

NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,
PRESIDING OFFICER

RULES COMMITTEE

NORMA GONSALVES,
CHAIRWOMAN

1550 Franklin Avenue
Mineola, New York

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

NORMA GONSALVES
Chairwoman

RICHARD NICOLELLO
Vice Chairman

DENNIS DUNNE

HOWARD KOPEL

KEVAN ABRAHAMS
Ranking

JUDY JACOBS

CARRIE SOLAGES

WILLIAM J. MULLER, III, Clerk

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

CLERK MULLER: Sure. Legislator Solages?

LEGISLATOR SOLAGES: Here.

CLERK MULLER: Legislator Jacobs?

LEGISLATOR JACOBS: Here.

CLERK MULLER: Ranking Member Abrahams?

LEGISLATOR ABRAHAMS: Here.

CLERK MULLER: Legislator Kopel?

LEGISLATOR KOPEL: Here.

CLERK MULLER: Legislator Dunne?

LEGISLATOR DUNNE: Here.

CLERK MULLER: Vice Chairman Nicoletto?

LEGISLATOR NICOLELLO: Here.

CLERK MULLER: Chairwoman Gonsalves?

CHAIRWOMAN GONSALVES: Present.

CLERK MULLER: We have a quorum.

CHAIRWOMAN GONSALVES: Thank you, Mr. Muller.

We're going to begin with Item Number A-3-14, a resolution authorizing the director of

Nassau County Office of Purchasing to award and execute a contract between the County of Nassau acting on behalf of the Nassau County Department of Public Works and Analytical Chemists Lab.

LEGISLATOR DUNNE: So moved.

LEGISLATOR KOPEL: Second.

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

Who do we have?

MR. MAY: We have Mr. Brian Schneider from the Department of Public Works.

MR. SCHNEIDER: Good afternoon. Brian Schneider from Public Works.

CHAIRWOMAN GONSALVES: Welcome, Brian.

MR. SCHNEIDER: Thank you.

This item is to award a blanket purchase order for environmental sample analysis for liquid and solid waste as requested by DPW and mandated by the New York State DEC and the U.S. Environmental Protection Agency.

There was a sealed bid that was posted on the County's E-Procurement bid board. Sixty vendors were notified. Three bids were received.

The vendor, Analytical Chemist Laboratory LLC was deemed to be the lowest responsible bidder meeting all of the bid specifications.

The annual estimated cost for this blanket purchase order based on existing contract, which is now expired, is \$250,000. And we are therefore recommending approval of this contract.

CHAIRWOMAN GONSALVES: Any questions of Mr. Schneider? Legislator Dunne.

LEGISLATOR DUNNE: In the backup it indicates that one of the bids from EQS was lower in a lot of the categories, in most of the categories. Is there a reason why they weren't chosen?

MR. SCHNEIDER: Well, there was a laundry list of water quality analyses that was requested in the bid. Our bid analysis is based on the total dollar value of all of the analyses as a way of comparing apples to apples. You can't just pick and choose specific methodologies and say, yes, they were lower on that one. The total bid was lower by Analytical Chemists.

LEGISLATOR DUNNE: Thank you. I see that now. Thank you.

CHAIRWOMAN GONSALVES: Legislator Jacobs.

LEGISLATOR JACOBS: Hi, Brian.

SCHNEIDER: Hi.

LEGISLATOR JACOBS: Just a couple of questions.

The nature of the -- what happened to require this to take place?

MR. SCHNEIDER: Well, we have SPDES permits from New York State specifically for the sewage treatment facilities. We have to take samples, analyze those, and report those as part of our permit for discharge for both -- actually all three of our sewage treatment facilities.

The County Health Department does have the capability of providing some of the required testing but not all of it. It's been the practice of DPW to go out to a local state certified laboratory to have all of the specific compounds analyzed in conformance with our permit.

LEGISLATOR JACOBS: Was there any particular incident or incidence that mandated this? Was there a letter received mandating it?

MR. SCHNEIDER: Mandating that we?

LEGISLATOR JACOBS: The fact that this has to continue for the liquid and solid, for the testing.

MR. SCHNEIDER: Well, no. It's a requirement by any entity that has a SPDES permit, whether it's us or anybody else. If you have a SPDES permit there are a whole host of requirements that are necessary in order to conform to those permit requirements.

LEGISLATOR JACOBS: I guess the biggest question is has there been anything amiss, up till now, to require this sort of mandate?

MR. SCHNEIDER: No. I think as I mentioned in my testimony, this is replacing an existing contract that has expired, so we are going out with another bid. This is not something new.

LEGISLATOR JACOBS: Thank you very much.

CHAIRWOMAN GONSALVES: Deputy Presiding

Officer Nicoletto.

LEGISLATOR NICOLELLO: Mr. Schneider, this is being done by contract. Was this done in-house at one point, this type of testing?

MR. SCHNEIDER: Yeah. As most of you know, we had a state certified laboratory down at Cedar Creek, it's a state-of-the-art facility. There were a number, a large number of chemists that have retired. Some of that testing was transferred over to, again, the County Health Department, which still does a lot of the testing but not on the organic side. The organic chemical analysis is a very complicated testing that needs to get done by the protocols established by the Environmental Protection Agency and there just is nobody on staff that is trained or qualified to perform those tests.

LEGISLATOR NICOLELLO: So when was the lab within DPW closed?

MR. SCHNEIDER: It was at least five years ago.

LEGISLATOR NICOLELLO: Okay. And these types of tests -- this type of testing is common,

routine, and required.

MR. SCHNEIDER: It's required. Requirements, nonetheless. The requirement is that you have to analyze your influent and effluent.

LEGISLATOR NICOLELLO: Okay. Thank you.

CHAIRWOMAN GONSALVES: Legislator Kopel.

LEGISLATOR KOPEL: Thank you. Just following up on Deputy Presiding Officer Nicolello's question to you. This is a -- you say there is no one in-house to do it. There used to be someone in-house to do it. Could the county get someone in-house? I suppose there's no reason we couldn't. Isn't that correct?

MR. SCHENIDER: Hiring an organic chemist that's certified in the protocols required for this EPA testing is not someone you can just get out of school. Someone needs to be obviously trained and qualified and certified for all of these testing analyses.

LEGISLATOR KOPEL: What I mean is that if these various bidders have someone, I suppose

these people are available.

MR. SCHNEIDER: True.

LEGISLATOR KOPEL: Is it cheaper doing it this way?

MR. SCHNEIDER: Absolutely. There was a cost benefit analysis that was performed by DPW which indicated that it was definitely cheaper to farm this out.

LEGISLATOR KOPEL: That's what I was after. That's what I was after. It's more cost effective to outsource than to keep it in-house -
-

MR. SCHNEIDER: Yes, sir.

LEGISLATOR KOPEL: I guess there's not enough work to keep the people busy.

MR. SCHNEIDER: Correct.

LEGISLATOR KOPEL: Fine. That's what I needed. Thank you.

CHAIRWOMAN GONSALVES: Legislator Solages.

LEGISLATOR SOLAGES: Thank you, Madam Chair.

Has the DEC found the County to be in

violation of any state or any federal environmental laws or regulations pertaining to this contract?

MR. SCHNEIDER: Not that we're aware of. No, sir.

LEGISLATOR SOLAGES: When you -- not the EPA but the DEC, is that the mandate we're talking about here?

MR. SCHNEIDER: Correct. But the protocols for analysis is determined by the U.S. Department of Environmental Protection Agency protocols on how specific samples are to be analyzed. So they are the ones who set up the protocols. We have our SPDES permit with the State Department of Environmental Conservation but the actual protocols are established by the federal regulators.

LEGISLATOR SOLAGES: I understand. But in terms of the county's history in following this protocol, have we had a positive history in following this protocol? Where do we rank amongst other municipalities in adhering to this protocol?

MR. SCHNEIDER: As far as our samples are concerned, whenever we provide samples to the DEC they don't contest those analyses if they are provided by a state certified laboratory.

LEGISLATOR SOLAGES: Thank you.

CHAIRWOMAN GONSALVES: Mr. Schneider I have a question.

MR. SCHNEIDER: Sure.

CHAIRWOMAN GONSALVES: Outsourcing provides cost effectiveness. However, in terms of timeliness, is it time effective as well? In other words, can they do it a lot more expedient than we?

MR. SCHNEIDER: Again, in the protocols that are established by the EPA there are certain designated time periods that the samples needs to be analyzed within a certain timeframe. So there are some samples that need to be analyzed within seven days, some within 24 hours, if it's colyform. So there are protocols that are established in the requirements established by the EPA and these laboratories, as part of our specification for meeting our needs, all are able

to provide the turnaround time that's necessary.

CHAIRWOMAN GONSALVES: Any other questions of Mr. Schneider?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none. All those in favor of this contract signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

The next contract is E-2-14, a resolution affirming to a special counsel agreement entered into by the Nassau County Attorney, the Nassau County Police Department and Leventhal, Cursio, Mullaney & Sliney, LLP.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRWOMAN GONSALVES: Motion by Legislator Dunne, seconded by Deputy Presiding Officer Nicolello.

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

CHAIRWOMAN GONSALVES: Okay.

MS. LOCURTO: Good afternoon, Legislators. This is a special contract --

CHAIRWOMAN GONSALVES: Ms. Locurto?

MS. LOCURTO: Yes.

CHAIRWOMAN GONSALVES: You can brief us. Upon your advice, we may need to go into executive session since it is in litigation.

MS. LOCURTO: It isn't currently in litigation. And yes, I would try to limit my remarks to general discussions of the litigation so as not to prejudice our defense.

CHAIRWOMAN GONSALVES: And you will tell us when that time is?

MS. LOCURTO: Yes.

CHAIRWOMAN GONSALVES: Thank you.

MS. LOCURTO: This is a special counsel contract. They were retained by the county attorney's office in *The Matter of Christopher Hoey v. The County of Nassau*. Generally speaking, a federal lawsuit was filed by Police

Officer Hoey due to the fact that he felt he should have been returned to work and he was not. He was denied that by the department.

Special counsel was retained at the request of the police department because of the unique nature of this type of litigation. I could go into further detail in executive session if you need. We have estimated that at these preliminary stages about \$25,000 would be spent. However, over the life of this litigation we anticipate at least 200,000.

You will note that we're only encumbering 25,000, but the total amount of the contract is for 200,000.

CHAIRWOMAN GONSALVES: Any questions of Ms. Locurto?

LEGISLATOR JACOBS: I have some.

CHAIRWOMAN GONSALVES: Legislator Jacobs.

LEGISLATOR JACOBS: Hi, Lisa. Let me ask you a question here. This was the type of case where we could not do this in-house -- I shouldn't say it that way. I'm asking you. Is

this the type of case we had to go to outside counsel for?

MS. LOCURTO: I believe because of the fact patterns and the circumstances surrounding the litigation, which I'd be happy to go into executive session to give you further detail about, but yes, we felt it was, for this particular litigation, it was better to go to outside counsel.

LEGISLATOR JACOBS: And what costs have we incurred so far?

MS. LOCURTO: I don't believe we've incurred anything beyond the first \$25,000.

LEGISLATOR JACOBS: We haven't reached into the next --

MS. LOCURTO: Correct. Nothing has been expended beyond 25,000.

LEGISLATOR JACOBS: And have you received any bills for future costs coming up?

MS. LOCURTO: No. We have not.

LEGISLATOR JACOBS: All right. You know that I have, personally, my own feeling about using outside counsel too much. I get very

concerned when we have outside counsel. Perhaps if we had the expertise in-house we wouldn't need it.

MS. LOCURTO: Understood.

LEGISLATOR JACOBS: Does NIFA know about this litigation that's going on?

