

**PUBLIC SAFETY & PUBLIC INFORMATION COMMITTEE
of the
SUFFOLK COUNTY LEGISLATURE**

Minutes

A regular 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 **August 12, 2003**.

MEMBERS PRESENT:

Legislator Angie Carpenter - Chairperson
Legislator David Bishop
Legislator George Guldi
Legislator Andrew Crecca

MEMBERS NOT PRESENT:

Legislator Joseph Caracappa
Legislator William Lindsay

ALSO IN ATTENDANCE:

Paul Sabatino II - Counsel to the Legislature
James Abbott - Deputy Commissioner SCPD
James Maggio - Asst. Deputy Commissioner SCPD
Bill Faulk - County Executive's Office
Walter Denzler - Under Sheriff - Sheriff's Department
Alan Otto - Sheriff's Department
Kevin Duffy - BRO
Frank Tantone - Aide to Leg. Crecca
Fran Seims - Aide to P.O. Postal
Tom Donovan - Aide to Leg. Guldi
All other interested parties

MINUTES TAKEN BY:

Donna Catalano - Court Stenographer

(*THE MEETING WAS CALLED TO ORDER AT 1:05 P.M.*)

CHAIRPERSON CARPENTER:

I'd like to ask all members of the Public Safety Committee to please

come to the horseshoe, we're going to begin the meeting. And I'd ask Legislator Guldi to lead us in the Pledge of Allegiance.

SALUTATION

CHAIRPERSON CARPENTER:

I would just ask that you remain standing for a moment of silence in respect to two people who have recently passed away; Bill Lindsay's mother-in-law who has been really battling -- she's been having a rough time and Legislator Caracappa's dad.

MOMENT OF SILENCE

CHAIRPERSON CARPENTER:

Thank you. So needless to say, they will not be here today. Okay. We have no cards. I think what I'd like to do, there is a gentleman here who is being considered for an appointment as a member of FRES, Suffolk County Fire, Rescue and Emergency Services, Anthony Laferrera. And Anthony is here. He needs to go to work, so Anthony, if you would just come forward please. Just have a seat at the table and Fred Daniels will join you. Anthony is being proposed to be a member of FRES. If you want to tell us a little bit about your background, we would appreciate it.

MR. LAFERRERA:

Anthony Laferrera. I'm from North Babylon. I started in the Fire Services in March of 1979. In 1972, I began working in New York City for the Emergency Medical Service, where I worked my way through the rank of Lieutenant. And through -- also with North Babylon Fire Company, I was -- rose to the ranks of Chief of the Department, and after that became a member of the Town of Babylon Fire Chiefs Association where I hold to this day a treasury secretary position, and I have also been the County Coordinator for four years up until last year. I have experience in hazardous materials for the City and for the Town of Babylon.

CHAIRPERSON CARPENTER:

It certainly sounds like you have been very involved in many aspects of volunteer Fire Services for many years. I would just like to know for the members of the committee that Anthony's resume is attached to the resolution. Are there any questions? Legislator Bishop.

LEG. BISHOP:

I just want to note that this term is only to the end of the year, correct?

CHAIRPERSON CARPENTER:

Yes.

LEG. BISHOP:

Doesn't run afoul of our position that we shouldn't be doing term appointments until the new administration is.

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CHAIRPERSON CARPENTER:

This is fine.

LEG. CRECCA:

Can I just? You keep saying our position.

LEG. BISHOP:

Our's, Democrat's position.

CHAIRPERSON CARPENTER:

Thank you. Legislator Crecca.

LEG. CRECCA:

The resume is exemplary.

LEG. BISHOP:

Is what?

CHAIRPERSON CARPENTER:

Exemplary.

LEG. CRECCA:

Exemplary. It's not a big word. I would just like to thank you for coming down and serving in the FRES Board, obviously subject to your approval.

CHAIRPERSON CARPENTER:

Thank you very much, we appreciate it. And I don't think there will be any need for Anthony to come down to the meeting on Tuesday, do the committee members agree? Okay. Thank you very much.

MR. LAFERRERA:

Thank you.

