

CAPITAL BUDGET MEETING
PUBLIC SAFETY & PUBLIC INFORMATION COMMITTEE
of the
SUFFOLK COUNTY LEGISLATURE

Minutes

A Capital Budget meeting of the Public Safety and Public Information Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans memorial Highway, Smithtown, New York, on May 28, 2002.

MEMBERS PRESENT:

Legislator Angie Carpenter - Chairperson
Legislator David Bishop - Vice-Chair
Legislator Maxine Postal
Legislator Lynne Nowick
Legislator Joseph Caracappa
Legislator William Lindsay

ALSO IN ATTENDANCE:

Paul Sabatino II - Counsel to the Legislature
John Gallagher - Commissioner SCPD
James Abbott - Deputy Commissioner SCPD
James Maggio - Assistant Deputy Commissioner SCPD
Mr. Fischler - SCDFRES
Mr. Daniels - SCDFRES
MR. Gackenheimer - SCFA
Tedd Godek - SCDPW
Cheryl Mundy - Probation
Rosalind Gazes - BRO
Vincent Iaria - Probation
Bill Faulk - County Executive's Office
Alfred Tisch - Sheriff SCDS
Alan Otto - Sheriff's Department
Edward Webber - SCPD Support Services
Judge Oshrin
All other interested parties

MINUTES TAKEN BY:

Donna Barrett - Court Stenographer

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(*THE MEETING WAS CALLED TO ORDER AT 2:15 P.M.*)

CHAIRPERSON CARPENTER:

Good afternoon. I would just ask all Legislators who are on the Public Safety Committee to please come to the auditorium. We are going to begin the Capital Budget Hearing, and I would ask Legislator Lindsay to lead us in the Pledge of Allegiance.

SALUTATION

CHAIRPERSON CARPENTER:

Thank you. I think what we'll do -- I don't see Fred from Budget Review, but I'm glad you're here. We'll begin with -- Sheriff Tisch requested to have first opportunity to address the committee, so

if you would. Commissioner, you'll be first next time, promise.

SHERIFF TISCH:

He was first last time.

CHAIRPERSON CARPENTER:

No, he was not as a matter of fact. As a matter of fact, he was not. Someone else was.

SHERIFF TISCH:

I sat through his Power Point presentation.

CHAIRPERSON CARPENTER:

I'm sure you learned a lot.

SHERIFF TISCH:

I did.

CHAIRPERSON CARPENTER:

Please have a seat and let's begin.

SHERIFF TISCH:

I promise to be brief.

CHAIRPERSON CARPENTER:

Why don't you give us your presentation, and we will Budget Review to comment. Then we'll go on to the Police Department and the rest of the presenters.

SHERIFF TISCH:

As you may be aware, we have Capital Project 3008, which is the construction project of a 280 correctional facility at Yaphank. We are requesting that the proposed 2003 Capital Budget and 2003 to 2005 Capital Program be amended as follows. It would advance the planning funds of \$3,360,000 by one year, up to 2003; to advance the construction funds of 33,600,000 by one year to 2004; and to advance 50,000 in construction and 500,000 in site improvements to 2005. The Legislature's Budget Review Office fully agrees with the position and stated that the planning and construction funds for 280 inmate housing area at Yaphank Correctional Facility should be advanced to 2003 and 2004 respectively.

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At first, this matter came out of the County Executive's Office with a fall back to future years. And we had a meeting with the County Executive, he toured the facility in Riverhead, he is aware of the severe overcrowding problem that we have and the mandates that we've been placed under by the Commissioner of Corrections. As a result of that, the County Executive has agreed with us that the projects should, in fact, be moved forward to the dates as I have mentioned. With regard to the expansion the Sheriff's Enforcement Division at the Criminal Courts Building, this project under Capital Project 3013 provides for the expansion of the Sheriff's Headquarters Bureau in the Criminal Courts Building. While the funding schedule recommended by the Budget Review Office is one year later than our requested time frame, it does start the project one year earlier than the County Executive's proposed budget schedule. We therefore support the time table recommended by Budget Review.

The Sheriff's Department, however, has a concern with this project.

While the County Executive's Office gave this project its own project number 3013, Budget Review recommends placing the funding in an existing Capital Project number 124, which provides funding for various improvement to the Criminal Court Building. We are very concerned because based on past experience with long term capital projects, they continue to be expanded. We could fall into the crack if something happens with the improvement to the Criminal Court Building. We certainly don't want our project delayed so that it can dove tail with that project.

With regard to Capital Project 3035, construction and reconstruction of correctional facilities. The new funding requested for the Sheriff's Department was for a five bay metal storage building for our garage area.

CHAIRPERSON CARPENTER:

Excuse me, Sheriff, what was that last project number?

SHERIFF TISCH:

3035. We have also requested a warehouse for our Quartermaster. Budget Review Office agrees with the funding for the prefabricated garage building, but has expressed certain reservations about the warehouse for our Quartermaster section. Our Chief-of-Staff toured the existing Quartermaster facility in Westhampton, has taken video of it. I've seen the video. The building is deplorable, it's falling down, the roof is leaking, there are raccoons that have entered the building that are destroying the merchandise, which the County has paid for, the building is chock full of clothing for the correctional end of our department, inmates and other clothing which is not inexpensive, I would point out. The longer that we put off the construction of the quartermaster Building, the more losses we're going to have of the stuff we're storing now. Frankly, this building should have been condemned. It's -- it's absolutely deplorable. There is no electric in it, there's no heating, there's no nothing. It's just a vacant ramshackled falling down building.

With regard to the request for personal body alarm system for the Riverhead Correctional Facility. It was not proposed by the County Executive Office, however, Budget Review recommends that the

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Legislature include this project in the Capital Program in 2004 with \$600,000 provided by transfer from the General Fund. There are four additional projects that pertain to the Sheriff's Department, however, in the interest of time, I'd like to state for the record that the Sheriff's Office concurs with the County Executive's Office and Budget Review of the County Legislature on their evaluation and funding of all four of these of these projects; 3009, 3011, 3014 and 3044.

There are two additional matters that I would like to bring to the attention of the Public Safety Committee. We have at present a rescue vehicle, a vessel, which was constructed in 1962. I have pictures of it here. This is the picture of the existing vessel. I'm going to ask that you take a look at it. It is referred to as a LARC, l-a-r-c, Light Amphibious Self Propelled Diesel Aluminum. Anybody that would be called upon to use it, would be putting their life at severe risk. There are no parts available for this vehicle. I believe Southampton has three of them. They've cannibalized two of them to try to keep the remaining one functioning. And it's clearly a requirement for our department to replace the vehicle. We have done the research. The

vehicle that we are requesting, the vessel is an Ambar 25 foot rigid hull aluminum inflatable search and rescue boat with equipment package. As you may be aware, we are involved very actively with the Anti Terrorist Task Force. We have a cooperation agreement with the Drug Enforcement Administration, with the Department of Customs of the federal government, and we're also an active participant in the East End Drug Task Force. It is necessary that we have the vehicle, not only for search and rescue on the East End of the Island, but also in our cooperation agreements with other law enforcement communities. The total cost estimate for the project is \$117,000. Obviously, I would like to have this yesterday. If there's any possible way that this could be added to an amendment to the current year's capital projects with some sort of an offset, I would appreciate that.

