a good question.  
17 And it's still to be determined by the  
18 State of New York if our CNG fleet  
19 already meets that requirement. The way  
20 the requirement is written, it is a  
21 low/no emissions requirement. So we still  
22 need to speak to the State specifically  
23 to ask if we do already meet that  
24 requirement. But there are plans to  
25 continue decarbonization out of our

1  
2 system by doing things like converting  
3 our supervisor fleet to electric,  
4 converting the paratransit fleet to  
5 electric, or a combination of  
6 hybrid/electric. So we're moving towards  
7 that fairly quickly.

8 LEGISLATOR SOLAGES: Understood.

9 Back to Able-Ride, can you as an  
10 operator, use the money you receive for  
11 Able-Ride for any other purposes, such as  
12 covering the gap for just -- the money  
13 for Able-Ride, can you use that for other  
14 purposes?

15 MR. KHZOUZ: So the way we receive  
16 money from the State -- and that's the  
17 majority of our funding, 70% is from the  
18 State -- there is no delineation between  
19 Able-Ride versus fixed route. We use it  
20 for transit. And we as a transit  
21 provider, under Ken's supervision,  
22 understand that paratransit has to be  
23 part of our total. And there's no  
24 exclusion of that. I can't carve out more  
25 money for fixed route at the expense of

1  
2 paratransit, let's put it that way.

3 LEGISLATOR SOLAGES: Understood.

4 Thank you.

5 I appreciate all your responses and  
6 I thank you, but if we could just follow  
7 up with a meeting with my constituent  
8 regarding just service issues from the  
9 Jamaica station, I would really  
10 appreciate that.

11 Thank you very much.

12 PRESIDING OFFICER NICOLELLO:

13 Legislator DeRiggi-Whitton.

14 LEGISLATOR DERIGGI-WHITTON: Thank  
15 you.

16 And, Jack, I just want to thank you  
17 also for doing the loop bus in Port  
18 Washington. I think it's really been a  
19 model for the whole industry, in the  
20 sense that it's freed up a number of  
21 parking spots at the train station, which  
22 has always been a major issue.

23 I just had two quick questions,  
24 Jack, and I hate to have you come back  
25 up. One, I always have to put in a plea,

1  
2 speaking of Judy Jacobs, just for the  
3 northeast portion of Nassau County, which  
4 really doesn't have any bus service. Glen  
5 Cove has about 10% of the city covered,  
6 and I know there's none in Bayville and  
7 Oyster Bay. And I understand part of it  
8 is that the homes are further apart and  
9 all that. But if we could, I always have  
10 to ask you to always keep that in the  
11 back of your mind, that that service used  
12 to really help Glen Cove and it's missed  
13 for sure. So any if there's ever any  
14 possibility of reinstating any of that, I  
15 would be very interested.

16 And just the second question, as far  
17 as the the electric buses, I heard that  
18 you've run into a couple of problems with  
19 those with the batteries lasting and  
20 things like that. Could you just  
21 elaborate on that?

22 MR. KHZOUZ: So the electric buses,  
23 obviously the main cost of that electric  
24 bus is the battery technology that goes  
25 with it. Then there's an infrastructure

1  
2 cost also. We have to have chargers and  
3 everything else that goes with that. The  
4 way we have procured those vehicles is we  
5 have purchased additional warranties on  
6 the batteries so that they don't go out  
7 before the useful life of the bus does,  
8 so that the investment made by the  
9 federal government through the FTA, and  
10 partly yours also, is not short circuited  
11 by a faulty battery.

12 LEGISLATOR DERIGGI-WHITTON: So all  
13 in all, do you find that they're working  
14 effectively, the electric buses?

15 LEGISLATOR DERIGGI-WHITTON: It  
16 Still remains to be seen. Again, we've  
17 just started beta testing the electric  
18 bus on the road. It's performing great so  
19 far, but there'll be challenges. It's a  
20 new technology and we have to adjust to  
21 it, also; the industry needs to adjust to  
22 it. So we have to understand how it  
23 actually operates. It doesn't make a lot  
24 of sense if we can't get as much road  
25 time with the electric bus or we need two

1  
2 electric buses for every CNG bus. So the  
3 efficiencies are still to be seen. We're  
4 very optimistic though, based on what we  
5 hear from other operators that run it.  
6 Really the operation's mostly been on the  
7 West Coast, so they benefit from nicer  
8 weather than we do. So we'll, certainly  
9 report how we see these.

10 LEGISLATOR DERIGGI-WHITTON: So in  
11 the next seven years, do you anticipate  
12 adding more electric buses to your fleet?

