

**PUBLIC SAFETY & PUBLIC INFORMATION COMMITTEE
of the
Suffolk County Legislature**

Minutes

A regular meeting of the Public Safety & Public Information 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 **November 22, 2002**.

MEMBERS PRESENT:

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

ALSO IN ATTENDANCE:

Paul Sabatino - Counsel to the Legislature
Doug Sutherland - Aide to Legislator Carpenter
Tom Donovan - Aide to Presiding Officer Tonna
Ed Hogan - Aide to Legislator Nowick
Dave Ryan - Aide to Legislator Nowick
Terrence Pearsall - Aide to Legislator Lindsay
Jim Spero - Deputy Director/Budget Review Office
Rosalind Gazes - Budget Analyst/Budget Review Office
Bill Faulk - County Executive's Office/Intergovernmental Relations
Alan Otto - Chief of Staff/Suffolk County Sheriff's Department
Joseph Rubacka - Lieutenant/Suffolk County Sheriff's Department
Dave Fischler - Commissioner/Fire, Rescue & Emergency Services
John Gallagher - Commissioner/Suffolk County Police Department
James Abbott - Chief Deputy Commissioner/Suffolk County Police Dept
James Maggio - Deputy Commissioner/Suffolk County Police Department
Mike Pirone - Suffolk County Police Department
Debbie Eppel - Public Information Office
Tom Muratore - Vice-President/Police Benevolent Association
Elie Seidman-Smith - Director/Community Service Program/ARC
Valerie Burgher - Newsday
All Other Interested Parties

MINUTES TAKEN BY:

Alison Mahoney - Court Stenographer

(*The meeting was called to order at 9:35 A.M.*)

CHAIRPERSON CARPENTER:

All right. I would ask Eddie Hogan, Legislative Aide to Legislator Nowick, to lead us in the Pledge of Allegiance on this 39th Anniversary of the Assassination of President Kennedy.

Salutation

Good morning and welcome. We have no scheduled speakers but I do see that Deputy Commissioner Abbott is here, if you want to come forward on any of the resolutions; don't feel you need to, it's up to you.

DEPUTY COMMISSIONER ABBOTT:

The Commissioner is in route.

CHAIRPERSON CARPENTER:

Oh, okay.

DEPUTY COMMISSIONER ABBOTT:

I can come up and answer anything I can, but he is in route.

CHAIRPERSON CARPENTER:

Okay. Yeah, we're going to really basically go to the agenda and I know Dave Fischler is here to discuss Resolution 2098 which was tabled. So Dave, why don't you come up and we'll get into that discussion.

COMMISSIONER FISCHLER:

Thank you. I was wondering if Jim Spero could be here because he has information that pertains to this resolution that would be able to --

MS. GAZES:

I will get him.

CHAIRPERSON CARPENTER:

Is he back from vacation?

MS. GAZES:

Yes, he's back.

CHAIRPERSON CARPENTER:

All right, if you can hear us Jim Spero.

COMMISSIONER FISCHLER:

At least let me give you the background of this resolution before Jim gets here. We have a Mobile Command Post, we're on our second one, our first one we built ourselves with some excess vehicles going back

to 1979. In 1985 this Legislature, under a Capital Program, allowed us to purchase our current Mobile Command Post, that current Mobile Command Post has been in service, it was ordered in '85 and delivered in '86 and hasn't been serviced up till today and is still operating.

Over the past two years or so we've had problems with it, it's starting to fail. Those failures unfortunately were at incidents, fire rescue incidents and, therefore, the unit itself did not perform

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for the fire chief and allow -- did not allow the capability that was needed to conduct the incidents. One was in Greenport where the entire electrical system failed and we had to bring lights in from a rescue truck and flash them, shine them in the windows so we can see what's going on and the fire chief could operate. The other one was the fire at the Narraganset Inn in which Lindenhurst Fire Chief requested the Mobile Command Post and in route as far as Patchogue it broke down and we had to be towed back.

It's been in operation for 18 years which is a, you know, long period of time. We expect the new Mobile Command Post to also be operating for a similar period of time, 15 to 20 years, its normal life of vehicles. And it has been used in a lot of major instances, from the wild fires where it was used for over a five week period, the TWA crash, other major fire/EMS issues, mass casualty incidents within the County. So the need is there.

It became the number one priority of the FRES Commission this year and this body moved it up. Originally it was proposed for 2004 and in this body, in the Capital Budget process, saw the need to move it up to this year, to go ahead and purchase it to replace the unit that was breaking down more frequently to supply and support the fire and EMS services which this body has taken a position that it always knows the work that's done out there by the volunteers and wants to support their efforts. And it's really important to support it at a major fire/EMS incident. So I ask you to please consider this to go forward.

I know at the last meeting there were questions concerning the bonding or pay-as-you-go. The resolution calls for this to be bonded, I think the life of the bond, I mean, look how long we use it, it isn't something -- and we've all been there -- where we're bonding things that have only gone five, six years and then you replace them again or so on. This is we're looking at a 15 to 20 year life cycle, so it makes sense to put this in bonding. I ask -- make inquiries prior to this meeting concerning the current status of the funding because I was a little confused of where we were going there and that's why Jim I asked to be here because he explained stuff to me that I'm not sure I would be able to explain it intelligently to you concerning budgeting. So I would ask Jim to talk about the current budgeting of

this project.

CHAIRPERSON CARPENTER:

Okay, thank you. Jim, if you would address the pay-as-you-go and whether or not this qualifies for bonding.

MR. SPERO:

Well, as you know, only a small amount of money was put in the pay-as-you-go account this year and that money has been all used up; as a matter of fact, the account is actually oversubscribed, we moved more resolutions out than there was money in the account to fund. So the option this year is -- the only real option is to change the funding source to bonding for this project. Now, it is a project that can be bonded. However, typically, you know, under pay-as-you-go guidelines, vehicles or anything with a useful life of five years or less would be purchased out of pocket, but because of the lack of

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funding the Legislature passed an amendment to the Local Law suspending pay-as-you-go which would allow the project to be bonded.

CHAIRPERSON CARPENTER:

But I think, too, that it's been demonstrated with something like a command post that, you know, it is a vehicle but it is not a normal kind of vehicle and the very fact that the present one has been in service for 17, 18 years I think more than, you know, enables us this to qualify to be done, you know, as a Capital Project with the bonding. Are there any questions or comments from --

COMMISSIONER FISCHLER:

I would like to make a comment. I think next year it was indicated that the pay-as-you-go funds were only 898,000 and this would be taking only \$50,000 of it versus where we do bond other things like computers which we know in technology, say five years from now you're redoing another computer project.

CHAIRPERSON CARPENTER:

But right now the resolution that's in front us would amend this year's Capital Program.

COMMISSIONER FISCHLER:

Right.

CHAIRPERSON CARPENTER:

So even though you make a good point, if we push it off to next year and try to think we're going to do it in pay-as-you-go, it would blow through half of the amount of money that's been set aside for pay-as-you-go.

LEG. BISHOP:
Five hundred or 50,000?

MR. SPERO:
Four hundred.

CHAIRPERSON CARPENTER:
No, it's \$400,000. No, 50% I think he said, 50% of the --

COMMISSIONER FISCHLER:
It would be a little less than 50%.

LEG. BISHOP:
(Inaudible).

CHAIRPERSON CARPENTER:
Yeah, get two, we'll resell them.

MR. SPERO:
Just a technical point I'd like to make.

CHAIRPERSON CARPENTER:
Yes.

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MR. SPERO:
Because it's a funding change on the resolution, 14 votes will be required for adoption on the floor of the Legislature.

CHAIRPERSON CARPENTER:
Okay, thank you for mentioning that. Okay, are there any questions or comments because I would --

LEG. LINDSAY:
On that issue or something else?

