

NASSAU COUNTY LEGISLATURE

PETER J. SCHMITT,  
PRESIDING OFFICER

RULES COMMITTEE

PETER J. SCHMITT,  
CHAIRMAN

1550 Franklin Avenue  
Mineola, New York

July 23, 2012  
1:03 p.m.

REGAL REPORTING SERVICES  
516-747-7353

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

PETER J. SCHMITT  
Chair

HOWARD KOPEL

DENNIS DUNNE (Not Present)

RICHARD NICOLELLO (Sitting in for Dennis Dunne)

ROSE MARIE WALKER

KEVAN ABRAHAMS (Not Present)  
Ranking

DELIA DERIGGI-WHITTON

JUDY JACOBS

WAYNE WINK

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2 CHAIRMAN SCHMITT: I'm going to ask  
3 everybody to please rise for the Pledge of  
4 Allegiance, led by Legislator Howard Kopel.

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

7 CHAIRMAN SCHMITT: Mr. Clerk, would you  
8 call the roll, please?

9 CLERK MULLER: Legislator Wink?

10 LEGISLATOR WINK: Here.

11 CLERK MULLER: Legislator Jacobs?

12 LEGISLATOR JACOBS: Here.

13 CLERK MULLER: Ranking Member Abrahams?

14 Okay. Legislator DeRiggi-Whitton  
15 substituting for Legislator Abrahams is here.

16 Legislator Walker?

17 LEGISLATOR WALKER: Here.

18 CLERK MULLER: Legislator Nicoletto  
19 substituting for Legislator Dunne?

20 LEGISLATOR DUNNE: Here.

21 CLERK MULLER: Vice Chairman Kopel?

22 LEGISLATOR KOPEL: Here.

23 CLERK MULLER: Chairman Schmitt?

24 CHAIRMAN SCHMITT: Here.

25 CLERK MULLER: We have a quorum.

2 CHAIRMAN SCHMITT: The Rules Committee  
3 meets in the beginning to go over contracts, then  
4 we will recess while all the other committees  
5 meet, come back, and finish the business of the  
6 day.

7 The first contract is A-26, between the  
8 Nassau County Police Department Electronic Squad  
9 and Electronic Interface Associates.

10 May I have a motion, please?

11 LEGISLATOR WALKER: So moved.

12 LEGISLATOR NICOLELLO: Second.

13 CHAIRMAN SCHMITT: Moved by Legislator  
14 Walker, seconded by Legislator Nicolello.

15 Who is here to speak on this?

16 MS. FOX: Good afternoon. Tatum Fox,  
17 Nassau County Police Department, Legal Bureau.

18 CHAIRMAN SCHMITT: Good afternoon.

19 MS. FOX: Item A-26-12 is to authorize a  
20 purchase order to Electronic Interface  
21 Associates, Incorporated for a wide area, hi-  
22 resolution surveillance system for use by the  
23 police electronics squad. The purchase order is  
24 in the amount of \$349,821.93, funded from grants.  
25 And the funding grant mandates that this is the

2 required system and therefore this is a sole  
3 source procurement.

4 CHAIRMAN SCHMITT: Does anybody have any  
5 questions?

6 LEGISLATOR WINK: Yeah. I just have a  
7 quick question.

8 CHAIRMAN SCHMITT: Legislator Wink.

9 LEGISLATOR WINK: The nature of this  
10 system, is this the type of system that can do  
11 I.D. recognition or facial recognition?

12 MS. FOX: For that question, Legislator  
13 Wink, I have Sergeant Devin Ross, the commanding  
14 officer of electronic squad, if I could defer to  
15 him.

16 LEGISLATOR WINK: Sure.

17 MS. FOX: Thank you.

18 SERGEANT ROSS: Devin Ross - R-O-S-S.  
19 Legislator, this system is going to be working in  
20 conjunction with a system that was previously  
21 purchased by the department using federal grant  
22 funding.

23 The system that's currently owned is the  
24 -- laid out the architecture for this system.  
25 It's the archiving and software licensing for

2 that.

3 LEGISLATOR WINK: Okay.

4 SERGEANT ROSS: This system that we're  
5 purchasing will work in conjunction with it.  
6 It's cameras that could be transmitted both wired  
7 and over wireless encrypted mesh networks. This  
8 system alone does not have the ability to have  
9 facial recognition. But the current system that  
10 we own is an open-source platform and will allow  
11 future integration, if we decide to go down that  
12 path, for facial recognition and other open-  
13 source platforms like that.

14 LEGISLATOR WINK: Oh, okay. Because I  
15 saw something in reference to the 2012  
16 Presidential Debate, being one of the -- I guess  
17 one of the events where this system would be  
18 employed, and I thought maybe that would have  
19 something to do with it.

20 SERGEANT ROSS: This system will be used  
21 during the Presidential Debates, as well as after  
22 the debates, investigations and other minor and  
23 major events that the county hosts.

24 LEGISLATOR WINK: Gotcha. Okay. Thank  
25 you.



2 SERGEANT ROSS: You're welcome, sir.

3 CHAIRMAN SCHMITT: Anybody else?

4 (No verbal response.)

5 Any public comment?

6 (No verbal response.)

7 All those in favor please say aye.

8 (Aye.)

9 Any opposed?

10 (No verbal response.)

11 The item carries unanimously.

12 I'm going to request that before we go  
13 onto the next item that everybody please take a  
14 moment, let's rise for a moment of silence for  
15 what happened out in Colorado.

16 (Whereupon, a moment of silence was  
17 taken.)

18 CHAIRMAN SCHMITT: Thank you.

19 Item Number 827, which is a contract  
20 between DPW and Winter Brothers Recycling Corps  
21 for bar screen and grit removal at the -- which  
22 treatment plant?

23 MR. FADAL: Christopher Fadal with the  
24 Department of Public Works.

25 CHAIRMAN SCHMITT: Hold on a second. We

2 need a motion.

3 LEGISLATOR WALKER: So moved.

4 LEGISLATOR NICOLELLO: Second.

5 CHAIRMAN SCHMITT: Moved by Legislator  
6 Walker, seconded by Legislator Nicoletto.

7 Just identify yourself for the record,  
8 please.

9 MR. FADAL: Christopher Fadal, I'm with  
10 the Department of Public Works. This item is for  
11 a blanket purchase order for bar screen and grit  
12 removal services. It's for the disposal of items  
13 like rags, gravel, other things that are removed  
14 during the pre-treatment process at the plants.  
15 The stuff's removed so it doesn't damage the  
16 equipment. And this is the contract to dispose  
17 of it.

18 CHAIRMAN SCHMITT: How does he dispose  
19 of it?

20 MR. FADAL: Yeah.

21 CHAIRMAN SCHMITT: How? What do they  
22 take it away?

23 MR. FADAL: Yeah. We put it into  
24 dumpsters and then, yeah, Winter Brothers hauls  
25 it away.

2 CHAIRMAN SCHMITT: Okay. Any questions?

3 (No verbal response.)

4 Any public comment?

5 (No verbal response.)

6 All those in favor please say aye.

7 (Aye.)

8 Any opposed?

9 (No verbal response.)

10 The items carry unanimously.

11 Thank you.

12 I'm going to call B-20, B-28, and B-29

13 together. These are contracts between the

14 Department of Public Works and Posillico Civil,

15 Inc., with Wellsbach Electric, and with E&A

16 Restoration.

17 May I have a motion, please?

18 LEGISLATOR WALKER: So moved.

19 LEGISLATOR NICOLELLO: Second.

20 CHAIRMAN SCHMITT: Moved by Legislator

21 Walker, seconded by Legislator Nicolello.

22 Yes.

23 MS. DUQUEZ: Sheila Duquez, Department

24 of Public Works, for B-28.

25 CHAIRMAN SCHMITT: Okay. Who is here

2 for B-20?

3 MR. FAISANO: Mike Faisano, Department  
4 of Public Works.

5 CHAIRMAN SCHMITT: Okay. Tell us about  
6 B-20, please.

7 MR. FAISANO: B-20 is a contract to have  
8 the digesters cleaned at Bay Park. The digesters  
9 need to be cleaned to improve the methane  
10 production, which the methane is used to power  
11 the plants.

12 CHAIRMAN SCHMITT: The digesters get  
13 cleaned out?

14 MR. FAISANO: Right. The digesters,  
15 they haven't been cleaned in about 20 years, they  
16 have heavy sludge on the bottom of them which is  
17 restricting the production of methane.

18 CHAIRMAN SCHMITT: So we haven't cleaned  
19 them -- they haven't been cleaned by the county  
20 in 20 years.

21 MR. FAISANO: Correct.

22 CHAIRMAN SCHMITT: So what happens?  
23 Does the plant have to stop operation while they  
24 clean these out?

25 MR. FAISANO: No. We phase it. We'll

2 do one at a time. We have eight digesters at Bay  
3 Park and we'll clean one at a time.

4 CHAIRMAN SCHMITT: So what is in that on  
5 the bottom, like a muck?

6 MR. FAISANO: It's a mucky, greasy,  
7 hair, anything that gets separated in the process  
8 goes into the digesters.

9 CHAIRMAN SCHMITT: So they take it all  
10 out and what do they, like?

11 MR. FAISANO: They'll dispose of it.

12 CHAIRMAN SCHMITT: Thirteen million  
13 dollars?

14 MR. FAISANO: Yes.

15 CHAIRMAN SCHMITT: Okay. Anybody else  
16 have any questions? Legislator Kopel.

17 LEGISLATOR KOPEL: Thank you. So, are  
18 we contemplating replacing any of these digesters  
19 all together?

20 MR. FAISANO: No, no. Absolutely not.  
21 This is just a cleaning contract, it's all that  
22 needs to be done. The super structures are in  
23 good shape. It's just a cleaning contract to get  
24 them performing better.

25 LEGISLATOR KOPEL: So when you say

2 they're performing better, the results of them  
3 performing better -- is that going to impact on  
4 odor abatement at all?

5 MR. FAISANO: The -- when we open up a  
6 digester it definitely will have an odor.

7 LEGISLATOR KOPEL: Right.

8 MR. FAISANO: The top, the floating  
9 tops, the covers will be removed so they can get  
10 machinery inside to clean out the digesters.  
11 When the water seal on the top is broken and the  
12 cover's removed there will be initial odors, yes.

13 LEGISLATOR KOPEL: Are we going to be  
14 able to notify the residents that this is going  
15 on? Can I get some sort of scheduling for this  
16 when it happens?

17 MR. FAISANO: Yeah. Absolutely. And  
18 we're going to send out notification.

19 LEGISLATOR KOPEL: To?

20 MR. FAISANO: To the different groups  
21 that we meet monthly with.

22 LEGISLATOR KOPEL: Could you put me on  
23 that list?

24 MR. FAISANO: Absolutely.

25 LEGISLATOR KOPEL: As opposed to now,

2 the odors, once the work has been completed, will  
3 the odors be less than they are now? Is this  
4 part of the odor problem?

5 MR. FAISANO: Right now there really is  
6 no odor problem until a digester goes sour. The  
7 reason a digester goes sour is because they  
8 haven't been cleaned in 20 years and we cannot  
9 create the loop of heat that the digesters need  
10 to perform. So once this digester cleaning takes  
11 place, they will perform much better.

12 LEGISLATOR KOPEL: And what do you  
13 expect will be the result of this better  
14 performance, in terms of methane production?  
15 What is going to be the anticipated savings by  
16 virtue of having to buy less gas?

17 MR. FAISANO: In other words, we would  
18 not run the -- excuse me -- we would not run the  
19 engines that power the plant on natural gas.

20 LEGISLATOR KOPEL: Right. You'd use  
21 this instead.

22 MR. FAISANO: We run out of methane  
23 quick right now, and then we have to switch over.

24 LEGISLATOR KOPEL: Right. So what are  
25 you projecting will be the savings?

2 MR. FAISANO: We would say probably 50,  
3 60 percent of natural gas cost.

4 LEGISLATOR KOPEL: Meaning? Put that in  
5 dollars, if you would.

6 MR. FAISANO: I don't know the dollars.

7 LEGISLATOR KOPEL: Okay. This is an  
8 operating expense? It's not a -- it's a capital  
9 expense. It's coming out of the capital budget?

10 MR. FAISANO: Capital, yes.

11 LEGISLATOR KOPEL: Okay. Thank you.

12 CHAIRMAN SCHMITT: Legislator Jacobs.

13 LEGISLATOR JACOBS: Yes. I just have a  
14 very fast question for you. This whatever you  
15 call it -- sludge --

16 MR. FAISANO: Digester --

17 LEGISLATOR JACOBS: whatever -- where  
18 does Winter Brother dump it? I'm sorry. I'm on  
19 the wrong one. Sorry. Posillico, where do they  
20 dump it?

21 MR. FAISANO: Posillico will take it to  
22 facilities that accept this kind of waste; one is  
23 out in Suffolk, one is in Jersey. They'll truck  
24 it off-site.

25 LEGISLATOR JACOBS: Okay. There are



2 places, obviously, then --

3 MR. FAISANO: Oh, yeah.

4 LEGISLATOR JACOBS: to accept this.

5 MR. FAISANO: Anywhere that accepts  
6 commercial grease, hair, things of that nature.  
7 Yep.

8 LEGISLATOR JACOBS: Okay. Very good.  
9 Thank you.

10 MR. FAISANO: But it has nothing to do  
11 with Winter Brothers, this is separate.

12 LEGISLATOR JACOBS: I'm sorry. That was  
13 a mistake. I was looking at the next item.

14 CHAIRMAN SCHMITT: Is there a reason why  
15 this wasn't done for 20 years?

16 MR. FAISANO: I don't know. I wasn't  
17 here.

18 CHAIRMAN SCHMITT: Should it be done  
19 every five years or every year?

20 MR. FAISANO: It would be on a five-year  
21 rotation, that's how the City plants do it,  
22 Suffolk County does it that way. It shouldn't go  
23 past five or six years of not maintaining the  
24 digesters. That's a very important piece to the  
25 process of treating the sewage.

2 CHAIRMAN SCHMITT: Legislator Wink.

3 LEGISLATOR WINK: Mr. Faisano, do you  
4 have any idea right now what percentage of the  
5 operations are powered by methane that's  
6 collected here?

7 MR. FAISANO: Yeah. Right now at Bay  
8 Park we're only running the boilers on methane.  
9 There's not enough methane being produced to run  
10 the engines.

11 LEGISLATOR WINK: Okay.

12 MR. FAISANO: So right now the engines  
13 are being run on natural gas, which is very  
14 expensive.

15 LEGISLATOR WINK: Got ya. And you're  
16 confident that with the improvements made here  
17 that the methane will be able to run the engines  
18 as well?

19 MR. FAISANO: Yeah. Once we get a good  
20 flow through the digesters, we'll increase the  
21 methane production. The sphere is in good shape.  
22 We'll accept the methane, put it into gas  
23 compressors, compress it, and send it over to the  
24 engines. As you know, the engines are getting  
25 overhauled right now and they're working on the

2 methane acceptance systems. So, yeah, it will be  
3 much better for the county to get back on  
4 methane.

5 LEGISLATOR WINK: Do you have any idea  
6 whether or not this is being done as part of the  
7 consent decree the county entered into?

8 MR. FAISANO: I believe it is not.

9 LEGISLATOR WINK: It's not.

10 MR. FAISANO: This is an initiative by  
11 the administration.

12 LEGISLATOR WINK: Okay. And my only  
13 other question would be whether or not projects  
14 such as these would be impacted at all by efforts  
15 to privatize the plant.

16 MR. FAISANO: Excuse me?

17 LEGISLATOR WINK: Whether or not  
18 projects like these would be impacted by efforts  
19 to privatize the plant. If the plant is in  
20 private hands, would a project like this  
21 continue?

