

DATE

EDUCATION & INFORMATION TECHNOLOGY COMMITTEE

OF THE

SUFFOLK COUNTY LEGISLATURE

MINUTES

A meeting of the Education & Information Technology Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on July 22, 2014.

MEMBERS PRESENT:

Leg. Sarah S. Anker, Chairwoman
Leg. Monica Martinez, Vice Chair
Leg. Thomas Cilmi
Leg. Lou D'Amaro
Leg. Robert Trotta

ALSO IN ATTENDANCE:

George M. Nolan, Counsel to the Legislature
Sarah Simpson, Assistant Counsel to the Legislature
Lora Gellerstein, Chief Deputy Clerk of the Legislature
Doug Miller, Acting Commissioner/Information Technology
Ben Zwirn, Suffolk Community College
Jill Moss, Budget Review Office
Tom Vaughn, County Executive's Office
Michael Pitcher, Aide to Presiding Officer
Amy Ellis, Aide to Leg. Anker
Lisa Pinkard, Aide to Leg. Martinez
Maria Barbara, Aide to Leg. Cilmi
Justin Littell, Aide to Leg. D'Amaro
Greg Moran, Aide to Leg. Trotta
Ali Nazir, Aide to Leg. Kennedy
William Shilling, Aide to Leg. Calarco
Dennis Brown, County Attorney
And all other interested parties

MINUTES TAKEN BY:

Diana Flesher, Court Stenographer

THE MEETING WAS CALLED TO ORDER AT 10:02 AM

CHAIRWOMAN ANKER:

Welcome to the Education, Information Technology Committee meeting. Please rise for the Pledge of Allegiance led by Legislator D'Amaro.

SALUTATION

Please remain standing for a moment of silent meditation and prayer as we think of the men and women in our military service.

MOMENT OF SILENCE OBSERVED

Thank you. On our agenda today, we do not have correspondence. We do not have public comment. We do not have a presentation. We will go right to the tabled resolutions.

TABLED RESOLUTIONS

We have **IR 1513, Appropriating funds in connection with the traffic circle at Ammerman Campus (CP 2143) (Co. Exec.)** I'll make a motion to table.

LEG. CILMI:

Second.

CHAIRWOMAN ANKER:

Second. All in favor? Opposed? Abstention? Motion carries. **(VOTE: 5-0-0-0)**

Tabled Resolution 1514, Appropriating funds in connection with parking expansion Ammerman Campus (CP 2152). (Co. Exec.) I'll make a motion to table.

LEG. CILMI:

Second.

CHAIRWOMAN ANKER:

All in favor? Opposed? Motion carries. **(VOTE: 5-0-0-0)**

INTRODUCTORY RESOLUTIONS

We're going to go to the Introductory Resolutions. **IR 1585, appropriating funds in connection with the acquisition, implementation of a County Attorney Case Management System (CP 1811) (Co. Exec.)** I'll make a motion to approve. Can I have a second for purpose of discussion?

LEG. D'AMARO:

I'll second.

CHAIRWOMAN ANKER:

We have a second. We have Doug Miller. Would you -- Dennis Brown here. Hey, Dennis.

MR. BROWN:

Thank you.

CHAIRWOMAN ANKER:

Can you tell us about what this resolution is in regards to?

MR. BROWN:

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Now it's on. Thank you. So it was at the end of 2012 where the Legislature authorized a Capital Project for Case Management System for the County Attorney's Office. I believe it's actually the only Capital Project the County Attorney's Office ever undertook. We issued an RFP. And after an extensive evaluation, multiple callbacks and demonstrations from the software vendors, we picked a vendor. And so we're six months into the project now. And I have to say that the project is going very well. We've spent the first portion of the year -- well, actually every Thursday we meet for three or four hours with the software developers. And we're going through a lot of customization. We've spent the first portion of the year converting data that was in the existing Oracle system so that it could be transferred over into a new database.

And we've -- we've done a lot of consultation with the people that work in the Torts Bureau. That was our first Bureau to go live, which went -- which has been a couple of months now. And General Litigation, which is similar to Torts, will follow on board very quickly within the next week or two. We also added Human Rights just last week to this system as well.

Our most recent efforts has been meeting with the developer and -- to customize it for Municipal Law. And then we'll move onto Family Law. Family Law will be -- has their own unique set of issues. And hopefully by the end of the year, and I'm confident that by the end of year, it'll be 100% up and running. It'll be live. And because it is customized, there's always ongoing maintenance and there's always updates. And as we work through it, we always see various types of tweaks and bugs that have to be worked out, but I would say that to the extent that it's going live so far, I would say it's, you know, like maybe 98 percent workable. And as we do it, we do -- as we work through it, we clean things up every single day. We have a couple long-term plans and so that's for this resolution. And that's for Capital Projects that we requested for '16 -- for '15 and '16 as well.

And so a couple of things that we'd like to do is, one, is with respect to hardware. Right now when the people go to Court, they have to come back to Court and they give the information to their support staff to enter information into the Case Management System. What we would like to do, and we're working with the vendor, is making sure that there are applications that could be available either for a phone or for a tablet. And as the person is in Court, they'll be able to do entries in Court as they actually handle a case in Court. This is particularly important in Family Court. Family Court has -- they handle a large number of matters. And every day people go to the Parts in the Family Court and they sit there and they have -- they have a lot of cases. They could have 10 or 20 cases on a particular part. But when you're in a Part, you don't necessarily handle the 10 or 20 cases that you have one right after the other before the Judge. There's always some downtime because the Court will hear other matters in between the cases that are being handled by the Family Court. So it'll be -- it'll be very good. One of our goals is to be able to buy hardware that the attorneys can take to Court and use in Court and enter data on a realtime basis. That's one of the things that will be covered with this appropriation.

In addition to additional customization, the additional customization that we're looking at with respect to this appropriation is to bring the office and to bring the departments of the County into a paperless mode as possible. So one of the things that we're looking at is so when we get assignments from a department or when we get contracts from a department, or a Summons and Complaint might be served at the Police Department instead of at our office, that the outside departments will be able to log on on a limited basis -- put information that's relevant to the assignment that's coming to us into the -- into what is the Court Alert System -- into the Court Alert System; and then e-mail that over to us. So we'll be able to work off of electronic documents only.

And then we would work on those documents. We would have then communication -- electronic communication between the outside department until we reach the final product and then the final product of the budget, and then the final product from budget to the Executive's Office and then back to us and then back to the department; so to do the whole thing electronically. And that's where we're at and that's where our goals are.

CHAIRWOMAN ANKER:

Okay. So it looks like it's \$175,000 appropriating the serial bonds?

MR. BROWN:

Correct.

CHAIRWOMAN ANKER:

And, again, I think what -- what I would like to see would be expediting the Court process. Because, you know, people go into Court. They spend between 200 -- even up to a thousand dollars an hour for their lawyer, their attorney. And meanwhile they have to wait for government, for the Court system to move. And it is incredibly frustrating. Because, you know, people really don't -- some people don't have that money. So will this expedite the process within the Court system?

MR. BROWN:

Not far as the Courts themselves are concerned, because we don't have any control over the Courts calendar or the waiting time or the number of cases that are filed. But particularly with respect to recordkeeping in our office, and I do have to say that one of the things that we've been working on and getting realtime information and -- you know, maybe incrementally this could have some positive effect. So we've been working with the County Clerk's Office and with the agencies that maintain the New York State -- the database with this organization as well. So we'll be able to get realtime information when decisions are made or entries are made into the minutes of the County Clerk's Office. And this company then sends this to us in the form of electronic communication. And we're able to reconcile and have it automatically saved in our Court Case Management System. So we do get information -- we do get information more quickly. And perhaps maybe on an incremental basis, it might -- it might help expedite things.