IR 1665-03. Approving the appointment of Anthony Laferrera as a member of the Suffolk County Fire, Rescue and Emergency Services Commission. (COUNTY EXEC)

CHAIRPERSON CARPENTER:

I would like to make a motion to take this out of order and approve.

LEG. CRECCA:

Second.

CHAIRPERSON CARPENTER:

And that is Resolution Number 1665, motion to approve by Legislator Bishop, I will second that motion. All those in favor? Opposed? Motion is APPROVED (VOTE: 4-0-0-2) (Not present; Legis. Lindsay and Caracappa}

Congratulations, Anthony.

MR. LAFERRERA:

Thank you.

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CHAIRPERSON CARPENTER:

Next we have -- there was an audit that we received, and as per our instructions, we've been requesting the departments to come down and just give a brief overview of the audit. If there are any deficiencies or actions that were taken, they can share them with us. So Vinny Iaria is here today from the Department of Probation.

MR. IARIA:

Yes. There was an audit of our Asset Forfeiture Account. This is a small account. There were no material findings. There were some recommendations made as to some procedural things. I have with me Ann Able on my right who administers that account. And essentially they wanted -- we believe that the Treasurer's Office was posting the small amounts of interest. And apparently we weren't aware that they wanted us to do that. So there is a system in place to do that.

And regarding some of the ways we receive the checks. We understood that we would be getting electronic transfers when we first started this. And they were coming in in different routines, some delivered directly by a detective, others sent the mail to my office. So we're working on standardizing the receipt of those -- those checks. And let's see. What was the other issue? Any other issues. So that -- you know, that's where we stand. As I said, this is not a large or active account, because basically asset forfeiture coming to the -- the federal government has to decide that it's going to prosecute. And we have agreement with the Police if we help institute -- help institute an arrest or we bring information that results in an asset forfeiture that we get a percentage of the asset forfeiture. And a lot of times that will -- that may take several years because of, you know, the way it's prosecuted through the federal court.

CHAIRPERSON CARPENTER:

Okay. Vinny, I thank you very much for coming down and your staff. Are there any questions or comments from members of the committee? Hearing none, I thank you. That was pretty painless. Next, I would like to invite representatives from the Sheriff's Department. There

was an issue that they brought to my attention, and I thought it would be appropriate to share with the committee. And also, there's a resolution on the agenda that's been amended. So perhaps you want to speak to that too while you are up here.

UNDER SHERIFF DENZLER:

I'd like to let Chief Otto speak to the resolution first.

CHAIRPERSON CARPENTER:

Okay. Thank you.

CHIEF OTTO:

There's basically two resolutions that are on the agenda today. IR 1532 and IR 1702. We'd like to speak in support of these two resolutions. These resolutions stem out of Capital Project 3009, which was the renovations of the existing facilities in Yaphank. Originally that Capital Project was seeking \$3.2 million in renovations for a long long list of overdue repair work that had to be done to Yaphank. After having in depth conversations with the Department of Public Works, IR Resolution 1532 was drawn, which

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basically changes the funding in Capital Project 3009 from \$3.2 million for renovation to \$1.3 million. It also transfers a 1.9 million of that 3.2 to Capital Project 3008, which was planning for the new facility. IR Resolution 1702 is the resolution that would appropriate the 1.3 million for the renovation to Yaphank. So on the record, we would like to say we support both of these resolutions as the repairs in Yaphank are desperately needed. And after working with DPW, we cut that list down considerably in order to transfer money to the new facility planning.

CHAIRPERSON CARPENTER:

All right, Chief, thank you. Legislator Bishop.

LEG. BISHOP:

What repairs be being postponed?

CHIEF OTTO:

Stand by one second here. Okay. I can tell you what is going to be done, because there is a large list that I got from DPW.

LEG. BISHOP:

I'm more interested in what's not going to be done.

CHIEF OTTO:

Okay. I don't have a list of the repairs.

LEG. BISHOP:

I assume everything that's going to be done is, you know, critical.

CHIEF OTTO:

It's the major items, like to replace the dormitory toilets, the facilities with plumbing, they're expanding the jail medical space, which is a thing that is desperately needed by the Health Department. They're repairing and replacing the heating and mechanical equipment areas throughout the facility, and they're going to be installing a perimeter fence.