Lastly, the mobile data computers, I know that the Public Safety Committee has very generously assisted us in this regard. At the last meeting, we were advised by Chairman Carpenter that she would actively pursue this on our behalf with the corporation of the other members of the committee, Maxine Postal was the person who proposed it to me first. I believe that the project to equip our DVU Units, 13 of them, is underway at the present. As you know, I had requested that 32 mobile data computers be obtained for the Sheriff's Department. It is our request that 19 additional units be purchased so that our civil bureau could get into the 21st Century. Undersheriff Sullivan and I appeared before Credit of Rights Committee of the Bar Association. There were approximately 25 to 30 lawyers in a room, who on behalf of their respective clients were bemoaning the fact that the informational process, the gathering, reporting and coordination of information is being done in archaic fashion. Things are extremely delayed, as a result of which the infusion of available funds into our economy is being delayed, especially with regard to foreclosures and evictions, etcetera. As you know, the longer a rental property sits vacant, the more damage occurs to it and the less revenue is generated back into our economy. For that reason we would ask that the addition 19 units be funded.

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CHAIRPERSON CARPENTER:

Do you have a dollar amount on those?

SHERIFF TISCH:

It's \$192,000. That concludes my presentation. I indicated I would be brief. I'll be more than happy to answer questions.

CHAIRPERSON CARPENTER:

Thank you, Sheriff. Legislator Caracappa.

LEG. CARACAPPA:

First, to the mobile data units, what's the cost per unit?

SHERIFF TISCH:

I have it here.

CHIEF OTTO:

9900 per unit. Then there's also associated cost.

LEG. CARACAPPA:

Network costs, the networking costs, getting onto the system.

CHIEF OTTO:

The total cost for 19 units is 192,000.

LEG. CARACAPPA:

The amphibious vehicle, when was the last time the Sheriff's Department even considered having to use their amphibious vehicle?

SHERIFF TISCH:

The last several times, I understand that it was utilized, it was only utilized in its automotive mode in traversing barrier beaches that were somewhat inundated, but it was not in floatable condition, it was being driven. I would not recommend that anybody try to float it,

LEG. CARACAPPA:

Aside from possibly evacuating people from the barrier beach during a hurricane warning or a large storm warning of some sort, and other than the terrorist situation that you mentioned earlier, Sheriff, in what capacity would you be using this vehicle that would justify us spending this type of money for it in the Capital Program?

SHERIFF TISCH:

Drug interdiction. As you know, we're active in the East End Task Force and with the DEA. We have Deputy Sheriffs assigned to the DEA in their enforcement role.

LEG. CARACAPPA:

Now, is that -- that craft for drug enforcement on waterways, I don't see it being very useful due to the fact that most drug operatives on water are using high speed vehicles as opposed to an amphibious vehicle that does not really motor through the water at a high rate of speed. I'm just bringing up these points because I don't -- I personally as one committee member, do not see the need for the new amphibious vehicle at this point in time based on the Capital Budget that we're facing and the policy issues that we're facing within the

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Capital Budget.

SHERIFF TISCH:

Legislator Caracappa, it's not an amphibious vehicle, it's a high speed inflatable motor boat.

LEG. CARACAPPA:

But it's amphibious as well.

SHERIFF TISCH:

The old one was.

LEG. CARACAPPA:

And you want to replace it with a new solid hull --

CHIEF OTTO:

Semi rigid.

LEG. CARACAPPA:

Semi rigid that is similar to the ones that the South Shore, North Shore Fire Departments are using.

SHERIFF TISCH:

Yes, absolutely.

LEG. CARACAPPA:

Okay. That's a different story. You don't want another Hovercraft or anything like that.

SHERIFF TISCH:

As you know, we do have a collegiality with East End Police Departments. We render assistance to them on a regular basis. This would be very helpful for them as well.

LEG. CARACAPPA:

Okay. That clarifies it for me. Thank you.

CHAIRPERSON CARPENTER:

Sheriff, just to pick up on what Legislator Caracappa was asking about the last time the need arose for this kind of vehicle to be utilized by the department, when was the last time the DEA reached out to the Sheriff's Department that you were not able to assist them because your vehicle was not capable of being utilized?

SHERIFF TISCH:

No. We had not been asked to provide assistance with that vessel that we have. It would be totally useless. I assume if we had to --

CHAIRPERSON CARPENTER:

That's my point. You're saying that you want to have the vehicle so that you are able to work on this -- on drug interdiction, you know, in cooperation with the DEA. When was the last time they reached out to you to be, you know, asking you to assist them?

CHIEF OTTO:

When you become part of a task force, okay, you give a list of

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inventory to that task force of what your department's able to provide. We would never give that piece of equipment. So therefore, they didn't know it existed, they wouldn't ask. However, okay, if we get this particular vessel that would become part of our inventory. And as you know, drugs are coming in through the East End, there's no secret. Okay. We have DEA out there, we have Customs out here. The East End Drug Task Force was just established. The East End is a problem. And that's why we're willing to augment that.

CHAIRPERSON CARPENTER:

Okay so, but the point still remains that this is not a need for something that they were expecting to be available and we need to rush to replace it because it's just not functioning any longer. This would be to enhance, you know, or broaden the scope of what the department is now doing.

SHERIFF TISCH:

Chairman Carpenter, I see the assistance with the Drug Enforcement Administration as an ancillary use of this vessel. That was not the prime use, the primary use is for the protection of the lives and safety of the residents of the East End in the event of a flood or some other catastrophe where evacuation would be necessary.

CHAIRPERSON CARPENTER:

But you're also saying that some of the East End departments have two and three of these -- these vessels.

SHERIFF TISCH:

I indicated that Southampton has three vessels similar to the one we're asking to replace. They have -- two of them are being utilized just for parts to support the other one. There are no parts available for these vessels. If it breaks, it's broke.

CHAIRPERSON CARPENTER:

Okay. Are there any other questions of the Sheriff while he's here from other members? Okay. Thank you very much for the presentation. Does Budget Review have any comments that they would like to offer now? Do you have -- does Budget Review have any comments on what the sheriff has presented?

MS. VIZZINI:

We real didn't appreciate the full presentation. It's the first time we're hearing it.

CHAIRPERSON CARPENTER:

The new request.

MS. VIZZINI:

This is the first time today.

CHAIRPERSON CARPENTER:

Well, perhaps, you know, what might be helpful, it seems that you have a written copy of your presentation. If you could submit a copy of that to Budget review so that when they're giving their input to the Omnibus Committee, in particular, we would -- they would have that information.

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SHERIFF TISCH:

Absolutely.

CHAIRPERSON CARPENTER:

Okay. Great. Thank you so much.

SHERIFF TISCH:

Thank you. And thank you, Commissioner for deferring, I appreciate it.

CHAIRPERSON CARPENTER:

Okay. If the Police Department would come forward. Good afternoon, gentlemen.

