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NORMA GONSALVES,
Presiding Officer

RULES COMMITTEE

NORMA GONSALVES, Chairwoman

1550 Franklin Avenue
Mineola, New York

Monday, July 1, 2013
1:12 P.M

REGAL REPORTING SERVICE
(516) 747-7353

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

NORMA GONSALVES,
Chairwoman

HOWARD KOPEL,
Vice Chairman

DENNIS DUNNE

ROSE MARIE WALKER

KEVAN ABRAHAMS,
Ranking

JUDY JACOBS

WAYNE WINK

WILLIAM J. MULLER, III
Clerk of the Legislature

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LIST OF SPEAKERS

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KEN ARNOLD, Nassau County
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Page 132, line 19
(Pertaining to Clerk Item 244)

1 Rules Committee/7-1-13

2 CHAIRWOMAN GONSALVES: Jack Doty,
3 he's here to qualify for a communications
4 badge, and so we have to communicate very
5 clearly so he can go back and submit a
6 report on what he hears from us today.

7 Jack is going to lead us in the
8 Pledge of Allegiance. Go ahead, Jack.

9 (Whereupon, the Pledge of
10 Allegiance was recited.)

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

14 CLERK MULLER: Yes. Legislator
15 Wink?

16 LEGISLATOR WINK: Here.

17 CLERK MULLER: Legislator Jacobs?
18 She's here. Ranking Member Abrahams?

19 LEGISLATOR ABRAHAMS: Here.

20 CLERK MULLER: Legislator Walker?

21 LEGISLATOR WALKER: Here.

22 CLERK MULLER: Legislator Dunne?

23 LEGISLATOR DUNNE: Here.

24 CLERK MULLER: Vice Chairman

25 Kopel?

1 Rules Committee/7-1-13

2 LEGISLATOR KOPEL: Here.

3 CLERK MULLER: Chairwoman

4 Gonsalves?

5 CHAIRWOMAN GONSALVES: Present.

6 CLERK MULLER: We have a quorum.

7 CHAIRWOMAN GONSALVES: Thank you
8 very much, Mr. Muller. We have a number of
9 contracts before us today.

10 As I was trying to explain to
11 Jack, this is the first order of business
12 for the Rules Committee. Hopefully we can
13 get through each of them as quickly as
14 possible so that we can move on so he can
15 have an opportunity to hear from the other
16 committees, particularly Public Safety which
17 will follow Public Works and Health.

18 The first contract before us is
19 A-48-13. A contract with DPW and Hinck
20 Electrical Contractor, Inc. Motion, please.

21 LEGISLATOR DUNNE: So moved.

22 LEGISLATOR WALKER: Second.

23 CHAIRWOMAN GONSALVES: Moved by
24 Legislator Dunne, seconded by Legislator
25 Walker. Who is here to speak on this one,

1 Rules Committee/7-1-13

2 Mr. May?

3 MR. MAY: We have Mr. Rich Millet
4 from DPW.

5 CHAIRWOMAN GONSALVES: Welcome,
6 Mr. Millet.

7 MR. MILLET: How is everyone
8 doing? Rich Millet, Nassau County Public
9 Works. This is a contract that Hinck
10 Electric has with repair in reference to the
11 Long Beach Bridge.

12 CHAIRWOMAN GONSALVES: Any
13 questions regarding this item from Mr.
14 Millet?

15 (No verbal response.)

16 Is there any public comment?

17 (No verbal response.)

18 There being none, all those in
19 favor of Contract A-48-13 signify by saying
20 aye.

21 (Aye.)

22 Any opposed?

23 (No verbal response.)

24 The contract passes unanimously.

25 CHAIRWOMAN GONSALVES: The next

1 Rules Committee/7-1-13
2 contract is A-49-13 with DPW and Thomas H.
3 Gannon & Sons, Inc.

4 A motion, please.

5 LEGISLATOR DUNNE: So moved.

6 LEGISLATOR KOPEL: Second.

7 CHAIRWOMAN GONSALVES: Moved by
8 Legislator Dunne, seconded by Legislator
9 Kopel. Who is here to speak on this?

10 MR. MAY: Again, we have Mr. Rich
11 Millet from DPW.

12 MR. MILLET: This was a contract
13 we wrote off of the state bid for
14 micro-resurfacing that we used at the two
15 dump sites, Nickerson Beach and Cantiague
16 Park to recondition the parking lots after
17 we were completed with the work.

18 CHAIRWOMAN GONSALVES: Any
19 questions of Mr. Millet? Legislator Jacobs

20 LEGISLATOR JACOBS: Just one
21 question I have.

22 CHAIRWOMAN GONSALVES: Go ahead.

23 LEGISLATOR JACOBS: Mr. Millet,
24 just one question I have, following the
25 storm, I know I'm not speaking for myself

1 Rules Committee/7-1-13
2 but I have to speak for my own district
3 right now. There are roads that are an
4 abomination. There are claims being put
5 into the county for blown tires and
6 different things.

7 I have been writing to DPW about
8 this for a while now. I'm just wondering,
9 it seems to me, and maybe it's hard to prove
10 that a road disintegrated from that, but I
11 believe you can tell where the trees came
12 down, what they did to the road. I'm sure,
13 isn't most of this covered under the normal
14 coverage?

15 MR. MILLET: We actually have
16 FEMA out right now and looking at the roads
17 trying to quantify our explanation of the
18 damage we say there was before we put a
19 claim in. And if we can't put a claim in,
20 we'll have to put it in through capital
21 works. So I'm waiting to finish this right
22 now. This is micro-sealing which isn't
23 repair of a road per se. It's
24 reconditioning of an area that will extend
25 its life for another five or six years.

1 Rules Committee/7-1-13
2 It's not heavily trafficked, it's not a
3 roadway. So we're still continuing the road
4 that will extend it's life for five, six
5 years. But we are out still continuing
6 trying to show FEMA that we believe that
7 certain roads were damaged by the storm.

8 LEGISLATOR JACOBS: I'm going to
9 safely assume this would have something to
10 do also with tree stumps still being there?

11 MR. MILLET: Correct. We are in
12 the midst of taking tree stumps out and
13 having stumps validated by FEMA, and it's
14 quite a process. They send a person down
15 and you have to move at their pace.

16 LEGISLATOR JACOBS: Because I
17 have some real dangers, you know that, on
18 South Oyster Bay Road and it's just a
19 disaster waiting to happen, for the county
20 too, I really mean it.

21 MR. MILLET: I agree 100 percent.
22 And we're out there, and the real dangerous
23 ones we take out, we take pictures, we
24 temporarily fix them with asphalt until we
25 can come back with FEMA.

1 Rules Committee/7-1-13

2 LEGISLATOR JACOBS: One last
3 thing, isn't the county DPW in charge of the
4 service roads of the expressway too?

5 MR. MILLET: We are in charge of
6 maintenance.

7 LEGISLATOR JACOBS: And paving of
8 them?

9 MR. MILLET: We have to show the
10 state back what we're paving. We just can't
11 arbitrarily go out and pave it.

12 LEGISLATOR JACOBS: So I should
13 write something to you?

14 MR. MILLET: Yes, absolutely.

15 CHAIRWOMAN GONSALVES: Any other
16 comments of Mr. Millet?

17 (No verbal response.)

18 Is there any public comment?

19 (No verbal response.)

20 There being none, all those in
21 favor of Contract A-49-13 signify by saying
22 aye.

23 (Aye.)

24 Any opposed?

25 (No verbal response.)

1 Rules Committee/7-1-13

2 The contract passes unanimously.

3 CHAIRWOMAN GONSALVES: The next
4 contract is A-50-13, a resolution
5 authorizing the director of the Nassau
6 County Office of Purchasing to award and
7 execute two purchase orders between the
8 County of Nassau acting on behalf the Nassau
9 County Department of Public Works and Hinck
10 Electrical Contractor, Inc.

11 A motion, please.

12 LEGISLATOR DUNNE: So moved.

13 LEGISLATOR WALKER: Second.

14 CHAIRWOMAN GONSALVES: Moved by
15 Legislator Dunne, seconded by Legislator
16 Walker. We have Mr. Millet here.

17 MR. MAY: He's behind me, isn't
18 he?

19 MR. MILLET: This was a bid
20 contract out for the electrical service work
21 that needs to be done at Bay Park, the park
22 section and the golf section. It was
23 inundated with seawater and is inoperable at
24 this time.

25 CHAIRWOMAN GONSALVES: Any

1 Rules Committee/7-1-13

2 questions of Mr. Millet?

3 (No verbal response.)

4 Is there any public comment?

5 (No verbal response.)

6 There being none, all those in
7 favor of Contract A-50-13 signify by saying
8 aye.

9 (Aye.)

10 Any opposed?

11 (No verbal response.)

12 The contract passes unanimously.
13 Thank you, Mr. Millet. The next contract is
14 contract B-12-13 and that's a contract with
15 DPW and E&A Restoration.

16 A motion, please.

17 LEGISLATOR WALKER: So moved.

18 LEGISLATOR KOPEL: Second.

19 CHAIRWOMAN GONSALVES: Moved by
20 Legislator Walker, seconded by Legislator
21 Kopel. Who is here to speak on this?

22 MR. MAY: Ken Arnold, DPW.

23 MR. ARNOLD: Thank you. Good
24 afternoon. This is a contract amendment to
25 extend E&A general requirements contracts

1 Rules Committee/7-1-13
2 for general construction for two additional
3 years at \$5 million.

4 CHAIRWOMAN GONSALVES: Any
5 questions of Mr. Arnold? Minority Leader
6 Abrahams.

7 LEGISLATOR ABRAHAMS: How are you,
8 Mr. Arnold?

9 MR. ARNOLD: Good.

10 LEGISLATOR ABRAHAMS: I just want
11 to make sure I understand, not just for
12 B-12, but for B-13, B-14 and B-15. When was
13 the last time we went to bid on these
14 contracts?

15 MR. ARNOLD: I'm looking. Hold
16 on. They're for all different years. Hold
17 on a second. For E&A, the original contract
18 was for December 2012. For High Tech, it is
19 April of 2011 it was initiated. For Seaford
20 Avenue it is February 8, 2011. For All
21 Service Electric, January 28, 2012 -- I take
22 that back, sorry. On February 8th, 2011.

23 LEGISLATOR ABRAHAMS: So outside
24 of E&A which was done in December of 2012,
25 the rest of these have been over two years?

1 Rules Committee/7-1-13

2 MR. ARNOLD: Correct.

3 LEGISLATOR ABRAHAMS: Do we ever
4 feel the need to rebid these contracts to
5 make sure we're getting the best pricing
6 available?

7 MR. ARNOLD: Our engineers looked
8 at it and make the determination and we
9 talked to the contractor and felt in our
10 interest that these contracts were best
11 served. They have extension clauses in them
12 and we wanted to execute the extension
13 clauses.

14 LEGISLATOR ABRAHAMS: I'm
15 guessing, are these FEMA reimbursable?

16 MR. ARNOLD: Some of the work
17 that is done with these contracts will be,
18 but the cap does not distinguish between
19 FEMA and non-FEMA, it's any work.

20 LEGISLATOR ABRAHAMS: If they
21 were reimbursable by FEMA, would FEMA have a
22 stipulation or a requirement justifying why
23 we didn't bid out a contract for over two
24 years? Do they have concerns that we are
25 using a contractor that possibly is not the

1 Rules Committee/7-1-13

2 best, lowest bid?

3 MR. ARNOLD: I will leave that to
4 Mr. Millet. He deals with FEMA on a daily
5 basis.

6 MR. MILLET: Good afternoon. We
7 passed our requirements contracts onto FEMA
8 at the very beginning of the storm with the
9 explanation that they're competitively bid
10 in the very beginning and they were
11 acceptable to them. We have gotten their
12 engineers. We sent our estimates to them
13 for the requirements and it was all
14 acceptable to them.

15 LEGISLATOR ABRAHAMS: Those
16 time periods when they were bid was
17 acceptable to them?

18 MR. MILLET: Yes. As long as it
19 was in the contract language, they were fine
20 with the fact that we wanted to extend it.

21 LEGISLATOR ABRAHAMS: I
22 understand. The amendments, Mr. Millet,
23 were also --

24 MR. MILLET: We showed them the
25 amendment clause, we could extend the cap

1 Rules Committee/7-1-13
2 and time. It was all in the original
3 paperwork that we could extend.

4 LEGISLATOR ABRAHAMS: My counsel
5 is asking me to make sure that we understand
6 that it's these particular amendments, the
7 ones before us today.

8 MR. MILLET: These were the only
9 requirements, contracts that we showed them.
10 These are the only four that we possess in
11 Public Works other than a service contract
12 and laser at civil site which we did also.

13 LEGISLATOR ABRAHAMS: Okay.
14 Mr. Millet, I know we are still discussing
15 B-12, but B-12, B-13, B-14, B-15, these
16 specific amendments, these here today, these
17 have been vetted by FEMA?

18 MR. MILLET: Well, I don't have
19 the amendment yet, so I haven't sent it to
20 them, but they know who sent them, the
21 language, and sat with them and showed them
22 the language for the extensions and the
23 amendments. And when the amendment is done,
24 we'll send it to them. They have not --

25 LEGISLATOR ABRAHAMS: So you have

1 Rules Committee/7-1-13
2 to wait till they're approved before you can
3 send it to them?

4 MR. MILLET: How can I send them
5 an amendment that's not approved by the
6 legislature?

7 LEGISLATOR ABRAHAMS: Well, it
8 would be a proposed amendment to see if it
9 would be subject to reimbursement.

10 MR. MILLET: We've already said
11 that -- we showed them the extensions and
12 said that we are going to be sending you the
13 amendments and they said, that will be fine,
14 send the amendments.

15 LEGISLATOR ABRAHAMS: So we don't
16 have confirmation that basically we will be
17 reimbursed or this could be a concern?

18 MR. MILLET: It's not a concern
19 for me. We haven't had a question on any of
20 our requirements work yet.

21 LEGISLATOR ABRAHAMS: We have
22 submitted requirements work that's been over
23 two years old and last time it was bidded.

24 MR. MILLET: The price is the
25 price whether the contract was two years

1 Rules Committee/7-1-13
2 ago, if the contractor is willing to hold
3 his price in the amendment, that's a benefit
4 to us. Construction is only going up.

5 LEGISLATOR ABRAHAMS: Really?

6 MR. MILLET: Oh, sure.

7 LEGISLATOR ABRAHAMS: But even in
8 a down economy it wouldn't make sense to
9 rebid it?

10 MR. MILLET: There's so much work
11 out there right now we're lucky these guys
12 hold on to their contracts.

13 LEGISLATOR ABRAHAMS: Thank you,
14 Mr. Millet.

15 CHAIRWOMAN GONSALVES: Any other
16 comments?

17 LEGISLATOR JACOBS: I just want
18 to say one thing.

19 CHAIRWOMAN GONSALVES: Legislator
20 Jacobs.

21 LEGISLATOR JACOBS: I want to say
22 one thing. I remember going back many many
23 years ago when, in a prior administration,
24 when we had a lot of these on call contracts
25 and I remember the present county executive

1 Rules Committee/7-1-13
2 always being concerned when they go over
3 \$500,000 without a rebid. And I think
4 that's where our questioning is really
5 emanating from because he was really the
6 loudest spokesman that an on call contract
7 should not continuously be extended. I
8 understand this goes up pretty high because
9 of Sandy, but it's something to consider
10 going forward.

11 MR. MILLET: Absolutely. I think
12 internally in the department we have been
13 looking to put the contracts back out to bid
14 so that's something we are working on.
15 Right now unfortunately we can't afford to
16 let it run out. We are just in that kind of
17 situation.

18 LEGISLATOR JACOBS: Okay.

19 CHAIRWOMAN GONSALVES:
20 Mr. Millet, for the record, isn't it so that
21 this was part of the original contract that
22 there would be an extension if needed?

23 MR. MILLET: Yes. It's written
24 into the language of the contract.

25 CHAIRWOMAN GONSALVES: And FEMA

1 Rules Committee/7-1-13
2 is aware of that?

3 MR. MILLET: Yes, they have
4 copies of all the contracts.

5 CHAIRWOMAN GONSALVES: Thank you
6 very much, Mr. Millet.

7 CHAIRWOMAN GONSALVES: Any other
8 comments from the legislators regarding this
9 contract?

10 (No verbal response.)

11 Is there any public comment?

12 (No verbal response.)

13 There being none, all those in
14 favor of Contract B-12-13 signify by saying
15 aye.

16 (Aye.)

17 Any opposed?

18 (No verbal response.)

19 The contract passes unanimously.

20 Minority leader, we are going to
21 call contract B-13-13, B-14-13 and B-15, 16,
22 because they are all similar in nature.

23 So a motion, please. I'm sorry,
24 it's B-13, B-14 and B-15.

25 LEGISLATOR DUNNE: So moved.

1 Rules Committee/7-1-13

2 LEGISLATOR KOPEL: Second.

3 CHAIRWOMAN GONSALVES: Motion by
4 Legislator Dunne, seconded by Legislator
5 Kopel. Mr. Arnold.

6 MR. MAY: Ken Arnold DPW.

7 MR. ARNOLD: B-13 is a contract
8 amendment for High Tech to add additional
9 two years and \$2.5 million to their
10 contract.

11 B-14 is an contract amendment to
12 Seaford Avenue plumbing to an additional \$2
13 million and two years to their contract.

14 And B-15 is to All Service
15 Electric for an additional two years and \$2
16 million to their contract.

17 CHAIRWOMAN GONSALVES: Any
18 questions of Mr. Arnold?

19 (No verbal response.)

20 Is there any public comment?

21 (No verbal response.)

22 There being none, all those in
23 favor of Contract B-13-13, B-14-13, B-15-13
24 signify by saying aye.

25 (Aye.)

1 Rules Committee/7-1-13

2 Any opposed?

3 (No verbal response.)

4 The contracts pass unanimously.

5 We are going to proceed to the
6 next contract, E-130-13 which is a
7 resolution affirming to a special counsel
8 contract entered into by the Nassau County
9 attorney and Albanese & Albanese.

10 A motion, please.

11 LEGISLATOR WALKER: So moved.

12 LEGISLATOR KOPEL: Second.

13 CHAIRWOMAN GONSALVES: Moved by
14 Legislator Walker, seconded by Legislator
15 Kopel. Who is here to speak on this?

16 LEGISLATOR WINK: Madam Presiding
17 Officer, please let the record reflect that
18 I am recusing myself on this item and will
19 not take place in any discussion,
20 negotiations or deliberations on this
21 matter.

22 CHAIRWOMAN GONSALVES: And then,
23 at this point, I think I'm going to move to
24 table this item. May I have a second,
25 please?

