

NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,
PRESIDING OFFICER

RULES COMMITTEE

NORMA GONSALVES,
CHAIRWOMAN

1550 Franklin Avenue
Mineola, New York

October 7, 2013
1:08 p.m.

REGAL REPORTING SERVICES
516-747-7353

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

NORMA GONSALVES
Chairwoman

HOWARD KOPEL (Not Present)
Vice Chairman

RICHARD NICOLELLO (Sitting in for Howard Kopel)

DENNIS DUNNE

ROSE MARIE WALKER

KEVAN ABRAHAMS
Ranking

JUDY JACOBS

WAYNE WINK

WILLIAM J. MULLER, III, Clerk

INSERTS TO TRANSCRIPT

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Page 103, Line 4 - Page 107, Line 5

LIST OF SPEAKERS

GREG MAY. 6
GREGORY STEPHANOFF. 6
RICH MALLETTE 8
KEITH SATHER. 12
ED SHANK. 18
BRIAN SCHNEIDER 21
PAUL BRODERICK. 24
BOB MCMANUS 28

2 CHAIRWOMAN GONSALVES: Legislator Dennis
3 Dunne, please lead us in the Pledge of
4 Allegiance.

5 (Whereupon, the Pledge of Allegiance was
6 recited.)

7 CHAIRWOMAN GONSALVES: Mr. Clerk, would
8 you please call the role?

9 CLERK MULLER: Legislator Wink?

10 LEGISLATOR WINK: Here.

11 CLERK MULLER: Legislator Jacobs?

12 (No verbal response.)

13 CLERK MULLER: Ranking Member,
14 Legislator Abrahams?

15 LEGISLATOR ABRAHAMS: Here.

16 CLERK MULLER: Legislator Walker?

17 LEGISLATOR WALKER: Here.

18 CLERK MULLER: Legislator Dunne?

19 LEGISLATOR DUNNE: Here.

20 CLERK MULLER: Legislator Nicoletto,
21 substituting for Vice Chairman Kopel?

22 LEGISLATOR NICOLELLO: Here.

23 CLERK MULLER: Chairwoman Gonsalves?

CHAIRWOMAN GONSALVES: Present.

CLERK MULLER: We have a quorum.

CHAIRWOMAN GONSALVES: Thank you very much.

The first contract is A-64-13, 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 Nassau County Police Department and Motorola Inc.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR WALKER: Second.

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

Who do we have here, Mr. May?

MR. MAY: We have Sergeant Gregory Stephanoff from the police department.

CHAIRWOMAN GONSALVES: Good afternoon, Sergeant.

SERGEANT STEPHANOFF: Good afternoon. Sergeant Greg Stephanoff.

This is for the maintenance contract of our 500 megahertz radio system, which is the

2 radio system we use for the department to
3 transmit calls to the cars.

4 CHAIRWOMAN GONSALVES: Any questions of
5 the Sergeant?

6 (No verbal response.)

7 Any public comment?

8 (No verbal response.)

9 There being none; all those in favor of
10 contract A-64-13 signify by saying aye.

11 (Aye.)

12 Any opposed?

13 (No verbal response.)

14 The contract passes unanimously.

15 CLERK MULLER: Legislator Jacobs is
16 here.

17 CHAIRWOMAN GONSALVES: We're going to
18 call A-66-13 and A-69-13 together, with the
19 permission of the minority leader.

20 A-66-13, a resolution ratifying the award
21 and authorizing the execution by the Director of
22 Nassau County Office of Purchasing of an
23 emergency purchase order between the County of
24 Nassau acting on behalf of Nassau County
25 Department of Public Works and 192 Branch

2 Interior Services Inc.

3 A-69-13, a resolution ratifying the award
4 and authorizing the execution by the Director of
5 Nassau County Office of Purchasing of an
6 emergency purchase order between the County of
7 Nassau acting on behalf of the Nassau County
8 Department of Public Works and 192 Branch
9 Interior Services Inc.

10 LEGISLATOR DUNNE: So moved.

11 LEGISLATOR WALKER: Second.

12 CHAIRWOMAN GONSALVES: Moved by
13 Legislator Dunne, seconded by Legislator Walker.
14 Mr. May.

15 MR. MAY: We have Mr. Rich Mallette,
16 directly behind me, from DPW.

17 CHAIRWOMAN GONSALVES: Good afternoon,
18 Mr. Mallette.

19 MR. MALLETTE: Good afternoon.

20 This was a blanket purchase order that
21 was used to remove sewage, inundated materials
22 from the interior of people's homes down in the
23 two breached areas that occurred when Bay Park
24 closed, shut off.

25 CHAIRWOMAN GONSALVES: Any questions or

comments regarding these two contracts?

Legislator Nicoletto.

LEGISLATOR NICOLELLO: I've been told that there was a bond issue relating to this work that hasn't been approved yet, so we were wondering how these items are being paid, the contracts.

MR. MALLETTE: We took money out of some operating funds that we had available and we used some of the capital money. This is our usual led abatement and asbestos removal group.

LEGISLATOR NICOLELLO: And you were able to come up with sufficient monies to do these items?

MR. MALLETTE: We have. And there was some forward money in the 192 that was included in this cleanup as well.

LEGISLATOR NICOLELLO: What money?

MR. MALLETTE: In the original 192 there were I think two and a half million for this.

LEGISLATOR NICOLELLO: Thank you.

CHAIRWOMAN GONSALVES: Minority Leader Abrahams.

LEGISLATOR ABRAHAMS: How are you,

2 Rich?

3 MR. MALLETT: Good. How are you today?

4 LEGISLATOR ABRAHAMS: Good. We just

5 have a quick question.

6 There's a memo dated from August 8 and
7 the requisitions made from August 23. We're just
8 curious on why this couldn't be done through the
9 normal procedures point. The reason we bring it
10 up is Item 874-13 was done through an award
11 process. Is it possible this could have been
12 done the same way?

13 MR. MALLETT: This work was done
14 immediately following the storm. The paperwork -
15 - we had to wait. This is the first time FEMA
16 ever would allow this program to go through, so
17 we had to collect the paperwork in a certain
18 format so we know we would be able to put it into
19 a PW and collect the money back.

20 LEGISLATOR ABRAHAMS: Okay.

21 MR. MALLETT: So the paperwork lagged
22 significantly behind for that reason, because we
23 had a bunch of exchanges with FEMA.

24 LEGISLATOR ABRAHAMS: I see. Thank
25 you.

2 CHAIRWOMAN GONSALVES: Any other
3 comments?

4 (No verbal response.)

5 Any public comment?

6 (No verbal response.)

7 All those in favor of contract A-66-13,
8 A-69-13 signify by saying aye.

9 (Aye.)

10 Any opposed?

11 (No verbal response.)

12 The contracts pass unanimously.

13 The next contract is A-70-13, a
14 resolution authorizing the director of Nassau
15 County Office of Purchasing to award and execute
16 a contract between the County of Nassau acting on
17 behalf of Nassau County Correctional Center and
18 H. Schrier & Company, Inc.

19 Motion, please?

20 LEGISLATOR DUNNE: So moved.

21 LEGISLATOR WALKER: Second.

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

24 And?

25 MR. MAY: And we have Captain Keith

2 Sather from the correction department.

3 CHAIRWOMAN GONSALVES: Okay.

4 CAPTAIN SATHER: Good afternoon.

5 CHAIRWOMAN GONSALVES: Good afternoon.

6 CAPTAIN SATHER: The item before you is
7 the department's grocery contract in the amount
8 of \$188,354 for a six month period. The
9 department currently serves about 50,000 meals a
10 week at the correctional center at a cost of less
11 than a dollar a meal.

12 CHAIRWOMAN GONSALVES: Any questions?

13 LEGISLATOR DUNNE: Just a - thank you
14 for giving us a detailed description of what
15 they're purchasing. It's pretty cool. Thank
16 you.

17 CHAIRWOMAN GONSALVES: Any other
18 comments?

19 (No verbal response.)

20 Any public comment?

21 (No verbal response.)

22 There being none; all those in favor of
23 contract A-70-13 signify by saying aye.

24 (Aye.)

25 Any opposed?

(No verbal response.)

The contract passes unanimously.

Again with the permission of the minority, Contracts A-71-13, A-73-13, and A-74-13; I will read them.

A-71, a resolution ratifying the award and execution by the director of Nassau County Office of Purchasing of an emergency purchase order between the County of Nassau acting on behalf of the Nassau County Department of Public Works and Gabrielli Truck Sales Limited.

A-731, a resolution ratifying the award and execution by the director of Nassau County Office of Purchasing of an emergency purchase order between the County of Nassau acting on behalf of the Nassau County Department of Public Works and Edward Ehrbar Inc.

And A-74, a resolution authorizing the award and execution by 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 Gabrielli Truck Sales Limited.

Motion, please?

LEGISLATOR WALKER: So moved.

LEGISLATOR DUNNE: Second.

CHAIRWOMAN GONSALVES: Moved by
Legislator Walker, seconded by Legislator Dunne.
Okay. Who do we have here?

MR. MAY: Again, we have Mr. Rich
Mallette.

CHAIRWOMAN GONSALVES: Okay. Thank you.

MR. MALLETTE: A-71 is to pay for a
rental period for three vac cons. Seven of our
sewer maintenance vehicles were destroyed in
Sandy, and these three were used to replace them
for the work.

In A-73, this is an emergency rental
order that was used for Edward Ehrbar to get
heavy equipment. We had several pieces of heavy
equipment -- excavators, pay loaders, skid
loaders -- that were damaged and we used that in
a rental order.

And A-74 is the bid-out purchase price on
three replacement vac cons, so we no longer have
to rent.

CHAIRWOMAN GONSALVES: Questions or
comments? Minority Leader Abrahams.

LEGISLATOR ABRAHAMS: How are you again, Rich?

MR. MALLETTTE: Good.

LEGISLATOR ABRAHAMS: We just have a quick question. In the back we're referencing an email that we went on August 28 by yourself to Deputy County Executive - Chief Deputy County Executive Walker where you stated that or confirming a rec can be approved previous to leg approval. I'm just trying to make sure I understand what you mean by confirming rec.

MR. MALLETTTE: I don't know. I don't have that backup in front of me.

LEGISLATOR ABRAHAMS: It's part of A-71. It's an e-mail; part of the backup. I don't want to blindside you. I'll have Michelle bring it down to you so you can take a look.

MR. MALLETTTE: Oh. This was already approved. The rental was already approved previous. This is an extension of the rental payment.

LEGISLATOR ABRAHAMS: When you say approved?

MR. MALLETTTE: Right. This had come up

2 previously I believe twice before for rental
3 payments.

4 LEGISLATOR ABRAHAMS: Oh, so it was
5 approved by this body?

6 MR. MALLETT: Right. That's what that
7 was.

8 LEGISLATOR ABRAHAMS: Gotcha. Okay. I
9 just want to make sure.

10 CHAIRWOMAN GONSALVES: Any other
11 comments?

12 (No verbal response.)

13 Any public comment?

14 (No verbal response.)

15 There being none; all those in favor of
16 contracts A-71, A-73, and A-74 signify by saying
17 aye.

18 (Aye.)

19 Any opposed?

20 (No verbal response.)

21 The contracts pass unanimously.

22 Moving along to the personal service
23 contracts.

24 E-191-13, a resolution authorizing the
25 county executive to execute a personal services

1 agreement between the County of Nassau acting on
2 behalf of the Nassau County Department of
3 Probation and Family and Children's Association,
4 Inc.

5
6 Motion, please?

7 LEGISLATOR DUNNE: So moved.

8 LEGISLATOR WALKER: Second.

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

11 Mr. May.

12 MR. MAY: Madam Chairwoman, do you want
13 to call E-192 and E-193 as well? We have the
14 same person here for all three, if it makes much
15 of a difference.