LEG. BISHOP:

Isn't that expansion going to be rendered moot if your big Capital Project goes through?

CHIEF OTTO:

Can you repeat that, sir?

LEG. BISHOP:

Isn't your expansion of the medical space going to be temporary, rendered moot if you do the larger project later on?

CHIEF OTTO:

Right. The area that's being expanded now, which is part of this renovation, is just a temporary expansion that we need at two of the new facilities, that's correct.

LEG. BISHOP:

What are the other -- you don't have a handle on what's being postponed?

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CHIEF OTTO:

No, I do not offhand. There was originally, like, two pages of renovations that DPW wanted to have done in there.

CHAIRPERSON CARPENTER:

It's sounds like we're going forward and doing what is absolutely needed and necessary to keep this functional until the replacement facility is put in place.

CHIEF OTTO:

Three of the major areas that they're not doing was the new squad room, the new control room and the prisoner intake and release, because those areas would be incorporated in the new facility.

CHAIRPERSON CARPENTER:

Okay. Are there any other questions on this project?

LEG. CRECCA:

I just want to -- on this project, I just want to add to the record just so the record is clear too, this is obviously consistent with exactly what we proposed in the amended Capital Budget this year and the overall plan that we've discussed both with Public Works and the Sheriff's Department a policy decision of the Legislature. And I just wanted to make that clear for the record. So this is consistent with that in what we did.

CHAIRPERSON CARPENTER:

Thank you, Legislator Crecca.

UNDER SHERIFF DENZLER:

I just wanted to give you all a heads up. We had a -- it was Capital Project 3011, which was for the correction -- the construction of shelters for the correction officers out in the exercise yards. And the bids have come back in for that project now, and it appears that the bids were approximately \$100,000 over what has been budgeted. The project is ready to move forward, and we would just like to have your support in trying to find the offsetting funds. We've had discussions with DPW and with Budget. We think we know that we can find some offsets, and we just wanted to give you a heads up to that.

CHAIRPERSON CARPENTER:

I appreciate that. I know that the booth for the Sheriffs was completed, and it was understood that that was going to be, you know, done right after that, especially with the cooler weather coming, although it seems like we haven't had summer. It would be nice to know we could have this place done, you know, in a timely fashion. I know we had a meeting earlier on this, and I do appreciate you bringing it forward to the rest of the committee, because I just feel that keeping everyone informed will help the process so that we can, in fact, get this done as fast as its needed to be done. Any other questions for these gentlemen while they're here? Maybe what we'll do is we'll do those two resolutions while you are here in case there are any other questions. And that would be IR 1532.

IR. 1532-03. Amending the 2003 Capital Program and Budget and appropriating planning funds for Jail Utilization Study/New Replacement Facility at Yaphank. (POSTAL)

LEG. CRECCA:

Motion.

CHAIRPERSON CARPENTER:

Motion by Legislator Crecca, seconded by myself. All those in favor?

LEG. BISHOP:

Opposed.

CHAIRPERSON CARPENTER:

I will then make a motion to table 1532, because we need four votes to approve.

LEG. CRECCA:

Second the motion.

CHAIRPERSON CARPENTER:

Would you entertain a discharge motion?

LEG. BISHOP:

No.

CHAIRPERSON CARPENTER:

Okay. They we'll remain tabled hopefully until the next committee meeting. TABLED (VOTE: 4-0-0-2) (Not present; Legis. Lindsay and Caracappa)

IR 1702-03. Appropriating funds in connection with renovation at the Yaphank Correctional Facility. (CP3009) (COUNTY EXEC)

CHAIRPERSON CARPENTER:

I would say that 1702 would be the same. Motion to table 1702, seconded by Legislator Crecca. All those in favor? Opposed? 1702 is TABLED. (VOTE: 4-0-0-2) (Not present; Legis. Lindsay and Caracappa}

CHAIRPERSON CARPENTER:

Okay. Thank you very much, gentlemen. And I would ask the Police Department to come forward, Commissioner Abbott and whoever else you would like to bring up here.

DEPUTY COMMISSIONER ABBOTT:

Good afternoon.

CHAIRPERSON CARPENTER:

Good afternoon. We've had 1380 on the agenda for a while and have been tabling it, the renovation for the Sixth Precinct. And I'd just like to ask for an update and if we're ready to move it or not.