22 MR. FAISANO: It certainly should.  
23 We're looking at it from an operational  
24 standpoint. We're not looking towards the  
25 privatization. This is something that needs to

2 be done no matter who is running the plants. So  
3 I believe if we were in the middle of the job the  
4 private company would have to continue the scope  
5 of work that we set forth.

6 LEGISLATOR WINK: Okay.

7 MR. FAISANO: That's what I understand  
8 has happened. So we're operating as business as  
9 usual. And if that happens, it happens. But  
10 this needs to be done, so that's why we're doing  
11 it.

12 CHAIRMAN SCHMITT: Legislator Walker.

13 LEGISLATOR WINK: I'm sorry. I just had  
14 one comment to add to it. Just that it's ironic  
15 that it's been 20 years since it's been cleaned  
16 out. Twenty years is the last fiscal crisis  
17 Nassau County faced. One of my concerns for many  
18 years, having been around the county as an aid  
19 and as a legislator, is that, you know, Nassau  
20 County is repleted with examples of places where  
21 necessary maintenance have been deferred to the  
22 point where we do have \$13 million projects that  
23 might not be needed if every five years the work  
24 was being done. It's unfortunate that we  
25 deferred a great deal of maintenance for our

2 facilities and sooner or later you pay for it,  
3 and sometimes you pay a premium when we've  
4 deferred it that long.

5 MR. FAISANO: Absolutely. I agree with  
6 you 100 percent. This particular job, if we're  
7 still in this business, we absolutely need to  
8 address one digester every five years instead of  
9 eight every 20 years. It would behoove the  
10 county financially; it would make the plants  
11 operate a lot better.

12 Certain things at the plants you just  
13 can't put off, and things like maintainers and  
14 digesters are important.

15 LEGISLATOR WINK: Right. The digesters  
16 are where the bacteria exist?

17 MR. FAISANO: That's right. That's  
18 where we live with the bugs, right.

19 LEGISLATOR WINK: I know way too much  
20 about this stuff. I never thought it would,  
21 never thought I wanted to. But I appreciate it.  
22 Thank you, Mr. Faisano.

23 MR. FAISANO: Okay.

24 CHAIRMAN SCHMITT: Legislator Walker.

25 LEGISLATOR WALKER: Thank you,

2 Legislator Schmitt.

3 I do understand that obviously the  
4 efficiency of the units have been compromised.  
5 But was any damage done because we did not take  
6 care of this for 20 years?

7 MR. FAISANO: No. We had the super  
8 structure already inspected. The tanks  
9 themselves and the floating roofs are in good  
10 shape, so this is just a matter of cleaning out  
11 the debris that is stuck in the bottom of the  
12 digesters.

13 LEGISLATOR WALKER: And in the future if  
14 we have it on, say, a rotating basis, even some  
15 of them in five years and the others a year later  
16 or whatever, should that also lessen the --  
17 obviously lessen the expense per year because you  
18 wouldn't be doing them all at one time, because  
19 maybe they wouldn't be in bad a shape, it  
20 wouldn't be as costly?

21 MR. FAISANO: Yeah. We'll be paying the  
22 price on how much material they'll be removing.  
23 And the other important piece to this is, you  
24 know, the engines perform better on methane. So  
25 we would also, you know, be doing a good service

2 to the engines that power the plant if we got  
3 back on clean methane. So it's kind of a complex  
4 mistake that has gone on too long.

5 LEGISLATOR WALKER: Okay. Thank you.

6 CHAIRMAN SCHMITT: B-28.

7 LEGISLATOR DeRIGGI-WHITTON: I just have  
8 one more question.

9 CHAIRMAN SCHMITT: Who's got a question?

10 LEGISLATOR DeRIGGI-WHITTON: I do. I'm  
11 sorry.

12 CHAIRMAN SCHMITT: Legislator DeRiggi-  
13 Whitton.

14 LEGISLATOR DeRIGGI-WHITTON: Do you have  
15 any idea approximately how much it would cost if  
16 we do it every five years?

17 MR. FAISANO: Yeah. It would be one-  
18 eighth, a little less but you've got to figure  
19 there would be a little less material. It would  
20 probably be one-eighth of what we're paying right  
21 now.

22 LEGISLATOR DeRIGGI-WHITTON: So  
23 approximately \$2 million a year?

24 MR. FAISANO: Uhm, hum.

25 LEGISLATOR DeRIGGI-WHITTON: Maybe,

2 around that area?

3 MR. FAISANO: Right. If we went on a  
4 rotate, it would be somewhere in that ballpark,  
5 depending on how much material they would remove.

6 LEGISLATOR DeRIGGI-WHITTON: Do you  
7 think that should be a -- has that been discussed  
8 at all with United Water, as far as them going  
9 forward as having this obligation to pay?

10 MR. FAISANO: I'm in operations in the  
11 plant so I'm not involved really with the  
12 discussions of the privatization. I'm, you know,  
13 I don't know what's been discussed with them as  
14 far as how they would maintain the plant.

15 LEGISLATOR DeRIGGI-WHITTON: But either  
16 way you believe that either United Water should  
17 take account for this two million a year or the  
18 county should definitely have it in its budget.

19 MR. FAISANO: If it was me, I would  
20 definitely ask for every five years a digester be  
21 cleaned.

22 LEGISLATOR DeRIGGI-WHITTON: And I just  
23 had one other question. If I understood you  
24 correctly, you've been meeting with this  
25 community, like, almost every month regarding



2 this?

3 MR. FAISANO: Yeah. If we don't meet  
4 with them we call them on the first of the month,  
5 give them a heads up of work that's planned at  
6 the plant so they can expect certain days there  
7 will be odors. We talk to the school district to  
8 see, let's say the kids are going to have a field  
9 day, so we don't want to do certain work when the  
10 kids are out at lunch or, you know, whatever the  
11 case may be. So we communicate on a monthly  
12 basis with some of the groups that have asked us  
13 to communicate.

14 LEGISLATOR DeRIGGI-WHITTON: Is it  
15 typical, like, should your district be entering  
16 into a major construction or a major plan that  
17 DPW would meet with the community like every  
18 month, if it was a major project?

19 MR. FAISANO: Yes.

20 LEGISLATOR DeRIGGI-WHITTON: And it's  
21 pretty much upon the request of the people of the  
22 community to hold those meetings?

23 MR. FAISANO: Yes.

24 LEGISLATOR DeRIGGI-WHITTON: All right.  
25 I appreciate that.

2 Just one last thing. Does this backup  
3 have anything to do with the spills that occurred  
4 or not?

5 MR. FAISANO: Excuse me?

6 LEGISLATOR DeRIGGI-WHITTON: Are any of  
7 the spills that are associated with these types  
8 of plants, are they affiliated with this type of  
9 back up or clog or whatever you want to call it?

10 MR. FAISANO: These digesters?

11 LEGISLATOR DeRIGGI-WHITTON: Yes.

12 MR. FAISANO: No, no. It's another part  
13 of the process that wouldn't affect backups or  
14 spills.

15 LEGISLATOR DeRIGGI-WHITTON: Thank you  
16 very much.

17 MR. FAISANO: You're welcome.

18 CHAIRMAN SCHMITT: Okay. B-28.

19 MS. DUQUEZ: Sheila Duquez, Department  
20 of Public Works, Signal Management Section. This  
21 contract is for routine maintenance of  
22 approximately 1600 traffic signals that the  
23 county owns throughout the county, as well as two  
24 to 300 miscellaneous devices that are  
25 electrically lit, traffic devices throughout the

2 county. It's for routine maintenance as well as  
3 emergency repairs to traffic signals.

4 CHAIRMAN SCHMITT: Any questions?

5 (No verbal response.)

6 Any public comment?

7 (No verbal response.)

8 Anything on B-29? Who is here for that?

9 MR. SCHNEIDER: Brian Schneider, Public  
10 Works. B-29 is a requirements contract for  
11 general building construction for any county  
12 facility, whether it's a park or police facility  
13 or any general county facility.

14 The terms of the contract -- it's a one  
15 year contract with an option to extend it for an  
16 additional year with a cap of \$2.5 million per  
17 year.

18 The funding for this contract, as it  
19 comes up, will be from multiple capital project  
20 sources.

21 CHAIRMAN SCHMITT: Any questions? Mrs.  
22 Jacobs.

23 LEGISLATOR JACOBS: Okay. So, asking  
24 for \$5 million in one sum --

25 MR. SCHNEIDER: No. We're actually

2 asking for 2.5 -- each year is its own separate  
3 year. We'd have to come back and get Leg  
4 approval for the additional year.

5 LEGISLATOR JACOBS: Just correct me if  
6 I'm wrong. I'm sorry. I had down five million.  
7 If you discuss it at 2.5 million --

8 MR. SCHNEIDER: Correct.

9 LEGISLATOR JACOBS: it may not  
10 necessarily cost that.

11 MR. SCHNEIDER: Absolutely correct. It  
12 really depends. It's really on an emergency-type  
13 basis, on an on-call type basis. As needs arise  
14 that are beyond the capabilities of the  
15 department to make these repairs and improvements  
16 then we would go to the on-call contractor.

17 LEGISLATOR JACOBS: Is the cushion  
18 necessary, as large as this? I'm just asking. I  
19 don't know too much about it.

20 MR. SCHNEIDER: We're going through old  
21 history, also. The last requirements contract we  
22 spent \$2.1 million over a three year period. It  
23 is kind of within the ballpark of what we  
24 anticipate, but it's certainly possible that we  
25 would not come anywhere near that, depending on

2 the severity and conditions of the repairs.

3 LEGISLATOR JACOBS: How much of that was  
4 actually spent in the 2.1 million?

5 MR. SCHNEIDER: That was what we  
6 actually spent.

7 LEGISLATOR JACOBS: Oh. That was what  
8 you actually spent.

9 MR. SCHNEIDER: Yes. Correct.

10 LEGISLATOR JACOBS: Okay. Thank you.

11 CHAIRMAN SCHMITT: Legislator Kopel.

12 LEGISLATOR KOPEL: Thank you, Mr.  
13 Chairman.

14 This E&A Restoration, you've got a very  
15 vague description, I guess you have to have one,  
16 as to what the work will actually be.

17 MR. SCHNEIDER: Yeah. It has to cover  
18 just about every and all possible things that  
19 could arise at any county building.

20 LEGISLATOR KOPEL: Right. So my  
21 question to you is E&A -- I don't know them at  
22 all -- but they can't possibly have equipment,  
23 people, and specialists in everything; nobody  
24 does.

25 MR. SCHNEIDER: Correct. They have HVAC

2 specialists, electricians --

3           LEGISLATOR KOPEL:     They've got a couple  
4 of specialties there.  Why does it make sense --  
5 explain this to me, please.  Why does it make  
6 sense to use one company that's not a specialist  
7 and just doesn't make them for kind of all work  
8 that might eventuate instead of hiring people who  
9 are specialists in the various fields or  
10 disciplines as you need them?

11           MR. SCHNEIDER:     The County does have  
12 some specialists.  I'll give you an example;  
13 HVAC, we do have staff in facilities management  
14 that has expertise in HVAC, but there certainly  
15 is a limitation to what they can do, depending  
16 upon the severity of the issues that come up.  So  
17 having the ability to go out and reach out to --

18           LEGISLATOR KOPEL:     But that isn't my  
19 question.  My question is why designate a  
20 company, a single company that, as I said, they  
21 can't possibly have expertise in everything; they  
22 probably have to sub things out themselves.

23           MR. SCHNEIDER:     Well, they do sub but  
24 there is a limit on how much they can sub out  
25 themselves.

2 LEGISLATOR KOPEL: In other words, what  
3 is their qualification for this contract over  
4 anyone else?

5 MR. SCHNEIDER: Well, this was a  
6 publicly bid contract. E&A did have the  
7 requirements contract that expired in 2011.  
8 They've demonstrated a wealth of abilities to do  
9 any and all construction based on the need that  
10 has arisen.

11 LEGISLATOR KOPEL: How is it billed to  
12 the county?

13 MR. SCHNEIDER: It's billed as -- I'll  
14 give you an example. There is a problem at the  
15 Bayville draw bridge or there are expansion  
16 joints that may have collapsed or something, we  
17 would call them in, they would give us an  
18 estimate, we would review that estimate, we would  
19 run that estimates passed the CSEA. Obviously,  
20 if we can find a way to do that work in-house --  
21 if it's beyond their capabilities, then we would  
22 encumber funds from a capital project in order to  
23 do that work, and that work would be billed  
24 specifically for that particular job.

25 LEGISLATOR KOPEL: But if we're not

2 going out for competitive bidding or --

3 MR. SCHNEIDER: Again, this goes back to  
4 an emergency-type basis. If we had the ability  
5 to develop a set of design plans for a project  
6 that we know we were going to do, yes, we would  
7 set up a separate construction contract specific  
8 for that project. But you don't have the ability  
9 --

10 LEGISLATOR KOPEL: In other words, if  
11 you an emergency situation on the Bayville  
12 Bridge, as you used as your example --

13 MR. SCHNEIDER: Correct.

14 LEGISLATOR KOPEL: You go over to E&A  
15 Restoration -- E&A Restoration I'm guessing does  
16 not have any expertise in drawbridges.

17 MR. SCHNEIDER: They may have that  
18 ability on staff.

19 LEGISLATOR KOPEL: I'm guessing. Let's  
20 postulate a situation where they don't, because  
21 there have got to be a number of those, right?

22 MR. SCHNEIDER: Correct.

23 LEGISLATOR KOPEL: Then they have to go  
24 out and find a contractor to work for them.  
25 Wouldn't that be right?



2 MR. SCHNEIDER: Well, they may have  
3 staff available to them immediately to come out  
4 and do an evaluation. On most cases, on all of  
5 the work orders that we've done, they have done  
6 the work themselves. So there is a history, a  
7 vast history with E&A on the last several  
8 requirements contracts where they have done this  
9 work themselves.

10 LEGISLATOR KOPEL: I'm going to vote to  
11 let it go through, obviously, but I'd like to  
12 hear some more information when you come to the  
13 Full Leg as to how this works and how it's more  
14 efficient and cheaper than simply going when you  
15 have a problem with the Bayville Drawbridge  
16 finding the probably several companies that are  
17 specialists in that specific issue and letting  
18 them do it, going to one or two of those and  
19 asking if they can do it. I'm just having  
20 difficulty understanding how this works  
21 efficiently and more cheaply.

22 MR. SCHNEIDER: I don't understand what  
23 your issue is. If you're going to use the  
24 example of the Bayville Bridge --

25 LEGISLATOR KOPEL: That was your

2 example. I don't really care about that. I'm  
3 just -- I'll just use another example where E&A -  
4 - like I said, I don't know the company but I'm  
5 assuming that they don't have in-house, all of  
6 the trades.

7 MR. SCHNEIDER: Yeah, they do. They've  
8 got electrical, mechanical, plumbing --

9 LEGISLATOR KOPEL: If they do, they do.  
10 That's the --

11 MR. SCHNEIDER: That's one of the  
12 reasons why they are so qualified to have a  
13 requirements contract.

14 LEGISLATOR KOPEL: All right. So you  
15 feel that they can pretty much cover all of the  
16 typical emergency situations --

17 MR. SCHNEIDER: And they have in the  
18 past.

19 LEGISLATOR KOPEL: And you've negotiated  
20 labor rates and all that kind of stuff with them  
21 in advance.

22 MR. SCHNEIDER: Correct.

23 LEGISLATOR KOPEL: Okay. I get it  
24 better now. Thank you.

25 CHAIRMAN SCHMITT: Legislator Jacobs.

2 LEGISLATOR JACOBS: Brian, I think maybe  
3 it would ease -- Howard, I'm really asking this  
4 because I sort of know the answer. Hasn't E&A  
5 Restoration been around for many, many years?