16 CHAIRWOMAN GONSALVES: Any problem?

17 Okay.

18 E-192, a resolution authorizing the
19 county executive to execute a personal services
20 agreement between the County of Nassau acting on
21 behalf of the Nassau County Department of
22 Probation and Nassau Alternative Advocacy Program
23 Inc.

24 E-193-13, a resolution authorizing the
25 county executive to execute a personal services

agreement between the County of Nassau acting on behalf of the Nassau County Department of Probation and Freeport Pride Inc.

Motion, please, on those two items?

LEGISLATOR DUNNE: So moved.

LEGISLATOR WALKER: Second.

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

Okay. Now we're in business.

MR. MAY: Thank you. We have Mr. Ed Shank from Probation.

MR. SHANK: Good afternoon. E-191 with Family & Children's Services and E-193 with Freeport Pride are for the same program; it's the Juvenile Supervision and Treatment Services for juvenile's program. It involves providing community-based supervision services based upon initial risk, need, and assessment during an initial 60 day period, with an additional 60 day period potential as determined by probation. Services will be youth and family focused and based in the home, school, and community. Both of the contractors provide services mainly in the Hempstead and Uniondale area.

2 The third contract, E-192-13, is part of
3 the alternatives to incarceration program. All
4 three of these are state funded, the first two by
5 Office of Children and Family Services, and the
6 Nassau Alternative Advocacy Program is part of a
7 JDC grant - not JDC - New York State Division of
8 Criminal Justice Services Grant. That program
9 with Nassau Alternative Services is for - it
10 helps reduce the number of people incarcerated in
11 the jail and provides pre-trial release plans,
12 bail reviews, and free pleading reports to the
13 courts to accomplish the diversion of offenders
14 meeting the state criteria from pre-trial
15 incarceration.

16 CHAIRWOMAN GONSALVES: Any questions or
17 comments?

18 (No verbal response.)

19 Any public comment?

20 (No verbal response.)

21 There being none; all those in favor of
22 the personal services agreements - E-191, E-192,
23 and E-193 - signify by saying aye.

24 (Aye.)

25 Any opposed?

(No verbal response.)

Those agreements pass unanimously.

MR. SHANK: Thank you.

CHAIRWOMAN GONSALVES: Thank you very much.

The next one is E-194-13 and E-200-13. The first one, E-194, a resolution authorizing the county executive to execute a personal services agreement between the County of Nassau, acting on behalf of the County Department of Public Works, and LIRO Engineers, Inc.

200, a resolution authorizing the county executive to execute a personal services agreement between the County of Nassau, acting on behalf of the County Department of Public Works, and Executive Recovery Group, Inc.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR WALKER: Second.

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

And?

MR. MAY: We have Mr. Brian Schneider from DPW.

CHAIRWOMAN GONSALVES: Okay. Welcome, Mr. Schneider.

MR. SCHNEIDER: Good afternoon.

If you recall, on October 7 at the Rules Committee I came here and presented six agreements for countywide disaster and debris monitoring consultants to work for the county during times of disaster. The intention of the RFPs that were sent out this past May was to establish a pool of experienced and qualified firms to be responsible for monitoring the recovery efforts of the county's debris and management contractors in the field in accordance with all the Stafford Act and Federal Emergency Management Administration policies and guidelines.

On October 7 six of those agreements were passed and there are two more, and we're still expecting a third. But the two before you today, one is for the LIRO Engineers and also for the Executive Recovery Group.

These contracts have a three year time period with an optional two year extension. At this time we're asking approval of these two

contracts.

CHAIRWOMAN GONSALVES: I believe the date is September 9; is that correct? Today is October 7.

MR. SCHNEIDER: The date that I appeared before you?

CHAIRWOMAN GONSALVES: Yes.

MR. SCHNEIDER: I thought it was the last Rules Committee that I was here.

CHAIRWOMAN GONSALVES: That could be -

MR. SCHNEIDER: That could be September 9. Am I correct? Correct. Okay. September 9, Mr. Schneider.

MR. SCHNEIDER: I stand corrected.

CHAIRWOMAN GONSALVES: Any comments or questions regarding these two agreements?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of personal services agreements E-194-13 and E-200-13 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

Those agreements pass unanimously.

Thank you, Mr. Schneider.

The next one is E-195-13, a resolution authorizing the county executive to execute a personal services agreement between the County of Nassau, acting on behalf of the Nassau County Legislature, and MCCi, a subsidiary of Municipal Code Corporation.

Motion, please?

LEGISLATOR WALKER: So moved.

LEGISLATOR DUNNE: Second.

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

MR. MAY: If there are any questions on this item, I have the Edward Molina to answer questions question you may have.

CHAIRWOMAN GONSALVES: Any questions?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none, you're off the hook.

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

2 (Aye.)

3 Any opposed?

4 (No verbal response.)

5 E-195-13 passes unanimously.

6 The next one, E-196-13, a resolution
7 authorizing the county executive to execute a
8 personal services agreement between the County of
9 Nassau, acting on behalf of the County Department
10 of Social Services, and Island Peer Review
11 Organization, Inc.

12 LEGISLATOR DUNNE: So moved.

13 LEGISLATOR WALKER: Second.

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

16 MR. MAY: We have Mr. Paul Broderick
17 from DSS.

18 MR. BRODERICK: Legislators, good
19 afternoon.

20 CHAIRWOMAN GONSALVES: Good afternoon,
21 Mr. Broderick.

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

24 The contract before you is between the
25 Department of Social Services and I-Pro or Island

2 Peer Review. The contract calls for a \$360,000
3 split evenly or funded evenly between state and
4 federal government. They provide auditing
5 services for us to weed out Medicaid waste,
6 fraud, and abuse.

7 Do you have any questions?

8 CHAIRWOMAN GONSALVES: Any questions of
9 Mr. Broderick?

10 (No verbal response.)

11 Any public comment?

12 (No verbal response.)

13 There being none; all those in favor of
14 personal services agreement E-196-13 signify by
15 saying aye.

16 (Aye.)

17 Any opposed?

18 (No verbal response.)

19 The agreement passes unanimously.

20 MR. BRODERICK: Thank you.

21 CHAIRWOMAN GONSALVES: Thank you, Mr.
22 Broderick.

23 The next is E-197-13, a resolution
24 authorizing the county executive to execute an
25 amendment to a personal services agreement

2 between the County of Nassau, acting on behalf of
3 the Department of Public Works, and Cashin
4 Associates P.C.

5 LEGISLATOR DUNNE: So moved.

6 LEGISLATOR WALKER: Second.

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

9 Mr. May, who do we have?

10 MR. MAY: I'm sorry, Madam Presiding
11 Officer.

12 CHAIRWOMAN GONSALVES: E-197.

13 MR. MAY: Then I have the talented and
14 capable, Mr. Brian Schneider.

15 CHAIRWOMAN GONSALVES: Lucky for you.

16 MR. SCHNEIDER: This is a contract
17 amendment for design and construction
18 administration services for work that's being
19 done at the Fire Service Academy burn buildings C
20 and D. This contract amendment is for Cashin
21 Associates for an amount of \$35,000. This
22 additional design was necessary due to
23 deficiencies that were found in the building
24 foundations during construction that required
25 additional design services by Cashin.

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 E-197-13 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

The next one is E-199-13, a resolution authorizing the county executive to execute a personal services agreement between the County of Nassau, acting on behalf of the District Attorney's office -- uh oh. Hold on. Let it be noted that Minority Leader Abrahams and Legislator Jacobs have recused themselves.

We'll go back again to E-119-13, a resolution authorizing the county executive to execute a personal services agreement between the County of Nassau, acting on behalf of the District Attorney's Office and North Shore University Hospital.

LEGISLATOR DUNNE: So moved.

LEGISLATOR WALKER: Second.

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

MR. MAY: We have Mr. Robert McManus
from the District Attorney's Office.

CHAIRWOMAN GONSALVES: Okay.

MR. MCMANUS: Thank you. This is the
fifteenth year for the sexual assault nurse
examiner program, which is a collaboration
between North Shore University Hospital, the
Nassau County Coalition against Domestic
Violence, the Nassau County Police Department
Special Victims Unit, and the District Attorney's
Office.

The services to be rendered by North
Shore University Hospital under this contract
consists of providing a special unit for victims
of sexual assault that is staffed by registered
nurses specially trained to obtain and collect
forensic evidence that helps in the investigation
and prosecution of individuals that commit sexual
assault, while at the same time providing
services to victims in a setting that is private,

2 comfortable and safe.

3 CHAIRWOMAN GONSALVES: Any questions for
4 Mr. McManus?

5 (No verbal response.)

6 Any public comment?

7 (No verbal response.)

8 There being none; all those in favor of
9 E-199-13 signify by saying aye.

10 (Aye.)

11 The item passes unanimously.

12 MR. MCMANUS: Thank you.

13 CHAIRWOMAN GONSALVES: Minority Leader
14 Abrahams and Legislator Jacobs may return to the
15 chamber.

16 The next personal services agreements,
17 I'm going to call three of them together.

18 E-201-13, a resolution authorizing the
19 county executive to execute an amendment to a
20 personal services agreement between the County of
21 Nassau, acting on behalf of the Department of
22 Public Works, and L.K. McLean Associates P.C.

23 The next item is E-202, a resolution
24 authorizing the county executive to execute an
25 amendment to a personal services agreement

between the County of Nassau, acting on behalf of the Department of Public Works, and RBA Group New York.

And E-206, a resolution authorizing the county executive to execute an amendment to a personal services agreement between the County of Nassau, acting on behalf of the Department of Public Works and Lockwood, Kessler & Bartlett, Inc.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR WALKER: Second.

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

And we have Mr. Schneider here again.

MR. SCHNEIDER: Good afternoon, again.

These are no cost contract amendments to extend the contract term an additional six months, which will give the department to adequately monitor, manage, and inspect current and planned road improvement and other construction projects throughout the county.

CHAIRWOMAN GONSALVES: Questions of Mr. Schneider?

2 (No verbal response.)

3 Any public comment?

4 (No verbal response.)

5 There being none; all those in favor of
6 E-201, E-202, and E-206 signify by saying aye.

7 (Aye.)

8 Any opposed?

9 (No verbal response.)

10 Those items pass unanimously.

11 The next one is E-204-13, a resolution
12 authorizing the county executive to execute an
13 amendment to a personal services agreement
14 between the County of Nassau, acting on behalf of
15 the Department of Public Works, and LIRO
16 Engineers Inc.

17 LEGISLATOR DUNNE: So moved.

18 LEGISLATOR WALKER: Second.

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

21 Okay. Mr. Schneider.

22 MR. SCHNEIDER: Good afternoon, again.

23 This is an amendment to an existing
24 personal services agreement with LIRO Engineers,
25 who has been acting as the program manager for

2 the 2006 Environmental Bond Act Program. The
3 current agreement expires or expired on October 6
4 of this year, and we are looking to extend the
5 term for an additional one year so that we can
6 basically close out many of the EBA projects that
7 are very close to completion.

8 CHAIRWOMAN GONSALVES: Any questions or
9 comments regarding this item?

10 (No verbal response.)

11 Any public comment?

12 (No verbal response.)

13 There being none; all those in favor of
14 E-204-13 signify by saying aye.

15 (Aye.)

16 Any opposed?

17 (No verbal response.)

18 The item passes unanimously.

19 We have one more item, one more in the
20 regular agenda.

21 E-205-13, a resolution authorizing the
22 county executive to execute an amendment to a
23 personal services agreement between the County of
24 Nassau, acting on behalf of the Department of
25 Public Works, and Lockwood, Kessler, and Bartlett

Inc.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR WALKER: Second.

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

It's your turn today, huh?

MR. SCHNEIDER: I guess so. I drew the
short straw.

This is also a no cost contract amendment
with Lockwood, Kessler and Bartlett to facilitate
construction management services at the Bay Park
interim sludge thickening facility which will be
undergoing construction very shortly.

