

Nassau, last major union reach accord

BY CANDICE FERRETTE
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Nassau legislators on Monday unanimously approved a \$67 million collective bargaining agreement with the Sheriff's Correction Officers Benevolent Association, the last of the county's five major public unions to settle contracts following years of negotiations.

Also Monday, legislators renewed a multiyear contract with the Nassau Inter-County Express, or NICE Bus, a subsidiary of Illinois-based Transdev North America, to maintain and operate the county's bus system.

The COBA contract runs from July 2020 to July 2025 with 2% raises in the first two years, 2.5% in the next two years and 3% in the final two years.

More than 400 active employees would begin contributing 2.5% of their base salary to the health plan beginning Nov. 1; a new salary chart will take effect for new employees; the number of hours in which an officer may earn overtime pay will be capped; and a stipend for some investigative units is included in the deal.

The union represents working and retired correction officers, a majority of whom staff the county jail in East Meadow. Members earlier this month ratified the deal in a 564-125 vote. It needs approval from the Nassau Interim Finance Authority, a state control board that oversees the county's finances.

"It's been a long road. Six years without a contract. I've gone down this road before but it's nice to get it done," COBA President Brian Sullivan said after the 19-0 vote by the full legislature.

In August 2022, COBA members voted down a deal the union's leadership struck with Nassau County Executive Bruce Blakeman.

Blakeman, a Republican who took office in January 2022, has also settled agreements with the Police Benevolent Association, Nassau's largest law enforcement union, and the Civil Service Employees Association, the county's largest public employee union.



NICE Bus, operated by Illinois-based Transdev North America, has operated bus service in Nassau County since 2010.

WHAT TO KNOW

- Nassau legislators approved a \$67 million, 6-year contract with the Sheriff's Correction Officers Benevolent Association.
- COBA is the last of the county's five major public unions to settle contracts.
- Legislators renewed a multiyear contract with NICE Bus to maintain and operate the county's bus system.

Former County Executive Laura Curran, a Democrat, settled contracts with The Detectives' Association Inc. and the Superior Officers Association. PBA members in December 2020 voted down the first agreement between its former leadership and the Curran administration.

The five contracts cover 6,631 county employees.

Legislators voted unanimously to renew the county's bus contract with NICE.

Nassau has been contracting with NICE since 2010, and its latest contract expires at the end of this year. Two companies submitted bids in response to the county's request for proposals in January, Department of Public Works Commissioner Kenneth Arnold told legislators.

The cost of renewal with NICE is \$169 million for 2024 and rises 3% annually. The

entire length of the agreement totals \$1.3 billion over seven years, officials confirmed in response to questions from Minority Leader Kevan Abrahams (D-Freeport) during an hourlong hearing before the vote.

Arnold said NICE bus service has received "good and satisfactory reviews over the years." He said the company's on-time performance is in the 90th percentile and its rate of accidents is 45% percent less than competitors such as the MTA. He said ridership is recovering from a decline during the pandemic.

Legis. Carrié Solages (D-Lawrence) requested more data about on-time performance of buses that service the residents of his district, particularly those that rely on it to get back to Nassau from the LIRR Jamaica Station.

"My district borders New York City and many of my constituents are dependent upon public transportation," Solages said.

NICE CEO Jack Khzouz said the bus company has 2,500 bus stops across the county and an on-time performance of 90%.

"September is always our most challenging month because we have back-to-school, and on-time performance dips down to about 87 or 88 percent," Khzouz said.

The COBA agreement and the NICE contract renewal are expected to gain the approval of NIFA.

GILGO CASE

Paths of some legal eagles have oftentimes crossed

BY NICOLE FULLER
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John Ray, the Miller Place-based attorney who has represented the estate of Shannan Gilbert, has been a public face of the Gilgo Beach case for the last 13 years.

Rarely seen without his signature fedora and low-slung ponytail, the former high school history teacher-turned trial attorney has clung to his contention over the years that Gilbert, whose disappearance initiated a search that led Suffolk police to find the remains of 10 people along Ocean Parkway, was a murder victim even though Suffolk police have determined she died accidentally.

But with the July 13 arrest of Rex A. Heuermann, the Massapequa Park resident charged in the killings of three women whose remains were discovered in 2010 near Gilgo Beach, the case has broadened the number of lawyers involved beyond Ray, and many of them have a shared history — a common occurrence in Suffolk County's small and cliquish legal community.

A shared history

Michael J. Brown, the lead defense attorney representing Heuermann, is a veteran lawyer whose connections in the Suffolk legal community run deep.