DEPUTY COMMISSIONER ABBOTT:

What we have available right now is that the project is proceeding. The targeted date of April of '04 is going to be put back to probably June or July of '04 due to some construction problems during the

winter and ongoing into the rainy season. We're in need of an appropriation of \$125,000 for an antenna. My understanding speaking to Commissioner Maggio is that we need offset for that \$125,000 allocation. There have been minor problems with the construction, notably getting some of the drainage, the cesspools, they've run into a field of clay, so that's a small problem. And as I said before, the construction is going on as planned with minor problems. We -- the two issues are the tower, which we'll need before the precinct is complete and minor drainage and plumbing problems.

CHAIRPERSON CARPENTER:

Okay. So we have not identified and offset yet on this?

DEPUTY COMMISSIONER ABBOTT:

Not that I know of.

ASST. DEPUTY COMMISSIONER MAGGIO:

We're working with the County Exec's Office. There wasn't a real rush, so we were kind of hoping that towards the end of the year some additional money might become available.

CHAIRPERSON CARPENTER:

My experience is that toward the end of the year there's less if not more. So you might -- you might want to work with the Budget Review Office also and see in they can assist in helping identify an offset.

LEG. CRECCA:

Kevin, I have a question for you.

CHAIRPERSON CARPENTER:

Certainly, Legislator Crecca. Go right ahead.

LEG. CRECCA:

I'm looking at the attached debt service schedule. And it's -- we're bonding this for it looks like 20 years, and the rate seems pretty high, is that still the rate or is that because this is on old resolution? The rate says, like, averaging probably about four and a half percent, is that normal now?

MR. DUFFY:

I'm not sure. I'll have to check and get back to you.

LEG. CRECCA:

Since we'll be tabling it, if you can just have them look at that too.

CHAIRPERSON CARPENTER:

Thank you. Are there any other questions? Then we will table that

one more time. I will make that motion to table, seconded by Legislator Crecca. And Kevin, if you could get that information on that interest rate. And Jim, work with Budget Review on getting an offset. Thank you. All those in favor of tabling? Opposed? Resolution is TABLED. (VOTE: 4-0-0-2) (Not present; Legis. Lindsay and Caracappa}

Are there any other issues or anything else on the agenda you wanted to address? Okay.

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IR 1460-03. Modifying Universal Child Sexual Abuse Reporting policy for State mandated reporters at Suffolk County Contract Agencies. (COOPER)

CHAIRPERSON CARPENTER:
Okay. We'll go to 1460.

LEG. CRECCA:
Motion to table.

CHAIRPERSON CARPENTER:
I'll second that. All in favor? Opposed? Resolution is TABLED. (VOTE: 4-0-0-2) (Not present; Legis. Lindsay and Caracappa}

IR 1660-03. Accepting and appropriating a grant in the amount of \$700,000 from the New York State Department of Transportation for the LIE/HOV Dedicated Enforcement Program in Suffolk County with 100% support. (COUNTY EXEC)

CHAIRPERSON CARPENTER:
I make a motion to approve and put on the Consent Calender, second by Legislator Bishop. All in favor? Opposed? APPROVED, CONSENT CALENDER (VOTE: 4-0-0-2) (Not present; Legis. Lindsay and Caracappa}

IR 1661-03. Accepting and appropriating a grant in the amount of \$41,160 from the State of New York Governor's Traffic Safety Committee, for Suffolk County Police Department to fund the Safety Corridor Enforcement Program with 90.77% support. (COUNTY EXEC)

CHAIRPERSON CARPENTER:
Motion to approve by Legislator Guldi, seconded by Legislator Crecca. All in favor? Opposed? Resolution is APPROVED (VOTE: 4-0-0-2) (Not present; Legis. Lindsay and Caracappa}

IR 1710-03. Accepting and appropriating grant funds in the amount of \$70,000 and Authorizing the County Executive to execute an agreement extending the term of a grant agreement with the New York State

Department of Transportation with 100% support. (COUNTY EXEC)

CHAIRPERSON CARPENTER:

Motion to approve and put on the Consent Calender by Legislator Crecca, seconded by Legislator Guldi. All those in favor? Opposed? APPROVED, CONSENT CALENDER (VOTE: 4-0-0-2) (Not present; Legis. Lindsay and Caracappa}

LEG. BISHOP:

I have questions.