COMMISSIONER GALLAGHER:

Legislator Carpenter, good afternoon, members of the committee. I'm joined with Deputy Commissioner Abott, Assistant Deputy Commissioner Maggio and Chief of the Department and Chief of Support Services are on call if we need any assistance. Our proposals were in the main accepted by Legislative Budget Review. And we are really only at variance in a very few minor items -- I shouldn't say minor, but there are a few items really. The projects that we have proposed, I think, would be -- mostly we're asking for the one that comes to my mind is repowering of the patrol boats, the police patrol boats in the Marine Bureau. There's one item that got taken out of the Executive's budget assessment of our budget request, that was for a spare engine for these boats. I believe the total number of engines we would like to have is five; four plus a spare. And your Budget Review Office if you refer to page 191 of the Legislative Budget Review Office agrees with

the department that that should be -- the spare should be maintained. It's about a \$22,000 item for, you know, additional -- an additional engine as a spare engine for the boats, which we would -- we would agree with.

I call your attention to the project number 3122, that is approvance of Police Headquarters including a backup generator. This is an item of some urgency for us because the generator that's presently located in the building, I think, came with the building in 1975, I believe. The generator that's in the building that came with the building no longer really is of any use to us. Chief Webber informs me that we need it in times of emergency. And almost without fail, the generator has failed. When we need it, it doesn't work. So we are really rather seriously asking that we get -- make this the year we get a new generator, please.

LEG. CARACAPPA:
Madam Chair.

CHAIRPERSON CARPENTER:
If you would, let -- let him finish that. But I was going to ask because we had a resolution on the floor --

LEG. CARACAPPA:
That's my question.

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CHAIRPERSON CARPENTER:
-- for a generator that was tabled.

LEG. CARACAPPA:
There's one on the floor, I wasn't sure if it was tabled or not due to the fact that some Legislators had some problems with the cost of certain sized generators at certain locations. And if we're handling it this year, why is in it the Capital Program for the Capital Budget for '03?

CHAIRPERSON CARPENTER:
Well, you know, I think we need to find out for sure if we're talking about the same generator or not.

COMMISSIONER GALLAGHER:
I think what we're trying to do is make sure that we get-- we get it. You know, by whatever methods it is arrived at, that we make sure we have it before your attention that we need a generator. I know -- narratively I think I was told that there's been some discussion about the generator serving more than just the Police Department. This seems to happen every time I ask for a generator, something else gets in the way of getting a generator. So I don't know what other department it could physically serve in the location that the generator would be in Yaphank. The new infirmary I would guarantee you has a generator, having worked at a hospital for four years.

CHAIRPERSON CARPENTER:
All right. Let's just get this straight. The resolution is live on the floor at the Legislature for a generator for Police Headquarters. If that goes forward, is that -- then we would not need this in the Capital Program for next year?

COMMISSIONER GALLAGHER:

Right. That's correct.

CHAIRPERSON CARPENTER:

Okay. And I need you today to tell us again how important it is to have that generator, because there was some discussion on the floor, and they felt that -- some Legislators felt that there was a generator or new generators that were appropriated for DPW, and that they are facilities within less than a quarter of mile and you should be sharing generators. How practical is this?

COMMISSIONER GALLAGHER:

It's just not practical. We are a 24 hour a day, 7 day a week emergency service. If the generator fails, you know we are --

CHAIRPERSON CARPENTER:

And didn't we have some instances of a communication snafu where the generator probably would have kept us online?

COMMISSIONER GALLAGHER:

I'm not even sure. I think you're right, I don't want to speak. But Chief Webber is here. As Chief of Support Services, this falls under Chief Webber's prime jurisdiction.

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LEG. LINDSAY:

Madam Chairwoman, I don't mean to interrupt, but this is something that's kind of dear to my hear that we've talked about. Are you telling us, Commissioner, that as of now we don't have a uninterruptable power source on the Police Headquarters?

COMMISSIONER GALLAGHER:

We have a UPS that I know of that comes in out of VIPA, but whether that is -- whether you can rely on that or not.

LEG. LINDSAY:

Can't be. We don't have a UPS system on --

CHIEF WEBBER:

Yes, we do.

LEG. LINDSAY:

We do.

CHIEF WEBBER:

Yes, we do. As a matter of fact, we have an emergency generator which powers the communications center, but the rest of building goes down. And the generator that the Commissioner you are discussing --

LEG. LINDSAY:

Because if we didn't have a way of picking up 911, I really would be frightened.

COMMISSIONER GALLAGHER:

No. We have -- there's yet unit that handles just that. The 911 calls never go --

CHAIRPERSON CARPENTER:

Okay. So when -- when was that generator replaced, do you know?

CHIEF WEBBER:

The generator we are speaking to replace now --

CHAIRPERSON CARPENTER:

No. No. The 911, the generator that --

CHIEF WEBBER:

I'm not aware of that being replaced either.

CHAIRPERSON CARPENTER:

Because that -- that was some question too that they felt that didn't we just give them an generator at Police headquarters.

CHIEF WEBBER:

No. I think you may be addressing the generator for the special patrol. We're asking for a generator for there, there maybe a confusion.

COMMISSIONER GALLAGHER:

That's over in the --

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CHAIRPERSON CARPENTER:

So again, for the record, this generator is need at Police Headquarters to replace one that is not functioning that was purchased in 1975, and is responsible for what exactly?

CHIEF WEBBER:

The operation of everything in the building with the exception of E-911.

CHAIRPERSON CARPENTER:

Okay. Very good. Well, I am hopeful that enough of the committee members who have heard this today, when the Legislature meets on the 11th can get that resolution passed so that you're not waiting yet another year to get that generator replaced.

LEG. LINDSAY:

We could have used you at the last meeting.

CHAIRPERSON CARPENTER:

Yeah, we certainly could have. But, you know, it passed in committee without any real discussion. And, you know, we were kind at a loss at that point because it really did seem like a no-brainer. And I know the committee was all very supportive of it. But unfortunately, when the dynamics are such at the Legislature, it doesn't always mean that. Okay. Commissioner, if you want to continue.

COMMISSIONER GALLAGHER:

The other item that's 3181, that's the Quartermaster Supply Building. I believe the recommendations is we should look to -- a joint venture with perhaps the Sheriff's Department, who I heard just talk about a Quartermaster.

CHAIRPERSON CARPENTER:

Right. How practical would that be?

COMMISSIONER GALLAGHER:

I don't know yet. I haven't seen yet where -- the location would be important. But I don't think it would be impractical to try to put together one building that would house our needs and their needs, yes.

CHAIRPERSON CARPENTER:

Is it possible for -- for you to have that discussion with the Sheriff within the next couple of days and get back to myself? As we move forward with that process, it would be helpful to know that.

COMMISSIONER GALLAGHER:

Yes. I think the Legislative Budget is the one who recommended we do look into the possibility of a shared facility.

CHAIRPERSON CARPENTER:

But since, you know -- the Sheriff seemed to make the case that his facility is so woefully inadequate, and this is something that your department has been striving for for a long time. I would think at the very least in the 2003 Capital Budget that there should be some planning money. And if we can, you know, say with certainty that both departments are willing to move forward with this jointly, it would

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really help.

COMMISSIONER GALLAGHER:

We'll do a schematic -- you know, do an assessment of our needs and their needs and get back to you with what type of -- the sizing of the building that we would need, the both of us.

CHAIRPERSON CARPENTER:

Very good.

