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NORMA GONSALVES,  
Presiding Officer

RULES COMMITTEE

NORMA GONSALVES, Chairwoman

1550 Franklin Avenue  
Mineola, New York

Monday, October 15, 2012  
1:28 P.M

REGAL REPORTING SERVICE  
(516) 747-7353

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

NORMA GONSALVES,  
Chairwoman

HOWARD KOPEL,  
Vice Chairman

DENNIS DUNNE

ROSE MARIE WALKER

KEVAN ABRAHAMS,  
Ranking

JUDY JACOBS

WAYNE WINK

WILLIAM J. MULLER,  
Clerk of the Legislature

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1 Rules Committee/10-15-12

2 CHAIRWOMAN GONSALVES: Without  
3 further ado, Mr. Clerk, would you please  
4 call the roll?

5 CLERK MULLER: Legislator Wink?

6 LEGISLATOR WINK: Here.

7 CLERK MULLER: Legislator Jacobs?

8 LEGISLATOR JACOBS: Here.

9 CLERK MULLER: Ranking Member  
10 Abrahams?

11 LEGISLATOR ABRAHAMS: Here.

12 CLERK MULLER: Legislator Walker?

13 LEGISLATOR WALKER: Here.

14 CLERK MULLER: Legislator Dunne?

15 LEGISLATOR DUNNE: Here.

16 CLERK MULLER: Vice Chairman

17 Kopel?

18 LEGISLATOR KOPEL: Here.

19 CLERK MULLER: Chairwoman

20 Gonsalves?

21 CHAIRWOMAN GONSALVES: Here.

22 CLERK MULLER: We have a quorum.

23 CHAIRWOMAN GONSALVES: As has  
24 always been the case, we will do the  
25 contracts first and then, after the

1 Rules Committee/10-15-12  
2 contracts, we recessed so that the other  
3 committees will have an opportunity to hold  
4 their meeting.

5 So we will begin with the  
6 contracts and, I know you're looking at me  
7 with glasses on, I may be trying to hold  
8 back the tears, but I had eye surgery and I  
9 certainly could not read without these  
10 glasses but the only ones I had are tinted  
11 glasses. So my apologies if I'm not looking  
12 at you straight in the eye but, Mr. Muller,  
13 please with the first contract. Thank you.

14 CLERK MULLER: Sure. A24-12, a  
15 resolution authorizing the director of  
16 Nassau County Office of Purchasing to award  
17 and execute a contract between the County of  
18 Nassau acting on behalf of Nassau County,  
19 Department of Public Works, and Malvese  
20 Equipment Company.

21 LEGISLATOR WALKER: So moved.

22 LEGISLATOR DUNNE: Second.

23 CHAIRWOMAN GONSALVES: Moved by  
24 Legislator Walker, seconded by Legislator  
25 Dunne. I guess we have those who are going

1 Rules Committee/10-15-12  
2 to speak on the item. Brian?

3 MR. SCHNEIDER: Brian Schneider,  
4 Public Works. This is an item, it's a  
5 purchase order for Malvese equipment to  
6 purchase four riding mowers for the  
7 Department of Public Works to replace old  
8 equipment that is no longer serviceable.  
9 The low bidder was LaCorte of Calverton who  
10 was disqualified because they supplied an  
11 alternate piece of equipment that does not  
12 meet the department's needs after our  
13 analysis. So the bidder is Malvese Company  
14 from Hicksville in the amount of \$299,688.

15 CHAIRWOMAN GONSALVES: Legislator  
16 Kopel.

17 LEGISLATOR KOPEL: So you only  
18 had two bidders, one of them was  
19 disqualified so essentially it was one  
20 bidder?

21 MR. SCHNEIDER: Correct.

22 LEGISLATOR KOPEL: Were any  
23 others contacted at that point?

24 MR. SCHNEIDER: Well, we go  
25 through the normal procurement process



1 Rules Committee/10-15-12  
2 advertising in Newsday and go through the  
3 procurement --

4 LEGISLATOR KOPEL: Would you  
5 consider it normal to attract two bids in  
6 this kind of thing or do you consider it  
7 unusual? Also, do you think that this bid  
8 was a good bid, a reasonable bid?

9 MR. SCHNEIDER: Yes, based on the  
10 requirements that we put forth for the  
11 specific types of equipment, we believe that  
12 the bids that we got were very reasonable.

13 CHAIRWOMAN GONSALVES: Any other  
14 comments?

15 (No verbal response.)

16 All those in favor signify by  
17 saying aye.

18 (Aye.)

19 Any opposed?

20 (No verbal response.)

21 The item passes unanimously.

22 Thank you, Brian.

23 CLERK MULLER: A31-12, a  
24 resolution authorizing the director of  
25 Nassau County Office of Purchasing to award

1 Rules Committee/10-15-12  
2 and execute a contract between the County of  
3 Nassau acting on behalf of Nassau County,  
4 Department of Public Parks, Recreation and  
5 Museums and Coastal Environment Corporation  
6 Incorporated.

7 LEGISLATOR DUNNE: So moved.

8 LEGISLATOR WALKER: Second.

9 CHAIRWOMAN GONSALVES: Moved by  
10 Legislator Dunne, seconded by Legislator  
11 Walker. Who is here to speak on this item?

12 MR. MAY: Commissioner Foskey.

13 COMMISSIONER FOSKEY: Yes, good  
14 afternoon. My name is Carnell Foskey. I'm  
15 the commissioner of the Nassau County  
16 Department of Parks, Recreation and Museums.  
17 This is a bid that purchase put together for  
18 a contract for lead removal at Mitchell  
19 Field over the Mitchell Field Complex. When  
20 you shoot bullets it gives off a certain  
21 amount of lead in the air so it removes it  
22 from the walls and ceilings and various  
23 other places at the complex.

24 CHAIRWOMAN GONSALVES: Is there  
25 any questions of Commissioner Foskey?

1 Rules Committee/10-15-12

2 (No verbal response.)

3 There being none, all those in  
4 favor signify by saying aye.

5 (Aye.)

6 Any opposed?

7 (No verbal response.)

8 The motion carries unanimously.

9 Thank you very much.

10 CLERK MULLER: A33-12, a  
11 resolution authorizing the director of  
12 Nassau County Office of Purchasing to award  
13 and execute a contract between the County of  
14 Nassau acting on behalf of Nassau County,  
15 Department of Parks, Recreation and Museums  
16 and Eagle Control Corporation.

17 LEGISLATOR DUNNE: So moved.

18 LEGISLATOR WALKER: Second.

19 CHAIRWOMAN GONSALVES: Moved by  
20 Legislator Dunne, seconded by Legislator  
21 Walker. Again, Commissioner Foskey.

22 COMMISSIONER FOSKEY: Once again,  
23 good afternoon. My name is Carnell Foskey.  
24 I'm the commissioner of the Nassau County  
25 Department of Parks, Recreation and Museums.

1 Rules Committee/10-15-12

2 This contract serves all of our pools, Nixon  
3 Beach, Cantiague Park, Wantagh, Wantagh  
4 Kiddie pool and aquatic center. It allows  
5 us to buy equipment, pool filters, sand  
6 filters and also chlorine for the pools  
7 throughout the year.

8 CHAIRWOMAN GONSALVES: Is there  
9 any questions of the commissioner?  
10 Legislator Kopel.

11 LEGISLATOR KOPEL: Good  
12 afternoon. This doesn't give us an amount  
13 for the contract?

14 COMMISSIONER FOSKEY: Yes, it's a  
15 blanket contract. What happens, through the  
16 year, you don't know how much equipment you  
17 need. The amount I believe is \$135,000.

18 LEGISLATOR KOPEL: There is not a  
19 maximum amount?

20 COMMISSIONER FOSKEY: We can't  
21 exceed the \$135,000.

22 LEGISLATOR KOPEL: Not to exceed.  
23 So what is it, an hourly?

24 COMMISSIONER FOSKEY: It has  
25 different rates for different services. For

1 Rules Committee/10-15-12  
2 example, if you go into the contract a  
3 little bit, it talks about an hourly rate of  
4 \$115, it talks about mileage, and actually  
5 breaks down components of each thing we pay  
6 for.

7 LEGISLATOR KOPEL: Got it.

8 CHAIRWOMAN GONSALVES: Any other  
9 questions of the commissioner?

10 (No verbal response.)

11 There being none, all those in  
12 favor signify by saying aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 The motion carries unanimously.  
17 Thank you, commissioner.

18 CLERK MULLER: A34-12, a  
19 resolution authorizing the director of  
20 Nassau County Office of Purchasing to award  
21 and execute a contract between the County of  
22 Nassau acting on behalf of Nassau County  
23 Correctional Center and H. Schrier &  
24 Company, Incorporated.

