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NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,
Presiding Officer

MINORITY AFFAIRS COMMITTEE

NORMA GONSALVES,
Chairwoman

1550 Franklin Avenue
Mineola, New York

Monday, July 29, 2013
3:30 P.M

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2 A P P E A R A N C E S :3 NORMA GONSALVES,
4 Chairwoman5 ROSEMARIE WALKER,
6 Vice-Chairwoman

7 DENNIS DUNNE

8 JOSEPH BELESI

9 ROBERT TROIANO,
10 Ranking

11 JUDY JACOBS

12 CARRIE SOLAGES

13 CRYSTAL ALBERT,
14 Clerk of the Legislature

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LIST OF SPEAKERS

KENNETH ARNOLD, Nassau County
Department of Public Works.....6

Minority Affairs Committee/7-29-13

2 CHAIRWOMAN GONSALVES: Calling to
3 order the Minority Affairs Committee.

4 Crystal, will you please call the roll?

5 CLERK ALBERT: Norma Gonsalves?

6 CHAIRWOMAN GONSALVES: Present.

7 CLERK ALBERT: Rose Marie Walker?

8 LEGISLATOR WALKER: Here.

9 CLERK ALBERT: Dennis Dunne?

10 LEGISLATOR DUNNE: Here.

11 CLERK ALBERT: Joseph Belesi?

12 LEGISLATOR BELESI: Here.

13 CLERK ALBERT: Robert Troiano?

14 LEGISLATOR TROIANO: Here.

15 CLERK ALBERT: Judy Jacobs?

16 LEGISLATOR JACOBS: Here.

17 CLERK ALBERT: And Carrie

18 Solages?

19 LEGISLATOR SOLAGES: Here.

20 CLERK ALBERT: Thank you.

21 CHAIRWOMAN GONSALVES: We have a
22 quorum. Thank you very much.

23 We have one item. That's Clerk

24 Item 329-13, a resolution designating Dr.

25 Phillip Elliot as the responsible local

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2 official for the New York State Department
3 of Transportation's Equitable Business
4 Opportunities System.

5 CHAIRWOMAN GONSALVES: A motion,
6 please.

7 LEGISLATOR WALKER: So moved.

8 LEGISLATOR BELESI: Second.

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

12 Now, I have to say that I'm going
13 to offer an amendment in the nature of a
14 substitution because it seems that the word
15 "opportunities" originally was misspelt, so,
16 for the record, we now have to correct it
17 with the correct spelling of the word
18 "opportunities." I don't want to do
19 anything that would not be right. So, the
20 amendment in the nature of a substitution
21 corrects the misspelling of the word
22 opportunities.

23 A motion for the amendment to
24 substitute.

25 LEGISLATOR WALKER: So moved.

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2 LEGISLATOR BELESI: Second.

3 CHAIRWOMAN GONSALVES: Moved by
4 Legislator Walker, seconded by Legislator
5 Belesi. All those in favor of the amendment
6 correcting the spelling of the word
7 "opportunities" signify by saying aye.

8 (Aye.)

9 Any opposed?

10 (No verbal response.)

11 The amendment passes. Now, the
12 item as amended, you want to tell us a
13 little bit about the Transportation's
14 Equitable Business Opportunity System, who
15 is going to tell us about it?

16 MR. MAY: Mr. Ken Arnold will
17 tell you and he will spell for you
18 opportunities.

19 MR. ARNOLD: Good afternoon. Ken
20 Arnold, Public Works. The New York State
21 Department of Transportation is moving away
22 from paper based systems for reporting on
23 minority based businesses to a web-based
24 system. As such, the department requires a
25 responsible RLO officer to be able to log

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2 into the system. We ask that Dr. Phil
3 Elliot be that person. He obliged. This
4 will allow the department to log on along
5 with our contractors and to enter the
6 required information showing that
7 subcontractors are being put on projects and
8 are being paid.

9 CHAIRWOMAN GONSALVES: Any
10 questions regarding this system? And, Mr.
11 Arnold, Mr. May said you were going to spell
12 it correctly. I won't hold you to it
13 because I'm not spelling it either. Any
14 questions regarding this?

15 LEGISLATOR TROIANO: I'm sorry.
16 Can you go back over that? You're going to
17 have subcontractors enter directly into the
18 system?