CHAIRWOMAN ANKER:

I would hope so. I mean, again, it would be nice to see that streamlining process within the Court system. Has this system been used in other areas? And if so, what are the results? What were the results? Or, in other words, where did you get this program from?

MR. BROWN:

Well, we got the -- the company Court Alert was through the RFP system -- RFP process. And we narrowed it down to two or three companies that provided similar types of services. And the Court Alert System was attractive to us because of the type of promises that were made to us with respect to the support as we would need it on a daily basis and with respect to customization.

As we were going through the RFP process, we had learned that there were significant delays and costs associated with other projects because of a lack of consistent personnel that were dedicated by the vendor to the -- to the -- to the project. And it led to a lot of time being spent on customization and eventual deployment.

The promise that we received was that that would not happen with respect to this project that we were moving forward on. And those promises have been delivered upon. It was -- the company was a small family-owned company. And like I said, every Thursday -- every Thursday they show up at our office -- I think maybe except for July -- the day before July 4th. I'm not positive. Every Thursday they've showed up at our office and we spend 3 or 4 hours together. I personally set aside that time; the Bureau Chiefs set aside that time; the support staff sets aside that time. So, they've delivered on all their promises in terms of customer service. Very, very responsive in terms of when we do need corrections that we encounter as we're using the system, very, very responsive including being able to call them up like 3:15 in the afternoon and being on a go-to meeting at 3:30 to demonstrate the problems and get them -- and get them resolved.

Now, in terms of -- in terms of their reputation and their utilization by other -- by other firms, they are -- they have -- their systems have been utilized by all of the largest law firms in New York City.

CHAIRWOMAN ANKER:

Good to hear. We had PSEG here a couple days ago talking about how they're going to, you know, facilitate the technology used within their emergency system. Prior -- prior to PSEG being with us and during Super Storm Sandy, they were using sticky pads and pencils and, you know, kind of the old fashioned way of getting information from one place to another. So it's good to hear that there's a streamline of this process through current technology.

MR. BROWN:

We're definitely trying to move in that direction, trying to go as paperless as possible. That's my major goal.

CHAIRWOMAN ANKER:

Great. Legislator Cilmi has a question for you.

LEG. CILMI:

Thanks, Madam Chair. Dennis. Thank you for what sounds like a really well-prepared presentation of what's needed here and what this appropriation will do.

MR. BROWN:

Thank you.

LEG. CILMI:

So it sounded like -- so we've appropriated money previously.

MR. BROWN:

Four hundred twenty-five thousand dollars, correct.

LEG. CILMI:

Did you say one or four?

MR. BROWN:

Four.

LEG. CILMI:

Four hundred and twenty-five thousand. And this is another 175.

MR. BROWN:

One seventy-five, yes.

LEG. CILMI:

Do you expect that this would be an ongoing commitment in terms of bonded funding for this project or is this it?

MR. BROWN:

Well, except for the Capital --

LEG. CILMI:

I mean obviously at some point in time you'll have to upgrade and --

MR. BROWN:

Which hopefully neither one of us will be here when that day comes.

LEG. CILMI:

Speak for yourself.

MR. BROWN:

Well, no. But it's a good -- no, no, actually it's a good system. So I'm anticipating, you know, like decades of use. Like we had decades of use last time.

LEG. CILMI:

Okay.

MR. NOLAN:

That's better.

MR. BROWN:

No predictions. Except for the fact that it's a good system and will last for years.

LEG. CILMI:

Okay.

MR. BROWN:

No. And to answer your question, no, I think that between what has been appropriated and what's projected is -- provides a healthy cushion to get all of the work done and all of the goals done. And in terms of ongoing costs, they'll be out of Operating. And it's basically two components: A maintenance component which -- when we go on full year of operation, it'll be \$18,000 per year. And on a subscription -- we do a subscription, one of the features of this firm was that they will send to us -- if you're familiar with -- anybody that's familiar with Federal practice at all, Federal practice currently has electronic filing. Everything goes to the Court electronically. And whenever something occurs on a case, the Court will e-mail it back to us.

Well, what this firm does, they do something similar except they have a -- they do it through -- through auditing the State records. And so what they do is they send us information -- as things develop on our cases, in the State Court system, which doesn't currently have a live and active electronic case filing system -- we're getting there, but it's not quite there yet -- they send us information from the New York State Computers that's live and we'll be subscribing to that and that'll be at a cost of \$24,000 a year.

So those will be the only two recurring costs: Maintenance and the subscription for electronic case filing, which as time goes on with the Courts, we may not need.

LEG. CILMI:

Okay. So speak to me about that a little bit. I mean you have me a little concerned there. If the Courts are going towards an electronic filing system --

MR. BROWN:

Right.

LEG. CILMI:

And we're investing this money now, I mean how quickly will this become obsolete?

MR. BROWN:

No, there are two types -- we're talking about two different types of functions. One is the database, the Case Management System. The second is the subscription service that's supplied.

LEG. CILMI:

Um --

MR. BROWN:

But I -- I should add, though, there's something about the subscription service that makes it better

than using just the Court-provided service, the electronic case filing system, that's PACER, that's in the Federal Court, or whatever comes down from the State. Because what this system does, it takes this information either from the Federal Court or from the State system -- and we've been working with Nicole DeLuca and the -- and Judith Pascale with respect to our cases pending in Suffolk County in the County Clerk's Office. It takes that information from the Federal Court, the State or the County Clerk's Office, synthesizes it and then e-mails it to us directly. So then we're able to accept it. We're able to reconcile that information. Instead of it coming in through an outside source, like coming in to Outlook as an e-mail, it'll come in through the Court Alert system. Then we're able to reconcile it. So essentially we save it and that automatically then gets docketed as information -- realtime information on the case. So it does save a couple of clicks.

LEG. CILMI:

Right. And it sounded to me like one of the best features here -- maybe not one of the best, but certainly a key feature here is that when our attorneys are in Court and they're subject to the typical waiting times that occur --

MR. BROWN:

Yes.

LEG. CILMI:

-- in the Court process, previously maybe that time was just wasted downtime where they'd be sitting there waiting, but now it sounds like they'll be able to actually do some work while sitting there waiting.

MR. BROWN:

Sure. They'll work on the case. And the goal is to have tablets since this will be -- you know, compatible with tablets. They'll work on the case and then be able to input that information on a tablet right there in between cases.

LEG. CILMI:

So from a productivity point of view, it sounds like this is going to help us a great deal.

MR. BROWN:

Yes, I think so.

LEG. CILMI:

The last question I have is that I know we appropriated some money for the District Attorney to procure a Case Management System.

MR. BROWN:

Yes.

LEG. CILMI:

Is it the same company that they're using or a different company? And are you familiar with the company that they're using and their system? And could you contrast the two quickly for us.

MR. BROWN:

I cannot contrast the two, but I can say that it's a different system. I don't -- I can't speak to their needs either, but it's a different company. I can't say it's a different system because I don't know what their needs are, but it's a different -- it's a different company. The company that the District Attorney's Office used was part of our vetting process, but they didn't make the final cut. Good -- you know, they did good presentation.