13 MR. KHZOUZ: Assuming everything  
14 goes well, we will probably add  
15 additional vehicles as the options come  
16 up. But it all depends again on what  
17 technology does between now and then,  
18 whether it be electric, whether it be  
19 hybrid electric, plug in, hybrid  
20 electric, whether it be CNG/electric or  
21 hydrogen or whatever else comes along.  
22 But but we are committed to whatever new  
23 technology works the best for our  
24 residents to make it safe and reliable.

25 LEGISLATOR DERIGGI-WHITTON: Thank



1  
2           you.

3                   PRESIDING OFFICER NICOLELLO:  
4           Legislator Solages.

5                   LEGISLATOR SOLAGES: Thank you. I've  
6           been getting a lot of concerns,  
7           constituent concerns, phone calls from  
8           constituents regarding bus service in and  
9           around the UBS arena. If you may, please  
10          provide any information as to how you may  
11          address some of those issues, please.

12                  MR. KHZOUZ: Yeah. I have not heard  
13          directly from constituents about the  
14          arena service per se. There's two  
15          different services there, obviously, that  
16          we have to think about. Number one is  
17          event service; and number two is employee  
18          service or what we call employee  
19          shuttles. I haven't heard specifically.  
20          But again we are certainly open to  
21          listening and learning and engineering  
22          what we can.

23                  PRESIDING OFFICER NICOLELLO: Thank  
24          you.

25                   I'm going to go to public comment

1  
2 now.

3 Richard Clolery.

4 MR. CLOLERY: My comments address  
5 multiple issues, not just the buses.  
6 Although I am grateful for the  
7 opportunity to address this Committee,  
8 this Legislature.

9 Some of my chief concerns include  
10 increasing funding from Nassau County.  
11 These bus cuts, there are now a number of  
12 dead zones, public transportation wise.  
13 They keep on talking about flex service  
14 and all that, but with current budget  
15 levels, they can only do what they can.  
16 We need to not just increase fixed route  
17 buses -- Basically, what I'm trying to  
18 say is we need to increase service all  
19 around not just for my own use, everyone  
20 else's uses, you know, that way you can  
21 get to places where they need to be, but  
22 also because Nassau County is changing  
23 significantly. There are a lot of people  
24 who are now relying not just on buses,  
25 but also living closer to railroad

1  
2 stations, because it's a lot more  
3 convenient for them to get to the city or  
4 other places where they need to be.

5 To be honest, we need to restore bus  
6 lines or we need to increase flex service  
7 or whatever they call it.

8 Also, when are they going to install  
9 Omni into the system? Omni has been  
10 around for a while a while now, but is  
11 there been any progress?

12 PRESIDING OFFICER NICOLELLO: After  
13 you finish, I'll have Mr. Khzouz answer  
14 that question.

15 MR. CLOLERY: All right.

16 Now, getting to the other things.  
17 Our infrastructure sucks. I'm going to be  
18 blunt. We were dealing with people who  
19 are dying on the roads because they're  
20 getting hit by bad drivers, distracted  
21 drivers, drunk drivers, and God knows  
22 what else. This is getting ridiculous.  
23 This is hurtful to everyone. The young,  
24 the old. They're getting killed left,  
25 right and center and being reported by

1  
2           *Newsday*, by News12. What are your guys  
3 plans for increasing enforcement,  
4 improving -- and also, I noticed  
5 something the other day that's been  
6 around for a long while now. One of the  
7 signs that a lot of people on Hempstead  
8 Turnpike and Newbridge, you push a button  
9 and you get to walk safely across the  
10 street, one of those signs is down. It's  
11 been down for months now. I don't know  
12 what's going on, but it needs to be fixed  
13 or replaced. You get to choose.

14           Look, I speak at an average citizen.  
15 I'm dealing with hearing horror stories  
16 about parents losing their kids because  
17 some moron decides not to be careful with  
18 the responsibility of driving an  
19 automobile. This has to stop. Not for my  
20 sake, but for everyone's sake. You get  
21 what I'm saying?

22           Any questions?

23           PRESIDING OFFICER NICOLELLO: Thank  
24 you, Richard.

25           MR. CLOLERY: Any questions?

1  
2 PRESIDING OFFICER NICOLELLO: No,  
3 there's no questions. Thank you.

4 Mr. Khzouz, I think there was a  
5 question about Omni. I guess in New York  
6 City, it's prevalent in the subways and  
7 buses.

