

NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,  
PRESIDING OFFICER

RULES COMMITTEE

NORMA GONSALVES,  
CHAIRWOMAN

1550 Franklin Avenue  
Mineola, New York

June 30, 2014  
1:05 p.m.

REGAL REPORTING SERVICES  
516-747-7353

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

NORMA GONSALVES  
Chairwoman

RICHARD NICOLELLO  
Vice Chairman

DENNIS DUNNE

HOWARD KOPEL

KEVAN ABRAHAMS  
Ranking

JUDY JACOBS

CARRIE SOLAGES

WILLIAM J. MULLER, III, Clerk

LIST OF SPEAKERS

GREG MAY. . . . . 6

GREG STEPHANOFF . . . . . 6

KEN ARNOLD. . . . . 8

BRIAN SCHNEIDER . . . . . 10

ED MOLINA . . . . . 12

MARY ELLEN LAURAIN. . . . . 19

PAUL BRODERICK. . . . . 20

LISA LOCURTO. . . . . 22

KEVIN WALSH . . . . . 34

MICHAEL SCHLERNOFF. . . . . 37

KENNETH SAUNDERS. . . . . 47

INSERTS TO TRANSCRIPT

Page 68, Line 3 - Page 186, Line 5

CHAIRWOMAN GONSLAVES: Will members of the Rules Committee please take their seats? Mr. Muller, would you please call the roll?

CLERK MULLER: Legislator Solages?

LEGISLATOR SOLAGES: Here.

CLERK MULLER: Legislator Jacobs?

LEGISLATOR JACOBS: Here.

CLERK MULLER: Ranking Member Abrahams?

LEGISLATOR ABRAHAMS: Here.

CLERK MULLER: Legislator Kopel?

LEGISLATOR KOPEL: Here.

CLERK MULLER: Legislator Dunne?

LEGISLATOR DUNNE: Here.

CLERK MULLER: Vice Chairman Nicoletto?

LEGISLATOR NICOLELLO: Here.

CLERK MULLER: Chairwoman Gonsalves?

CHAIRWOMAN GONSALVES: Present

CLERK MULLER: We have a quorum.

CHAIRWOMAN GONSLAVES: As is customary with the Rules Committee, we'll go through the contracts first, then take a recess, and then proceed with the other committees.

Beginning with the contracts and I believe there are a number of them.

The first one is Contract A-27, a resolution authorizing the director of Nassau County Office of Purchasing to award and execute a contract between the County of Nassau, acting on behalf of the Nassau County Police Department, and Harris Corporation.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR KOPEL: Second.

CHAIRWOMAN GONSALVES: Moved by Legislator Dunne, seconded by Legislator Kopel.

And who do we have here, Mr. May?

MR. MAY: We have Sergeant Greg Stephanoff.

SERGEANT STEPHANOFF: Good afternoon. Sergeant Greg Stephanoff. And I have Detective Sergeant Devin Ross with me from electronics.

This is to authorize a purchase order for hail storm upgrade for the Nassau County Police Department Electronic Squad. This equipment is used for helping us locate children, kidnapped

victims, missing persons, any persons that have suicide tendencies that we can't locate. It's 100 percent asset forfeiture purchase for \$269,664.

CHAIRWOMAN GONSALVES: Any questions of the Sergeant?

(No verbal response.)

Any public comments on this item?

(No verbal response.)

There being none; all those in favor of Contract A-27 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The contract passes unanimously.

SERGEANT STEPHANOFF: Thank you.

CHAIRWOMAN GONSALVES: Thank you.

The next contract is A-35, a resolution authorizing the director of Nassau County Office of Purchasing to award and execute a contract between the County of Nassau, acting on behalf of the Nassau County Department of Public Works, and Island Pump and Tank Corporation.

Motion, please?

LEGISLATOR KOPEL: So moved.

LEGISLATOR DUNNE: Second.

CHAIRWOMAN GONSALVES: Moved by  
Legislator Kopel, seconded by Legislator Dunne.  
And, Mr. Arnold.

MR. ARNOLD: Ken Arnold, Public Works.  
This is a purchase contract for the removal of  
six out-of-service fuel tanks at the Mitchel  
Field Bus Terminal.

CHAIRWOMAN GONSALVES: Okay. Any  
questions of Mr. Arnold on this contract?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of  
Contract A-35 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The contract passes unanimously.

The next contract is Contract A-39, a  
resolution authorizing the direct of Nassau

County Office of Purchasing to award and execute a contract between the County of Nassau, acting on behalf of various county departments, and FM Generator Inc.

Motion, please?

LEGISLATOR KOPEL: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRWOMAN GONSALVES: Moved by Legislator Kopel, seconded by Legislator Nicolello.

And? Do we have someone here? Mr. Arnold, are you going to speak on this item?

MR. ARNOLD: This is a blanket order contract that supplies the department and other departments back-up emergency generators, both maintenance and repair.

CHAIRWOMAN GONSALVES: Any questions of Mr. Arnold on this item?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of Contract A-39 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The contract passes unanimously.

The next contract is A-41, a resolution authorizing the director of Nassau County Office of Purchasing to award and execute a contract between the County of Nassau, acting on behalf of the Nassau Department of Public Works, and Racanelli Construction Company, Inc.

Motion, please?

LEGISLATOR KOPEL: So moved.

LEGISLATOR DUNNE: Second.

CHAIRWOMAN GONSALVES: Moved by  
Legislator Kopel, seconded by Legislator Dunne.  
Mr. Schneider.

MR. SCHNEIDER: Good afternoon.

CHAIRWOMAN GONSALVES: Good afternoon.

MR. SCHNEIDER: Brian Schneider from  
Public Works.

This is to authorize and award a blanket purchase order for prefabricated shop buildings, to furnish and install these shop buildings at

several DPW facilities. The solicitation was advertised in *Newsday* and posted on the bid solicitation board. Racanelli Construction was the lowest responsible bidder. And the amount of this contract will be for \$4 million from capital funds for DPW garages.

CHAIRWOMAN GONSALVES: Any questions of Mr. Schneider?

(No verbal response.)

Any comments from the legislators regarding this contract, A-41?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of Contract A-41 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The contract passes unanimously.

The next contract is A-42, a resolution authorizing the director of Nassau County Office of Purchasing to award and execute a contract

between the County of Nassau, acting on behalf of various county departments, and Graphic Paper NY, Inc.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR KOPEL: Second.

CHAIRWOMAN GONSALVES: Motion by Legislator Dunne, seconded by Legislator Kopel.

And we have?

MR. MOLINA: Mr. Molina with the Legislature.

CHAIRWOMAN GONSALVES: Good afternoon.

MR. MOLINA: This is the paper we use for our mailings for countywide.

CHAIRWOMAN GONSALVES: Any questions of Mr. Molina regarding this contract?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of Contract A-42 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The contract passes unanimously.

Thank you, Mr. Molina.

The next contract is B-11, a resolution authorizing the county executive to award and execute a contract between the County of Nassau acting on behalf of the Nassau County Department of Public Works and Bensin Contracting, Inc.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR KOPEL: Second.

CHAIRWOMAN GONSALVES: Moved by Legislator Dunne, seconded by Legislator Kopel.

Mr. Arnold.

MR. ARNOLD: This is a construction contract with Bensin Incorporated for the replacement of the aeration baffles and diffusers at the Glen Cove Wastewater Treatment Plant.

CHAIRWOMAN GONSALVES: Any questions of Mr. Arnold regarding this contract?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of Contract B-11 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The contract passes unanimously.

The next item is B-14, a resolution authorizing the county executive to award and execute a contract between the County of Nassau acting on behalf of the Nassau County Department of Public Works and R.J./Scalamandre, Joint Venture.

Motion, please?

LEGISLATOR KOPEL: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRWOMAN GONSALVES: Moved by Legislator Kopel, seconded by Legislator Nicolello.

Mr. Arnold.

MR. ARNOLD: B-14 is a construction contract with R.J./Scalamandre, Joint Venture, for the replacement of the grit facility at Bay Park. This is a non-Sandy project. This project

was contemplated before the storm.

CHAIRWOMAN GONSALVES: Any questions of Mr. Arnold on this contract?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of Contract B-14 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The contract passes unanimously.

The next is a personal services agreement, E-150, between the County of Nassau, acting on behalf of the Nassau County Department of Public Works, and D&B Engineers and Architects, P.C.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR KOPEL: Second.

CHAIRWOMAN GONSALVES: Moved by Legislator Dunne, seconded by Legislator Kopel.

Mr. Arnold.

MR. ARNOLD: E-150 is a design contract with Dvirka & Bartellucci. It's for hardening and mitigation associated with pump stations at Wantagh, Merrick, Newbridge and Ray Street. It's a Sandy project.

CHAIRWOMAN GONSALVES: Any questions of Mr. Arnold on this item? Minority Leader Abrahams.

LEGISLATOR ABRAHAMS: Thank you, Madam Presiding Officer. Just to backtrack one second, Mr. Arnold.

On the previous one, that also -- you said that was Sandy related or non-Sandy related?

MR. ARNOLD: Non-Sandy related.

LEGISLATOR ABRAHAMS: Non-Sandy related.

MR. ARNOLD: Correct.

LEGISLATOR ABRAHAMS: So the funding for this has been passed in a previous capital plan?

MR. ARNOLD: Yes.

LEGISLATOR ABRAHAMS: Okay. Which plan?

MR. ARNOLD: I'd have to go back and look it up. Off the top of my head --

LEGISLATOR ABRAHAMS: It wouldn't be the last plan that we passed?

MR. ARNOLD: I'd have to go back and look at the bond ordinance to see if it was associated with the last one or not; I don't have that on the top of my head.

LEGISLATOR ABRAHAMS: Okay. I'd just be curious. If you could just tell me informally, you don't have to draft a letter or anything.

Thank you.

CHAIRWOMAN GONSALVES: Any other questions?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of E-150 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

The next personal services agreement is E-151, a resolution authorizing the county executive to execute a personal services agreement between the County of Nassau, acting on behalf of the Nassau County Department of Public Works, and Lockwood, Kessler & Bartlett, Inc.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRWOMAN GONSALVES: Moved by Legislator Dunne, seconded by Legislator Nicolello.

Mr. Arnold, we're keeping you busy.

MR. ARNOLD: E-151 is a design contract for the mitigation hardening for various pump stations with LKB. These pump stations include Cedar, White, Alhambra, Roosevelt and Biltmore, which are all located in Massapequa.

CHAIRWOMAN GONSALVES: Any questions of Mr. Arnold on this item?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of Item E-151 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

The next personal services agreement is E-152, between the County of Nassau, acting on behalf of the Department of Health, and SIVIC Solutions Group, LLC.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR KOPEL: Second.

CHAIRWOMAN GONSALVES: Moved by Legislator Dunne, seconded by Legislator Kopel.

MS. LAURAIN: Mary Ellen Laurain, Department of Health.

Item 152-14 is an amendment to a contract with SIVIC Solutions in the amount of \$31,715. The contract, as amended, is \$131,045. They provide Medicaid billing to the preschool special education program. And the reason for the

amendment is the Medicaid billing was greater than estimated.

CHAIRWOMAN GONSALVES: Okay. Any questions of Ms. Laurain? Legislator Kopel.

LEGISLATOR KOPEL: Why is this contracted out? If this is done on a regular basis, why don't we have anyone in-house that can do this?

MS. LAURAIN: It's very complex, the Medicaid billing. The contractor has a software system that has brought in much greater revenue than in the past.

LEGISLATOR KOPEL: And that software system is not available for purchase?

MS. LAURAIN: Not at this time. No.

LEGISLATOR KOPEL: Okay. Thank you.

CHAIRWOMAN GONSALVES: Any public comment regarding this item?

(No verbal response.)

There being none; all those in favor of E-152 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

The next personal services agreement, E-153, between the County of Nassau, acting on behalf of the County Department of Social Services and Family & Children's Association.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRWOMAN GONSALVES: Moved by Legislator Dunne, seconded by Legislator Nicolello.

MR. BRODERICK: Good afternoon, legislators. Paul Broderick, Deputy Commissioner, Department of Social Services.

The item before you is a contract with FCA for local re-entry task force and enhanced services program, STEERS program with FCA. It's 100 percent fully funded. It's for the parolee re-entry program between Nassau County and the state. Do you have any questions?

CHAIRWOMAN GONSALVES: Any questions from the legislators?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of the personal services agreement, E-153, signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

MR. BRODERICK: Thank you.

CHAIRWOMAN GONSALVES: Thank you.

The next item is -- I believe I can call this with two other items -- E-154, E-161, and E-162. They are all personal services contracts or agreements between the County of Nassau entered into by the Nassau County Attorney and Jaspan Schlesinger, LLP, that's 154.

161 is a contract entered into by the Nassau County Attorney and Leahy & Johnson, P.C.

And 162 is an amendment to a special counsel contract entered into by Nassau County Attorney and Meyer, Suozzi, English & Klein, P.C.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR KOPEL: Second.

CHAIRWOMAN GONSALVES: Moved by  
Legislator Dunne, seconded by Legislator Kopel.  
Mrs. Locurto.

MS. LOCURTO: Good afternoon,  
Legislators.

CHAIRWOMAN GONSALVES: Good afternoon.

MS. LOCURTO: Lisa Locurto, County  
Attorney's Office.

The first contract for personal services with Jaspan Schlesinger is a contract that is required because there is a conflict of interest. The county is being sued in the matter if *Diaz v. The County of Nassau*. In that matter the police officer was also specifically named, Officer Barbeck (phonetic). He is in a separate lawsuit, has filed a notice of claim against the county. The county attorney's office cannot continue to represent and defend the officer in the *Diaz* matter, at the same time defend the county in the personal lawsuit that he has brought against the

county. So for that reason this matter was sent to outside counsel to defend the county.

The next contract with Leahy & Johnson -- any questions before we move on?

CHAIRWOMAN GONSALVES: Legislator Jacobs has a question on that contract.

MS. LOCURTO: Sure.

LEGISLATOR JACOBS: I have a question on the first one.

MS. LOCURTO: Sure.

LEGISLATOR JACOBS: Just for my own edification. This is a civil rights matter. Do we have anybody in-house that handles civil rights matters?

MS. LOCURTO: We do. The reason isn't because we don't necessarily have in-house counsel to handle the civil rights matter. The problem is we have a conflict of interest. In representing and defending the civil rights matter, we are also defending the particular police officer, Police Officer Barbeck. But he has also filed a separate individual lawsuit. He is suing the county. So through the course of

the civil rights lawsuit, I may have information that may impact his separate lawsuit and vice versa. So, therefore, in order to make sure we properly defend the officer in the civil rights matter and also defend the county against the police officer, we have to send it out because there is that conflict of interest.

LEGISLATOR JACOBS: I'm sorry. If this is going where I shouldn't be going, just let me know.

Are these two particular lawsuits related? Is that where the conflict becomes?

MS. LOCURTO: They're not related. However, through the course of your investigation of information in defending one lawsuit against the other, you may come upon information that would necessarily impact your legal strategy or thought process on how to defend the other lawsuit. So, in fairness, to protect the interests of the police officer, because the county attorney's office has to indemnify the police officer in the civil rights lawsuit, that doesn't preclude him from his right to bring an

individual action for the county on a completely separate matter. But in deference to him and in fairness to the county, we've determined it was best to have outside counsel represent the county.

LEGISLATOR JACOBS: We're just a little confused up here. Okay. I think I understand what you said. I'm just so anxious for the county attorney's office to start thinking in terms of in-house and not automatically going out. I think it's something that could help the budget in the long run each year. But that maybe personal feeling.

CHAIRWOMAN GONSALVES: Legislator Nicoletto.

LEGISLATOR NICOLELLO: The conflict is with the county attorney's office.

MS. LOCURTO: Yes.

LEGISLATOR NICOLELLO: You can't have an attorney defending an action against a party and then representing that same party in a different action.

MS. LOCURTO: Correct.

LEGISLATOR NICOLELLO: If anything is a conflict of interest for an attorney to do that's it.

MS. LOCURTO: Correct.

LEGISLATOR NICOLELLO: It's, per say, conflict of interest. County attorneys cannot handle both sides. They can't defend against an employee and at the same defend that employee in a separate action.

LEGISLATOR JACOBS: Thank you.

CHAIRWOMAN GONSALVES: Lisa, you can go on to the next item, which is E-161.

MS. LOCURTO: Okay. E-161 is counsel with Leahy & Johnson. It's to defend Nassau County Police Department and Nassau County in the Hofstra shooting case, which happened in May 2013, where police were called to the scene and a student was shot and killed during the response to the incident.

CHAIRWOMAN GONSALVES: Any questions of Lisa on this item?

(No verbal response.)

The next one is E-162. Lisa.

MS. LOCURTO: E-162 is an amendment to an existing contract. This is to provide counsel to the sheriff, who, along with the county, is being sued by several inmates for the actions of a correction officer who was tried by the DA's office and convicted. This is the civil lawsuit that comes out of that action.

This was sent to outside counsel because it was deemed that there was a potential conflict as well. Because there are several defendants in this action, it's not just the county, also the sheriff was being sued both in his personal capacity and in his official capacity, so counsel was provided specifically for the sheriff and Meyer, Suozzi is defending the sheriff.

CHAIRWOMAN GONSALVES: Any questions of Lisa on this item? Kevan. Minority Leader Kevan Abrahams.

LEGISLATOR ABRAHAMS: Ms. Locurto, if we could go back to 161. This was one, again, where we're bringing in special counsel, if I'm understanding this correctly. Is this a matter that's already been dealt with?

MS. LOCURTO: No. This lawsuit was initially in the notice of claim stage. A summons and complaint has just been filed, I believe at the beginning of this month in state court.

LEGISLATOR ABRAHAMS: I'm trying to figure out the reasoning why they were all called together. Is this one similar to the first one where there is a conflict of interest within the office, the county attorney's office?

MS. LOCURTO: I think in this particular action because of the complexity, because of the various officers, there are a number of officers named, there could be potential conflicts. I think for those two reasons - one, potential conflicts; two, complexity of the litigation - that it was deemed that the best possible resource would be to have outside counsel work with the county attorney's office in defending it. This will be an extremely difficult and high profile case.

LEGISLATOR ABRAHAMS: But that's generally the issue, right, whenever we seek

outside counsel, is the complexity.

