

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PETER SCHMITT,
Presiding Officer

RULES COMMITTEE

PETER SCHMITT, Chairman

1550 Franklin Avenue
Mineola, New York

Monday, March 5, 2012
5:25 P.M

REGAL REPORTING SERVICE
(516) 747-7353

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

PETER SCHMITT,
Chairman

HOWARD KOPEL,
Vice Chairman

DENNIS DUNNE

ROSE MARIE WALKER

KEVAN ABRAHAMS,
Ranking

JUDY JACOBS

WAYNE WINK

WILLIAM J. MULLER,
Clerk of the Legislature

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

LIST OF SPEAKERS

MICHAEL KELLY, deputy director,
Office of Real Estate Services.....6

ROB MARIN, chief counsel,
Office of Community Development,
Office of Housing and Homeless Services...9

ROB WALKER, Deputy County Executive.....18

1 Rules Committee/3-5-12

2 CHAIRMAN SCHMITT: Calling the
3 Rules Committee to order. We are going to
4 do the contracts. We need to have everybody
5 please rise for the Pledge of Allegiance
6 lead by Legislator Rose Walker?

7 (Whereupon, the Pledge of
8 Allegiance was recited.)

9 CHAIRMAN SCHMITT: Mr. Clerk,
10 would you please call the roll?

11 CLERK MULLER: Legislator Wink?

12 LEGISLATOR WINK: Here.

13 CLERK MULLER: Legislator Jacobs?

14 LEGISLATOR JACOBS: Here.

15 CLERK MULLER: Ranking Member
16 Abrahams?

17 LEGISLATOR ABRAHAMS: Here.

18 CLERK MULLER: Legislator Walker?

19 LEGISLATOR WALKER: Here.

20 CLERK MULLER: Legislator Dunne?

21 LEGISLATOR DUNNE: Here.

22 CLERK MULLER: Vice Chairman
23 Kopel?

24 LEGISLATOR KOPEL: Here.

25 CLERK MULLER: Chairman Schmitt?

1 Rules Committee/3-5-12

2 CHAIRMAN SCHMITT: Here.

3 CLERK MULLER: We have a quorum.

4 CHAIRMAN SCHMITT: Thank you very
5 much. We are going to call the contracts
6 that are on. Then we will recess and let
7 the other committees meet and then we will
8 return to finish the business of the day.

9 First contract is E-63, a
10 contract with county attorney and Jaspan
11 Schlesinger. May I have a motion, please?

12 LEGISLATOR DUNNE: So moved.

13 LEGISLATOR WALKER: Second.

14 CHAIRMAN SCHMITT: Moved by
15 Legislator Dunne, seconded by Legislator
16 Walker. Any debate or discussion?

17 (No verbal response.)

18 Is there any public comment?

19 (No verbal response.)

20 All those in favor please say
21 aye.

22 (Aye.)

23 Any opposed?

24 (No verbal response.)

25 The item carries unanimously.

1 Rules Committee/3-5-12

2 E-64 is a use and occupancy permit with
3 David Kowalenko, Ashley Bender and Chelsea
4 Durand. May I have a motion, please?

5 LEGISLATOR WALKER: So moved.

6 LEGISLATOR DUNNE: Second.

7 CHAIRMAN SCHMITT: Moved by
8 Legislator Walker, seconded by Legislator
9 Dunne. Yes, sir?

10 MR. KELLY: Michael Kelly, deputy
11 director, office of real estate services.
12 E-64 is a parks use and occupancy permit
13 with David Kowalenko, Ashley Bender and
14 Chelsea Durand. The unit is the Nassau Hall
15 Gatehouse, apartment one, located in the
16 Muttontown Park and Preserve. The use fee
17 for this unit is \$2,500 a month.

18 CHAIRMAN SCHMITT: One unit?

19 MR. KELLY: One unit.

20 CHAIRMAN SCHMITT: Anybody have
21 any questions?

22 (No verbal response.)

23 Is there any public comment?

24 (No verbal response.)

25 All those in favor please say

1 Rules Committee/3-5-12

2 aye.

3 (Aye.)

4 Any opposed?

5 (No verbal response.)

6 The item carries unanimously.

7 E-65 is a contract with the correctional
8 center and the Diocese of Rockville Centre.

9 May I have a motion, please?

10 LEGISLATOR WALKER: So moved.

11 LEGISLATOR DUNNE: Second.

12 CHAIRMAN SCHMITT: Moved by
13 Legislator Walker, seconded by Legislator
14 Dunne. Any debate or discussion?

15 (No verbal response.)

16 Is there any public comment?

17 (No verbal response.)

18 All those in favor please say

19 aye.

20 (Aye.)

21 Any opposed?

22 (No verbal response.)