MS. LOCURTO: Yes. We have renewed discussions with NIFA on an ongoing basis regarding our contracts, particularly the contracts with the county attorney's office. We will be meeting later this week with Jeremy Wise to update him.

LEGISLATOR JACOBS: And this particular item was one of those shown to NIFA as being in the pipeline?

MS. LOCURTO: It will be. Yes. In anticipation of our meeting going this Wednesday.

LEGISLATOR JACOBS: So isn't it unusual we're voting on it before that happens? Just my personal --

MS. LOCURTO: The legislative process does have to play out first. You have to approve the contract first before we can even go to NIFA.

If you don't approve the contract then there's no need to go to NIFA.

LEGISLATOR JACOBS: But you've already entered a contract that we've used 25,000 -- that \$25,000 has been spent on.

MS. LOCURTO: The county attorney is, for various discussions here in the legislature, is entitled to the first 25,000 to retain counsel as he needs. I represent to you that we have not exceeded that.

LEGISLATOR JACOBS: Okay. But stopping it now -- let's say for argument's sake that NIFA stops it now at 25,000; where does that leave us? My concern is that before we enter into outside counsel perhaps that's the time to go to NIFA and say here's the list of what we believe requires outside counsel and get a quasi approval, even. But the fact is that even up to 25,000 almost commits us to continuing. My opinion.

MS. LOCURTO: I understand that. But I would not want to circumvent the legislature's authority.

LEGISLATOR JACOBS: But I think it has.

MR. MAY: Legislator Jacobs, just to address the issue of NIFA.

We could certainly take your concerns to them and discuss perhaps adjusting the process regarding how they approval contracts. As Lisa did state, typically, unless the contract has been approved by this body, they will not offer an opinion on that contract. It's not exactly a catch 22 here. We understand what you're saying. Obviously the concern is if you didn't approve it or we didn't approve it, where are we with this litigation, in terms of being able to finance the -- to be able to finance the litigation.

LEGISLATOR JACOBS: Right.

MR. MAY: But that's not really something we can do right now. In other words, they would not, as of right now, look at the contract unless it was approved by the legislature.

LEGISLATOR JACOBS: Greg, you understand, I'm not trying to be difficult on this. I'm just saying that the 25,000 ceiling does, in many ways -- I'm not saying that's

anybody's thought process in this, circumvent the legislature. Once that happens, this law firm is very much ingrained in this case. That's the point I'm making. Once we do that and one it doesn't come before us for that, then we're faced with a situation where we're already in for money before it -- you know what I'm trying to say.

MR. MAY: I understand the concern. While I won't address that particular point, as far as bringing NIFA in on the conversations prior to bringing the contract to you guys - because I think it does make a lot of sense, what you're saying. We're sort of constrained by the NIFA process right now. So we can certainly bring your concerns to them and see if there is a possibility of amending how we bring the contracts.

LEGISLATOR JACOBS: Maybe it could be quicker -- if you send them something, perhaps they could be faster in getting back to you and saying, okay, we have it.

MR. MAY: That would certainly be ideal.

LEGISLATOR JACOBS: Yes. Can I ask you

just one more question?

MR. MAY: Absolutely.

LEGISLATOR JACOBS: This contract with Leventhal, Cursio, Mullaney & Sliney, has it already been -- is there a contract that's been executed with them leading up to the 25,000?

MS. LOCURTO: In answer to your question, Legislator, the contract you have before you is for 200,000. Rather than keep coming back for 25,000 -- as you've amply pointed out, doing a contract for 25,000, knowing that the litigation is going to exceed 25,000, come back to you with an amendment for another 175,000 would make it even more entrenched into the litigation. So we have -- instead of coming back and forth with the legislature, we've put forth an estimate of what we believe the litigation will cost for the period of the life of the litigation, understanding that it might, if it goes to trial, we're hoping that it will be dismissed possibly on motion to practice. However, we put our estimate of what we believe this litigation will cost, which is 200,000. The

first 25,000 was encumbered for the initial startup work that would have to be done preliminary in the representation and so forth.

LEGISLATOR JACOBS: Encumbered without a contract to the law firm?

MS. LOCURTO: All contracts are encumbered but they are not able to be paid against or so forth until all the necessary approvals are in place.

LEGISLATOR JACOBS: So there is a contract with them but it hasn't been --

MS. LOCURTO: The contract in place is still subject to your approval and to NIFA's approval.

LEGISLATOR JACOBS: Let me ask you. We don't have an approved contract. No, but then how do you --

MS. LOCURTO: Just to clarify. No money has been spent yet, Legislator. No money will be spent until the legislature approves this contract and NIFA approves it. So no money can ever leave until the necessary governmental approvals are obtained.

LEGISLATOR JACOBS: But I thought at the beginning we said that the 25,000, we're up to that, that we spent that, and we're going beyond that now.

MS. LOCURTO: We anticipate billing up to. We anticipate that they will incur bills over time.

LEGISLATOR JACOBS: Has anything been billed yet?

MS. LOCURTO: Nothing has been billed yet.

LEGISLATOR JACOBS: But have they done work already?

MS. LOCURTO: Yes. They have done work.

LEGISLATOR JACOBS: Why would they ever -- I'm just asking you now as a layperson. I'm not a lawyer. Why, in the world, would they begin work without a contract and full knowledge that they'll get paid?

Going back to my days as presiding officer, I know this is one of NIFA's biggest flaws, when they always would say you can't start something without something in writing. I find

it hard to believe that a firm this large would start towards \$25,000 and not have a contract.

MS. LOCURTO: This firm has had work with the county in the past, Legislator. I think they would assume that since their contracts have been approved and that we have actually paid on past contracts for services they've provided, I can't speak for them but I would assume -- I can't imagine why this legislature would not approve the contract.

LEGISLATOR JACOBS: I think assuming is bad no matter what. I'm just saying this is my opinion.

MS. LOCURTO: But the nature of litigation, Legislator, in fairness to the county attorney's office, it is better to defend the county and make sure we have the best possible defense we can working on the case. They were specifically requested by the police department to have this particular counsel work on this case because of the difficulties, the sensitivities, and the complexities of the litigation. They are extremely satisfied. And, whenever possible, the

county attorney's office does wish to honor the department's wishes or a legislator's wishes on a counsel that they wish to retain.

LEGISLATOR JACOBS: I can understand all of this. Maybe I'm a little bit raw because of certain things that happened with a situation in Hicksville recently, where an agreement was reached and there's nothing that came before this legislature. In my estimation, it might be worth traveling down the road of coming before the legislature first so that we know the contracts have been entered into. I'm not saying it's always going to be a yes or no vote and it could all be yes. But I'm just saying that this really bothers me a little bit because it's an assumption -- if you're saying what you're saying is correct, it's an assumption on the law firm's part that because they've been paid before they're going to be paid again, and it's an assumption even on the administration's part to think that that's the way this will go.

MS. LOCURTO: Legislator, we welcome your suggestions and we will work with NIFA and

the legislature to do what's best for the county.

LEGISLATOR JACOBS: I would appreciate it. One thing that rings true right now is Bob Bishop, who has actually done work for the county for a long time as a lobbyist, NIFA has slammed the door on that, the way it was handled. So I'm just saying I think it's in everyone's benefit making sure the t's are crossed and the i's are dotted is better than assuming.

CHAIRWOMAN GONSALVES: Legislator Kopel and then Nicoletto.

LEGISLATOR KOPEL: So you anticipate that this will probably go to 200 or so or it might? You anticipate that that's a realistic number, that it really actually might go there, right?

MS. LOCURTO: Yes. It's possible.

LEGISLATOR KOPEL: Just out of curiosity, who is plaintiff's attorney on this case?

MS. LOCURTO: Hold on one second. I just have to pull that up.

LEGISLATOR KOPEL: It's not Brewington,

right?

MS. LOCURTO: No. No. There are certain law firms that chronically sue us, but no. With no disparaging remarks to Mr. Brewington.

LEGISLATOR KOPEL: I just asked if it was him.

MS. LOCURTO: To some of Legislator Jacob's points. It seems like going actually to a process where it went to NIFA first would be fairly dangerous for the county because what we'd be doing is we'd be turning over more power, I think, than we ought to do. The county executive is charged with making this kind of decision. The county executive ought to have the prerogative of going to the attorney that, in this case, he feels is the right one for a case.

Typically, also, again I'm not a litigator, you guys have more experience. In my experience, my limited experience, when you're sued you don't have the luxury of spending several weeks getting approvals. You've got to submit an answer, a motion to dismiss or

something. You've got to respond. So you've got to start. There is no other way.

Again, in my experience in both law firms and in business, one has to sometimes take risks that you won't get paid. It may be a fairly good risk because a law firm will simply say that we know that we're qualified, the county executive has spoken with us, we've had a good experience with us, they intend to recommend us, and we're just going to take a chance. And you've got a contingent contract; isn't that right?

MS. LOCURTO: Correct.

LEGISLATOR KOPEL: So I think that the process, actually Legislator Jacobs, is the correct one. I think NIFA ought to be at the tail end because this is the right way.

We're elected and charged with doing our job, which is consenting to what the county executive does, which is selecting, and that's the county executive's job. If we did it differently we'd be simply abrogating our responsibility. That's just my opinion.

LEGISLATOR JACOBS: Can I just comment

on what Legislator Kopel just said?

CHAIRWOMAN GONSALVES: Yes, you may.

LEGISLATOR JACOBS: Remember something. I guess a lot of us that are sitting here -- not a lot, some of us who are here have been here a lot of years. NIFA was never in a control period before. So I'm not saying to turn over all of our responsibilities to NIFA when they were an oversight board. But we're in a control period now. If they are giving us rules and regulations to follow as far as contracts go, I think it behooves us to do that and not feel that we are -- and I'm not disagreeing with you -- that the county executive has certain powers that he should exercise. But when you're in a control period, it certain is not a big deal to let them known that we feel it's important. My dealings with NIFA have always been they are fairly reasonable. If you prove to them that this can't be do in-house and they're not going to hold up the work here. They don't want to do policy.

Now that we're in a control period, I think it's dangerous. I know that this was

obviously being done inside the county attorney's office until it finally was given over to an outside firm. So there was plenty of time to let NIFA know that this was about to come down. That's all I'm saying. NIFA is a different body than it was for eight or nine years. Eight or nine years it was just an oversight board; important for us because it's helped us to get on track and gave us borrowing power and AAA ratings. And I can go on and on for the different reasons that they saved us. The bottom line is that now they're a control board. Along with that unfortunately comes maybe a step or two in between. That's all I'm saying.

MS. LOCURTO: Legislator, in fairness, when this summons and complaint was served on the county attorney's office it was late in 2013. Our ability to get a contract on to the legislative calendar in late November early December would have not been feasible. So this contract came to the legislature as soon as humanly possible within the calendar.

As you have indicated, we do have ongoing

discussions with NIFA and, in fact, we've opened a door to have even further negotiations. As you've indicated, we're in a control period, which is something new for NIFA, something new for the county. They developed guidelines, contract guidelines and a process, but it's still a fluid process. Are there shortcomings and better efficiencies for the communications between the departments? Yes, we are endeavoring to do that. And as I represented, we're going to be meeting, the county attorney is going to be meeting with NIFA this Wednesday and we will be discussing these contracts.

I assure you that we endeavor, always, to try and get the contracts to the legislature as soon as humanly possible so that the law firms are not working and racking up legal bills before the contracts have been approved.

LEGISLATOR JACOBS: I guess good minds can disagree with the process.

LEGISLATOR KOPEL: May I just?

CHAIRWOMAN GONSALVES: Go ahead. It's your turn.

LEGISLATOR KOPEL: I'm not going to prolong this, but just as a final note over here. We are, in fact, complying with the process that NIFA requires. Isn't that true?