LEG. CILMI:

Right.

MR. BROWN:

Every company did a good presentation.

LEG. CILMI:

Right.

MR. BROWN:

But we narrowed it down to what we thought was our needs to two or three companies.

LEG. CILMI:

Okay. Interesting. Can you envision why it would be substantively different in terms of the needs of their office versus the needs of your office?

MR. BROWN:

I really can't say. I wouldn't know.

LEG. CILMI:

Okay. Thanks very much.

MR. BROWN:

I'm sure there's a lot of overlap, but there are probably things that are not similar as well.

LEG. CILMI:

Okay.

MR. BROWN:

They might have access to databases that we don't have access to.

LEG. CILMI:

Gotcha.

CHAIRWOMAN ANKER:

Okay. Legislator D'Amaro has a question or two.

LEG. D'AMARO:

Yep. Thank you. Hi, Dennis.

MR. BROWN:

Hi.

LEG. D'AMARO:

Just give me an idea of what type of information is actually stored on this system?

MR. BROWN:

Well, let's take a typical litigation case. So you'd have the name of the parties. You would have the Judge, the Courts and the attorneys that are assigned to the case. You would have also have the -- if it's a case that's assigned to outside counsel, there's a feature to make sure that it's outside counsel; and also the opposing parties as well. The case also has a docket and diary system. So if we're on a typical case, we would enter the information. Let's say it's a new case that comes; so on a typical case we would enter all of the demographic information. So that would be the names of the parties, whether it's from Public Works or the Police or whatever -- whatever department it originated from; a Judge if there's a Judge assigned; the date it was opened; the date of the accident; the index number.

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As we enter stuff into the docket system, it allows us to input information as to how information was received, whether it was by e-mail, whether it was mail, hand-delivered. It allows us to associate who sent the information, whether it was from the plaintiff or a defendant, a co-defendant, an outside source. We'd scan the document in if it didn't come in by e-mail. If it came in by e-mail, we would save the document to a file. If it didn't come in by e-mail, we would scan the document to a file. We would --

LEG. D'AMARO:

Is that a file that's linked to that particular case?

MR. BROWN:

Yes. So we would drag -- we would drag that in. And it would appear on the docket as well and that would be a live link, yes.

LEG. D'AMARO:

So you have everything -- you have access to -- going into your Case Management System, you have access to the pleadings and other letters, documents, anything.

MR. BROWN:

Yes.

LEG. D'AMARO:

Whose responsibility is it to log all of that in to keep it current?

MR. BROWN:

It's -- everybody will have -- play some role because information comes in from many different sources so the attorneys are trained as well as the support staff.

LEG. D'AMARO:

All right. And so you can access this information in this system over the internet; is that correct?

MR. BROWN:

Well, the system is actually -- it's actually on the server.

LEG. D'AMARO:

Right. So it's --

MR. BROWN:

But if -- but if we're working --

LEG. D'AMARO:

-- loop system, so to speak?

MR. BROWN:

Yeah, it is on --

LEG. D'AMARO:

I don't know what the technology is.

MR. BROWN:

Yeah, yeah. And I don't know if Doug could help out with that question, but it's actually downloaded onto the server. The software is downloaded onto the server, but you don't have to be -- ultimately it's set up where you don't have to be at your desktop to utilize it, but it's not an internet -- it's not -- it's not an internet-based system. It's not browser-based.

LEG. D'AMARO:

Right.

MR. BROWN:

(Inaudible)

LEG. D'AMARO:

If I were -- if I were at a laptop computer, I could access the case file.

MR. BROWN:

If you log onto your desktop, yes.

LEG. D'AMARO:

You can.

MR. BROWN:

Yes.

LEG. D'AMARO:

All right. And so -- which is a good thing.

MR. BROWN:

Yes.

LEG. D'AMARO:

This way you can access information no matter where you're physically present, as long as you have a computer or some device with you.

MR. BROWN:

Sure, I would have to go on my desktop. So it's -- so I could visit the County's -- I can visit the Legislative website. So it's not like visiting the legislative website or visiting the County's website. So I would have to log onto my desktop through the VPN, through the Virtual Private Network. And then I can have access to that.

LEG. D'AMARO:

Okay, well, that's a little different. So you would have access only if you went through your own desktop at work?

MR. BROWN:

Correct.

LEG. D'AMARO:

So you don't have direct internet access into the system with a password or something like that?

MR. BROWN:

Correct. It's not web-based.

LEG. D'AMARO:

Right, it's not web-based. Okay. All right. So it's really -- you can access it if you went on *Go To My PC* and got onto your computer, you could access it that way.

MR. BROWN:

As long as I could get to my desktop, yes.

LEG. D'AMARO:

Right, okay. This -- we're already past putting the system in place obviously. That was what,

425,000?

MR. BROWN:

Well, that was the total appropriation.

LEG. D'AMARO:

Right.

MR. BROWN:

The cost of the license was \$84,000.

LEG. D'AMARO:

Right.

MR. BROWN:

And that's unlimited in terms of time. So it's perpetual and it's also unlimited in terms of users. And we did the first installment on maintenance of \$12,000 and customization so far has run us about -- I'm going to say about \$31,000.

LEG. D'AMARO:

Right. So I want to ask you about this particular expenditure, the in-Court hardware.

MR. BROWN:

Yes.

LEG. D'AMARO:

What are we talking about? Laptops?

MR. BROWN:

We're talking about tablets. Laptops is a possibility but tablets, that would be ideal.

LEG. D'AMARO:

So the tablet would be set up to go through a VPN so an attorney can get onto their desktop and then access --

MR. BROWN:

That's correct, yes. Either through 4G or wireless in the Courthouse.

LEG. D'AMARO:

Right. And so you don't have any of these devices in your office right now?

MR. BROWN:

We have laptops.

LEG. D'AMARO:

Right. So how many -- so how much more do you need? I'm just curious.

MR. BROWN:

Yeah, I did ask for Family -- I did ask Family Court that question. I have not asked -- I have not asked Torts that question.

LEG. D'AMARO:

Right.

MR. BROWN:

And I have not asked General Litigation that question. Because they don't spend as an extensive

amount of time in Court as do the Family Court lawyers. But that doesn't -- this answer I'm going to give you, it doesn't preclude utilizing General Litigation or Torts with the same technology. But when I spoke to Family Court about it, they had asked for ten tablets.

LEG. D'AMARO:

So you purchased ten tablets. An attorney goes to Court that morning and they have the ability to access the case file and update the case file.

MR. BROWN:

Correct.

LEG. D'AMARO:

In realtime?

MR. BROWN:

Correct.

LEG. D'AMARO:

As you say. And what's the benefit of that?

MR. BROWN:

It's -- well, as far as -- it's really -- it's really an efficiency and a staffing issue. Because for all of the information that goes on -- you know, they handle many, many, many, many cases in Family Court every single day. You know, it's -- possibly it could reach into the hundreds on any given day.

LEG. D'AMARO:

Right.

MR. BROWN:

So instead of taking that information and bringing it all back to -- bringing it all back to have one person or two people input that information, then it frees -- then if some of that information can be input in realtime in the Court -- in the courthouse, it will free up some of the time available for support staff to do other types of work.

LEG. D'AMARO:

So it's efficient because it's the attorney who's actually experiencing the Court at that moment making the -- putting the data into the system.