CHAIRWOMAN GONSALVES: Okay. Any
questions of Mr. Schneider?

(No verbal response.)

Any public comment?

(No verbal response.)

All those in favor of E-205-13 signify by
saying aye.

(Aye.)

Any opposed?

(No verbal response.)

1 The item passes unanimously.

2
3 I need a motion to suspend the rules
4 because we have three items on the addendum.

5 Motion to suspend the rules?

6 LEGISLATOR DUNNE: So moved.

7 LEGISLATOR WALKER: Second.

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

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

12 (Aye.)

13 Any opposed?

14 (No verbal response.)

15 The rules are suspended. We move to the
16 addendum.

17 The first one is A-76-13, a resolution
18 authorizing the director of Nassau County Office
19 of Purchasing to request oversight of a contract
20 between the County of Nassau, acting on behalf of
21 the Nassau County Department of Public Works and
22 Atlas Roll-Off Corp.

23 LEGISLATOR WALKER: So moved.

24 LEGISLATOR DUNNE: Second.

25 CHAIRWOMAN GONSALVES: Moved by

Legislator Walker, seconded by Legislator Dunne.

MR. MAY: We have Rich Mallette, DPW.

MR. MALLETTTE: This is a blanket order that we use in the highway department to facilitate any roadwork, site work we may be doing with purchasing of stone and/or sand or soil.

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 A-76-13 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

I'm going to call E-203-13 and E-207-13, both personal services agreements. The first one, 203, a resolution authorizing the county executive to execute an amendment to a personal services agreement between the County of Nassau, acting on behalf of the Department of Public

2 Works, and Gibbons, Esposito & Boyce Engineers,
3 P.C.

4 E-207-13, a resolution authorizing the
5 county executive to execute an amendment to a
6 personal services agreement between the County of
7 Nassau, acting on behalf of the Department of
8 Public Works, and Haks Engineers, Architects &
9 Land Surveyors, P.C.

10 LEGISLATOR WALKER: So moved.

11 LEGISLATOR DUNNE: Second.

12 CHAIRWOMAN GONSALVES: Moved by
13 Legislator Walker, seconded by Legislator Dunne.

14 MR. MALLETTE: These also are on-call -
15 amendments to our on-call professional services
16 agreement for construction management and
17 construction inspection related to general
18 improvements to the county's highway, bridge, and
19 road infrastructure. The amendment for Gibbons,
20 Esposito & Boyce is for a term of six months, and
21 we are also increasing the cap by \$250,000. And
22 the agreement with Haks is a one year contract
23 extension.

24 CHAIRWOMAN GONSALVES: Any questions or
25 comments regarding these two items, E-203 and E-

207?

(No verbal response.)

Any public comments?

(No verbal response.)

There being none; all those in favor of E-203 and E-207 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The items carry unanimously.

We now are in recess.

(Whereupon, the Rules Committee recessed at 1:38 p.m.)

(Whereupon, the Rules Committee reconvened at 2:55 p.m.)

CHAIRWOMAN GONSALVES: The Rules Committee is now back in session. We are going to begin, with the consent of the minority, the consent items, those items that have gone through the committees. I ask that all the testimony from the committees be incorporated into the Rules Committee.

And so I shall begin with Item 412-13, Item 422-13, Item 423-13, Item 424-13 - remember,

2 I said these went through committees - Item 425-
3 13, Item 426-13, 432-13, 433-13, 435-13, 436-13,
4 437-13, 438-13, and on the addendum, we had
5 already suspended the rules, so from the addendum
6 it's Item 440-13, 441-13, 442-13, 443-13, 444-13,
7 445-13, 447-13.

8 (Whereupon, the following are the minutes
9 of the October 7, 2013 Finance Committee meeting
10 pertaining to Clerk Items 442-13, 423, 424, 425,
11 426, 432, 433, 435, 436, 437, 438, 440, 441, 442,
12 443, 444, 445, and 447-13.)

13 Items 422, 423, 424, and 425-2013 -
14 actually, hold on a second. I'm going to call
15 Item 422-2013 by itself. It's a resolution to
16 authorize expansion of appropriations heretofore
17 made within the budget for the year 2013.

18 LEGISLATOR WALKER: So moved.

19 LEGISLATOR MUSCARELLA: Second.

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

22 I understand there's an amendment in the
23 nature of a substitution, so we need to amend
24 this.

25 Do we have a motion to amend?

2 LEGISLATOR MUSCARELLA: So moved.

3 LEGISLATOR WALKER: Second.

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

6 Discussion on the amendment. The
7 amendment to this item corrects the funds
8 disbursed to the contractual expenses and general
9 expenses lines from \$539,370 and \$143,000 to
10 \$464,370 and \$218,000, respectively.

11 LEGISLATOR DENENBERG: What was the
12 mistake, just the amount?

13 CHAIRMAN NICOLELLO: The amount.

14 Any other questions, comments?

15 LEGISLATOR DENENBERG: And this is our -
16 may I ask a question, through the Chair?

17 CHAIRMAN NICOLELLO: Yes.

18 LEGISLATOR DENENBERG: Thank you. Mr.
19 May, this is our annual required expenditure for
20 station maintenance?

21 MR. MAY: Mr. John Butler from DPW to
22 answer questions on this item.

23 MR. BUTLER: Good afternoon. John
24 Butler, DPW.

25 This is actually just the surplus of the

2 amount that we are required by New York State Law
3 to submit for station maintenance. There was an
4 amount that was leftover. The leftover amount we
5 are using to do some additional traffic signal
6 work. So there is no additional cost here, it's
7 just moving from a surplus to an area of need.

8 LEGISLATOR DENENBERG: Okay. I'm having
9 trouble hearing you, but I think I heard you.
10 Thanks.

11 CHAIRMAN NICOLELLO: Thank you, Mr.
12 Butler.

13 Any other questions?

14 (No verbal response.)

15 Seeing no other questions, we have to
16 take a vote on the amendment. All in favor of
17 the amendment signify by saying aye.

18 (Aye.)

19 Those opposed?

20 (No verbal response.)

21 The item is amended.

22 Any questions on the item as amended?

23 (No verbal response.)

24 Any public comments?

25 (No verbal response.)

All in favor of the item, as amended,
signify by saying aye.

(Aye.)

Those opposed?

(No verbal response.)

The item, as amended, passes.

Items 423, 424, and 425-2013, which are
all ordinances supplemental to the annual
appropriation ordinance in connection with the
Department of Human Services.

LEGISLATOR WALKER: So moved.

LEGISLATOR VENDITTO: Second.

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

Any questions or comments on this item?

(No verbal response.)

Any public comments?

(No verbal response.)

All in favor signify by saying aye.

(Aye.)

Those opposed?

(No verbal response.)

Those item carry unanimously.

Item 426-2013 is a resolution authorizing

2 the county executive to execute a grant agreement
3 between the County of Nassau, acting on behalf of
4 the County Department of Parks, and the
5 Agricultural Society of Queens.

6 LEGISLATOR MUSCARELLA: So moved.

7 LEGISLATOR WALKER: Second.

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

10 Any questions on this item?

11 (No verbal response.)

12 This is the Long Island Fair, I believe.
13 This is hotel/motel monies.

14 Any public comments?

15 (No verbal response.)

16 All in favor signify by saying aye.

17 (Aye.)

18 Those opposed?

19 (No verbal response.)

20 That item carries unanimously.

21 Item 432-2013 is an - let me back up.

22 Item 432-2013, 433-2013, 435-2013, 436-2013, 437-
23 2013, and 438-2013 are all ordinances
24 supplemental to the annual appropriation
25 ordinance in connection with the Health

2 Department, Department of Probation, Department
3 of Toxicology, Office of the County Executive,
4 and Police Department.

5 LEGISLATOR WALKER: So moved.

6 LEGISLATOR VENDITTO: Second.

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

9 Any questions on these items?

10 (No verbal response.)

11 Any public comment?

12 (No verbal response.)

13 All in favor signify by saying aye.

14 (Aye.)

15 Those items pass unanimously.

16 I'm going to take a motion to suspend the
17 rules.

18 LEGISLATOR MUSCARELLA: So moved.

19 LEGISLATOR WALKER: Second.

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

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

24 (Aye.)

25 Those opposed?

2 (No verbal response.)

3 The rules are suspended.

4 We have Items 440, 441, 442, 443, 444,
5 445, and 447 on the addendum, which are
6 resolutions to authorize the transfer of
7 appropriations heretofore made within the budget
8 for the year 2013; and 445 and 447 are ordinances
9 supplemental to the annual appropriation
10 ordinance in connection with the Police
11 Department and Department of Public Works.

12 LEGISLATOR VENDITTO: So moved.

13 LEGISLATOR WALKER: Second.

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

16 Any questions on these items?

17 (No verbal response.)

18 Hearing no questions, any public comment?

19 (No verbal response.)

20 LEGISLATOR DENENBERG: I do have a
21 question. I'm sorry.

22 CHAIRMAN NICOLELLO: Which item or
23 items?

24 LEGISLATOR DENENBERG: 440.

25 CHAIRMAN NICOLELLO: Okay. Item 440,

Mr. May, is anyone here to speak about this?

MR. MAY: Yes. There is. We have First Deputy Commissioner Tom Krumpter. I have mangled his title, I apologize.

MR. KRUMPTER: Good afternoon. Before you today is a board transfer for \$12 million on Item 440. This transfers money from office of management debt service charge backs police headquarters contingency reserve and police headquarters fringe benefits, and that office of management and budget transferred the PDH and police headquarter salaries, 1.5 million. It's basically to cover shortfalls that are projected in the headquarters budget specifically related to headquarters overtime and headquarters termination pay that was paid prior to the bond ordinance being passed last week.

CHAIRMAN NICOLELLO: Before you ask your question, Mr. Denenberg. Chief Deputy Commissioner Krumpter - I think I messed that up too.

COMMISSIONER KRUMPTER: It sounded perfect.

CHAIRMAN NICOLELLO: In terms of the

2 overtime monies, may we expect any of those
3 monies -- let me back up. Are any of those
4 monies related to Hurricane Sandy?

5 COMMISSIONER KRUMPTER: Some of it is
6 the overflow of Hurricane Sandy. What happened
7 was Hurricane Sandy had virtually the vast
8 majority of the department working significant
9 amount of overtime to the tune of probably
10 somewhere in the neighborhood of \$18 million in
11 the months of November and December and the end
12 of October. What happened was a lot of people
13 that were scheduled off, time was cancelled in
14 the headquarters' divisions. They ended up
15 taking additional time.

16 The other piece of this is in light of
17 the incident in Boston, we have revamped our
18 security. A lot of that type of overtime,
19 specifically related to the Long Island Marathon
20 and other major events that we've had, hits on
21 those lines.

22 Additionally, detective division overtime
23 is up for a myriad of reasons. There's been a
24 significant amount of increase and activity in
25 the narcotics unit and in the precinct squads,

1 arrests in investigative overtime is up
2 significantly.
3

4 It's a mixed bag. What it's not
5 attributable to is the district side of the
6 overtime, which is slightly up but not nearly as
7 much as the headquarters side. District is more
8 easy to put your finger on, and that's
9 specifically related to light roll call overtime;
10 we're approximately 130, 140 head below where we
11 really need to be in order to manage that
12 overtime. We are in the process of getting a
13 class ready. With the pending contract with the
14 PBA, we will have - once that issue is resolved
15 we will have 150 people ready to go, at a
16 minimum, and that's off the current list. The
17 new list was just signed off on the Department of
18 Justice and we are starting to prepare that. But
19 we have a six month extension on the old list and
20 we have several hundred people, about 230 people
21 that are there.