25 LEGISLATOR WALKER: So moved.

1 Rules Committee/10-15-12

2 LEGISLATOR DUNNE: Second.

3 CHAIRWOMAN GONSALVES: Moved by  
4 Legislator Walker, seconded by Legislator  
5 Dunne. Who is here to speak on this item?

6 MR. SATHER: Good afternoon,  
7 Captain Keith Sather, Nassau County  
8 Correctional Center. The following is a  
9 contract with Schrier & Company in the  
10 amount of \$203,000 for grocery items needed  
11 for the preparation of meals at the  
12 correctional center, police detention, and  
13 juvenile detention center. The correctional  
14 center prepares approximately 7,000 meals a  
15 day at a cost of roughly 82 cents a meal.

16 CHAIRWOMAN GONSALVES: Is any  
17 questions?

18 (No verbal response.)

19 Is there any public comment? I  
20 have been remiss in not asking for public  
21 comment, my apologies. No public comment?

22 (No verbal response.)

23 All those in favor of the motion  
24 signify by saying aye.

25 (Aye.)

1 Rules Committee/10-15-12

2 Any opposed?

3 (No verbal response.)

4 The motion carries unanimously.

5 Thank you very much.

6 CLERK MULLER: E191-12, a  
7 resolution authorizing the county executive  
8 to execute a personal service agreement  
9 between the County of Nassau acting on  
10 behalf of the Department of Information  
11 Technology and Audio Visual Innovations,  
12 Incorporation.

13 LEGISLATOR DUNNE: So moved.

14 LEGISLATOR WALKER: Second.

15 CHAIRWOMAN GONSALVES: Moved by  
16 Legislator Dunne, seconded by Legislator  
17 Walker. Who is here to speak on this?

18 MR. EISENSTEIN: Ed Eisenstein,  
19 information technology commissioner.

20 MR. HORACE: Deputy Chief Ed  
21 Horace, Nassau County Police Department.  
22 This contract is for a video wall for both  
23 police and fire communications at the new  
24 public safety center. It's a number of  
25 walls and fire communications. The reason

1 Rules Committee/10-15-12  
2 for this is they'll provide the ability at a  
3 video level for both police and fire on  
4 their CAT systems as well as the ability to  
5 allow the state inform system which shows  
6 videos of roadways throughout the county as  
7 well as other video that we have been using  
8 deploying recently in the police department  
9 in various county venues throughout the  
10 county.

11 The total cost is a \$566,000. Of  
12 that \$125,000 is going to be paid for  
13 through grant money. RFP was issued October  
14 2011. Four vendors responded. There was an  
15 evaluation committee comprised of members of  
16 county IT, the police department and fire  
17 communications. The four vendors, the  
18 vendor that won the bid was actually the  
19 best and final offer and he came in the  
20 lowest price and best system out of the four  
21 vendors.

22 CHAIRWOMAN GONSALVES:  
23 Mr. Eisenstein.

24 MR. EISENSTEIN: Yes. The nice  
25 thing about this, it was a collaboration



1 Rules Committee/10-15-12  
2 between police department and fire to work  
3 together and get the most cost of the video  
4 wall possible.

5 CHAIRWOMAN GONSALVES: Any  
6 questions from any of the legislators?

7 (No verbal response.)

8 Is there any public comment  
9 regarding these items?

10 (No verbal response.)

11 There being none, all those in  
12 favor signify by saying aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 The motion carries unanimously.

17 CLERK MULLER: E192-12, a  
18 resolution authorizing the county executive  
19 to execute an amendment to a personal  
20 service agreement between the county of  
21 Nassau acting on behalf of the Department of  
22 Public Works and M&J Engineering  
23 Incorporated.

24 LEGISLATOR WALKER: So moved.

25 LEGISLATOR DUNNE: Second.

1 Rules Committee/10-15-12

2 CHAIRWOMAN GONSALVES: Moved by  
3 Legislator Walker, seconded by Legislator  
4 Dunne.

5 COMMISSIONER SHAH: Hi. Sheila  
6 Shah, Commissioner for Nassau County Public  
7 Works. This is an amendment to an on-call  
8 traffic engineering contract with M&J  
9 Engineering.

10 Funding for this amendment is  
11 coming from capital project 62017, traffic  
12 signal construction and modification.  
13 Specifically with this amendment, we will  
14 find one construction inspector to assist  
15 the department in inspecting signal work  
16 associated with the department's requirement  
17 contract. This is for any kind of traffic  
18 signal work throughout the county.

19 CHAIRWOMAN GONSALVES: Any  
20 questions for the commissioner?

21 (No verbal response.)

22 Is there any public comment  
23 regarding this?

24 (No verbal response.)

25 There being none, all those in

1 Rules Committee/10-15-12

2 favor signify by saying aye.

3 (Aye.)

4 Any opposed?

5 (No verbal response.)

6 The motion carries unanimously.

7 CLERK MULLER: E193-12, a  
8 resolution authorizing the county executive  
9 to execute an amendment to a personal  
10 service agreement between the county of  
11 Nassau acting on behalf of the Department of  
12 Public Works and DeBruin Engineering, P.C.

13 LEGISLATOR DUNNE: So moved.

14 LEGISLATOR WALKER: Second.

15 CHAIRWOMAN GONSALVES: Moved by  
16 Legislator Dunne, seconded by Legislator  
17 Walker.

18 MR. SCHNEIDER: Brian Schneider  
19 from Public Works. This is an amendment  
20 number two to an agreement with DeBruin  
21 Engineering. This amendment represents an  
22 extension to an agreement with them to  
23 provide design and construction  
24 administration services for 2004 and 2006  
25 environmental bond act projects and Stannis

1 Rules Committee/10-15-12  
2 Brook and Massapequa Preserve. The term of  
3 this agreement will extend for one year with  
4 no increase in the maximum amount of the  
5 original agreement.

6 CHAIRWOMAN GONSALVES: Any  
7 legislators have any questions?

8 (No verbal response.)

9 Is there any public comment?

10 (No verbal response.)

11 There being none, all those in  
12 favor signify by saying aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 The item passes unanimously.

17 CLERK MULLER: 494-12, a  
18 resolution authorizing the county executive  
19 to execute an amendment to a personal  
20 service agreement between the county of  
21 Nassau acting on behalf of the Department of  
22 Public Works and DeBruin Engineering P.C.

23 LEGISLATOR WALKER: So moved.

24 LEGISLATOR DUNNE: Second.

25 CHAIRWOMAN GONSALVES: Moved by

1 Rules Committee/10-15-12  
2 Legislator Walker, seconded by Legislator  
3 Dunne.

4 MR. SCHNEIDER: This is also an  
5 amendment with DeBruin Engineering. This is  
6 amendment number one of the agreement for  
7 work at several public work water bodies.  
8 This amendment will extend the term of the  
9 agreement by one additional year in order to  
10 complete design and construction  
11 administration services at the locations  
12 which are currently under construction.  
13 This is just extending the term with no  
14 change to the total amount.

15 CHAIRWOMAN GONSALVES: Any  
16 legislators have any questions? Legislator  
17 Wink.

18 LEGISLATOR WINK: Brian, as you  
19 well know, Bob DeBruin, and his firm, have  
20 been doing wonderful work at Stannis Brook  
21 Park and I'm sure they're doing equally good  
22 work in Massapequa Preserve. I just wanted  
23 to put that on the record. I appreciate his  
24 efforts.

25 MR. SCHNEIDER: I'll pass that

1 Rules Committee/10-15-12

2 along.

3 LEGISLATOR WINK: And yours as  
4 well.

5 MR. SCHNEIDER: Thank you.

6 CHAIRWOMAN GONSALVES: Any other  
7 comments?

8 (No verbal response.)

9 Is there any public comment?

10 (No verbal response.)

11 There being none, all those in  
12 favor signify by saying aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 The item passes unanimously.

17 CLERK MULLER: E195-12, a  
18 resolution authorizing the county executive  
19 to execute an amendment to a personal  
20 service agreement between the county of  
21 Nassau acting on behalf of the Nassau County  
22 Medical Examiner and Vincent H. Stefan P.C.

23 LEGISLATOR DUNNE: So moved.

24 LEGISLATOR KOPEL: Second.

25 CHAIRWOMAN GONSALVES: Moved by

1 Rules Committee/10-15-12  
2 Legislator Dunne, seconded by Legislator  
3 Kopel. Who is here to speak on this item?

4 MS. TEMPESTA: Good afternoon.  
5 Kim Tempesta, deputy medical examiner for  
6 administration. This a personal service  
7 contract to utilize the services of forensic  
8 anthropologists. It's a rare service that  
9 we would use him for, a rare event that we  
10 would use him for basically. He would be  
11 used in identifying unidentified skeletal  
12 remains which would contribute greatly in  
13 helping the forensic pathologist to  
14 determine cause and manner of death.