MR. BROWN:

That's correct.

LEG. D'AMARO:

So there's no -- you're not losing anything in translation. You're not coming back to the office and having to explain to someone or have them do it. But what information is being put in?

MR. BROWN:

What had transpired at that particular Court appearance.

LEG. D'AMARO:

It's a note-taking type of thing.

MR. BROWN:

Yes.

LEG. D'AMARO:

Oh, okay.

MR. BROWN:

That would be a docket entry. Are you familiar with the Federal docket under PACER at all?

LEG. D'AMARO:

Yeah, and I think it's a good system where -- so, in other words, the attorney can go in and have a Court appearance.

MR. BROWN:

Yes.

LEG. D'AMARO:

And whatever happens in that Court appearance they can note into the system.

MR. BROWN:

That's correct.

LEG. D'AMARO:

Let's say three weeks later for some reason there's a different attorney on the same case making the next Court appearance, they can access that information.

MR. BROWN:

That's correct.

LEG. D'AMARO:

Even as late as being in the courthouse waiting to be called --

MR. BROWN:

That's correct.

LEG. D'AMARO:

-- and get updated instantaneously.

MR. BROWN:

That's correct.

LEG. D'AMARO:

Yeah.

MR. BROWN:

So if there was a stip -- a stip or an order generated in the Court at that particular time --

LEG. D'AMARO:

Right.

MR. BROWN:

We haven't looked into portable scanners yet, although I think that more scanners in general are a good idea. And that's also a goal --

LEG. D'AMARO:

Right.

MR. BROWN:

-- so that we can scan as much information as possible while a person is sitting at his or her desk. And as information comes in, if it's a hard copy, we'd be able to scan it, instead of just centralized scanners associated with a copy machine. But if the person's in Court, if he gets an order or a stip, documents produced in Court, he'll bring that back to the office, that'll get scanned in and then related to that note that he or she actually made in Court on that particular day.

LEG. D'AMARO:

The system's only going to be as good as how well it's used.

MR. BROWN:

That's correct. And it's a serious offense if you don't follow the system --

LEG. D'AMARO:

Has to be.

MR. BROWN:

Yes.

LEG. D'AMARO:

Has to be. Some people are more -- would be more user friendly towards that system than others.

MR. BROWN:

Absolutely.

LEG. D'AMARO:

Yeah. See --

MR. BROWN:

But everybody -- everybody knows the drill.

LEG. D'AMARO:

Right. Okay, good. So \$175,000 for hardware, your attorneys are becoming more efficient in Court, more informed, etcetera, but I understand that. The customization --

MR. BROWN:

Right.

LEG. D'AMARO:

Tell me about that component of this expenditure.

MR. BROWN:

Well, you know, as we -- so as we work through -- we started with Torts. So as we work through with Torts, there is -- you know, the field -- the program has certain default, fields. So the name of the plaintiff, the name of the defendant; but also we wanted fields to be specific to information that Tort thought -- Torts -- we thought was crucial to it.

LEG. D'AMARO:

But you're tailoring the program to the needs of, let's say, a particular bureau.

MR. BROWN:

That's correct.

LEG. D'AMARO:

Okay. And is that -- how much of this appropriation do you anticipate for customization?

MR. BROWN:

Well, for the month of April and May, it was, you know, we're talking about \$31,000.

LEG. D'AMARO:

But you're in startup.

MR. BROWN:

We're in startup, right, so it'll be higher in the beginning.

LEG. D'AMARO:

Right.

MR. BROWN:

And then lower as we go on. Family Court, I think, will have, you know, a decent amount of appropriations in terms of customization because they're very unique. We're having a template system built in so that information that is put into the system, if we have to send out standard types of letters or pleadings or discovery demands, the information that's in the system can be automatically merged and those documents can be produced. There'll be a lot of that in Family Court. Because from what I understand they run off of a lot of templates. So we'll have -- we'll have more customization with respect to Family Court than what's currently being handled.

Municipal Law is kind of unique. And we've been working on that. That's pretty close to a final product. And Torts and General Litigation are similar. So there haven't been a lot of duplicate costs generated for General Litigation. But we are going to run into more customization costs with respect to Family Court. And then when we get to -- once this project, you know, starts to near -- starts to come to fruition completely in terms of being live for all the bureaus, then the idea is to create the portals so that the different departments can communicate with us electronically.

LEG. D'AMARO:

Right. That would be on a more limited basis. The departments would have access to certain information but not all the information.

MR. BROWN:

Correct, yes. They'll be able to put information in; not read our files.

LEG. D'AMARO:

Right. Okay, okay. All right. The only concern I had with -- I think it's a good system. It sounds like it's working. That subscription service, though --

MR. BROWN:

Right.

LEG. D'AMARO:

Twenty-four thousand a year.

MR. BROWN:

Twenty-four thousand a year, yes.

LEG. D'AMARO:

It seems rather high for just retrieving data and putting it into our system or e-mailing it to us.

MR. BROWN:

I can tell you it's efficient. I -- and -- I can't tell you that it's competitive with somebody else because I'm not familiar with another -- with another firm that does it. And the only other thing I

can tell you is that the costs are -- not the costs. The use of that system is utilized by almost all the majority of the large firms in New York City.

LEG. D'AMARO:

But they're really just passing --

MR. BROWN:

They are.

LEG. D'AMARO:

-- the portion that you would get in the mail two days later anyway.

MR. BROWN:

That's correct.

LEG. D'AMARO:

Right.

MR. BROWN:

But there is -- but there's -- but there's more -- there's more to it than just -- than just expediency in terms of the receipt of information. When that information comes in now, it's electronic and we just reconcile it so it then gets saved automatically to the system.

LEG. D'AMARO:

Right, it does save -- it does save time and effort.

MR. BROWN:

Yes.

LEG. D'AMARO:

And that's going to be a subscription paid out of your Operating --

MR. BROWN:

That'll come out of Operating, correct.

LEG. D'AMARO:

So this is the last of the Capital appropriations.

MR. BROWN:

Yes, that's correct, except for what was in the budget for '15 and '16, which was only \$50,000. We asked for the \$50,000 as a reserve in case we needed more for the customization and purchase of hardware to complete the install of the system. Yes, that's '15 and '16.

LEG. D'AMARO:

Okay. Hopefully you won't need to appropriate that.

MR. BROWN:

I hope so.

LEG. D'AMARO:

All right. Thanks a lot, Dennis. Thank you.

CHAIRWOMAN ANKER:

And, again, it sounds like there's a substantial investment within this particular technology. So

that's something to consider. Legislator Trotta has a question.

LEG. TROTTA:

Is Torts on PACER?

MR. BROWN:

Yes, because -- because Court Alert will get its information off of PACER. And right now through PACER we get everything through Outlook. So Court Alert will take this information off of PACER. It'll go to PACER. It'll go to the Court Alert System. We get e-mails every morning. When you open up the program, the first thing you get are notices. And it tells you what the Court Alert notices are and what the PACER notices are. So the Court Alert notices are -- is the information that it's synthesizing from other sources other than Federal Court and sending to us. And we can reconcile it and gets automatically saved into a docket system. And so -- the Federal information also. So there could be a docket -- a docket -- a document attached to that -- that PACER bounce. We -- then that can be reconciled. And that gets automatically saved including the -- including the -- any documents that's attached to the bounce.

LEG. TROTTA:

Love that PACER.