6 MR. SCHNEIDER: Quite some time.

7 LEGISLATOR JACOBS: Yes. I remember  
8 when I was presiding officer, and that goes back  
9 a while ago now at this point, they were -- so,  
10 obviously, if they -- I shouldn't really ask it  
11 this way. I would assume if they weren't doing  
12 the job no one would have accepted them.

13 MR. SCHNEIDER: Absolutely right.

14 LEGISLATOR JACOBS: I just wanted you to  
15 know that, Howard. They've been a long time on  
16 this type of thing.

17 MR. SCHNEIDER: They're a local firm,  
18 and they've been completely responsive to the  
19 department's needs for many years.

20 LEGISLATOR JACOBS: Okay. Thank you.

21 CHAIRMAN SCHMITT: Okay. Any public  
22 comment on any of the three contracts?

23 (No verbal response.)

24 All those in favor please signify by  
25 saying aye.

2 (Aye.)

3 Any opposed?

4 (No verbal response.)

5 The item carries unanimously.

6 Now we have a series of contracts. E-156  
7 between the county attorney and Sinnreich,  
8 Kosakoff & Messina, LLP; E-157 between the county  
9 attorney and North Shore Court Reporters; E-158  
10 between the county attorney and Bee Reporting  
11 Agency Stenography Services; and E-163 between  
12 the county attorney and AAA Write it Right  
13 Transcription Stenography Services.

14 May I have a motion, please?

15 LEGISLATOR WALKER: So moved.

16 LEGISLATOR NICOLELLO: Second.

17 CHAIRMAN SCHMITT: Moved by Legislator  
18 Walker, seconded by Legislator Nicolello.

19 Ms. Locurto, welcome.

20 MS. LOCURTO: Good afternoon, Presiding  
21 Officer. Lisa Locurto, Deputy County Attorney,  
22 County Attorney's Office.

23 If it's alright with you, Presiding  
24 Officer, the three contracts that are numbered  
25 157, Bee Reporting, AAA Write, and North Shore

2 Reporting are penny contracts. They are simply  
3 to extend the term of the contract and no new  
4 money is being put into the contract. This is  
5 just to extend the term of the contract for  
6 another year. It is for court reporting services  
7 which the county attorney's office needs  
8 obviously for depositions or 50H hearings that we  
9 do.

10 CHAIRMAN SCHMITT: Does anybody have any  
11 questions on those three contracts?

12 (No verbal response.)

13 Okay. Go ahead.

14 MS. LOCURTO: Okay. E-156 is a special  
15 counsel contract with Sinnreich, Kosakoff &  
16 Messina. This is an amendment to an existing  
17 contract for the affirmative lawsuit that the  
18 county has brought against the State, DASNY, and  
19 the Empire State Development Corporation to  
20 recover monies for the defective design of the  
21 Aquatic Center.

22 Originally, the action was commenced in  
23 2004 and the legislature approved the contract in  
24 2004. There was previous counsel. This is new  
25 counsel which was retained in 2010. The

2 legislature approved that contract, and this is  
3 an amendment to continue with the litigation.  
4 Substantial progress has been made in the  
5 litigation. This amendment will complete the  
6 depositions that are currently ongoing and  
7 conclude the depositions and any additional  
8 motion practice as a result of those depositions.

9 In a related lawsuit of June 2012, the  
10 legislature had approved a partial settlement for  
11 the Aquatic Center and we received \$625,000. We  
12 believe our claims are progressing well and we  
13 request that this amendment be approved  
14 accordingly.

15 CHAIRMAN SCHMITT: Any questions?

16 LEGISLATOR NICOLELLO: I have a  
17 question.

18 CHAIRMAN SCHMITT: Legislator Nicoletto.

19 Mr. Locurto, if it comes to a point in  
20 the questioning that we need to go into executive  
21 session, would you just tell us?

22 MS. LOCURTO: Okay. I will. Thank you.

23 LEGISLATOR NICOLELLO: The action is in  
24 state court?

25 MS. LOCURTO: Yes, it is.

2 LEGISLATOR NICOLELLO: So there's no  
3 chance in getting back our fees?

4 MS. LOCURTO: No, I don't believe so.

5 LEGISLATOR NICOLELLO: Okay. This firm  
6 is just doing the work on a per-hour basis as  
7 opposed to a contingency arrangement?

8 MS. LOCURTO: Correct.

9 LEGISLATOR NICOLELLO: Thank you.

10 CHAIRMAN SCHMITT: Anybody else?

11 (No verbal response.)

12 Any public comment?

13 (No verbal response.)

14 Okay. On E-156 all those in favor please  
15 say aye.

16 (Aye.)

17 Any opposed?

18 (No verbal response.)

19 That carries unanimously.

20 And E-157, 158, and 163 on all  
21 transcription contracts, all those in favor  
22 please say aye.

23 (Aye.)

24 Any opposed?

25 (No verbal response.)

2 The items carry unanimously.

3 There are a series of contracts that are  
4 going to -- there's a need for more information  
5 to be provided, but because they are E contracts  
6 the calendar runs and if they are not acted upon  
7 within a certain amount of time they are deemed  
8 to be passed. So I'm going to recommend to the  
9 committee that we call these various contracts  
10 together and table them.

11 So I'm going to call E-162, E-169, E-166,  
12 167, 168, and 171, and I'll take a motion on  
13 those contracts.

14 LEGISLATOR WALKER: So moved.

15 LEGISLATOR NICOLELLO: Second.

16 CHAIRMAN SCHMITT: Moved by Legislator  
17 Walker, seconded by Legislator Nicoletto.

18 I'll take a motion to table.

19 LEGISLATOR WALKER: So moved.

20 LEGISLATOR NICOLELLO: Second.

21 CHAIRMAN SCHMITT: Moved by Legislator  
22 Walker, seconded by Legislator Nicoletto.

23 All those in favor of tabling --

24 LEGISLATOR WINK: Question.

25 CHAIRMAN SCHMITT: A motion to table is



2 undebatable and requires an immediate vote.

3 So we have a motion to table by  
4 Legislator Walker, seconded by Legislator  
5 Nicoletto.

6 All those in favor of tabling please say  
7 aye.

8 (Aye.)

9 Any opposed?

10 (Nay.)

11 All three of you?

12 LEGISLATOR WINK: All three of us.

13 CHAIRMAN SCHMITT: Let the record show  
14 that the items are tabled by a vote of four to  
15 three.

16 Now we're going to call Item --

17 LEGISLATOR DeRIGGI-WHITTON: Can I ask a  
18 question or are you not taking questions?

19 CHAIRMAN SCHMITT: What's that?

20 LEGISLATOR DeRIGGI-WHITTON: Why is E-  
21 171 being tabled? That's not a continuous  
22 contract by any means. That's a new project.

23 CHAIRMAN SCHMITT: Because that's a  
24 contract on construction of a seawall and roadway  
25 which has not come to the legislature for

2 approval yet.

3 LEGISLATOR DeRIGGI-WHITTON: It's an  
4 emergency and it's already been approved in the  
5 capital budget of 09, I believe.

6 LEGISLATOR JACOBS: This is the one  
7 where the road is collapsing into the water.

8 CHAIRMAN SCHMITT: To go back to the  
9 beginning of this, there is a question of whether  
10 or not the county even owns and is responsible  
11 for that road. Until they clarify that and can  
12 bring us the information that has been requested,  
13 that's not going anywhere.

14 LEGISLATOR DeRIGGI-WHITTON: There is no  
15 way that that is a question. This has already  
16 been approved in the budget.

17 CHAIRMAN SCHMITT: Okay. That's tabled.  
18 It's over.

19 I'm going to call E-159, which is a  
20 contract between social services and Ultimate  
21 Process Service Inc.

22 Can I have a motion, please?

23 LEGISLATOR WALKER: So moved.

24 LEGISLATOR NICOLELLO: Second.

25 CHAIRMAN SCHMITT: Moved by Legislator

2 Walker, seconded by Legislator Nicoletto.

3 Go ahead. Identify yourself for the  
4 record, please.

5 DEPUTY COMMISSIONER BRODERICK: Deputy  
6 Commissioner Paul Broderick, Department of Social  
7 Services.

8 The item before you is a contract with  
9 Ultimate Process Servers, located in Westbury,  
10 New York. They provide process serving for  
11 petitions and subpoenas for the department's  
12 child support enforcement unit.

13 Do you have any questions?

14 CHAIRMAN SCHMITT: Questions?

15 (No verbal response.)

16 Any public comment?

17 (No verbal response.)

18 All those in favor please say aye.

19 (Aye.)

20 Any opposed?

21 (No verbal response.)

22 The item carries unanimously.

23 Okay. I'm going to call E-160, E-161,  
24 and E-170 together. These are contracts between  
25 the Department of Public Works and Lockwood,

2 Kessler and Bartlett, Department of Public Works  
3 and Dvirka and Bartilucci, and Department of  
4 Public Works and Long Island Lighting Company,  
5 doing business as LIPA, that ever popular entity.

6 Okay. Anybody have any questions on E-  
7 160, which is a contract with Lockwood, Kessler  
8 and Bartlett in connection with improvements to  
9 the effluent screening and disinfection facility?

10 We're going to take a motion on them all.

11 LEGISLATOR WALKER: So moved.

12 LEGISLATOR NICOLELLO: Second.

13 CHAIRMAN SCHMITT: Moved by Legislator  
14 Walker, seconded by Legislator Nicoletto.

15 We have E-161, which is a contract with  
16 Dvirka and Bartilucci for design and construction  
17 management services at the Bay Park interim  
18 sludge thickening facility. And we have E-170,  
19 which is a contract between the Department of  
20 Public Works and the Long Island Lighting  
21 Company.

22 Does anybody have any questions on any of  
23 the three contracts?

24 (No verbal response.)

25 Any public comment?

(No verbal response.)

All those in favor please say aye.

(Aye.)

Any opposed?

(No verbal response.)

The item carries unanimously.

We have a contract, E-164, which is between the Department -- between the Office of Emergency Management and the Nassau County Vocational Education and Extension Board, VEEB.

Yes, sir.

First we need a motion.

LEGISLATOR WALKER: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRMAN SCHMITT: Moved by Legislator Walker, seconded by Legislator Nicoletto.

Yes, sir. Identify yourself for the record, please.

MR. DELANEY: Thomas Delaney, Nassau County OEM.

This is an amendment to add \$60,000 to an existing contract we have with VEEB to provide firefighter training. It's much needed. Our fire department would be very grateful if we can

2 provide this. This is 100 percent grant funded  
3 through our Homeland Security Grand Funds.  
4 Specifically, we're going to be providing  
5 training associated with the national -- excuse  
6 me -- it's National Institute of -- It's NIMS  
7 compliance training, is what it's called. It's  
8 specific training that is approved by homeland  
9 security.

10 Any questions?

11 (No verbal response.)

12 Any public comment?

13 (No verbal response.)

14 All those in favor please say aye.

15 (Aye.)

16 Any opposed?

17 (No verbal response.)

18 The item carries unanimously.

19 E-165 is between the Office of Management  
20 and Budget and Camp Dresser & McKee.

21 Motion, please?

22 LEGISLATOR WALKER: So moved.

23 LEGISLATOR NICOLELLO: Second.

24 CHAIRMAN SCHMITT: Moved by Legislator  
25 Walker, seconded by Legislator Nicoletto.

2 Who is here to discuss this?

3 MR. CONKLIN: Steve Conklin for the  
4 Budget Office.

5 MS. D'ALEVA: Roseanne D'Aleva from the  
6 Budget Office.

7 This is a penny contract to extend time.  
8 So there is no additional funding.

9 CHAIRMAN SCHMITT: Does anybody have any  
10 questions?

11 LEGISLATOR WINK: Yeah, I have a  
12 question.

13 CHAIRMAN SCHMITT: Legislator Wink.

14 LEGISLATOR WINK: So how's the toilet  
15 tax coming? If I'm not mistaken, this is the  
16 contract that's responsible for trying to come up  
17 with some sort of conversion to a use system as  
18 opposed to an assessed value system.

19 MS. D'ALEVA: Yes, that is correct.

20 LEGISLATOR WINK: How's that coming  
21 along?

22 MS. D'ALEVA: It's approximately, I  
23 would say, 70 percent done.

24 LEGISLATOR WINK: Seventy percent done?

25 MS. D'ALEVA: Hum, hum. We're currently

2 working on the storm water portion of the  
3 contract.

4 LEGISLATOR WINK: Storm water?

5 MS. D'ALEVA: Yes.

6 LEGISLATOR WINK: Okay. And the bases  
7 of the use system is based on water district  
8 numbers as opposed to sewer numbers.

9 MS. D'ALEVA: Yes.

10 LEGISLATOR WINK: Okay. As an exact  
11 science as that may be, that's the basis we're  
12 using.

13 MS. D'ALEVA: Yes. Current use, yes.

14 LEGISLATOR WINK: Thanks.

15 CHAIRMAN SCHMITT: The current use of  
16 the water? Is that what we're basing it on, the  
17 current use of the water?

18 MS. D'ALEVA: Yes.

19 CHAIRMAN SCHMITT: That would include  
20 the people who put on their lawn sprinklers?

21 MS. D'ALEVA: No. There is  
22 accountability for water use, in terms of  
23 irrigation.

24 CHAIRMAN SCHMITT: Thank you.

25 Okay. Any other questions?



2 (No verbal response.)

3 Any public comment?

4 (No verbal response.)

5 All those in favor please say aye.

6 (Aye.)

7 Any opposed?

8 (No verbal response.)

9 The item carries unanimously.

10 E-172 and E-173, contract between Parks  
11 and Belvedere Property Management, and a contract  
12 between Parks and Laura Dremel Garbatow.

13 LEGISLATOR WALKER: So moved.

14 LEGISLATOR NICOLELLO: Second.

15 CHAIRMAN SCHMITT: Moved by Legislator  
16 Walker, seconded by Legislator Nicoletto.

17 Good afternoon.

18 MR. KELLY: Good afternoon. Michael  
19 Kelly, Acting Director, Nassau County Department  
20 of Public Works, Division of Real Estate  
21 Services. E-172 is a use and occupancy permit  
22 between the county and Belvedere Property  
23 Management, LLC, and this is for the Tiffany  
24 House in the Tiffany Creek Preserve. The fee  
25 will be \$3,750 per month, plus utilities, which

2 would become their responsibility, landscaping  
3 and general maintenance will also be performed by  
4 the permittee.

5 E-173-12, between the County and Laura  
6 Dremel Garbatow. This is for the Smithers House  
7 in Mill Neck. The fee will be \$3500 plus  
8 utilities.

9 CHAIRMAN SCHMITT: Any questions?

10 (No verbal response.)

11 Any public comment?

12 (No verbal response.)

13 All those in favor please say aye.

14 (Aye.)

15 Any opposed?

16 (No verbal response.)

17 The item carries unanimously.

18 We have a request to un-table E-112,  
19 which is an agreement between the County of  
20 Nassau, Department of Information Technology and  
21 Icon Enterprises, doing business as Civic Plus.

22 May I have a motion to un-table, please?

23 LEGISLATOR WALKER: So moved.

24 LEGISLATOR NICOLELLO: Second.

25 CHAIRMAN SCHMITT: Moved by Legislator

2 Walker, seconded by Legislator Nicoletto.

3 All those in favor of un-tabling please  
4 say aye.

5 (Aye.)

6 Any opposed?

7 (No verbal response.)