CHAIRPERSON CARPENTER:
Sure, on this issue because while he's sitting there I'll just take this out of order while we're waiting for the Police Commissioner to arrive.

LEG. LINDSAY:
I wanted to talk to him about something else.

CHAIRPERSON CARPENTER:
Oh, okay. So I'm going to make a motion to take 2098 out of order, second by Legislator Lindsay. All those in favor? It's out of order, it's in front of us.

2098-02 (P) - Amending the 2002 Capital Budget and Program and appropriating funds in connection with the purchase of a Mobile Command Post/Suffolk County Fire, Rescue & Emergency Services (CP 3412). Motion to approve 2098, second by Legislator Nowick. All those in favor? Opposed? Approved (VOTE: 6-0-0-0).

Thank you very much for coming down, Dave. But don't leave, I think Bill has some questions for you.

LEG. LINDSAY:

Dave, I know in the budget process the FRES and the emergency service was -- had a couple of issues and I know we restored -- did we restore all the fire training money?

COMMISSIONER FISCHLER:

No. What you did, you restored approximately 90,000 over what this year's budget was which was fine, there was no problem with that. Within my budget -- that was the Fire Academy budget. Within my budget, I lost about \$345,000, 341,000 of that comes from the salary account. The other ones are all like a hundred dollars here and different other accounts, but 341 from the salary account which I'm trying to get a -- we're right now running the numbers to see even if we have enough money to pay salaries for everyone next year.

In addition, you added two positions which have been requested which I'm real happy they were added, they were the Chief of Fire Rescue Services and Training Officer/Emergency Preparedness. But both those position were added for the sum of \$1 each salary, so therefore obviously we're not going to be able to fill them with the loss of the 341 in the salary account and only funded for \$1 at this point.

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LEG. LINDSAY:

So we added the two positions but we didn't fund it.

COMMISSIONER FISCHLER:

You put in for \$1 so we maintained the position and, you know, for the future but, you know, at this point there is no funding available for those positions.

LEG. LINDSAY:

Of those two positions, you know, could you explain why you needed them or what their purpose is?

COMMISSIONER FISCHLER:

Okay. The Chief of Fire Rescue Services would be our chief uniform person, it would be basically a promotional from our division heads. I only have two administrators, myself and my Chief Deputy Commissioner, yet we've been asked to do more and more, particularly

within the terrorism field.

(*Legislator Postal entered the meeting at 9:47 A.M.*)

This would allow us to put another person into the administrative fold and work in total supervision. Our programs have expanded tremendously within our fire inspection groups, all the stuff that the Fire Marshals do, our response to incidents, the terrorism issues and the emergency management, that's been a tremendous amount of work there. So it gives me another person to coordinate and process and do administrative work and supervision, overall supervision, there's just two of us.

The Training Officer/Emergency Preparedness is a real important position. We were looking for that, we have to do a lot of training and we've just started out working with local fire, police, EMS agencies, hospitals on training and getting prepared for response to terrorism. Part of a FEMA grant we received was to develop table top exercises, we started those table top exercises, the first one was done in the 4th Precinct area, the second -- next one is going to be in December with the units of Huntington from the 2nd Precinct, the Huntington Town Fire Departments and they will go County wide.

In addition, we have received both Federal dollars from the Department of Justice, we will be -- we have already received \$800,000, we'll probably get another million dollars of equipment. And in addition, this body has more than been generous in realizing that what is needed to prepare our volunteers and all our emergency response, not just the volunteers but all our emergency responders by funding equipment for them. Part of the necessity now is to take a person that I was looking to use for this position to be involved with terrorism training, a person who has experience and also the person is experienced with the equipment who can train people on the equipment to maintain. There's calibration requirements and this equipment will be spaced strategically throughout the whole County, we'll move around, we'll check equipment, calibrate it when it's supposed to be, maintain the equipment. So that in the event -- and knock on wood, hope we'll never need it -- but in the event that we do, everything

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will be functional and operational. That's what that position would do.

LEG. LINDSAY:

The Federal grants that you're talking about, can we fund the position out of the Federal money or it just for equipment?

COMMISSIONER FISCHLER:

At this point, the Federal government is strictly an equipment grant

program. There is no funding coming down at this point in time for personnel. You know, it's an issue that's been raised not only by us but it's been raised throughout the country but there are so many jurisdictions that are equipment deficient, you could have all the training but if you don't have the proper equipment to do the job the training means nothing. So the most important thing what occurs now is that we have all been reading from the President's \$3.5 billion Homeland Security Bill, buying equipment. That money gets funneled to New York State, New York State takes approximately 25, 20 to 25% they're allowed to, they're not allowed to take more than 25% for its own administrative and equipment purchases and the rest gets funneled to local jurisdictions. The way New York State is doing it, and it makes somewhat sense, is that they're not just giving us money to go about what we're doing, they're taking the money and doing the purchasing themselves and then giving us the equipment. Therefore, anywhere in the State we'll have a standardized cash of equipment that -- so if we go somewhere else, Upstate, New York, if Upstate New York comes down here, we all will be working with the same piece of equipment so it isn't, "Well, how do you work this piece," and try and learn it at that time. It makes sense in terms of a State program and that's the way we're getting the equipment currently, but it still needs -- we're responsible to maintain it and, you know, calibrate it and all those things there and then do our own training. That's why we received the FEMA grant to develop the training programs, we have them developed and now we're out there doing them but we're doing them with other people versus a dedicated person who has the time to do it.

LEG. LINDSAY:

What do you mean other people?

COMMISSIONER FISCHLER:

We have a team approach because we bring in, as I said, fire, police, EMS and hospitals together so we have people from the Health Department, my office and the Police Department serving as facilitators. And this person actually could coordinate that and we could reduce some of the personnel.

LEG. LINDSAY:

When will you have an analysis on your budget for next year?

COMMISSIONER FISCHLER:

Probably in the next few weeks, probably not even. We're working, the biggest number was that 341 on the salary accounts. The other one, as I said, were minimal reductions and all the other budget lines like a hundred dollars, you know, something like \$150, those I'm not even worried about, those are all -- you know, have no impact, 341 has the impact.

LEG. LINDSAY:

By the next meeting you'll be able to give us a briefing of where you are?

COMMISSIONER FISCHLER:

Yes.

LEG. LINDSAY:

Thanks.

COMMISSIONER FISCHLER:

You're welcome. Anything else?

CHAIRPERSON CARPENTER:

Thank you. And I would like to welcome Legislator Postal, I know she hit a major traffic jam on Sagtikos; I just gave her an alternate route for the future which I luckily took because I happened to hear it on TV this morning that there was an accident on Sagtikos. But Legislator Postal, just to give you an update, Dave was up going over the resolution that we had tabled at the last meeting for the Mobile Command Post, Resolution 2098. We moved it, it's been approved, so I would ask if you want to be recorded with the majority.

LEG. POSTAL:

Yes, please.

CHAIRPERSON CARPENTER:

Okay. The Commissioner has arrived. And if you gentlemen would like to come forward, we're going right to the agenda. I'm glad that you're here, too, Jim. Before you --

COMMISSIONER GALLAGHER:

Which Jim?

CHAIRPERSON CARPENTER:

Yeah, Jim Maggio, right? The issue of the Quartermaster Building and the joint -- and I see Chief Otto is here and Chief Otto, if you want to come forward. The only person we're missing is DPW and I know that they're going to -- their meeting is next and Rich LaValle and the Commissioner will be here and I'll -- any discussions that we have I can relay to them. But it was my understanding that we had addressed most of the issues when we had that meeting with Chief Weber and Chief Otto and everyone else about the joint Quartermaster Building, and Budget Review was present, too. Jim, I don't know if you were or if Fred was; were you --

MR. SPERO:

Yeah, I was present.