22 CHAIRMAN NICOLELLO: Okay. Legislator
23 Denenberg.

24 LEGISLATOR DENENBERG: Now, you said
25 with the pending contract you expect that we'll

2 have 150 new hires in 2014, I would assume.

3 COMMISSIONER KRUMPTER: No. We're ready
4 to go. We'll be able to pull the trigger within
5 two weeks of that issue being resolved; whether
6 the contract is ultimately approved or rejected,
7 they will have 150 people ready to go.

8 The issue is under the contract those 150
9 people will save the county, over eight years,
10 \$45 million. There is significant savings baked
11 into that contract for new hires. We're just
12 holding off. There will come a point in time
13 where we will have to hire because you really are
14 going to need those people by next summer. If we
15 don't, we're going to be in the same position
16 that we are in right now.

17 LEGISLATOR DENENBERG: So the reason for
18 overtime being as high as we're seeing - there
19 are some projections that it would be \$63 million
20 by year's end is because of headcount being as
21 low as it is.

22 COMMISSIONER KRUMPTER: Yeah. When we
23 did the precinct consolidation the county was
24 designed to be staffed at a little over 2300
25 police officers. In essence, where we're at now

2 is we're at 2206, but included in that number are
3 35 members that are assigned to the police
4 academy in recruit training. Because we're
5 gearing up for a major academy, we have 25, 26
6 members assigned to the investigations unit. We
7 had, prior to this buildup we had eight or nine
8 people in that unit. So we're geared up to do a
9 lot of investigations in a short period of time
10 there. On top of that, we're also doing some
11 investigations for the jail and some other
12 agencies within the county that are all getting
13 ready to hire.

14 LEGISLATOR DENENBERG: This overtime -
15 I'm sorry.

16 COMMISSIONER KRUMPTER: Okay. In
17 essence, taking into the police academy where we
18 have people getting ready for a major academy
19 class, we're operating the department with a
20 little over 2100 when we need to be at or around
21 2300.

22 LEGISLATOR DENENBERG: Now, the amount
23 of overtime on the district side I would think
24 would be affected by the total number of
25 officers. We could argue whether consolidations

2 drove up overtime or not. But this is
3 headquarters, is it not?

4 COMMISSIONER KRUMPTER: Yes, it is.

5 LEGISLATOR DENENBERG: This transfer is
6 for headquarters.

7 COMMISSIONER KRUMPTER: Yep.

8 LEGISLATOR DENENBERG: So why is the
9 overtime in headquarters so high? As you said,
10 this isn't the district side, which to me would
11 matter consolidation, whether we had enough
12 officers. 150 people ready to go, as you say,
13 hopefully could drive down the overtime on the
14 districts side that we don't see a total of 63
15 million. But this, I'm looking at 12 million
16 almost -- or, as you said, directed towards
17 police headquarters.

18 COMMISSIONER KRUMPTER: And that, like I
19 said, was for two pieces. One, there was a
20 significant amount of termination pay that hit
21 the line prior to the bond ordinances paid - was
22 passed. As a result of that, that money, we
23 can't use the bond ordinance for that money. We
24 have to pay for that out of the operating funds
25 now. You can't go back and capture that. So

2 there's a shortfall in that.

3 The second piece of it is, you hit the
4 nail on the head, is related to overtime in the
5 headquarters side. And that's attributable --

6 LEGISLATOR DENENBERG: Why -- I'm sorry.

7 COMMISSIONER KRUMPTER: Well, what that
8 is attributed to is several items. One is that
9 that investigative overtime in the detective
10 division, even though crime is down in the
11 county, the nature of investigations are more
12 complex this year and that's resulted in an
13 increase in increased investigative overtime
14 specifically within the precinct squads and
15 narcotics, and homicide. We had some very high
16 profile investigations.

17 When you have a major incident that could
18 drive -- I'll give you an example. We had the
19 shooting in -- over by the Roosevelt Field Mall
20 last week, and that resulted probably -- we don't
21 have the final numbers in on that. But that cost
22 of that investigation with an incident like that
23 was several hundred thousand dollars. So when
24 you have high profile incidents, they end up
25 costing a significant amount of money to conduct

2 those investigations with all the units that are
3 required.

4 The other piece --

5 LEGISLATOR DENENBERG: But --

6 COMMISSIONER KRUMPTER: The other piece
7 of it is, there's a second piece, is that in
8 light of Sandy we had some additional overtime
9 that was unanticipated; obviously, we would hope
10 not to occur again this year. As a result of
11 people taking off a significant amount of time
12 and focusing their energies on dealing with
13 Sandy, that had a backlog that resulted in
14 overtime in the first quarter of the year.

15 The third piece of it is the, you know,
16 just when we have an event such as the Boston,
17 our risk assessment models change dramatically.
18 Where that overtime hits, in order to increase
19 the staffing, a big chunk of that overtime is
20 going to hit on the headquarters side. Whether
21 it's investigative overtime for special
22 investigation squad or tactical field services,
23 which is bureau of special operations, highway
24 patrol, they end up shouldering a brunt of that
25 type of detail.

2 So those are the reasons that we have
3 increased overtime this year. It is something
4 that we pay a significant amount of attention in
5 the police department.

6 LEGISLATOR DENENBERG: Well, things like
7 you had mentioned, like the Long Island Marathon
8 or even big events where crime happens, I would
9 assume every year there's going to be a Long
10 Island Marathon or some events that could drive
11 up overtime, so you would think that's why you
12 always budget some overtime.

13 I'm just concerned about such a big
14 transfer. Even if ten and a half is for
15 termination, we just bonded 30 million for
16 termination. So why did we bond if we have to
17 pay ten and a half?

18 COMMISSIONER KRUMPTER: Well it's not
19 ten and a half for termination; it's ten and a
20 half for termination and for overtime combined.
21 Any termination check that was cut before the
22 bond termination that was actually paid must be
23 covered out of the operating budget. You can't
24 use the bond for that termination pay.

25 LEGISLATOR DENENBERG: Then did we need

2 to bond for the full 30 million then? It doesn't
3 sound like we should have.

4 COMMISSIONER KRUMPTER: We absolutely
5 need to bond for that. The total we are in for
6 the county for this year is over \$18 million for
7 termination pay right now is what we have paid or
8 is pending at this point in time.

9 LEGISLATOR DENENBERG: But we just
10 bonded 30 million and we're saying that at least
11 part of ten and a half million has to come from
12 here, so I'm confused as to why.

13 COMMISSIONER KRUMPTER: You're going to
14 see -- and like we said over and over, you're
15 going to see a significant amount of separations
16 in this department of the next three years. We
17 are -- every day there are people coming in
18 making appointments. Several times a week we are
19 receiving people that are putting in their papers
20 to retire.

21 LEGISLATOR DENENBERG: Is any of this 12
22 million -- you just said that some of this in the
23 first quarter might still be Sandy related. Last
24 year we had \$64 - 14 million or 15 million was
25 Sandy related.

2 COMMISSIONER KRUMPTER: Yep.

3 LEGISLATOR DENENBERG: Of the 64 million
4 in overtime. This year, according to the Office
5 of Legislative Budget Review, we're going to be
6 at about 63 million --

7 COMMISSIONER KRUMPTER: That's a
8 projection which doesn't take into consideration
9 --

10 LEGISLATOR DENENBERG: Let me finish.
11 I've been patient. Come on, Commissioner.

12 COMMISSIONER KRUMPTER: Excuse me.
13 Sorry.

14 LEGISLATOR DENENBERG: Thanks.

15 So if we come in at 63, virtually none of
16 that was anticipated to be Sandy related or
17 reimbursable. You're telling me that some of
18 what we incurred in the first quarter this year
19 could be Sandy related. What have we put in, in
20 terms of reimbursement? Of this 12 million have
21 we put in for any of it for Sandy recovery?

22 COMMISSIONER KRUMPTER: It's indirect
23 from Sandy. It's not items that we can seek
24 reimbursement on because it's not directly
25 related to Sandy. What happens is when

2 detectives and units are focused on dealing with
3 Sandy, there's built up residual work that they
4 have to address once they're done dealing with
5 Sandy. So what happens is rather than that being
6 dealt with last November/December, they're taking
7 off more time, which results in some other light
8 roll call overtime, and then on top of that they
9 have investigative overtime that they have to
10 catch up on the cases that they didn't complete
11 the investigations on.

12 LEGISLATOR DENENBERG: So we can't put
13 in -- none of the overtime that we're looking at
14 in this transfer is going to be FEMA reimbursable
15 then.

16 COMMISSIONER KRUMPTER: I wouldn't say
17 none. There is some overtime in January that we
18 will be putting in for FEMA in the headquarters
19 side, but it's not a material amount.

20 LEGISLATOR DENENBERG: I'm concerned a
21 bit on the RMS system that's been - the computer
22 system.

23 COMMISSIONER KRUMPTER: So am I.

24 LEGISLATOR DENENBERG: I'm hearing
25 rumors that that's been driving up overtime

2 because of difficultly using that operational
3 system as opposed to the predecessor system. And
4 I also heard, and I could be wrong, that we're
5 moving away from it. Has RMS driven up overtime,
6 both in headquarters and district?

7 COMMISSIONER KRUMPTER: I'm going to
8 honestly tell you, while I can tell you exactly
9 how long it takes to process an arrest on the
10 RMS, I have no way of knowing how long it takes
11 to process an arrest on the Legacy system. So
12 right now it's taking approximately just around
13 three hours, on average, to process the arrest.
14 We are looking at other systems for a myriad of
15 reasons. Part of them is this system is
16 extremely difficult to use for a portion of the
17 department that does not use the system on a
18 regular basis, and the other part of it -- that's
19 the big part. The other part of it is in 2015 -
20 this system is based on a software called FoxPro.
21 After 2015 Microsoft will no longer support that
22 software. So at this point in time, the
23 Department has spent a lot of time this year
24 making sure that whatever system we look at or go
25 to in the future is a system that is appropriate

2 and is easily is easily used by the members.

3 We had a focus group with the members of
4 the PBA that have been very involved in the
5 committee, looking at one software on Friday, and
6 this week, on Thursday, they're looking at
7 another software that we're looking at. So we're
8 working with the unions and we are focusing on a
9 system that is more simple for a records
10 management system and then we will put an
11 analytical tool above that.

12 This particular system was a system that
13 was a rules based system designed for the
14 specific municipality. It became overly complex
15 for the average user to use.

16 As far as --

17 LEGISLATOR DENENBERG: My concern is --

18 COMMISSIONER KRUMPTER: running up
19 overtime, there is nothing that indicates that
20 system, in and of itself, is running up overtime.

21 LEGISLATOR DENENBERG: Well, based on
22 what you just told me, we transferred over to
23 RMS, or tried to at least in part, spent a lot of
24 money on it. I would like to know how much we
25 spent in total on RMS. And if we are now moving

1 away from it, that's really something that we
2 should all know about because we just recently
3 purchased that system.
4

5 COMMISSIONER KRUMPTER: We didn't just
6 recently purchase that system, Legislator
7 Denenberg. That system was purchased six years
8 ago.

9 LEGISLATOR DENENBERG: Right.

10 COMMISSIONER KRUMPTER: So it wasn't --

11 LEGISLATOR DENENBERG: That's fairly
12 recent.

13 COMMISSIONER KRUMPTER: That system --

14 LEGISLATOR DENENBERG: That's pretty
15 recent compared to the Legacy system.

16 COMMISSIONER KRUMPTER: The Legacy
17 system was 12 years old when we replaced it.

18 LEGISLATOR DENENBERG: Correct. And we
19 still use the Legacy at times, correct?

20 COMMISSIONER KRUMPTER: We are still
21 using the Legacy in half the county, yes.

22 LEGISLATOR DENENBERG: Based on
23 questions that I had - this goes about to around
24 '09. Actually, this is from 2010. Processing an
25 arrest with the Legacy system I was told by, I

2 believe it was you, I'm pretty sure, was an hour
3 and a half. So if RMS is three hours, I'm very
4 concerned about it because I think that would
5 drive up our overtime.

