

***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 28, 2006.

***Members Present:***

Legislator Jack Eddington • Chairman  
Legislator Kate Browning • Vice•Chair  
Legislator Wayne Horsley  
Legislator Joseph Caracappa  
Legislator Daniel Losquadro  
Legislator Jay Schneiderman

***Members Not Present:***

Legislator Vivian Vilorio•Fisher

***Also In Attendance:***

Presiding Officer William Lindsay • District #8  
George Nolan • Counsel to the Legislature  
Renee Ortiz • Chief Deputy Clerk/Suffolk County Legislature  
Robert Calarco • Aide to Legislator Eddington  
Babara LoMoriello • Deputy Chief of Staff/PO Lindsay's Office  
Catherine Stark • Aide to Legislator Schneiderman  
Bobby Knight • Aide to Presiding Officer Lindsay  
Seth Squicciarino • Aide to Legislator Vilorio•Fisher  
Jim Maggio • Budget Review Office  
Ben Zwirn • Assistant County Executive  
Brian Beedenbender • County Executive Assistant  
Allen Kovesdy • County Executive's Office  
Dennis Brown • Bureau Chief/Municipal Law Div. •County Attorney's Office

Robert Kearon • Deputy Bureau Chief/District Attorney's Office  
 Vincent DeMarco • Suffolk County Sheriff  
 Alan Otto • Chief of Staff/Suffolk County Sheriff's Office  
 Joseph Rubacka • Deputy Warden/Suffolk County Sheriff's Office  
 Robert Moore • Chief of Department/Suffolk County Police Department  
 Aristedes Mojica • Inspector/Chief of Dept's Office/SCPD  
 Kenneth Rau • Chief of Detectives/SCPD  
 Dennis Cain • Deputy Chief of Detectives/SCPD  
 Laura Ahearn • Executive Director/Parents of Megan's Law  
 Joe Williams • Commissioner/Fire, Rescue & Emergency Services  
 Tom Henry • Suffolk County Probation Department  
 Hope Collazo • Director/Community Service Program•American Red Cross  
 Debbie Eppel • Public Information Office  
 Pete Smith • President/Suffolk County Detective's Association  
 Tom Muratore • Vice•Present/Police Benevolent Association  
 Michael Sharkey • President/Deputy Sheriff's Police Benevolent Assoc.  
 Catherine Hoake • Suffolk County League of Women Voters  
 Mary McLaughlin • Suffolk County League of Women Voters  
 Sandy Sullivan • Legislative Liaison/AME  
 All Other Interested Parties

***Minutes Taken By:***

Alison Mahoney • Court Stenographer

***(\*The meeting was called to order at 11:38 AM\*)***

**CHAIRMAN EDDINGTON:**

I would like to start the Public Safety & Public Information Committee. If you can stand for the pledge, Legislator Browning will lead us.

***Salutation***

All right, Good morning.

**LEG. SCHNEIDERMAN:**

Good morning. Mr. Chair, if I might, before public portion I have a member of my district who is here and I don't know that he can stay for the full meeting. If we could take the resolution that relates to reappointing him out of order, this would be Resolution 2428. I'd like to make a motion to take 2428 out of order.

**CHAIRMAN EDDINGTON:**

I'll second that. All in favor? Opposed? Abstentions? Okay, we're going to take ***IR 2428•06 • Reappointing Pascale M. Covello as a member of the Suffolk County Vocational Educational and Extension Board.***

**LEG. SCHNEIDERMAN:**

I'd like to make a motion to approve and then we'll bring him forth.

**CHAIRMAN EDDINGTON:**

Okay, I'll second that. All those in favor?

**LEG. SCHNEIDERMAN:**

Well, let's take it •• before we vote on it, if we could bring him forward on the motion.

**CHAIRMAN EDDINGTON:**

Oh, yes, okay. Would you like to ••

**LEG. SCHNEIDERMAN:**

Mr. Covello?

**CHAIRMAN EDDINGTON:**

You don't have to.

**LEG. SCHNEIDERMAN:**

Just to see if there's any questions for Mr. Covello.

**CHAIRMAN EDDINGTON:**

Well, let me •• sit there for a minute. Are there any questions from the members? No.

**LEG. LOSQUADRO:**

It's a reappointment?

**LEG. SCHNEIDERMAN:**

He's a reappointment.

**LEG. LOSQUADRO:**

Yeah, fine.

**LEG. SCHNEIDERMAN:**

Okay.

**CHAIRMAN EDDINGTON:**

Okay, thanks very much, Mr. Covello. Okay, then so I have a motion to approve and a second. All those in favor? Opposed? Abstentions?

**Approved (VOTE: 6•0•0•1 Not Present: Legislator Vilorio•Fisher).**

Okay, thank you very much. Mr. Covello.

**LEG. LOSQUADRO:**

Thank you, sir.

**LEG. SCHNEIDERMAN:**

If the Clerk would please list me as a sponsor, cosponsor.

**CHAIRMAN EDDINGTON:**

Okay.

**LEG. SCHNEIDERMAN:**

Mr. Covello, there's no need to come back when you are before the full Legislature.

**MR. COVELLO:**

Thank you. I made it.

**CHAIRMAN EDDINGTON:**

Thank you very much.

**LEG. SCHNEIDERMAN:**

Mr. Covello, there's no need for you to come back when this resolution is before the full Legislature, it's not necessary.

**MR. COVELLO:**

Okay, I appreciate that. Thank you.

**CHAIRMAN EDDINGTON:**

Okay, then I'll go back to the public portion and I have Pete Smith, President of the Suffolk County Detective's Association; would you come forward,

please?