CHAIRPERSON CARPENTER:

You were there, okay, great; because I think it was back in August.

But I happen to have occasion to speak to Chief Weber and there seems to be some issue with where we're at with this as far as funding.

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MR. SPERO:

You want to take it? The problem is coming up with an offset from the Capital Budget to initiate the planning, any planning or construction for the new building.

CHAIRPERSON CARPENTER:

But I thought that the original Quartermaster Building that was for the Police Department had the money in the budget for the planning.

MR. SPERO:

The planning -- a plan has been completed which would probably require some slight modifications to accommodate the Sheriff, which wouldn't be a large expense, but the construction funding was never approved. It's not in the Capital Budget either this year or next year, so we were hoping that we could come up with an offset this year, at least come up with some of the construction funding needed, but coming up with a good offset right now, there aren't any. My only suggestion is that there's been some discussion on the funding for the planning for a new jail, if that resolution is defeated I would take that offset and use that money and put that money towards the construction of the new Quartermaster Building.

CHAIRPERSON CARPENTER:

Well, I don't know how definite --

MR. SPERO:

At this point, that's my only suggestion to come up with an offset for this year.

CHAIRPERSON CARPENTER:

DPW, and I'm sorry that they're not here, but I believe they -- there was some talk of using road money as an offset.

MR. SPERO:

Well, again, if they can come up with an offset, they're not going to need the funding this year, that would be fine. Typically, I don't go to road projects for offsets because, quite frankly, Legislators don't like to see their road projects used as offsets.

CHAIRPERSON CARPENTER:

But at this stage of the game in the year, it's very unlikely that any of them are going to be moved, so it seems that that might be logical. I know that, you know, we talk about trying to do things a little bit differently, you know, try to consolidate, try to be more efficient and effective. And when Budget Review made the suggestion that

perhaps there be a joint Quartermaster Building, both the Police Department and the Sheriff's Department were very willing to sit down and talk and very amenable to the whole idea and I hate to see a good initiative like this not move forward because it kind of discourages anyone from, you know, being creative in their thinking and trying to accomplish things in a more cost efficient, effective manner. Jim, did you -- Chief Otto, you had a comment?

CHIEF OTTO:

Just to clarify something. We had numerous meetings with the Suffolk County Police Department and with the architects, okay, for the

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Quartermaster Building. All the plans have been completed, we have made and I signed off on the final plans for the building, so what's next is to put the shovel in the ground.

CHAIRPERSON CARPENTER:

And I was also told that there are some new State building code requirements and if a shovel doesn't get in the ground now that we are going to have to live by a whole new set of rules and regs when you do go to build the building. So what is it going to take for us to get that shovel in the ground?

MR. SPERO:

Well, the Public Works Committee meets next, we'll have to speak with the Commissioner to find out if, in fact, they have an offset and it's enough money to fund the construction for the project. And if so, we can draft a resolution immediately and get it on the table for the next meeting.

CHAIRPERSON CARPENTER:

All right. So perhaps, you know, I don't know what anyone's schedule is like, but we've come this far, Public Works is meeting at 11:30, if someone from the Sheriff's Department and Jim from the Police Department, if you can be here for that meeting, I think that would be helpful. Especially since, as Chief Otto said, the plans have all been signed off on, there's been an awful lot of effort that's gone into this so far and let's see if we can get it going.

LEG. LINDSAY:

How much money do we need?

CHAIRPERSON CARPENTER:

I believe the cost of the project was three to four million, I'm not -- I don't have it in front of me.

MR. SPERO:

It's close to four million.

CHAIRPERSON CARPENTER:

Okay. Are there any questions on that issue? Okay, gentlemen. Before we move to the agenda, does anyone have any questions or comments for the Commissioners while they're up here? Okay, good. And gentlemen, if you have any particular resolutions, I know there are a couple of new ones on the agenda that you might want to comment on.

MR. MAGGI:

No, they're mostly grants.

COMMISSIONER GALLAGHER:

One of the new resolutions introduced by Legislator Cooper, that is 2137, to post warning signs in connection with mobile telephones while refueling vehicles at motor fuel dispensing facilities. We support that resolution because it is -- it's a public safety issue and it's not apparently -- you know, it's not that widely distributed a fact that it's an unlikely but yet has -- you know, experientially it has happened, that mobile telephones have actually set off sparks that

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using a mobile telephone, especially in the vicinity of a car being fueled, can set off a spark and actually cause an explosion, that is when the phone is turned on. So I believe that Legislator Cooper's law, adopting a Local Law, would be a positive step to try to minimize the danger of that kind of use of the mobile phone around a gasoline pump.

CHAIRPERSON CARPENTER:

Okay. And according to the resolution, it will be enforced in the Police District by the Police Department and in the eastern towns by the Sheriff's Department. Are you prepared, both of you, to enforce this?

COMMISSIONER GALLAGHER:

To the extent that -- it's one of these laws that, you know, if you are there and you see it --

CHAIRPERSON CARPENTER:

Right.

COMMISSIONER GALLAGHER:

-- you can enforce it. I mean, we're not going to put people out just watching people fill up for gas.

CHAIRPERSON CARPENTER:

No, definitely not. But if you are going to do that, I'd rather get them while they're driving with their cell phones because I think

we'll all agree that we see that, you know, on a regular basis.

COMMISSIONER GALLAGHER:

Yes.

CHAIRPERSON CARPENTER:

And usually it's the most egregious offenders of unsafe drivers that are talking on their cell phones while they're driving, they'll cut you off and then you'll see that they're talking on their cell phone. Okay.

COMMISSIONER GALLAGHER:

Other than that, the other resolutions are all really -- you know, we have no comment or certainly no objection to the grants; many of them are grant inducement resolutions.

I do have a brief report I think that Legislator Postal generated by a request that Legislator Postal made, an inquiry about the gang activity within your district, I think most especially in the Amityville area. A review of our records to date would indicate that the activity that we have noted down in that district is really more towards the Wyandanch hamlet in the district rather than Amityville. And just for the committee's review, I know that there was a joint -- it was an initiative announced by District Attorney Spota of a Joint Gang Interdiction Program with ourselves and District Attorney's Office and a whole bunch of other agencies that are being utilized along with the Sheriff's Department which has become part of our intelligence gathering on gangs.

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The initiative for this year, I think the results are showing up because in the year 2001 gang arrests total in the district, the Police District, were 250. In the year 2002 to date, through the end of October, those arrests have now totaled 482. So we're almost -- we're approaching double the arrests for gang -- specifically arrests for gang activity. So I think what we're doing -- and also the activity has increased, it's not arresting just in a stagnant atmosphere, so the arrests are up from last year because the activity is up.

CHAIRPERSON CARPENTER:

I just want to ask you something. Do you -- you have said the activity is up but do you think it's really doubled or is it more that you've been proactive and have these initiatives going?

COMMISSIONER GALLAGHER:

The enforcement has -- no, it's not a doubled -- we haven't seen a hundred percent increase in the activity.

CHAIRPERSON CARPENTER:

Okay. And I think that's important, I don't want the public to think that, you know, we're really totally infested with gangs.

COMMISSIONER GALLAGHER:

We have increased the enforcement, we have become much more -- we have actually increased the enforcement. But the concentration within different districts -- especially in, Legislator Postal, your district -- is in the Wyandanch area at this point, because the activity seems to be generated out of there more than other hamlets.

CHAIRPERSON CARPENTER:

Sure, Legislator Postal.

LEG. POSTAL:

Yeah, thank you. There's also a great deal of gang activity in Copiague, MS 13 is a real, strong gang in the Copiague School District. So, you know, it's -- I think the problem is not throughout the 15th Legislative District but certainly in Amityville, Copiague and Wyandanch.