15 CHAIRWOMAN GONSALVES: Any  
16 legislators have any questions? Legislator  
17 Jacobs.

18 LEGISLATOR JACOBS: I just have  
19 one question. It's very late in the year  
20 and I'm assuming that we have him since  
21 January.

22 MS. TEMPESTA: Yes.

23 LEGISLATOR JACOBS: Is there a  
24 reason why it's so late?

25 MS. TEMPESTA: Fortunately we did

1 Rules Committee/10-15-12  
2 start a little late in processing his  
3 application and then there was a little bit  
4 of back and forth between the agencies  
5 involving the paperwork, but we finally  
6 brought it together. We have not used his  
7 services this year. We did use him last  
8 year on the Gilgo Beach investigation but  
9 nothing heretofore.

10 LEGISLATOR JACOBS: Thank you.

11 CHAIRWOMAN GONSALVES: Any other  
12 comments from the legislators?

13 (No verbal response.)

14 Is there any public comment?

15 (No verbal response.)

16 There being none, all those in  
17 favor indicate by saying aye.

18 (Aye.)

19 Any opposed?

20 (No verbal response.)

21 The motion carries unanimously.

22 Thank you very much.

23 CLERK MULLER: E196-12, a  
24 resolution authorizing the county executive  
25 to execute an amendment to a personal



1 Rules Committee/10-15-12  
2 service agreement between the county of  
3 Nassau acting on behalf of the Department of  
4 Probation and Nassau Alternative Advocacy  
5 Program Incorporated.

6 LEGISLATOR WALKER: So moved.

7 LEGISLATOR DUNNE: Second.

8 CHAIRWOMAN GONSALVES: Moved by  
9 Legislator Walker, seconded by Legislator  
10 Dunne. Who is here to speak on this item?

11 MR. SHANK: Edward Shank. I'm  
12 the attorney for the Nassau County Probation  
13 Department. This is an extension to part of  
14 our alternatives to incarceration grant.  
15 It's with the Nassau County Alternative  
16 Advocacy Program. They are a partner on the  
17 grant and this is for services with regard  
18 to keeping people from being incarcerated  
19 who meet state criteria for bail release or  
20 release on their own recognizance. It's an  
21 extension. It is 100 percent funded.

22 CHAIRWOMAN GONSALVES: Any  
23 legislators have any comments?

24 (No verbal response.)

25 Is there any public comment?

1 Rules Committee/10-15-12

2 (No verbal response.)

3 There being none, all those in  
4 favor signify by saying aye.

5 (Aye.)

6 Any opposed?

7 (No verbal response.)

8 The item passes unanimously.

9 Thank you very much.

10 CLERK MULLER: E197-12, a  
11 resolution authorizing the county executive  
12 to execute an amendment to a personal  
13 service agreement between the county of  
14 Nassau acting on behalf of the district  
15 attorney and WSK Consulting.

16 LEGISLATOR WALKER: So moved.

17 LEGISLATOR KOPEL: Second.

18 CHAIRWOMAN GONSALVES: Moved by  
19 Legislator Walker, seconded by Legislator  
20 Kopel. Who is here now?

21 MR. McMANUS: Bob McManus, Nassau  
22 County District Attorney's Office. This  
23 contract is for a time extension only, no  
24 cost for consulting contract for programing  
25 and maintenance of the district attorney's

1 Rules Committee/10-15-12  
2 mainframe based case management system. The  
3 duties under contract will include  
4 performing upgrades, preparing statistical  
5 reports, and providing expertise on system  
6 conversion to a new case management system.  
7 The consultant was part of the team that  
8 originally designed the existing system.

9 CHAIRWOMAN GONSALVES: Any  
10 legislators have any questions?

11 (No verbal response.)

12 There being none, is there any  
13 public comment?

14 (No verbal response.)

15 There being none, all those in  
16 favor of this item signify by saying aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 There being none, the item passes  
21 unanimously.

22 CLERK MULLER: E198-12, a  
23 resolution authorizing the county executive  
24 to execute an amendment to a personal  
25 service agreement between the county of

1 Rules Committee/10-15-12  
2 Nassau acting on behalf of the district  
3 attorney and Triple Crown Maffucci Storage  
4 Corporation.

5 LEGISLATOR DUNNE: So moved.

6 LEGISLATOR WALKER: Second.

7 CHAIRWOMAN GONSALVES: Moved by  
8 Legislator Dunne, seconded by Legislator  
9 Walker.

10 MR. SHANK: This item is an  
11 extension of an agreement with Triple Crown  
12 Maffucci Storage. They are currently  
13 storing and maintaining case files that have  
14 been water damaged and contain significant  
15 amount of mold to the extent that they  
16 cannot be safely handled by office staff.  
17 This situation is the result of a flood that  
18 took place in the warehouse where we store  
19 files in Hempstead.

20 We are awaiting permission from  
21 the New York State Appellate Division to  
22 destroy these files and, in the meantime,  
23 this vendor is storing them safely for us.

24 CHAIRWOMAN GONSALVES: Any  
25 comments from the legislators?

1 Rules Committee/10-15-12

2 (No verbal response.)

3 Is there any public comment?

4 (No verbal response.)

5 There being none, all those in  
6 favor signify by saying aye.

7 (Aye.)

8 Any opposed?

9 (No verbal response.)

10 The motion carries unanimously.

11 Thank you very much.

12 CLERK MULLER: E199-12, a  
13 resolution authorizing the commissioner of  
14 parks, recreation, and museums to issue an  
15 amendment to a permit agreement with  
16 Christopher Morley Tennis, L.L.C.

17 LEGISLATOR WALKER: So moved.

18 LEGISLATOR DUNNE: Second.

19 CHAIRWOMAN GONSALVES: Moved by  
20 Legislator Walker, seconded by Legislator  
21 Dunne. Commissioner Foskey.

22 COMMISSIONER FOSKEY: Carnell  
23 Foskey, I am the commissioner of the Nassau  
24 County Department of Parks, Recreation and  
25 Museums. As you may recall, this contract

1                   Rules Committee/10-15-12  
2           originally came before this body in 2009.  
3           What happened in the interim years, there  
4           were some issues with the developer being  
5           able to get the proper permits, fire  
6           permits, and the contract originally  
7           contemplated certain payments of gross  
8           receipts and also a flat rate.

9                   So what we had to do was to amend  
10          the contract to reflect a start date of 2013  
11          and we increased the gross receipts, also  
12          increased the annual flat fee to reflect  
13          those changes.

14                   CHAIRWOMAN GONSALVES:   Any  
15          questions of Commissioner Foskey?

16                   (No verbal response.)

17                   There being none, is there any  
18          public comment?

19                   (No verbal response.)

20                   There being none, all those in  
21          favor of this item signify by saying aye.

22                   (Aye.)

23                   Any opposed?

24                   (No verbal response.)

25                   The motion carries unanimously.

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2 Thank you, commissioner.

3 CLERK MULLER: E200-12, a  
4 resolution authorizing the county executive  
5 to execute a personal service agreement  
6 between the county of Nassau acting on  
7 behalf of the district attorney's office and  
8 North Shore University Hospital.

9 LEGISLATOR DUNNE: So moved.

10 LEGISLATOR WALKER: Second.

11 CHAIRWOMAN GONSALVES: Moved by  
12 Legislator Dunne, seconded by Legislator  
13 Walker. Who do we have?

14 MR. McMANUS: Bob McManus,  
15 district attorney's office. This contract  
16 with North Shore University Hospital is to  
17 continue funding the sexual assault nurse  
18 examiner program. This program is in its  
19 14th year. This is a program that provides  
20 specially trained nurses to treat victims of  
21 sexual abuse with dignity and compassion  
22 while, at the same time, employing methods  
23 that facilitate the collection of physical  
24 evidence that increases the likelihood of  
25 arresting and successfully prosecuting the

1 Rules Committee/10-15-12

2 person who committed the assault.

3 CHAIRWOMAN GONSALVES: Before we  
4 take any comments from anyone, Legislator  
5 Jacobs and Abrahams will recuse themselves.

6 CHAIRWOMAN GONSALVES: Any  
7 legislators have any questions regarding  
8 this item?

9 LEGISLATOR WALKER: This contract  
10 actually expires. Why is it being processed  
11 at this late date?

12 MR. McMANUS: Yes, ma'am. The  
13 reason for the contract being processed at  
14 this late date is because the state awarded  
15 the grant funds very late.

16 LEGISLATOR WALKER: Thank you.

17 CHAIRWOMAN GONSALVES: Just for  
18 clarification, this contract number was  
19 E200-12, correct?

20 MR. McMANUS: Yes.

21 CHAIRWOMAN GONSALVES: Any other  
22 comments from the legislators?

23 (No verbal response.)

24 Is there any public comment?

25 (No verbal response.)



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2 There being none, all those in  
3 favor signify by saying aye.

