

NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,
PRESIDING OFFICER

RULES COMMITTEE

NORMA GONSALVES,
CHAIRWOMAN

1550 Franklin Avenue
Mineola, New York

February 10, 2014
1:09 p.m.

REGAL REPORTING SERVICES
516-747-7353

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

NORMA GONSALVES
Chairwoman

RICHARD NICOLELLO
Vice Chairman

DENNIS DUNNE (Not Present)

ROSE MARIE WALKER (Sitting in for Dennis Dunne)

HOWARD KOPEL

KEVAN ABRAHAMS
Ranking

JUDY JACOBS

CARRIE SOLAGES

WILLIAM J. MULLER, III, Clerk

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2 CHAIRWOMAN GONSALVES: Mr. Muller, call
3 the roll.

4 CLERK MULLER: Legislator Solages?

5 LEGISLATOR SOLAGES: Here.

6 CLERK MULLER: Legislator Jacobs?

7 LEGISLATOR JACOBS: Here.

8 CLERK MULLER: Ranking Member Abrahams?

9 He's here.

10 CLERK MULLER: Legislator Kopel?

11 LEGISLATOR KOPEL: Here.

12 CLERK MULLER: Legislator Walker,
13 substituting for Legislator Dunne?

14 LEGISLATOR WALKER: Here.

15 CLERK MULLER: Vice Chairman Nicoletto?

16 LEGISLATOR NICOLELLO: Here.

17 CLERK MULLER: Chairwoman Gonsalves?

18 CHAIRWOMAN GONSALVES: Present.

19 CLERK MULLER: We have a quorum.

20 CHAIRWOMAN GONSALVES: Thank you very
21 much, Mr. Muller.

22 As we've done regarding the contracts, we
23 will call the contracts first and then recess the

2 Rules Committee for the other committees to come
3 into session.

4 The first contract is A-4, a contract
5 with DPW and PVS Chemical Solutions, Inc.

6 Motion, please?

7 LEGISLATOR WALKER: So moved.

8 LEGISLATOR KOPEL: Second.

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

11 Who do we have here?

12 MR. MAY: We have Mr. Richard Millet
13 from the Department of Public Works.

14 CHAIRWOMAN GONSALVES: Okay. Fine.

15 MR. MILLET: Good afternoon. Rich
16 Millet, Public Works.

17 CHAIRWOMAN GONSALVES: Good afternoon.

18 MR. MILLET: This is a blanket purchase
19 order for sodium bisulfate, which we use at the
20 plants to dechlorinate the effluent before it is
21 sent out to Reynold's Channel and to the ocean.

22 CHAIRWOMAN GONSALVES: Any questions of
23 Mr. Millet?

24 (No verbal response.)

25 Any public comments?

(No verbal response.)

There being none; all those in favor of Contract A-4 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The contract passes unanimously.

I believe there's a contract A-1, 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 various Nassau County departments and Pump and Motor Corp.

Motion, please?

LEGISLATOR WALKER: So moved.

LEGISLATOR NICOLELLO: Second.

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

MR. MILLET: Rich Millet, Public Works.

This is a blanket purchase order for Pump and Motor Company. Throughout the county and the plants, there are pumps and motors that need to be rewound or rebuilt at times, and this is the

2 contract that we would use for that.

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

5 (No verbal response.)

6 Any public comment?

7 (No verbal response.)

8 There being none; all those in favor of
9 Contract A-1 signify by saying aye.

10 (Aye.)

11 Any opposed?

12 (No verbal response.)

13 Contract A-1 passes unanimously.

14 The next contract is A-5, a contract with
15 NCPD and Motorola Inc.

16 Motion, please?

17 LEGISLATOR KOPEL: So moved.

18 LEGISLATOR WALKER: Second.

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

21 SERGEANT STEPHANOFF: Good afternoon.

22 Sergeant Greg Stephanoff from the Police
23 Department.

24 This is a maintenance repair and
25 configuration contract for our 500 megahertz

2 radio system, which is our communications to the
3 cars to dispatch calls. It's for \$330,098.12.
4 It's an annual but we make it in three payments
5 instead of paying them in advance.

6 CHAIRWOMAN GONSALVES: Okay. Any
7 questions of the Sergeant?

8 (No verbal response.)

9 Any public comment?

10 (No verbal response.)

11 There being none; all those in favor of
12 Contract A-5 signify by saying aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 Contract passes unanimously.

17 Thank you, Sergeant.

18 SERGEANT STEPHANOFF: Thank you.

19 CHAIRWOMAN GONSALVES: Next contract is
20 Contract 6, with DPW and Godwin Pumps of America,
21 Inc.

22 Motion, please?

23 LEGISLATOR WALKER: So moved.

24 LEGISLATOR KOPEL: Second.

25 CHAIRWOMAN GONSALVES: Moved by

2 Legislator Walker, seconded by Legislator Kopel.

3 Mr. Millet.

4 MR. MILLET: Rich Millet, Public Works.

5 This is a purchase order, an extension of
6 for Godwin Pumps. We are using these Godwin
7 pumps as a backup for our effluent pump system at
8 Bay Park. The effluent pumps and motors were
9 under water and they are operating, but we are
10 unsure of their stability until we do permanent
11 repairs.

12 CHAIRWOMAN GONSALVES: Any questions of
13 Mr. Millet on this item?

14 (No verbal response.)

15 Any public comment?

16 (No verbal response.)

17 There being none; all those in favor of
18 Contract A-06 signify by saying aye.

19 (Aye.)

20 Any opposed?

21 (No verbal response.)

22 The contract passes unanimously.

23 The next contract is A-07, with IT and
24 Cogsdale Holdings, Limited.

25 Motion, please?

LEGISLATOR KOPEL: So moved.

LEGISLATOR WALKER: Second.

CHAIRWOMAN GONSALVES: Moved by
Legislator Kopel, seconded by Legislator Walker.
Mr. May.

MR. MAY: The commissioner of
information technology is not here yet. Can we
return to this contract before we break for the
regular items? Is that possible?

CHAIRWOMAN GONSALVES: I will table it.

MR. MAY: Okay. Thank you.

CHAIRWOMAN GONSALVES: The item is
tabled. Second to table?

LEGISLATOR WALKER: So moved.

CHAIRWOMAN GONSALVES: Moved by
Legislator Walker.

All those in favor of tabling signify by
saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item is tabled until the commissioner
arrives.

The next contract is A-9, a resolution

authorizing the director of Nassau County Office of Purchasing to award and execute a contract between the County of Nassau acting on behalf of various Nassau County Departments and Ultimate Power, Inc.

Motion, please?

LEGISLATOR WALKER: So moved.

LEGISLATOR KOPEL: Second.

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

MR. MILLET: Rich Millet, Public Works.

This is a blanket purchase order contract that we use if our facility mechanics are unable to fix HVAC control systems within the buildings of the county.

CHAIRWOMAN GONSALVES: Any questions for Mr. Millet?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of Contract A-9 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The contract passes unanimously.

The next item is B-1, a contract with DPW and WHM Plumbing, Inc.

Motion, please?

LEGISLATOR KOPEL: So moved.

LEGISLATOR WALKER: Second.

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

Mr. Millet.

MR. MILLET: Rich Millet, Public Works.

This is a construction contract for the influent bar screens at Cedar Creek. WHM was the lowest responsible bidder.

CHAIRWOMAN GONSALVES: Any questions for Mr. Millet?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of B-1 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

2 The contract passes unanimously.

3 LEGISLATOR JACOBS: I just want to say
4 something to Mr. Millet. It's okay. You don't
5 have to come all the way back.

6 I know that you and various other people
7 from Public Works were all involved in doing
8 something last Friday that, without question in
9 my mind, is going to save lives. There were a
10 lot of accidents that took place there. It's
11 been something we've been asking for for three
12 years. It was done so quickly that at first no
13 one ever even really believed it was being done.
14 So I just wanted to tell you it it's appreciated.

15 Thank you.

16 What happened is -- I'm a Tree Hugger.
17 The tree trunks grew so large that if people were
18 looking to their left to make a left turn, there
19 was no way to see anything. And they sent over a
20 foreman to take a look. He called me and said,
21 "Oh my god, it's like a wall." Now, I hated to
22 see them come down; that's not exactly what we
23 all want to see environmentally. But the bottom
24 line was that there were very bad accidents
25 there. There was no sightline whatsoever.

I just wanted you to know I appreciate it.

CHAIRWOMAN GONSALVES: Legislator Solages.

LEGISLATOR SOLAGES: I also would like to thank Mr. Millet. There were several conditions on 878 Nassau Expressway, a road that's in significant disrepair, a road that was formerly in Legislator Kopel's district. These potholes are actually craters. When I called your office on Friday, I saw the next day, on Saturday morning, the gentlemen were there fixing those conditions. So I'd just like to thank you very much.

CHAIRWOMAN GONSALVES: Thank you, Legislator Solages.

The next contract is E-11, a resolution authorizing the county executive to execute a personal services agreement between the County of Nassau acting on behalf of the Office of the Nassau County Attorney and Robert J. Bishop.

Motion, please?

LEGISLATOR WALKER: So moved.

LEGISLATOR KOPEL: Second.

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

MR. MAY: We have Chief Deputy County
Attorney Lisa Locurto.

MS. LOCURTO: Good afternoon,
legislators. Lisa Locurto, County Attorney's
office.

This is a contract with Robert J. Bishop.
He is a lobbying firm that will work with the
county attorney's office and the county
executive. They will serve as the eyes and ears
and help advocate for us on state legislation and
any legislation from the state that affects the
county.

If you have any questions, please let me
know.

CHAIRWOMAN GONSALVES: Any questions of
Ms. Locurto?

LEGISLATOR ABRAHAMS: If I may.

CHAIRWOMAN GONSALVES: Minority Leader
Abrahams.

LEGISLATOR ABRAHAMS: How are you, Ms.
Locurto?

MS. LOCURTO: Very good, Legislator.

2 Thank you.

3 LEGISLATOR ABRAHAMS: Just wanted to
4 get some clarity. I remember this contract
5 coming before us last time. Was this a contract
6 that was disapproved or not approved by NIFA
7 before?

8 MS. LOCURTO: The contract for the 2013
9 year was approved by the Nassau County
10 Legislature and then submitted to NIFA and was
11 disapproved by NIFA.

12 LEGISLATOR ABRAHAMS: Disapproved by
13 NIFA.

14 MS. LOCURTO: Yes.

15 LEGISLATOR ABRAHAMS: And what was the
16 -- did NIFA give reasonings for disapproving it?
17 Did they feel it was not necessary?

18 MS. LOCURTO: They were not specific in
19 their resolution as to why it was disallowed.

20 LEGISLATOR ABRAHAMS: Did the county
21 ask why?

22 MS. LOCURTO: The County did ask and
23 they advised -- they had issues with certain
24 philosophical differences about lobbying
25 contracts.

2 LEGISLATOR ABRAHAMS: So let me make
3 sure -- obviously, there seems like there are
4 some other issues that are going on here.

5 The county basically -- I should -- NIFA
6 disapproves of the contract; the county decides
7 to pay it anyway?

8 MS. LOCURTO: Not on this contract. No.

9 LEGISLATOR ABRAHAMS: So Mr. Bishop has
10 been providing services and not being paid, or?
11 I'm not too sure I understand.

12 MS. LOCURTO: A lobbyist, per the
13 state's ethics rules, cannot provide services
14 unless there is compensation for them. So, for
15 the 2013 --

16 LEGISLATOR ABRAHAMS: So he wasn't --

17 MS. LOCURTO: contract, which was
18 disapproved by NIFA - no bill was submitted and
19 no services were paid -- no bill was submitted
20 and nothing was paid. I think, Legislator, you
21 may be referring to -- there were two contracts
22 that were disapproved by NIFA. The 2012 contract
23 was disapproved by NIFA and 2013 contract. We
24 submitted again in 2013, per NIFA's direction.
25 They denied the 2012 lobbying contract. They

2 said -- we asked them should we even bother
3 resubmitting for 2013. They said resubmit for
4 2013. We did resubmit for 2013 and the board
5 rejected the 2013 contract.

6 LEGISLATOR ABRAHAMS: I understand.

7 CHAIRWOMAN GONSALVES: Legislator
8 Jacobs.

9 LEGISLATOR JACOBS: Can I just piggyback
10 on that?

11 So, did Bishop file a notice of claim due
12 to the fact that he should be compensated if he's
13 going to be a lobbyist?

14 MS. LOCURTO: He submitted a notice of
15 claim for 2012 lobbying services.

16 LEGISLATOR JACOBS: I'll tell you what's
17 confusing me. If in 2013 NIFA said no, so did
18 the County Attorney, Ciampoli, at the time just
19 decide forget it, we're going to continue with
20 this, and then pay him anyway?

21 NIFA is a control board. NIFA is no
22 longer what they were for all those years when I
23 was there. Now they're a control board. So I
24 don't know how NIFA disapproves and it keeps
25 going on.

2 MS. LOCURTO: I can say, Legislator,
3 that that was the past. There's been a new
4 dialogue that's been opened up with the new
5 county attorney -- between the county attorney's
6 office and NIFA. I have no reason to believe or
7 the county attorney - the new county attorney has
8 any reason to believe that after this contract is
9 either approved or disapproved by the
10 legislature, I'm assuming it should be approved
11 by the legislature. It will be submitted to NIFA
12 in due course and they will consider it at that
13 time. They've given us no indication that these
14 2014 lobbying contracts - contract would be
15 denied.

16 LEGISLATOR JACOBS: However, in truth,
17 in 2013 they said to resubmit and voted against
18 it anyway. I'm not trying to be a wise guy here.
19 I'm just saying the track record on this, NIFA,
20 was to vote against it anyway, even after they
21 asked you to resubmit. Obviously, he's up there
22 now in Albany. This is when he should be up
23 there. So I assume he's going to want to be
24 compensated. Correct me where I'm going wrong
25 here. I'm a little confused.

2 MS. LOCURTO: Legislator, I can only say
3 that we submit it to you. We feel it's an
4 important contract because of the services they
5 provide. Every county has someone up there
6 advocating for them, making them aware of state
7 legislation that has a direct impact on your
8 constituents, on the County of Nassau. It is a
9 vital contract, in our opinion, and we therefore
10 think you should, in your governmental role,
11 approve the contract for those reasons, and then
12 we will submit it to NIFA as required per their
13 contract guidelines.

14 I can't speak to what they're going to
15 say. I wouldn't want to put words in their mouth
16 or prejudice their points of view. But I
17 strongly urge you to approve this contract
18 because of its importance to the County of
19 Nassau.

20 LEGISLATOR JACOBS: I know Mr. Bishop.
21 He's been here for a lot of years.

22 LEGISLATOR ABRAHAMS: Ms. Locurto, I'm
23 just trying to understand. There's no other
24 entity that's providing lobbying services to the
25 county. Is there some type of -- you said before

1 that there were philosophical differences between
2 NIFA and the County, in terms of why they thought
3 we shouldn't approve this contract? Is it
4 necessary to have a lobbyist? Maybe they feel,
5 because NIFA is an entity of the state, they can
6 provide the insight that we would get from a
7 lobbyist? I'm just trying to gather why they
8 feel the need to disapprove this contract in the
9 past.
10

11 MS. LOCURTO: I understand what you're
12 saying. I can only repeat what they have spoken
13 to us. I don't want to express what their
14 thoughts and their feelings were beyond what they
15 have advised to us.

16 As I said, again, I believe it is
17 important to have someone advising you of what's
18 happening at the state level, what changes at the
19 state level will impact and be pushed down onto
20 the local counties, and changes on legal matters,
21 how lawsuits are filed, how municipalities are
22 required to respond, environmental issues, health
23 issues, Medicare/Medicaid issues that require
24 advocacy for the county. Every other county has
25 them and it would be vital for Nassau County,

2 which is such a major suburban county, to have
3 the services of a lobbyist.

4 LEGISLATOR JACOBS: Can I just piggyback
5 on him for one second?

6 When NIFA rejects a contract that you
7 sent to them, they don't give you any reasoning?
8 They just write no?

9 MS. LOCURTO: There's a resolution that
10 they pass. On certain contracts they pass a
11 resolution and the resolution does not express a
12 specific reason.

13 LEGISLATOR JACOBS: Okay.

14 CHAIRWOMAN GONSALVES: Any other
15 comments?

16 (No verbal response.)

17 Any public comment?

18 (No verbal response.)

19 There being none; all those in favor of
20 E-11 signify by saying aye.

21 (Aye.)

22 Any opposed?

23 (Nay.)

24 The item passes four to three.

25 The next item is E-16, a resolution

making certain determinations pursuant to the State Environmental Quality Review Act and authorizing the county executive to execute a permit agreement to Long Island Swim Limited.

Motion, please?

LEGISLATOR WALKER: So moved.

LEGISLATOR NICOLELLO: Second.

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

Mr. May.

MR. MAY: We have acting Commissioner of Parks, Mr. Brian Nugent, and Ms. Eileen Krieb from the Parks Department.

CHAIRWOMAN GONSALVES: Thank you very much.

MS. KRIEB: Good afternoon. Eileen Krieb from the Parks Department.

MR. NUGENT: And Brian Nugent, Chief Deputy Parks Commissioner.

MS. KRIEB: The Parks Department and Long Island Swimming wish to enter into a non-exclusive partnership to improve and enhance portions of the parkland adjacent to the Aquatic

2 Center at Eisenhower Park, where Long Island
3 Swimming will construct, develop, operate, and
4 maintain an adjacent first-class indoor/outdoor
5 auxiliary pool on a portion of the land adjacent
6 to the existing Aquatic Center.

7 The proposed pool is a 50 meter long, 25
8 yard wide, approximately 24,000 square feet
9 prefabricated myrtha training pool with a fabric
10 structure covering.

11 The term proposed in the contract is 20
12 years with two five year options for renewal.
13 The operator, Long Island Swimming, is obligated
14 to spend, as a capital investment, up to \$1.3
15 million.

16 This agreement was approved by OSPEC and
17 the Planning Commission in May 2013. It is the
18 Planning Commission's recommendation to issue a
19 permit as a Type 1 action for the purposes of
20 SEQRA, where this project will have no -- would
21 not have an adverse impact on the environment.

22 The myrtha pool programming, which was a
23 condition of the OSPAC vote, the programming was
24 included as part of the parking study that was
25 prepared by Cameron Engineering for the twin

rinks project as well as the Aquatic Center.

CHAIRWOMAN GONSALVES: Legislator Kopel.

LEGISLATOR KOPEL: You say that they're obligated to spend up to \$1.3 million. What does that mean? In other words, if they hit \$1.3 million they can stop, leave it half built, if that's what happens, if there are cost overruns. What does that mean?

MS. KRIEB: It means that they will install the pool, which is a prefabricated pool, and also install the fabric structure that will go over it during the winter months.

LEGISLATOR KOPEL: That's not what I'm asking.

MS. KRIEB: And then the remainder of the money that's left, they're obligated to continue maintaining the pool during the term of the agreement.

LEGISLATOR KOPEL: What I'm asking you is when you say obligated to spend up to 1.3, what does that mean?

MS. KRIEB: I have Mr. Ferris here from Long Island Swimming. Before I speak, I believe the cost of the pool is 700,000.

MR. NUGENT: The cost of installation is \$1.3 million.

LEGISLATOR KOPEL: What I'm asking, Brian --

MR. NUGENT: They own the pool already. So the cost of construction to clear the land, dig the hole, to put the pool and put the fabric structure --

LEGISLATOR KOPEL: But they're spending it.

MR. NUGENT: They're spending it.

LEGISLATOR KOPEL: Why do we care? Are they obligated to build this and complete it? That's my question.

MR. NUGENT: Yes.

LEGISLATOR KOPEL: What is this 1.3 million? Why is this relevant then?

MR. NUGENT: From my understanding, as you know I'm new to this, was that they were asked to provide what the estimated cost was for the installation, and they went out and got that estimate.

LEGISLATOR KOPEL: So my question then, once again, is --

2 MR. NUGENT: Why did they put in that --

3 LEGISLATOR KOPEL: Not only that. Let's
4 say they underestimated; what then? Are we left
5 with a hole in the ground or are they obligated
6 to finish?

7 MR. NUGENT: They will be obligated to
8 complete the pool, from what I'm told.

9 LEGISLATOR KOPEL: I'm sorry? Does it
10 say that in the contract?

11 MR. NUGENT: I'll have to go to the
12 exact -

13 MR. WALSH: Hello. This is Kevin Walsh.
14 I'm the Deputy County Attorney who worked on this
15 permit. I'd just like to clarify that it says
16 they would spend a minimum of at least \$1,324,000
17 over the term. Within the preliminary term,
18 which is the construction period, it's a minimum
19 of a million. But I think Brian is correct; it's
20 basically based on the estimates of what it would
21 cost to do the installation, install the pad,
22 excavation of the property, the land at this
23 point as well.

