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NORMA GONSALVES,
Presiding Officer

RULES COMMITTEE

NORMA GONSALVES, Chairwoman

1550 Franklin Avenue
Mineola, New York

Monday, April 8, 2013
1:39 P.M

1

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

3

4 NORMA GONSALVES,
 Chairwoman

5

6 HOWARD KOPEL,
 Vice Chairman

6

7 DENNIS DUNNE

7

8 ROSE MARIE WALKER (substituted by
 Richard Nicoletto)

8

9 KEVAN ABRAHAMS,
 Ranking

9

10 JUDY JACOBS

11 WAYNE WINK

12 WILLIAM J. MULLER,
 Clerk of the Legislature

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1 Rules Committee/4-8-13

2 CHAIRWOMAN GONSALVES: Mr. Clerk,
3 would you please call the roll of the Rules
4 Committee?

5 CLERK MULLER: Yes. Legislator
6 Wink?

7 LEGISLATOR WINK: Here.

8 CLERK MULLER: Legislator Jacobs?
9 (No verbal response.)

10 CLERK MULLER: Ranking Member
11 Minority Leader Abrahams?

12 LEGISLATOR ABRAHAMS: Here.

13 CLERK MULLER: Legislator
14 Nicolello substituting for Legislator
15 Walker?

16 LEGISLATOR NICOLELLO: Here.

17 CLERK MULLER: Legislator Dunne?

18 LEGISLATOR DUNNE: Here.

19 CLERK MULLER: Vice Chairman
20 Legislator Kopel?

21 LEGISLATOR KOPEL: Here.

22 CLERK MULLER: Chairwoman
23 Gonsalves?

24 CHAIRWOMAN GONSALVES: Here.

25 CLERK MULLER: We have a quorum.

1 Rules Committee/4-8-13

2 CHAIRWOMAN GONSALVES: Legislator
3 Dunne, would you please lead us in the
4 pledge?

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

7 CLERK MULLER: Legislator Jacobs
8 is at her seat, just to be clear.

9 CHAIRWOMAN GONSALVES: Today's
10 Rules Committee has several contracts and at
11 some point I'm going to ask the minority
12 leader if we can block some of those so that
13 we can move the committee along.

14 The first two would be contract
15 A-21-13 and, of course, the other one that
16 would be blocked with it is A-23-13. Both
17 of them have to do with the Bayville bridge
18 contracts.

19 LEGISLATOR DUNNE: So moved.

20 LEGISLATOR KOPEL: Second.

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

24 Mr. May, who is here to speak on
25 these two contracts?

1 Rules Committee/4-8-13

2 MR. MAY: We have Mr. Ken Arnold
3 from the Department of Public Works.

4 MR. ARNOLD: Ken Arnold, Public
5 Works. A-21 is for a purchase order for the
6 emergency generator replacement at the
7 Bayville bridge; and, A-23 is a purchase
8 order to get the motor controls systems
9 manufactured and fabricated also for the
10 Bayville bridge, both, the motor control
11 center and generator impacted by the
12 hurricane but totally out of service,
13 currently the draw bridge cannot open. The
14 completion of this work is paramount to
15 getting the bridge back into full operation.

16 CHAIRWOMAN GONSALVES: Any
17 questions of Mr. Arnold?

18 (No verbal response.)

19 Is there any public comment
20 regarding these two contracts?

21 (No verbal response.)

22 There being none, all those in
23 favor of contracts A-21-13 and A-23-13
24 signify by saying aye.

25 (Aye.)

1 Rules Committee/4-8-13

2 Any opposed?

3 (No verbal response.)

4 The contracts pass unanimously.

5 LEGISLATOR WINK: It appears as
6 though the resolutions indicate authorizing
7 the work to be done but, in fact, as I
8 understand it, the work is either being done
9 or is already completed? Should it indicate
10 ratifying instead of authorizing?

11 MR. ARNOLD: There was an
12 emergency authorized to start the work
13 immediately. This was normal bid
14 procedures, five days bidding process. But
15 once the bids came in we authorized the
16 contractor to begin immediately because we
17 had deadlines to meet for both reimbursement
18 through FHWA and also the Coast Guard

19 LEGISLATOR WINK: All right. I
20 guess it's a semantical argument, actually.
21 Thanks.

22 CHAIRWOMAN GONSALVES: The next
23 contract is A-22-13, a contract with Parks
24 and North Shore Golf Car, Inc. A motion,
25 please.

1 Rules Committee/4-8-13

2 LEGISLATOR DUNNE: So moved.

3 LEGISLATOR KOPEL: Second.

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

7 MR. MAY: Ms. Eileen Kreeb from
8 the Parks Department.

9 CHAIRWOMAN GONSALVES: Thank you
10 very much. Good afternoon, Eileen.

11 MS. KREEB: Good afternoon.
12 Eileen Kreeb from the Parks Department.
13 That is a purchase order for a 48 month
14 lease of golf carts which includes
15 maintenance and repair service. The
16 quantity is 236 carts which we will be
17 leasing. The amount annually is about
18 \$220,000 cost and our revenue generated from
19 these carts is a little bit over a million
20 dollars a year.

21 There were several bids sent out
22 electronically and two bids were received
23 and we would like to award the bid to North
24 Shore Golf Car.

25 CHAIRWOMAN GONSALVES: Questions

1 Rules Committee/4-8-13
2 of Ms. Kreeb?
3 (No verbal response.)
4 Is there any public comment?
5 (No verbal response.)
6 All those in favor of Contract
7 A-22 signify by saying aye.
8 (Aye.)
9 Any opposed?
10 (No verbal response.)
11 The contract passes unanimously.
12 Thank you. The next contract is contract
13 A-25-13 with DPW and Aggreko, L.L.C.
14 A motion, please.
15 LEGISLATOR DUNNE: So moved.
16 LEGISLATOR KOPEL: Second.
17 CHAIRWOMAN GONSALVES: Moved by
18 Legislator Dunne, seconded by Legislator
19 Kopel. Who is here to speak on this?
20 MR. MAY: Ken Arnold, DPW.
21 MR. ARNOLD: This is a contract
22 with Aggreko. It is for the Sandy related
23 work at Bay Park. Aggreko already had a
24 contract with the county for emergency
25 generator facilities at Bay Park, but with

1 Rules Committee/4-8-13
2 the onslaught of Sandy, there's a cost that
3 have to be allocated towards the FEMA
4 reimbursement. This is a contract just to
5 cover those costs that are strictly
6 associated with the response of power loss
7 at Bay Park from Sandy.

8 CHAIRWOMAN GONSALVES: Any
9 questions of Mr. Arnold? Legislator Jacobs

10 LEGISLATOR JACOBS: Ken, just a
11 quick question. These were storm related
12 costs, correct?

13 MR. ARNOLD: Yes.

14 LEGISLATOR JACOBS: So why is it
15 coming five months after the hurricane?
16 What is the delay here?

17 MR. ARNOLD: One, we initially
18 felt that we were going to utilize these
19 costs within the existing Aggreko contract,
20 but then going through reimbursement from
21 FEMA we were better off having a separate
22 contract to capture just the costs that were
23 associated with Sandy and not rolling them
24 up to our other -- because we pay for
25 Aggreko on a monthly basis to be on the

1 Rules Committee/4-8-13
2 property, regardless of the storm. When the
3 storm came, we had to run the generators for
4 I believe almost three or four months
5 continuously. That was a direct Sandy cost
6 where, to have them on backup at the
7 property, was not a Sandy cost. So we
8 thought it was easier to separate the two

9 LEGISLATOR JACOBS: So that's
10 why this particular one was not approved
11 when the appropriations were previously,
12 correct, because at that point you thought
13 that the --

14 MR. ARNOLD: Right. The
15 supplemental included costs associated with
16 them, and we recognized later on that we
17 needed a separate contract to pay the
18 vendor.

19 LEGISLATOR JACOBS: Thank you.
20 I appreciate it.

21 CHAIRWOMAN GONSALVES: Any other
22 questions?

23 (No verbal response.)

24 Is there any public comment?

25 (No verbal response.)

1 Rules Committee/4-8-13

2 There being none, all those in
3 favor of this contract signify by saying
4 aye.

5 (Aye.)

6 Any opposed?

7 (No verbal response.)

8 The item passes unanimously.

9 The next contract is Contract
10 A-26-13 with OEM and Gabrielli Truck Sales,
11 Ltd.

12 A motion, please.

13 LEGISLATOR DUNNE: So moved.

14 LEGISLATOR KOPEL: Second.

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

18 MR. MAY: Madam Presiding
19 Officer, can we also call Clerk Item
20 A-27-13?

21 CHAIRWOMAN GONSALVES: Okay.
22 A-27-13 is a contract with OEM and Hempstead
23 Ford Lincoln. I need a motion on that one,
24 please.

25 LEGISLATOR DUNNE: So moved.

1 Rules Committee/4-8-13

2 LEGISLATOR KOPEL: Second.

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

6 MR. MAY: For both of these items
7 we have Sergeant Gregory Stephanoff from PD.

8 CHAIRWOMAN GONSALVES: Okay, A-26
9 and A-27.

10 SERGEANT STEPHANOFF: Good
11 afternoon, Sergeant Gregory Stephanoff from
12 the police department.

13 These are both blanket orders
14 that are county-wide blanket orders but the
15 police uses them as well.

16 A-26 is a blanket order with
17 Gabriella Truck Sales. These are for OEM
18 parts for bigger trucks. We use them for
19 emergency service, heavy duty trucks, and
20 Bureau of Special Operations has some trucks
21 that use these parts as well. These are
22 parts that we purchased for repairs.

23 Would you like me to speak on
24 A-27 as well? A-27 is a blanket order with
25 Hempstead Ford. This as well is a county

1 Rules Committee/4-8-13
2 blanket order. The police department uses
3 them for our Crown Victorias. Some of our
4 ambulances use the Ford parts and our
5 smaller ESU trucks are Fords as well. Same
6 thing, they were OEM parts for repairs.

7 CHAIRWOMAN GONSALVES: Any
8 questions on the part of the legislators?
9 Legislator Jacobs.

10 LEGISLATOR JACOBS: These two
11 purchase orders, are they related to Sandy?

12 SERGEANT STEPHANOFF: No. These
13 are blanket orders for -- our fleet service
14 will use them for our repairs.

15 LEGISLATOR JACOBS: So there is
16 no FEMA reimbursement involved then in this?

17 SERGEANT STEPHANOFF: I guess if
18 it's a Sandy related damage.

19 LEGISLATOR JACOBS: I know,
20 because unless I have it on here wrong, that
21 some of the vehicles were damaged during
22 Sandy?

23 MR. STEPHANOFF: Yes. Which we
24 would have to order parts for from somebody.

25 LEGISLATOR JACOBS: Right.

1 Rules Committee/4-8-13

2 SERGEANT STEPHANOFF: So I
3 imagine as they fix them we will submit the
4 bills to FEMA.

5 LEGISLATOR JACOBS: That's all I
6 wanted to know. Thank you.

7 CHAIRWOMAN GONSALVES: Any public
8 comment?

9 (No verbal response.)

10 There being none, all those in
11 favor of Contracts A-26 and A-27 signify by
12 saying aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 The contracts pass unanimously.
17 Thank you, sergeant.

18 The next contract is A-28-13 and
19 that is a contract with Social Services and
20 Micro-Media Imaging Systems Inc.

21 A motion, please.

22 LEGISLATOR DUNNE: So moved.

23 LEGISLATOR KOPEL: Second.

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

1 Rules Committee/4-8-13

2 Kopel. Who is here to speak on this?

3 MR. MAY: We have Mr. Paul
4 Broderick from the Department of Social
5 Services.

6 MR. BRODERICK: Legislators, good
7 afternoon. Paul Broderick, deputy
8 commissioner, Department of Social Services.

9 The item before you, this blanket
10 purchase order is for imaging services.
11 Right now, anyone who comes into the
12 Department of Social Services, we have to
13 scan pertinent documents that the
14 individuals bring in such as pay stubs,
15 birth certificates and the like.

16 Currently we scan approximately
17 600,000 images or capture 600,000 images or
18 capture 600,000 images a month. So the item
19 before you is a request to procure those
20 services or continue those services.

21 CHAIRWOMAN GONSALVES: Any
22 questions of Mr. Broderick? Legislator
23 Kopel.

24 LEGISLATOR KOPEL: When these
25 people come in, who scans it?

1 Rules Committee/4-8-13

2 MR. BRODERICK: Who scans it?
3 The service provider here that we are
4 looking to --

5 LEGISLATOR KOPEL: So you want to
6 bring somebody in who is going to have a
7 person sitting at our office scanning
8 documents for a third party?

9 MR. BRODERICK: That's how it's
10 currently managed, yes, sir.

11 LEGISLATOR KOPEL: Why don't we
12 do it ourselves?

13 MR. BRODERICK: It was more
14 expensive. We figured that out a while ago.

15 LEGISLATOR KOPEL: It was more
16 expensive to have our own machines?

17 MR. BRODERICK: I'm sorry?

18 LEGISLATOR KOPEL: It was more
19 expensive to have our own scanning machine?

20 MR. BRODERICK: It's not the
21 scanning machine, it's the labor to do it.

22 LEGISLATOR KOPEL: So they
23 actually have people who just sit there all
24 day and they do the scanning?

25 MR. BRODERICK: That's correct.

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2 CHAIRWOMAN GONSALVES: Is there
3 any public comment regarding this contract?

4 (No verbal response.)

5 There being none, all those in
6 favor of this contract, A-28, signify by
7 saying aye.

8 (Aye.)

9 Any opposed?

10 (No verbal response.)

11 There being none, the contract
12 passes unanimously. Thank you very much,
13 Mr. Broderick.

14 The next contract is A-29, a
15 contract with Nassau County Police
16 Department and EIA, Inc.

17 A motion, please.

18 LEGISLATOR DUNNE: So moved.

19 LEGISLATOR KOPEL: Second.

20 CHAIRWOMAN GONSALVES: Moved by
21 Legislator Dunne, seconded by Legislator
22 Kopel. Who is here to speak on this?

23 MR. MAY: We have Sergeant
24 Gregory Stephanoff and Detective Mike Ferrer
25 from the police department.

1 Rules Committee/4-8-13

2 MR. FERRER: Good afternoon.
3 Detective Ferrer from the Nassau County
4 electronic squad. This is a purchase to
5 upgrade our existing infrastructure for our
6 camera systems and to increase the
7 resiliency of it so if we have any network
8 failures, it won't take down the whole
9 system.

10 CHAIRWOMAN GONSALVES: Any
11 questions?

12 (No verbal response.)

13 Is there any public comment?

14 (No verbal response.)

15 There being none, all those in
16 favor of Contract A-29 signify by saying
17 aye.

18 (Aye.)

19 Any opposed?

20 (No verbal response.)

21 The contract passes unanimously.

22 The next contract is contract
23 A-30 and this is a contract with the
24 correctional center and H. Schrier & Co.,
25 Inc.

1 Rules Committee/4-8-13

2 A motion, please.

3 LEGISLATOR DUNNE: So moved.

4 LEGISLATOR KOPEL: Second.

5 CHAIRWOMAN GONSALVES: Moved by

6 Legislator Dunne, seconded by Legislator

7 Kopel. Who is here to speak on this?

8 MR. MAY: Captain Keith Sather

9 from the Department of Corrections.

10 CAPTAIN SATHER: Captain Keith

11 Sather, good afternoon. The item before you

12 is a resolution to award the groceries

13 contract for the correctional center to H.

14 Schrier & Co. The contract period is for

15 six months from May 1st, 2013 to October

16 31st. H. Schrier & Co., they were found to

17 be the lowest bidder for 138 of the 235 bid

18 items. The amount of this contract is

19 \$215,090.

20 CHAIRWOMAN GONSALVES: Any

21 questions regarding this contract?

22 LEGISLATOR DUNNE: Do we

23 piggyback with the state to get cheaper

24 prices or we're on our own?

25 CAPTAIN SATHER: Actually, it's

1 Rules Committee/4-8-13

2 found, in most cases, it's more cost
3 effective to bid it out.

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

6 (No verbal response.)

7 Is there any public comment?

8 (No verbal response.)

9 There being none, all those in
10 favor of Contract A-30 signify by saying
11 aye.

12 (Aye.)

13 Any opposed?

14 (No verbal response.)

15 The contract passes unanimously.
16 Thank you very much.

17 Now we have three contracts that
18 are Sandy related. With your permission,
19 Mr. Abrahams, it's contract A-32 with Water
20 Craft Irrigation, Inc., E-73, and E-84,
21 Hazen and Sawyer, and E-85, CDM Smith.

22 A motion, please.

23 LEGISLATOR DUNNE: So moved.

24 LEGISLATOR KOPEL: Second.

25 CHAIRWOMAN GONSALVES: Moved by

1 Rules Committee/4-8-13

2 Legislator Dunne, seconded by Legislator
3 Kopel. Who is here to speak on this?

4 MR. MAY: I'm sorry, Madam
5 Presiding Officer.

6 CHAIRWOMAN GONSALVES: It's A-32,
7 E-73, E-84 and E-85. Got them? Mr. May.

8 MR. MAY: For Item A-32, we have
9 Mr. Brian Schneider from the Department of
10 Public Works and, for the rest, we have
11 Mr. Ken Arnold.

12 MR. SCHNEIDER: Good afternoon,
13 Brian Schneider from Public Works. Item
14 A-32 is for a blanket purchase order with
15 Watercraft Irrigation to make permanent
16 repairs at numerous county facilities and
17 parks that were damaged by Super Storm
18 Sandy. This would enable the county to
19 begin irrigation at all these facilities.
20 The total amount for this current year in
21 2012 and '13 would be \$434,000.

22 CHAIRWOMAN GONSALVES: Any
23 questions regarding A-32 of Mr. Schneider?
24 Yes, Legislator Jacobs.

25 LEGISLATOR JACOBS: Brian, I just

1 Rules Committee/4-8-13

2 want to tell you how sorry I am and my
3 condolences for the loss of your mom.

4 LEGISLATOR ABRAHAMS: Yes, I
5 think that's echoed. I think everyone on
6 this committee as well as everyone on this
7 legislature recognizes that and wishes our
8 deepest condolences to you and your family.

9 MR. SCHNEIDER: Thank you very
10 much. I appreciate that.

11 CHAIRWOMAN GONSALVES: Any
12 questions? Legislator Wink.

13 LEGISLATOR WINK: Yes. Brian, to
14 the extent that you know, particular to
15 E-84, is this one of the contracts that the
16 county comptroller last week announced that
17 he was pulling back for review?

18 MR. SCHNEIDER: I'm only speaking
19 on A-32.

20 LEGISLATOR WINK: Who is here on
21 E-84? I thought we called -- all right.
22 Sorry, Brian.

23 CHAIRWOMAN GONSALVES: Any other
24 questions of Mr. Schneider?

25 (No verbal response.)

1 Rules Committee/4-8-13

2 CHAIRWOMAN GONSALVES: Are you
3 going to speak on 73, 84 and 85?

4 MR. ARNOLD: Yes. E-73 is a
5 contract with HDR Hydroqual. This was a
6 contract that the department felt was
7 necessary to help us address the
8 environmental impacts associated with the
9 bypass pumping during Bay Park plant being
10 out of operation into the surrounding water
11 bodies. We contracted with Hydroqual HDR
12 because they had the experience of working
13 on the Bay Park outfall in the past, some
14 health studies that were done at Bay Park
15 and they're very familiar with the local
16 water bodies, modeling and sampling.

17 We also felt it was very
18 important to bring them in to do that
19 quality of work because we anticipated the
20 state DEC, which they eventually did, ask
21 them for this information. Hydroqual did
22 the analysis of the bay immediately
23 thereafter the storm and found no major
24 impact associated with the discharges. That
25 information was sent to the state recently.

1 Rules Committee/4-8-13

2 We do anticipate this fee to be totally
3 reimbursed by FEMA.

4 CHAIRWOMAN GONSALVES: Any
5 questions on this contract?

6 LEGISLATOR DUNNE: The quality of
7 the work you feel was done to our
8 satisfaction?

9 MR. ARNOLD: Yes.

10 CHAIRWOMAN GONSALVES: Now, we
11 are going to move on since there are no
12 other questions regarding this contract to
13 E-84 which is Hazen & Sawyer.

14 MR. ARNOLD: E-84 is a contract
15 amendment with Hazen & Sawyer. Hazen &
16 Sawyer along with many other consulting
17 engineering firms were brought in to Bay
18 Park. They assisted the department in its
19 recovery efforts. They both get the plant
20 up and running immediately after the storm
21 and assessments for our FEMA reimbursement.

22 Hazen & Sawyer, an amendment for
23 \$700,000, will get us the work completed
24 until the end of March. We are currently
25 reviewing proposals for a contract for a

1 Rules Committee/4-8-13

2 firm to take us through the remainder of the
3 recovery effort.

4 LEGISLATOR WINK: Madam Presiding
5 Officer --

6 CHAIRWOMAN GONSALVES: Legislator
7 Wink.

8 LEGISLATOR WINK: Can I ask that
9 E-70 also be included in this? It seems to
10 be under the same general issue with E-84.
11 E-70 being Nelson & Pope. It's the same set
12 of questions with respect to the
13 comptroller's office apparently now, five
14 months into the payments, sending out
15 letters requesting additional information.

16 MR. ARNOLD: E-70 is not a
17 Sandy-related item.

18 CHAIRWOMAN GONSALVES: It's not
19 and at this time we are calling the
20 Sandy-related items together.

21 LEGISLATOR WINK: Okay. Then
22 let's deal with 84.

23 CHAIRWOMAN GONSALVES: 84,
24 comment, go ahead.

25 LEGISLATOR WINK: Mr. Arnold, to

1 Rules Committee/4-8-13

2 the extent that, as I understand it, the
3 Hazen & Sawyer contract with respect to the
4 Sandy-related measures is currently under
5 scrutiny from the comptroller's office and
6 apparently, one of the questions is, how
7 much money has already been spent, what work
8 has been done, suddenly there is a need for
9 documentation that apparently five months
10 ago and over the last five months hasn't
11 been sought.

12 Why are we moving forward with
13 this contract at this time given the fact
14 that we know for a fact that the
15 comptroller's office has additional
16 questions and we have every reason to
17 believe based upon the Newsday's reporting
18 that the district attorney may be
19 investigating this or similar contracts?

20 MR. ARNOLD: The county
21 comptroller has reached out to the 12 major
22 vendors associated with the hurricane
23 recovery Hazen & Sawyer being one of the
24 vendors they chose to get back up
25 information. On the Hazen item only, all

1 Rules Committee/4-8-13
2 their backup for their claims and submittals
3 are part of their claim packages. There is
4 no additional information being processed at
5 this time for Hazen, and I don't believe
6 there will be any issues associated with the
7 contract backup that is going in for claim
8 payment for Hazen & Sawyer.

9 LEGISLATOR WINK: Well, based
10 upon this contract, do we know how much work
11 has already been done?

12 MR. ARNOLD: I do not have an
13 up-to-date claim that I've looked at or
14 that's being handled by other engineers in
15 the department. But the amendment that's
16 before you today covers all work up to the
17 end of March.

18 LEGISLATOR WINK: But we don't
19 have an amount on how much work has been
20 done?

21 MR. ARNOLD: I don't have that
22 with me today, no.

23 LEGISLATOR WINK: It seems to me
24 that they've given whatever work has been
25 done, suddenly now, the controller's office

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2 seems to be much more conscious of the fact
3 that monies are going out without adequate
4 oversight.

5 MR. ARNOLD: There is oversight
6 at the plant overseeing all of Hazen &
7 Sawyer's work, county engineers are
8 reviewing all the claims associated with the
9 Hazen & Sawyer work. If you have any
10 questions regarding the comptroller, what
11 they're looking for, I would ask that you
12 speak to the comptroller.

13 LEGISLATOR WINK: We plan on it.
14 We were hoping to have the opportunity to
15 have the comptroller here today to talk
16 about this and some of the other contracts
17 but point in fact we have been told that the
18 presiding officer deemed it not necessary at
19 this time.

20 MR. ARNOLD: Okay. But all
21 claims, consultant plans are reviewed by the
22 department of personnel for completeness and
23 required all backup to be part of the claims
24 before they're submitted to the
25 comptroller's office.

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2 CHAIRWOMAN GONSALVES: Mr. Wink,
3 let's correct the record, please. There is
4 no way that I would've said that I didn't
5 think it was necessary at this time.

6 I'm saying it to you and putting
7 it on record that the comptroller has
8 reached out to each and every one of us and
9 expressed his willingness to speak with us
10 as individuals.

11 Until he completes his audit and
12 his review, we thought that it would be
13 premature for us to consider bringing him
14 before us. So it's not that I decided, it's
15 because the situation decided it for us.

16 LEGISLATOR WINK: So, first of
17 all, the comptroller reached out to each and
18 every one of us to review this with us after
19 he reached out to Newsday and had it
20 published in Newsday.

21 Second of all, what you just
22 indicated with respect to the timing of this
23 certainly sounded like you said, it's
24 inappropriate at this time to have the
25 comptroller in, am I wrong in that?

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2 CHAIRWOMAN GONSALVES: I said
3 until he can complete his audit. The fact
4 that he did reach out, sorry, but he did
5 reach out, and I received the letter
6 indicating so, to each of us, asking us if
7 we wanted to sit down with him and discuss
8 the various aspects of our concerns
9 regarding Super Storm Sandy. And, he
10 himself has said, until he has completed his
11 audit, I think that it would be
12 inappropriate for him to come before us
13 without complete information. That's what
14 I'm saying. Don't put words in my mouth.
15 I'm not running for comptroller. I'm
16 certainly not.