6 COMMISSIONER KRUMPTER: Legislator
7 Denenberg, let me make this very clear. The
8 chief of the department and myself have
9 personally been working on this system to try to
10 make it work because we recognize the very same
11 thing that you recognize; Nassau County invested
12 a significant amount of money in this system and
13 to walk away without putting the best effort to
14 try to make this system work would not have been
15 in the best interest of the system. At the point
16 we currently are at, it's my opinion, as well as
17 the chief of the department's opinion, is that
18 we've gotten this system to work as well as we're
19 going to get it to work. There are just inherent
20 issues with this system.

21 We were very conscious that the county
22 invested a lot of money in this system six years
23 ago. It was neither myself nor anybody currently
24 in this police department that actually purchased
25 this system. So what we were left with was a

2 system that was paid for, that we owned, that
3 really we have to get away from the Legacy
4 System. The Legacy System is problematic. And
5 if you recall, my testimony was that we had no
6 real way of knowing how long it takes to do an
7 arrest because the system doesn't audit in that
8 way.

9 We estimate that an average arrest will
10 take an hour and a half. We also said there are
11 arrests that will take more than three hours.
12 This system is different in that the RMS system
13 actually do the case report and the arrest report
14 together, where the Legacy System, the police
15 officers are just doing the arrest report. So,
16 you're comparing, really, apples and oranges.
17 One you do both parts of an arrest, that the
18 newer system, and the older system, all that
19 you're doing is the arrest system, the case is
20 actually called in. So we've made a significant
21 number of steps to improve the system to make it
22 work until we can either identify a new system or
23 go forward from there.

24 LEGISLATOR DENENBERG: Commissioner,
25 thank you for your time. This is - a \$12 million

transfer, to me, is a significant transfer.

COMMISSIONER KRUMPTER: Absolutely is.

LEGISLATOR DENENBERG: To me, it shows, once again, overtime is coming in significantly over budget and this is the third straight year.

COMMISSIONER KRUMPTER: The third straight year?

LEGISLATOR DENENBERG: Where overtime has come in significant over budget.

COMMISSIONER KRUMPTER: You're talking about last year where we received reimbursement that dropped the overtime below \$50 million?

LEGISLATOR DENENBERG: We budgeted 22; it came in at 49 --

COMMISSIONER KRUMPTER: Legislator, you are fully aware that there was a contingency fund that was set up for overtime that was offline, specifically targeting the overtime.

LEGISLATOR DENENBERG: That's still - we're talking about three of the highest years in a row ever --

COMMISSIONER KRUMPTER: That's absolutely not the case.

LEGISLATOR DENENBERG: That is the case.

2 COMMISSIONER KRUMPTER: Legislator
3 Denenberg, last year and this year we have less
4 hours than we did six, seven years ago where the
5 overtime was \$62 million. It today's dollars
6 that was over \$70 million. The department has
7 aggressively managed overtime and has brought the
8 hours to aggressive lows.

9 We're operating a police department with
10 2200 police officers. And to sit there and say
11 that overtime is up, yeah, it is up and that is
12 because we're operating a department with 2200
13 police officers.

14 LEGISLATOR DENENBERG: I think you
15 budgeted 42 million this year.

16 COMMISSIONER KRUMPTER: Yes, it was 42
17 million.

18 LEGISLATOR DENENBERG: And we're going
19 to come in at 63. I'm just not going to
20 compliment you on that.

21 COMMISSIONER KRUMPTER: I'm not saying
22 you should compliment me. But I think you need
23 to look at the causes rather than criticizing it
24 from --

25 LEGISLATOR DENENBERG: I think the cause

2 is a department that has been allowed to go
3 through attrition to very, very low numbers. I
4 think that the cause was a consolidation that's a
5 failure. I think that the consolidation came in
6 and we kept being told we're saving \$22 million -
7 -

8 COMMISSIONER KRUMPTER: By your own
9 admission, Legislator Denenberg --

10 LEGISLATOR DENENBERG: Let me finish
11 now. And instead of saving \$20 million, it's
12 cost us a tremendous amount in overtime, and
13 that's not even to look at the cost of -- I get
14 to look at a trailer at the Seventh Precinct
15 every single morning that we're not even using
16 because we were going to consolidate the First
17 into the Seventh and that required buying
18 trailers. So we're paying for a trailer that
19 we're not using. And I would question whether
20 it's ever been smart in the Second and the Sixth
21 or the Fourth and Fifth to have consolidation
22 where people are working out of trailers that the
23 taxpayers are paying for.

24 But the bottom line is this is a \$12
25 million transfer and my concern is that overtime

2 is this high. My concern also is with an RMS
3 System, which I could agree with you that we had
4 to go away from the Legacy System, and that we've
5 been working for six years, it sounds like, or at
6 least four trying to make this RMS System work.
7 We gotta get to the bottom of it because I think
8 that's driving up overtime, as well. That's my
9 concern. And I'm a legislator; I'm going to ask
10 the questions because I'm trying to understand
11 why we're spending so much taxpayer money on
12 overtime.

13 COMMISSIONER KRUMPTER: And there's a
14 projection -- let's start with a projection.
15 There is a projection of 62, \$63 million. There
16 is another projection at \$60 million in this
17 County, and there is another project that 58 to
18 60. So you have three projections, and we're
19 going to see how it plays out over the next three
20 or four months. That's the first thing.

21 By your own admission, you have stated in
22 this that the overtime related to headquarters
23 doesn't logically have anything to do, in this
24 particular board transfer it doesn't have
25 anything to do with the precinct consolidation.

This is the headquarters --

LEGISLATOR DENENBERG: You said that.

COMMISSIONER KRUMPTER: fund. No. You said that you would expect the overtime to be on the other side.

LEGISLATOR DENENBERG: Because you said on the district side.

COMMISSIONER KRUMPTER: Yes.

LEGISLATOR DENENBERG: Right. So I was going with what you said.

COMMISSIONER KRUMPTER: Okay.

LEGISLATOR DENENBERG: So there headquarters, the commissioner's headquarters, I don't know how you're going to expect officers and commanding officers, and the districts to stay within budget if headquarters can't. To me, that would just go right to the commissioner on that. But I'm not asking any questions on that. You said its headquarters. The commissioner's office has not stayed within this budget, and that's what this transfer is about. On the district side, I guess we'll wait until that transfer comes up.

Where are we getting this money from,

this \$12 million?

COMMISSIONER KRUMPTER: Debt service charge backs, contingency reserves, \$500,000, and fringe benefits. Due to attrition the fringe is coming in less. I can speak to the contingency reserve was actually put there for any overages. As far as the debt service charge backs, you're going to have to get that answer from OMB.

LEGISLATOR DENENBERG: Okay. I have a question, Rich Nicolello, on 442, which I don't think has anything to do with Commissioner Krumpter.

CHAIRMAN NICOLELLO: Commissioner, the RMS System you said was purchased six years ago?

COMMISSIONER KRUMPTER: Yes, I did.

CHAIRMAN NICOLELLO: Okay. And how much did we spend on that?

COMMISSIONER KRUMPTER: I don't recall the exact number. It was purchased with your CAD System. The CAD System went up pretty quickly and is operating fine. RMS, its intergraph was the company, and a portion of that was paid for out of a grant. But we have actually spent a significant amount of money training our people

1 on this system. So I would actually have to get
2 you those numbers. It's several million dollars.

3
4 CHAIRMAN NICOLELLO: Okay. You're
5 looking at making a determination as to what to
6 do going forward?

7 COMMISSIONER KRUMPTER: That's, in
8 essence, what we've been working on going
9 forward. The system is overly complex. If a
10 police officer makes a significant number of
11 arrests, they have no problem operating this
12 system. It really comes down to over half the
13 department that doesn't make multiple arrests
14 every month or an arrest every month and goes
15 several months between making an arrest, when
16 they are called to use that system when they make
17 an arrest it becomes, it's very complex if you
18 don't use the system regularly.

19 So what we're looking to do at this point
20 is that system has both your analytical tools in
21 it and it also has your records management
22 portion of it. It doesn't interface well. It's
23 a one-way interface where it will take
24 information in but it doesn't really push
25 information out. So the records management

2 system we're looking at at this point is a more
3 simple, a very basic records management tool,
4 records management system by itself. We're going
5 to look to do a layer above that, the analytical
6 tools we need. It's really going to be a
7 paradigm shift on how we look at software in this
8 department.

9 Like I've said, the chief of the
10 department and myself and the commissioner have
11 personally been very involved in this process
12 over the last several months, and we expect in
13 the next three or four weeks that we'll have
14 recommendations that we'll forward to the county
15 executive's office.

16 CHAIRMAN NICOLELLO: Okay. That was my
17 next question.

18 You also mentioned something about a
19 focus group involving the officers that have
20 actually been using the system.

21 COMMISSIONER KRUMPTER: As a matter of
22 fact, we did a focus group. Right now we're
23 looking at two record management systems; one is
24 manufactured by a company called - the two
25 systems that are the lead contenders, if you

1 would, one is made by Motorola and one is made by
2 a company called Timeron and it was actually
3 deployed in Long Beach. So as we are speaking
4 right now, there is a focus group with the
5 village chiefs. Rather than having 18, 19 record
6 management systems in the county, we're looking
7 at a single record management system that
8 everybody can use. So right now the chief of the
9 department, I was supposed to be at that meeting
10 - I'm here - is sitting with a focus group. On
11 top of that, we've set up focus group with
12 members of the PBA, the SOA, the DAI to get their
13 input. On both systems, on the 14th of this
14 month, will be sending a group of police officers
15 for the one system, total, to absolutely test the
16 system. We're going to train them and see what
17 kind of feedback we get for users of the system.

18 The idea here is to design a system, to
19 build a system that is not only better than the
20 system we're currently using but better than the
21 prior system. It's about getting the right
22 system. And then above that, we'll actually put
23 the analytical tools above that. We have a
24 company that we're looking at for that, and we're
25

2 pretty much where we gotta be for that. We're
3 just waiting for the records management piece.

4 CHAIRMAN NICOLELLO: Do you know if the
5 prior administration employed a similarly labroid
6 system to get input before purchasing RMS?

7 COMMISSIONER KRUMPTER: I wasn't
8 involved in the process so I'm unable to comment
9 about that.

10 CHAIRMAN NICOLELLO: Alrighty. Thank
11 you, Commissioner.

12 COMMISSIONER KRUMPTER: Have a good day.

13 CHAIRMAN NICOLELLO: I believe we have
14 questions on Item 442.

15 MS. D'ALLEVA: Rosenne D'Alleva, Office
16 of Management and Budget.

17 This is an item that basically is done
18 almost every calendar year to clean up the
19 salaries at the end of the year to avoid
20 shortfalls.

21 CHAIRMAN NICOLELLO: Just real quickly,
22 what are the major contributors to this item?
23 What departments?

24 MS. D'ALLEVA: There are several
25 departments listed here, and each individual

2 department has its own issues. For example, the
3 DA's office was an interest arbitration award
4 that was handed down after the budget was
5 presented.

6 CHAIRMAN NICOLELLO: So we had no
7 alternative but to pay that.

8 MS. D'ALLEVA: That's correct.

9 CHAIRMAN NICOLELLO: Are our public
10 works and parks departments represented in this?

11 MS. D'ALLEVA: Yes. Public works and
12 parks departments are represented in this, and
13 some of that has to do with, in terms of -- as
14 well, as people worked an extreme amount of time
15 during Sandy and they are taking a lot of time,
16 in terms of leave time so, therefore, overtime is
17 up. Seasonals, to fund seasonal is also up. So,
18 therefore, you know, there are some salary
19 shortfalls projected.