COMMISSIONER GALLAGHER:

Thank you. I don't think there's anything else really that I would want to comment on at this point. You know, except to accept any questions you have. There is one long term project, and that's the North Complex project for relocation or incorporating or the Fourth Precinct into a building on the North Complex. The only thing that I hesitate to, and again, it's a fear of not wanting to appear obstructionous, but I hesitate to endorse such a project. A police precinct is a peculiar kind of building. It needs all of its own self-contained security. You would have -- in effect, you would have to build a building within the building and kind of separate the employees, the County workers, who come and go everyday from the kind of activity that goes on in a precinct. I mean, I think most of us I don't think are sensitive to unless you work with it to both the nature of the -- of the operations that go on in the precinct and the nature of the people that we deal with in a precinct. These are not people on their way to Sunday School. And I don't think you, you know, want to mix the precinct operations with the regular work of the County employees as they go about their business. I certainly would have to urge if we are going to go in that route of one building housing, you know, multi-purposes that again, I don't want to look like I'm against getting the building, but I want to make sure if it's -- if that's we go, because there are options. We can relocate the building free standing in other parts of the County-owned property around here. But if we go for that multi-purpose one building concept, I just want to point out that there is a cost factor. Our section of the building would have to be, you know, totally secure.

CHAIRPERSON CARPENTER:

Well, I think your point is very well taken. Legislator Caracappa.

LEG. CARACAPPA:

I don't know if you had anything to add. We've been discussing the fact about the North Complex plan, the overall plan, with the demolition of some of the northern buildings and erecting a tower for space, including the -- what would be the Fourth Precinct on the first floor. We're also leery about the shared space concern within that building for a police precinct. We plan on moving forward with the planning money -- the planning monies for the Fourth Precinct as a separate entity as well as look at the North Complex tower. We're going to look at both ideas, but we're not going to be obstructionous either, and we're going move forward with at least the planning money as it was originally anticipated to be a separate building where it currently exists.

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COMMISSIONER GALLAGHER:

Thank you. Really, I appreciate that. I think it's -- I think both questions or both approaches have merit, but I just wanted to be sure that the committee was aware of the demerits of trying to do something with a police precinct inside of another building.

LEG. CARACAPPA:

We understand that. That's why we're moving forward with -- with your concerns while looking at the aspect of the other proposal too. I don't want to be disingenuous and say we're throwing the idea of the first floor precinct out -- out in the garbage. We haven't done that just yet.

COMMISSIONER GALLAGHER:

Thank you.

LEG. CARACAPPA:

I have one other question, Madam Chair.

CHAIRPERSON CARPENTER:

Sure, Legislator Caracappa.

LEG. CARACAPPA:

Mr. Maggio, you had given me some information relating to hangar space at Gabreski Airport. I know it was a little late to get your request into the County Executive. Do you feel that it's a priority in this -- not so much the 2003 Budget, but in the Capital Plan that we move forward with planning monies or appropriations for hagar space at Gabreski? Anyone can answer that.

COMMISSIONER GALLAGHER:

No, it's your court. I don't know what -- I have no feelings one way or the other about it as far as whether we should plan for it now or later.

ASST. DEPUTY COMMISSIONER MAGGIO:

I would agree that in order to protect our investment out there, and we just purchased two new helicopters, and rather than paying rent, that we would much better off if we could design and build our own hangar space and have all the equipment that goes with maintaining and repairing helicopters. And as I also said, if for some reason we had to shut down at Mac Arthur, we could move the whole operation to Westhampton and not have any loss in service. So I'd say, yes, it would be a priority.

LEG. CARACAPPA:

Thank you.

CHAIRPERSON CARPENTER:

Thank you. Do any of the committee members have questions or comments?

LEG. LINDSAY:

I do.

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CHAIRPERSON CARPENTER:

Legislator Lindsay.

LEG. LINDSAY:

What I'm about to talk about isn't in the budget, but just an update is it's getting close to passing the Red Light Camera Bill in the Assembly and the Senate, both -- there are bills in both Houses that are out of committee. And we're very optimistic that that bill is going to get passed. And if it does, the local resolution, you know, had the Police Department setting up these systems. And we're going to try to get an additional appropriation to set up some test sites for this new equipment. And not that I'm really looking for a comment, but just kind of warning you guys that this maybe something you should start thinking about.

COMMISSIONER GALLAGHER:

Yeah, we have thought about it, and I know we have some questions too about us being the agent that does the actual operations of the system, because it means that we would have to then be the agent that issues the fines. Then, of course, our \$64,000 question for us is if we collect the fines, where does the money go? Probably not to us, but, you know, there's a lots of little things we'd like to know more about as to just how to fit in into the operation. There are other jurisdictions we've looked at, municipalities, that have created separate agencies, separate entities, to do this, to actually operate these. And it is -- by the way, it is an expensive operation according to other municipalities we've talked to.

LEG. LINDSAY:

Well, New York City, which is really the only other jurisdiction in New York State that have this system --

COMMISSIONER GALLAGHER:

Washington has -- Washington DC has this.

LEG. LINDSAY:

I was just talking about New York State. They've created the Parking Violation Bureau. And from my understanding, because I went in there to see their operation and to talk to the director, you know, the -- it has the same effect as a parking ticket. They keep the revenue from it, and it kind of -- it's liked worked out in there revenue neutral, the -- you know, the installations. They recoup the installation and maintenance cost. But I -- you know, we really should talk about it. And, you know, I'm not looking to put anybody on the spot, there are a lot of things to talk about.

COMMISSIONER GALLAGHER:

I would love an opportunity perhaps since you're the prime sponsor -- you're the sponsor to sit down with you and show you some of the

things that, you know, we worry about like concerns, like personnel problems, who's going to -- who is going to support the operations as far as people go, and the maintenance cost, which the last report I saw, the maintenance cost were a lot higher than I had anticipated in maintaining the cameras so that it is legally -- an instrument that can be legally certified or calibrated or whatever the term would be, like we did with our calibration for our patrol vehicles when any

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clock you as to whether or not you are speeding. I don't know what the term would be for cameras. It's something like a calibration. Just to make sure that we know what the cost of doing that is going to be.

LEG. LINDSAY:

Maybe in the near future we can get together, because we have a lot of data on it as well.

COMMISSIONER GALLAGHER:

Good. Sure.

LEG. NOWICK:

Commissioner, just as an aside and thinking back the Sheriff's request for the boat, the high speed boat, do you find -- I'm sure your department has many requests through the DEC or otherwise for your high speed boats, do you find that the Sheriff, if the Sheriff's Department had one of these vessels that that would take some of the burden off your department, or do you have enough to cover what the Sheriff's Department might be called upon to do?

COMMISSIONER GALLAGHER:

I don't think we get that many requests from the DEC for use of our boats that's part of any interdiction that I know of. DEC's operation in that -- you know, on the waterways I think is a lot -- a lot more aerial surveys and Coast Guard and Customs are, you know, connected to DEC drug operations on the waterways. I don't think the local department, as far as I know, we're not given that many -- we're not asked that often to participate in that kind of drug. We have a lot of work -- we do a lot of work with DEC in intelligence surveillance. We just finished, in fact, a seminar with them where they trained several of our officers in drug recognition and intelligence, but it's all land-based work.

LEG. NOWICK:

I'm trying to determine that if -- if the Sheriff had one of those vessels, would that help of you out and take some of the burden off you. From what you're telling me, you don't get that much of a --

COMMISSIONER GALLAGHER:

Not -- no, not on the drug enforcement side.