23 The item carries unanimously.

24 E-66 is a contract with Community
25 Development and Olympic Siding and Windows

1 Rules Committee/3-5-12

2 Company. May I have a motion, please?

3 LEGISLATOR WALKER: So moved.

4 LEGISLATOR KOPEL: Second.

5 CHAIRMAN SCHMITT: Moved by
6 Legislator Walker, seconded by Legislator
7 Kopel. Any debate or discussion?

8 (No verbal response.)

9 Is there any public comment?

10 (No verbal response.)

11 All those in favor please say
12 aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 The item carries unanimously.

17 E-67 is a contract with Community
18 Development and Calabrese Brothers
19 Construction. May I have a motion, please?

20 LEGISLATOR DUNNE: So moved.

21 LEGISLATOR WALKER: Second.

22 CHAIRMAN SCHMITT: Moved by
23 Legislator Dunne, seconded by Legislator
24 Walker. Any debate or discussion?

25 LEGISLATOR JACOBS: I just have a

1 Rules Committee/3-5-12
2 question. I'm just wondering if anyone is
3 here that can tell me what we're siding.
4 This is two contracts in a row and I'm just
5 wondering what we're siding.

6 MR. MARIN: That's the name of
7 the corporation. This is for --

8 CHAIRMAN SCHMITT: Just identify
9 yourself.

10 MR. MARIN: Sorry, Rob Marin,
11 chief counsel, office of community
12 development, office of housing and homeless
13 services. These are two amendments under
14 the Lead Housing Reduction Grant. This is
15 the line of credit essentially that will
16 allow these contractors to then submit
17 competitive bids for houses that we identify
18 with lead hazards.

19 LEGISLATOR JACOBS: Thank you.

20 CHAIRMAN SCHMITT: And it's 100
21 percent federal grant funded?

22 MR. MARIN: Correct.

23 CHAIRMAN SCHMITT: Any public
24 comment?

25 (No verbal response.)

1 Rules Committee/3-5-12

2 Is there any public comment?

3 (No verbal response.)

4 All those in favor signify by
5 saying aye.

6 (Aye.)

7 Any opposed?

8 (No verbal response.)

9 The item carries unanimously.
10 E-68 is a contract with the police
11 department and the Nassau County Coalition
12 Against Domestic Violence. May I have a
13 motion, please?

14 LEGISLATOR WALKER: So moved.

15 LEGISLATOR KOPEL: Second.

16 CHAIRMAN SCHMITT: Moved by
17 Legislator Walker, seconded by Legislator
18 Kopel. Any debate or discussion?

19 (No verbal response.)

20 Is there any public comment?

21 (No verbal response.)

22 All those in favor signify by
23 saying aye.

24 (Aye.)

25 Any opposed?

1 Rules Committee/3-5-12

2 (No verbal response.)

3 The item carries unanimously.

4 E-70 is a contract with the county attorney
5 and Nixon Peabody.

6 LEGISLATOR DUNNE: So moved.

7 LEGISLATOR WALKER: Second.

8 CHAIRMAN SCHMITT: Moved by
9 Legislator Dunne, seconded by Legislator
10 Walker. Any debate or discussion?

11 (No verbal response.)

12 Is there any public comment?

13 (No verbal response.)

14 All those in favor signify by
15 saying aye.

16 (Aye.)

17 Any opposed?

18 (No verbal response.)

19 The item carries unanimously.

20 E-75 is a contract with district attorney
21 and Joan Brody, and E-76 is a contract with
22 district attorney and Joan Brody. May I
23 have a motion, please?

24 LEGISLATOR DUNNE: So moved.

25 LEGISLATOR WALKER: Second.

1 Rules Committee/3-5-12

2 CHAIRMAN SCHMITT: Moved by
3 Legislator Dunne, seconded by Legislator
4 Walker. Any debate or discussion?

5 (No verbal response.)

6 Is there any public comment?

7 (No verbal response.)

8 All those in favor signify by
9 saying aye.

10 (Aye.)

11 Any opposed?

12 (No verbal response.)

13 The items carry unanimously.

14 E-77 is a contract with county attorney and
15 Bee Ready Fishbein Hatter & Donovan. May I
16 have a motion, please?

17 LEGISLATOR DUNNE: So moved.

18 LEGISLATOR WALKER: Second.

19 CHAIRMAN SCHMITT: Moved by
20 Legislator Dunne, seconded by Legislator
21 Walker. Any debate or discussion?

22 (No verbal response.)

23 Is there any public comment?

24 (No verbal response.)

25 All those in favor signify by

1 Rules Committee/3-5-12

2 saying aye.

3 (Aye.)

4 Any opposed?

5 (No verbal response.)