MS. LOCURTO: It's either due to complexity and resources available with in-house or conflict of interest.

LEGISLATOR ABRAHAMS: Of course.

MS. LOCURTO: Or a particular expertise is needed that is just -- there are certain areas of law that, despite being municipal attorneys, we can't have the expertise in every area of law that may arise.

LEGISLATOR ABRAHAMS: Can you be specific on the conflicts of interest in E-161?

MS. LOCURTO: There are several officers named that we're still in the beginning stages of the litigation. As I said, there are several officers that have been named, several supervisors, several county -- the county, itself, has been named. So through the course of the litigation, through the discovery, there may be a potential conflict which may arise.

LEGISLATOR ABRAHAMS: So unlike the first one, we don't know if any may arise or may not arise.

MS. LOCURTO: As I said, there were two reasons we felt: the potential for conflict and also because of the complexity of the litigation and the resources we wanted to devote to this type of litigation.

LEGISLATOR ABRAHAMS: Thank you.

CHAIRWOMAN GONSALVES: Any public comment on these items?

(No verbal response.)

There being none; all those in favor of E-154, E-162, and -- excuse me -- E-161 and E-162 --

LEGISLATOR ABRAHAMS: Madam Presiding Officer?

CHAIRWOMAN GONSALVES: Yes.

LEGISLATOR ABRAHAMS: Can you break these out separately?

CHAIRWOMAN GONSALVES: I certainly will.

LEGISLATOR ABRAHAMS: Thank you.

CHAIRWOMAN GONSALVES: E-154. All those in favor of E-154 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

That's unanimous.

The next one is E-161. All those in favor of E-161 signify by saying aye.

(Aye.)

Any opposed?

(Nay.)

Okay. So the item passes four to three.

And E-162. All those in favor of E-162 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

Our next item is E-155, a personal services agreement between the County of Nassau, acting on behalf of the Nassau County Police Department, and Med3000, Inc.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRWOMAN GONSALVES: Moved by  
Legislator Dunne, seconded by Legislator

Nicolello.

SERGEANT STEPHANOFF: Good afternoon.  
Sergeant Greg Stephanoff from the police again.

Med3000 is a medical collection agency that we use to collect for our ambulance transports. This is an amendment to the contract to clarify the payment terms.

For Medicaid payments we pay \$7.50 per bill that they bill on our behalf. Other bills that they do on our behalf is a 6.75 percent that they get back on the money that's collected. On the Medicaid it's a fixed fee, per Medicaid guidelines. This is just to clarify the payment terms on the contract.

CHAIRWOMAN GONSALVES: Any questions of the Sergeant?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of E-155 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

We can block four of these agreements.

And we have, beginning with E-156, E-157, E-158, and E-159.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR KOPEL: Second.

CHAIRWOMAN GONSALVES: Moved by  
Legislator Dunne, seconded by Legislator Kopel.

The first item is E-156, a personal services agreement between the County of Nassau, acting on behalf of the Department of Public Works Division of Real Estate Services, and John S. Goess Realty Appraisal, Inc.

E-157, a personal services agreement between the County of Nassau, acting on behalf of the Department of Public Works Division of Real Estate Services and Wilson Appraisal Services, Inc.

E-158, personal services agreement between the County of Nassau, acting on behalf of the Department of Public Works Division of Real

Estate Services, and Smith Valuation Services, Inc. d/b/a Standard Valuation Services.

E-159, a personal services agreement between the County of Nassau, acting on behalf of the Department of Public Works Division of Real Estate Services, and Michael Haberman Associates, Inc.

Motion, please?

LEGISLATOR KOPEL: So moved.

LEGISLATOR DUNNE: Second.

CHAIRWOMAN GONSALVES: Moved by Legislator Kopel, seconded by Legislator Dunne.

Who do we have here?

MR. WALSH: Yes. Good afternoon. This is Kevin Walsh from the county attorney's office.

These are four contracts for on-call appraisal services. All four of these are not to exceed \$30,000 per year, two year contracts with one year renewal options.

These four companies were selected through an RFP process, and three of the four companies have provided these services for the county in the past.

CHAIRWOMAN GONSALVES: Any questions  
from the legislators?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of  
E-156, E-157, E-158, E-159 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

Those items pass unanimously.

MR. WALSH: Thank you.

CHAIRWOMAN GONSALVES: Thank you.

The next one is E-160, a personal  
services agreement between the County of Nassau,  
acting on behalf of the Nassau County Department  
of Public Works, and A. Vournou Construction  
Management Group.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRWOMAN GONSALVES: Moved by  
Legislator Dunne, seconded by Legislator

Nicolello.

Mr. Arnold.

MR. ARNOLD: Ken Arnold, Public Works.

E-160 is a construction management agreement with A. Vournou for the phase two construction related to the building of the Hempstead garage.

CHAIRWOMAN GONSALVES: Any questions of Mr. Arnold on this item?

LEGISLATOR ABRAHAMS: Yes. May I ask a question?

CHAIRWOMAN GONSALVES: Minority Leader Abrahams.

LEGISLATOR ABRAHAMS: Thank you.

Mr. Arnold, this is a capital project that's been funded with the previous capital plan, correct?

MR. ARNOLD: The construction management is funded with the previous capital plan. I'd have to double check with whether the bond ordinance is in the pending plan or not for the construction or not.

LEGISLATOR ABRAHAMS: Okay. Thank you.

CHAIRWOMAN GONSALVES: Any public comment on this item?

(No verbal response.)

There being none; all those in favor of E-160 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

Moving along. The next item is E-163, a personal services agreement between the County of Nassau, acting on behalf of the County Department of Information Technology, and Specibid Holdings, Inc.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR KOPEL: Second.

CHAIRWOMAN GONSALVES: Moved by Legislator Dunne, seconded by Legislator Kopel.

Mr. May.

MR. MAY: We have Mr. Michael Schlenoff from Purchasing Department.

MR. SCHLENOFF: This is a contract to

develop the shared service website to enable the county and other government agencies to procure commodities through strategic services and generating savings for all.

The shared services concept has been implemented since 2010 as a way to reduce costs for political subdivisions in Nassau County. The first phase was our joining with Nassau BOCES and the Nassau/Suffolk School Board Association to implement the 21st Century Grant Project. The second phase was the establishment of the Long Island Purchasing Counsel. We are now ready to move to the next phase, the establishment of a cloud based website procurement system with real time bidding and blanket contracts available for viewing on the website.

To implement this phase we prepared an RFP, which was viewed by 34 potential vendors. Two companies responded and their proposals were reviewed by the evaluation committee, consisting of Frank Intagliatta, Ed Eisenstein, Donna Neiland (phonetic), Bob Koprowski (phonetic), and myself. The end result was a best and final

offer from the two respondents, with Specbid being awarded the contract.

The initial estimate for the project was an implementation cost between 448 and \$485,000. Specbid's best and final offer was \$265,000, while KPMG, who was the other respondent, final offer was \$705,000.

We are now coming to you for approval of this contract to implement the project.

CHAIRWOMAN GONSALVES: Any questions from the legislators regarding this item?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of E-163 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

MR. SCHLENOFF: Thank you.

CHAIRWOMAN GONSALVES: Legislator Jacobs.

LEGISLATOR JACOBS: I just wanted to explain something.

I voted yes and my vote is fine on Clerk Item 161. I voted yes on the basis that we were told that there is a potential of conflict. That's a little different than the one we did where there was a conflict. So, I'm going to let my vote stand, but I think we should be careful of that with the county attorney's office. Anything could be a potential. A potential could come to fruition when you least expect it. I don't know if that's a basis for going to outside. That's all.

Thank you.

CHAIRWOMAN GONSALVES: I'm going to block several items and they all have to do -- they are personal services agreements between the County, on behalf of the Nassau County Department of Public Works.

E-164, E-165, E-166, E-167, E-168, E-169, E-170, and E-171.

E-164 is a personal services agreement between the County of Nassau, acting on behalf of

the Nassau County Department of Public Works, and Lockwood Kessler & Bartlett, Inc.

E-165 is a personal services agreement between the County of Nassau, acting on behalf of the Nassau County Department of Public Works, and Cameron Engineering & Associates, LLP.

E-166, a personal services agreement between the County of Nassau, acting on behalf of the Nassau County Department of Public Works, and D&B Engineers and Architects.

E-167 is a personal services agreement between the County of Nassau, acting on behalf of the Nassau County Department of Public Works, and Arcadis of New York, Inc.

E-168, a personal services agreement between the County of Nassau, acting on behalf of the Nassau County Department of Public Works, and HAKS.

E-169, a personal services agreement between the County of Nassau, acting on behalf of the Nassau County Department of Public Works, and Gannett Fleming Engineers, P.C.

E-170, a personal services agreement

between the County of Nassau, acting on behalf of the Nassau County Department of Public Works, and Hazen & Sawyer, P.C.

E-171, a personal services agreement between the County of Nassau, acting on behalf of the Nassau County Department of Public Works, and LIRO Engineers, Inc.

I believe E-167 is Arcadis of New York. I don't know if I said that before, but I'm saying it now. E-167 is a personal services agreement between the County of Nassau, acting on behalf of the Nassau County Department of Public Works, and Arcadis of New York, Inc.

LEGISLATOR DUNNE: So moved.

LEGISLATOR KOPEL: Second.

CHAIRWOMAN GONSALVES: Moved by Legislator Dunne, seconded by Legislator Kopel.

Who is going to speak on all of these items? Mr. Arnold.

MR. ARNOLD: Ken Arnold, Public Works.

These contracts are on-call construction management contracts associated with our environmental work, which includes sewage

treatment plants, pump station, and drainage projects. They are for two years with a cap of \$600,000.

CHAIRWOMAN GONSALVES: Any questions of Mr. Arnold on any of these items? Legislator Jacobs.

LEGISLATOR JACOBS: Mr. Arnold, just a general question.

When we have caps, is there anyone that monitors when we are getting close to the cap?

MR. ARNOLD: Yes. My office does. So does the comptroller's office.

LEGISLATOR JACOBS: I feel badly because I don't have it in front of me. There was one situation, I guess maybe with all the tree services that were going on, where the cap was, let's say \$290,000, and it ended up being like in the 600,000 category.

MR. ARNOLD: Just to clarify, I'm speaking on behalf of the on-call contract.

LEGISLATOR JACOBS: I know. But that was an on-call also for a tree service. It ended up going hundreds of thousands over. I'm just

wondering. I'm not saying I'm going to vote against any of these. And I appreciate a cap has been put on them. I'd like to have some reassurance that we're going to be watching carefully.

MR. ARNOLD: These are hard caps. We can't go over these caps. The language in the agreement, they won't pass muster through various approval agencies. So these contracts with hard caps, we cannot go over without coming back to you for an amendment.

LEGISLATOR JACOBS: But not to be -- I don't want to be argumentative. I just want to ask you something. The hard cap means that if they go over and if it goes to the comptroller, what would make the controller not grant it, because it's a hard cap?

MR. ARNOLD: Yes. They will not let us add money to a contract when the contract cap is --

LEGISLATOR JACOBS: But if the work was done already does that put them in a weird position?

MR. ARNOLD: We'd have to come back to you for an amendment. They would not allow us to put in the money until we come back for an amendment.

LEGISLATOR JACOBS: So there's such a thing as a soft cap on certain contracts?

MR. ARNOLD: I'm not sure how purchase caps are set up.

LEGISLATOR JACOBS: It wasn't purchase. It was a work order. I don't want to get into it specifically because I don't want to mention a name that I may be wrong. But a tree service company went like hundreds of thousands over supposedly the cap -- look. I know. I have trees that are still not gone from Sandy. I know that you guys are under the gun with this. But I'm just wondering if someone is monitoring this mathematically as we're going forward.

MR. ARNOLD: I would not know that. I don't run the tree contract. I'm not sure how that cap is administered.

LEGISLATOR JACOBS: Okay. Then I'll have to ask somebody. Thank you.

CHAIRWOMAN GONSALVES: Any public comment regarding these items?

(No verbal response.)

There being none; all those in favor of E-164, E-165, E-166, E-167, E-168, E-169, E-170, and E-171 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The items pass unanimously.

The Rules Committee is now in recess.

(Whereupon, the Rules Committee recessed at 1:50 p.m.)

(Whereupon, the Rules Committee reconvened at 1:55 p.m.)

CHAIRWOMAN GONSALVES: The Rules Committee is still sitting. We have myself, Richard Nicoletto, Dennis Dunne, Howard Kopel, Kevan Abrahams, Judy Jacobs and Carrie Solages.

Now we shall begin with the presentation. Who do we have here?

I'm going to call the item in Rules, which is Item 275, an ordinance to adopt the

Nassau County budget for Nassau Community College for the fiscal year commencing September 1, 2014 and ending August 31, 2015, and to appropriate revenues in the total amount of monies to be raised by taxation within the County of Nassau for the purposes of Nassau Community College, for such fiscal year, pursuant to the provisions of the Education Law, the County Law, the General Municipal Law, the County Government Law of Nassau County, and the Nassau County Administrative Code.

I believe I've called it. We need a motion on all of them.

I need a motion in Rules.

LEGISLATOR KOPEL: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRMAN KOPEL: Moved by Legislator Kopel, seconded by Legislator Nicoletto.

Now, again, in the interest of time, I'm asking that we listen to the presentation by the College. This will go to the Full Leg very shortly. It was agreed upon that we will hear the presentation made by Dr. Saunders and his

administration to give us the information that we can dwell upon for the next Full Leg meeting.

Dr. Saunders, it's time. He's got three committees all at once.

DR. SAUNDERS: Good afternoon. I'm not exactly sure what just happened, but I can say that I thank you.

LEGISLATOR GONSALVES: It's a little confusing to I think each and every one of us up here. But I have recessed rules. I have to unecess it so that you can speak. So it's unecessed.

DR. SAUNDERS: Let me just start by saying thank you for making the necessary adjustments to allow me to present my statement at this point.

Presiding Officer Gonsalves, Minority Leader Abrahams and members of the committees, I would like to thank you for providing me with this opportunity to discuss the Nassau Community College budget for fiscal year 2014/2015.

Once again, I believe that the budget for the upcoming year successfully balances the need

to fulfill the College's mission by maintaining the affordable high quality education that we offer to our students while, at the same time, achieving this objective in a fiscally responsible manner.

I thought I would start off my remarks by referencing the latest issue of the College's newsletter, *Nexus*. What has just been distributed to you is a pre-production copy. The actual publication, which has a higher print resolution to it, should be available in a few days. I believe that just perusing some of the headlines will give you a real sense of the breadth and depth of NCC's commitment to its students and to the community, as well as the accomplishments of our students and our dedicated faculty. These headlines include: NCC's Day of Service: Educating the Mind - Benefitting the Community; Thirteen NCC Students Win SUNY Student Chancellor's Awards for Excellence; Putting Words Into Action: NCC Vets Go to Washington and Storm the Hill; The Performing Arts at Nassau Community College: Putting on a Show, and so much more;

NCC Speech & Debate Team: Award Winners at World Championships; NCC's Men's Tennis Team: National Champions; and Professor Lisa Bastiaans Named Distinguished Professor by the State University of New York Board of Trustees.

At a time when the default function in the public debate on so many issues is skepticism and cynicism, Nassau Community College will continue to follow the exhortation of the Chair of the NCC Board of Trustees, Dr. Jorge Gardyn, who, in his remarks at the graduation of over 3,400 students last month, urged the graduates to make the good, better and to make the better, best. With your support over the years, we have been able to accomplish this, even amidst trying times, and, with your continued support, we will successfully persist on into the future.

In particular, I would like to thank you for your support of the College's capital projects that have enabled us to enhance the educational offerings that we can provide to our students as well as to upgrade the safety and quality of campus life for all of the members of

the college community and for those who visit the campus. It is because of this support from the County that we have been able to access an equal amount of state capital funding. These upgrades do not end with the millions of dollars that have been spent in improving our parking facilities. But the reality is that for many students, faculty, staff and visitors, they do, as a practical matter, begin their day at these parking facilities every day. It is very much appreciated.

I know that you know are interested in the budget basics, and here they are.

First, for the sixth consecutive year, the budget does not assume an increase in the property tax allocated to the College. As the county executive and members of the legislature know, several months ago I took soundings as to the receptivity for a tax increase. The message I received back was pretty clear, and this budget reflects that message. Certainly, a case could be made that the current tax burden per household for the College is relatively modest and that an

increase on top of that would not be unreasonable. But I am also aware of the substance of the course, Reality 101, and this budget reflects that reality. Having said that, there is nevertheless, the competing reality that the issue of a tax increase needs to be revisited in the coming years for the College's long-term fiscal sustainability.

Second, the level of spending called for in the upcoming budget is \$216.6 million, which is an increase of 1.3 percent from the current budget as adopted last year. This increase in spending consists largely of increases for health benefits, pension contributions, the contract with the CSEA, and it assumes the approval by this Legislature of the recently negotiated contract with the full-time union, the NCCFT.

Third, the budget calls for an annual tuition increase of \$146 for an annual total of \$4,234. Of course, no one likes a tuition increase. However, to put this issue in context, I have also asked that there be distributed to the members of the committee a listing of the

tuitions and tuition increases in area colleges. As you can see, Nassau Community College has the lowest tuition of any of these institutions, including Suffolk County Community College and the community colleges of the City University of New York.

I would also note that in this budget there are no fee increases or new fees for the students. As such, I believe that this budget allows us to continue to fulfill our mission as affordable, high quality institution of higher education.

Fourth, the budget calls for using approximately \$2.5 million in fund balance. This is a matter of concern because although our remaining fund balance is still almost \$7.9 million, that amount is a relatively small amount for an institution with an operating budget of \$216.6 million. A large part of the reason for the reduction this year is that it will fund the first year of the proposed agreement with NCCFT. At the time the budget was being constructed, we did not know the parameters of the settlement,

and so the decision was made to look to fund balance for that first year. However, it is our intent to fund the subsequent years of that contract out of normal operating revenues.

Before closing, I would like to address two other issues that are likely to be on your minds.