COMMISSIONER GALLAGHER:

Okay. We're aware -- Copiague we're aware of. Actually the Copiague District is the subject of a joint task force investigation that's been long-term and it involves both ourselves, the District Attorney and the FBI. The Long Island office of the FBI has some gang related, you know, a gang suppression unit too they have established where Federal laws are being involved.

LEG. POSTAL:

Thank you.

CHAIRPERSON CARPENTER:

I know that we have been working on this for a long time in this new initiative, and even prior to District Attorney Spota there was a gang initiative with the previous District Attorney. And I saw that within the last week or two, Nassau County is going in that direction now

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with a gang initiative. Do you share information with them or are you working on a regular basis with Nassau County too?

(*Legislator Caracappa entered the meeting at 10:06 A.M.*0

COMMISSIONER GALLAGHER:

Yeah, we have a regular -- there's a regional approach to this thing going actually into New York City, so there's regular exchange of information and a regular meeting between New York City's -- those units in New York City that have information intelligence general that

involves gang activity here in Long Island and Nassau County also. The jails, Riker's Island and the Nassau Jail and the Suffolk Jail, we all -- you know, it's a constant -- it's really a flow and ebb of information as to what's going on within all three jurisdictions.

CHAIRPERSON CARPENTER:

I know Legislator Postal had shared at the last meeting that there was a conference held that was very effective and educational in alerting people to what they should be looking for and what some of these seemingly, you know, innocent things like the sneakers hanging from the wires actually do mean. Is there anything more that we can do with educating the educators, those in schools to be looking for signs of this activity among students, those areas where people tend to congregate like the malls? I know Westfield Shopping Town, the 3rd Precinct has worked a little bit with their security in trying to educate them as to some of the signs to be looking for.

COMMISSIONER GALLAGHER:

You know, in terms of -- there's an ongoing activity that usually involves different schools, some schools take part in it more aggressively than others. But we send in officers to both -- from uniformed COPE officers or from our Intelligence Division to talk to the school districts, the faculties, school administrators about gang -- you know, gang recognition, what to do, what -- let us know what you see, if there's things that we can help by giving them, as I say, a warning sign index to look for.

Most schools -- I don't want to characterize it as resistance on the school's part, most schools are participating, but some school districts --

CHAIRPERSON CARPENTER:

Are or are not?

COMMISSIONER GALLAGHER:

Are.

CHAIRPERSON CARPENTER:

Are, okay.

COMMISSIONER GALLAGHER:

They are responding, they're taking advantage of the offer and some more -- you know, more alacrity than others, let me put it that way.

CHAIRPERSON CARPENTER:

If it isn't too much trouble, I would ask if you could give us a list

easier to do.

COMMISSIONER GALLAGHER:

The districts that have had us in to talk with their faculty?

CHAIRPERSON CARPENTER:

Right. Because as with other situations, I know there was something with the Health Committee and no smoking, the Health Commissioner gave us a list of the districts that were participating and they were very minimal and it gave the Legislators an opportunity perhaps to contact the various superintendents and remind them that this kind of thing is available and important for them. And it may be another tool or another way to get them to take advantage of this and not feel that it's going to cast any dispersions on their district because they're participating in trying to be aware of what gang activity might possibly be present in their district.

COMMISSIONER GALLAGHER:

I can do that. And I have a scheduled meeting within the -- one of the easiest ways to reach administrations is the Suffolk County School Superintendents Association which meets on a regular basis, and with them, if you have them on board then you have the administration.

CHAIRPERSON CARPENTER:

But sometimes I think --

COMMISSIONER GALLAGHER:

In some degree, you have the administration and the high schools and the middle schools on board too; not always. So I'm meeting with the School Superintendent's Association at their initial 2003 meeting in January, I'll bring this up.

CHAIRPERSON CARPENTER:

Also, too, maybe the School Boards Association because they are the policy makers. And even though the Superintendents may think it's a good idea, if the boards don't buy into it, you know, they could wind up not --

COMMISSIONER GALLAGHER:

That too is -- yeah, that's well taken because sometimes the Superintendents are reluctant to get too involved because they don't want the PTA's or PTO's to view this that there's a problem where the problem is not that prevalent, they don't want people to get a false impression that they're dealing with a major problem. So sometimes if we can get everybody to listen, yeah, then they all understand that this is not -- we're not singling or targeting your district, we're just trying to help.

CHAIRPERSON CARPENTER:

Great.

COMMISSIONER GALLAGHER:

The biggest thing we can do and have been doing is this {O'Ryan} data base that has been employed now which I say it's the biggest thing we can do because it gives us a tool to really get an overview, to get a

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world, if you will, a microcosmic picture of what the gang activity is here in Suffolk and how it interchanges with Nassau. So we're establishing that, we're working with that intelligence unit. That's the first unit, by the way, I would like to brief this committee in some kind of a premeeting briefing in the coming beginning of the new year, all right?

CHAIRPERSON CARPENTER:

Okay, great.

COMMISSIONER GALLAGHER:

Just sit down with them -- just committee members, though -- for a half hour or so and just go over with you what kind of intelligence is being gathered. Gangs would be one.

CHAIRPERSON CARPENTER:

That would be wonderful. Would that be possible to do before the year is out, before our next committee meeting? Because we will be meeting again the second week of December.

COMMISSIONER GALLAGHER:

I can try.

CHAIRPERSON CARPENTER:

I don't want to put the pressure on you, let's talk about it.

COMMISSIONER GALLAGHER:

Yeah.

CHAIRPERSON CARPENTER:

You know, maybe at nine prior to this we can meet in the conference room, if you can.

COMMISSIONER GALLAGHER:

I will try.

CHAIRPERSON CARPENTER:

Okay, no problem. We won't hold you to it if you can't.

COMMISSIONER GALLAGHER:

I don't know who takes -- at the end of the year --

CHAIRPERSON CARPENTER:

I know, it's tough.

COMMISSIONER GALLAGHER:

-- the department, thanks to the generosity of the collective bargaining -- never mind.

CHAIRPERSON CARPENTER:

Don't go there. Legislator Postal or --

LEG. POSTAL:

Yeah, I just wanted to remind all the Legislators that there is a poster available through the East Coast Gang Investigator's Association, which I had at one point, I had a number of them.

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Legislator Fields requested a number and she provided some of the school districts in her Legislative District with those posters. They're helpful, you know, they don't -- obviously a poster can't tell you everything you need to know, but it will give you some information to help you recognize the existence of gangs in your school, in your community. So I know those are still available, I know Wes Daly has them, and so I'm sure anyone who contacts Wes, he'll be happy to supply you with a group of posters.

But the question I had was there's a lot of gang activity in jail, not only our jail but State penitentiaries, Federal facilities. As a matter of fact, there's even some reason to believe that gangs in this country came out of the jails, you know, that they were started in the jails and then moved out into the communities. And I'm wondering whether it's possible, and I know that there are contractual conditions that have to be taken into account, but I'm just wondering if it would be possible -- and also, I know that our Sheriff's Department personnel have very little flexible time during the workday. But what I'm suggesting and thinking about is that some education be provided to the jail personnel so that they could recognize some indications that there are people who are incarcerated who are members of gangs. So I'm just making the suggestion. I know that there are tremendous logistical obstacles to overcome, but I know it might be helpful.

CHIEF OTTO:

Very early on, when Sheriff Tisch first took office he instituted a Gang Intelligence Unit in our jail and since day one it's worked very closely with both the Suffolk County Police Department and New York City PD and Nassau County and their Gang Intelligence Unit.

LEG. POSTAL:

That's great, I'm happy to hear that.

CHIEF OTTO:

They meet all the time; in fact, the information that they provide come out I guess even on weekly basis. Some of the things of which I can't speak about now, but the information I think the Police Department would agree is beneficial to everybody that comes out of that jail.

LEG. POSTAL:

Thank you.