6 The item carries unanimously.

7 E-80 is a contract with probation and Family
8 and Children's Association Incorporated.

9 Motion, please?

10 LEGISLATOR WALKER: So moved.

11 LEGISLATOR DUNNE: Second.

12 CHAIRMAN SCHMITT: Moved by
13 Legislator Walker, seconded by Legislator
14 Dunne. Any debate or discussion?

15 (No verbal response.)

16 Is there any public comment?

17 (No verbal response.)

18 All those in favor signify by
19 saying aye.

20 (Aye.)

21 Any opposed?

22 (No verbal response.)

23 The item carries unanimously.

24 E-81 is a contract with the district
25 attorney and P.E.A.C.E., an after school

1 Rules Committee/3-5-12

2 program. May I have a motion, please?

3 LEGISLATOR DUNNE: So moved.

4 LEGISLATOR WALKER: Second.

5 CHAIRMAN SCHMITT: Moved by
6 Legislator Dunne, seconded by Legislator
7 Walker. Any debate or discussion?

8 (No verbal response.)

9 Is there any public comment?

10 (No verbal response.)

11 All those in favor signify by
12 saying aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 The item carries unanimously.

17 I'll take a motion to suspend the rules.

18 LEGISLATOR DUNNE: So moved.

19 LEGISLATOR WALKER: Second.

20 CHAIRMAN SCHMITT: Moved by
21 Legislator Dunne, seconded by Legislator
22 Walker. All those in favor of suspending
23 the rules please say aye.

24 (Aye.)

25 The rules are suspended. Next is

1 Rules Committee/3-5-12
2 E-69, a contract with the Department of
3 Public Works and John Goess Realty
4 Appraisal.

5 LEGISLATOR DUNNE: So moved.

6 LEGISLATOR WALKER: Second.

7 CHAIRMAN SCHMITT: Moved by
8 Legislator Dunne, seconded by Legislator
9 Walker. Any debate or discussion?

10 (No verbal response.)

11 Is there any public comment?

12 (No verbal response.)

13 All those in favor signify by
14 saying aye.

15 (Aye.)

16 Any opposed?

17 (No verbal response.)

18 The item carries unanimously. Is
19 that it? That's all the contracts. So we
20 will stand in recess while the other
21 committees meet. Next committee up will be
22 public safety.

23 (Whereupon, the Rules Committee
24 recessed at 5:32 p.m. and reconvened at 6:11
25 p.m.)

1 Rules Committee/3-5-12

2 CHAIRMAN SCHMITT: We're back in
3 session. With the consent of the minority,
4 we are going to bulk much of the calendar.
5 Let me do that first. It's Clerk Items 107,
6 108, 109, 110, 112, 113, 114, 117, 118, 119,
7 120, 121, 122, 123, then in the addendum
8 it's nothing. Those are the items.

9 LEGISLATOR WALKER: So moved.

10 LEGISLATOR DUNNE: Second.

11 CHAIRMAN SCHMITT: Moved by
12 Legislator Walker, seconded by Legislator
13 Dunne. Is there any public comment?

14 (No verbal response.)

15 All those in favor signify by
16 saying aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 Those items all carry
21 unanimously. Now we will call Item 111,
22 which is an ordinance extending a voluntary
23 separation to certain officers and
24 employees. May I have a motion, please?

25 LEGISLATOR WALKER: So moved.

1 Rules Committee/3-5-12

2 LEGISLATOR DUNNE: Second.

3 CHAIRMAN SCHMITT: Moved by
4 Legislator Walker, seconded by Legislator
5 Dunne. We are going to call 115 at the same
6 time and 115.

7 LEGISLATOR ABRAHAMS: I have a
8 very brief statement to read into the record
9 before we take action on this item. The
10 Democratic caucus has huge reservations
11 about whether we support this incentive or
12 not. First, in what seems the standard
13 practice with the county executive, we have
14 little to no information about this
15 incentive. At this time there are too many
16 unanswered questions.

17 Today we will vote through in
18 committee and ask the county executive to
19 answer the following questions, which I'm
20 not too sure -- I see Mr. Walker is here,
21 but I'm not too sure if they can be answered
22 today, but I will just lay them out.

23 Number one, how much from the
24 previous incentive is left over? It is our
25 understanding that there is at least \$14

1 Rules Committee/3-5-12
2 million.

3 Two, we would like to request
4 from the office of legislative budget review
5 to do an analysis of the incentive to
6 determine if the 50 million that's being
7 requested is even necessary.

8 Three, how many police officers
9 does the administration estimate will be
10 needed to achieve the savings numbers?

11 Four, will the positions be
12 backfilled from officers taking the
13 incentive?

14 And, five, how does the
15 vacancies' impact the number needed to take
16 the incentive to achieve the \$20 million? I
17 don't know if somebody is here to answer the
18 questions now.