8 The item is un-tabled.

9 Is Judge Marks here?

10 MR. EISENSTEIN: Good afternoon,  
11 Legislature. Ed Eisenstein, IT.

12 CHAIRMAN SCHMITT: Could you identify  
13 yourself, both, for the record?

14 JUDGE MARKS: Judge Marks, Executive  
15 Director, TPVA.

16 MR. EISENSTEIN: Ed Eisenstein,  
17 Commissioner of IT.

18 CHAIRMAN SCHMITT: Okay. Go ahead.  
19 Tell us what this is about and why we need it  
20 today.

21 MR. EISENSTEIN: Absolutely. This is  
22 the online payment system that replaces the  
23 existing online payment system. The reason Judge  
24 Marks is here is he utilizes the online payment  
25 system for the parking tickets. Currently, there

2 are about 50 or so people a day using the online  
3 parking system --

4 CHAIRMAN SCHMITT: Wait a minute. Let  
5 Judge Marks talk about the operation of the  
6 Traffic and Parking Violations Bureau. You talk  
7 to us about the operation of Information  
8 Technology and why do we need this.

9 JUDGE MARKS: This contract is not  
10 really TPVA specific. We use it. It's a web  
11 tool that could be used by all county agencies.  
12 The current vendor we used is E-GOV. That  
13 certificate expired. We have been unable to  
14 collect any monies since Friday. If this -- if  
15 the Icon contract had been available, we would  
16 not have this. The reason Mr. Eisenstein is  
17 here, in all due respect, is I'm computer  
18 probably up to Abacus 101, and Mr. Eisenstein can  
19 explain better the computer part of it. I'm  
20 interested in what happens to our money.

21 CHAIRMAN SCHMITT: So what does this  
22 Icon do for the -- you're telling me it's not  
23 TPVA specific. I was given to the idea that it  
24 was TPVA specific and it was of an emergency  
25 nature because you couldn't collect fines, is

2 that not true?

3 MR. EISENSTEIN: Their online payment  
4 system is --

5 CHAIRMAN SCHMITT: No. I'm talking to  
6 the Judge.

7 JUDGE MARKS: That is absolutely  
8 correct. The contract with E-GOV expired so we  
9 have not been able to collect any monies for the  
10 parking tickets through the web since Thursday  
11 afternoon, Friday morning.

12 CHAIRMAN SCHMITT: So this contract will  
13 enable you to collect fees through the web?

14 JUDGE MARKS: That's correct. We would  
15 be one of the users, along with the other county  
16 agencies.

17 CHAIRMAN SCHMITT: Well what do we do  
18 for the other county agencies, Mr. Eisenstein?

19 MR. EISENSTEIN: Also let them collect  
20 fees. We're looking to put other payment systems  
21 online. This initial feature of this payment  
22 system -- we'll just get our parking system  
23 going, we could then put other payment systems,  
24 traffic and other things online, using the same  
25 tool. But right now we're just looking to patch

2 the emergency of the parking ticket system.

3 CHAIRMAN SCHMITT: If we made this  
4 contract specific just to the Traffic and Parking  
5 Violations Agency would that affect the fee?

6 MR. EISENSTEIN: I don't see there being  
7 a change in fees based on this system. It  
8 replaces the existing system --

9 CHAIRMAN SCHMITT: I don't understand  
10 why we would go buy a system and then try to  
11 figure out a use for it after we have the system,  
12 which is what you just said.

13 MR. EISENSTEIN: We know the exact use  
14 for it. It's going to be used for online payment  
15 systems. It replaces the existing IBM system  
16 that's 188,000. That was the maintenance fee we  
17 were paying to IBM to maintain the current  
18 payment system.

19 CHAIRMAN SCHMITT: And what are we going  
20 to pay on this one?

21 MR. EISENSTEIN: 95,000. It's a one-  
22 time fee with about a 20 percent maintenance fee  
23 a year.

24 CHAIRMAN SCHMITT: Twenty percent  
25 increase a year?

2 MR. EISENSTEIN: Maintenance fee a year  
3 after the build out.

4 CHAIRMAN SCHMITT: So about \$20,000?

5 MR. EISENSTEIN: Yeah. Compared to the  
6 188 we pay now to IBM.

7 CHAIRMAN SCHMITT: Okay. Does anybody  
8 have any other questions? Legislator Nicoletto.

9 LEGISLATOR NICOLELLO: What happened to  
10 the old system? Why did it go offline in the  
11 middle of a week?

12 MR. EISENSTEIN: Thank you for asking  
13 that question. The existing system was built by  
14 a company called Tier, an IBM partner. When the  
15 certificate expired, there was no way to fix that  
16 as of yet. This online payment system replaces  
17 that old, out-of-age IBM product.

18 LEGISLATOR NICOLELLO: Did they give any  
19 notice that their certificate was going to become  
20 terminated, cancelled, or whatever the  
21 terminology is?

22 MR. EISENSTEIN: Our system is a little  
23 bit old, one of the oldest systems in the country  
24 at this point. So the support on this has been -

25 -

2 LEGISLATOR NICOLELLO: What I'm trying  
3 to find out is how did it happen? So that thing  
4 failed and we have this gap in which we're not  
5 able to process payments.

6 MR. EISENSTEIN: We have an old system  
7 and --

8 LEGISLATOR NICOLELLO: I know we have an  
9 older system. Was there any sort of notice  
10 whatsoever that their system was going to  
11 terminate last Thursday?

12 MR. EISENSTEIN: There is ongoing  
13 conversation between them. This was just a  
14 quagmire in the system. It just took place and  
15 we're not able to get passed it yet. We have  
16 engineers working on patching that --

17 LEGISLATOR NICOLELLO: So Thursday, all  
18 of a sudden, without any prior warning their  
19 system was not available?

20 MR. EISENSTEIN: Yes, sir.

21 JUDGE MARKS: That's my understanding.

22 LEGISLATOR NICOLELLO: You should refer  
23 that to the county attorney's office, I think.

24 MR. EISENSTEIN: We're working on  
25 patching that up with the vendor as we speak.



2 This is the long-term solution, sir.

3 LEGISLATOR NICOLELLO: I understand  
4 that. But that's not a proper way to do  
5 business. You can't just leave a government the  
6 size of Nassau County in a lurch.

7 MR. EISENSTEIN: Sure. They've been  
8 working on this since I got here two and a half  
9 years ago. This has been a priority from one of  
10 our initial items I was on.

11 LEGISLATOR NICOLELLO: What I'm  
12 suggesting to you is to contact the county  
13 attorney's office and have them look at the  
14 license. There's got to be some kind of good  
15 faith here. You can't just stop providing the  
16 service without any prior notice.

17 MR. EISENSTEIN: Yes, Legislator.

18 LEGISLATOR NICOLELLO: There may be some  
19 sort of damages or liquidated damages in  
20 contract, so take a look.

21 MR. EISENSTEIN: I'll look into that.  
22 Thank you for that suggestion.

23 CHAIRMAN SCHMITT: Anybody else?

24 LEGISLATOR WINK: Yeah. I have a quick  
25 question.

2 CHAIRMAN SCHMITT: Legislator Wink.

3 LEGISLATOR WINK: The system, prior to  
4 it going offline, how was it utilized? How many  
5 people paid? What was the amount of money that  
6 came in directly related to that?

7 MR. EISENSTEIN: Specifically, parking,  
8 we have some numbers for you.

9 MR. RICH: Dave Rich, Deputy Director of  
10 TPVA.

11 Roughly about 50 payments per day. And  
12 it's just for parking online. I don't actually  
13 have the amount, the gross that we get each  
14 month.

15 LEGISLATOR WINK: Okay. But it was 50 a  
16 day, Monday thru Friday, I'm guessing.

17 MR. RICH: Each day, yep. And Saturday  
18 and Sunday as well.

19 LEGISLATOR WINK: And Saturday and  
20 Sunday as well.

21 MR. RICH: Yeah.

22 LEGISLATOR WINK: Okay. Not being a  
23 math major myself, I'm thinking it does pay for  
24 itself.

25 Thank you very much. I appreciate it.

2 CHAIRMAN SCHMITT: Any other questions?

3 LEGISLATOR DeRIGGI-WHITTON: I just have  
4 one quick question.

5 CHAIRMAN SCHMITT: Legislator DeRiggi-  
6 Whitton.

7 LEGISLATOR DeRIGGI-WHITTON: Just so I  
8 understand. The fee that you were paying for  
9 these transactions to be processed with the old  
10 system is the same as the new system?

11 MR. EISENSTEIN: The merchant in the  
12 background will be unchanged, correct.

13 LEGISLATOR DeRIGGI-WHITTON: So we pay  
14 per payment, basically?

15 MR. RICH: Are you talking about the  
16 credit card convenience fee?

17 LEGISLATOR DeRIGGI-WHITTON: When you're  
18 paying the company to process this, it's done per  
19 payment that you receive.

20 MR. RICH: Per ticket. Per transaction.

21 LEGISLATOR DeRIGGI-WHITTON: So is the  
22 payment that we're paying this new company the  
23 same as the payment that we were paying the old  
24 company?

25 MR. EISENSTEIN: This is just the

2 software system. The credit card merchant stays  
3 unchanged. This is just the software to allow  
4 you to pay your ticket online.

5 CHAIRMAN SCHMITT: Any other questions?

6 (No verbal response.)

7 Any public comment?

8 (No verbal response.)

9 All those in favor please say aye.

10 (Aye.)

11 Any opposed?

12 (No verbal response.)

13 The item carries unanimously.

14 There being no further contracts to come  
15 in front of the Rules Committee, I'm going to put  
16 the committee into recess.

17 LEGISLATOR DeRIGGI-WHITTON: Presiding  
18 Officer Schmitt, can I make a statement just very  
19 quickly?

20 CHAIRMAN SCHMITT: I'm sorry?

21 LEGISLATOR DeRIGGI-WHITTON: I'd like to  
22 make a statement on something that was tabled  
23 today, which I'm very concerned about.

24 CHAIRMAN SCHMITT: Oh, sure. Go right  
25 ahead.

2 LEGISLATOR DeRIGGI-WHITTON: As you  
3 know, I represent the West Shore Road area in  
4 Bayville, and the fact that this contract was  
5 tabled with a discussion as to whether or not  
6 owns Shore Road is just baffling to me. This has  
7 been going on for over ten years. There have  
8 been numerous meetings, conferences, everything  
9 else. This issue has never been brought to  
10 anyone's attention.

11 I have received copies of the signed  
12 contracts. It's already been approved by the  
13 budget in 09. It's deemed an emergency, because  
14 I have witnessed it myself. This road is  
15 extremely overdue for repair. Mr. Schmitt, if  
16 you don't mind, while I just address you?

17 The bottom line is --

18 CHAIRMAN SCHMITT: I thought you were  
19 making a statement for the record.

20 LEGISLATOR DeRIGGI-WHITTON: No. I'm  
21 talking to you as well.

22 CHAIRMAN SCHMITT: Well why don't you  
23 talk to me privately?

24 LEGISLATOR DeRIGGI-WHITTON: I'm talking  
25 to you as well because I would like to request --

2 CHAIRMAN SCHMITT: Is this a show?

3 LEGISLATOR DeRIGGI-WHITTON: It's not a  
4 show at all.

5 CHAIRMAN SCHMITT: You want to have a  
6 show, have your show.

7 LEGISLATOR DeRIGGI-WHITTON: I'll tell  
8 you what. It's not a show at all.

9 LEGISLATOR WINK: Mr. Schmitt, in  
10 fairness, you tabled this without any notice to  
11 the minority. I think the least you can do is  
12 hear the legislator, whose district this  
13 represents, out on this matter.

14 CHAIRMAN SCHMITT: It would be my  
15 pleasure. And it would be the first time I'm  
16 hearing from the legislator in question.

17 LEGISLATOR DeRIGGI-WHITTON: Thank you.

18 My request would be that we meet as soon  
19 as possible to determine the legality of whether  
20 or not this is owned by Nassau County. Because  
21 I'm telling you right now, Mr. Schmitt, I'm going  
22 on the record saying I'm very concerned of a  
23 major accident happening with this road falling  
24 into the water. I've been there myself. The  
25 bottom of the road is completely gone. I don't

2 want to be in one of those articles where we see  
3 a horrible accident happen and we knew about it,  
4 and for some ridiculous reason it was tabled.

5 CHAIRMAN SCHMITT: I couldn't agree with  
6 you more, Legislator.

7 LEGISLATOR DeRIGGI-WHITTON: So I would  
8 really like to have this hearing immediately.

9 CHAIRMAN SCHMITT: I would suggest that  
10 you schedule a meeting with the county attorney's  
11 office to get the answers on how the project that  
12 is in your district needs to go forward and how  
13 we make that happen.

14 LEGISLATOR DeRIGGI-WHITTON: Again --

15 CHAIRMAN SCHMITT: That's not my job,  
16 that's yours.

17 LEGISLATOR DeRIGGI-WHITTON: That's  
18 true. But I will say once again that this was  
19 already put in the budget in 09.

20 CHAIRMAN SCHMITT: Lots of things are in  
21 the budget that don't get done.

22 LEGISLATOR DeRIGGI-WHITTON: The  
23 contracts are already signed. You know what?  
24 This is an emergency basis. And there is a  
25 reason why this is considered an emergency basis.

2 It's not a joke. It's a real, serious matter  
3 where people might get hurt. And I'm putting it  
4 on record right now that I am just totally  
5 dismayed at this. And I'm very concerned that  
6 the county would know of a serious possible  
7 health condition where if people can really get  
8 hurt and we're tabling it for an issue that I  
9 think is so unrelated and unheard of. There is  
10 no way we would have had all these meetings and  
11 all these contracts, and DPW would have been  
12 working on it for ten years. You should see the  
13 project. The drawings are, like, I think they're  
14 100 pages long, at least.

15 We've had everyone involved from the  
16 environmental groups to the Army Corps of  
17 Engineers. It's already been discussed. There  
18 is now way that this can be an issue. And I am  
19 totally concerned and putting on record that I  
20 think what we're doing is negligent.

21 LEGISLATOR JACOBS: I represent Oyster  
22 Bay. I don't know if most people know what this  
23 Shore Road is. But, quite honestly, it connects  
24 the Oyster Bay part of the Town of Oyster Bay to  
25 Bayville, which is also part of the Town of



2 Oyster Bay. The actual underpinning of the road  
3 is now just gravel and rocks that have been  
4 thrown in, because that's how bad the road is.  
5 And boaters have told us that when you're passing  
6 by you actually see the road going up and down.  
7 Well, this is really -- you want to talk  
8 emergencies here. Forget about whether it's  
9 Delia's district or John Smith's district. The  
10 bottom line is that this is something that's  
11 going to affect us dramatically if something  
12 horrible happens. This is the road that goes  
13 over the Bayville Bridge. This is really, to me,  
14 listen. The actual road is in Delia's district.  
15 The connection point is between the two of us.  
16 This is something that you're really endangering  
17 lives. And I think that as a county we have to  
18 either identify this miraculous discovery that  
19 it's not our responsibility or certainly move in  
20 the right direction as to whose responsibility is  
21 supposedly is. But I don't think it could even  
22 wait a month.

23 CHAIRMAN SCHMITT: Legislator Jacobs, I  
24 agree with you. Unfortunately, as you well know,  
25 the process around here is what it is. You did

2 not sit idly by and do nothing while Jackson  
3 Avenue was in a state of dispute between the  
4 county and the town. You didn't just sit down  
5 and expect somebody else to have a meeting or to  
6 find out what was happening. You went and looked  
7 into what was going on and how it affected your  
8 district; that's what I'm suggesting to the  
9 Legislator.

10 LEGISLATOR JACOBS: Don't even compare -  
11 -

12 LEGISLATOR DeRIGGI-WHITTON: Just to  
13 answer that --

14 LEGISLATOR JACOBS: No, no.

15 LEGISLATOR DeRIGGI-WHITTON: Let me just  
16 answer that.

17 LEGISLATOR JACOBS: I think I have to  
18 interrupt you for one second.

19 LEGISLATOR DeRIGGI-WHITTON: Go ahead.

20 LEGISLATOR JACOBS: Don't even compare  
21 them. What happened with Jackson Avenue, it was  
22 never doubted that it was a county road. But I  
23 couldn't get this county, once the administration  
24 changed, to agree to continue and finish what  
25 already had been bonded and approved. So I went

2 to the Town of Oyster Bay and they worked in  
3 conjunction with me to make it happen. That's a  
4 big difference than all of a sudden making it a  
5 town road.