8 MR. KHZOUZ: Omni is an MTA product  
9 -- MTA brand, MTA product. We as an  
10 affiliate will be able to use that  
11 technology when it becomes available to  
12 us. Unfortunately, we don't control the  
13 timetable. It is completely up to the MTA  
14 when they're ready to roll it out.  
15 Currently, they're estimating the end of  
16 2024 is when they will start rolling it  
17 out to their affiliates. We've been  
18 working with them for almost three years  
19 now on that timetable. So we're hopeful,  
20 again, we don't control that that  
21 timetable. It's all controlled by the  
22 MTA.

23 PRESIDING OFFICER NICOLELLO: So  
24 when they roll it out, you'll be ready.

25 MR. KHZOUZ: We'll be ready to take

1  
2 it on. I believe we're actually the first  
3 affiliate outside of the New York City  
4 system that'll have the system.

5 PRESIDING OFFICER NICOLELLO: All  
6 right. Thank you.

7 Greg May, Island Harvest.

8 MR. MAY: Hi. Good afternoon. Greg  
9 May, Island Harvest Food Bank, Melville,  
10 New York. Here to read a statement into  
11 the record from our president and CEO,  
12 Randi Shubin Dresner.

13 "Island Harvest Food Bank is a  
14 leading human services organization whose  
15 mission is to end hunger and reduce food  
16 waste on Long Island. Our work directly  
17 supports seniors, children, families and  
18 veterans who turn to us in times of  
19 crisis through our mobile outreach  
20 program and supports a network of  
21 community based nonprofit organizations  
22 and emergency feeding programs.

23 The Nassau Inter-County Express bus  
24 service, NICE Bus, operated by Transdev,  
25 has been a caring partner with Island

1  
2 Harvest and so many other community based  
3 organizations since the beginning of  
4 their original contract. So many of our  
5 clients are their riders, so this is a  
6 very important partnership that we share.

7 NICE bus truly cares about their  
8 riders and the community it serves.  
9 Through their annual surveys, they have  
10 learned about which routes are most  
11 important, the times of day that are  
12 busiest and most sensitive to their  
13 riders needs. They have advocated for  
14 more stops and important changes to  
15 schedules. They have made sure that the  
16 many cultures that make up our community  
17 are represented as much as possible in  
18 their signage and schedule information.

19 We are grateful that in the  
20 aftermath of Superstorm Sandy, they  
21 provided Island Harvest access to their  
22 bus terminals for food distributions. Our  
23 staff always gets excited when they see  
24 the NICE bus pull in during our Turkey  
25 and Trimmings Campaign.

1  
2 We appreciate that their staff, who  
3 have volunteered with us and are grateful  
4 for their generous financial  
5 contributions to ensure that our programs  
6 are strong and responsive to our  
7 community in need.

8 In addition to more traditional  
9 forms of support, they have provided  
10 innovative solutions to help the  
11 neighbors whom we serve, including  
12 providing their bus route schedules to  
13 Island Harvest and adding important  
14 information about our services on their  
15 website while distributing important  
16 information on the programs we provide to  
17 their ridership.

18 It is our hope to continue building  
19 our relationship with the team at  
20 Transdev, ensuring that the neighbors we  
21 serve and the riders of NICE Bus, of  
22 which there are significant overlap,  
23 receive the benefits and programming that  
24 they deserve."

25 Thank you.



1  
2 PRESIDING OFFICER NICOLELLO: All  
3 right. Thank you, Greg.

4 Biana DePena.

5 MS. DE PENA: Good afternoon,  
6 everyone. My name is Biana DePena and I  
7 represent United Way of Long Island. I  
8 am their Community Impact Director and I  
9 also oversee the Everyone Rides NICE  
10 Program.

11 Today I'm here just to share a few  
12 words about the program and the  
13 importance of collaboration and  
14 partnership.

15 Over a decade ago, NICE bus  
16 approached us, United Way, with the idea  
17 of creating a transportation fund for  
18 low-to-moderate income families and  
19 individuals in the county. Since then, we  
20 have helped thousands of people through  
21 the program with over \$1 million of  
22 support. This is all possible thanks to  
23 the power of collaboration between NICE  
24 bus, over 30 agencies across Nassau  
25 County, and us, United Way.

1  
2 With their help, with distribute bus  
3 passes and just allow families and people  
4 to get to work, to their appointments, to  
5 school. That free Metro card is a  
6 lifeline to many families and individuals  
7 who rely on public transportation.

8 One of the participants that we have  
9 in our program is one of our YouthBuild  
10 participants, who lives in Long Beach and  
11 gets to ride the bus to come to Hempstead  
12 to work.

13 Another one of our participants in  
14 the program just graduated from college  
15 because of a free Metro card that she  
16 received for over two years to attend  
17 college. This and everything that we do  
18 as an organization wouldn't be possible  
19 without their support.