DEPUTY COMMISSIONER ABBOTT:

If I could just add on that from the department's point of view, we do interact very much with Suffolk County Jail and the quality of the people they have assigned and the quality of the intelligence we're getting out of there in a collective manner is very, very helpful. The gangs are migratory, both the Suffolk County and the Nassau County Sheriff and the New York City Department of Corrections and our intelligence and our gang people are all, I'd say on a daily basis, dialoguing on these issues just to track these people.

The Commissioner mentioned the {O'Ryan} Database which, you know, can be very helpful to us in spreading it out into the future. But this is

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one of those issues that we have collectively addressed and it's going forward very well.

LEG. POSTAL:

Thank you, I'm happy to hear that.

CHAIRPERSON CARPENTER:

Thank you.

COMMISSIONER GALLAGHER:

And I think we might have inadvertently skirted around your question. I don't know how practical it is to, in effect, instruct all members of the Corrections Division of the Sheriff's Department in gang activity. I have a suspicion that they are pretty well aware of what's going on around them just by being there and seeing the activity, they probably have a pretty good handle on the amount of gang activity that's going on, you know, under their noses in the jail. So whether you have time for formal instructional -- and I think the Gang Intelligence Unit is there for them to, in effect, be a resource too for the Correction Officers to be able to turn to the Gang Intelligence Unit; what does this mean, what is the meaning of that kind of -- does that exchange have some meaning or, you know, whether it's verbal or visual.

CHIEF OTTO:

And finally, because of this new threat, basically, with gangs, also since the Sheriff's office runs their own academy for Correction Officers, we have incorporated in that training a gang intelligence briefing and also an area of instruction, okay, which has been certified by the State Commission of Corrections that these individuals, these new recruits need in order to graduate. So from day one they get hit the road running.

LEG. POSTAL:

Thank you.

DEPUTY COMMISSIONER ABBOTT:

Can I just add one more thing, to possibly be redundant over the whole thing? The intelligence that we're getting both out of the jails and the cooperation with probation and parole is not limited to gangs, we're also looking at infrastructure protection, possible terrorist targets, staging areas, that type of thing. We don't want to leave you the impression that it's just gangs, the intelligence function is across the board.

CHAIRPERSON CARPENTER:

Thank you very much, gentlemen. I was just commenting to Counsel about how appreciative we all are of your active participation. And I talk about the Police Department, the Sheriff's Department, I know the District Attorney is here, has been represented at almost all of our meetings, Probation, Dave Fischler. I think it is very, very important to have that kind of sharing, that kind of working together and, you know, without any pressure you really have always made yourselves and really treat us as partners and I do appreciate that. Any other questions or comments; Legislator Bishop?

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LEG. BISHOP:

Yes. Good morning, gentlemen. At the last meeting I asked for any statistical analysis you have regarding traffic enforcement; is that -- you just happened to pull that out?

COMMISSIONER GALLAGHER:

Well, I have a partial -- the analysis I have --

LEG. BISHOP:

If you want to wait for the next meeting to be more full, that's fine.

COMMISSIONER GALLAGHER:

Yeah, I think so. It's confined to speeding, it's 1180 of the Vehicle and Traffic Law, speeding summonses; I would like to get a more thorough breakdown on that.

LEG. BISHOP:

Okay, terrific. So the next meeting likely --

COMMISSIONER GALLAGHER:

We'll have it.

LEG. BISHOP:

Thank you very much, Commissioner.

CHAIRPERSON CARPENTER:

Thank you. Okay, let us move then to the agenda.

TABLED RESOLUTIONS

1829 and 1832, both the Local Law authorizing property tax exemptions. It still seems possible that the State is going to be meeting on -- regarding this, unless do you have something to add to this, Paul?

MR. SABATINO:

I just wanted to make a note that on 1829, the sponsor had asked for a corrected copy which was filed back in September which gives you the option, if you wish to pursue it, of passing the bill by stating that if the State Legislature decides to adjust that technical glitch that's in the State law, then this law would opt into whatever that adjusted figure is. You don't have to but it was to provide an option because there was some concern that the State wasn't moving and other municipalities seems to be acting, you know, in the absence of the change. So the point was that if you wanted to have the option to vote, at least lock in the \$14 that would arise out of this, you don't have to but that one would be eligible if you want.

CHAIRPERSON CARPENTER:

Okay, thank you for mentioning that. What I think I'd like to do, we'll just table it we've got one more meeting and we'll see what happens; if they meet fine, if not we'll go forward and consider adopting 1829 since that addresses it. So motion and a second by Legislator Postal to table 1829 and 1832.

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1829-02 (P) - Adopting Local Law No. 2002, a Local Law authorizing property tax exemption for volunteer firefighters and ambulance workers (Cooper). Tabled (VOTE: 6-0-0-0).

1832-02 (P) - Adopting Local Law No. 2002, a Local Law implementing volunteer firefighter and ambulance workers County real property tax exemption (County Executive). Tabled (VOTE: 6-0-0-0).

That takes us to 1860-02 (P) - Establishing Child Sexual Abuse

Prevention Education policy for Suffolk County (Cooper). This is the one that talks about the RFP process.

MR. SABATINO:

That's the one that applies to more than \$150,000.

CHAIRPERSON CARPENTER:

Oh, okay. Is there a motion on this? All right, fails for lack of a motion. **SEE CHANGE IN VOTE BELOW**

1861-02 (P) - Establishing contract agency selection process for Education Component of Universal Child Sexual Abuse Reporting Policy for Suffolk County (Cooper). We did pass the bill at the last meeting so I'm going to make a motion to table subject to call, second by Legislator Postal. All in favor? Opposed? It is tabled subject to call (VOTE: 6-0-0-0).

LEG. BISHOP:

On the previous resolution, I would like to make the same motion to table subject to call rather than have it die the unseemly death of not even being acted upon.

CHAIRPERSON CARPENTER:

On 1860 we'll reconsider. And we have a motion by Legislator Bishop, second by Legislator Postal on 1860 to table subject to call.

**1860 is tabled subject to call (VOTE: 6-0-0-0).

LEG. BISHOP:

Thank you.

CHAIRPERSON CARPENTER:

1878-02 (P) - Appropriating funds in connection with the renovations & additions to Police Precinct Building - 4th Precinct (CP 3184) (County Executive). Again, where are we at with that, the plan for the Hauppauge campus?

MR. SPERO:

Planning hasn't begun yet as far as I know. So you can appropriate the funding, but at this point in time we don't know exactly what it is we're going to be planning for.

CHAIRPERSON CARPENTER:

All right, let me -- they have stepped out of the room, but I'm going to table this. And Doug, if you would just make a note, we need to check on where they're at with this and see if they're willing to let us maybe use this for an offset. Okay, 1878 is tabled, second by Legislator Nowick. Tabled (VOTE: 6-0-0-0).

1972-02 (P) - Amending the Capital Budget and Program and appropriating funds in connection with the Jail/New Replacement Facility at Yaphank (CP 3008) (County Executive).

LEG. POSTAL:

I'm going to ask a question.

CHAIRPERSON CARPENTER:

Sure, Legislator Postal.

LEG. POSTAL:

I would like to know where we are with regard to the issue of a study that would give us more information about our jail needs. You know, we had talked about the first stage of study that the State completed for us and then apparently nothing was done about the second stage of the study which was the part we really needed, and the first stage of the study had actually recommended that we get information; have we done anything about the second part of the study? Because I think it -- oh, I think Chief Otto may have something.

CHAIRPERSON CARPENTER:

Chief Otto, please.

CHIEF OTTO:

Okay. The Sheriff's Office met with the County Attorney's Office after I believe was a prior Public Safety meeting and we got down and there was a real rapid exchange of information in updating the RFP for the consultant services to provide that study. Okay, that RFP was finally placed -- put together, it went really smooth through the County Attorney's Office, everybody cooperated. It went out to bid and we have a proposal conference on December 5th, so we're well on our way.