First, there has been a significant amount of attention given to the County Comptroller's recent report on graduation and transfer rates. As you know, I have communicated my concerns to the county executive and the legislature regarding the methodology of this report and the comptroller's conclusions. This is not to say that I disagree with every statement in the comptroller's report. I certainly agree with the portion that states, "NCC Provides an invaluable service to thousands of Nassau County residents, offering an affordable higher education at a time when tuition at private institutions is soaring." But I believe that it is impossible to reconcile his more negative comments about the quality of the

educational experience offered by NCC when you consider the initiatives and the accomplishments of our students and faculty, such as those that I highlighted in the beginning of my remarks when I referenced to the subjects covered in the College's most recent newsletter.

It is not my intent to go over in detail my concerns about the methodology underpinning the comptroller's report. And let me say from the outset that the issues of graduation and transfer rates being below our hopes and expectations is a real one, which we have directed our attention to and brought to the county's attention before the comptroller issued his report. This is an issue that is, in fact, a concern of all community colleges, even those with graduation and transfer rates higher than NCC's. We are exploring the reasons behind the decline, and it will take the commitment of all members of the campus community to diagnose the causes and support meaningful and concrete solutions. I believe that the commitment is there and will be sustained.

I do, however, have to take note that the comptroller's suggestion that the primary causes for the decline in these rates is campus turmoil, does seem to fly in the face of the data in his own report. Suffolk County Community College and Westchester Community College also experienced declines in the graduation and transfer rates, but the comptroller's report does not discuss any campus turmoil that they might have experienced. Also, the comptroller's report sets out a timeline of the campus turmoil that includes the period from 2011 to 2012 when Nassau Community College's graduation and transfer rates actually rebounded by approximately 20 percent. I would also note that, according to the comptroller's report, Suffolk and Westchester did not experience a similar rebound during that same period. So, I stand by earlier statements that the comptroller's linking any decline in Nassau Community College's graduation and transfer rates at NCC to campus turmoil is overstated and unsubstantiated. Nevertheless, let me reiterate, work to improve the graduation and transfer rates

does need to be done, and members of the campus community are prepared to roll up their collective sleeves to do it.

Second, I also want to report on an item that was mentioned by the comptroller last year dealing with the accounts receivable at NCC.

These are monies owed to the College, including from unpaid tuition from students. At the time, the comptroller reported that from 2007 to 2011, Nassau Community College had \$14.2 million in account receivables. Last year, we pointed out that the number had been reduced by approximately \$4 million from the time period the comptroller reviewed to July of 2013. That reduction in the accounts receivable can be attributed to the steps that had been instituted by the College during the subsequent time period of the comptroller's report. These steps, including not allowing a student to register if he or she has bills in arrears and the increased use of collection agencies as a matter of last resort continue to bear fruit. As a result, the current level of the accounts receivable for the

time period included in the comptroller's audit is \$9.7 million. We anticipate making further progress in dealing with the accounts receivable. Currently, we are collecting 95 percent of the overall receivables owed to us at the beginning of each semester. Again, we are committed to exploring ways to make additional progress in this area, and we are confident based on the experience of our current efforts that we will.

In conclusion, I would like to thank the members of this committee and of the legislature as a whole for your continued support of Nassau Community College. Yes, challenges remain ahead of us which will require ingenuity and persistence to overcome. But I believe that the College is up to the task for the benefit of our students, their aspirations, and the communities in which they live.

Thank you very much.

LEGISLATOR JACOBS: I hope I'm on it. I'm a little confused as to which we're committee we're doing.

Let me just say this to you. I'm one of

these people that believes in and has always backed and obviously has been a great friend to Nassau Community College, just as Nassau Community College, in my mind, has been a great friend, a tremendous help, and a terrific backbone for so many students in our communities, in the county, throughout the county, throughout all communities that really desperately need a two year point where they could get their finances together to perhaps to then be able to go to the next step. I have never diminished that in my mind. I have always appreciated that.

And I want to take my hat off to you because we all know that the state had put a cap of two percent for all school districts. Most stayed within that two percent cap. A few even were able to get their budget passed the second time around, going above the cap. But you were very wise, I believe, in the College because you knew this county has held their tax increases to zero for quite a few years now. You didn't even go with fee increases to make up that difference. And as much as I know how difficult -- I have

nine grandchildren, three of them are in college, so I know what my children are going through with that. But I have to tell you that my hat goes off to you that you are the lowest in the display that you gave us of all the tuitions throughout the state.

I've always felt it was a jewel in our crown to have you. I always felt that in terms of being a bargain, this is a bargain. I read Mr. Maragos's report and I have to tell you that I don't think in any way, shape, or form he convinced me that the quality of education has diminished. He said it. I can say anything. I can say it's raining outside and see sun and then I have to prove it to you that it's really raining. I don't see where the education, the quality of education has diminished. So I really find fault in the report with that. I'm sure Mr. Maragos felt it was a very good report.

The reality is that you've got a great school, that you help to give people a choice when people are falling on hard times. Who knows if maybe the graduation rate has diminished

because certain points of the economy have improved and maybe a lot of young people are able to leave community college and go on before they graduate from college. So I wouldn't want to attach any validity to just statements made in the air.

I go with the fact that you've been a big plus for us. You've always been available. It's not like -- unfortunately it's an increase in tuition; that I feel for the students very much. Obviously, throughout the country that is going on. You've stayed below levels of other colleges that are comparable and yet giving excellent education.

I wish you my best in your going forward and continuing your excellence. I hope the graduation rate increases. If the fact for the decrease isn't that students have left to go on to four year schools sooner than their graduation date. That will only take time, like you said, to process, to review, and to see if there is a problem, where it might exist.

In my estimation, and I was a teacher,

and I am an educator. The worse thing that I could ever hear from someone is that they cannot afford to go to college. In this day and age, unfortunately, just like in prior -- many prior years ago, high school was the pivotal point to get through high school. You not only need your bachelor's, in many cases you need your master's to even go on to teach and to do anything that you really have your mindset.

I applaud you. I appreciate it. I like the fact that you kept tight with your budget in recognition of reality, like you said. And congratulations.

DR. SAUNDERS: Thank you very much.

LEGISLATOR JACOBS: You're welcome.

CHAIRMAN KOPEL: Legislator Ford.

LEGISLATOR FORD: I'm over here,  
President Saunders.

I concur with Legislator Jacobs. I think Nassau Community College is an absolutely jewel, especially here in Nassau County.

One of my sons had the pleasure of going there. Of course he stayed for four years

because he needed to get his credits. It was a great education for him without incurring a lot of the cost. My other son went to a private college and that was just a mere \$47,000 a year as compared to the tuition that my Harry paid.

For me, I think they do get a good education. It's a great institution. And I think it helps. A lot of times, like Judy was saying, now a days it's not just a high school diploma that will get you into a lot of the jobs. Even with Civil Service, you need some college credits. For so many students, for many young people who know that they don't want to enter into professions such as a doctor, a teacher, a lawyer, for them to be able to accrue those credits that they need for some jobs, for some positions out there, it's a great way of getting them without incurring a great cost. And I know a lot of students also use Nassau Community College as a way of getting basically what we used to refer to as liberal arts credits under their belt so that they can then afford to go away to a four year college. So I commend you.

And I also like your approach, that rather than looking at the decline in the graduation rate as just fluffing it off, you want to see what was the reason for it. And to try to do whatever you can to find the cause and to change the course with the graduation rates, and I think that you are going to find that answer.

For me, I know sitting out the audience, going out there to Nassau Community College, the parking, the parking was a big concern for me. I had many of my residents call up about it. And I have to commend you. The College did respond and took the necessary action to give better parking, better lighting, and a better parking environment for the students. And I thank you very much for everything.

DR. SAUNDERS: Thank you very much.

CHAIRMAN KOPEL: Any public comment?

(No verbal response.)

Legislator Denenberg.

LEGISLATOR DENENBERG: Let's talk about the tuition increase. I'm sure you're proposing this and you think it's a fair increase. But

given some of the negative publicity that's come out recently, you don't think that enrollment is going to be effected by the increase because comparatively our increase is less than in other areas?

DR. SAUNDERS: I think that by virtue of the fact that our increase is less than other areas, it will increase the consideration for students coming to Nassau in contrast to other institutions.

LEGISLATOR DENENBERG: Okay. I would think if Suffolk's going up 250 and we're only going up 150 that that is a consideration. What about New York City?

DR. SAUNDERS: We're lower than the CUNY community colleges as well.

LEGISLATOR DENENBERG: How much is CUNY going up?

DR. SAUNDERS: I have a sheet that I distributed that shows the breakdown of all of the increases of the institutions.

LEGISLATOR DENENBERG: I see CUNY is 7.1. Nassau is 3.6.

DR. SAUNDERS: 3.6

LEGISLATOR DENENBERG: Westchester is 1.9 but still higher, right?

LEGISLATOR JACOBS: Yes.

LEGISLATOR DENENBERG: So what's your plan to address the issue with graduation and some of the negative publicity that was, in fact, I think even today put in *Newsday*.

DR. SAUNDERS: We have a rather comprehensive plan. The first that we're doing is that we are just exploring to identify what the exact problems are. We have made presentations to both the democratic and republican caucus on Nassau Community College by the numbers, which has identified what we see as some of the initial concerns that we should focus our attention on, in terms of drilling down and getting additional information to positively impact what's happening to our students. We will continue that process. We will continue to look at the numbers to make sure that the numbers are accurate and to utilize all of the resources that we have available to us.

A component in our most recent contract from the NCCFT is the creation of a retention committee by the full time faculty to look at multiple strategies that can be employed by academic areas to impact our students more positively in terms of their experience every day in the classroom and helping them to address those deficiencies that they have in a way that will result in a higher level of success.

LEGISLATOR ABRAHAMS: I'm sorry. Dr. Saunders --

DR. SAUNDERS: Yes.

LEGISLATOR ABRAHAMS: Thank you for taking the time, for being here today. And we look forward to asking our more in-depth questions in two weeks, as we agreed to with the majority. But thank you.

DR. SAUNDERS: You're very welcome. Thank you very much.

CHAIRWOMAN GONSALVES: Now we're back to Rules.

The item, 275. All those in favor of Item 275 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously and will move on to the Full Leg, and at that time, Dr. Saunders, I will give you my statement because of firsthand experience at Nassau Community.

I am putting Rules in recess. Rules is now in recess.

(Whereupon, the Rules Committee recessed at 2:21 p.m.)

(Whereupon, the Rules Committee reconvened at 4:58 p.m.)

CHAIRWOMAN GONSALVES: Rules is now back in session. Before we begin, resume the items on the consent calendar, I would like a motion to suspend the rules for the addendum.

LEGISLATOR DUNNE: So moved.

LEGISLATOR KOPEL: Second.

CHAIRWOMAN GONSALVES: Moved by Legislator Dunne, seconded by Legislator Kopel.

All those in favor of suspending the rules signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The rules are now suspended.

Now let's go to the consent calendar.

There are a number of items. I will say this to you, Frank. The items that were called in other committees, the testimony from those committees be incorporated into the Rules Committee. Thank you.

We begin with Items 239, 240, 241, 242, 243, 244, 246, 248, 250, 260, 261, 262, 263, 264, 265, 268, 269, 270, 271, 272, 273, 274, 277, and 282. I believe that's it. I said 279 and 282. And the addendum items, which are 283, 284, 285, 286, 287, 288, 289, 290.

(Whereupon, the following are the minutes of the June 30, 2014 Planning, Development and Environment Committee pertaining to Clerk Items 239-14 and 283-14.)

The one item is Clerk Item Number 239-14, this is a proposed local law to amend Nassau County Administrative Code in relation to the

composition and jurisdiction of the Nassau County Water Resources Board.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRMAN VENDITTO: Moved by Legislator Dunne, seconded by Legislator Nicoletto.

This item is before us.

Before we proceed to the administration, a statement, just to give us a little context on the item here.

The item before us would serve to amend the Nassau County Administrative Code to repurpose the Nassau County Water Resources Board. The goal of the legislation is to create an agency within Nassau County that will monitor potential threats to Nassau County's precious groundwater resources.

The creation of this board is in direct response to a proposal by New York City to reopen over 50 groundwater supply wells along the Nassau/Queens border and pump as much as 33 million gallons per day from Long Island's

aquifer system. The impacts of this proposed pumping are at this time unknown, and issues as to what this pumping will do to the quantity and quality of Nassau County's existing groundwater resources must be addressed.

We are also interested in what this pumping might do to our existing water table and how it will impact salt water intrusion and existing plums of contaminants throughout the county.

The board will consist of five to nine members, each with experience and qualifications concerning the public water supply or related fields, appointed by the county executive, and confirmed by this legislature. Five of the members will be appointed upon the recommendation of the presiding officer, minority leader, commissioner of public works, commissioner of health, and the county attorney, respectively.

This proposal also allows the county to appropriate resources and employ personnel on behalf of the board so it can effectively accomplish its mission and it requires the board

to appoint to the county executive and legislature the nature of its findings and recommendations.

With regard to the New York City plan to reactivate groundwater wells, this board shall oversee all environmental reviews conducted by the City to ensure that all appropriate consideration be given to the environmental impacts and how they will affect Nassau County.

Mr. May, we have, I believe, County Attorney Houdek with us.

MR. MAY: Jane Houdek from the Department of Public Works with us.

CLERK MULLER: And Legislator Jacobs is here.

CHAIRMAN VENDITTO: Thank you. Good afternoon, Ms. Houdek.

MS. HOUDEK: Good afternoon. Jane Houdek, Department of Public Works. I think you did a fine job summarizing the legislation, so --

CHAIRMAN VENDITTO: I appreciate that.

MS. HOUDEK: I don't know what you'd like me to add in.

CHAIRMAN VENDITTO: In that case, why don't we go to questions from the committee members, if there are any. Legislator Denenberg.

LEGISLATOR DENENBERG: Hi, Ms. Houdek. Currently this committee exists or it doesn't?

MS. HOUDEK: Right now in the Administrative Code it does provide for a water resources board. In its prior constitution, that board was primarily concerned with making sure that they could identify supplemental water supplies and respond to a report some years ago by the engineering firm of Breely & Hanson (phonetic) regarding supplemental water supplies. The new -- we have more up-to-date concerns, as you heard Legislator Venditto summarize.

LEGISLATOR DENENBERG: Well, the more up-to-date concern of New York City possibly drawing on the aquifers and what results that might have on the water tables, the water level, our aquifers here in Nassau County should be a big concern. But being that we have a committee right now, when was the last time it met?

MS. HOUDEK: The legislation, as it

exists, doesn't specify when the board is required to meet. I'm not a member of the board, nor do I serve in any sort of ex officio capacity, so I'm not familiar with the prior meetings of the board.

LEGISLATOR DENENBERG: And the legislation being proposed says this reestablished committee will meet when?

MS. HOUDEK: The legislation that's being proposed gives the board great latitude about when it's going to meet, but it does have reporting requirements. So I'm sure that the women and men of science and law who will be appointed to this board will meet in a timely fashion, so as to determine what they need to do in order to fulfill their mandates.

LEGISLATOR DENENBERG: Where does it say that it will be men and women of science and law in this legislation?

MS. HOUDEK: Certainly, if you look at the law it says the members shall be citizens possessing outstanding qualifications in various disciplines associated with public water supply

and related fields. So I certainly would consider men and women of science and law and other related fields that would be possessing those qualities.

LEGISLATOR DENENBERG: And that's the qualifications to be on this board, men and women of science and?

MS. HOUDEK: No. That was my -- you said to me --

LEGISLATOR DENENBERG: What does it actually say?

MS. HOUDEK: It says the members shall be citizens possessing outstanding qualifications in various disciplines associated with the public water supply and related fields. And then it identifies the activities that they are to do.

CHAIRMAN VENDITTO: And the good thing here, if I may interject, is that the legislation --

LEGISLATOR DENENBERG: I'm sorry.

CHAIRMAN VENDITTO: The legislation, itself, just to clarify the record, gives this body the direct opportunity to vet any candidates

for the board. So we are the ones who will ultimately decide what the --

LEGISLATOR DENENBERG: I think to avoid --

CHAIRMAN VENDITTO: We are the ones, excuse me, who will properly and finally decide what the qualifications are for the board members.

LEGISLATOR DENENBERG: That's great. I think that the legislation should actually put down qualifications and should make the people experts when it comes to water resources and water resource protection so that it wouldn't be subject to a majority appointment, which I believe it's five members appointed by the legislature, which could easily just be political appointees. I don't see any expertise really being required say for that broad scope.

Are we providing any funding for any studies or any requirements that any actual technological studies be performed?

CHAIRMAN VENDITTO: One of the things --

LEGISLATOR DENENBERG: I'm asking Ms.

Houdek. I'm sorry.

CHAIRMAN VENDITTO: One of the things that you need to do before you start considering governing by sound bite is take a look at the legislation itself. The point that was attempted to be made here, in the membership of the section legislation directly talks about the attributes that we're requiring of our members.

LEGISLATOR DENENBERG: It's going to be a majority vote without any set expertise, without any funding, without any teeth, without any concrete reporting requirements, and I'm asking what's the concrete reporting requirements, what's the actual expertise, in terms of degrees, in terms of years in the field, and are we providing any funding for studies at all? We're trying to compete here with a New York City plan that's been years in the making, that has data, that has studies, that has actual people that are experts in the field from the New York City Department of Environmental Protection who have studied water, and I want us to be at least on a close to level playing field. I just

don't see it.

Jane -- I'm sorry -- Ms. Houdek, what expertise in terms of degrees are required from these members, aside from a majority vote of the legislature?

MS. HOUDEK: If you look at the legislation as it exists, in Section 21A, little i, it says that they shall be citizens possessing outstanding qualifications in various disciplines associated with public water supply and related fields.

LEGISLATOR DENENBERG: I'm sorry. I don't understand what degree that is.

MS. HOUDEK: When the people are presented you'd want a balanced board. You're not going to prejudge until you get the candidates and then you will determine, as you go, who possesses those qualifications so as to balance the board.

LEGISLATOR DENENBERG: Sounds like ten votes from the legislature will decide whether someone's expertise is actually there, as opposed to concrete degrees in the science, in the water

resource field, or in the water protection field, or the environmental field. I would at least like to see someone who has an engineering degree or an environmental degree and several years of experience when it comes to water resource protection, or working for an environmental protection agency or in the environmental field.

MS. HOUDEK: So when the people come before you --

LEGISLATOR DENENBERG: We're going up against the New York City Department of Environmental Protection that's going to say drawing water from the wells along what used to be that Jamaica corridor isn't going to affect the water table at all. And, by the way, for the last four years we're going to have absolutely no studies in Nassau County because we didn't follow through on the USGS contract. And as an aside, quick question. Have we signed that USGS contract yet? Because I'm told we still haven't signed it, even though the legislature approved it.