20 And that's it. Thank you.

21 PRESIDING OFFICER NICOLELLO: Okay.  
22 Thank you very much.

23 Hari Dhoundiyal. I don't know if I'm  
24 correct with that pronunciation.

25 MR. DHOUNDIYAL: Good afternoon. My

1  
2 name is Hari Dhoundiyal and I'm the  
3 president of the Nassau Transit  
4 Accessibility Advisory Committee, we  
5 often refer as TAAC, that's T-A-A-C. I'm  
6 here today to express my full support for  
7 NICE, Nassau Inter-County Express bus  
8 services. I'm not going to go into  
9 lengthy talk, just give you three major  
10 issues why I think that we should support  
11 the NICE.

12 Number one, safety, accessibility  
13 and innovative means to deal with  
14 situation. You know, I'm well travel  
15 individual. I've been taking public  
16 transportation for over two decades now,  
17 and I have taken every sort of  
18 transportation, whether it's a  
19 paratransit, whether it's a public  
20 regular fixed route buses in different  
21 towns, cities, outside of county, across  
22 the states, across the country. And as a  
23 person with the disability safety,  
24 accessibility is paramount. We all know  
25 that often the issue is that, well, how

1  
2 the transportation is going to handle  
3 your request. You know, what kind of  
4 safety do they have, how accessible it is  
5 for you. I have a guide dog, for  
6 instance. I want to make sure the bus,  
7 the taxi, whatever I take can accommodate  
8 my dog. So there's a lot that goes into  
9 that. NICE bus has shown that it has not  
10 only done a terrific job of handling such  
11 situations, but continue to innovate and  
12 improve on that.

13 I recall reminiscing several years  
14 back, this is before NICE, the bus I  
15 took, I used to joke around that that  
16 bus, so to speak, is a truck that has a  
17 hood on it, because I will literally have  
18 a bumpy ride, my dog would slide on the  
19 floor and when it rained, I literally had  
20 to take umbrella inside the bus. When the  
21 NICE took over, it changed.

22 Today if you take -- I often joke  
23 that you know today the NICE system, the  
24 bus system that we have, the paratransit  
25 we have, it's the limousine version of a

1  
2 paratransit. That how it has gotten  
3 today. And this is because we have  
4 innovative management who put their ideas  
5 to practice in practical terms that works  
6 for all, and they do it within the budget  
7 they are given.

8 As a board member, as president of  
9 the board that I have been part of since  
10 2014, appointed by the County Executive,  
11 I have seen dramatic changes. And I have  
12 said that I wouldn't have stayed with a  
13 board, I wouldn't have stayed with the  
14 Committee had not been for terrific,  
15 outstanding and rational steps that the  
16 NICE bus has taken.

17 So at the end of the day, it  
18 matters; safety, accessibility,  
19 innovation and most importantly, knowing  
20 your passengers, the public that utilizes  
21 those services.

22 It is the view of my board members  
23 that NICE should continue to handle our  
24 transportation, the public  
25 transportation. And this is not just

1  
2 referring to the paratransit. You will  
3 see that the fixed route buses, the way a  
4 driver approaches you. When I'm waiting  
5 for public transportation, the fixed  
6 route bus, that is, the driver  
7 understands he is well trained how to  
8 approach a guy who has a guide dog, a  
9 lady who has a guide dog, or someone who  
10 is using a white cane, that is that the  
11 cane used by blind people. There's a  
12 different way to approach it. And that  
13 could not have been possible, had not  
14 been for the training and for the  
15 policies and procedures that were put in  
16 by NICE.

17 I could go on and on. And I love to  
18 talk about in detail. Because I have seen  
19 days when I literally waited for three  
20 hours, four hours for my transportation,  
21 and eventually I had to take taxi  
22 service. Now, you know that in my case, I  
23 have that option. Many other people  
24 don't. There are people with disabilities  
25 who could not take public transportation.

1  
2 They cannot take taxi. They cannot take  
3 any other mode of transportation other  
4 than relying on paratransit or perhaps  
5 the public fixed route bus.

6 So, you know, seeing that and  
7 experiencing what I have seen, the  
8 positive changes that NICE brought to us  
9 to the County -- we pay \$2.90 for NICE  
10 bus and four bucks now for Able-Ride. I  
11 told them I'm willing to pay five bucks  
12 for that. I'm willing to pay \$4 for fixed  
13 route buses because the way it handles  
14 the situation, including complaints. I  
15 once had a driver that did not pull up to  
16 the curb, and he apologized to me because  
17 he realized and he told me that it's just  
18 off the curb, and the management took  
19 action on that. And also the driver  
20 realizing his mistake, corrected right  
21 then and there. You could not ask for  
22 better services.