4 (Aye.)

5 Any opposed?

6 (No verbal response.)

7 The motion carries. The next  
8 item.

9 CLERK MULLER: E201-12, a  
10 resolution authorizing the county executive  
11 to execute an amendment to a personal  
12 service agreement between the county of  
13 Nassau acting on behalf of the Department of  
14 Public Works and Dvirka & Bartilucci  
15 Consulting Engineers, a Division of William  
16 F. Cosulich Associates.

17 LEGISLATOR DUNNE: So moved.

18 LEGISLATOR WALKER: Second.

19 CHAIRWOMAN GONSALVES: Moved by  
20 Legislator Dunne, seconded by Legislator  
21 Walker. Commissioner Shah.

22 COMMISSIONER SHAH: Sheila Shah,  
23 Commissioner of Public Works. This item is  
24 for an amendment to an existing on-call  
25 design assistance contract with Dvirka &

1 Rules Committee/10-15-12  
2 Bartilucci. The purpose of this agreement  
3 is to provide for a soil vapor pathway study  
4 and air sample analysis at the fire service  
5 academy.

6 The Department of Public Works  
7 has maintained a groundwater treatment  
8 facility at the fire service academy for  
9 approximately 20 years. This facility  
10 cleaned up the groundwater by removing  
11 contaminants.

12 Contamination was associated with  
13 past training activities at the fire service  
14 academy. Past practices did not control  
15 spillage and site storm water runoff that  
16 contained fuels that we utilize in their  
17 mock fires that personnel had trained on.  
18 These issues have been resolved and  
19 corrected, however, the cleanup is still  
20 ongoing.

21 So at this point we believe the  
22 soil is fully remediated and are now  
23 requesting decommissioning of this facility.  
24 Prior to decommissioning, the DEC requires  
25 that we do some kind of air testing. They

1 Rules Committee/10-15-12  
2 want to be assured that contaminants are not  
3 released into the air and therefore have  
4 asked that we perform air samples.

5 D&B will facilitate this via this  
6 contract amendment. They will set up a work  
7 plan, determine location of vents to be  
8 installed. The vents will speed up the  
9 release of any contaminants into the air and  
10 samples will be collected and tested.

11 CHAIRWOMAN GONSALVES: Any  
12 legislators have any questions of  
13 Commissioner Shah?

14 (No verbal response.)

15 Is there any public comment?

16 (No verbal response.)

17 There being none, all those in  
18 favor of this item signify by saying aye.

19 (Aye.)

20 Any opposed?

21 (No verbal response.)

22 The motion carries unanimously.

23 Thank you.

24 CLERK MULLER: E202-12, a  
25 resolution authorizing the county executive

1 Rules Committee/10-15-12  
2 to execute an amendment to a personal  
3 service agreement between the county of  
4 Nassau acting on behalf of the Department of  
5 Public Works and the RBA Group of New York.

6 LEGISLATOR DUNNE: So moved.

7 LEGISLATOR WALKER: Second.

8 CHAIRWOMAN GONSALVES: Moved by  
9 Legislator Dunne, seconded by Legislator  
10 Walker.

11 COMMISSIONER SHAH: Sheila Shah,  
12 Commissioner of Public Works. Item 202-12 is  
13 for an amendment with the RBA Group. The  
14 amendment is for \$12,500 and will allow RBA  
15 to perform some additional data collection  
16 and additional community outreach on the  
17 Austin Boulevard Traffic Study. Once they  
18 complete this additional work, a conceptual  
19 design will be complete.

20 CHAIRWOMAN GONSALVES: Any  
21 legislators have any questions for  
22 Commissioner Shah?

23 (No verbal response.)

24 Is there any public comment?

25 (No verbal response.)

1 Rules Committee/10-15-12

2 There being none, all those in  
3 favor signify by saying aye.

4 (Aye.)

5 Any opposed?

6 (No verbal response.)

7 The motion carries unanimously.

8 CLERK MULLER: E203-12, a  
9 resolution authorizing the county executive  
10 to execute an amendment to a personal  
11 service agreement between the county of  
12 Nassau acting on behalf of the Office of  
13 Community Development and Energy Savers Home  
14 Improvement, Incorporated.

15 LEGISLATOR WALKER: So moved.

16 LEGISLATOR DUNNE: Second.

17 CHAIRWOMAN GONSALVES: Moved by  
18 Legislator Walker, seconded by Legislator  
19 Dunne.

20 MR. MARIN: Rob Marin, Office of  
21 Housing and Community Development. This is  
22 an amendment under the lead housing  
23 reduction grant. This grant is a -- this  
24 contract is 100 percent federally funded  
25 through the lead grant which makes houses,

1 Rules Committee/10-15-12  
2 primary residence, for children residing six  
3 years and under or children six years and  
4 under that spend a thousand hours, and  
5 grandparents, at the home lead safe. Lead  
6 safe under the terms of the grant means any  
7 work under \$25,000 is just lead safe.  
8 Anything over \$25,000 requires remediation  
9 and windows at any price.

10 This is an amendment that's come  
11 before this body before, several other  
12 contracts have come before. It essentially  
13 acts as a line of credit, if you will, for  
14 the companies to then bid on individual  
15 projects that we identify.

16 CHAIRWOMAN GONSALVES: Any  
17 legislators have any questions?

18 (No verbal response.)

19 Is there any public comment?

20 (No verbal response.)

21 There being none, all those in  
22 favor of this item signify by saying aye.

23 (Aye.)

24 Any opposed?

25 (No verbal response.)

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2 The motion carries unanimously.  
3 Thank you very much.

4 CLERK MULLER: E204-12, a  
5 resolution making certain determinations  
6 pursuant to the State Environmental Quality  
7 Review Act and authorizing the county  
8 executive to execute a permit agreement to  
9 Twin Rinks at Eisenhower.

10 LEGISLATOR KOPEL: So moved.

11 LEGISLATOR WALKER: Second.

12 CHAIRWOMAN GONSALVES: Moved by  
13 Legislator Kopel, seconded by Legislator  
14 Walker. Who is here to speak on this item?

15 MR. INTAGLIATA: Good afternoon.  
16 Frank Intagliata, commissioner of shared  
17 services.

18 This was an RFP. The RFP was  
19 selected pursuant to the proposal on June  
20 13th. Potential proposers were made aware  
21 of the availability of the RFP by posting on  
22 the Nassau County website and through legal  
23 notices in Newsday. 183 potential proposers  
24 were sent notice of the RFP. 38 of the  
25 potential proposers opened the documents,

1 Rules Committee/10-15-12  
2 and six accepted and requested copies of the  
3 RFP on the Nassau County website.

4 The proposals were due on July 2  
5 and one proposal was received. That  
6 proposal, the evaluation committee consisted  
7 of the Honorable Carnell Foskey,  
8 Commissioner Sheila Shah and myself.

9 The sole proposer was Rinks at  
10 Eisenhower, L.L.C. the project is going to  
11 be an enhancement at Eisenhower Park which  
12 is located in East Meadow, New York.

13 It's for the underutilized  
14 portions of park land which is located  
15 adjacent to the aquatic center. That park  
16 land, which is six acres now, is going to be  
17 defined on that Exhibit-A in your handouts.

18 The county desires to provide the  
19 opportunity for the construction and  
20 development and the maintenance of an indoor  
21 public recreation with twin indoor ice rink  
22 facilities to include a locker room,  
23 bleachers and a small ticket office.

24 This project the county wishes to  
25 grant a non-exclusive right, privilege and



1 Rules Committee/10-15-12  
2 license to construct the facility, and to  
3 use and occupy, operate, maintain and manage  
4 the premises subject to and in accordance  
5 with the provisions set forth.

6 The project is going to be  
7 approximately 80,000 square feet,  
8 approximately a two to three-story building.  
9 There will be two additional ten year  
10 periods subject to the county executive's --  
11 I'm sorry, the term is a 30 year subject to  
12 the county's right to revoke the license,  
13 not to be exercised in arbitrary capricious  
14 manner, the operator has the option of  
15 extending two additional ten-year periods.

16 Use of the premises, the operator  
17 will grant a nonexclusive license to  
18 construct, operate, maintain, and manage the  
19 premise for indoor public recreation,  
20 including but not limited to the twin indoor  
21 ice rinks, and an outdoor ice rink for the  
22 benefit of the public.

23 The operator shall provide the  
24 public and recreation use plan to the county  
25 on or before this term, and, as suggested,

1 Rules Committee/10-15-12  
2 they submit this plan to the commissioner of  
3 parks. At all times, the parks reserves the  
4 right to oversee the operator's  
5 implementation of the plan, and they will  
6 work cooperatively with the parks  
7 commissioner to incorporate that the county  
8 run recreational program will develop into a  
9 conceptual calendar.