MR. BROWN:

PACER's good. This makes it a little bit more efficient because we -- it just saves on clicks. And saving on clicks saves time.

CHAIRWOMAN ANKER:

Okay, I think we're good. Legislator D'Amaro.

LEG. D'AMARO:

What's the name of the company that we hired?

MR. BROWN:

Court Alert.

LEG. D'AMARO:

Court Alert?

MR. BROWN:

Court Alert.

LEG. D'AMARO:

Yeah. Where are they based?

MR. BROWN:

Penn Plaza, 7th Avenue, New York City.

LEG. D'AMARO:

Okay. All right, thank you.

MR. BROWN:

Okay.

CHAIRWOMAN ANKER:

We have a motion. We have a second. All in favor? Opposed? Abstention? Motion carries **(VOTE: 5-0-0-0)**

MR. BROWN:

Okay, thank you.

CHAIRWOMAN ANKER:

Thank you. We have **IR 1586, Appropriating funds in connection with Globally Managed Network Protection and Security (CP 1807). (Co. Exec.)** I'll make a motion to approve. If I can get a second for discussion?

LEG. D'AMARO:

Second.

CHAIRWOMAN ANKER:

We have a second.

LEG. D'AMARO:

Second.

CHAIRWOMAN ANKER:

We have Doug Miller from our IT Department; if you'd like to come in front of us and explain to us about the Global Managed Network Protection and Security Program.

ACTING COMMISSIONER MILLER:

Okay. So this project is for for the Countywide security network. We use it to secure and support the collection of raw data from all our security architecture which includes our firewalls, web and e-mail gateways. The demand controllers are VPN appliances. The Citrix, netscalers, routers and switches. Basically it monitors everything that the County has going on for ingress and egress traffic flow around the network.

Dennis just mentioned that his Case Management System and his attorneys will be using VPN. This project helps protect that data and prevent loss of data out to the outside world.

And so the benefits to the County are that basically it reduces the reaction time that we have as we encounter potential security breaches that would cost the County a lot with downtime, rebuilding systems, loss of data. And I'm trying to think. And basically helps us to identify malicious and destructive activity by wrongdoers and cyber criminals out there. So there's probably a lot of questions about this. And it's kind of a -- it's not just a one-piece-of-equipment-type-of-project. It's multifaceted. And so I don't know how much I can get into as far as exposing what the County --

CHAIRWOMAN ANKER:

Yeah, we don't want to talk too much about -- we can always have a, you know, a confidential conversation on the side if it does -- if it involves security. But, again, without this particular system, would the County be at jeopardy for, you know, malicious attacks; cyber attacks?

ACTING COMMISSIONER MILLER:

Yes. Yes, we have cyber attacks everyday and we do everything we can to stop them. I mean if you guys remember a few weeks ago, we've had a lot of problems with blacklisting around the County. And one of the appliances that we're trying to acquire here will help us to identify malicious software that causes the blacklisting of the County, prevents e-mails from being sent around; as well as we have to safeguard our HIPAA information in the Health Department.

CHAIRWOMAN ANKER:

Okay. And we're looking at, you know, a \$500,000 cost in serial bonds. As far as the investment, is

this what we normally pay for, this type of security system?

ACTING COMMISSIONER MILLER:

We really haven't paid a lot for our security systems in the past. This would be bringing us up to speed as things get more complex and more and more departments use electronic data around the County where they haven't so much in the past.

CHAIRWOMAN ANKER:

Legislator D'Amaro has a question.

LEG. D'AMARO:

Thank you. Good morning, Commissioner. Do we presently have a Countywide security network?

ACTING COMMISSIONER MILLER:

We have a security network. It's been cobbled together over time, yes.

LEG. D'AMARO:

Well, can you describe that to me in a sense of how is the Countywide or this system preferable to what we're doing now?

ACTING COMMISSIONER MILLER:

This is a major enhancement to the current system that we have. It's upgraded appliances and software, which will allow us to also identify threats that are collected on the various logs from routers, switches, firewalls. Kind of hard to do. We have many devices out there. And so it's a manual process right now. This will serve to automate that process and identify these threats to make it a little easier for us to react to them.

LEG. D'AMARO:

What threat are we concerned about?

ACTING COMMISSIONER MILLER:

Malicious software and viruses, intrusions.

LEG. D'AMARO:

Give me an example of how it would affect our County network.

ACTING COMMISSIONER MILLER:

Somebody hacks into the network, gets a hold of our data and it's out in the wild. You read about that almost everyday in the business world. Personal information.

LEG. D'AMARO:

Has that happened recently to the County?

ACTING COMMISSIONER MILLER:

To the County, no.

LEG. D'AMARO:

It hasn't.

ACTING COMMISSIONER MILLER:

As of yet.

LEG. D'AMARO:

Why do you feel that the safeguards that we have in place presently are not sufficient? Why do we need this system?

ACTING COMMISSIONER MILLER:

Well, as I said the County has been growing as far as using more and more electronic information and less and less paper. And so as we increase our footprint of electronic data on our systems, it's very important for us to protect it.

LEG. D'AMARO:

Okay. But we have -- we have in place some kind of system right now.

ACTING COMMISSIONER MILLER:

Yes.

LEG. D'AMARO:

That has been preventing -- successfully preventing access or use of County information the way it shouldn't be used; is that correct?

ACTING COMMISSIONER MILLER:

Sort of two different things but we do have -- obviously we have network credentials. You have user name and password, that kind of security. This is more like internet based protection from intrusions as well as --

LEG. D'AMARO:

Right.

ACTING COMMISSIONER MILLER:

-- protecting the sensitive data that we have in the County software.

LEG. D'AMARO:

I seem to recall that whenever we talk about licenses and upgrades and software for the County, it always had a component of virus protection and threat protection built into it.

ACTING COMMISSIONER MILLER:

We do have a Countywide virus protection system. We have appliances out there that identify viruses --

LEG. D'AMARO:

We pay for that?

ACTING COMMISSIONER MILLER:

We paid for the appliances. And we have an annual maintenance that's in Operating Budget.

LEG. D'AMARO:

So we do.

ACTING COMMISSIONER MILLER:

Yes.

LEG. D'AMARO:

Right. So would this kind of overlay that? Or does this do something different?

ACTING COMMISSIONER MILLER:

It works in conjunction with that. This also protects and upgrades our appliances for VPN usage around the County and the firewalls that are out there.

LEG. D'AMARO:

I just want to make sure that -- I guess you can never have enough security, but is it something that is protecting against a real threat? Is it something that we have been doing unsuccessfully up until now? I'm just a little confused why we have security systems in place and they've been protecting our County data and now we need another security system? I'm just --

ACTING COMMISSIONER MILLER:

A large part of this request is for a component that will collect the log data from all the various security devices out there and allow us to identify those threats from a central location rather than roll it out to the various administrators and departments to identify a threat, if they happen to be in that device and looking at the log. It's more of a proactive -- it's more of a proactive method.

LEG. D'AMARO:

Well, so -- but right now the data is being collected. It's just a function or who's responsible for looking at it and how often.

ACTING COMMISSIONER MILLER:

I think right now it's more reactionary system of identifying threats. This is more of a proactive method.

LEG. D'AMARO:

So we're going to -- well, how do you know something's a threat unless the threat is made? I'm not quite sure what you mean by proactive.

ACTING COMMISSIONER MILLER:

The software identifies patterns that represent threats out in the world. And it's updated basically nightly.