23 And of course, you know, there are  
24 always something that has to be improved.  
25 There's always something that has to be

1  
2 fixed. But I would say that NICE Bus  
3 definitely changed my way of looking at  
4 the public transportation. I believe it  
5 is one of the best services in the  
6 nation, which is why we get the highest  
7 rating. And I could say that on behalf of  
8 my board members, the public. Anyone that  
9 I have come across has pretty much have  
10 said that, yes, there's always something  
11 that has to be improved, but it's  
12 definitely the best service that they  
13 could ever experience and have  
14 experienced in their life.

15 PRESIDING OFFICER NICOLELLO: Thank  
16 you very much.

17 MR. DHOUNDIYAL: Thank you for your  
18 time.

19 PRESIDING OFFICER NICOLELLO:  
20 Appreciate that.

21 Barbara Mercer.

22 MS. MERCER: Thank you.

23 My name is Barbara Mercer and I work  
24 for Children's Learning Center United  
25 Cerebral Palsy of Nassau County, and I



1  
2 would like to support NICE bus system. If  
3 not for them, we would not have gotten to  
4 the games for the physically challenged,  
5 which we participated in this year.

6 In the past, we had to call a number  
7 of bus companies to try and get  
8 transportation. Five bus companies turned  
9 us down and told us they were not  
10 available, they could not provide us  
11 transportation. Our students would not  
12 get to compete. In contacting NICE Bus  
13 Company, they immediately came to our  
14 rescue. They provided transportation for  
15 40 students who were able to be athletes  
16 and achieve awards that day based on the  
17 cooperation and accessibility that NICE  
18 gave to us to compete in the games.

19 Aside from that, our adults in our  
20 adult program who participate in the  
21 Nassau County Town of Hempstead ANCHOR  
22 program are able to go to ANCHOR. They  
23 are able to go to the bowling programs,  
24 the physical fitness programs, the plays,  
25 for the exercise, for everything.

1  
2 NICE is an integral part in the  
3 lives of students and adults with  
4 disabilities who do not have other  
5 accessible forms of transportation to  
6 participate and socialize in community  
7 events. The service is impeccable and the  
8 courteousness with which they serve our  
9 clients, and understanding of the needs  
10 of our clients is beyond reproach, and I  
11 support fully the NICE program.

12 Thank you.

13 PRESIDING OFFICER NICOLELLO: Thank  
14 you, Ms. Mercer.

15 Eric Alexander, Vision Long Island.

16 MR. ALEXANDER: Thank you, Presiding  
17 Officer, Members of the Legislature. Eric  
18 Alexander, Director of Vision Long  
19 Island.

20 We are a long time supporter of bus  
21 service in Nassau County back to the time  
22 when the MTA ran it and Tom Suozzi was  
23 cutting the service. So we were grumpy  
24 with that County Executive going way  
25 back, and then we were kind of grumpy

1  
2 with the Mangano Administration when they  
3 were talking about privatizing bus  
4 service. In fact, outside of the steps,  
5 we had a rally with maybe 80 folks  
6 concerned about how the service would go  
7 with a new company that nobody knew and  
8 how is this going to work

9 I have to say, over time the  
10 relationship got really strong. We saw  
11 the service and we saw the investment and  
12 we saw a great communication. Public  
13 outreach -- try to talk to the MTA Long  
14 Island Railroad right now. It's like, oh  
15 my God. Talk about schedule confusion.  
16 Jamaica, all kinds of other stuff. Like,  
17 wow, that's a rough bureaucracy. This  
18 bureaucracy is very accessible.

19 I certainly hear all the questions  
20 that the legislators raised and have  
21 raised on both sides over the years. And  
22 the accountability is there, the  
23 communication is there, the public  
24 outreach is there. We've seen that time  
25 and time again. We put a bus coalition

1  
2 together to go to Albany to lobby for  
3 more funds for the service. We're happy  
4 to see that they're cooperative. You guys  
5 are cooperative. Some of you guys have  
6 gone on the bus with us to try to get  
7 more money for the service and that's  
8 critical.

9 So, overall, we know that this  
10 group, NICE bus, sees the buses not just  
11 as getting folks to A to B which you need  
12 to do definitely, working folks and young  
13 people and seniors and people getting to  
14 their health appointments. But, you know,  
15 the economic development piece is key and  
16 really helps our downtowns, helps the  
17 workers and our various chambers as well.  
18 So they have really been a great partner.  
19 We've seen it time and time again.