**MR. SMITH:**

Good morning. I'm here today just to •• by the way, I'm Pete Smith, President of the Detective's Association, Suffolk County. I'm here to address Introductory Resolution 2347 by Legislator Browning, which by the way, I've had a conversation with this morning and I believe the Legislator is going to table the resolution. But I must, only because of my position as President of the union, go on record to say that I have to be in opposition to the resolution at this time as written because it's in violation of the Tailor Law, the unit work, practices of the Tailor Law.

In essence, what it does, it takes work that is historically the Detectives in the Police Department and it gives it to another bargaining unit, that is the Deputy Sheriffs. The intent of the resolution to get to Megan's Law enforcement is, of course, commendable, but my Detectives and the Police Department Detectives can do it quite well. And if there's any questions of how it's done, you can certainly ask Police Department officials who are here.

So from the perspective of the presidency of the Detectives Association, I'm on record as not supporting this resolution.  
Thank you. Any questions?

**CHAIRMAN EDDINGTON:**

Okay.

**LEG. BROWNING:**

No, I think we've had a conversation.

**CHAIRMAN EDDINGTON:**

No? Okay, thank you very much.

*(\* Legislator Caracappa entered the meeting at 11:43 AM\*)*

**CHAIRMAN EDDINGTON:**

Next speaker is Laura Ahearn.

**MS. AHEARN:**

Eleven states in our nation have lifetime supervision for convicted sex

offenders. Parents of Megan's Law did a national survey evaluation registration compliance and we found that 24% of the nation's registered offenders were not complying with registration laws.

In Suffolk County we have actually a phenomenal Megan's Law unit that their failure rate is less than 5%. However, we have sex offenders that are required to register yearly with the Division of Criminal Justice Services and also are required to check in every 90 days with local precincts; those are Level III offenders and sexually violent predators. Offenders who fail to change their address within the one year period of time are really falling through the cracks. So we have a number of offenders who could be checked on randomly and whether it's done by the Sheriffs or whether it's done by the Megan's Law Unit, we fully support this because it will encourage compliance and it will give communities assurances that offenders who are not being monitored by Probation and Parole are having some level of supervision.

So we support the idea, and whether it's the Sheriffs or the Megan's Law Unit, we would really encourage this to go forward.

**CHAIRMAN EDDINGTON:**

Thank you very much.

**MS. AHEARN:**

Thank you.

**CHAIRMAN EDDINGTON:**

Next speaker is Tom Muratore, Suffolk County PBA.

**MR. MURATORE:**

Good morning, Mr. Chairman and members of the Public Safety Committee. First I would like to thank all the members of the Public Safety Committee for their foresight in overriding the veto and keeping the 25 additional Police Officers in the budget for 2007. The next task before this group is to make certain that the 75 Police Officers are hired; hopefully this can be accomplished as soon as possible.

With the innovative ideas of the present administration, this will be very difficult. The present staff of seven Investigators in Applicant Investigations cannot handle the present workload which includes background checks on 17

Bay Constables for Southampton, 25 School Crossing Guards, a contingent of Park Police which is supposed to be going in in the spring, and along with 60 Auxiliary Police Officers as well as some civilian positions.

It appears as those who •• it appears as though those in power are looking to make this process as hard as possible, thus compromising the quality of those hired. At present, if we are to hire 75 Police Officers for September, although I thought the plan was to hire some in March and the remainder in September, we must begin orientation by January 1st, 2007; right now this is impossible with only seven Investigators in this section.

The process of hiring civilians as it is now is creating a security risk at headquarters. Individuals have been hired and subsequently fired after their background checks have been completed. Those individuals have been exposed to some sensitive police information; what happens when they are terminated? I would ask this group to make sure that the hiring of individuals for Police positions is kept at the highest professional level; this can only be accomplished by staffing Applicant Investigations with the proper levels of quality individuals.

And as a side note, you know, we come before you and ask that you make every attempt to have the County Executive hire Police Officers. And just some information, that in 2003 there were 1,913 Police Officers assigned to the Suffolk County Police Department; now, that's just Police Officers, not Superior Officers, not Detectives. During the time between now and then we've hired 220, yet at this point we only have 1,814 assigned to Patrol, so we're still spiraling downward. I know the County Exec sent a letter at the Budget meeting not to worry about cops that retire and we're backfilling with civilians or we're hiring civilians, but it's really not working. You know, there are plans out there, they are trying, but unfortunately it doesn't seem to be working and we really need to hire these cops as soon as possible. So we would ask that you help us with this and thank you for your time.

**CHAIRMAN EDDINGTON:**

Thank you very much. Does anybody else want to speak at this time? Okay, then we'll go to the Tabled Resolutions.

***Tabled Resolutions***

***IR 2173•06 • A local Law establishing crime prevention requirements for scrap metal dealers (County Executive).***

**LEG. LOSQUADRO:**

The public hearing is still open, table for a public hearing.

**CHAIRMAN EDDINGTON:**

It's got to be tabled for a public hearing, yeah. Are you making a motion?

**LEG. LOSQUADRO:**

Yeah.

**CHAIRMAN EDDINGTON:**

Legislator Losquadro, I'll second that. All those in favor? Opposed? Abstentions? **Tabled (VOTE: 6•0•0•0).**

***IR 2241•06 • Authorizing the County of Suffolk to enter into a contract for the provision of ambulance service to County Correctional Facilities and to compensate local ambulance districts for such services (Schneiderman).***

**LEG. SCHNEIDERMAN:**

Before ••

**CHAIRMAN EDDINGTON:**

Do I have a motion?

***(\*Presiding Officer Lindsay entered the meeting at 11:48 AM\*)***

**LEG. SCHNEIDERMAN:**

We're going to hear from Mr. Zwirn. I would like to make a motion to approve. There are still some ongoing discussion, I had e•mailed Mr. Sabatino as a way to make this permanent.