10 We went through the necessary  
11 SEQRA. That is attached. The planning  
12 commission voted unanimously to recommend  
13 the approval of the permit.

14 A traffic impact study report was  
15 concluded in the SEQRA analysis and a copy  
16 of the planning commission's resolution  
17 dated September 20th is attached.

18 The county will receive licensing  
19 revenue. The base sum will be \$100,000.  
20 The annual base fee shall be increased to  
21 \$125,000 upon the commencement of the  
22 operating year five.

23 For each additional operating  
24 year, and year six, and thereafter, the base  
25 shall be increased by two and a half percent

1 Rules Committee/10-15-12  
2 at the commencement of each subsequent  
3 operating year until it caps at \$150,000.

4 This proposal was brought to us  
5 and the group here to my left represents the  
6 three people that formed Twin Rinks at  
7 Eisenhower, L.L.C. They are Ron Friedman,  
8 Peter and Chris Ferraro.

9 Together they have done many  
10 projects. The design will easily access and  
11 transport between all the features of the  
12 Twin Rinks project and other facilities at  
13 Eisenhower Park.

14 The flagship of the complex will  
15 be these twin rinks. These twin rinks will  
16 develop into two other Olympic sports,  
17 figure skating and speed skating. The Twin  
18 Rinks anticipate that the facility will host  
19 up to four high level hockey tournaments per  
20 year with the participation of approximately  
21 35 teams per tournament.

22 These tournaments, conferences,  
23 and festivals, concerts and conventions will  
24 revenue to the county as well as to  
25 surrounding business, hotels, and

1 Rules Committee/10-15-12  
2 restaurants when participants from around  
3 the nation travel to Nassau County to play  
4 at this complex or attend events.

5 The Twin Rinks complex will  
6 provide a fully functional off ice work-out  
7 facility containing a variety of fitness and  
8 skills training equipment; including a  
9 fitness weight program, separate areas for  
10 pre-skate warmups and designated stations  
11 with synthetic ice for shooting, stick  
12 handling and goalie training.

13 The complex will house a pro  
14 shop, concession stand, rental space for  
15 birthday parties, and other events, and an  
16 area available for video analysis of  
17 athletes and of games be capable of hosting  
18 and coaching and officiating seminars.

19 Chris and Peter Ferraro, the  
20 Ferraro Brothers Hockey, will be the primary  
21 managers of the day to day operations of the  
22 rink. As former NHL players, US Olympians  
23 and NCA champions, Chris and Peter are the  
24 perfect candidates for overseeing the daily  
25 operations of the complex.

1 Rules Committee/10-15-12  
2 After 32 years of combined  
3 professional hockey experience, Chris and  
4 Peter are dedicated to encouraging,  
5 supporting and sustaining youth hockey  
6 awareness, safety and education through  
7 on-ice training, off-ice instruction,  
8 charitable events and be a presence in the  
9 community.

10 Their management of the Twin  
11 Rinks complex will allow them to continue  
12 their life's mission as well as manage a  
13 facility with the help of their team at  
14 Ferraro Brothers Hockey.

15 CHAIRWOMAN GONSALVES: I have a  
16 few questions. First of all, you said that  
17 the Nassau County Planning Commission  
18 approved this item unanimously, correct?

19 MR. INTAGLIATA: Yes, they did.

20 CHAIRWOMAN GONSALVES: Now the  
21 other body I'm interested in would be the  
22 Open Space Parks Advisory Committee, did  
23 they approve it?

24 MR. INTAGLIATA: Yes, they did.  
25 That was first we went through, before

1 Rules Committee/10-15-12  
2 OSPAC, which then they approved it and then  
3 we went to planning.

4 CHAIRWOMAN GONSALVES: The next  
5 question is, will this, and this was the  
6 thought on the side of the legislators here  
7 years ago when this idea was first  
8 generated. Will there be ample time for  
9 public use of these facilities?

10 MR. INTAGLIATA: I'm going to  
11 bring Commissioner Foskey up, but, yes, they  
12 dedicated a substantial schedule of public  
13 use.

14 CHAIRWOMAN GONSALVES: Because  
15 that was the problem the last time around.

16 COMMISSIONER FOSKEY: Yes,  
17 Carnell Foskey, commissioner of Nassau  
18 County Department of Parks, Recreation and  
19 Museums.

20 You will notice, attached to the  
21 document is a schedule of lists of public  
22 use. There is high public use, middle  
23 school public use, and what the department  
24 also did was we negotiated public use that  
25 the county of Nassau gets without paying any

1 Rules Committee/10-15-12  
2 monies.

3 So I will be able to shift some  
4 of my programs of Cantiague Park to that  
5 skating rink to expand my current ice  
6 skating programs that we will actually  
7 control those times.

8 CHAIRWOMAN GONSALVES: Thank you  
9 very much, commissioner. Is there more than  
10 one level to these rinks?

11 MR. INTAGLIATA: No, ma'am. They  
12 are just on the flat, one is an Olympic  
13 sized rink, and the other one is smaller and  
14 they're side by side. They're both housed  
15 indoors.

16 CHAIRWOMAN GONSALVES: Thank you  
17 very much. Any other questions from the  
18 legislators? Legislator Dunne.

19 LEGISLATOR DUNNE: The backup  
20 shows three rinks, one outdoor and two  
21 indoor.

22 MR. INTAGLIATA: That's this  
23 outstanding idea they have to put out an  
24 outdoor like winter carnival effect where  
25 they put a hockey rink on top of an

1 Rules Committee/10-15-12  
2 artificial field there. That land has been  
3 totally undeveloped, just grassland. So  
4 their thought is to make a winter carnival  
5 effect for the residents of Nassau County  
6 within the park.

7 LEGISLATOR DUNNE: So it's all  
8 tied in together?

9 MR. INTAGLIATA: Yes.

10 LEGISLATOR DUNNE: Now is there  
11 going to be a bubble, or what kind of  
12 building is going to --

13 MR. INTAGLIATA: No. That relies  
14 on temperatures outdoors typically in the  
15 winter months. The plan is to put that up  
16 for the --

17 LEGISLATOR DUNNE: I'm talking  
18 about the twin.

19 MR. INTAGLIATA: The twin is an  
20 indoor facility. It actually has a roof on  
21 it. It's an LED building. It's enclosed.

22 LEGISLATOR DUNNE: It's a regular  
23 building?

24 MR. INTAGLIATA: Yes.

25 LEGISLATOR DUNNE: Thank you.



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2 CHAIRWOMAN GONSALVES: One more  
3 question for me and then there is others.  
4 Is there adequate parking for these two  
5 facilities?

6 MR. INTAGLIATA: That's what was  
7 provided by the SEQRA study, yes.

8 CHAIRWOMAN GONSALVES: They said  
9 yes?

10 MR. INTAGLIATA: Yes.

11 CHAIRWOMAN GONSALVES: Legislator  
12 Walker.

13 LEGISLATOR WALKER: It certainly  
14 sounds very exciting to me. I was involved  
15 in the Town of Oyster Bay, the work when we  
16 put up the rink over in Bethpage Community  
17 Park and I can tell you that that rink is  
18 utilized tremendously.

19 The programs that they have  
20 there, we have college teams come and play  
21 there, and you get great support from the  
22 community. It's just another venue for our  
23 residents to attend functions there, not  
24 only to use the rink on their own, and I  
25 look back to when I was a kid and we used to

1 Rules Committee/10-15-12  
2 be able to skate on the lake in the winter,  
3 which doesn't seem to ever happen any more,  
4 but to have an outdoor facility in the  
5 winter would be a lot of fun for our  
6 residents to enjoy, so it sounds like a  
7 very, very good proposal and I'm looking  
8 forward to hopefully seeing it come to  
9 fruition.

10 If all goes well, when would you  
11 hope to begin work on this?

12 MR. INTAGLIATA: Well, with this  
13 approval, they may be able to get started  
14 this year; if not, for the spring next year  
15 with the completion date for next year's  
16 hockey's season which I guess would be the  
17 end of '13.

18 But with that thought that you  
19 shared with us, legislator, they're going to  
20 bring back the Empire State Games and maybe  
21 be able to do something with the sport of  
22 hockey there, possibly introduce curling,  
23 definitely introduce the figure skating, and  
24 they'll be much public use for open skating  
25 as you suggested.

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2 LEGISLATOR WALKER: Thank you.

3 CHAIRWOMAN GONSALVES: Legislator  
4 Abrahams.

5 LEGISLATOR ABRAHAMS: Mr.  
6 Intagliata, I just have some brief questions  
7 for you and then I guess I'll ask my  
8 questions to the gentleman that's standing  
9 to your left.

10 This was a deal that I guess was  
11 in the works before you were confirmed by  
12 this legislature?

13 MR. INTAGLIATA: Yes, it was.

14 LEGISLATOR ABRAHAMS: Who was the  
15 person that handled the negotiations between  
16 Twin Rinks, L.L.C. and yourself and the  
17 county?