6 CHAIRMAN SCHMITT: That's a revision of  
7 view. The federal funding that was available for  
8 that project was forfeited due to the inaction of  
9 the previous administration.

10 LEGISLATOR JACOBS: Exactly. And do you  
11 know how much --

12 CHAIRMAN SCHMITT: And then you had to  
13 clean up the mess.

14 LEGISLATOR JACOBS: Excuse me one  
15 second. Again, you're wrong. Because the \$3.8  
16 million that the road eventually cost us, three  
17 million of it is county money, okay? And within  
18 the county budget at the end of that year was the  
19 money. So don't even compare it to this one.  
20 This is going to be a lot more money and a lot  
21 more dangerous than even that road was.

22 LEGISLATOR DeRIGGI-WHITTON: I just want  
23 to answer you also. I have met not only with all  
24 the mayors in this area, I have been down there  
25 myself with all the mayors also. It's very

2 evident -- it doesn't take an engineer to see  
3 that there is no bottom, there is no pinning to  
4 this road. And every time a car goes by, you do  
5 see a compromise.

6 I've had meetings with Public Works.  
7 We're all set to go. That's all they've been  
8 telling me, is that this is deemed an emergency.  
9 The contracts have already been signed; I have  
10 copies of them here. It's already in the budget.  
11 Rose Walker -- I would also really hope, this  
12 affects your area as well. I really think that  
13 you should really be involved with this as well,  
14 Rose, because this is right around your area as  
15 well. I just hate to hear when this happens,  
16 with a car, with a family, or anything else on  
17 it, when this collapses it's really going to be  
18 something that is going to make us look terrible.  
19 To be honest, if this is being delayed for  
20 absolutely no reason, I think you should be held  
21 personally responsible for this because I don't  
22 see one reason why this should be delayed.

23 (Whereupon, the Rules Committee recessed  
24 at 2:02 p.m.)

25 (Whereupon, the Rules Committee

2 reconvened at 4:23 p.m.)

3 CHAIRMAN SCHMITT: Rules Committee is  
4 back in session.

5 We're going to call some items in bulk  
6 which have been agreed to by the minority.  
7 Having been heard in the other committees, it's  
8 been deemed no necessity for further debate or  
9 discussion. They are Clerk Items Number 463,  
10 479, 480, 481, 483, 484, 485, 486, 487, 488, 489,  
11 490, 491, 493, 494, 498, 499, 500, 502, 503, 504,  
12 may I have a motion, please?

13 LEGISLATOR WINK: I'm sorry. Mr.  
14 Chairman, could you repeat that?

15 CHAIRMAN SCHMITT: Certainly.  
16 Everything I said.

17 LEGISLATOR WALKER: So moved.

18 LEGISLATOR NICOLELLO: Second.

19 CHAIRMAN SCHMITT: Moved by Legislator  
20 Walker, seconded by Legislator Nicoletto.

21 Any public comment?

22 (No verbal response.)

23 All those in favor please say aye.

24 (Aye.)

25 Any opposed?

(No verbal response.)

Those item carry unanimously.

Now we go to Item Number 501, which is a resolution to accept a gift offered by a donor to the Nassau County Veteran's Service Agency.

May I have a motion, please?

LEGISLATOR WALKER: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRMAN SCHMITT: Moved by Legislator Walker, seconded by Legislator Nicolello.

Is there anybody here to speak on this? If not, I can tell everybody that it is the donation of a van, a van being donated to the American Legion and they're going to donate it to the Veteran's Service Agency for the purposes of obviously ferrying veterans back and forth to the Veteran's Hospital and other places.

Any questions on this?

(No verbal response.)

Any public comment?

(No verbal response.)

All those in favor please say aye.

(Aye.)

The item carries unanimously.

2 Now I think we need to suspend the rules.  
3 I'll take a motion to suspend the rules.

4 LEGISLATOR WALKER: So moved.

5 LEGISLATOR NICOLELLO: Second.

6 CHAIRMAN SCHMITT: Moved by Legislator  
7 Walker, seconded by Legislator Nicoletto.

8 All those in favor of suspending the  
9 rules please say aye.

10 (Aye.)

11 Any opposed?

12 (No verbal response.)

13 The rules are suspended.

14 Now we have 492, 506, 507, 508, 509, 510,  
15 511, 512, 533, 534, and 535. May I have a  
16 motion, please?

17 LEGISLATOR WALKER: So moved.

18 LEGISLATOR NICOLELLO: Second.

19 CHAIRMAN SCHMITT: Moved by Legislator  
20 Walker, seconded by Legislator Nicoletto.

21 Any public comment?

22 (No verbal response.)

23 All those in favor please say aye.

24 (Aye.)

25 Any opposed?

(No verbal response.)

The items carry unanimously.

Now we go to Item Number 513, a resolution authorizing the treasurer of Nassau County to assign a certain tax lien certificate in connection with premises located in the Town of Oyster Bay, School District Number 15.

May I have a motion, please?

LEGISLATOR WALKER: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRMAN SCHMITT: Moved by Legislator Walker, seconded by Legislator Nicolello.

Anybody to speak on this?

Does anybody have any questions on this?

(No verbal response.)

Any public comment?

(No verbal response.)

All those in favor please say aye.

(Aye.)

Any opposed?

(No verbal response.)

Item is carried unanimously.

Item 518 is a resolution appointing Beaumont Jefferson as a member of the Nassau



2 County Deferred Compensation Board.

3 Motion, please?

4 LEGISLATOR WALKER: So moved.

5 LEGISLATOR NICOLELLO: Second.

6 CHAIRMAN SCHMITT: Moved by Legislator  
7 Walker, seconded by Legislator Nicoletto.

8 Any debate or discussion on Mr.  
9 Jefferson?

10 (No verbal response.)

11 Any public comment?

12 (No verbal response.)

13 All those in favor please signify by  
14 saying aye.

15 (Aye.)

16 Any opposed?

17 (No verbal response.)

18 The item carries unanimously.

19 Item 519 is a resolution appointing  
20 Sergio Blanco as a non-voting member of the  
21 Nassau County Deferred Compensation Board.  
22 That's a recommendation of Comptroller Maragos.

23 LEGISLATOR WALKER: So moved.

24 LEGISLATOR NICOLELLO: Second.

25 CHAIRMAN SCHMITT: Moved by Legislator

2 Walker, seconded by Legislator Nicoletto.

3 Any debate or discussion on Mr. Blanco?

4 (No verbal response.)

5 Any public comment?

6 (No verbal response.)

7 All those in favor please say aye.

8 (Aye.)

9 Any opposed?

10 (No verbal response.)

11 The item carries unanimously.

12 520, a resolution to confirm the county

13 executive's of Paul Meli as a member of the

14 Advisory Council for Senior Citizen Affairs.

15 May I have a motion, please?

16 LEGISLATOR WALKER: So moved.

17 LEGISLATOR NICOLELLO: Second.

18 CHAIRMAN SCHMITT: Moved by Legislator

19 Walker, seconded by Legislator Nicoletto.

20 Any debate or discussion on Mr. Meli?

21 (No verbal response.)

22 Any public comment?

23 (No verbal response.)

24 All those in favor please say aye.

25 (Aye.)

Any opposed?

(No verbal response.)

The item carries unanimously.

Item 528 is a resolution authorizing the county executive to execute and submit a grant application with the New York State Department of State Division of Local Government Services for funding under the Local Government Performance and Efficiency Program.

May I have a motion, please?

LEGISLATOR WALKER: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRMAN SCHMITT: Moved by Legislator Walker, seconded by Legislator Nicoletto.

Is there anybody here to speak on this? There is. Could you take ten seconds and just tell us what this is?

MR. FINER: Steve Finer. I'm with the Office of Management and Budget, Director of Grants Management.

CHAIRMAN SCHMITT: Director of what?

MR. FINER: Grants Management.

CHAIRMAN SCHMITT: Oh, I'm sorry. Go ahead.

2 MR. FINER: I would suggest that we talk  
3 about 528, 529, and 530. They are substantially  
4 similar.

5 CHAIRMAN SCHMITT: All right. Let's  
6 start with 528, since that's what's in front of  
7 us.

8 MR. FINER: 528 is the Local Government  
9 Performance Efficiency Grant is issued by New  
10 York State, Secretary of State. It's part of a  
11 program that's gone on for a number of years,  
12 issuing grants to help make local government more  
13 efficient. Almost all grants up till now have  
14 been to fund projects that will help consolidate  
15 government, shared services, etcetera.

16 This particular grant is unique in that  
17 it is not to fund a project, it is rather to  
18 reward a municipality, such as the county, for  
19 saving money. So the award here is not the money  
20 -- the money that we will receive is not going to  
21 be applied to the project that's listed here;  
22 rather, we are submitting this project as  
23 demonstration of how much money we have saved  
24 taxpayers. If the state -- if we win award here,  
25 it will be because of the money that we saved.

2 CHAIRMAN SCHMITT: If we win an award  
3 here, how much money will we be receiving?

4 MR. FINER: It varies. It could be up  
5 to \$8 million. They're working on the  
6 applications right now. It's a complicated  
7 formula. It's based on the percentage of the  
8 savings as part of a total budget, and then it's  
9 based again, on top of that, on the number of  
10 property owners in the county or population, I  
11 believe, in some multiple.

12 One of the reason I'm up here now is that  
13 the team -- there are three teams that are  
14 working on these grants right now. They are due  
15 to be mailed out tomorrow, and they are still  
16 working on the numbers.

17 CHAIRMAN SCHMITT: Now, you're with OMB?

18 MR. FINER: Yes.

19 CHAIRMAN SCHMITT: Okay. When will you  
20 know if you have been approved?

21 MR. FINER: I don't know when the  
22 announcements are made. I don't believe the  
23 application indicates an award date.

24 CHAIRMAN SCHMITT: It does or it does  
25 not?

2 MR. FINER: I don't think so.

3 CHAIRMAN SCHMITT: What I'm going to ask  
4 you is would you report back to us and let the  
5 Minority Leader and myself know what the final  
6 outcome of this is, if we either receive  
7 something or we didn't?

8 MR. FINER: Of course. Yes. And if we  
9 do receive something, of course it will come  
10 before the legislature as a supplemental  
11 appropriation. But I will let you know as soon  
12 as we hear.

13 CHAIRMAN SCHMITT: Anybody have any  
14 questions on 528?

15 LEGISLATOR WINK: Yeah, I do.

16 CHAIRMAN SCHMITT: Legislator Wink.

17 LEGISLATOR WINK: Sir, is there an  
18 application that's about to be filed or has been  
19 filed?

20 MR. FINER: Yes. Again, the reason I'm  
21 here is because the teams are working on them  
22 right now. The application needs to be submitted  
23 by four o'clock on Wednesday, and I expect them  
24 certainly to be finished by tomorrow and  
25 overnight FedExed. At that time we will then

2 affix the applications to the requests for local  
3 authorizing resolution, and they should be part  
4 of the package, when this package and two others  
5 ones -- the sheriff and real estate -- go before  
6 the Leg on August 6.

7 LEGISLATOR WINK: Okay. Is it possible  
8 to get a copy of that application sent over to  
9 the Minority Leader's office so that we can see  
10 it?

11 MR. FINER: Sure. You mean this  
12 particular one, the police application?

13 LEGISLATOR WINK: All three of them, I  
14 think.

15 MR. FINER: Yeah, sure.

16 CHAIRMAN SCHMITT: And send them to my  
17 office as well.

18 LEGISLATOR WINK: Right.

19 MR. FINER: Send them to Mr. Schmitt's  
20 office?

21 LEGISLATOR WINK: And to the Minority  
22 Leader. If you could send a copy to each, if  
23 that's okay.

24 MR. FINER: Okay.

25 LEGISLATOR WINK: What are the savings

2 that are being purported in the application, to  
3 your knowledge, for all three of these?

4 MR. FINER: For the police one, I know  
5 it's about \$18.6 million. This is for the  
6 reduction in headcount and consolidation of  
7 precincts that's been done so far. I believe  
8 Keith Sather is here. Captain Sather can speak  
9 to the savings related to the privatization of  
10 the health services at the jail, which is number  
11 530.

12 CHAIRMAN SCHMITT: Just before we go far  
13 astray, I had called 528 --

14 MR. FINER: Right. That's the police  
15 one.

16 CHAIRMAN SCHMITT: So that's the police  
17 one. Let's finish with that and then we'll go on  
18 to the next.

19 MR. FINER: Okay.

20 CHAIRMAN SCHMITT: Any other questions  
21 on 528?

22 LEGISLATOR WINK: Yeah. I guess to the  
23 extent that the 18.6 million, does that factor in  
24 the additional overtime costs that seem to have  
25 come up this year?



2 CHAIRMAN SCHMITT: Are you trying to  
3 help the county to get reimbursed?

4 LEGISLATOR WINK: I'm trying to  
5 understand what we're submitting to the state.  
6 If we're claiming we've saved all this money, the  
7 question is did we really? That's why when the  
8 appropriation moment arrives, I'm going to ask  
9 Mr. Chalmers come up and see if he can help us  
10 quantify any of these savings.

11 MR. NAUGHTON: Legislator Wink, just to  
12 speak to that point.

13 Overtime for the police department is  
14 expected to be the same amount that it was last  
15 year, if not even better. So with the  
16 consolidations, we are not spending any more  
17 money in overtime.

18 LEGISLATOR WINK: Did you have an  
19 opportunity to review Mr. Chalmer's report dated  
20 July 16 with respect to 2012 budget -- salary  
21 budget reduction?

22 MR. NAUGHTON: Yes, I did. And I  
23 believe his numbers is consistent with last  
24 year's spending.

25 LEGISLATOR WINK: I would refer you to

2 the last paragraph of page two, where he talks  
3 about overtime, 2012 projection. The 2012  
4 overtime projection for the police department is  
5 over budget by roughly \$29.6 million. I'm sorry.  
6 I actually reduced it by ten million. It's  
7 actually closer to 30 million over budget.

8 MR. NAUGHTON: You're comparing it to  
9 the adopted budget, which was set at a low rate.  
10 Compared to how much money they spent last year,  
11 they spent 48 million last year, and they will  
12 spend 48 million again this year, if not less.

13 LEGISLATOR WINK: In other words, the  
14 fact that you under budgeted it in the 2012  
15 budget is not the problem; it's actually year-to-  
16 year accurate, is what you're saying?

17 MR. NAUGHTON: Correct.

18 LEGISLATOR WINK: So the fact that they  
19 under budgeted by \$30 million for 2012 is not a  
20 problem.

21 MR. NAUGHTON: No, it's not. We are  
22 addressing those issues. We have enough funding  
23 within each fund to address those issues. Money  
24 was set aside in the contingency to handle such a  
25 shortfall in police overtime.

2 LEGISLATOR WINK: Contingency, as I  
3 recall, is 13.4 million in the district fund,  
4 right, and 10.1 million in the headquarters fund?

5 MR. NAUGHTON: The two police funds  
6 together is roughly about \$20 million --

7 LEGISLATOR WINK: And now we have 30  
8 million designated --

9 MR. NAUGHTON: You have to check with  
10 Mr. Chalmers to see if he has updated his  
11 projection at all.

12 LEGISLATOR WINK: I plan on doing that.  
13 Of that \$29.6 million that we're over  
14 budget, how much of that is attributable to the  
15 precinct closures?