1 Rules Committee/7-1-13

2 LEGISLATOR KOPEL: Second.

3 CHAIRWOMAN GONSALVES: Seconded
4 by Legislator Kopel. No discussion on a
5 table issue. Motion, all those in favor of
6 tabling this item signify by saying aye.

7 (Aye.)

8 Any opposed?

9 (No verbal response.)

10 The item is tabled. It's Item
11 E-130-13. At that time Legislator Wink
12 recused himself on that particular item.
13 Mr. Wink may join us again.

14 The next contract is contract
15 132-13, a resolution affirming an amendment
16 to a special counsel contract entered into
17 by the Nassau County attorney and Ryan
18 Brennan and Donnelly, L.L.P.

19 A motion, please.

20 LEGISLATOR WALKER: So moved.

21 LEGISLATOR DUNNE: Second.

22 CHAIRWOMAN GONSALVES: Moved by
23 Legislator Walker, seconded by Legislator
24 Dunne. Who is here, Mr. May?

25 MR. MAY: This is a county

1 Rules Committee/7-1-13
2 attorney item. There's not a representative
3 from the county attorney's office here yet
4 to speak on this item.

5 CHAIRWOMAN GONSALVES: Move to
6 table. A motion to table. Second, please.
7 Legislator Dunne. 132 is a motion to table.
8 All those in favor of tabling 132 signify by
9 saying aye.

10 (Aye.)

11 Any opposed?

12 (No verbal response.)

13 I moved to table.

14 LEGISLATOR WALKER: Second.

15 CHAIRWOMAN GONSALVES: And
16 Legislator Walker seconded the table. I
17 know you didn't recuse yourself on that one.

18 The next contract is Contract
19 E-133-13, a resolution authorizing the
20 county executive to execute a personal
21 service agreement between the county of
22 Nassau acting on behalf of the Nassau County
23 Department of Information Technology and the
24 Nassau County District Attorney's Office and
25 Basha Systems, L.L.C.

1 Rules Committee/7-1-13

2 A motion, please.

3 LEGISLATOR DUNNE: So moved.

4 LEGISLATOR WALKER: Second.

5 CHAIRWOMAN GONSALVES: Moved by
6 Legislator Dunne, seconded by Legislator
7 Walker. Who is here to speak on this?

8 MR. MAY: We have Mr. Bob McManus
9 from the District Attorney's Office.

10 CHAIRWOMAN GONSALVES: Welcome,
11 Mr. McManus.

12 MR. McMANUS: Thank you. This is
13 for maintenance and support of the district
14 attorney's document assembly portion of our
15 case management system. Basha utilizes a
16 combination of off-the-shelf software and
17 proprietary design and programming to
18 provide system backup at a cost effective
19 manner. We have utilized this vendor for
20 several years and are very satisfied with
21 their service.

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

24 (No verbal response.)

25 Is there any public comment?

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1 Rules Committee/7-1-13

2 (No verbal response.)

3 There being none, all those in
4 favor of Contract E-133-13 signify by saying
5 aye.

6 (Aye.)

7 Any opposed?

8 (No verbal response.)

9 The contract passes unanimously.
10 Thank you, Mr. McManus.

11 MR. McMANUS: Thank you.

12 CHAIRWOMAN GONSALVES: I have a
13 question for you, Mr. May. Is there anybody
14 here from the county attorney's office?

15 MR. MAY: The individual who is
16 going to be answering the questions on the
17 item is not here, no.

18 CHAIRWOMAN GONSALVES: Then I
19 will call it and table it until we have
20 someone here.

21 MR. MAY: Absolutely. Thank you.

22 CHAIRWOMAN GONSALVES: That's
23 Contract E-134-13, a resolution affirming an
24 amendment to a special counsel contract
25 entered into by Nassau County attorney and

1 Rules Committee/7-1-13

2 Bee, Ready, Fishbein, Hatter & Donovan.

3 A motion, please.

4 LEGISLATOR DUNNE: So moved.

5 LEGISLATOR WALKER: Second.

6 CHAIRWOMAN GONSALVES: Moved by

7 Legislator Dunne, seconded by Legislator

8 Walker. Since there is no one here to speak

9 on this item, I move to table it.

10 LEGISLATOR DUNNE: Second.

11 CHAIRWOMAN GONSALVES: Legislator

12 Dunne will second it. All those in favor of

13 tabling Contract E-134 signify by saying

14 aye.

15 (Aye.)

16 Any opposed?

17 (No verbal response.)

18 The contract is tabled.

19 The next contract is E-135-13,

20 again, a resolution authorizing the county

21 executive to execute a personal service

22 agreement between the County of Nassau

23 acting on behalf of the Nassau County

24 District Attorney's Office and Mentoring

25 Partnership of Long Island.

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1 Rules Committee/7-1-13

2 A motion, please.

3 LEGISLATOR DUNNE: So moved.

4 LEGISLATOR WALKER: Second.

5 CHAIRWOMAN GONSALVES: Moved by
6 Legislator Dunne, seconded by Legislator
7 Walker. I guess we have Mr. McManus again.

8 MR. MAY: Correct.

9 MR. McMANUS: This contract is
10 for services to be provided in connection
11 with the district attorney's youth mentoring
12 program. These services consist of
13 consulting on the development and
14 maintenance of youth oriented mentoring
15 programs including, but not limited to, the
16 training of mentors, advising staff, and
17 mentors on mentee relations and program
18 performance and evaluation.

19 CHAIRWOMAN GONSALVES: Any
20 questions of Mr. McManus regarding this
21 contract?

22 (No verbal response.)

23 Is there any public comment?

24 (No verbal response.)

25 There being none, all those in

1 Rules Committee/7-1-13
2 favor of Contract E-135-13 signify by saying
3 aye.

4 (Aye.)

5 Any opposed?

6 (No verbal response.)

7 The contract passes unanimously.

8 The next contract is Contract
9 E-136-13, a resolution authorizing the
10 county executive to execute a personal
11 service agreement between the County of
12 Nassau acting on behalf of the Nassau County
13 Department of Public Works and AbTech
14 Industries, Inc.

15 A motion, please.

16 LEGISLATOR DUNNE: So moved.

17 LEGISLATOR WALKER: Second.

18 CHAIRWOMAN GONSALVES: Moved by
19 Legislator Dunne, seconded by Legislator
20 Walker. I guess we have Mr. Arnold to speak
21 on this one.

22 MR. MAY: Correct.

23 MR. ARNOLD: This is a personal
24 services agreement with Abtech Industries to
25 design, construct, maintain and monitor end

1 Rules Committee/7-1-13
2 of pipe filtering system for our storm water
3 program.

4 CHAIRWOMAN GONSALVES: Any
5 questions of Mr. Arnold regarding this
6 contract?

7 (No verbal response.)

8 Is there any public comment?

9 (No verbal response.)

10 There being none, all those in
11 favor of Contract E-136-13 signify by saying
12 aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 The contract passes unanimously.

17 The next contract, with your
18 permission, Contract E-137-13 and Contract
19 E-138-13, a resolution authorizing, the
20 first one, 137, authorizing the county
21 executive to execute an amendment to a
22 personal service agreement between the
23 County of Nassau acting on behalf of the
24 Office of Management and Budget and the
25 Nassau County Bar Association Assign Counsel

1 Rules Committee/7-1-13

2 Defender Plan Inc.

3 And E-138, a resolution
4 authorizing the county executive to execute
5 an amendment to a personal services
6 agreement between the County of Nassau
7 acting on behalf of the Office of Management
8 and Budget and the Nassau County Bar
9 Association Assigned Counsel Defender Plan
10 Inc.

11 A motion, please, on both items
12 which is 137, 138.

13 LEGISLATOR DUNNE: So moved.

14 LEGISLATOR WALKER: Second.

15 CHAIRWOMAN GONSALVES: Moved by
16 Legislator Dunne, seconded by Legislator
17 Walker. Who is here to speak on these?

18 MR. MAY: Well, both of these
19 items originated from the Office of
20 Management and Budget as these are with the
21 Nassau County Bar Association, indigent
22 legal defense. This was going to be
23 responded to by the County Attorney's
24 Office. Currently there is no one here to
25 answer these questions.

1 Rules Committee/7-1-13

2 CHAIRWOMAN GONSALVES: I have to
3 make a motion to table, sorry.

4 LEGISLATOR DUNNE: Second.

5 CHAIRWOMAN GONSALVES: Seconded
6 by Legislator Dunne. All those in favor of
7 tabling Contracts E-137 and 138 signify by
8 saying aye.

9 (Aye.)

10 Any opposed?

11 (No verbal response.)

12 The contracts are tabled, 137 and
13 138.

14 The next contract is E-139-13, a
15 resolution authorizing the county executive
16 to execute a personal service agreement
17 between the County of Nassau acting on
18 behalf of the County Traffic Safety and
19 Community Parent Center.

20 A motion, please.

21 LEGISLATOR DUNNE: So moved.

22 LEGISLATOR WALKER: Second.

23 CHAIRWOMAN GONSALVES: Moved by
24 Legislator Dunne, seconded by Legislator
25 Walker. Who is here to speak on this?

1 Rules Committee/7-1-13

2 MR. MAY: Chris Mistron from the
3 Traffic Safety Board.

4 CHAIRWOMAN GONSALVES: Welcome,
5 Mr. Mistron.

6 MR. MISTRON: Thank you,
7 legislator. This particular legislation or,
8 rather, contract is with Community Parent
9 Center. It actually is a group outside or
10 is housed in the Bellmore Merrick School
11 District. They have been providing school
12 programs primarily known as Life in the Fast
13 Lane for driving safety, DWI programing, to
14 over 50 of the high schools in Nassau County
15 free of charge.

16 The contract has been
17 historically with the traffic safety for the
18 past ten years. The only difference is that
19 this year the amount has been increased. We
20 were able to secure additional funding for
21 purposes of continuing the program since the
22 organization lost funding through other
23 sources.

24 CHAIRWOMAN GONSALVES: Thank you,
25 Mr. Mistron. Any questions from the

1 Rules Committee/7-1-13

2 legislators?

3 (No verbal response.)

4 Is there any public comment?

5 (No verbal response.)

6 There being none, all those in
7 favor of Contract E-139-13 signify by saying
8 aye.

9 (Aye.)

10 Any opposed?

11 (No verbal response.)

12 The contract passes unanimously.

13 Contract E-140-13, a resolution
14 authorizing the county executive to execute
15 a personal services agreement between the
16 county of Nassau acting on behalf of the
17 County Department of Traffic Safety and
18 Dedicated, Inc.

19 A motion, please.

20 LEGISLATOR DUNNE: So moved.

21 LEGISLATOR WALKER: Second.

22 CHAIRWOMAN GONSALVES: Moved by
23 Legislator Dunne, seconded by Legislator
24 Walker. Mr. Mistron.

25 MR. MISTRON: This particular

1 Rules Committee/7-1-13
2 contract is with Dedicated whose president
3 is March Lee, many of you know her for her
4 dedication with victims of families of DWI.
5 This contract is for providing for victim
6 services as well as for expansion of the
7 programs for DWI to include Spanish speaking
8 translations and videos.

9 CHAIRWOMAN GONSALVES: Thank you,
10 Mr. Mistron. Any questions for Mr. Mistron?

11 (No verbal response.)

12 Is there any public comment?

13 (No verbal response.)

14 There being none, all those in
15 favor of Contract E-140-13 signify by saying
16 aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 The contract passes unanimously.
21 Thank you, Mr. Mistron.

22 The next contract is Contract
23 E-141-13, a resolution affirming an
24 amendment to a special counsel contract
25 entered into by the Nassau County Attorney

1 Rules Committee/7-1-13
2 and Vecchione, Vecchione & Connors, L.L.P.

3 A motion, please.

4 LEGISLATOR WALKER: So moved.

5 LEGISLATOR KOPEL: Second.

6 CHAIRWOMAN GONSALVES: Moved by
7 Legislator Walker, seconded by Legislator
8 Kopel.

9 MR. MAY: Respectfully request
10 that this item be tabled.

11 CHAIRWOMAN GONSALVES: It shall
12 be tabled. Mr. May. I'll make the motion to
13 table.

14 LEGISLATOR DUNNE: Second.

15 CHAIRWOMAN GONSALVES: Seconded
16 by Legislator Dunne. All those in favor of
17 tabling signify by saying aye.

18 (Aye.)

19 Any opposed?

20 (No verbal response.)

21 E-141-13 is tabled.

22 Contract E-143-13, a resolution
23 authorizing the county executive to execute
24 an amendment to a personal services
25 agreement between the County of Nassau

1 Rules Committee/7-1-13
2 acting on behalf of the Nassau Department of
3 Public Works and L.K. McLean Associates,
4 P.C.

5 A motion, please.

6 LEGISLATOR WALKER: So moved.

7 LEGISLATOR KOPEL: Second.

8 CHAIRWOMAN GONSALVES: Moved by
9 Legislator Walker, seconded by Legislator
10 Kopel. Who is here to speak on this?

11 MR. MAY: Ken Arnold from DPW.

12 CHAIRWOMAN GONSALVES: Thank you
13 very much. Mr. Arnold.

14 MR. ARNOLD: This is a contract
15 amendment with McClean Associates for the
16 design services associated with our traffic
17 phase six which is a single expansion
18 upgrade on Lakeville and Middle Neck Roads.

19 CHAIRWOMAN GONSALVES: Any
20 questions or comments for Mr. Arnold?

21 (No verbal response.)

22 Is there any public comment?

23 (No verbal response.)

24 There being none, all those in
25 favor of Contract E-143-13 signify by saying

1 Rules Committee/7-1-13

2 aye.

3 (Aye.)

4 Any opposed?

5 (No verbal response.)

6 The contract passes unanimously.

7 The next contract E-144-13, a
8 resolution authorizing the county executive
9 to execute a personal services agreement
10 between the County of Nassau acting on
11 behalf of the Department of Public Works and
12 Greenman-Pedersen, Inc.

13 A motion, please.

14 LEGISLATOR DUNNE: So moved.

15 LEGISLATOR WALKER: Second.

16 CHAIRWOMAN GONSALVES: Moved by
17 Legislator Dunne, seconded by Legislator
18 Walker. Mr. Arnold.

19 MR. ARNOLD: This is a personal
20 services contract with GPI Engineering to
21 manage the day-to-day operation of our
22 traffic management center located in
23 Westbury. This is 80 percent federally
24 reimbursed.

25 CHAIRWOMAN GONSALVES: Any

1 Rules Committee/7-1-13
2 questions or comments for Mr. Arnold?
3 (No verbal response.)
4 Is there any public comment?
5 (No verbal response.)
6 There being none, all those in
7 favor of Contract E-144-13 signify by saying
8 aye.
9 (Aye.)
10 Any opposed?
11 (No verbal response.)
12 The contract passes unanimously.
13 Next is Contract E-145-13, a
14 resolution authorizing the county executive
15 to execute a personal services agreement
16 between the County of Nassau acting on
17 behalf of the Nassau County Office of the
18 County Clerk and Word Power Unlimited, Inc.
19 A motion, please.
20 LEGISLATOR DUNNE: So moved.
21 LEGISLATOR WALKER: Second.
22 CHAIRWOMAN GONSALVES: Moved by
23 Legislator Dunne, seconded by Legislator
24 Walker. Who is here to speak on this item?
25 MR. MAY: We have Mr. Francis

1 Rules Committee/7-1-13
2 Ianucci from the County Clerk's Office to
3 answer any questions on this item.

4 CHAIRWOMAN GONSALVES: Mr.
5 Ianucci, welcome.

6 MR. IANUCCI: Thank you. Good
7 afternoon. This is a contract with Word
8 Power Unlimited for periodic bulk mailings
9 from the Office of the County Clerk.

10 CHAIRWOMAN GONSALVES: Any
11 questions of Mr. Ianucci from the
12 legislators?

13 (No verbal response.)

14 Is there any public comment?

15 (No verbal response.)

16 There being none, all those in
17 favor of Contract E-145-13 signify by saying
18 aye.

19 (Aye.)

20 Any opposed?

21 (No verbal response.)

22 The contract passes unanimously.

23 I believe at this point we have
24 an addendum. It would be in order to
25 entertain a motion to suspend the rules.

1 Rules Committee/7-1-13

2 A motion, please.

3 LEGISLATOR DUNNE: So moved.

4 LEGISLATOR WALKER: Second.

5 CHAIRWOMAN GONSALVES: Moved by
6 Legislator Dunne, seconded by Legislator
7 Walker. All those in favor of suspending
8 the rules signify by saying aye.

9 (Aye.)

10 Any opposed?

11 (No verbal response.)

12 I believe we have Contract
13 A-31-13, a resolution authorizing the
14 director of the Nassau County Office of
15 Purchasing to award and execute a contract
16 between the County of Nassau acting on
17 behalf of the Nassau County Department of
18 Public Works and Genuine Parts Company and
19 d/b/a NAPA Auto Parts.

20 A motion, please.

21 LEGISLATOR WALKER: So moved.

22 LEGISLATOR DUNNE: Second.

23 CHAIRWOMAN GONSALVES: Moved by
24 Legislator Walker, seconded by Legislator
25 Dunne. And I believe the person to speak on

1 Rules Committee/7-1-13

2 this is right behind you, Mr. May.

3 MR. MAY: Thank you. It is Rich
4 Millet, DPW.

5 MR. MILLET: This is an execution
6 of a blanket order inside the NJPA
7 purchasing agreement. It affords the county
8 the ability to bulk purchase through the
9 NAPA organization reducing costs to the
10 county both in time and in receiving of
11 materials to get the work done on the
12 vehicles.

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

15 (No verbal response.)

16 Is there any public comment?

17 (No verbal response.)

18 There being none, all those in
19 favor of Contract A-31-13 signify by saying
20 aye.

21 (Aye.)

22 Any opposed?

23 (No verbal response.)

24 The next contract is Contract
25 A-53-13, a resolution authorizing the

1 Rules Committee/7-1-13
2 director of the Nassau County Office of
3 Purchasing to award and execute a contract
4 between the County of Nassau acting on
5 behalf of Nassau County Department of Public
6 Works and Mobile Dredging and Pumping
7 Company.

8 A motion, please.

9 LEGISLATOR DUNNE: So moved.

10 LEGISLATOR WALKER: Second.

11 CHAIRWOMAN GONSALVES: Moved by
12 Legislator Dunne, seconded by Legislator
13 Walker. Mr. May, who is here to speak on
14 this item?

15 MR. MAY: Ken Arnold DPW.

16 MR. ARNOLD: This is a contract
17 for the temporary sludge de-watering
18 facility at Bay Park. It's for \$3.8 million
19 for one year.

20 CHAIRWOMAN GONSALVES: Any
21 questions of Mr. Arnold regarding this
22 contract?

23 (No verbal response.)