24 LEGISLATOR KOPEL: Once again, I
25 understand what you're saying. I'm still not --

2 I still don't really understand why it was
3 interesting to put in how much the minimum
4 expenditure was. But my question remains, do
5 they have to finish? Is that an unequivocal
6 obligation? That's what I'm asking.

7 MR. NUGENT: Yes, they do.

8 LEGISLATOR KOPEL: Okay. Thank you.

9 CHAIRWOMAN GONSALVES: Legislator
10 Jacobs.

11 LEGISLATOR JACOBS: I just want to ask
12 one question and then I'll come back later on.
13 Are we talking about a prefab pool here?

14 MS. KRIEB: Yes.

15 LEGISLATOR JACOBS: We are?

16 MS. KRIEB: Yes, we are.

17 LEGISLATOR JACOBS: So this is a prefab
18 pool that a foundation will be laid to accept.

19 MR. NUGENT: Yes. It's more of just a -
20 - I think it's a hole that's put in and then the
21 fabric structure will be put over it.

22 LEGISLATOR JACOBS: Okay. So how do
23 people shower and change and everything else? Is
24 it attached to the pool?

25 MR. NUGENT: It's going to be attached

to the facility.

LEGISLATOR JACOBS: So the county facility will be used for the amenities you need in order to run a pool.

MS. KRIEB: Yes. They'll be using our showers, restrooms, and lockers.

LEGISLATOR JACOBS: I'm wondering if Mr. Ferris is here. I don't know. Because I'm wondering if he would like to come up and explain to this to us. I'm not sure I understand.

So what he's bringing is the body of a pool, with obviously a covering. Will there be bathrooms? I hope.

MR. NUGENT: The restrooms, the showers and stuff in the Aquatic Center will be used by the pool-goers.

LEGISLATOR JACOBS: So Brian, when this is going in in back of the existing pool --

MR. NUGENT: Yes.

LEGISLATOR JACOBS: Physically it's in back of it but it's almost attached?

MR. NUGENT: Correct.

LEGISLATOR JACOBS: It just seems to me that these things are so important. You have

locker rooms that have been for a long time --

MR. NUGENT: Yes.

LEGISLATOR JACOBS: You have bathrooms that have been there a long time.

MR. NUGENT: Yes.

LEGISLATOR JACOBS: You have -- I'm not an avid swimmer but I know what you need. Are they equipped to handle two pools instead of the one that they're handling?

MR. NUGENT: Yes. The facility was built for 3,000 swimmers, that's what I'm being told.

CHAIRWOMAN GONSALVES: Mr. Ferris.

MR. FERRIS: Dave Ferris, Long Island Swimming.

The facility itself, the locker rooms, the downstairs locker rooms are made to handle 1500-plus swimmers. The use of the -- the largest use of the locker rooms are the major swim meets. This pool is going to help handle the flow of the facility with the major swim meets. At that time is when you have the largest amount of people. There will never be more than -- the major swim meets are one size. They may

2 spread out more, which is what they want to do,
3 but they're going to be the same size.

4 Day-to-day operations of your facility
5 are far below that. You never have more than
6 three to 400 people, and I would say the number
7 if significantly less, in the facility at any one
8 time. So your locker rooms, which are two male
9 locker rooms, two female locker rooms, in the
10 facility, are more than adequate to handle the
11 extra flow that you would have on a day-to-day
12 basis of those pools.

13 LEGISLATOR JACOBS: There are enough
14 lockers now? Look. I've been there a lot. I
15 know what it looks like. It just seems to me
16 that this is going to be a fairly large pool
17 that's being put behind the pool that exists.

18 MR. FERRIS: The pool will be large,
19 that's true. It is being utilized as training.
20 There are only so many swimmers that will be in
21 that pool at one particular time. That amount of
22 swimmers probably isn't much more than, I would
23 say, 90. You're talking about 90 more athletes
24 in the facility at one time.

25 LEGISLATOR JACOBS: So that pool --

2 correct me if I sound foolish because I just
3 don't know, I'm not so certain about it. So this
4 pool that you're putting in is really more for
5 athletes in training - am I correct? - not
6 necessarily the public in general.

7 MR. FERRIS: Oh, no, no. I wouldn't say
8 that at all.

9 LEGISLATOR JACOBS: That's what you just
10 said though.

11 MR. FERRIS: What I would say is that
12 your largest -- your largest addition of people
13 would be when the athletes are training. And so
14 I'm trying to give you numbers of what, to your
15 point, of how many people are utilizing the
16 facility at one time. Public usage of that
17 facility would be different, and I don't have
18 that number. It would certainly be different.

19 LEGISLATOR JACOBS: And you would be -
20 you, or whoever is running it for you, I don't
21 know - would be prepared to limit when the public
22 could use it in order for the major athletes to
23 use it? I'm not saying that's good or bad. I'm
24 just asking.

25 MR. FERRIS: The contract has calls for

2 very specific scheduling for recreation for the
3 facility.

4 LEGISLATOR JACOBS: Can you visualize
5 this for us, where this is going?

6 MR. FERRIS: When you're inside the pool
7 facility --

8 LEGISLATOR JACOBS: Yes.

9 MR. FERRIS: and you go back along the
10 diving section --

11 LEGISLATOR JACOBS: Yes. Okay.

12 MR. FERRIS: the pool, itself, will run
13 perpendicular to the back wall of the pool. And
14 so that area right now was fenced in for the Good
15 Will games. There was a security buffer zone
16 that was fenced in for the Good Will Games. That
17 area has been utilized for more practical
18 purposes, just equipment graveyard. It has not
19 been utilized.

20 LEGISLATOR JACOBS: But it's part of the
21 Aquatic Center's --

22 MR. FERRIS: Grounds, for sure. I don't
23 think anybody would debate that looking at it.

24 LEGISLATOR JACOBS: All right.

25 MR. FERRIS: Thank you.

2 CHAIRWOMAN GONSALVES: Legislator
3 Nicolello.

4 LEGISLATOR NICOLELLO: Mr. Ferris, could
5 we just back up a minute? The terms of the
6 agreement, which we're exploring. Tell me,
7 what's the need for this. As a resident of
8 Nassau County, how does this benefit the
9 residents?

10 MR. FERRIS: Well, let's start with the
11 Aquatic Center has a reputation of being
12 underutilized. I'm here to tell you that I'm
13 there every single day and this facility is
14 packed. It is packed every day. There is not
15 enough lane space for the public, the high
16 schools, the clubs, the diving programs, the tri-
17 athlete programs to utilize the facility. No one
18 can get the amount of time that they need. There
19 are seven or eight high schools in that facility
20 right now that are trying to get time, and nobody
21 has enough. There are clubs like triathlon
22 groups, masters groups that are all trying to get
23 space.

24 From usage from the community, organized
25 usage, tremendous. Usage from the public, every

2 time the facility runs events there are less
3 lanes utilized. The facility needs to run
4 events. The facility runs events, there are less
5 lanes. What happens now with this facility is
6 there are now going to be more lanes for the
7 public to utilize. Additionally, during the
8 summer months, between say the beginning of June
9 and the middle or end of September, the public
10 will have an outdoor swimming facility, which has
11 been well received in places like Echo Park,
12 Freeport Recreation Center, that both have indoor
13 and outdoor facilities. And it will be well
14 received. We have many people who always just
15 want to swim outside, the air quality is better.
16 It will make a huge difference for your facility.

17 It will be utilized during the summertime
18 between the hours of ten and four, primetime
19 during the day.

20 LEGISLATOR NICOLELLO: What about
21 competitions? Will it help us get more swim
22 meets to Nassau County?

23 MR. FERRIS: I sit on the Senior Swimming
24 Committee for United States Swimming. In my
25 position of Senior Swimming Committee, we

determine the size of meets and what facilities need to have in order to get these meets.

Currently, the two week major championships which bring in 1100-plus athletes, which then if you use a multiplier of 1.5 on an athlete, how many people are coming to stay in hotels, those events are not done on the east coast right now because there are no facilities with two competition 50 meter pools. This will be the first one. It will bring the Nassau County Aquatic Center back to its, what I feel, its rightful place as the preeminent Aquatic Center in the east and bring those events, if the county so wants to have them, they will come back here. I know that. We have letters of support from the president of United States Swimming in that regard.

LEGISLATOR NICOLELLO: Okay. Just for my own edification. You will be able to bring meets here that you could not do before --

MR. FERRIS: Correct.

LEGISLATOR NICOLELLO: which obviously is something we want to do. There is an economic effect in Nassau County with respect to that.

There is an outdoor facility in the

1 summer months. In warm weather months our
2 residents will be able to use this during regular
3 daytime hours. For the people who want to use
4 the facility, schools, they'll have more
5 opportunity to get their kids into the water and
6 be able to use the swimming facilities because of
7 the extra capacity. Just for your average
8 residents, when they're having events, you won't
9 be closing down, or as many lanes will be closed
10 down, there will be more lanes for them to
11 participate.

12
13 MR. FERRIS: All of those items are
14 correct.

15 LEGISLATOR NICOLELLO: And you are going
16 to be spending over \$1.3 million with respect to
17 this?

18 MR. FERRIS: Yes. We already own the
19 pool. So the pool cost is not involved in this.
20 This is the excavation cost, laying the slab, and
21 then fill-in.

22 LEGISLATOR NICOLELLO: Okay. In
23 addition to spending that money, you're making
24 that available to the county and all of those
25 benefits which you just mentioned, you will also

1 be paying an annual fee to the county. Is that
2 correct?
3

4 MR. FERRIS: Correct. And also do the
5 maintenance of the facility.

6 LEGISLATOR NICOLELLO: You're
7 undertaking 100 percent of the maintenance?

8 MR. FERRIS: Yes, sir.

9 LEGISLATOR NICOLELLO: Okay. Thank you.

10 CHAIRWOMAN GONSALVES: Legislator
11 Solages.

12 LEGISLATOR SOLAGES: Thank you.

13 Mr. Ferris, you just mentioned that you'd
14 be paying the fees to the county. Describe. How
15 much revenue can we gain from these meets?

16 MR. FERRIS: In a previous life I spent a
17 lot of time running events at the Aquatic Center.

18 LEGISLATOR SOLAGES: That was when?

19 MR. FERRIS: When the Aquatic Center
20 first opened. We used to run 70 days of what we
21 called Tier 1 events at the time, events that
22 brought people into hotels. I have always found
23 these formulas in which to get economic impact to
24 be somewhat difficult for me to get my hands
25 around. But here's what I can tell you.

2 It's going to bring events into the
3 Aquatic Center that put people in hotel rooms
4 that you currently don't have. You're taking
5 other people's money from different parts of the
6 country and they're spending it in Nassau County.
7 That's different than taking money that would
8 have been spent over at Nassau Community and
9 moving it over to the Nassau Aquatic Center.

10 These high school events are wonderful,
11 and we always need to be doing them but they're
12 not necessarily in the economic impact; these
13 larger events are, sir.

14 How much does it cost to run those
15 events? This depends. The bigger the event, the
16 more it costs. In fact, if you're running a
17 world championship event or you're running an
18 Olympic trials, as some communities go out and
19 do, they bid. They big packages of up to \$5
20 million for the rights to run that event.

21 LEGISLATOR SOLAGES: Has the comptroller
22 done an analysis on this?

23 MR. FERRIS: On the event, to my
24 knowledge, no, sir.

25 LEGISLATOR SOLAGES: The reason I ask is

1 because the county is in, you know, very weak
2 financial status. We need revenue. And so I
3 would like to know, based on some cold hard
4 numbers, what sort of revenue can we expect from
5 these meets? I would like to know, for example,
6 what are the lane rates?
7

8 MR. FERRIS: Your lane rates are set by
9 the legislature. Their ordinance rates. Your
10 lane rates are ordinated already. Everybody is
11 paying ordinance rates. So the more lanes you're
12 going to rent, you're going to have more space.

13 This facility is going to be an economic
14 plus for the Aquatic Center. It will be a net
15 gain, absolutely, without a doubt.

16 LEGISLATOR SOLAGES: You mentioned
17 before that at one time in your life you were
18 director of the Aquatic Center. Can you please
19 describe the circumstances behind your
20 resignation from that position?

21 MR. FERRIS: Sure. I don't know that
22 that comes into this.

23 LEGISLATOR SOLAGES: Absolutely. You
24 are under subpoena to provide us documentation
25 before. You were under subpoena to provide

2 certification information as to the safety of
3 those facilities. I would like to know that
4 information. But going forward, if it is a
5 county property, we will be susceptible to any
6 lawsuits, god forbid something happens to any
7 young child at the facility.

8 MR. FERRIS: I'm sorry. I don't
9 understand your question there. I don't
10 understand the point you're making.

11 LEGISLATOR SOLAGES: Just answer the
12 question. Can you please describe the
13 circumstances behind your resignation in 2003 as
14 director of the Aquatic Center?

15 MR. FERRIS: The only way we could keep
16 our swim teams swimming at the Aquatic Center was
17 basically for me to resign. The moment, the
18 moment --

19 LEGISLATOR SOLAGES: Why did you have to
20 resign?

21 MR. FERRIS: The moment that there was -

22 LEGISLATOR SOLAGES: Mr. Nicoletto, I
23 did not interrupt you.

24 MR. FERRIS: Excuse me. I'm sorry.

25 LEGISLATOR SOLAGES: Please continue.

2 MR. FERRIS: The moment there was a vote
3 to hold up the Aquatic Center from becoming a
4 YMCA I became, not an incompetent director, but a
5 criminal director. That would be bared out by
6 the facts if you just look at the papers and look
7 at the timeline.

8 There was never an indictment. There was
9 never an accusation. Everything was dropped. I
10 can only tell you if there was something there,
11 they would have gone after me.

12 LEGISLATOR SOLAGES: I would still like
13 to know why you did not submit that information.
14 If there was no wrongdoing, if all your paperwork
15 was up to par, why did you not submit information
16 that you submitted to the IRS indicating how much
17 revenue the swim club gained?

18 MR. FERRIS: We're a not-for-profit
19 501(c)(3). One of the issues at the particular
20 time was that we were not running -- the previous
21 commissioner of parks made the statement to the
22 legislature that we were a private organization
23 operating under the Aquatic Center; it wasn't
24 true. I never had an opportunity to debate that.
25 I never had an opportunity to say anything about

1 that. As a matter of fact, when they did the
2 investigation, the internal investigation, I
3 don't think it was ever referred to the district
4 attorney. They found -- the question came back
5 to us, oh, we're not so sure that you were
6 private.
7

8 I'm sorry, sir. I would like to answer
9 as best I can. But this was a witch hunt. I was
10 the wrong person at the wrong time. They wanted
11 someone else in there. I was not a union
12 employee, so I was going to be out.

13 LEGISLATOR SOLAGES: And at that time
14 did -- there were permits and the permits were
15 expired?

16 MR. FERRIS: No, sir. As a matter of
17 fact, I'm glad you reminded me of that because it
18 was one of the ultimate reasons. I would have
19 lost my ability to get my medical. I would have
20 lost my ability to get my pension.

21 There was a title -- one of the things in
22 my title was a water safety instructor trainer.
23 In other words, I had to have the ability to
24 teach water safety instruction. When you're
25 running meets with the staff that we had and

1 didn't have it - I'm sorry, sir. We were running
2 60 hours a week. I did not teach water safety.
3 I lost my certificate. But, in the reality of
4 something like that, when you have a position and
5 that's it, you're liable to lose your job. And
6 so it was better for us to do that.
7

8 LEGISLATOR SOLAGES: I understand.
9 There was a county attorney here before; I have
10 some legal questions. Is he still here? Mr.
11 Walsh. There we go. Thank you.

12 MR. WALSH: Yes. Kevin Walsh, Deputy
13 County Attorney.

14 LEGISLATOR SOLAGES: Now you might call
15 it a permit, but some might say this is
16 alienation of parkland. Describe to me the
17 difference and why isn't this considered
18 alienation of parkland?

19 MR. WALSH: This is very specific in the
20 agreement that it is a permit for use and
21 occupancy of land. There are specific provisions
22 that say it is not a lease. It's revocable by
23 the county on notice. It is very clear -- just
24 as we've done some of the previous similar kind
25 of permits like, for example, Twin Rinks; it is

2 structured very carefully as a permit and not a
3 lease and it's specific to that.

4 LEGISLATOR SOLAGES: Should this permit
5 be revoked, what's going to happen?

6 MR. WALSH: If this permit is revoked,
7 well, it depends. If it's terminated for cause,
8 the county has every right to terminate if, for
9 example, the entity goes bankrupt, doesn't abide
10 by the terms of the agreement. The county can
11 revoke it for cause.

12 If the county decides to revoke it for
13 convenience, if the county wants someone else to
14 operate it, the county would be obligated to
15 reimburse the unamortized cost of the capital, of
16 the hard cost for this particular agreement.

17 LEGISLATOR SOLAGES: I understand. So
18 based on it being a permit, would you not need
19 state approval?

20 MR. WALSH: That's correct. If we
21 wanted to give a lease, we'd have to get state
22 alienation approval.

23 LEGISLATOR SOLAGES: As a result then,
24 we can only really terminate this contract
25 because of cause.

2 MR. WALSH: We have the right to
3 terminate it for convenience. But, as I said, we
4 would have to reimburse the cost, the unamortized
5 cost that's been spent by the operator. If we do
6 it for cause, we could end up obviously in a
7 dispute and litigation, but we would not be
8 responsible for reimbursing.

9 LEGISLATOR SOLAGES: So those costs
10 could serve as a disincentive to approving this
11 contract, to terminating this contract.

12 MR. WALSH: The cost certainly would be
13 a factor. Yes, I agree.

14 LEGISLATOR SOLAGES: Mr. Ferris, I have
15 some additional questions for you, please.

16 In my position here to determine if this
17 contract is the best interest of the county, I
18 would have loved if the administration provided
19 me some cold, hard analysis. I understand that
20 there's an individual here from the comptroller's
21 office, Paul. I'm still not clear as to how much
22 revenue we're going to gain from this deal.

23 MR. FERRIS: We did a, I guess our
24 estimate, which I could provide to you, would be
25 in year one the -- we do from \$295,000 more up to

2 year ten, \$413,000 more in revenue for the
3 facility. That takes into account the lane space
4 fee, events, the contracts, the additional
5 admission, new groups that would go, extra swim
6 lessons and new swim meets.

7 LEGISLATOR SOLAGES: Who - Mr. Ferris,
8 who will be swimming at this facility? For
9 example, can members of the LIAC swim for free
10 there, Mr. Ferris?

11 MR. FERRIS: Members of the -- no.
12 Their fees for the facility, their fees will be
13 utilized to offset the cost of running the
14 facility. In other words, all the heat, all the
15 gas, all the electric, all the maintenance costs
16 are going to be paid for by the members of LIAC,
17 which, in fact, will come out to significantly
18 more than what buying a membership at the
19 existing facility would cost them.

20 LEGISLATOR SOLAGES: So then how much
21 revenue does the county now derive from the LIAC?

22 MR. MUESSIG: I apologize. I did not
23 hear the question.

24 LEGISLATOR SOLAGES: How much revenue
25 does the county currently derive from the LIAC,

Long Island Aquatic Club?

MR. MUESSIG: I believe it's somewhere -- I'm sorry. Jim Muessig from the Nassau County Aquatic Center, Facility Manager. It's somewhere in the range of \$165,000 a year. Actually, I believe it's more than that. It didn't include the events. I believe it's around 260.

LEGISLATOR SOLAGES: Does LIAC do all of its training or just some its training on the county property now?

MR. MUESSIG: To the best of my knowledge, they do all.

LEGISLATOR SOLAGES: Annually, how much are they paying to the county?

MR. MUESSIG: It's 245, the year 2012.

LEGISLATOR SOLAGES: Doesn't the county lose this revenue if the LIAC moved to and operate in this new auxiliary pool?

MR. MUESSIG: Well, yes and no. We'll be able to replace it by booking other high school groups or club teams, triathlon training groups, other groups that space will be made available to.

LEGISLATOR SOLAGES: Is there demand

1 that will show that this loss will be at least
2 compensated for?
3

4 MR. MUESSIG: I believe so, yes.

5 LEGISLATOR SOLAGES: What data do we
6 have on the demand? I want to know how much
7 demand is there for these facilities.

8 MR. MUESSIG: As manager of the facility
9 I am constantly receiving requests from high
10 school groups, triathlon training groups, CYO
11 groups.

12 LEGISLATOR SOLAGES: Do you have any
13 documentation about this? I would like to rely
14 upon this documentation in order to make this
15 decision; I do not have that before me now. Do
16 you have this documentation?

17 MR. MUESSIG: I do not.

18 LEGISLATOR SOLAGES: This goes back to
19 the same question that I had of Mr. Ferris. This
20 lack of proper bookkeeping that I need in order
21 to make a determination if this is going to be
22 financially in the best interest of this county.
23 No response?