20 With that, they participate also --  
21 the issue was raised about even ancillary  
22 issues that are real: Walking, biking,  
23 issues that relate to getting to the  
24 stops. This group is accessible and open  
25 to that and those kinds of conversations.

1  
2                   So with that, I'm just going to say,  
3                   you know, vote of support for continuing  
4                   on.

5                   And before I go, I got to do a  
6                   little commercial. I'll see you guys,  
7                   many of you guys, at our December 1st  
8                   Smart Growth Summit, we're going to have  
9                   about 1000 people at that. And we'll talk  
10                  about transportation and infrastructure  
11                  and lots of land use issues too that  
12                  relate to the future of Nassau County.

13                  Thank you guys for having this  
14                  hearing and carry on.

15                  PRESIDING OFFICER NICOLELLO: Thank  
16                  you, Eric. Appreciate you being here.

17                  Valerie Gaddist-Dorsey.

18                  MS. GADDIST-DORSEY: Hi. Good  
19                  afternoon, everyone. My name is Valerie  
20                  Gaddist-Dorsey and I am a resident of  
21                  Elmont. I am also a frequent rider of the  
22                  N1 bus service.

23                  I am here today to let N1 bus  
24                  service know that they are horrific. I am  
25                  one of the constituents that have been

1  
2 standing outside for 40 minutes waiting  
3 for N bus service to come. I have  
4 complaints from September 27, 2021 up  
5 until June of '23. The bus service for  
6 Elmont is not good. There are many times  
7 that I have to call friends who are  
8 riding the same line in Valley Stream to  
9 find out if the bus is coming, or if the  
10 bus is late. Plenty of times I had to  
11 walk back up to my house to get a car, to  
12 get me to the 179th Street train station.  
13 It is not good.

14 When you are standing outside in the  
15 cold waiting for a bus, your bones start  
16 to take over and you get sick. Okay. I  
17 have made plenty of complaints with the  
18 N1 bus service. Even, Mr. Khzouz, I have  
19 called your office. Okay. Nothing has  
20 changed. Okay. We are still communicating  
21 the same way. No bus service is coming.  
22 Okay.

23 And I am asking all legislators,  
24 please, if you're going to renew this  
25 contract, make sure you take a look at

1  
2 the service lines that they are providing  
3 to, because all of them are not great.

4 Thank you.

5 PRESIDING OFFICER NICOLELLO: Okay.  
6 Thank you. Appreciate you being here.

7 Mr. Khzous, will you please let us  
8 know with respect to specifically N1,  
9 what issues there are going on with that  
10 bus line?

11 LEGISLATOR SOLAGES: Yes. And can we  
12 please provide a date by which you can  
13 provide a report? Because I understand --  
14 I believe what you said, but I also  
15 believe what my constituent said. And  
16 she's reached out to me multiple times. A  
17 bus that's 40 minutes late, that's  
18 unacceptable. And I've heard this  
19 complaint from many constituents. Can you  
20 please provide a plan of action in which  
21 we can resolve this?

22 MR. KHZOUZ: Understood. And I will  
23 certainly report back to everybody on our  
24 our progression on how we solve issues  
25 there. Obviously, we're failing here and

1  
2 we need to find out exactly what the root  
3 cause is.

4 LEGISLATOR SOLAGES: Perfect.

5 PRESIDING OFFICER NICOLELLO: Thank  
6 you very much.

7 And before we go to our last  
8 speaker, I just want to welcome DuWayne  
9 Gregory, former Presiding Officer of the  
10 Suffolk County counterpart. It's great to  
11 have you here.

12 Last speaker is Jerry Kornbluth from  
13 Nassau Community College.

14 MR. KORNBLUTH: Good afternoon,  
15 Legislators. My name is Jerry Kornbluth.  
16 I'm the Vice President of Community and  
17 Governmental Relations at Nassau  
18 Community College, and I am here  
19 representing the College and the support  
20 for NICE buses and Jack Khzouz. He and  
21 NICE buses are a true partner for the  
22 College. Our students at the college  
23 depend greatly on public transportation  
24 to get to the college. Basically,  
25 they're part of our mainstream because



1  
2 they provide success for our students,  
3 because retention is very crucial for the  
4 students. If they can't get to class,  
5 then they can perform.