LEG. CARACAPPA:

Good job, Chief.

LEG. BISHOP:

See, when you want to get something done.

CHAIRPERSON CARPENTER:

Legislator Postal.

LEG. POSTAL:

In relation to 1972, I don't have it in front of me, but is it for planning monies?

CHAIRPERSON CARPENTER:

Yes.

CHIEF OTTO:

Yes.

MR. SABATINO:
The first million is.

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LEG. POSTAL:

I'm trying to figure out or see whether it would be possible, because I know -- if I'm right -- next year's Capital Budget is even tighter than this year's Capital Budget. And I'm wondering if there's a way -- I guess I'm asking our Counsel if there's a way to capture these funds but not use them until we get to the point at which the study is complete? No.

MR. SABATINO:

The only thing you can do is it's an Executive bill, you'd have to ask for one more clause which would say that the expenditure of the funds -- this would appropriate them, then it would require one more clause which would say that the actual expenditure of the funds would be subject to I would say a Legislative approval of whatever comes out of the RFP process. I would think that you would want to know what happened from the RFP before you would actually approve the money.

LEG. POSTAL:

Yes, absolutely. That's a good point.

MR. SABATINO:

So that's the only thing I can think of, condition the expenditure upon Legislative approval of something coming out of the RFP.

CHIEF OTTO:

I really -- we really have to clarify this. I mean, the Sheriff's Office has been here many times putting this on the record, and as of even last night, I personally met with State Commissioner Croce on this particular matter. The RFP is for the future, okay, for the future. Right now today the inmate population is approaching sixteen hundred, a little over 300 over already. The State Commission will pull those variances, we told you, if we don't move ahead. We're going to have to ship out people, it's going to happen, we told you that.

Right now this planning money is for a replacement facility for the two dormitories that are falling apart and it gives us a few additional beds, but it's a start, it's something that the State Commission wants to see. We talked about gangs, we've talked about what's happening in the facility, we've been here many, many times, but we need to move ahead now. The RFP is for the future.

LEG. POSTAL:

Madam Chair?

CHAIRPERSON CARPENTER:

Sure.

LEG. POSTAL:

It seems like we're fairly far along with the RFP for the research that would tell us what our needs are. What is the -- do we have any idea of when the report is anticipated or required to be complete; the report that we just put together an RFP on?

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CHIEF OTTO:

I have those dates, I don't have them with me because there is a timetable that they have to follow.

LEG. POSTAL:

Just ball park, do you have any idea; I mean, in the fall, in the spring, a year from now?

LEG. BISHOP:

Six months after that --

CHIEF OTTO:

It's not that long, I would say less than six months.

LEG. BISHOP:

We can make it.

CHAIRPERSON CARPENTER:

Legislator Lindsay.

LEG. LINDSAY:

Chief Otto, when this is complete, do you envision any kind of scenario that's going to say that we don't need this jail?

CHIEF OTTO:

Absolutely not.

LEG. LINDSAY:

I don't know what we're doing. I don't know why we're not moving forward on this.

CHAIRPERSON CARPENTER:

I have to agree with Legislator Lindsay. I think that the fact that we are replacing, you know, broken down or deteriorating dorm facilities at the Yaphank facility and maybe adding a few beds, like Legislator Lindsay said, no nowhere in this whole process can we expect that they're going to say, "Oh, you don't need the facility in Yaphank."

I can understand where Legislator Postal is coming from as far as the RFP in getting the study completed before we proceed, but since this is a replacement and we are operating with waivers and there has been a lot of discussion about the fact that those waivers could be in jeopardy of being pulled, I for one feel that we should move forward as a show of good faith on our part that we are trying to address the overcrowding problem. And again, this is planning and it's my feeling that by the time they move along with this process of planning and so forth we will have the results of that study. Legislator Postal.

LEG. POSTAL:

Yeah. You said that 1972 would replace an existing dormitories and give us a few additional beds; what does a few additional beds mean?

LIEUTENANT RUBACKA:

The dorms that will be replaced house about 120 inmates and the new facility is for 280, so it would be a net gain of 160.

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LEG. POSTAL:

And if we were to do that, would that satisfy New York State with regard to --

CHIEF OTTO:

It's definitely a start. And also what's very important, this 280 bed facility also contains the Jail Medical Unit, the new Jail Medical Unit. You know what's over there, you heard it from medical what's going on, you know, we're giving them another closet in the meantime. This is something that they have put monies forward also to go forward with. If this gets delayed any further --

LEG. POSTAL:

Are we confident that if we do this, we move ahead with the planning, we move ahead with the construction, that the State is going to feel that that's enough to satisfy them at least for whatever period? You know, that's our concern right now.

CHIEF OTTO:

I can only say this is part of the conversation from last night. Commissioner Croce told me, he says, "The first thing I want you to do when you're finished with the Public Safety meeting is to let me know what happened to that bill. We're very, very concerned."

LEG. BISHOP:

(Inaudible).

CHIEF OTTO:

That's a quote.

LEG. BISHOP:

Tell him if he cared he should come. I have a --

CHAIRPERSON CARPENTER:

Legislator Bishop.

LEG. BISHOP:

-- question, actually a clarification. This bill is not just planning steps, this is a \$38 million commitment and that's prior to the inevitable cost overruns. And as I've said before at length, I believe that we shouldn't make commitments of that size until we have all our facts.

What I'm hoping is, however, the RFP that has gone out, will that study be a system-wide study, do you know; are they looking at the problem through the Criminal Justice System or just in terms of the jail?

LIEUTENANT RUBACKA:

Yes, they're supposed to look at the entire Suffolk County Criminal Justice System.

LEG. BISHOP:

Great, that's --

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LIEUTENANT RUBACKA:

But no study will tell you with any definitive answer that we need X amount of beds. They'll give us a certain case in scenario, saying if this happens and this happens --

LEG. BISHOP:

Right.

LIEUTENANT RUBACKA:

-- then we may need that amount of beds. But no one will tell you with any degree of certainty; and if they could, they would be worth \$32 million that study.

LEG. BISHOP:

As the United States Justice Department has pointed out in a document which is supposed to help localities with these issues -- and these issues are not unique to Suffolk County, they occur throughout the country -- that a system-wide approach has in other jurisdictions yielded creative solutions that have vastly changed their need to construct major jails. Now, we may end up needing to construct a major jail, minimum security, maximum security, both, I don't know, but I'm

not comfortable until we've gone through the proper process. The proper process which was delayed not by us, not by the Legislature but by the Executive Branch for years, for years, has now -- is now finally moving forward. We need to wait it sounds like just six months to have all our answers; once we have the answers we'll take the appropriate policy, that's the right way to do this. There is no need to go about this the wrong way.

CHIEF OTTO:

If I can make one suggestion?

CHAIRPERSON CARPENTER:

Certainly, Chief Otto.

CHIEF OTTO:

You have another Public Safety meeting between now and the end of the year, do you know?

CHAIRPERSON CARPENTER:

Yes.

CHIEF OTTO:

Why don't you invite the Chairman and his team here to talk to you and you can also ask them if you do approve the planning money will they keep the variances.

LEG. BISHOP:

It's not planning money.

CHIEF OTTO:

I mean, you can hear it from him. I mean, I'm just giving you the information and this is what you need to speak to.

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LEG. POSTAL:

Can I just say something?

CHAIRPERSON CARPENTER:

Certainly.

LEG. POSTAL:

I didn't hear what you said, Chief Otto, at the very end. You said if we approve the planning money will they, and that was the part I missed.

CHIEF OTTO:

Right. You can ask them while they're here, like you just asked me before, if you approve the planning money would that satisfy the State and keep the variances; you can ask them that question specifically

while they're here.