24 Is there any public comment?

25 (No verbal response.)

1 Rules Committee/7-1-13

2 There being none, all those in
3 favor of Contract A-53-13 signify by saying
4 aye.

5 (Aye.)

6 Any opposed?

7 (No verbal response.)

8 The contract passes unanimously.

9 The next contract is B-16-13, a
10 resolution authorizing the county executive
11 to award and execute a contract amendment
12 between the County of Nassau acting on
13 behalf of the Nassau County Department of
14 Public Works and Welsbach Electrical
15 Corporation, L.L.P.

16 A motion, please.

17 LEGISLATOR WALKER: So moved.

18 LEGISLATOR KOPEL: Second.

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

22 MR. ARNOLD: This is a contract
23 amendment for Welsbach, the relationship
24 associated with the traffic management
25 center.

1 Rules Committee/7-1-13

2 CHAIRWOMAN GONSALVES: Any
3 questions or comments for Mr. Arnold?

4 (No verbal response.)

5 Is there any public comment?

6 (No verbal response.)

7 There being none, all those in
8 favor of Contract B-16-13 signify by saying
9 aye.

10 (Aye.)

11 Any opposed?

12 (No verbal response.)

13 The contract passes unanimously.

14 And the last contract which is
15 B-19-13, a resolution authorizing the county
16 executive to award and execute a contract
17 between the County of Nassau acting on
18 behalf of the Nassau County Department of
19 Public Works and Carlo Lizza & Sons Paving
20 Inc.

21 A motion, please.

22 LEGISLATOR WALKER: So moved.

23 LEGISLATOR DUNNE: Second.

24 CHAIRWOMAN GONSALVES: Moved by
25 Legislator Walker, seconded by Legislator

1 Rules Committee/7-1-13

2 Dunne.

3 MR. MILLET: Deputy Commissioner
4 Millet, Nassau County Public Works. This is
5 a competitive rebid road resurfacing
6 contract. The roadways involved are Ocean
7 Avenue, Wood Field Road, Lakeview Avenue,
8 Branch Boulevard, and Peninsula, which we
9 will start with Wood Field and Peninsula
10 first.

11 CHAIRWOMAN GONSALVES: Any
12 questions for Mr. Millet?

13 (No verbal response.)

14 Is there any public comment?

15 (No verbal response.)

16 There being none, all those in
17 favor of Contract B-19-13 signify by saying
18 aye.

19 (Aye.)

20 Any opposed?

21 (No verbal response.)

22 The contract passes unanimously.

23 I believe, Mr. May, we have a
24 representative from the county attorney's
25 office, and so it would be in order for us

1 Rules Committee/7-1-13

2 to at this time to untable.

3 Just give me a minute to figure
4 out which ones were tabled.

5 A motion to untable, Contract
6 E-132-13. Motion to untable.

7 LEGISLATOR DUNNE: So moved.

8 LEGISLATOR KOPEL: Second.

9 CHAIRWOMAN GONSALVES: Moved by
10 Legislator Kopel, seconded by Legislator
11 Walker. All those in favor of untabling
12 Contract E-132 signify by saying aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 The item is untabled.

17 MR. MAY: We have Ms. Lisa
18 Locurto from the County Attorney's Office to
19 answer any questions on this item.

20 MS. LOCURTO: Hi. This is a
21 contract for a special counsel to be counsel
22 to the indemnification board. It is
23 actually a renewal of an already existing
24 contract. The amount of the renewal is
25 \$25,000.

1 Rules Committee/7-1-13

2 CHAIRWOMAN GONSALVES: Any
3 questions of Ms. Locurto?

4 (No verbal response.)

5 Is there any public comment?

6 (No verbal response.)

7 There being none, all those in
8 favor of Contract E-132 signify by saying
9 aye.

10 (Aye.)

11 Any opposed?

12 (Nay.)

13 The contract passes four to
14 three. The next contract that was tabled
15 was Contract E-134-13. Motion to untable.

16 LEGISLATOR KOPEL: So moved.

17 LEGISLATOR DUNNE: Second.

18 CHAIRWOMAN GONSALVES: Moved by
19 Legislator Kopel, seconded by Legislator
20 Dunne. All those in favor of untabling
21 E-134-13 signify by saying aye.

22 (Aye.)

23 Any opposed?

24 (No verbal response.)

25 Now we have E-134-13 is before

1 Rules Committee/7-1-13

2 us, Lisa.

3 MS. LOCURTO: This is an
4 extension of an existing contract with
5 special counsel. It involves, this
6 amendment will cover an existing contract to
7 cover labor issues as well as I see this was
8 an older contract originally with the
9 Yatauro versus lawsuit. This is a contract
10 amendment to cover any issues with
11 redistricting which I don't believe she'll
12 be forthcoming and to also handle certain
13 labor items as well.

14 CHAIRWOMAN GONSALVES: Any
15 comments or questions for Ms. Locurto?
16 Minority Leader Abrahams.

17 LEGISLATOR ABRAHAMS: How are
18 you, Ms. Locurto? If you could just clarify
19 for me again. I know you had mentioned this
20 was for an existing comment going back to
21 Schmitt versus Yatauro. That was the
22 redistricting issue which occurred in 2011,
23 correct?

24 MS. LOCURTO: Correct.

25 LEGISLATOR ABRAHAMS: There are

1 Rules Committee/7-1-13
2 still legal expenses attributed to that
3 today? Is that work that's already been
4 done or work that is going to continue to be
5 done?

6 MS. LOCURTO: To clarify, that
7 contract, legal services were provided in
8 2011 and were concluded. There are still
9 some existing monies. However, we are
10 amending that contract. We had amended that
11 contract, this contract in anticipation that
12 there may be additional legal challenges
13 because that is, as you recall, there was a
14 state claim and then a federal claim. So we
15 were not sure whether or not the federal
16 claim was going to go forward and so that
17 contract was amended to cover.

18 LEGISLATOR ABRAHAMS: But,
19 Ms. Locurto, that's not Schmitt versus
20 Yatauro any more.

21 MS. LOCURTO: The contract was to
22 cover any state claims and any related
23 claims in anticipation that there could be
24 state claims and federal claims might be
25 wrapped into both of them at the same time.

1 Rules Committee/7-1-13

2 LEGISLATOR ABRAHAMS: The back up
3 that we have, and maybe I'm looking at
4 the -- the backup that I have and from what
5 I'm seeing is, it clearly states Yatauro. I
6 guess I need to see what you're seeing in
7 regard to those related claims. Maybe that
8 will clarify this.

9 MS. LOCURTO: The backup that I
10 have says that the purpose is to represent
11 the county in the case of Yatauro et al
12 versus Mangano.

13 LEGISLATOR ABRAHAMS: That's what
14 I have.

15 MS. LOCURTO: Correct. And that
16 was the original in 2011. There were state
17 claims but also federal claims that were
18 filed as well.

19 LEGISLATOR ABRAHAMS: Filed by
20 Ms. Yatauro?

21 MS. LOCURTO: The federal
22 lawsuit.

23 LEGISLATOR ABRAHAMS: I'm just
24 confused on why we are using an existing
25 contract which ties in Mrs. Yatauro who was

1 Rules Committee/7-1-13
2 the former minority leader into a case that
3 was resolved. That case went to the state
4 court of appeals. I don't understand why
5 that contract continues to still be open and
6 why it's even before us today.

7 MS. LOCURTO: Because the issue
8 of the federal claims is still pending and
9 the lawsuit, I believe --

10 LEGISLATOR ABRAHAMS: The issues
11 from the federal claims from the case in
12 2011?

13 MS. LOCURTO: Yes. The federal
14 claim, you are correct in that the state
15 claim there was a determination. The
16 federal claim, however, was determined to be
17 lay, for lack of a better term, dormant
18 because of what the state claim resolved was
19 whether or not the redistricting, when the
20 redistricting would take place.

21 But there were still issues with
22 regard to I guess the implementation of the
23 redistricting and those federal claims were
24 still alive.

25 LEGISLATOR ABRAHAMS: I agree

1 Rules Committee/7-1-13
2 that the case was dormant for the last two
3 years. However, I'm just confused on why we
4 have to amend the contract for \$250,000.
5 The dormancy didn't generate any fees, did
6 it?

7 MS. LOCURTO: No.

8 LEGISLATOR ABRAHAMS: So we are
9 amending a contract in anticipation of a
10 federal case?

11 MS. LOCURTO: Yes. In
12 anticipation, and -- yes.

13 LEGISLATOR ABRAHAMS: Has anybody
14 brought forward a federal case that you know
15 of?

16 MS. LOCURTO: There has been
17 reactivation of the federal lawsuit.

18 LEGISLATOR ABRAHAMS: Currently,
19 since we passed the redistricting map some
20 months ago?

21 MS. LOCURTO: I believe it was
22 passed in March of this year.

23 LEGISLATOR ABRAHAMS: There has
24 been some activity?

25 MS. LOCURTO: There has been some

1 Rules Committee/7-1-13

2 activity, yes.

3 LEGISLATOR ABRAHAMS: To what
4 extent and who was it brought forward by?

5 CHAIRWOMAN GONSALVES: Hold on.
6 I honestly think at this point that we
7 should go into executive session. I
8 apologize to the public.

9 LEGISLATOR ABRAHAMS: Is that
10 okay, Ms. Locurto?

11 MS. LOCURTO: Certainly.

12 LEGISLATOR ABRAHAMS: Sure. I
13 think it's a good idea too.

14 CHAIRWOMAN GONSALVES: A motion
15 to go into executive session.

16 LEGISLATOR WALKER: So moved.

17 LEGISLATOR KOPEL: Second.

18 CHAIRWOMAN GONSALVES: Moved by
19 Legislator Walker, seconded by Legislator
20 Kopel. All those in favor of going into
21 executive session signify by saying aye.

22 (Aye.)

23 Any opposed?

24 (No verbal response.)

25 We are now in executive session

1 Rules Committee/7-1-13
2 and hopefully it won't be too long.

3 (Whereupon, the Rules Committee
4 recessed into executive session at 1:58 p.m.
5 and reconvened at 2:11 p.m.)

6 CHAIRWOMAN GONSALVES: Are we
7 seated? That was 134. I'm going to move to
8 table E-134-13.

9 LEGISLATOR WALKER: Second.

10 CHAIRWOMAN GONSALVES: Seconded
11 by Legislator Walker. All those in favor of
12 tabling E-134-13 signify by saying aye?

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 E-134-13 is now tabled.

17 I believe we have two others that
18 were tabled. E-137-13 and E-138-13. But we
19 called those together before and I think
20 this is why we tabled the two of them
21 together.

22 So, motion to untable.

23 LEGISLATOR DUNNE: So moved.

24 LEGISLATOR WALKER: Second.

25 CHAIRWOMAN GONSALVES: Moved by

1 Rules Committee/7-1-13
2 Legislator Dunne, seconded by Legislator
3 Walker. All those in favor of untabling
4 E-137 and E-138 signify by saying aye.

5 (Aye.)

6 Any opposed?

7 (No verbal response.)

8 Lisa, we tabled these before. We
9 didn't have any representation from the
10 county attorney's office. Now you're going
11 to speak to us on both contracts, E-137 and
12 E-138.

13 MS. LOCURTO: Yes. Certainly.
14 Both of these contracts are with the Nassau
15 County Bar Association. They are to provide
16 legal services for the indigent in Nassau
17 County, that is, those individuals who are
18 not financially able to afford counsel.

19 The state mandates that we
20 provide legal services for those who cannot
21 afford them. We are required to provide
22 them through a specific provider. We have
23 partnered in the past with the Nassau County
24 Bar Association and they are again providing
25 the legal services that are necessary and

1 Rules Committee/7-1-13
2 mandated for to us provide.

3 CHAIRWOMAN GONSALVES: Any
4 questions of Ms. Locurto?

5 (No verbal response.)

6 Is there any public comment?

7 (No verbal response.)

8 There being none, all those in
9 favor of Contract E-137-13 and E-138-13
10 signify by saying aye.

11 (Aye.)

12 Any opposed?

13 (No verbal response.)

14 The two contracts pass
15 unanimously. I believe there is only one
16 more contract that was tabled. That was
17 contract E-134-13, a resolution affirming an
18 amendment -- we are not calling that.

19 141, I need a motion to untable.

20 LEGISLATOR DUNNE: So moved.

21 LEGISLATOR WALKER: Second.

22 CHAIRWOMAN GONSALVES: Moved by
23 Legislator Dunne, seconded by Legislator
24 Walker. All those in favor of untabling
25 Contract E-141-13 signify by saying aye.

1 Rules Committee/7-1-13

2 (Aye.)

3 Any opposed?

4 (No verbal response.)

5 The item is untabled. Go ahead.

6 MS. LOCURTO: Yes. This is a
7 special counsel contract to provide legal
8 services in our worker's compensation area.
9 This is an amendment, an extension of a
10 current existing contract, and the fees paid
11 in this contract are a flat monthly fee per
12 month as you see indicated in the contract.

13 CHAIRWOMAN GONSALVES: Any
14 questions of Ms. Locurto on this item?

15 (No verbal response.)

16 Is there any public comment?

17 (No verbal response.)

18 There being none, all those in
19 favor of Contract E-141-13 signify by saying
20 aye.

21 (Aye.)

22 Any opposed?

23 (No verbal response.)

24 The contract passes four to
25 three. Contract E-141 passes four to three.

1 Rules Committee/7-1-13

2 Now, we will put Rules in recess and the
3 next committee will be Public Safety.

4 (Whereupon, the Rules Committee
5 recessed at 2:16 p.m. and reconvened at 4:00
6 p.m.)

7 CHAIRWOMAN GONSALVES: Rules
8 Committee back in session. With the
9 permission of the minority we have agreed to
10 the consent items.

11 I'm going to begin with Item
12 238-13, 248-13, Item 249-13, 250-13, 251-13,
13 252-13, 253-13, 254-13, 255-13, 256-13,
14 257-13, 258-13, 259-13, 260-13, 272-13,
15 281-13, 282-13, and added to that list will
16 be 268-13, 269-13.

17 Before I ask for a motion, Frank,
18 any testimony from the previous committees
19 be incorporated into the Rules Committee.
20 Thank you.

21 (Whereupon, the following are the
22 minutes of the Public Safety Committee
23 pertaining to Clerk Items 238, 257, 272;
24 7-1-13.)

25 CHAIRMAN DUNNE: The first item

1 Rules Committee/7-1-13
2 on the calendar is 238-13, a resolution
3 authorizing the county executive to execute
4 an intermunicipal agreement with the county
5 of Westchester in relation to the trace
6 evidence analysis. Who do we have?

7 MR. MAY: We have Sergeant Greg
8 Stephanoff.

9 LEGISLATOR BELESI: So moved.

10 LEGISLATOR FORD: Second.

11 CHAIRMAN DUNNE: Motion by
12 Legislator Belesi, seconded by Legislator
13 Denise Ford. Who is here to speak on this?

14 MR. MAY: We have Sergeant Greg
15 Stephanoff from the police department.

16 SERGEANT STEPHANOFF: Good
17 afternoon, legislators. Sergeant Greg
18 Stephanoff from the police department. This
19 is an intergovernmental agreement between
20 Westchester and Nassau County. It gives us
21 the ability to analyze trace evidence using
22 Westchester County's lab until we get up on
23 our own with the ME's office.

24 CHAIRMAN DUNNE: Do we have a
25 target date, a guesstimate?

1 Rules Committee/7-1-13

2 SERGEANT STEPHANOFF: I couldn't
3 give that you because I'm not involved with
4 setting it up.

5 CHAIRMAN DUNNE: That's fair.
6 Any other questions from any other
7 legislators? Legislator Denenberg.

8 LEGISLATOR DENENBERG: So, I
9 mean, the bottom line is this intermunicipal
10 agreement allows Westchester's lab to
11 perform the services related to samples and
12 evidence that needs to be tested?

13 SERGEANT STEPHANOFF: This is for
14 trace evidence.

15 LEGISLATOR DENENBERG: When
16 Legislator Dunne asked you where we are with
17 our own lab, you can't give us an
18 approximate date?

19 SERGEANT STEPHANOFF: For this
20 evidence, Westchester is unable to do it at
21 this time. I'm sorry, the ME's office is
22 unable to do it at this time, so that's why
23 we still need Westchester.

24 LEGISLATOR DENENBERG: When will
25 the ME be able to do it, do you have a date?

1 Rules Committee/7-1-13

2 SERGEANT STEPHANOFF: I'm not
3 involved with setting up the lab with the
4 ME's office, I don't know.

5 LEGISLATOR DENENBERG: Either the
6 police department or the DA's office or both
7 would have to deliver and pick up the
8 evidence, correct, from Westchester?

9 SERGEANT STEPHANOFF: Yes.

10 LEGISLATOR DENENBERG: How much
11 overtime does that generate?

12 SERGEANT STEPHANOFF: Well, I
13 think the proximity to Westchester being so
14 close, that's why we're using them. We are
15 able to drop it off in one day.

16 LEGISLATOR DENENBERG: But it's
17 still not Nassau County. We still have to
18 go to Westchester. So my question was, how
19 much overtime does that generate?

20 SERGEANT STEPHANOFF: I can find
21 out. I think that's why we chose them.
22 They are also the only accredited lab in the
23 area that was willing to take on our work
24 also.

25 LEGISLATOR DENENBERG: Well, I

1 Rules Committee/7-1-13
2 think that after this passes here, assuming
3 it passes here, it will go to Full, so I
4 would like to know how much overtime is
5 being generated, and whether it's PD or DA's
6 office.

7 SERGEANT STEPHANOFF: Sure. I
8 don't know if I can't speak for the DA's
9 office, but I can find out for the police
10 department.

11 LEGISLATOR DENENBERG: How much
12 overtime is generated by bringing it to
13 Westchester instead of doing it at our own
14 ME's office?

15 SERGEANT STEPHANOFF: Sure.

16 LEGISLATOR DENENBERG: And I
17 would like to know when the medical
18 examiner's office is going to be able to do
19 this trace evidence again. Can you get that
20 answer for me?

21 SERGEANT STEPHANOFF: I will try
22 to find out.

23 LEGISLATOR DENENBERG: Thank you.

24 CHAIRMAN DUNNE: Any other
25 questions?

1 Rules Committee/7-1-13

2 (No verbal response.)

3 There being none, is there any
4 public comment?

5 (No verbal response.)

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

8 (Aye.)

9 Any against?

10 (No verbal response.)

11 Moves on to Finance.

12 The next item on our calendar is
13 Item 257-13, an ordinance supplemental to
14 the annual appropriations ordinance in
15 connection with the Nassau County District
16 Attorney. Is Mr. McManus here?