LEG. NOWICK:

Okay. Thank you.

CHAIRPERSON CARPENTER:

Okay. Are there any other questions? Thank you very much gentlemen.

COMMISSIONER GALLAGHER:

Where do I pick the check up?

CHAIRPERSON CARPENTER:

Actually, check with the Clerk, Henry Barton. I'm sure he's ready to write it. Then be ready with the paddles to revive him. Judge Oshrin, if you'd like to come forward, please.

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JUDGE OSHRIN:

Good afternoon, Madam Chairperson. Since this is my first appearance before the committee, I am a little bit unfamiliar with your procedures. I've prepared some written remarks which I'd to give you. If not, I'm prepared to answer any questions you'd like to have.

CHAIRPERSON CARPENTER:

All right. If you want to -- if you'd got the remarks to distribute and just want to give us a quick overview of them, or if you want to, you know, I don't have how long it is, but certainly you're welcome to

JUDGE OSHRIN:

An hour and twenty five minutes.

CHAIRPERSON CARPENTER:

That's a little bit long.

JUDGE OSHRIN:

No. No. Ten minutes. Less. They're very short. Madam Chairperson, members of the committee, first, on behalf of the 80 judges and more than a thousand non judicial employees of the Suffolk County Court System, and on behalf of Chief Judge Kay, Chief Administrative Judge Littman and the entire office of Court Administration, I would like to express our thanks and my personal thanks for being afforded the opportunity to appear before and address this committee. My appearance today I hope will underscore the importance that the entire judicial system gives to the proposed court construction in Riverhead.

The addition of a total of eight new courtrooms, I know that nine are going to be built, but one will be lost from the existing facility, will great enhance the ability of the courts, the third branch of government to provide quality service to the people of Suffolk County. Statistics do not tell the whole story, however, with more than 80 judges and a thousand non judicial employees, we provide an opportunity for dispute resolution to people involved in more than 181,000 District Court matters, 48,000 Family Court matters, 30,000 matter in the Supreme Court and 2900 matters in the County Court. We are very busy court system. I would likes to personally extend an invitation to each member of the committee and the entire Legislature if you wish to meet and tour of the Riverhead facility so you'll appreciate the need for improvement. It truly was a grand building which served as the central location for the Administration of Justice in our courts and County for many years.

However, it is now in need of desperate repair and addition. With the need to provide court services on both the East and West End, it is important the Riverhead facility be able to accommodate this vast influx of litigation. Right now we have four Supreme Court Judges working in rented facilities at the United States Federal Court House. We have one acting Supreme Court Judge right down the road in the State Office Building. We have two Supreme Court Judges and one acting judge in the District Court. In other words, our Supreme Court Judges are dispersed all over the place. There is no courtroom permanently available for me. I'm sort of a carpet-bagger judge.

When I need to try a case, I go from courtroom to courtroom. With the construction as proposed, we will be able to accommodate many of these

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judges in a single location and will be able -- afforded the opportunity of continuing to utilize the Central Islip facilities for our County residents.

I would like to point out that with the present compliment of judges, even with the addition as contemplated, we will be operating at capacity. In addition to the judges who sit, we have hearing examiners working in the Family Court. There were no hearing examiners when the Family Court was built. They operate in very cramped quarters. And people who come into the Family Court are entitled to fair treatment in a reasonable facility, security there is very difficult. As our society continues to change, the courts, under the direction of Judge Kay and my now predecessor, now Presiding Justice of the Appellate Division, the Honorable {A. Gail Prudenti} has sought to have the courts deal with the problems of the individual on of a more comprehensive basis. We have already established drug court in both the District and County Court and in the Family Court. So persons with drug problems are able to receive help they need on an ongoing basis. We're in the process of establishing a domestic violence part and looking at other individualized parts that will deal with people's problems. These courts will require more people and more space.

As I told you, we're going to have the domestic violence part and -- which will help people who are subjects of spousal abuse. And when dealing with these problems, the court system will be able to act quickly and effectively. These programs are labor intensive, they will require additional personnel and additional facilities, one of which we hope and we very pleased will be the Riverhead facility. If you have any questions, I will be more than pleased to answer them.

CHAIRPERSON CARPENTER:

I don't have any questions right off the bat, but I do have a comment and want to say that in the nine and a half years that I have been at the Legislature, I could probably count on one hand the times that a judge has come and appeared before the Legislature. And I appreciate you being here reaching out to the Legislature and especially appreciate you recognizing the fact that the judicial part is a third branch of government, that we all are branches of government, equal branches of government. And I think speaking for some of my colleagues in the Legislature, we sometimes get the sense that there isn't that feeling on the part of the judicial system, that you kind of hold yourselves apart. So I do appreciate you being here and recognizing the fact that it is important for us to work together to serve the residents of this County.

JUDGE OSHRIN:

Thank you.

CHAIRPERSON CARPENTER:

Legislator Lindsay.

LEG. LINDSAY:

Yeah, Judge, when -- and I could be wrong about this -- but initially when they were additional courtrooms planned back a few years now, the original plan was to add additional courtrooms on the East End as well

as the West End. And because it's taking so long to get this project going, the courtrooms on the West End had to be dropped for fiscal reasons. There's a plan floating around to lease courtrooms from Touro Law School that they built in Islip, what do you think about that?

JUDGE OSHRIN:

At this point, we will be pleased with whatever court space we find available to us. The Riverhead facility is of extreme importance to us. Legislator Carpenter remarked that sometimes the judiciary is off by itself. Under Chief Judge Kay and under Presiding Justice Prudenti, we have embarked upon a seat change in terms of what we're doing. We are in the process of extending invitations to the County Executive and the Legislative Branch of government to attend a new committee that the court is going to utilize in terms of expanding the confidence that the community has -- has with the court system. We're reaching out. We're starting a process of reaching out to the communities. Why I'm saying this, you think, what is he talking about? We are going to have courts that are more people friendly. We're going to need space, and we're going to need space on the East End and the West End. We're going to have to deal with Central Islip. Okay? How it's going to be dealt with, you're the branch of the government that controls the purse strings. I can come here and ask you, please help us, but I would like whatever court space I can get.

We have hearing examiners for -- a child support or a support matter is important to the litigants. When they're put into a little room with no windows, we deprive them to a certain extent of fair justice. I would love to be able to put them into a courtroom. And I would like to come here and ask you for that, but I know that you don't have an overwhelming or an unending supply of money. So we certainly would look very seriously at Touro facility or any other courtroom space. And if it works out for us, we certainly would support it.

LEG. LINDSAY:

Thank you, sir.

CHAIRMAN CARPENTER:

Thank you. I would just like you to know that there have been some discussions. We do realize how important the Riverhead expansion is, but also there has been some discussion about CI. The fact that we are renting four courtrooms in the Federal Court Complex in and everything that you outlined here this afternoon, we do recognize that that is a need, and we are looking at addressing it so. Legislator Nowick.

LEG. NOWICK:

Your Honor, just -- just so I can understand, it seems like Riverhead right now is where the major problem is for space is, is that it?

JUDGE OSHRIN:

That's correct.