MS. LOCURTO: Yes.

LEGISLATOR KOPEL: So going to what you suggest, Legislator, is going beyond that process and, indeed, as I said, it would be turning it on its head. It would be literally giving up powers and responsibilities that we already have, it would create, in my view, some very considerable difficulties going forward. Because once we've established the president of giving them, NIFA, the right to do certain things, we have then given up a portion of our self government. Certainly, if that's not required, then we ought not to do it. We ought to do things the way we're charged with doing it, exercise our responsibility, and if we don't do a good job then the voters have the right to turn us out. But we ought not to go ahead and give it up.

LEGISLATOR JACOBS: If we get to that point, though --

CHAIRWOMAN GONSALVES: Deputy Presiding Officer Nicoletto.

LEGISLATOR NICOLELLO: Okay.

CHAIRWOMAN GONSALVES: I just want to reiterate the fact that NIFA is in agreement that we do it this way. Correct?

MR. MAY: Correct. The procedures, as established by NIFA, is that they receive the contracts for their approval after they have received all internal county approvals, with the exception of the county executive executing the actual contract.

CHAIRWOMAN GONSALVES: Okay. Thank you.

LEGISLATOR NICOLELLO: I just want to touch on a point that Legislature Kopel had touched upon. There was some sort of question here as to why the law firm started doing work.

This is a federal court action of sufficient complexity that it was determined that we needed outside counsel. Is that right?

MS. LOCURTO: That's correct, Legislator. And in federal court the deadlines are much more attenuated and require more

immediate attention.

LEGISLATOR NICOLELLO: That's my next point. You have a certain time you have to file an answer.

MS. LOCURTO: Correct.

LEGISLATOR NICOLELLO: In state court you can get extensions but in federal court you're dealing with a federal judge, you could be in default, and lose the case at the outset.

MS. LOCURTO: Correct. And precluded from putting on any defense.

LEGISLATOR NICOLELLO: Right. And then there's also disclosure that have to be made initially. There are Rule 6 disclosure and other rules that, according to the Federal Rules of Civil Procedure, that require work be done as soon as possible.

MS. LOCURTO: That's correct, Legislator.

LEGISLATOR NICOLELLO: So we don't have the ability to sit and wait until this body acts and then NIFA reviews this because the federal courts require certain things be done quicker.

MS. LOCURTO: Correct.

LEGISLATOR NICOLELLO: Okay. Thank you.

CHAIRWOMAN GONSALVES: Legislator

Solages.

LEGISLATOR SOLAGES: Thank you very much, Madam Chair.

Counselor, isn't it true that the county handled this case for at least a year before we referred it to outside counsel?

MS. LOCURTO: I would have to look back at our record. I'm not sure if that's a correct statement, Legislator.

LEGISLATOR SOLAGES: Because according to my information, the summons and complaint was served back in September of 2012.

MS. LOCURTO: I would have to go back and confirm that. I'm not disputing it. I would have to go back and confirm.

LEGISLATOR SOLAGES: That's what the court records show. Do you have a copy of the court records before you?

MS. LOCURTO: No. I don't.

LEGISLATOR SOLAGES: Okay. Wouldn't it

be fair to say that NIFA would like us to approve the contract before any work is done?

MS. LOCURTO: Ideally, yes. NIFA would. However, our discussions with NIFA, particularly with legal counsel contracts, they understand that as the legal process requires that certain responses are made by the county or the defendants in any lawsuit must be met, otherwise you are held in default and unable to pursue defending the case to the best of your ability. In fact, the county has worked with NIFA in the past on other legal counsel contracts advising them that the contracts are before the legislature, winding their way through the process and approval.

As Mr. May has said, while they may be aware of the contracts, they have told us they can't give us their approval until the legislature has either approved them, denied them, or done whatever process governmentally needs to be done first.

LEGISLATOR SOLAGES: In terms of our responsibility, we did answer the complaint on, I

see, November 13, 2012.

MS. LOCURTO: The County would do whatever we would have to do, obviously, to not be in default and to raise a proper defense.

LEGISLATOR SOLAGES: Going back to Legislator Nicoletto's comment then. There was no real concern that we would be in default in answering this. We were in a position, at least, with our county attorneys -- I mean, now it is, you know, it has come to my knowledge that the attorney working on this case is no longer with the county. But we were in the position to answer it and we did answer it.

MS. LOCURTO: I think, Legislator, the decision was made -- Legislator, the decision was made because of the complexities of the litigation and discussions with the police department, it was better to go to outside counsel. I'd be happy to go into executive session to discuss in further detail the reasons for that decision.

I'm here to represent to you that we believe that outside counsel is necessary to make

the best possible defense to the county.

LEGISLATOR SOLAGES: But it's fair to say that all of this discussion about default is just irrelevant because we did answer it within the needed time.

MS. LOCURTO: I don't think it's an irrelevant discussion to discuss why you would want special counsel to be involved in the process of defending the lawsuit.

LEGISLATOR SOLAGES: What happens if NIFA doesn't approve of this contract?

MS. LOCURTO: If NIFA doesn't approve this contract then we would have to come to some resolution or understanding. NIFA has rejected contracts and given comment on them, the reasons for their rejections. If we were able to satisfy those reasons, they have asked us to resubmit the contracts. Obviously, the first and foremost step is whether or not this legislative body -- because NIFA, while it is an oversight board, it is not its function to usurp the running of government; that has been delegated to you, legislator, and the legislative body to make a

decision as to how the government should operate.

LEGISLATOR SOLAGES: Thank you. Thank you.

CHAIRWOMAN GONSALVES: Any other comments?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none. All those in favor of Contract E-2-14 signify by saying aye.

(Aye.)

Any opposed?

(Nay.)

The contract passes four to three.

The next one is E-3-14, a resolution authorizing the county executive to execute an amendment to a personal services agreement between the County of Nassau acting on behalf of the Department of Public Works and Gannett Fleming Engineers, P.C.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR NICOLELLO: Second.

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

MR. MAY: We have Mr. Brian Schneider
from the Department of Public Works.

MR. SCHNEIDER: Good afternoon. This
contract is an increase in design services fees
for a grit removal facility at the Bay Park
Sewage Treatment Plant. This amendment will
provide an increase in fee due to the adjustment
in construction estimate, which went from
originally \$15 million to \$18,859,000, and the
design change made in the original scope.

We are requesting an increase of
\$604,194, which will be the next maximum ceiling
for this contract, which will total out a
\$1,910,694.

Are there any questions?

CHAIRWOMAN GONSALVES: Any questions?
Legislator Kopel.

LEGISLATOR KOPEL: Thank you. The
original -- the increase in estimate of the cost
of this contract, is that due to a change in

scope or is just simply they couldn't get it done with their initial estimate?

MR. SCHNEIDER: The original estimate of \$15 million for construction was based on very early preliminary design concepts for the grit facility. As Gannett Flemming got further into the design and the final design, I think they -- not I think, I know that they came up with much better clarity on the specific technologies that were going to be used in order to reduce the odors associated with the grit removal process, and this caused the increase in the total budget, total construction budget.

LEGISLATOR KOPEL: I understand that it's probably an important contract, obviously. They went through a process where they were the low bidder, I assume?

MR. SCHNEIDER: They were the highest technically ranked and proposed the most reasonable cost.

LEGISLATOR KOPEL: So my question is that when their proposal, when they proposed the most reasonable cost, was that a real proposal or

was that just a low ball?

MR. SCHNEIDER: No, it's not a low ball. That's a number -- a number for reasonable cost was based -- their fee for design is actually based on the percent of the cost of construction.

LEGISLATOR KOPEL: Okay. I understand.

MR. SCHNEIDER: As most design contracts are based.

LEGISLATOR KOPEL: Okay. Thank you.

CHAIRWOMAN GONSALVES: Legislator Abrahams.

LEGISLATOR ABRAHAMS: First more of a statement and then I have some questions for Mr. Schneider.

It was this legislature's determination, I guess, when we agreed to bonding the amount for Bay Park that we were going to hold quarterly hearings, for the very purpose that we are seeing this contract before us today, that we can get statuses and updates. My first initial statement is tied to when are we seeing the scheduling of hearings, quarterly hearings, so that we can ask the proper questions now that this process,

obviously, seems to be going full force with the support of FEMA, obviously the federal government, and the state?

That being said, to me it's unacceptable that we learned of the announcement from FEMA through the press and not through our own ability to ask questions in regards to Bay Park. Again, it just highlights and illustrates why we should be holding hearings going back to previous years as well as previous capital plans.

That being said, now to get to the line of questioning.

Where do we stand, in particular to this contract, Mr. Schneider. Where do we stand actually with the federal funding and the exact status of the FEMA grant funding?

MR. SCHNEIDER: Well Legislator, keep in mind that this is not a Sandy contract. The work for the grit facility was undertaken before the hurricane impacted the plant. So this work was going to be done regardless of whether or not Sandy impacted the plant.

LEGISLATOR ABRAHAMS: How is this

contract being paid for?

MR. SCHNEIDER: It's being paid for our of CSW funds, capital project 3B120.

LEGISLATOR ABRAHAMS: Is that associated in any way with the bonding that we did sometime last year?

MR. SCHNEIDER: Last year?

LEGISLATOR ABRAHAMS: Yes.

MR. SCHNEIDER: Not the Sandy bonding.

LEGISLATOR ABRAHAMS: Not the Sandy bonding?

MR. SCHNEIDER: It was the capital bonding.

LEGISLATOR ABRAHAMS: The capital? When was that? I'm sorry.

MR. SCHNEIDER: I would have to check on when that was --

LEGISLATOR ABRAHAMS: This wasn't the bonding that we recently did in November?

MR. SCHNEIDER: I'll have to get back to you on that, Legislator.

LEGISLATOR ABRAHAMS: I would like to see that.

MR. SCHNEIDER: I know that this money was bonded for --

LEGISLATOR ABRAHAMS: Was this part of the June bonding then?

MR. SCHNEIDER: It's very possible. This project is actually going to bid by the end of February.

LEGISLATOR ABRAHAMS: The June bonding, when this legislature agreed to the 260, in our minds that was Bay Park, which, in essence -- this is why we need hearings. Obviously, trying to get information on the fly is ridiculous.

The 260 that this legislature approved we thought was for Bay Park and we believed it was part of the county executive's total overall plan towards addressing the problems at Bay Park, which we were always told were going to be reimbursed by FEMA. That's what we were told when we did the 260.

MR. SCHNEIDER: Legislator, I'd have to get back to you with that information on when this specific project was bonded.

LEGISLATOR ABRAHAMS: I think what --

Legislator Denenberg is just whispering to me. Obviously, of the 262 I know there was a hybrid old project as well as new projects.

MR. SCHNEIDER: Correct.

LEGISLATOR ABRAHAMS: So that's probably where we're having a bit of the disconnect. But it was always our impression that that 262, I still thought, based off the impression I got from the administration, we were going to be reimbursed for that.

MR. SCHNEIDER: I can have that information to you before the end of the session.

LEGISLATOR ABRAHAMS: I'm sorry?

MR. SCHNEIDER: I can have that information on the bonding before the end of the session if you don't already have it.

LEGISLATOR ABRAHAMS: From our records it indicates that this project is a part of 3B120 --

MR. SCHNEIDER: Correct.

LEGISLATOR ABRAHAMS: the Bay Park preliminary treatment modifications, which based on the backup documents that I'm looking at which

is dated July 5, 2013, a part of the overall number of 716, which we were told that this was a part of the 260 that we did or 262, to be exact.

MR. SCHNEIDER: 262. I can verify that by the end of the session if you'd like. I don't have that information in front of me.

LEGISLATOR ABRAHAMS: I don't know. I'll just say this.