17 MR. MAY: He is, from the DA's
18 office.

19 CHAIRMAN DUNNE: A motion,
20 please.

21 LEGISLATOR VENDITTO: So moved.

22 LEGISLATOR BELESI: Second.

23 CHAIRMAN DUNNE: Motion by
24 Legislator Venditto, seconded by Legislator
25 Belesi. Tell us what the item is about.

1 Rules Committee/7-1-13

2 MR. MCMANUS: Thank you. This
3 item appropriates \$374,200 in funds from the
4 New York State Division of Criminal Justice
5 Services to support the prosecution of
6 repeat violent and serious felony offenders
7 by maintaining a staff of highly experienced
8 prosecutors who work to achieve convictions
9 and maximum sentences for such defendants.

10 We have received this funding for
11 over 20 years and it has proven to be an
12 important and effective tool for keeping
13 hard-core criminals off the streets.

14 CHAIRMAN DUNNE: Any questions
15 from any legislators?

16 (No verbal response.)

17 Is there any public comment?

18 (No verbal response.)

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

21 (Aye.)

22 Any against?

23 (No verbal response.)

24 Okay. We do have an addendum, so
25 I need a motion suspend the rules.

1 Rules Committee/7-1-13

2 LEGISLATOR BELESI: So moved.

3 LEGISLATOR VENDITTO: Second.

4 CHAIRMAN DUNNE: Motion by
5 Legislator Belesi, seconded by Legislator
6 Venditto. All those in favor of suspending
7 the rules indicate by saying aye.

8 (Aye.)

9 Any against?

10 (No verbal response.)

11 Okay. It's passed. The item is
12 272-13, it's a resolution authorizing the
13 County Executive to execute a grant
14 agreement between the County of Nassau
15 acting on behalf of the District Attorney's
16 Office and Family and Children's Association
17 Inc.

18 LEGISLATOR BELESI: So moved.

19 LEGISLATOR VENDITTO: Second.

20 CHAIRMAN DUNNE: Motion by
21 Legislator Belesi, seconded by Legislator
22 Venditto. Mr. McManus.

23 MR. MCMANUS: Thank you. This
24 item is to continue the District Attorney
25 Offender Reentry Program performed in

1 Rules Committee/7-1-13
2 partnership with the Family and Children's
3 Association and the Women's Opportunity
4 Rehabilitation Center. The service provides
5 counseling and employment assistance to
6 women recently released from jail or prison
7 in an effort to reduce the return to crime
8 and to increase the chances of successful
9 reintegration into the community.

10 CHAIRMAN DUNNE: Are there any
11 questions from any of the legislators?
12 Legislator Denenberg.

13 LEGISLATOR DENENBERG: This is
14 fully reimbursed?

15 MR. MCMANUS: Yes, it's 100
16 percent grant funded.

17 LEGISLATOR DENENBERG: From who?

18 MR. MCMANUS: This particular
19 item is funded from federal forfeiture
20 money.

21 LEGISLATOR DENENBERG: Thank you.

22 CHAIRMAN DUNNE: Any other
23 legislator have any other questions?

24 (No verbal response.)

25 Is there any public comment?

1 Rules Committee/7-1-13

2 (No verbal response.)

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

5 (Aye.)

6 Any against?

7 (No verbal response.)

8 So passes. Moves on to Finance.

9 (Whereupon, the following are the
10 minutes of the Public Works Committee
11 pertaining to Clerk Item 256, 7-1-13.)

12 CHAIRMAN MUSCARELLA: We have one
13 item. It's 256 of 2013, an ordinance
14 supplemental to the annual appropriations
15 ordinance in connection with the Department
16 of Public Works. Motion, please.

17 LEGISLATOR KOPEL: So moved.

18 LEGISLATOR BECKER: Second.

19 CHAIRMAN MUSCARELLA: Motion by
20 Mr. Kopel, seconded by Mr. Becker. Do we
21 have someone from the administration?

22 MR. MAY: Yes, Mr. Chairman, we
23 have Mr. Ken Arnold from DPW.

24 CHAIRMAN MUSCARELLA: Good
25 afternoon, Mr. Arnold. This is a

1 Rules Committee/7-1-13
2 supplemental appropriation, the federal
3 appropriation for the NICE Bus System. It
4 moves -- it doesn't move, it allocates
5 \$33,031 to 50 available for our grant
6 program.

7 CHAIRMAN MUSCARELLA: And this is
8 a federal pass through?

9 MR. ARNOLD: Yes. It's federal
10 money directly, and state money.

11 CHAIRMAN MUSCARELLA: But it's
12 not money that we are putting out?

13 MR. ARNOLD: We match our money
14 with the capital program, ten percent,
15 that's in the 2013 plan.

16 CHAIRMAN MUSCARELLA: Thank you.
17 Any questions? Legislator Denenberg.

18 LEGISLATOR DENENBERG: So our
19 share is ten percent?

20 MR. ARNOLD: That's correct.

21 LEGISLATOR DENENBERG: So when
22 you said that we match it in the capital
23 plan, that's the 2013 capital plan?

24 MR. ARNOLD: Yes, it's in capital
25 project 91084.

1 Rules Committee/7-1-13

2 LEGISLATOR DENENBERG: So the
3 2013 capital plan isn't passed yet?

4 MR. ARNOLD: That is correct.

5 LEGISLATOR DENENBERG: So we have
6 \$4 million in there?

7 MR. ARNOLD: 5.8.

8 LEGISLATOR DENENBERG: So this
9 would be 3.3 of the 5.8?

10 MR. ARNOLD: That's correct.

11 LEGISLATOR DENENBERG: Did we
12 spend what was in the 2012 capital plan for
13 NICE Bus?

14 MR. ARNOLD: We are in the
15 process of spending it, yes.

16 LEGISLATOR DENENBERG: Does that
17 mean it's all been spent or no?

18 MR. ARNOLD: I would have to go
19 back and double-check.

20 LEGISLATOR DENENBERG: So I'm
21 confused. You just said in 2013 there's 5.6
22 but I see 4.0.

23 MR. ARNOLD: Ask the question
24 again.

25 LEGISLATOR DENENBERG: NICE Bus

1 Rules Committee/7-1-13

2 matching grant 91083, the number you gave --

3 MR. ARNOLD: It's 084.

4 LEGISLATOR DENENBERG: So if you

5 gave 91084, that has zero for 2013?

6 MR. ARNOLD: Correct. This is

7 '14 federal probation work we're dealing

8 with today.

9 LEGISLATOR DENENBERG: This is

10 '14?

11 MR. ARNOLD: Yes.

12 LEGISLATOR DENENBERG: Why are we

13 approving '14 now?

14 MR. ARNOLD: We have to do it in

15 anticipation of getting the federal funding.

16 We have to set up our budget appropriately.

17 LEGISLATOR DENENBERG: So you

18 have 5.8 in '14, so this would be 3.3 of the

19 5.8 in '14?

20 MR. ARNOLD: Yes.

21 LEGISLATOR DENENBERG: We haven't

22 spent the '12 or the '13 money yet?

23 MR. ARNOLD: We are in the

24 process of spending it all right now.

25 LEGISLATOR DENENBERG: In a

1 Rules Committee/7-1-13
2 similar fashion as our match on federal
3 grants to buy buses for NICE?

4 MR. ARNOLD: Yes.

5 LEGISLATOR DENENBERG: And we
6 would be doing this even if we hadn't gone
7 to NICE and stayed with MTA?

8 MR. ARNOLD: That's correct.

9 LEGISLATOR DENENBERG: Thank you.

10 CHAIRMAN MUSCARELLA: Any
11 questions by anyone else on the committee?

12 (No verbal response.)

13 Hearing none, all those in favor
14 signify by saying aye.

15 (Aye.)

16 Any opposed?

17 (No verbal response.)

18 That item is reported.

19 (Whereupon, the following are the
20 minutes of the Health Committee pertaining
21 to Clerk Items 258, 259, 260; 7-1-13.)

22 CHAIRWOMAN WALKER: There are
23 three items on the agenda today. The first
24 is Clerk Item 258-13 which is an ordinance
25 supplemental to the annual appropriation

1 Rules Committee/7-1-13
2 ordinance in connection with the Department
3 of Human Services.

4 Do I have a motion, please?

5 LEGISLATOR MUSCARELLA: So moved.

6 LEGISLATOR BECKER: Second.

7 CHAIRWOMAN WALKER: Moved by
8 Legislator Muscarella, seconded by
9 Legislator Becker. The item is before us.

10 MR. MAY: We have Commissioner
11 Lisa Murphy from the Department of Human
12 Services.

13 COMMISSIONER MURPHY: This is an
14 item which is a supplemental appropriation
15 of \$1,924,892. These are additional funds
16 that are coming to the county for our
17 chemical dependency programs. They are
18 being made from the New York State
19 Department of OSAAS, Office of Substance and
20 Alcohol Abuse Services. This is 100 percent
21 grant money.

22 CHAIRWOMAN WALKER: Any questions
23 from the legislators?

24 (No verbal response.)

25 Any public comment?

1 Rules Committee/7-1-13

2 CHAIRWOMAN WALKER: Legislator
3 Bosworth.

4 LEGISLATOR BOSWORTH: Actually I
5 had a number of questions. We know the
6 outstanding job that OSAAS does. My
7 question is, how much of this funding is
8 going to go for heroin abuse given this
9 weeks Newsday story on heroin abuse on the
10 island?

11 COMMISSIONER MURPHY: These
12 particular funds are not going to heroin
13 abuse, per se, but are actually going to
14 increase the record capacity and reporting
15 capacity of all of our agencies as now New
16 York State is changing the way in which they
17 operate and everything is going towards the
18 electronic medical records, so this will
19 help all of our provider agencies in order
20 to purchase the equipment necessary to do
21 that.

22 LEGISLATOR BOSWORTH: Thank you.
23 I know that's a huge undertaking, so it's
24 good that they have the funds.

25 The other thing is, are we making

1 Rules Committee/7-1-13
2 progress with restoring the funding for the
3 contracts for chemical dependency? I know
4 that was voted on at the last meeting.

5 COMMISSIONER MURPHY: Yes, and
6 all the amendments have gone out to those
7 contracts, so that all the contracts in our
8 chemical dependency network are now at prior
9 year's level.

10 LEGISLATOR BOSWORTH: And the
11 agencies have been notified?

12 COMMISSIONER MURPHY: Yes, they
13 have.

14 LEGISLATOR BOSWORTH: Wonderful.
15 Thank you.

16 CHAIRWOMAN WALKER: Any other
17 legislators?

18 (No verbal response.)

19 Any public comment?

20 (No verbal response.)

21 All those in favor signify by
22 saying aye.

23 (Aye.)

24 Any opposed?

25 (No verbal response.)

1 Rules Committee/7-1-13

2 The motion carries unanimously.

3 The second item is Clerk Item
4 259-13 which is an ordinance supplemental to
5 the annual appropriation ordinance in
6 connection with the Health Department.

7 Can I have a motion, please?

8 LEGISLATOR BECKER: So moved.

9 LEGISLATOR VENDITTO: Second.

10 CHAIRWOMAN WALKER: Moved by
11 Legislator Becker, seconded by Legislator
12 Venditto. The item is before us. Mr. May.

13 MR. MAY: We have Ms. MaryEllen
14 Lorraine from the Health Department.

15 MS. LORRAINE: Good afternoon.
16 MaryEllen Lorraine, Department of Health.
17 Item 259-13 is a supplemental appropriation
18 in the amount of \$642,196. This is for the
19 Public Health Emergency Preparedness Grant.
20 It is 100 percent funded through the New
21 York State Department of Health and provides
22 the Department of Health with infrastructure
23 building in regard to emergency
24 preparedness.

25 CHAIRWOMAN WALKER: Any questions

1 Rules Committee/7-1-13

2 or comments from the legislators?

3 (No verbal response.)

4 Any public comment?

5 (No verbal response.)

6 All those in favor signify by
7 saying aye.

8 (Aye.)

9 Any opposed?

10 (No verbal response.)

11 The item passes seven to zero.

12 The last clerk item is Clerk Item 260-13
13 which is an ordinance supplemental to the
14 annual appropriation ordinance in connection
15 with the Department of Health.

16 A motion, please.

17 LEGISLATOR MUSCARELLA: So moved.

18 LEGISLATOR VENDITTO: Second.

19 CHAIRWOMAN WALKER: Moved by
20 Legislator Muscarella, seconded by
21 Legislator Venditto. The item is before us.

22 MS. LORRAINE: Item 260-13 is a
23 supplemental appropriation in the amount of
24 \$300,000. It's for the Immunization Action
25 Program. It's 100 percent funded through

1 Rules Committee/7-1-13
2 the New York State Department of Health and
3 the services provide the public with
4 protection from vaccine preventable disease.

5 CHAIRWOMAN WALKER: Any questions
6 from the legislators?

7 (No verbal response.)

8 Any public comment?

9 (No verbal response.)

10 All those in favor signify by
11 saying aye.

12 (Aye.)

13 Any opposed?

14 (No verbal response.)

15 The item passes seven to zero.

16 (Whereupon, the following are the
17 minutes of the Finance Committee pertaining
18 to Clerk Items 238-13, 248-13, Item 249-13,
19 250-13, 251-13, 252-13, 253-13, 254-13,
20 255-13, 256-13, 257-13, 258-13, 259-13,
21 260-13, 272-13, 281-13, 282-13, 268-13,
22 269-13, 7-1-13.)

23 CHAIRMAN NICOLELLO: Item 238 of
24 2013 is a resolution to authorize the county
25 executive to execute an intermunicipal

1 Rules Committee/7-1-13
2 agreement with the County of Westchester in
3 relation to trace evidence analysis.

4 LEGISLATOR MUSCARELLA: So moved.

5 LEGISLATOR WALKER: Second.

6 CHAIRMAN NICOLELLO: Moved by
7 Legislator Muscarella, seconded by
8 Legislator Walker. This item went through
9 the Public Safety Committee a moment ago and
10 we will incorporate the minutes of that
11 meeting into this meeting.

12 Any legislators have any
13 questions on this item?

14 (No verbal response.)

15 Is there any public comment?

16 CHAIRMAN NICOLELLO: Legislator
17 Denenberg.

18 LEGISLATOR DENENBERG: I just
19 want to repeat on the record that I asked
20 for a number in terms of the overtime to go
21 up to Westchester and come back and a date
22 as to when our medical examiner's lab would
23 be operational again. So I would like that
24 before Full.

25 MR. MAY: Absolutely, legislator.

1 Rules Committee/7-1-13
2 You asked that question during Public Safety
3 and the results will be shared with the
4 chairman of that committee and the chairman
5 of this committee as well as yourself.

6 CHAIRMAN NICOLELLO: Thank you,
7 Mr. May. Any other questions?

8 (No verbal response.)

9 Is there any public comment?

10 (No verbal response.)

11 All those in favor signify by
12 saying aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 Carries unanimously.

17 Items 248, 249, 250 and 251 of
18 2013 are resolutions authorizing the county
19 executive to execute grant agreements
20 between the County of Nassau acting on
21 behalf of County Department of Parks,
22 Recreations and Museums and Artists in
23 Partnership, Inc.; Long Island TV Film/TV
24 Foundation; Great Neck Arts Center; Cornell
25 University Cooperative Extension Nassau

1 Rules Committee/7-1-13
2 County.

3 LEGISLATOR WALKER: So moved.

4 LEGISLATOR MUSCARELLA: Second.

5 CHAIRMAN NICOLELLO: Moved by
6 Legislator Walker, seconded by Legislator
7 Muscarella. Any questions from the
8 legislators?

9 (No verbal response.)

10 Is there any public comment?

11 (No verbal response.)

12 Hearing none, all those in favor
13 signify by saying aye.

14 (Aye.)

15 Any opposed?

16 (No verbal response.)

17 Carries unanimously. I'm going
18 to call the next block of items, 252, 253,
19 254, 255, 256, 257, 258, 259, 260, they are
20 resolutions to authorize the transfer of
21 appropriations heretofore made within the
22 budget for the year 2013 and ordinances
23 supplemental to the annual appropriation
24 ordinance in connection with the Department
25 of Public Works.

1 Rules Committee/7-1-13

2 LEGISLATOR MUSCARELLA: So moved.

3 LEGISLATOR VENDITTO: Second.

4 CHAIRMAN NICOLELLO: Moved by

5 Legislator Muscarella, seconded by

6 Legislator Venditto.

7 Do we have any questions from the
8 legislators?

9 (No verbal response.)

10 Is there any public comment?

11 MR. MAY: Mr. Chairman, on Clerk
12 Item 255-13, we noticed upon review that the
13 resolution mixes where the -- the budget
14 codes are correct but what the budget codes
15 describe in the resolution are incorrect, so
16 that will be amended for the Full
17 Legislature.

18 LEGISLATOR NICOLELLO: Any public
19 comment?

20 (No verbal response.)

21 All those in favor signify by
22 saying aye.

23 (Aye.)

24 Those opposed?

25 (No verbal response.)

1 Rules Committee/7-1-13

2 Those items carry unanimously.

3 Next is 268 of 2013 is a
4 resolution authorizing the county executive
5 to execute a grant agreement between the
6 County of Nassau acting on behalf of the
7 County Department of Parks, Recreations and
8 Museums, and Island Trees Public Library.

9 I'm going to call 269 also which
10 is a similar resolution involving the
11 Central Park Historical Society.

12 LEGISLATOR WALKER: So moved.

13 LEGISLATOR MUSCARELLA: Second.

14 CHAIRMAN NICOLELLO: Moved by
15 Legislator Walker, seconded by Legislator
16 Muscarella. Do we have any questions for
17 these two items?

18 (No verbal response.)

19 Is there any public comment?

20 (No verbal response.)

21 All those in favor signify by
22 saying aye.

23 (Aye.)

24 Those opposed?

25 (No verbal response.)

1 Rules Committee/7-1-13

2 Those items carry unanimously.

3 Do I have a motion to suspend the rules?

4 LEGISLATOR MUSCARELLA: So moved.

5 LEGISLATOR VENDITTO: Second.

6 CHAIRMAN NICOLELLO: Moved by

7 Legislator Muscarella, seconded by

8 Legislator Venditto.

9 Item 272 of 2013 is a resolution
10 authorizing the county executive to execute
11 a grant agreement between the county acting
12 on behalf of the district attorney's office
13 and the Family and Children's Association.

14 LEGISLATOR WALKER: So moved.

15 LEGISLATOR MUSCARELLA: Second.

16 CHAIRMAN NICOLELLO: Moved by

17 Legislator Walker, seconded by Legislator

18 Muscarella. We need to take a vote to

19 suspend the rules. All in favor of

20 suspending the rules signify by saying aye.

21 (Aye.)

22 Those opposed?

23 (No verbal response.)