20 CHAIRMAN NICOLELLO: Any of the public
21 works or park department shortfalls or expenses
22 FEMA reimbursable?

23 MS. D'ALLEVA: At this time we've
24 already projected those reimbursements.

25 CHAIRMAN NICOLELLO: Okay. What does

1 that mean?

2
3 MS. D'ALLEVA: We've projected those
4 reimbursements so this would be net of that.

5 CHAIRMAN NICOLELLO: Okay. Legislator
6 Denenberg.

7 LEGISLATOR DENENBERG: Thank you.

8 Ms. D'Alleva, the transfer here that I'm
9 looking at would be for public works and for
10 parks, correct?

11 MS. D'ALLEVA: Well, there are several
12 other departments on the transfer list.

13 LEGISLATOR DENENBERG: I see 1.7 - I'm
14 sorry - you're right. 1.75 million for public
15 works and 1.13 million for parks is what I'm
16 looking at.

17 MS. D'ALLEVA: That's correct.

18 LEGISLATOR DENENBERG: Now, I just want
19 to address the public works 1.75 and the parks
20 1.1.

21 When I was looking at the OMB report, the
22 latest report we had for salaries within public
23 works was 27.972 being the adopted budget and the
24 July projections at that time, and this was done
25 in July, was 26.98, so we were projecting a

2 \$992,000 overage. Why do we need to transfer
3 money in if the projection is that we would come
4 in within budget?

5 MS. D'ALLEVA: Our September report will
6 basically show that we're re-projecting.
7 Actually DPW and Parks has done an extraordinary
8 effort to basically -- at this point in time we
9 hadn't determined how much was Sandy related and
10 how much wasn't. Now, at this point in time, we
11 have determined and cleaned up as much as we
12 possibly could project out to Sandy and how much
13 actually has to be absorbed within the general
14 fund.

15 LEGISLATOR DENENBERG: So the \$992,000
16 variance that we were still reporting in August
17 is not accurate anymore? We're going to have an
18 underage and we think the underage is going to be
19 1.75 million?

20 MS. D'ALLEVA: Yes. There are several
21 reasons for that. There is also capital back
22 charges. Due to a delay in borrowing staffing
23 couldn't be back charged to capital, in addition
24 to larger than normal leave time taken.

25 LEGISLATOR DENENBERG: And then the

1 parks salary, 1.13, we had a variance, an overage
2 that was being predicted in August; that's also
3 been revised?
4

5 MS. D'ALLEVA: Yes.

6 LEGISLATOR DENENBERG: So we think we're
7 going to be 1.13 low and that's why we need to do
8 this transfer now?

9 MS. D'ALLEVA: Yes. Basically, the
10 season's over in terms of the high season in
11 terms of overtime during, you know, the summer.
12 We've re-projected for September.

13 LEGISLATOR DENENBERG: Just those two
14 items together, all set and told this ends up
15 being 6.145 million. Am I reading that right?

16 MS. D'ALLEVA: That's correct.

17 LEGISLATOR DENENBERG: How does that
18 affect our projected surplus?

19 MS. D'ALLEVA: Our projected surplus, I
20 believe we're still in the range of \$10 million.
21 There are other surpluses and variations to the
22 budget that are going to be addressed in the
23 September projection.

24 LEGISLATOR DENENBERG: In what lines is
25 that?

MS. D'ALLEVA: I believe sales tax will be an additional five million. So we are projecting a \$15 million surplus rather than a ten.

LEGISLATOR DENENBERG: If we're at ten and then we have to transfer 6.1 that would take us down to four. If sales tax comes in another five over that would take us back to nine.

MS. D'ALLEVA: Right. So I said \$10 million range.

LEGISLATOR DENENBERG: Okay. All right. So when are we going to get the September numbers, projections?

MS. D'ALLEVA: Our reports usually come out on the 21st of the month.

LEGISLATOR DENENBERG: So October 21 we'll get September.

MS. D'ALLEVA: That's right.

LEGISLATOR DENENBERG: Okay. So we should have that before this year's -- before the budget hearings or at least the final budget hearings?

MS. D'ALLEVA: Yes, within.

LEGISLATOR DENENBERG: Okay. Thank you,

2 Ms. D'Alleva.

3 CHAIRMAN NICOLELLO: Thank you, Ms.
4 D'Alleva.

5 Any other questions? Legislator DeRiggi-
6 Whitton.

7 LEGISLATOR DeRIGGI-WHITTON: When you
8 mentioned that we're projecting out the return
9 that we're getting from FEMA, at what percentage
10 are you projecting out?

11 MS. D'ALLEVA: It's not a percentage of
12 what we're projecting out. The departments, the
13 timekeepers in the departments actually went
14 through all the time slips and to make sure that
15 whatever was FEMA reimbursable was being charged
16 to FEMA, and now we will journal those charges to
17 the FEMA fund.

18 LEGISLATOR DeRIGGI-WHITTON: And what
19 percentage are you still anticipating to get
20 reimbursed based on what we've been reimbursed so
21 far?

22 MS. D'ALLEVA: According to the
23 declaration, we're basically saying 90 percent.

24 LEGISLATOR DeRIGGI-WHITTON: How much
25 has it been to date?

MS. D'ALLEVA: I believe we have about 51 million, 52 million in reimbursements so far.

LEGISLATOR DeRIGGI-WHITTON: Out of the total expense of what?

MS. D'ALLEVA: Out of a total cash expense of about 130 million.

LEGISLATOR DeRIGGI-WHITTON: So that's about 40 percent, 35 percent, 40 percent, and it's almost a year later.

MS. D'ALLEVA: But it all goes on, again, the approval of the project worksheets and then the final reimbursement from the Feds. So they approve the project worksheet but then they don't immediately reimburse you. There's a number of queues that the project worksheet actually goes through before you get reimbursement.

LEGISLATOR DeRIGGI-WHITTON: And that's pretty much in line with how we handled Irene and everything else?

MS. D'ALLEVA: Yes.

LEGISLATOR DeRIGGI-WHITTON: However, in those instances within a year we had a pretty --

MS. D'ALLEVA: No. Absolutely not.

1 With Irene I believe it took almost 18 months to
2 be fully reimbursed. And this is a much larger
3 storm.
4

5 LEGISLATOR DeRIGGI-WHITTON: I know.
6 But I'm just saying if it's only 40 percent, I
7 was hearing within a year we'd be reimbursed.

8 MS. D'ALLEVA: That's what we're hoping
9 for.

10 LEGISLATOR DeRIGGI-WHITTON: At this
11 point, right now the average is probably around
12 40 percent reimbursement. I'm wondering why -- I
13 understand that some of the timecards haven't
14 been approved until now. But have you been
15 notified of any other issues that the federal
16 government is looking into?

17 MS. D'ALLEVA: No. I think the
18 communication between the county and FEMA
19 personnel, state and FEMA personnel is an open
20 dialogue. We have very good communication with
21 them.

22 LEGISLATOR DeRIGGI-WHITTON: So you
23 don't feel that specific items are being
24 questioned?

25 MS. D'ALLEVA: No. There's a continuing

2 back and forth. They've been given all invoices,
3 everything for project worksheets and all the,
4 you know, what they need to make their decisions.

5 LEGISLATOR DeRIGGI-WHITTON: So out of
6 \$130 million that was spent already, the county
7 paid out, and we've been reimbursed about 40
8 percent, so let's say conservatively that's like
9 a \$70 million discrepancy; is that correct?

10 MS. D'ALLEVA: I don't believe there is
11 a discrepancy. I think it's a timing issue --

12 LEGISLATOR DeRIGGI-WHITTON: So today we
13 have --

14 MS. D'ALLEVA: in terms of when you do
15 receive the 90 percent.

16 LEGISLATOR DeRIGGI-WHITTON: So as of
17 today we haven't been reimbursed for about 75
18 million to date.

19 MS. D'ALLEVA: Correct.

20 LEGISLATOR DeRIGGI-WHITTON: How are we
21 going -- where are we going to -- how are we
22 going to fix that for the budget right now?
23 Where is that money coming from to cover that?

24 MS. D'ALLEVA: In terms of?

25 LEGISLATOR DeRIGGI-WHITTON: To close

1 out the year and everything. Is that going to
2 affect our surplus?
3

4 MS. D'ALLEVA: Well, most of the 130
5 million was already accounted for in 2012. We
6 already accrued for those expenditures.

7 LEGISLATOR DeRIGGI-WHITTON: Right.

8 MS. D'ALLEVA: Actually, I believe it
9 was like \$114 million of it.

10 LEGISLATOR DeRIGGI-WHITTON: With the
11 idea that it was temporary and it was going to by
12 FEMA.

13 MS. D'ALLEVA: That's correct.

14 LEGISLATOR DeRIGGI-WHITTON: So now that
15 it hasn't for another whole year, how do you, in
16 an accounting way, show that?

17 MS. D'ALLEVA: It's just through cash
18 flow. We have the cash flow. We've been
19 covering it through cash flow.

20 LEGISLATOR DeRIGGI-WHITTON: So there's
21 \$140 million -

22 MS. D'ALLEVA: You have to remember we
23 have received \$52 million worth.

24 LEGISLATOR DeRIGGI-WHITTON: I
25 understand that. Which is about 30 or 40

2 percent.

3 Basically, my point is a year later we
4 still have only receive about 40 percent.

5 Thank you.

6 CHAIRMAN NICOLELLO: Any other questions
7 on Item 442?

8 (No verbal response.)

9 Thank you, Ms. D'Alleva.

10 MS. D'ALLEVA: Thank you.

11 CHAIRMAN NICOLELLO: Any public comment?

12 (No verbal response.)

13 Legislator Denenberg, do you want any of
14 these called individually or can I call them as a
15 group?

16 LEGISLATOR DENENBERG: You can call them
17 as a group.

18 CHAIRMAN NICOLELLO: Okay. We will call
19 all these items for a vote.

20 All those in favor signify by saying aye.

21 (Aye.)

22 Those opposed?

23 (No verbal response.)

24 The items carry unanimously.

25 (Whereupon, the following are the minutes

2 from the October 7, 2013 Health Committee
3 pertaining to Clerk Items 423-13, 424, 425, and
4 432-13.)

5 Clerk Item 423, an ordinance supplemental
6 to the annual appropriation ordinance in
7 connection with the Department of Human Services.

8 Clerk Item 424, an ordinance supplemental
9 to the annual appropriation ordinance in
10 connection with the Department of Human Services.

11 And 425, ordinance supplemental to the
12 annual appropriation ordinance in connection with
13 the Department of Human Services.

14 Motion, please?

15 LEGISLATOR BECKER: Motion. So moved.

16 CHAIRWOMAN WALKER: By Legislator
17 Becker.

18 LEGISLATOR MUSCARELLA: Second.

19 CHAIRWOMAN WALKER: Seconded by
20 Legislator Muscarella.

21 The item is before us.

22 Mr. May.

23 MR. MAY: We have Mr. Brian Hall from
24 the Department of Human Services.

25 MR. HALL: Good afternoon. The first

2 item on the agenda is a grant for \$61,933, which
3 is 100 percent funded by the New York Office of
4 Mental Health. It's for children and family
5 mental health services.

6 CHAIRWOMAN WALKER: Does anyone - do any
7 of the legislators have any questions on Item
8 Number 423?

9 (No verbal response.)

10 Any public comment?

11 (No verbal response.)

12 Item Number 424?

13 MR. HALL: Okay. Item Number 424 is a
14 grant for \$230,248 for youth services. It's a
15 special delinquency prevention program. That's
16 also 100 percent funded by New York State Youth
17 Service.

18 CHAIRWOMAN WALKER: Any questions or
19 comments from the legislators?

20 (No verbal response.)

21 Any public comment?

22 (No verbal response.)

23 Item 425?

24 MR. HALL: The last one is a grant for
25 \$171,070. It's also from the New York State

2 Department of Mental Health, 100 percent funded.
3 It's for the adult mental health services.

4 CHAIRWOMAN WALKER: Again, any questions
5 from the legislators?

6 (No verbal response.)