24 MR. MUESSIG: Was there a question? Our
25 projections indicate that we'll be able to

2 recover the money that would be lost by them
3 moving this other pool, nearby pool. Do I have
4 actual facts that back that up?

5 LEGISLATOR SOLAGES: Again, before I can
6 make a decision I would like some information
7 from the comptroller's office in order to
8 determine if this is proper and financially
9 responsible for the county to engage in this
10 contract. Can we send that -- can I have some of
11 that information sent to my office and to some of
12 my colleagues? I would like to move to table
13 until I receive this information.

14 LEGISLATOR JACOBS: I'll second that.

15 CHAIRWOMAN GONSALVES: There's a motion
16 on the floor to table.

17 All those in favor of tabling this item
18 signify by saying aye.

19 (Aye.)

20 Those opposed?

21 (Nay.)

22 LEGISLATOR SOLAGES: I'd like my
23 colleague, Ms. Jacobs, to please question. Thank
24 you. Madam Chair, I would like to temporarily
25 suspend my questioning and have one of my

2 colleagues continue.

3 CHAIRWOMAN GONSALVES: Legislator Jacobs
4 can speak for herself if she wishes to speak.

5 LEGISLATOR JACOBS: Yes. I tried that.

6 CHAIRWOMAN GONSALVES: Try. Go ahead.

7 LEGISLATOR JACOBS: Okay. Let me just
8 get one thing straight in my mind.

9 We all know the history on this.
10 Certainly I know the history on this. I was
11 presiding officer at the time. Let me ask a few
12 questions here. Let's talk about the basic
13 rationale for a pre-fab pool to be placed behind
14 the existing pool. We don't have any figures,
15 Brian, no figures whatsoever as to has there been
16 a public outcry for more time, for more space, or
17 whatever. How much unmet demand is there that is
18 creating this?

19 MR. MUESSIG: I guess the matrix of the
20 unmet demand, but we do know that we are
21 constantly turning away people. We did not keep
22 this in, you know, a form for this legislature.
23 But we're also forgetting another thing. This
24 pool needs to be, you know, repairs and stuff, we
25 are in the process of closing -- we close it down

1 for a month, a year, we might have to close it
2
3 down longer to make some of these capital
4 improvements that have been ongoing, which
5 provides another benefit.

6 The yearly benefit that we see, that
7 we're projecting, which will provide the county
8 income, also provides that we are having a new
9 facility, a new place right behind our pool.
10 This is the time to do it. It's state-of-the-
11 art. And like we've said, all our indication
12 with meeting the different meets that are coming,
13 are all looking, as Mr. Ferris said, the
14 secondary warm-up pool, and that seems to be the
15 norm. If we continue to attract and to be a
16 major player in aquatic activity in Nassau
17 County, this is something that we feel we need to
18 do.

19 LEGISLATOR JACOBS: So let me ask you
20 something. We have things on the rules agenda
21 today, contracts, that are, in one case, over
22 \$400,000 etcetera. I am not minimizing, don't
23 get me wrong, I'm not a wealthy person. I am not
24 minimizing \$1.3 million. But I am asking you a
25 question. For \$1.3 million, if this would be so

2 beneficial to us, why are we going through a
3 second party instead of the county, and why
4 aren't we building it for \$1.3 million and have
5 the facts and figures to show much more money
6 this would bring in? To me, just as a layperson,
7 that makes sense as to how to proceed. Then if
8 you feel it's necessary to hire someone with
9 expertise, that's a different story.

10 CHAIRWOMAN GONSALVES: Chief Deputy Rob
11 Walker, please. Why is it more beneficial for
12 Mr. Ferris' group than the county to do this
13 pool?

14 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
15 Let me just say this. Obviously I've been
16 listening to this for a little while. This has
17 been going on about two years. The county has
18 looked at various ways that we could increase
19 revenue, expand our opportunities similar to the
20 ice rink, as well as Malloy utilizing Mitchel
21 Park. And this was another avenue.

22 I think we all would somewhat agree that
23 it's cheaper for private operators to build than
24 Nassau County.

25 We also have another problem, which is we

2 don't have an unlimited capital program. We're
3 working right now on submitting to you the 2014
4 capital program. We know there's still a lot of
5 impacts of Hurricane Sandy. The dollars that are
6 being spent in our wastewater facilities.

7 This was something -- and also, at the
8 same time, we've got to remember that NIFA
9 approves on all our capital requests and has,
10 over the period of time as we've gone forward,
11 we've had this legislature unanimously approve
12 \$150 million, 165 million, and then as we went
13 through the process, NIFA would reduce those
14 dollars down, depending on what they thought was
15 prudent to be expending at that time.

16 NIFA also -- some of the board members,
17 if you remember, the -- I'll wait for them to be
18 finished.

19 LEGISLATOR JACOBS: No. I could do
20 both.

21 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
22 If you look at the contract that was passed for
23 Bay Park, it was a contract that this legislature
24 passed for Bay Park and I believe at that point
25 was Cantiague Park, if I remember, for artificial

1 turf fields; NIFA rejected the contract because
2 they did not think at that time it was prudent to
3 be spending dollars on park activities. So we
4 felt this was another way.
5

6 We're concerned about two major things:
7 One, the Aquatic Center we know is still facing
8 significant amount of repairs that need to be
9 made. There was a \$20 million contract that was
10 approved. So far roughly about \$6 million of
11 work is actually taking place. We may have to
12 shut down the Aquatic Center any time for a long
13 period of time. The reason why we haven't is
14 because of the outcry of support that we've
15 received when we were going back down that road
16 of closures from all the high schools,
17 specifically all the high schools which we were
18 concerned not having the time. And most high
19 schools don't have pools, as probably all of you
20 know.

21 So we want to keep the Aquatic Center
22 open. If the Aquatic Center does close, we want
23 to have a place by which they can perform and be
24 open. It comes at no cost to the county taxpayer
25 at all. The land in question is land that cannot

1 be used for any other resource. You can't build
2 a field back there. You can't expand on the
3 current facility. So it's just space in the park
4 that's not being used at all. It's just space in
5 the park that's not generating one bit of revenue
6 at all.

7
8 We know there's a cry. And I'm sure
9 everyone in this room has heard from high
10 schools, user groups, tri-athletes that they need
11 to have additional time in the Aquatic Center.
12 So this allows us to accomplish all of that, at
13 the same time at no cost to the county taxpayer
14 whatsoever. In fact, the county taxpayer will
15 benefit by the dollars and cents that come in.
16 The fact that we will be able to hold national
17 swim events that will bring in room rates of
18 1,000 to 3,000 rooms, depending on when those
19 will take place. For all of these reasons, we
20 felt it was more prudent to go down in having a
21 private operator, in fact, do the work. Again,
22 it's no cost to the taxpayer.

23 The additional cost savings - again, this
24 went through an RFP process and anyone could have
25 bid. Obviously, it makes sense for somebody that

1 knows the operation to, in fact, win the bid. In
2 fact, I think he was the only person that did
3 submit. But he knows the operation, knows how to
4 make things work. The outcry of support that we
5 received from the local school districts to our
6 Junior Olympic organization, etcetera, etcetera,
7 that have voiced their concern that they now want
8 to come here but they can't come here because we
9 don't have the warm-up pool in place. Now when
10 we have those events we can keep the pool open so
11 people can partake. Our residents that normally
12 use the facility will never be down. There are
13 so many more positives.

14
15 Again, the first one I mentioned as I
16 started, we are hoping and every day trying to
17 make sure we keep that Aquatic Center open; that
18 may change tomorrow. That may change tomorrow
19 because we'll have no choice but to close it.
20 We'll now have another option available to the
21 county residents to, in fact, use.

22 LEGISLATOR JACOBS: Rob, listen. I'm
23 not going to belabor it. I just wanted to say
24 one thing.

25 Number one. We started out saying that

2 if the facility had been built for 3,000 people
3 and, therefore, wouldn't you say in respect to
4 that that, yeah, the bathrooms that are there,
5 the lockers that are there, and everything,
6 that's what the point was being made by the
7 speaker, are sufficient. At the same time, if it
8 was built for 3,000 people, why is there such a
9 need? Is it because - and I'm not pointing a
10 finger at this particular administration or even
11 the prior one. Is it because when this pool
12 originally was built that the contract, as nice a
13 person as Mr. Ferris appears to be, when that
14 contract was entered into with Mr. Ferris and the
15 use of the facility by his teams, etcetera, which
16 I understand are an important things, didn't that
17 in and of itself preclude parents, and children,
18 and teenagers from using it when they would feel
19 the need was there?

20 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

21 I'm going to say this. I don't know what
22 contract at that point we entered into for user
23 groups. But I will say this. The construction
24 contract and the design of that facility was
25 poor. I would have loved to have been here

2 during that process. That's what has restricted
3 use. That's what restricted the different things
4 that can go on there. So I think -- you've got
5 to start from the premise of what you're
6 building. It's not like if you build it, they
7 will come. You better build it right and they
8 will come. In this case it was built poorly from
9 the start. We know we're in litigation with a
10 variety of contractors; number one being the
11 State Dormitory Authority. It was designed for
12 failure from the start.

13 Listen. We can all go back, whenever
14 that was, 10 years, 12 years, 14 years - I don't
15 even know the timeline. Unless you're part of
16 those conversations, I wouldn't know why who had
17 this, etcetera. It just doesn't work.

18 LEGISLATOR JACOBS: I'll be honest with
19 you. Obviously, we all know -- I don't even know
20 what you call the work that was done in there.

21 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
22 It's horrible.

23 LEGISLATOR JACOBS: The fact that pieces
24 are falling from the ceiling --

25 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

2 Horrible.

3 LEGISLATOR JACOBS: into the pool says a
4 lot for itself.

5 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
6 Agreed.

7 LEGISLATOR JACOBS: I'm not questioning
8 the fact that the Aquatic Center leaves a lot to
9 be desired. I've been here for a long time, so
10 has the presiding officer and a few other people
11 here on this committee. So none of us who have
12 been here for a while have not not heard about
13 the situation with the building.

14 I just don't want to see us putting
15 money, after money, after money to actually help
16 a private person take care of his teams, use our
17 facilities, be it bathrooms, lockers or whatever.
18 I just don't understand. In my mind, the case
19 has not been made -- this is just for me -- that
20 I don't see something in black and white in front
21 of me as to why this makes more sense than us
22 doing it ourselves. And there's a way to tell
23 NIFA about it. And if the way to tell NIFA about
24 it is you've got a pool that's falling apart and
25 to spend \$1.3 million we could make this all work

2 and still do the repairs that have to be done.

3 It depends how you present things.

4 CHIEF DEPUTY COUNTY EXECUTIVE WALKER: I
5 agree. But I'll just say this. If we were to do
6 it ourselves, it's going to take us three years.
7 That's just the way everything happens. Right?
8 It always takes us longer. I'll even go further.

9 We had that contract that was passed by
10 this body. The Rules Committee passed, I think
11 seven-nothing, to repair the Aquatic Center. I
12 think it was a \$24 million contract. NIFA
13 rejected that contract. NIFA says we can only
14 spend what we have cash in hand because they
15 don't want to grant us anymore money to do it.
16 So all we were able to do is do the repairs from
17 the money that was coming back in settlements.
18 So I can't even move along with that contract
19 fully.

20 I could never stand here before you --
21 and I think the one thing we've always been is
22 honest back and forth. We may agree to disagree
23 at times. In most cases I think we actually do
24 agree. I could not, on good conscience, tell you
25 that we have the money to build this auxiliary

1 pool, plus fix ours, knowing I have so many more
2 steps to go and it hasn't worked in the past.

3 I understand. I'm not even questioning
4 NIFA. I understand their concerns. They'd
5 rather see us spend the money on other
6 infrastructure that needs to be fixed. They're
7 concerned about what was going to happen with Bay
8 Park. They're concerned with what's happening
9 with Cedar Creek. So all of these other things,
10 they'd much rather see us spend our money on our
11 infrastructure, roads, those type things, then
12 spend it sometimes on recreational facilities.

13 Selfishly, being a former deputy
14 commissioner of parks, I'd much rather spend
15 money on our parks. And I think we can make a
16 lot of revenue. That being said. There is a
17 time and place for all those discussions; right
18 now we're not there. In order for us to move
19 forward in a quick fashion, something that's not
20 going to cost us any money whatsoever, I am very
21 confident standing here before you and telling
22 you that the facility would be -- and Legislator
23 Solages, I agree with you 100 percent; it makes
24 absolutely no sense to lose \$245,000 or \$100,000
25

1 in revenue. To lose that and to offset it
2 somewhere else. We're not going to lose that. I
3 can only assure you because I have every high
4 school calling my office already; how can I get
5 time? How can I get time? I wish there was
6 better documented for you; it's not, however.

8 Also, the meets that are currently taking
9 place -- that \$245,000 number includes swim
10 meets. Those swim meets are not stopping so
11 we're going to get that revenue as well. The
12 things that are changing is going to be the
13 lanes; that's what everybody is asking for. The
14 Long Island Swim Club, whatever that name is,
15 will be utilizing the facility that they're
16 actually building and that will be able to open
17 up those lanes, offset already by the people that
18 are asking for it. Plus, they're going to still
19 need additional lanes. If we can't -- which I'm
20 telling you that will never take place. If we
21 can't fill that time, we're going to go back to
22 them because they're going to still need
23 additional time as well. It just so happens that
24 there is never enough time. One thing is
25 certain, there has never been enough time in our

2 swimming pool and that's what's made a lot of
3 people upset. They say why can't I get a lane?
4 They're sharing lanes with people; they don't
5 want to do that, they'd rather have their own
6 lane.

7 So I am very confident standing before
8 you and saying that the facility will be filled.
9 Plus, we never, never have the ability to hold a
10 major event. If this facility was up and
11 running, we would have held the 2015 Nationals,
12 which would have resulted in 4,000 hotel rooms.
13 But we couldn't have the facility in time. We
14 will now compete for 2016 and 2017 for those
15 events, which, again, you are able to bring 4,000
16 hotel rooms into our region, the restaurants and
17 things of that nature will surely benefit much
18 more than, you know, than one meet.

19 LEGISLATOR JACOBS: Rob, the reasons why
20 we couldn't hold it at that facility - the games,
21 I think the Goodwill Games, because we didn't
22 have the bleachers and the seating capacity for
23 them. Forget about what's going on with the
24 ceiling. We did not have the bleachers or the
25 seating capacity; this is the best of my

2 recollection.

3 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

4 The Goodwill Games was held there. We couldn't
5 hold the other events because of the warm-up
6 pool. You don't have the sufficient warm-up
7 pool. The seating is fine. The seating is not
8 an issue. They've already committed to holding
9 these events there in '15 already if we had the
10 auxiliary pool. They need the auxiliary warm-up
11 pool in order to make it work; otherwise, it
12 doesn't meet into their USA swimming sanctions.
13 And I only learned this because - I had my Speedo
14 on when I did this; it wasn't a nice sight, but
15 we were able to at least have them commit to
16 coming here.

17 LEGISLATOR JACOBS: You made the case
18 you have. I think the case having been made when
19 it was presented to us for the vote, complete
20 with facts, figures and reasoning, might have
21 helped an awful lot in reviewing this. We're
22 really at a disadvantage right now not having the
23 facts and figures and being asked to make a
24 pretty important decision here, number one, on
25 parkland, number two, on the benefits, number

2 three, finding out from somebody like Goodwill or
3 whoever, will they actually now really use it
4 because we have a warm-up pool, or are they
5 concerned about pieces falling off the ceiling.

6 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

7 They committed to come. We would have had them
8 here in '15 if this was already approved. We
9 missed that deadline, which is part our fault.
10 I'm not blaming you.

11 LEGISLATOR JACOBS: I think there's

12 enough blame to go around all over the place.
13 But I'm just saying I don't know if we're under
14 the gun like you're making it sound, like we have
15 to do it now or forever more never be able to do
16 it. That's my question here. We need time to
17 take a deep breath and just make sure we're going
18 about it the same way.

19 CHAIRWOMAN GONSALVES: Kevan Abrahams.

20 LEGISLATOR ABRAHAMS: How are you, Rob?

21 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

22 Good. How are you?

23 LEGISLATOR ABRAHAMS: Actually, I have
24 questions for Mr. Ferris as well. But I can
25 start with Brian, actually.

How much time does Long Island Swim use at the Aquatic Center and what times do they use?

MR. FERRIS: Jim Muessig, he has the exact amount.

LEGISLATOR ABRAHAMS: Sure. Thank you, Jim.

MR. MUESSIG: Generally speaking, every weekday morning for about an hour and a half, from six to 7:30, and then every weekday afternoon from approximately 4:00 to 9:00 p.m., and then they usually have one session on a Saturday morning, from about 6:00 to 11:00 a.m.

LEGISLATOR ABRAHAMS: So every weekday morning -- say that again.

MR. MUESSIG: For about an hour and a half, from 6:00 to 7:30.

LEGISLATOR ABRAHAMS: 6:00 to 7:30 every weekday morning. And then every?

MR. MUESSIG: Every weekday afternoon from about 4:00 to 9:00.

LEGISLATOR ABRAHAMS: 4:00 p.m. to 9:00 p.m.

MR. MUESSIG: Yes. It's a significant amount of time. And a Saturday morning from

about 6:00 a.m. to 11:00 a.m.

LEGISLATOR ABRAHAMS: So that's about, roughly, I'm just thinking in my head. That's over 50 hours a week, roughly. Somewhere about there. About 40, 50 hours a week?

MR. MUESSIG: Correct.

LEGISLATOR ABRAHAMS: Is it possible that -- I know Mr. Walker said he was getting significant calls for places that want to access the Aquatic Center. It could be very possible that a lot of the time it's being utilized by Long Island Swim.

MR. MUESSIG: Currently, yes.

LEGISLATOR ABRAHAMS: Okay. So I guess what my questioning really gets down to is when I look at the schedule for the new facility, it looks like basically the weekday schedule, September to June, 6:00 to 8:00 a.m., Long Island Swim will be using the facility, and then also from 4:00 p.m. to 9:00 p.m., Monday thru Friday, and then on Saturday and Sunday they would use the facility -- this is kind of faded, kind of raw, the copy is messed up but correct me if I'm wrong -- 8:30 to noon, and then Nassau County

1 will be able to use it from noon to 9:00 p.m. I
2 can't tell. It looks like - I don't know if Long
3 Island Swim is going to be able to use it from
4 6:00 to 8:00 as well.

5
6 The reason I'm driving at - I don't know.
7 I'm just a layperson. I really don't know the
8 advantages of swimming at six o'clock in the
9 morning versus 12 o'clock at night. I bring my
10 daughter to Safety Swim. She learns how to swim.
11 I bring her there on Saturday mornings at 10
12 o'clock. What I can tell you is that unless Long
13 Island Swim is providing lessons with their time,
14 I'm just a little confused on when the public is
15 really going to get a true advantage from this
16 particular time slots. Because I could tell you
17 as a parent that brings their kids -- I'm not
18 talking about kids that are a part of any swim
19 teams, I'm just talking about parents who want
20 their kids to learn how to do the backstroke.
21 When they bring their kids, these times are not
22 at an advantage. During the day, from 8:30 to
23 3:30 does not help anybody. That can probably
24 help definitely folks that maybe are seniors and
25 possibly folks that are not working. I don't see

1 how that's helping our young people, our kids,
2 our parents that have to bring their families
3 there.

4
5 MR. MUESSIG: We offer, at Safety Swim we
6 offer lessons ourselves. We do have them during
7 the daytime hours between --

8 LEGISLATOR ABRAHAMS: When you say
9 yourself you mean the county?

10 MR. MUESSIG: Yes. The county, itself.

11 LEGISLATOR ABRAHAMS: That's my point.
12 So basically, Long Island Swim is not providing
13 any lessons to the general public.

14 MR. MUESSIG: Right. No. They don't
15 compete with our own program. They have a
16 competitive swim team program.

17 LEGISLATOR ABRAHAMS: So you find that
18 there are parents that are able to bring their
19 children -- I'm not talking about toddlers, I'm
20 talking about children -- between the hours of
21 8:30 and 3:30 during the day?

22 MR. MUESSIG: It would have to be
23 toddlers or children, pre-school ages.

24 LEGISLATOR ABRAHAMS: My child is six
25 years old.

2 MR. MUESSIG: Right.

3 LEGISLATOR ABRAHAMS: She's entering --
4 she's in Kindergarten. She's going to be
5 entering first grade. When would be a beneficial
6 time for me to bring her to this facility?