What the County Executive's Office basically has been saying, that he would prefer to handle this through •• as like a contract agency. My concern is to provide the funding for one year and then have to go back every year fighting the budget is not a solution; I've been looking for a permanent solution which this bill would provide. I haven't heard back from Mr. Sabatino but maybe Mr. Zwirn has some comment.

**CHAIRMAN EDDINGTON:**

Okay, Mr. Zwirn, enlighten us.

**MR. ZWIRN:**

Yeah, actually the contract idea came from the Presiding Officer who was trying to facilitate this and is supportive, and as are we. But there are two districts, two ambulance districts that deal with jails, one in Kate Browning's district and one in Legislator Schneiderman's district, and we would like to address both of them at the same time. They do have added time, it has been a burden on both these ambulance companies to provide service to the Yaphank and Riverhead Correctional Centers.

What the County Executive is concerned about is that it doesn't open the door and we start every County facility and every ambulance company that deals with a County park or the County Center starts asking for additional funds on a reoccurring basis because it's just •• there no end to it. But with the Correctional Centers, I think there is an agreement that there certainly is an undo burden put on these volunteer ambulance companies. So what we're trying to do is figure out a way, because originally the County Executive thought this was going to be a one•shot where we would supply money for •• about 25 or \$30,000 for ambulance equipment or something, but it turns out that they want this on a reoccurring basis so we have to find a way where this can be done on a recurring basis with recurring revenues.

We would just like to have a little more time to work this out. One of the suggestions that was made by the Presiding Officer was that we could do this as •• make them a contract vendee of the County, that's a possibility. Certainly, Legislator Schneiderman and Kate Browning are the ones who brought this to the attention of the County Exec's Office and the Legislature and we would like to see if it can be remedied in a fair way. We would just like a little more time to be able to work out the details and to get the absolute numbers. I know the Budget Review analysis of this had it at about \$90,000 for the Flanders Ambulance Company and that number everybody agrees is way too high, the number is probably closer to \$30,000 in that district and probably somewhat less in Kate Browning's district.

**LEG. SCHNEIDERMAN:**

I think the mistake that BRO is making is that they're looking at all the calls.

**MR. ZWIRN:**

Right.

**LEG. SCHNEIDERMAN:**

And what my bill tries to do is not reimburse every call, only those calls that involve transports from the jail to the hospital.

**MR. ZWIRN:**

We had a productive meeting at Supervisor Heaney's Office with Legislator Browning present and representatives from the Flanders Fire Department and Ambulance Company and their requests seem quite reasonable. We had about a hundred calls, as I recall, that they had ••

**LEG. SCHNEIDERMAN:**

Yeah, I have that number, right, they had provided it.

**MR. ZWIRN:**

Yeah, but we'd like to get that number, and if we can get it all together and come up with a resolution of this. Certainly this has been brought to the attention of the County Exec by Legislator Schneiderman and Legislator Browning's bill that's before us today, we just ask for it to be tabled. I know you would like to see it get done but ••

**LEG. SCHNEIDERMAN:**

I'm just looking for a date certain.

**MR. ZWIRN:**

But it is on the radar screen and it will be addressed, it's not something that we're just saying yes to just so that maybe it will go away, it won't go away, we'd like to get it resolved.

**LEG. SCHNEIDERMAN:**

Let me hear from my cosponsor here.

**CHAIRMAN EDDINGTON:**

Legislator Browning.

**LEG. BROWNING:**

Yeah, I am willing to table it for one cycle more. And again, you know, I have lists of all the calls here.

**MR. ZWIRN:**

Oh, if we can get those lists so we'd have the numbers.

**LEG. BROWNING:**

That's just for this year, so that's not even the past three years like we talked about.

**MR. ZWIRN:**

What we had thought we would do is probably take a three year number and get an average over those three years so we have a set number as opposed to leaving it open-ended and review it every year to see what the calls were so that we could make adjustments.

**LEG. BROWNING:**

You know, and I know that we're looking at just the jails, however I'm looking at Police Headquarters, you know, all the County facilities right there that ••

**MR. ZWIRN:**

That's what we're afraid of.

**LEG. BROWNING:**

Well, but still, you know, they are entitled to some relief and I really do want this to resolve this for them.

**MR. ZWIRN:**

Okay. As I said, the County Executive has certainly agreed to deal with the jail, the correctional center issues. Everything else, though, that's our concern, we'd like to be able to address one without opening the door and having the support of the Legislature not to leave the door ajar for every other County facility.

**LEG. SCHNEIDERMAN:**

Yeah, I just ••

**CHAIRMAN EDDINGTON:**

Legislator.

**LEG. SCHNEIDERMAN:**

Just in defense of the bill, I think the bill actually does all that you're asking for. It sets up a way to calculate a fair compensation rate based on the prior

year's activities, it distinguishes the correctional facilities from all other facilities and I think they are unique. I don't think it's a bad way to handle the problem, I'm trying to be cooperative and patient. If the County Executive wishes to do it a different way, as long as we don't have to come back here every year to guarantee that they're on that contract agency list which, as we saw this year, many of those contract agencies were cut from the budget and had to be restored, I'd like something that had some permanency to it.

**MR. ZWIRN:**

Well, in fairness, the County Executive does that every year and then the Legislature usually restores those agencies at their leisure, so the benchmark is usually the same.

**LEG. SCHNEIDERMAN:**

But you understand my point.

**MR. ZWIRN:**

Yeah, I understand your point and I think your point has been well taken.

**LEG. SCHNEIDERMAN:**

Okay, thank you.

**CHAIRMAN EDDINGTON:**

Legislator?

**LEG. SCHNEIDERMAN:**

I'll acquiesce to another two weeks of tabling and hopefully within that point we can have a viable alternative solution. If not, I will ask that this committee move forth with this initiative.