CHAIRPERSON CARPENTER:

Sure. Legislator Bishop.

LEG. BISHOP:

I think most Legislators will tell you that one the top -- one of their top priorities, what they hear the most from constituents are traffic safety issues. And I've been reading with great interest about New York City and quotas on tickets or not. Do we have any

performance measurement standards on a precinct or an individual officer's track enforcement?

DEPUTY COMMISSIONER ABBOTT:

One thing we don't have is quotas. That's assured, we don't have quotas. We have instituted, among other things, an operation SITE, Suffolk Intensive Traffic Enforcement. You might have seen them out on the highways and byways. We're giving increased attention to aggressive drivers. That's part of what is in the Introductory Resolution 1661, along with enhanced enforcement along the Expressway, Sunrise and the roads leading to and from it. Anecdotally, I hear people speaking out in the street about Suffolk County cops being all over the place. The serious traffic accidents are going down as a result of this. We have it for how long, Chief, six weeks? Eight weeks. And the statistics are starting to tick down.

LEG. BISHOP:

I have seen the presence on Sunrise Highway. But what you hear about when you -- when you speak to your constituents is the concern about poor drivers in their neighborhoods, people who speed, you know, we've get kids, you know, you have heard it yourself. I just want to know do we -- they always say, you know, if they just hung out on that corner, you could solve your deficit problem. You know, you always hear that line. But is there -- do we know how many tickets are being written by the precincts in neighborhoods?

DEPUTY COMMISSIONER ABBOTT:

Yes. Also, as the Chief just reminded me, in each precinct for those types of conditions within the precincts, we have the COPE Officers assigned as the CO directs. If there's a problem in a concern area, they respond to that particular area. Do we keep statistics? Yes. We keep them by precinct. The summonses are up.

LEG. BISHOP:
Good.

DEPUTY COMMISSIONER ABBOTT:
Even by police officer, we keep the statistics. Summonses are up, serious physical injury as a result of accidents is down. And the presence is noted by the people out in the street.

LEG. BISHOP:
Can you get me that statistical information. I'm particularly interested in the First Precinct. And if there is evidence of increased ticket writing in the First Precinct and as a result decreased traffic accidents, I'd love to have that information. And I would be very happy if that's what's happening.

DEPUTY COMMISSIONER ABBOTT:
We'll get that for you.

LEG. BISHOP:
I'm sure Crecca wants it for his.

LEG. CRECCA:
No, actually I was going to add similar to what Dave was talking

about, obviously we get complaints about specific corners and areas throughout the precinct, but I just wanted to let you know that the Fourth Precinct who I deal with on a regular basis, has been extremely responsive. Both Inspector Loughlin and Mr. Cahill have been very responsive. We've actually seen and gotten compliments from constituents because it's worked. So I just wanted to let you guys know that. It's worthy of mention. Since we have such a great relationship, we pick up the phone, and it's generally addresses right away.

DEPUTY COMMISSIONER ABBOTT:
Thank you. I'll pass that on.

LEG. BISHOP:
I'm hearing a lot of complaints about motorcycles, a lot of -- and I guess, kids on motorcycles. They're a different kind of motorcycle.

CHAIRPERSON CARPENTER:

Motorized scooters.

LEG. BISHOP:

And the motorized scooters also. Oh, do I have complaints.

CHAIRPERSON CARPENTER:

Aren't you glad you supported that.

CHAIRPERSON CARPENTER:

Well, I would just like to echo the positive comments about the precinct that I deal with also, the Third. I mean, you know, they are just extraordinary.

DEPUTY COMMISSIONER ABBOTT:

Thank you.

CHAIRPERSON CARPENTER:

Any other comments or questions for the department while they are up here? Thank you very much, gentlemen. Does anyone else want or need to address the committee? If not, then we stand adjourned. Thank you very much.

(*THE MEETING WAS ADJOURNED AT 1:30 P.M.*)

{ } DENOTES BEING SPELLED PHONETICALLY