MS. HOUDEK: I'm here to talk about this

item, Legislator.

LEGISLATOR DENENBERG: Well, for the record, before this goes to Full I'd like to know whether the administration has executed the USGS contract that would start studying the water table and would start studying or return to studying what the water levels in our aquifers were, as well as contaminants in our water aquifers, which contract I believe the legislature approved about two months ago now.

I would move to table this item until we know whether we've even entered into the USGS contract so that we even have data for any experts in Nassau County to try to compete with what our real experts in New York City.

There's a motion from Legislator Solages, and I second it.

CHAIRMAN VENDITTO: We need a vote on the motion. We have a motion to table. All in favor?

(Aye.)

All opposed?

(Nay.)

The motion fails.

And I think the clerk has some relevant information as to one of the last questions that was raised by Legislator Denenberg.

CLERK MULLER: That contract has been certified and sent to the comptroller's office.

LEGISLATOR DENENBERG: When was that?

CLERK MULLER: It was -- I believe it was done yesterday.

LEGISLATOR DENENBERG: Yesterday? On a Sunday?

CLERK MULLER: No. I'm sorry. The last --

LEGISLATOR DENENBERG: No. No. You said yesterday.

CLERK MULLER: Okay. I'm sorry for the sound bite from me then. I misspoke. I apologize.

LEGISLATOR DENENBERG: You guys are --

CLERK MULLER: The sound bite from me then would be that my staff and I certified the contract last week and it was sent to the comptroller's today.

LEGISLATOR DENENBERG: Okay. I think that's unfortunate being that the legislature approved that USGS contract six weeks ago, over a month ago.

I agree with the majority that something needs to be done and a committee that has failed to meet for however much time needs to be meeting and reconstituted. But we saw that a panel that had no required expertise, in terms of concrete items such as degrees, year and particular field. I'd love that Ms. Houdek repeat that generic phrase again. And that shows that anyone who gets ten votes up here can be said to have that kind of expertise. That's not a -- let me finish. That's not a degree. That's not required studies. That's not required reporting to this body. And if we're not going to provide funding to actually conduct the studies -- and I would recommend Legislator Jacobs, myself, and I believe it was Legislator Bosworth has, for years, stated that the soil and water conservation district, which was funded for over 25 years to conduct these kind of studies and had

been conducting those studies, hasn't been funded since 2011. That alone could be providing funding that would really provide accurate data, accurate results, accurate conclusions, and accurate recommendations with respect to aquifer protection, recharge issues, and to at least have Nassau conduct real objective studies in response to New York City plans on drawing our aquifers. As an engineer I would like to see real data and real opinions that are based on data. Here, I'm going to be passing legislation without any reporting requirement, without any real expertise requirement. The only thing I know is five members are going to be appointed, subject to ten votes of this body which, dare I say, could end up being just political appointments for people to build up their resume. That doesn't protect our aquifer. That doesn't protect our water supply. Is there some degree requirement?

CHAIRMAN VENDITTO: I've got to tell you, quite an unfair presumption, I think, to say that --

LEGISLATOR DENENBERG: There was a

question. Is there some degree requirement?

CHAIRMAN VENDITTO: It was a question after I started making a comment.

LEGISLATOR DENENBERG: No. I said it before --

CHAIRMAN VENDITTO: I want to make a quick comment. It's an unfair presumption to say that people are just going to vote right along the party lines.

LEGISLATOR DENENBERG: Oh, that never happens here. You're right.

CHAIRMAN VENDITTO: We're voting -- it never happened for the ten years that the minority did have control right? Or however long it was.

We vote, I would hope each of us as legislators, in the way that we think our residents would want us to vote. It's a very recent precedent, actually, for a legislator voting against his party in the name of doing what's right for his residents. So that's a very unfair presumption. And I've got to tell you --

LEGISLATOR DENENBERG: You should have

been here in committee to stop that vote.  
Instead, you went out campaigning.

CHAIRMAN VENDITTO: I've got to tell you something. Something has to be done about this situation. If we sit in on our hands and let New York City come into our county and start dictating what happens with the water supply, then we really are lost.

Now I'll let you proceed with the question, Legislator.

LEGISLATOR DENENBERG: It's a panel without any expertise, without any funding, without any requirement to actually conduct real reports with real data that are meaningful is not going to do it.

Again, Ms. Houdek, I ask is there any degree requirements of these members, appointments, I should say?

MS. HOUDEK: The legislation describes what the qualifications that the people must have that creates a floor not a ceiling. Certainly, when the individuals are presented to you, you may vet them as to their degrees, as you have

done in the past for other board appointees.

LEGISLATOR DENENBERG: How much funding is provided for studies?

MS. HOUDEK: You're presuming what the work is going to be. Once the board constitutes itself, they'll decide, determine what needs to be done. Then, of course, whatever funding needs to be sought, it will be sought.

LEGISLATOR DENENBERG: Is there a timeline for that?

MS. HOUDEK: There is certain required reporting, as you can see in items six and seven of the legislation. Of course these people will want to do it timely.

LEGISLATOR DENENBERG: What's the timeline? I'm sorry.

MS. HOUDEK: Items six and seven. There's an annual report due in April of each year --

LEGISLATOR DENENBERG: So we're going to wait until April 2015.

MS. HOUDEK: There's certainly not a requirement that anybody wait that long. And in

item six it says they will report to the county executive and the county legislature. So if someone determines that a report is needed more timely, they certainly have the perogarative to do so.

LEGISLATOR DENENBERG: I, for one, don't think we're protecting Nassau County interests by having an April 2015 requirement for a report that has no real requirement, just a report.

MS. HOUDEK: They're certainly not limited to reporting on April 15. It's clear that they can report before then --

LEGISLATOR DENENBERG: Report what?

MS. HOUDEK: if they are so requested to report.

LEGISLATOR DENENBERG: What does the report -- what's the requirement requirement? What does the report have to be?

MS. HOUDEK: In item six it says they are to report to the county executive and the county legislature. If you require a report, I am sure that the board will give you a report.

LEGISLATOR DENENBERG: So there's no

specific reporting requirement.

MS. HOUDEK: You're an engineer. If you want to know something, I'm sure you know how to ask the question.

LEGISLATOR DENENBERG: Oh, really? Oh, really? Of course I know how to ask a question. Are you telling me this board would be appointed, and if Legislator Denenberg asks a question, with everyone yelling at me and saying don't do that, that's what they're going to do? Are you kidding? I could ask the county attorney for a report and then -- I'm still waiting for those reports from the county attorney's office. I can name seven right now I'm still waiting for. Exactly what expertise is required so we can take it out of politics, provide real funding, as existed for the soil and water conservation district, which was money that was taken away that's still there. There's grant money to be had.

New York City DEP has 18 million, \$18 million worth of grants that come from both the federal government, the state -- I'm not even

talking about the City of New York -- in order to do studies on aquifer protection alone, not even getting into their water issues. Because they have real studies, real plans, and real requirements to do it.

We used to get the soil and water conservation district money as a grant from the state. We don't even have that district. There's no one there. So now we form or reform a committee with no objective expertise required, just subjective, subject to ten votes here, no funding. And you just said any legislator can ask them to do any study that we want. Do you really think that's going to happen and that will be effective?

MS. HOUDEK: I certainly didn't say that.

LEGISLATOR DENENBERG: Sounded like you did.

MS. HOUDEK: Please don't paraphrase what I say.

LEGISLATOR DENENBERG: Okay. So you didn't say I'm an engineer, I should ask what I

want them to study; when I just heard that, I didn't really hear that.

MS. HOUDEK: I said you're an engineer, you certainly can ask them to make a study of something that would be appropriate.

LEGISLATOR DENENBERG: You think I unfairly paraphrased you. Okay. I got that.

I really do think that this legislation, there's nothing wrong with the idea that we need to study and to know exactly what the New York City plan will do to Nassau County. It's not just the New York City plan, it could be anyone's plan. I'm looking at two legislators, Denise Ford and Judy Jacobs who, along with Judi Bosworth and myself, have looked at issues on the Lloyd Aquifer as well as the Magathy Aquifer type issues.

If we want something that's going to give us real data and real opinions, we have to require real expertise, we have to require real timelines for reporting requirements, and we have to provide adequate funding for studies. The end result would be exactly what this committee has

become, something that never meets, never reports back, and is of no resource to us.

CHAIRMAN VENDITTO: Again, it's just so important to do your homework when we discuss this legislation.

I'm going to make the point again because I just don't know if it's being realized around the table.

This legislation, a key component of it, is that it gives us, the legislature, the legislators, every one of us the right to allocate funds, the right to appoint the people on the board. Everything comes back to us. At the end of the day we will have the power to make the decisions. It's a very important component.

Any other questions? Okay. I think Legislator Nicoletto wants to jump in.

LEGISLATOR NICOLELLO: Just a couple of points. This is obviously is an appointed board.

I don't know if you want to put specific degrees or require specific degrees and everyone on the board has to have a Ph.D. or something like that. I don't really think that necessarily

will create a board that's going to be functional, that's going to provide the purposes that we want. Certainly, they can call upon people that have that type of degree, that type of expertise. I think you're rather lucky for people with the requisite background in the area but not necessarily require that somebody have a PhD. I think that's too specific. I think it's better to put the floor in, which is what this legislation does.

It's important that we move forward with this. No one expects this to be the only tool, the only option of the county in response to what New York City plans to do, in terms of opening those wells. But it is certainly going to be one of them. No one expects this to be every bit of what the county is going to do.

The other point to keep in mind is ultimately we are the elected officials. The county executive is the elected official. Whatever actions take place or don't take place, ultimately we are held accountable. Whether or not this appointed board meets our full

expectations, ultimately our response is going to be what's measured.

I think the county is going to do what it has to do to protect its residents. But ultimately the State of New York is probably going to be the entity that determines whether the City can go forward. Unfortunately for our perspective, we have a governor and an assembly which are more geared toward the City. I think we should do everything we can to lobby those forms of government to protect Nassau, to protect the aquifer, to protect our water supply because ultimately they are going to make the decision as to whether the City can go ahead with this.

Again, this is an appointed board, and it's one part in a process by which Nassau's going to try to protect its own interests. So let's not make too much of the fact. We're moving forward on one item today.

CHAIRMAN VENDITTO: Thank you.  
Legislator Jacobs.

LEGISLATOR JACOBS: Yes. I have to bring you back a little ways, as far as somebody

that was left out of the list that was just discussed, as far as who was involved, and that's Legislator Ford and myself. This goes back how many years ago? Maybe seven. Seven or eight years ago. It's felt like 20. But I want to say one thing.

In the audience right now is Sarah Meyland, who is the executive director of anything environmental that matters. She educated Denise Ford and I, it seems like overnight. We're driving out to meet with the state officials in SUNY to stop the Suffolk County Water Authority from encroaching upon the Lloyd Aquifer, which we feel is pure, which we know is pure, and that was a grave concern. This creates red flags for me. What the City wants to do creates red flags for me, for all of us to be aware of.

I don't necessarily agree that people need a certain doctorate in front of their name to be on the committee, but I do agree that it would help this wording of this particular committee being formed if there was certain

criteria and the criteria was not just somebody who happens to like water. I worry about water. I think that's our future that we're leaving for our children. By the way, we were successful in stopping it. And May Neuberger, may she rest in peace, was phenomenal at that hearing with the State. And after she finished talking, nobody could say a word. And they did not encroach upon our Lloyd Aquifer.

There is no one environmentally -- there is no one with the environmental expertise sitting here today, like Sarah Meyland. To be honest with you, very often our underground water is not the upper most in people's minds. I'm not saying you Jane, because I know you a long time. But people forget it may not be the sexiest issue. But when it comes to it, if it's encroached upon and endangers all of us, it becomes a very serious issue.

I really do feel that, let's say none of this are on this legislature five years from now when things are happening that are bad. If we don't set up this board with very careful

deliberation and objectives as to what we're setting it up for, then we leave ourselves open to having a name only. And yeah, someone mentioned before in passing, I heard, what do we do, wait for the state? That's exactly what happened years ago. We had to get the state to take action to stop the Suffolk County Water Authority.

So we should be mindful that if we're voting yes on this today, we should be voting yes as to the people that are going to be serving on it. The right way to set this up would be to have a list of nine experts that we all feel are serious experts and then feel comfortable. Otherwise, I'm a little concerned here.

CHAIRMAN VENDITTO: Thank you.

Legislator Ford.

LEGISLATOR FORD: Good afternoon, Jane. Thank you very much for your presentation on this.

Yes, Judy, it was a long fight that we had. It seemed like it went overnight, but it was many a night filling out questionnaires and

preparing answers and answering questions and so forth. But I have to just say that going back to that. I remember. I was a new legislator and Sarah reached out to me to let me know that there was going to be a problem with the Lloyd Aquifer, that the Suffolk County Water Authority wanted to drill another well, and that was something that was not permitted. For somebody who really didn't have much knowledge of the Lloyd Aquifer, I soon learned about it. But I knew what to do. Of course writing to everybody, to every legislator in Nassau County, every legislator in Suffolk County requesting help with this issue. Thank God Judy was presiding officer at the time so she stepped up to the plate to help me. But then, of course, Suffolk County then found out what I was trying to do and then generated a lot of letters to you. And I was sort of afraid to drive through Suffolk County because I was afraid I'd be stopped for what I was trying -- you know, keep the Suffolk County Water Authority from drilling.

This is something, you know, dealing with

our water supply, it is very fragile. It's very, very important to us. I remember many, many years ago when New York City wanted to infuse water, they wanted to take the water from the aqueducts to infuse it into the Magethy as well as the Lloyd Aquifer, to bolster it so that they could store some of their water in their so that eventually they could take it out. And we were able to stop it then.

But I think when I look at -- I am very, very happy for this proposed legislation. I really think we have to start somewhere. We cannot just, like, sit back. It saddens me to know that we have this committee, that there is somebody who is in charge of it somewhere and it has never met. I don't know how long ago it had been formed. But through many, many administrations it seems that this committee has been there and has done nothing. Even when we were fighting -- we were doing the good fight, Judy, they did not even reach out to us and let us know that here we are and we want to help you with this.

I appreciate the fact that we are looking for people who have some sort of a background, that may have knowledge, and that would be something that I would like to adhere to. But it's not always just about the knowledge, which is very, very important. But you also have to have people on this committee that have a passion. Maybe they may not know 100 percent about water, about the testing, but I think that we need to have somebody, people who truly want to serve and truly want to make a difference.

Judy, I think that you do bring up something very important, that maybe it would be nice to have engineers and scientists. But perhaps what we should do, like passing this and starting something today, that we can then ask -- once we look at the members, we could try to put as many people on that we feel that will do the best work and to do the most, to formulate strategies, studies, to start getting the ball rolling so that we could finally start doing something with a lot of meat in it to protect the Lloyd Aquifer and the Magethy, and then we could

then take a look to see who they would recommend that they should also be on this committee with us. They should then direct us as to what kind of, you know, funding they may need in order to do some of these studies.

LEGISLATOR JACOBS: The only thing that bothers me is that a recent bill that was just passed in New York State, Assembly and the Senate, and everyone was applauding never once put into it, which I fought for, thanks to Sarah again getting involved and informing me, never put in the underground water supply. So the problem is that when -- I'm not belittling any of us. I've been here 19 years and I know our hearts are in the right place. What bothers me is when it's left to the political forces to make the committee, the problem is will we see the proper people on it. Certainly the bill would have been just as important if they had added underground water protection, they didn't, and then waiting for the committee to be formed to get money, when we can't even get enough money to keep certain social services open. It's scary.

It's scary. I think we're leaving everything with a big if.

LEGISLATOR FORD: Judy, if we don't do anything and if we wait to maybe get the funding, we are delaying something as well. We don't even know. I know with the USGS study, finally it's been passed. And I agree. I was disappointed that it was not funded for the past couple of years. I do agree that that was a fault. It was a bad thing that we did. But we've got to start somewhere. And we don't know. I don't know what impact with New York City, with their approach to taking --

LEGISLATOR JACOBS: I agree. What if it happens very quickly though?

LEGISLATOR FORD: Yeah.

LEGISLATOR JACOBS: What if it happens within the next year? Something's going on and we're still forming a committee --

LEGISLATOR FORD: That's why I'm saying let's get this committee formed now.

We have a lot of resources. We do have a lot of resources. Judy, you mentioned Sarah

Meyland. To me she is the guru of water, I guess, somebody who has the knowledge and the passion. Jerry Ottavino, how many conversations have I had with him? I don't know whether or not his background is 100 percent with water. But we look at -- we have a lot of people that we know that really will work on this, that have knowledge.

When we started years ago, did the TMDL study, a lot of us didn't realize what needed to be done, but we had some people that guided us in the right direction and we were able then, at that time, to secure the funding and then to get additional funding to continue with that study. So I think that we shouldn't do ourselves a disservice. I think that there are enough of us on this legislature that truly care and always want to do the right thing. Regardless -- and we know on both sides of this aisle, we make our political appointments. We know that. I don't care if you're democrat or republican. Everybody falls prey to that.

LEGISLATOR JACOBS: Except for Sarah.

LEGISLATOR FORD: I meant on this here. What I'm talking about, just us. But I honestly believe that this is a step in the right direction.

Jane, may I ask you something? Do you have any -- looking at this and knowing the challenges that are facing us now, by putting this board together or committee, do you envision any successes you might think that they would have?

MS. HOUDEK: I think it's important to constitute the board and charge them with what New York City has planned and to determine a strategy for addressing that, and that strategy will then give you a sense of what type of budget you would need for the work that they would do. Having worked with you all on many water issues and having worked with Sarah on many water issues, including some of the ones that you've mentioned, what I think is important now is to get moving and to start this board down the work that it has to do.

LEGISLATOR FORD: I agree. I think that

-- Judy, I understand your concern. You know.

LEGISLATOR JACOBS: Only because I'm not trying to be negative. I think we have to -- actually, if it becomes the same as the last board where it's just there, that didn't help us. The only one who helped us was Sarah Meyland.