LEG. NOWICK:

Would your plan be to combine Supreme and County -- I know you have a County Court Building there that is fairly new, and I'm sure your --

we've grown out of it already, I know that. I think actually, we grew out of it before we got into it.

JUDGE OSHRIN:

That's one the problems.

LEG. NOWICK:

Is that the plan, to put the -- to get rid of the one on Griffing Avenue and put everybody together? What would --

JUDGE OSHRIN:

No. No. You can't do that. Right now, the Griffing Avenue Building as you referred to it is the site of our Civil Supreme Court non matrimonial matters. We have eight matrimonial judges sitting in Central Islip. So all divorce cases for want of a better word are heard here in Central Islip. For want of a better word, the negligence and the contract cases are handled in Riverhead. And they are also handled by the four judges who sit in the Federal Court, because we are not allowed to put divorce cases in the Federal Court. So if we were able to have -- right now, we have our negligence judges sitting on Griffing Avenue, we have three or four in the criminal -- the old Criminal Court Building that was build in 1972, and we have two, Judge Jones and Judge Emerson in the new Criminal Court Building. So we will look at moving some or all of them from the Criminal Court Building on the south side in the Town of Southampton into the Griffing Avenue Court. That would let the Criminal Court Building be available for Criminal Court matters. We have a lot of case in which the defendant is incarcerated. You have to have a secure way of getting him or her from the jail to the courtroom. So --

LEG. NOWICK:

So you need to stay in that County Court Building -- Criminal Court Building. But then what would be your plan on Griffing Avenue? Expand it -- I mean, I know it's old, I've seen it.

JUDGE OSHRIN:

We -- we would have eight new courtrooms. We have -- on Griffing Avenue.

LEG. NOWICK:

In the same building?

JUDGE OSHRIN:

There would be nine new ones, but we loss one for construction, so we're plus eight. We have four judges from the Federal Court, we have judge -- those are Supreme Court judges who are in the Federal Court house, we've renting that from those courtrooms. They could go to Riverhead and save us the rent. Okay. And then we would move the civil judges from the Criminal Court Building; Emerson, Jones, Doyle, etcetera to Griffing Avenue so that the Criminal Court Building would be for Criminal Court cases, and Griffing Avenue would be for Civil Court cases.

LEG. NOWICK:

Thank you, Your Honor.

JUDGE OSHRIN:

You're welcome.

CHAIRPERSON CARPENTER:

I have a question. In the interest of being more customer friendly, reaching out the community, are the hours of operations set by law or could you look at expanding the hours that the courts operate to maximize your space?

JUDGE OSHRIN:

Well, the -- remember we're sort of like a director in a show. We need all the actors to work. We need the lawyers, we need the parties. We couldn't -- we work nine to five, essentially, we also have union contracts. If we go beyond nine to five, we have to pay overtime. We're looking at the present time, expanding our night court in both the Family and District Court, Small Claims, to make those courts user friendly for the public. If you work, for instance, at a nine to five job, and you have a \$200 case, you don't want to take a day off from work, but you would come to court at night. We're looking to expand that. Our budget was just approved by the State Legislature last week. When we get that approval, then we get money from -- or we get an allocation from the Office of Court Administration. We then know what we're going to be able to do in terms of expanded times in the Family Court and in the District Court, Small Claims Court.

CHAIRPERSON CARPENTER:

Now you said your hours of operation are nine to five.

JUDGE OSHRIN:

Essentially nine to five, right.

CHAIRPERSON CARPENTER:

And that you need these other players to operate. Certainly --

JUDGE OSHRIN:

We need the lawyers.

CHAIRPERSON CARPENTER:

Certainly the lawyers are charging for their time.

JUDGE OSHRIN:

Right.

CHAIRPERSON CARPENTER:

And if you're maximizing the amount of opportunity that they have to earn revenue, I can't see where there would be any complaints on their part. And I think that if there was some consideration given to expanding the hours of operation, I'm sure that even though there are union contracts in place, that people would relish the opportunity for flex time if the hours of operations were expanded.

JUDGE OSHRIN:

It's certainly something we can look at, but we have labor contracts which we A) want to honor, and B) must honor, which require us to pay overtime. And we have a multitude of unions. So these would be

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issues that we can't bargain at the local level. Our collective bargaining is done by the Office of Court Administration on the state-wide basis. So sure, we would love to look at additional utilization of the facilities.

CHAIRPERSON CARPENTER:

I just want to get back to that nine to five. Nine o'clock in the morning the courts start operating and they finish up at five o'clock in the afternoon?

JUDGE OSHRIN:

More or less, correct.

CHAIRPERSON CARPENTER:

Okay.

JUDGE OSHRIN:

We have, remember, additional problems getting people in and getting people out. This may not seem like a big issue, but with the security issues, and you very graciously, you being the Legislature, very graciously funded for us three guard facilities at the Central Islip Courtroom -- Court House so that we can have security away from the building. We have magnetometers now. You can't just walk into the court house. A couple of months ago, we had an attorney walk into a judge and say, here, judge, I'd like to offer this knife into evidence. And the judge said, how did you get that through security. It's a good question. You can't -- when you open the door at nine, there's a line of people outside. If we open it at 8:30, we have to pay overtime. Since we didn't have a budget, we've been told be very careful with your overtime. So these are all constrictions that limit us, because if you are the 300th person on the line, you can't get in at nine o'clock.

CHAIRPERSON CARPENTER:

No, I understand that, but the point that I'm trying to get to is that we need to hear and need to see that there's a willingness to maximize your resources as we try to juggle the finite amount of resources that we have to address the needs of everyone that's involved.

JUDGE OSHRIN:

That's an absolute willingness on our part. I just want to tell you, we're doing that in the context of trying to maximize the services we provide to people, so that we're looking night court in the Family Court night, night court in the Small Claims Court. We have weekends we're retired to have the District Court building open everyday. If you're arrested for a crime, you are entitled to a speedy arraignment. So we have judges and court people available Saturday and Sunday. The New York City Courts are open 24 hours, seven days a week because they have such a high volume of criminal arraignments, not all the courts, just the criminal court.

CHAIRPERSON CARPENTER:

Okay. Are there any other questions? Judge Oshrin, thank you very much for coming down. We really do appreciate it.

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JUDGE OSHRIN:

Thank you, Madam Chairperson and members of the committee. Thank you.

CHAIRPERSON CARPENTER:

Next we'll have FRES. A very patient Commissioner Fischler.

COMMISSIONER FISCHLER:

Thank you. I would like to introduce next to me Deputy Commissioner Fred Daniels and Deputy Chief of the Fire Academy, Don Gackenheimer.

We'd like to -- this will be real short. We concur with the report from Budget Review with one exception. All the other projects as indicated in there, we have no issues on -- with. But the one project that we looked at, and it's number 1, consideration for the Fire Services Suffolk County is project 3415. Last year, this body assigned it to a number and to make it a funding in subsequent year. That project calls to build a new pump test facility slash garage facility. In looking at the Year 2003 Budget, we see that no projects are funded for the Fire Service -- Services of Suffolk County. We have three current that will terminate this year, the other projects are for subsequent years, and no funding for this -- this coming budget cycle.