16 MR. NAUGHTON: Zero.

17 LEGISLATOR WINK: None of it. Okay. So  
18 then all of it should have been predictable.

19 MR. NAUGHTON: Again, we spent 48 last  
20 year; we'll spend 48 this year.

21 LEGISLATOR WINK: We'll see about that.  
22 Thank you, Mr. Naughton.

23 CHAIRMAN SCHMITT: Any other questions  
24 on the item, 528?

25 LEGISLATOR WINK: I have questions for

2 Mr. Chalmers.

3 CHAIRMAN SCHMITT: Is the Independent  
4 Budget Office here?

5 LEGISLATOR WINK: You heard my dialogue  
6 with Mr. Naughton. I was wondering if you could  
7 comment on the numbers that you projected as of  
8 last Monday with respect to the overtime.

9 MR. CHALMERS: Our projection for  
10 overtime is 51 million for the police.

11 LEGISLATOR WINK: Fifty-one million,  
12 which is a net, year to year, of three million  
13 over?

14 MR. CHALMERS: Correct.

15 LEGISLATOR WINK: But it's still  
16 projected to be \$29.6 million over what was  
17 budgeted for.

18 MR. CHALMERS: The budget only had \$22  
19 million.

20 LEGISLATOR WINK: Are you aware of any  
21 efforts on the part of the administration to  
22 address the overtime issue or are they just  
23 looking to spend contingencies to cover it?

24 MR. CHALMERS: We'd have to go back to  
25 the police. We spoke with Deputy Chief Krumpster

2 and he had a whole bunch of ideas, but we haven't  
3 seen the results yet. Most of the overtime  
4 happens over the summertime, so we will be  
5 looking at it closely to see if we do see a  
6 decrease, at which point we will adjust our  
7 projections. As of right now, we see it as \$51  
8 million.

9           LEGISLATOR WINK:     So you factored in the  
10 fact that we're in the summer now and that your  
11 estimates of \$29.6 million are based upon what  
12 you're seeing in the summer, in terms of  
13 overtime. Is that right?

14           MR. CHALMERS:     Correct.

15           LEGISLATOR WINK:     Okay. Have you --  
16 have you -- I asked MR. Naughton how much of the  
17 overtime numbers seem to be attributable to the  
18 precinct closures, and he indicated none. Do you  
19 concur with that?

20           MR. CHALMERS:     We do it at -- not at a  
21 precinct level. We do it for the whole county.  
22 We'll have to break it down by the precinct and  
23 see it at that level. But this is not something  
24 that we would do as part of a normal projection.

25           LEGISLATOR WINK:     Do you have an

2 opportunity to break it down on a precinct-by-  
3 precinct level for the purposes of looking at the  
4 consolidation?

5 MR. CHALMERS: We could request the data  
6 entry break it down at that level.

7 LEGISLATOR WINK: I'd appreciate it if  
8 you would do that. That's great. Thank you.

9 CHAIRMAN SCHMITT: Legislator Nicoletto.

10 LEGISLATOR NICOLELLO: With respect --  
11 if we are successful with the grant monies -- if  
12 we are successful with the grant monies, where  
13 would that money go to? Would it have to stay  
14 within the specific discipline that you're  
15 talking about, in this case the police  
16 department?

17 MR. FINER: No. As a general rule, this  
18 is one of the most unusual situations that you'll  
19 ever see with grants, in that the use of the  
20 money, in a sense, is unrestricted. We can take  
21 this money and use it as we wish. However, the  
22 state naturally would like us to see -- like us  
23 to continue to devote resources to decreasing  
24 costs. So I think in their applications, I know  
25 the police department has indicated that there

2 are further savings that could be realized by  
3 some investment, in terms of working on the  
4 community precincts or actual precincts. There  
5 is additional work that they can do with the  
6 money that they receive that will result in  
7 further recurring savings.

8 LEGISLATOR NICOLELLO: So if we are  
9 successful, we have state monies coming into the  
10 county will relieve the tax burden a little bit  
11 on Nassau County's taxpayers.

12 MR. FINER: That's the goal. The whole  
13 goal of this program, the very, very specific  
14 goal is to reduce the burden of property tax  
15 owners. So the degree to which you can prove  
16 that you have reduced that burden -- and they  
17 have a formula actually for demonstrating that  
18 -- is the degree of how much money you will get.  
19 You also get some bonus points if you direct the  
20 money that you receive to further reduce the cost  
21 of government and create efficiencies.

22 LEGISLATOR NICOLELLO: What are the  
23 chances of success if somebody sends up a  
24 transcript with the members of the legislature  
25 being hostile to the applications?

2 MR. FINER: Of this legislature being  
3 hostile?

4 LEGISLATOR NICOLELLO: If there's  
5 demonstrated hostility, skepticism, etcetera.

6 MR. FINER: It would have very little  
7 success.

8 LEGISLATOR NICOLELLO: Right.

9 LEGISLATOR WINK: So are you sending  
10 transcripts from today's Rules Committee up to  
11 Albany with the application?

12 LEGISLATOR NICOLELLO: I think I was  
13 talking, wasn't I? Was I talking?

14 LEGISLATOR WINK: That's a silly  
15 question. This transcript is not going to Albany  
16 with the application.

17 LEGISLATOR NICOLELLO: So then you  
18 wouldn't want the transcript sent to Albany.

19 LEGISLATOR WINK: I wouldn't care if it  
20 went up to Albany, truth be told.

21 LEGISLATOR NICOLELLO: Well, I would.

22 LEGISLATOR WINK: I hope they're asking  
23 the same questions I'm asking.

24 CHAIRMAN SCHMITT: The fact that you  
25 don't care is well recognized.



2 LEGISLATOR NICOLELLO: I would care  
3 because to the extent that we can get grant  
4 monies into the county, it helps to alleviate the  
5 tax burden. Apparently, you don't care --

6 LEGISLATOR WINK: And if it's based on  
7 facts, then so be it. I have no problem getting  
8 revenues for this county. The fact of the matter  
9 is, though, if it's on half truths, then I think  
10 Albany is going to have the same skepticism I'm  
11 showing.

12 LEGISLATOR NICOLELLO: So then you are  
13 opposed to bringing in grant monies to the  
14 county.

15 LEGISLATOR WINK: No. I'm not.

16 LEGISLATOR NICOLELLO: We've reached a  
17 point where even the common, ordinary running of  
18 business is under attack in this county. You  
19 look at the borrowing for tax refunds went on for  
20 year. Now we're attacking grant applications.

21 I know you don't want this administration  
22 to succeed, but at some point we've got to do the  
23 people's business. I think this is just pure  
24 obstruction.

25 LEGISLATOR WINK: No one is attacking

2 grant applications. We're simply asking the  
3 basis by which the applications are being made.  
4 At the end of the day, I know for myself I am  
5 voting in favor of this application. But I am  
6 hoping it is based on real numbers and not on the  
7 press releases that come out of the second floor  
8 of this building.

9 CHAIRMAN SCHMITT: So he's for it.  
10 Before he was against it.

11 LEGISLATOR WINK: I've never been  
12 against it.

13 CHAIRMAN SCHMITT: Okay. Anybody else  
14 on 528 or can we move forward?

15 (No verbal response.)

16 Good. Any public comment?

17 (No verbal response.)

18 All those in favor please say aye.

19 (Aye.)

20 Any opposed?

21 (No verbal response.)

22 The item carries unanimously.

23 529 is an application for a grant between  
24 the County and -- 529 and 530 are both the same.  
25 We'll call them both.

1 A resolution authorizing the county  
2 executive to execute and submit a grant  
3 application with the New York State Department of  
4 State Division of Local Government Services for  
5 funding under the Local Government Performance  
6 and Efficiency Program.  
7

8 Okay. 529.

9 MR. FINER: The basic facts of the grant  
10 are the same. Again, the award would be based on  
11 our demonstrating to the state -- by the way, on  
12 each one of these projects they had to have been  
13 started after January 1, 2010, and they must be  
14 completed at the time of application, and the  
15 third requirement is that we must be able to  
16 clearly demonstrate the savings that we claim  
17 that we've achieved.

18 This second one is for the --

19 CHAIRMAN SCHMITT: Could you say that  
20 again? You have to be able to demonstrate that  
21 you clearly?

22 MR. FINER: We have to be able to  
23 demonstrate to the state that whatever savings  
24 we've claimed, based on our calculations, that  
25 we've achieved, we have to demonstrate that they

2 are real numbers.

3 CHAIRMAN SCHMITT: Very good.

4 Okay.

5 MR. FINER: The second project is the  
6 Veolia public/private partnership.

7 CHAIRMAN SCHMITT: Hold on a second. We  
8 need a motion on these two items.

9 LEGISLATOR KOPEL: So moved.

10 LEGISLATOR WALKER: Second.

11 CHAIRMAN SCHMITT: Moved by Legislator  
12 Kopel, seconded by Legislator Walker.

13 I'm sorry. Continue.

14 MR. FINER: Again, the second one is  
15 being prepared by real estate and it is for our  
16 efforts at the public/private partnership. Now,  
17 this is not the ongoing Veolia effort. Really it  
18 was the establishment of the public/private  
19 partnership, and when that was established there  
20 were certain savings that were realized. There  
21 will be further savings going down the road.

22 CHAIRMAN SCHMITT: This has to do with  
23 the operation of the bus system. Correct?

24 MR. FINER: Yes. It had to --

25 CHAIRMAN SCHMITT: And 530 has to do

2 with --

3 MR. FINER: The actual achievement here  
4 was setting up the public/private partnership.

5 CHAIRMAN SCHMITT: I'm aware of that.  
6 529 has to do with the operation of the bus  
7 system.

8 MR. FINER: Yes.

9 CHAIRMAN SCHMITT: What does 530 have to  
10 do with?

11 MR. FINER: 530 is the privatization,  
12 it's the sheriff's department. It's the  
13 privatization of health care services --

14 CHAIRMAN SCHMITT: Okay.

15 MR. FINER: for the inmates.

16 CHAIRMAN SCHMITT: Okay. Any questions  
17 on 529 or 530?

18 (No verbal response.)

19 Any public comment?

20 (No verbal response.)

21 All those in favor please say aye.

22 (Aye.)

23 Any opposed?

24 (No verbal response.)

25 The items carry unanimously.

2 Good luck with those.

3 MR. FINER: Thank you.

4 CHAIRMAN SCHMITT: Item Number 531 is a  
5 resolution to appoint Daniel J. McCloy as  
6 Director of the Nassau County Tobacco Settlement  
7 Corporation. Dan McCloy took a day off from  
8 work.

9 LEGISLATOR WALKER: So moved.

10 LEGISLATOR NICOLELLO: Second.

11 CHAIRMAN SCHMITT: Moved by Legislator  
12 Walker, seconded by Legislator Nicolello.

13 Any debate or discussion?

14 LEGISLATOR JACOBS: I'd like to say  
15 something.

16 CHAIRMAN SCHMITT: Legislator Jacobs.

17 LEGISLATOR JACOBS: I couldn't think of  
18 a finer choice for appointment. He seems so  
19 thrilled about it also, that it makes it even  
20 more agreeable to me to do this.

21 I just was wondering, do we know who else  
22 is on this?

23 CHAIRMAN SCHMITT: Beaumont Jefferson  
24 and Dan.

25 LEGISLATOR JACOBS: So Mike Jefferson is

2 the other person.

3 CHAIRMAN SCHMITT: Any public comment?

4 (No verbal response.)

5 All those in favor please say aye.

6 (Aye.)

7 Any opposed?

8 (No verbal response.)

9 The item carries unanimously.

10 This is Addendum II. We're going to call  
11 Item 25, which is an ordinance establishing fees  
12 for the registration of vendors for the County's  
13 procurement system and making determinations  
14 pursuant to the State Environmental Quality  
15 Review Act.

16 I have an amendment in the nature of a  
17 substitution, which makes changes to the items  
18 that establishes a single annual fee of \$100 for  
19 the use of the purchasing system. I'll offer the  
20 amendment. Could I have a second on the  
21 amendment?

22 LEGISLATOR WALKER: Second.

23 CHAIRMAN SCHMITT: Seconded by  
24 Legislator Walker.

25 All those in favor of the amendment

2 please say aye.

3 (Aye.)

4 Any opposed?

5 (No verbal response.)

6 The item is amended.

7 LEGISLATOR WINK: Mr. Chairman, can I  
8 ask a point of order?

9 CHAIRMAN SCHMITT: Point of order.

10 LEGISLATOR WINK: Were these items --  
11 25, 39, were they on the Finance Committee  
12 addendum?

13 CHAIRMAN SCHMITT: No.

14 LEGISLATOR WINK: They were not?

15 CHAIRMAN SCHMITT: I decided not to put  
16 them there. If you read the Charter, you'll find  
17 that's within the purview of the Presiding  
18 Officer.

19 LEGISLATOR WINK: I know you could raise  
20 fees all you want, but that's not the --

21 CHAIRMAN SCHMITT: So it's not a point  
22 of order. You're out of order.

23 LEGISLATOR WINK: my question. My  
24 question is were they on the addendum for the  
25 Finance Committee.



2 CHAIRMAN SCHMITT: And the answer is no,  
3 they were not because I didn't put them there.

4 LEGISLATOR WINK: Good for you.

5 CHAIRMAN SCHMITT: Okay. Item Number  
6 25-12, as amended.

7 Any questions?

8 (No verbal response.)

9 All those --

10 LEGISLATOR WINK: I'd --

11 LEGISLATOR JACOBS: I'd like to know  
12 what it's for. I'd like to know how much the  
13 increase is and how much money is anticipated it  
14 will bring in.

15 CHAIRMAN SCHMITT: Okay.

16 MS. D'ALLEVA: Hi. Roseann D'Alleva  
17 from Office of Management and Budget.

18 CHAIRMAN SCHMITT: There you go.

19 MS. D'ALLEVA: The Department of  
20 Purchasing is not here, so I'll be happy to  
21 answer your questions.

22 LEGISLATOR JACOBS: Roseann, I think  
23 we're talking about 524 --

24 MS. D'ALLEVA: 525-12.

25 LEGISLATOR JACOBS: 525, sorry. And

2 that's the one of increasing the fee charged for  
3 --

4 CHAIRMAN SCHMITT: It's 25, now as  
5 amended.

6 LEGISLATOR JACOBS: Sorry, sorry, sorry.  
7 We got it very late today, so I just want to see  
8 something.

9 Actually, I'd like an explanation,  
10 really, about what this is all about. I have  
11 some figures in front of me. It's for the  
12 procurement -- in other words, vendors are going  
13 to pay a higher procurement fee.

14 MS. D'ALLEVA: I believe the --  
15 registered vendors -- the county's registered  
16 vendors do not pay a fee. And this would  
17 basically create a database for \$100 a vendor. I  
18 believe the Department of Purchasing would send  
19 them e-mails and information to be vendors of the  
20 county.

21 LEGISLATOR JACOBS: So it's almost like  
22 a registration to be on the list.

23 MS. D'ALLEVA: Yes.

24 LEGISLATOR JACOBS: Let me ask you this.  
25 Do you have any indication of whether, for

2 example, Suffolk County, the City or Westchester  
3 do this?

4 MS. D'ALLEVA: Other municipalities do  
5 do this.

6 LEGISLATOR JACOBS: Is it voluntary? In  
7 other words, if a vendor does not join but they  
8 want to bid on procurement, what then? Would  
9 they still be able to do that?

10 MR. NAUGHTON: Legislator Jacobs, I  
11 think for that question I would prefer if we  
12 deferred to Purchasing and make sure that they  
13 are here for the Full Leg meeting.

14 LEGISLATOR JACOBS: Okay. All right. I  
15 appreciate that.

16 CHAIRMAN SCHMITT: I can tell you that  
17 it was my information that a vendor can register  
18 on a Monday and bid on a job on Tuesday.