7 MR. MUESSIG: After four o'clock or
8 before school time hours.

9 LEGISLATOR ABRAHAMS: But after four
10 o'clock Long Island Swim is here. Unless I've
11 got the wrong schedule. Between the months of
12 September and June --

13 MR. MUESSIG: But they're not using the
14 entire pool. We have a large space available at
15 the Aquatic Center.

16 LEGISLATOR ABRAHAMS: You're talking
17 the Aquatic Center?

18 MR. MUESSIG: Right.

19 LEGISLATOR ABRAHAMS: I'm sorry. I'm
20 talking the new facility.

21 MR. MUESSIG: The new facility.

22 LEGISLATOR ABRAHAMS: Yes.

23 MR. MUESSIG: Right. I'm not sure I'm
24 understanding your question then. I'm sorry.

25 LEGISLATOR ABRAHAMS: The new facility

2 is not going to be open to the public? I thought
3 it was.

4 MR. MUESSIG: It will be open during the
5 mid-day hours, when the -- like the other
6 schedule in front of you. The hours otherwise
7 then --

8 LEGISLATOR ABRAHAMS: If I wanted to
9 bring my kid to get some practice swimming, all
10 right, at the new facility, because I would think
11 they're entitled to it because, you know, I'm a
12 taxpayer. So if I wanted to bring them to the
13 new facility, obviously they're in school between
14 the hours of 8:30 and 3:30, we agree on that. So
15 I would have to bring them at four o'clock. The
16 only opportunity to bring them there at four
17 o'clock is on Saturday and Sunday, because
18 Saturday and Sunday have the opportunity --

19 MR. MUESSIG: I understand what you're
20 saying. What happens then is the space at, not
21 the new facility, the Aquatic Center, there will
22 now be additional space at the Aquatic Center
23 that is open for you to bring your son and you
24 will not have to compete with so many people that
25 we do have now at that time of the day.

2 LEGISLATOR ABRAHAMS: So they have --
3 so let me make sure I understand. They'll be
4 shifted to the Aquatic Center and this facility
5 would dominantly -- okay. Now I understand.

6 But that begs the question then -- I'm a
7 little concerned that they wouldn't get the same
8 level of access to a newer facility than everyone
9 else. They have to be a part of some type of
10 swim team.

11 How many people are on a swim team, Mr.
12 Ferris? If you don't mind. How many Nassau
13 County residents benefit from the swim team?

14 MR. FERRIS: Between our swim teams and
15 our stroke clinic, we run between four and 500
16 swimmers.

17 LEGISLATOR ABRAHAMS: Four hundred
18 swimmers?

19 MR. FERRIS: That's correct, sir.

20 LEGISLATOR ABRAHAMS: And they're from
21 Nassau County?

22 MR. FERRIS: Absolutely, sir. Ninety-
23 six percent. There are always some people that
24 are not, but the vast majority are.

25 Sir, maybe I can help you with the

spacing just a little bit.

One. We're very concerned that the public has access to the facility and the public does have access to the myrtha facility. The myrtha facility is never going to be the Aquatic Center.

LEGISLATOR ABRAHAMS: I'm sorry. Myrtha?

MR. FERRIS: The pool. The additional pool.

LEGISLATOR ABRAHAMS: Okay. That's what you call it.

MR. FERRIS: It's never going to be the Aquatic Center. It's not going to be tiled. It's not quite as nice. It is certainly going to be a little bit different in the standard of the facility as opposed to an indoor facility. Number one, it's going to look more like an outdoor pool.

Importantly for the public is that during the summertime, when the public wants to be there between the hours of 10 and 4, the public is there every day. The public is there on the weekends. Every weekend, year round. So if you

1 wanted to bring your daughter in to that facility
2 after lunch on Saturday, any day during the year,
3 any Saturday during the year you can bring her
4 down.
5

6 LEGISLATOR ABRAHAMS: I understand what
7 you're saying.

8 MR. FERRIS: And during the summer you
9 could bring her down every day during primetime
10 you could be bringing her down. Primetime
11 shifts, sir, it shifts with the swimming seasons.
12 During the fall and winter the swimming season is
13 very much dominated by the high school teams and
14 want not. This is where the real clog of the
15 facility is, and this is going to open that clog.
16 Think of it as we have three baseball fields.
17 Our group utilizes the vast majority of the
18 available time to a school child on one of them.
19 Now you're going to have four baseball fields.
20 Three baseball fields are going to be open, and
21 half of the time at the fourth one is always
22 going to be open too. We're going to move out of
23 the third one. We're not going to clog up time
24 there. It's going to make time available for
25 more people.

2 LEGISLATOR ABRAHAMS: You know what? I
3 understand what you're saying, Mr. Ferris. I
4 understand that it's going to open up some time
5 at the Aquatic Center.

6 MR. FERRIS: There's going to be prime
7 outdoor time available in this pool too, in the
8 auxiliary pool, also during the summertime.

9 LEGISLATOR ABRAHAMS: I'm just
10 concerned. I'm just doing a quick analysis. If
11 I add up the hours based off this user schedule,
12 it just bewilders me how it looks like Long
13 Island Swimming is going to be using the place
14 more than the average taxpayer could.

15 MR. FERRIS: Fifty-two percent of the
16 time available to that facility open is to
17 recreational use.

18 LEGISLATOR ABRAHAMS: Fifty-two
19 percent.

20 MR. FERRIS: Fifty-two percent.

21 LEGISLATOR ABRAHAMS: So I'm a little
22 off. It just seems to me -- and granted, 400,
23 500 swimmers --

24 MR. FERRIS: It's like an extra field.

25 LEGISLATOR ABRAHAMS: I understand.

1 Four hundred, 500 swimmers is a very large
2 number, in terms of a swim team. I'm just
3 concerned that this 1.3 million residents in this
4 county, and the fact that they have to share 48
5 percent of the time versus 500 people sharing 52
6 percent of the time -- I'm sorry -- 48 percent of
7 the time, where 1.3 have to share 52 percent of
8 the time. It just doesn't seem right. There's
9 something wrong with that picture.
10

11 MR. FERRIS: If you take a baseball field
12 and you lease it to a team --

13 LEGISLATOR ABRAHAMS: Do you see what
14 I'm saying, though?

15 MR. FERRIS: I understand exactly what
16 you're saying.

17 LEGISLATOR ABRAHAMS: It just seems
18 like we got this facility -- we've got this
19 facility, right? And we're going to spend 1.3
20 million. I actually agree with Legislator
21 Jacob's point, that if we have this facility, we
22 might have spent the money ourselves. If we're
23 going to go into a partnership, that's all well
24 and good. We've got this facility. Basically,
25 you're going to build it for us. At the end of

1 the day, we're using parkland, we're using
2 taxpayer space parkland and we're going to say to
3 the taxpayer that we're not going to spend a dime
4 to do it, but you're only going to be able to use
5 it 52 percent of the time and 500 people are
6 going to use it 48 percent of the time. There's
7 something with that that doesn't seem equitable.
8 To me it doesn't. Now you can explain to me
9 about baseball fields and how things work. To
10 me, you're talking about equity standpoint, that
11 doesn't sound equitable.
12

13 MR. FERRIS: Where I would beg to differ
14 with you, sir, is simply by doing this we're
15 going to expand opportunities for more Nassau
16 County residents.

17 Swimming has grown. It is documented.
18 In the Metropolitan area alone, swimming has
19 grown 30 percent over the last ten years. The
20 need is there. We're going to put more Nassau
21 County residents in the pool. Our team is 400
22 because we can't fit anymore. And they're not
23 just one from one school district, they're from
24 all over Nassau County.

25 LEGISLATOR ABRAHAMS: How are you going

to put more Nassau County residents in the pools?

MR. FERRIS: By having those lanes that are right there in this pool. It's going to open up more.

LEGISLATOR ABRAHAMS: You mean more people to join the team.

MR. FERRIS: More people will join, sure.

LEGISLATOR ABRAHAMS: Is there a cost to join your team?

MR. FERRIS: Excuse me?

LEGISLATOR ABRAHAMS: Is there a cost to join your team?

MR. FERRIS: There is. We will try to continue to drive the cost down. This is where - Long Island Swimming is a not-for-profit.

LEGISLATOR ABRAHAMS: Mr. Ferris, what's the cost to join the team?

MR. FERRIS: The cost depends on the child, at what age. It runs anywhere from \$1200 to some place around \$3300.

LEGISLATOR ABRAHAMS: For how long a period?

MR. FERRIS: For a year.

2 LEGISLATOR ABRAHAMS: That's cheap?

3 MR. FERRIS: It's not cheap to every
4 working -- I can tell you that we have people
5 that it's not cheap to. I couldn't swim on that
6 team from my family I grew up with, sir. And I
7 would like for those kids to be able to swim.

8 LEGISLATOR ABRAHAMS: Look. I know
9 you're opening up opportunities. I could tell
10 you \$1200, it may sound like a bargain but that
11 doesn't sound cheap to a lot of Nassau County
12 residents, especially when you're trying to
13 balance other things that are going on, such as
14 high taxes and everything else.

15 Like I said before, my concern is really
16 tied to the equity of this more than anything
17 else. I would encourage the county to be a
18 little bit more cognizant of that.

19 MR. NUGENT: The Aquatic Center is open
20 every day from 6:00 to 9:00 p.m. and any of the
21 members can come swim. This is for more the
22 competitive swimmers, and that's for our high
23 schools and things like that. So anybody can
24 still - nobody is losing any time.

25 LEGISLATOR ABRAHAMS: Hold on one

second, Brian.

CHAIRWOMAN GONSALVES: Mr. Nugent, maybe you can answer this question for me. How many high schools avail themselves of the Aquatic Center now and what districts are they? Do we have that information?

MR. NUGENT: James has it.

MR. MUESSIG: Right now we have East Meadow High School, Bellmore/Merrick High School, Wantagh High School, Southside High School, Sewanakah High School, Levittown High School, St. Dominic's High School, and I believe that covers all the high schools. We have a lot of CYO teams as well. Scuba team.

CHAIRWOMAN GONSALVES: Where are the CYO teams from?

MR. MUESSIG: We have Levittown, St. Bernard's, St. Agnes, St. -- I'm drawing a blank here. Sorry. St. Rose in Seaford, I believe. Probably about six different CYO teams.

CHAIRWOMAN GONSALVES: Offhand could you tell us what high schools have inquired for use of the Aquatic Center?

MR. MUESSIG: We have - I can't tell you

1 for sure what high schools have inquired, but the
2 ones we do have now are always asking for more
3 additional time. Often I have to either limit
4 the number of lanes they have available or the
5 timeframe that they have available or give them
6 alternate times that aren't exactly ideal to
7 them. That's what we're dealing with right now.
8 If Nassau BOCES commissioner was here, she would
9 be able to tell you more information on other
10 teams that are looking for space. Nina VanEric
11 from Section 8.
12

13 LEGISLATOR ABRAHAMS: I don't know if
14 Mr. Walker is still here. Rob, are you still
15 here? I'll let Rob come up.

16 When we were figuring out, when the
17 administration was figuring out this deal and
18 sent out this RFP, obviously, did you envision
19 that only one person would respond or did you
20 think that there were a lay of the land where
21 many could respond?

22 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
23 Anybody could have responded; totally unknown.
24 Obviously, we had -- Mr. Ferris had come to us
25 and said this was an idea that we believe would

2 work and we put the RFP out.

3 LEGISLATOR ABRAHAMS: Has Mr. Ferris -
4 I'm guessing Mr. Ferris would, has he purchased
5 the prefab pool yet?

6 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
7 Good question. Yes. He's saying yes. In 2005.

8 LEGISLATOR ABRAHAMS: He purchased it
9 when?

10 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
11 2005.

12 LEGISLATOR ABRAHAMS: 2005, Mr. Ferris,
13 you purchased the pool? You have to come up, Mr.
14 Ferris. I can hear you, but it needs to be that
15 way for the record.

16 MR. FERRIS: We purchased the pool in --
17 we went to contract on the option for the pool in
18 2005. It's a Legacy pool, which is -- these
19 facilities are utilized for Olympic trials, world
20 championship events, the Olympics and want not,
21 and then they sell the pool after. They sell the
22 pools to groups like ourselves that are building
23 swimming at a significant discount.

24 LEGISLATOR ABRAHAMS: The pool has been
25 used and then now it's --

1 MR. FERRIS: Lightly used.

2 LEGISLATOR ABRAHAMS: Lightly used.

3 How long was it lightly used?

4 MR. FERRIS: It has the same guarantee.

5 It has the same guarantee as a brand new pool.

6 As a matter of fact, because of what we've done
7 with them over the time, we're probably 50/50 on
8 whether we'll get a brand new facility or another
9 lightly used pool because it's been so long since
10 we purchased it.

11 LEGISLATOR ABRAHAMS: In regards to the
12 revenue from the meets, I want to just talk about
13 that for a second. How is that revenue collected
14 and who holds the revenue? Where does it go? I
15 guess that's my general question. The revenue
16 from the meets --

17 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
18 It goes to the treasurer of the general fund and
19 that will continue. That will not change.

20 LEGISLATOR ABRAHAMS: So the friends
21 group, are they involved in any handling -

22 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
23 No. Absolutely not. It strictly goes to
24 treasury.

2 LEGISLATOR ABRAHAMS: Okay.

3 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

4 Just on the RFP. Ten people actually picked up
5 the RFP, but, again, only one response.

6 LEGISLATOR ABRAHAMS: Legislator
7 Jacobs has a question on that issue, if you don't
8 mind Madam Chair.

9 CHAIRWOMAN GONSALVES: Legislator
10 Jacobs.

11 LEGISLATOR JACOBS: Can I just ask one
12 question? When at the actual facility itself and
13 money is exchanging hands for whatever reason,
14 for use of the lane, use of facilities, purchases
15 at the shop, will there be CSEA people there,
16 will it be county operated, as far as the money
17 coming in?

18 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
19 The way we currently run our facility, nothing
20 will change at all. There is not one change. It
21 will still go exactly the way it's run. All CSEA
22 employees run through the parks department.
23 Everything is on the county with Rextrack
24 (phonetic). It goes to the treasury. Nothing
25 changes at all with respect to any of the

2 programs. And when we're utilizing the other
3 facility, the "new pool" that will be run the
4 same way. CSEA employees will run programs
5 there. They're lifeguards. Whatever the case
6 may be, it will not change.

7 LEGISLATOR JACOBS: That's an important
8 point. For those of us who remember back to what
9 went on, the problem was there was no trail of
10 monitoring the money that had come in and where
11 it went.

12 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
13 It stays exactly the same.

14 LEGISLATOR JACOBS: Okay. Thank you.

15 CHAIRWOMAN GONSALVES: Legislator
16 Solages.

17 LEGISLATOR SOLAGES: Mr. Ferris, please
18 come forward.

19 I would like to read this letter to the
20 record, a letter dated July 16, 2003 from David -
21 - excuse me -- from Matt Crimons, the Director of
22 Health and Safety at the American Red Cross.

23 It said that David Instructor and
24 instructor training authorizations with the
25 American Red Cross have all expired. In order to

2 maintain one's certification, at least one class
3 in that discipline -- lifeguard, WSI, CPR, FA --
4 must be taught during the validity period of the
5 instructional authorization. As long as one
6 course is conducted, the authorization for that
7 discipline is extended for another two year
8 period.

9 Over the past two years, there have been
10 mandatory updates to the new lifeguarding program
11 and first aid/CPR/AED. All county AFR lifeguard
12 instructors were notified by mail. Our record
13 indicates that David has not participated in any
14 of the updates, and the last class taught by him
15 in CPR/first aid was in 1998. This was from
16 2003.

17 The course indicated on his teaching
18 history report did not qualify him for renewal
19 because he stated the two class -- he started it
20 but never finished. It was completed by another
21 instructor. There is no teaching activity for
22 2001, 2002, 2003.

23 Based on this, based on the lack of any
24 financial information from the comptroller's
25 office, I am glad that Mr. Welcher mentioned a

1 list of schools, but I don't have a complete list
2 that shows that there's a demand. I don't have
3 any information before me to answer the question
4 as to why should you be able to run this new
5 facility. The only information that I have that
6 leads to another set of questions are all these
7 campaign finance reports in which you have
8 donated, in 2010, \$1500 to the Mangano
9 administration, but now, as of date, you have
10 donated well over \$15,000.

11
12 Please tell me why is it that you are
13 getting this contract?

14 MR. FERRIS: Can I just interject? With
15 the previous administration, we were in the midst
16 before the election. That November, we were in
17 the midst before the election, of a similar
18 contract with Christopher Morley facility.

19 Swimmers work on both parties. Swimmers
20 are from both parties. This is not a political
21 thing. This is doing something good for the
22 community, sir. That's all we're trying to do.

23 LEGISLATOR SOLAGES: Do you have any
24 response regarding that letter I read from the
25 Red Cross?

2 MR. FERRIS: Sir, I would simply say, I
3 was running 70 days of events for Nassau County.
4 Seventy days of events. And I don't believe in
5 cheating and having somebody add my name to the
6 list. So.

7 We ran great events in that facility.

8 LEGISLATOR SOLAGES: But if we're going
9 to have more capacity, then that leads me to
10 believe that you are going to --

11 MR. FERRIS: What that letter doesn't
12 say is that I was a certified instructor for Swim
13 America, another national program. That was
14 something I didn't choose to fight. I can
15 deliver documentation that I've been that since
16 the early 90's.

17 CHAIRWOMAN GONSALVES: Legislator
18 Jacobs.

19 LEGISLATOR JACOBS: I just want to get
20 something on record because I did speak to Bruce
21 Piel over the weekend. And I'm not going to read
22 the whole thing; I'm going to submit it, though,
23 for the record. He actually sent me something
24 that was his concerns back in 2003, not the least
25 of which -- and I have news for you and you'll

1 know what I'm talking about, Brian.

2
3 There is that alienation of parkland that
4 is a concern at times, maybe sometimes done
5 inadvertently but it happens. He's so involved
6 with parks and retaining -- making sure they are
7 not alienation that he asked me -- he told me --
8 his words. I'm attaching a copy of what exactly
9 he had said in 2011 of the last attempt to try to
10 put a pool behind the facility. Essentially what
11 he is really saying is that the -- all the county
12 justifications for using a pool behind it, on
13 parklands created, developed and maintained by
14 taxes are really -- I'm not going to use his
15 exact terminology -- but are really not
16 acceptable when you're talking about the proper
17 use of parkland. His concern really, essentially
18 -- I'm paraphrasing now -- is that we should
19 really cross our t's and dot our I's make sure
20 that we don't run into things before we really,
21 so to speak, test the waters.

22 I will put this in the record. I just
23 think he's respected enough that his concerns
24 should be kept in mind too. Thank you.

25 CHAIRWOMAN GONSALVES: Any public

comment regarding this item?

(No verbal response.)

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

(Aye.)

Any opposed?

(Nay.)

The contract passes four to three.

The next item is E-19, a resolution
authorizing the county executive to execute a
personal services agreement between the County of
Nassau, acting on behalf of the Nassau County
Department of Public Works, and Dvirka and
Bartillucci Engineers and Architects.

Motion, please?

LEGISLATOR WALKER: So moved.

LEGISLATOR KOPEL: Second.

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

And I believe we have Mr. Millet.

MR. MAY: We do.

CHAIRWOMAN GONSALVES: As he's
approaching the microphone.

MR. MILLET: Rich Millet, Public Works.

This is a construction management contract for the influent -- hold on -- for the Cedar Creek grit tank facility rehabilitation.

CHAIRWOMAN GONSALVES: Any questions of Mr. Millet?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of Contract E-19-14 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The contract passes unanimously.

The next item is Item E-20-14, a resolution authorizing the county executive to execute a personal services agreement between the County of Nassau acting on behalf of the Department of Social Services and Long Island Advocacy Center.

Motion, please?

LEGISLATOR WALKER: So moved.

LEGISLATOR KOPEL: Second.

CHAIRWOMAN GONSALVES: Moved by

Legislator Walker, seconded by Legislator Kopel.

And we have?

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

The item before you is a contract for Long Island Advocacy Center for \$126,170. The contract is for the vendor to provide advocacy and support services to address the educational needs of children involved with the PINS diversion program, who are referred to them by the Department of Social Services. This is a mandated service.

Do you have any questions?

LEGISLATOR ABRAHAMS: I was just going to ask a generic question. Who was providing this service before Long Island Advocacy?

MR. BRODERICK: They've been providing it for the past number of years, to the best of my knowledge.

LEGISLATOR ABRAHAMS: Oh. So who provided it before they were in place? Was something being done by CSEA, labor?

MR. BRODERICK: To the best of my

2 knowledge, they've always been providing this
3 services.

4 LEGISLATOR ABRAHAMS: They've -- so the
5 service wasn't in existence before they started
6 providing it?

7 MR. BRODERICK: I would assume that they
8 initiated --

9 LEGISLATOR ABRAHAMS: They initiated
10 this service. It wasn't being done by --

11 MR. BRODERICK: It wasn't done in-house.

12 LEGISLATOR ABRAHAMS: That's what I
13 mean.

14 MR. BRODERICK: Not to my knowledge.

15 LEGISLATOR ABRAHAMS: Thank you.

16 CHAIRWOMAN GONSALVES: Any other
17 questions or comments?

18 (No verbal response.)