17 LEGISLATOR WINK: The fact of the
18 matter is, I don't think that anything you
19 said has belied my statement that you
20 believed it was inappropriate at this time
21 for him to come speak before this body.

22 CHAIRWOMAN GONSALVES: You're
23 using the wrong word, Mr. Wink. It's not --
24 I did not say inappropriate.

25 LEGISLATOR WINK: You just said

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2 inappropriate.

3 CHAIRWOMAN GONSALVES: No. He
4 said that he would think that it would not
5 be appropriate at this time to come before
6 the legislature until he has completed his
7 audit and his review. That's it. It's not
8 my word, it's the comptroller's. I'm sorry
9 to say if you disagree, sorry.

10 LEGISLATOR WINK: Madam Presiding
11 Officer, I will let the record speak for
12 itself, but I think you'll find that you in
13 fact used the word inappropriate. But, be
14 that as it may, I would also additionally
15 remind every one that what we are talking
16 about here is the difference between having
17 potentially up to 19 private meetings on the
18 part of the comptroller with each and every
19 legislator, or having one public meeting
20 with everyone associated, all 19 of us being
21 available for it.

22 It seems to me that what can be
23 said to me behind closed doors can be said
24 to me right here on the record and it seems
25 to me that that's the appropriate way to

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2 handle this at this time.

3 CHAIRWOMAN GONSALVES: Now, Mr.
4 Wink, I know you can say I said it, but it
5 would be premature at this point in time to
6 have the comptroller here until he completes
7 his audit and his review. That's what I'm
8 saying to you now.

9 LEGISLATOR JACOBS: May I say one
10 thing, Madam Presiding Officer?

11 CHAIRWOMAN GONSALVES: Legislator
12 Jacobs.

13 LEGISLATOR JACOBS: The truth of
14 the matter is, the reason why I myself think
15 this is something that would necessitate
16 hearing from someone in finance is that we
17 are voting on it now. I mean, what is the
18 purpose of speaking to him later on after
19 the votes today? I'm putting my two cents
20 in now.

21 We are voting for things now that
22 have been listed as things that he's looking
23 into. If he's looking into it, which I
24 fully think is a good thing, why not wait
25 until then to know if we should be voting

1 Rules Committee/4-8-13

2 for it, that's all?

3 CHAIRWOMAN GONSALVES: Legislator
4 Nicoletto.

5 LEGISLATOR NICOLELLO: Yes. I'm
6 just not certain what Legislator Jacobs is
7 proposing. Legislator Jacobs, are you
8 suggesting that everything sits on hold
9 until he completes his audit? Not sure what
10 you're suggesting.

11 LEGISLATOR JACOBS: What I'm
12 referring to is that there were recent
13 articles on his doing a more intense audit
14 on Sandy related matters. And I'm wondering
15 if we are doing the proper investigatory
16 work on our end before we vote yes or no. I
17 mean, none of us want to vote no on Sandy
18 related items.

19 But if he says he is going to be
20 investigating it and going further, should
21 we be voting yes today until we know what
22 the answers are? That's the only reason I'm
23 asking.

24 LEGISLATOR NICOLELLO: Again, I
25 think the problem is, he's not going to

1 Rules Committee/4-8-13
2 complete his audit for some time. If we
3 hold everything up until we get some results
4 out of the county comptroller, you may delay
5 some of these projects, may delay some of
6 the relief efforts. So I don't think that
7 really makes much sense to me.

8 CHAIRWOMAN GONSALVES:
9 Legislator Abrahams.

10 LEGISLATOR ABRAHAMS: How are
11 you, Mr. Arnold? I mean, I'm hearing a lot
12 of the back and forth today. I have some
13 basic questions. It appears to me, and
14 maybe I'm mistaken, it would be great if
15 Comptroller Maragos were here today to shed
16 some light on this.

17 But should this committee, this
18 body, believe that his audit of particular
19 contracts, one of which may include this, if
20 not more, was there proper paperwork
21 established for him to pay these contracts
22 out in the past or similar contracts to
23 that?

24 I'm curious why there is an audit
25 being done when I would think that if the

1 Rules Committee/4-8-13
2 paperwork was in the proper manner, leading
3 up till now, there wouldn't be any question
4 at all. Am I wrong or mistaken to believe
5 that?

6 MR. ARNOLD: As it pertains to E
7 items, which this is one of them, this is an
8 agreement that predated Sandy. It had
9 contract requirements of submitting things
10 along with the claims, i.e., wage rates and
11 time sheets for the employees and also
12 subcontractors.

13 The comptroller, as part of their
14 normal practice, when I work, in reviewing
15 the claims, if there is a piece of
16 information missing they requested, we get
17 that information and, when complete, they
18 pay the claim.

19 LEGISLATOR ABRAHAMS: Were you
20 finished, Mr. Arnold?

21 MR. ARNOLD: As it pertains to
22 the A items for Sandy, there is some
23 contract language that was not in those
24 contracts. There was some information he's
25 been looking for. The department is

1 Rules Committee/4-8-13
2 supplying it currently which is work order
3 reports, some contractor listings of that
4 sort. But as it pertains to the item that's
5 being called today -- sorry, the amendment.
6 This contract predates it. It's the same
7 process that the county has followed all
8 along of supplying particular information to
9 get claims paid, things that have been paid
10 under this contract prior.

11 LEGISLATOR ABRAHAMS: Let me ask
12 the question a different way. Have there
13 been contracts that this legislature has
14 approved that Mr. Maragos is asking
15 questions about today?

16 MR. ARNOLD: Previous contracts?

17 LEGISLATOR ABRAHAMS: Yes.

18 MR. ARNOLD: Yes. Because the
19 contracts wouldn't be in place unless they
20 were approved by this body and moving
21 forward.

22 LEGISLATOR ABRAHAMS: And are
23 there contracts that we are considering at
24 this moment that Mr. Maragos is asking
25 questions about today?

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2 MR. ARNOLD: Like yourself, I've
3 only read the Newsday article. I mean,
4 Hazen & Sawyer was mentioned in the article.
5 I'm not in contact with Hazen whether they
6 got a letter from the controller and, if
7 they did, under what contract they had with
8 the county they are to supply information
9 for.

10 LEGISLATOR ABRAHAMS: So you're
11 not aware of the contracts that Mr. Maragos
12 is asking about?

13 MR. ARNOLD: I have received
14 copies of responses for two of the
15 contractors that have gotten back to the
16 comptroller's office, but I have not been
17 told specifically which contract the
18 comptroller's office is looking for.

19 LEGISLATOR ABRAHAMS: Could they
20 very well be the contracts that are before
21 us today?

22 MR. ARNOLD: Like I said, Hazen
23 was mentioned in the newspaper, so very much
24 it could be this contract work that they are
25 questioning for, or it could be the contract

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2 you already approved which is associated
3 with the construction management the digest
4 facility that was also a Hazen contract, and
5 it was also identified as a Sandy related
6 contract.

7 LEGISLATOR ABRAHAMS: Has that
8 contract been recommended for payment by the
9 comptroller's office?

10 MR. ARNOLD: That contract was
11 approved, the notice to proceed for the
12 contract has not started yet. So we have
13 not initiated any work with it even though
14 it's an approved contract with this body.

15 LEGISLATOR ABRAHAMS: Are there
16 contracts that the comptroller, that have
17 been approved by this legislature, that the
18 comptroller has made payment but now
19 suddenly we are suddenly to audit?

20 MR. ARNOLD: Yes.

21 LEGISLATOR ABRAHAMS: Are any of
22 those contractors here we're talking about
23 considering today?

24 MR. ARNOLD: I believe also
25 mentioned in the Newsday article was the

1 Rules Committee/4-8-13
2 Liro CDM Smith contract which is the next
3 item that we will get to that they have
4 asked for some information from that vendor
5 also.

6 LEGISLATOR ABRAHAMS: I'm
7 confused. There are items that the
8 comptroller is clearly asking questions
9 about. I mean, would we be further going in
10 a direction where we are making it harder --
11 if the comptroller finds some irregularities
12 with these particular vendors, are we making
13 his job more difficult by approving
14 contracts and continuing with the process?

15 MR. ARNOLD: It's my
16 understanding when they audit a contract,
17 audit the contract terms. So the department
18 is -- to uphold the contract terms and get
19 the proper information in the claim
20 packages. But first to get to that point
21 the contract has to be approved and
22 initiated.

23 LEGISLATOR ABRAHAMS: I
24 understand that, but it seems to be a little
25 confusing that, here we are, we have a

1 Rules Committee/4-8-13

2 series of contracts and now the comptroller
3 wants to go back --

4 MR. ARNOLD: Well, all contracts,
5 before the final approval, go through the
6 comptroller's office also.

7 LEGISLATOR ABRAHAMS: That's good
8 to hear, but what I'm saying is, this
9 legislature has authorized a series of
10 contracts, could be going back to when Sandy
11 was actually happening.

12 Then, from that standpoint, based
13 on those contracts being approved, he has
14 authorized payment for some of those
15 contracts. Now, which I find it very hard
16 to believe, now he wants to audit those very
17 contracts that he's already paid.

18 My question now comes to, if the
19 paperwork was in order for him to pay those
20 contracts, then I don't understand the
21 series of the audit. The audit would just
22 verify the reason why you paid those
23 contracts. That's the part -- the
24 disconnect for me.

25 So my bigger question comes to

1 Rules Committee/4-8-13

2 the fact that, should those contracts have
3 been paid?

4 MR. ARNOLD: Well, I don't like
5 to speak for the comptroller, I would ask
6 that you ask this directly, but my
7 understanding is that they have a claims
8 unit that reviews the claims and they have a
9 field audit unit, and the field audit unit
10 is doing this work currently where they will
11 actually ask for additional information that
12 may not be required as part of the claim
13 submittal, but they want to actually verify
14 and take a sampling of that work completed.

15 LEGISLATOR ABRAHAMS: It just
16 appears, and rightfully so, and I'm sure
17 maybe these vendors are doing the right
18 thing and that they have nothing to hide,
19 I'm sure they're probably working with the
20 comptroller's office, or whoever is asking
21 the questions, but it just seems to be a bit
22 hazy that we are considering contracts that
23 the comptroller is auditing the previous
24 payments to them.

25 LEGISLATOR DUNNE: Through the

1 Rules Committee/4-8-13
2 chair, if I may? If I can clarify this if I
3 may.

4 CHAIRWOMAN GONSALVES: I don't
5 know if we are using the correct word,
6 Mr. Arnold. I don't know whether it's
7 auditing on the part of the comptroller or
8 another review on the part of the county
9 comptroller.

10 MR. ARNOLD: That's why I said,
11 and again, I would ask you to speak to them
12 directly, but I believe what they're doing
13 is a field audit which is separate from a
14 claims audit.

15 LEGISLATOR ABRAHAMS: They do a
16 field audit for every contract that --

17 MR. ARNOLD: No, they do sampling
18 of contracts that they feel it's necessary
19 to do. My understanding is that, being that
20 this is a reimbursement FEMA type contract,
21 those are the types of work --

22 LEGISLATOR ABRAHAMS: But, Mr.
23 Arnold, and I know we've had extensive
24 discussion on this, as you are aware, we
25 approved contracts for Looks Great, I'm

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2 using them as an example. But, at the same
3 time, from what I can gather in the
4 newspaper, that's why I was hoping that
5 Mr. Maragos would be here today. What I can
6 gather from the newspaper, Mr. Maragos is
7 questioning the payments of Looks Great as
8 well which totals well over, if I understand
9 correctly, totals over \$30 million.

10 LEGISLATOR DUNNE: Can I
11 intervene just for one second?

12 CHAIRWOMAN GONSALVES: Hold on.

13 LEGISLATOR ABRAHAMS: If I can,
14 let me get my statement on and then I will
15 be happy to hear Legislator Dunne. I am on
16 the issue, but I'm trying to make sure I
17 understand Mr. Maragos' practice.

18 CHAIRWOMAN GONSALVES: Stay on
19 it.

20 LEGISLATOR ABRAHAMS: Presiding
21 Officer Gonsalves, I'm definitely on the
22 issue. What I'm bringing up is the fact
23 that -- and I'm not trying to sully anybody.
24 What I'm trying to understand is, under the
25 Looks Great particular contract, we paid out

1 Rules Committee/4-8-13
2 \$33 million, but then the comptroller is now
3 auditing or whatever you want to call it,
4 field review, today of that payment.

5 What I don't understand is, how
6 did he make the payment if there is some
7 level of errors or documentation. That's
8 the part that I'm not getting the connect
9 on. So I'm connecting that to what we're
10 seeing today. It just doesn't seem to me to
11 be logical that we would proceed with
12 contracts for payment if the comptroller is
13 taking the process to review these
14 particular contracts whether they be for
15 previous payments. It doesn't seem to be
16 logical to take a step in this direction if
17 he's reviewing them for previous payments
18 that this legislature has approved and he
19 has made to them.

20 LEGISLATOR DUNNE: Madam chair?
21 Just quickly.

22 LEGISLATOR ABRAHAMS: Of course.

23 LEGISLATOR DUNNE: It's not
24 uncommon --

25 CHAIRWOMAN GONSALVES: Legislator

1 Rules Committee/4-8-13

2 Dunne.

3 LEGISLATOR DUNNE: Thank you,
4 Madam Chair. It's not uncommon for anybody
5 to be auditing while they're doing the
6 contract. This is an emergency contract
7 related to Sandy and FEMA money was needed
8 for this so we had to do the contract which
9 we did and which we are doing now. But the
10 subcontractors are being audited about their
11 prevailing wage and you can't do that before
12 the contract is done because you don't have
13 the guys doing the work yet.

14 You can't send investigators to
15 see if the prevailing wage is being paid to
16 these guys that are doing the work. So, of
17 course, he has to audit after the contract
18 is done. These people are bonded and they
19 will be fined if there's something wrong.
20 But for him or her or whoever the
21 comptroller is, to do an audit after the
22 contract is done is not out of the question
23 at all.

24 CHAIRWOMAN GONSALVES: Legislator
25 Abrahams, go ahead.

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2 LEGISLATOR ABRAHAMS: Thank you,
3 presiding officer. I appreciate you saying
4 that and I understand where you're coming
5 from, but now, today, we do have an
6 opportunity. There are contracts before us
7 that the comptroller is questioning that may
8 have been from a previous contract or a
9 payment that we might have made but, here we
10 are, we are approving more money to these
11 very same vendors that are being part of
12 this field review.

13 So to answer your point, I agree
14 with your sentiment that, yes, we want to
15 know beforehand whether or not these
16 subcontractors paid out prevailing wages to
17 these particular employees. I understand
18 that. But, now, if I understand this
19 correctly, the comptroller is doing the
20 proper auditing or field review now. So we
21 do know he is conducting a review now. So
22 to pay or approve more money to particular
23 vendors, without him concluding his review,
24 just doesn't seem to me to be practical.

25 LEGISLATOR DUNNE: We are talking

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2 about one point something million dollars
3 here which, a lot of people have to put food
4 on their tables and feed their families. If
5 they are doing it properly and if it's done,
6 there's no fault, and the comptroller finds
7 them that everything was done right, we just
8 hurt a lot of people from putting food on
9 the table because we withheld the money and
10 now they're not --

11 LEGISLATOR ABRAHAMS: No. I
12 don't think so. What I think, Legislator
13 Dunne, is we should make sure we make pay
14 outs to entities that are doing the right
15 thing by the people of Nassau County.

16 LEGISLATOR DUNNE: There is no
17 proof that they haven't.

18 LEGISLATOR ABRAHAMS: I'm not
19 arguing. We're having a conversation. I
20 would think that it would be more prudent,
21 if the comptroller has identified these
22 contracts as being a part of a lump that are
23 worthy of a review, we should at least allow
24 him to conclude his review.

25 LEGISLATOR DUNNE: I applaud the

1 Rules Committee/4-8-13
2 comptroller for doing his job, and for us to
3 continue to do our job and make sure that
4 the county is run properly. I'm sorry,
5 Madam Chair, I'm out of --

6 LEGISLATOR ABRAHAMS: This is a
7 conversation among friends.

8 CHAIRWOMAN GONSALVES: Okay.
9 Legislator Nicoletto.

10 LEGISLATOR ABRAHAMS: I wasn't
11 done with Mr. Arnold.

12 So if I could just re-emphasize
13 again, Mr. Arnold, it was always our
14 impression and our suggestion to have
15 Comptroller Maragos here because obviously
16 it has come to our attention that there have
17 been payments made to some of these entities
18 and, quite frankly, if he is doing some type
19 of analysis or review, he should come and --
20 if not be maybe in executive session, he
21 should explain to us, collectively, exactly
22 the direction that he's taking so that this
23 legislature does the right thing before we
24 approve -- I don't understand why we would
25 approve contracts which he's going to bring

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2 into question the payment of them at a later
3 date. It makes more sense for the
4 comptroller to do his analysis and do his
5 review if he can and give us the worthwhile
6 information that helps us make a better
7 decision. I don't feel that's happening
8 today.

9 CHAIRWOMAN GONSALVES: I have a
10 point to make here. It's my understanding
11 that every contract that goes before the
12 comptroller, I may be wrong, it is subject
13 to review before he starts paying out the
14 money. That's my impression.

15 MR. ARNOLD: Every claim?

16 CHAIRWOMAN GONSALVES: Yes. I
17 mean, we don't arbitrarily say, okay, now
18 every contract you go ahead and pay it.

19 MR. ARNOLD: No. Every contract
20 goes to the comptroller, they review it, and
21 they approve the encumbrance of the money.
22 And certain contracts NIFA does the same.

23 CHAIRWOMAN GONSALVES: Okay.
24 Now, I have another question. Based on this
25 contract you said was before Sandy, correct?

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2 MR. ARNOLD: The original
3 contract was an on call contract for
4 environmental engineering assistance. It
5 existed before Sandy. It's an amended --
6 it's the second amendment to assist us
7 through the Sandy recovery work.

8 CHAIRWOMAN GONSALVES: All right.
9 I just want everything out on the table.
10 Legislator Nicoletto.

11 LEGISLATOR NICOLELLO: Mr.
12 Arnold, I think what is being lost in all of
13 this, what is it that Hazen & Sawyer is
14 doing? What is this contract for and what
15 is it that they're doing?

16 MR. ARNOLD: Hazen & Sawyer is
17 leading the effort associated with all of
18 the recovery design assessment, cost
19 estimating work, that's being done for our
20 environmental facilities that were severely
21 impacted by Hurricane Sandy. There are
22 other consultants working alongside them,
23 Malcolm Piernie being one of them, along
24 with about five or six other smaller firms.
25 The major efforts being handled by Hazen &

1 Rules Committee/4-8-13
2 Sawyer and the Malcolm Piernie team, and
3 they are spearheading all the recovery
4 efforts, mitigation efforts for the plant
5 and the pump stations.

6 LEGISLATOR NICOLELLO: So Hazen &
7 Sawyer is leading that effort, working with
8 others in doing it?

9 MR. ARNOLD: Yes.

10 LEGISLATOR NICOLELLO: Now the
11 suggestion is apparently being made that we
12 simply hold this contract up and maybe you
13 can call them tomorrow and say, look,
14 there's some questions that the comptroller
15 has, stop what you're doing. What happens
16 then?

17 MR. ARNOLD: Well, as I stated,
18 this contract actually only pays them up
19 through the end of March. Currently this
20 work has already been completed in their
21 assistance effort. So I would think that if
22 this contract wasn't approved, I'm not sure
23 what Hazen's response would be at the plant
24 right now.

25 LEGISLATOR NICOLELLO: But

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2 they're leading the effort. You can't just
3 pull them off the job. The comptroller may
4 be looking at the contracts, who was paid,
5 how much was paid, but without a backup
6 plan, you can't just stop Hazen & Sawyer
7 from completing what they were hired to do.
8 I think that would damage the Sandy recovery
9 effort.

10 MR. ARNOLD: And, as I mentioned,
11 there is a transition period, we put out a
12 program management RFP for this effort
13 because this is going to be a multiyear
14 effort. This work before you today is the
15 emergency first days of work. There will be
16 another contract coming before you for a
17 multiyear effort to have the plants recover
18 and there will be a transition period during
19 that point.

20 LEGISLATOR NICOLELLO: I think
21 you made your point, I think I made my
22 point. Obviously the comptroller has begun
23 an audit of field review or whatever the
24 correct term is. He's begun it. Let's let
25 him continue it, let's let him complete it.

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2 Once we have some definitive results we can
3 act on it, we can do what we need to do, but
4 in the meantime, the Sandy recovery effort
5 has to go forward. You can't stop these
6 contracts.

7 MR. ARNOLD: Just a point of
8 clarity also, the department gets audited,
9 the DOT audits our contracts all the time
10 for work already completed. It's a normal
11 course of process when you have federal
12 funding being put towards a contract. So
13 it's not unusual for the department to have
14 -- to go through an audit for any of our
15 contracts especially when it's outside
16 funding.

17 CHAIRWOMAN GONSALVES: Are you
18 finished? Legislator Abrahams.

19 LEGISLATOR ABRAHAMS: I think I
20 would agree with mostly what Legislator
21 Nicolello had mentioned except for the fact
22 that this legislature approved \$2.5 million
23 dollars previously; am I understanding that
24 correctly?

25 MR. ARNOLD: For Hazen & Sawyer?

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2 LEGISLATOR ABRAHAMS: For Hazen &
3 Sawyer.

4 MR. ARNOLD: Yes.

5 LEGISLATOR ABRAHAMS: Now we are
6 being asked to extend their particular line
7 of work. You said that their contract is
8 expiring on March --

9 MR. ARNOLD: It's expired.

10 LEGISLATOR ABRAHAMS: So this is
11 an amendment to fund additional work of the
12 tune of \$1.1 million?

13 MR. ARNOLD: Well, the Sandy
14 portion is only \$700,000. And, also, there
15 is another point to clarify. The two and a
16 half million is not all Sandy related. This
17 is from work from the initiation of this
18 contract which I believe goes back to '02.

19 LEGISLATOR ABRAHAMS: I
20 understand. So basically, if I'm
21 understanding this correctly, let's examine
22 this in two parts. The comptroller is
23 examining or doing a field review on the 2.5
24 that has been spent?

25 MR. ARNOLD: I don't know about

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2 that.

3 LEGISLATOR ABRAHAMS: But Hazen &
4 Sawyer was mentioned in Newsday stories. Is
5 there another contract by them?

6 MR. ARNOLD: As I mentioned, the
7 construction management contract for the
8 digester project is also a Sandy related
9 contract. Hazen & Sawyer was awarded that
10 contract. They have not started work yet so
11 I'm not sure if the Hazen audit is
12 associated with that contract or this
13 contract before you today.

14 LEGISLATOR ABRAHAMS: But no
15 payment has been made on that contract?

16 MR. ARNOLD: That's correct.

17 LEGISLATOR ABRAHAMS: So chances
18 are -- I wish he was here. What he's
19 examining is probably what has been paid out
20 of this 2.5. So I'm making assumptions
21 here, and I hate to make assumptions. If
22 the comptroller was here we wouldn't have to
23 make them. But if we are going to make that
24 assumption, and bear with me for a second,
25 now, if I understand the line of thought by

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2 Legislator Nicoletto, we're now saying,
3 okay, the comptroller is examining payments
4 and services provided by Hazen & Sawyer for
5 the 2.5 but, because we don't want things to
6 slow down, even though there may be some
7 errors in terms of them being paid on the
8 2.5, we should just go forward and do 1.1.
9 Because it's the right thing to do. Even
10 though they may not be deserving of the 2.5
11 in its entirety. If I'm understanding this
12 correctly, that's what I'm hearing this
13 legislature is being asked to do. Am I
14 correct by saying that?

15 CHAIRWOMAN GONSALVES: But, Mr.
16 Arnold, I need to be accurate on this. The
17 2.5 contract that we had with Hazen & Sawyer
18 does not really deal completely with Sandy
19 correct?

20 MR. ARNOLD: That's correct.

21 CHAIRWOMAN GONSALVES: How much
22 of the contract was Sandy?

23 MR. ARNOLD: I don't have the
24 exact figure in front of me. I believe 1.5
25 million was Sandy, and this is an additional

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2 \$700,000.

3 LEGISLATOR ABRAHAMS: Is it
4 possible the comptroller can come down
5 today?

6 CHAIRWOMAN GONSALVES: I don't
7 think so.

8 LEGISLATOR ABRAHAMS: Has someone
9 reached out to him? I would be happy to
10 reach out to him. Mr. May, is it possible
11 that we can contact --

12 CHAIRWOMAN GONSALVES: I don't
13 believe so. I think it behooves us to give
14 him the opportunity to continue his review
15 and to do what we have to do here as a
16 legislative body.

17 LEGISLATOR ABRAHAMS: No
18 disrespect, Presiding Officer Gonsalves, we
19 cannot do what we need to do. I mean,
20 you're asking this legislature to choose
21 between one of the worst storms that has hit
22 this county, yes, we want to make sure we
23 make payments promptly as well as
24 efficiently so that every single service
25 that's related to this storm will be paid.

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2 But, at the same time, while the comptroller
3 is conducting a field review of the very
4 same entity that we're being asked to give
5 an additional \$1.1 million to, I just don't
6 find it to be prudent that he's not here
7 today to explain the series of documents
8 that he may or may not be missing based off
9 of that field review.