7 Any public comment?

8 (No verbal response.)

9 All those in favor of those three items -
10 423, 424, and 425 - signify by saying aye.

11 (Aye.)

12 Any opposed?

13 (No verbal response.)

14 The items pass seven to zero.

15 MR. HALL: Thank you.

16 CHAIRWOMAN WALKER: Thank you.

17 We have two other items. Item Number
18 432, which is an ordinance supplemental to the
19 annual appropriation ordinance in connection with
20 the Health Department.

21 Item Number 433, which is also an
22 ordinance supplemental to the annual
23 appropriation ordinance in connection with the
24 Health Department.

25 LEGISLATOR MUSCARELLA: So moved.

LEGISLATOR BECKER: Second.

CHAIRWOMAN WALKER: Moved by Legislator Muscarella, seconded by Legislator Becker.

The item is before us.

MR. MAY: And we have Ms. Mary Ellen Laurain from the Health Department.

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

Item 432-13 is a supplemental appropriation for the HIV surveillance and partner notification program in the amount of \$281,701. This is 100 percent grant funded through New York State Department of Health and is a mandated program. The Department of Health conducts surveillance on people who test positive for HIV, and they do partner notification.

CHAIRWOMAN WALKER: Any questions or comments from the legislators?

(No verbal response.)

Any public comment?

(No verbal response.)

Item 433?

MS. LAURAIN: Item 433-13 is a supplemental appropriation in the amount of

\$208,868. This is for childhood lead poisoning prevention grant. It is 100 percent grant funded through New York State Department of Health. It is also a mandated program which conducts case management for children who have elevated blood lead levels.

CHAIRWOMAN WALKER: Any questions or comments from the legislators?

(No verbal response.)

Any public comment?

(No verbal response.)

All those in favor of Item 432-13 and 433-13 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The motion passes seven to zero.

(The following are the minutes of the October 7, 2013 Public Safety Committee pertaining to Clerk Items 435, 436, 437, and 428-13.)

The first item to come before this committee is Item 435-13, which is an ordinance supplemental to the annual appropriation

ordinance in connection with the Nassau County
Department of Probation.

Can I have a motion on that?

LEGISLATOR BELESI: So moved.

LEGISLATOR VENDITTO: Second.

CHAIRMAN DUNNE: Motion by Joe Belesi,
seconded by Mike Venditto.

Who do we have from probation?

MR. MAY: We have Mr. Ed Shank, who is
right here.

CHAIRMAN DUNNE: Mr. Shank.

MR. SHANK: Thank you. Good afternoon.

This item is an appropriation item for
\$250,000; it supplements the department's
supervision of approximately 3,000 convicted DWI
offenders. This traffic safety board provides
this resource to enhance the effective community
management of this population and includes
funding for victim impact panels, off hour field
operations, including surveillance of DWI
offenders suspected of driving without licenses,
and/or ignition interlocks and the use of cutting
edge devices to monitor high risk offenders'
whereabouts and abstinence.

CHAIRMAN DUNNE: Thank you, Mr. Shank.
Are there any questions from any legislator?

(No verbal response.)

Any public comment?

(No verbal response.)

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

(Aye.)

Any against?

(No verbal response.)

The ayes have it.

This goes on to Finance.

MR. SHANK: Thank you very much.

CHAIRMAN DUNNE: The next item coming
forward -- thank you, Mr. Shank -- is Item 436-
13, an ordinance supplemental to the annual
appropriation ordinance in connection with the
Department of Toxicology, Medical Examiner.

Can I have a motion?

LEGISLATOR FORD: So moved.

LEGISLATOR BELESI: Second.

CHAIRMAN DUNNE: Motion by Denise Ford,
seconded by Joe Belesi, Legislator Belesi, that
is.

2 Who do we have to talk about this?

3 MR. MAY: Mr. Timothy Hahn from the
4 Medical Examiner's Office.

5 CHAIRMAN DUNNE: Mr. Hahn.

6 MR. HAHN: Good afternoon. This is a
7 grant in the amount of \$90,000 from New York
8 State Division of Criminal Justice Services that
9 is used to supplement the funding for the
10 toxicology lab in the ME's office; in particular,
11 to reduce case backlog, improve the quality
12 control system, and to assist us with maintaining
13 our accreditation from New York State.

14 CHAIRMAN DUNNE: So it's pass through
15 money.

16 Any questions from any of the
17 legislators?

18 (No verbal response.)

19 Any public comment?

20 (No verbal response.)

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

23 (Aye.)

24 Any against?

25 (No verbal response.)

1 The ayes have it. This goes on to
2 Finance.
3

4 Next item to come before us is Item 437-
5 13, an ordinance supplemental to the annual
6 appropriation ordinance in connection with the
7 Office of Nassau County Executive - the County
8 Executive. Who do we have here for this?

9 Motion by Joe Belesi, seconded by Denise
10 Ford.

11 Now, who do we have?

12 MR. MAY: Okay. Mr. Chairman, I'm going
13 to take the first shot at this.

14 This is a supplemental appropriation for
15 about \$153,000 to cover salary and fringe for the
16 crime victim's assistance program.

17 CHAIRMAN DUNNE: Okay. Are there any
18 questions from any of the legislators? Yes, we
19 do. Legislator David Denenberg.

20 LEGISLATOR DENENBERG: Thank you, Mr.
21 May.

22 This funding, we have one full time and
23 one part time employee?

24 MR. MAY: I believe that's correct.
25 Yes.

LEGISLATOR DENENBERG: And both are filled right now, correct?

MR. MAY: Correct.

LEGISLATOR DENENBERG: Okay. That's it.

CHAIRMAN DUNNE: Any public comment?

(No verbal response.)

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

(Aye.)

Any against?

(No verbal response.)

The ayes have it. It goes on to Finance.

Next item is Item 438-13, an ordinance supplemental to the annual appropriations ordinance in connection with the police department.

Motion by Mike Venditto, seconded by Joe Belesi.

Who do we have from the police department?

MR. MAY: Standing behind me should be Sergeant Gregory Stephanoff.

CHAIRMAN DUNNE: He's coming up right now.

MR. MAY: He's coming though.

CHAIRMAN DUNNE: Yes.

SERGEANT STEPHANOFF: Good afternoon,
Legislators. Sergeant Greg Stephanoff.

This is a grant, Operation Gateway, for
\$67,540, and it's directed primarily for marine
bureau for extra patrols on the waterways. It
will be used to enhance the patrols.

CHAIRMAN DUNNE: Any questions from any
legislators?

(No verbal response.)

Any public comment?

(No verbal response.)

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

(Aye.)

Any against?

(No verbal response.)

The ayes have it. It goes on to Finance.

(Whereupon, the following is the
continuation of the minutes of the October 7,
2013 Rules Committee meeting.)

CHAIRWOMAN GONSALVES: Motion, please?

LEGISLATOR DUNNE: So moved.

2 LEGISLATOR WALKER: Second.

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

5 Are there any other comments that we want
6 to add to the record regarding these items? If
7 not, as I stated before, the testimony from the
8 previous committees be incorporated.

9 (No verbal response.)

10 Any public comment regarding these items?

11 (No verbal response.)

12 All those in favor signify by saying aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 Those items pass unanimously.

17 Now we're going to go to the Rules only
18 items, which would be Item 283-13, that is
19 confirming the county executive's appointment of
20 Arie Weissman to the Nassau County Commission of
21 Human Rights.

22 LEGISLATOR DUNNE: So moved.

23 LEGISLATOR WALKER: Second.

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

Any questions or comments from the
legislators?

(No verbal response.)

Do we have this person here?

MR. MAY: No. Mr. Weissman will be here
for the meeting of the Full Legislature, Madam
Presiding Officer.

CHAIRWOMAN GONSALVES: Is that okay with
everyone? Okay.

There being no comment from the
legislators, any public comment?

(No verbal response.)

All those in favor of Item 283-13 signify
by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

That item passes unanimously.

Let's move to Item 421-13, which is a
Rules item only, a resolution to confirm the
county executive's appointment of Patricia Aitken
to the Soil and Water Conservation District Board
pursuant to Section 6(3) of the New York Soil and
Water Conservation District Law.

2 Motion, please?

3 LEGISLATOR DUNNE: So moved.

4 LEGISLATOR JACOBS: I'd like to move it
5 also.

6 CHAIRWOMAN GONSALVES: You can move it,
7 Judy, and you can second it, Mr. Dunne.

8 I guess there's no problem with that
9 item.

10 Any comments from the public?

11 (No verbal response.)

12 There being none, all those in favor of
13 421-13, that's the appointment of Patricia
14 Aitken, signify by saying aye.

15 (Aye.)

16 Any opposed?

17 (No verbal response.)

18 The item passes unanimously.

19 Moving along quickly to another rules
20 item only. 439-13, a resolution authorizing the
21 county executive to execute an amendment to the
22 inter-municipal agreement between the County of
23 Nassau and Levittown Public Library.

24 LEGISLATOR DUNNE: So moved.

25 LEGISLATOR WALKER: Second.

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

Any comments, questions regarding this
item?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none, all those in favor of
Item 439-13 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

Item 459-13, a resolution to accept a
gift offered by a donor to the Nassau County
Police Department.

Motion, please?

LEGISLATOR WALKER: So moved.

LEGISLATOR DUNNE: Second.

CHAIRWOMAN GONSALVES: Moved by
Legislator Walker, seconded by Legislator Dunne.
Sergeant.

SERGEANT STEPHANOFF: Good afternoon.
Sergeant Greg Stephanoff. These are going to be

2 two gifts, one for 15,000 and one for 10,000 from
3 the police foundation. The first gift for 15,000
4 is to support three additional police youth
5 academy programs. The \$10,000 gift is for
6 civilian police academy class. The first one is
7 youth, those are to bring children in.

8 Both classes are geared working with the
9 community, to have better understanding with
10 youth and also adults. The adult class is to
11 bring in community leaders and also foster a
12 better relationship with the community.

13 CHAIRWOMAN GONSALVES: With the first
14 donation, is that the explorers we're talking
15 about?

16 SERGEANT STEPHANOFF: No. I believe
17 it's kids from the communities that are going to
18 come in and -- I believe it's a one-day class.
19 It just helps foster community awareness with the
20 police department.

21 CHAIRWOMAN GONSALVES: Okay. That's a
22 good thing, involving our young people in
23 positive activities. And the other is the
24 citizen police academy.

25 SERGEANT STEPHANOFF: The second class

1 is for adults. I believe, when I called over to
2 the county, those are community leaders that come
3 in and those are actually more than one day.
4 It's for the same purpose, to foster a better
5 relationship with the community leaders.
6

7 CHAIRWOMAN GONSALVES: Does that mean
8 that we're going to have another class for the
9 citizens police academy?

10 SERGEANT STEPHANOFF: For the what?

11 CHAIRWOMAN GONSALVES: Another class for
12 the citizen police academy.

13 SERGEANT STEPHANOFF: For the adults?

14 CHAIRWOMAN GONSALVES: Uhm, hum.

15 SERGEANT STEPHANOFF: Yeah. It's
16 separate.

17 CHAIRWOMAN GONSALVES: Only because I'm
18 a member of the citizen's police academy, alumni.

19 SERGEANT STEPHANOFF: Very nice.

20 CHAIRWOMAN GONSALVES: Okay. Any other
21 comments regarding 459-13?

22 (No verbal response.)

23 Any public comment?

24 (No verbal response.)

25 There being none, all those in favor of

459-13 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

The next item, which is a rules item only, 460-13, a resolution designating a portion

LEGISLATOR FORD: the county road known as

Nassau Road between Davis Street and Greenwich

Avenue as "Julius "Dr. J." Erving Way", and

directing the Department of Public Works to

install conspicuous signage along said roadway.