24 The rules are suspended. Again,

25 motion on 272 of 2013.

1 Rules Committee/7-1-13

2 LEGISLATOR WALKER: So moved.

3 LEGISLATOR VENDITTO: Second.

4 CHAIRMAN NICOLELLO: Moved by
5 Legislator Walker, seconded by Legislator
6 Venditto. Any questions with respect to
7 272?

8 (No verbal response.)

9 Is there any public comment?

10 (No verbal response.)

11 All those in favor signify by
12 saying aye.

13 (Aye.)

14 Those opposed?

15 (No verbal response.)

16 That item carries unanimously.

17 Item 281 of 2013, an ordinance to
18 adopt the Nassau County budget for Nassau
19 County Community College for the fiscal year
20 commencing September 1, 2013 and ending
21 August 31, 2014, and to appropriate revenues
22 and the total amount of monies to be raised
23 by taxation within the county for the
24 purposes of Nassau Community College for
25 such fiscal year.

1 Rules Committee/7-1-13

2 LEGISLATOR WALKER: So moved.

3 LEGISLATOR VENDITTO: Second.

4 CHAIRMAN NICOLELLO: Moved by
5 Legislator Walker, seconded by Legislator
6 Venditto. Mr. May.

7 MR. MAY: We have Dr. Kenneth
8 Saunders, the acting president of Nassau
9 Community College to speak on this item.

10 CHAIRMAN NICOLELLO: Thank you.
11 We're probably -- we've agreed that we're
12 going to have a full hearing on this in two
13 weeks, but you're welcome to make whatever
14 comments you want. You can give us the
15 brief version if you want.

16 DR. SAUNDERS: Well, if you
17 agreed, I will just wait till the full
18 session to provide additional comments.

19 CHAIRMAN NICOLELLO: And you've
20 been sitting here all day.

21 DR. SAUNDERS: That's quite all
22 right.

23 CHAIRMAN NICOLELLO: Well, if you
24 want to have something to say --

25 DR. SAUNDERS: I'm fine, but

1 Rules Committee/7-1-13

2 thank you very much. Do we have any
3 questions?

4 (No verbal response.)

5 Is there any public comment?

6 LEGISLATOR DENENBERG: For the
7 minority, we would just, like you, agreeing
8 to pass it through for a Full Legislative
9 hearing on the 15th.

10 CHAIRMAN NICOLELLO: All those in
11 favor signify by saying aye.

12 (Aye.)

13 Any opposed?

14 (No verbal response.)

15 The item carries unanimously.

16 The last item is 282 of 2013, an
17 ordinance providing for a capital
18 expenditure to finance the payment of a
19 certain judgement against the county of
20 Nassau authorizing \$23,279,431.30 of bonds
21 of Nassau County to finance said
22 expenditures.

23 LEGISLATOR WALKER: So moved.

24 LEGISLATOR MUSCARELLA: Second.

25 CHAIRMAN NICOLELLO: Moved by

1 Rules Committee/7-1-13

2 Legislator Walker, seconded by Legislator
3 Muscarella. Motion for executive session.

4 LEGISLATOR MUSCARELLA: So moved.

5 LEGISLATOR WALKER: Second.

6 CHAIRMAN NICOLELLO: By

7 Legislator Muscarella, seconded by
8 Legislator Walker. All those in favor
9 signify by saying aye.

10 (Aye.)

11 We're in executive session.

12 (Whereupon, the Finance Committee
13 recessed into executive session at 3:37
14 p.m. and reconvened at 3:46 p.m.)

15 CHAIRMAN NICOLELLO: We're
16 reconvened. I'll just call the item which
17 is 282 of 2013. All those in favor signify
18 by saying aye.

19 (Aye.)

20 Those opposed?

21 (No verbal response.)

22 The item carries unanimously.

23 (Whereupon, the following is the
24 continuation of the minutes of the Rules
25 Committee, 7-1-13.)

1 Rules Committee/7-1-13

2 Now we take a motion.

3 LEGISLATOR DUNNE: So moved.

4 LEGISLATOR WALKER: Second.

5 CHAIRWOMAN GONSALVES: Moved by
6 Legislator Dunne, seconded by Legislator
7 Walker. Any comments on these items from
8 any legislators?

9 (No verbal response.)

10 Any public comment on these
11 items?

12 (No verbal response.)

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

15 (Aye.)

16 Any opposed?

17 (No verbal response.)

18 These items pass unanimously.

19 Now we will begin with the items
20 that have been agreed to, called separately,
21 and the first item is 244-13, an ordinance
22 providing for capital expenditure to finance
23 the capital project specified herein within
24 the County of Nassau authorizing
25 \$722,313,665 of bonds of the County of

1 Rules Committee/7-1-13
2 Nassau to finance said expenditure and
3 making certain determinations pursuant to
4 the State Environmental Quality Review Act
5 pursuant to the Local Finance Law of New
6 York and county government of Nassau County.

7 A motion, please.

8 LEGISLATOR WALKER: So moved.

9 LEGISLATOR DUNNE: Second.

10 CHAIRWOMAN GONSALVES: Moved by
11 Legislator Walker, seconded by Legislator
12 Dunne.

13 I know that we have Deputy
14 Commissioner Millet here as well as Ken
15 Arnold.

16 I believe, Frank, that this went
17 through Finance and I reiterate the fact
18 that testimony from the Finance Committee
19 should be incorporated into this one.

20 (Whereupon, the following are the
21 minutes of the Finance Committee pertaining
22 to Clerk Item 244, 7-1-13.)

23 CHAIRMAN NICOLELLO: Item 244 of
24 2013 is a bond ordinance providing for a
25 capital expenditure to finance the capital

1 Rules Committee/7-1-13
2 projects specified herein within the county
3 of Nassau authorizing \$722,313, 665 of bonds
4 of the County of Nassau to finance said
5 expenditure.

6 LEGISLATOR VENDITTO: So moved.

7 LEGISLATOR WALKER: Second.

8 CHAIRMAN NICOLELLO: Moved by
9 Legislator Venditto, seconded by Legislator
10 Walker. Mr. May, do we have anyone here to
11 speak on this?

12 MR. MAY: Yes. We have Mr. Rich
13 Millet from DPW to answer any questions on
14 this item.

15 MR. MILLET: Good afternoon.
16 Rich Millet, Public Works. This bond
17 ordinance includes not only the rebuilding
18 of Bay Park but the continuation of capital
19 projects throughout SSW at Cedar Creek and
20 the storm water system as well as the pump
21 stations.

22 CHAIRMAN NICOLELLO: Some of this
23 is related to Super Storm Sandy.

24 MR. MILLET: Yes. The line at
25 the waste water storm restoration line of

1 Rules Committee/7-1-13

2 \$540 million.

3 CHAIRMAN NICOLELLO: Just that,
4 or is there more related to Super Storm
5 Sandy?

6 MR. MILLET: And 3P-311 for \$53
7 million, the pump station, that is also.

8 CHAIRMAN NICOLELLO: It says, it
9 is anticipated that we will receive some
10 portion of that.

11 MR. MILLET: It is anticipated
12 that we will receive the 90 percent that has
13 now been authorized.

14 CHAIRMAN NICOLELLO: And the
15 other items are not Super Storm Sandy
16 related?

17 MR. MILLET: They are traditional
18 SSW work that needs to keep moving to keep
19 the plants in the system in working order.

20 CHAIRMAN NICOLELLO: In terms of,
21 I guess, hardening Bay Park, there's a
22 couple of options that the administration is
23 considering?

24 MR. MILLET: There are several
25 options. We are actually speaking with the

1 Rules Committee/7-1-13
2 design consultant now in designing what pot
3 of money we are going to ask, whether it's
4 404 or 406 money, to do all the hazard
5 mitigation and hardening.

6 CHAIRMAN NICOLELLO: My
7 understanding is that there are sea walls
8 being considered and/or a moat of some type?

9 MR. MILLET: Well, there's all
10 sorts of ideas that have been put in. A sea
11 wall with a breach door. There is a lot of
12 options on the table. We will try to figure
13 with FEMA which seems to be the most
14 acceptable and does the most holistic good
15 for the community.

16 CHAIRMAN NICOLELLO: Any other
17 questions by the legislators? Legislator
18 Denenberg.

19 LEGISLATOR DENENBERG: So, right
20 now, what kind of assurance or information
21 could be provided to let us know that 90
22 percent of this request is going to be
23 reimbursed?

24 MR. MILLET: What kind of
25 assurance -- we are entering everything into

1 Rules Committee/7-1-13
2 the PW working with the infrastructure team
3 from FEMA, so I haven't had any push back
4 yet from them at all. If anything, they are
5 enjoined with us and working quite
6 efficiently with us in a group.

7 LEGISLATOR DENENBERG: Well, how
8 much of this request is for the outflow
9 pipe?

10 MR. MILLET: None.

11 LEGISLATOR DENENBERG: So this
12 entire request is all for work predominantly
13 at Bay Park?

14 MR. MILLET: Well, the \$540
15 million is for Bay Park. The \$53 million is
16 for the pump stations that were damaged from
17 Sandy as well as some hazard mitigation.

18 LEGISLATOR DENENBERG: And \$53
19 million is at Cedar Creek?

20 MR. MILLET: That's 31 pump
21 stations in all that were damaged by the
22 storm. So it contains in those 31 stations
23 plus other stations identified in the flood
24 plan.

25 LEGISLATOR DENENBERG: None of

1 Rules Committee/7-1-13
2 this request then is for Cedar Creek?

3 MR. MILLET: Yes. There are
4 other parts in here for Cedar Creek. The
5 wastewater improvement of \$25 million, the
6 digesters have to do with Cedar Creek at \$12
7 million. So a regular SSW business as usual
8 is in here, it's not in the 540 or the \$53
9 million.

10 LEGISLATOR DENENBERG: I mean,
11 some of the projects in here like the
12 digesters and even the separation tanks, the
13 gravity belt thickeners are items or
14 projects that were underway for the last few
15 years at least.

16 MR. MILLET: Correct. But you
17 still need to fund the remainder of the work
18 that has to get done. There's going to be
19 new bar screens done at Cedar Creek, new
20 grip tanks in there, all of that programming
21 is in that.

22 LEGISLATOR DENENBERG: If gravity
23 belt thickeners or digesters are projects
24 that were already underway, we can get FEMA
25 reimbursement even though those projects

1 Rules Committee/7-1-13

2 were prior to the storm?

3 MR. MILLET: If it was at Bay
4 Park, we would have to prove to them that
5 the damage, even though we haven't completed
6 all the work, the damage to the material
7 that was there at that point needs to be
8 replaced, they will work that way. Even
9 though the project wasn't completed, we
10 wouldn't go for the whole project.

11 LEGISLATOR DENENBERG: So, in
12 other words, they will know we were underway
13 with the project and we'll have to show a
14 newer project that we have to replace
15 everything, so fund the whole thing?

16 MR. MILLET: Well, no. They
17 won't fund the whole thing. They will fund
18 it from a certain point.

19 LEGISLATOR DENENBERG: What about
20 at Cedar Creek? We have some of those
21 projects, separation tanks --

22 MR. MILLET: Correct. But that's
23 regular SSW, has nothing to do with FEMA.

24 LEGISLATOR DENENBERG: So that
25 part of this money is not going to be

1 Rules Committee/7-1-13

2 reimbursed?

3 MR. MILLET: No, I would assume
4 it's not because it regular SSW capital
5 project work.

6 LEGISLATOR DENENBERG: So of the
7 amount here, how much do we expect to be
8 subject to reimbursement and how much not?

9 MR. MILLET: \$593 million and a
10 little bit.

11 LEGISLATOR DENENBERG: \$593
12 million and a little bit is what?

13 MR. MILLET: \$200,000 to be
14 exact. \$593,200,000.

15 LEGISLATOR DENENBERG: Is?

16 MR. MILLET: That is 3P-311, the
17 \$53,200,000, and 35121, the \$540 million
18 project, those we expect to get 90 percent
19 back.

20 LEGISLATOR DENENBERG: So the
21 total of \$593,200,000, we would expect to
22 get 90 percent back?

23 MR. MILLET: Correct.

24 LEGISLATOR DENENBERG: How much
25 would we expect not to get 90 percent back

1 Rules Committee/7-1-13
2 of this?

3 MR. MILLET: It would be the
4 remaining --

5 LEGISLATOR DENENBERG: Is it
6 127?

7 MR. MILLET: 127 and a little
8 bit.

9 LEGISLATOR DENENBERG: Okay. And
10 that's the breakdown right now?

11 MR. MILLET: Yes. The chart in
12 front of you.

13 LEGISLATOR DENENBERG: Hold on
14 one second. Has the Sewer and Storm Water
15 Authority been briefed on this expenditure
16 in this plan?

17 MR. MILLET: I don't know if they
18 have been. I'm not involved in the sewer
19 and storm water authority at all. I'm sure
20 that went through the county exec's office.

21 LEGISLATOR DENENBERG: We're
22 talking about an asset that's owned by the
23 Sewer and Storm Water Authority. I would
24 assume that that board needs to approve and
25 be on board with this, right?

1 Rules Committee/7-1-13

2 MR. MILLET: I would make that
3 assumption as well.

4 LEGISLATOR DENENBERG: How do I
5 assure that they're briefed and that --

6 MR. MILLET: I will check on that
7 and get back to you.

8 LEGISLATOR DENENBERG: In terms
9 of a breakdown of all of this, the only
10 breakdown we have is in this backup?

11 MR. MILLET: In the chart, yes.
12 In this packet, there is just a chart. If
13 you would like a more detailed look at this,
14 I'm sure that the engineers can pull
15 together the construction plan.

16 LEGISLATOR DENENBERG: Yes, I
17 would like the construction plan and a
18 breakdown by design by construction
19 including bidding. I mean, a lot of this
20 has to be rebid. So there should be a cost
21 of design, construction and, within that
22 construction management, path management.
23 Can we get that breakdown before it gets to
24 Full?

25 MR. MILLET: Sure. I will give

1 Rules Committee/7-1-13
2 it my best effort. I will let you know if I
3 can't, but I'm pretty sure it's almost
4 complete now.

5 LEGISLATOR DENENBERG: I think as
6 it gets to Full, the full design
7 construction bidding, critical path
8 management, construction management.

9 MR. MILLET: No problem.

10 LEGISLATOR DENENBERG: Thank you.

11 CHAIRMAN NICOLELLO: Mr. Millet,
12 in terms of the \$593 million though, I'm
13 assuming that this is not a surprise to FEMA
14 that this is going to go forward and it's
15 going to be submitted to them?

16 MR. MILLET: They were, actually,
17 our engineers and their engineers have been
18 involved since day two formulating the
19 numbers. So they're fully engaged with
20 these numbers.

21 CHAIRMAN NICOLELLO: Because all
22 those guarantees is the 90 percent
23 reimbursement ratio, right?

24 MR. MILLET: Yes, they are fully
25 engaged with our engineers.

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2 CHAIRMAN NICOLELLO: Do we have
3 any further questions? Legislator
4 DeRiggi-Whitton.

5 LEGISLATOR DERIGGI-WHITTON: How
6 are you? I just have a couple of questions.

7 So just following up on what
8 Richard said. They are fully engaged and
9 been working with you from day two, but do
10 we have anything in writing at all from
11 FEMA?

12 MR. MILLET: You will never get
13 anything in writing from FEMA.

14 LEGISLATOR DERIGGI-WHITTON: So
15 it's a verbal agreement?

16 MR. MILLET: It's part of the
17 Stafford Act.

18 LEGISLATOR DERIGGI-WHITTON: That
19 they're going to be reimbursing 90 percent
20 of now the 500 and something, so that's
21 another 200 million that is not going to be
22 reimbursed, correct?

23 MR. MILLET: Well, the 90
24 percent, and if you have to get the total
25 and come to ten, if the state is gracious

1 Rules Committee/7-1-13
2 enough to kick in, which they have, it might
3 reduce by five more. I don't think you can
4 plan on that, it might reduce by ten like
5 they did with Irene and it might be a zero
6 to the county.

7 LEGISLATOR DERIGGI-WHITTON:
8 Let's start with, as far as when you
9 mentioned before that these contracts are
10 going to go out to bid, what kind of
11 contracts are these that are involved?

12 MR. MILLET: You'll have a
13 contract you passed previously authorized,
14 selected from, to go to a 30 percent design.
15 That 30 percent design will be sent out for
16 other design firms to finish the design and
17 get the contract documents in order to be
18 put out to bid. Then there will a
19 construction bid.

20 At the same time there is a
21 construction bid, there is a construction
22 management bid that goes out. Some of those
23 will be with constructability reviews and
24 some will not if, depending on the size of
25 them, we may in turn only do the

1 Rules Committee/7-1-13
2 constructability reviews.

3 LEGISLATOR DERIGGI-WHITTON: And
4 these are going out to bid because they're
5 not considered --

6 MR. MILLET: Very big projects;
7 \$25 million, \$40 million projects.

8 LEGISLATOR DERIGGI-WHITTON:
9 Would these fall under the emergency clause?

10 MR. MILLET: I wouldn't want to
11 bid them that way because I think that
12 you're causing yourself undue stress when it
13 comes to your claim back. So I think the
14 follow-up procedure in bidding is the most
15 efficient and FEMA would be the most happy
16 about it if we did it that way.

17 LEGISLATOR DERIGGI-WHITTON: Do
18 we have a choice not to put it out as --

19 MR. MILLET: As a choice you
20 could always use the county executive's
21 emergency powers to do it, but I think, like
22 I said, it's not something you are going to
23 run out and build a plant in 12 months.
24 It's something that you have to schedule and
25 build out in little systematic pieces

1 Rules Committee/7-1-13
2 because you can't just shut it off and build
3 it, so you have to build it in a way that
4 you still service half of the county, or 49
5 percent of the county.

6 LEGISLATOR DERIGGI-WHITTON: So
7 the emergency is still pending for Nassau
8 County, correct?

9 MR. MILLET: I believe he has
10 continued to extend the emergency.

11 LEGISLATOR DERIGGI-WHITTON: So
12 it's up to his discretion as to what
13 contracts are bid out for emergency, and --

14 MR. MILLET: Well, no, you are
15 not going to bid anything out that's an
16 emergency that's not an emergency. This
17 system, this work is not emergency work.
18 The previous work, to get the homeowners,
19 and the residents so there wasn't sewage in
20 their streets and in their homes was
21 emergency work.

22 I would not personally think that
23 he would consider it to be, but I don't
24 think it is either.

25 LEGISLATOR DERIGGI-WHITTON: So

1 Rules Committee/7-1-13
2 then all of the criteria for emergency
3 really shouldn't be falling into that in
4 this type of contract?