10 To me, it would make more sense
11 for this legislature to hear what he is
12 looking at so that we can make a prudent
13 decision on whether or not we are going to
14 go forward. I just don't see it.

15 If I'm understanding this
16 correctly, and maybe I'm just thinking it
17 and saying it the wrong way, he is examining
18 the 2.5 that this legislature, we, as a
19 Rules Committee body, approved. If he's
20 saying that some of that stuff has been
21 brought into question to warrant a review,
22 he said it in Newsday, that he's examining
23 Hazen & Sawyer's payments that were made.
24 That's in Newsday. He said that. So if
25 that's what he is saying, I just don't find

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2 it logical to go forward -- I mean, we may
3 end up going forward if what he says is
4 totally fine. But we don't know and he's
5 not here to explain.

6 So here we are, and we're being
7 asked to do 1.1 in additional payments to
8 Hazen & Sawyer when we don't even know what
9 he thinks on the 2.5 for the same service.
10 It's only in Nassau County.

11 I just can't find it and I find
12 it very hard to believe that we would not
13 want the comptroller here to explain exactly
14 what he's looking at in regards to the 2.5.

15 CHAIRWOMAN GONSALVES: Mr. Arnold,
16 the work that Hazen & Sawyer has done goes
17 back to 2005, correct?

18 MR. ARNOLD: 2012, I misspoke.

19 CHAIRWOMAN GONSALVES: 2012. So
20 was this contract initiated because of
21 Sandy?

22 MR. ARNOLD: No. The contract
23 was originally initiated to assist the
24 department in any environmental issues at
25 our treatment plants, the on-call wastewater

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2 environmental contracts, and actually before
3 you today is the replacements for those
4 contracts later on. We amended the contract
5 because we reached the contract cap when
6 Sandy hit to assist us in our recovery
7 efforts. We've had multiple amendments come
8 in to raise the cap.

9 LEGISLATOR ABRAHAMS: How much
10 was paid out of the 2.5 that was Sandy
11 related?

12 MR. ARNOLD: I would be taking a
13 guess today. I don't have that in front of
14 me.

15 LEGISLATOR ABRAHAMS: Is it more
16 than half? I don't want you to guess. I
17 actually like you. I would never want you
18 to backtrack on a number later on.

19 If possible, can we at least wait
20 until Mr. Arnold can get back to us with a
21 number before voting on this?

22 I think everybody here wants to
23 do the right thing by the people of Nassau
24 County with regard to Sandy. So, if we
25 could.

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2 CHAIRWOMAN GONSALVES: I believe
3 there is someone in the audience who wanted
4 to speak on this item; am I correct? I'm
5 sorry, Legislator Kopel.

6 LEGISLATOR KOPEL: I just wanted
7 to see if we can cut through a little bit of
8 this if we can. Ken, is it a fact or is it
9 not a fact that things get audited even if
10 there is not a suspicion of anything being
11 done that's improper? People audit things
12 all the time, isn't that true?

13 MR. ARNOLD: As I mentioned
14 before, DOT audits our contracts all the
15 time.

16 LEGISLATOR KOPEL: Yes.
17 Contracts get audited all the time. And if
18 we were to stop and not go forward with
19 projects every time there was an audit, what
20 would happen?

21 MR. ARNOLD: It would slow us
22 down severely.

23 LEGISLATOR KOPEL: As a matter of
24 fact, in many instances, it would cause
25 damage, it would cause harm, I would

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2 imagine?

3 MR. ARNOLD: Yes. It would delay
4 the recovery effort of Bay Park.

5 LEGISLATOR KOPEL: And in this
6 particular case, if we were to stop and wait
7 until the results of an audit came about,
8 that would be a significant problem for the
9 residents of Bay Park and East Rockaway and
10 the other surrounding areas, so we kind of
11 have to go forward, don't we?

12 MR. ARNOLD: Yes, it's the same
13 thing why we declared emergencies and had
14 contractors starting work immediately the
15 day after the storm while --

16 LEGISLATOR KOPEL: I just want to
17 emphasize, there's nothing -- the fact that
18 there being an audit should not be assumed,
19 not be taken as an assumption of something
20 that's being done that's improper?

21 MR. ARNOLD: That's correct.

22 LEGISLATOR KOPEL: Thank you.

23 CHAIRWOMAN GONSALVES: Mr.
24 Arnold, I just have one more question then
25 I'm going to leave you go. Is it uncommon

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2 for -- or I should say, isn't it common that
3 the comptroller, regardless of Sandy, would
4 do an audit from time to time just like the
5 IRS?

6 MR. ARNOLD: Every year the
7 comptroller's office brings in their team
8 and audits all our state contracts. I
9 forget the name of the document they have to
10 produce but every year they go through our
11 payments for all our state contracts. It's
12 a single audit they call it.

13 CHAIRWOMAN GONSALVES: There is
14 an individual here who submitted a slip but
15 he did not put the contract, number of the
16 contract. Come on up.

17 CLERK MULLER: You have three
18 minutes, sir.

19 MR. STONEHILL: My name is David
20 H. Stonehill. I'm an attorney and civic
21 activist from Merrick. In the aftermath of
22 Hurricane Sandy, Nassau County, like other
23 similarly impacted municipalities, worked
24 feverishly to hire private vendors to assist
25 in cleanup operations.

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2 As in any rushed situation,
3 mistakes and errors were made by county
4 government as well as by the vendors. These
5 mistakes and errors need to be identified
6 and remedied.

7 An important mechanism in
8 analyzing local governmental operations
9 would be the Nassau County Legislature.
10 Legislators have numerous tools at hand such
11 as the ability to invite relevant county
12 officials in order to legislative meetings
13 in order to discuss their work and to answer
14 relevant questions.

15 I understand that a legislator on
16 this Rules Committee and two legislators on
17 the Finance Committee have asked that Nassau
18 County Comptroller, George Maragos, come
19 before this body to discuss his review of
20 post Sandy cleanup contracts. This natural
21 and logical request has been denied by the
22 legislature's presiding officer. Does it
23 make sense to review contracts after they
24 have been approved by the legislature?

25 I'm here today to emphasize that

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2 the legislature's majority, not only shirk's
3 its obligation to provide oversight of these
4 cleanup contracts, but it blocks legislators
5 who are seeking to do their job and to
6 provide financial oversight.

7 Presiding Officer Gonsalves, why
8 did you see fit to stop the comptroller from
9 appearing here today to discuss Sandy
10 expenditures? He is willing to come. How
11 do you feel that you have no responsibility
12 as a legislator to do anything other than
13 rubber stamp the Mangano Administration's
14 every move? How do you define your own
15 responsibilities as a legislator and as the
16 presiding officer of an entire branch of
17 government?

18 By coincidence, there are some
19 items on the agenda today that do involve
20 the same type of the contracts that the
21 comptroller was talking about in his
22 investigation.

23 The Nassau District Attorney is
24 also actively investigating Looks Great
25 Services, the company whose work performance

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2 has gotten the most complaints and attention
3 during the cleanup. So where is the Nassau
4 County Legislature in all this? Silence may
5 be golden, but the legislature's inaction
6 looks to be more of a coverup than anything
7 else.

8 Rather than ferreting out the
9 truth, it seems that protecting political
10 cronies has a higher priority here in
11 Mineola. The majority seems to have it
12 backwards. Governing drives politics.
13 Politics should not drive governing. The
14 basis to this budding scandal stems from
15 mistakes made by Looks Great Services in
16 cutting down trees unnecessarily.

17 I just wanted to indicate that --
18 I call it "tree gate" for this particular
19 problem, but the idea is that the
20 legislature needs to look into this and look
21 into it now before more damage is done.

22 CLERK MULLER: Your three minutes
23 have expired.

24 MR. STONEHILL: Yes. Thank you
25 for giving me the opportunity to speak

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2 today.

3 CHAIRWOMAN GONSALVES: Any other
4 public comment on this item, Item-84?

5 (No verbal response.)

6 MR. ARNOLD: Presiding Officer,
7 on the question of payments?

8 CHAIRWOMAN GONSALVES: Go ahead,
9 Mr. Arnold.

10 MR. ARNOLD: Hazen & Sawyer has
11 submitted claims for \$1.2 million. None of
12 them have been paid to date related to
13 Sandy.

14 LEGISLATOR ABRAHAMS: Related to
15 Sandy. All right. I got my answer. So of
16 the 2.5 that they're -- so how much is total
17 related to Sandy of the 2.5?

18 MR. ARNOLD: I would like to go
19 back and I'll get that information.

20 LEGISLATOR ABRAHAMS: But they
21 have submitted as we know today 1.2 and
22 there's been no exposure to the county --

23 MR. ARNOLD: Those claims are
24 with the comptroller.

25 LEGISLATOR ABRAHAMS: With the

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2 comptroller, okay. Fair enough.

3 CHAIRWOMAN GONSALVES: Is anyone
4 else here to speak on E-84? Did you put in
5 a slip young lady?

6 MS. OBENAUER: Yes.

7 CHAIRWOMAN GONSALVES: Name is?

8 MS. OBENAUER: Charlene Obenauer.
9 Good afternoon, members of the legislature
10 and Presiding Officer. My name is Charlene
11 Obenauer. I'm the executive director of
12 Long Island Jobs with Justice.

13 I'm here today first to thank all
14 of you for your hard work related to Sandy.
15 I know that a lot of us, a lot of the
16 members of the legislature have been putting
17 in a lot of hard work and extra hours
18 related to Sandy and we all appreciate that.
19 The members of the county appreciate that
20 and the members of the community appreciate
21 that. So thank you.

22 I'm here today because we have
23 been doing a lot related to the oversight of
24 some of these contracts and we just wanted
25 to express some concern. We've seen how

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1
2 some of these contracts can happen and
3 contractors often times need to meet strict
4 deadlines and standards can often fall to
5 the wayside. So we appreciate that the
6 comptroller is doing a review of these
7 contracts especially because issues of the
8 prevailing rate have been flagged in the
9 Newsday article that we are most referring
10 to today.

11 The legislature, we feel our
12 organization feels that the legislature
13 should bring the comptroller here to answer
14 some questions that members of the
15 legislature seem to have as well as members
16 of the public. I understand that there's an
17 investigation happening but an investigation
18 can take a really long time, and it seems
19 like his insight would be really helpful in
20 this process and I think that the bottom
21 line is that there is a lot of money coming
22 in to Nassau County and there has been a lot
23 of money coming in to Nassau County related
24 to Super Storm Sandy, and that we need
25 strong oversight of this process.

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2 So I know that it might seem
3 tedious to some members of the audience who
4 are probably here to speak on other issues
5 or are here to get through the rest of the
6 agenda, but I appreciate the intense
7 oversight that I'm seeing here today and I
8 think that kind of oversight is necessary in
9 the future.

10 Again, we would like to see the
11 comptroller attend this meeting to answer
12 questions both from the audience and from
13 the members of the legislature. Thank you
14 so much.

15 CHAIRWOMAN GONSALVES: Thank you,
16 Charlene. Any other members of the public
17 wish to speak on this contract? Mr. Piel.

18 MR. PIEL: I'm Bruce Piel from
19 the Park Advocacy and Recreation Council of
20 Nassau. Good afternoon Madam Chair and
21 legislators and ladies and gentleman.

22 I submitted earlier a letter,
23 open letter to the legislature about the
24 clear cutting in the preserves in Nassau
25 County which leads to the fact that once

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2 that hit the fan, people started looking
3 into it and we are finding out that the work
4 was not being done properly by the
5 contractor. There was little or no
6 oversight on where he went or how he did it.

7 We are distressed here because
8 obviously we are very protective of our
9 preserves and our parks and other things.
10 Of the tens of thousands of people after
11 Hurricane Sandy that came out to help their
12 relatives and friends and neighbors, there's
13 always a few that crawl out from under a
14 rock and find an opportunity to make money
15 where money is not deserved. That is also
16 our concern.

17 So let me add our voices to the
18 call for this legislative body to get the
19 Nassau County comptroller here to explain
20 what is going on before it goes too much
21 further.

22 I think it's important that the
23 information he has now -- he did speak to
24 the news media to all -- some of the things
25 he found. I think in the interest of

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2 protecting the public he should be asked to
3 come here and let you know what is going on
4 so you can make informed decisions from this
5 point.

6 So, we're sorry it seems that
7 there's no enthusiasm for that but we think
8 that it's important that that happen. I
9 thank you very much.

10 CHAIRWOMAN GONSALVES: Thank you,
11 Mr. Piel. Mr. Arnold.

12 LEGISLATOR ABRAHAMS: Mr. Arnold,
13 one of the contracts that's been also called
14 that's going to come right after this, E-85,
15 which I believe, if I'm looking at my notes
16 correctly, CDM Smith and Liro, and that also
17 has been called into question based upon the
18 Newsday story by Mr. Maragos. Has any of
19 that particular contract previously
20 authorized by this legislature been paid
21 out?

22 MR. ARNOLD: Yes.

23 LEGISLATOR ABRAHAMS: How much?

24 MR. ARNOLD: I would have to go
25 back to my notes and pull out those numbers

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2 but over a million dollars has been paid.

3 LEGISLATOR ABRAHAMS: Over a
4 million dollars in Sandy related expenses
5 have been paid?

6 MR. ARNOLD: Well, that contract
7 is strictly, solely a Sandy contract. On
8 your for the Hazen contract, currently
9 there's \$1.3 million-500 encumbered for
10 Sandy for Hazen & Sawyer. There's an
11 additional \$700,000 pending before you today
12 for a total of \$2 million-500 in Sandy
13 related expenses.

14 LEGISLATOR ABRAHAMS: But nothing
15 has been paid on Hazen & Sawyer?

16 MR. ARNOLD: You asked to clarify
17 the point of the total contract.

18 LEGISLATOR ABRAHAMS: Yes.
19 Nothing has been paid to Hazen & Sawyer but
20 payment has been made to CDM Smith and Liro?

21 MR. ARNOLD: Correct.

22 CHAIRWOMAN GONSALVES: Any other
23 questions regarding E-85?

24 (No verbal response.)

25 Mr. Arnold, would you do me a

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2 favor, E-85, could you give us a brief
3 detail on what this contract is for?

4 MR. ARNOLD: Yes. E-85 is an
5 amendment for CDM Smith, Liro joint venture.
6 CDM Smith, Liro is our consultants that are
7 program managing the Step program which is
8 the temporary sheltering housing program for
9 the residents that have been impacted by the
10 flood waters of Sandy. This amendment is
11 not an increase in dollars but, in scope,
12 there were certain efforts that CDM Smith,
13 Liro took on to further enhance the program
14 and get outreach to the public including
15 electronic media, Facebook, meetings with
16 civics and so forth.

17 In addition, there is additional
18 scope associated with the reimbursement from
19 FEMA to make sure our packages are complete
20 to make sure -- so that the county foresees
21 all costs that were put out. That's what
22 this amendment entails.

23 CHAIRWOMAN GONSALVES: Any
24 questions regarding this CDM Smith contract?

25 (No verbal response.)

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2 Is there any public comment
3 regarding this contract?

4 (No verbal response.)

5 Are you looking to make public
6 comment on these contracts? E-84?

7 MR. MILLER: Yes.

8 CHAIRWOMAN GONSALVES: You're
9 welcome to come aboard.

10 MR. MILLER: Thank you. My name
11 is Michael Miller and because Sandy related
12 contracts are before this Rules Committee
13 and some were even mentioned by Comptroller
14 George Maragos as being under review, I
15 believe I have the right to submit this
16 statement.

17 I'm an avid nature lover and
18 lifelong Glen Cove resident who spends lots
19 of time in Welwyn Preserve as well as other
20 Nassau County parks. I consider it a huge
21 benefit to living here in Nassau County. I
22 watched with disbelief as the trees being
23 cut in one of the jewels of the Nassau
24 County Park system, Welwyn.

25 I'm writing this letter so I can

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2 go on record as saying, what happened there
3 is at best political incompetence and at
4 worst political corruption.

5 In following the stories based on
6 quotes I have read in Newsday, we have some
7 elected officials protecting other elected
8 officials from doing what their constituents
9 want. I didn't vote for Norma Gonsalves, I
10 voted for Delia DeRiggi Whitton. If Delia
11 wants to do her job and look into how this
12 vendor was paid to cut all these trees, why
13 is the presiding officer stopping her?

14 It's bad enough Legislator
15 Gonsalves doesn't want to do her job, but
16 she does not have the right to stop my
17 legislator from representing me.

18 I would also just like to add
19 this, if you take yourself back it 11-26 is
20 when, walking through Welwin, I found these
21 out of state people being housed in hotels,
22 cutting down trees in areas where they
23 weren't affecting anybody, where local
24 residents had already cleared paths and cut
25 inside a preserve. There's something wrong

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2 with the process as well as, whether they're
3 getting paid, but even getting them there to
4 do that, there is something wrong with the
5 process that was in place back on that day.

6 I doubt from listening to you
7 guys here today that anything has been
8 changed relative to that because it seems
9 like it takes a long time to even get little
10 things answered.

11 But I'd really like the
12 legislature to look into this situation and
13 see how it can be fixed going forward.
14 Thank you.

15 CHAIRWOMAN GONSALVES: You're
16 welcome, Mr. Miller. Any other comments
17 from any of the legislators?

18 (No verbal response.)

19 Any other comment? Jane.

20 MS. HODAK: Jane Hodak, Nassau
21 County Attorney's Office. I just want to
22 say that, on the day after the hurricane, I
23 went down to the Bay Park Sewage Treatment
24 Plant and, when I got there, there was men
25 from Hazen & Sawyer, Malcolm Piernie, CDM

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2 Smith, and quite a number of the engineering
3 firms already there and they had been there
4 since the middle of the night trying to fix
5 the horrendous problem at that plant that
6 had been overcome by a nine foot wave of
7 water. They were so professional in using
8 all of their brain power and their talents
9 to save what was the properties of the
10 people of Nassau County and we're sitting
11 here questioning whether or not they did
12 their job?

13 They didn't have power in their
14 homes. They weren't able to shower. They
15 didn't have food. I brought them food from
16 my own home which wasn't too far away, and
17 so I really have to say just as a
18 professional who has worked with these
19 environmental consultants for many years, I
20 don't understand why we're sitting here
21 lumping to get them in -- I have no idea
22 what happened at Welwin Preserve, I wasn't
23 there. I was at Bay Park and I did see what
24 they did and I did see the efforts that they
25 put in as professionals to do their job. So

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2 I'm saying this as a private citizen, quite
3 frankly, not as a member of the county
4 attorney's office, but as somebody who was
5 there and witnessed the professionalism of
6 them and the people of DPW on that day.

7 CHAIRWOMAN GONSALVES: Jane, I
8 welcome your comments and I have to say that
9 many of my colleagues and I did visit Bay
10 Park after the surge hit the plant and how
11 quickly, and I have to say "quickly," they
12 were able to restore that plant to a degree
13 and assist the residents in that area from
14 the terrible terrible sludge that was
15 generated because of the surge.

16 I have to say that they had to be
17 some remarkable people to be able to restore
18 to the best of their ability to keep that
19 plant from really creating even more
20 difficulty for the residents in Nassau
21 County and in that particular area.

22 So I think they did -- the visit
23 that I had and my colleagues had made, we
24 saw the great job that they did in restoring
25 as much as they could for the community and

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2 for Nassau County. So, thank you, Jane.

3 LEGISLATOR ABRAHAMS: If I may.

4 Not commenting on Ms. Hodak's comments
5 directly, but I think everyone believes,
6 when we approve a contract of this
7 legislative body, we honestly believe that
8 every person that we hire is going to do the
9 right thing by that contract.

10 Now, we're not saying Hazen &
11 Sawyer did anything wrong. The comptroller
12 has identified them as part of his field
13 review as being a part of a review that
14 needs to be conducted to determine whether
15 or not they did anything wrong or not.

16 I think from our standpoint it
17 would be the more prudent thing to wait to
18 see what he says. He may say that they have
19 done absolutely nothing wrong. Which, from
20 that case, I couldn't see why there would be
21 any reason for my side or the majority to
22 not support it.

23 But, to wait -- I mean, to not
24 wait to see what he has to say does not seem
25 to me to be practical or prudent. Maybe I'm

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2 mistaken. I could be. I'm not doubting
3 what they did. I'm not doubting that what
4 they did wasn't done honorably and that they
5 sacrificed time. No one is saying that.
6 But, at the same time, I think anyone that's
7 in a position where you are trying to
8 evaluate whether or not everything was done
9 practically, and this is not something that
10 we are conducting on our side, Comptroller
11 Maragos, five months late, yes, but still,
12 has decided to do this field review now.
13 It's not something that's being prompted by
14 this legislative body.

15 So, from our standpoint, I want
16 to rest assured to the public that we are
17 trying to do our due diligence to ensure
18 that every single dollar that has been spent
19 for Sandy relief goes towards protecting
20 families that have been impacted or could be
21 impacted by future storms, if not impacted
22 by Sandy. And that's our responsibility to
23 do up here is to make sure that happens, so
24 that every dollar, though it could be done
25 mistakenly or it could be done deliberately,

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2 is spent in a way that is honest and
3 forthright and effective for every single
4 person in Nassau County.

5 That's what everybody up here is
6 fighting for. That's why I think it's
7 important that we hear back from the
8 comptroller to understand exactly what he is
9 or what he is not doing.

10 CHAIRWOMAN GONSALVES: Mr.
11 Abrahams, you know as well as I do that
12 there is a process in place. All the claims
13 are reviewing and, at the present time, the
14 comptroller is reviewing those contracts
15 that are certainly Sandy related and when
16 he's completed his review we will be advised
17 of his findings in a public session.

18 At this point, I'm asking if
19 there are no other comments, we should take
20 a vote and, if you want, we can vote them
21 individually, or -- Mr. Arnold came up and
22 gave us the details of the contract.

23 We are going to vote on Contract
24 A-32-13, all those in favor of A-32, which
25 is Water Craft Irrigation, Inc. signify by

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2 saying aye.
3 (Aye.)
4 Any opposed?
5 (No verbal response.)
6 The motion carries unanimously.
7 E-73 is HDR Hydroqual. All those
8 in favor of E-73 signify by saying aye.
9 (Aye.)
10 Any opposed?
11 (No verbal response.)
12 That passes unanimously.
13 E-84, Hazen & Sawyer, all those
14 in favor of E-84 signify by saying aye.
15 (Aye.)
16 Any opposed?
17 (No verbal response.)
18 Okay. Three abstentions. Same
19 thing with E-85, CDM Smith, all those in
20 favor signify by saying aye.
21 (Aye.)
22 Any opposed?
23 (No verbal response.)
24 Abstentions? Thank you very
25 much. Now we can move forward and let's see

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2 where we're at. I'm trying to go back to
3 where we were.

4 A-33, that particular contract
5 with the county of Nassau and on behalf of
6 the Nassau County Department of Public Works
7 and RR Plumbing Services Corp.

8 A motion, please?

9 LEGISLATOR DUNNE: So moved.

10 LEGISLATOR KOPEL: Second.

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

14 MR. MAY: Ken Arnold, DPW.

15 MR. ARNOLD: Thank you. Ken
16 Arnold. A-33 is a contract with R&R
17 Plumbing. R&R Plumbing assisted the
18 department during the Sandy recovery effort
19 in bypass pumping the Morgan Island pump
20 station in Glen Cove and also some other
21 various pump stations down at the Bay Park
22 plant.

23 Immediately after the storm, the
24 Morgan Island station had no power and
25 pumping and back up generation was damaged.

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2 We used tanker truck through R&R Plumbing to
3 bypass the pump stations to eliminate any
4 sewer overflows in that community.

5 CHAIRWOMAN GONSALVES: Any
6 questions?

7 LEGISLATOR JACOBS: That's good.

8 CHAIRWOMAN GONSALVES: Any other
9 comments on behalf the legislators?

10 (No verbal response.)

11 Is there any public comment?

12 (No verbal response.)

13 There being none, all those in
14 favor of A-33 signify by saying aye.

15 (Aye.)

16 Any opposed?

17 (No verbal response.)

18 The contract passes unanimously.

19 Contract A-35 between the county on behalf
20 of DPW and Water Craft Irrigation Inc.

21 A motion, please?

22 LEGISLATOR DUNNE: So moved.

23 LEGISLATOR KOPEL: Second.

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

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2 Kopel. Who is here to speak on this?

3 MR. MAY: Mr. Brian Schneider,
4 DPW.

5 MR. SCHNEIDER: Good afternoon.
6 This item, A-35 is to authorize and award a
7 purchase order for the furnishing and
8 installation of temporary irrigation systems
9 both North Woodmere Golf Course and Bay Park
10 Golf Courses. Both of those facilities were
11 severely damaged during Hurricane Sandy.
12 The pumping systems there for the irrigation
13 are not functional right now and we need to
14 provide temporary pumping through the 2013
15 golf season in order for a more permanent
16 repair to be designed and installed.

17 So this purchase order for the
18 amount of \$150,000 is recommended for award.
19 Water Craft is very familiar with the
20 county's parks facilities being the
21 requirements contractor, but this was a
22 publically bid project. 74 vendors were
23 notified electronically and Water Craft was
24 at lowest responsible bidder meeting all of
25 our specifications.

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2 CHAIRWOMAN GONSALVES: Thank you,
3 Mr. Schneider. Any questions of Mr.
4 Schneider?

5 (No verbal response.)

6 Is there any public comment?

7 (No verbal response.)

8 There being none, all those in
9 favor of Contract A-35 signify by saying
10 aye.

11 (Aye.)