18 MR. INTAGLIATA: Kevin Walsh from  
19 the county attorney's office, myself,  
20 Sheila, and Carnell.

21 LEGISLATOR ABRAHAMS: I see  
22 Commissioner Foskey here. Is Sheila Shah  
23 here?

24 MR. INTAGLIATA: She was, yes.

25 LEGISLATOR ABRAHAMS: We have

1 Rules Committee/10-15-12  
2 some questions with regard to the financing  
3 of this deal. The sole expense of \$10.5  
4 million that's going to be talked about in  
5 the capital improvements, I notice that you  
6 in the capital improvements I notice that  
7 you mentioned in your commentary that Twin  
8 Rinks has experience in other areas of  
9 building facilities such as this. Can you  
10 specify those facilities?

11 MR. INTAGLIATA: Well, I think,  
12 legislator, where you're going is the  
13 financial wherewithal of the lender.

14 LEGISLATOR ABRAHAMS: Yes.

15 MR. INTAGLIATA: We have a letter  
16 that was in this attachment from their  
17 accountants as well as if you would like, at  
18 their request, executive session to present  
19 their financials.

20 LEGISLATOR ABRAHAMS: I think,  
21 with all due respect to the chairwoman, I  
22 think that might be the best approach,  
23 because obviously we're going to be talking  
24 about a lot of minutia. I have no problem  
25 reserving my questions until executive

1 Rules Committee/10-15-12  
2 session if that is the better way to go  
3 which I think it should be.

4 CHAIRWOMAN GONSALVES: Motion for  
5 executive session?

6 LEGISLATOR DUNNE: So moved.

7 LEGISLATOR WALKER: Second.

8 CHAIRWOMAN GONSALVES: Moved by  
9 Legislator Dunne, seconded by Legislator  
10 Walker. We agree. We will go into  
11 executive session.

12 (Whereupon, the Rules Committee  
13 recessed into executive session at 2:30 p.m.  
14 and reconvened at 3:23 p.m.)

15 CHAIRWOMAN GONSALVES: At this  
16 time are there any more questions you would  
17 like to ask of them?

18 LEGISLATOR ABRAHAMS: Mr.  
19 Intagliata, we had requested documents while  
20 we were in executive session and we're not  
21 too sure, is it possible to get those  
22 documents later on this afternoon or maybe  
23 we should ask those questions directly to --

24 MR. INTAGLIATA: I would think  
25 that that's not possible on no one coming

1 Rules Committee/10-15-12  
2 forward. Yes, that is impossible.

3 LEGISLATOR ABRAHAMS: That's  
4 impossible to get those documents?

5 MR. INTAGLIATA: I believe so.

6 LEGISLATOR ABRAHAMS:  
7 Mr. Intagliata, I'm speaking to counsel,  
8 sorry about that, when you say "it's  
9 impossible," you mean it's impossible for  
10 them to get it to us by today, but not in  
11 general? They can provide it to us at a  
12 later date?

13 MR. INTAGLIATA: I would have to  
14 ask Mr. Friedman on that. It's his company.

15 LEGISLATOR ABRAHAMS: Is he here?

16 MR. INTAGLIATA: Yes.

17 LEGISLATOR ABRAHAMS: He can come  
18 right up.

19 MR. FRIEDMAN: Ronald Friedman.  
20 Yes, at a later date it's certainly possible  
21 to provide those documents. They do exist.  
22 It would just be difficult for me to be able  
23 to deliver them to you today since it's the  
24 first I heard that anybody was looking for  
25 them was a little while ago.

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2 LEGISLATOR ABRAHAMS: I  
3 understand. How fast would you be able to  
4 get it to us, Mr. Friedman?

5 MR. FRIEDMAN: How fast do you  
6 need them, in a couple of days?

7 LEGISLATOR ABRAHAMS: Tomorrow?

8 MR. FRIEDMAN: Probably have it  
9 by the next couple of days.

10 LEGISLATOR ABRAHAMS: Thank you.

11 CHAIRWOMAN GONSALVES: All those  
12 in favor of this item -- Legislator  
13 Abrahams.

14 LEGISLATOR ABRAHAMS: Just, if I  
15 can, before we take the vote, I apologize,  
16 chair, because I know you were calling the  
17 question, but in conferencing with our side,  
18 this sounds like a proposal we would want to  
19 be in support of.

20 Obviously if the documents that  
21 we requested bear out exactly what we would  
22 hope them to bear out, from our point of  
23 view, it would be something great for the  
24 county and great for us to move forward but,  
25 in light of those documents not being

1 Rules Committee/10-15-12  
2 presented to us at the time of this vote, I  
3 trust that Mr. Friedman will get those  
4 documents in the next couple of days.

5 The fact remains we are taking a  
6 vote on this particular item now, and not  
7 seeing those documents before this vote,  
8 gives us a little bit of uneasiness in  
9 regards to this process.

10 So, from that standpoint, I'm  
11 going to suggest to my caucus to abstain  
12 from this vote because we do not have all  
13 the information to be able to take the vote  
14 in good conscious.

15 CHAIRWOMAN GONSALVES: At this  
16 time then a vote on the motion, all those in  
17 favor signify by saying aye.

18 (Aye.)

19 I understand that we have three  
20 abstentions. It's with the hope that it  
21 works. The item passes four to three. Four  
22 to zero and three abstentions, sorry,  
23 correct.

24 Is that the last of the  
25 contracts?



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2 CLERK MULLER: Unless you're  
3 going to untable one.

4 CHAIRWOMAN GONSALVES: No, I  
5 think at this point we're going into recess.  
6 Thank you very much. Then we will come  
7 back. The next meeting I believe is public  
8 safety.

9 (Whereupon, the Rules Committee  
10 recessed at 3:28 p.m. and reconvened at 4:59  
11 p.m.)

12 CHAIRWOMAN GONSALVES: Will the  
13 members of the Rules Committee please take  
14 their seats. We are ready to go. The Rules  
15 Committee is back in session.

16 At this time, with the consent of  
17 the minority, we have a number of items that  
18 have gone through other committees that we  
19 will probably block in rules and, at the  
20 same time, prior to that since we had to  
21 suspend the rules in some of the other  
22 committees to entertain some of the items  
23 that are in the Rules Committees, I'm asking  
24 for a motion right now to suspend the rules.

25 LEGISLATOR DUNNE: So moved.

1 Rules Committee/10-15-12

2 LEGISLATOR KOPEL: Second.

3 CHAIRWOMAN GONSALVES: Moved by  
4 Legislator Dunne, seconded by Legislator  
5 Kopel. All those in favor?

6 (Aye.)

7 Any opposed?

8 (No verbal response.)

9 Now we are ready to go. The  
10 items that we're going to block together  
11 will be Item 577-12, there's 578-12, 596-12,  
12 597-12, 608-12, 622-12, 623-12, 624-12,  
13 625-12, 626-12, 627-12, 632-12, 633-12,  
14 634-12, 635, 636, 637, 638, 639, 640, 641.  
15 Wait a minute. Now, this was part of the  
16 addendum which we already suspended the  
17 rules for. We have 514-12, 595-12, 620-12,  
18 645-12, 647-12, 648-12, anything else?  
19 That's it. All those in favor of those  
20 items please indicate by saying aye.

21 (Aye.)

22 Any opposed?

23 (No verbal response.)

24 The motion carries. Now for the  
25 hard stuff. We have to go back, we need a

1 Rules Committee/10-15-12

2 motion for all those items.

3 LEGISLATOR DUNNE: So moved.

4 LEGISLATOR WALKER: Second.

5 CHAIRWOMAN GONSALVES: Moved by  
6 Legislator Dunne, seconded by Legislator  
7 Walker. We already had discussion in other  
8 committees so, now for the vote. All those  
9 favor of these items, indicate by saying  
10 aye.

11 (Aye.)

12 Any opposed?

13 (No verbal response.)

14 The motion carries unanimously.  
15 Now for the hard stuff. We need to go back  
16 a little bit. We agreed to 609, 610, 618,  
17 619 and 621 to vote it in block form. Do I  
18 have a motion to do so?

19 LEGISLATOR KOPEL: So moved.

20 LEGISLATOR DUNNE: Second.

21 CHAIRWOMAN GONSALVES: Moved by  
22 Legislator Kopel, seconded by Legislator  
23 Dunne.

24 Since they already went to  
25 Finance Committee, the testimony from the

1 Rules Committee/10-15-12  
2 Finance Committee will be incorporated into  
3 the Rules Committee.

4 (Whereupon, the following are the  
5 minutes of the Finance Committee pertaining  
6 to Clerk Item 609-12, 10-15-12.)

7 CHAIRMAN NICOLELLO: 609 is an  
8 ordinance to adopt the Nassau County budget  
9 for the 12 month period of 2013 fiscal year.