19 MR. ARNOLD: Part of the new
20 system is that the subcontractors and the
21 contractors enter directly into the state
22 financial system what work they're doing and
23 what their owed.

24 LEGISLATOR TROIANO: Are you
25 talking -- when you say contractors, do you

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2 mean minority vendors?

3 MR. ARNOLD: Both minority and
4 nonminority vendors are both entered into
5 the system. Public works is required to
6 confirm they're entered properly and the
7 state will look that these contractors are
8 paid using the system also.

9 LEGISLATOR TROIANO: I guess I'm
10 not still clear. Maybe you don't know the
11 answer to this. Why is this coming to the
12 Minority Affairs Committee if it doesn't
13 relate strictly to minorities?

14 MR. ARNOLD: It's biggest point
15 is on the MBE, DBE, and WEE area, but
16 believe all subcontractors will log in, but
17 its purpose is to register and track
18 minority vendors.

19 LEGISLATOR TROIANO: What are we
20 going to track?

21 MR. ARNOLD: This will be,
22 instead of sending paper into the state on a
23 monthly basis which we do now, this will
24 allow the state in real time to keep track
25 of what percentage of minorities and

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2 disadvantaged businesses are working on
3 state funded projects through the county.
4 This is a requirement for all municipalities
5 to do.

6 LEGISLATOR TROIANO: So this is
7 work, county contracts, where the funding
8 comes from the state.

9 MR. ARNOLD: Correct.

10 LEGISLATOR TROIANO: And, in this
11 case, we're expecting minority vendors to
12 enter into the system what their contract is
13 for, whether they have gotten paid; is that
14 right?

15 MR. ARNOLD: Yes.

16 LEGISLATOR TROIANO: Is that
17 going to be a condition of them getting
18 paid?

19 MR. ARNOLD: I'm not sure of
20 that answer. Because, typically, we have to
21 pay the contractor and then he pays the
22 subcontractors. I can't think it's a
23 condition of him being paid, but I have to
24 double check that information.

25 LEGISLATOR TROIANO: Do you know

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2 what the state does with that information?

3 MR. ARNOLD: Well, we are held to
4 requirements for our different contracts,
5 certain percentages, so they will use this
6 information to make sure we meet those
7 percentages as required. I'm they use that
8 for other purposes throughout the state for
9 tracking businesses, work being given out to
10 MBEs and DBEs.

11 LEGISLATOR TROIANO: Do you know
12 what happens if we don't meet what the
13 standards are, what the state required?

14 MR. ARNOLD: On occasion, if we
15 have trouble meeting it, we have to verify
16 why we don't meet those standards. The
17 example is, on some of the traffic projects,
18 there may not be businesses that are in that
19 area of expertise so we have to explain why
20 we didn't utilize the number that was
21 required. Most cases, the department does
22 meet the MBE/WBE requirements.

23 LEGISLATOR TROIANO: The
24 contracts, they need to file them on this
25 web based system?

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2 MR. ARNOLD: Yes. All the
3 contracts will have to go through some type
4 of web based training through the state.

5 LEGISLATOR TROIANO: These are,
6 in the case of the minority contractors,
7 these are contractors that presently are
8 certified by the county?

9 MR. ARNOLD: I don't know if they
10 have to be county certified to be part of
11 the state system. I know they have to be
12 state certified though. We have to double
13 check with the Office of Minority Affairs.

14 LEGISLATOR TROIANO: Thank you.

15 CHAIRWOMAN GONSALVES: Any other
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 Item 329-13 signify by saying aye.

22 (Aye.)

23 Any opposed?

24 (No verbal response.)

25 The item passes unanimously.

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2 Goes to Rules for the next stop.

3 A motion to adjourn.

4 LEGISLATOR BELESI: So moved.

5 LEGISLATOR WALKER: Second.

6 CHAIRWOMAN GONSALVES: Moved by
7 Legislator Belesi, seconded by Legislator
8 Walker. All those in favor of adjourning
9 the Minority Affairs Committee signify by
10 saying aye.

11 (Aye.)

12 Any opposed?

13 (No verbal response.)

14 The committee is adjourned.

15 (Whereupon, the Minority Affairs
16 Committee adjourned at 3:38 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 _____ day of _____, 2013.

FRANK GRAY