12 Any opposed?

13 (No verbal response.)

14 The contract passes unanimously.
15 B-10, a contract between the County of
16 Nassau acting on behalf of the Department of
17 Public Works and DF Stone Contracting
18 Limited.

19 A motion, please.

20 LEGISLATOR DUNNE: So moved.

21 LEGISLATOR KOPEL: Second.

22 CHAIRWOMAN GONSALVES: Moved by
23 Legislator Dunne, seconded by Legislator
24 Kopel. Who is here to speak on this?

25 MR. MAY: Ken Arnold, DPW.

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2 MR. ARNOLD: B-10 is a bid
3 contract for the rehabilitation of the Well
4 Net Creek Culvert under Merrick Road in
5 Merrick. This culvert was identified by New
6 York State as a degraded structure and
7 required rehabilitation. This contract was
8 awarded to DF Stone to complete this work.

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

12 (No verbal response.)

13 Is there any public comment?

14 (No verbal response.)

15 There being none, all those in
16 favor of Contract B-10 signify by saying
17 aye.

18 (Aye.)

19 Any opposed?

20 (No verbal response.)

21 The contract passes unanimously.
22 Now, I have a number of county attorney
23 contracts related to I believe lawsuits and
24 I'm asking permission to block them and I
25 will tell you who they are. Contract E-55,

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2 Leventhal. Okay, we'll do them separately.

3 We'll begin then with Contract

4 E-55. Can I have a motion?

5 LEGISLATOR DUNNE: So moved.

6 LEGISLATOR KOPEL: Second.

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

11 MR. MAY: Ms. Lisa Locurto from
12 the county attorney's office.

13 MS. LOCURTO: Good afternoon,
14 legislators. Lisa Locurto from the county
15 attorney's office. This is a contract
16 through the county attorney's offices,
17 however, it is a contract that was initiated
18 by County Comptroller Maragos. It is to
19 initiate a lawsuit in the labor litigation
20 which is to recover monies, as you may have
21 read, there has been a scandal with regard
22 to the labor interest rates and the county
23 has identified significant monies that can
24 come to the county.

25 In consultation with the

1 Rules Committee/4-8-13
2 comptroller's office, special counsel was
3 retained to bring this lawsuit and that's
4 what is before you.

5 CHAIRWOMAN GONSALVES: Any
6 questions? Legislator Kopel.

7 LEGISLATOR KOPEL: There are many
8 counties and many municipalities that are
9 suing on this, right?

10 MS. LOCURTO: Some
11 municipalities in other states have brought
12 state claims, state actions as well because
13 of the statute of limitations.

14 LEGISLATOR KOPEL: Are we the
15 only one in New York so far?

16 MS. LOCURTO: To my knowledge,
17 yes. That's why you're not just joining in
18 with some of the other lawsuits or could you
19 do that with -- could you do that with
20 another municipality, another state as well?

21 MS. LOCURTO: If there are other
22 counties --

23 LEGISLATOR KOPEL: It doesn't
24 need to be in New York, actually, does it?
25 Why don't we just join with somebody else?

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2 MR. CIAMPOLI: I'll take that.
3 Our case has been plead differently than
4 many of the other cases. We felt that we
5 would increase the county's chances of
6 success in an action on the libor scandal by
7 pleading out state causes of action which
8 the state supreme court would have exclusive
9 jurisdiction over.

10 The banks, needless to say, have
11 attempted to remove us to federal court.
12 That is the status of the litigation right
13 now. In addition to the removal, they're
14 attempting to have us consolidated with a
15 vast number of other municipalities that
16 have brought actions.

17 LEGISLATOR KOPEL: Which, I will
18 guess, what is going to happen, wouldn't you
19 think?

20 MR. CIAMPOLI: It might, but we
21 believe strongly that we have state causes
22 of actions that we can assert in state
23 court.

24 LEGISLATOR KOPEL: Those could be
25 asserted in federal court as well once it's

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2 removed, couldn't it?

3 MR. CIAMPOLI: If the federal
4 court takes jurisdiction, they could take
5 pending jurisdiction over the state action
6 as well.

7 LEGISLATOR KOPEL: Right. And in
8 that case I guess you will need to decide if
9 there --

10 MR. CIAMPOLI: Well, there are
11 any number of tactical decisions that are
12 going to be made in the future regarding
13 this case.

14 CHAIRWOMAN GONSALVES: Legislator
15 Jacobs.

16 LEGISLATOR JACOBS: I don't know
17 which one of you, Lisa or Mr. Ciampoli.

18 Do we know how NIFA feels about
19 this litigation?

20 MR. CIAMPOLI: We invited NIFA to
21 participate in this litigation, they
22 demurred. They said they were going to go
23 to the attorney general.

24 Thus far, the state attorney
25 general has not taken any civil action to

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2 cover the state attorney general's action
3 has been in the nature of a criminal
4 prosecution which, quite frankly, might or
5 might not, and more likely might not, result
6 in any recovery for the taxpayers of Nassau
7 County.

8 LEGISLATOR JACOBS: Well, my
9 experience of the last 12 to 14 years with
10 NIFA is that I really don't like the idea of
11 alienating them on something like this.
12 They have done an awful lot to save the
13 county. People forget about that. Before
14 they got involved this county was one step
15 above junk.

16 I just want to say to you with
17 the attorney general investigating, I don't
18 understand the necessity of bringing a
19 lawsuit at all and I agree with Mr. Kopel on
20 that. And if we are bringing a lawsuit, I
21 don't know the necessity to signing on more
22 outside counsel, and I just don't get it
23 Mr. Ciampoli, I'm sorry. I know we disagree
24 in the whole aspect of how the county
25 attorney's office should be run, and I'm not

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2 an attorney, which sometimes is a good thing
3 because I'm looking at it as a regular
4 taxpayer, but going for a firm outside of
5 our own house, so to speak, to handle
6 something that NIFA demurred on, by your own
7 explanation, we know the attorney general is
8 ruling on this or representing many
9 entities, what are we doing?

10 MR. CIAMPOLI: They are not.
11 That's an incorrect statement.

12 LEGISLATOR JACOBS: Why do we do
13 everything that we can --

14 MR. CIAMPOLI: The attorney
15 general is conducting a criminal
16 investigation. That will not provide a
17 civil recovery.

18 LEGISLATOR JACOBS: How about
19 fines? If they find that there was
20 criminality. How much of the fines do you
21 get for Nassau County? This is about monies
22 that should be going to the benefit of the
23 taxpayers of the county.

24 The comptroller and I concur
25 that, frankly, if we took the attitude that

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2 we would do nothing and let the statutes of
3 limitations run on these actions, we will
4 recover nothing for the taxpayers. There
5 are literally millions of dollars out there
6 by our analysis that the Nassau County
7 taxpayers should have had the benefit of,
8 but were deprived of because the interest
9 rates were being rigged and we determined
10 that we would go out there and try and get
11 that money for the taxpayers of this county.

12 I want to assure you of one
13 thing, if I took the attitude that we
14 shouldn't do anything, that we should not
15 retain counsel and should not pursue such
16 matters, we will get nothing.

17 LEGISLATOR JACOBS: Do we have
18 anybody in the county attorney's office at
19 all that could have done this exact action
20 until we see what's happening with the
21 attorney general? We don't -- I'm telling
22 you, the taxpayers in this county if they
23 ever got a complete figure of what we are
24 paying for outside counsel, I'm sorry,
25 that's how you hurt taxpayers. If you are

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2 very concerned about the taxpayers, be more
3 concerned about our own county attorney's
4 office not being able to take the first
5 steps needed in litigation.

6 MR. CIAMPOLI: I can tell you, we
7 do not maintain, nor has this office, to my
8 knowledge, ever maintained a securities and
9 exchange commission bureau in the county
10 attorney's office. This is a very
11 particularized specialized area of law and
12 we have retained a firm, local firm in Long
13 Island with the experience in securities and
14 exchange commission law.

15 LEGISLATOR JACOBS: Let's leave
16 it at this. With all due respect, I would
17 take my lead from NIFA demurring on this. I
18 would say I would demur on this and I would
19 also say to you --

20 MR. CIAMPOLI: I don't think that
21 we can take our lead from that.

22 LEGISLATOR JACOBS: All right.
23 I'm not asking you to. You and I will never
24 agree.

25 MR. CIAMPOLI: I think we have an

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2 obligation to pursue the monies that the
3 taxpayers should have had the benefit of.

4 LEGISLATOR JACOBS: I always
5 worry about the taxpayers.

6 MR. CIAMPOLI: And so that you're
7 aware, NIFA is a party to this lawsuit.
8 They were named as a nominal party.

9 LEGISLATOR JACOBS: A nominal
10 party, okay. Whatever they were named as.

11 MR. CIAMPOLI: We are not seeking
12 any relief against them.

13 LEGISLATOR JACOBS: I'm sure
14 there is somebody with really good
15 credentials that could have started this
16 action and not immediately go to outside
17 counsel as we have been doing. We're not
18 going to agree so it's silly to argue it
19 back and forth, it really is.

20 MR. CIAMPOLI: I understand that.

21 CHAIRWOMAN GONSALVES: Legislator
22 Wink.

23 LEGISLATOR WINK: Mr. Ciampoli,
24 how much money has been expended under this
25 contract already?

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2 MR. CIAMPOLI: I don't have that
3 information here.

4 LEGISLATOR WINK: The work has
5 been done, in fact, on this matter?

6 MR. CIAMPOLI: Right. The work
7 that was done initially would be below the
8 \$25,000, and, then, I believe what you have
9 here is an amendment. This is the 25 for
10 the initial work on the case, and that -- my
11 recollection is jogged. That contract comes
12 to you because that firm has another
13 contract with the county and the aggregate
14 exceeds the amount, so we're here today.

15 LEGISLATOR WINK: But in terms of
16 this actual lawsuit, work has already been
17 done on this?

18 MR. CIAMPOLI: Yes. The
19 pleadings were filed.

20 LEGISLATOR WINK: And this case
21 has been removed to federal court, hasn't
22 it?

23 MR. CIAMPOLI: That's correct.

24 LEGISLATOR WINK: Which is where
25 a class action suit is already pending?

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2 MR. CIAMPOLI: No.

3 LEGISLATOR WINK: No?

4 MR. CIAMPOLI: No.

5 LEGISLATOR WINK: There's no
6 class action suit --

7 MR. CIAMPOLI: The lead case on
8 the labor suit is in the southern district
9 and is brought by the city of Baltimore
10 against the banks that were involved in the
11 labor scandal. There are other suits.
12 There is, for lack of a better word, an
13 attempt by the federal courts to try to
14 corral all these suits into one place and
15 this case, once removed, was referred to
16 that one judge who is getting them all.

17 LEGISLATOR WINK: That judge is
18 getting them all?

19 MR. CIAMPOLI: Right.

20 LEGISLATOR WINK: That judge is
21 Judge Buckwald, right?

22 MR. CIAMPOLI: I don't recall off
23 the top of my head but I believe that sounds
24 correct.

25 LEGISLATOR WINK: And it seems to

1 Rules Committee/4-8-13
2 me that when this becomes class action that
3 any statute of limitations is totalled to
4 begin with.

5 MR. CIAMPOLI: If it's found to
6 be a class action. However, if we waited
7 for that determination and there is no class
8 certified, we lose all our rights.

9 LEGISLATOR WINK: I mean, I will
10 ask you a rhetorical question. If labor is
11 costing every municipality in this country
12 money, isn't that in and of itself prima
13 fascia evidence of a class action, is that a
14 class to be certified?

15 MR. CIAMPOLI: If I accepted your
16 first statement as true, which I don't, then
17 the conclusion is true, but your first
18 statement that every municipality in the
19 country is affected is not true. Some are
20 not, some are more affected, some are less
21 affected.

22 LEGISLATOR WINK: Yet of the tens
23 of thousands of municipalities in this
24 country --

25 MR. CIAMPOLI: For instance,

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2 Nassau County has no bond swaps that it did
3 itself.

4 LEGISLATOR WINK: In fact, we did
5 them through NIFA?

6 MR. CIAMPOLI: They were done
7 through NIFA so we are the beneficiaries of
8 it giving us standing to bring the suit.
9 So, theoretically, Nassau County directly as
10 a municipality was not affected. Many
11 municipalities will not be affected because
12 they didn't engage in the swaps in an
13 attempt to maximize the interest rates or
14 the benefit of the swaps in terms of
15 interest rates, they would not be affected
16 at all.

17 LEGISLATOR WINK: But there's no
18 doubt that there is a significant size class
19 that's out there, and, to me, it's only a
20 matter of time to get certified?

21 MR. CIAMPOLI: There are a
22 significant number of municipalities who are
23 out there. They may or may not all be
24 similarly situated.

25 LEGISLATOR WINK: To the extent

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2 though that a class will be certified,
3 Nassau County will surely be among them?

4 MR. CIAMPOLI: It may be.

5 LEGISLATOR WINK: Let me ask you.
6 You make a compelling argument that you
7 don't have particular expertise in these
8 types of cases in-house. What expertise is
9 Mr. Leventhal and his firm have in these
10 cases?

11 MR. CIAMPOLI: Mr. Leventhal has
12 partners who previously handled all the
13 securities and exchange commission
14 litigation for a small firm known as Merrill
15 Lynch. They have great depth of knowledge.
16 They are aware of all the banks and they
17 have worked with all the banks in their
18 prior careers representing financial houses.
19 And they bring that knowledge to us and give
20 us the benefit of their knowledge of the
21 industry.

22 LEGISLATOR WINK: As I recall,
23 just in a recent meeting, Mr. Leventhal's
24 firm was in front of this legislature on a
25 contract that had, I believe, already been

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2 expired in terms of the work that had been
3 done and the time duration of the contract
4 and there were questions as to whether or
5 not, given some of the more adversarial
6 statements by your office, that they all run
7 the risk of doing work without getting paid,
8 and I will you underscored that in the state
9 comptroller's audit about the contractual
10 processes here in Nassau County.

11 Is that, in fact, an ongoing
12 concern that Mr. Leventhal and other
13 attorneys should in fact be cognizant of
14 given the fact that they have already filed
15 suit on a case and haven't paid for it yet?

16 MR. CIAMPOLI: In my view of
17 that, the contracts carry the language that
18 they carry. It says what it says.
19 However, the law of Quantum Merrill is very
20 well established in our system so if I were
21 a professional, do we work for the county, I
22 would not get too worried about being paid
23 for the work that I was duly authorized to
24 carry out.

25 LEGISLATOR WINK: So all the

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2 chest thumbing that you did in the course of
3 the state comptroller's audit was a little
4 more than that.

5 MR. CIAMPOLI: Well, the language
6 is there, it speaks for itself.

7 LEGISLATOR WINK: Yet, you say --

8 MR. CIAMPOLI: And I don't recall
9 my name being affixed to any chest thumping
10 in the comptroller's audit.

11 LEGISLATOR WINK: Well, I read
12 that audit and it seems pretty clear that
13 you representing the county made it very
14 clear to everyone involved that it's a
15 possibility that they do work and don't get
16 paid.

17 MR. CIAMPOLI: A possibility.
18 Without ever once --

19 LEGISLATOR WINK: And with
20 Quantum Merrill it's always a possibility
21 that --

22 LEGISLATOR WINK: Without ever
23 referring to the concept of Quantum Merrill
24 in your conversation. Have you brought this
25 contract before NIFA for approval?

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2 MR. CIAMPOLI: Can't do it until
3 it's through the legislature.

4 LEGISLATOR WINK: Aren't you a
5 little worried that you bringing the
6 contract before NIFA on a case that's
7 already been filed and that this legislature
8 may or may not approve and that they may not
9 ultimately approve?

10 MR. CIAMPOLI: I really don't
11 worry about such things. I take them as
12 they come and I address the issues as --

13 LEGISLATOR WINK: Maybe
14 Mr. Leventhal should be worried on your
15 behalf then because he's the one doing the
16 work and potentially not getting paid.
17 Thank you very much, Mr. Ciampoli.

18 CHAIRWOMAN GONSALVES: Any
19 other questions for Mr. Ciampoli or Lisa?

20 (No verbal response.)

21 Is there any public comment
22 regarding this contract which is E-55?

23 (No verbal response.)

24 There being none, all those in
25 favor of this contract signify by saying

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2 aye.

3 (Aye.)

4 Any opposed?

5 (Nay.)

6 Thank you, Mr. Ciampoli. I don't
7 know if you're going to stay for the rest of
8 them.

9 MR. CIAMPOLI: I guess so.

10 CHAIRWOMAN GONSALVES: The next
11 contract is E-78 with I believe Lally &
12 Misir, LLP.

13 A motion, please.

14 LEGISLATOR DUNNE: So moved.

15 LEGISLATOR KOPEL: Second.

16 CHAIRWOMAN GONSALVES: Moved by
17 Legislator Dunne, seconded by Legislator
18 Kopel. Talk about this contract E-78.

19 MS. LOCURTO: E-78 is a contract
20 to amend an existing contract. It is a
21 contract that was necessary because of a
22 conflict of interest within the county
23 attorney's office which made it
24 inappropriate to have representation within
25 the county attorney's office. That's why

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2 this special counsel was retained.

3 I can give more details about the
4 actual litigation if you wanted to go into
5 executive session. We would go into
6 executive session.

7 CHAIRWOMAN GONSALVES: It's up to
8 -- all right. Does anybody need more
9 information regarding this contract? And
10 according to Ms. Locurto, if need be, we
11 would go into executive session.

12 (No verbal response.)

13 That being so, is there any
14 public comment regarding this contract?

15 (No verbal response.)

16 All those in favor of --

17 LEGISLATOR WINK: I think this is
18 something that can be stated on the record.
19 Is this case concluded?

20 MS. LOCURTO: No. It's still
21 ongoing.

22 LEGISLATOR WINK: It's a pending
23 case?

24 MS. LOCURTO: Yes.

25 LEGISLATOR WINK: Thank you.

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2 CHAIRWOMAN GONSALVES: All those
3 in favor of this contract, E-78 signify by
4 saying aye.

5 (Aye.)

6 Any opposed?

7 (No verbal response.)

8 The contract passes four to
9 three. The next contract is E-79, Wilson
10 Elser Moskowitz Edelman & Dicker.

11 A motion, please.

12 LEGISLATOR DUNNE: So moved.

13 LEGISLATOR KOPEL: Second.

14 CHAIRWOMAN GONSALVES: Moved by
15 Legislator Dunne, seconded by Legislator
16 Kopel. Lisa, please.

17 MS. LOCURTO: This is a special
18 counsel contract as well, Plainview
19 Properties involves litigation with certain
20 environmental aspects, that's why the county
21 attorney's office reached out to special
22 counsel to handle the litigation in
23 conjunction with our office.

24 CHAIRWOMAN GONSALVES:
25 Specialized expertise was required?

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2 MS. LOCURTO: Yes.

3 LEGISLATOR JACOBS: Lisa, I just
4 want to clarify in my own mind, with
5 Plainview Properties, is that the property
6 that was on by Charles Wang or still owned
7 by Charles Wang in contract with -- is this
8 the one we are talking about?

9 MS. LOCURTO: Yes, it is.

10 LEGISLATOR JACOBS: And we're
11 doing an outside contract because of
12 expertise in the environmental aspect?

13 MS. LOCURTO: Yes.

14 LEGISLATOR JACOBS: Have we
15 reviewed all our mounds of past materials on
16 the environment there? Because this has
17 been going on for 25 years and most of it
18 dealt with environmental.

19 MS. LOCURTO: This litigation
20 involves an oil spill. So it's slightly
21 different than what you are referring to.0

22 LEGISLATOR JACOBS: An oil spill
23 on that property?

24 MS. LOCURTO: Yes. That's what
25 at issue.

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2 LEGISLATOR JACOBS: Thank you
3 very much.

4 CHAIRWOMAN GONSALVES: Any
5 other questions or comments?

6 (No verbal response.)

7 Is there any public comment?

8 (No verbal response.)

9 There being none, all those in
10 favor of Contract E-79 signify by saying
11 aye.

12 (Aye.)

13 Any opposed?

14 (No verbal response.)

15 Any abstentions?

16 (Nay.)

17 The contract passes four to
18 three. The next contract is E-94 with
19 Pannone Lopes Devereaux & West, LLC.

20 A motion, please.

21 LEGISLATOR DUNNE: So moved.

22 LEGISLATOR KOPEL: Second.

23 CHAIRWOMAN GONSALVES: Moved by
24 Legislator Dunne, seconded by Legislator
25 Kopel. Let's move on.

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2 MS. LOCURTO: This is a contract
3 amending an existing contract for special
4 counsel to work with the county executive's
5 office in the development of the coliseum
6 and hub area.

7 CHAIRWOMAN GONSALVES: Any
8 questions regarding Contract E-94?

9 LEGISLATOR ABRAHAMS: If I may?

10 CHAIRWOMAN GONSALVES: Yes, you
11 may.

12 LEGISLATOR ABRAHAMS: Mrs.
13 Locurto, this is for, if I'm understanding
14 correctly, the county can be represented in
15 respect to the financing and development of
16 the Nassau County Coliseum and the projects
17 at the Nassau hub in Mitchell Field,
18 correct?

19 MS. LOCURTO: Correct.

20 LEGISLATOR ABRAHAMS: Are there
21 any ongoing projects that I'm not aware of?

22 MS. LOCURTO: There's an RFP that
23 is currently pending.

24 LEGISLATOR ABRAHAMS: That I am
25 aware of. There are pays due any day. The

1 Rules Committee/4-8-13
2 presiding officer just corrected the record,
3 April 15th.

4 MS. LOCURTO: Yes.

5 LEGISLATOR ABRAHAMS: So this is
6 in preparation for that awarding of the RFP?

7 MS. LOCURTO: Yes, it would be
8 in anticipation of that award but there have
9 been other aspects and negotiations that
10 have been ongoing prior to and in the
11 development of the RFP that will be awarded
12 on April 15th.

13 LEGISLATOR ABRAHAMS: Let me make
14 sure I'm understanding this. There was an
15 amendment that we passed for \$200,000 on
16 September 10th, 2012.

17 MS. LOCURTO: Correct.

18 LEGISLATOR ABRAHAMS: What was
19 that for? That was also for the coliseum?

20 MS. LOCURTO: Yes, that was also
21 for the coliseum.

22 LEGISLATOR ABRAHAMS: What were
23 we preparing for at the coliseum at that
24 time?

25 MS. LOCURTO: Redevelopment of

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2 the coliseum.

3 LEGISLATOR ABRAHAMS: But the RFP
4 just went out about 30 days ago, was there
5 discussions of RFPs back then that were --

6 MS. LOCURTO: I think we wanted
7 to or the county wanted to develop what it
8 is that they should put into the RFP to
9 understand how they should attract and
10 create an RFP that would attract the
11 development, the developers who would be
12 interested in developing the hub area as
13 well as the coliseum.

14 LEGISLATOR ABRAHAMS: So we paid
15 out \$200,000 for that? Did they bill for
16 that entire \$200,000 amount and that's why
17 we are back here today for another \$300,000?

18 MS. LOCURTO: Yes. We anticipate
19 that we are putting money in in anticipation
20 that if and when the RFP is awarded how that
21 will then, that RFP is just the first step,
22 then after the award of the RFP you have to
23 actually have negotiations, have agreements,
24 developments, as to how you're going to
25 proceed from that point forward with

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2 whomever is the ultimate winner on the RFP.

3 LEGISLATOR ABRAHAMS: But the

4 \$200,000 that we approved in September,

5 that's been exhausted?

6 MS. LOCURTO: It has not entirely

7 been exhausted. We are putting more money

8 there in anticipation.

9 LEGISLATOR ABRAHAMS: How much

10 has been paid?

11 MS. LOCURTO: I don't have that

12 exact amount with me.

13 LEGISLATOR ABRAHAMS: Can you get

14 that for us quickly?

15 MS. LOCURTO: I can attempt to,

16 yes.

17 LEGISLATOR ABRAHAMS: I'm curious

18 to know -- because based on what you just

19 explained, I would like to see what they

20 billed for. That doesn't sound like

21 \$200,000 worth of work.

22 MS. LOCURTO: Fair enough. I

23 will try and get you that answer.

24 CHAIRWOMAN GONSALVES: Any

25 other comments or questions regarding that

1 Rules Committee/4-8-13

2 contract E-94?

3 (No verbal response.)

4 Is there any public comment?

5 (No verbal response.)

6 There being none, all those in
7 favor of Contract E-94 signify by saying
8 aye.

9 (Aye.)

10 Any opposed?

11 (Nay.)

12 The contract passes four to
13 three. Since the county attorney is here
14 and Lisa is here, let's go to Contract E-77
15 which I believe is with Meara Avella
16 Dickenson.

17 A motion, please.

18 LEGISLATOR DUNNE: So moved.

19 LEGISLATOR KOPEL: Second.

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

23 MS. LOCURTO: And, legislator, if
24 I may, can you also call Contract E-80?

25 CHAIRWOMAN GONSALVES: I was

1 Rules Committee/4-8-13
2 planning on doing that. And E-80 then is
3 with I believe Robert Fisher, correct?

4 MS. LOCURTO: Yes.

5 CHAIRWOMAN GONSALVES: And Robert
6 J. Bishop. You got it. Go. Hold on.
7 Motion for both. E-77 and E-80.

8 LEGISLATOR DUNNE: So moved.

9 LEGISLATOR KOPEL: Second.

10 CHAIRWOMAN GONSALVES: Moved by
11 Legislator Dunne, seconded by Legislator
12 Kopel.

13 MS. LOCURTO: Both these
14 contracts are lobbying contracts to provide
15 Nassau County with a voice at this state
16 legislature as legislation affecting Nassau
17 County is debated and discussed. It gives
18 the county a voice in those discussions on
19 legislation that will impact the county.