Obviously, I understand the Majority is not going to be willing to table. And, quite frankly, from our standpoint it's very clear on why the overall arching point, and this has nothing to do with you, Mr. Schneider, it's all tied to this legislature, on why we need to hold legislative hearings. It makes it abundantly clear to be able to get information out --

CHAIRWOMAN GONSALVES: Minority Leader, excuse me, I'm going to interrupt you.

LEGISLATOR ABRAHAMS: I'm going to ask the Presiding Officer --

CHAIRWOMAN GONSALVES: Minority Leader, I am going to say to you that we did commit to quarterly meetings, and we have not scheduled any

at this point because it is not in a timely fashion. And we said we would have quartiles every three months.

LEGISLATOR ABRAHAMS: I don't know what could be more timely --

CHAIRWOMAN GONSALVES: Every three months.

LEGISLATOR ABRAHAMS: I understand that. I don't know what could be more timely than approving hundreds of millions of dollars, an announcement that basically the federal government, with the conjunction, obviously with FEMA, is announcing grant assistance, in addition with the governor's assistance. Why wouldn't we want to have hearings and talk about these things? I would think we would schedule a hearing ASAP to make sure that we have the proper protocols in place to be able to do everything so that nothing falls through the gaps.

How often does this legislature or how often does this county receive this magnitude of money? And we're going to say we're going to call hearings when it's timely prudent? I just

think the time is now.

CHAIRWOMAN GONSALVES: I would ask Mr. Schneider once again, is this FEMA related?

MR. SCHNEIDER: No, it's not.

CHAIRWOMAN GONSALVES: Okay. Thank you very much.

LEGISLATOR SOLAGES: Thank you for being here. I am very, very happy for, you know, as you know, the recent news of the \$730 million boost from the federal government with respect to the Bay Park plant. I, residing in Elmont, the western half of Nassau County, am very thankful for that. But I'm also concerned for all of Nassau County, and I'm also concerned for my friends in Cedar Creek. To my knowledge, in the capital plan, at least five years ago, money was set aside for the grit removal for that plant. That work still has yet to be done. What's going on with that?

MR. SCHNEIDER: Legislator, I can provide an update to your office. Again, I'm here to represent the contract in front of me and in front of you. So I can get you an update on

that project as well.

LEGISLATOR SOLAGES: Specifically, for the record, if you could also provide a copy to Legislator Denenberg's office I would appreciate that. And all of us. But as you know, it is in the district of Legislator Denenberg, and he has been fighting very hard for this, has been asking these questions for a long time, and he has still has yet to receive any information on this.

MR. SCHNEIDER: Legislator, we'll make that information available to you, Legislator Denenberg, and to the presiding officer as well.

LEGISLATOR SOLAGES: Thank you. And to the democratic caucus as well.

MR. SCHNEIDER: Yes. Absolutely.

LEGISLATOR SOLAGES: Furthermore, just let me ask you a simple question. Why is there a need for bonding if we're just about to get \$730 million? My last comment is just to Madam Chair. When we do have hearings, please provide information regarding the hearings. I would like to have hearings on this so that we can keep progress of each step in terms of improvements to

this plant.

CHAIRWOMAN GONSALVES: Duly noted.

LEGISLATOR SOLAGES: Thank you.

CHAIRWOMAN GONSALVES: Any other comments or questions?

LEGISLATOR ABRAHAMS: If I may. Just to recap. To go back to the greater point of legislative hearings.

It was our understanding, if I'm looking at this correctly, when this legislature took on the task of doing the 262, we were compelled by DPW to do the entire 700 because all of it would be bonded and in contract by the end of last year. If I remember this correctly -- I remember the testimony. My colleagues to the right were blaming us, telling us that we were slowing down projects, that we wouldn't -- if we don't bond this quick enough, we will not be able to act quick enough. Now, based off our records, based on what we're seeing, of just the 262, not even talking about the rest. Just of the 262, we have only seen come before us \$48 million, just of the 262. To me, I can't believe that there's a

disconnect that we would go from we need to this immediately, we need to do the entire amount, to now only seeing 48 million before us. And it would not behoove the Majority to do a legislative hearing. That's the disconnect that I'm just not grasping.

If this administration testified that we were slowing down projects and that they would get through being able to do the 700 million or 700 and change that was being talked about at that time, then why hasn't it happened? And why wouldn't we hold a hearing on that? That should be the first thing that this legislature takes on as a task.

This is not a knock towards you, Mr. Schneider. This is not a knock at all.

I just cannot believe that we're going to engage in approving contracts. And now, with the understanding that FEMA is involved and we are not scheduling hearings. I have to think at some point we're going to start to draw down this money. We don't really have the answers. We really don't know. From our position, we were

told that this contract was a part of the 262.

MR. SCHNEIDER: Again, Legislator, I'm here to represent the department for the increase in design fee for this specific project, which is going to be bid by the end of February.

LEGISLATOR ABRAHAMS: Okay. Thank you. Wait. Wait. Not to beat a dead horse. We were told all of this was going to come before us by September or, at the worst case, the end of last year. The fact that -- we have only seen -- maybe our records, maybe we need to, you know, review both of our records. Our records reflect that only 48 million has come before us out of the 262. The balance, obviously, this legislature bonded in November, so we didn't anticipate that coming through that quickly. But we were told and we were being called to task by many people in this legislature that serve with us on this body that we were slowing down projects. Obviously, we weren't slowing down much of any because of the 262 that we did bond in June, only 48 million came towards us. And now this contract which was a part of the 262 is

just now reaching us now on January 13, and it won't be going to bid till February.

I don't know if we slowed down much of anything. I think probably it was politicized more than anything else. It's discouraging.

Again, I still await the time of when we're actually going to hold legislative hearings.

CHAIRWOMAN GONSALVES: Just to correct the record. This item is an amendment to a previous item that was approved by this body. Correct?

MR. SCHNEIDER: Correct. Yes. This is an amendment to an existing design services agreement.

CHAIRWOMAN GONSALVES: And this is really, again, not FEMA related.

MR. SCHNEIDER: Correct. This work was going to be done whether or not the hurricane hit us or not.

LEGISLATOR ABRAHAMS: Quick question. What is FEMA related?

MR. SCHNEIDER: What is FEMA related?

LEGISLATOR ABRAHAMS: Sandy related.

MR. SCHNEIDER: I'll give you an example. At Bay Park, the installation of a protective wall, Dike Berm system, all of the electrical repairs that are required since the plant is basically still running on electrical power. So those are just a few examples.

LEGISLATOR ABRAHAMS: But those are all things, Mr. Schneider, that this legislature has bonded for. We bonded for -- the 262 didn't include the electrical distribution but the November money did. I'm positive of that. So these are all things this legislature has taken action to do.

Look. Madam Presiding Officer was just saying this is not FEMA related. In essence, everything he just explained is everything that this legislature has considered from June to November that we bonded for.

MR. SCHNEIDER: There was ongoing work that was being designed at Bay Park and Cedar Creek before the hurricane.

LEGISLATOR ABRAHAMS: No, I know.

That's part of the 262. That's part of the problem.

MR. SCHNEIDER: We can't dissect what exactly is which. Which projects were we planning to get FEMA reimbursement for and which ones we weren't. We're trying to get that clearer understanding ourselves. But that being said.

Just to be clear, from our standpoint, just to be clear, everything that you talked about -- the electrical distribution, the Berm around the plant, we all thought we were considering those things when we did the 262 and then we followed up in November and did additional bonding. And I understand there's not going to be a need to do that, because obviously with the EFC funding and also now we're hearing about in *Newsday*, it also goes along towards helping that. But that being said. They are FEMA related. Everything that we're talking about today is FEMA related. I just want to make sure the record's clear that that's the connection that we're making why we think it is

FEMA related. Am I understanding correctly, or?

MR. SCHNEIDER: I still think, Legislator, that there is work or there was work that was being designed long before Hurricane Sandy struck the county on October 29.

LEGISLATOR ABRAHAMS: Brian, we agree. We agree that many of these projects were done long before there was any type of discussion regarding FEMA or Sandy related projects. I'm not disagreeing with you on that. What I'm saying is when this legislature was presented -- and it wasn't you. At the time I believe it was Deputy Commissioner Mallett. When this legislature was presented with the 262, this was a part of it.

MR. SCHNEIDER: I didn't testify to that, so I'm not sure.

LEGISLATOR ABRAHAMS: This was a part of the 262. So from our standpoint, we have always had the understanding that now that 262, as well as the bonding that we would do for the electrical distribution system, would be bonded and it would be FEMA reimbursed. That was always

the discussion that we heard; why are you holding this up because we're going to ultimately be FEMA reimbursed for it. That is what we heard every single day. We were holding up projects and at the end of the day we were slowing down projects. That's our perspective. At the end of the day, we just need a clearer understanding, which we believe -- but, like I said before -- and I know you're going to go back and double check.

It sounds like, to us, that this is FEMA related if we go based off of previously testimony going back to June of last year.

MR. SCHNEIDER: Legislator, we'll have the testimony reviewed that was previously presented here by Deputy Commissioner Mallett and we'll respond back to you.

LEGISLATOR ABRAHAMS: Okay. Thank you.

CHAIRWOMAN GONSALVES: Any public comment?

(No verbal response.)

There being none, all those in favor of Contract E-3-14 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The contract passes unanimously.

Next contract is E-5-14, a resolution authorizing the county executive to execute a personal services agreement between the County of Nassau acting on behalf of the County Department of Correction and The Diocese of Rockville Centre.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR NICOLELLO: Second.

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

MR. MAY: We have Captain Keith Sather from the correctional facility.

CAPTAIN SATHER: Good afternoon. Captain Keith Sather. The following item is a personal service agreement with the Diocese of Rockville Centre. This agreement in the amount of \$54,672, and provides religious services for inmates at the correctional center. These

services are pursuant to SCOC Mandate §7024.3.

CHAIRWOMAN GONSALVES: Any questions of
MR. Sather?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none. All those in favor of
Contract E-5-14 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The contract passes unanimously.

The next contract is E-61-4, a resolution
authorizing the county executive to execute an
amendment to a personal services agreement
between the County of Nassau, acting on behalf of
the Department of Public Works, and Gibbons,
Esposito & Boyce Engineers, P.C.

Motion, please?

LEGISLATOR NICOLELLO: So moved.

LEGISLATOR KOPEL: Second.

CHAIRWOMAN GONSALVES: Motion by
Legislator Nicoletto, seconded by Legislator

Kopel.

And?

MR. SCHNEIDER: Good afternoon. Brian Schneider, once again, from Public Works.

This amendment is a no-cost amendment to the agreement with DeBruin Engineering -- I'm sorry -- Gibbons, Esposito and Boyce to provide construction management services for an Environmental Bond Act project at The Hempstead House and Sands Point Preserve. This amendment will extend the term of the agreement by one year in order to complete construction which will occur at the Hempstead House for window rehabilitation and lintor replacement. Again, this is a no-cost amendment which extends the contract term for one additional year.

CHAIRWOMAN GONSALVES: Any questions or Mr. Schneider on this item?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none. All those in favor of Contract E-6-14 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The contract passes unanimously.

The next contract is E-7-14, a resolution authorizing the county executive to execute an amendment to a personal services agreement between the County of Nassau, acting on behalf of the Department of Public Works, and DeBruin Engineering.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR KOPEL: Second.

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

MR. SCHNEIDER: Good afternoon. Brian Schneider from Public Works.

This is amendment number two of the agreement with DeBruin Engineering for design and engineering services at several public works water bodies, which including dredging. This amendment will extend the term of the agreement by one year in order to complete the design and

construction of administration services, at the last location, which is the dredging of Udall's Pond, which is about 95 percent complete. Again, this is a no-cost amendment to extend the term of this agreement until April of 2014.