6 Our partnership has really gotten  
7 better over the years, and Jack has been  
8 absolutely fantastic. He attends our  
9 community events at the College. We  
10 provide about 5% of the ridership in  
11 Nassau County. He provides for us, for  
12 our students, a thousand Metro cards. For  
13 all of his support, last year we gave him  
14 an award at our gala from the Foundation  
15 for all of the things, and his  
16 sensitivity and humanistic behavior  
17 towards our students. So we  
18 wholeheartedly support this contract, and  
19 we look forward to a long relationship  
20 with Jack and the NICE buses.

21 Thank you.

22 PRESIDING OFFICER NICOLELLO: Thank  
23 you very much, Jerry.

24 So that's the last slip I have. So  
25 we will now close the hearing.

Motion to close the hearing.

LEGISLATOR FORD: So moved.

PRESIDING OFFICER NICOLELLO: Moved  
by Legislator Ford, second to by Minority  
Leader Abrahams.

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

(Whereupon, all member of  
the Full Legislature respond in  
favor with, "Aye".)

PRESIDING OFFICER NICOLELLO: Those  
opposed?

(Whereupon, no verbal  
response.)

PRESIDING OFFICER NICOLELLO:  
Hearing is closed.

\*\*\*\*\*

1  
2                   PRESIDING OFFICER NICOLELLO: We  
3 will move on to a vote on the proposed  
4 ordinance.

5                   Item 2, an ordinance to authorize  
6 the County Executive to execute an  
7 agreement between the County and Transdev  
8 Services Inc. for the management,  
9 operation and maintenance of a Nassau  
10 County bus system.

11                  Motion by Legislator Ferretti,  
12 seconded by Legislator Walker.

13                  So that's before us. Any further  
14 debate of the discussion by the  
15 legislators?

16                  (Whereupon, no verbal  
17 response.)

18                  PRESIDING OFFICER NICOLELLO:  
19 Hearing none.

20                  All in favor, signify by saying,  
21 "Aye".

22                  (Whereupon, all members of  
23 the Full Legislature respond in  
24 favor with, "Aye".)

25                  PRESIDING OFFICER NICOLELLO: That's

everybody. That passes with a vote of  
19-0.

\*\*\*\*\*

1  
2 PRESIDING OFFICER NICOLELLO: The  
3 last item is Item 12, Resolution 193. A  
4 resolution approving an amendment via  
5 Memorandum of Understanding to the  
6 Collective Bargaining Agreement between  
7 the County and the Nassau County  
8 Correction Officers Benevolent  
9 Association.

10 LEGISLATOR WALKER: So moved.

11 PRESIDING OFFICER NICOLELLO: Motion  
12 by Legislator Walker, seconded by  
13 Legislator Pilip.

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

16 The item before you is -- we only  
17 have one more union left to close  
18 collective bargaining with, it's the  
19 IPBA.

20 The item before you is an MOU with  
21 the Corrections Officers Benevolent  
22 Association. I'll give you some brief  
23 highlights of what's in the deal, and  
24 I'll field any questions that you may  
25 have.

1  
2 It includes gross wages increases of  
3 2%, 2%, 2.5%, 2.5%, 3% and 3% from  
4 January 1, '18 to June 30, 2026;

5 It also gives 15 year corrections  
6 officers members of \$3,700 stipend;

7 It includes contribution to health  
8 insurance starting in '23 of 2.5%;

9 A new salary chart for any new hires  
10 after full and final ratification;

11 It has some coverages issues at NUMC  
12 that we've modified to have some savings  
13 there;

14 It includes a health insurance  
15 vesting of ten years;

16 Vacation and personal leave will be  
17 reduced for new hires by one day in years  
18 two and three;

19 There's a reduction in hours for  
20 207-C examinations;

21 Overtime will be reduced from 24 to  
22 16 hours for straight time to time and a  
23 half;

24 It will also have the standard  
25 healthcare coverage buyout of \$4,000 and

1  
2 \$2,000 for families and individuals;

3 There's a surviving spouse retiree  
4 health coverage in this agreement; and

5 There's a stipend for some  
6 investigative units to help with  
7 recruitment.

8 I'm here to field any questions. The  
9 cost of the deal is approximately \$67  
10 million over the life. It conforms to the  
11 pattern and is built into the budget and  
12 the Multiyear Plan.

13 PRESIDING OFFICER NICOLELLO: Okay.  
14 Any questions for Andy? We've had  
15 thorough briefings on both sides as well  
16 as an evaluation by the Office of  
17 Independent Budget Review. So we are well  
18 versed in the contract.

19 MR. PERSICH: Yes, we were very  
20 close and we worked very closely with the  
21 Legislative Budget Review, and we're  
22 within the same ballpark, I would say,  
23 for the size of this deal.