20 CHAIRWOMAN GONSALVES: Any
21 questions regarding these?

22 LEGISLATOR WINK: I have a couple
23 of questions.

24 CHAIRWOMAN GONSALVES: Legislator
25 Wink.

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2 LEGISLATOR WINK: Both of these
3 contractors, if I'm not mistaken, under the
4 theory of caveat contractor, which
5 apparently is Mr. Ciampoli's theory, both of
6 their contracts have been previously
7 rejected by NIFA, is that the case?

8 MS. LOCURTO: After the
9 legislature approved both lobbying
10 contracts, they were then submitted to NIFA
11 for approval and NIFA declined to approve
12 the contracts.

13 LEGISLATOR WINK: So why are we
14 reconsidering them again?

15 MS. LOCURTO: These contracts
16 that are before you are for 2013 lobbying
17 services. I would rather not discuss the
18 2012 contracts as they are the subject of
19 litigation.

20 LEGISLATOR WINK: Well, as I
21 recall, and you don't have to comment on
22 this, but the gravi-man of the rejection on
23 the part of NIFA was in part, at least, in
24 the theory, espoused in the papers filed by
25 the county attorney's office, was because

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2 these lobbyists were up there trying to
3 convince Albany to engineer or at least
4 authorize and then run around the bonding
5 authorization procedures here in the county.

6 What are these lobbyists going to
7 do, in 2013 they have already gone up there,
8 or at least the county has already gone up
9 there seeking a second go around at the end
10 run, what else are these lobbyists going to
11 do besides end runs on the \$193 million
12 worth of borrowing.

13 MS. LOCURTO: I'm before you on
14 the 2013 contracts. It is your legislative
15 prerogative whether or not to approve the
16 contracts and make sure that Nassau County
17 has a voice when the legislation at the
18 state level is being discussed. I leave
19 that to your discretion.

20 LEGISLATOR WINK: That certainly
21 sounds reasonable except to the extent that
22 we already know what NIFA's opinion is on
23 work that both of these firms have been
24 doing and I'm not casting aspirations on the
25 individuals involved in these contracts

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2 because I know them to have done good work
3 in the past.

4 My point simply is, are they
5 doubling down on something that NIFA is
6 going to reject on the second go around
7 anyway?

8 MS. LOCURTO: I think since
9 that's the subject of litigation it would
10 not be prudent to discuss this any further.

11 LEGISLATOR WINK: It's convenient
12 that you created the litigation and now you
13 are going to hide behind it. So, be that as
14 it may.

15 CHAIRWOMAN GONSALVES: Legislator
16 Nicolello.

17 LEGISLATOR NICOLELLO: I seem to
18 remember that we have had lobbyists in
19 Albany as long as I can remember.

20 Do either of you know the history
21 here? Obviously, last year apparently NIFA
22 did not approve the lobbyists. But, before
23 that, has the county traditionally had
24 lobbyists in Albany representing it?

25 MS. LOCURTO: The lobbying firm

1 Rules Committee/4-8-13
2 of Bishop, Robert Bishop has been with the
3 county for over 25 years. He has spanned
4 many different county executives and has
5 always provided exemplary work in
6 representing the interests of the county.

7 Meara Avella came on recently but
8 they have a special expertise particularly
9 in the state assembly.

10 LEGISLATOR NICOLELLO: And, as a
11 benefit, obviously this is not unique to
12 Nassau County, other municipalities have
13 lobbyists in Albany?

14 MS. LOCURTO: Yes, and it would
15 be a crime to have us be at a disadvantage
16 where there are 62 counties in New York
17 State and 61 will have representation but
18 Nassau County will not.

19 LEGISLATOR NICOLELLO: You just
20 said it. Thank you.

21 LEGISLATOR WINK: If I may, Madam
22 Presiding officer. Have 61 other counties
23 gone before the state legislature in the
24 past couple of months asking for the right
25 borrow \$193 million without the approval of

1 Rules Committee/4-8-13

2 their own county legislature?

3 MR. CIAMPOLI: I'll answer this.
4 That's a really great grandstand I want to
5 point out to you.

6 LEGISLATOR WINK: Is it not a
7 fact that that is exactly what this is
8 about?

9 MR. CIAMPOLI: It is not what
10 this is about, no. This is about seeing
11 that Nassau County has representation before
12 the state legislature, the governor's
13 office, the comptroller's office, and
14 various state agencies.

15 LEGISLATOR WINK: Specific to the
16 cause of being able to circumvent the
17 legislative process here to borrow \$193
18 million.

19 MR. CIAMPOLI: If you think that
20 our lobbying efforts are limited to that,
21 that I would suggest is a nano-vision and
22 you should educate yourself. Our lobbyists
23 work for us on a variety of issues,
24 routinely are alerting my office of various
25 bills that would effect the county, either

1 Rules Committee/4-8-13
2 positively or negatively on a variety of
3 issues that span the gamut.

4 When we need to go to a state
5 agency to get assistance for the county, our
6 lobbyists are there to assist us.

7 Now, what are you correct about?
8 There is a piece of legislation that you
9 really don't like that they have at the
10 direction of the executive lobby for. That
11 is not a reason to muzzle the voice of this
12 county so that it does not get it's fair
13 share in the state budget, that it does not
14 get legislation that it needs in order for
15 it to continue to survive.

16 LEGISLATOR WINK: Mr. Ciampoli, I
17 will admit to you that this is a blunt
18 instrument by which to vent our spleen with
19 respect to the circumvention of the
20 legislative process here, but it's the only
21 instrument that's available to us.

22 So, point of fact, I will be
23 voting no on both these contracts, not
24 because of the gentlemen associated with it,
25 but because of the nature of the work that

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2 Nassau County is telling them to do.

3 MR. CIAMPOLI: Do you oppose the
4 legislation that they are pushing in Albany
5 to help the Sandy victims in this county to
6 prevent a tax increase to all the taxpayers
7 of this county which would be derived from
8 the effect and the devastation of Sandy on
9 property owners?

10 LEGISLATOR WINK: As I said,
11 Mr. Ciampoli, you have given us one blunt
12 instrument by which to vent our spleen,
13 that's what we need to do today.

14 MR. CIAMPOLI: I have given you
15 no blunt instrument.

16 LEGISLATOR WINK: You have
17 indeed.

18 MR. CIAMPOLI: You have chosen
19 the blunt instrument you have chosen to use
20 it as a blunt instrument.

21 LEGISLATOR WINK: You're asking
22 for a blank check to do work that we know is
23 enanthema to the legislative process here in
24 Nassau County. That's what we have to
25 object to.

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2 CHAIRWOMAN GONSALVES: Any other
3 comments?

4 (No verbal response.)

5 Is there any public comment?

6 (No verbal response.)

7 I believe we will vote on the two
8 of them together if you have no objection.
9 Contract E-77 and Contract E-80, all those
10 in favor of those two contracts signify by
11 saying aye.

12 (Aye.)

13 Any opposed?

14 (Nay.)

15 The contracts pass four to three.

16 Thank you, Mr. Ciampoli. Thank you, Lisa.

17 Now we will move forward. We
18 have several other contracts before us. I
19 believe we can go to Contract E-56, a
20 contract agreement between the County of
21 Nassau on behalf on the Department of
22 Probation and Leadership Training Institute,
23 Inc. A motion, please.

24 LEGISLATOR DUNNE: So moved.

25 LEGISLATOR KOPEL: Second.

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

5 MR. MAY: Mr. Ed Shank from
6 Probation.

7 MR. SHANK: Good afternoon.

8 CHAIRWOMAN GONSALVES: Good
9 afternoon.

10 MR. SHANK: My name is Ed Shank
11 and I'm with the Nassau County Probation
12 Department.

13 This contract is for educational
14 services to resident of the Juvenile
15 Detention Center. Their services are
16 mandated by state law and regulation.

17 The agency that has been
18 providing them has been providing them since
19 an RFP was issued by DSS that we inherited
20 and it continues through this year.

21 CHAIRWOMAN GONSALVES: Any
22 questions from any of the legislators?

23 (No verbal response.)

24 Is there any public comment?

25 (No verbal response.)

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2 There being none, all those in
3 favor of Contract E-56 signify by saying
4 aye.

5 (Aye.)

6 Any opposed?

7 (No verbal response.)

8 The contract passes unanimously.

9 I believe we can probably block
10 three other contracts E-58, an agreement
11 with the county and the Department of Health
12 and Lenore Stamm. And E-65, again, with the
13 Department of Health. And one more, I think
14 it's E-66, again, an agreement between the
15 county and the Department of Nassau County,
16 E-65, Nassau County and the Department of
17 Health and Albert Cella.

18 A motion, please.

19 LEGISLATOR DUNNE: So moved.

20 LEGISLATOR KOPEL: Second.

21 CHAIRWOMAN GONSALVES: Moved by
22 Legislator Dunne, seconded by Legislator
23 Kopel. Who is here to speak on this?

24 MR. MAY: We have Ms. MaryEllen
25 Lorraine from the Health Department.

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2 MS. LORRAINE: Good afternoon.
3 MaryEllen Lorraine, Department of Health.
4 E-58-13 is a contract for \$24,882 and that
5 is with Lenore Stamm and that is as a
6 municipal representative. They represent
7 the Department of Health and the county's
8 interest for the preschool education program
9 so make sure that appropriate services are
10 occurring.

11 E-65-13 is also a contract for a
12 municipal representative for the \$24,882
13 with Victoria Namorige and that is also for
14 the preschool special education program.

15 E-66-13 is for \$30,000 with
16 Albert Cella, also as a municipal
17 representative for the preschool special
18 education program.

19 LEGISLATOR ABRAHAMS: Just on the
20 record, Legislator Wink had to recuse
21 himself from this matter.

22 CHAIRWOMAN GONSALVES: Any
23 comments or questions from the legislators?
24 Yes, Legislator Jacobs.

25 LEGISLATOR JACOBS: I just want

1 Rules Committee/4-8-13
2 to thank you. You can bless these people.
3 It's great that you are providing this
4 service. I wish we had more money to give
5 you to do even more because there's so many
6 children out there that are in such
7 desperate need. So whatever they do, they
8 are doing really great work.

9 MS. LORRAINE: Thank you.

10 CHAIRWOMAN GONSALVES: Any other
11 comments?

12 (No verbal response.)

13 There being none, all those in
14 favor of Contract E-58, E-65, and E-66
15 signify by saying aye.

16 (Aye.)

17 Any opposed?

18 (No verbal response.)

19 The items pass six to zero with
20 Mr. Wink recusing himself. Please call him
21 back.

22 He has returned. We have three
23 others that we can block together and that's
24 Contracts E-59, E-67, E-68, all having to do
25 with the Department of Corrections. E-59 is

1 Rules Committee/4-8-13
2 with the Diocese of Rockville Centre and
3 Nassau County Probation Department. E-67 is
4 Department of Correction and the Council of
5 Black Clergy, Inc. and I believe the Unified
6 Council of Churches and E-68 with the
7 Department of Corrections and the Diocese of
8 Rockville Centre.

9 A motion, please.

10 LEGISLATOR DUNNE: So moved.

11 LEGISLATOR KOPEL: Second.

12 CHAIRWOMAN GONSALVES: Moved by
13 Legislator Dunne, seconded by Legislator
14 Kopel. We have two people here; one for
15 corrections, one for probation, correct?who
16 is here to speak on this?

17 MR. MAY: That is correct. Ed
18 Shank from probation, and Captain Keith
19 Sather from corrections.

20 CHAIRWOMAN GONSALVES: Go ahead,
21 Mr. Shank. Thank you.

22 MR. SHANK: Thank you. This is
23 for the Diocese of Rockville Centre for
24 Catholic Chaplin C-Services at the juvenile
25 detention center. This is a contract that

1 Rules Committee/4-8-13
2 has been ongoing for many years and it is
3 one of three. We are waiting for the other
4 two to come back signed from the Long Island
5 Council of Churches and the Board of Rabbis.
6 This one has come in so we're processing
7 this.

8 CHAIRWOMAN GONSALVES: Any
9 questions regarding this contract?

10 (No verbal response.)

11 Is there any public comment?

12 (No verbal response.)

13 The next contract is the one
14 between the corrections facility and the
15 Council of Black Clergy, correct?

16 MR. SHANK: Correct.

17 CHAIRWOMAN GONSALVES: And the
18 other one is between the correction facility
19 and the Diocese of Rockville Centre.

20 MR. SHANK: That is correct.

21 CHAIRWOMAN GONSALVES: You may
22 speak on both of them.

23 MR. SHANK: The two items, E-67,
24 E-68, contracts for religious services at
25 the Nassau County Correctional Center. The

1 Rules Committee/4-8-13
2 department looks to award them to the
3 Diocese of Rockville Centre and the Nassau
4 Council of Black Clergy in the amounts of
5 \$54,672 and \$40,000 a year, respectfully.
6 These services will comply with New York
7 State Commission of Corrections mandate
8 7024.3.

9 CHAIRWOMAN GONSALVES: Any
10 questions from the legislators?

11 (No verbal response.)

12 Is there any public comment?

13 (No verbal response.)

14 There being none, all those in
15 favor of Contract E-59, E-67, and E-68
16 signify by saying aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 The contracts pass unanimously.

21 Thank you very much.

22 Now we are going back to contract
23 E-60. This is a contract between the county
24 of Nassau and the Department of Fire
25 Commission and Nassau County Vocational

1 Rules Committee/4-8-13
2 Education and Extension Board better known
3 as VEEB.

4 A motion, please.

5 LEGISLATOR DUNNE: So moved.

6 LEGISLATOR KOPEL: Second.

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

10 MR. MAY: We have Assistant Chief
11 Fire Marshall John Priest.

12 MR. PRIEST: John Priest from the
13 Nassau County Fire Marshall's Office.
14 E-60-13. This is an amendment to the
15 original contract in the amount of \$346,690.
16 One of the services VEEB provides, as you
17 all know, is education and emergency medical
18 services, EMTs, and paramedic classes. They
19 are in need of moving out of the Saint
20 Rayfield's Church as their lease was
21 terminated. These will allow the purchase
22 of trailers which will be permanently set up
23 at the Nassau County Fire Service Academy in
24 Old Bethpage, and be transformed into
25 classrooms to allow the EMS programs to be

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2 done there.

3 CHAIRWOMAN GONSALVES: Any
4 question of Assistant Chief Priest?

5 (No verbal response.)

6 Is there any public comment?

7 (No verbal response.)

8 There being none, all those in
9 favor of Contract E-60 signify by saying
10 aye.

11 (Aye.)

12 Any opposed?

13 (No verbal response.)

14 There being none, the contract
15 passes unanimously. Thank you very much,
16 Mr. Priest. Now we have Contract E-61, an
17 amendment to a personal service agreement
18 between the County of Nassau acting on
19 behalf of the department of IT and Quest
20 Computer Products.

21 A motion, please.

22 LEGISLATOR DUNNE: So moved.

23 LEGISLATOR KOPEL: Second.

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

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2 Kopel. Who is here now?

3 MR. MAY: Commissioner Ed
4 Eisenstein from the Department of
5 Information Technology.

6 COMMISSIONER EISENSTEIN: Good
7 afternoon, legislators. Ed Eisenstein. The
8 Quest contract is the continuation of the
9 TPVA software application vendor that
10 continues to operate that department.

11 CHAIRWOMAN GONSALVES: Questions
12 of Mr. Eisenstein? Judy.

13 LEGISLATOR JACOBS: Mr.
14 Eisenstein, I want to ask you something. It
15 looked to me that when I read this that it's
16 \$85,533.87, a one year renewal from April
17 1st, 2012, through March 31st, 2013.

18 Have they been performing their
19 services without a contract?

20 COMMISSIONER EISENSTEIN: No. In
21 the meantime, there was a stop, no work
22 being done until we could continue on.
23 There was another vendor that was considered
24 to potentially replace the system but this
25 vendor is now continuing on with their

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2 existing process.

3 LEGISLATOR JACOBS: So let me ask
4 you this, have they been paid at all for
5 that period of time?

6 COMMISSIONER EISENSTEIN: I can
7 check my records, I don't believe --

8 LEGISLATOR JACOBS: Because if
9 there was no contract, there would be no --

10 COMMISSIONER EISENSTEIN:
11 Correct. There was a new vendor in play for
12 a while but that project went away and Quest
13 continues to --

14 LEGISLATOR JACOBS: One last
15 thing. When is the last time this
16 particular contract has been bid?

17 COMMISSIONER EISENSTEIN: Again,
18 a few years ago, there was another vendor
19 called New Dawn that was looking to put a
20 new system in that didn't go anywhere so
21 we're back with Quest.

22 LEGISLATOR JACOBS: Thank you.

23 CHAIRWOMAN GONSALVES: Any
24 questions or comments from any of the
25 legislators?

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2 (No verbal response.)

3 Is there any public comment?

4 (No verbal response.)

5 There being none, all those in
6 favor of E-61-13 signify by saying aye.

7 (Aye.)

8 Any opposed?

9 (No verbal response.)

10 The contract passes unanimously.

11 You might as well stay there, Mr.

12 Eisenstein. We have several other contracts

13 that pertain to IT and I'm going to, with

14 your permission, Mr. Abrahams, call them in

15 block. Contract E-62, Contemporary Computer

16 Services Inc.; Contract E-64, SVAM

17 International, Inc.; Contract E-74, RCG

18 Information Technology; E-75, Infosystem

19 International, Inc.; and E-76, ICT Group

20 Inc.

21 Motion, please.

22 LEGISLATOR DUNNE: So moved.

23 LEGISLATOR KOPEL: Second.

24 CHAIRWOMAN GONSALVES: Moved by

25 Legislator Dunne, seconded by Legislator

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2 Kopel. We are going to start with Contract
3 E-62, the one regarding Contemporary
4 Computer Services.

5 COMMISSIONER EISENSTEIN: This is
6 one of six vendors that was considered a
7 supplemental staffing vendor. Back in late
8 2007, the six vendors were clumped together
9 as a supplemental staffing contract so when
10 you look at them, they are used for
11 technical services, emergency services, and
12 other temporary tasks that you don't need a
13 permanent worker for.

14 The way they work actually we put
15 out a statement of work for all of them and
16 the vendor who has the appropriate
17 technician is then granted that work. So
18 all vendors are looked at in the same light
19 when we ask for their help.

20 CHAIRWOMAN GONSALVES: Any
21 questions regarding E-62?

22 (No verbal response.)

23 CHAIRWOMAN GONSALVES: The next
24 contract is E-64 with SVAM International.

25 COMMISSIONER EISENSTEIN: Also a

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2 software vendor used in the same manner
3 within all, clumped with the six vendors.

4 CHAIRWOMAN GONSALVES: Any
5 questions regarding this contract?
6 Legislator Jacobs.

7 LEGISLATOR JACOBS: I just want
8 to get this straight. We're outsourcing
9 employee jobs.

10 COMMISSIONER EISENSTEIN: No.
11 No. These are specialty emergency services.
12 Again, when there is a specialty upgrade or
13 something that is not found in-house is when
14 we go to these contracts.

15 As a matter of fact, when I first
16 started here three years ago there was a
17 call out to hire CSEA people to do this
18 work. In fact, IT has hired 16 CSEA workers
19 and we are only using the supplemental
20 contract as needed.

21 Further, since Mr. Mangano took
22 office, there was almost a 66 percent
23 reduction in the use of this contract and
24 that work has been brought in-house per your
25 request.

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2 LEGISLATOR JACOBS: Thank you.

3 CHAIRWOMAN GONSALVES: Any other
4 questions regarding E-64?

5 LEGISLATOR WINK: Yes, I just
6 have a quick question. The RFP by which
7 this is being offered, when was the RFP
8 issued?

9 COMMISSIONER EISENSTEIN: That
10 RFP was from 2007 and, as a matter of fact,
11 we are lining up a new RFP for the beginning
12 of 2014 regarding these contracts.

13 LEGISLATOR WINK: Beginning of
14 2014. So this is already six years old?

15 COMMISSIONER EISENSTEIN: Yes.

16 LEGISLATOR WINK: And we're still
17 going off the same list from the responses
18 from six years ago?

19 COMMISSIONER EISENSTEIN: That is
20 correct. These vendors have done a fairly
21 decent job in making these operations work
22 and we continue to favor them but it
23 certainly has come time to redo the RFP. We
24 are looking to redo the RFP with making it
25 easier to use.

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2 LEGISLATOR WINK: Well, I would
3 hope you do it as soon as possible because
4 obviously seven years is a long time in this
5 business and it just seems to me that we may
6 be missing opportunities to contract with
7 others that could be -- that could drive
8 competition here.

9 COMMISSIONER EISENSTEIN: Yes,
10 legislator, we will do just that.

11 LEGISLATOR WINK: Thank you.

12 CHAIRWOMAN GONSALVES: Any other
13 comments regarding E-64?

14 (No verbal response.)

15 Moving along, the next contract
16 is E-74 which is with RCG Information
17 Technology. Tell us about.

18 COMMISSIONER EISENSTEIN: Also
19 used as a supplemental staffing vendor when
20 needed.

21 CHAIRWOMAN GONSALVES: Any
22 questions regarding E-74?

23 (No verbal response.)

24 E-75, InfoSystem International
25 Inc. What can you tell us about this?

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2 COMMISSIONER EISENSTEIN: This is
3 also a supplemental staffing vendor in this
4 contract and is used when needed.

5 CHAIRWOMAN GONSALVES: Any
6 questions regarding that contract, E-75?

7 (No verbal response.)

8 There being none, we will move on
9 to E-76 which is, I guess, I don't know if
10 it's the name of the company --

11 COMMISSIONER EISENSTEIN: Yes.
12 Bicitis. Interesting play on words.

13 CHAIRWOMAN GONSALVES: What can
14 you tell us about this one?

15 COMMISSIONER EISENSTEIN: Also a
16 contract, supplemental staffing contractor
17 used as needed only.

18 CHAIRWOMAN GONSALVES: Any
19 questions regarding this contract?

20 (No verbal response.)

21 There being none, is there any
22 public comment on any of these contracts?

23 (No verbal response.)

24 There being none, all those in
25 favor of E-62, E-64, E-74, Contract E-75,

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2 and E-76 signify by saying aye.

3 (Aye.)

4 Any opposed?

5 (No verbal response.)

6 There being none, these contracts
7 pass unanimously. Thank you very much,
8 commissioner.

9 COMMISSIONER EISENSTEIN: Thank
10 you to the legislature.

11 CHAIRWOMAN GONSALVES: The next
12 contract is E-69, a personal service
13 agreement between the County of Nassau
14 acting on behalf of the Department of Public
15 Works and DeBruin Engineering.

16 A motion, please.

17 LEGISLATOR DUNNE: So moved.

18 LEGISLATOR KOPEL: Second.

19 CHAIRWOMAN GONSALVES: Moved by
20 Legislator Dunne, seconded by Legislator
21 Kopel. Who is here to speak on this
22 contract?

23 MR. MAY: You may know him, Ken
24 Arnold from DPW.

25 MR. ARNOLD: Ken Arnold, Public

1 Rules Committee/4-8-13
2 Works. E-69 is a DeBruin Engineering. It's
3 a contract extension for time only to allow
4 them to finish the closeout documents for
5 the Locust Valley pump station a/k/a Birches
6 project.

7 CHAIRWOMAN GONSALVES: Any
8 questions regarding E-69?

9 (No verbal response.)

10 Is there any public comment?

11 (No verbal response.)

12 There being none, all those in
13 favor of Contract E-69 signify by saying
14 aye.

15 (Aye.)

16 Any opposed?

17 (No verbal response.)

18 The contract passes unanimously.
19 I believe E-70 is also yours. A personal
20 service agreement between the county and the
21 Department of Public Works and Nelson &
22 Pope.

23 A motion, please.

24 LEGISLATOR DUNNE: So moved.

25 LEGISLATOR KOPEL: Second.

1 Rules Committee/4-8-13

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

5 MR. ARNOLD: E-70 is also a
6 contract amendment with Nelson & Pope for
7 allowing them to finish ongoing work
8 associated with their inspection services,
9 engineering services, on the phase two
10 traffic expansion project. This is a no
11 cost extension.

12 CHAIRWOMAN GONSALVES: Any
13 questions regarding this contract?

14 (No verbal response.)

15 Is there any public comment?

16 (No verbal response.)

17 There being none, all those in
18 favor of E-70 signify by saying aye.

19 (Aye.)

20 Any opposed?

21 (No verbal response.)

22 The contract passes unanimously.
23 Moving to Contract E-71, a contract and
24 personal service agreement between the
25 county of Nassau acting on behalf of the

1 Rules Committee/4-8-13
2 county, Department of Health, and Sivic
3 Solutions Group.

4 A motion, please.

5 LEGISLATOR DUNNE: So moved.

6 LEGISLATOR KOPEL: Second.

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

10 MS. LORRAINE: Good afternoon.
11 MaryEllen Lorraine, Department of Health.
12 This is a contract for \$99,330 with Sivic
13 Solutions. This contract provides Medicaid
14 billing services for our preschool special
15 education program. The contractor
16 identifies Medicaid eligible children.
17 Billable services, processes claims and
18 assists with the Medicaid application.