5 MR. MILLET: Unless something
6 changes drastically or catastrophically at
7 the plant, our plan is to follow the county
8 procedure for bidding and awarding.

9 LEGISLATOR DERIGGI-WHITTON: Do
10 you know if there is any capital remaining
11 from the money allotted prior for the
12 repairs for the sewage treatment plant?

13 MR. MILLET: Is there money?

14 LEGISLATOR DERIGGI-WHITTON:
15 That's remaining that we had kind of put
16 aside to help with the sewage treatment
17 plants in the prior capital budgets.

18 MR. MILLET: Are you talking
19 capital money or FEMA money?

20 LEGISLATOR DERIGGI-WHITTON:
21 Well, any money allotted. Before Sandy I
22 know we had some money put aside to improve
23 Bay Park.

24 MR. MILLET: That's in the
25 regular capital plan. That's programmed

1 Rules Committee/7-1-13
2 inside your capital plan.

3 LEGISLATOR DERIGGI-WHITTON: Is
4 that going towards this at all?

5 MR. MILLET: Well, no, this is
6 additional to the programming that's there
7 already.

8 LEGISLATOR DERIGGI-WHITTON: So
9 everything that we budgeted for prior is not
10 included at all with this repair?

11 MR. MILLET: The project codes
12 are included but that money is not included
13 here because, if it's been authorized and/or
14 borrowed, it's not in this list.

15 LEGISLATOR DERIGGI-WHITTON: Is
16 some of that work overlapping them?

17 MR. MILLET: Some of the money
18 you are going to put in here will carry
19 those programs till the end.

20 LEGISLATOR DERIGGI-WHITTON: So
21 my question, in a basic way is, are we going
22 to have some money freed up that we allowed
23 for these repairs in the prior budgets?

24 MR. MILLET: No, no. The money
25 in the prior budgets aren't included in this

1 Rules Committee/7-1-13

2 borrowing.

3 LEGISLATOR DERIGGI-WHITTON:

4 Because, from what I understand, some of the
5 repairs, including, like, raising the pump
6 and a few other things, we already borrowed
7 that money. And I would assume that would
8 be part of the improvements with these.

9 MR. MILLET: You are asking me
10 kind of an abstract question about a pump.
11 So I don't know what program piece you are
12 speaking of.

13 LEGISLATOR DERIGGI-WHITTON: I
14 know there was remaining money, from what I
15 understand, from a prior capital budget that
16 were allocated for improvements.

17 I'm just wondering if that's
18 going to be credited, or if it's going to be
19 applied to this, or --

20 MR. MILLET: No. That's all part
21 of your regular capital program that you
22 continue on with.

23 LEGISLATOR DERIGGI-WHITTON: I
24 heard that it wasn't spent yet and work
25 hadn't been done yet. I'm just wondering if

1 Rules Committee/7-1-13
2 we're paying for it again now, or --

3 MR. MILLET: No, you are not
4 paying for it twice. It doesn't happen that
5 way. You have PPU in one project. It's not
6 like you can move that money around and do
7 anything you want with it. It's specific to
8 that piece. You have to do that work.

9 LEGISLATOR DENENBERG: Maybe I
10 can just? What Legislator DeRiggi-Whitton I
11 believe is reading, in past years there was
12 up to as much as \$400 million authorized in
13 unissued bonds for projects that included a
14 project number for influent pumps at Bay
15 Park, a project number for gravity belt
16 thickeners project at both Bay Park and
17 Cedar Creek, a project for the digesters at
18 both Cedar Creek and Bay Park.

19 So not all that money had been
20 expended because those projects weren't
21 completed. They were in different phases I
22 think in all three of those phases they were
23 in different phases of construction. They
24 had been designed several years ago.

25 So what happens with that

1 Rules Committee/7-1-13
2 authorized but unissued bonding if these
3 project numbers are new fully covered in
4 this request?

5 MR. MILLET: They are not. We
6 took the delta of those pieces and reduced
7 it out of this borrowing so that we wouldn't
8 be doubling up.

9 If there are X amount of dollars
10 in influent pumping, which is a job ongoing,
11 it wasn't included, the remainder of the job
12 was not included in here even though we may
13 claim part of it in FEMA, it's still not
14 part of this borrowing.

15 LEGISLATOR DENENBERG: So the
16 influent pumps, I believe it's off the top
17 of my head, about a \$12 million job of which
18 we only spent about \$2 million. \$10 million
19 was authorized but unissued, what happens
20 then, because clearly pumps for Bay Park are
21 part of this request?

22 MR. MILLET: We have actually
23 gotten probably to the \$7 million mark on
24 the influent pump job at Bay Park. So that
25 money is continually going out as the work

1 Rules Committee/7-1-13
2 is done and completed and we pay the vendor.
3 So that work is being done already without
4 this. This does not have anything to do
5 with that ongoing capital work.

6 LEGISLATOR DENENBERG: But it's
7 one of the project numbers.

8 MR. MILLET: But the project
9 number catches many items within the plants.
10 It's not just the influent pumping. It may
11 be the final screens, may be final tanks
12 that come out of that piece.

13 LEGISLATOR DENENBERG: So even
14 though we're authorizing, as Legislator
15 DeRiggi-Whitton says, \$590 million now, and,
16 in some cases we are authorizing money for a
17 full project, we've already authorized the
18 money for that --

19 MR. MILLET: No, no. You're
20 trying to mix apples and oranges. You're
21 not authorizing it for influent screen. You
22 are authorizing it for inside 35118, which
23 is a general capital thing that says waste
24 water facility improvement. It doesn't mean
25 it's an influent pump job. It can go to any

1 Rules Committee/7-1-13
2 job that's inside the wastewater facility
3 that needs that improvement.

4 So even though influent screen is
5 being paid out of that, it's not the
6 influent screen job which, if you do stuff
7 like that it's quite foolish to have it that
8 tightly moved in case you ever have a
9 problem, you cannot make an adjustment
10 because you cannot pay for something that
11 goes wrong with that PPU. It's illegal.

12 So when you have well structured
13 facility improvement lines, you want to take
14 advantage of them so that you can do the
15 work that you need to do, but if you come
16 upon something that is worse, or has worse
17 issues with it, you can use the same
18 facility's improvement line and get that
19 work done.

20 LEGISLATOR DENENBERG: So maybe
21 in that breakdown that I asked for --

22 MR. MILLET: That will help you,
23 absolutely.

24 LEGISLATOR DENENBERG: That might
25 help us understand. But what happens,

1 Rules Committee/7-1-13
2 getting back to Delia DeRiggi-Whitton's
3 question, what happens to unused --

4 MR. MILLET: It goes to defuse
5 debt just like any other unused capital fund
6 when the project is closed you use it for
7 debt defusing unless there is another
8 project that comes up and it's another
9 general capital project which has the
10 ability the service the --

11 LEGISLATOR DENENBERG: But what
12 if it's authorized but unissued money?

13 MR. MILLET: Authorized but
14 unissued?

15 LEGISLATOR DENENBERG: We don't
16 need it at this point?

17 MR. MILLET: I think you would go
18 through the exercise and you would do your
19 defusing early if it was authorized and
20 unissued.

21 LEGISLATOR DERIGGI-WHITTON: So
22 just to recap what David just said. So
23 we're talking about approximately \$400
24 million that was still allocated in capital
25 for sewer improvement that has not been

1 Rules Committee/7-1-13
2 issued, plus over \$500 million here as well.
3 So we're talking about \$900 million right
4 now?

5 MR. MILLET: Okay. Could be
6 LEGISLATOR DERIGGI-WHITTON: So
7 \$900 million right now, if we go forward
8 with this --

9 MR. MILLET: It could be.
10 Depending on where the money falls and what
11 projects you do, it could be 900. Remember
12 that \$400 million authorization was never
13 borrowed.

14 LEGISLATOR DERIGGI-WHITTON: I'm
15 sorry. \$400 million, so then talking about
16 \$900 million that we would pretty much
17 anticipate, in borrowing --

18 MR. MILLET: Just because it's
19 authorized doesn't mean it ever was
20 borrowed. If there was no bonding issued on
21 it, it doesn't exist. It's just in a plan,
22 like any other capital plan.

23 LEGISLATOR DERIGGI-WHITTON: But
24 it could be?

25 MR. MILLET: It could be

1 Rules Committee/7-1-13

2 borrowed.

3 LEGISLATOR DERIGGI-WHITTON: So
4 we're having a \$900 million possible bonding
5 situation.

6 MR. MILLET: Well, no, I don't
7 know where you get the \$900 million from.
8 722 million.

9 LEGISLATOR DENENBERG: Well,
10 remember you just said before, if I heard
11 you correctly, it's only about 500 of that
12 is --

13 MR. MILLET: So you would choose
14 not to fund any work at any place other than
15 Bay Park?

16 LEGISLATOR DERIGGI-WHITTON: No,
17 no, no. I'm just saying for instance, we
18 have \$900 million.

19 MR. MILLET: I'm here for \$722
20 million, that's what I'm here for.

21 LEGISLATOR DERIGGI-WHITTON: But
22 there's still the possibility of additional
23 funds still being available, including the
24 400?

25 MR. MILLET: And that would be

1 Rules Committee/7-1-13
2 something that you would certainly look at
3 the budget department and have them give you
4 a breakdown of what's available for
5 defusance, and --

6 LEGISLATOR DERIGGI-WHITTON: All
7 right. My concern is it's a tremendous
8 amount of money, and, like you said before,
9 if it's not used for the sewer it could
10 possibly be used for debt service payback,
11 and that might free up other money.

12 MR. MILLET: If it was borrowed,
13 it could be used for debt service inside the
14 sewer fund.

15 LEGISLATOR DERIGGI-WHITTON: I
16 think we are just putting a lot of money out
17 there. I'm trying to be as careful with it
18 as possible.

19 MR. MILLET: I appreciate that.
20 I see that. But I don't think you should
21 mix whatever this \$400 million magical
22 number is because it doesn't have anything
23 to do with this item here. That's a budget
24 item you have to look at.

25 LEGISLATOR DERIGGI-WHITTON: I'm

1 Rules Committee/7-1-13
2 going to tell you something personally,
3 Rich. I haven't been happy with the answers
4 I've been getting up here. It goes back to
5 the beginning of Sandy cleanup as far as
6 crews being --

7 MR. MILLET: I can only give you
8 the answers I can give you. If you're
9 unhappy with them --

10 LEGISLATOR DERIGGI-WHITTON: -- as
11 far as crews being fired and not being
12 fired.

13 MR. MILLET: I'm actually not in
14 charge of your happiness. I'm in charge of
15 giving you information.

16 LEGISLATOR DERIGGI-WHITTON: And
17 that's what would make we happy if I got an
18 accurate answer. Honestly, right now --

19 MR. MILLET: Again, that is
20 certainly your opinion, legislator.

21 LEGISLATOR DERIGGI-WHITTON:
22 Well, the bottom line is, I've asked you in
23 the past about other situations and you've
24 told me things --

25 MR. MILLET: And I gave you the

1 Rules Committee/7-1-13
2 answer as I knew it to be the way it is. If
3 that's not good enough, I can't help you
4 with that.

5 LEGISLATOR DERIGGI-WHITTON: It's
6 not a question of whether it's good enough,
7 it's a question of whether or not it was
8 accurate.

9 MR. MILLET: It was accurate to
10 the moment I told you.

11 LEGISLATOR DERIGGI-WHITTON:
12 We're going to not agree with that, and
13 neither is some of the newspapers, but I
14 what I will like to say is that the
15 contracts that you just talked about as far
16 as emergencies and non-emergencies, are you
17 basically going to tell us that anything
18 that goes out to bid is going to conform
19 with prevailing wage and everything else?

20 MR. MILLET: At the plant, the
21 only -- probably the only item not going to
22 go out to bid the regular way are the power
23 generation engines and, that is, can't wait
24 on and run a bid and wait six months to get
25 it back.

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2 So the power generation is
3 probably the only place that's going to be
4 non-Sandy but also going to be not-bid-out
5 in the traditional fashion.

6 LEGISLATOR DERIGGI-WHITTON: You
7 know, again, because it all involves Sandy,
8 I requested to see what has been reimbursed
9 so far. I'm hoping that you're right with
10 the 90 percent. We haven't gotten there,
11 close to it yet.

12 I mean, I looked at a number of
13 the documents that were provided. I had
14 Roseanne here last time tell us it was
15 probably around 30 percent so far. We are
16 hoping to get closer to 90 percent but,
17 right now, if you're talking about going
18 into another contract that we are going to
19 be expecting to be reimbursed by FEMA, we
20 really have to make sure that we know what
21 we are doing.

22 We've already been shown that
23 FEMA trusts us to the point where we are
24 going to be paying for what is appropriate.
25 Even the fact that we are not 100 percent

1 Rules Committee/7-1-13
2 sure if we're going to be reimbursed for all
3 the work we did in other situations, I would
4 like to know if going forward we really have
5 to keep a closer eye on this. This is a lot
6 of money. And, hopefully, I'm sorry if you
7 feel we are giving you a hard time, but --

8 MR. MILLET: I don't think anyone
9 is giving me a hard time.

10 LEGISLATOR DERIGGI-WHITTON: But
11 what I want you to do, is I want to know for
12 sure going forward that we are going to be
13 in compliance because I don't have any
14 feeling, I've been concerned about it from
15 day one with all these contracts. And your
16 word and you're speaking with them and all
17 that is I'm sure comforting to you, but, for
18 us, on the Finance Committee, it's something
19 that, with this much money of the taxpayer's
20 money involved, I think we need our own
21 level of comfort.

22 The other question I have, for
23 2014, do you any idea approximately how much
24 work would be accomplished in the upcoming
25 year as far as to break it down by money

1 Rules Committee/7-1-13
2 possibly, like, do you think a third of
3 this?

4 MR. MILLET: When I produce these
5 schedules, you will see all the contract
6 schedules, when they're due to be put out,
7 the cost and when the construction will
8 start.

9 LEGISLATOR DERIGGI-WHITTON: Do
10 you, like, for instance, do we normally bond
11 for more than one year ahead of time?

12 MR. MILLET: You need to bond for
13 big jobs and jobs like this in a different
14 fashion than you would bond for your regular
15 every-day operation. You need a bond
16 ordinance for the whole thing or the
17 comptroller and NIFA, they don't like to
18 approve stuff if you just go for a little
19 bit of it, they won't approve the contract
20 as we witnessed in the aquatic center. They
21 wanted us to have the entire \$28 million.
22 We didn't have it, therefore, they didn't
23 approve the contract.

24 LEGISLATOR DERIGGI-WHITTON:
25 Could you give us like a guesstimate, like,

1 Rules Committee/7-1-13
2 do you think it's going to be one to two
3 years, or three to five years, or --

4 MR. MILLET: I would say the full
5 construction, if you are talking about Bay
6 Park, is probably a three to five year
7 period with the bulk of the construction
8 starting within the first 18 months.

9 LEGISLATOR DERIGGI-WHITTON: And
10 just to repeat again, this does not include
11 the pipe?

12 MR. MILLET: Does not include the
13 outfall.

14 LEGISLATOR DERIGGI-WHITTON: I
15 thought that it did. So why does it not?

16 MR. MILLET: The outfall doesn't
17 fall under FEMA reimbursement. We're going
18 to apply in CDBG for the outfall.

19 LEGISLATOR DERIGGI-WHITTON: How
20 much would that normally cost about?

21 MR. MILLET: \$640 million.

22 LEGISLATOR DERIGGI-WHITTON: So
23 we are talking about another 640 on top of
24 it --

25 MR. MILLET: That's if you do an

1 Rules Committee/7-1-13

2 outfall. If you don't do the outfall, you
3 don't have to ask for CDBG money.

4 LEGISLATOR DERIGGI-WHITTON: So
5 now we're talking about \$1.5 billion about.

6 MR. MILLET: No. I'm talking
7 about \$722 million.

8 LEGISLATOR DERIGGI-WHITTON: But
9 if we do want to do the out pipe, which I
10 thought was actually part of this --

11 MR. MILLET: No.

12 LEGISLATOR DERIGGI-WHITTON: No?
13 Did that change? I remember hearing that at
14 some point that that pipe was included in
15 this.

16 MR. MILLET: No.

17 LEGISLATOR DENENBERG: Actually,
18 just to chime in, I'm sorry, there was --

19 CHAIRMAN NICOLELLO: Legislator
20 Denenberg.

21 LEGISLATOR DENENBERG: Thank you,
22 I'm sorry. At one point maybe we heard 1.2,
23 the \$700 million and then \$500 million for
24 the outflow that the county executive and I
25 was there when he talked about it, talked

1 Rules Committee/7-1-13
2 about the 500 being reimbursed by the
3 federal government, he didn't CDBG.

4 MR. MILLET: That's the only
5 place you can get it is that.

6 LEGISLATOR DENENBERG: Community
7 Development Block Grant, I would have to
8 look at it, but I don't ever recall
9 Community Development Block Grant money
10 being available for an outflow pipe.

11 MR. MILLET: They have an
12 infrastructure fund for this storm,
13 particularly for this storm. That's what we
14 are looking to target. As well as New York
15 State infrastructure fund which as \$800
16 million in it, and the EFC has zero percent
17 loan grants out for infrastructure.

18 LEGISLATOR DENENBERG: It just
19 begs the issue of why I would like to see
20 the breakdown.

21 MR. MILLET: Absolutely.

22 LEGISLATOR DENENBERG: So we know
23 where we envision 722 million going to. But
24 this is the first time, at least speaking
25 for my side of the aisle, that we heard that

1 Rules Committee/7-1-13
2 the \$500 million which is now \$600 million,
3 we believe that the outflow pipe by the time
4 we do it, it will be a lot more expensive
5 than we ever thought. I have no doubt.

6 But the Community Development
7 Block Grant, and I guess I'm thinking prior
8 to the storm always seemed like it was for
9 community development.

10 MR. MILLET: They created an
11 infrastructure fund in there now.

12 LEGISLATOR DENENBERG: When did
13 that happen?

14 MR. MILLET: They did it when the
15 governor declared his CDBG program, they
16 separated money out for it from the federal
17 government.

18 LEGISLATOR DENENBERG: CDBG is
19 usually federal.

20 MR. MILLET: I understand. It
21 goes through the state. The state is the
22 recipient.

23 LEGISLATOR DENENBERG: Okay.
24 We'll see. Thank you.

25 CHAIRMAN NICOLELLO: Mr. Millet,

1 Rules Committee/7-1-13
2 questions have been raised about the overall
3 total, in particular the \$722 million that
4 is before us today.

5 But, less than a year ago, you
6 had people who had sewage, raw sewage
7 backing up into their streets and into their
8 houses, right?