19 Any public comment?

20 (No verbal response.)

21 There being none; all those in favor of
22 E-20-14 signify by saying aye.

23 (Aye.)

24 Any opposed?

25 (No verbal response.)

The contract passes unanimously.

MR. BRODERICK: Thank you.

CHAIRWOMAN GONSALVES: Next item is E-30-14, a resolution authorizing the county executive to execute a personal services agreement between the County of Nassau acting on behalf of the Nassau County Police Department and American Security Technologies, Inc. d/b/a World Wide Security Group.

LEGISLATOR WALKER: So moved.

LEGISLATOR NICOLELLO: Second.

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

SERGEANT STEPHANOFF: Good afternoon. Sergeant Greg Stephanoff.

This item is to provide Nassau County with cellular based tracking units for personal use. These tracking units will allow the user the ability to push a single button and notify the police department via its 9-1-1 call center. This is used for immediate threat-to-life situations where a rapid response is required.

What we're doing with this item is we're

2 going to expand. Normally it's used - a lot of
3 domestic violence incidents, we give them out.
4 Anyone who has an imminent threat to their life.
5 Police officers, sometimes when they lock up
6 certain people, will have a credible threat to
7 their life. We're going to expand it to the
8 school system and we're going to give out these
9 units to all the schools as a proactive measure
10 where they can press a button and it will
11 immediately notify our 9-11 center and dispatch
12 cars to the scene.

13 CHAIRWOMAN GONSALVES: Any questions or
14 comments from the legislators?

15 (No verbal response.)

16 Any public comment?

17 (No verbal response.)

18 There being none; all those in favor of
19 E-30-14 signify by saying aye.

20 (Aye.)

21 Any opposed?

22 (No verbal response.)

23 The item passes unanimously.

24 SERGEANT STEPHANOFF: Thank you.

25 CHAIRWOMAN GONSALVES: Thank you,

2 Sergeant.

3 Next item is E-31-14, a resolution
4 authorizing the county executive to execute an
5 amendment renewal of a personal services
6 agreement between the County of Nassau acting on
7 behalf of the Nassau County Department of
8 Corrections and the New York Board of Rabbis.

9 LEGISLATOR WALKER: So moved.

10 LEGISLATOR KOPEL: Second.

11 CHAIRWOMAN GONSALVES: So moved by
12 Legislator Walker, seconded by Legislator Kopel.

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

15 CAPTAIN SATHER: Good afternoon. Keith
16 Sather.

17 CHAIRWOMAN GONSALVES: Good afternoon.

18 CAPTAIN SATHER: The item before you is
19 a personal services agreement between the
20 correctional center and the New York Board of
21 Rabbis. It's in the amount of \$8,400. The
22 contract is for religious services pursuant to
23 New York State Commission and Corrections Mandate
24 7024.3.

25 CHAIRWOMAN GONSALVES: Any questions

from the legislators?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of
Item E-31-14 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

The next one is E-38-14, a resolution
authorizing the county executive to execute an
amendment to the personal services agreement
between the County of Nassau acting on behalf of
the Office of Management and Budget and AJ
Consulting Services, LLC.

LEGISLATOR WALKER: So moved.

LEGISLATOR NICOLELLO: Second.

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

Mr. May.

MR. MAY: We have Mr. Steve Conkling
from the Office of Management and Budget.

MR. CONKLING: Good afternoon.

CHAIRWOMAN GONSALVES: Good afternoon.

MR. CONKLING: Steve Conkling from the Budget Office.

This contract is with AJ Consulting Services to provide the budget office with a full range of financial consulting services, as requested, including assistance with the annual budget, multi-year financial plans, and identify cost initiatives and other strategic initiatives.

CHAIRWOMAN GONSALVES: Any questions or concerns from the legislators?

(No verbal response.)

Any public comment?

LEGISLATOR ABRAHAMS: I'm sorry. If I may. I'm sorry.

How are you, sir?

MR. CONKLING: Good. Thanks.

LEGISLATOR ABRAHAMS: AJ Consulting Services has original -- I guess the contract was from November 2013 to March 2015, correct?

MR. CONKLING: Correct.

LEGISLATOR ABRAHAMS: So this contract is coming to us today, a couple months late.

2 MR. CONKLING: They have not been doing
3 the work.

4 LEGISLATOR ABRAHAMS: Oh. They haven't
5 been doing the work between November and now?

6 MR. CONKLING: No.

7 LEGISLATOR ABRAHAMS: Good. Okay. My
8 next question is AJ Consulting Services, what's
9 their expertise?

10 MR. CONKLING: There's primarily two
11 principles with the firm; they both have
12 extensive experience working with and for the
13 City of New York and the State of New York. Abe
14 Blackman I believe was the budget director for
15 New York City a while ago. John Mercado is one
16 of the other principles. He has extensive
17 experience in communications and dealing with the
18 state on various issues.

19 LEGISLATOR ABRAHAMS: Okay. And the
20 Office of Management and Budget, your office, is
21 there any other contracts for personal services
22 that you have for purposes to be able to suffice
23 with the completion of the county budget? Is
24 this the only one?

25 MR. CONKLING: Yes. We do have other

contracts but nobody that's assisting us with the budget in the areas they would be working on or are working on.

LEGISLATOR ABRAHAMS: What do the other contracts consist of?

MR. CONKLING: There's a contract with PFM.

LEGISLATOR ABRAHAMS: Anybody else?

MR. CONKLING: No.

LEGISLATOR ABRAHAMS: No. And this is a service you feel could not be fulfilled in-house with the current staff?

MR. CONKLING: No. They have, I think, unique experience that we don't have in-house and has been very valuable in the past.

LEGISLATOR ABRAHAMS: Okay.

CHAIRWOMAN GONSALVES: Any other questions?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of Item E-38-14 signify by saying aye.

(Aye.)

2 Any opposed?

3 (No verbal response.)

4 The item passes unanimously.

5 MR. CONKLING: Thank you.

6 CHAIRWOMAN GONSALVES: The next one is -
7 - thank you, sir.

8 The next one is E-40-14, a resolution
9 authorizing the county executive to execute an
10 amendment to a personal services agreement
11 between the County of Nassau acting on behalf of
12 the Department of Public Works and Lockwood,
13 Kessler & Bartlett, Inc.

14 Motion, please?

15 LEGISLATOR WALKER: So moved.

16 LEGISLATOR KOPEL: Second.

17 CHAIRWOMAN GONSALVES: Moved by
18 Legislator Walker, seconded by Legislator Kopel.

19 MR. MILLET: Rich Millet, Public Works.

20 This is an extension of time on an
21 existing contract, the Cedarhurst/Lawrence
22 diversion work. There is no money involved in
23 this extension. It's just for an extension of
24 time.

25 Any questions of Mr. Millet?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of E-40-14 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

The next contract is E-41-14, 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 Cameron Engineering and Associates, LLP.

LEGISLATOR WALKER: So moved.

LEGISLATOR NICOLELLO: Second.

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

Mr. Millet.

MR. MILLET: Rich Millet, Public Works.

This is an extension of time as well. No money involved in this extension. This is the

contract administration side of the
Cedarhurst/Lawrence diversion.

CHAIRWOMAN GONSALVES: Any questions on
this item?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of
E-41-14 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

The next item is E-42-14, a resolution
authorizing the county executive to execute a
personal services agreement between the County of
Nassau acting on behalf of the Nassau County
Department of Public Works and Greenman-Pedersen,
Inc.

LEGISLATOR WALKER: So moved.

LEGISLATOR KOPEL: Second.

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

MR. MAY: We have Mr. Jeff Lindgren from

the Department of Public Works.

MR. LINDGREN: Good afternoon. Jeff Lindgren, Department of Public Works.

The contract before you is a design services portion of a federal aid construction project where we'll be installing approximately 25 variable message signs along county roadways throughout the county, in conjunction with our traffic management center in Westbury.

CHAIRWOMAN GONSALVES: Any questions or comments regarding this item?

(No verbal response.)

Any public comment?

(No verbal response.)

All those in favor of E-42-14 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

Motion to suspend the rules for the addendum, please.

LEGISLATOR WALKER: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRWOMAN GONSALVES: Motion by
Legislator Walker, seconded by Legislator
Nicolello.

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

(Aye.)

Any opposed?

(No verbal response.)

The rules are suspended.

The first item is E-8-14, a resolution
authorizing the county executive to execute a
personal services agreement between the County of
Nassau acting on behalf of the Department of
Public Works and the Morganti Group, Inc.

LEGISLATOR WALKER: So moved.

LEGISLATOR NICOLELLO: Second.

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

I'm going to ask at this time for a
motion to table E-8-14.

LEGISLATOR KOPEL: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRWOMAN GONSALVES: Moved by

2 Legislator Kopel, seconded by Legislator
3 Nicolello.

4 All those in favor of tabling E-8-14
5 signify by saying aye.

6 (Aye.)

7 Any opposed?

8 (No verbal response.)

9 The item is tabled. E-8-14 is tabled.

10 The next item is E-32-14, a resolution
11 affirming to a special counsel agreement entered
12 into by the Nassau County Attorney and Crafa &
13 Sofield, P.C.

14 LEGISLATOR WALKER: So moved.

15 LEGISLATOR KOPEL: Second.

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

18 And we have, I see, Ms. Locurto.

19 MR. MAY: That's correct.

20 MS. LOCURTO: Good afternoon,
21 Legislators.

22 CHAIRWOMAN GONSALVES: Good afternoon.

23 MS. LOCURTO: This is a special counsel
24 contract to assist the County of Nassau in the
25 litigation of *The Matter of Kevin McCaffrey and*

2 *Jaeggermeister Deli, Inc. v. County of Nassau,*
3 *Nassau County Police Department, and The Nassau*
4 *County Fire Commission.*

5 Briefly, this is a federal 1983 action
6 and a 1964 action brought in the Eastern District
7 of New York. The matter is pending before Judge
8 Wexler. Special counsel has been retained for
9 the specific purpose of assisting the county
10 attorney's office in trying this case.

11 The county is being represented by
12 special counsel but also by Deputy County
13 Attorney Ralph Reisman (phonetic), who will
14 conduct the trial, be a part of the trial team.

15 Are there any additional questions?

16 CHAIRWOMAN GONSALVES: Legislator Kopel.

17 LEGISLATOR KOPEL: Did you say a 1964
18 action?

19 MS. LOCURTO: Yes. Under \$1964.

20 LEGISLATOR KOPEL: Oh. Thank you.

21 MS. LOCURTO: Yes. Sorry.

22 LEGISLATOR KOPEL: Okay.

23 CHAIRWOMAN GONSALVES: Legislator
24 Solages.

25 LEGISLATOR SOLAGES: Thank you, Madam

Chair.

Is this case still going on? Is it active or is it closed?

MS. LOCURTO: It's a closed case. The trial took place in June 17, 2013.

LEGISLATOR SOLAGES: So the work has already been done on this case?

MS. LOCURTO: Yes. Special counsel assisted. They did it on a flat basis fee for us for the purposes of coming in just for trial.

LEGISLATOR SOLAGES: So aren't we supposed to approve this contract before the work was done?

MS. LOCURTO: The contract was supposed to be submitted --

LEGISLATOR SOLAGES: The answer is yes, right?

MS. LOCURTO: Yes.

LEGISLATOR SOLAGES: But the case has been done. The work has been done already.

MS. LOCURTO: Correct.

LEGISLATOR SOLAGES: So why did it not come to us before?

MS. LOCURTO: The contract was in the

2 process of being put together and brought before
3 the legislature. It did not make it on in the
4 2013 calendar. It was put over to 2014.

5 LEGISLATOR SOLAGES: That's not
6 acceptable. Look. This is the point. How come
7 this work cannot be performed by the county
8 attorney's office?

9 MS. LOCURTO: It was performed by a
10 deputy county attorney, but a special expertise
11 and the need for available resources necessitated
12 us bringing in an additional litigator to assist
13 us in the trial.

14 LEGISLATOR SOLAGES: Let me get this
15 straight. The appearance date, according to the
16 court records, is what year? 2013? Is that
17 correct?

18 MS. LOCURTO: The trial took place in
19 2013, yes.

20 LEGISLATOR SOLAGES: So, therefore, this
21 should have --

22 MS. LOCURTO: A deputy county attorney,
23 Ralph Reisman, prepared all the pretrial
24 discovery, the notice of claim, every aspect of
25 the litigation up until the time of the actual

2 trial. Due to limitations in staff and resources
3 and in the level of expertise to try a federal
4 1983 action, it was determined that additional
5 special counsel was necessary to assist us.

6 LEGISLATOR SOLAGES: So the work was
7 done in 2013 in June but we're getting the bill
8 for it now in February 2014. Isn't that correct?

9 MS. LOCURTO: Yes.

10 LEGISLATOR SOLAGES: So how much billing
11 has been incurred up until this date?

12 MS. LOCURTO: As I said, this is a flat
13 rate fee.

14 LEGISLATOR SOLAGES: What prevented them
15 from coming to us before? It's over \$25,000.

16 MS. LOCURTO: Correct. And the county
17 attorney's office has the authority to retain up
18 to 25,000. The reason this particular contract
19 is coming to you, because you see the amount is
20 for 25,000, is because the aggregate amount of
21 contracts with any one particular counsel, if it
22 exceeds 50,000 must come back to Nassau County
23 Legislature for approval; that's why this
24 contract is coming back before you.

25 LEGISLATOR SOLAGES: I just have to say

for the record that this is unacceptable.

Nothing further.

CHAIRWOMAN GONSALVES: Any other
comments?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of
E-32-14 signify by saying aye.

(Aye.)

Any opposed?

(Nay.)

The item passes four to three.

Item E-34-14, a resolution authorizing
the county executive to execute an amendment of
the personal services agreement between the
County of Nassau, acting on behalf of the Nassau
County Department of Social Services and Dr.
Alexander Sasha Bardey.

LEGISLATOR WALKER: So moved.

LEGISLATOR NICOLELLO: Second.

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

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

5 The contract before you is with Dr.
6 Alexander Bardey to provide the department with
7 psychological evaluations on the adult community
8 for competency hearings. It is a mandated
9 service.

10 CHAIRWOMAN GONSALVES: Any questions
11 from the legislators?

12 (No verbal response.)

13 Any public comment?

14 (No verbal response.)

15 There being none; all those in favor of
16 E-44-14 signify by saying aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 The item passes unanimously.

21 Motion to un-table Item A-7. Motion,
22 please?

23 LEGISLATOR WALKER: So moved.

24 LEGISLATOR KOPEL: Second.

25 CHAIRWOMAN GONSALVES: Moved by

2 Legislator Walker, seconded by Legislator Kopel.

3 All those in favor of un-tabling A-7
4 signify by saying aye.

5 (Aye.)

6 Any opposed?

7 (No verbal response.)

8 The item is un-tabled.

9 A-7-14, a resolution authorizing the
10 director of Nassau County Office of Purchasing to
11 award and execute a contract between the County
12 of Nassau acting on behalf of Nassau County
13 Department of Information Technology and Cogsdale
14 Holdings, Limited.

15 MR. EISENSTEIN: Good afternoon
16 Legislature. Ed Eisenstein, IT Commissioner in
17 the IT Department.

18 CHAIRWOMAN GONSALVES: Good afternoon.

19 Any questions regarding this item of Mr.
20 Eisenstein?

21 (No verbal response.)

22 MR. EISENSTEIN: Would you like a brief
23 description of this item?

24 CHAIRWOMAN GONSALVES: Any public
25 comment?

(No verbal response.)

Wait a minute. Wait a minute. We've got to take a vote.

Any public comment?

(No verbal response.)

There being none; all those in favor of Item A-7-14 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

MR. EISENSTEIN: Thank you, Legislature.

CHAIRWOMAN GONSALVES: Thank you very much, Mr. Eisenstein.

Now the Rules Committee is in recess.

LEGISLATOR ABRAHAMS: Before you put it in recess, Madam Presiding Officer.

CHAIRWOMAN GONSALVES: Yes, sir.

LEGISLATOR ABRAHAMS: I just have a quick question. I noticed that we tabled E-8 today, if I'm standing correctly. I just wanted to make sure to make a note for the record and make sure that the committee was cognizant that on January 13, 2014 we also tabled E-1, which was

2 I guess the same related -- we didn't call it, E-
3 1-14, which was a \$3 million sewer related
4 contract for this same vendor that we tabled this
5 item today.

6 I just wanted to make sure that everyone
7 is cognizant that the 45 day rule could apply
8 because this committee/body won't meet again,
9 unless we do it sometime in committee on the
10 24th. But I just wanted to make sure that we
11 know that the 45 day rule would apply for items
12 this large. I just wanted to make sure that we
13 knew that we should be taking action on it, not
14 just letting it go through the 45 day rule.

15 CHAIRWOMAN GONSALVES: Legislator
16 Abrahams, we're well aware of that. This item
17 was withdrawn by --

18 LEGISLATOR ABRAHAMS: Withdrawn?

19 CHAIRWOMAN GONSALVES: the county
20 executive.

21 LEGISLATOR ABRAHAMS: Okay. That's
22 fine. Thank you. Just wanted to make sure we're
23 aware.

24 CHAIRWOMAN GONSALVES: We are now in
25 recess.

(Whereupon, the Rules Committee recessed at 3:01 p.m.)

(Whereupon, the Rules Committee reconvened at 4:26 p.m.)

CHAIRWOMAN GONSALVES: With the consent of the Minority, I'm going to call those items that have gone through committee. And I ask Frank to please incorporate the testimony from those committees.

Clerk Item 3-14, 29, 32, 33, 34, 36, 37, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, and 54. And on the addendum we have Clerk Items 58, 59, 62, 63, 65. That's the consent agenda.

(Whereupon, the following is the minutes of the February 10, 2014 Health Committee meeting pertaining to Clerk Items 3, 43, 49, 50, 51, 52, and 53-04.)

There are six items on the agenda today. The first item is Clerk Item 3-14, which is a local law to establish a revolving fund for the Nassau County Emergency Solutions Grant Program.

May I have a motion, please?

LEGISLATOR BECKER: So moved.

LEGISLATOR SCHAEFER: Second.

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

The item is before us.

Mr. May.

MR. MAY: We have Mr. John Sarcone from
the Office of Community Development to answer any
questions on this item.

MR. SARCONE: Good afternoon. The local
law in front of you is to establish a revolving
fund for the emergency solutions program.

The proposed local law would establish a
revolving fund that will allow the Office of
Housing and Community Development to disburse
grant funds from this program quickly in order to
provide timely assistance to those in need of
urgent housing and other precarious situations.

CHAIRWOMAN WALKER: Do any of the
legislators have any questions?

(No verbal response.)

Any public comment?

(No verbal response.)

Mr. Sarcone, I'd just like to thank you
and certainly your department. I know any time

I've reached out to you -- and I'm sure I speak for the other legislators -- when we need your help to address individuals that are in dire straits, you are always on top of it right away.

MR. SARCONE: You're very kind, Legislator Walker.

CHAIRWOMAN WALKER: If there are no other questions. All in favor?

(Aye.)

Any opposed?

(No verbal response.)

Motion carries unanimously.

MR. SARCONE: Thank you.

CHAIRWOMAN WALKER: Item Number 43-14, we actually have several items -- the following items, the next five items are all health related so I'll take them all at once.

Clerk Item 43-14 is an ordinance supplemental to the annual appropriation ordinance in connection with the Department of Health.

49-14 is an ordinance supplemental to the annual appropriation ordinance in connection with the Department of Health.

50-14, an ordinance supplemental to the annual appropriation ordinance in connection with the Department of Health.

51-14, an ordinance supplemental to the annual appropriation ordinance in connection with the Department of Health.

52-14, an ordinance supplemental to the annual appropriation ordinance in connection with the Health Department.

May I have a motion, please?

LEGISLATOR BECKER: So moved.

LEGISLATOR SCHAEFER: Second.

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

The item is before us. We have Mary Ellen Laurain.

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

Item 43-14 is a supplemental appropriation in the amount of \$245,633. This is for the WIC Program. This is an additional COLA award. After the award the grant is for \$3,308,389. The WIC grant provides supplemental food and nutrition to pregnant women and infants

and children.

CHAIRWOMAN WALKER: Any questions from the legislators?

LEGISLATOR DeRIGGI-WHITTON: Just a quick question. It just says that the revenue will equal the expenditure; where is that coming from.

MS. LAURAIN: This is federal money. This is 100 percent federally funded. It's federal pass through. It comes from the feds to the New York State Department of Health.

LEGISLATOR DeRIGGI-WHITTON: Okay. Thanks.

CHAIRWOMAN WALKER: Legislator Becker.

LEGISLATOR BECKER: Is the hospital still managing that program?

MS. LAURAIN: The program is run through the Department of Health. We have five sites.

LEGISLATOR BECKER: Is this different than that?