19 CHAIRMAN SCHMITT: Can you submit
20 that list so that they can get the answers
21 for you?

22 MR. WALKER: Currently today,
23 with roughly 60 police officers, I should
24 say sworn members, they're DAI, SOA and PBA,
25 it's roughly a salary of about -- salary and

1 Rules Committee/3-5-12
2 benefits of about \$10 million. From those
3 60 officers, members of the Detective's
4 Association and Superior Officers, if they
5 left the employ, it would be an annual
6 savings of \$10 million just as of today.
7 And that's 60 police officers. We believe
8 roughly 100 police officers -- I should say
9 again, sworn members, anywhere between 100
10 to 125, we would achieve that above \$20
11 million minimal and possibly again above
12 that depending on who left.

13 With respect to how much money is
14 currently left, CSEA --

15 LEGISLATOR ABRAHAMS: I actually
16 meant, Mr. Walker, that I believe when we
17 did an incentive for the police department,
18 going back to 2009, I believe there is
19 estimated about \$14 million left from that
20 incentive for the police department.

21 MR. WALKER: Instead of
22 answering, we'll get you the exact figures
23 as to what's left prior to you taking up any
24 bond resolution as to where we are with
25 payments as well as for CSEA.

1 Rules Committee/3-5-12

2 LEGISLATOR ABRAHAMS: Do you want
3 a list of my questions?

4 MR. WALKER: Sure. I wrote those
5 down so far what you have.

6 LEGISLATOR ABRAHAMS: Okay, if
7 you wrote it down, you got it. Well, if you
8 can, I see Ms. D'Alleva is there, if it's
9 possible --

10 MR. WALKER: We will get you that
11 beforehand.

12 LEGISLATOR ABRAHAMS: If Roseanne
13 can reach out to Arlene, we would appreciate
14 any responses to all those questions, that
15 would be great.

16 CHAIRMAN SCHMITT: We would like
17 to see them too. Are we done? Is there any
18 public comment?

19 (No verbal response.)

20 All those in favor please say
21 aye.

22 (Aye.)

23 Any opposed?

24 (No verbal response.)

25 The item carries unanimously. We

1 Rules Committee/3-5-12
2 go to 116 which is a bond in the amount of
3 \$50 million to pay for all this. May I have
4 a motion, please?

5 LEGISLATOR DUNNE: So moved.

6 LEGISLATOR WALKER: Second.

7 CHAIRMAN SCHMITT: Moved by
8 Legislator Dunne, seconded by Legislator
9 Walker. Any debate or discussion?

10 (No verbal response.)

11 Is there any public comment?

12 LEGISLATOR ABRAHAMS: If I may
13 again?

14 CHAIRMAN SCHMITT: Legislator
15 Abrahams.

16 LEGISLATOR ABRAHAMS: Once again,
17 obviously as I have made this statement
18 before, that our caucus has huge
19 reservations, just to put on the record, in
20 regards to this item as well, which is tied
21 to the incentive that we will support the
22 incentive to pass it through committee
23 today. It is our hope to have the answers
24 to many of our questions to be answered in
25 the coming weeks and, from that standpoint,

1 Rules Committee/3-5-12
2 we will vote through the item today and we
3 will see where we are in the coming weeks
4 after we get our answers. Thank you.

5 CHAIRMAN SCHMITT: Any other
6 questions?

7 (No verbal response.)

8 Is there any public comment?

9 (No verbal response.)

10 All those in favor please say
11 aye.

12 (Aye.)

13 Any opposed?

14 (No verbal response.)

15 The item carries unanimously.
16 Next is 125, a resolution designating a
17 portion of the county road known as Loring
18 Road between Hempstead Turnpike and North
19 Jerusalem Avenue as Major John P. Kilbride
20 Way. May I have a motion, please?

21 LEGISLATOR DUNNE: So moved.

22 LEGISLATOR WALKER: Second.

23 CHAIRMAN SCHMITT: Moved by
24 Legislator Dunne, seconded by Legislator
25 Walker. Any debate or discussion?

1 Rules Committee/3-5-12

2 (No verbal response.)

3 Is there any public comment?

4 (No verbal response.)

5 All those in favor please signify
6 by saying aye.

7 (Aye.)

8 Any opposed?

9 (No verbal response.)

10 The ayes have it unanimously.

11 That's all the business guys. I'll take a
12 motion to adjourn.

13 LEGISLATOR DUNNE: So moved.

14 LEGISLATOR WALKER: Second.

15 CHAIRMAN SCHMITT: Moved by
16 Legislator Dunne, seconded by Legislator
17 Walker. All those in favor please say aye.

18 (Aye.)

19 We stand adjourned.

20 (Whereupon, the Rules Committee
21 adjourned at 6:20 p.m.)

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2012.

FRANK GRAY