19 CHAIRWOMAN GONSALVES: Any
20 questions from the legislators regarding
21 Contract E-71?

22 (No verbal response.)

23 Is there any public comment?

24 (No verbal response.)

25 There being none, all those in

1 Rules Committee/4-8-13

2 favor signify by saying aye.

3 (Aye.)

4 Any opposed?

5 (No verbal response.)

6 The contract passes unanimously.
7 Contract E-72, a personal service agreement
8 between the county of Nassau acting on
9 behalf of the county, Department of the
10 District Attorney and Family & Children's
11 Association.

12 A motion, please.

13 LEGISLATOR DUNNE: So moved.

14 LEGISLATOR KOPEL: Second.

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

18 MR. MAY: We have Mr. Bob McManus
19 from the District Attorney's Office.

20 MR. MCMANUS: Good afternoon.

21 This contract has been performing these
22 services since 2010 as part of the district
23 attorney's Hempstead community improvement
24 project. This agreement provides services
25 to address the needs of previously

1 Rules Committee/4-8-13
2 incarcerated individuals to improve their
3 chances at rebuilding their lives as
4 productive members of the community and will
5 also engage at-risk youth in constructive
6 after-school activities to reduce gang
7 involvement.

8 CHAIRWOMAN GONSALVES: Any
9 questions or comments on the part of the
10 legislators?

11 (No verbal response.)

12 Is there any public comment?

13 (No verbal response.)

14 There being none, all those in
15 favor of Contract E-72 signify by saying
16 aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 The contract passes unanimously.
21 We now have Contract E-73, a personal
22 service agreement between the County of
23 Nassau on behalf of the Department of Public
24 Works and Henningson, Hurham & Richardson
25 Architects and Engineering, P.C.

1 Rules Committee/4-8-13

2 I'm sorry, we called it. My
3 apologies. That did pass seven to zero.

4 The next contract is E-82 and I
5 will just check to see if I called it
6 already. I don't believe so. It's a
7 personal service agreement between the
8 County of Nassau acting on behalf of the
9 Office of Nassau County Attorney and Long
10 Island Auto Appraisers.

11 A motion, please.

12 LEGISLATOR DUNNE: So moved.

13 LEGISLATOR KOPEL: Second.

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

17 MR. MAY: We have Ms. Lisa
18 Locurto from the County Attorney's Office.

19 MS. LOCURTO: This is a
20 litigation services contract. Long Island
21 Auto provides appraisals for the county
22 attorney's office when we have claims for
23 damage to our vehicles or if our vehicle is
24 damaged. The contract is only to extend
25 terms. It doesn't put any additional

1 Rules Committee/4-8-13

2 monies.

3 CHAIRWOMAN GONSALVES: Any
4 questions of Mr. Locurto?

5 (No verbal response.)

6 Is there any public comment?

7 (No verbal response.)

8 There being none, all those in
9 favor of Contract E-82 signify by saying
10 aye.

11 (Aye.)

12 Any opposed?

13 (No verbal response.)

14 The contract passes unanimously.

15 The next contract is E-83, a personal
16 service agreement between the County of
17 Nassau acting on behalf of the Office of the
18 Nassau County Attorney and Ultimate Process
19 Services.

20 A motion, please.

21 LEGISLATOR DUNNE: So moved.

22 LEGISLATOR KOPEL: Second.

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

1 Rules Committee/4-8-13

2 MS. LOCURTO: This is another
3 litigation service contract. They serve
4 process of papers for the county attorney's
5 office and it is an amendment to an existing
6 contract. It is, as you see, it's a pending
7 contract. Only extending the term. And no
8 additional monies are being put into the
9 contract.

10 CHAIRWOMAN GONSALVES: Any
11 questions of Mrs. Locurto?

12 (No verbal response.)

13 Is there any public comment?

14 (No verbal response.)

15 There being none, all those in
16 favor of Contract E-83 signify by saying
17 aye.

18 (Aye.)

19 Any opposed?

20 (No verbal response.)

21 The contract passes unanimously.
22 We have, again, we are going to group the
23 next contracts that have to do with
24 environmental facilities and DPW. Those are
25 contracts 86, 87, 88, 89, 92, and 93.

1 Rules Committee/4-8-13

2 A motion, please.

3 LEGISLATOR DUNNE: So moved.

4 LEGISLATOR KOPEL: Second.

5 CHAIRWOMAN GONSALVES: Moved by
6 Legislator Dunne, seconded by Legislator
7 Kopel. Mr. Arnold, you're on again. We're
8 doing 87, 88, 89, 92, and 93. Give us just
9 a brief synopsis of each of those if you
10 don't mind.

11 MR. ARNOLD: Ken Arnold, DPW.
12 These contracts are environmental on-call
13 consulting contracts. These contracts will
14 assist the department in dealing with
15 conditions at the plants, pump stations,
16 storm water that our in-house staff cannot
17 get to or have the ability to cover.

18 We've used these contracts as you
19 know under our Sandy recovery but they're
20 also used for other emergencies that have
21 come up at the plant whether it's our engine
22 generators or the watering facilities or
23 anything else of that sort.

24 CHAIRWOMAN GONSALVES: Any
25 questions on these contracts?

1 Rules Committee/4-8-13

2 (No verbal response.)

3 Is there any public comment?

4 (No verbal response.)

5 There being none, all those in
6 favor of Contracts E-86, E-87, E-88, E-89,
7 E-92, E-93 signify by saying aye.

8 (Aye.)

9 Any opposed?

10 (No verbal response.)

11 The contracts pass unanimously.

12 The next contract is E-90, a personal
13 service agreement between the County of
14 Nassau acting on behalf of the Department of
15 Public Works and Lockwood, Kessler &
16 Bartlett.

17 A motion, please.

18 LEGISLATOR DUNNE: So moved.

19 LEGISLATOR KOPEL: Second.

20 CHAIRWOMAN GONSALVES: Moved by
21 Legislator Dunne, seconded by Legislator
22 Kopel. Who is here?

23 MR. ARNOLD: E-90 is a personal
24 services contract with the firm Lockwood,
25 Kessler & Bartlett to design improvements to

1 Rules Committee/4-8-13

2 the Inwood bulkhead park down at Inwood.

3 CHAIRWOMAN GONSALVES: Questions
4 of Mr. Arnold on this particular item?

5 (No verbal response.)

6 Is there any public comment?

7 (No verbal response.)

8 There being none, all those in
9 favor of Contract E-90 signify by saying
10 aye.

11 (Aye.)

12 Any opposed?

13 (No verbal response.)

14 The contract passes seven to
15 zero. Next is Contract E-91, a personal
16 services agreement between the County of
17 Nassau acting on behalf of the Department of
18 Public Works and Haks Engineers, Architects
19 and Land Surveyors, P.C., Nelson & Pope.

20 A motion, please.

21 LEGISLATOR DUNNE: So moved.

22 LEGISLATOR KOPEL: Second.

23 CHAIRWOMAN GONSALVES: Moved by
24 Legislator Dunne, seconded by Legislator
25 Kopel. Go ahead.

1 Rules Committee/4-8-13

2 MR. ARNOLD: This is a contract
3 amendment for the on call construction
4 management contracts for environmental
5 services to cover the work associated with
6 the electrical upgrade for the Glen Cove
7 sewage treatment plant, this firm will do
8 the resident engineering. It's construction
9 management of that work. It's critical to
10 get this work completed because the City of
11 Glen Cove is looking to demolish their
12 existing incinerator facility which we share
13 the electric service for the treatment plant
14 at.

15 CHAIRWOMAN GONSALVES: Any
16 questions of Mr. Arnold?

17 (No verbal response.)

18 Is there any public comment?

19 (No verbal response.)

20 There being none, all those in
21 favor of Contract E-91 signify by saying
22 aye.

23 (Aye.)

24 Any opposed?

25 (No verbal response.)

1 Rules Committee/4-8-13

2 The contract passes unanimously.

3 The next contract is Contract E-95, a
4 personal service agreement between the
5 County of Nassau acting on behalf of the
6 Department of Public Works and Jacobs Civil
7 Consultants.

8 A motion, please.

9 LEGISLATOR DUNNE: So moved.

10 LEGISLATOR KOPEL: Second.

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

14 MR. MAY: In a surprising twist,
15 we have Mr. Aryeh Lemberger to answer DPW
16 questions and not Mr. Arnold.

17 MR. LEMBERGER: Ken had to leave
18 early.

19 CHAIRWOMAN GONSALVES: How are
20 you, Aryeh?

21 MR. LEMBERGER: Good. How are
22 you?

23 CHAIRWOMAN GONSALVES: Nice to
24 see you.

25 MR. LEMBERGER: You too. Thank

1 Rules Committee/4-8-13
2 you. Aryeh Lemberger from the Department of
3 Public Works. This is an amendment to a
4 personal services agreement with Jacobs
5 Civil Consultants, Inc. It is a no-cost
6 increase. We are simply shifting budget
7 between budget lines in the contract taking
8 from budget lines that don't need the budget
9 anymore because the work is done, putting in
10 budget lines that do need it because of
11 various work that needs to happen.

12 CHAIRWOMAN GONSALVES: Any
13 questions of Mr. Lemberger?

14 (No verbal response.)

15 Is there any public comment?

16 (No verbal response.)

17 There being none, all those in
18 favor of Contract E-95 signify by saying
19 aye.

20 (Aye.)

21 Any opposed?

22 (No verbal response.)

23 Contract passes unanimously.

24 Legislator Jacobs, we are going to have to
25 go back. I think that the item that you

1 Rules Committee/4-8-13

2 spoke of before which was A-17 needs to be
3 addressed at this particular time.

4 It's actually with, it's not the
5 police department, I believe it's the
6 district attorney's office, and it's time
7 sensitive so we have to act on it today. So
8 it's contract I believe again it's A-17.

9 A motion, please.

10 LEGISLATOR DUNNE: So moved.

11 LEGISLATOR KOPEL: Second.

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

15 MR. MAY: First an apology that
16 the resolution was incorrect where it does
17 say police department, it should have been
18 district attorney's office. We certainly
19 appreciate your understanding on this
20 matter.

21 We have Mr. Bob McManus from the
22 District Attorney's Office to speak on this
23 item.

24 MR. MCMANUS: Thank you. Your
25 approval of this item will authorize the

1 Rules Committee/4-8-13
2 division of purchase and supply to issue a
3 purchase order to Systems Engineering
4 Technologies Corporation for a cy-tech
5 telecom intercept system. This system
6 utilizes the latest technology to intercept
7 cellular communications on court-ordered
8 wire taps. This system can obtain voice
9 communications, video, photos and GPS
10 information from cellular devices and will
11 greatly enhance electronic surveillance
12 capability. This purchase will be made
13 using civil forfeiture funds only and will
14 not have any budgetary impact on the county.

15 CHAIRWOMAN GONSALVES: Any
16 questions of Mr. McManus?

17 (No verbal response.)

18 Is there any public comment?

19 (No verbal response.)

20 There being none, all those in
21 favor of Contract A-17 signify by saying
22 aye.

23 (Aye.)

24 Any opposed?

25 (No verbal response.)

1 Rules Committee/4-8-13

2 The contract passes unanimously.
3 I believe we have two contracts that are on
4 the addendum. I need a motion at this time
5 to suspend the rules.

6 A motion, please.

7 LEGISLATOR NICOLELLO: So moved.

8 LEGISLATOR KOPEL: Second.

9 CHAIRWOMAN GONSALVES: Moved by
10 Legislator Nicoletto, seconded by Legislator
11 Kopel. All those in favor of suspending the
12 rules signify by say aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 The motion carries unanimously.
17 The first contract is E-57, a contract, a
18 personal service agreement between the
19 County of Nassau and Arthur J. Gallagher
20 Risk Management Services Inc. D/b/a the
21 Treiber Group.

22 A motion, please.

23 LEGISLATOR DUNNE: So moved.

24 LEGISLATOR KOPEL: Second.

25 CHAIRWOMAN GONSALVES: Moved by

1 Rules Committee/4-8-13

2 Legislator Dunne, seconded by Legislator
3 Kopel. Who is here to speak on this?

4 MR. MAY: Ms. Roseanne D'Alleva,
5 acting budget director.

6 MS. D'ALLEVA: Roseanne D'Alleva.
7 This is a contract to procure insurance
8 services for the county and basically what
9 we do procure through them, through the
10 vendor, is insurance that we are required to
11 either by agreements or by the charter
12 itself. Any questions?

13 CHAIRWOMAN GONSALVES: Any
14 questions on the part the legislators?

15 (No verbal response.)

16 Is there any public comment?

17 (No verbal response.)

18 There being none, all those in
19 favor of Contract E-57 signify by saying
20 aye.

21 (Aye.)

22 Any opposed?

23 (No verbal response.)

24 The contract E-57 passes
25 unanimously. We have one more I think for

1 Rules Committee/4-8-13
2 the commissioner, it's Contract E-63-13.

3 A motion, please.

4 LEGISLATOR DUNNE: So moved.

5 LEGISLATOR KOPEL: Second.

6 CHAIRWOMAN GONSALVES: Moved by
7 Legislator Dunne, seconded by Legislator
8 Kopel. We have a personal service agreement
9 between the County of Nassau acting on
10 behalf of the Department of IT and Bowne
11 Management Systems.

12 MR. MAY: Commissioner
13 Eisenstein.

14 COMMISSIONER EISENSTEIN: Hello.
15 Ed Eisenstein again. How are you? This
16 contract is in lieu of, it's similar one to
17 the supplemental staffing. That one is also
18 available as a supplemental staffing vendor
19 and that's what this item is for. We can
20 also call upon them if we need specialty
21 services and they can bid on that as well.

22 CHAIRWOMAN GONSALVES: Any
23 questions of Commissioner Eisenstein?

24 (No verbal response.)

25 Is there any public comment?

1 Rules Committee/4-8-13

2 (No verbal response.)

3 All those in favor of Contract
4 E-63 signify by saying aye.

5 (Aye.)

6 Any opposed?

7 (No verbal response.)

8 There being none, Contract E-63
9 passes unanimously. Now, Rules Committee
10 is in recess.

11 (Whereupon, the Rules Committee
12 recessed at 4:10 p.m. and reconvened at 5:52
13 p.m.)

14 CHAIRWOMAN GONSALVES: Members of
15 the Rules Committee in place.

16 With the consent of the minority,
17 we have several items that have gone through
18 committee and I'm going to ask that the
19 testimony in these committees be
20 incorporated into the record:

21 (Whereupon, the following are the
22 minutes of the Public Safety Committee
23 pertaining to Clerk Items 115-13, 116-13,
24 117-13, 120-13, 121-13, 122-13, 123-13,
25 138-13, 139-13, 140-13, 4-8-13)

1 Rules Committee/4-8-13

2 CHAIRMAN DUNNE: Today we're
3 going to block the police items which are
4 115-13, 116-13, and 117-13. They are
5 ordinances supplemental to the annual
6 appropriation ordinance in connection with
7 the police department. Each and every one
8 of them are the same. They read the same.
9 A motion, please.

10 LEGISLATOR BELESI: So moved.

11 LEGISLATOR VENDITTO: Second.

12 CHAIRMAN DUNNE: Motion by
13 Legislator Belesi, seconded by Legislator
14 Venditto for all three items. Who is here
15 to speak on this?

16 MR. MAY: We have Sergeant
17 Gregory Stephanoff to answer any questions
18 on these items.

19 SERGEANT STEPHANOFF: Good
20 afternoon, Sergeant Greg Stephanoff from the
21 police department. Item 115 appropriates
22 approximately \$1.5 million from funds
23 received from the district attorney's office
24 as a result of successful forfeiture
25 actions. Describe each one?

1 Rules Committee/4-8-13

2 CHAIRMAN DUNNE: And this is to
3 be spent on?

4 SERGEANT STEPHANOFF: The
5 forfeiture money goes into -- it comes from
6 different sources but it goes back our
7 forfeiture accounts and it's used to enhance
8 the police department in addition to the
9 budget, above their budget means.

10 CHAIRMAN DUNNE: Any legislators
11 have any questions?

12 (No verbal response.)

13 The next item is 116.

14 SERGEANT STEPHANOFF: 116 of 13
15 appropriates approximately two and a half
16 million dollars, revenues received from the
17 US Department of Justice and it will go into
18 our asset forfeiture for the same purposes.

19 CHAIRMAN DUNNE: Are there any
20 questions from any legislators? Legislator
21 Denenberg.

22 LEGISLATOR DENENBERG: In terms
23 of both items speaking of forfeitures and
24 such, when we go into these programs we're
25 only talking about those who are convicted

1 Rules Committee/4-8-13

2 of crimes and such?

3 SERGEANT STEPHANOFF: Yes, and
4 then there are items that are forfeited as a
5 result of those crimes. The way we have
6 done the investigations, they're done with
7 different agencies and then that's where the
8 forfeitures come from.

9 LEGISLATOR DENENBERG: So it
10 always involves someone that's been
11 convicted of a crime?

12 SERGEANT STEPHANOFF: I believe
13 so, yes.

14 LEGISLATOR DUNNE: Any public
15 comment on either of those two?

16 (No verbal response.)

17 There being none, Item 117.

18 SERGEANT STEPHANOFF: Item 117 is
19 money from the US Department of Treasury,
20 it's \$574,333 from assets seized under the
21 authority of the Federal Forfeiture Act
22 also.

23 CHAIRMAN DUNNE: Are there any
24 questions?

25 (No verbal response.)

1 Rules Committee/4-8-13

2 Is there any public comment?

3 (No verbal response.)

4 There being none, all those in
5 favor of Items 115, 116 and 117-13 indicate
6 by saying aye.

7 (Aye.)

8 Any against?

9 (No verbal response.)

10 So passes. Moves on to Finance.
11 The next grouping of items will be Items
12 120-13, 121-13, 122-13, 123-13, and 138-13,
13 and 139-13, and 140-13 also. May I have a
14 motion, please?

15 LEGISLATOR BELESI: So moved.

16 LEGISLATOR FORD: Second.

17 CHAIRMAN DUNNE: Motion by
18 Legislator Belesi, seconded by Denise Ford.
19 Who is here to speak on this?

20 MR. MAY: We have Mr. Bob McManus
21 from the district attorney's office.

22 CHAIRMAN DUNNE: We will start
23 with 120-13.

24 MR. MCMANUS: Item 120-13 is an
25 appropriation for forfeiture money obtained

1 Rules Committee/4-8-13
2 from the federal government due to our
3 involvement on various cases.

4 CHAIRMAN DUNNE: Any legislators
5 have any questions?

6 (No verbal response.)

7 Is there any public comment?

8 (No verbal response.)

9 Then just go to 121.

10 MR. MCMANUS: 121 is also an
11 appropriation for forfeiture funds; however,
12 121 is for forfeiture funds obtained through
13 civil means as opposed to being obtained
14 from the federal government.

15 CHAIRMAN DUNNE: Any questions on
16 this?

17 (No verbal response.)

18 Is there any public comment?

19 (No verbal response.)

20 122, please.

21 MR. MCMANUS: 122 is, as 121, 122
22 is an appropriation for civil forfeiture
23 funds received from the state.

24 CHAIRMAN DUNNE: Any legislators
25 have any questions?

1 Rules Committee/4-8-13

2 (No verbal response.)

3 Is there any public comment?

4 (No verbal response.)

5 There being none, we will go to

6 Item 138.

7 MR. MCMANUS: 138 is an
8 appropriation for federal forfeiture funds
9 obtained due to our involvement with various
10 cases.

11 LEGISLATOR DUNNE: Any questions
12 on this?

13 (No verbal response.)

14 Is there any public comment?

15 (No verbal response.)

16 There being none, 139.

17 MR. MCMANUS: 139 is a grant.

18 This is a Crimes Against Revenue Program.

19 This is a grant received from the State

20 Division of Criminal Justice Services. The

21 program provides funding for investigations

22 against businesses that are suspected of

23 violating sales tax laws and/or committing

24 Medicaid fraud.

25 CHAIRMAN DUNNE: Are there any

1 Rules Committee/4-8-13

2 questions on this?

3 (No verbal response.)

4 Is there any public comment?

5 (No verbal response.)

6 There being none, we will go to

7 Item 140.

8 MR. MCMANUS: Item 140 is a
9 supplemental appropriation for federal
10 forfeiture funds in the amount \$9,906 6 that
11 we received due to our involvement and
12 participation in

13 CHAIRMAN DUNNE: Any questions on
14 this?

15 (No verbal response.)

16 Is there any public comment?

17 (No verbal response.)

18 There being none, we will vote
19 the entire, 120-13, 121-13, 122-13, 138-13,
20 139-13, and 140-13, all those in favor
21 indicate by saying aye.

22 (Aye.)

23 Any against?

24 (No verbal response.)

25 They all passe on to Finance.

1 Rules Committee/4-8-13
2 The final item for today's agenda with
3 Public Safety is Item 141. It's an
4 ordinance supplemental to the annual
5 appropriations ordinance in connection with
6 the Department of Probation.

7 LEGISLATOR BELESI: So moved.

8 LEGISLATOR FORD: Second.

9 CHAIRMAN DUNNE: Motion by
10 Legislator Belesi, seconded by Legislator
11 Denise Ford. Who is here to speak on this
12 item?

13 MR. MAY: We have Mr. Ed Shank
14 from probation.

15 CHAIRMAN DUNNE: Mr. Shank.

16 MR. SHANK: Thank you. Good
17 afternoon. The Supervision and Treatment
18 Services For Juveniles Program is part of
19 the governor's initiative for the Juvenile
20 Justice Program. It seeks to increase the
21 number of juvenile delinquents referred to
22 and successfully adjusted at probation
23 intake, reduces the number of secure and
24 non-secure detention care days and establish
25 viable alternatives to residential

1 Rules Committee/4-8-13

2 placement.

3 This item appropriates money from
4 a state grant to provide for a juvenile
5 detention's alternative initiative
6 coordinator to be hired to assist in this
7 regard.

8 CHAIRMAN DUNNE: Thank you, Mr.
9 Shank. Any questions for Mr. Shank?

10 (No verbal response.)

11 Is there any public comment?

12 (No verbal response.)

13 There being none, all those in
14 favor indicate by saying aye.

15 (Aye.)

16 Any against?

17 (No verbal response.)

18 This moves on to finance.

19 (Whereupon, the following are the
20 minutes of the Planning Committee pertaining
21 to Clerk Items clerk Items 128-13, 129-13,
22 130-13, 587-12, 4-8-13.)

23 CHAIRMAN VENDITTO: We have three
24 items on the agenda for today. The first is
25 Clerk Item 128-13, an ordinance making

1 Rules Committee/4-8-13

2 certain determinations pursuant to the State
3 Environmental Quality Review Act and
4 authorizing the county executive of the
5 County of Nassau to accept on behalf of the
6 County of Nassau an offer of purchase from
7 Kayser Property Associates Inc., of certain
8 premises located in Hicksville, town of
9 Oyster Bay, County of Nassau, State of
10 New York, said property known as Section 11,
11 Block 323, Lot 499 on the land and tax map
12 of the County of Nassau and authorizing the
13 county executive to execute a deed contract
14 of sale and all pertinent documents in
15 connection therewith to consummate the sale.

16 LEGISLATOR DUNNE: So moved.

17 LEGISLATOR NICOLELLO: Second.

18 CHAIRMAN VENDITTO: Moved by
19 Legislator Dunne, seconded by Legislator
20 Nicolello. The item is before us. Anyone
21 here from the administration?

22 MR. MAY: There is. We have Mr.
23 Charles Theofan. I don't know if it's
24 become wide knowledge, but Mr. Mike Kelly
25 has gone on to greener pastures.

1 Rules Committee/4-8-13

2 CHAIRMAN VENDITTO: Wonderful.

3 MR. MAY: We wish him the best of
4 luck in all of his endeavors and hope that
5 Mr. Theofan can fill his shoes as Mike
6 filled Mr. Carl Schroeder's shoes.

7 CHAIRMAN VENDITTO: Good luck,
8 Mr. Kelly, and, welcome aboard, Mr. Theofan.
9 Good afternoon.

10 MR. THEOFAN: Yes. Good
11 afternoon. As stated, we are seeking your
12 permission to be able sell a piece of vacant
13 property. Competitive bids were solicited
14 from adjourning property owners. This
15 property was appraised for \$1,000. We are
16 seeking to sell it for \$1,500 to Kaiser
17 Property Associates which is the adjoining
18 property owner. OSPAC held a public hearing
19 on April 4th and April 19th and voted to
20 recommend the sale. The planning commission
21 voted to recommend the sale on May 10th and
22 we are recommending that the sale be
23 classified as an unlisted action and that
24 the legislature issue a negative declaration
25 and determination of non-significance.

1 Rules Committee/4-8-13

2 CHAIRMAN VENDITTO: Thank you.
3 Any questions for the presenter? Legislator
4 Denenberg.

5 LEGISLATOR DENENBERG: Were those
6 votes unanimous at OSPAC and the planning
7 commission?

8 MR. THEOFAN: Hopefully I will
9 have that answer, Mr. Denenberg, and I'll
10 know in the future I will have it in
11 advance.

12 LEGISLATOR DENENBERG: Usually at
13 the bottom of the summary it says what the
14 vote was.

15 Thank you, Mr. Theofan. Do me a
16 favor, find out if there was any community
17 opposition at all raised at either the
18 planning commission or the Open Space Parks
19 and Advisory Committee, all right?