But honestly, I'm inclined to pass it through today. But before it comes to us I think we should, together, put some teeth into it. Maybe before it comes before the Full Leg, just something. I'm not saying we should attach a necessary monetary figure but something that gives us the ability to know that there's some pot of money, little, to get this board to have something to do. And that the board members -- I hate to embarrass Sarah -- are of the caliber of a Sarah Meyland.

LEGISLATOR FORD: Yeah.

LEGISLATOR JACOBS: I don't know too many. But if there are some.

LEGISLATOR FORD: I think we have a lot of colleges, universities, we have a lot of educational systems --

LEGISLATOR JACOBS: Exactly.

LEGISLATOR FORD: that probably can provide us with good candidates that we can choose.

Chair, Legislator Venditto, perhaps maybe in between today's committees and the Full Leg - I think one of the things that we can maybe incorporate into this would be basically a mission statement. I think Ms. Houdek definitely said it where you said you envision to put some teeth. Right now the strategy is to take a look at what New York City is planning on doing and to identify the resources and whatever funding is needed. We could take a look.

I really think that we can -- Judy, I'd be happy to sit with you and speak with you about this, if it's all right with you.

LEGISLATOR JACOBS: I think we should. I think we should.

LEGISLATOR FORD: Okay.

LEGISLATOR JACOBS: Okay.

LEGISLATOR FORD: Thank you.

CHAIRMAN VENDITTO: Great. Thank you.

Legislator Dunne.

LEGISLATOR DUNNE: Thank you, Chairman Venditto.

We have an opportunity today to do something to figure out if New York City's action could hurt us. Shame on us if we were to table this important legislation. If we did that, then we really would have been shameful. We must act fast and put a protective group who, if needed professional studies, we, indeed, this legislative body, can give the monies to get those studies done --

LEGISLATOR JACOBS: From where?

LEGISLATOR DUNNE: We can contract out to professionals that are across the width and breadth of this county and the country. We could pull in professionals. As done with everything this legislature does, we contract professionals to make sure the studies are done for the betterment of our citizens. To contract proper professionals to do these studies, that have different expertise, because you can't get all these different expertise in one person or five

people. You are going to have contract out. And this body will provide the funding for that. We're not going to allow Nassau County's water to go down the drain.

Let's pass this legislation, and let's get started.

LEGISLATOR JACOBS: It would have ten years ago had it not been --

LEGISLATOR DUNNE: Well let's pass this and get started.

LEGISLATOR JACOBS: Well, we better get started because New York City is way ahead of us.

LEGISLATOR DENENBERG: If we wait 'til April 2015 it will be down the drain.

CHAIRMAN VENDITTO: Legislator Solages.

LEGISLATOR SOLAGES: Thank you. Good afternoon. Thank you, Chair.

Good afternoon, Ms. Houdek. How are you doing?

MS. HOUDEK: Fine, sir.

LEGISLATOR SOLAGES: Do you have any idea as to when New York City will begin pumping the water?

MS. HOUDEK: They are in the environmental process now. They're preparing an environmental impact statement. They have not received any approvals to do so.

LEGISLATOR SOLAGES: Isn't it possible for this body to have a hearing in which we have a representative from that government report to us?

MS. HOUDEK: I think what's important now is that we decide what we need to do in order to be part of the process, to be an effective advocate at whatever public forums the state holds and the city holds while this is being considered.

LEGISLATOR SOLAGES: I agree with you. We need a committee with the appropriate funding, a plan, a timeline, deadlines. We need a plan. It's ridiculous for us to go forward without a plan. There's an expression, as you may know, that is failure to plan is like planning to fail.

I agree that we must start, but it can't be just a symbolic start, it must be a start with teeth and some actual power to go forward and to

make sure that one of the most important and pressing environmental concern that faces us as an entire island, not just Nassau County, in which our interests can be protected.

I agree with the comments made by my colleague, Legislator Denenberg, and I agree also with Legislator Ford that we must have a start, and also Legislator Jacobs. But I want it to be the right start. There's an expression, you buy cheap, you buy twice. We can't afford to buy twice here with this environmental concern.

I make a suggestion. Can we start by changing the first report date? Again, this is a very impressing, important date and we can't afford to wait all the way into next April to learn more about this issue.

MS. HOUDEK: The April date is in the existing legislation. You can have a report before then. It certainly gives the legislature and the county executive the power to request reports before then.

LEGISLATOR SOLAGES: Can we mandate a certain date that's sooner than that?

MS. HOUDEK: There are reports that you can request before that. The existing legislation has that date in it --

LEGISLATOR SOLAGES: It's not can. We must do this.

LEGISLATOR FORD: Legislator Solages, I agree, when you look at the April 2015. But I think Ms. Houdek has clearly indicated that we don't have to wait until April 2015 to receive any information. And that's why I think by getting this committee put together -- and changes can be made. I don't think that if we find that members are not working or not, you know, doing what they're supposed to be doing, I think that the rest of the committee will let us know. I, myself, will call for an earlier report date, you know, to say -- because I want to know. I don't want to wait until April. I don't even want to wait until December to find out what is going on. I want to make sure that this committee meets, that they do their due diligence, because we are very, very critical.

You and I both are right on that border

of Queens. And where they have -- basically, the City is cleaning they have a legal right because they are part of the Lloyd and they have a lot of wells. I remember my father put a well in in our backyard. Basically, they can do it but it would be disastrous for us here in Nassau County. So, I agree with you.

And as I had indicated by Legislator Jacobs, I am willing to sit and speak with her and see if there is anything that we could do to maybe firm this up, make it a little bit more meaty until the Full Leg, when we vote on it.

LEGISLATOR SOLAGES: I agree. Just before I defer to the Chair. And thank you, Legislator Ford, for making that comment.

I just do not want to leave anything up in the air, so open. I, as an attorney, as yourself, Mr. Venditto, and used to have cases together in court, we hold ourselves to standards and to rules and we cannot deviate from those rules. So we must make it clear what those rules are and hold ourselves to that standard. So I'm asking that we mandate an earlier date for this

report.

I am familiar with the way the Assembly works, with the sister in the Assembly. When it comes to -- and of course, going back to Legislator Nicoletto's point. When it comes to issues concerning New York City, they act and work quickly and we must be ahead of them when it comes to this important issue. And so I'm asking you, please, to make that change in that requirement.

CHAIRMAN VENDITTO: Sure. And we're all hitting on some key points here, and number one that we have to get the ball rolling here. So I think that's the idea of getting past committee today. But in between today and what happens at Full Legislature, I would actually reasonably anticipate that we're going to add whatever we think, you know, would be appropriate and maybe even demanding a sooner date for the first report; I think that's a logical point to order.

LEGISLATOR JACOBS: To the Chair. I think that's a great idea.

CHAIRMAN VENDITTO: Thank you.

LEGISLATOR JACOBS: I think that's a great idea. And I feel that getting informed is important, but getting it to have teeth is really important.

CHAIRMAN VENDITTO: So compromising those two things, but I think for today, getting the ball rolling.

LEGISLATOR JACOBS: I agree with you on that. But I think what Legislator Solages said is important, with changing the date on paper. In addition to that, making sure that we try to attach some money to it; not to pay the members, but to have something that they could dip into if they need to do further research.

LEGISLATOR SOLAGES: Can we get a commitment in writing that this will be improved upon?

LEGISLATOR DENENBERG: Something that Jane just said, Houdek, that's very important. There is a SEQRA process that's going through with the City. The whole idea of our water resource conservation board and this committee and the legislation now that's re-establishing

the committee is dangerously close to the former legislation where if all you have is a reporting requirement perhaps in April, by then, for example, the public comment period on New York City's plan will have passed already or could have passed. The whole point of expertise requirements, a real plan, funding and teeth is to correct the problems with the committee in the past. So even if we pass it through today, would like to see something more along the lines of quarterly reporting requirements so that if there is a need for funding or if there is a need to comment, in this case I don't know that April 2015 would even be timely on New York City's environmental review, even for the public comment period.

The whole idea here is to form a committee that has the expertise, that has the teeth, that has the requirements and the ability on an ongoing basis to respond to our water resource requirements. It might be New York City's plan today. A few years ago it was a Suffolk plan. A few years from now it's going to

be something else. It needs to be something that works on an ongoing basis.

CHAIRMAN VENDITTO: For the record, what I am personally envisioning is a board that will be accountable to the 19 of us, daily, on a moment's notice, to be quite honest with you. I want to have communication with this board whenever I see fit. So if things need to be demanded on a moment's notice, I would anticipate that we choose the right members and make sure that we have people on this board who are going to get the information to us on a moment's notice.

This is no laughing matter. It's a serious one. We have to make sure that we have the right people on the board. The good news is that we get to directly appoint those people.

Any other discussion here before we proceed on with public comment? Because we have residents who would like to weight in.

(No verbal response.)

Okay. Then let's go to it. Public comment. The first speaker that I have is Bill

Stegemann. Mr. Stegemann.

MR. STEGMAN: Good afternoon. My name is Bill Stegemann. I'm conservation chair for the Sierra Club's Long Island group. We have over 6,000 members on Long Island.

I was watching the Long Island Pine Barren Society public access TV show a while back and they had on, as a guest, the chairman of the Suffolk County Water Authority. He was asked what challenges lie ahead for Long Island. His answer was infrastructure.

Long Island has a lot of aging water infrastructure. That answer was spot on. That's exactly what we would expect a water utility to be focused on, because they are supplying water to residents. But managing the aquifer system is a very different focus.

I was at the Suffolk County Legislature when the Long Island Commission on Aquifer Protection was passed. There was not one environmental organization or civic group there in support of LICAP. That was the same story here, in Nassau County. There was nobody to

speak for it. Who was here to speak in favor was representatives from the water industry.

I was looking online about this Nassau County Resources Board. I found a quote from the chairman back in 2001, who actually is the current chairman. He was talking about superfund sites and the processes governing those. He said, "An equivalent level of oversight does not exist when it comes to groundwater quantity issues." And that quote is still true today.

We have the DEC, they're focused on surface water issues, they are focused on superfund sites, which we desperately need them to be focused on. It's good to have this renewed focus on water issues facing Nassau County, particularly the threats from New York City.

The Sierra Club supports some of the comments you've heard from Dave Denenberg and Legislator Jacobs, as well, some of the suggested changes that you are going to hear in the legislation.

The Sierra Club hopes that the Water Resources Board will be supportive of science-

based ways to effectively manage the aquifer system. And to the extent that the Water Resources Board depends on LICAP, more the DEC, the less effective it will be.

Thank you for the opportunity to speak.

CHAIRMAN VENDITTO: No, thank you, Mr. Stegemann, for getting your thoughts and information into the record today.

The next speaker I have is Ms. Sarah Meyland. Is Sarah here?

MS. MEYLAND: Good afternoon to you as well. Greetings to the committee chair, the vice chair, and members of the committee. My name is Sarah Meyland, and I am very pleased to be here this afternoon to talk to you about the Water Resources Board.

It has been a very long time, indeed, since the workings of the Water Resources Board were the topic of consideration and debate. Thus, it is actually refreshing to see that the Water Resources Board is now being considered for rehabilitation after such a long time of inactivity.

So I have looked at the proposed legislation, and I have several comments regarding proposed changes and suggestions that might assist the Water Resources Board to perform its duties to the fullest degree possible.

I have submitted my comments in writing. So if that can be distributed to the members of the committee, that would be helpful.

CHAIRMAN VENDITTO: Okay. And that is being done as we speak. Thank you.

MS. MEYLAND: So I'm not going to go through every single point in my written comments, but I would to just highlight the ones that I think are most vital, that should be presented today and give you an opportunity to answer questions.

The main changes to the current code regarding the Water Resources Board occur in Section 21-9.3, which is a section that deals with the powers and duties of the board. There are seven subsections within this specific section, and I would like to call your attention specifically to subsections 3, 4, 5, and 7.

Section 3 authorizes the Water Resources Board to especially focus on water issues relative to SEQRA. I want you to understand that this specific way of focusing the Water Resources Board is too narrow. And the reason is that it ties the hands of the Water Resources Board in ways that I don't think you really want the hands to be tied. That is because to focus mainly on SEQRA, which is a process that you're going to be looking at specifically as it relates to water utility actions, is too narrow.

SEQRA is a self-administered review process. It has no penalties. It has no enforcement power within its process orientation. Whether or not SEQRA is followed correctly or not does not mean that threats to groundwater are eliminated or appropriately addressed.

The oversight that you're really looking to employ through the work of the Water Resources Board is to assess how well the New York State well permit program, which is administered by the DEC, is operating. And I would just call your attention to the dialogue about the Lloyd well

application by the Suffolk Water Authority. That was not about SEQRA. SEQRA was not an issue. There was no SEQRA operational at that time for that well. It was all about whether or not the well would get a permit, what those permit conditions would be, how the DEC had administered its duties under the well permit program.

CLERK MULLER: Your three minutes have expired, ma'am.

MS. MEYLAND: Okay. So I will just move on to say that --

CHAIRMAN VENDITTO: You can wrap up, and then I think Legislator Ford just wanted to have a dialogue with you, if that was okay.

MS. MEYLAND: Okay. Thank you.

CHAIRMAN VENDITTO: Sure.

MS. MEYLAND: So the question that you need to address through the authorizations for the Water Resources Board is to have it look at how effectively the well permit program is administered and enforced to ensure that the groundwater in Nassau County is properly protected from the harm of water utility

activities. Those activities are regulated by the well permit program not SEQRA.

Under Section 4, the Water Resources Board is directed to collaborate with the New York State DEC, the Long Island Aquifer Protection Commission, or LICAP, and the water utilities. Again, the scope of this subsection is too narrow. There are other organizations that could be very helpful to the Water Resources board, such as the U.S. Geological Survey or even the U.S. EPA. And so I would ask you to look at that and expand the entities that the Water Resources Board could collaborate with.

Subsection 5 authorizes the Water Resources Board to consider other pertinent materials helpful to the board. However, the key point here is that the board is not authorized to undertake any outside research, data collection, or independent studies by itself. It should be authorized to undertake research and collect data that it needs, especially because it is very hard to collect current research on groundwater. And certain information that the board will need

simply may not exist at this point in time. So you need to expand that scope.

And, most importantly, in Subsection 7 the Water Resources Board has been directed to make an annual report to the County on April 15 of every year. Whether it's April 15 or some other date, I leave to your best judgment. However, there is an important point to be made here.

I strongly encourage the legislature to amend the legislation to include a directive to the Nassau County Department of Health to resume the preparation and dissemination of its annual groundwater and public water supply facts publication. This document was last prepared in 1999, about the same time that we lost the work of the Water Resources Board. This is what one of those publications look like. It's not a written report, per say. It is simply data, data and data, and data and data that taken together tells you everything you need to know about water, operations groundwater pumping, groundwater quality, how deep the wells are, how

many there are, how they're being treated. Everything you would need to know and the board would need to know, have a strong sense of conditions and this would help it judge what others are doing because you're asking it to do two things: look at water operations in Nassau and water operations on the borders of Nassau. You can't make those judgments in a vacuum. And this report from the Health Department gives you the tools, gives you the knowledge and understanding to make those judgments. So I strongly urge you to reestablish this publication. It could be the foundation for the annual report, in fact. So, please do that.

I also point out that there are no terms of office for the board. There may be a conflict of interest between the board and LICAP, given the dominance of the water industry on LICAP. Again, as we've heard you comment many times, there needs to be sufficient funding for both the board and the health department to give you the tools to do the job you would like to have done.

Thank you.

CHAIRMAN VENDITTO: Thank you, Ms. Meyland. Very clear thoughts there. Good input.

Legislator Ford, I will turn to you.

LEGISLATOR FORD: Sarah, thank you very much. And as you mentioned the Department of Health, that's when I turned to the presiding officer. I said that I know the Department of Health always had a report and that there is information that is sent to them but it's not --

MS. MEYLAND: Collated correctly.

LEGISLATOR FORD: Yeah. That's something that, you know, obviously should be something that we can look at and to hopefully maybe require it.

I think even when we look at members of this board that they -- perhaps maybe somebody should be from the Department of Health because then they would have access to that information and help bring it over to the committee. I'll be reaching out to you because I think what you've brought to us is, you know, very informative and very worthy of consideration. Besides you, we have Jane Houdek and of course Brian Schneider,

even people here in the County.

I know that this should definitely be an independent body from the LICAP. To me, that was formed for a different reason; this, of course, is formed for a very good reason.

And so, I thank you very much.

MS. MEYLAND: Thank you.

CHAIRMAN VENDITTO: Thank you again, Ms. Meyland.

LEGISLATOR JACOBS: Just one more question.

CHAIRMAN VENDITTO: Legislator Jacobs.

LEGISLATOR JACOBS: I don't know whether this is to you. It has to be to you. I think we should also see if the Department of Health has the resources now or the capacity now to still do this report. It bothers me that what Sarah's saying, the last time it was done was 1999. I think that would be an important question also. If they don't have the capacity to do it, then maybe we should sit with Sarah Meyland and figure out which would be another entity that could handle it. Maybe public works has the capacity.

I don't know. I agree with her. That would at least give us what Denise said, something to put our hands on to do this. I don't know.

MS. MEYLAND: The County Health Department has indicated that they do not have the funding at the present time --

LEGISLATOR JACOBS: There you go.

MS. MEYLAND: to reinitiate this publication.

LEGISLATOR JACOBS: Then, you know what? You just pointed out something very important because that might help this entire -- certainly the health chair, but certainly the entire legislature -- to find out what they would consider sufficient funding to do this report. If so, at the very least we have to know that that funding is ready to go with this.

MS. MEYLAND: Right. That would be excellent.

LEGISLATOR JACOBS: Thank you.

MS. MEYLAND: Thank you.

CHAIRMAN VENDITTO: I think we could find out that answer.

Thank you again, Ms. Meyland.

We have two more speakers. Next is Mr. Gerald Ottavino. Good afternoon, sir.

MR. OTTAVINO: Good afternoon. I'm Gerald Ottavino, and I co-chair the Point Lookout Civic Association Environmental Committee. And I respectfully request that my written comments be entered into the record of this meeting, and I've given a copy of them for each of you to the clerk.

Just to answer some of your questions. The Suffolk County Water Authority wanted to drill into the Lloyd in 2007, so that's seven years ago. And my understanding is with the Health Department, a lot of the costs can now be absorbed, if you will, or deferred or you wouldn't have any printing costs. All you would have to do is put it on a website.