9 MR. MILLET: Absolutely.

10 CHAIRMAN NICOLELLO: A nightmare
11 scenario?

12 MR. MILLET: Terrible.

13 CHAIRMAN NICOLELLO: And you had
14 the rest of us, hundreds of thousands of
15 people living in the catchment area for Bay
16 Park who were faced with the prospect of
17 perhaps not being able to flush their
18 toilets?

19 MR. MILLET: Absolutely.

20 CHAIRMAN NICOLELLO: And dealing
21 with the rest of the effects of Hurricane
22 Sandy with the outages of power, with the
23 lack of gasoline.

24 So we are talking about a lot of
25 money but we're talking about a fundamental

1 Rules Committee/7-1-13
2 service that, unless we do what we have to
3 do, it could be in jeopardy of future storms
4 and you could have something of a
5 catastrophic nature, right?

6 MR. MILLET: Absolutely. This
7 plant was built when they thought the 100
8 year storm was of a certain level. When I
9 got to the county three years ago, we have
10 had 300 year storms. So it's no longer the
11 absent moment. It's the norm now.

12 CHAIRMAN NICOLELLO: And the
13 people that are looking at this, and
14 determining what is absolutely necessary,
15 are the county and its consultants?

16 MR. MILLET: Yes.

17 CHAIRMAN NICOLELLO: And also are
18 there federal and state officials involved?

19 MR. MILLET: We have our federal
20 partners at the table, our infrastructure
21 team from FEMA and from SEMA with us all the
22 time.

23 CHAIRMAN NICOLELLO: And anyone
24 who has known anything about any storms --

25 MR. MILLET: Pretty smart guys.

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2 LEGISLATOR NICOLELLO: But if you
3 just follow the news, any storms of a major
4 nature entail billions of dollars of damages
5 and billions of dollars to repair.

6 MR. MILLET: Absolutely.

7 CHAIRMAN NICOLELLO: But just
8 going back to my first point. It is a lot
9 of money and obviously we will look at the
10 breakdown for our own benefit, but let's
11 understand that what we're dealing with here
12 is basic fundamental things that uphold our
13 society.

14 MR. MILLET: It's a necessity for
15 the constituents. We can't have another
16 episode where the constituents are in danger
17 with a health and safety item.

18 LEGISLATOR NICOLELLO: You can't
19 have our sewage system fail.

20 MR. MILLET: No.

21 CHAIRMAN NICOLELLO: Any other
22 questions? Legislator Bosworth.

23 LEGISLATOR BOSWORTH: So this is
24 really a different question. What happened
25 was catastrophic and everybody who had to

1 Rules Committee/7-1-13
2 live through that will never forget what
3 they lived through. I know these are plans
4 for what will be done in the years as we go
5 ahead.

6 So my concern right now is, how
7 are we right now? I'm looking at this rain
8 and our 100 year storms seem to be happening
9 every year or every other year.

10 So, can you tell us a little bit
11 about the integrity of the infrastructure
12 right now? I mean, are we able to withstand
13 another big storm as we are planning on
14 these?

15 MR. MILLET: I would have to tell
16 you that -- I think I would be foolish to
17 tell you that there was another Sandy that
18 you wouldn't have tremendous damage done.
19 We think right now we are in a position
20 where we've made some adjustments within the
21 plant that we don't think that we would have
22 as bad an issue, but, obviously, if you get
23 a storm like that again, there's nothing you
24 can do when 13 feet of water comes flying
25 over the side of a building.

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2 There will be, upon execution of
3 this plan, in totality we will -- I will
4 have a better feel for the safety of that
5 plant once our plan is fully executed.

6 LEGISLATOR BOSWORTH: Thank you.

7 CHAIRMAN NICOLELLO: Any public
8 comment?

9 (No verbal response.)

10 Thank you, Mr. Millet.

11 LEGISLATOR DERIGGI-WHITTON: Can
12 I just ask one?

13 CHAIRMAN NICOLELLO: Legislator
14 DeRiggi-Whitton.

15 LEGISLATOR DERIGGI-WHITTON: When
16 you do the breakdown, I would really like to
17 see just how -- where the funding is coming
18 for each part.

19 For instance, up until just a few
20 minutes ago, I really thought the 722
21 included the pipe. So I would really like
22 that prior to the next meeting.

23 MR. MILLET: You will get the
24 plan that we have submitted to FEMA, we'll
25 give you the breakdown plan exactly as give

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2 it to them.

3 LEGISLATOR DERIGGI-WHITTON: And,
4 listen, I wish that the work had been done
5 with the \$400 million prior to the storm
6 possibly we could have helped some of the
7 situations that happened but, that being
8 said, no one here wants to see anything but
9 the best services given to our constituents.

10 However, it's clear that people
11 still care about what happens with their
12 money as Rich Nicoletto just said and that's
13 our responsibility. And I just think that
14 there's so much money involved here and I
15 want to make sure that we're being as
16 careful as we can be.

17 Again, I'm going to be the
18 happiest person up here if we get 90 percent
19 of everything back from everybody. But
20 maybe I'm not as trusting right now, but I
21 don't see it yet.

22 MR. MILLET: It's called a
23 congressional appropriation. It's all about
24 congress and the senate.

25 LEGISLATOR DERIGGI-WHITTON:

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2 Possibly but it's also about us being as
3 careful as we can when we enter into these
4 agreements and not just going on a verbal
5 okay when you are talking about, you know,
6 \$1.5 million, right now which we're almost
7 up to.

8 MR. MILLET: And we are.

9 LEGISLATOR DERIGGI-WHITTON:
10 Thank you.

11 CHAIRMAN NICOLELLO: Is there any
12 public discussion?

13 (No verbal response.)

14 All those in favor of Item 244 of
15 2013 signify by saying aye.

16 (Aye.)

17 Those opposed?

18 (No verbal response.)

19 The item carries unanimously.

20 (Whereupon, the following is the
21 continuation of the minutes of the Rules
22 Committee, 7-1-13.)

23 CHAIRWOMAN GONSALVES: Any other
24 questions of Mr. Millet or Mr. Arnold? Yes,
25 Minority Leader Abrahams.

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2 LEGISLATOR ABRAHAMS: Thank you,
3 Presiding Officer. I do have some
4 questions. I know this was extensively
5 covered in the Finance Committee meeting,
6 but it's become apparent that the \$722
7 million that's being bonded, and I know
8 there was talk of it not including the out
9 fall pipe, but the period of work -- I know
10 it's going to start in 18 months based on
11 what I was hearing in the testimony in the
12 previous committee meeting, the period of
13 work is over how much stretch of time?

14 MR. MILLET: It will probably be
15 the end of five years.

16 LEGISLATOR ABRAHAMS: So it's an
17 extensive period of work over a period of at
18 least five years?

19 MR. MILLET: Yes, their work
20 starts sooner than 18 months. The work will
21 actually start on some projects this fall.

22 LEGISLATOR ABRAHAMS: So normally
23 when we do capital projects, whether they be
24 for the sewers or for the roads or whatever,
25 we various contracts that delineates various

1 Rules Committee/7-1-13
2 stages and phases throughout a period of
3 time and we always bond for the budget year,
4 the capital budget year that we are in. And
5 we have a plan, a road map which we would
6 bond in subsequent years after that period
7 of years.

8 Why is there a need for us to
9 bond the entire amount up front and not have
10 it done in separate contracts and separate
11 phases?

12 MR. MILLET: There is only a need
13 to authorize.

14 LEGISLATOR ABRAHAMS: That would
15 be the same thing. We are authorizing,
16 normally in the capital plan, we would
17 authorize whatever for the first year as
18 well.

19 MR. MILLET: No. Let me try --
20 when you have a project of this magnitude,
21 there are going to be projects that carry
22 out over three years. NIFA will not approve
23 a contract unless the full authorization of
24 that project has been done.

25 They have turned back the aquatic

1 Rules Committee/7-1-13
2 center which did not have full authorization
3 for that reason. So when you look at the
4 holistic moment of doing Bay Park and the
5 other capital plan, you have to have the
6 authorization. It doesn't mean I'm going
7 out day one after you authorize it and
8 borrowing \$722 million.

9 I'm asking for the full
10 authorization so that I can put contracts
11 out and get contracts laid out so I can have
12 a concise plan and period of how we're going
13 to operate the plant while we are going to
14 do the rebuilding of the plant.

15 LEGISLATOR ABRAHAMS: But we can
16 write the contracts anyway we see fit, can't
17 we?

18 MR. MILLET: You can write a
19 contract anyway you want. It doesn't mean
20 that NIFA is going to approve the contract.

21 LEGISLATOR ABRAHAMS: What I'm
22 trying to say is, couldn't we write a
23 contract that includes a phase one and
24 another contract that has a phase two?

25 MR. MILLET: You certainly could

1 Rules Committee/7-1-13
2 and that's bad practice and we will get very
3 bad bidders, we will get bad construction
4 bidders.

5 LEGISLATOR ABRAHAMS: But we do
6 that now.

7 MR. MILLET: Not on projects like
8 this. Not on this. You might do it if you
9 wanted to build the family court or
10 something else, but you are going to do that
11 to these guys who are big time contractors.
12 This is big time waste water contracting
13 that's going on here, they won't bid. They
14 are already afraid to bid because of their
15 own concerns. They will not bid on these
16 jobs. We will end up with the wrong
17 contractors. We will end up with
18 substandard sub-par work.

19 LEGISLATOR ABRAHAMS: I would
20 agree. I was just commenting based upon
21 what the presiding officer said, we don't
22 need that. But I think from our standpoint,
23 to make sure that there is due diligence
24 throughout the whole entire project, let's
25 say for example, you sign a contract, we

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2 enter into an agreement, we have the bond
3 authorization in place, what checks and
4 balances does this legislature have in those
5 out years if this project goes, it sinks
6 into, no pun intended, sinks into the bottom
7 of the ocean? What assurances can you give
8 us?

9 CHAIRWOMAN GONSALVES: I just
10 want to inject something here. Isn't it
11 true that every contract that's related to
12 this money comes to this body?

13 MR. MILLET: Correct.

14 CHAIRWOMAN GONSALVES: So we do
15 have --

16 LEGISLATOR ABRAHAMS: But this is
17 one contract though.

18 MR. MILLET: No.

19 CHAIRWOMAN GONSALVES: No, it's
20 not.

21 LEGISLATOR ABRAHAMS: We are
22 giving the bond an authorization.

23 CHAIRWOMAN GONSALVES: An
24 authorization.

25 LEGISLATOR ABRAHAMS: Are we

1 Rules Committee/7-1-13
2 approving the contracts on this day too?

3 MR. MILLET: No.

4 CHAIRWOMAN GONSALVES: No. Just
5 the authorization.

6 MR. MILLET: Different contracts.
7 Let me try to -- Legislator Denenberg had a
8 question and I said, we have a construction
9 plan, we do have which I'm going to get out
10 to everybody here.

11 This \$722 million is to fund the
12 work that's going to happen. Right now we
13 have the contract on that's getting us to 30
14 percent design so they can go out to bid for
15 another design and to bring it to 100
16 percent design, and then go to construction
17 bid which comes here again, construction
18 management bid, which comes here again.

19 So all of those contracts at that
20 30 percent level and higher all come back
21 here.

22 LEGISLATOR ABRAHAMS: What I'm
23 trying to drive at, the work that's being
24 done in say year four and five which is
25 further down the road.

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2 MR. MILLET: Correct.

3 LEGISLATOR ABRAHAMS: I mean, we
4 obviously need more details on what's being
5 done, but not knowing that, but that work
6 being done, I just can't believe we would
7 give a bonding authorization on July 1, 2013
8 for work that's going to be started in 2016
9 or 2017. You would have to show me the
10 legislative body that would give that kind
11 of authority up to authorize the county
12 executive to bond that kind of money for
13 three, four years out.

14 MR. MILLET: Your authorizations
15 in your past SSWs, for the most part, the
16 authorization was full every time you did
17 it.

18 LEGISLATOR ABRAHAMS: When we do
19 an authorization, and correct me if I'm
20 wrong, when we do an authorization for a
21 capital plan, like say for example we're
22 talking about doing one now, and we're
23 talking about the budget year, which I guess
24 in many cases, would be the actual year
25 after, but in this case we are doing one for

1 Rules Committee/7-1-13
2 2013, and the only money that we are
3 borrowing is for the first year. The rest
4 of the plan is for the out years; am I
5 correct by saying that?

6 MR. MILLET: But the
7 authorization is done in full. And this
8 borrowing --

9 LEGISLATOR ABRAHAMS: But that
10 authorization pays for that first year's
11 worth of projects.

12 MR. MILLET: No. You still need
13 the cash. You have to borrow the money.
14 You're misinterpreting what I'm saying.

15 LEGISLATOR ABRAHAMS: If you're
16 borrowing the money, and --

17 MR. MILLET: So you already have
18 authorized it?

19 LEGISLATOR ABRAHAMS: We
20 authorized it, and --

21 MR. MILLET: I want to borrow the
22 money?

23 LEGISLATOR ABRAHAMS: And you
24 want to borrow it, correct. You are
25 borrowing it to pay for the first year of

1 Rules Committee/7-1-13
2 projects?

3 MR. MILLET: For whatever
4 receipts I think are going to come in the
5 billable year.

6 LEGISLATOR ABRAHAMS: Correct.
7 So let's take for example, let's take a
8 hypothetical. We want to do massive
9 construction work to Hempstead Turnpike --
10 well, not Hempstead Turnpike, that's a state
11 road, but let's just take Uniondale Avenue
12 in my legislative district.

13 MR. MILLET: Let's go to waste
14 water because it's specific -- the \$593
15 million is more specific to waste water
16 which is --

17 LEGISLATOR ABRAHAMS: All right.

18 MR. MILLET: We're going to do
19 the new dewatering building. We'll just
20 pick a number. It's a \$50 million job. The
21 design is done this year. You've authorized
22 the \$50 million to be borrowed.

23 LEGISLATOR ABRAHAMS: Yes.

24 MR. MILLET: We put the contract
25 out. The contract gets bid. We award a

1 Rules Committee/7-1-13
2 contract manager. The contracts come to
3 you. Those contracts go to NIFA.

4 LEGISLATOR ABRAHAMS: Correct.

5 MR. MILLET: If there's not full
6 authorization for that contract, they will
7 not approve the contract.

8 LEGISLATOR ABRAHAMS: That's
9 where we agree.

10 MR. MILLET: Just let me finish
11 though.

12 LEGISLATOR ABRAHAMS: And what
13 I'm saying is --

14 MR. MILLET: Just let me dig this
15 in. This will answer your question. So if
16 I have Joe Smith's Contracting, he's the
17 best waste water guy in the world, and I
18 tell him, I'm going to get \$5 million for
19 that job and then I'm going to go back and
20 get more, Joe Smith is going to say, I'm not
21 taking the job.

22 LEGISLATOR ABRAHAMS: Why not?

23 MR. MILLET: Because they're not
24 going to. It's bad practice for them. They
25 work with the City of New York, the City of

1 Rules Committee/7-1-13

2 New York says it's \$100 million job. They
3 authorized \$100 million and they borrow it
4 as they need to pay. That's how any
5 authorization is done.

6 LEGISLATOR ABRAHAMS: So you're
7 trying to convince this legislative body
8 that it's bad practice that no one will bid
9 on the project because they're worried about
10 some authorization mechanism in the
11 legislature?

12 MR. MILLET: Yes. Because now
13 you are breaking a contract into these
14 little pieces which make it impossible to
15 run the plant. This is not something that
16 you can stop in the middle of.

17 LEGISLATOR ABRAHAMS: When have
18 we bid and we have gotten bad bidders
19 because of that practice?

20 MR. MILLET: We never had to
21 rebuild an entire plant.

22 LEGISLATOR ABRAHAMS: So how do
23 we know we're going to get bad bidders?

24 MR. MILLET: Because I have
25 reached out to everybody I can think in New

1 Rules Committee/7-1-13
2 York City, people from California, and
3 they're all saying the same thing. When
4 you're building a new plant, that's what
5 we're doing, we're building a new plant, you
6 can't run out there and tell the guy, we'll
7 do our phase one -- they're not going to
8 take the job. You will end up with
9 contractor you're going to have problems
10 with and you're going to get a substandard
11 product. I'm telling you right now, it's --

12 LEGISLATOR ABRAHAMS: So the
13 alternative is to tell the taxpayers of this
14 county that we're going to authorize \$722
15 million up front and, if something goes
16 wrong, the county executive has the will to
17 do anything he sees fit, correct?

18 MR. MILLET: You're not -- it's
19 an authorization.

20 LEGISLATOR ABRAHAMS: Yes. Let's
21 take it -- from our side, because obviously
22 the will of the majority can pass through
23 any contract with a simple majority, but
24 from our side in terms of bonding, this is
25 the only bite of the apple that we have.

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2 MR. MILLET: I get it.

3 LEGISLATOR ABRAHAMS: So from our
4 side, from our point of view, basically we
5 are giving up our authority.

6 MR. MILLET: No, you're not. You
7 could say no to the contract.

8 LEGISLATOR ABRAHAMS: No, we're
9 not.

10 MR. MILLET: You can say no to
11 the individual contract.

12 LEGISLATOR ABRAHAMS: We don't
13 have a super majority on contracts. So
14 you're asking legislative minority to give
15 up its responsibility now by bonding \$722
16 million all in one shot.

17 The contracts don't require more
18 than four votes. It can pass with a simple
19 majority.

20 MR. MILLET: I don't have an
21 answer for that. I'm just telling you,
22 you're not going to get what you think
23 you're going to get for the citizens. You
24 are not going to be able to protect them
25 quick enough or keep them safe enough --

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2 LEGISLATOR ABRAHAMS: I would
3 like to see us try.

4 MR. MILLET: I just think -- you
5 are putting a lot of people at risk.

6 LEGISLATOR ABRAHAMS: Let's try
7 it from this perspective. We're going to
8 pass this through today. But, I can tell
9 you, unless there's detail that you are
10 going to provide to us in the next couple of
11 weeks that's significant and resounding,
12 we're not doing \$722 million all in one
13 shot.

14 That to me would be us walking
15 away from our responsibility. We should
16 make sure that throughout the entire process
17 we -- I cannot see why we would give the
18 authorization today for projects that's
19 going to be done four years from now an
20 authorization of \$722 million.

21 Let's keep in mind, before this
22 proposal was amended, you guys sent us
23 something down for a billion dollars. We
24 were going to bond a billion dollars and you
25 were just going to ask this legislature to

1 Rules Committee/7-1-13
2 do it, like a billion dollars is like me
3 giving you a dollar. I just have a problem
4 with that.

5 I would strongly suggest -- I
6 would think that the members, not just the
7 minority, but the majority would have a
8 problem with that as well.