20 MR. THEOFAN: Yes, Mr. Denenberg.
21 I will make that part of my checklist.

22 LEGISLATOR DENENBERG: Usually as
23 part of our SEQRA review, I like to check
24 whether there was any community opposition
25 or any issues at all raised in terms of

1 Rules Committee/4-8-13
2 whether it's traffic or issues of the
3 purchaser becoming the owner of enough
4 property to have a legal subdivision, okay?

5 MR. THEOFAN: Yes, I understand.

6 LEGISLATOR DENENBERG: So maybe
7 at Full you can let us know.

8 MR. THEOFAN: Yes, certainly.

9 LEGISLATOR DENENBERG: Thank you,
10 Mr. Theofan.

11 CHAIRMAN VENDITTO: Thank you,
12 legislator. Any public comment on this
13 item?

14 (No verbal response.)

15 All those in favor of passing
16 this item please signify by saying aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 The item passes unanimously.

21 Item Number 2, Clerk Item Number
22 129 of '13, an ordinance making certain
23 determinations pursuant to the State
24 Environmental Quality Review Act and
25 authorizing the county executive of the

1 Rules Committee/4-8-13

2 County of Nassau to accept on behalf of the
3 County of Nassau an offer of purchase from
4 Jody Saslow of certain premises located in
5 the Incorporated Village of Sea Cliff, town
6 of Oyster Bay, County of Nassau, State of
7 New York, said property known as Section 21,
8 Block 170, Lot 444 on the land and tax map
9 of the County of Nassau and authorizing the
10 county executive to execute a deed contract
11 of sale and all pertinent documents in
12 connection therewith to consummate the sale.

13 LEGISLATOR DUNNE: So moved.

14 LEGISLATOR FORD: Second.

15 CHAIRMAN VENDITTO: Moved by
16 Legislator Dunne, seconded by Legislator
17 Ford. The item is before us. Anyone here
18 from the administration? Mr. Theofan, are
19 you going to follow up?

20 MR. THEOFAN: Yes. This is,
21 again, the sale of a piece of vacant
22 property. A 1,380 square foot property was
23 offered through competitive bidding to
24 adjoining property owners. The property was
25 appraised for \$1,500. The purchase price is

1 Rules Committee/4-8-13
2 \$3,000. OSPAC voted to approve it on June
3 13 of 2012.

4 I will for the Full Leg have the
5 answer to Mr. Denenberg's inquire. The
6 planning commission voted to recommend the
7 sale on June 21st and we are recommending
8 that it be classified as an unlisted action
9 and you issue a negative declaration and a
10 determination of non-significance.

11 CHAIRMAN VENDITTO: We appreciate
12 that. Any questions from our committee?

13 (No verbal response.)

14 Is there any public comment?

15 (No verbal response.)

16 All those in favor please say
17 aye.

18 (Aye.)

19 Any opposed?

20 (No verbal response.)

21 The item passes unanimously.

22 Item Number 3, Clerk Number 130
23 of '13, an ordinance making certain
24 determinations pursuant to the State
25 Environmental Quality Review Act and

1 Rules Committee/4-8-13

2 authorizing the county executive of the
3 County of Nassau to accept on behalf of the
4 County of Nassau an offer of purchase from
5 David A. Parsons of certain portion of the
6 right of way known as Bayville Road located
7 in Locust Valley, town of Oyster Bay, County
8 of Nassau, State of New York, said property
9 known as Section 29, Block M1, part of right
10 of way known as Bayville Road, adjacent to
11 Lot 61 on the land and tax map of the County
12 of Nassau and authorizing the county
13 executive to execute a deed contract of sale
14 and all pertinent documents in connection
15 therewith to consummate the sale. Motion?

16 LEGISLATOR DUNNE: So moved.

17 LEGISLATOR NICOLELLO: Second.

18 CHAIRMAN VENDITTO: Moved by
19 Legislator Dunne, seconded by Legislator
20 Nicolello. The item is before us.

21 Mr. Theofan?

22 MR. THEOFAN: Yes. This is a 905
23 square foot parcel, part of a right of way.
24 The respective purchaser, Mr. Parsons,
25 contacted the county back in 2009 seeking to

1 Rules Committee/4-8-13
2 purchase it. It was appraised for \$1,000.
3 It is being sold for \$1,325. OSPAC voted to
4 approve this on January 19, 2011. Planning
5 commission voted to approve it on January
6 20th, 2011. I will, for the Full Leg find
7 out whether there was any opposing votes or
8 public sentiment on this.

9 Again, we are recommending that
10 it will be classified as an unlisted action
11 and you issue a determination, negative
12 declaration of determination of
13 non-significance.

14 CHAIRMAN VENDITTO: Any
15 questions?

16 LEGISLATOR DENENBERG: In
17 addition to the questions that you are going
18 to follow for me, you said these approvals
19 were in 2011?

20 MR. THEOFAN: That's correct.

21 LEGISLATOR DENENBERG: What took
22 so long?

23 MR. THEOFAN: I don't know the
24 answer to that, Mr. Denenberg.

25 LEGISLATOR DENENBERG: I'd love

1 Rules Committee/4-8-13

2 to know these sales which seem pro forma,
3 particularly if there was no neighborhood
4 opposition and it was unanimous, why it
5 would take two years to come to us.

6 MR. THEOFAN: I'm not 100 percent
7 certain, but I think it could be a function
8 of turnover in that office and the burden
9 that was on Mr. Kelly at that time.

10 LEGISLATOR DENENBERG: When did
11 Mr. Kelly leave?

12 MR. THEOFAN: Last Thursday.

13 LEGISLATOR DENENBERG: So these
14 items were on while he was still here. So I
15 don't know that his leaving suddenly opened
16 the flood gates to all these moving to us.
17 I would think not. I was thinking more in
18 terms of Mr. Schroeder's leaving and -- but
19 I will try to find that out as well, Mr.
20 Denenberg.

21 LEGISLATOR DENENBERG: I'd really
22 like to know. I mean, it raises an issue
23 that I think counsel should at least look --
24 at least I hope it's not an issue as to
25 whether the approvals were stale or not.

1 Rules Committee/4-8-13

2 Thank you.

3 CHAIRMAN VENDITTO: Thank you.

4 Is there any public comment?

5 (No verbal response.)

6 Okay. We will take a vote. All
7 those in favor of passing this item please
8 signify by saying aye.

9 (Aye.)

10 Any opposed?

11 (No verbal response.)

12 The item passes unanimously.

13 Mr. Theofan, are you going to
14 stay with us for the addendum?

15 MR. THEOFAN: Yes.

16 CHAIRMAN VENDITTO: We do have an
17 addendum on the calendar today. May I have
18 a motion to suspend the rules.

19 LEGISLATOR DUNNE: So moved.

20 LEGISLATOR FORD: Second.

21 CHAIRMAN VENDITTO: Moved by
22 Legislator Dunne, seconded by Legislator
23 Ford. All those in favor of suspending the
24 rules please signify by saying aye.

25 (Aye.)

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2 Any opposed?

3 (No verbal response.)

4 The motion passes. Rules are
5 suspended. This is Clerk Item Number
6 587-12, it's an ordinance making certain
7 determinations pursuant to the State
8 Environmental Quality Review Act and
9 authorizing the county executive on behalf
10 of the County of Nassau to release certain
11 covenants and restrictions encumbering a
12 parcel of real property located in the
13 Incorporated Village of Freeport, town of
14 Hempstead, County of Nassau, State of
15 New York, and designated as Section 55,
16 Block H, Lot 383 on the Nassau County land
17 and tax map and to execute an agreement
18 between the County of Nassau and the
19 Incorporated Village of Freeport concerning
20 the release of such covenants and
21 restrictions and to execute any and all
22 ancillary documents necessary to carry out
23 the purposes of this agreement. May I have
24 a motion?

25 LEGISLATOR DUNNE: So moved.

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2 LEGISLATOR NICOLELLO: Second.

3 CHAIRMAN VENDITTO: Moved by
4 Legislator Dunne, seconded by Legislator
5 Nicolello. The item is now before us.

6 Mr. Theofan, one more for you.

7 MR. THEOFAN: Yes. The subject
8 parcel here is one of a multitude of parcels
9 that were conveyed to the county back in
10 1981 from the City of New York. This
11 particular parcel was then re-conveyed to
12 the Village of Freeport in June of 1989 with
13 certain covenants and restrictions on it
14 that it was to be used for municipal
15 purposes and prohibited the sale of the
16 property for profit.

17 The village of Freeport has
18 requested that the county remove those
19 restrictions because this parcel will be
20 part of property that the village is looking
21 to convey to an entity called the Sunrise
22 Meadowbrook, L.L.C. which is going to
23 develop the property with an international
24 retail food purveyor. The idea behind this
25 being that this project will create 100

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2 construction jobs. It's anticipated that it
3 will create 65 full and part time jobs will
4 put this property on the tax rolls and
5 provide significant sales tax and property
6 tax revenues to both the county, village,
7 and the school district. It's really also,
8 it will spur the commercial revitalization
9 of Freeport and this property being a sort
10 of blighted and industrial area of the
11 village at this time.

12 The county will retain access to
13 maintain their water main on the property
14 and, for that reason, we are requesting that
15 these covenants and restrictions be removed
16 at no cost to the village.

17 CHAIRMAN VENDITTO: Thank you.
18 Any questions? Legislator Denenberg.

19 LEGISLATOR DENENBERG: Again,
20 this went through OSPAC and the planning
21 commission.

22 MR. THEOFAN: Yes. I'm sorry,
23 Mr. Denenberg. It was approved by OSPAC on
24 June 15th, 2011 and it was approved by the
25 Nassau Planning Commission on September

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2 15th, 2011.

3 LEGISLATOR DENENBERG: Something
4 like this, Freeport is in my district as
5 well as Legislators Abrahams and Scannell.
6 I know I wasn't briefed at all on the plans
7 by Mayor Hardwick, but now there is a new
8 mayor in town, Mayor Robert D. Kennedy. I
9 certainly would like the opportunity to
10 bring this issue up to Mayor Kennedy and see
11 what the plans are and whether the village
12 is still a partner with us on this.

13 I can see that it's been really a
14 crucial item to this county being that we've
15 waived -- I'm being factitious, we've waited
16 two years. So I certainly would like the
17 opportunity to bring this to the village
18 and, at most, wait one month here. So I
19 would move to table this item. I'm making a
20 motion to table.

21 CHAIRMAN VENDITTO: Is there a
22 second on that motion otherwise I will move
23 on, Legislator Ford has questions, but
24 without a second --

25 LEGISLATOR DENENBERG: I'll

1 Rules Committee/4-8-13
2 withdraw my motion to table and in
3 consulting with my caucus, Legislators
4 Abrahams and Scannell, between now and Full,
5 I would like to consult with Mayor Kennedy
6 and see what Freeport's chances are.

7 But this only underlies that
8 we're going to try to move it forward and
9 not delay but we had approve two years ago
10 from Planning Commission and OSPAC, so I'm
11 really concerned, Mr. Theofan, when all of
12 these items come to Full to find out whether
13 there was any community opposition on all of
14 these items, number one; and, number two,
15 why items that went through OSPAC and the
16 planning commission two years ago are first
17 coming to us now. And it is two years, if
18 not two years plus, on each of these items.

19 MR. THEOFAN: I understand,
20 Mr. Denenberg.

21 LEGISLATOR DENENBERG: Thank you,
22 Mr. Theofan.

23 CHAIRMAN VENDITTO: Thank you,
24 Legislator Denenberg. Legislator Ford, did
25 you have questions?

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2 LEGISLATOR FORD: A few quick
3 ones. Mr. Theofan, I guess just following
4 up on Legislator Denenberg's questions, do
5 we know offhand if the new mayor of the
6 Village of Freeport has reached out to your
7 office at all in regard to this property to
8 express any objections?

9 MR. THEOFAN: Well, not
10 objections. I have spoken to the village
11 attorney and to the attorney that's
12 representing the developer who have assured
13 me that their agreement with the developers
14 is in full force and effect and we can have
15 definitive proof of that presented when we
16 go before the Full Legislature.

17 We are told that this is time
18 sensitive for the same reasons of the fact
19 that it's taken this long to move forward,
20 that the village is fearful that an
21 inordinate amount of delay might jeopardize
22 the project itself, but I have been told,
23 and it's been represented to me, that this
24 is definitely a project that is still in
25 full force and effect, and that the village

1 Rules Committee/4-8-13

2 is very anxious to proceed with.

3 LEGISLATOR FORD: So the village
4 attorney I'm going to guess is the same
5 village attorney when Mayor Hardwick was
6 there and now he, that person, is serving
7 under Mr. Kennedy?

8 MR. THEOFAN: That's correct.

9 LEGISLATOR FORD: And we're going
10 to guess that they've had discussions
11 between the two of them, the new mayor and
12 the attorney?

13 MR. THEOFAN: Yes. And, as I
14 said, this is a very fair line of inquiry
15 and I will make sure that when we go before
16 the full legislature that it is demonstrated
17 to you that there is in fact a viable
18 project that's waiting to happen.

19 The agreement, by the way, that
20 we're looking to enter into, that's to
21 remove the covenants and restrictions, does
22 have time frames, that if the project does
23 not proceed, that the removal will become
24 null and void.

25 LEGISLATOR FORD: And this is

1 Rules Committee/4-8-13

2 going through housing, is that what you
3 said, from Sunrise Develop? Do you know
4 what the property is going to be used for?

5 MR. THEOFAN: Yes. There's an
6 international chain, I believe it's called
7 Albi's Foods, that has a type of almost a
8 Trader Joe's operation that has more
9 international flair to it, that that is the
10 proposed tenant that will be on the site.

11 LEGISLATOR FORD: Just one last
12 question then. Considering that this is
13 basically what we would consider government
14 land that is being released to the Village
15 of Freeport in order for them to sell it,
16 does this -- are they then required that the
17 work be done a unionized workforce?

18 MR. THEOFAN: You know, again,
19 we no longer own the property. The property
20 has been owned by the village since 1989.
21 We're releasing this. So I guess that would
22 really be a function of what sort of local
23 laws the Village of Freeport -- but I will
24 make that inquiry as well.

25 LEGISLATOR FORD: Thank you very

1 Rules Committee/4-8-13

2 much.

3 CHAIRMAN VENDITTO: Thank you,
4 Legislator Ford and, thank you, Mr. Theofan.
5 Nice effort for your first outing here. We
6 appreciate the information.

7 Is there any public comment on
8 this?

9 (No verbal response.)

10 Then we will take a vote. All
11 those in favor of passing this item please
12 signify by saying aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 The item is approved unanimously.

17 (Whereupon, the following are the
18 minutes of the Health and Social Services
19 Committee pertaining to Clerk Items 131-13,
20 132, 133, 134, 135, 136, and 137, 4-8-13.)

21 CHAIRWOMAN WALKER: There are
22 eight items on the agenda today. I'm going
23 to call seven of those items together since
24 they all are ordinances supplemental to the
25 annual appropriation ordinance in connection

1 Rules Committee/4-8-13
2 with the Department of Health and that is
3 Clerk Item 131-12, 132-13, 133-13, 134-13,
4 135-13, 136-13, and 137-13. Do I have a
5 motion, please?

6 LEGISLATOR BECKER: So moved.

7 LEGISLATOR MUSCARELLA: Second.

8 CHAIRWOMAN WALKER: Moved by
9 Legislator Becker, seconded by Legislator
10 Muscarella.

11 MR. MAY: And we have MaryEllen
12 Lorraine to answer any questions on these
13 items.

14 CHAIRWOMAN WALKER: Does anyone
15 have any questions on any one in particular?
16 Legislator Bosworth.

17 LEGISLATOR BOSWORTH: This is
18 just on 131-13 and it's just a point of
19 interest. I know that the appropriation is
20 to reduce the prevalence of elevated blood
21 led levels in children under six.

22 I was wondering if we've made any
23 progress of that, are you seeing any
24 different levels of led in the blood of the
25 children that you're testing?

1 Rules Committee/4-8-13

2 MS. LORRAINE: The levels pretty
3 much stay constant. They fluctuate a little
4 bit. I can give you a little bit of data.
5 Blood lead levels have to be checked at age
6 one and two, and physicians' offices do
7 about 38,000 lead tests a year. Out of that,
8 36,200 are under five. So we don't do
9 follow-up on that.

10 Out of the ones that we do
11 follow-up, we have, in the last year, we saw
12 164 reports where they were greater than 10
13 micrograms per deciliter, and the year
14 before we saw 167, so it's pretty
15 consistent.

16 The ones where they were between
17 five and nine micrograms per deciliter, we
18 saw close to 500, and the year before there
19 were 600. So we're making progress but
20 there is always -- we are always finding new
21 items that contain lead, cosmetics that are
22 brought over, ceramic, besides the lead paint
23 that everyone thinks about when we do an
24 investigation, we look at the child's home
25 as well as where they spend their time,

1 Rules Committee/4-8-13
2 whether it's daycare or the grandparent's
3 house, and, it's amazing, we are always
4 finding new and different products that
5 contain led.

6 LEGISLATOR FORD: Thanks so much.

7 CHAIRWOMAN WALKER: Any other
8 questions? Are there any other questions on
9 any of those other clerk items?

10 Any public comment?

11 (No verbal response.)

12 All those in favor of Clerk Items
13 131-13, 132-13, 133-13, 134-13, 135-13,
14 136-13, 137-13 please indicate by saying
15 aye.

16 (Aye.)

17 Any opposed?

18 (No verbal response.)

19 The motion carries unanimously,
20 passes unanimously.

21 There's one other clerk item
22 which is Clerk Item 155-13 which is a
23 resolution authorizing the County of Nassau
24 to renew an intermunicipal agreement to
25 cooperate with Suffolk County pursuant to

1 Rules Committee/4-8-13
2 the New York State Constitution and the
3 General Municipal Law.

4 LEGISLATOR BECKER: So moved.

5 LEGISLATOR VENDITTO: Second.

6 CHAIRWOMAN WALKER: Moved by
7 Legislator Becker, seconded by Legislator
8 Venditto.

9 MS. LORRAINE: This is Item
10 155-13, an intergovernment agreement with
11 Suffolk County. This is for our Ryan White
12 Care Act. The federal government looks at
13 Long Island as an eligible metropolitan area
14 so they classify us as one. So, because of
15 that, we have to enter into this agreement
16 with Suffolk County.

17 CHAIRWOMAN WALKER: Any questions
18 from the legislators?

19 (No verbal response.)

20 Any public comment?

21 (No verbal response.)

22 All those in favor signify by
23 saying aye.

24 (Aye.)

25 Any opposed?

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2 (No verbal response.)

3 The item passes unanimously.

4 (Whereupon, the following are the
5 minutes of the Finance Committee pertaining
6 to Clerk Items 114-13, 115-13, 116-13,
7 117-13, 120-13, 121-13, 122-13, 123-13,
8 124-13, 128-13, 129-13, 130-13, 131-13, 132,
9 133, 134, 135, 136, 137, 138, 139, 140, 141,
10 142, 148, 149, 161, 162, 4-8-13)

11 CHAIRMAN NICOLELLO: Clerk item
12 114 of 2013 is a resolution amending
13 resolution 448 of 2001 as amended entitled
14 "designating banks and trust companies for
15 the deposit of monies received by the county
16 treasurer."

17 LEGISLATOR MUSCARELLA: So moved.

18 LEGISLATOR WALKER: Second.

19 CHAIRMAN NICOLELLO: Moved by
20 Legislator Muscarella, seconded by
21 Legislator Walker. Do we have any
22 questions, comments?

23 (No verbal response.)

24 Is there any public comment?

25 (No verbal response.)

1 Rules Committee/4-8-13
2 Hearing none, all those in favor
3 signify by saying aye.

4 (Aye.)

5 Any opposed?

6 (No verbal response.)

7 That item carries unanimously.
8 Items 115, 116, 117, 120, 121 and 122 of
9 2013 are ordinances supplemental to the
10 annual appropriation ordinances in
11 connection with the police department and
12 the office of the district attorney.

13 LEGISLATOR VENDITTO: So moved.

14 LEGISLATOR WALKER: Second.

15 CHAIRMAN NICOLELLO: Moved by
16 Legislator Venditto, seconded by Legislator
17 Walker. Mr. May, did you want to make a
18 comment, I believe?

19 MR. MAY: Yes. Greg Stephanoff
20 had some additional information regarding
21 the federal forfeiture related to the
22 questions that Legislator Denenberg was
23 asking and we just wanted to clarify the
24 record.

25 CHAIRMAN NICOLELLO: So those

1 Rules Committee/4-8-13
2 questions were asked in Public Safety before
3 and you wanted to clarify them.

4 SERGEANT STEPHANOFF: Yes,
5 Legislator Denenberg, you asked if there
6 always had to be an arrest. On the federal
7 forfeiture, it does allow for an
8 investigation. It's extremely rare but it
9 can lead to forfeiture without an arrest.
10 The state forfeiture there must be an
11 arrest.

12 LEGISLATOR DENENBERG: Each of
13 those items relate to our forfeiture program
14 and monies received pursuant to the
15 forfeiture program?

16 SERGEANT STEPHANOFF: Yes.

17 LEGISLATOR DENENBERG: Thank you.

18 CHAIRMAN NICOLELLO: Legislator
19 Bosworth.

20 LEGISLATOR BOSWORTH: Thank you.
21 So, of course, you know that the forfeiture
22 funds can only be used for specific set
23 purposes and not to cover general things
24 like salaries in the department which
25 receives the funds.

1 Rules Committee/4-8-13

2 That being said, this is a lot of
3 money, this is a million and a half dollars.
4 Do we know specifically what the funds will
5 be used for?

6 SERGEANT STEPHANOFF: I don't
7 think the salary portion are earmarked.
8 They go back to investigations that will
9 lead to further forfeitures, but I could
10 give you some past, like the past Hofstra
11 debate, the presidential debate for the
12 election, a lot of items were purchased for
13 electronic squad to meet the security needs
14 of that venue.

15 Uniforms are being outfitted now
16 for the police officer for the entire force,
17 that was forfeiture funds because we went to
18 a new type of uniform. We also, the
19 monadnock, which are the retractable batons
20 that the officers carry, those are bought
21 with forfeiture funds.

22 LEGISLATOR BOSWORTH: Thank you.

23 CHAIRMAN NICOLELLO: Do we have
24 any further questions?

25 (No verbal response.)

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2 Is there any public comment?

3 (No verbal response.)

4 Thank you, Sergeant Stephanoff.

5 All those in favor signify by saying aye.

6 (Aye.)

7 Those opposed?

8 (No verbal response.)

9 Those items carry unanimously.

10 Items 123 and 124 are resolutions
11 to authorize the transfer of appropriations
12 heretofore made within the budget for the
13 year 2013.

14 LEGISLATOR WALKER: So moved.

15 LEGISLATOR MUSCARELLA: Second.

16 CHAIRMAN NICOLELLO: Moved by
17 Legislator Walker, seconded by Legislator
18 Muscarella. Do we have any questions on
19 these items?

20 (No verbal response.)

21 Is there any public comment?

22 (No verbal response.)

23 All those in favor signify by
24 saying aye.

25 (Aye.)

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2 Any opposed?

3 (No verbal response.)

4 Carries unanimously. Items 128,
5 129, 130 of 2013 are ordinances making
6 certain determinations pursuant to SEQRA and
7 authorizing the county executive of the
8 County of Nassau to accept on behalf of the
9 County of Nassau an offer of purchase from
10 Kayser Property Associates Inc., of certain
11 premises located in Hicksville, an offer of
12 purchase from Jody Saslow of certain
13 premises located in the Incorporated Village
14 of Sea Cliff, and an offer of purchase from
15 David A. Parsons of a certain portion of the
16 right of way known as Bayville Road located
17 in Locust Valley.

18 LEGISLATOR WALKER: So moved.

19 LEGISLATOR VENDITTO: Second.

20 CHAIRMAN VENDITTO: Moved by
21 Legislator Walker, seconded by Legislator
22 Venditto. Do we have any questions on these
23 items?

24 (No verbal response.)

25 Is there any public comment?

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2 (No verbal response.)

3 All those in favor signify by
4 saying aye.

5 (Aye.)

6 Any opposed?

7 (No verbal response.)

8 They carry unanimously. The next
9 batch is 131, 132, 133, 134, 135, 136, 137,
10 138, 139, 140, 141 of 2013, they're all
11 ordinances supplemental to the annual
12 appropriation ordinance in connection with
13 the Department of Health, District Attorney
14 and the Department of Probation.

15 LEGISLATOR VENDITTO: So moved.

16 LEGISLATOR WALKER: Second.

17 CHAIRMAN NICOLELLO: Moved by
18 Legislator Venditto, seconded by Legislator
19 Walker. Do we have any questions on these
20 items?

21 LEGISLATOR DENENBERG: I do.

22 CHAIRMAN NICOLELLO: Legislator
23 Denenberg.

24 LEGISLATOR DENENBERG: Mr. May,
25 why so many different transfers or

1 Rules Committee/4-8-13
2 appropriations for the Department of Health
3 all at once?

4 MR. MAY: Most of the
5 supplemental appropriations are I believe
6 grants and COLAs that are dependent upon the
7 state budget.

8 LEGISLATOR DENENBERG: When you
9 say that, they're dependent upon the state
10 budget?

11 MR. MAY: Correct. We draw down
12 these monies from the State Department of
13 Health and I believe their budget has to be
14 in place before we can receive those monies.

15 LEGISLATOR DENENBERG: So this is
16 based on the state budget just passing?

17 MR. MAY: I believe so. These
18 are all monies we are drawing down from the
19 State Department of Health, and I'm being
20 told we get the COLAs at the end of the
21 year.