**CHAIRMAN EDDINGTON:**

Is that a decent time line?

**MR. ZWIRN:**

As long as we get the information, I think we'll do everything we can go get this thing resolved. We're not in an adversarial position, we're on board, we just would like to get it done in a way that we know we can do it every year.

**CHAIRMAN EDDINGTON:**

Okay. So I have a motion from Legislator Schneiderman to table.

**LEG. BROWNING:**

I'll second.

**CHAIRMAN EDDINGTON:**

Second by Legislator Browning. All those in favor? Opposed? Abstentions?  
Okay, **tabled (VOTE: 6•0•0•0)**.

***IR 2264•06 • A Local Law prohibiting sex offenders from loitering on or about the grounds of playgrounds, day care centers and other locations where minors gather (Cooper).***

**LEG. BROWNING:**

Do we table for a public hearing?

**LEG. LOSQUADRO:**

The public hearing is closed.

**CHAIRMAN EDDINGTON:**

No, it's closed. Do I have a motion?

**LEG. BROWNING:**

Motion.

**CHAIRMAN EDDINGTON:**

Motion by Legislator Browning to approve.

**LEG. LOSQUADRO:**

Second.

**CHAIRMAN EDDINGTON:**

Second by Legislator Losquadro. All those in favor? Opposed? Abstentions?  
**Approved (VOTE: 6•0•0•0)**.

***IR 2268•06 • A Local Law to strengthen ATV seizure and forfeiture provisions (Lindsay).***

**LEG. LOSQUADRO:**

The public hearing is still open. Motion to table.

**CHAIRMAN EDDINGTON:**

Okay, motion to table by Legislator Losquadro, I'll second that.

All those in favor? Opposed? Abstentions? Okay, **tabled**.

**(VOTE: 6•0•0•0).**

***IR 2289•06 • A Local Law expanding real property tax exemptions for un•remarried spouses of deceased members of volunteer firefighters and volunteer ambulance workers (County Executive).*** Do

I have a motion? Motion to approve by Legislator Caracappa, I'll second that. All those in favor? Opposed? Abstentions? **Approved (VOTE: 6•0•0•0•0).**

***IR 2290•06 • A Local Law to require landlords to register with the Department of Probation prior to renting to sex offenders (Browning).*** This needs to be ••

**LEG. BROWNING:**

Motion to table.

**CHAIRMAN EDDINGTON:**

I have a motion to table for a public hearing by Legislator Browning, I'll second that. All those in favor? Opposed? Abstentions?

**Tabled (VOTE: 6•0•0•0).**

***IR 2291•06 • A Local Law to permit polygraph examinations of civilian applicants to the Suffolk County Police Department, Sheriff's Department and District Attorney's Office (Losquadro).*** I believe •• yeah, go ahead.

**LEG. LOSQUADRO:**

I was going to make a motion to approve for the purposes of discussion, but I would certainly like to move this forward. Is there a second to the motion?

**LEG. CARACAPPA:**

To table it?

**LEG. BROWNING:**

I'll make a second for discussion.

**LEG. LOSQUADRO:**

Okay.

**CHAIRMAN EDDINGTON:**

Okay, and I believe Chief Moore would like to come to address us on this issue.

**CHIEF MOORE:**

Good morning. I'm Robert Anthony Moore, Chief of Department, Suffolk County Police Department.

Through the Chair, sir, I believe that you and the Commissioner have discussed this resolution and that the Police Commissioner had voiced some of his concerns. One concern has to do with the historic record. The Suffolk County Police Department has been civilianizing for well over a decade and has been able to do so without demanding polygraph examinations of all its employees. So the first point the Commissioner asked me to make is that historically the Police Department has not seen the need to conduct polygraph examinations of its civilian employees.

The second point that the Commissioner asked me to make has to do with the volume. We have in excess of 700 civilian School Crossing Guards alone, and it could be argued that if we were to conduct polygraph examinations of every Police Department civilian employee, the volume would be taxing for the Police Department.

And third, the argument that only the civilian employees of the Suffolk County Police Department, Sheriff's Department and District Attorney's handle sensitive information is really not factual. As a matter of fact, your Legislative Aides on a routine basis handle information that is equally sensitive to anything that might be handled by a civilian employee of the Suffolk County Police Department. So it actually sets the civilian employees of the Police Department, Probation, Sheriff, District Attorney, separate and apart from other government employees; secretarial staffs, clerk positions, research analysts. Virtually every within Suffolk County, including this body, has individuals whom it depends very heavily on to handle sensitive information and trust the integrity of our employees.

Now, I must tell you that we do conduct comprehensive background information, so if there was a concern that an individual was not undergoing any sort of check, well, that's really not the case and I think we all know that. But those are the basic objections, the historic record, the volume and the exclusivity of civilian employees.

**CHAIRMAN EDDINGTON:**

I wonder if you could just respond to something that Mr. Muratore mentioned about people being screened and put up to work and then having to be let go after the background checks have been done.

**CHIEF MOORE:**

Yeah, that •• there was a small window, I think it was perhaps a three week period in which the Police Department •• and again, for administrative purposes, it had more to do with the SCIN forms and the fact that the SCIN forms had a life, and the Police Department made the decision to make the offer to hire prior to completion of a background investigation. Now, that occurred quite some time ago and it just didn't seem to work out, so the Commissioner rescinded that direction.

So yes, Mr. Muratore is correct, but that was a very short•lived time frame and we've gone back to our prior practice of conducting the comprehensive background investigation before an offer of employment is made.

**CHAIRMAN EDDINGTON:**

Okay. Legislator?