I've sat on many of the ceremonies, Installation Dinners that we've all attended and heard words from ever Legislator about the support of the Fire Services, that -- where the people of Suffolk County are receiving a bargain for what the Fire Service does for each community everyday. And I ask you to really consider what you presented to the Fire Service in speaking with them. And by including this project 2000 -- moving it from subsequent years, Project 3415 and funding it, the Fire Services -- funding it fully for next year, but we understand there are budget limitations. My proposal submitted was to fund next year \$250,000 for planning and design and then subsequent Year 2004 four for the construction of the garage and pump test facility. The Fire Services in the letter that you all received from the FRES Commissioner represents all ten townships and the major organizations asks for that consideration to be fully funded for next year.

I'll speak just about the garage facility component. Chief Gackenheimer will speak about the pump test facility. The garage facility, right now we have a -- based on actions of this Legislature, they were excellent actions. We bought -- went out and bought a \$200,000 state of the art decontamination unit. It's a tractor trailer that currently sits out -- outside exposed to the elements. And we run an electric cable into a near by building because it's diesel and it has to be plugged in all the time. We're in the process of getting a new mobile command post, that will be about a \$400,000 investment. That will also ending up sitting outside. We have pumpers, other utility vehicles that we spaced throughout the grounds and wherever we could fit them in. Sometimes back to back squeezing them together. Our current garage facility is really in a dilapidated condition, having been constructed over 30 years ago. There are cracks in the walls. The garage -- you ask why we can't put vehicles in there, it was build 30 years ago. The vehicles just weren't big 30, and they were a small size vehicle fit and they fit adequately. Today the garage doors are too small.

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The current facility will be -- the current garage is directly adjacent to the new children's shelter and will block any security view, it will be abutting it and anything that's behind that building will be -- will not be seen by any security people that patrol that area. That so becomes another issue. So we need to look for the garage facility. If we're buying equipment to provide response services to the Fire EMS communities, we need to properly have that equipment. We also need a free maintenance facility. We have no good maintenance facility that we can bring all our maintenance areas together into one area. Right now we space it out again, through the grounds so if a person says, oh, I need a specific maintenance item to repair something, he has to go maybe from one building to another

building just to get that one piece of item and bring it back and forth. It's not effective, and we just don't have the room for it. So that's the issues on the garage part. These projects originally were separated. We had one project a few years back for the new garage facility, another one for the pump test facility. It was recommended at that time to combine it. I think -- which we did, we just need to move it up into the funding. At this point, I'll turn it over to talk about the pump test facility to Chief Gackenheimer.

CHIEF GACKENHEMER:

Madam Chairperson and distinguished members of the committee, as the Commissioner said, initially these projects were separate projects. We were looking for a new pump test facility also to double as a new field instructor's facility. And the Commissioner was looking for a garage storage area. So we did combine it into one. Some of the problems that are on your side of it, in the Fire Service training end of it, our present pump test facility is approximately 40 years old. Initially, it was designed as an outdoor facility that a building was build around probably 10 years after it had gone into service. Presently, we have done a lot of jury rigging in it, we've spent of a lot of money on it. The Fire Academy has spent a lot of their discretionary funds, which is very small to keep this facility up as modern as we possibly can. To give you an idea, since 1999, we've spend about \$20,000 on this facility. The last modification to the facility so we can test 2000 a minute -- 2000 gallon a minute pumpers, we did have empty out our pits to -- to do the modification. And we found that one of the walls, the west wall, now is starting to show a bulge in it, which when we filled it back up with water, the pit is normally filled with the water, when we did fill it back up, it's not leaking, but it sort of leads me to believe it's just a matter of time before that wall is going to let go. Could it happen now? It could. Do I see it happening? No, not really. But it's just a sign of what is in that building and how long it's been there. And it's really at the end of the useful life.

The pumpers that are coming into Suffolk County are getting bigger, meaning gallons per minute. When that facility was originally designed, I'm going to say probably 1250 gallons a minute was a normal, a large pumper in Suffolk County. Today, we have presently two \$3000 gallons a minute pumpers in the County with a third one on the order. So these trucks are getting bigger. The norm now, instead of being a 1000 gallons a minute as it was 30 years ago is now getting to be around a 1500, 1750 gallons a minute. I know in 2000 gallon a minute pumpers, which we talked about the last time, I believe at the

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last time around we had about 21 of them. Now I'm saying we're close to 60 in the County. So these numbers are going up, but yet the facility is the same facility that was there 40 years ago, just jury rigged so we can test these bigger trucks.

Another thing that -- another problem where I have -- that we have at the Fire Academy is our gear storage area for our field instructors. If I go back to when this field was opened and when it was initially designed, we had approximately 16 instructors as field instructors. Their gear was stowed in an upper area inside the existing pump test facility. We'll, I am not up to 31 field instructors, the gear is still stored up in the same place. And as of last summer, Risk Management came in to take a look at the facility, and it happened to be on a day we were doing a pump test, while the instructors who were

working that evening were up getting their gear out of the gear storage area. And when they came out of there, they said, hey, you're going to have to do something about this because this is very dangerous to these people's health. Because the exhaust fumes, we do an extraction system in the building that is used, but unfortunately, it doesn't get all the fumes out. Those fumes being lighter than air tend to accumulate up in this area where our instructors are. I have a problem with that.

In addition to that something that didn't exist approximately 30 years or even 15 years ago, I presently have I have three female instructors. I have no facilities, no shower facilities, no locker facilities for these female instructors. Presently, we do have female restroom facilities, of course. But we're going to the point now I know that probably after the first of the year I'm going to bring on two addition female instructors. I have to have separate and equal facilities, which I don't have at the present time. If this new building goes through, we will have that. There will also be a new locker room for my existing instructors, my male instructors. As I said, initially, we had about 16 instructors on the field. I now have 31. I have 31 instructors using six showers in the evening in a locker room area that approximately 10 by 15 foot. So we're just getting bigger, I don't see this slowing down any time in the near future.

I brought a set of bar charts with me the last time I was here at this committee. I have just the update on those charts, which includes the month of April. It's not stopping, our numbers are getting really tremendously large. Last year we did a total of student contacts of approximately 37,000 around five hundred. Outlooking using these charts on the increase we've had in the first four months of this year, we're going to probably be some place around 51,000 student contacts for this year. Fire training is taking off, people are demanding it. The department are demanding it. And the only way we can stay with it is with our facilities.

CHAIRPERSON CARPENTER:

Gentlemen, thank you very much for your very thorough presentation. You really have made some very good points. And I know that Budget Review recommends that this project be included. And I -- I get a sense -- I'm very hopeful that this -- you know, that we will be able to at the very least include the planning in 2003 so that we can get

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this project on the road. I have one question for you. Is this kind of project eligible for any kind of federal grant monies?

CHIEF GACKENHEMER:

Under the present, the grant system that has presently come out for the Fire Service, no. As an education institution, which were we are, we are not eligible for any of that Fire Services funding, no.

CHAIRPERSON CARPENTER:

Okay. That's unfortunate, but still, I think you've made it abundantly clear that the need is there. Are there any questions or comments? Legislator Nowick.

LEG. NOWICK:

Just as a learning process, you talk about showers in a training facility. What is it they do that requires the showers afterwards?

I'm just curious. Is it -- the need for the showers, I don't understand.