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

(No verbal response.)

Any public comment?

(No verbal response.)

There being none. All those in favor of Clerk Item E-7-14 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

The last item will be E-9-14, a resolution authorizing the county executive to execute an amendment to a personal service agreement between the County of Nassau, acting on behalf of the Nassau County Police Department, and Integrated Forensic Laboratories, LLC.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR NICOLELLO: Second.

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

MR. MAY: For this contract we have
Chief Deputy Police Commissioner Tom Krumpter.

DEPUTY COMMISSIONER KRUMPTER: Good
afternoon, legislators. Deputy Commissioner
Thomas Krumpter. Happy New Year.

The contract before you is with
Integrated Forensic Laboratories. It's treated
as a sole source to provide ballistics testing
for the Nassau County Police Department in the
amount of \$75,500.

CHAIRWOMAN GONSALVES: Any questions of
Deputy Commissioner Krumpter regarding this item?
Legislator Solages.

LEGISLATOR SOLAGES: Happy New Year.

DEPUTY COMMISSIONER KRUMPTER: Happy New
Year, Legislator.

LEGISLATOR SOLAGES: Nice to see you.

DEPUTY COMMISSIONER KRUMPTER: Nice to

see you.

LEGISLATOR SOLAGES: I'm concerned about how much this is costing taxpayers on this issue. Where are we with the lab issue?

DEPUTY COMMISSIONER KRUMPTER: Where we're at is -- that's a big question.

As you know, Legislator, there's a lot of different moving pieces. The police department has needs for forensic testing. There are two pieces of it: It's getting the lab up and running on the new disciplines since the lab was closed. So, the toxicology is up and running. DNA was always a part of the MEs, that's up and running. Latent fingerprints, the examination process - comparisons, when we have a process latent fingerprint it's actually up and running. The processing piece of that is still being done by the Nassau County Police Department under the technical services division, which is crime scene, latent fingerprints, and the new evidence management section.

Firearms, which is the contract before you, and narcotics is not up and running.

Firearms, we do not expect to be up and running until the new lab is constructed. The reason we don't expect it to be up and running is that the facility they're in, it would be cost prohibitive and space prohibitive to bring in and get the firearms up and running. Ballistics testing, you actually have to do live firing, so you'd have to retrofit the facility and that would be a significant expense.

So they are moving forward and there are budget spaces for that. As far as the drug testing, which is the last major discipline that we're focusing on, they're going through the validation and accreditation process with Hasglet (phonetic) International. These are very cumbersome and very lengthy processes to get through.

So the two outside vendors that we have is Integrated Forensic Laboratories, which is working with --

LEGISLATOR SOLAGES: Where is that based?

DEPUTY COMMISSIONER KRUMPTER: They're

based in Texas. But what we've done with them is we've worked with our vendor in Willow Grove, Pennsylvania, that they receive property at that location.

One of the things that happens is when we actually close the lab, shortly thereafter we had some drugs stolen that was being shipped by common carrier. That is the national best practice. All of the federal agencies and any state agencies that don't have their own lab all ship by common carrier. We recognize that we had to be better than everybody else, and we started a program where we actually shipped all the evidence by -- sworn officers would ship it in order to maintain the integrity of the evidence. So that all goes down to Willow Grove. We go down to Willow Grove minimum once a week, and we can go several times a week depending on the needs and depending on any kind of rush testing that has to be done.

So where we are currently at is in a location where we're outsourcing firearms, and we outsource firearms to Integrated Forensic. We

outsource part of firearms testing - Nidence (phonetic) is the actual shell casings and the rounds recovered, we outsource that to the ATF and we outsource that to New York State. So it's a little bit separated.

As far as drugs, all of our drugs are going to an outside lab. The lab is NMS in Pennsylvania.

LEGISLATOR SOLAGES: So it is your opinion, your professional opinion that this would help to curb some of these costs, because I'm sure that this is all costly to send it out to Pennsylvania and Texas. This will help to curb these costs.

DEPUTY COMMISSIONER KRUMPTER: What's going to curb the costs? As we bring stuff in -- there's a lot of reasons that we want to have our own lab. We are a major police department. One of the biggest reasons is the operational impact. The ability to control your lab for firearms -- firearms, remember, are involved in our homicides, they're involved in shootings. Having the ability and control of having a lab here,

that at three o'clock in the morning I can get ballistics done, that's an operational impairment. We do have ability right now where we can outsource that. New York City has been very accommodating those types of cases. We had a shooting last week with one of our police officers and we had a homicide that the body was dumped up on the south shore -- north shore, excuse me, wrong shore -- where New York City took all of the evidence on our behalf because it was a rush. And we have that same kind of relationship with Suffolk County. But you can't depend on them for those type of rushes on an ongoing basis. They are very accommodating. At some point in time that accommodation, we will wear out our welcome.

LEGISLATOR SOLAGES: How is our police officer doing?

DEPUTY COMMISSIONER KRUMPTER: The police officer was, you know, by the grace of God he didn't lose his legs. He was struck by the car and he was pinched between the car and another car. He didn't break his legs. He's out

of the hospital and he's doing extremely well.

LEGISLATOR SOLAGES: Thank you.

DEPUTY COMMISSISONER KRUMPTER: Thank
you.

CHAIRWOMAN GONSALVES: Any other
legislators?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none. All those in favor of
Clerk Item E-9-14 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

The Rules Committee is now in recess.

(Whereupon, the Rules Committee recessed
at 2:22 p.m.)

(Whereupon, the Rules Committee
reconvened at 3:35 p.m.)

CHAIRWOMAN GONSALVES: I'm going to call
an item that has a speaker, Item 15-14. I have
slip for the individual. It pertains to the

ordinance supplemental to the annual appropriation ordinance in connection with the Health Department. I believe someone spoke at the Health Committee on this item. And I understand that there is another individual here who wishes to speak on this item.

MR. MAY: That is correct. I believe it is Mr. Brodsky.

CHAIRWOMAN GONSALVES: Is Mr. Brodsky here?

MR. MAY: He is here. Yes.

CHAIRWOMAN GONSALVES: I didn't call the item. All I called was the speaker, Mr. Brodsky. The floor is yours.

MR. BRODKSY: Thank you. Thank you for inviting me to speak. Carrie Solages, I appreciate it. I saw Rose Walker here before, but I guess she's not here.

CHAIRWOMAN GONSALVES: She's not on this committee. She was on the Health Committee.

MR. BRODKSY: Okay. I'm HIV positive since 1997. I was diagnosed with terminal brain cancer in 2002. I'm very fortunate though. I'm

still able to run marathons and have a very loving supportive wife - I don't know if you can see her from here. Jody. Jody Brodsky. We're married 33 years. She's really terrific.

I have a foundation. One of the purposes of the foundation is to help eliminate the stigma of HIV/AIDS. In fact, we even go to Africa. We sponsor a world AIDS marathon there. We've been there eight times. We bring doctors with us. We sponsor dinner dances. We saved the lives of a lot of Kenyan orphans. In this country we're about to sponsor our Seventh Annual 5K AIDS/Cancer Run/Walk on June 29 in Merrick at the Norman J. Levy Park and Preserve. It's a really nice event. We don't charge people who are living with HIV or cancer if they tell us in advance. If any of you go on your smart phones and you do a Google search for 5k AIDS, our event usually comes up one, two, three, four, and five. It's because there are so few of these events on Long Island, in the New York area. We really enjoy doing it. From these events we are able to donate money and toys and toiletry gift items to

people living with HIV and cancer. Last year we were able to donate to Center of AIDS Research and Treatment at North Shore University Hospital, Five Towns Community AIDS Service Program, and Stephen and Alexandra Cohen Children's Medical Center, we donate there as well. We're also able to donate, they have a pediatric and young adult program associated with them. So we really like promoting these events.

Like I said, there aren't enough activities for people with HIV/AIDS. We don't charge people for these events. And we just want to be able to continue these events on Long Island.

Thank you very much for listening.

CHAIRWOMAN GONSALVES: Anyone want to comment? Legislator Solages.

LEGISLATOR SOLAGES: Thank you for coming here today. Thank you.

MR. BRODSKY: Sure. Thank you.

LEGISLATOR JACOBS: I just want to say, Mr. Brodsky, it was amazing hearing you speak. I'm in awe of all you're doing. I think that's

wonderful.

MR. BRODSKY: Okay. Thank you very much.

CHAIRWOMAN GONSALVES: Mr. Brodsky, you'll stay when we call this item, okay, so that you can see what the vote is.

I'm going to begin with that item, and then I'm going to go to the consent calendar.

Again, thank you, Mr. Brodsky, for sharing with us and I wish you well.

Clerk Item 15-14, an ordinance supplemental to the annual appropriation ordinance in connection with the Health Department.

LEGISLATOR DUNNE: So moved.

LEGISLATOR KOPEL: Second.

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

Anyone here to speak on that item?

MR. MAY: If there are any questions, we have Ms. Mary Ellen Laurain from the Department of Health.

Any questions?

(No verbal response.)

It was part of the consent calendar, so I just thought maybe since Mr. Brodsky spoke, I wanted to take that one out individually.

All those in favor of Item 15-14 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

Mr. Brodsky, thank you.

Now for the rest of the consent calendar.

I'm going to call all of the items together that are on the consent calendar, I should say the consent agenda.

Item 4, Clerk Item 7, Clerk Item 8, Clerk Item 9, Clerk Item 10, 11, 12, 13, 14, 16, I believe that's it.

All those in favor of --

LEGISLATOR DUNNE: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRWOMAN GONSALVES: Moved by
Legislator Dunne, seconded by Legislator

Nicolello.

All those in favor -- by the way, the testimony from the Finance Committee please incorporate into the Rules Committee.

(Whereupon, the following are the minutes of the January 13, 2014 Finance Committee pertaining to Clerk Items 4, 7, 8, 9, 12, 13, 14, and 16-14.)

First item is Item 4-2014, which is a resolution authorizing the county executive to execute a grant agreement between the County of Nassau, acting on behalf of the County Department of Parks, Recreation and Museums, and Franklin Square Historical Society.

Moved by Legislator Muscarella, seconded by Legislator Walker.

Any questions or discussions among the legislators?

(No verbal response.)

Any public comment?

(No verbal response.)

All in favor signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item carries unanimously.

I'm going to hold Items 7 and 11 for executive session. We will call those at the end.

Item 8, 9, and 10 are -- Item 8 is a resolution to authorize the transfer of appropriations heretofore made within the budget for the year 2013. Items 9 and 10 are ordinances supplemental to the annual appropriation ordinance in connection with the Department of Social Services and the Police Department.

LEGISLATOR WALKER: So moved.

LEGISLATOR MUSCARELLA: Second.

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

Any questions or comments?

(No verbal response.)

Any public comment?

(No verbal response.)

All in favor signify by saying aye.

(Aye.)

Those opposed?

(No verbal response.)

Items carry unanimously.

I'm going to call the next five -- I'm skipping 11. Items 12, 13, 14, 15, and 16-2014. Item 12 is an ordinance supplemental to the annual appropriation ordinance in connection with the Department of Social Services.

Item 13 is a resolution to authorize the transfer of appropriations heretofore made within the budget for the year 2013.

Items 14, 15, and 16 are ordinances supplemental to the annual appropriations ordinance in connection with the correctional center and Health Department.

LEGISLATOR WALKER: So moved.

LEGISLATOR VENDITTO: Second.

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

These items went through committees just a few moments ago. We ask that those minutes be incorporated by reference.

(Whereupon, the following are the minutes

of the January 13, 2014 Health Committee pertaining to Clerk Items 12, 15, and 16-14.)