**LEG. LOSQUADRO:**

If I may, Mr. Chairman. Thank you for coming, Chief Moore. I am aware that historically the County has had a long history of civilianizing certain positions, but I think you would have to agree that it's been a hallmark of this administration and of this Commissioner to step up the efforts of civilianization.

**CHIEF MOORE:**

Yes.

**LEG. LOSQUADRO:**

In fact, that has been the cornerstone of this administration for the past

three years.

**CHIEF MOORE:**

Yes.

**LEG. LOSQUADRO:**

With that additional volume and with the replacement of certain positions that have historically been held by sworn officers, I felt it was important, if only in managing the perception and the appearance, but I think it goes far deeper than that, but even if only on that level, that those individuals should be held to the same standard as a sworn officer. And sworn officers, as the law reads, are part •• and it's a bit of a complex law, you actually have to exempt the individuals that you want to allow to be polygraphed; it's a little bit backwards when I actually looked at the law. I think it's very important that we hold these individuals to the same standard as sworn officers.

When I brought this bill to the various agencies, I have to say I received a different response to individuals who I spoke to other than the Commissioner. The District Attorney was very excited about this and very much would like this in his bag of tools, so to speak, because a polygraph is just that, it's a tool, it's an investigative tool that you have at your disposal; I know I'm preaching to the choir here, but this is more for the edification of my colleagues. When a polygraph is used, it is used in just that manner, as a tool. And if you speak with those in Applicant Investigations or in other areas who have experience with this, you will find that information is volunteered that they otherwise probably would not have gotten for the specter of facing the polygraph, or individuals will simply remove themselves from the process if they know that they have to face this and, you know, they could be caught in a lie as a result of this.

It's an additional tool to help weed out individuals who would try to get past the system. And it may only be what they perceive to be a small transgression and it may be something that they say, "Well, I can get through the system," but having the polygraph there as a tool and that in place really adds a different dimension to the investigative process. No matter how extensive the background search is, there are simply things in a person's past that they may not have been caught for, that they may not want to admit to other than the fact that they have to face this.

Obviously we think it's important enough to have our sworn officers have to

go through this and I understand the Commissioner's concern that it could be a bit burdensome with the number of employees that we're dealing with. I'm not certain, based in the language, that the Crossing Guards would be included, but that's something I'd be willing to look into, and if that was necessarily the case, then possibly that could be an amendment that would be offered. But I feel especially given the move, the heavy move towards civilianization, I think this is something that we should be putting in place. I'll defer to Counsel for a moment to add something.

**MR. NOLAN:**

I just wanted to say that the law does not mandate that the Police Department employ the polygraph, it merely gives them the ability to do that if they choose to, it lifts the ban for the Police Department, the District Attorney and the Sheriff's Department for civilians. So it's not saying to the Police Department, "You must employ a polygraph on these civilians," it would give you the ability to do it if you chose to.

**LEG. LOSQUADRO:**

So at that point, if the department determined as an internal policy that they would not be using it for Crossing Guards, then that would be your choice. I would urge the department that if you have the ability that this law would allow, to use it extensively, if only to put it in there as part of the investigative process so that people would be more apt to perhaps be a bit more forthcoming on their applications and to avoid any potential conflicts down the line.

This is something that I know I spoke to you that I developed myself. This is not something that came out of a particular request from a union or anything like that, this came about through my own discussions with different departments and my own recognition that there was a disparity here between individuals we were hiring into positions that were formally held by sworn officers now being held by civilians.

I'm a bit hesitant to raise a particular incident that occurred here publicly, I know you and I have discussed it privately. But a serious incident did occur where an individual who was in the employment of the Police Department, and I don't mention the circumstances of how it was found out that he had it, but was in the possession of an alpha list of Police Officer's names and addresses at his home residence. This is a very serious matter and this is information that one of our Legislative Aides would not be privy to, this is

information that someone in the Department of Social Services would not be privy to. I feel that within the law enforcement community there's a distinct difference and that is why we hold our sworn officers to that standard, and I feel we should at least give you and the give the District Attorney and give the Sheriff the ability to use these tools if you so choose. I would, of course, urge you to use them because I feel it's that important. If any of my colleagues have any questions either for myself or of Chief Moore.

**CHAIRMAN EDDINGTON:**

Yeah, I'd like to add •• I have a concern. And I like the idea of enabling the Police Department to have more tools to do their job.

My concern is when it's left up to your discretion, you know, am I going to hear that all of a sudden all the red•headed people applying are getting polygraphs? You know, I mean, I'm afraid that it's open ••

**LEG. LOSQUADRO:**

It sounds a little paranoid.

**CHAIRMAN EDDINGTON:**

Yeah, well, you know, we are a minority group. You know, I just am concerned. I'd rather see it •• it's done or it's not done, but I don't like to have it done when you feel maybe we could because then it opens up another whole question of targeting and stuff, so I do have a concern with that, Legislator.

**LEG. LOSQUADRO:**

If I may, to Counsel. The current law as it reads, I believe the same discretion is given under the current law, is that correct?

**MR. NOLAN:**

Yes.

**LEG. LOSQUADRO:**

So right now it is the discretion of the department whether or not they want to polygraph these sworn officers; they have established an internal policy that that is a condition of employment and it's become accepted practice. I would suggest that each department that would now be given this expanded ability formulate an internal policy so there would not be any question. I don't know even know if in the department there exists a formal policy or if it's simply an informal policy and accepted practice as to the polygraphing of

sworn officers. Do you know, Chief Moore, if that's codified anywhere in writing or if it's simply because the law enables it you take part in it?

**CHIEF MOORE:**

I'm sorry, you mean preemployment?

**LEG. LOSQUADRO:**

Currently, yes.

**CHAIRMAN EDDINGTON:**

For officers, yeah.