22 LEGISLATOR DENENBERG: The end of
23 the year means now?

24 MR. MAY: I believe the end of
25 the year meant the end of 2012 that we're

1 Rules Committee/4-8-13

2 processing them for now, correct?

3 LEGISLATOR DENENBERG: Let's get
4 on the record.

5 MS. LORRAINE: MaryEllen
6 Lorraine, Department of Health. We get our
7 COLA awards, some of our grants run in
8 different cycles, some run from October to
9 -- I would have to pull them all up, but we
10 don't get the COLA reward when we get the
11 grand award. We get it towards the end of
12 the grant cycle, and they give us about a
13 month to spend it down. So some of it you
14 will even see as past last year's cycle.

15 LEGISLATOR DENENBERG: That's the
16 reason for us getting them like a batch
17 right now?

18 MS. LORRAINE: I can't say
19 whether it was through a different process
20 but we do not get the COLA awards at the
21 same time that we get the grant. That's why
22 you see me often and at different times for
23 the same grant.

24 LEGISLATOR DENENBERG: It just
25 seems like, I was just looking for any

1 Rules Committee/4-8-13

2 explanation.

3 MS. LORRAINE: With the COLA
4 awards you'll see, in this time of the year,
5 you'll see them all come through.

6 LEGISLATOR DENENBERG: Thank you.

7 MS. LORRAINE: I hope that helps.

8 LEGISLATOR DENENBERG: I think it
9 did.

10 CHAIRMAN NICOLELLO: Any other
11 questions? Thank you.

12 (No verbal response.)

13 Is there any public comment?

14 (No verbal response.)

15 All those in favor signify by
16 saying aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 Those items carry unanimously.

21 Item 142 of 2013 is a resolution
22 to authorize the transfer of appropriations
23 heretofore made within the budget for the
24 year 2013.

25 LEGISLATOR WALKER: So moved.

1 Rules Committee/4-8-13

2 LEGISLATOR VENDITTO: Second.

3 CHAIRMAN NICOLELLO: Moved by
4 Legislator Walker, seconded by Legislator
5 Venditto. Any questions?

6 (No verbal response.)

7 Is there any public comment?

8 (No verbal response.)

9 All those in favor signify by
10 saying aye.

11 (Aye.)

12 Any opposed?

13 (No verbal response.)

14 That item carries unanimously.

15 Items 148 and 149 of 2013, these
16 are resolutions authorizing the county
17 executive to execute a grant agreement
18 between the County of Nassau acting on
19 behalf of the Department of Parks,
20 Recreation and Museums, and the Chamber
21 Players International and the African
22 Atlantic Genealogical Society.

23 LEGISLATOR WALKER: So moved.

24 LEGISLATOR MUSCARELLA: Second.

25 CHAIRMAN NICOLELLO: Moved by

1 Rules Committee/4-8-13

2 Legislator Walker, seconded by Legislator
3 Muscarella. Any questions on these items?

4 LEGISLATOR DENENBERG: I do.

5 CHAIRMAN NICOLELLO: Legislator
6 Denenberg.

7 LEGISLATOR DENENBERG: Is this
8 Mr. May answering these or Ms. Kreeb?

9 MR. MAY: I would bring Ms.
10 Eileen Kreeb up to give you the accurate
11 answers you so desire.

12 LEGISLATOR DENENBERG: Thanks,
13 Greg.

14 MS. KREEB: Eileen Kreeb,
15 Department of Parks.

16 LEGISLATOR DENENBERG: Are each
17 of these contracts for hotel and motel tax
18 money expenditures?

19 MS. KREEB: Yes, they're funded
20 from hotel/motel tax.

21 LEGISLATOR DENENBERG: So we've
22 approved the appropriation and now we're
23 approving the individual contracts for
24 performers for the summer programs?

25 MS. KREEB: Well, one is for the

1 Rules Committee/4-8-13
2 African American Museum, 149, and that's for
3 their programs at the African American
4 Museum, not specific for the summer but for
5 the term of the contract. They do many
6 exhibits like the Timbuktu or the Rosa Parks
7 exhibit that's there now. They have
8 interchangeable moving exhibits all year
9 long.

10 LEGISLATOR DENENBERG: And the
11 chamber players are?

12 MS. KREEB: Chamber players
13 provide musical entertainment for our summer
14 series at Chelsea Mansion as well as other
15 Nassau County properties at Sands Point,
16 Bailey Arboretum, those are the types of
17 locations.

18 Then they also use some of their
19 funding for other venues in Nassau County,
20 not specific to our county programs.

21 LEGISLATOR DENENBERG: We still,
22 and we are still looking for the 2010 county
23 attorney opinion.

24 MS. KREEB: I realize that. I
25 spoke with Commissioner Foskey this morning

1 Rules Committee/4-8-13

2 and he has reached out to legal. They're
3 researching and they promise to clarify the
4 position on the advisory board.

5 LEGISLATOR DENENBERG: Going back
6 to 2010, Legislator Bosworth, both in this
7 committee as well as others and myself, have
8 questioned the hotel/motel tax advisory
9 commission not really meeting and being told
10 that they only meet if it has something to
11 do with Old Bethpage Village restoration,
12 and then only if it has to do with certain
13 projects they're at.

14 For years before that, this
15 commission met. It was public. Every one
16 on the legislature as well as our
17 constituents could at least chime in and try
18 to understand where the money is going and
19 try to have their park events regardless of
20 the parks or the historical commissions
21 receive some funding, so --

22 MS. KREEB: As I said, I spoke to
23 the commissioner this morning and he has
24 reached out to legal and they promised they
25 are doing the research and will clarify

1 Rules Committee/4-8-13

2 their position to us.

3 LEGISLATOR DENENBERG: Given it's
4 been three years, we really think, again, on
5 behalf of Legislator Bosworth and myself, we
6 really think, and I know a number of
7 legislators have asked for it. We really
8 want to see this. Thank you.

9 MS. KREEB: Thank you.

10 CHAIRMAN NICOLELLO: Any other
11 questions?

12 (No verbal response.)

13 Is there any public comment?

14 (No verbal response.)

15 All those in favor of these items
16 signify by saying aye.

17 (Aye.)

18 Those opposed?

19 (No verbal response.)

20 Those two items carry unanimously.
21 The next five items are executive session
22 items which I'll call. 151 of 2013, it's an
23 ordinance providing for a capital
24 expenditure to finance the payment of
25 certain judgments against the County of

1 Rules Committee/4-8-13
2 Nassau authorizing \$291,527.96 bonds of the
3 county.

4 Item 161 is a resolution
5 authorizing the county attorney to
6 compromise and settle the action entitled
7 Morgan versus the County of Nassau.

8 Item 162 is an ordinance
9 providing for a capital expenditure to
10 finance the payment of certain settled
11 claims against the County of Nassau and
12 authorizing \$408,000 of bonds of the county
13 to finance that expenditure.

14 Item 163 of 2013 is a resolution
15 authorizing the county attorney to
16 compromise and settle the action entitled
17 Friarson versus Nassau County.

18 Item 164 is an ordinance
19 providing for a capital expenditure to
20 finance the payment of certain settled
21 claims against the County of Nassau
22 authorizing \$895,050 of bond of the County
23 of Nassau to finance that expenditure.

24 LEGISLATOR MUSCARELLA: So moved.

25 LEGISLATOR WALKER: Second.

1 Rules Committee/4-8-13

2 CHAIRMAN NICOLELLO: Moved by
3 Legislator Muscarella, seconded by
4 Legislator Walker. Executive session.

5 LEGISLATOR VENDITTO: So moved.

6 LEGISLATOR WALKER: Second.

7 CHAIRMAN NICOLELLO: Legislator
8 Venditto makes the motion to go into
9 executive session, seconded by Legislator
10 Walker. All those in favor?

11 (Aye.)

12 (Whereupon, the Finance Committee
13 recessed into executive session at 5:08 p.m.
14 and reconvened at 5:46 p.m.)

15 LEGISLATOR NICOLELLO: The
16 Finance Committee is now out of executive
17 session. I'm going to call the items
18 separately starting with Item 151 of 2013.
19 All in favor of that item, 151 of 2013,
20 signify by saying aye.

21 (Aye.)

22 Those opposed?

23 Let the record reflect four votes
24 for the majority and three for the minority.

25 Next two items are 161 and 162 of

1 Rules Committee/4-8-13

2 2013, those relate to the Morgan case. All
3 those in favor signify by saying aye.

4 (Aye.)

5 Those opposed?

6 (No verbal response.)

7 That's seven zero.

8 Items 163 and 164 of 2013, those
9 are the items related to Friarson case. All
10 those in favor signify by saying aye.

11 (Aye.)

12 Those opposed?

13 (Nay.)

14 That's four three, all these
15 items move on to the next committee.

16 That's seven zero.

17 (Whereupon, the following is the
18 continuation of the minutes of the Rules
19 Committee, 4-8-13.)

20 CHAIRWOMAN GONSALVES: We are
21 going through all the consent items. Clerk
22 Items 114-13, 115-13, 116-13, 117-13,
23 120-13, 121-13, 122-13, 123-13, 124-13,
24 128-13, 129-13, 130-13, 131-13, 132, 133,
25 134, 135, 136, 137, 138, 139, 140, 141, 142,

1 Rules Committee/4-8-13
2 148, 149, 155, 161, 162, and then we have
3 one item from the addendum which is 587-12.
4 Motion, please.

5 LEGISLATOR DUNNE: So moved.

6 LEGISLATOR KOPEL: Second.

7 CHAIRWOMAN GONSALVES: Moved by
8 Legislator Dunne, seconded by Legislator
9 Kopel. Any questions? Any comments?

10 (No verbal response.)

11 Is there any public comment?

12 (No verbal response.)

13 There being none, all those in
14 favor of those items signify by saying aye.

15 (Aye.)

16 Any opposed?

17 (No verbal response.)

18 Those items pass unanimously.

19 Let's proceed with the stand
20 alone items which is beginning with items,
21 Item 125-13, a resolution to accept a gift
22 offered by a donor to the Nassau County
23 Police Department.

24 A motion, please.

25 LEGISLATOR DUNNE: So moved.

1 Rules Committee/4-8-13

2 LEGISLATOR KOPEL: Second.

3 CHAIRWOMAN GONSALVES: Moved by
4 Legislator Dunne, seconded by Legislator
5 Kopel. I'm sure the sergeant is here to
6 talk about this.

7 SERGEANT STEPHANOFF: Good
8 afternoon, Sergeant Greg Stephanoff. This
9 item is to allow the police department to
10 accept approximately 30 chairs from BWD
11 Group, LLC in Plainview for the department
12 to use. They are used chairs.

13 LEGISLATOR JACOBS: We are so
14 nice in Plainview.

15 CHAIRWOMAN GONSALVES: Any other
16 comments regarding this item?

17 (No verbal response.)

18 Is there any public comment?

19 (No verbal response.)

20 There being none, all those in
21 favor of Clerk Item 125-13 signify by saying
22 aye.

23 (Aye.)

24 Any opposed?

25 (No verbal response.)

1 Rules Committee/4-8-13

2 The item passes unanimously.

3 Item 126-13 a resolution to confirm the
4 county executive's reappointment of Dr.
5 Jorge Gardyn to the Nassau County, Nassau
6 Community College Board of Trustees pursuant
7 to Section 6306 of the Education Law.

8 A motion, please.

9 LEGISLATOR DUNNE: So moved.

10 LEGISLATOR KOPEL: Second.

11 CHAIRWOMAN GONSALVES: Moved by
12 Legislator Dunne, seconded by Legislator
13 Kopel. I guess you're going to speak on Dr.
14 Gardyn.

15 MR. MAY: This is the county
16 executive's reappointment of Dr. Jorge
17 Gardyn to the Nassau County Community
18 College Board of Trustees.

19 CHAIRWOMAN GONSALVES: It's a
20 reappointment, isn't it?

21 MR. MAY: That's correct. It's a
22 reappointment. Dr. Gardyn has served
23 admirably well at the college and we are
24 happy to reappoint him.

25 CHAIRWOMAN GONSALVES: I think we

1 Rules Committee/4-8-13
2 all had an opportunity to meet him at one
3 point and hopefully if we need to we will
4 meet him at the Full Leg on the 18th.

5 MR. MAY: Absolutely. As is
6 custom, I will have all the appointees here
7 for the Full Legislature.

8 CHAIRWOMAN GONSALVES: Thank you
9 very much, Mr. May. Any questions? Any
10 comments?

11 (No verbal response.)

12 Is there any public comment?

13 (No verbal response.)

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

16 (Aye.)

17 Any opposed?

18 (No verbal response.)

19 The item passes unanimously.

20 The next one is Item 127-13 to confirm the
21 county executive's appointment of Jaime Van
22 Dyke to the Soil and Water Conservation
23 District Board pursuant to Section 6(3) of
24 the New York Soil and Water Conservation
25 District Law.

1 Rules Committee/4-8-13

2 LEGISLATOR DUNNE: So moved.

3 LEGISLATOR KOPEL: Second.

4 CHAIRWOMAN GONSALVES: Moved by
5 Legislator Dunne, seconded by Legislator
6 Kopel.

7 MR. MAY: Again, this is an
8 appointment to the Soil and Water
9 Conservation Board. I believe Ms. Van Dyke
10 has been serving on the board as I believe a
11 hold over position and will be appointed at
12 the Full Leg. Any questions? Legislator
13 Jacobs.

14 LEGISLATOR JACOBS: Greg, I know
15 Jaime Van Dyke of Oyster Bay, but the only
16 problem I have, and I don't know if you
17 could have an answer in two weeks from now,
18 not that it matters, but I'm just wondering
19 how --let me just read something to you.
20 She's been serving as the Town of Oyster Bay
21 representative since mid 2010. But there's
22 no record that we can find of an appointment
23 to the board for her.

24 MR. MAY: Yes. I did look into
25 that. It appears that the supervisor of the

1 Rules Committee/4-8-13
2 town had appointed her to take the place of
3 the Town of Oyster Bay representative. It
4 has to be a representative who is an
5 employee of the town. It appears in past
6 practice, it has been the supervisor, if
7 somebody leaves the employment, they would
8 put somebody on.

9 LEGISLATOR JACOBS: So it didn't
10 have to go through the county executive's
11 office?

12 MR. MAY: Correct. I mean, it's
13 going now -- I'm sorry, the name is in the
14 backup, I don't have it in front of me, but
15 the previous incumbent in that position had
16 left the employment of the town --

17 LEGISLATOR JACOBS: Yes. Aldona
18 Lawson.

19 MR. MAY: After they had been
20 appointed by the legislature, so this
21 position was filled temporarily by the --

22 LEGISLATOR JACOBS: So that's how
23 they do it, they --

24 MR. MAY: That appears to have
25 been past practice and we are going to work

1 Rules Committee/4-8-13

2 with that right now.

3 LEGISLATOR JACOBS: All right.

4 Thank you.

5 CHAIRWOMAN GONSALVES: All those
6 in favor of confirming the appointment of
7 Jaime Van Dyke signify by saying aye.

8 (Aye.)

9 Any opposed?

10 (No verbal response.)

11 The motion carries unanimously.

12 We are moving along to Clerk Item 145-13, a
13 resolution authorizing the county executive
14 to execute an intermunicipal agreement with
15 the Incorporated Village of Farmingdale in
16 relation to repairing the roof and bay doors
17 of the Farmingdale Fire Facility.

18 Motion, please.

19 LEGISLATOR DUNNE: So moved.

20 LEGISLATOR KOPEL: Second.

21 CHAIRWOMAN GONSALVES: Moved by
22 Legislator Dunne, seconded by Legislator
23 Kopel. Any questions from the legislators?
24 Do you have anything to add to this, Mr.
25 May?

1 Rules Committee/4-8-13

2 MR. MAY: No. There's nothing
3 that I would add to that. The title is
4 fairly self explanatory.

5 CHAIRWOMAN GONSALVES: Any
6 questions or concerns regarding this
7 particular item?

8 (No verbal response.)

9 Is there any public comment?

10 (No verbal response.)

11 There being none, let's proceed,
12 all those in favor signify by saying aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 The motion carries unanimously.
17 Item 146-13, a resolution authorizing the
18 county executive to execute an
19 intermunicipal agreement with the Wantagh
20 School District in relation to a project to
21 procure and install playground equipment.

22 A motion, please.

23 LEGISLATOR DUNNE: So moved.

24 LEGISLATOR KOPEL: Second.

25 CHAIRWOMAN GONSALVES: Moved by

1 Rules Committee/4-8-13

2 Legislator Dunne, seconded by Legislator

3 Kopel. Any questions regarding this item?

4 (No verbal response.)

5 Is there any public comment?

6 (No verbal response.)

7 There being none, all those in

8 favor of Item 146-13 signify by saying aye.

9 (Aye.)

10 Any opposed?

11 (No verbal response.)

12 The item passes unanimously.

13 Item 147-13, a resolution authorizing the

14 county executive to execute an IMA with the

15 Wantagh School District in relation to a

16 project to procure and install an indoor

17 scoreboard and shot clock.

18 A motion, please.

19 LEGISLATOR DUNNE: So moved.

20 LEGISLATOR KOPEL: Second.

21 CHAIRWOMAN GONSALVES: Moved by

22 Legislator Dunne, seconded by Legislator

23 Kopel. Any questions? Any comments? (No

24 verbal response.)

25 Is there any public comment?

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2 (No verbal response.)

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

5 (Aye.)

6 Any opposed?

7 (Nay.)

8 We have four three. We have
9 item, Clerk Item 153-13, a resolution to
10 confirm the county executive's reappointment
11 of John D. Cameron, Jr. To the Long Island
12 Regional Planning Commission.

13 A motion, please.

14 LEGISLATOR DUNNE: So moved.

15 LEGISLATOR KOPEL: Second.

16 CHAIRWOMAN GONSALVES: Moved by
17 Legislator Dunne, seconded by Legislator
18 Kopel. Any questions or comments regarding
19 this reappointment?

20 (No verbal response.)

21 Is there any public comment?

22 (No verbal response.)

23 There being none, all those in
24 favor of this resolution please indicate by
25 saying aye.

1 Rules Committee/4-8-13

2 (Aye.)

3 Any opposed?

4 (No verbal response.)

5 The item passes unanimously.

6 I have to go back. Item 151-13,
7 it was called in Finance. However, I was
8 asked if I would call this separately. It's
9 the ordinance providing for a capital
10 expenditure to finance the payment of
11 certain judgments against the County of
12 Nassau authorizing \$291,527.96 of bonds of
13 the County of Nassau to finance said
14 expenditure and making certain
15 determinations pursuant to the State
16 Environmental Quality Review Act, the Local
17 Finance Law of New York and the County
18 Government Law of Nassau County.

19 A motion, please.

20 LEGISLATOR DUNNE: So moved.

21 LEGISLATOR KOPEL: Second.

22 CHAIRWOMAN GONSALVES: Moved by
23 Legislator Dunne, seconded by Legislator
24 Kopel. Any further comments or questions
25 regarding this item?

1 Rules Committee/4-8-13

2 LEGISLATOR WINK: Yes, I have a
3 quick question. Greg, as I recall, this
4 case had a companion case dealing with the
5 Port Washington School District as well, I
6 believe it was Goya. There was sel-los-dos
7 (phonetic) in Goya and the two of them
8 together were the court of appeals cases
9 addressing the issue of whether or not the
10 county guaranty applied the pilot payments.

11 I want to find out is, is the
12 Port Washington case still active, are we
13 still paying on the judgement on that case?

14 MS. LOCURTO: No, we are not.
15 The Port Washington case, which was a
16 companion case to this one, the credit
17 against future pilot payments ended with the
18 payment that was made in 2009. There was no
19 more pilot agreement, no more credits to
20 apply. There is nothing going on with the
21 Port Washington case.

22 LEGISLATOR WINK: Thank you.

23 CHAIRWOMAN GONSALVES: Any other
24 comments or questions?

25 (No verbal response.)

1 Rules Committee/4-8-13

2 Is there any public comment?

3 (No verbal response.)

4 There being none, all those in
5 favor of this item please indicate by saying
6 aye.

7 (Aye.)

8 Any opposed?

9 (Nay.)

10 The item passes four to three.

11 We are moving along quickly to Item 154-13,
12 a resolution to confirm the county
13 executive's reappointment of Richard
14 Guardino, Jr., to the Long Island Regional
15 Planning Council.

16 A motion, please.

17 LEGISLATOR DUNNE: So moved.

18 LEGISLATOR KOPEL: Second.

19 CHAIRWOMAN GONSALVES: Moved by
20 Legislator Dunne, seconded by Legislator
21 Kopel. Any comments regarding this
22 appointment?

23 (No verbal response.)

24 Is there any public comment?

25 (No verbal response.)

1 Rules Committee/4-8-13

2 There being none, all those in
3 favor of Item 154-13 signify by saying aye.

4 (Aye.)

5 Any opposed?

6 (No verbal response.)

7 The motion carries unanimously.

8 I have two items here and Item
9 163-13, already discussed in the Finance
10 Committee, however, at the request of the
11 minority, we are calling it separately.
12 It's a resolution authorizing the county
13 attorney to compromise and settle the action
14 entitled Friarson versus Nassau County, et
15 al.

16 A motion, please.

17 LEGISLATOR NICOLELLO: So moved.

18 LEGISLATOR DUNNE: Second.

19 CHAIRWOMAN GONSALVES: Moved by
20 Legislator Nicolello, seconded by Legislator
21 Dunne. Any questions or comments regarding
22 this item?

23 (No verbal response.)

24 Is there any public comment?

25 (No verbal response.)

1 Rules Committee/4-8-13

2 So Item 163-13, all those in
3 favor signify by saying aye.

4 (Aye.)

5 Any opposed?

6 (Nay.)

7 The item passes four to three.
8 Item 164, again, it's an ordinance providing
9 for a capital expenditure to finance the
10 payment of certain settled claims against
11 the County of Nassau authorizing \$895,050 of
12 bonds of the County of Nassau to finance
13 said expenditure and making certain
14 determinations pursuant to the State
15 Environmental Quality Review Act, the Local
16 Finance Law of New York, and the County
17 Government Law of Nassau County.

18 A motion, please.

19 LEGISLATOR DUNNE: So moved.

20 LEGISLATOR KOPEL: Second.

21 CHAIRWOMAN GONSALVES: Moved by
22 Legislator Dunne, seconded by Legislator
23 Kopel. Any comments, any additions?

24 (No verbal response.)

25 Is there any public comment?

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2 (No verbal response.)

3 There being none, all those in
4 favor of Item 164-13 signify by saying aye.

5 (Aye.)

6 Any opposed?

7 (Nay.)

8 The item passes four to three.

9 We have I believe an addendum Item 165.

10 It's Item 165 of 2013, it's not calling it
11 twice, one was the county attorney, the
12 county executive, a resolution confirming
13 the reappointment of Dr. Jorge Gardyn as a
14 member of the Nassau Community College Board
15 of Trustees.

16 LEGISLATOR DUNNE: So moved.

17 LEGISLATOR KOPEL: Second.

18 CHAIRWOMAN GONSALVES: Moved by
19 Legislator Dunne, seconded by Legislator
20 Kopel. Any questions or comments regarding
21 this appointment?

22 (No verbal response.)

23 Is there any public comment?

24 (No verbal response.)

25 There being none, all those in

1 Rules Committee/4-8-13

2 favor signify by saying aye.

3 (Aye.)

4 Any opposed?

5 (No verbal response.)

6 The item passes unanimously.

7 Item 166 requires an amendment in
8 the nature of a substitution. So, the
9 original item reads, a resolution
10 authorizing the county executive to execute
11 an intermunicipal agreement with the
12 Incorporated Village of Plandome Manor in
13 relation to a project to install a traffic
14 signal and associated traffic improvements.

15 LEGISLATOR NICOLELLO: So moved.

16 LEGISLATOR KOPEL: Second.

17 CHAIRWOMAN GONSALVES: Moved by
18 Legislator Nicoletto, seconded by Legislator
19 Kopel. Now we need to offer an amendment in
20 the nature of a substitution -- we had a
21 motion made by Legislator Nicoletto and
22 seconded by Legislator Dunne.

23 I believe that the item
24 originally referred to the Great Neck School
25 District, instead it really is the Plandome.

1 Rules Committee/4-8-13

2 The village of Plandome Manor, and I believe
3 also, I believe that's the nature the
4 amendment. Now we want to vote on the
5 amendment. All those in favor of the
6 amendment for Plandome Manor?

7 (Aye.)

8 Any opposed?

9 (No verbal response.)

10 The item now amended which is
11 Item 166-13, all those in favor of the item
12 as amended please indicate by saying aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 The item as amended passes
17 unanimously. That's it. First of all I
18 thank every one who stayed till the bitter
19 end. It's never easy to try to figure out
20 when things are going to end, but anyway it
21 is now almost 6:15. It could have been
22 later.

23 So a motion to adjourn.

24 LEGISLATOR DUNNE: So moved.

25 LEGISLATOR KOPEL: Second.

1 Rules Committee/4-8-13

2 CHAIRWOMAN GONSALVES: Moved by
3 Legislator Dunne, seconded by Legislator
4 Kopel. All those in favor of adjourning
5 please say aye.

6 (Aye.)

7 Any opposed?

8 (No verbal response.)

9 (Whereupon, the Rules Committee
10 adjourned at 6:15 p.m.)

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C E R T I F I C A T E

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this 19th day of April, 2013.

FRANK GRAY