CHIEF GACKENHEMER:

These showers are used by my field instructional staff. If you've every seen your local fire department fight a fire within the community, it's a dirty business.

LEG. NOWICK:

So when they're training they -- okay. That's just curiosity.

CHIEF GACKENHEMER:

It's a combination of -- if it's a live fire training session, which we still do out there, there's a lot of smoke, ash. And in addition, it's just a sweat of being in that turnout gear, the protective gear, for a period of two, two and a half hours.

LEG. NOWICK:

Thank you. It's very interesting.

LEG. LINDSAY:

I have a question.

CHAIRPERSON CARPENTER:

Legislator Lindsay.

LEG. LINDSAY:

Yeah, I don't know whether this is possible. We kicked it around a little bit at the FRES meeting a couple of months ago. Can a department supply for some of these federal grants for training, and somehow reimburse the Fire Academy?

COMMISSIONER FISCHLER:

Under the Fire Act, which last year had approximately \$100,000, this year they're looking at three -- a hundred million dollars, and this year we're looking at \$300,000,000 in specific areas. While training is one, you have to show the unique capabilities of why you need it. You have to show a need based on your current budget and so on. Last year, we only had a total of 7 departments funded within Suffolk County through those federal funds. And only one was funded for

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training, and that was a Five Island consortium basically, all the others were put into other areas, which that fire department needed.

LEG. LINDSAY:

And only departments are eligible for these grants, right?

COMMISSIONER FISCHLER:

Yes.

LEG. LINDSAY:

Just seems a shame that that pot of money's out there and there's no way of capturing it.

CHIEF GACKENHEMER:

I will say this, that once it did become evident that we weren't eligible because of the rules in regard to getting these grants, we did start some political action to try to get that changed. I don't see the change happening in 2003, possibly in 2004 where a specific

percentage of the funds available to the Fire Service will go to bonafied fire training areas for our needs. I think it will happen. Again, I don't -- it's possible in 2004.

LEG. LINDSAY:

It just seems like the -- you know, it's absolutely the best way to go to have a central training facility, you know, within our County rather than, you know, that should be -- should be fundable.

COMMISSIONER FISCHLER:

We don't disagree. Whether it will be, we don't know. The Fire Service -- it's new monies, monies that the federal government until last year never funded Fire Service projects. Last year was the first go around, this year is the second go around. We're hopeful that will continue and basically be equal to the police funding that has occurred throughout the years. I think down the road we may see that type of funding available to us, but when you talk competing with small, little fire departments Upstate, New York really who are not rich departments who depend on Bingos with budgets less than ten, \$15,000 and their needs. When you're doing those type of evaluations, I think, we'll be way down the road before we see that type of funding available to us.

CHAIRPERSON CARPENTER:

Okay. Again, thank you very much, gentlemen. And I would ask Budget Review is there a consensus on the part of the committee that we have a stand-alone resolution on including this planning money at least in 2003. Okay. We will try to get it included in the Omnibus. Thank you. I see Vinny Iaria, Probation, do you want to come forward? And anyone else from the department.

MR. IARIA:

Good afternoon. I'll be very brief. I have two items; 3012, which is the residential juvenile detention center. Much to our chagrin, after initial design work, the architects estimate that we will need 3,000,000 more to build the juvenile detention center in the -- on the Yaphank site. We need -- we definitely need to move forward quickly on this project for a number of reasons. One is it's a state mandated

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-- state mandate for us to have accessible -- adequate and accessible juvenile detention space. And as you know, we've had to rely on other jurisdictions including Nassau County for space. Nassau County has its own problems with detention space. They are under the gun to renovate or move their facility's population. If they renovate, that's going to close us out of the detention beds that we're using now in Nassau. Right now we use spaces in Nassau, the Bronx, and we've gone as far as Erie County, New York for detention beds. So it's very important that we move on it.

In terms of the 3,000,000, you know, I'm sure there's questions on your part why that much more in light of funding. I can assure you that we were diligent in following up on the recommendations we got from the state architect. There's a state architect that makes these projections for our regulatory agencies that oversees detention, Office of Children and Family Services. And we've -- we got those initial figures based upon his knowledge from construction costs around the state. And they looked reasonable, and I have a whole outline of a number of times we've checked those figures. But when it comes down to it, we hired the -- DPW hired the design architect and

that funding is -- is not going to be adequate, what we currently have in the budget. So we're asking that we be included in the Omnibus for the three additional -- \$3,000,000, and Budget Review concurs with that.

CHAIRPERSON CARPENTER:

Yeah, I do see on Page 167 that they do feel the additional funding should be included. Vinny, what was the other project that --

MR. IARIA:

The other project is 3048.

CHAIRPERSON CARPENTER:

Communication -- what was that again?

MR. IARIA:

3048. Essentially, what this it is -- it's putting laptops and remote access in the hands of probation officers. We have a very -- a sophisticated computer system that we've gotten a lot of use out of. For seven years we've been running -- well, for over 20 years, we've been running a main frame system that's been -- we've been migrating it over to a service system. This will complete -- this will make us able to shut down the main frame and have remote access for our probation officers. Our probation officers don't have access to computers right now, and that's a shame, because we have all of the programming in place for them to be able to utilize a collection of information through computers.

Now, what that means to us is our probation officers are field officers. They're out inspecting homes, they're out meeting people in the community, they're out there making notes about those contacts. Those notes and contacts are important to supervisory staff and to the courts. And many times those notes are really important in times of crises. And if the probation officer is off or whatever, those notes are not easily retrievable. Having all of the information on our computer system will allow management analysis of the work that's

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going on and also be able for our supervisory staff that are back in the office to respond better to emergencies. So we're looking for that money to be moved up to 2003 since we now have the -- the programming is actually done. We're ready to go, so -- but we just don't have the equipment.

CHAIRPERSON CARPENTER:

Again, Budget Review Office believes that this project should not be delayed. However, I think they're looking at us funding it through the Operating Budget line that we established for some of the these projects. Gail, did you want to comment?

MS. VIZZINI:

Yes. We concur with the merit of the project. The County Executive's budget puts in 2004. At a minimum, we recommend moving it up to 2003, and it would be prudent to make it pay-as-you-go.

CHAIRPERSON CARPENTER:

Okay. We certainly will take that under consideration and see what we can do with it. Are there any comments or questions? Okay. Very good.

MR. IARIA:

Do you know -- has it been decided whether or not the detention facility will be in the Omnibus, the additional --

CHAIRPERSON CARPENTER:

It's under discussion. Vinny, I would ask you if you would come to the next Public Safety Committee meeting with an overview on the department's plans for the utilization of the new vehicles and what the policy and procedures are going to be with that, since it was just approved at the last meeting.

MR. IARIA:

Well, but I don't have any vehicles.

CHAIRPERSON CARPENTER:

Well, they're coming, so it would be nice to know that the plan is in place, because certainly I think the Legislature agreed that this was something that we felt the department and the probation officers needed and want to make sure that when they do come, that they are ready to be used in an appropriate manner. Thank you.

MR. IARIA:

Thank you.

CHAIRPERSON CARPENTER:

Is there anyone else who wishes to address the committee? We will adjourn. Thank you very much.

(*THE MEETING WAS ADJOURNED AT 3:30 P.M.*)

{ } DENOTES BEING SPELLED PHONETICALLY