9 MR. MILLET: I will get you the
10 details, and --

11 LEGISLATOR ABRAHAMS: I would
12 like to see it, and maybe this is a
13 conversation that I will pick up with the
14 county executive, but I would like to see
15 why we can't break these contracts out.
16 Okay?

17 There has to be some level of
18 detail, something that we can do to break
19 these contracts out. I just can't believe
20 that we would bond \$722 million all in one
21 shot.

22 MR. MILLET: We've gone through
23 the exercise multiple times and it doesn't
24 work out.

25 LEGISLATOR ABRAHAMS: When, tell

1 Rules Committee/7-1-13

2 me when?

3 MR. MILLET: I've done it with
4 the engineers. This is not the first number
5 we have seen. We have done this exercise 50
6 times with FEMA, with our engineers, it
7 doesn't work.

8 LEGISLATOR ABRAHAMS: When have
9 we bonded -- when have we authorized to bond
10 \$722 million in one shot?

11 MR. MILLET: When have you had a
12 sewage treatment plan go under water with 13
13 feet of water?

14 LEGISLATOR ABRAHAMS: We never
15 have.

16 MR. MILLET: We did. And we had
17 31 pump stations --

18 LEGISLATOR ABRAHAMS: We never
19 had it in the years that I have been here.

20 MR. MILLET: Now we have.

21 LEGISLATOR ABRAHAMS: Yes, I
22 agree.

23 MR. MILLET: I think the rules in
24 the world have changed.

25 LEGISLATOR ABRAHAMS: But I think

1 Rules Committee/7-1-13

2 how we're going about how we're handling it
3 is wrong.

4 MR. MILLET: Again, I can only
5 tell you this is the product of engineering
6 and looking at the program and looking at
7 how plants operate and how they have to
8 continue to operate while you do the work,
9 this is the answer. If this answer is not
10 the answer that you guys, anyone likes,
11 well, that's not my deal --

12 LEGISLATOR ABRAHAMS: I mean, not
13 to throw out arbitrary numbers, I think
14 there should be a happy medium where this
15 legislature should feel comfortable in
16 borrowing significantly less than -- or
17 authorizing \$722 million all in one shot.

18 MR. MILLET: Well, I would be
19 highly disappointed if it wasn't 722 because
20 that's the number we need to be successful.

21 LEGISLATOR ABRAHAMS: And, Rich,
22 don't get me wrong. We are not saying we
23 wouldn't give you the 722 over a period of
24 time, but we would have checks and balances
25 throughout the entire process to insure that

1 Rules Committee/7-1-13
2 every step of the way the money that we've
3 authorized has been spent appropriately.
4 That's all we're asking for.

5 MR. MILLET: I'm sure there's
6 some way that could be worked without
7 hampering the plan we have to execute.

8 LEGISLATOR ABRAHAMS: Okay. I
9 would like to hear it. But it can't be,
10 here's the \$722 million bond.

11 MR. MILLET: I wouldn't expect
12 you to.

13 LEGISLATOR ABRAHAMS: Okay.

14 CHAIRWOMAN GONSALVES: I just
15 want to make a comment, and the comment is
16 simply this. The process that's involved in
17 the operation of the capital plan is the
18 same as it has always been.

19 MR. MILLET: Always.

20 CHAIRWOMAN GONSALVES: The thing
21 that is different this time is the fact that
22 we didn't have Super Storm Sandy to deal
23 with and it behooves us at this point not to
24 consider the authorization for the \$722
25 million. And you can be sure that once the

1 Rules Committee/7-1-13
2 process continues, and, by the way, this is
3 something that NIFA is expecting us to do.

4 MR. MILLET: Correct.

5 CHAIRWOMAN GONSALVES: And in
6 order to do the contracts down the road, we
7 need to appeal to NIFA as well as to the
8 various contractors that will be involved in
9 this process.

10 So none of us want to put a
11 rubber stamp on any the contracts. We are
12 going to be very diligent. We are going to
13 see whatever is being paid for is certainly
14 what is due to this county especially to the
15 taxpayers.

16 Right now I think we have to
17 follow the procedure. The procedure is
18 similar to what we've done every time we had
19 to vote on the capital plan, and this time
20 around though we didn't have Super Storm
21 Sandy then, but we do now, and we didn't
22 have really NIFA to deal with. And we also
23 have to remember this capital plan goes into
24 2016.

25 MR. MILLET: Right. The work

1 Rules Committee/7-1-13
2 starts earlier than that. There is design
3 moving forward on multiple projects, so it's
4 not like there is work being done in the
5 first and second year. There is
6 construction quickly. So I don't see the
7 disconnect.

8 LEGISLATOR ABRAHAMS: Let me
9 explain again, maybe I was not being clear,
10 but the disconnect is, we are borrowing \$722
11 million. You're asking this legislative
12 body to authorize, in one shot --

13 MR. MILLET: Correct.

14 LEGISLATOR ABRAHAMS: -- so that
15 you don't have to come back to us ever again
16 for sewer, storm water, waste water
17 treatment for the next four-five years, even
18 longer. That's the disconnect. I hope
19 that's resonating, because it's \$722
20 million.

21 MR. MILLET: Take the \$593
22 million from damage from Sandy and what's
23 the capital then, it's 200? If you passed
24 400 in a year.

25 LEGISLATOR ABRAHAMS: And this

1 Rules Committee/7-1-13

2 722 is all reimbursable?

3 MR. MILLET: Of the \$593 million
4 is eligible to be reimbursed for 90 percent.

5 LEGISLATOR ABRAHAMS: It's
6 eligible?

7 MR. MILLET: Eligible to be
8 reimbursed 90 percent. We have had FEMA at
9 the table since day two. Their engineers
10 with our engineers. We are doing our due
11 diligence along with them putting the PWS
12 together. We have had very good success.

13 So when you look at the 722, and
14 I tried to explain it in Finance, take the
15 593 out. The rest of that is your regular
16 SSW which you borrow and authorize all the
17 time.

18 LEGISLATOR ABRAHAMS: But the
19 593, we don't even know if that's a
20 guarantee.

21 MR. MILLET: It's under the
22 Stafford Act and apply. If we apply and we
23 do our paperwork correctly, you're going to
24 get your reimbursement. When you don't, you
25 appeal.

1 Rules Committee/7-1-13

2 LEGISLATOR ABRAHAMS: I don't
3 know how you feel about it, but I can tell
4 you \$722 million is a lot of money. We're
5 going to dot every I and cross every T
6 before we give any bonding authorization
7 even for any nickel of this.

8 So from our standpoint it seems
9 very simple. I mean, we need to see the
10 level of detail that you are going to
11 provide to us, but, at the same time, if you
12 reference the disconnect, the disconnect is
13 that, \$722 million.

14 MR. MILLET: Minus the 593.

15 LEGISLATOR ABRAHAMS: We're not
16 prepared to minus the 593 because you're not
17 prepared to tell me there's a guarantee that
18 we'll actually get that money back.

19 MR. MILLET: There's no
20 guarantee. The federal government doesn't
21 guarantee anything. You have the Stafford
22 Act.

23 LEGISLATOR ABRAHAMS: Exactly.
24 So stop saying minus it because that, to me,
25 is not relevant right now.

1 Rules Committee/7-1-13

2 MR. MILLET: It's relevant if you
3 look at it as a capital plan. The 593 with
4 no storm, there's no 593 in there.

5 CHAIRWOMAN GONSALVES: Okay. Is
6 there any public comment out there?

7 (No verbal response.)

8 There being none, all those in
9 favor of Contract Item 244 indicate by
10 saying aye.

11 (Aye.)

12 Any opposed?

13 (No verbal response.)

14 The contract passes unanimously.
15 Thank you very much.

16 The next item is Item 265-13, a
17 resolution authorizing the county executive
18 to execute an agreement to an intermunicipal
19 agreement with the Seaford Union Free School
20 District in relation to a project to procure
21 and install a scoreboard at Seaford High
22 School.

23 A motion, please.

24 LEGISLATOR DUNNE: So moved.

25 LEGISLATOR WALKER: Second.

1 Rules Committee/7-1-13

2 CHAIRWOMAN GONSALVES: Moved by
3 Legislator Dunne, seconded by Legislator
4 Walker. Any questions? The reason why we
5 did it, it didn't go through any other
6 committees so that's why, okay? So,
7 therefore, there's no questions on the part
8 of the legislators. Any public comment?

9 (No verbal response.)

10 There being none, all those in
11 favor of Item 265-13 signify by saying aye.

12 (Aye.)

13 Any opposed?

14 (No verbal response.)

15 The item passes unanimously.

16 Now, the next two items are part
17 of the addendum and the rules were already
18 suspended during the contract session and
19 the first item is 242-13, a resolution
20 establishing the Long Island Commission on
21 Aquifer Protection.

22 A motion, please.

23 LEGISLATOR DUNNE: So moved.

24 LEGISLATOR KOPEL: Second.

25 CHAIRWOMAN GONSALVES: Moved by

1 Rules Committee/7-1-13
2 Legislator Dunne, seconded by Legislator
3 Kopel.

4 Now I just want to make a brief
5 statement regarding this, and this will come
6 before us in two weeks. But I think you
7 should know that the resolution before us
8 constitutes a bi-county initiative to create
9 a nine member commission consisting of
10 members designated by the Suffolk County
11 Water Authority, the Long Island Water
12 Conference, the Nassau/Suffolk Commissions
13 Association, the Nassau and Suffolk
14 Department of Health Commissions, and two
15 representatives from Nassau County and
16 Suffolk County respectively.

17 The purpose this of this
18 commission is to assist both counties to
19 understand the issues affecting our
20 groundwater and allow for a coordinated
21 approach towards the protection of our
22 precious water resources.

23 As this is a legislative
24 initiative, I ask that those who wish to
25 speak in support of this item to withhold

1 Rules Committee/7-1-13
2 their testimony until the Full Legislature.
3 And I ask this committee to withhold
4 questions at this time.

5 It is my hope at that particular
6 time that we can work cooperatively in the
7 next two weeks towards the ultimate adoption
8 of this item.

9 I think that this is a resolution
10 and is one of the reasons why we did not
11 seek sponsorship and if were, other than
12 that, we would have had a Full Legislature
13 sponsorship, but being a resolution it
14 didn't require a sponsorship.

15 This is a result of us meeting
16 with various entities regarding the need for
17 the Commission on Aquifer Protection.

18 So I need a motion at this time.
19 I have a motion, sorry. I don't know. I
20 can't dictate to you whether or not you want
21 to speak on this item and who is going to
22 speak on it?

23 LEGISLATOR ABRAHAMS: Me.

24 CHAIRWOMAN GONSALVES: Okay,
25 minority leader.

1 Rules Committee/7-1-13

2 LEGISLATOR ABRAHAMS: Thank you,
3 madam presiding officer.

4 I just have a quick comment.
5 Obviously this is a very important and
6 crucial issue, one of which Legislator
7 Bosworth and Legislator Jacobs and many
8 other members of this legislative body have
9 worked very tirelessly on.

10 I know Legislator Bosworth has
11 personally has basically put in a lot of
12 time in doing joint meetings and working
13 with Suffolk to be able to get to some type
14 of resolution on this.

15 However, she has expressed to me,
16 not just today, but in the past, her
17 concerns about what she believes the
18 resolution should look like. And,
19 obviously, this particular resolution is
20 missing some components of that item, so I
21 know for a fact that she's going to look
22 forward to the hearing as well as the Full
23 Legislative meeting to be able to discuss
24 some much of concerns in greater extent.
25 But we plan to vote for this in the

1 Rules Committee/7-1-13
2 committee in the affirmative today, and I
3 know Legislator Jacobs wants to add a few
4 things as well, but, obviously, we want to
5 make it noted today as well that there are
6 some concerns we would like to see hopefully
7 be addressed.

8 CHAIRWOMAN GONSALVES: Possibly
9 that we could do this before the Full
10 Legislative, maybe we can meet with
11 Legislator Bosworth and Legislator Jacobs.
12 Legislator Jacobs.

13 LEGISLATOR JACOBS: Thank you
14 very much, Presiding Officer. Listen, I
15 certainly think this is a great idea. I
16 mean, obviously, many many years ago I was
17 one of the people that did testify in front
18 of the New York State Water Protection
19 Authority out at Stony Brook along with
20 Denise Ford on the importance of the Lloyd
21 aquifer when the Suffolk Water Authority
22 wanted to actually go in and try to tap into
23 the Lloyd aquifer.

24 So not that I ever thought or
25 think of myself as an expert on this, but I

1 Rules Committee/7-1-13
2 believe the years have brought some
3 expertise. So when Sara Malin contacted
4 Judy and she was meeting with Legislator
5 Spencer from Suffolk, we ended up having
6 some really excellent meetings on this.
7 Keep in mind that the funding for the USGS
8 has been discontinued for the county in
9 2010.

10 So the first thing that is a
11 concern is, where is where is the funding
12 line here to allow this to actually proceed?
13 There has go to be -- you can't just have it
14 in name only, LICAP, Long Island Commission
15 on Aquifer Protection, but where are the
16 teeth for LICAP? In order to have teeth,
17 you need someone to do a study. The study
18 should not just be reports done by water
19 authorities, it should be done by people who
20 are experts in it, but aren't necessarily
21 either in Suffolk or Nassau maybe or, if
22 they are in Nassau or Suffolk known
23 authorities in it. So that's a concern.

24 I also feel that we should
25 approach this from both county's sides in an

1 Rules Committee/7-1-13
2 organized approach, and I like the idea,
3 I've always loved the idea of a bi-county
4 agreement when it deals with our water.

5 But I notice that in the setup of
6 this it will include the county executive,
7 the presiding officer, how about the
8 minority leader? I'm talking about going
9 forward, that seems like you're losing half
10 the legislature.

11 I think there are certain tweaks
12 that can be done to this to give it some
13 teeth going forward. That we're not just
14 doing a feel good resolution but a
15 resolution that makes sense for the future.
16 That's all.

17 CHAIRWOMAN GONSALVES: Your
18 comments are well taken, Legislator Jacobs,
19 and we definitely will reach out to Suffolk
20 and let them know what our concerns are and
21 your idea of another position on the board
22 which would include the minority leader will
23 also be discussed.

24 At this point are there any other
25 comments?

1 Rules Committee/7-1-13

2 LEGISLATOR JACOBS: You will
3 reach out to Judi Bosworth, right, she was
4 the one who really --

5 CHAIRWOMAN GONSALVES: Yes, I did
6 say it and I said it on the record.

7 LEGISLATOR JACOBS: Thank you.

8 CHAIRWOMAN GONSALVES: Is there
9 any public comment regarding this item?

10 (No verbal response.)

11 There being none, all those in
12 favor of Item 242-13 signify by saying aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 The item passes unanimously.

17 Then we have Item 271-13, a
18 resolution to adopt the provisions of
19 Chapter 30 of the laws of 2013 known as the
20 Hurricane Sandy Filing Fee Exemption and
21 Reimbursement Act.

22 A motion, please.

23 LEGISLATOR WALKER: So moved.

24 LEGISLATOR DUNNE: Second.

25 CHAIRWOMAN GONSALVES: Moved by

1 Rules Committee/7-1-13
2 Legislator Walker, seconded by Legislator
3 Dunne. Any comments regarding this?

4 MR. MAY: Yes, Madam Presiding
5 Officer. Before Mr. Francis Ianucci from
6 the County Clerk's Office speaks on this
7 item, I just wanted to point out, a
8 clarification for the record, in the title
9 of the resolution it does say Chapter XXX in
10 Roman numerals, which would be 30, but
11 that's just a placeholder. As of late
12 Friday, this bill has not been signed by the
13 governor.

14 CHAIRWOMAN GONSALVES: So I will
15 read it as Chapter XXX of the laws of 2013
16 until you assign a number to it.

17 MR. MAY: The county has, I
18 believe, 30 days from when the governor
19 signs the bill to enact this legislation.
20 The reason we filed it was so that it ages,
21 the 17 days that we had to do here, and once
22 it's actually signed into law, we will amend
23 the item in the summary properly.

24 CHAIRWOMAN GONSALVES: Is Mr.
25 Ianucci here to speak on this item?

1 Rules Committee/7-1-13

2 MR. MAY: Yes.

3 MR. IANUCCI: Hello.

4 CHAIRWOMAN GONSALVES: Talk to
5 us.

6 MR. IANUCCI: This was initiated
7 by County Clerk O'Connell. We want to be
8 able to reimburse the victims of Super Storm
9 Sandy that had record SBA loans against the
10 property.

11 In order to refund the filing
12 fees, it takes a resolution from the state
13 because the fees are mandated from the state
14 so we couldn't do this on our own so, in
15 order for the county to reimburse, we need
16 this.

17 CHAIRWOMAN GONSALVES: Any
18 questions of Mr. Ianucci?

19 (No verbal response.)

20 Is there any public comment?

21 (No verbal response.)

22 There being none, all those in
23 favor of Item 271-13 signify by saying aye.

24 (Aye.)

25 Any opposed?

1 Rules Committee/7-1-13

2 (No verbal response.)

3 The item passes unanimously.

4 I believe we have two more items
5 and, since they are related, I will call
6 them together. Item 284-13, which is a
7 resolution renaming the field adjacent to
8 Jerusalem Avenue and part of Polaris Field
9 as Vietnam Veterans' Memorial Field. That
10 was 284.

11 The other item is 285-13, and I
12 don't really wish to mispronounce this man's
13 name, a resolution renaming the field
14 further from Jerusalem Avenue and part of
15 Polaris Field as Nicolas Sguigna Field.

16 A motion on 284, 285.

17 LEGISLATOR DUNNE: So moved.

18 LEGISLATOR WALKER: Second.

19 CHAIRWOMAN GONSALVES: Moved by
20 Legislator Dunne, seconded by Legislator
21 Walker. Any questions on this?

22 (No verbal response.)

23 Is there any public comment?

24 (No verbal response.)

25 There being no comments, all

1 Rules Committee/7-1-13
2 those in favor of 284 and 285 signify by
3 saying aye.

4 (Aye.)

5 Any opposed?

6 (No verbal response.)

7 The items pass unanimously.

8 I believe that is all there is to
9 the Rules Committee. Motion to adjourn.

10 LEGISLATOR DUNNE: So moved.

11 LEGISLATOR WALKER: Second.

12 CHAIRWOMAN GONSALVES: Moved by
13 Legislator Dunne, seconded by Legislator
14 Walker. All those in favor of adjourning
15 signify by saying aye.

16 (Aye.)

17 Any opposed?

18 (No verbal response.)

19 We are adjourned. And, everyone,
20 a happy and safe 4th of July.

21 (Whereupon, the Rules Committee
22 adjourned at 4:36 p.m.)

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C E R T I F I C A T E

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of July, 2013.

FRANK GRAY