The next item is Clerk Item 12-14, which is an ordinance supplemental to the annual appropriation ordinance in connection with the Department of Social Services.

I'm assuming, Mr. Broderick -- we need a motion, please.

LEGISLATOR VENDITTO: So moved.

LEGISLATOR BECKER: Second.

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

MR. BRODERICK: Thank you, Legislator Walker.

Last year the department received a grant of \$100,000 from New York OCFS to combat daycare fraud. The department was extremely successful, I'm happy to say. Both the efforts of our investigative staff and daycare staff had utilized the \$100,000 and had a return on that of well over \$1 million in cost avoidance.

This year, the OCFS had cut back on their grants but they did give a grant to Nassau County

for \$36,000. We're going to use that to further our efforts to combat waste, fraud, and abuse in our daycare program.

CHAIRWOMAN WALKER: Any questions from the legislators?

(No verbal response.)

Any comments?

(No verbal response.)

Any public comment?

(No verbal response.)

All those in favor?

(Aye.)

Any opposed?

(No verbal response.)

The motion carries and will move on to Finance.

MR. BRODERICK: Thank you.

CHAIRWOMAN WALKER: Thank you, Mr. Broderick.

Our next item is Clerk Item 15-14, which is an ordinance supplemental to the annual appropriation ordinance in connection with the Health Department.

Motion, please?

LEGISLATOR BECKER: So moved.

LEGISLATOR SCHAEFER: Second.

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

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

CHAIRWOMAN WALKER: Ms. Laurain, also to wish you a very, very Happy New Year.

MS. LAURAIN: Same to you. Thank you. Mary Ellen Laurain, Department of Health.

Item 15-14 is a supplemental appropriation in the amount of \$9,180,804. This is for the Ryan White HIV grant. It is 100 percent funded through the United States Department of Health and Human Services. This provides comprehensive HIV and AIDS services.

Nassau receives the grant because the federal government considers Long Island one area. So then, through an inter-government agreement with Suffolk County, the United Way administers the grant.

CHAIRWOMAN WALKER: Are there any

legislators that have any comment? Legislator Solages.

LEGISLATOR SOLAGES: Thank you very much, Madam Chair Walker.

Where there be any difference in which the funds will be administered compared to the past?

MS. LAURAIN: We don't anticipate that. This is an estimate of the funding. We haven't received the award. We've been doing this for about 19 years. So we do not have the confirmed about with the federal government. So we don't break services, we need to continue with the grant.

LEGISLATOR SOLAGES: Understood. There's been significant progress in the treatment of HIV in that those affected with the disease are living longer. And I would like to know would this affect your strategy in terms of addressing this with the different organizations?

MS. LAURAIN: We don't anticipate that, no.

LEGISLATOR SOLAGES: Okay. Understood.

Nothing further.

CHAIRWOMAN WALKER: Any other legislators?

(No verbal response.)

I do have two people who have questions on this, and certainly anyone else who wishes to. But I have Mr. Richard Brodsky.

(No verbal response.)

Rabia Aziz. Did I pronounce that right? I hope, Rabia. Thank you.

MS. AZIZ: Good afternoon. I'd like to thank the Nassau legislative body for holding this open forum for public comment on HIV/AIDS.

Too often we don't hear about HIV/AIDS any longer. In the decades of the 90's, we heard a lot about it. However, I'm here today to tell you that it's still very much an issue of HIV/AIDS in Nassau/Suffolk County.

The previous speaker spoke about the federal funds coming into Nassau/Suffolk County, and that was because early in the 90's we were able to document the number of HIV positive individuals on Long Island to set up our own EMA.

When the federal funds for Ryan White were first distributed or first to be distributed, Long Island was part of New York City. It was a pandemic in New York City. We, as human service providers, knew that we could no longer compete with New York City for the funds. We were able to document the number of HIV positive individuals in Nassau/Suffolk County for the Nassau/Suffolk health region to be its own EMA.

At present, the United Way quotes that there are 6,158 persons living in Nassau/Suffolk County that is either infected with HIV or have full blown AIDS. So, therefore, we know that we still have a lot of work to do. Because of the inter-governmental agreement between Nassau and Suffolk County, we have created a public health model that is revered within the State of New York. Because the planning council, which administrated the funds, exists at the United Way, the community-based programs that provide services are able to access the money in a timely way and deliver those services without any break

in care.

As we know, prevention and treatment is most important in taking care of HIV. The national HIV strategy, which is to get to zero infection rates, is very important, and is that those individuals are infected with HIV or have full blown AIDS have treatment and care. And through the Ryan White Planning Council, the \$9 million or some dollars that will eventually come back to Nassau and Suffolk Counties is used to keep those individuals in care and also provide for those individuals that are at risk. The Nassau/Suffolk County region has done an excellent job in terms of developing an infrastructure that allows that to happen.

Our hospitals of Stony Brook and NUMC have been at the forefront of HIV/AIDS since day one. To continue that, we do need those federal dollars to come into the County. Also, for supportive services, the HIV transportation program is very important to connect to care. As you know, the eastern part of Suffolk County is very rural. They have to come into Stony Brook

to get care, and that's an important issue.

We know that we have a raging heroin epidemic here in Nassau and Suffolk Counties. One of the major transmissions of HIV is injected drug use. And so we know that if we are not proactive and keep that health structure in place, that we can see that kind of epidemic coming back again.

So I just would like to implore everyone within the legislative body to vote pro for this conduit of funds so that the services can continue and that we can deliver the services to the community.

Thank you very much.

CHAIRWOMAN WALKER: Thank you. And thank you for your dedication and all your hard work and sharing all of that information with us.

MS. AZIZ: Thank you.

LEGISLATOR SOLAGES: Madam Chair, if I may. Ms. Aziz, thank you very much for coming here today. I'd just like to put on the record that Ms. Aziz was part of a program that we held last year on Valentine's Day on this issue. And

I will provide a press release to all of my colleagues here, on the legislature, with respect to -- and there's also a link on You-Tube of that entire forum. This issue is a very important issue, and I just want to make sure that we keep this at the forefront of this health crisis.

CHAIRWOMAN WALKER: Thank you,
Legislator Solages.

LEGISLATOR SOLAGES: Thank you.

CHAIRWOMAN WALKER: Thank you very much.

MS. AZIZ: Thank you.

CHAIRWOMAN WALKER: Did Mr. Brodsky come in yet? If Mr. Brodsky does come in, we'll give him the opportunity to speak after our next item that's brought up.

All those in favor of Clerk Item 15-14?

(Aye.)

Any opposed?

(No verbal response.)

The motion carries, and will go on to Finance.

Our last item is Clerk Item 16-14, which is an ordinance supplemental to the annual

appropriation ordinance in connection with the Health Department.

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

CHAIRWOMAN WALKER: We just need a motion.

LEGISLATOR BECKER: So moved.

LEGISLATOR SCHAEFER: Second.

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

MS. LAURAIN: Item 16-14 is a supplemental appropriation in the amount of \$190,000. This is for the sexually transmitted disease intervention program. It is funded through New York State Department of Health. Staff at the Department of Health confirm treatment -- diagnosis and treatment of disease.

CHAIRWOMAN WALKER: Any questions or comments from the legislators?

(No verbal response.)

Any public comment?

(No verbal response.)

Seeing none, all those in favor?

(Aye.)

Any opposed?

(No verbal response.)

Motion passes unanimously and once again moves on to Finance.

(Whereupon, the following is the minutes of the January 13, 2014 Public Safety Committee pertaining to Clerk Item 13-14.)

The next item is 14-14, an ordinance supplemental to the annual appropriations ordinance in connection with the correctional center.

Who do we have from the correctional center?

Motion from Denise Ford, seconded by Legislator MacKenzie.

Who do we have?

MR. MAY: We have Captain Keith Sather from the corrections facility.

CHAIRMAN DUNNE: Captain, explain the item please.

CAPTAIN SATHER: Good afternoon. Item 14 is an appropriation in the amount of \$43,673.

This represents the correctional center's share of federal forfeiture money through its cooperative with the Federal Drug Enforcement Agency. These monies will be used for the purchase of equipment and training within the department.

CHAIRMAN DUNNE: Legislator Ford has a question.

LEGISLATOR FORD: He already answered it.

CHAIRMAN DUNNE: Any other legislators have questions?

(No verbal response.)

Any public comment?

(No verbal response.)

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

(Aye.)

Any opposed?

(No verbal response.)

It so passes. It goes on to Finance.

(Whereupon, the following is the continuation of the minutes of the Finance

Committee.)

CHAIRMAN NICOLELLO: Any discussion on these items?

LEGISLATOR DENENBERG: On 16.

CHAIRMAN NICOLELLO: Item 16-2014.

LEGISLATOR DENENBERG: Mr. May, do you have a speaker on that?

MR. MAY: We have Ms. Mary Ellen Laurain here to speak on that.

CHAIRMAN NICOLELLO: Okay.

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

LEGISLATOR DENENBERG: Where does this funding come from?

MS. LAURAIN: New York State Department of Health.

LEGISLATOR DENENBERG: And there's testing contemplated in this program?

MS. LAURAIN: No. It's mandated by law for health care providers to notify the Department of Health of anybody who tests positive for a sexually transmitted disease. So our staff confirmed diagnosis and treatment and

do contact investigations.

LEGISLATOR DENENBERG: So there's nothing that goes to a lab for testing at all?

MS. LAURAIN: There may be very few that goes to the state. Most of it -- pretty much the entire -- it's health care providers who are mandated by law to report positive results. We're not a clinical health department.

LEGISLATOR DENENBERG: Okay. I'm just confirmed if any of this has to go to a clinical lab, which we don't have a functioning one right now, then where do we send the samples to?

MS. LAURAIN: Any time we need to provide clinical laboratory testing, whether it be measles or communicable disease, New York State Department of Health Laboratory at Wadsworth conducts those tests. West Nile virus is an example.

LEGISLATOR DENENBERG: Okay. Thank you.

CHAIRMAN NICOLELLO: Another one of these items is Item 15 which involves Ryan White funding. Mr. Brodsky I believe wasn't here earlier. I'm just wondering if he's here now.

(No verbal response.)

Okay. We'll be calling this again in Rules, so if he's here at that time he can speak on it.

Any further questions?

(No verbal response.)

Thank you, Ms. Laurain.

Any further questions or comments from the legislators?

(No verbal response.)

Any public comment?

(No verbal response.)

All in favor signify by saying aye.

(Aye.)

Those opposed?

(No verbal response.)

Those items carry unanimously.

(Whereupon, the following is the minutes of the Health Committee pertaining to Clerk Item 9-14.)

CHAIRWOMAN WALKER: Thank you. We have four items on the agenda today. The first item is Clerk Item 9-14, which is an ordinance

supplemental to the annual appropriations ordinance in connection with the Department of Social Services.

May I have a motion, please?

LEGISLATOR BECKER: So moved.

LEGISLATOR VENDITTO: Second.

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

The motion is before us. Mr. May.

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

CHAIRWOMAN WALKER: Mr. Broderick, just to wish you a Happy New Year from all of us.

MR. BRODERICK: Same to you, Legislator. Thank you very much.

CHAIRWOMAN WALKER: Thank you.

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

I'm both proud and happy to say the item before you, the appropriation before you is for \$50,000 from Department of New York State Office of Children and Family Services. The money here

was secured by our staff as a grant to help us advance technologically.

We are using this \$50,000 to purchase iPads for our staff in the field to better communicate with the department, have instant information, and inter-operability between field workers and our systems. We're moving forward. That's a real, good, positive advancement for the department.

Do you have any questions?

CHAIRWOMAN WALKER: Any questions from the legislators?

(No verbal response.)

Any public comment?

(No verbal response.)

All those in favor?