**CHIEF MOORE:**

Preemployment, that's a matter of Civil Service Law. It's part of the Civil Service testing process, a polygraph examination is an established procedure within the body of testing that occurs for pre•employment screening for Police Officers.

**LEG. LOSQUADRO:**

Okay.

**CHIEF MOORE:**

So the answer is yes.

**LEG. LOSQUADRO:**

Yes, so it is codified. So I would suggest that if given the ability to address Legislator Eddington's concern, that each of those three departments establish an internal policy as to which positions they would and would not require a polygraph examination to be pre•employment •• a condition of pre employment.

**CHIEF MOORE:**

Mr. Chair, may I just ••

**CHAIRMAN EDDINGTON:**

Yes.

**CHIEF MOORE:**

•• make one clarification and respond?

**CHAIRMAN EDDINGTON:**

Absolutely.

**CHIEF MOORE:**

Thank you. First of all, we know Legislator Losquadro well enough that we have faith that he is always acting in our best interests. The one clarification that I feel that I do have to make when it comes to civilianization, and this is something that the County Executive has long said and that the Police Commissioner agrees with; civilianization is not an attempt to replace Police Officers. Civilianization is an attempt to put civilians into civilian positions that happen to be staffed right now by Police Officers. The County Executive, the Police Commissioner believes that because of the level of training our officers receive, because of the amount of compensation our officers receive, because of the type of background investigations and on and on and on, our Police Officers are best utilized when they're able to take advantage of their skills and their training. But there's a tremendous amount of work that has to be done and someone has to do that.

Now, historically these jobs had been done by Police Officers and the Commissioner has worked very hard to identify those positions that don't necessarily require a Police Officer. No Police Officer has ever been fired or laid off as a result of civilianization. Civilianization, again, is our attempt to fully use and take advantage of the skills and abilities of our officers in an appropriate manner, but in doing the work that they leave behind when they are in civilian-type jobs is best left to civilian employees.

So it may seem like a minor thing, but I must insist on putting on the record that civilianization has nothing to do with replacing Police Officers, it has merely to do with putting people in positions that is appropriate for their level of skill and experience.

**LEG. LOSQUADRO:**

(Inaudible).

**CHIEF MOORE:**

When we •• and I know you would agree with that. Now, as far as the matter of our making a decision as to whether or not to polygraph a civilian, I must tell you that in my experience, and I think in the experience of any Police Officer, it •• I have to agree with the Chair, it absolutely would be an all or nothing thing for us. I can't imagine the Suffolk County Police

Department polygraphing one individual for a particular title and not giving a polygraph to another individual. I think that during the hiring process, should there be any question as to the person's credentials, just the fact that a person was polygraphed when it's not routinely done, or vice versa, would expose the Police Department to tremendous liability; but that's just my sense, of course I'm not an attorney.

So I must tell you that should a resolution be passed into law giving the police the option to conduct a polygraph, I think we'd be remiss if we didn't polygraph every person who seeks employment in the Suffolk County Police Department.

**LEG. LOSQUADRO:**

Well, I can tell you from personal experience •• well, not myself personally but I have knowledge of what goes on in the business community and that I think there's ample precedent within many large corporations. I'll give you an examples, the Marriot Corporation polygraphs employees for management positions but does not polygraph employees for positions below that level. I happen to have an acquaintance who is in a management level position for that company and I know that's a relatively routine practice that occurs, it's at the discretion of the hiring entity at that point as to what they will and will not require as pre•employment conditions for a job.

I think that the Police Department, with the aid of their legal Counsel, could adequately come up with a guideline by which they could abide which would hold them harmless from any potential liability. That you would have to say yes, if you're going to polygraph for these internal type positions where, you know, you feel there's a need then yes, you would have to polygraph every one of those individuals, you couldn't be selective within that category.

**CHIEF MOORE:**

Right.

**LEG. LOSQUADRO:**

But outside of that, then you couldn't pick and choose either; if you're going to exclude an entire group, you would have to exclude an entire group as well, so an internal policy I'm sure would have to be established.

As I said, in looking at this, I felt this would be a very useful tool to give to the law enforcement community as part of their investigatory process and

many of the other different departments, be it Deputy Sheriffs and Corrections and District Attorney and all those different agencies, seem to feel that, again, they could do something with it. Once they establish their own internal policy with it, that it would certainly be a useful tool for them.

**CHAIRMAN EDDINGTON:**

Why don't ••

**LEG. LOSQUADRO:**

And the District Attorney especially.

**CHAIRMAN EDDINGTON:**

As a matter of fact, why don't we call a representative from the District Attorney's Office up and we can get some immediate feedback on that.

**LEG. LOSQUADRO:**

Sure.

**LEG. CARACAPPA:**

How about the Sheriff's Office as well?

**CHAIRMAN EDDINGTON:**

Mr. Kearon, thank you.

**LEG. CARACAPPA:**

I'd love to have the Sheriff weigh in.

**CHAIRMAN EDDINGTON:**

Okay, and maybe Mr. DeMarco; Sheriff DeMarco, why don't you come up and we'll clarify it right now.

**MR. KEARON:**

Good afternoon. My name is Robert Kearon, I'm with the District Attorney's Office. I have had conversations with Mr. Losquadro, he invited us to participate in the •• as a member of the department in his legislation and we welcome the opportunity to be part of it.

We feel it can be a very useful tool. We will do it on a selective basis,

though, I will tell you that. We would have to evaluate individuals based upon the position they were being hired for. And I'll take issue slightly with Chief Moore, I think I can have •• reserve the right, if I was hiring a Clerk Typist for my Appeals Bureau, to perhaps treat that individual a little bit differently than a Clerk Typist I might be hiring for our Special Investigations Bureau that investigates organized crime. Based upon the nature of the work, I think that the criteria that would be employed in determining whether or not to use a polygraph should be subjective to that extent.