Unlike Ray, Brown has declined most interview requests, but he has vigorously defended his client publicly after Heuermann's court appearances, saying he is innocent and picking apart summaries of the evidence that prosecutors released in a bail letter after Heuermann's arrest.

Brown, who has been in private practice since 1995, started his legal career as an assistant district attorney in the Suffolk District Attorney's Office with Ray Tierney, now the elected district attorney. Tierney, a former federal prosecutor who is leading the team of prosecutors trying the case against Heuermann, will



Rex A. Heuermann

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likely square off against Brown in a Riverhead courtroom if the case eventually goes to trial.

Also in the mix is Robert Macedonio, a longtime criminal defense attorney and matrimonial lawyer who shared a legal practice with Brown for a decade, and is now representing Heuermann's estranged wife, Asa Ellerup, in her divorce action. Heuermann apparently isn't contesting the divorce, according to court records.

Macedonio, who also started his career at the same time as Brown and Tierney in the district attorney's office, lost his law license after pleading guilty in 2008 to felony cocaine possession but was reinstated as a lawyer after his conviction was thrown out and he instead was convicted of a misdemeanor three years later. Macedonio said he parted ways with Brown during that period. The pair remain friends, Macedonio said.

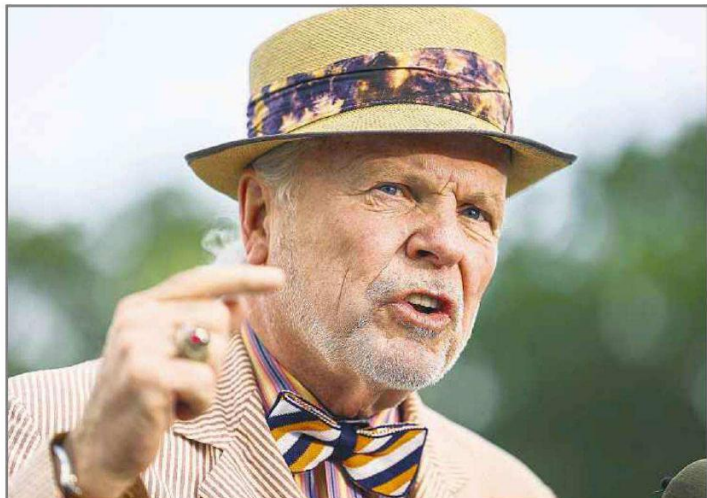
"We're still very close friends," Macedonio said. "We just have differences in business. Honestly, the real reason why we broke up, you guys wrote about it, I was going through my divorce, I had my alcohol and drug problem . . . Michael was one of my biggest supporters getting sober."

Macedonio said he's been sober for 15 years and has spoken at drug court graduations.

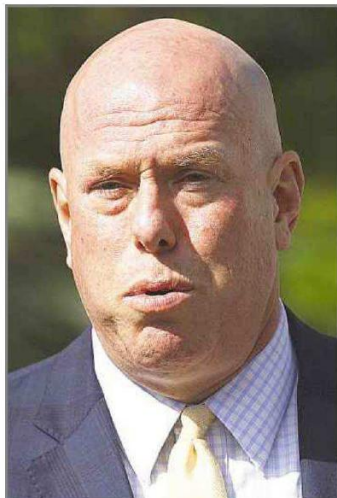
High profile cases

Presiding over the criminal case against Heuermann is Supreme Court Justice Timothy Mazzei, known for his sharp tongue and abrupt demeanor on the bench. Mazzei, a

FEATURES SHARED HISTORIES



Attorney John Ray has long been a public face in the Gilgo case.