LEG. D'AMARO:

Yeah, but there's software programs we have now that are doing that.

ACTING COMMISSIONER MILLER:

It doesn't -- they don't do it for the whole County, all the different appliances that we have now. This would be sort of, like you said, a centralized version --

LEG. D'AMARO:

My understanding is that the companies that we presently subscribe to do all of that work and identify potential threats. And then upgrade and build into our systems protections against those threats. Like how are we proactive -- if we're looking at a log, that means the event has already occurred.

ACTING COMMISSIONER MILLER:

Okay. So there's two different things we're talking about, then. There's --

LEG. D'AMARO:

Okay.

ACTING COMMISSIONER MILLER:

-- virus protection. And then there's the protection of intrusion malware and those kind of threats. So the virus appliances are out there and they're looking for viruses just like you would anywhere else in the world, on your home computer at home, you know, or in a business. And they're in place and they're working. This is the other type of threats that are out there.

LEG. D'AMARO:

All right. Okay, so but so far we've been pretty successful in protecting against those threats?

ACTING COMMISSIONER MILLER:

Yes, so far.

LEG. D'AMARO:

Okay. All right. Thank you.

CHAIRWOMAN ANKER:

Legislator Cilmi has a question.

LEG. CILMI:

Thanks, Commissioner. So I think the first thing we need to do is clarify the types of threats that are out there. So you have potential viruses. And then you have potentially breaches of our security whereby somebody who is not associated with the County or is not authorized to get information could get into information such as payroll information, for example, that's now there and etcetera. Right? Is there anything else; any other security-related issues?

ACTING COMMISSIONER MILLER:

Right. There is those type of threats, malicious activity, people trying to penetrate the systems, people trying to get access to our data as you mentioned.

LEG. CILMI:

Right. Okay. So people trying to access our data and possibly cause some sort of, you know, harm to our data, either extract our data or cause harm to our data. And then you have the potential threat of viruses, which is a separate and distinct threat. Any other types of threats that exist?

ACTING COMMISSIONER MILLER:

Those are really the big threats.

LEG. CILMI:

Those are the big threats.

ACTING COMMISSIONER MILLER:

Those are the big intrusion -- you know, loss of data, viruses, malware, denial of service attempts where people install software on your machines and it slows down the system, so to speak.

LEG. CILMI:

Right. Right, right, right. And we already have software, hardware whatever it may be in place to protect against viruses?

ACTING ACTING COMMISSIONER MILLER:

Yes.

LEG. CILMI:

And to some extent we have software/hardware in place to protect against security breaches, but it's departmental rather than overall.

ACTING COMMISSIONER MILLER:

Yeah. We have firewalls in place in the County to protect against external threats. There are also internal threats in the County that we have to manage.

LEG. CILMI:

Sure.

ACTING COMMISSIONER MILLER:

That's departmental security that we have in place. So there are some departments that have internal firewalls. We have external firewalls. We have VPN devices for people accessing the network from home or outside the County. So we have all that stuff in place. This is a more improved system and a more coordinated system.

LEG. CILMI:

So explain to me, if you can, in a way that I would understand, how this actually either communicates with or connects all of the devices, the hardware that you're talking about needs protection in the County, how does it do that connection and how does it relate the information to you, I suppose?

ACTING COMMISSIONER MILLER:

Okay. So one of the components or log collection servers in this project, and these servers are placed in the County's network and they collect all the various security logs from these devices we just mentioned, and then software is run on top of those servers that identifies patterns that then lead to threats that can be identified and stopped before a breach or something happens.

LEG. CILMI:

How would you define a pattern? What does that mean exactly?

ACTING COMMISSIONER MILLER:

Just like virus have patterns that they use to identify software that's a virus; malicious software has patterns that can be identified and maybe multiple attempts to get into a certain system that's a pattern of an attack. That type of pattern. Multiple attempts, I guess, is a better word for that.

LEG. CILMI:

I see. Talk to me about -- and forgive me, I'm going to wander a little bit because I'm really trying to wrap my head around this expense, talk to me about the particular -- this is for a contract with somebody or is this for a piece of hardware or piece of software or both or -- -

ACTING COMMISSIONER MILLER:

Yeah, it's a combination of hardware and software that runs on that hardware.

LEG. CILMI:

Okay. Have you -- have you explored a variety of different methods of accomplishing these goals?

ACTING COMMISSIONER MILLER:

Yes. In fact the last -- the last blacklisting we enlisted the help of the Police Department who were evaluating a piece of malware detection software that helped us to identify what was causing the lost round of blacklistings.

LEG. CILMI:

The blacklisting thing -- so -- but compare for me -- so when you -- when you went out and you're asking here for a half a million dollars, you have a particular piece of software in mind to accomplish these goals. And how does it relate in cost and effectiveness to other softwares that might be available that do the -- you know, that purportedly do the same thing?

ACTING COMMISSIONER MILLER:

You know, we've tested multiple different platforms. And these are the ones that seem to work the best for our County. It's not one piece of equipment. It's multiple pieces of equipment. And that's why it adds up to that amount of money. It's not a single appliance. It's multiple appliances and multiple pieces of software.

LEG. CILMI:

How many appliances would there be? Roughly.

ACTING COMMISSIONER MILLER:

About eight.

LEG. CILMI:

Okay.

ACTING COMMISSIONER MILLER:

I'd be happy to give you the complete breakdown of all the stuff. I'd just rather not do it open --

LEG. CILMI:

Yeah. No, no. Right, that's why I didn't ask. The -- so this issue that really has been sticking in my craw lately, in fact I just mentioned to my Aide yesterday that we have to call and complain about it, is this blacklisting thing. You know, it's happening way too often at this point. I'm happy to hear that you're trying to address that problem. Is there a simpler way to address that particular problem? Let's just isolate that problem for a moment. I understand the need for the other stuff, but let's isolate that problem. And I'll ask again is there a simpler way, a less expensive way to address that particular issue?

ACTING COMMISSIONER MILLER:

I think the problem with the blacklisting stems from various County departments, people sending out bulk e-mails and not checking the address as they come back as bad addresses, which then in turns -- very simplified description I'm giving you, by the way -- gets the County blacklisted. It takes time to get whitelisted again. And so we were getting blacklisted multiple times in a day; might take two hours to get off the blacklist. And we blacklist again, takes another two hours and there goes your whole business day. And so we were doing the simpler, least expensive way, but it hasn't really been working well so we're trying to go the more, you know, professional way, I guess you'd say to stop this. It really puts a hitch in the County's business practice when nobody can send e-mails out to the world and so that --

LEG. CILMI:

I know. I'm sitting at my computer and I'm sending e-mails constantly. And when I start to get those e-mails back, it's -- I mean, I'm helpless practically.

ACTING COMMISSIONER MILLER:

It's frustrating for us, too. And so we're doing everything we can to stop it. And we just put a system in place last week. And it seems to be working although we did get blacklisted briefly yesterday, which we were able to get whitelisted quickly. This'll help greatly to reduce that. I can't ever say it's going to be 100% because as we identify people sending out these things around the County, we then address them.

LEG. CILMI:

Is there any way for you to -- getting slightly off topic here, but it's an opportune time to ask the questions, is there any way for you to notify us when we've been blacklisted and when we've come off that blacklist? Because if I send three or four e-mails out and I'm getting messages back that they, you know, can't be received or delivered, and then I have to wait a couple hours, I have to remember, you know, who I sent the e-mails to. And if I try in a couple of hours and it's still not working, then I gotta wait again. Is there any way for you to just kind of communicate with us so that we know not to send e-mails for a certain period of time; we know to wait for your notification until we send e-mails again?