MS. LAURAIN: There is a separate component. I think the funding is about 130-something-thousand for a breast feeding program, which is administered through Nassau University

2 Medical Center.

3 LEGISLATOR BECKER: Okay. So everything
4 is pretty much as-is with this program then?

5 MS. LAURAIN: Yes.

6 LEGISLATOR BECKER: Okay. Thank you.

7 MS. LAURAIN: This is just a cost of
8 living increase.

9 CHAIRWOMAN WALKER: 49-14?

10 MS. LAURAIN: Item 49-14 is a
11 supplemental appropriation in the amount of
12 \$32,173. This is for the community health worker
13 program, and it's funded through New York State
14 Department of Health. This is also an additional
15 COLA award. This program provides case
16 management for pregnant women in the Village of
17 Hempstead and the community of Roosevelt.

18 CHAIRWOMAN WALKER: Any questions from
19 the legislators?

20 (No verbal response.)

21 Any public comment?

22 (No verbal response.)

23 Item Number 50-14?

24 MS. LAURAIN: Item 50-14 is a
25 supplemental appropriation in the amount of

2 \$17,133. This is for the childhood lead
3 poisoning prevention grant. This is also an
4 additional COLA award. It is funded through New
5 York State Department of Health. Its mission is
6 to provide comprehensive services to children
7 with elevated blood levels.

8 CHAIRWOMAN WALKER: Any questions or
9 comments from the legislators?

10 (No verbal response.)

11 Any public comment?

12 (No verbal response.)

13 Item 51-14.

14 MS. LAURAIN: Item 51-14 is a
15 supplemental appropriation in the amount of
16 \$1,595. This is for the rabies program. This is
17 also funded through New York State Department of
18 Health and is mandated by Public Health Law. The
19 primary objective is to reduce the incidents of
20 rabies in the county.

21 CHAIRWOMAN WALKER: Any questions or
22 comments from the legislators?

23 (No verbal response.)

24 Public comment?

25 (No verbal response.)

1
2 Lastly, Item 52-14.

3 MS. LAURAIN: Item 52-14 is a
4 supplemental appropriation in the amount of
5 \$10,000. The National Center for Disaster
6 Preparedness at Columbia University School of
7 Public Health and Nassau County Department of
8 Health, in partnership, this is to evaluate our
9 response to Hurricane Sandy and look at lessons
10 learned and provide training for the staff.

11 CHAIRWOMAN WALKER: Any questions or
12 comments from the legislators?

13 (No verbal response.)

14 Any public comment?

15 (No verbal response.)

16 LEGISLATOR DeRIGGI-WHITTON: Could you
17 just elaborate on what they're going to be
18 looking into with that?

19 MS. LAURAIN: Our staff is going to be
20 providing data explaining what we did during the
21 hurricane. We run special need shelters. We're
22 testing restaurants. So, basically it's to look
23 at how we did and to make recommendations and to
24 provide additional training should they need.
25 It's a good thing.

LEGISLATOR DeRIGGI-WHITTON: I know. It would be interesting just to see what that report says. I would be interested in getting a copy.

MS. LAURAIN: Certainly.

LEGISLATOR DeRIGGI-WHITTON: Thank you.

MS. LAURAIN: It's going to take some time, but we can certainly provide that.

CHAIRWOMAN WALKER: Any other comments?

(No verbal response.)

Any public comment?

(No verbal response.)

All in favor of Items 43-14, 49-14, 50-14, 51-14, 52-14 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

They are unanimous.

(Whereupon, the following are the minutes of the February 10, 2014 Government Services Committee meeting pertaining to Clerk Items 29 and 44-14.)

Item Number 29-14 is a resolution -- Legislator Denenberg is here -- allowing the county executive to execute a lease between the

County of Nassau, as Tenant, and Steel-Los III Limited Partnership, as Landlord, in connection with leasing of certain space at 700 Hicksville Road, Bethpage.

May I have a motion, please?

LEGISLATOR WALKER: So moved.

LEGISLATOR BECKER: Second.

CHAIRMAN KOPEL: Moved by Legislator Walker, seconded by Legislator Becker.

May I have a motion, please?

LEGISLATOR WALKER: So moved.

LEGISLATOR BECKER: Second.

CHAIRMAN KOPEL: Moved by Legislator Walker, seconded by Legislator Becker.

The matter is before us.

MR. MAY: We have Mr. Tom Delaney from the Office of Emergency Management to speak on this item.

MR. DELANEY: Hi. Tom Delaney, Nassau County Office of Emergency Management.

Before you is a lease for warehouse space to replace our existing warehouse, which we found during Sandy greatly limited our ability to respond.

2 This warehouse space is for 33,000 square
3 feet. It's \$7 a square foot. We're currently
4 paying about \$11 a square foot, so it's actually
5 a little bit of a savings for us. It's a five
6 year term. And it is 100 percent grant funded.

7 CHAIRMAN KOPEL: Very nice. So we're
8 paying \$11 a foot for a smaller space; is that
9 right?

10 MR. DELANEY: Smaller space currently.
11 Yes, sir.

12 CHAIRMAN KOPEL: So we'd be giving up
13 that space?

14 MR. DELANEY: As soon as we can. It's
15 with the exact same landlord.

16 CHAIRMAN KOPEL: Oh. Same landlord.

17 MR. DELANEY: So transitioning from our
18 current space to the new space is going to be
19 pretty smooth.

20 CHAIRMAN KOPEL: Okay. And what are we
21 storing there?

22 MR. DELANEY: Critical emergency
23 supplies, for the most part, these would include
24 MREs, water. We also have other emergency
25 supplies that need to be warehoused to help

2 prevent deterioration, such as some mobile
3 generators, our command vehicle. This new space
4 is also going to -- excuse me.

5 It was previously leased by 1-800
6 Flowers. There are several refrigerated areas,
7 large refrigerated areas within this. If the
8 need be, it could be set up as portable morgue
9 space also for such an event.

10 CHAIRMAN KOPEL: Okay. So the location,
11 is this serving the entire county or just that
12 portion?

13 MR. DELANEY: I'm sorry. I didn't hear
14 that.

15 CHAIRMAN KOPEL: Is this warehouse
16 intended to serve the entire county?

17 MR. DELANEY: It is primarily --

18 CHAIRMAN KOPEL: Do we have more than
19 one? Are there a few? Is this centrally located
20 enough so that it can serve the entire county?

21 MR. DELANEY: It is centrally located to
22 Nassau County Office of Emergency Management.
23 It's just around the corner from our current
24 operation. Could it be utilized for other
25 things? Yes, it could, but I'm not going to say

that that's what the primary intent is.

The primary intent, because it's funded with federal homeland security funds --

CHAIRMAN KOPEL: That wasn't my question.

MR. DELANEY: Okay. I'm just saying that's the primary intent.

CHAIRMAN KOPEL: Right. Any other questions from legislators? Legislator Walker.

LEGISLATOR WALKER: This facility will also be able to hold -- you can put a lot of things. We have our pet sheltering needs, there will also be room in there for those also.

MR. DELANEY: That's absolutely correct. Our emergency supplies include our pet sheltering supplies.

LEGISLATOR WALKER: Thank you.

MR. DELANEY: You're welcome.

CHAIRMAN KOPEL: Any other legislators?

LEGISLATOR DENENBERG: Yeah. I do.

CHAIRMAN KOPEL: Legislator Denenberg.

LEGISLATOR DENENBERG: Who did the SEQRA review on this?

MR. DELANEY: The review was done by --

2 what was his name -- Kelly. You're saying the
3 review on this, you're saying doing an assessment
4 on it?

5 LEGISLATOR DENENBERG: It says in the
6 second whereas clause that this was found to be
7 an unlisted action pursuant to SEQRA. And the
8 County Department of Public Works has further
9 reviewed the EAF. So that means someone must
10 have found it to be an unlisted action and
11 someone must have filled out the form for public
12 works. So when I asked who, I meant who did it.

13 MR. WALSH: Yes. Good afternoon. This
14 is Kevin Walsh from the County Attorney's Office.

15 I believe Mike Kelly originally worked on
16 this EAF form. Subsequently, it was worked on by
17 myself together with Deputy County Executive
18 Charles Thiaphan (phonetic) with assistance from
19 planning. I believe the short form was
20 completed.

21 CHAIRMAN KOPEL: And your finding was
22 it's an unlisted action because why?

23 MR. WALSH: Because there was no change,
24 no effect on the environment.

25 LEGISLATOR DENENBERG: So this would

2 have no adverse impact because it's what the
3 current use is now?

4 MR. WALSH: That's correct. Basically,
5 it's an industrial use that is staying
6 essentially the same, probably less of a use.

7 LEGISLATOR DENENBERG: Okay. Right now
8 we have -- this might be repetitious but I'm not
9 sure.

10 We currently use space on Grumman Road
11 West for OEM, right?

12 MR. DELANEY: That's correct.

13 LEGISLATOR DENENBERG: And we're going
14 to move from there to here or are we going to
15 just lease this in addition?

16 MR. DELANEY: No. We are going to move.
17 We're going to transition from our one warehouse
18 space to another single location.

19 LEGISLATOR DENENBERG: And is there
20 anyone here from OEM?

21 MR. DELANEY: That's me, Tom Delaney.

22 LEGISLATOR DENENBERG: Oh. Okay. So
23 OEM obviously is fine with this?

24 MR. DELANEY: Again, we found during our
25 response to Sandy our capabilities were limited

1 because of the warehouse space or the limited
2 warehouse space that we have.

3
4 LEGISLATOR DENENBERG: So who did the
5 negotiations of the new lease for us? OEM didn't
6 do it itself, did it?

7 MR. DELANEY: Yes. Yes. We did. My
8 boss told me to get them to sharpen their
9 pencils. We certainly did. We pushed it to them
10 as hard as we could, that's why we got a very,
11 very good rate of \$7 a square foot versus, again,
12 the 11 that we're paying.

13 LEGISLATOR DENENBERG: And you're a real
14 estate attorney as well?

15 MR. DELANEY: No, I'm not. But I'm a
16 pretty good negotiator --

17 LEGISLATOR DENENBERG: If you do say --

18 MR. DELANEY: when it comes to --

19 LEGISLATOR DENENBERG: so yourself.

20 MR. DELANEY: They were very
21 accommodating. They know it's a long-term
22 commitment from us.

23 LEGISLATOR DENENBERG: Did anyone from
24 the county attorney's office look at this?

25 MR. WALSH: Yes. I worked on this. And

2 I did negotiate this lease, as I did the original
3 one with OEM which we are now a holdover tenant
4 on.

5 LEGISLATOR DENENBERG: Okay. And you
6 think that this lease represents a good lease
7 legally for the county?

8 MR. DELANEY: I do.

9 LEGISLATOR DENENBERG: Okay. And the
10 rate, you find no reason -- you believe that this
11 will be -- this is a more preferential rate than
12 what we have in the current lease?

13 MR. WALSH: I think Mr. Delaney is
14 correct. I think OEM did a good job. They
15 needed space. They found available space with
16 refrigeration units available in the same
17 complex. One thing that was not submitted but I
18 did have that Mr. Kelly had in his file, he did
19 do an appraisal of the space, which shows a
20 market rent of about \$9 a square foot. So we are
21 saving significantly below market.

22 LEGISLATOR DENENBERG: In proximity, Mr.
23 Delaney, this is basically in almost the same
24 area we are now, right?

25 MR. DELANEY: That's correct.

LEGISLATOR DENENBERG: All right. Thank you.

CHAIRMAN KOPEL: Any other comments from the legislators?

(No verbal response.)

Any public comment?

(No verbal response.)

Hearing none. Will all those in favor of this item please so signify by saying aye?

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

Thank you.

One more item, which is Item 44-14, an ordinance supplemental to the annual appropriation ordinance in connection with Nassau Community College.

Motion, please?

LEGISLATOR WALKER: So moved.

LEGISLATOR BECKER: Second.

CHAIRMAN KOPEL: Moved by Legislator Walker, seconded by Legislator Becker.

MR. MAY: I apologize, Mr. Chairman.

This is -- Clerk Item 44-14 we're talking about now?

CHAIRMAN KOPEL: Yes.

MR. MAY: Originally we were going to have Mr. Ted Gutman (phonetic) from the Community College here. He has not yet arrived. I will field questions on this item, and if it's not satisfactory, we'll deal with this from there.

CHAIRMAN KOPEL: Why don't you tell us what it is, first of all?

MR. MAY: It is a supplemental appropriation in the amount of about \$37,000. It is to fund a program that shuttles Brazilian students from SUNY Old Westbury, where they're dorming, to Nassau Community College, where they participate in an intensive English language course.

CHAIRMAN KOPEL: Brazilian students?

MR. MAY: Brazilian students, yes.

CHAIRMAN KOPEL: What's this all about? Why is Nassau County paying to educate Brazilian students?

MR. MAY: We're actually not paying. We're laying out the money. But the

2 appropriation is from the Brazilian government.

3 If you look at the paperwork where it says where

4 the funds come from, it's coming from the

5 Brazilian government.

6 CHAIRMAN KOPEL: Fully funded?

7 MR. MAY: Yes.

8 CHAIRMAN KOPEL: Okay. Any questions
9 from legislators?

10 LEGISLATOR DENENBERG: Yes.

11 CHAIRMAN KOPEL: Legislator Denenberg.

12 LEGISLATOR DENENBERG: Just along those
13 lines. Why do we have to then have a
14 supplemental if the money is --

15 MR. MAY: We're laying --

16 LEGISLATOR DENENBERG: not moving from
17 one county account to another. This doesn't say
18 to accept a gift. It's a supplemental
19 appropriation, right?

20 MR. MAY: It's a supplemental
21 appropriation. My understanding is that it's not
22 a gift. This is a program being administered by
23 the SUNY system and that the College is
24 participating in. They are laying out the money
25 and we are appropriating the money from the

Brazilian government to pay for this.

LEGISLATOR DENENBERG: So we have to take the money from Brazil and give it to NCC?

MR. MAY: That is kind of my understanding of it, yes.

LEGISLATOR DENENBERG: Okay.

MR. MAY: It's interesting. This really was very interesting when it came across my desk. But that's the idea.

The program is that these Brazilian students will then go on to stem class throughout, I believe, the entire SUNY system. They are coming to Nassau County and participating in this intensive English language course. It's really very interesting.

CHAIRMAN KOPEL: Does the county make money on this?

MR. MAY: I don't believe the county is making money on this.

CHAIRMAN KOPEL: So it's just dollar for dollar?

MR. MAY: Dollar for dollar.

CHAIRMAN KOPEL: I'm kind of mercenary. Why not?

1 LEGISLATOR JACOBS: I think this is
2
3 great.

4 MR. MAY: I think it's great too.

5 LEGISLATOR JACOBS: I think it's nice to
6 take care of each other and make sure we all get
7 a chance to survive. Good idea.

8 MR. MAY: Excellent. Thank you.

9 CHAIRMAN KOPEL: Thank you, Legislator
10 Jacobs.

11 LEGISLATOR WALKER: I have to say I
12 think it's a good idea too. I just really don't
13 understand. I don't expect us to have the
14 answer. But why aren't we sending the teacher to
15 SUNY Old Westbury instead of transporting all of
16 the kids over to Nassau Community College. They
17 live at SUNY but they're taking the class --

18 MR. MAY: I think it's an intensive
19 English language program. I think it's more like
20 an emergent course. I don't know for sure, but I
21 believe based on what I read, it's not like
22 they're just going to take an English course.
23 It's like a full English emerging. It's supposed
24 to be a very intense course to get these kids up
25 to English proficiency. So I don't think they're

2 just doing like an hour at NCC and then going
3 back. I believe it's an all-day program, based
4 on what I read.

5 LEGISLATOR WALKER: Okay.

6 LEGISLATOR JACOBS: I don't mean to
7 interrupt. But because I assume Nassau Community
8 College doesn't have the facility to house
9 anybody.

10 MR. MAY: Correct.

11 LEGISLATOR JACOBS: So they're being
12 housed at Old Westbury.

13 MR. MAY: Correct.

14 LEGISLATOR JACOBS: Educated at Nassau
15 Community.

16 MR. MAY: Correct.

17 LEGISLATOR WALKER: Maybe we could just
18 find out that information, that they really are
19 going to Nassau Community but just living in --

20 MR. MAY: They are living at SUNY Old
21 Westbury. But I could certainly find out why
22 we're shuttling the kids instead of shuttling the
23 teachers.

24 LEGISLATOR WALKER: Right. Not that it
25 matters. It's great. Thank you.

MR. MAY: You're welcome.

CHAIRMAN KOPEL: Anybody else?

LEGISLATOR DENENBERG: I just think, for the record, we've never spent -- hopefully we'll never spend this much time on \$37,000 that isn't coming from the county and --

CHAIRMAN KOPEL: Would anybody else here

--

LEGISLATOR DENENBERG: accepting comments from non-committee members.

CHAIRMAN KOPEL: Would anybody else here like to be part of this committee for today?

Okay.

No more comments?

(No verbal response.)

All those in favor please so signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

We've got a unanimous vote.

(Whereupon, the following are the minutes from the February 10, 2014 Public Safety Committee meeting pertaining to Clerk Items 40,

2 41, 42, 46, 47, 48, 53, 54, 58, and 59-14.)

3 The first item to come before this
4 committee is Item 40-14, an ordinance
5 supplemental to the annual appropriation
6 ordinance in connection with the Traffic Safety
7 Board.

8 41-14 is with the Traffic Safety Board.

9 42-14 is the same, with the Traffic
10 Safety Board.

11 54-14 is with the Traffic Safety Board.

12 If nobody on this committee has any
13 objection, we'll call all of them at the same
14 time. Is everybody okay with that?

15 LEGISLATOR MUSCARELLA: So moved.

16 LEGISLATOR WALKER: Second.

17 CHAIRMAN DUNNE: Moved by Legislator
18 Vincent Muscarella, seconded by Legislator
19 Walker.

20 Who do we have to talk to us today?

21 MR. MAY: We have Mr. Christopher
22 Mistrion from the Traffic Safety Board.

23 CHAIRMAN DUNNE: Okay. Mr. Mistrion,
24 could you give us a -- one at a time. We'll go
25 with 40-14 first.

2 MR. MISTRON: 40-14, the Stop DWI
3 Coordinator Association secured a grant through
4 the governor's traffic safety committee to
5 distribute to DWI programs around the state, for
6 special holiday enforcement periods. This will
7 help supplement what monies we do receive through
8 our normal DWI program. Specifically earmarked
9 for this year is Memorial Day, July 4th, and
10 Labor Day. This is going to be shared, as the
11 backup shows or should show, between the NCPD as
12 well as several other village/city departments.
13 They are all working within cooperation during
14 these periods.

15 CHAIRMAN DUNNE: Any questions from any
16 legislator on this item? Yes.

17 LEGISLATOR DENENBERG: Basically all
18 three. You want to let him talk about all three?

19 CHAIRMAN DUNNE: We're doing four
20 together. We'll have questions after you explain
21 each of them.

22 41-14 is what?

23 MR. MISTRON: It is our normal
24 appropriation for the Stop DWI grant itself. All
25 estimates of the expenditures are based upon

2 revenues that come in from the fines. It's
3 distributed through several different locations -
4 the NCPD, the other villages for enforcement, the
5 district attorney for funding, prosecutors for
6 the events, probation to be able to follow the
7 people once they go through the court,
8 rehabilitation, and then also administrative
9 expenses.

10 CHAIRMAN DUNNE: And then 42-14.

11 MR. MISTRON: 42-14 is the child safety
12 passenger grant. We receive a grant each year
13 that allows us to buy materials to continue doing
14 the program; something as easy as pool noodles,
15 which we use to address, rear facing seats, to
16 seats themselves. Again, it's for the ongoing
17 program both at the fitting station and the
18 mobile, when I come into the different
19 legislative districts.

20 CHAIRMAN DUNNE: Okay. And 54-14?

21 MR. MISTRON: Gone are the days of the
22 Buckle-Up grant and the Step grant, which was a
23 special traffic enforcement program. They've
24 been rolled into one grant called the Police
25 Traffic Services Grant. This particular grant is

1 to identify -- will be used for a specific period
2 of time in the end of May and June for Buckle-Up
3 enforcement as well as aggressive driving. And
4 the new component that has been instituted is
5 pedestrian safety, where police will be operating
6 both in identifying driver's failure to yield to
7 pedestrians, as well as this year with the
8 training and the police officer will be
9 identifying pedestrians that are not crossing
10 properly also. So we will be trying to identify
11 all facets of safety.
12

13 CHAIRMAN DUNNE: And where are you going
14 to be doing that education?

15 MR. MISTRON: The education was already
16 done as part of -- last year with the police
17 officers. So the police officers were trained
18 last year; this year is when they're going to
19 start implementing programs to address the
20 pedestrian -- with the pedestrians and
21 enforcement purposes.