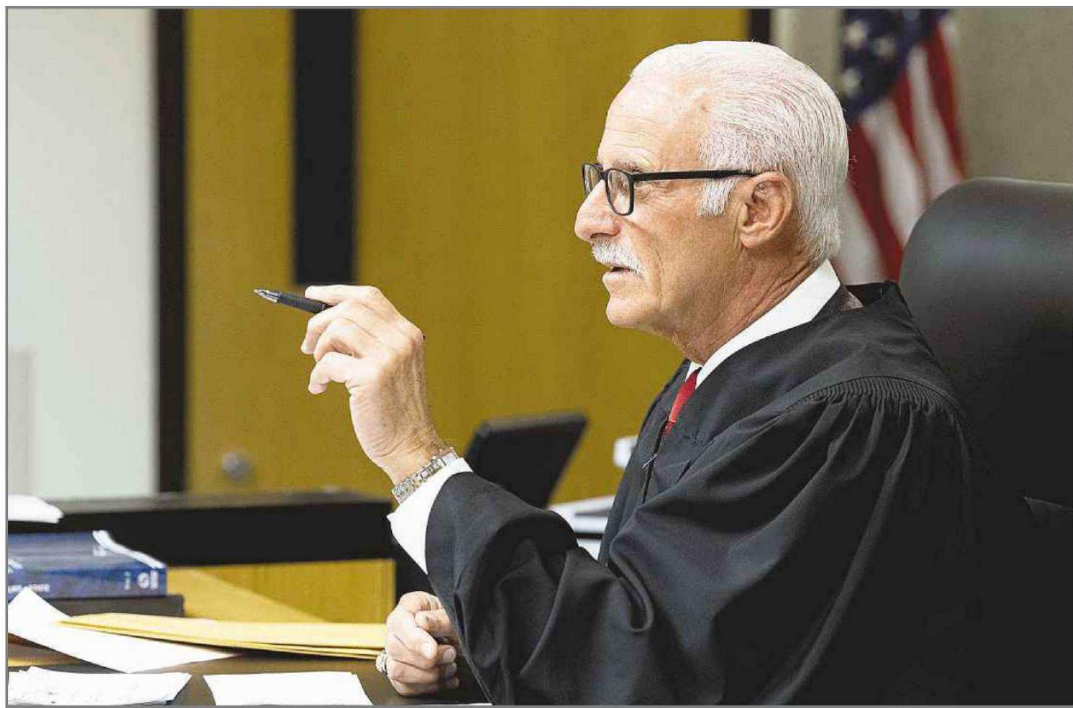
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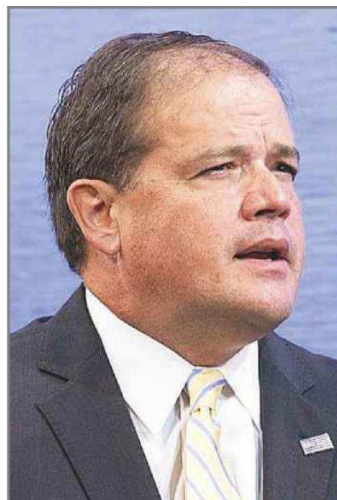
Attorney Robert Macedonio



Attorney Vess Mitev



State Supreme Court Justice Timothy Mazzei is presiding over the Gilgo case.



Suffolk DA Ray Tierney

former Suffolk prosecutor and Brookhaven Town Councilman, is no stranger to high-profile cases. He recently presided over the trial of Angela Pollina, who was convicted of second-degree murder in the freezing death of 8-year-old Thomas Valva.

As a prosecutor in 1989, Mazzei lead the prosecution effort in the retrial of the John Pius murder case. Pius was the 13-year-old whose body was found behind a Smithtown elementary school in 1979 with stones crammed down his throat.

A key witness in the Pius case was ex-Suffolk Police Chief James Burke, a felon convicted of beating a handcuffed prisoner inside a police precinct in 2012 and then conspiring to cover it up. Burke has gotten into more legal trouble recently, with his August arrest for sexual misconduct at a county park. His case is pending.

Potential new witnesses

Meanwhile, Ray, who has a penchant for brightly colored suits and ties, re-emerged in a big way Wednesday when he

held a news conference outside his Miller Place office to announce that he had interviewed four witnesses that claimed to link Heuermann with Gilbert and one of the Gilgo Beach victims. Two of the witnesses made their claims in sworn affidavits.

Suffolk Police Commissioner Rodney K. Harrison's appearance at the news conference, an unusual move for a top cop, drew the ire of Tierney, who issued a harshly worded statement criticizing Harrison and Ray — but not by name.

hearty chuckle.

“Well, it’s half true,” Ray said. “What’s half true? I’m trying.”

Vess Mitev, a Stony Brook-based defense attorney and Ray’s former law partner — the relationship apparently ended acrimoniously, though neither side would discuss the details publicly — is representing Ellerup’s two adult children.

Going separate ways

Mitev, along with Macedonio, have stated their intention to file a precursor to a lawsuit against the Suffolk police over the destruction of property at the Heuermann home during a 12-day search following his arrest. The attorneys have said mattresses were slashed, the home’s drain pipes were removed and even the family’s underwear was seized by police.

“We just went our separate ways business-wise,” said Mitev, when asked about leaving Ray’s firm in 2020. “Business partnerships, like any relationship, sometimes work out and sometimes end. And this one had run its course.”

Ray, for his part, called the parting “a terrible thing that happened” and added: “I don’t really care about him at all. I don’t really think about him. My tendency is when people hurt me, I just leave them alone.”

But, he added: “You can’t make this up. How could my former junior partner pop up representing these people out of all the people in the world?”