But getting to the point here today, amending the Code and the Water Resources Board. Other than what I've written, I want to point out a very -- what I consider to be the most important point. It's going to be amended. The

Code is going to be amended so that the board can act as a liaison between the County, New York State Department of Conservation, and Long Island Commission on Aquifer Protection and other resources. That's a point I have to bring to your attention. In my opinion, it's something you have to be very careful about. You have to be careful who you are going to choose as your allies.

There is a lot of dialogue here at the arc about expertise. The experts have their own interests that can run contrary to your own. If you're going to act as a liaison with the New York State DEC, I consider DEC, particularly Region 1, Long Island's Region 1 to be somewhat enfeebled. They've done literally nothing to be proactive on taking care and monitoring groundwater. With regard to LICAP, the protection, the Aquifer Protection Commission, it's an untested body and many of its ranking officials possess financial and other interests that run in direct opposition to the welfare of Nassau County's ground water. I have to really

caution you there. One glaring example is the president of H2M vice chairs the commission. H2M is the water consultant for New York City. When it comes to opposing a pragmatic city hell bent on reopening its Jamaica wells, will the commission aggressively fight to save Nassau's water? Doubtful.

Similarly, other officials, directly or indirectly, over represent the Suffolk County Water Authority. Simply, Nassau cannot afford to have Suffolk interests, in particular this authority; they're the ones who wanted to drill into the Lloyd Aquifer in 2007, driving our county's water policy.

Finally, in addition -- excuse me. Compared to Suffolk's membership, Nassau is grossly underrepresented and may easily be outvoted on most any critical water issue. Finally, for one eyewitness, having attended the last commission meeting, Nassau representatives are far too complacent and willing to allow outside interests to run the county's water. This is potentially ruinous. So be careful who

you choose as your allies, is my message.

The rest you can read in the report I've handed out. But that's what I feel is a very -- is my message, and I think you should heed it.

CHAIRMAN VENDITTO: Sure. Understood.

MR. OTTAVINO: Thank you.

CHAIRMAN VENDITTO: Thank you. And we all have copies of that report. Thank you, Mr. Ottavino.

The final speaker on this item is Mr. John Budnick. Good afternoon, Mr. Budnick.

MR. BUDNICK: Members of the Legislature, we have a clear and present danger, that is the virtual sucking dry of our aquifers here in particularly the western part of Nassau County by the City of New York. We have other problems too. We have severe problems, both in southwest and northwest Nassau County of salt water intrusion. Those problems are probably going to be vastly increased if, indeed, New York City's suction of our aquifers turns out to be as bad as it could be.

We also have other problems. For

example, in the Bethpage, Levittown, Massapequa area, we have the Grumman Navy plums heading for the pumping areas of the Massapequa Water District as well as the Tackapausah and the Massapequa Preserve. All of these are clear and present dangers.

I am extremely distressed that somebody wants to hold this from proceeding further. I can't even conceive how anybody can say that.

There are some strengthenings that maybe considered. I'm sure the chair of the committee and other members of the legislature will get together and consider strengthening the powers of the committee, particularly when it comes to the SEQRA process with reference to New York City. It may be necessary to consider legal proceedings. I don't know. It's much too early yet to determine that. But I think the powers of the committee need to be expanded. It doesn't necessarily have to be at this point where we are really reestablishing it, but it must be considered.

I would note that in many cases in Nassau

County, New York State DEC has not been a friend to the area of Nassau County. And, indeed, in the Massapequa Grumman Navy issue, it was worse than useless. It was actually advocating things that were not in the best interest of the residents and people of Nassau County.

We must have quick action because without it -- we are already beginning to get behind the eight ball. And we have to have the maximum flexibility. And we have to have the maximum availability of resources to be able to devote to this.

I thank you very much for your time and trouble and putting up with me. Have a great day folks.

CHAIRMAN VENDITTO: No trouble at all.  
Thank you, Mr. Budnick.

MR. BUDNICK: God bless you all.

CHAIRMAN VENDITTO: Same to you.

With our public comment concluded, unless there's anybody else out there. Okay. Let's take it to a vote.

All those in favor of passing the item

please signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

LEGISLATOR DENENBERG: Just let the record reflect that on behalf of the minority, we look forward to working to try to make some of the amendments we've been discussing.

CHAIRMAN VENDITTO: Okay. Thank you.

We have an addendum, which is Clerk Item -- I'll ask for a motion to suspend the rules at this time.

Motion?

LEGISLATOR DUNNE: So moved.

LEGISLATOR FORD: Second.

CHAIRMAN VENDITTO: Legislator Dunne, seconded by Legislator Ford.

All in favor?

(Aye.)

Any opposed?

(No verbal response.)

Rules is suspended at this point.

Clerk Item Number 283-14, a resolution authorizing the release of a surety bond and cash escrow monies for the map of Meadowbrook Pointe Subdivision.

LEGISLATOR DUNNE: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRMAN VENDITTO: Motion by Legislator Dunne, seconded by Legislator Nicoletto.

The item is before us. Anyone here from the administration? I see we have someone. Good afternoon.

MR. KATZ: Hi. Martin Katz, Nassau County Department of Public Works, Division of Planning.

The applicant, Beechwood, Bennett, Agnello, LLC is requesting the release of the remaining surety bond and escrow deposit for Section 7 of the subdivision known as Meadowbrook Pointe, an adult gated community of several hundred units located between Meadowbrook Parkway to the south, Corporate Drive to the north, and Merchant's Concourse in the Unincorporated Hamlet of Westbury, Town of Hempstead.

The amount of bond and escrow requested for release by the applicant is \$142,876.20, that's the surety bond, and \$21,507.46 for the cash escrow.

On May 26, 2011, the applicant requested for and was granted a reduction in surety bond in the amount of \$479,676.50 for remaining bond for Section 7 in the amount of \$142,876.20.

On March 31, 2014, a final inspection of Section 7, of all public improvements were made by Nassau County DPW chief subdivision inspector, and the written report indicated that all required public improvements were completed in accordance with appropriate local, county, state, county and state standards and specifications and recommended the remaining bond and cash escrow be released.

On May 22, 2014, the planning commission conducted a duly noticed public hearing on the proposed release of surety bond and escrow and recommended release of said bond and escrow, and the amount is indicated above.

At this time, bonds for Sections 1, 2,

and 3 have been released. Bonds for Sections 4 and 5 have been reduced. For Section 6, no request at this time has been made.

We have with us, if the committee wants to ask any questions with specific items of the public improvements, we have a representative for Beechwood Bennett here and also Nassau County DPW chief subdivision inspector.

CHAIRMAN VENDITTO: Great. Thank you, Mr. Katz.

Any questions from any of the committee members on this item?

(No verbal response.)

Seeing none; any public comment?

Mr. Budnick. Welcome, again.

MR. BUDNICK: I'd just like to know -- good afternoon again, members of the legislature. Honorable members of the legislature.

The question I have is very simple. This area lies in the jurisdiction of the Town of Hempstead. Has the Town of Hempstead Building Department Okayed this? Has the Town of Hempstead Okayed this proceeding further? Also,

I would inquire as to whether there are requirements of the Nassau County Fire Marshal with regard to these structures and whether those have been complied with.

Thank you.

CHAIRMAN VENDITTO: Thank you. Mr. Katz, do we have information?

MR. KATZ: The town -- because this went through the entire preliminary and final map process, once all of that was completed and the bonds were established and want not, it was required that building permits be issued by the Town of Hempstead Building Department, certificates of occupancy be issued. And with respect to compliance with the fire marshal, all of that has been completed to the satisfaction of all parties concerned in order to reach this stage.

CHAIRMAN VENDITTO: Okay.

MR. BUDNICK: If I may.

CHAIRMAN VENDITTO: Sure. Mr. Budnick.

MR. BUDNICK: The question that I have is just this: has the Town of Hempstead said

that it agrees with releasing of this bond, or not, I don't know. Has the fire marshal office said that they are actually in compliance now and that they agree to release of the bond or not? I don't know. Thank you.

MR. KATZ: First of all, the items that Mr. Budnick are referring to are not part of the public bond improvement, which are specifically grating, paving, sidewalks, curbs, driveway aprons, catch basins, drywells, retaining walls, street signs, lighting, plantings, and water supply. The Town does not get involved with the bond release with those items. These are bonded items, public improvement items.

CHAIRMAN VENDITTO: Legislator Jacobs.

LEGISLATOR JACOBS: I just have one question to ask you.

One thing that the speaker did not mention, do we know that -- is it a condo there or co-op?

MR. KATZ: These are condominiums.

LEGISLATOR JACOBS: Condominiums. Does the board know that these are being released?

MR. KATZ: Yes. Yes. They were, like I indicated earlier, these were up -- this release was before the Planning Commission on May 22, 2014 and representatives of the condo --

LEGISLATOR JACOBS: I missed that. I'm sorry.

MR. KATZ: That's all right.

LEGISLATOR JACOBS: Thank you.

CHAIRMAN VENDITTO: Okay. Thank you.

With the public comment having been concluded, it's time for the vote.

All those in favor of passing the item please signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

(Whereupon, the following are the minutes of the June 30, 2014, Finance Committee pertaining to Clerk Items 240, 241, 242, 243, 244, 250, 261, 262, 263, 264, 265, 268, 269, 270, 271, 272, 273, 274, and 277-14.)

CHAIRMAN NICOLELLO: Items 240 and 241

are executive session items and I will call them later, at the end.

Items 242 and 243 are ordinance supplemental to the annual appropriation ordinance in connection with the district attorney's office.

LEGISLATOR WALKER: So moved.

LEGISLATOR MUSCARELLA: Second.

CHAIRMAN NICOLELLO: Moved by Legislator Walker, seconded by Legislator Muscarella.

Any discussion?

(No verbal response.)

Any public comments?

(No verbal response.)

Hearing none; all in favor signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

Those items carry unanimously.

Item 244-14 is a resolution authorizing the county executive to execute a grant agreement between the County of Nassau, acting on behalf of

the County Department of Parks, Recreation and Museums and Bangladeshi Heritage Inc.

LEGISLATOR WALKER: So moved.

LEGISLATOR VENDITTO: Second.

CHAIRMAN NICOLELLO: Moved by Legislator Walker, seconded by Legislator Venditto.

Any discussion on this item?

(No verbal response.)

Any public comment?

(No verbal response.)

All in favor signify by saying aye.

(Aye.)

That item carries unanimously.

Item 250-14 is a resolution authorizing the County of Nassau to file an application for federal assistance with the U.S. Department of Housing and Urban Development.

LEGISLATOR MUSCARELLA: So moved.

LEGISLATOR WALKER: Second.

CHAIRMAN NICOLELLO: Moved by Legislator Walker, seconded by Legislator Walker.

This is the CDBG grant, the Home Investment Partnership and the Emergency Solution

Grant.

It's before the committee. Do we have any questions? Legislator Bynoe.

MR. SARCONE: John Sarcone, Director of Housing.

CHAIRMAN NICOLELLO: Thank you, Mr. Sarcone.

LEGISLATOR BYNOE: Okay. I have a couple of questions.

MR. SARCONE: Sure.

LEGISLATOR BYNOE: The first question is what is the process for submitting the fiscal year 2014 action plan to the legislature?

MR. SARCONE: We have two public hearings, one earlier in the year to announce the funding for the upcoming year, and then we have an application process where our consortium members submit their plans to our office, and then we have a second session where we announce the projects that we are going to fund.

LEGISLATOR BYNOE: Do you remember what dates?

MR. SARCONE: We just actually had our

second meeting last Tuesday of our public announcement.

LEGISLATOR BYNOE: Okay. So we're in the process of?

MR. SARCONE: Once this body approves the action plan and then it goes to the Full Leg, from that point we submit our approved county action plan to Housing and Urban Development, from which they have 45 days to come back, either approve or submit changes.

LEGISLATOR BYNOE: Okay. And so we have at this point made our decisions as to exactly which projects we want to fund, correct?

MR. SARCONE: Correct.

LEGISLATOR BYNOE: So can you talk to me a little bit about that process, how we identify which projects we feel should be funded and to what dollar amount?

MR. SARCONE: Like I was alluding to, the first meeting that we have actually puts the dollar amount each program is funded. There are three programs in our urban consortium action plan. The first one is our CDBG program, home

investment program, and our ESG program. So once we make the funding announcements, our application process starts and by April 1 all of our consortium and public service members submit their projects for our review and then we make a decision based on that.

LEGISLATOR BYNOE: I'm specifically dealing with CDBG right now. I'm sure that there are more projects than money.

MR. SARCONE: Correct.

LEGISLATOR BYNOE: So what kind of process? Is there a committee that then goes over these applications and determines which are more important to be funded or what are the priorities?

MR. SARCONE: To answer your question, we ask our municipalities to prioritize, since there is not enough funding to fund every activity. So based on that and committee recommendations, then we make our decisions. We are also in our 30 day comment period. So if anyone from the public, as well as the municipalities have issue with their funding

amounts, this is the time.

LEGISLATOR BYNOE: Okay. So, as I know, HUD is drastically cutting funding to all of their programs. I know CDBG and under this umbrella, HOME are also impacted. It's been brought to my attention that the reduction in the funding is pretty significant, but we are still one of the top funded programs in New York.

MR. SARCONE: Right.

LEGISLATOR BYNOE: I'm not sure so I need to ask this.

MR. SARCONE: Yes.

LEGISLATOR BYNOE: Are the cuts based on performance at all?

MR. SARCONE: That question is better suited to actually housing and urban development, the federal department because they have their own formulas of how they're funding their entitlement communities. It's a very hard question to answer because I'm not in their session, how they determine their funding. I only know from my perspective of what we fund, the consortium.

LEGISLATOR BYNOE: Okay. Because in my smaller world of public housing funded by HUD, there are pools of money that are specifically based on performance; I'm aware of that upfront. You have not been made aware that any of your funding is based on performance?

MR. SARCONE: No.

LEGISLATOR BYNOE: Okay.

When you make the announcement and the agencies and municipalities, whoever, are notified about the funding being available, is there -- not every municipality or organization will be able to dot I's and cross T's and go straight through the process to be funded. How do you deal with those monies that need to then be put back into the pot and then redistributed or distributed?

MR. SARCONE: To answer your question, if a municipality has inquiry to how much money they are getting, they can submit in writing to our department and I would review it based on funding availability as well as strength of application.

Every one has a chance to review their allotment, and if they feel like they have a particular project they would like to fund, we'd be more than happy to sit down with them and see if we can be of assistance.

LEGISLATOR BYNOE: Okay. So let me just give this example. An agency files for - they submit the application, you approve the funding for \$100,000. It's part of the plan. It gets approved. They get the paperwork that they are entitled to this \$100,000, but for whatever reason, it's a reimbursement grant, they can't come up with the capital to them make the investment so that \$100,000 is sitting there. How do you then redistribute that or distribute that money or make it available to other groups?

MR. SARCONE: Well, prior to assigning the funds to another municipality, we would ask that consortium member if they had any other eligible activities that we could fund so their community doesn't lose the chance to fund those communities.

LEGISLATOR BYNOE: Okay. The other

question that I had was pertaining to the success of the programs. I'd like to know is there an assessment process to determine whether the projected outcomes have been achieved by each program?

MR. SARCONE: Every year HUD and their quality control division has what they call monitoring and they conduct that every year. They issue their findings, if there is. We've come out with workout plans to address those findings.

LEGISLATOR BYNOE: Do they randomly select programs or are they doing it on every program?

MR. SARCONE: I think the HUD requirement is that if they do not conduct a quality control one year, the federal statute is the next year they must. So I think it's a two year window.

LEGISLATOR BYNOE: Okay. Thank you.

MR. SARCONE: You're welcome.

CHAIRMAN NICOLELLO: Thank you,  
Legislator Bynoe. Legislator Walker.

LEGISLATOR WALKER: Just a quick question or comment. I believe you referred to this before.

I know when we had certain projects that when I was over in the Town of Oyster Bay that we would have received or were able to receive the funding for, but say that particular project wasn't ready, rather than lose the funding, as long as they had another project right there ready to go, they were able to get that money.

MR. SARCONE: Yes. We work with every municipality to ensure that the funding stays within that municipality.

LEGISLATOR WALKER: Right.

MR. SARCONE: We would recommend and caucus with them to see if there are any eligible activities that could be supplemented.

LEGISLATOR WALKER: And on a rare occasion, if they didn't, rather than once again lose that money -- I'm going to use Town of Oyster Bay for example -- it didn't go to the Town of Oyster Bay and maybe went to something in Town of North Hempstead so that the money was not

able to be used.

MR. SARCONE: With our department, since it's 100 percent federally funded, any adjustment in funding, we would have to make a public notice and notify the public of any changes. We always try to work with that municipality to ensure that they don't lose funding.

LEGISLATOR WALKER: That they could use it somewhere else.

MR. SARCONE: Sure.

LEGISLATOR WALKER: Thank you very much.

MR. SARCONE: You're welcome.

CHAIRMAN NICOLELLO: Thank you, Mr. Sarcone.

Do you have any other questions, Legislator Bynoe?

LEGISLATOR BYNOE: That's okay.

CHAIRMAN NICOLELLO: Anything else that you have, obviously you'll have an opportunity in a few weeks.

Thank you, Mr. Sarcone.

MR. SARCONE: Thank you.

CHAIRMAN NICOLELLO: Any public comment?

(No verbal response.)

All in favor of this item signify by saying aye.

(Aye.)

Those opposed?

(No verbal response.)

The item carries unanimously.

Items 260, 261, 262, 263 are appropriations heretofore made within the budget for the year 2014.

LEGISLATOR WALKER: So moved.

LEGISLATOR MUSCARELLA: Second.

CHAIRMAN NICOLELLO: Moved by Legislator Walker, seconded by Legislator Muscarella.

Any discussion?

(No verbal response.)

Any public comment?

(No verbal response.)

All in favor signify by saying aye.

(Aye.)

Those opposed?

(No verbal response.)

Those items carry unanimously.

Items 264, 265, 268, 269, 270, 271, 272, 273, 274-2014 are ordinances supplemental to the annual appropriation ordinance in connection with the Health Department, Office of Housing and Community Development, Department of Social Services, the Police Department, Nassau County Department of Probation, and Department of Human Services/Office of Mental Health, Chemical Dependency and Developmental Disability Services.