CHAIRPERSON CARPENTER:

Well, I don't have a problem inviting them to come down. You know, I --

LEG. BISHOP:

In the invitation, if you can ask them where they have been for the three years that the RFP wasn't moving forward, maybe they have an answer to that as well.

CHIEF OTTO:

I do know for a fact the State will not come down on their own, they only come down when they -- of course, to, you know, enforce things. If they're invited they will be here.

CHAIRPERSON CARPENTER:

Okay, thank you. I don't have a problem, as I started to say, inviting them to come to the meeting; you know, hopefully they would be available. But I still feel that, you know, this has been going on for years where we have talked about the fact that we have overcrowding and this is replacement facility, it is adding beds, but I think we should be moving forward with it. Legislator Lindsay. But that's just one person's opinion.

LEG. LINDSAY:

Chief Otto, if we went forward with the planning steps for this new facility and simultaneously the RFP is in the process, do you see any kind of conflict by doing both on parallel tracks?

CHIEF OTTO:

I don't think there will be a conflict. I think that the study would incorporate, you know --

LEG. LINDSAY:

Okay. But is there something that the study is going to tell us that we don't need this jail or maybe we don't need it in this place or we might --

CHIEF OTTO:

No, I think the study -- the RFP is for the future, we're 300 beds

right now over, right now and there's no room. Okay, so this replacement facility replaces the two dormitories, adds 160 beds, we still have a need for the future. So it wouldn't be a conflict, it might even assist the RFP.

CHAIRPERSON CARPENTER:

I will or you can. Legislator Postal and I were just speaking about perhaps -- you know, we're all very ambivalent and you want to do the right thing and you want to have all of the information, but she and I were just talking about perhaps moving this out to the floor, not acting on it on Tuesday, inviting Croce to come to either the next committee meeting or to the full meeting of the Legislature, whichever seems to work, we'll give him a couple of options then. You know, I won't try and move the bill on Tuesday but I think we can get it out. At least Chief Otto then can say, "It's moved out of committee, they're moving on the Jail Needs Assessment Study," and we're showing that we're making progress.

LEG. LINDSAY:

I don't object to that process. The only thing is I would be reluctant to have the State people at a General Meeting.

CHAIRPERSON CARPENTER:

Good point. We'll try to get them to come to the committee.

LEG. BISHOP:

Why not? Get them to the next committee meeting?

CHAIRPERSON CARPENTER:

Because it shows -- go ahead. Legislator Postal, go ahead.

LEG. POSTAL:

Yeah. My thought, and this was behind our discussion. Chief Otto was telling us that after this committee meeting he's going to have to make a call to indicate what the progress of this resolution was. So I think just in the interest of I guess safety, we should give him the opportunity to say that the bill was approved out of committee; you know, that will just give us a little breathing time, a little breathing space.

CHAIRPERSON CARPENTER:

Legislator Bishop, did you have a comment?

LEG. BISHOP:

A couple of comments. Are we on the motion or we're still in dialogue?

CHAIRPERSON CARPENTER:

Whatever, it doesn't matter, whatever you want to do.

LEG. BISHOP:

Why don't we start with when we do the Capital Budget. You know, in May we go through at least dozens of hours of hearings, then we have hours of debate and we construct a document that is supposed to provide a blueprint for the future of how we're going to handle capital spending in this County, which is not a small matter. Tens of

millions of dollars -- no, hundreds of millions dollars are decided at that time. We vote on it, then three weeks later when the Executive Branch doesn't like the outcome of the debate, they file a bill which obliterates what we've decided, and that's what this does, a \$40 million adjustment in the Capital Budget. It blows the hole through our debt schedule, our no tax increase debt schedule. So all the fiscal conservatives in this Legislature that say they can take a tough stand, you've got to rethink that, you have to admit that you're weak, you have no strength to stand up for the taxpayer. That's the first thing.

You also are lacking the strength to stand up to the State of New York when the State of New York was part of the problem here in that they did not -- if they cared so greatly about the progress of Suffolk County's Jail Construction Program -- hold the Executive Branch accountable when the Executive Branch, not the Legislature, stalled this project for three years.

My position remains steadfast. I don't believe that we should commit \$40 million until we know exactly how our system works and what our system's needs will be in the future. That the inducer says that they're confident that the study will yield no change doesn't impress me because the problem is not in the end user portion, the problem is in the system. So, you know, it sounds like there's a change in this committee, I'm disappointed in that, but I will continue to fight this battle. Thank you.

CHIEF OTTO:
Legislator Carpenter?

CHAIRPERSON CARPENTER:
Thank you, Legislator Bishop. I just want to respond to or comment on one of your remarks. I don't feel that moving forward with this, anyone who wants to characterize themselves as a fiscal conservative is violating their philosophy or how they approach things if they move forward with this, that they're not standing up for the taxpayer because I disagree. I think we are standing up for the taxpayer when we have been told time and time again that, you know, we have been given waivers, the jail is over crowded and we could be told to, you know, ship prisoners out at a far greater cost than it is costing us to house them here. So I don't think that moving forward with this should give anyone cause to feel that they're not standing up for the taxpayer but rather that we are. Chief Otto, did you --

CHIEF OTTO:
Yes, Legislator Carpenter, just one clarification. This project, 3008, is an approved project. All this does is advance the planning monies,

that's all this does.

CHAIRPERSON CARPENTER:
Okay.

LEG. BISHOP:
Right. Are you -- to be condescending is just wrong. Okay, I will just save it.

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CHAIRPERSON CARPENTER:
All righty. So we have 1972 we are up to the on the agenda, I will make a motion to approve.

LEG. NOWICK:
Second.

CHAIRPERSON CARPENTER:
Second by Legislator Nowick to move this to the floor. On Tuesday it will be my intention to table it on the floor. Chief Otto, I would ask since you're going to be communicating with Commissioner Croce --

LEG. BISHOP:
I'm opposed.

LEG. CARACAPPA:
Motion to table.

LEG. BISHOP:
Motion to table.

LEG. CARACAPPA:
Second.

CHAIRPERSON CARPENTER:
-- if you would please invite him to the meeting, you feel confident that he will be available. And if you can get me his number I will confirm or have him confirm with my office, okay? Thank you. So there is a motion and a second.

LEG. BISHOP:
I have a motion to table.

CHAIRPERSON CARPENTER:
And there is a motion to table by Legislator Bishop which takes precedence. Is there a second on the tabling motion?

LEG. CARACAPPA:
Second.

CHAIRPERSON CARPENTER:

Second by Legislator Caracappa. All those in favor of tabling?
Opposed? I'm opposed.

LEG. POSTAL:

Opposed.

LEG. NOWICK:

Opposed.

LEG. LINDSAY:

Opposed.

CHAIRPERSON CARPENTER:

Okay, the tabling motion fails. We'll get back to the motion I made
with a second by Legislator Nowick to approve to the floor to be

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tabled on the floor. All those in favor? Opposed?

LEG. CARACAPPA:

Opposed.

LEG. BISHOP:

Opposed.

CHAIRPERSON CARPENTER:

We have two opposed, the resolution is approved for Tuesday. Thank
you. Approved (VOTE: 4-2-0-0 Opposed: Legislators Bishop & Caracappa).

LEG. CARACAPPA:

One more session.

CHAIRPERSON CARPENTER:

Actually a week from Tuesday.

Okay, 2049-02 (P) - Adopting Local Law No. 2003, a Local Law to
require truth-in-selling statement for motorized scooters (Carpenter).
The public hearing was closed. This is a notification that vendors
will have to give to anyone purchasing, much as we did with the ATV's.
I will make that motion, second by Legislator Postal. All those in
favor? Opposed? The resolution is approved (VOTE: 6-0-0-0).

2098 was approved.