19 LEGISLATOR JACOBS: But my question was,  
20 Peter, what if they don't care to get --

21 CHAIRMAN SCHMITT: It's my understanding  
22 that they have to be registered in order to bid  
23 on the job. If a job -- if an item is out there  
24 that they would be interested in bidding on,  
25 there is nothing to preclude them from

2 registering and bidding. But if they are not  
3 registered, they cannot bid. That's my  
4 understanding, the way it was presented to me,  
5 anyway. But we'll have them here.

6 LEGISLATOR JACOBS: So then that follows  
7 with a different question. The \$100 is an annual  
8 fee for them?

9 MS. D'ALLEVA: Yes.

10 LEGISLATOR JACOBS: Or for every bid  
11 that they make?

12 MS. D'ALLEVA: It's an annual fee.

13 LEGISLATOR JACOBS: Annual fee. Okay.  
14 Thank you.

15 CHAIRMAN SCHMITT: Anything else?

16 LEGISLATOR JACOBS: No. I mean not from  
17 me.

18 CHAIRMAN SCHMITT: Okay. Any public  
19 comment?

20 (No verbal response.)

21 All those in favor of putting this in  
22 front of the Full Legislature, please say aye.

23 (Aye.)

24 Any opposed?

25 (No verbal response.)

2 The item carries. It goes to the Full  
3 Leg.

4 Item Number 39 is an ordinance  
5 constituting the Nassau County Fire Prevention  
6 Ordinance and making certain determinations.

7 Motion, please?

8 LEGISLATOR WALKER: So moved.

9 LEGISLATOR NICOLELLO: Second.

10 CHAIRMAN SCHMITT: Moved by Legislator  
11 Walker, seconded by Legislator Nicoletto.

12 How are you, sir? Please identify  
13 yourself for the record.

14 MR. WELT: Carey Welt, Office of Fire  
15 Marshal.

16 CHAIRMAN SCHMITT: And would you tell us  
17 about this?

18 MR. WELT: Yes. The fees that are  
19 before you were last raised in 2007. The fees  
20 are specifically for fire alarm permits. The  
21 fire alarm permit is a three-year permit. The  
22 permit fee is going up \$25, which would be  
23 equivalent to about \$8 per year. We do about  
24 16,000 permits a year, and that equates to about  
25 \$390,000 in revenue.

2 The emergency light tests again were last  
3 raised in 2007. It's a 25 percent increase in  
4 that fee. In 2011 we brought in approximately a  
5 little over 1.1 million, so that would be an  
6 increase of about 300,000, which would be about  
7 \$680,000 total in revenue increase.

8 CHAIRMAN SCHMITT: Any questions?

9 LEGISLATOR WINK: Yeah. I have a quick  
10 question.

11 CHAIRMAN SCHMITT: Legislator Wink.

12 LEGISLATOR WINK: With respect to these  
13 fees, Mr. Welt, are they dedicated for the fire  
14 budget, the -- I'm sorry, I'm blanking -- the  
15 fire prevention budget as opposed to the general  
16 fund?

17 MR. WELT: All of our fees do go to the  
18 general fund.

19 LEGISLATOR WINK: They go to the general  
20 fund.

21 MR. WELT: Yes.

22 LEGISLATOR WINK: So they're not  
23 benefitting the budget lines that deal with fire  
24 marshal and stuff like that.

25 MR. WELT: The benefit is indirect.

2 LEGISLATOR WINK: Indirect, at best.

3 Okay. Thank you.

4 CHAIRMAN SCHMITT: Any other questions?

5 (No verbal response.)

6 Any public comment?

7 (No verbal response.)

8 All those in favor please say aye.

9 (Aye.)

10 Any opposed?

11 (No verbal response.)

12 It moves on to the Full Legislature.

13 MR. WELT: Thank you.

14 CHAIRMAN SCHMITT: Thank you.

15 Item 521 --

16 MR. NAUGHTON: I'm sorry. Legislator

17 Schmitt, can I just correct the record?

18 CHAIRMAN SCHMITT: I'm sorry?

19 MR. NAUGHTON: The fire marshal fees are

20 included in the fire fund.

21 LEGISLATOR WINK: So they're dedicated

22 to the fire fund?

23 MR. NAUGHTON: Yes.

24 LEGISLATOR WINK: Okay.

25 CHAIRMAN SCHMITT: Okay. Thank you for

2 that.

3           LEGISLATOR WINK:     And just to correct  
4 the record, I just want to make it clear,  
5 speaking for myself and I think for my  
6 colleagues, that we're voting to pass these on  
7 today. But the fact that we've received this set  
8 of fees today is troublesome to me. Obviously,  
9 we're reserving our rights with respect to the  
10 Full Legislature as to whether or not we're going  
11 to support these fees.

12           MR. NAUGHTON:     Understood.

13           CHAIRMAN SCHMITT:    There's no question  
14 about it. They'll be passing along to the Full  
15 Legislature, and during debate and discussion,  
16 we'd be happy to see who supported the fees in  
17 2007 and we'll go from there.

18           Okay. Item 521 is a local law to amend  
19 the Nassau County Administrative Code in relation  
20 to false transmissions from automatic alarm  
21 systems.

22           May I have a motion, please?

23           LEGISLATOR WALKER:    So moved.

24           LEGISLATOR NICOLELLO:   Second.

25           CHAIRMAN SCHMITT:    Moved by Legislator



2 Walker, seconded by Legislator Nicoletto.

3 Yes. Go ahead.

4 MS. FOX: Tatum Fox, Nassau County  
5 Police Legal Bureau.

6 This is a proposed local law to amend the  
7 Administrative Code in relation to false alarms.  
8 There are two material changes. The first is to  
9 the application fees for commercial premises. It  
10 will be raised by \$50 and for renewals as well.  
11 The second material changes is to both  
12 residential and commercial permit holders. They  
13 will be subject to two warnings before incurring  
14 a fine, where it had been they were subject to  
15 four warnings before incurring a fine. The basis  
16 for this is we receive approximately 70,000  
17 alarms a year, 99 percent of which are deemed  
18 false. Each call is an hour off of patrol. So  
19 it's not only to offset costs, but the effect on  
20 public safety to act as a deterrent to make  
21 people more cognizant to avoid reoccurrence.

22 CHAIRMAN SCHMITT: Legislator Jacobs.

23 LEGISLATOR JACOBS: Hi, Tatum. First  
24 place, congratulations.

25 MS. FOX: Thank you very much.

2 LEGISLATOR JACOBS: Very happy for you.

3 Let me ask you this.

4 She just became a mommy again.

5 MS. FOX: My little Nicholas.

6 CHAIRMAN SCHMITT: Congratulations. And  
7 you're back here already.

8 MS. FOX: I'm back.

9 CHAIRMAN SCHMITT: Now I've got to ask,  
10 a boy or girl?

11 MS. FOX: A little boy. Nicholas James.

12 CHAIRMAN SCHMITT: Congratulations.

13 MS. FOX: Thank you so much. Thank you.

14 LEGISLATOR JACOBS: Let me ask you this.  
15 You're increasing \$50 more from? What's the  
16 initial fee? I'm sorry.

17 MS. FOX: That was for the application  
18 fee. It had been \$150 and now it will be \$200 to  
19 apply for the permit, and for the renewal for  
20 commercial premises.

21 LEGISLATOR JACOBS: \$200 to apply for  
22 the permit.

23 MS. FOX: Yes.

24 LEGISLATOR JACOBS: Is there an annual  
25 fee for them?

2 MS. FOX: When they have to renew it.

3 LEGISLATOR JACOBS: And that would be  
4 another \$200?

5 MS. FOX: Another 200, yes.

6 LEGISLATOR JACOBS: For residential  
7 also?

8 MS. FOX: Residential, there are fees  
9 but they are \$100.

10 LEGISLATOR JACOBS: \$200 for a homeowner  
11 to --

12 CHAIRMAN SCHMITT: No, commercial.

13 MS. FOX: Commercial.

14 CHAIRMAN SCHMITT: Two hundred is  
15 commercial.

16 LEGISLATOR JACOBS: Okay.

17 MS. FOX: One hundred for a homeowner.  
18 Two hundred for commercial.

19 LEGISLATOR JACOBS: Okay. And both of  
20 those would be repeated at that point, right?

21 MS. FOX: Yes.

22 LEGISLATOR JACOBS: In other words, when  
23 it comes up to renewal, both of those would be  
24 expected to pay 100 and the 200.

25 MS. FOX: Correct.

2 LEGISLATOR JACOBS: Okay. And the two  
3 warnings again?

4 MS. FOX: You do not incur a fine the  
5 first and second false alarm. Upon the third is  
6 when you will incur your first fine. It had been  
7 upon your fourth. I'm sorry. Upon your fifth.

8 LEGISLATOR JACOBS: Okay. Thank you.

9 CHAIRMAN SCHMITT: Mr. Nicolello.

10 LEGISLATOR NICOLELLO: I just wanted to  
11 make clear that the residential permit fee is not  
12 going up.

13 MS. FOX: It is not.

14 LEGISLATOR NICOLELLO: Right. Thank  
15 you.

16 MS. FOX: Thank you.

17 CHAIRMAN SCHMITT: Any other questions?

18 (No verbal response.)

19 Any public comment?

20 (No verbal response.)

21 All those in favor please say aye.

22 (Aye.)

23 Item Number 522 is a local law to amend  
24 Section 21-22.4 of the Nassau County  
25 Administrative Code in relation to the fees

2 charged for the registration of automated teller  
3 machines.

4 May I have a motion, please?

5 LEGISLATOR WALKER: So moved.

6 LEGISLATOR NICOLELLO: Second.

7 CHAIRMAN SCHMITT: Moved by Legislator  
8 Walker, seconded by Legislator Nicolello.

9 Who is here to talk about automated  
10 teller machines?

11 MR. HANO: Ken Hano, Nassau County  
12 Consumer Affairs.

13 CHAIRMAN SCHMITT: Hi.

14 MR. HANO: How are you?

15 CHAIRMAN SCHMITT: Wonderful. Tell us  
16 about this, please.

17 MR. HANO: Okay. What this law will do  
18 is increase the fines. Currently, right now to  
19 register your ATM machine it's \$100 and that  
20 renewal is \$50. This will increase it to \$150  
21 for a new ATM and \$100 for a renewal.

22 CHAIRMAN SCHMITT: Now, when you talk  
23 about -- these are the machines that you see in  
24 delis and stationery stores.

25 MR. HANO: Correct. All non-bank

2 facility ATM machines. So the ones in local  
3 retail merchant stores.

4 CHAIRMAN SCHMITT: Are they supposed to  
5 have a sticker on them or something to --

6 MR. HANO: They're supposed to be  
7 registered with our office. The law was passed  
8 in 2005. We are out there enforcing the law.  
9 There are a lot of ATMs out there, and we're  
10 catching them all every day.

11 CHAIRMAN SCHMITT: Any other questions?

12 (No verbal response.)

13 Any public comment?

14 I'm sorry. Legislator Walker.

15 LEGISLATOR WALKER: I just have a quick  
16 question. So there's a little sticker or  
17 something on it? If we notice any -- if we go to  
18 any -- I usually try to go to my own bank because  
19 I don't want to even pay a dollar extra than I  
20 have to. If you're in a store or whatever,  
21 there's a little county sticker on it?

22 MR. HANO: Right. The sticker is  
23 supposed to be in plain view. If you are staring  
24 at the automated teller machine, you're supposed  
25 to be able to see it. It's supposed to be either

2 below or above the screen. It has the County  
3 seal on it. This year the color is orange.  
4 Every year we change the color on it.

5 I know one of the biggest corporations  
6 that we just got on was Dunkin' Donuts, their ATM  
7 machines.

8 LEGISLATOR WALKER: Thank you.

9 MR. HANO: You're welcome.

10 CHAIRMAN SCHMITT: Any other questions?

11 (No verbal response.)

12 Any public comment?

13 (No verbal response.)

14 All those in favor please say aye.

15 (Aye.)

16 Any opposed?

17 (No verbal response.)

18 The item moves on.

19 Item Number 523 is a local law to amend  
20 Section 21-11 of the Administrative Code in  
21 relation to the fees charged in connection with  
22 licenses to operate home improvement businesses.

23 Come on back.

24 May I have a motion, please?

25 LEGISLATOR WALKER: So moved.

2 LEGISLATOR NICOLELLO: Second.

3 CHAIRMAN SCHMITT: Moved by Legislator  
4 Walker, seconded by Legislator Nicoletto.

5 MR. HANO: Okay. What this amendment  
6 will do is increase the current fees that a  
7 contractor will pay to become licensed. Right  
8 now it's currently \$400 and that license is good  
9 for two years. What this will do is increase it  
10 to \$500 and still maintain the two year mark.

11 In addition to that, name changes from  
12 the license will go from \$50 to \$75, as well as a  
13 late renewal of the license will increase from  
14 \$30 to \$75.

15 CHAIRMAN SCHMITT: Any questions?

16 LEGISLATOR JACOBS: I have one.

17 CHAIRMAN SCHMITT: Legislator Jacobs.

18 LEGISLATOR JACOBS: This, of course, I  
19 assume applies to only county charges, right, as  
20 far as licensing?

21 MR. HANO: To receive a consumer affairs  
22 license.

23 LEGISLATOR JACOBS: To receive a  
24 consumer affairs license. Because I know a lot  
25 of these people do do home improvements --



2 MR. HANO: Right.

3 LEGISLATOR JACOBS: or electrical, or  
4 plumbing, or whatever, very often have to apply  
5 all over the county many times, if there are  
6 villages, towns, etcetera. But the county is the  
7 overriding one, right?

8 MR. HANO: That's correct, for  
9 contractors. Electricians and plumbers are  
10 licensed by the townships.

11 LEGISLATOR JACOBS: And that's annual,  
12 correct?

13 MR. HANO: For the plumbers and  
14 electricians or for our office?

15 LEGISLATOR JACOBS: For this. For what  
16 we're working on right now.

17 MR. HANO: For this it's every two  
18 years.

19 LEGISLATOR JACOBS: Every two years.

20 MR. HANO: If they get a license this  
21 year, their renewal will be in 2014.

22 LEGISLATOR JACOBS: Okay. Thank you.

23 MR. HANO: You're welcome.

24 CHAIRMAN SCHMITT: Anybody else?

25 LEGISLATOR WINK: Yeah, I have a quick

2 question.

3 CHAIRMAN SCHMITT: Legislator Wink.

4 LEGISLATOR WINK: I would like to ask  
5 Mr. Chalmers to come up again.

6 Have you had an opportunity to review the  
7 various items that have been on the seconded  
8 addendum for the Rules Committee, all these items  
9 with respect to fee increases?

10 MR. CHALMERS: No. A lot of them are  
11 local laws, so we will be doing a fiscal impact  
12 statement on them.

13 LEGISLATOR WINK: But you haven't had a  
14 chance to review them yet?

15 MR. CHALMERS: Not yet.

16 LEGISLATOR WINK: So in the fiscal  
17 impact you're going to give us a reasonable  
18 estimate of how much revenue these various fees  
19 are going to raise?

20 MR. CHALMERS: That will be included,  
21 yes.

22 LEGISLATOR WINK: Okay. I look forward  
23 to that. Thank you.

24 CHAIRMAN SCHMITT: Any other questions?

25 (No verbal response.)

Any public comment?

(No verbal response.)

All those in favor please say aye.

(Aye.)

The item moves on.

Item Number 524 is to establish a new fee schedule for ambulance services provided by the Nassau County Police Department.

May I have a motion, please?

LEGISLATOR WALKER: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRMAN SCHMITT: Moved by Legislator Walker, seconded by Legislator Nicolello.

It's all yours.