(Aye.)

Any opposed?

(No verbal response.)

The motion carries and moves on to Finance.

(Whereupon, the following is the minutes of the January 13, 2014 Public Safety Committee

pertaining to Clerk Item 10 and 14-14.)

The first item to come before this committee today is Item 10-14, an ordinance supplemental to the annual appropriations ordinance in connection with the Police Department.

Motion from Legislator MacKenzie, seconded by Denise Ford.

Who do we have from the police department?

MR. MAY: We have Sergeant Gregory Stephanoff from the Police Department.

SERGEANT STEPHANOFF: Good afternoon. Sergeant Greg Stephanoff. Happy New Year to everybody.

This is a state law enforcement terrorist prevention program. It's a grant for \$400,000. This is a recurring grant that we get yearly from the Feds for homeland security protection. This money is going to be used for overtime, and it's going to be used for equipment, to buy handheld tactical ballistic shields for the cars on patrol.

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

LEGISLATOR DENENBERG: The cost to us?

SERGEANT STEPHANOFF: There's no match on this grant.

LEGISLATOR DENENBERG: Okay. Thank you.

SERGEANT STEPHANOFF: You're welcome.

LEGISLATOR DENENBERG: You said the magic word.

CHAIRMAN DUNNE: Any public comment?

(No verbal response.)

There being none. All in favor indicate by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

So move. It goes on to Finance.

The next item is 14-14, an ordinance supplemental to the annual appropriations ordinance in connection with the correctional center.

Who do we have from the correctional

center?

Motion from Denise Ford, seconded by
Legislator MacKenzie.

Who do we have?

MR. MAY: We have Captain Keith Sather
from the corrections facility.

CHAIRMAN DUNNE: Captain, explain the
item please.

CAPTAIN SATHER: Good afternoon. Item
14 is an appropriation in the amount of \$43,673.
This represents the correctional center's share
of federal forfeiture money through its
cooperative with the Federal Drug Enforcement
Agency. These monies will be used for the
purchase of equipment and training within the
department.

CHAIRMAN DUNNE: Legislator Ford has a
question.

LEGISLATOR FORD: He already answered
it.

CHAIRMAN DUNNE: Any other legislators
have questions?

(No verbal response.)

Any public comment?

(No verbal response.)

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

(Aye.)

Any opposed?

(No verbal response.)

It so passes. It goes on to Finance.

(Whereupon, the following is the
continuation of the minutes of the January 13,
2014 Rules Committee meeting.)

CHAIRWOMAN GONSALVES: All those in
favor of those items signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The items pass unanimously.

Now we're going to ask for a motion to
suspend the rules because I have an addendum.

LEGISLATOR KOPEL: So moved.

LEGISLATOR DUNNE: Second.

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

There is one consent item on the addendum.

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

(Aye.)

Any opposed?

(No verbal response.)

The rules are suspended.

The item is 26-14, an ordinance providing for a capital expenditure to finance the payment of certain documents, awards, determinations or compromised settled claims against the County, authorizing \$529,289.76 of bonds of the County of Nassau to finance said expenditure, and making certain determinations pursuant to the State Environmental Quality Review Act, the Local Finance Law of New York, and the County Government Law of Nassau County.

LEGISLATOR DUNNE: So moved.

LEGISLATOR NICOLELLO: Second.

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

Again, this went through Finance, and the testimony from Finance should be incorporated into Rules.

(Whereupon, the following is the minutes of the January 13, 2014 Finance Committee meeting pertaining to Clerk Item 26-14.)

Item 26 is an ordinance providing for a capital expenditure to finance the payment of certain judgments, awards, determinations, or compromised settled claims against the County.

LEGISLATOR MUSCARELLA: So moved.

LEGISLATOR WALKER: Second.

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

The items are before us.

Do we have a motion for executive session?

LEGISLATOR WALKER: So moved.

LEGISLATOR MUSCARELLA: Second.

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

All in favor of executive session signify by saying aye.

(Aye.)

We are in executive session.

(Whereupon, the Finance Committee recessed into executive session at 2:49 p.m.)

(Whereupon, the Finance Committee reconvened at 3:20 p.m.)

CHAIRMAN NICOLELLO: We are back from executive session.

I'm going to call Items 7, 11, and 26-2014.

All in favor of those items signify by saying aye.

(Aye.)

LEGISLATOR DENENBERG: You're calling all three together?

CHAIRMAN NICOLELLO: Yes. I just asked you that. Unless you want me to call them separately.

LEGISLATOR DENENBERG: Yeah. Please call them separately.

CHAIRMAN NICOLELLO: Okay. Item 7-2014, all in favor of Item 7 signify by saying aye.

(Aye.)

Those opposed?

(No verbal response.)

That item carries unanimously.

LEGISLATOR DENENBERG: On Item 7, I just wanted to state on the record that in executive session -- based on executive session, it's our understanding, at least on the Minority but I think on the Majority side as well, that when this comes to Full someone, if not the commissioner or DSS, someone from DSS will update us at least in executive session on steps being taken by DSS to address, if there is any issue, to address an issue in that department with respect to prevent this from happening in the future.

CHAIRMAN NICOLELLO: Okay.

All in favor signify by saying aye.

(Aye.)

Those opposed?

(No verbal response.)

That carries unanimously.

Item 11-2014, all in favor of Item 11 signify by saying aye.

(Aye.)

Those opposed?

(No verbal response.)

Item 11 passes unanimously.

The last item is the item on the addendum, Item 26-2014. All in favor of Item 26 signify by saying aye.

(Aye.)

Those opposed?

(No verbal response.)

LEGISLATOR DENENBERG: Just on behalf of the Minority, again, on this situation, without getting into the specifics of any of the settlements, on behalf of the Minority, for a judgment to have been sitting around for 11 months and increasing by 60 percent because of that, we find -- we would request that the county attorney's office --

CHAIRMAN NICOLELLO: Some of what you're disclosing now was just discussed in executive session.

LEGISLATOR DENENBERG: This matter should have come to us more than 11 months ago

and it would have saved the taxpayers a lot of money, that's our opinion. Over \$200,000 worth of taxpayer money was wasted on this one. That's our opinion. It's an order. And we're voting for it. We would request that the new county attorney act in a much more expeditious way.

CHAIRMAN NICOLELLO: I would just caution committee members that things that are discussed in executive session are confidential and should not be disclosed. I'm not sure exactly where the line is. But I would state very clear that line, otherwise any one of us could be violating the confidences of executive session.

LEGISLATOR DENENBERG: Rich, the order itself, which is a public document, is for 326. The bond request and the item is for 529,000. That's a matter of public record. And what I'm stating is that difference certainly could have been avoided. I would ask that County Attorney Foskey change the practices of the past and move much quicker at getting judgments to this body.

CHAIRMAN NICOLELLO: Apparently you

didn't understand what I said. Basically, what I'm saying is what we discussed in executive session is confidential under law. Maybe you're right; maybe you're wrong. But I would be very hesitant, if I was a legislator, discussing what we just discussed in executive session for fear of breaking that confidence. That was my only course.

LEGISLATOR DeRIGGI-WHITTON: Could I just add to that for one second, Rich?

Just to reiterate what Legislator Denenberg said. We've been given the hope that going forward all cases will be addressed in a timely manner and that there are no other situations that might come up in the near future. I hope that everyone who is helping Foskey and his whole staff just basically reviews everything just to make sure, as in any situation where there is a new leader, to make sure that we can mitigate any additional expenses to anyone, to the county, for any of the cases that are outstanding.

CHAIRMAN NICOLELLO: Any further

questions?

(No verbal response.)

Any public comment?

(No verbal response.)

All in favor signify by saying aye.

(Aye.)

Those opposed?

(No verbal response.)

The items carry unanimously.

(Whereupon, the following is the continuation of the minutes of the January 13, 2014 Rules Committee meeting.)

CHAIRWOMAN GONSALVES: All those in favor of Item 26-14 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

Let's go back to the non-consent agenda. We begin with the first item, which is the Rules only item, which is Item 2-14, a local law to amend the Administrative Code in relation to designating the proper parties to receive service

of process in actions and legal proceedings against the county.

LEGISLATOR DUNNE: So moved.

LEGISLATOR KOPEL: Second.

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

Here we are.

MR. MAY: We have Mr. Joe Nocella from the county attorney's office.

MR. NOCELLA: Good afternoon. I believe that the item is largely self explanatory, but if there are any questions I'd be happy to answer them.

CHAIRWOMAN GONSALVES: Any questions regarding Item 2-14?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none, all those in favor of Clerk Item 2-14 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

Item passes unanimously.

Thank you, Mr. Nocella.

MR. NOCELLA: Thank you.

CHAIRWOMAN GONSALVES: Item 5-14, a resolution authorizing the county executive to execute an inter-municipal agreement with the Oceanside Fire District in relation to a project to procure lifesaving equipment.

Motion, please?

LEGISLATOR KOPEL: So moved.

LEGISLATOR DUNNE: Second.

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

Any questions or comments from the legislators regarding this item?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none, all those in favor of Item 5-14 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

The next item is Item 6-14 a resolution authorizing the county executive to execute an inter-municipal agreement with the Floral Park Fire District in relation to a project to procure a cardiac monitor.

Motion, please?

LEGISLATOR NICOLELLO: So moved.

LEGISLATOR KOPEL: Second.

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

Any questions from the legislators regarding this item?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none, all those in favor of Item 6-14 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

Item 19-14, a resolution to confirm the county executive's appointment of Michael J. Ferrandino to the Correctional Center Board of Visitors pursuant to Section 2004 of the Nassau County Charter.

LEGISLATOR DUNNE: So moved.

LEGISLATOR NICOLELLO: Second.

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

Any questions regarding this item?

LEGISLATOR JACOBS: Madam Chair, I do have a statement to make.

CHAIRWOMAN GONSALVES: So be it.
Legislator Jacobs.

LEGISLATOR JACOBS: I'm sorry. I just wanted to say that it's a little bit of a disappointment only because -- first I want to clarify something. This is the last appointment that's open for the Board of Visitors. There's one more? I'd like to say that, then that even makes this more important. We have submitted about eight names that were very carefully vetted

as far as positions on this particular board, especially Pat Valetto (phonetic) who has a very long history as a registered nurse and dealing with the correctional facility and also John Brickman, who has a lengthy, lengthy resume of phenomenal advancements for the correctional system in the city and other counties. I would really hope that the administration will give some careful consideration to at least one of them. I realize already we've appointed a lot of people and there's only one opening left. But I think it would be a very meaningful gesture by the administration if they could possibly look into, especially these two - John Brickman and Pat Dilatto (phonetic) -- and make a concerted effort to have one of these people, who have unbelievable -- I wouldn't recommend them if they didn't have unbelievable resumes, all of which have been already sent upstairs. I'd be most appreciative if something could be done, that one of those people are appointed.

CHAIRWOMAN GONSALVES: Mr. May, you will convey those thoughts to the county exec?

MR. MAY: Absolutely.

LEGISLATOR JACOBS: Thank you.

CHAIRWOMAN GONSALVES: Thank you very
much.

Any other comments?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none, all those in favor of
Clerk Item 19-14 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

The next item is 21-14, a resolution
reappointing Christopher L. Troisi to the Sewer
and Storm Water Finance Authority on the
recommendation of Comptroller George Maragos
pursuant to Section 1232-C of the Public
Authorities Law.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR KOPEL: Second.

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

Any questions or comments regarding this
appointment? Minority Leader.

LEGISLATOR ABRAHAMS: If I may. We
plan to tee Mr. Troisi up today. We do have
questions for all the appointees, and we would
hope to ask those questions in Rules. But we
don't want to give the impression with a yes vote
today that we don't have any questions. We want
to ask our questions at the full legislative
hearing, but we're willing to work to push this
through today.