Motion, please?

LEGISLATOR MUSCARELLA: So moved.

LEGISLATOR WALKER: Second.

CHAIRMAN NICOLELLO: Moved by Legislator Muscarella, seconded by Legislator Walker.

Any question on these items?

(No verbal response.)

Most of these went through committees earlier.

Any public comment?

(No verbal response.)

All in favor signify by saying aye.

(Aye.)

Those opposed?

(No verbal response.)

Those items carry unanimously.

Item 279-2014 is a resolution to authorize the transfer of appropriations heretofore made within the budget for the year 2014.

LEGISLATOR MUSCARELLA: So moved.

LEGISLATOR WALKER: Second.

CHAIRMAN NICOLELLO: Moved by Legislator Muscarella, seconded by Legislator Walker.

Any discussion?

(No verbal response.)

Any public comment?

(No verbal response.)

All in favor signify by saying aye.

(Aye.)

Those opposed?

(No verbal response.)

That item carries unanimously.

Item 282-14 is an ordinance supplemental to the annual appropriation ordinance in connection with the fire commission.

LEGISLATOR WALKER: So moved.

LEGISLATOR MUSCARELLA: Second.

CHAIRMAN NICOLELLO: Moved by Legislator Walker, seconded by Legislator Muscarella.

Any discussion?

(No verbal response.)

Any public comment?

(No verbal response.)

All in favor signify by saying aye.

(Aye.)

Those opposed?

(No verbal response.)

That item carries unanimously.

We're going to jump to the Finance Committee addendum. We had a motion to suspend the rules earlier, and we considered and voted on Item 275.

Do I have consent from the minority to wave the reading of Items 284, 85, 86, 87, 88, 89, and 90. I take it that's a yes. Those were read earlier by Legislator Muscarella in the Public Works Committee.

LEGISLATOR MUSCARELLA: So moved.

LEGISLATOR WALKER: Second.

CHAIRMAN NICOLELLO: Moved by Legislator Muscarella, seconded by Legislator Walker.

Those items are before the committee.

Any discussion?

(No verbal response.)

Any public comment?

(No verbal response.)

All in favor signify by saying aye.

(Aye.)

Those opposed?

(No verbal response.)

Those items carry unanimously.

Now we're going back to the two executive session items, which are 240 and 241.

240 is a resolution authorizing the county attorney to compromise and settle the action entitled *Iyanna Davis v. County of Nassau, et al.*, pursuant to the County Law, the County Government Law of Nassau County, and the Nassau County Administrative Code.

241-2014 is an ordinance providing for a capital expenditure to finance the payment of certain settled claims against the County of

Nassau, authorizing \$663,000 of bonds of the County of Nassau to finance said expenditure, and making certain determinations pursuant to the State Environmental Quality Review Act, the Local Finance Law of New York and the County Government Law of Nassau County.

LEGISLATOR WALKER: So moved.

LEGISLATOR MUSCARELLA: Second.

CHAIRMAN NICOLELLO: Moved by Legislator Walker, seconded by Legislator Muscarella.

Those items are before the committee.

Legislator Venditto makes a motion to go into executive session --

LEGISLATOR WALKER: Second.

CHAIRMAN NICOLELLO: Seconded by Legislator Walker.

All in favor of going into executive session signify by saying aye.

(Aye.)

We are in executive session.

(Whereupon, the Finance Committee recessed at 4:37 p.m.)

(Whereupon, the Finance Committee

reconvened at 4:45 p.m.)

CHAIRMAN NICOLELLO: I'm going to call for a vote on Items 240 and 241-2014.

All in favor of these items signify by saying aye.

(Aye.)

Those opposed?

(No verbal response.)

These items carry unanimously.

(Whereupon, the following are the minutes of the June 30, 2014 Public Safety Committee pertaining to Clerk Items 242, 243, 270, 271, 272-14.)

The first item to come before this committee is -- we're going to call two in the district attorney's office. Item 242-14, an ordinance supplemental to the annual appropriations ordinance in connection with the district attorney's office.

243-14 is also an ordinance supplemental to the annual appropriations ordinance in connection with the district attorney's office.

And we have with us?

MR. MCMANUS: Bob McManus from the district attorney's office.

CHAIRMAN DUNNE: Okay. First of all, a motion was made by MacKenzie, seconded by Denise Ford.

Mr. McManus, would you explain 242 to us?

MR. MCMANUS: Yes. This item appropriates funds from the New York State Division of Criminal Justice Services. The grant funds will be utilized to support the prosecution of repeat violent and serious felony offenders by maintaining a staff of highly experienced prosecutors who are strictly assigned to achieve convictions and maximum sentences for such defendants. This is the prosecution program which has been in existence for over 20 years.

CHAIRMAN DUNNE: Are there any questions on this item, 242, from any legislators?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; okay, 243.

MR. MCMANUS: Item 243 appropriates

funding from -- also from the New York State Division of Criminal Justice Services. The funds are used by the district attorney's office, the Nassau County Police Department, the sheriff's office, and the Freeport and Hempstead Police Departments to support a cooperative effort to target firearm and violent crime reduction efforts within the county.

The goal of the grant program is to reduce shootings and homicides by building on information sharing between these agencies and engaging communities in the fight against gun violence.

This grant program continues the efforts previously conducted under Operation Impact.

CHAIRMAN DUNNE: I understand it's been very successful.

MR. MCMANUS: Yes, it has.

CHAIRMAN DUNNE: Are there any questions from any of the legislators?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all in favor of 242-14 and 243-14 indicate by saying aye.

(Aye.)

Any against?

(No verbal response.)

They both pass on to Finance.

MR. MCMANUS: Thank you.

270 is an ordinance supplemental to the annual appropriations ordinance in connection with the police department.

SERGEANT STEPHANOFF: Good afternoon. Sergeant Greg Stephanoff from the police.

CHAIRMAN DUNNE: First -- I'm sorry. Legislator MacKenzie made the motion, and Denise Ford seconded it.

Now the first one about the HOV lanes.

SERGEANT STEPHANOFF: Item 245 is an HOV grant for \$971,000. This grant is going to focus on violations in the HOV lane. Each year with the grant, this is a recurring grant that we get yearly, we write approximately 15,000 tickets under this grant.

CHAIRMAN DUNNE: Let me just ask you

something. This grant comes to us and we spend it. The money we collect on those tickets goes to the state, so it's almost a wash, right?

SERGEANT STEPHANOFF: The tickets are sent back to TPVA. I don't know if all of it goes back to the state. I believe it's per the guidelines of the tickets. They are regular traffic tickets that are written under this grant.

CHAIRMAN DUNNE: Thank you.

Are there any other questions from the legislators?

(No verbal response.)

Is there any public comment?

(No verbal response.)

The next item is the one about the annual appropriations ordinance, 270.

SERGEANT STEPHANOFF: The next item is 270-14, which is the same item the district attorney just presented. This grant is a New York State Department of Criminal Justice grant for \$441,500. It's going to be for this GIVE partnership, which is going to be with the DA,

the sheriff, probation, and the police department. GIVE is Gun Involved Violence Elimination. We're going to use this money to focus on investigations and street level enforcement, with the focus on reducing gun violence in targeted communities.

CHAIRMAN DUNNE: Excellent. Are there any questions from any of the legislators?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of 245-14 and 270-14 indicate by saying aye.

(Aye.)

Any against?

(No verbal response.)

They both pass and they both go on to Finance.

SERGEANT STEPHANOFF: Thank you.

CHAIRMAN DUNNE: The next two items are dealing with the probation department. The first one, 271-14, is an ordinance supplemental to the annual appropriations ordinance in connection

with the Nassau County Department of Probation.

272-14 is an ordinance supplemental appropriations ordinance in connection with the Nassau County Department of Probation.

Legislator Muscarella makes the motion, and seconded by Legislator Ford.

Okay.

MR. SHENK: Edward Shenk, Probation Department.

Item 271 is Division of Criminal Justice Services Grant. It appropriates \$37,782 in funds for the defender based advocacy program, which provides pretrial release and bail reports to the court, post arraignment, including recommendations on release, status, and community-based treatment plants and supervision.

This supplemental appropriation has not net impact on the budget since it recognizes an equal amount of revenue and expenditure.

CHAIRMAN DUNNE: Thank you, Mr. Shenk. Is there any question from any legislator?

(No verbal response.)

Is there any public comment?

(No verbal response.)

There being none, we'll go on to 272.

Mr. Shenk.

MR. SHENK: Thank you. This item appropriates \$250,690 in funds from New York State Division of Criminal Justice Services Office of Probation and Correctional Alternatives. The pretrial screening and release program is one of the three state mandated programs for Nassau's alternatives to incarceration program. The service plan requires counties to operate programs that divert offenders from costly local incarceration, especially at the pretrial level. Release of an offender at arraignment provides the most substantial cost savings, as this first several days of confinement are typically the most expensive. And again, this will have no net impact on the budget since it recognizes an equal amount of revenue and expenditure.

CHAIRMAN DUNNE: Thank you for that explanation, Mr. Shenk.

Are there any questions from any

legislator? Legislator Denenberg.

LEGISLATOR DENENBERG: The revenue on this one comes from where?

MR. SHENK: New York State Division of Criminal Justice Services.

LEGISLATOR DENENBERG: So it's just a grant that fully funds what we're doing?

MR. SHENK: Yes.

LEGISLATOR DENENBERG: Okay. Thank you.

CHAIRMAN DUNNE: Any public comment?

(No verbal response.)

Okay. There being none; all in favor of -- I'm sorry. Legislator Curran.

LEGISLATOR CURRAN: Thank you. Can you just give me some more specificity about what this program does and how it prevents that money from being spent in those early days of incarceration?

MR. SHENK: Yes. The program has been one that's been an ongoing one for a number of years. It goes back - it goes back at least 20, 25 years. The program has been in effect that long. It allows the county to release people who

have not been convicted from the county correctional facility at an earlier state. They're low risk individuals. There's a screening program done by the Department of Probation. As a result, they are released on their own recognizance prior to trial.

LEGISLATOR CURRAN: Thank you.

CHAIRMAN DUNNE: Are there any other legislators that have any comments?

(No verbal response.)

There being none, any public comment?

(No verbal response.)

There being none; all in favor of Items 271-14 and 272-14 indicate by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

It passes unanimously, and they both move on to Finance.

MR. SHENK: Thank you.

CHAIRMAN DUNNE: Thank you, Mr. Shenk.

The last item of today of our committee is Item 282-14, an ordinance supplemental to the

annual appropriations ordinance in connection with the fire commission.

We have a motion by Legislator Vincent Muscarella, seconded by Legislator MacKenzie.

Who do we have from the fire commission?

MR. PRIEST: Good afternoon. Assistant Chief John Priest, Nassau County Fire Marshal's Office.

The item before you is to accept the Department of Homeland Security Emergency Services Grant for the fiscal year '13 hazardous materials targeted grant.

CHAIRMAN DUNNE: Are there any questions from any of the legislators? Legislator Denenberg.

LEGISLATOR DENENBERG: Thank you, Mr. Priest.

MR. PRIEST: Good day.

LEGISLATOR DENENBERG: How are you?

MR. PRIEST: Very well.

LEGISLATOR DENENBERG: Does the funding that we get fully support the services that we need to provide under the grant?

MR. PRIEST: This grant is actually a grant applied for by the fire commission and administered, but it is funding that is shared amongst our hazardous materials team and a number of fire department hazardous material teams. It's shared money. This certainly does not fund our full -- not at all.

LEGISLATOR DENENBERG: It's a grant that we can apply towards the funding that we have for hazmat training --

MR. PRIEST: Training and equipment.

LEGISLATOR DENENBERG: and services?

MR. PRIEST: Training and equipment.

LEGISLATOR DENENBERG: Okay. Thank you.

MR. PRIEST: Thank you, sir.

CHAIRMAN DUNNE: Any other legislators?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all in favor indicate by saying aye.

(Aye.)

Any against?

(No verbal response.)

There being none; all in favor indicate  
by saying aye.

(Aye.)

Any against?

(No verbal response.)

This passes on to Finance.

We do have five items on the agenda  
today. The first is Clerk Item 248-14, a  
resolution to accept a gift offered by a donor to  
the Department of Parks, Recreation and Museums.

May I have a motion, please?

LEGISLATOR BECKER: So moved.

CHAIRWOMAN WALKER: By Legislator Becker

-

LEGISLATOR SCHAEFER: Second.

CHAIRWOMAN WALKER: Seconded by  
Legislator Schaefer.

Mr. May.

MR. MAY: Madam Chairwoman.

CHAIRWOMAN WALKER: Would you like to  
give us a little report on this?

MR. MAY: Yes. First, let me say that

Commissioner Brian Nugent or Acting Commissioner Brian Nugent apologizes for not being here today. I understand there was quite a lot of action over the weekend in parks and he needed to be present there. But he will be here at the Full Legislature to discuss this item further. He did ask me to take care of it for him.

However, this is a donation from the Tobacco Action Coalition of Long Island for no smoking and smoking designated area signs. The county executive has authorized the acting parks commissioner to regulate and ban smoking in county parks, starting with a complete ban in passive parks and county preserves, and rolling out designated smoking areas in active parks.

CHAIRWOMAN WALKER: Thank you, Mr. May.

Are there any questions from the legislators? Legislator Jacobs.

LEGISLATOR JACOBS: Okay. Mr. May, I just wanted to comment. Number one, I'm happy to hear we're going to put signs up. I think it was 2010, along with Judi Bosworth, it was part of a whole package that we did file with the clerk's

office, as far as no smoking in parks, no smoking within 50 feet of our buildings. And then following that, in 2012, an issue that no smoking with children under 18 years old or younger in a car, where they're really trapped in a small space and surrounded by smoke.

I'm just bringing this out because it takes so long for us to make a decision to do something here.

I met with the health commissioner, Dr. Eisenstein, and we had a very interesting conversation about Smoking 21, at which point he told me that he was very concerned we'd lose the ATUPA funds. The ATUPA funds is the Adolescent Tobacco Use Prevention Act, which insists that we educate under 18. We get monies in for enforcing the fact that under the age of 18 should not be sold cigarettes. So he was concerned about Smoking 21 interfering with that particular act and our monies. Which I understood when he said it. But when he left I realized, wait a minute. New York City passed it. Suffolk passed it. Westchester passed it. Rockland's about to pass

it. Why would we be the only ones that would lose ATUPA money? So I didn't stop there. I called the New York State Department of Health and found out that was absolutely ridiculous. ATUPA monies, as long as we continue to enforce for under 18, they couldn't care less if we went to age 30 in smoking.

This is just an opening for me to say to you, I appeal to the county executive to come forward and let this be again his initiative, it doesn't need my name on it. It doesn't need Siela Bynoe on it, because she was with me in Suffolk when we saw the signing of the bill in Suffolk. Let's just do it.

We're the only county downstate now who doesn't have Smoking 21. We were the very first county to ever have no smoking in public gathering places. Why would we want to be the only county in the downstate that tells people who are under 21, come on into Nassau. We know you can't buy it where you are, but come on in and we'll give it to you.

I know you can't answer me Greg, and I'm

not even asking you to. But I'm hoping that the county executive realizes that that ATUPA money is not in jeopardy, absolutely is not because if it was none of the other counties would have done it. It's not in jeopardy as long as we keep doing what we're doing. We're doing a great thing. We should join the crowd. We shouldn't stick out like a sore thumb as the only county in the downstate area that isn't brave enough to take a stand. Come on. We were the first county to take the stand originally. If you can get that message back, I'd appreciate it.

MR. MAY: Certainly. And I can certainly look into the issue with the State Department of Health. My understanding is that the monies would be in jeopardy.

LEGISLATOR JACOBS: I'll tell you who to call. If you want to call me, I will tell you the head who I spoke to.

MR. MAY: I will absolutely do that.

LEGISLATOR JACOBS: Okay. Thank you.

CHAIRWOMAN WALKER: Any other comments from any of the other legislators?

(No verbal response.)

LEGISLATOR DeRIGGI-WHITTON: Can I just comment? I totally agree with what Judy Jacobs just said. I think as a mom of two teenagers, if we can eliminate any temptation, I really think it's our duty as a county to do it.

Any step you can take to make it more difficult, to make them think or be afraid of getting in trouble, I really believe that it's so important. Their minds are not fully developed at that age. Give them a couple of more years to really think about what they're doing.

And all those studies have shown that the addiction, if you start prior to 17, the addiction goes up so much higher than should you start after 22. The medical research there. The ethical reasons are there.

According to what Judy's information, which I'm happy to hear, we wouldn't have a financial burden either.

Thank you.

LEGISLATOR JACOBS: Greg, I'm sorry to interrupt but I want to say one thing to you.

Remember, we passed Smoking 19 in this legislature. So if ATUPA really would have hurt us, it would have hurt us right then and there because they would have said you can't do that. It didn't. That's why I know for a fact it's not true.

I know he meant well, by the way. He's a wonderful guy. His fear is unfounded.

CHAIRWOMAN WALKER: Legislator Bynoe.

LEGISLATOR BYNOE: Thank you. Good evening. Or good afternoon, Greg.

MR. MAY: Good afternoon.

LEGISLATOR BYNOE: I would like to echo the sentiments of my colleagues. As a former smoker who started somewhere around the age 16 and a cancer survivor, I implore you to please look into the suggested ramifications for raising the smoking age and the funding. If the two do not connect, I really would like to see the Full Legislature support smoking forward with Smoking 21.

Thank you.

CHAIRWOMAN WALKER: Is there any public

comment?

(No verbal response.)

If none, all those in favor of Clerk Item 248-14 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

The next item -- I'll put three of them together, if that's all right.

Clerk Item 264-14, an ordinance supplemental to the annual appropriation ordinance in connection with the Health Department.

Clerk Item 265-14, an ordinance supplemental to the annual appropriation ordinance in connection with the Health Department.

Clerk Item 273-14, an ordinance supplemental to the annual appropriation ordinance in connection with the Health Department.

Motion, please?

LEGISLATOR BECKER: So moved.

LEGISLATOR VENDITTO: Second.

CHAIRWOMAN WALKER: Motion by Legislator  
Becker, seconded by Legislator Venditto.

The items are before us.

We have Ms. Mary Ellen Laurain.

MS. LAURAIN: Good afternoon. Mary  
Ellen Laurain, Department of Health.