24 PRESIDING OFFICER NICOLELLO: Any  
25 questions?

1  
2                   LEGISLATOR DERIGGI-WHITTON: The  
3                   only concern I have is just that the  
4                   starting salary just seems to be a little  
5                   bit lower now, and I know it was voted on  
6                   by 82%, so I respect that. But I'm just  
7                   concerned because we're having such a  
8                   hard time finding correction officers, if  
9                   we looked at that.

10                  MR. PERSICH: There's still a career  
11                  path I think that's still good and  
12                  viable. It's challenging in the  
13                  employment marketplace at this point in  
14                  time across the board from what I'm  
15                  hearing. So we'll monitor it. We'll see  
16                  if we have problems recruiting. I know  
17                  we're getting ready to put another class  
18                  in very soon. We have 25 candidates. So  
19                  if and when we pull the trigger on that,  
20                  we'll see. And in the next class we'll  
21                  see and we'll monitor it. We are  
22                  cognizant of it, but we will keep our  
23                  eyes close to it.

24                  PRESIDING OFFICER NICOLELLO: Any  
25                  other questions?



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(Whereupon, no verbal  
response.)

PRESIDING OFFICER NICOLELLO: Thank  
you, Andy.

MR. PERSICH: Thank you.

PRESIDING OFFICER NICOLELLO: I will  
call for a vote.

All in favor, signify by saying,  
"Aye".

(Whereupon, all members of  
the Full Legislature respond in  
favor with, "Aye".)

PRESIDING OFFICER NICOLELLO: Those  
opposed?

(Whereupon, no verbal  
response.)

PRESIDING OFFICER NICOLELLO:  
Carries unanimously.

President Brian Sullivan is here.  
Congratulations on achieving this  
agreement, CBA.

And also, I want to just say  
congratulations to you. I know you're  
retiring in the middle of December. You

1  
2 have been as strong an advocate on behalf  
3 of your members as there could possibly  
4 be. You've been here more times than we  
5 care to remember, with every issue  
6 possible, with binders and everything  
7 else. You did your job excellently. And  
8 because of you, we were aware of every  
9 one of those issues and we have been on  
10 top of them.

11 MR. SULLIVAN: Thank you very much,  
12 Legislator Nicolello. I just wanted to  
13 say a quick thank you to everybody on the  
14 panel. Thank you for voting yes for this  
15 contract; it was a long time coming, yes.

16 And thank you very much for the  
17 shout out, I appreciate it. It's been a  
18 long, long road and I'm sure you're all  
19 sick of looking at me. And I'll be  
20 watching in January from Naples. So when  
21 it's nice and cold, enjoy. But I will be  
22 snow birding in case I have to come back.

23 LEGISLATOR FORD: But Brian, I think  
24 you should wait and retire with Rich,  
25 myself, Kevan and Laura. We could do it

all in one felt swoop.

MR. SULLIVAN: What's it worth to everybody for me to stay till the end of the year? What do you think, Andy?  
(Laughter).

Thank you very much, everybody.

PRESIDING OFFICER NICOLELLO: Thanks, Brian.

LEGISLATOR ABRAHAMS: Presiding Officer, the vote on COBA was 19-0, or was it 18-0. Legislator Solages was just back talking to some constituents. We just want to make sure that his vote was recorded.

PRESIDING OFFICER NICOLELLO: It should be recorded as 19-0.

LEGISLATOR SOLAGES: I supported it.

LEGISLATOR ABRAHAMS: He supported it. Just want to make sure it wasn't recorded as 18-0 and he missed the vote.

(Whereupon, clarification with Clerk's Desk.)

PRESIDING OFFICER NICOLELLO: Okay.  
It's 19-0.

1  
2                   LEGISLATOR ABRAHAMS:   Got it. Thank  
3                   you, Rich.

4                   PRESIDING OFFICER NICOLELLO:   All  
5                   right. That concludes the business.

6                   Motion to adjourn. Moved by  
7                   Legislator Ferretti, seconded by  
8                   Legislator Drucker.

9                   All in favor of adjourning?

10                  (Whereupon, all members of  
11                  the Full Legislature respond in  
12                  favor with, "Aye".)

13                  PRESIDING OFFICER NICOLELLO:   Those  
14                  opposed?

15                  (Whereupon, no verbal  
16                  response.)

17                  PRESIDING OFFICER NICOLELLO:   We are  
18                  adjourned.

19  
20                  (Whereupon, Full Legislature is  
21                  adjourned, 2:42 p.m.)  
22  
23  
24  
25

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.

IN WITNESS WHEREOF, I have hereunto  
set my hand this 23th day of October, 2023.

Karen Lorenzo

Karen Lorenzo

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