Motion, please.

LEGISLATOR ABRAHAMS: So moved.

LEGISLATOR DUNNE: Second.

CHAIRWOMAN GONSALVES: Moved by

Legislator Abrahams, seconded by Legislator

Dunne.

Any comments? Any questions? Do you want to say something?

LEGISLATOR ABRAHAMS: If I may. This is just more of a thank you. I just want to thank Madam Presiding Officer for kindly putting this on. This has been a project that we have

1 been trying to put together in the last couple of
2 weeks. The timeframe of trying to do this really
3 is depending on Julius Erving's timeframe. We
4 are shooting for mid-November, hopefully. He is
5 coming out with a book around that timeframe.
6

7 As some of you may or may not know,
8 Julius Erving, otherwise known as Dr. J. is from
9 Roosevelt. And this will be a great project in
10 renaming the street. Nassau Road, as most of you
11 know, is a thoroughfare for this community and it
12 will bring a great amount of inspiration to this
13 area.

14 In addition to that, I want to thank
15 Madam Presiding Officer, you for putting this on
16 the calendar so quickly because if we didn't get
17 it on for this calendar, we probably wouldn't be
18 able to meet Mr. Erving's goal of trying to get
19 this done by early mid-November, the same
20 timeframe of his book coming out, not that that's
21 the major criteria. We were just trying to bring
22 all the pieces together. Obviously, his book is
23 going to be about empowerment and upliftment. At
24 the same time with the street, it just all seemed
25 like it would culminate together.

2 Thank you, Madam Presiding Officer.

3 CHAIRWOMAN GONSALVES: You are welcome.

4 LEGISLATOR ABRAHAMS: Thank you to all
5 on the committee.

6 CHAIRWOMAN GONSALVES: All those in
7 favor of Item 460-13 signify by saying aye.

8 (Aye.)

9 Any opposed?

10 (No verbal response.)

11 The item passes unanimously.

12 We have one more item that's Rules only.

13 LEGISLATOR JACOBS: This is a very
14 important thing with Dr. J. Number one, I'm a
15 fan also. But number two, it might be the first
16 time that Kevan will actually look short in a
17 picture. Think about that.

18 LEGISLATOR ABRAHAMS: Actually, I took
19 a picture with Shaquille O'Neill one time, and
20 you want to talk about looking short. I was a
21 munchkin.

22 CHAIRWOMAN GONSALVES: There is one more
23 item on the addendum, which is Item 461-13, rules
24 only, a resolution authorizing the county
25 executive to accept, on behalf of the County of

Nassau, the dedication of certain sanitary sewer lines constructed in the bed of Harris Avenue, Inwood, Town of Hempstead, County of Nassau, State of New York.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR WALKER: Second.

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

Any questions or comments regarding this item, 461-13?

(No verbal response.)

None.

Any public comment?

(No verbal response.)

There being none, all those in favor of Item 461-13 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

We have three items pertaining to budgetary matters - 409-13, 410-13, and 411-13. These also went through Finance. Please

1 incorporate the testimony from Finance into these
2 items.
3

4 (Whereupon, the following are the minutes
5 of the October 7, 2013 Finance Committee meeting
6 pertaining to Clerk Items 409, 410, and 411-13.)

7 CHAIRMAN NICOLELLO: First four items
8 all relate to the budget, the four-year plan,
9 ordinance fixing tax rates, adoption of the
10 budget and the legislative budget. I'm going to
11 call these but we are going to be having hearings
12 on these items this Wednesday, the 9th at one
13 o'clock and then the 16th at one o'clock. So,
14 basically what we're doing in this committee is
15 simply just moving it along to get it in position
16 where it can be voted upon for approval.

17 I call Item 409-2013, a resolution to
18 adopt the multi-year financial plan for fiscal
19 years 2014-2017, as required by Section 310 of
20 the County of Government Law of Nassau County.

21 410-2013 is an ordinance fixing the tax
22 rates and levying taxes for the 12-month 2014
23 fiscal year, beginning January 1, 2014, and
24 ending December 31, 2014.

25 411-2013 is an ordinance to adopt the

2 Nassau County budget for the 12-month 2014 fiscal
3 year, beginning January 1, 2014, and ending
4 December 31, 2014.

5 412-2013 is an ordinance to adopt a
6 budget for the County Legislature for the County
7 of Nassau for the 12-month 2014 fiscal year.

8 LEGISLATOR MUSCARELLA: So moved.

9 LEGISLATOR WALKER: Second.

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

12 Legislator Denenberg.

13 LEGISLATOR DENENBERG: Thank you. So,
14 in the interest of time, it's our understanding
15 that we'll save questions to the full legislative
16 hearings, which might be over different days, for
17 Public Safety as well as for Parks. The Minority
18 Leader, Kevan Abrahams, will make more of a
19 statement at Rules.

20 On the budget items, with the exception
21 of the legislative budget, at this point myself
22 and my colleagues are voting against these items
23 because, just briefly, we believe that the tax
24 cert backlog now would be put over \$350 million,
25 there continues to be reliance on a toilet tax

2 that's fictitious and won't ever come to pass,
3 there's continued reliance on dumping tax certs
4 onto local districts; in the meantime, the multi-
5 year plan has over \$350 million worth of
6 liability building up in tax certs, that's more
7 than three times than it was just a couple of
8 years ago. There is no appropriation for any
9 proposed PBA or other union deals, which would
10 make it almost impossible to be able to work out
11 any kind of a payment without - where there's no
12 money in the budget for lifting wage freezes.

13 There is excessive reliance on borrowing.
14 And again, police overtime now budgeted at 50
15 million in 2014, when police overtime in 2013's
16 coming in at over 63 million.

17 CHAIRMAN NICOLELLO: I thought we were
18 just teeing this up. If we want to get into a
19 debate on the budget, we can get into a debate.
20 I mean, we've done this for 18 years now and the
21 parties have basically cooperatively agreed to
22 tee things up to move them along and to have the
23 full hearings. You're getting into --

24 LEGISLATOR DENENBERG: In Finance -
25 sorry. Let me finish. In Finance and Rules the

ranking member always made a statement.

Finally, the budget makes no appropriations for legal judgments or settlements.

So, at this time we're going to reserve our questions. But my caucus is voting no.

CHAIRMAN NICOLELLO: Okay.

LEGISLATOR DENENBERG: We're voting yes on the legislative budget item.

CHAIRMAN NICOLELLO: We'll separate those two.

LEGISLATOR DENENBERG: Thank you.

LEGISLATOR NICOLELLO: Just to conclude your remarks. This is the fourth straight no tax increase budget. The members of the minority probably don't like a no tax increase budget.

LEGISLATOR DENENBERG: There's a toilet tax and a tax cert tax; if you call those no taxes, you're living in a fiction too.

CHAIRMAN NICOLELLO: All right. That having been said.

Items 409, 410 - let me ask about public comment first. Any public comment on these items?

(No verbal response.)

I'll call 409, 410, and 411 first; all in favor signify by saying aye.

(Aye.)

Those opposed?

(Nay.)

Passes by a vote of four to three.

(The following is the continuation of the minutes of the October 7, 2013 Rules Committee meeting.)

CHAIRWOMAN GONSALVES: I don't believe I have to read them again. One had to do with the multi-year financial plan for fiscal years 2014 to 2017; 410 has to do with fixing the tax rates and levying taxes for the 12-month 2014 fiscal year, beginning January 1, 2014; and 411 is to adopt the Nassau County budget for the 12-month 2014 fiscal year, beginning January 1, 2014 and ending December 31, 2014.

LEGISLATOR DUNNE: So moved.

LEGISLATOR WALKER: Second.

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

LEGISLATOR ABRAHAMS: I do have a

1 statement that I think Legislator Denenberg
2 alluded to in the Finance Committee meeting.
3

4 We're going to reserve our questions and
5 answers. I know that it went into a little bit
6 of a dialogue in the Finance Committee. But we
7 are going to reserve our questions for the
8 committee meeting this coming Wednesday and then
9 obviously for the Full Legislature. But I just
10 have a statement in regard to the budget, and I
11 just want to read it into the record and then we
12 can act accordingly.

13 Based on our analysis so far, this is a
14 highly flawed budget which seems more intended to
15 be a political document than a serious blueprint
16 for the County's finances. Anyone can make a
17 budget appear to be balanced by ignoring expenses
18 and overstating revenues, but those kinds of
19 tricks do not make the expenses disappear. At
20 the end of the day, we all know the bills come
21 due and will need to be paid.

22 This budget does not begin to tell us how
23 the county executive plans to pay those bills.
24 Instead, it simply disregards as much of half a
25 billion dollars in projected expenses. For

1 example, it budgets only \$10 million for tax
2 certiorari refunds when we know that the real
3 expense is likely to be \$50 million or more.
4 Similarly, while the county executive was very
5 vocal in publicizing his proposed breakthrough
6 agreement with the PBA, his budget makes no
7 provision at all for financing the agreement,
8 despite the fact that the union members will need
9 to be paid millions in back salary.
10

11 We need to know where the money will come
12 from so we can make sure the county can live up
13 to its end of the bargain. And if the county
14 loses the wage freeze litigation, this budget
15 contains no plan whatsoever for paying the
16 resulting judgment, a judgment which will be as
17 high as \$230 million. The county executive is
18 just crossing his fingers and hoping for the
19 best; to put it mildly, that is not responsible
20 budget practicing.

21 Moreover, parts of this budget crossed
22 the line from wishful thinking to pure fantasy.
23 As in the case of the \$12 million in revenue
24 projected for the toilet tax, revenue the county
25 will never see. Further, as has been constant

1 practice of this administration, this is a budget
2 built on borrowing; to a significant extent is
3 relies heavily on borrowed funds to pay operating
4 expenses and thereby perpetuates the structural
5 deficit which brought on the NIFA control period.
6 It contained over a billion dollars in short term
7 debt when there are no guarantees that FEMA or
8 the state will fully reimburse us for these
9 expenses. The unreimbursed amounts will
10 substantially increase the already enormous
11 mountain of debt that our grandchildren will be
12 paying back for decades.

14 Further, we disagree with Mr. Mangano's
15 priorities. We believe there should be less
16 money for things like outside legal contracts for
17 connected firms and more worthwhile social
18 programs to improve -- and more, I'm sorry, for
19 worthwhile social programs to improve mental
20 health and reduce addiction to substance abuse.
21 We all have too frequently seen the high price we
22 pay as a society when these programs are not
23 adequately addressed.

24 Finally, we note we are being asked to
25 vote on a budget today and to conduct a budget

1 hearing on Wednesday without any budgetary
2 analysis from the county comptroller. All of the
3 legislators are entitled to have this analysis
4 from the county's financial watchdog well in
5 advance of the consideration of the budget.
6

7 In short, while we will listen carefully
8 to what is said during the hearing process and
9 will certain keep an open mind, based on what we
10 have seen so far we cannot support the county
11 executive's budget today.

12 Thank you.

13 CHAIRWOMAN GONSALVES: Any other
14 comments?

15 (No verbal response.)

16 I'm going to ask if there is any public
17 comment; I guess not.

18 It's time for us to take a vote.

19 All those in favor of Items 409-13, 410-
20 13, and 411-13 signify by saying aye.

21 (Aye.)

22 Any opposed?

23 (Nay.)

24 The items pass four to three.

25 Thank you very much.

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Motion to adjourn.

LEGISLATOR DUNNE: So moved.

LEGISLATOR WALKER: Second.

CHAIRWOMAN GONSALVES: Seconded by
Legislator Walker. Made by Legislator Dunne and
seconded by Legislator Walker.

All those in favor of adjourning signify
by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

I don't think so.

We are adjourned.

(Whereupon, the Rules Committee adjourned
at 3:13 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 14th day of October, 2013.

FRANK GRAY