Legislator Caracappa, may I ask if you would like to be included with
the majority on 2098.

LEG. CARACAPPA:

Yes.

CHAIRPERSON CARPENTER:

Thank you.

Introductory Resolutions

2137-02 (P) - Adopting Local Law No. 2002, to post warning signs in connection with use of mobile telephones when refueling vehicles at motor-fuel dispensing facilities (Cooper). This will have to be tabled, we have a public hearing --

MR. SABATINO:

Public hearing, Madam Chair.

CHAIRPERSON CARPENTER:

-- on the 5th; yes, okay. So 2137 is tabled (VOTE: 6-0-0-0).

2145-02 (P) - Renaming a portion of Montauk Highway in the Town of Islip as "Glen Pettit Way" (Fields). Glenn is the fire fighter who was killed --

LEG. CARACAPPA:

Police officer.

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CHAIRPERSON CARPENTER:

Police officer, but he was also a volunteer firefighter, I believe.

LEG. CARACAPPA:

New York City Police Officer.

CHAIRPERSON CARPENTER:

New York City Police Officer, right. And this is Montauk Highway but it is County jurisdiction at that portion, it is a ceremonial naming. So I will make that motion, second by Legislator Lindsay. All those in favor? Opposed? 2145 is approved (VOTE: 6-0-0-0).

2189-02 (P) - Accepting the donation of John Deere Gator Medibed for the Suffolk County Police Department (County Executive).

LEG. POSTAL:

Motion.

CHAIRPERSON CARPENTER:

Motion by Legislator Postal, second by Legislator Nowick. All those in favor? Opposed?

LEG. LINDSAY:

What is that, an ambulance?

CHAIRPERSON CARPENTER:

It's a tractor-type ambulance. Let's look at the backup here.

MR. SABATINO:

It's for the Marine Bureau, it's in connection with their patrols.

CHAIRPERSON CARPENTER:

Right. It is a medibed for use by the Marine Bureau, it can go over terrains not normally accessible. So I'll make that motion, or did we -- we had a motion and a second. That is approved (VOTE: 6-0-0-0).

2194-02 (P) - Accepting and appropriating \$71,140 made available by the New York State Division of Criminal Justice Services for the William Floyd Union Free School District Anti-Violence Program with 75% support and authorizing the County Executive to execute grant related agreements (County Executive). Motion by Legislator Caracappa, second by Legislator Lindsay. All those in favor? Opposed? Approved (VOTE: 6-0-0-0).

2195-02 (P) - Accepting and appropriating 100% additional Federal grant funds from the U.S. Department of Justice for the South Country Truancy Reduction Program in the Department of Probation and authorizing the County Executive to execute grant related agreements (County Executive). I will make that make motion to approve and put on consent calendar, second by Legislator Postal. All those in favor? Opposed? Approved and placed on consent calendar (VOTE: 6-0-0-0).

2196-02 (P) - Accepting and appropriating a grant in the amount of \$86,410 from the State of New York Governor's Traffic Safety Committee to enforce motor vehicle passenger restraint regulations with 94.55% support (County Executive). Motion by Legislator Lindsay, second by

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Legislator Bishop. All those in favor? Opposed? Approved (VOTE: 6-0-0-0).

2197-02 (P) - Accepting and appropriating a grant in the amount of \$25,000 from the State of New York Governor's Traffic Safety Committee to locate and apprehend certain habitual vehicle and traffic law offenders with 92.36% support (County Executive). Same motion, same second. Approved (VOTE: 6-0-0-0).

2198-02 (P) - Accepting and appropriating a grant in the amount of \$116,900 from the State of New York Governor's Traffic Safety Committee to fund and impaired Driving Enforcement Program with 93.29% support (County Executive). Again, a grant from the Traffic Safety

Committee. Same motion, same second. Approved (VOTE: 6-0-0-0).

2199-02 (P) - Accepting and appropriating a grant in the amount of \$15,000 from the State of New York Governor's Traffic Safety Committee for the Suffolk County Police Department to fund a Pedestrian Crash Analysis and plan with 90.61% support (County Executive). Same motion, same second. Approved (VOTE: 6-0-0-0). I wish these were a hundred percent grants.

2201-02 (P) - Accepting and appropriating a grant in the amount of \$30,000 from the New York State Division of Criminal Justice Services for the Suffolk County Police Department to continue the Sexual Assault Nurse Examiner (SANE) Program with 75% support (County Executive). Motion by Legislator Bishop, second by Legislator Postal. All those in favor? Opposed? Approved (VOTE: 6-0-0-0).

Tabled Sense Resolution

Sense 69-2002 (P) - Memorializing Resolution requesting United States Congress to enact joint resolution authorizing use of force against Iraq (Binder).

LEG. POSTAL:

I thought we acted on this.

LEG. BISHOP:

Tabled it last time.

MR. SABATINO:

What happened was to be timely there had to be a waiver of the rules but the sponsor never made a motion to waive in a timely fashion so it became an academic.

CHAIRPERSON CARPENTER:

Okay, we have a motion to table by Legislator Postal, second by Legislator Bishop. All those in favor? Opposed?

LEG. CARACAPPA:

Opposed.

CHAIRPERSON CARPENTER:

It is tabled (VOTE: 5-1-0-0 Opposed: Legislator Caracappa).

Introductory Sense Resolutions

Sense 71-2002 (P) - Memorializing Resolution requesting the State of New York to reimburse Suffolk County for police patrol costs on the Long Island Expressway and Sunrise Highway to promote community

policing efforts in Suffolk County (Fields).

LEG. POSTAL:

Motion to approve.

CHAIRPERSON CARPENTER:

Motion to approve by Legislator Postal, second -- they're going to really be shaken when they see this. Second by Legislator Lindsay. Again and again and again. All those in favor? Opposed? Approved (VOTE: 6-0-0-0).

Sense 72-2002 (P) - Memorializing Resolution requesting State of New York to prohibit red light changing devices in motor vehicles (Postal).

LEG. LINDSAY:

What are you talking about?

LEG. POSTAL:

I will explain, if I get a second.

CHAIRPERSON CARPENTER:

Legislator Postal is going to explain.

LEG. POSTAL:

This is -- yeah, there are devices that are available for use by firefighters and police officers and rescue volunteers that can change a traffic light, so that when the traffic light is green the device can turn it to red, it stops traffic so they can go through the intersection which is really useful, and they have the judgement to decide when it's safe and when it's not. The problem is that people have been buying these things and it's really dangerous because -- I mean, you can picture it, not everybody on the road has good judgement. If somebody uses something like that to change a light, you could have a vehicle that is heading through the intersection unable to stop and you could have a terrible crash. This should not be available to anyone other than law enforcement, firefighters and rescue workers.

LEG. LINDSAY:

You know, the traffic signal has to be adopted for it to work.

CHAIRPERSON CARPENTER:

Adapted.

LEG. LINDSAY:

Not all the signals.

LEG. POSTAL:

Yeah. Well, you know, I wasn't aware of that, but I will still move it

because it can't hurt, it's like chicken soup.

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LEG. BISHOP:

You can only use that once a year.

CHAIRPERSON CARPENTER:

And this -- I don't have the bill right here, but this does exempt public safety officials.

LEG. BISHOP:

It's going to be opening Pandora's box.

CHAIRPERSON CARPENTER:

No, Pandora's --

LEG. POSTAL:

Pandora went to the Assembly.

CHAIRPERSON CARPENTER:

It certainly did, Pandora is there. Second by Legislator Lindsay. All those in favor? Opposed? The resolution is approved (VOTE: 6-0-0-0).

And the meeting is adjourned. Thank you.

(*The meeting was adjourned at 10:49 A.M.*)

Legislator Angie Carpenter, Chairperson
Public Safety & Public Information Committee

{ } - Denotes Spelled Phonetically

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