But I think it's a great tool, I don't know on how wide scale a basis we would use it. We also have a background investigation that we currently employ with respect to all people that we hire. And I think rather than do wholesale polygraphs, because it would, I think, create a tremendous imposition on the Police Department, I think if our initial background screening raises some questions then I think in that type of situation the polygraph would be a very useful tool to resolve any question marks in a person's background.

**CHAIRMAN EDDINGTON:**

Thank you. Sheriff?

**LEG. LOSQUADRO:**

Well, I was just going to say, I knew I should have invited the lawyer up sooner, how foolish of me. But please, I'm sorry; Sheriff, please continue.

**SHERIFF DEMARCO:**

I agree with everything Mr. Kearon said and I also echo his remarks. We don't do polygraphs in the Sheriff's Office, we would have to rely on the Police Department to do that. We have somewhere between two and 300 civilians, so we would either have to totally rely on them and overburden the Police Department or we would have to train someone in our office to be able to do it. So that's another thing you have to think about.

**CHAIRMAN EDDINGTON:**

Or you could also choose not to do it.

**SHERIFF DEMARCO:**

True, that's true.

**LEG. LOSQUADRO:**

If I may, this is for pre•employment so it would not apply to existing

employees, it would only be for new hires.

**CHAIRMAN EDDINGTON:**

Okay. Do we have any •• thank you, gentlemen. Do we have any other questions?

**P.O. LINDSAY:**

Yeah, I have a question.

**CHAIRMAN EDDINGTON:**

Oh, okay. Legislator Lindsay.

**P.O. LINDSAY:**

Yeah, Sheriff, would you •• I can understand overburdening the Police Department, but can you think of any circumstances that this might be useful to you in pre•employment screening?

**SHERIFF DEMARCO:**

Oh, definitely, definitely, especially with civilians that we •• that actually work inside the correctional facility, inside the red gate, those are people that we would definitely like to employ them.

**P.O. LINDSAY:**

Okay, thank you.

**CHAIRMAN EDDINGTON:**

Good? Okay, thank you very much. Okay, we have a motion?

**LEG. LOSQUADRO:**

Yes.

**CHAIRMAN EDDINGTON:**

Motion to approve by Legislator Losquadro and second by Legislator Browning. All those in favor?

**LEG. SCHNEIDERMAN:**

Just on the motion.

**CHAIRMAN EDDINGTON:**

On the motion, Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

It does seem like it's a useful tool, but there's a couple of questions that I have. One, in terms of who this •• because they're Civil Liberties questions; who this polygraph is administered to, who has to take it? I would prefer if the bill had some kind of guidelines in terms of management level positions or positions that were dealing with information of a highly confidential nature, those types of things. So we're leaving the guidelines entirely to the Commissioners, which we have a good bunch of Commissioners, but I think, you know, in the future it probably would be helpful, and maybe that's something that could be handled with an amendment at a later time.

I forget what my other concern was, I can't remember it at the moment.

**LEG. LOSQUADRO:**

Well, I will say that the ••

**CHAIRMAN EDDINGTON:**

Legislator Losquadro.

**LEG. LOSQUADRO:**

Thank you, Mr. Chairman, I'm sorry. The current law as it exists is very complex and really affords a great deal of protection for those who can and cannot be polygraphed. And as I said, you have to give specific exclusions within that bill to give the right to a particular department to do this and there are many, many safeguards that are in place from a Civil Liberties standpoint to prevent the abuse of polygraphs as a tool to try to weed people out or deny them employment, there is extensive case law regarding that. So I ••

**LEG. SCHNEIDERMAN:**

You've actually reminded me of my other questions which really had to do with the types ••

**LEG. LOSQUADRO:**

That's unfortunate.

**LEG. SCHNEIDERMAN:**

The types of questions that they ask. So, you know, let's say the Sheriff's Office decides that they're going to develop •• you know, they're going to do their own polygraph testing, certain questions, you know, directly relate to

the role that that employee will be serving in, or potentially be serving in. But you want to also create some limitations as to the types of questions that are asked, to not ask invasive questions that aren't necessary, and I don't know how you would do that.

**CHAIRMAN EDDINGTON:**

Well, I'll just •• go ahead.

**LEG. LOSQUADRO:**

The existing ••

**LEG. SCHNEIDERMAN:**

You know, so I know there's an attorney kind of guiding them in the types of questions that are legitimate.

**LEG. LOSQUADRO:**

There's existing law that guides how the County currently conducts itself that ••

**LEG. BROWNING:**

(Inaudible).

**LEG. LOSQUADRO:**

Right, that would apply in the same way. Just because we're granting additional departments the right doesn't change the guidelines we already have in place, so the guidelines that were used for the Police Department would be the same guidelines, and those all pass muster with Civil Service and Civil Liberties Laws and the like.

**LEG. SCHNEIDERMAN:**

Maybe Counsel Nolan could comment on the issues of privacy and liability for the County.

**MR. NOLAN:**

I can just tell you that there's a whole article devoted to regulating polygraph examiners on the books already for the County that are quite detailed and I believe do afford protections to people who undergo this type of examination. I'll be glad •• we'll get a copy for you, we'll provide it to you before you leave today.

**LEG. SCHNEIDERMAN:**

Thank you, Mr. Nolan.

**CHAIRMAN EDDINGTON:**

Okay. And I would just add that maybe what we can do, since this will take • if approved, will take about six weeks to go into effect, maybe we can get a list from the law enforcement agencies of how they intend to use it and we'll all have a copy of that and that may alleviate some anxieties. So I have a motion and a second. All those in favor? Opposed? Abstentions? Okay, **approved (VOTE: 6•0•0•1 Not Present: Legislator Vloria•Fisher).**

***Introductory Resolutions***

***IR 2315•06 • Accepting a donation of a box truck to the Suffolk County Sheriff's Office (County Executive).***

**LEG. CARACAPPA:**

Motion.