10 LEGISLATOR GONSALVES: So moved.

11 LEGISLATOR WALKER: Second.

12 CHAIRMAN NICOLELLO: Moved by  
13 Legislator Gonsalves, seconded by Legislator  
14 Walker.

15 These items are similarly being  
16 teed up for budget hearings, budget  
17 adoption, at a later date which has not been  
18 determined as yet. The same rules apply.  
19 Any concerns, reservations, negative votes  
20 are obviously reserved.

21 LEGISLATOR DENENBERG: Again, on  
22 the part of the minority we have obviously  
23 reservations about the budget. We are  
24 saving our questions for the budget hearing.  
25 We would ask that the Independent Office of

1 Rules Committee/10-15-12  
2 Budget Review this week provide its report  
3 on the budget as well so that we can have  
4 that available to all of us at the budget  
5 hearings whenever they end up being  
6 rescheduled to.

7 But in an effort of cooperation  
8 to tee up the budget, we'll reserve any  
9 further comments until that time.

10 CHAIRMAN NICOLELLO: Any other  
11 comments or questions? Legislator  
12 DeRiggi-Whitton.

13 LEGISLATOR DERIGGI-WHITTON:  
14 Thank you. Especially regarding the tax  
15 rate change, if we can have that information  
16 as soon as possible. I just want to see how  
17 that's going to work out. That's been a  
18 major concern. Do you have any idea when  
19 that's going to be available?

20 CHAIRMAN NICOLELLO: I'm not sure  
21 what you mean by the tax rate change.

22 LEGISLATOR DERIGGI-WHITTON: The  
23 first item you were just discussing which  
24 basically said, regarding the budget, and  
25 then you also have an item discussing the

1 Rules Committee/10-15-12  
2 tax rate change. I just want to see what  
3 that is.

4 CHAIRMAN NICOLELLO: I think it's  
5 establishing the taxes that have to be  
6 collected to pay the budget but the tax rate  
7 is a different issue. It depends on how  
8 much assessable property there is in the  
9 county.

10 LEGISLATOR DERIGGI-WHITTON:  
11 Exactly. Is that what this item is  
12 regarding? What the tax rate is going to be  
13 for everyone?

14 CHAIRMAN NICOLELLO: I think it  
15 sets the total amount of revenue raised by  
16 the county for real property tax.

17 LEGISLATOR DERIGGI-WHITTON: I  
18 just want to see that is as soon as possible  
19 because we just had that happen recently and  
20 it was a big increase in taxes. I just want  
21 to see what that number is as soon as  
22 possible.

23 CHAIRMAN NICOLELLO: To the  
24 extent that that can be addressed during the  
25 budget process, we will have not only the

1 Rules Committee/10-15-12  
2 budget office, but also the independent  
3 budget office, so we can address those  
4 questions at that time.

5 LEGISLATOR DERIGGI-WHITTON:  
6 Again, the sooner the better with that  
7 especially because that does effect it.

8 CHAIRMAN NICOLELLO: Okay. Any  
9 other questions?

10 (No verbal response.)

11 Any public comment?

12 (No verbal response.)

13 Those in favor signify by saying  
14 aye.

15 (Aye.)

16 Those opposed?

17 The items are moved along to  
18 rules.

19 (Whereupon, the following are the  
20 minutes of the Finance Committee pertaining  
21 to Clerk Item 610-12, 10-15-12.)

22 CHAIRMAN NICOLELLO: Item 610 of  
23 2012 is an ordinance to adopt a budget for  
24 the county legislature for the County of  
25 Nassau for the 2013 fiscal year.

1 Rules Committee/10-15-12

2 LEGISLATOR MUSCARELLA: So moved.

3 LEGISLATOR WALKER: Second.

4 CHAIRMAN NICOLELLO: Moved by  
5 Legislator Muscarella, seconded by  
6 Legislator Walker. The same with respect to  
7 this item, it's being teed up for further  
8 discussions during the budget hearings and  
9 any reservations or comments or amendments,  
10 et cetera, are reserved by all parties. Any  
11 questions or discussion?

12 (No verbal response.)

13 Any public comment?

14 (No verbal response.)

15 Those in favor signify by saying  
16 aye.

17 LEGISLATOR DENENBERG: This is  
18 610?

19 CHAIRMAN NICOLELLO: This is the  
20 legislative budget.

21 LEGISLATOR DENENBERG: Okay.  
22 Thank you.

23 CHAIRMAN NICOLELLO: All those in  
24 favor signify by saying aye.

25 (Aye.)



1 Rules Committee/10-15-12

2 Those opposed?

3 That item is reported to rules.

4 (Whereupon, the following are the  
5 minutes of the Finance Committee pertaining  
6 to Clerk Item 618 and 619 of 12, 10-15-12.)

7 CHAIRMAN NICOLELLO: Items 618  
8 and 619 of 2012 are resolutions to authorize  
9 the transfer of appropriations heretofore  
10 made within the budget for the year 2012.  
11 Both of these are within the Department of  
12 Public Works.

13 LEGISLATOR GONSALVES: So moved.

14 LEGISLATOR WALKER: Second.

15 CHAIRMAN NICOLELLO: Moved by  
16 Legislator Gonsalves, seconded by Legislator  
17 Walker. Any discussion or debate on this  
18 item?

19 (No verbal response.)

20 Any public comment?

21 (No verbal response.)

22 Those in favor signify by saying  
23 aye.

24 (Aye.)

25 Those opposed?

1 Rules Committee/10-15-12

2 Carries unanimously.

3 (Whereupon, the following are the  
4 minutes of the Finance Committee pertaining  
5 to Clerk Item 621-12, 10-15-12.)

6 CHAIRMAN NICOLELLO: The next  
7 item is 621 of 2012, an ordinance  
8 supplemental to the annual appropriation  
9 ordinance in connection with the health  
10 department.

11 LEGISLATOR WALKER: So moved.

12 LEGISLATOR MUSCARELLA: Second.

13 CHAIRMAN NICOLELLO: Moved by  
14 Legislator Walker, seconded by Legislator  
15 Muscarella. Mr. May, this was on in the  
16 Health Committee. There were questions  
17 raised before. Do you have any response to  
18 the legislators?

19 MR. MAY: Yes, Mr. Chairman.  
20 There was apparently an error with the  
21 photocopying and the item is correct. For  
22 88-897 so we are now planning on submitting  
23 an amendment at this time.

24 CHAIRMAN NICOLELLO: Any other  
25 questions or comments? Thank you, Mr. May.

1 Rules Committee/10-15-12

2 (No verbal response.)

3 Any public comment?

4 (No verbal response.)

5 All those in favor signify by  
6 saying aye.

7 (Aye.)

8 Those opposed?

9 The item carries unanimously.

10 (Whereupon, the following is the  
11 continuation of the minutes of the Rules  
12 Committee, 10-15-12.)

13 CHAIRWOMAN GONSALVES: At this  
14 time, therefore, a motion please -- no, a  
15 vote please to accept these items. All  
16 those indicate by saying aye.

17 (Aye.)

18 Those opposed?

19 (No verbal response.)

20 Motion carries unanimously.

21 (Whereupon, the following is the  
22 continuation of the minutes of the Rules  
23 Committee, 10-15-12.)

24 CHAIRWOMAN GONSALVES: Thank you  
25 very much. Now we have to go back to the

1 Rules Committee/10-15-12

2 more difficult part.

3 Once again we are going to block  
4 some of the items with the understanding  
5 from the minority and that's Item 599, Item  
6 600, 601, and turn the page because they get  
7 stuck here, 602, 603, 604, 607. Motion,  
8 please.

9 LEGISLATOR WALKER: So moved.

10 LEGISLATOR DUNNE: Second.

11 CHAIRWOMAN GONSALVES: Moved by  
12 Legislator Walker, seconded by Legislator  
13 Dunne. Any discussion or comments regarding  
14 these items?

15 (No verbal response.)

16 Is there any public comment?

17 (No verbal response.)

18 There being none, all those in  
19 favor signify by saying aye.

20 (Aye.)

21 Any opposed?

22 (Nay.)

23 We have four ayes and three nays.

24 Thank you very much.

25 Now we are going on. 605 and 606

1 Rules Committee/10-15-12  
2 need to be amended. Item 605-12 needs to be  
3 amended and I need to motion to make an  
4 amendment to item 605, correct? I don't  
5 believe we made a motion to amend these  
6 items in the nature of a -- I said Item 605  
7 needs to be amended. I'm asking for someone  
8 to make a motion to amend Item 605.