MS. FOX: Tatum Fox, Nassau County Police Legal Bureau. Item 524-12 is in regard to repealing Ordinance Number 185-2010 in regard to the fee schedule for ambulance services. The Department conducts approximately 75 to 100 Medevac transports a year. The prior fee schedule did not include helicopter transport at all. That's what this amendment is called for. These transports are mostly directed with auto accidents, so they will be billed through no

2 fault or other insurance. But just like with the  
3 ambulance billing, there will be a mechanism  
4 built in to ensure that people may apply for  
5 financial hardships for the fee. The purpose is  
6 to offset the cost of maintaining our aviation  
7 bureau, which is about \$4 million annually.

8 CHAIRMAN SCHMITT: Any questions?

9 LEGISLATOR JACOBS: Yes.

10 CHAIRMAN SCHMITT: Legislator Jacobs.

11 LEGISLATOR JACOBS: Okay. Tatum, let me  
12 just ask you a question here.

13 So there's going to be a \$7500 fee --

14 MS. FOX: Yes.

15 LEGISLATOR JACOBS: if a helicopter has  
16 to be used.

17 MS. FOX: Correct.

18 LEGISLATOR JACOBS: It seems like an  
19 enormous amount.

20 MS. FOX: It does. Again, not for the  
21 purpose of that one run. It's to offset the cost  
22 of the aviation bureau, which needs to be there  
23 with the helicopters ready to go. So if you  
24 think about it as offsetting the four million of  
25 aviation bureau to be there when needed, to

2 transport someone, that's really what we're  
3 really offsetting, not that one run per say.

4 CHAIRMAN SCHMITT: So would it be fair  
5 to say that the cost of sending the helicopter  
6 with the two people, at least the two people  
7 aboard, to go somewhere in the county to Medevac  
8 a patient to the Medical Center, it's estimated  
9 to be 7500.

10 MS. FOX: I don't have a breakdown per  
11 run. But, yes, based upon salaries -- and if  
12 that's something you would like before the Full  
13 Leg, it's something I can pull, sure -- the  
14 salaries, the helicopter itself, the maintenance  
15 of the helicopter, the jet fuel. I have Sergeant  
16 Santiago here, Commanding Officer of Legal Bureau  
17 who would like to add to this.

18 CHAIRMAN SCHMITT: To have a helicopter  
19 be ready to go, it's like any other -- it's not a  
20 business, but if we're running it in a business-  
21 like fashion, the cost of maintaining the  
22 helicopter and having it ready to fly with the  
23 person on board to take an injured person away,  
24 it's got to be X dollars.

25 MS. FOX: Exactly. It's \$4 million

2 annually to maintain that, to have it ready to  
3 go.

4 CHAIRMAN SCHMITT: Four million  
5 annually. If you had 100 Medevacs a year, what  
6 does that work out to be?

7 MS. FOX: With the fee, it would offset  
8 \$750,000 of the four million.

9 LEGISLATOR WINK: How many calls have  
10 there been in the last few years?

11 CHAIRMAN SCHMITT: She said 75 to 100.

12 MS. FOX: Yes.

13 LEGISLATOR WINK: Seventy-five to 100 a  
14 year?

15 MS. FOX: Yes.

16 LEGISLATOR JACOBS: And this is per  
17 call?

18 MS. FOX: Correct. It would be \$7500  
19 per call, correct.

20 LEGISLATOR JACOBS: And now there is no  
21 fee?

22 MS. FOX: No.

23 LEGISLATOR JACOBS: I'm sorry. Do we  
24 know if insurance picks this up at all?

25 MR. SANTIAGO: As was stated earlier,

2 most of these are auto accidents, sadly. Between  
3 New York State's no-fault statute, that would  
4 meet a threshold, they would be paying out of the  
5 insurance of damages and loss that we could  
6 recoup or through medical insurance we would be  
7 able to recoup -- I mean the aided person would  
8 be able to recoup those funds. Additionally, if  
9 there is a hardship situation, they could apply  
10 for a -- no one is going to go after you after a  
11 bill being sent to your home.

12           What's important to note is we are trying  
13 to maintain a fleet of three helicopters. This  
14 figure we derived from other jurisdictions  
15 outside of New York State which, believe it or  
16 not, have lower costs overall. \$7500 is common  
17 in terms of charging for that service. We're  
18 talking Pennsylvania, West Virginia state police.

19           Also, we want to maintain a level that  
20 they can provide a traditional police role, which  
21 is not really medevacing, but in terms of public  
22 safety, crime prevention, apprehension. It's  
23 correct; one of the most costly services rendered  
24 by helicopters, police helicopters is a medical  
25 nature. It's the only time that they really have

2 to land and land again in a different location.  
3 So we have other variables that come into play in  
4 transporting someone by Medevac. That's the  
5 nature of the beast.

6 LEGISLATOR JACOBS: I understand that.  
7 But let me just ask you a question. You  
8 mentioned Pennsylvania and a few other states.

9 MR. SANTIAGO: West Virginia, also.

10 LEGISLATOR JACOBS: What about New York?

11 MR. SANTIAGO: New York. I'd have to  
12 get back to you. They're set up a little  
13 differently. In terms of their -- the reality is  
14 --

15 LEGISLATOR JACOBS: I meant Suffolk,  
16 Westchester. Does any other county in the state  
17 have this?

18 MR. SANTIAGO: I think Nassau County and  
19 the tri-state area. New York has helicopters,  
20 but they're rarely used for Medevaced purposes.  
21 Their function is primarily criminal enforcement  
22 or law enforcement, enforcement of criminal laws,  
23 detection, arrests. Basically, they are used  
24 more in a home security capacity as opposed to  
25 what we're providing in Nassau County. It's a



2 service that we provide. In order to be able to  
3 use a Medevac, you have to have the type of  
4 geography that you can use that you can't just  
5 land everywhere, that's why it's limited in New  
6 York City. We can't.

7 LEGISLATOR JACOBS: My questions -- and  
8 I don't mean to belabor it, you can give someone  
9 a heart attack after they're all finished with  
10 their -- if hopefully they survive the initial  
11 problem, tragedy, I guess at this point, if  
12 they're using a Medevac, they're going to get a  
13 bill for \$7500.

14 MR. SANTIAGO: Well, their insurance  
15 would get the bill. But you are right; they will  
16 get a copy of it sent to them also. But the  
17 insurance --

18 CHAIRMAN SCHMITT: If they survive the  
19 hospital bill, they will survive this.

20 MR. SANTIAGO: This is a common charge  
21 in other jurisdictions. It wouldn't be a  
22 surprise to them.

23 Of course, when you're dealing with this  
24 type of evacuation, the person that's being  
25 evacuated cannot say no, let's be honest. Unlike

2 an ambulance, they can say they don't want to be  
3 transported, I will get myself there myself.  
4 Let's be real. You're going to wake up hopefully  
5 in the hospital, God willing, and -- wow.

6 It's an important service, something  
7 we've done over the years and something that's  
8 expected in our county. I don't believe Suffolk  
9 uses a Medevac situations. I think they really  
10 do use it in a patrol capacity.

11 LEGISLATOR JACOBS: I know that  
12 unfortunately I've had occasion to be at Stony  
13 Brook for a very sick dear relative many times  
14 and you always see the helicopters landing, the  
15 police helicopters. When you say they won't be  
16 surprised, I assume you're talking about the  
17 insurance companies.

18 MR. SANTIAGO: The insurance companies.

19 LEGISLATOR JACOBS: The patient, if they  
20 survive, will be surprised.

21 MR. SANTIAGO: But it is very expensive.  
22 The issue is maintaining the fleet. It would be  
23 disingenuous to say this pays for that one run.  
24 What we're trying to do is maintain a fleet  
25 adequately.

2 LEGISLATOR JACOBS: Okay. Thank you.

3 CHAIRMAN SCHMITT: Anybody else?

4 (No verbal response.)

5 Any public comment?

6 (No verbal response.)

7 All those in favor please say aye.

8 (Aye.)

9 The item moves on to the Full  
10 Legislature.

11 Item 525 is an ordinance amending  
12 Ordinance 16-2011 in relation to increasing the  
13 fee charged by the Traffic and Parking Violations  
14 Agency for a final disposition other than not  
15 guilty.

16 May I have a motion, please?

17 LEGISLATOR WALKER: So moved.

18 LEGISLATOR NICOLELLO: Second.

19 CHAIRMAN SCHMITT: Moved by Legislator  
20 Walker, seconded by Legislator Nicolello.

21 Good afternoon. I guess it's still  
22 afternoon. Good afternoon, gentlemen.

23 JUDGE MARKS: John Marks, Executive  
24 Director of TPVA.

25 MR. RICH: Dave Rich, Deputy Director of

2 TPVA.

3 CHAIRMAN SCHMITT: Tell us what this is.

4 JUDGE MARKS: The last actual study for  
5 the processing of a ticket was in 2008, where the  
6 price I believe was \$14.76. We went before the  
7 legislature in 2010, in October, to have that fee  
8 charged to all tickets processed. From 2008, it  
9 was only processed on six particular tickets.

10 The new number to process a ticket is  
11 approximately \$28, \$27 and some change. We're  
12 asking the fee to be increased proportionately,  
13 to be \$30 for any ticket or notice of liability  
14 issued and processed through Nassau County, with  
15 the exception of a not guilty finding. If there  
16 is a not guilty finding there is no fee charged.

17 CHAIRMAN SCHMITT: Any questions?

18 LEGISLATOR WINK: Yeah.

19 CHAIRMAN SCHMITT: Legislator Wink.

20 LEGISLATOR WINK: Judge Marks, I  
21 remember this conversation that we had a couple  
22 years ago about this. As I recall, this is, for  
23 example, an unlicensed operation of motor vehicle  
24 ticket because someone fails to have their  
25 license on them at the time they're pulled over.

2 JUDGE MARKS: That was the original  
3 2008, covered six tickets -- license,  
4 registration, insurance, inspection, handicapped,  
5 and equipment.

6 LEGISLATOR WINK: Right.

7 JUDGE MARKS: In 2010 it was expanded to  
8 cover any ticket issued by Nassau County.

9 LEGISLATOR WINK: At the time the  
10 discussion was that you would responsible for  
11 this fee even if you then subsequently produced  
12 your license, insurance, registration,  
13 inspection, what have you.

14 JUDGE MARKS: That's correct. I like to  
15 refer to that as the driver responsibility fee.  
16 You left home without your license; unlike  
17 American Express, if you're pulled over by a  
18 police officer, you're not pulled over for not  
19 having your license. But if you can't produce  
20 the license, the ticket is still written and the  
21 ticket is still processed. As a courtesy, the  
22 ticket is dismissed. It's failure to carry would  
23 be the actual violation.

24 LEGISLATOR WINK: Right.

25 JUDGE MARKS: But as a courtesy that

2 ticket is dismissed.

3           LEGISLATOR WINK:     I think the tickets  
4 itself is actually unlicensed operation until you  
5 can prove otherwise, isn't that the case?

6           JUDGE MARKS:   No, sir.  There's a fail to  
7 carry and a fail to have.  If you don't have one,  
8 it's a different situation.  Those tickets are  
9 not dismissed.  Failing to carry will be  
10 dismissed when you produce.

11           LEGISLATOR WINK:    I guess a police  
12 officer can check DMV records at the scene to  
13 ensure that the person is actually otherwise  
14 licensed.

15           JUDGE MARKS:   What they normally do --  
16 and I haven't done field stops in 30 years, 37  
17 years.  When you are stopped, you are asked to  
18 produce your license, registration, and insurance  
19 card.  If you produce them, there's no tickets  
20 issued.  If you don't produce them, there are  
21 tickets issued.

22           LEGISLATOR WINK:    Okay.  All right.  I  
23 recall at the time that there seemed to be some  
24 issue with this.  I know the straights the county  
25 is in.  I know this is money that the county

2 needs.

3 JUDGE MARKS: It also, I'm hoping, the  
4 effect would have -- perhaps I shouldn't say this  
5 -- would be to drive down the instance of traffic  
6 violations. This is, to me, it's a fee you're  
7 asking to pay. If you have your information or  
8 if you pass a red light, if you don't pass it or  
9 you don't commit a traffic violation, you're not  
10 paying this.

11 LEGISLATOR WINK: Right.

12 JUDGE MARKS: You did it. I hope it has  
13 a safety affect also. You find out, I think,  
14 that when people realize -- it's I don't care  
15 it's only \$5 or \$20 -- I'm not making light of  
16 it. Unfortunately, that's people's attitude.

17 If I can give you just one very short  
18 example. Somebody came in the other day with 71  
19 parking violations and wanted some sort of a  
20 discount. I said if you had five, six, seven, I  
21 understand. But, obviously, you're paying 100 or  
22 \$110 ticket isn't affecting you because every  
23 time you got one of your 71 you paid it. Maybe  
24 this person will learn, maybe he won't. I don't  
25 know. Frankly, I don't really care. I hope they

2 learn it.

3 LEGISLATOR WINK: Thank you, Your Honor.

4 CHAIRMAN SCHMITT: Any other questions?

5 (No verbal response.)

6 Any public comment?

7 (No verbal response.)

8 All those in favor please say aye.

9 (Aye.)

10 Judge, how is the boot and tow thing  
11 going?

12 JUDGE MARKS: I believe we collected  
13 approximately 500, \$550,000. The number that  
14 we're not realizing -- and I believe -- I don't  
15 know how we could quantify it. There are a vast  
16 number of people that are coming forward now that  
17 they see that yellow boot on somebody else's car.  
18 They see it and they come in. Again, I tell the  
19 people if you come in before a boot, I can me  
20 Monte Hall; after that, it's Perry Mason.

21 CHAIRMAN SCHMITT: Thank you.

22 Item Number 527 is an ordinance amending  
23 ordinance 199-2011, repealing Ordinance Number  
24 188-2010, as amended, establishing fees to be  
25 charged by the Department of Parks, Recreation,



2 and Museums.

3 May I have a motion, please?

4 LEGISLATOR WALKER: So moved.

5 LEGISLATOR NICOLELLO: Second.

6 CHAIRMAN SCHMITT: Moved by Legislator  
7 Walker, seconded by Legislator Nicoletto.

8 Good evening.

9 MS. KREEB: Eileen Kreeb from the  
10 Department of Parks. This is an amendment to an  
11 existing ordinance to increase swimming lesson  
12 fees and to include a registration fee for that  
13 application.

14 CHAIRMAN SCHMITT: Okay. What are you  
15 increasing?

16 MR. KREEB: The present swimming lesson  
17 cost is \$55 for ten lessons, and we're proposing  
18 \$65 for ten lessons, so a dollar per lesson  
19 increase. And a registration fee for all  
20 applications of \$5, which is non-refundable.

21 CHAIRMAN SCHMITT: Any questions?

22 (No verbal response.)

23 Any public comment?

24 (No verbal response.)

25 All those in favor please say aye.

(Aye.)

Any opposed?

(No verbal response.)

The item moves on to the Full  
Legislature.

Addendum III. We have a resolution to  
confirm the county executive's appointment of  
Owen Smith to the Nassau County Board of Ethics.

LEGISLATOR WALKER: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRMAN SCHMITT: Moved by Legislator  
Walker, seconded by Legislator Nicolello.

Are there any questions or debate or  
discussion?

(No verbal response.)

Any public comment?

(No verbal response.)

All those in favor please say aye.

(Aye.)

Any opposed?

(No verbal response.)

The item carries unanimously.

That's all the business to come before  
the Rules Committee. I'll take a motion to

2 adjourn.

3 LEGISLATOR WALKER: So moved.

4 LEGISLATOR NICOLELLO: Second.

5 CHAIRMAN SCHMITT: Moved by Legislator  
6 Walker, seconded by Legislator Nicoletto.

7 All in favor please say aye.

8 (Aye.)

9 We stand adjourned.

10 (Whereupon, the Rules Committee adjourned  
11 at 5:21 p.m.)

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C E R T I F I C A T E

I, FRANK GRAY, a Shorthand Reporter and Notary Public in and for the State of New York, do hereby 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 7th day of August, 2012.

-----  
FRANK GRAY