Mr. May, if Mr. Troisi, as well as --

CHAIRWOMAN GONSALVES: They will be here
on the 27th.

LEGISLATOR ABRAHAMS: If they would be
here on the 27th that would be great.

MR. MAY: As per usual, all the
appointees will be here for the full legislative
meeting.

LEGISLATOR ABRAHAMS: Thank you.

CHAIRWOMAN GONSALVES: Legislator

Jacobs, did you have a question? No. Okay.

Any public comment?

(No verbal response.)

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

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

Now, I believe that takes care of all of the Rules only items on the original addendum.

We have a second addendum.

We have Item 22-14, a resolution to confirm the county executive's appointment of Jeffrey S. Wiesenfeld to the Nassau County Commission on Human Rights.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR KOPEL: Second.

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

Any comments?

(No verbal response.)

Again, we will make sure that these appointees will be here at the Full LEGISLATOR on the 27th of the month.

LEGISLATOR JACOBS: Madam Presiding Officer, I do have a comment, with your permission.

CHAIRWOMAN GONSALVES: Yes.

LEGISLATOR JACOBS: There are certain questions that have been brought up to me concerning the appointment of Jeffrey Wiesenfeld to the Human Rights Commission. I am inclined to vote yes today. But a lot of people have spoken to me. I'd like him to be, obviously, here to answer certain concerns that people have as far as putting him on a human rights board.

I'm going to push it through.

CHAIRWOMAN GONSALVES: Legislator Solages.

MR. MAY: Madam Presiding Officer, can I just respond to Legislator Jacobs?

CHAIRWOMAN GONSALVES: Surely.

MR. MAY: I'm not aware of any of the

concerns. If you don't mind sharing that with me, I'd be happy to look into that for you.

LEGISLATOR JACOBS: I do not mind. And I will do that with you after the meeting.

MR. MAY: Absolutely. Thank you.

CHAIRWOMAN GONSALVES: Legislator Solages.

LEGISLATOR SOLAGES: Yes. I share in the same concerns raised by Legislator Jacobs. This, by no means, should be implied that we approve or I approve of this appointment. I reserve my comments until the 27th. Thank you.

CHAIRWOMAN GONSALVES: Any public comment?

(No verbal response.)

All those in favor of Item 22-14 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously and will go on to Full Leg.

Next item is Item 23-14, a resolution to

confirm the county executive's appointment of William C. Mahlan, Jr., to the Nassau County Commission on Human Rights.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR NICOLELLO: Second.

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

Any comments or comments regarding this item?

(No verbal response.)

Any public comment?

(No verbal response.)

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

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

Item 24-14, a resolution to confirm the county executive's appointment of Melvin Harris, Jr., to the Nassau County Commission on Human

Rights.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR KOPEL: Second.

CHAIRWOMAN GONSALVES: Moved by

Legislator Dunne, seconded by Legislator Kopel.

Any comments or comments regarding this
item?

(No verbal response.)

Any public comment?

(No verbal response.)

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

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

Item 25-14, a resolution to authorize the
transfer of appropriations heretofore made within
the budget for the year 2013.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR NICOLELLO: Second.

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

Any comments or comments regarding this
item?

(No verbal response.)

Again, this item went through Finance,
and any testimony at that particular time should
be incorporated into the Rules Committee.

(Whereupon, the following is the minutes
of the January 13, 2014 Finance Committee meeting
pertaining to Clerk Item 25-14.)

Item 25-2014 is a resolution to authorize
the transfer of appropriations heretofore made
within the budget for the year 2013.

LEGISLATOR WALKER: So moved.

LEGISLATOR MUSCARELLA: Second.

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

Any questions on this item?

(No verbal response.)

Any public comment?

(No verbal response.)

All in favor signify by saying aye.

(Aye.)

Those opposed?

(No verbal response.)

That item carries unanimously.

I am now going to call Items 7, 11, and 26.

Item 7 is a resolution authorizing the county attorney to compromise and settle the action of *Breton, Duran, Martinez-Navarez, and Miranda v. The County of Nassau*.

Item 11 is an ordinance providing for a capital expenditure to finance the payment of certain settled claims against the County of Nassau.

Item 26 is an ordinance providing for a capital expenditure to finance the payment of certain judgments, awards, determinations, or compromised settled claims against the County.

LEGISLATOR MUSCARELLA: So moved.

LEGISLATOR WALKER: Second.

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

The items are before us.

Do we have a motion for executive session?

LEGISLATOR WALKER: So moved.

LEGISLATOR MUSCARELLA: Second.

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

All in favor of executive session signify by saying aye.

(Aye.)

We are in executive session.

(Whereupon, the Finance Committee recessed into executive session at 2:49 p.m.)

(Whereupon, the Finance Committee reconvened at 3:20 p.m.)

CHAIRMAN NICOLELLO: We are back from executive session.

I'm going to call Items 7, 11, and 26-2014.

All in favor of those items signify by saying aye.

(Aye.)

LEGISLATOR DENENBERG: You're calling

all three together?

CHAIRMAN NICOLELLO: Yes. I just asked you that. Unless you want me to call them separately.

LEGISLATOR DENENBERG: Yeah. Please call them separately.

CHAIRMAN NICOLELLO: Okay. Item 7-2014, all in favor of Item 7 signify by saying aye.

(Aye.)

Those opposed?

(No verbal response.)

That item carries unanimously.

LEGISLATOR DENENBERG: On Item 7, I just wanted to state on the record that in executive session -- based on executive session, it's our understanding, at least on the Minority but I think on the Majority side as well, that when this comes to Full someone, if not the commissioner or DSS, someone from DSS will update us at least in executive session on steps being taken by DSS to address, if there is any issue, to address an issue in that department with respect to prevent this from happening in the

future.

CHAIRMAN NICOLELLO: Okay.

All in favor signify by saying aye.

(Aye.)

Those opposed?

(No verbal response.)

That carries unanimously.

Item 11-2014, all in favor of Item 11 signify by saying aye.

(Aye.)

Those opposed?

(No verbal response.)

Item 11 passes unanimously.

The last item is the item on the addendum, Item 26-2014. All in favor of Item 26 signify by saying aye.

(Aye.)

Those opposed?

(No verbal response.)

LEGISLATOR DENENBERG: Just on behalf of the Minority, again, on this situation, without getting into the specifics of any of the settlements, on behalf of the Minority, for a

judgment to have been sitting around for 11 months and increasing by 60 percent because of that, we find -- we would request that the county attorney's office --

CHAIRMAN NICOLELLO: Some of what you're disclosing now was just discussed in executive session.

LEGISLATOR DENENBERG: This matter should have come to us more than 11 months ago and it would have saved the taxpayers a lot of money, that's our opinion. Over \$200,000 worth of taxpayer money was wasted on this one. That's our opinion. It's an order. And we're voting for it. We would request that the new county attorney act in a much more expeditious way.

CHAIRMAN NICOLELLO: I would just caution committee members that things that are discussed in executive session are confidential and should not be disclosed. I'm not sure exactly where the line is. But I would state very clear that line, otherwise any one of us could be violating the confidences of executive session.

LEGISLATOR DENENBERG: Rich, the order itself, which is a public document, is for 326. The bond request and the item is for 529,000. That's a matter of public record. And what I'm stating is that difference certainly could have been avoided. I would ask that County Attorney Foskey change the practices of the past and move much quicker at getting judgments to this body.

CHAIRMAN NICOLELLO: Apparently you didn't understand what I said. Basically, what I'm saying is what we discussed in executive session is confidential under law. Maybe you're right; maybe you're wrong. But I would be very hesitant, if I was a legislator, discussing what we just discussed in executive session for fear of breaking that confidence. That was my only course.

LEGISLATOR DeRIGGI-WHITTON: Could I just add to that for one second, Rich?

Just to reiterate what Legislator Denenberg said. We've been given the hope that going forward all cases will be addressed in a timely manner and that there are no other

situations that might come up in the near future. I hope that everyone who is helping Foskey and his whole staff just basically reviews everything just to make sure, as in any situation where there is a new leader, to make sure that we can mitigate any additional expenses to anyone, to the county, for any of the cases that are outstanding.

CHAIRMAN NICOLELLO: Any further questions?

(No verbal response.)

Any public comment?

(No verbal response.)

All in favor signify by saying aye.

(Aye.)

Those opposed?

(No verbal response.)

The items carry unanimously.

(Whereupon, the following is the continuation of the minutes of the January 13, 2014 Rules Committee meeting.)

CHAIRWOMAN GONSALVES: Any comments from the legislators?

(No verbal response.)

Any public comment?

(No verbal response.)

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

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

The next item is Item 27-14, a resolution to accept a gift offered by a donor to the Nassau County Executive.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR KOPEL: Second.

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

Any questions regarding this item? Would you like to explain what this item is Mr. May?

MR. MAY: Yes. The Glen Cove Public Library I supposed was getting rid of books from their collection and came upon a stash of proceedings of the Board of Supervisor for Nassau

County and thought to donate them to us.

The donation letter is dated in May; we only discovered the boxes of books a few weeks ago. I had them put on a shelf in my office, and that's where we found the donation letter. I said we have to have this approved by the legislature, so here we are. It's not my property, it's the county's. If anyone wants to see them, you can have them.

CHAIRWOMAN GONSALVES: Mr. May, is this from Glen Cove?

MR. MAY: This is the Glen Cove Public Library.

CHAIRWOMAN GONSALVES: Thank you very much.

MR. MAY: We graciously accepted their donation.

CHAIRWOMAN GONSALVES: Yes.

LEGISLATOR JACOBS: Mr. May, knowing you as I do, I almost know the answer to this. But I would assume if the Minority Counsel wanted to look at these, they could also.

MR. MAY: Absolutely. At my discretion.

CHAIRWOMAN GONSALVES: Are they in your office?

MR. MAY: They are.

LEGISLATOR SOLAGES: Will we need a library card?

MR. MAY: Yes.

CHAIRWOMAN GONSALVES: Seriously.

Any comments?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none, all those in favor of Item 27-14 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

Now, we have a second addendum.

Remember, we already suspended the rules.

Contract E-10-14, a resolution authorizing the county executive to execute an amendment to a personal services agreement between the County of Nassau, acting on behalf of

the Department of Public Works, and Gibbons, Esposito & Boyce Engineers, P.C.

LEGISLATOR DUNNE: So moved.

LEGISLATOR KOPEL: Second.

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

I believe Mr. Schneider is here. Is he here to speak on this item?

MR. MAY: That is correct.

CHAIRWOMAN GONSALVES: Okay. Mr. Schneider, it's yours.

MR. SCHNEIDER: Good afternoon. Brian Schneider from Public Works.

This is the second contract amendment for on-call grant assistance provided by Gibbons, Esposito & Boyce. The purpose of this amendment is to increase the contract maximum and to add one additional year to the contract term in order to complete ongoing work. The original term was from January 9, 2012 to January 9, 2013. Amendment number 1 extended it to January 9, 2014, just last week, and we are seeking approval to extend it to January 9, 2015.

The original cap was \$250,000, and we're seeking to add \$300,000, making the total contract maximum \$550,000.

CHAIRWOMAN GONSALVES: Any questions of Mr. Schneider?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none, all those in favor of Contract E-10-14 signify by saying aye.

(Aye.)

Any opposed?

Then contract passes unanimously.

There being no other business, motion to adjourn?

LEGISLATOR DUNNE: So moved.

LEGISLATOR KOPEL: Second.

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

All those in favor of adjourning signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

We are adjourned.

(Whereupon, the Rules Committee recessed
at 3:58 p.m.)

C E R T I F I C A T E

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of January, 2014.

FRANK GRAY