9 LEGISLATOR DUNNE: So moved.

10 LEGISLATOR WALKER: Second.

11 CHAIRWOMAN GONSALVES: Moved by  
12 Legislator Dunne, seconded by Legislator  
13 Walker. Now, the amendment reads, this  
14 amendment moves the operative language of  
15 this section into a new section 6-330 rather  
16 than Section 19-6.0 of the administrative  
17 code, and at the time of the filing of this  
18 amendment it was October 2nd, 2012 at 4:32.

19 A motion to amend this item or to  
20 vote on the amended item. A motion to vote  
21 on the amended item.

22 LEGISLATOR DUNNE: So moved.

23 LEGISLATOR WALKER: Second.

24 CHAIRWOMAN GONSALVES: Moved by  
25 Legislator Dunne, seconded by Legislator

1 Rules Committee/10-15-12  
2 Walker. Any comments regarding the amended  
3 item?

4 (No verbal response.)

5 Is there any public comment?

6 (No verbal response.)

7 There being none, all those in  
8 favor of this item as amended indicate by  
9 saying aye.

10 (Aye.)

11 Any opposed?

12 (Nay.)

13 We have three nays. So it's  
14 passed by four to three. Now we have  
15 another one. It's four in favor and three  
16 opposed.

17 The next item is 606-12, an  
18 ordinance amending ordinance 199-2011. This  
19 item is going to be amended as well. I'm  
20 going to call for an amendment in the nature  
21 of a substitution.

22 Now I need a motion to amend the  
23 Item 606 and the amendment is, it speaks, it  
24 says, excuse me, I'm having difficulty  
25 seeing at this point. This item makes

1 Rules Committee/10-15-12  
2 corrections to typographical errors to the  
3 fee chart and staff summary, adds rifle and  
4 pistol range fees and nonresident weekend  
5 and holiday fees for golf at North Woodmere.  
6 The time that it was filed was October 10,  
7 2012 at 3:44.

8 Now we need to vote on the  
9 amendment as presented. All those in favor  
10 the amendment please indicate by saying aye.

11 (Aye.)

12 Any opposed?

13 (Nay.)

14 So we have four in favor, three  
15 opposed. We have to call this item here.  
16 Item 606 as amended. Is there any comments?

17 CLERK MULLER: I don't know who  
18 made that motion. Who made the motion on  
19 the original item?

20 CHAIRWOMAN GONSALVES: Dunne and  
21 Walker.

22 CLERK MULLER: Thank you very  
23 much. It would be in order to ask if there  
24 are any questions on the item as amended.  
25 None?

1 Rules Committee/10-15-12

2 (No verbal response.)

3 Any public comment?

4 (No verbal response.)

5 Now we will vote on the ordinance  
6 as amended. All those in favor of 606 as  
7 amended indicate by saying aye.

8 (Aye.)

9 Any opposed?

10 (Nay.)

11 So it's four in favor and three  
12 opposed. We have four IMAs, intermunicipal  
13 agreements, Item 628-12, 629-12, 630-12, and  
14 631-12. Motion, please.

15 LEGISLATOR WALKER: So moved.

16 LEGISLATOR DUNNE: Second.

17 CHAIRWOMAN GONSALVES: Moved by  
18 Legislator Walker, seconded by Legislator  
19 Dunne. Any discussion or debate regarding  
20 these items?

21 (No verbal response.)

22 Is there any public opinion or  
23 public comment?

24 (No verbal response.)

25 There being none, all those in



1 Rules Committee/10-15-12

2 favor indicate by saying aye.

3 (Aye.)

4 Any opposed?

5 (No verbal response.)

6 All saying aye, God bless you.

7 Item 642-12 which is a resolution  
8 authorizing the county executive to execute  
9 a grant agreement between the County of  
10 Nassau acting on behalf of the Department of  
11 Parks, Recreation, and Museums and the  
12 Agriculture Society of Queens, Nassau,  
13 Suffolk County. Motion, please.

14 LEGISLATOR DUNNE: So moved.

15 LEGISLATOR WALKER: Second.

16 CHAIRWOMAN GONSALVES: Moved by  
17 Legislator Dunne, seconded by Legislator  
18 Walker. Is there anyone here to speak on  
19 this item? Welcome, Eileen.

20 MS. KREEB: Eileen Kreeb from the  
21 Department of Parks, Recreation and Museums.  
22 This is a grant given to the Agriculture  
23 Society of Queens and Nassau to manage and  
24 sponsor the Long Island Fair. It's a  
25 \$48,500 grant funded by Hotel Motel.

1 Rules Committee/10-15-12

2 CHAIRWOMAN GONSALVES: Any  
3 questions regarding this item?

4 (No verbal response.)

5 Is there any public comment?

6 (No verbal response.)

7 There being none, all those in  
8 favor of this item signify by saying aye.

9 (Aye.)

10 Any opposed?

11 (No verbal response.)

12 The motion carries unanimously.

13 Thank you, Eileen. 644, a resolution  
14 authorizing the county executive to execute  
15 an intermunicipal agreement with the City of  
16 Long Beach in relation to the continuing  
17 operation of bus service.

18 LEGISLATOR DUNNE: So moved.

19 LEGISLATOR WALKER: Second.

20 CHAIRWOMAN GONSALVES: Moved by  
21 Legislator Dunne, seconded by Legislator  
22 Walker. We have Michael Kelly here to speak  
23 on it.

24 MR. KELLY: Good evening, Michael  
25 Kelly, acting director of Nassau County

1 Rules Committee/10-15-12  
2 Department of Public Works, division of real  
3 estate services.

4 644-12 is to authorize the county  
5 executive to execute an intermunicipal  
6 agreement with the City of Long Beach for  
7 the continued operation of the N69 Route  
8 between Point Lookout, Lido Beach and the  
9 Long Island Railroad Long Beach Station.  
10 The amount of \$75,000, this is continuing  
11 the same funding we've been giving the City  
12 of Long Beach for years now to run this  
13 particular bus run.

14 CHAIRWOMAN GONSALVES: Any  
15 questions for Mr. Kelly?

16 (No verbal response.)

17 Is there any public comment?

18 (No verbal response.)

19 There being none, all those in  
20 favor of this item signify by saying aye.

21 (Aye.)

22 Any opposed?

23 (No verbal response.)

24 The motion carries unanimously.

25 Thank you, Michael. Item 646-12, a

1 Rules Committee/10-15-12  
2 resolution to accept a gift offered by a  
3 donor to the Nassau County Police  
4 Department. Motion, please.

5 LEGISLATOR WALKER: So moved.

6 LEGISLATOR DUNNE: Second.

7 CHAIRWOMAN GONSALVES: Moved by  
8 Legislator Walker, seconded by Legislator  
9 Dunne. Who do we have?

10 MS. FOX: Tatum Fox from Nassau  
11 County Police legal bureau. I too would  
12 like to share my condolences to the  
13 legislature.

14 Item 646-12 is a proposed  
15 resolution to accept a gift from the Nassau  
16 County Police Department Foundation of  
17 Outwear Uniforms which includes raincoats  
18 and vests, traffic vests, not bulletproof  
19 vests, I just wanted to be clear, for  
20 official use by auxiliary, public safety  
21 officers, medical technicians. It's valued  
22 at approximately \$95,000 for approximately  
23 800 pieces of outerwear. They need OSHA  
24 specifications for color and design.

25 LEGISLATOR DUNNE: Does that

1 Rules Committee/10-15-12  
2 include crossing guards?

3 MS. FOX: It was actually was  
4 left open for, it's need based, because the  
5 weather is upon us.

6 CHAIRWOMAN GONSALVES: Sergeant,  
7 you have anything to add?

8 SERGEANT STEPHANOFF: No, it was  
9 all mentioned. Thank you.

10 CHAIRWOMAN GONSALVES: All those  
11 in favor of Item 646 indicate by saying aye.

12 (Aye.)

13 Any opposed?

14 (No verbal response.)

15 The motion carries unanimously.  
16 Who is going to deny us a gift? Thank you  
17 very much. We did already suspend the  
18 rules. We can adjourn. A motion, please.  
19 Come on, Judy. Make your motion.

20 LEGISLATOR JACOBS: So moved.

21 LEGISLATOR WALKER: Second.

22 CHAIRWOMAN GONSALVES: Moved by  
23 Legislator Jacobs, seconded by Rose Walker.  
24 All those in favor indicate by saying aye.

25 (Aye.)

1 Rules Committee/10-15-12

2 Any opposed?

3 (No verbal response.)

4 Thank you very much. It was a  
5 very long and trying day. So here we go.

6 (Whereupon, the Rules Committee  
7 adjourned at 5:30 p.m.)

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C E R T I F I C A T E

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

THAT I attended at the time and place above mentioned and took stenographic record of the proceedings in the above-entitled matter;

THAT the foregoing transcript is a true and accurate transcript of the same and the whole thereof, according to the best of my ability and belief.

IN WITNESS WHEREOF, I have hereunto set my hand this 1st day of November, 2012.

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FRANK GRAY