Item 264-14 is a supplemental  
appropriation in the amount of \$75,000 for the  
sexually transmitted disease intervention  
program. This is funded through New York State  
Department of Health and mandated under New York  
State Public Health Law. The program is designed  
to prevent the spread of STDs through  
verification of treatment and contact  
investigations.

CHAIRWOMAN WALKER: Are there any  
questions on that item from the legislators?

(No verbal response.)

MS. LAURAIN: Item 265-14 is a  
supplemental appropriation in the amount of  
\$54,172. This is for the child, family and

safety grant. It was 100 percent funded through New York State Department of -- I'm sorry -- through New York State Office of Children and Family Services. This team reviews all deaths of children who reside and die in Nassau County and whose deaths are unexplained or unexpected.

CHAIRWOMAN WALKER: Any questions from the legislators regarding this item?

(No verbal response.)

MS. LAURAIN: The goal is to come up with recommendations and education for prevention.

CHAIRWOMAN WALKER: Great.

MS. LAURAIN: Item 273-14 is a supplemental appropriation in the amount of \$523,600 for the tuberculosis prevention and control program. This is funded through New York State Department of Health. And the program provides comprehensive services to protect the public from tuberculosis.

CHAIRWOMAN WALKER: Any questions or comments from the legislators?

(No verbal response.)

Any public comment?

(No verbal response.)

Seeing none; all those in favor of Clerk Items 264-14, 265-14, and 273-14 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The items carry unanimously.

Thank you, Ms. Laurain.

Clerk Item 269-14 is an ordinance supplemental to the annual appropriation ordinance in connection with the Department of Social Services.

And before us, we have Paul here to speak to us.

MR. BRODERICK: Paul Broderick, Deputy Commissioner of Department of Social Services.

CHAIRWOMAN WALKER: I'm sorry. We did need a motion.

LEGISLATOR BECKER: So moved.

LEGISLATOR SCHAEFER: Second.

CHAIRWOMAN WALKER: Motion by Legislator

Becker, seconded by Legislator Schaefer.

MR. BRODERICK: The item before you is a supplemental appropriation for \$345,000 from New York State Department of Education to fund our summer nutrition program, summer food program. Between -- I guess for the next 35 days, between July and August, between 35 to 40 sites they will be serving between 65 to 70,000 meals to children.

Do you have any questions?

CHAIRWOMAN WALKER: Are there any questions from the legislators?

(No verbal response.)

Any public comment?

(No verbal response.)

I just thank you, Paul. I'm just happy to see that so many of our young people who are taken care of during the school year, in the summer might go hungry without those meals. Thank you very much.

MR. BRODERICK: Thank you.

CHAIRWOMAN WALKER: All those in favor?

(Aye.)

Any opposed?

(No verbal response.)

The item carries unanimously.

I apologize. We do have one other item, which I first need a motion to suspend the rules.

LEGISLATOR SCHAEFER: So moved.

LEGISLATOR VENDITTO: Second.

CHAIRWOMAN WALKER: Motion by Legislator Schaefer, seconded by Legislator Venditto.

All those in favor of suspending the rules?

(Aye.)

We have one item. Clerk Item 274-14, which is an ordinance supplemental to the annual appropriation ordinance in connection with the Department of Human Services/Office of Mental Health, Chemical Dependency and Developmental Disability Service.

Motion, please?

LEGISLATOR BECKER: So moved.

LEGISLATOR SCHAEFER: Second.

CHAIRWOMAN WALKER: Motion by Legislator Becker, seconded by Legislator Schaefer.

And we have?

MR. HALL: Brian Hall from Human Services.

This is a grant from New York State Office of Mental Health. It's \$390,932. It's 100 percent funded by the state. It's for mental health, chemical dependency for children and family mental health services.

CHAIRWOMAN WALKER: Any comments from the legislators?

(No verbal response.)

Any public comment?

(No verbal response.)

Then all those in favor of this item signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The motion passes unanimously.

(Whereupon, the following is the minutes of the June 30, 2014 Public Works Committee meeting pertaining to Clerk Item 284, 285, 286, 287, 288, 289, and 290-14.)

Clerk Item 284-14, a resolution to authorize the County of Nassau to participate in a federal aid transportation project providing for emergency repairs to Bayville Avenue Causeway Capital Project 82001, PIN 0989.08, and authorizing the county executive of the County of Nassau to execute the agreement on behalf of the county within the New York State Department of Transportation for the advancement of said federal aid transportation projects in Nassau County, New York.

Item 285-14, a resolution to authorize the County of Nassau to participate in a federal aid transportation project providing for emergency repairs to the Atlantic Avenue Over Parsonage Creek Bridge Capital Project 63029, and PWFEM1000 DE5C5, PINE 0989.09, and authorizing the county executive of the County of Nassau to execute the agreement on behalf of the County within the New York State Department of Transportation for the advancement of said federal aid transportation projects in Nassau County, New York.

Item 286-14, a resolution to authorize the County of Nassau to participate in a federal aid transportation project providing for emergency repairs to the Atlantic Beach Bridge Plaza over Bannister Creek Capital Project 63029 and PWFEM1000 DE5C5, PIN 0989.10, and authorizing the county executive of the County of Nassau to execute the agreement on behalf of the county within the New York State Department of Transportation for the advancement of said federal aid transportation projects in Nassau County, New York.

Item 287-14, a resolution to authorize the County of Nassau to participate in a federal aid transportation project providing for emergency repairs to the Barnum Island Bridge Capital Project 63029 and PWFEM1000 DE5C5, PIN 0989.11, and authorizing the county executive of the County of Nassau to execute the agreement on behalf of the County within the New York State Department of Transportation for the advancement of said federal aid transportation projects in Nassau County, New York.

Item 288-14, a resolution to authorize the County of Nassau to participate in a federal aid transportation project providing for emergency repairs to Branch Boulevard over Mott Creek Capital Project 63029 and PWFEM1000 DEC5C5, PIN 0989.12, and authorizing the county executive of the County of Nassau to execute the agreement on behalf of the county within the New York State Department of Transportation for the advancement of said federal aid transportation projects in Nassau County, New York.

Item 289-14, a resolution to authorize the County of Nassau to participate in a federal aid transportation project providing for emergency repairs to the Island Parkway over Island Park Canal Capital Project 63029 and PWFEM1000 DE5C5 PIN 0989.13, and authorizing the county executive of the County of Nassau to execute the agreement on behalf of the county within the New York State Department of Transportation for the advancement of said federal aid transportation projects in Nassau County, New York.

290-14, a resolution to authorize the County of Nassau to participate in a federal aid transportation project providing for emergency repairs drainage stream to Bethpage Recharge Basin Capital Project 82001 and PWFEM1000 DE5C5 PIN 0989.14, and authorizing the county executive of the County of Nassau to execute the agreement on behalf of the County within the New York State Department of Transportation for the advancement of said federal aid transportation projects in Nassau County, New York.

Motion by Ms. Schaefer, seconded by Mr. Becker.

The items are before us.

Mr. May, who do we have?

MR. MAY: We have Mr. Ken Arnold for the Department of Public Works to answer any questions on any of these items. He can even repeat the titles, if you'd like him to.

CHAIRMAN MUSCARELLA: I would not do that. Thank you.

MR. ARNOLD: Ken Arnold, Public Works.

As you read, these are various items of

emergency repairs that the department undertook after the Sandy impact.

284 was the seawall replacement that was for \$46,000.

285 was scour infill replenishment for the Parsons Creek Bridge for \$12,000.

286 was 17,000 for the scour replacement of fill for Bannister Creek Bridge.

287 was for 324,000 associated with erosion. We lost about ten feet of embankment along Austin Boulevard in Island Park.

288 was 494,000; that was the washout of Branch Boulevard.

Then 289 was 24,000, which was infill replenishment for scouring of the Island Park Canal Bridge.

290 was for 28,000 for debris cleaning of an open channel in Bethpage.

CHAIRMAN MUSCARELLA: And these are all federal reimbursements.

MR. ARNOLD: Yeah. 100 percent emergency repairs.

CHAIRMAN MUSCARELLA: Do we have any

other questions? Mr. Denenberg.

LEGISLATOR DENENBERG: Yes. With respect to Bayville Road, the Bayville Bridge itself, where are we on the reconstruction of that bridge?

MR. ARNOLD: There's a separate PIN number that will come to this body on the Bayville Bridge, once it's finished negotiations with FHWA and DOT. Those are for emergency repairs to the bridge.

LEGISLATOR DENENBERG: So right now we haven't started the emergency repairs on the bridge until --

MR. ARNOLD: No. The repairs have been done --

LEGISLATOR DENENBERG: Wait. Let me finish. We're talking over. Go ahead. Say whatever you want.

MR. ARNOLD: The emergency repairs have been completed. We are still negotiating the final package for reimbursement with the state and the FHWA.

LEGISLATOR DENENBERG: So the bridge --

the emergency repairs for the bridge is done?

MR. ARNOLD: That's correct.

LEGISLATOR DENENBERG: All the engines have been replaced?

MR. ARNOLD: All the what?

LEGISLATOR DENENBERG: The bridge engines that were submerged in saltwater.

MR. ARNOLD: Yes. All the mechanicals have been replaced.

LEGISLATOR DENENBERG: I thought only one bridge engine has been replaced and the recommendation was that all be replaced because they were all submerged, and submerged in saltwater and therefore subject to corrosion.

MR. ARNOLD: I will get --

LEGISLATOR DENENBERG: Near as I could tell from working with Legislator Delia DeRiggi, only one of those engines have been replaced. But exposure to saltwater would say that pursuant to emergency response after the storm, all should be replaced. And we should get federal reimbursement to replace all.

MR. ARNOLD: I'll get back to you. My

understanding is we've done all the emergency work. But I can get back to you on the details.

CHAIRMAN MUSCARELLA: Mr. Arnold, this item is not actually before us today.

LEGISLATOR DENENBERG: The reason why I asked is because Bayville Road was --

CHAIRMAN MUSCARELLA: I understand.

LEGISLATOR DENENBERG: concerned. Why am I seeing Bayville Road but not Bayville Bridge?

CHAIRMAN MUSCARELLA: I understand and that's why I allowed you to continue. He will get back to you. He doesn't have that information in front of him so it's a little unfair to ask him to provide it all right now. But we'll get there.

LEGISLATOR DENENBERG: I would ask that before this goes to Full, if you can report back. In this case, I'd be more than happy if Legislator Muscarella, you could report back to. I would ask if you would debrief Legislators Delia DeRiggi-Whitton and Legislator MacKenzie, whose district this is in. I'm just concerned

that I see the Bayville Road reparations and you're telling me Bayville Bridge is done but the information I have is that only one of several engines have been replaced.

MR. ARNOLD: I'll get an update to everybody.

LEGISLATOR DENENBERG: Thank you.

CHAIRMAN MUSCARELLA: Ms. Curran.

LEGISLATOR CURRAN: Hi. Do you know the status of the project on Atlantic Avenue over Parsonage Creek?

MR. ARNOLD: All that work was completed.

LEGISLATOR CURRAN: It's all done.

MR. ARNOLD: All completed, yes.

LEGISLATOR CURRAN: Great. Thank you.

CHAIRMAN MUSCARELLA: Any other questions?

(No verbal response.)

Hearing none; all those in favor of reporting this item signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item is reported to Finance.

(Whereupon, the following is the continuation of the minutes of the June 30, 2014 Rules Committee meeting.)

CHAIRWOMAN GONSALVES: Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR KOPEL: Second.

CHAIRWOMAN GONSALVES: Moved by Legislator Dunne, seconded by Legislator Kopel.

Again, I request that Frank incorporate all of the testimony from the previous committees.

All those in favor of those items that were called signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The items pass unanimously.

Now let's go back to the Rules only items.

Item 246, a resolution authorizing the county executive to execute an amendment to an

inter-municipal agreement with the Village of Rockville Centre.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR KOPEL: Second.

CHAIRWOMAN GONSALVES: Moved by Legislator Dunne, seconded by Legislator Kopel.

Anything from the administration regarding this?

MR. MAY: It's an amendment to a previous agreement with the Village of Rockville Centre to provide for the purchase and installation of catch basin inserts. I believe the original IMA just had for the purchase of the inserts.

CHAIRWOMAN GONSALVES: Brian, do you have something to add?

MR. SCHNEIDER: Yes. Brian Schneider from Public Works.

The purpose of this amendment to an existing inter-municipal agreement is for a 2006 Environmental Bond Act project with the Village of Rockville Centre. We needed to modify the language of the IMA to better clarify the storm

water improvement project, which is the purchase and installation of 30 catch basin inserts, as well as clarification to the scope of the park improvement projects at Centennial Park located off of Sunrise Highway. So we're just clarifying the scope. It's no change to the dollar amount of the IMA.

CHAIRWOMAN GONSALVES: Any questions of Mr. Schneider?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of Item 246 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

Thank you, Mr. Schneider.

The next item is 247, a resolution to accept a gift offered by a donor to the Nassau County Police Department.

Motion, please.

LEGISLATOR DUNNE: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRWOMAN GONSALVES: Moved by  
Legislator Dunne, seconded by Legislator  
Nicolello.

SERGEANT STEPHANOFF: Good afternoon.  
Sergeant Greg Stephanoff from the police  
department.

This item will allow the BWD Group, LLC,  
in Plainview to donate approximately \$1,000 to  
pay for don't text and drive stickers. The  
department's going to use these stickers in the  
texting and driving awareness campaign to show  
awareness for distracted driving, which has  
become probably just as dangerous as DWI.

CHAIRWOMAN GONSALVES: Any comments from  
the legislators regarding this item?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of  
Item 247 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

Thank you, Sergeant.

SERGEANT STEPHANOFF: Thank you.

CHAIRWOMAN GONSALVES: The next item is Item 266, a resolution authorizing the county executive to execute an inter-municipal agreement with the South Hempstead Fire District for the procurement and installation of a computer network system at the South Hempstead Fire Station.

Motion, please?

LEGISLATOR KOPEL: So moved.

LEGISLATOR DUNNE: Second.

CHAIRWOMAN GONSALVES: Moved by Legislator Kopel, seconded by Legislator Dunne.

Any information that you want to share with us?

MR. MAY: This is the CRP for the South Hempstead Fire Department. It's \$35,000 for the purchase of computer network equipment to help route calls and just operate the fire department.

Capital improvements for the operation.

CHAIRWOMAN GONSALVES: Any questions or comments for Mr. May regarding this item?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of Item 266 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

The next item is Item 267, a resolution ratifying the act of the county executive in executing a memorandum of agreement between the County of Nassau and the Nassau County Sherriff's Correction Officers Benevolent Association.

Motion, please?

LEGISLATOR NICOLELLO: So moved.

LEGISLATOR KOPEL: Second.

CHAIRWOMAN GONSALVES: Moved by Legislator Nicolello, seconded by Legislator Kopel.

Any questions regarding this resolution,  
executing the MOA with the County Sheriff  
Correction Officers?

(No verbal response.)

No questions?

(No verbal response.)

No comments?

(No verbal response.)

No public comment?

(No verbal response.)

All those in favor of Item 267 signify by  
saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes seven to zero.

277, a resolution authorizing the county  
executive to execute an IMA between the County of  
Nassau and the Town of Oyster Bay in relation to  
the refueling of patrol units at various Town of  
Oyster Bay facilities.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRWOMAN GONSALVES: Moved by  
Legislator Dunne, seconded by Legislator  
Nicolello.

And we have?

SERGEANT STEPHANOFF: Good afternoon.  
Sergeant Greg Stephanoff again. This inter-  
municipal agreement will allow patrol units to  
refuel at various Town of Oyster Bay locations,  
this way they don't have to go all the way to the  
precinct and it will keep them either on post or  
near post so that they can get back to patrolling  
again.

CHAIRWOMAN GONSALVES: Great. Any  
questions or comments for the Sergeant?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of  
Item 277 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

SERGEANT STEPHANOFF: Thank you.

CHAIRWOMAN GONSALVES: The next item is 278, a resolution authorizing the county executive to execute an IMA with the City of Long Beach in relation to continuing operation of transit bus service.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR KOPEL: Second.

CHAIRWOMAN GONSALVES: Moved by Legislator Dunne, seconded by Legislator Kopel. Mr. May.

MR. MAY: This is the annual IMA with the City of Long Beach to provide the N69 bus route to Lido Beach. It's \$75,000. I believe this has been the same amount every year for at least the last four years that I've been here doing this.

CHAIRWOMAN GONSALVES: Any questions of Mr. May regarding this item?

(No verbal response.)

There being none; all those in favor of

Item 278 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

I believe we have Item 280, a resolution authorizing the county executive to accept on behalf of the County of Nassau the dedication of real property for highway purposes located at I.U. Willets Road and Bacon Road, Incorporated Village of Old Westbury, Town of North Hempstead, County of Nassau, State of New York.

LEGISLATOR DUNNE: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRWOMAN GONSALVES: Moved by Legislator Dunne, seconded by Legislator Nicolello.

MR. MAY: We have Deputy County Executive Nick Serandis to answer any questions on this item.

CHAIRWOMAN GONSALVES: Okay. Anybody?

(No verbal response.)

Any questions on this item? We're

talking about Item 280.

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of Item 280 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

We have one more item, and that is Item 281, a resolution authorizing the county executive to execute an IMA with the Bethpage Union Free School District in relation to a project to design, procure, and install security cameras at athletic fields in the district.

LEGISLATOR DUNNE: So moved.

LEGISLATOR KOPEL: Second.

CHAIRWOMAN GONSALVES: Moved by Legislator Dunne, seconded by Legislator Kopel.

MR. MAY: This is a CRP, community revitalization project on behalf of Legislator Rose Walker. It's between the County and the

Bethpage Union Free School District. It's for \$7,500 for security field cameras at athletic fields throughout the school district.

CHAIRWOMAN GONSALVES: Any questions or comments regarding this item?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of Item 281 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

And I believe that was the last item.

I'm going to ask for a motion to adjourn the Rules Committee.

LEGISLATOR KOPEL: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRWOMAN GONSALVES: Moved by Legislator Kopel, seconded by Legislator Nicolello.

All those in favor signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The Rules Committee is now adjourned.

(Whereupon, the Rules Committee adjourned  
at 5:09 p.m.)

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 state:

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 11th day of July, 2014.

-----  
FRANK GRAY