ACTING COMMISSIONER MILLER:

Yeah, we could -- of course, we'll notify your offices when it comes off the blacklist.

LEG. CILMI:

That's perfect. I mean we get notices all the time from the Presiding Officer's office when one of our Legislative offices is down from communication. To get that from you would be -- would be nice.

ACTING COMMISSIONER MILLER:

Okay.

LEG. CILMI:

All right. I hope there is some other questions that shed some more light on this. I'm still a little -- I'm still unconvinced about it. I understand the need for security. But as Legislator D'Amaro pointed out, we already have security so you're asking us to borrow half a million dollars to sort of --

ACTING COMMISSIONER MILLER:

Stay current with --

LEG. CILMI:

-- fortify that security a little further and connect it a little better.

ACTING COMMISSIONER MILLER:

And also keep it current with the outside threats which are always advancing while we sort of get stuck in time.

LEG. CILMI:

Right.

ACTING COMMISSIONER MILLER:

So we're trying to present the best security architecture that we can for the County.

LEG. CILMI:

Right.

ACTING COMMISSIONER MILLER:

And to do that, you do have to spend money and keep your equipment up-to-date and keep the softwares as current as possible.

LEG. CILMI:

Would you expect that this would be -- this type of expense would be ongoing? I mean how -- how frequently would we need to spend, you know, half a million dollars on doing this? Cell phones go out a date in a couple of years. You know, lap --

ACTING COMMISSIONER MILLER:

Right. We're trying to keep it -- you know, we try to keep the cost down as much as possible. In our future years, our request is much less. It's half the price and lower going forward. The stuff will last. It's updated software. You know, it's updated daily. And so we keep it in place as long as it's usable and protecting the County. So, you know, I don't anticipate in the near future, in the next couple of years, the same kind of expense. It's a lower expense using the same equipment that we're trying to acquire here.

LEG. CILMI:

Okay. So one last question then. So this is software and hardware. What proportion of the expense is hardware; what proportion is software roughly?

ACTING COMMISSIONER MILLER:

It's like a 70/30 hardware to software. Seventy percent.

LEG. CILMI:

Okay. All right. Thanks very much.

CHAIRWOMAN ANKER:

Again, it just sounds like there's concerns. Again, it's half a million dollars. What does this product do? If we don't, you know, if we don't approve this, we don't use this, what's the next -- what's the second best product at a cheaper cost? And is it worth going down and risking the security of the entire County's Information Technology network versus investing -- and, again, that's what this -- it sounds like it's, like, more of an insurance situation that will hopefully ensure the safety of the technology system. Legislator -- who had a question? Legislator D'Amaro.

LEG. D'AMARO:

I just want to be clear in my mind about what we're doing here. This is more of an effort to collect the data or the potential threat or analysis of the data from firewalls and switches and things like that. So that -- and then on top -- you have a hardware and software program that's going to collect all this data from these sources and then analyze it to see what threats may be developing or potential threats. Is that --

ACTING COMMISSIONER MILLER:

That's one component of it. And it's -- once it does identify threats much like your home virus program, it does contain them for you automatically until you can address them. Then there's only one component of the expense. As I said, I'd be glad to show you guys exactly what we're procuring here, which will probably shed a little more light on it. I'd just rather not, maybe, broadcast that.

LEG. D'AMARO:

What do you mean? What do you mean by that? What can't you say here?

ACTING COMMISSIONER MILLER:

I'd rather not identify the exact methods that we're using to stop --

LEG. D'AMARO:

Okay, no, I don't need the methods. I don't need the methods.

ACTING COMMISSIONER MILLER:

Or the device names and models --

LEG. D'AMARO:

That's fine. I don't need that. But I just want to understand conceptually this is a globally managed network protection and security system; globally managed, meaning that --

ACTING COMMISSIONER MILLER:

Centrally is probably a better word for that.

LEG. D'AMARO:

I'm sorry?

ACTING COMMISSIONER MILLER:

Centrally managed, I guess --

LEG. D'AMARO:

Centrally, yeah, right, I understand. In other words, your -- these devices have protections in them, but you want to be able to take all of that data and understand it on a more -- on a macro scale, so to speak; is that what you're trying to do?

ACTING COMMISSIONER MILLER:

It's a large amount of data. And it's almost impossible for one or two people to analyze all that data

on an hourly basis as things come in. So this --

LEG. D'AMARO:

No, no, I understand. So -- but we're not doing that now. But we do have the protections in place. It's just how we manage that protection. Do we do it more decentralized or do we centralize it?

ACTING COMMISSIONER MILLER:

It's more decentralizing. And one of the reasons that we did have all blacklisting is the fact it is centralized and we couldn't identify some of the things that were out there causing the --

LEG. D'AMARO:

Well, blacklisting, as I understand --

ACTING COMMISSIONER MILLER:

That's malware that was kind of causing that on some PCs that were infected and some devices, is that contributed to the blacklisting on a daily basis.

LEG. D'AMARO:

How did -- I thought blacklisting was where you just over send, so to speak, e-mails to one particular address and then you're cut off.

ACTING COMMISSIONER MILLER:

Or multiple addresses with bad e-mails coming back. And what happens is sometimes devices get infected with something called like malware. And that was broadcasting continuously these bad addresses out there causing the County to get blacklisted.

LEG. D'AMARO:

So a malware problem.

ACTING COMMISSIONER MILLER:

It's basically an infection. Think of it like a virus that got through.

LEG. D'AMARO:

Right, okay. So the malware, though, can come in based upon, I guess, use of websites or e-mail.

ACTING COMMISSIONER MILLER:

Or even maybe VPN usage from your, you know, external computers.

LEG. D'AMARO:

Right. So what protections do we have in place right now against the malware?

ACTING COMMISSIONER MILLER:

We have our usual virus protection that has some malware component and we really --

LEG. D'AMARO:

Who do we use for virus protection? What do you mean usual virus protection?

ACTING COMMISSIONER MILLER:

We use McAfee appliances.

LEG. D'AMARO:

What does that cost us every year?

ACTING COMMISSIONER MILLER:

Well, we have a couple of appliances that are out there. There's an annual service agreement with

that. If I remember correctly in the Operating Budget it's about \$30,000, I believe, annually.

LEG. D'AMARO:

So McAfee is providing the County with protections against malware.

ACTING COMMISSIONER MILLER:

Mostly virus; virus protection.

LEG. D'AMARO:

What malware protection do we have?

ACTING COMMISSIONER MILLER:

It's kind of limited. And that's where this other appliance --

LEG. D'AMARO:

Kind of limited. What protection --

ACTING COMMISSIONER MILLER:

It's not its primary function. That appliance is very --

LEG. D'AMARO:

So McAfee is also doing that?

ACTING COMMISSIONER MILLER:

It's like anything. You know, it claims to do it but it's not -- it's not its primary function. Its primary function is to protect us against viruses.

LEG. D'AMARO:

So what malware have we experienced while McAfee's been in place?

ACTING COMMISSIONER MILLER:

We've had the one that caused the blacklisting. That was one piece of malware --

LEG. D'AMARO:

I never got blacklisted.