22 CHAIRMAN DUNNE: Educating the public --

23 MR. MISTRON: That's the ongoing thing
24 that traffic safety is doing. That we'll
25 actually see in the coming weeks with contracts

1 that we work with other groups to help educate.
2
3 Yes, we have an ongoing program right now within
4 the schools, with video that was produced and so
5 on, to try to continue the pedestrian. We had
6 the opportunity, if you recall several months
7 back, to meet with both caucuses to discuss
8 coming into the districts and actually doing
9 education for the pedestrian safety with all of
10 the different civic groups and community groups
11 within your districts. So now we're at the point
12 where we will be able to start that.

13 CHAIRMAN DUNNE: Excellent.

14 Legislator Denenberg, you had a question
15 on three of these?

16 LEGISLATOR DENENBERG: Yeah. Hey,
17 Chris. Thanks for the work you do. One after
18 another, they're all good programs.

19 Is the money from these grant programs
20 reduced from last year, the same as last year?
21 What's the picture? This is three of your main
22 sources of funding, right?

23 MR. MISTRON: Well, when it comes to the
24 police traffic services grant, it's actually a
25 little bit more than the combined Stop -- I mean,

2 Buckle-Up and Step grants. I was able to secure
3 a little bit more money for purposes of
4 pedestrian. So that one is a little bit higher.
5 When it comes to the GWI, we're close to 30
6 percent decrease. Unfortunately the revenue in
7 2012 - rather, 2013, came in quite less. I was
8 able to maintain the budget from prior year
9 surpluses. But the DWI grant is roughly a 30
10 percent decrease from prior years.

11 LEGISLATOR DENENBERG: And that's
12 because of less?

13 MR. MISTRON: Because of less activity.
14 Variety of reasons.

15 LEGISLATOR DENENBERG: So that could be
16 good in a way, right?

17 MR. MISTRON: I would like to think it's
18 because they're not there.

19 LEGISLATOR DENENBERG: All right. It
20 just -- so 30 percent reduced. How much in terms
21 of actual dollar figures is that?

22 MR. MISTRON: We're looking at about
23 \$230,000 less. The one thing about that is that
24 in terms of the educational programs that we've
25 been providing over the years, they are pretty

1 much being maintained. We were able to maintain
2 that. The one nice thing was that because of
3 that Stop DWI coordinator's grant for the holiday
4 enforcement, that was able to absorb some of the
5 cost or provide monies for the reduction that we
6 had to enforcement.
7

8 LEGISLATOR DENENBERG: Did the
9 consolidations that went through, did that have
10 any effect on your budget? Would it have helped
11 because you're not going to as many precincts as
12 you were before? Did it hurt? Did it have no
13 effect?

14 MR. MISTRON: I don't believe it had
15 effect because you still have the same number of
16 sector cars out there. And when it comes to DWI,
17 those are assigned mostly as special patrols and
18 specifically assigned for DWI use. So it's not
19 necessarily the officer's doing, because of their
20 work, that make most of these arrests.

21 LEGISLATOR DENENBERG: As far as your
22 classes or what you -- the service that you
23 perform, how did it change or affect you? Did it
24 add, reduce? You're not going to as many
25 precincts, I guess.

2 MR. MISTRON: We're looking that the
3 funding for enforcement has been reduced;
4 probably they took one of the largest hits.
5 Again, I was able to be able to fix or retrieve
6 some of that lost money through another grant.
7 In overall dollars, maybe the PDs are seeing
8 maybe more like a 15 percent decrease.

9 LEGISLATOR DENENBERG: Okay. Just
10 wanted to see what, if any, effect this
11 consolidation had on it. But I do see that your
12 funding is down quite a bit, so it's going to
13 make it a tougher year for you. But give the
14 great service you do, I hope you're able to find
15 money elsewhere.

16 Thanks.

17 CHAIRMAN DUNNE: Legislator Denenberg,
18 did you want to break any of these down or do you
19 want to do it in bulk?

20 Legislator Curran.

21 LEGISLATOR CURRAN: Thank you. For 54-
22 14, I'm just curious to know how the money is
23 divided among the villages, among the village
24 police departments. What's the criteria for
25 divvying it up?

2 MR. MISTRON: Normally what it was was if
3 you look at the last page, the breakdown, as a
4 matter of fact there were three columns. I was
5 going back and forth with the state with my
6 original request, they followed up, and so. I
7 included all of that.

8 The monies that are distributed to the
9 villages is more based on historic enforcement
10 over the years. So what I do is at the end of
11 each grant period I get a progress report from
12 them. I actually sit down and I look to see
13 whether or not the arrests match what the grant
14 was for. In some cases, I have actually cut
15 complete money out of a department. An example
16 is if we're paying for a program. This is
17 enhancement money. So if I find that a
18 department made only their, say, seatbelt tickets
19 during the grant period, that's not the purpose
20 of this grant; it's to enhance not to supplant.
21 And the state comes after us for that, for not
22 monitoring it properly.

23 These numbers are from historic. Some of
24 the numbers are increased because of different
25 departments' participation in that training for

the pedestrian safety. And some of it is a little bit - a few cuts because maybe during the period they just didn't produce anything in the time that they were on the road.

CHAIRMAN DUNNE: Okay. There being no other questions, any public comment?

(No verbal response.)

There being none. Item 40-14, 41-14, 42-14, and 54-14, all in favor indicate by saying aye.

(Aye.)

Any against?

(No verbal response.)

It passes unanimously.

Chris, before you leave, I'd like to entertain a motion to suspend the rules so we can go to the addendum.

LEGISLATOR WALKER: So moved.

LEGISLATOR MUSCARELLA: Second.

CHAIRMAN DUNNE: Motion by Rose Walker, seconded by Vince Muscarella.

The item you have on here, Chris, is 59-14.

MR. MISTRON: Right.

CHAIRMAN DUNNE: It was made by Rose Walker, seconded by Vince Muscarella.

All in favor to have the rules suspended say aye?

(Aye.)

Any against?

(No verbal response.)

The rules are suspended.

Now, Chris, 59-14.

MR. MISTRON: What happens is that of the monies that are collected for people who park in handicapped spaces, the monies from the surcharges are shared between, by law, between the Department of Physically Challenged and Traffic Safety. We utilize our funding share for several educational components as well as special programs for special needs.

One of the ones that we do is we have, as part of our child safety seat program, we provide special services for families with special needs for trying to help those families on how to properly choose, to fit some very unique and very difficult seats, as well as we do special education within the communities with regards to

2 special need transport and so on. So that is
3 what that money is earmarked for.

4 CHAIRMAN DUNNE: Legislator MacKenzie
5 made the motion on that, seconded by Legislator
6 Muscarella.

7 I received some phone calls today that,
8 say, at L.A. Fitness in Levittown, the plows
9 plowed all of the snow into the handicapped
10 parking spots so the people that are handicapped
11 that were going to the gym couldn't park their
12 cars in the handicapped parking. Now that's
13 private parking, right? That has nothing to do
14 with --

15 MR. MISTRON: That would be private
16 property. That has nothing to do with us.

17 CHAIRMAN DUNNE: So the owner would have
18 to make a complaint and then the police could do
19 it?

20 MR. MISTRON: I'm not enforcement. What
21 we can do is we can reach out to -- if a
22 complaint like that comes in, we can reach out to
23 the owners of the area to try to suggest that
24 they free up and clear out the handicapped
25 parking spaces.

CHAIRMAN DUNNE: Because there were some seniors and some young -- well, he was on my football team in high school, a young guy. L.A. Fitness in Levittown, if you'd give them a call I would appreciate it. I got a few calls on that.

MR. MISTRON: Sure.

CHAIRMAN DUNNE: On the item, which is an ordinance to supplement the annual appropriations ordinance in connection with the Traffic Safety Board, Item 59-14; all in favor indicate by saying aye.

(Aye.)

Any against?

(No verbal response.)

It passes unanimously.

The next item to come before us is Item 46-14, which is an ordinance supplemental to the annual appropriation ordinance in connection with the police department.

Item 47-14 is the same, with the police department.

Item 48-14 is same thing, with the police department.

We're going to bulk all three.

2 Moved by Legislator Walker, seconded by
3 Legislator MacKenzie.

4 SERGEANT STEPHANOFF: Good afternoon.
5 Sergeant Greg Stephanoff again.

6 Item 46-14 is a domestic violent grant
7 for \$899,721. This is also to buy caper alarms,
8 that I was discussing earlier. These are the
9 alarms that with one push of a button, it will
10 send an alarm to our communications bureau and
11 then they will immediately dispatch a control
12 car.

13 These alarms are going to be dedicated,
14 per the Department of Justice, from the Office of
15 Violence Against Women for that purpose. They're
16 going to be dedicated for that purpose.

17 CHAIRMAN DUNNE: Any question on this
18 item? Legislator Curran.

19 LEGISLATOR CURRAN: I noticed last month
20 also, in some of these specific grants, either
21 from the state or from the federal government,
22 there are four specific things: terrorism,
23 violence against women, and I see it goes towards
24 overtime. And I just wanted to make sure that
25 that was proper, that it's a proper use of the

1 money because I know overtime has increased;
2 we've got to pay those bills. I want to make
3 sure if we approve it that it's proper and it
4 won't come to bite us later if those grants
5 aren't used for what they're supposed to be used
6 for.

8 SERGEANT STEPHANOFF: What we do in the
9 police department is with each grant we assign a
10 grant manager. I work in personnel and
11 accounting. We also make sure that the money --
12 what we do is we assign a code. If someone is
13 working off a certain grant, they have to code it
14 to that grant. We make sure that the work is
15 performed. So we actually separate it in the
16 payroll system and we make sure that it's used
17 for that purpose.

18 LEGISLATOR CURRAN: So if it's overtime,
19 it's overtime for this particular purpose?

20 SERGEANT STEPHANOFF: Yes.

21 LEGISLATOR CURRAN: Got it. Thanks.

22 CHAIRMAN DUNNE: Okay. Legislator
23 Denenberg.

24 LEGISLATOR DENENBERG: Just to follow up
25 on Legislator Curran's question. If it's

2 overtime costs, I mean, is it overtime that is
3 related to -- Legislator Curran's question was
4 that the overtime would have to be related to the
5 work being done for the grant.

6 SERGEANT STEPHANOFF: Yes.

7 LEGISLATOR DENENBERG: But are we just
8 saving the work to be done by the grant for only
9 overtime because during regular time the officer
10 is doing something else?

11 SERGEANT STEPHANOFF: No. A lot of the
12 grants are for enhanced patrols, in other words,
13 to do extra.

14 LEGISLATOR DENENBERG: Okay. So it can
15 automatically go to overtime?

16 SERGEANT STEPHANOFF: It will go out
17 because it will further -- whatever the roll call
18 is for that day, they'll enhance the roll call to
19 put out more cars. That's generally what the
20 grants do. The grants go above and beyond what
21 the normal patrol is.

22 LEGISLATOR DENENBERG: So it would
23 typically be overtime then?

24 SERGEANT STEPHANOFF: Yes. Because it's
25 going to be -- it's going to add to more than

what the compliment is.

LEGISLATOR DENENBERG: Enhanced patrol
or enhanced number of patrol?

SERGEANT STEPHANOFF: Yes.

LEGISLATOR DENENBERG: Okay. Thanks.

CHAIRMAN DUNNE: Okay. Next item is 47-
14.

SERGEANT STEPHANOFF: 47-14 is a justice
assistance grant. This grant is going to go for
purchasing of cameras that have been linked to
our shotspotter system. And when the system
recognizes a bullet shot, it's going to hone in
the cameras and I think triangulate in the
direction of where the shot comes from. There's
also some salary in there for some training also.
And it's going to be used for -- the overtime is
going to be used for gun violence, to patrols
against gun violence.

CHAIRMAN DUNNE: When the commissioner -
- I forget who the heck it was -- first brought
this into being with -- you brought us down to, I
think it was the rifle range, and showed us how
it worked, the triangulation, and that was just
with the sound.

1 SERGEANT STEPHANOFF: This is going to
2
3 bring video into --

4 CHAIRMAN DUNNE: Are you going to give
5 us a demonstration? The member of this committee
6 will be invited to --

7 SERGEANT STEPHANOFF: I could ask.

8 CHAIRMAN DUNNE: Could you make that
9 possible so we could see how it works? It sounds
10 very interesting. It's technology at its best.

11 And 48-14 -- unless anybody has questions
12 on this. Okay. 48-14.

13 SERGEANT STEPHANOFF: 48-14, this is a
14 port security grant for \$3,027,614. There is a
15 county match of \$1,018,454. This grant is in a
16 couple of parts.

17 The first part is going to outfit our AB
18 Bureau, the helicopters with day and night
19 cameras. And what that's going to do is that's
20 going to give a live feed directly to the ground
21 so that if the helicopter flying over, he doesn't
22 have to communicate by radio what he sees; it's
23 going to link directly to a command center or to
24 CB. Also, if there is an area of interest, they
25 can GPS exactly where the location is so that --

1 marine bureau will be linked to this, because it
2 can be done over water or over land all over the
3 county.
4

5 This is in partnership with New York/New
6 Jersey Ports, because we're responsible for
7 maintaining the waterways, the Nassau County
8 waterways. It could also be used for any
9 incident. It's homeland security, but it also
10 could be used for any major incident that comes
11 around for the county.

12 CHAIRMAN DUNNE: Excellent.

13 SERGEANT STEPHANOFF: Also, the second
14 part is going to be target harden Marine Bureau.
15 It's going to be to put up fences, sensors, so
16 this way nobody can - if any attack against
17 marine bureau. It's for target hardening.

18 Then the third part is going to be to put
19 sonar in the boats so they could use the sonar
20 under the water, anything that's under the water
21 that has to be identified.

22 CHAIRMAN DUNNE: Excellent. All three
23 parts are included in this one?

24 SERGEANT STEPHANOFF: In this one grant,
25 yes.

2 CHAIRMAN DUNNE: Excellent.

3 SERGEANT STEPHANOFF: And the match is
4 going to be from capital.

5 CHAIRMAN DUNNE: Excellent. Any
6 question from any legislator?

7 (No verbal response.)

8 Any public comment?

9 (No verbal response.)

10 LEGISLATOR DENENBERG: Wait. The match
11 is from capital?

12 SERGEANT STEPHANOFF: Yes.

13 LEGISLATOR DENENBERG: Okay. Because
14 it's equipment that's more than a five year
15 lifespan?

16 SERGEANT STEPHANOFF: Yes.

17 LEGISLATOR DENENBERG: Okay. Thanks.

18 LEGISLATOR MACKENZIE: I'm sorry. Can I
19 just ask one question?

20 CHAIRMAN DUNNE: Sure.

21 LEGISLATOR MACKENZIE: In terms of the
22 target hardening, is that only at the East
23 Rockaway location or other marine bureau
24 locations?

25 SERGEANT STEPHANOFF: I believe it's

going to be dedicated to wherever we need it for the marine bureau locations. I think it's focused on East Rockaway. If any of the locations need anything.

CHAIRMAN DUNNE: That's north and south shore. Terrific.

Any public comment?

(No verbal response.)

There being none; Items 46-14, 47-14, and 48-14, all in favor indicate by saying aye.

(Aye.)

Any against?

(No verbal response.)

It passes unanimously.

Thank you.

53-14 is an ordinance supplemental to the annual appropriations ordinance in connection with the district attorney's office.

Legislator Muscarella makes a motion, seconded by Legislator Walker.

Who do we have to speak on this?

MR. McMANUS: Bob McManus, District Attorney's Office.

CHAIRMAN DUNNE: Okay. Mr. McManus,

2 this is about?

3 MR. McMANUS: Your approval of this
4 supplemental appropriation will enable the
5 district attorney's office to utilize grant
6 funding awarded by the New York State Division of
7 Criminal Justice Services. We use this funding
8 to conduct investigations and prosecutions of
9 motor vehicle theft and insurance fraud cases.
10 Investigative efforts target healthcare
11 practitioners and auto body shops suspected of
12 committing fraud. This program also facilitates
13 cooperation between law enforcement agencies and
14 the insurance industry to combat this type of
15 criminal activity.

16 CHAIRMAN DUNNE: Are there any questions
17 from any legislator?

18 (No verbal response.)

19 Any public comment?

20 (No verbal response.)

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

23 (Aye.)

24 Any against?

25 (No verbal response.)

So moved. Goes on to Finance.

MR. McMANUS: Thank you.

CHAIRMAN DUNNE: We already suspended the rules. Part of the addendum is Item 58-14, that's an ordinance supplemental to the annual appropriation ordinance in connection with the Department of Toxicology/Medical Examiner.

LEGISLATOR WALKER: So moved.

LEGISLATOR MACKENZIE: Second.

CHAIRMAN DUNNE: Moved by Legislator Walker, seconded by Legislator MacKenzie.

MR. HAHN: Good afternoon. Tim Hahn, Medical Examiner's Office.

This is a grant in the amount of \$58,750 from New York State Governor's Traffic Safety Committee. It's used to support the DWI blood and alcohol testing from the toxicology lab in the office.

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

(No verbal response.)

Any public comment?

Oops. Legislator Denenberg.

LEGISLATOR DENENBERG: And this has nothing to do with this -- this lab is fully functioning, nothing to do with the crime lab?

MR. HAHN: That is correct. This lab has been up and running for a number of years.

LEGISLATOR DENENBERG: Okay. Thank you.

CHAIRMAN DUNNE: Any public comment?

(No verbal response.)

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

(Aye.)

Any against?

(No verbal response.)

It passes unanimously. Goes on to Finance.

(Whereupon, the following is the minutes of the February 10, 2014 Public Works Committee meeting pertaining to Clerk Item 65-14.)

We have, I believe, one item. Item 65-14, a resolution authorizing the county executive to execute an agreement between the County of Nassau, acting on behalf of the Nassau County Department of Public Works and Glen Harbor Partners.

Motion --

LEGISLATOR DENENBERG: Before the motion is made, let the record reflect I am recusing myself from this matter. Thank you.

CHAIRMAN MUSCARELLA: Legislator Denenberg is recusing himself. He will not take part in any discussion or vote on this matter.

We have with us -- is that Brian Schneider making his way forward?

MR. MAY: Yes, it is.

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

This item is --

CHAIRMAN MUSCARELLA: Before we start, I believe Mr. Denenberg spoke and we did not have the motion.

Mr. Becker makes the motion, seconded by Ms. Schaefer. The item is now before us.

MR. SCHNEIDER: This item is to execute an agreement between the County, acting on behalf of the Department of Public Works, and Glen Harbor Partners to allow for the connection of this -- this subdivision of 60 residential units, with a projected wastewater flow of 19,000

2 gallons per day, to connect to the Glen Cove
3 Sewage Treatment Service District. The payment
4 from the developer will be \$139,400, with an
5 annual service charge, depending upon adjusted
6 annual expenses and flows, of about \$22,500.

7 CHAIRMAN MUSCARELLA: Mr. Schneider, if
8 I may. How do we determine that equalization
9 charge?

10 MR. SCHNEIDER: That is a number that is
11 developed by the Department of Public Works, both
12 from the engineering department and also from the
13 Health Department.

14 CHAIRMAN MUSCARELLA: But how is it
15 computed? Is it by what the projected usage is?
16 Is it by -- I know it's a past practice.

17 MR. SCHNEIDER: It's based on a charge
18 per residential unit. It's a formula that is
19 developed within the department based on the
20 total number of units.

21 CHAIRMAN MUSCARELLA: But this is
22 something that is routine --

23 MR. SCHNEIDER: Correct.

24 CHAIRMAN MUSCARELLA: in terms of --
25 when a developer looks to hookup or have their --

2 MR. SCHNEIDER: Yes. Correct. It's
3 based strictly on the number of units, and it's
4 something that is typical, usual, and customary
5 for the department to come up with that --

6 CHAIRMAN MUSCARELLA: And there's a
7 standard formula that --

8 MR. SCHNEIDER: Correct.

9 CHAIRMAN MUSCARELLA: is devised in
10 order to do that.

11 Do we have any other questions?

12 (No verbal response.)

13 Hearing none. All those in favor of
14 passing this item, 65-2014, signify by saying
15 aye.

16 (Aye.)

17 Any opposed?

18 (No verbal response.)

19 That item carries.

20 (Whereupon, the following is the minutes
21 of the February 10, 2014 Finance Committee
22 meeting pertaining to Clerk Items 33, 34, 36, 37,
23 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51,
24 52, 53, 54, 58, 59, 62, 63, and 64-14.)

25 Item 32-2014 is an ordinance providing

for a capital expenditure to finance the payment of certain judgments against the County of Nassau, authorizing \$291,527.96 of bonds of the County to finance said expenditure.

LEGISLATOR WALKER: So moved.

LEGISLATOR MUSCARELLA: Second.

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

This is a judgment. We can or may not go into executive session, depending on the preference of committee members. Does anyone see a need for executive session on this item?

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.)

The item carries unanimously.

Items 33, 34, 36, and 37-2014 are all resolutions to authorize the transfer of appropriations heretofore made within the budget

for the year 2013.