ACTING COMMISSIONER MILLER:

I can give you -- you know, if you want, I can give us -- -- I can get back to you guys and give you --

LEG. D'AMARO:

I think the blacklisting has more to do with the user than the software. The virus protection or the malware protection, you know.

CHAIRWOMAN ANKER:

You know, I want to make sure that we're not entering into the area of confidentiality and security, which, you know, again, we need to watch that. But would you like to maybe go offline a little bit and discuss this with our Commissioner?

LEG. D'AMARO:

No, I don't think so. I think talking about McAfee and malware protection is not even remotely close to breaching confidentiality, but --

CHAIRWOMAN ANKER:

Maybe we can do a --

LEG. D'AMARO:

That's fine. I'll just stop my questioning.

CHAIRWOMAN ANKER:

Okay. Discharge without recommendation? Would you be more comfortable with that? And then we can have additional information.

LEG. TROTТА:

That's fine.

LEG. CILMI:

Made Chair, could I request maybe that we go into Executive Session to -- I'm sorry?

MS. SIMPSON:

I'd like to review the Open Meetings Law to make sure this is an appropriate conversation for --

LEG. CILMI:

Okay, if you could do that. Because, I mean, listen, the security of the County is -- IT is, in my view, critically important. And I think if there's an opportunity to be convinced of the necessity here, that I'd like to have that opportunity.

CHAIRWOMAN ANKER:

Okay. Legislator Martinez has a question or two for you.

LEG. MARTINEZ:

Good morning, Commissioner. Just quickly we've been discussing the importance of security and I understand that. But did this go through an RFP process? Was this vetted out?

ACTING COMMISSIONER MILLER:

This -- it's not a one system kind of a device. It's multiple devices and software. It's not an RFP type of procurement.

LEG. MARTINEZ:

Were other softwares looked at, as Legislator Anker just suggested before?

ACTING COMMISSIONER MILLER:

Yes. We evaluated many pieces of software over the past several years.

LEG. MARTINEZ:

And this one you feel is the best one?

ACTING COMMISSIONER MILLER:

It's multiple; multiple pieces of software. But, yes, we feel this collection that we put together is the best collection for the County.

LEG. MARTINEZ:

Is there any way that we can also -- if we do go into Executive Session you discuss with us the other softwares that you did look at to just --

ACTING COMMISSIONER MILLER:

Sure.

LEG. MARTINEZ:

Okay. Thank you.

CHAIRWOMAN ANKER:

And, again, you know, just to get the idea in front, we need to make sure that we're investing in the best -- best software that's possible, but that's also, you know, affordable or, you know -- we've got a lot of financial issues in front of us. If we don't invest in this, will it create tens of millions of dollars of issues? You know, that's the -- where we are right now. So -- and we can't really discuss the details of security. And that's what our attorney's looking up right now. So give us a few minutes.

MS. SIMPSON:

Based on what I've read, this would not be a situation in which an Executive Session would be appropriate. There are certain parameters for which an Executive Session is appropriate. This does not meet those requirements.

LEG. CILMI:

So discussing -- I'm sorry -- discussing security issues with the County's IT does not meet the level of --

MS. SIMPSON:

Not explicitly included among the things in -- that are allowed for Executive Session. Executive Session is primarily for discussion of litigation, personnel issues, criminal investigations, things of that nature. But they are actually enumerated in the law. And this is not one of the areas that is enumerated for Executive Session purposes.

LEG. CILMI:

Which law is that?

MS. SIMPSON:

The Open Meetings Law.

LEG. CILMI:

That's a State Law?

MS. SIMPSON:

That would be State Law, yes.

LEG. CILMI:

So -- but that law clearly needs to be updated. If we can't -- I mean, clearly we don't want to talk about security-related issues in public. I mean, if there are threats to our IT infrastructure, I don't know why we would not be able to go into Executive Session to discuss that.

CHAIRWOMAN ANKER:

Okay. So we have a -- so now we realize that the Open Meetings Law needs to be updated because --

LEG. CILMI:

I'm not sure that it does. I'm just suggesting that.

CHAIRWOMAN ANKER:

I would think so. But there was no technology back then probably when they had this -- this issue which is, you know -- but Legislator D'Amato.

LEG. D'AMARO:

Based on that point, there's no catchall in that law? Hi, George, there's no, you know, something we can latch onto to fill the need right now? You know, or any other matters relating to confidential situations within the jurisdiction or something like that?

MR. NOLAN:

I haven't been listening but I'm assuming that the speaker has said that discussion on the record would threaten the vulnerability of our system.

LEG. D'AMARO:

That's a valid assumption.

MR. NOLAN:

Okay. I think at this point if somebody makes a motion to go into Executive Session to discuss this topic and gets a second, I think, we can go into Executive Session.

CHAIRWOMAN ANKER:

Okay. I'll --

LEG. CILMI:

I'll make a motion.

CHAIRWOMAN ANKER:

And I'll second it. And we're going to go into Executive Session. Okay. We're going to take our Committee and the Commissioner and we'll head into the back conference room. Okay. Thank you.

(EXECUTIVE SESSION FROM 11:03 AM to 11:29 AM)

Okay, we are back in session and Legislators are at their seats. Okay, there was a motion made on IR 1586 to approve. All in favor? Opposed? Abstention? Motion carries. **(VOTE: 5-0-0-0)** And, again, this was in regards to Globally Managed Network Protection and Security system. There can be further discussion on this. And there was also a tour offered -- a program offered by our IT Commissioner, Doug Miller. So we thank you for that information. It looks like there's no further business -- oh, we have Ben Zwirn from Suffolk Community College to speak. Go ahead, Ben.

MR. ZWIRN:

I mentioned it earlier to some of the members that were here. There's going to be a grant proposal coming forward under the new grant proposal procedure other than a CN. There's a \$400,000 grant from the Environmental Facilities Corporation to the College that will be coming before you on Tuesday. I just want you to be aware of that. Also that we have extended an invitation to members of the Committee to come out to the College in September --

CHAIRWOMAN ANKER:

Right.

MR. ZWIRN:

-- to view some of the traffic issues that we have there. And those two bills on the Capital Program have been tabled until then.

CHAIRWOMAN ANKER:

And thank you for that, you know, for accommodating the interest of the Committee. We appreciate that.

LEG. CILMI:

Madam Chair.

CHAIRWOMAN ANKER:

Legislator Cilmi.

LEG. CILMI:

The dates that were -- the date that we're contemplating for our visit to the Ammerman Campus, that's not like the first or second day of class, is it?

MR. ZWIRN:

No. Classes start on the 2nd. I think this was the 12th.

LEG. CILMI:

So the student body will have had an opportunity to sort of get accustomed to what's going on, is my point. The first day, I'm sure, is always chaotic.

MR. ZWIRN:

No, the first day I'm sure is -- absolutely.

LEG. CILMI:

Thank you.

MR. ZWIRN:

The only other thing I'll add while I'm here is that Senator LaValle has put a bill in to include the Capital Programs that were left out of the State budget. And there was no final resolution bill. And that Senator Thiel will co-sponsor in the Assembly if Assemblywoman Glick, who's Chair of the Higher Education Committee in the Assembly, does not.

CHAIRWOMAN ANKER:

Okay. All right. Sounds good. Any other questions? No further business, this Committee is adjourned.

**THE MEETING CONCLUDED AT 11:31 AM
{ } DENOTES SPELLED PHONETICALLY**