LEGISLATOR VENDITTO: So moved.

LEGISLATOR WALKER: Second.

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

Any questions on these items? Legislator DeRiggi-Whitton.

LEGISLATOR DeRIGGI-WHITTON: I've just noticed this a number of times, just that the transfers have already taken place before they've come to the Leg. I understand if it's an emergency situation, but it seems to happen almost every time.

Do you know that this already took place, this transfer?

MR. MAY: I believe there are four we're talking about. Which one are referring to?

LEGISLATOR DeRIGGI-WHITTON: 33-14, the \$325,000.

MR. MAY: 33-14 was a polled item.

LEGISLATOR DeRIGGI-WHITTON: How come I wasn't polled on that?

MR. MAY: How come you weren't polled on that one?

2 LEGISLATOR DeRIGGI-WHITTON: Yeah. I
3 never received a poll before or a questioning.

4 MR. MAY: Typically, for a polling
5 letter, which only requires -- for a board
6 transfer which only requires ten votes, it's done
7 with the Majority. For an item that is a
8 supplemental appropriation, which requires 13
9 votes, both caucuses are polled.

10 LEGISLATOR DeRIGGI-WHITTON: So when you
11 do a transfer you just poll the Majority?

12 MR. MAY: That's correct. For a board
13 transfer.

14 LEGISLATOR DeRIGGI-WHITTON: Not even
15 just the Finance Committee members don't get
16 polled on this side?

17 MR. MAY: It's just the Majority.

18 LEGISLATOR DeRIGGI-WHITTON: I would
19 like to request that you poll us as well. I just
20 think it would be, like, you know, the
21 professional things to do.

22 MR. MAY: I don't know that it's not
23 professional. I know that these have happened
24 probably for the -- at least the last, I'm going
25 to say, five years for sure, because I know that

1 we've reviewed items from 2009 under the previous
2 administration and the previous Majority. I
3 don't know that those pollings were done with the
4 Minority.
5

6 LEGISLATOR DeRIGGI-WHITTON: Probably
7 not. But you know what?

8 MR. MAY: I don't really think that
9 you're characterizing it as an unprofessional is
10 appropriate.

11 LEGISLATOR DeRIGGI-WHITTON: I'm not
12 saying it's not professional. We keep saying we
13 want to have total, you know, be transparent in
14 government. I would just appreciate, as a
15 courtesy, as someone who is on the Finance
16 Committee, that when you poll to transfer,
17 especially a decent amount of money, it would
18 just be courteous to poll all of us.

19 CHAIRMAN NICOLELLO: Before he responds.
20 This has been going -- polling has been taking
21 place for probably since the very beginning. But
22 I think it would be good practice to let the
23 Minority know, as least through their leadership,
24 that a poll is taking place. I don't know -- it
25 would be too much for you to have to reach out to

2 each one of us. But you should let the
3 leadership know, of the Majority, that you're
4 polling.

5 LEGISLATOR DENENBERG: To the Chair,
6 just as ranking member. I think Legislator
7 DeRiggi-Whitton wasn't talking about whether it's
8 good, bad or indifferent. The point is that
9 you're polling. When you need ten votes, you're
10 polling the Majority to make sure you have the
11 votes before you do the transfer. And what the
12 request on the Minority is, we understand you
13 don't need our votes to do the transfer, but we
14 would like to at least be notified that the
15 polling is done and the transfer is being made
16 period. And that's our request.

17 MR. MAY: Well, as per the discussion
18 that we've had today, that is fine.

19 LEGISLATOR DeRIGGI-WHITTON: Good. It's
20 not that we're doubting what the history has
21 been. But I think we're all in the same boat,
22 that we want to improve things, especially on the
23 financial end. I think it will be a good step
24 forward.

25 MR. MAY: That's fine.

CHAIRMAN NICOLELLO: Sounds good.

LEGISLATOR DENENBERG: To the Chair. I do have a question on this, on Item 33-14.

The \$325,000 from public works control center 01 salaries to control center 02 to cover salary shortages in control center 02 for years 2013, I'm reading that from, I guess, the backup or the resolution. What caused this shortage?

MR. MAY: I'd have to defer to Roseanne D'Alleva from the Office of Management and Budget.

MS. D'ALLEVA: Good afternoon. Basically, the shortage was derived from salaries, in terms of overtime, and less capital expenditures being journaled to capital, less salary expenditures being journaled to capital.

LEGISLATOR DENENBERG: I'm sorry. I guess I didn't -- can you explain that?

MS. D'ALLEVA: There is basically more overtime than we had the previous year. What we've noticed is, you know, unfortunately due to Sandy a lot of comp time was accrued during 2012. The first quarter of this year, in '13, let's say, people used that time.

2 LEGISLATOR DENENBERG: So other people
3 had to work overtime.

4 MS. D'ALLEVA: That's right.

5 LEGISLATOR DENENBERG: Okay. All right.
6 And then why was control center 01 short -- not
7 short, long?

8 MS. D'ALLEVA: 02 --

9 LEGISLATOR DENENBERG: Because you were
10 able to just take it from one salary to another,
11 correct?

12 MS. D'ALLEVA: There are a couple of
13 different factors going on. 02 has the snow
14 budget in it and we had two storms already in
15 '13, and those overtime slips, you know, there
16 were a couple of days that went on the '14 check
17 that basically caused a shortage in '13. There
18 are a couple of different factors. There are
19 vacancies in 01 --

20 LEGISLATOR DENENBERG: You're saying
21 snow in '14 affected '13 or you're just saying
22 snow in December '13?

23 MS. D'ALLEVA: No. The snow budget.
24 What happens is the snow overtime that was done
25 in November and December, because I believe we

had two storms and those overtime slips caused,
it was one of the factors.

LEGISLATOR DENENBERG: All right.

CHAIRMAN NICOLELLO: Okay. Thank you,
Ms. D'Alleva.

Any other questions?

(No verbal response.)

Any public comments?

(No verbal response.)

All in favor of these four items signify
by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

They carry unanimously.

Items 40, 41, 42, 43, and 44 are
ordinances supplemental to the annual
appropriation ordinance in connection with the
Traffic Safety Board, Department of Health, and
Nassau Community College.

LEGISLATOR MUSCARELLA: So moved.

LEGISLATOR WALKER: Second.

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

2 Any questions on these items?

3 (No verbal response.)

4 Any public comment?

5 (No verbal response.)

6 All in favor signify by saying aye.

7 (Aye.)

8 Those opposed?

9 (No verbal response.)

10 Those items carry unanimously.

11 Item 45-2014 is a resolution providing
12 for the issuance of a warrant directing the
13 Treasurer of the County of Nassau to pay to the
14 supervisors of the several towns and to the
15 treasurers of the several villages and cities
16 within the county, the sums as apportioned by the
17 County Legislature based on a report filed by the
18 treasurer and the county clerk showing the
19 deposits from mortgage taxes for the quarter
20 beginning October 1, 2013 through December 31,
21 2013.

22 LEGISLATOR VENDITTO: So moved.

23 LEGISLATOR WALKER: Second.

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

2 Any questions on this item?

3 (No verbal response.)

4 Any public comment?

5 (No verbal response.)

6 All in favor signify by saying aye.

7 (Aye.)

8 Those opposed?

9 (No verbal response.)

10 That item carries unanimously.

11 Next items are 46, 47, 48, 49, 50, 51,

12 52, 53, 54-2014. These are all ordinances

13 supplemental to the annual appropriation

14 ordinance in connection with the police

15 department, health department, district attorney

16 and Traffic Safety Board.

17 LEGISLATOR WALKER: So moved.

18 LEGISLATOR MUSCARELLA: Second.

19 CHAIRMAN NICOLELLO: Moved by Legislator

20 Walker, seconded by Legislator Muscarella.

21 Any questions on these items?

22 (No verbal response.)

23 Any public comment?

24 (No verbal response.)

25 All in favor signify by saying aye.

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(Aye.)

Those opposed?

(No verbal response.)

Those items carry unanimously.

Motion to suspend the rules?

LEGISLATOR MUSCARELLA: So moved.

LEGISLATOR VENDITTO: Second.

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

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

(Aye.)

Those opposed?

(No verbal response.)

Rules are suspended.

Items 58 and 59-2014 are ordinances
supplemental to the annual appropriation
ordinance in connection with the Department of
Toxicology, Medical Examiner, and the Traffic
Safety Board.

LEGISLATOR WALKER: So moved.

LEGISLATOR VENDITTO: Second.

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

2 Any questions?

3 (No verbal response.)

4 Any public comments?

5 (No verbal response.)

6 All in favor signify by saying aye.

7 (Aye.)

8 Those opposed?

9 (No verbal response.)

10 Carry unanimously.

11 Items 62 and 63-2014: 62 is a resolution

12 authorizing the county executive to execute a

13 grant agreement between the County of Nassau,

14 acting on behalf of the Department of Parks,

15 Recreation and Museums and African American

16 Genealogical Society; 63 is a resolution

17 authorizing the county to implement a program of

18 projects funded by the State Mass Transportation

19 Capital Program and to advance such funds

20 required to be advanced by the County and the

21 State of New York to implement such program.

22 LEGISLATOR MUSCARELLA: So moved.

23 LEGISLATOR WALKER: Second.

24 CHAIRMAN NICOLELLO: Moved by Legislator

25 Muscarella, seconded by Legislator Walker.

Any questions on these two items?

Legislator Denenberg.

LEGISLATOR DENENBERG: Thank you. Do you know the various projects that are going to be funded with, you know, this is several million dollars, upwards of \$4 million, on 63?

MR. MAY: On 63. We have Sharon Persaud from the Department of Public Works to answer questions on this item.

MS. PERSAUD: My name is Sharon Persaud. The program or projects with this funding is to purchase revenue equipment, such as CNG buses, hire transit buses to update the facilities at Mitchel Field and Rockville Centre, as well as some miscellaneous equipment and other shop equipment. And this is for the Nassau Inter-County Express.

LEGISLATOR DENENBERG: Will this allow any expansion of bus service for NICE?

MS. PERSAUD: No. This is strictly capital funded items.

LEGISLATOR DENENBERG: Is this pursuant to our agreement with NICE where we have to make this capital appropriation?

2 MS. PERSAUD: That is correct, sir.

3 LEGISLATOR DENENBERG: Were any vehicles
4 taken out of service?

5 MS. PERSAUD: No. These are for
6 replacement buses. We cannot take the vehicles
7 out of service until we actually have
8 replacements onsite. We need all the vehicles --

9 LEGISLATOR DENENBERG: So once we
10 appropriate this money, we're going to purchase
11 monies and then take the older ones out of
12 service?

13 MS. PERSAUD: That is correct.

14 LEGISLATOR DENENBERG: Okay.

15 LEGISLATOR BIRNBAUM: I have a question.

16 CHAIRMAN NICOLELLO: Legislator
17 Birnbaum.

18 LEGISLATOR BIRNBAUM: How many vehicles?
19 How many buses are we talking about?

20 MS. PERSAUD: Right now, our capital
21 program for replacement of CNG buses is about 43,
22 for para-transit about 45.

23 LEGISLATOR BIRNBAUM: And what does this
24 represent, in terms of the overall system?

25 MS. PERSAUD: Probably for the fixed

route fleet maybe about 30 percent, and for the para-transit fleet roughly half.

LEGISLATOR BIRNBAUM: Thank you.

CHAIRMAN NICOLELLO: Any other questions?

(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.

The last item is Item 65-2014, a resolution authorizing the county executive to execute an agreement between the County of Nassau, acting on behalf of the County Department of Public Works, and Glen Harbor Partners.

LEGISLATOR WALKER: So moved.

LEGISLATOR VENDITTO: Second.

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

Let the record reflect that Legislator Denenberg is recusing himself and not taking part

in any debate or discussion on this item.

We have a motion by Legislator Walker, and a second by Legislator Venditto.

The item is before us.

This went before the Public Works Committee a little earlier. Let's incorporate the record from that committee into this committee.

(Whereupon, the following are the minutes of the February 10, 2014 Public Works Committee pertaining to Clerk Item 65-14.)

We have, I believe, one item. Item 65-14, a resolution authorizing the county executive to execute an agreement between the County of Nassau, acting on behalf of the Nassau County Department of Public Works and Glen Harbor Partners.

Motion --

LEGISLATOR DENENBERG: Before the motion is made, let the record reflect I am recusing myself from this matter. Thank you.

CHAIRMAN MUSCARELLA: Legislator Denenberg is recusing himself. He will not take part in any discussion or vote on this matter.

We have with us -- is that Brian Schneider making his way forward?

MR. MAY: Yes, it is.

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

This item is --

CHAIRMAN MUSCARELLA: Before we start, I believe Mr. Denenberg spoke and we did not have the motion.

Mr. Becker makes the motion, seconded by Ms. Schaefer. The item is now before us.

MR. SCHNEIDER: This item is to execute an agreement between the County, acting on behalf of the Department of Public Works, and Glen Harbor Partners to allow for the connection of this -- this subdivision of 60 residential units, with a projected wastewater flow of 19,000 gallons per day, to connect to the Glen Cove Sewage Treatment Service District. The payment from the developer will be \$139,400, with an annual service charge, depending upon adjusted annual expenses and flows, of about \$22,500.

CHAIRMAN MUSCARELLA: Mr. Schneider, if I may. How do we determine that equalization

charge?

MR. SCHNEIDER: That is a number that is developed by the Department of Public Works, both from the engineering department and also from the Health Department.

CHAIRMAN MUSCARELLA: But how is it computed? Is it by what the projected usage is? Is it by -- I know it's a past practice.

MR. SCHNEIDER: It's based on a charge per residential unit. It's a formula that is developed within the department based on the total number of units.

CHAIRMAN MUSCARELLA: But this is something that is routine --

MR. SCHNEIDER: Correct.

CHAIRMAN MUSCARELLA: in terms of -- when a developer looks to hookup or have their --

MR. SCHNEIDER: Yes. Correct. It's based strictly on the number of units, and it's something that is typical, usual, and customary for the department to come up with that --

CHAIRMAN MUSCARELLA: And there's a standard formula that --

MR. SCHNEIDER: Correct.

CHAIRMAN MUSCARELLA: is devised in order to do that.

Do we have any other questions?

(No verbal response.)

Hearing none. All those in favor of passing this item, 65-2014, signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

That item carries.

(Whereupon, the following is the continuation of the minutes of the February 10, 2014 Finance Committee meeting.)

CHAIRMAN NICOLELLO: I see Mr. Zapson (phonetic) in the back of the room, if anyone has any questions.

(No verbal response.)

By the way, welcome back, Michael. Things haven't changed that much.

Any questions on this item?

LEGISLATOR DeRIGGI-WHITTON: Can I just make a comment?

CHAIRMAN NICOLELLO: Legislator DeRiggi-

2 Whitton.

3 LEGISLATOR DeRIGGI-WHITTON: I think
4 this would be a very beneficial project,
5 especially for Sea Cliff, because the sewer pipe
6 would run from Glenwood Landing, I guess it would
7 be, all the way up past Sea Cliff, Main Street.
8 I think it might enable Sea Cliff to eventually
9 hook up to the Glen Cove sewage treatment plant
10 as well, which only works on about a third of its
11 capacity right now. So I'm happy.

12 This was on when I was a city
13 councilwoman. Like six years ago we were trying
14 to have this happen. I'm happy to see it moving
15 forward.

16 CHAIRMAN NICOLELLO: Sounds good.

17 Any public comment?

18 (No verbal response.)

19 All in favor signify by saying aye.

20 (Aye.)

21 Those opposed?

22 (No verbal response.)

23 It carries unanimously by a vote of six
24 to nothing.

25 (Whereupon, the following is the

2 continuation of the February 10, 2014 Rules
3 Committee meeting.)

4 Any additional questions or comments
5 regarding those items?

6 (No verbal response.)

7 There being none; all those in favor --
8 sorry. Motion, please?

9 LEGISLATOR WALKER: So moved.

10 LEGISLATOR KOPEL: Second.

11 CHAIRWOMAN GONSALVES: Motion by Rose
12 Walker, seconded by Legislator Kopel.

13 No additional questions regarding those
14 items, then I ask for all those in favor to
15 signify by saying aye.

16 (Aye.)

17 Any opposed?

18 (No verbal response.)

19 The items pass unanimously.

20 Now for those items that were not part of
21 the agenda.

22 We begin with I believe Item 28-2014, a
23 resolution to confirm the county executive's
24 appointment of Michael A. Rodin to the Industrial
25 Development Agency.

LEGISLATOR WALKER: So moved.

LEGISLATOR NICOLELLO: Second.

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

Any comments regarding this appointment?

MR. MAY: No specific comment. But as
per our standard operating procedure, Mr. Rodin
will be here on February 24.

CHAIRWOMAN GONSALVES: Okay. Is that
okay with my colleagues? Okay.

All those in favor of Item 28-2014
signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

The next item is Item 35-2014, a
resolution authorizing the county executive to
execute an inter-municipal agreement with the
Town of Hempstead in relation to undertaking a
streetscape project.

LEGISLATOR NICOLELLO: So moved.

LEGISLATOR WALKER: Second.

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

Who is here to speak on this item? Okay.
Nobody speaks.

MR. MAY: I can, if you want.

CHAIRWOMAN GONSALVES: No speak.

All those in favor of Item 35-2014
signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

I have to shuffle through the papers.

Item 55-2014, a resolution authorizing
the county executive to execute an inter-
municipal agreement with the Town of North
Hempstead in relation to a project to resurface a
portion of Plandome Road.

LEGISLATOR NICOLELLO: So moved.

LEGISLATOR WALKER: Second.

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

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No comments?

(No verbal response.)

I'll ask if there is any public comment.

(No verbal response.)

There being none; all those in favor of
Item 55-14 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

Item 38-2014, a resolution authorizing
the county executive to execute an inter-
municipal agreement with the Uniondale Free
School District in relation to renovating the
boys' locker room at Uniondale High School.

LEGISLATOR WALKER: So moved.

CHAIRWOMAN GONSALVES: Moved by
Legislator Walker. Seconded by? I'm waiting for
you, Mr. Kevan. You can move it.

LEGISLATOR WALKER: And I'll second it.

CHAIRWOMAN GONSALVES: Okay. I'm
looking at you. I was calling you.

LEGISLATOR ABRAHAMS: You were?

CHAIRWOMAN GONSALVES: Yes, I was.

Concentrate.

And this one we're not talking about,
right? Okay.

Any public comment regarding this item?

(No verbal response.)

There being none; the item 38-14, all
those in favor signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

The next item is Item 57-2014, a
resolution to accept a gift offer by a donor to
the Nassau County Department of Parks, Recreation
and Museums.

Moved by?

LEGISLATOR WALKER: So moved.

CHAIRWOMAN GONSALVES: Legislator
Walker.

LEGISLATOR KOPEL: Second.

CHAIRWOMAN GONSALVES: Seconded by
Legislator Kopel.

And? Any comments regarding this gift
that's being donated?

LEGISLATOR NICOLELLO: I was just curious as to why this is being donated to Parks, Recreation and Museums, since it's going to -- it's for Veolia, correct?

MR. MAY: The bus is coming from Veolia. It's being donated to the Department of Parks, I believe, because the Department of Parks has bus drivers. The utilization of the bus is going to include veteran services and Office of the Aging, but I do not believe either of those departments have bus drivers on staff, so it's going to parks.

LEGISLATOR NICOLELLO: Okay. Thank you.

CHAIRWOMAN GONSALVES: Any other comments?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of Item 57-2014 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

We have Item 64-2014, a resolution authorizing the county executive to execute an inter-municipal agreement with the Incorporated Village of Garden City in relation to a project to perform brownfield remediation at Ellis Hall.

Motion, please?

LEGISLATOR WALKER: So moved.

LEGISLATOR NICOLELLO: Second.

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

Any comments, any questions, whatever, regarding this item?

(No verbal response.)

Any public comments?

(No verbal response.)

There being none; all those in favor of Item 64-2014 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

I believe we have a second addendum, and that addendum item is 61-2014, a resolution to

amend Resolution 251-13 to reflect the five-year term of Alan J. Harstein to the Nassau County Bridge Authority.

Moved by?

LEGISLATOR WALKER: So moved.

LEGISLATOR KOPEL: Second.

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

Any questions regarding this item?

(No verbal response.)

Any public comment?

(No verbal response.)

All those in favor of 61-2014 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

I believe I need a motion to adjourn.

Moved by Legislator Kopel, seconded by
Legislator Jacobs.

All those in favor signify by saying aye.

(Aye.)

Any opposed?

2 (No verbal response.)

3 The Rules Committee is now adjourned.

4 (Whereupon, the Rules Committee

5 adjourned.)

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C E R T I F I C A T E

I, FRANK GRAY, a Shorthand Reporter and Notary Public in and for the State of New York, do hereby 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 24th day of February, 2014.

FRANK GRAY