**CHAIRMAN EDDINGTON:**

Motion to approve by Legislator Caracappa. What is a box truck; the little things?

**LEG. CARACAPPA:**

Matchbox trucks.

**CHAIRMAN EDDINGTON:**

Oh, Matchbox. What is a box truck?

**LEG. CARACAPPA:**

It's like a cargo van.

**CHAIRMAN EDDINGTON:**

Gotcha, gotcha. Okay, thank you. Motion by Legislator Caracappa.

**LEG. SCHNEIDERMAN:**

Second.

**CHAIRMAN EDDINGTON:**

Second by Legislator Schneiderman. All those in favor? Opposed? Abstentions? **Approved (VOTE: 6•0•0•0).**

***IR 2347•06 • Authorizing the County Sheriff to monitor registered sex offenders (Browning).***

**LEG. BROWNING:**

Oh, sorry. I am going to make a motion to table at this time so we can have some discussion with the Suffolk County Police Department.

**LEG. SCHNEIDERMAN:**

Second.

**CHAIRMAN EDDINGTON:**

Okay, Legislator Browning makes a motion and second by Legislator Schneiderman. All those in favor? Opposed? Abstentions?

Okay, **tabled (VOTE: 6•0•0•0).**

***IR 2360•06 • Requesting Legislature approval of a contract for remote payment services for the Sheriff's Office at the Suffolk County Facility, Riverhead, New York (County Executive).*** Yes, Sheriff?

**SHERIFF DEMARCO:**

I just wanted to make a brief statement about this. When I became Sheriff last January, I became a member of the State Sheriff's Association and I came to learn that they were being looked at by the County •• by the Attorney General Charitable Bureau because they were non•profit and they were looking at some marketing agreements that the Sheriff's Association had with various vendors. And it turned out that in certain counties it wasn't disclosed that the Sheriff's Association was, I guess, getting a percentage of certain contracts, not coming out of the County's part of any revenue stream but out of the vendors, but that should have been disclosed and it never was.

So this is one of the companies that has a marketing agreement with the State Sheriff's Association, I think they get 3% of any revenue that's generated by this, but this is not something that would ever •• doesn't bring revenue into the County anyway, it's just a credit card bail system to help reduce the jail population.

**LEG. CARACAPPA:**

Mr. Chairman?

**CHAIRMAN EDDINGTON:**

Legislator Caracappa.

**LEG. CARACAPPA:**

So we're just approving it by ways of disclosure.

**SHERIFF DEMARCO:**

Right, I just want to •• and the other thing I wanted to point out is that the Presiding Officer •• which it is great that you're here because now you'll know •• the County Executive and the County Attorney are going to get a letter from the State Sheriff's Association as part of an agreement with the Attorney General's Office that says that the State Sheriff's Association has marketing agreements with certain companies and we might have contracts. This went out to bid and this was •• you know, everything was done the right way here; some counties don't go out to bid and they just give contracts out. But I just felt the need to tell you that because you are going to see a letter and you might not know what it's for.

**LEG. CARACAPPA:**

Very good.

**CHAIRMAN EDDINGTON:**

Okay. Motion by Legislator Caracappa to approve, second by Legislator Losquadro. All those in favor? Opposed? Abstentions?

***Approved (VOTE: 6•0•0•0).***

***IR 2370•06 • Accepting and appropriating additional grant funds in the amount of \$70,000 from the New York State Division of Criminal Justice Services for the Operation Impact III Task Force with 100% support (County Executive).***

**LEG. LOSQUADRO:**

Motion to approve and place on the consent calendar.

**CHAIRMAN EDDINGTON:**

Okay, and I'll second that; Legislator Losquadro and I second that. All those in favor? Opposed? Abstention? **Approved and placed on the consent calendar (VOTE: 6•0•0•1 Not Present: Legislator Vilorina •Fisher).**

**IR 2371 Accepting and appropriating 100% Federal grant funds awarded by the U.S. Marshals Service to the Suffolk County Department of Probation and authorizing the County Executive to execute related agreements (County Executive).**

**LEG. LOSQUADRO:**

Same motion to approve and place on the consent calendar.

**CHAIRMAN EDDINGTON:**

Okay, same motion, same second. All those in favor? Opposed? Abstentions? **Approved and placed on the consent calendar (VOTE: 6•0•0•1 Not Present: Legislator Vilorina •Fisher).**

**IR 2400•06 • Accepting and appropriating grant funds from the Office of Justice Programs for the operation of the Suffolk County Police Department's 852•COPS Non Emergency Phone Hotline (County Executive).** Motion? Motion by Legislator Caracappa, I'll second that. All those in favor?

**LEG. LOSQUADRO:**

I just had a ••

**CHAIRMAN EDDINGTON:**

Question on the motion.

**LEG. LOSQUADRO:**

•• a question. In any way would this be duplicative of the County Executive's 311 initiative, or is this sort of the same thing?

**LEG. CARACAPPA:**

This is it.

**LEG. LOSQUADRO:**

If I could just get an answer on that.

**CHAIRMAN EDDINGTON:**

I see movement in the auditorium here.

**CHIEF MOORE:**

Robert Anthony Moore, Chief of Department, Suffolk County Police Department; no.

**LEG. LOSQUADRO:**

Okay. Call the vote.

**CHIEF MOORE:**

Yeah, it is the 311, it's just less expensive.

**LEG. LOSQUADRO:**

Okay.

**CHIEF MOORE:**

The phone company will charge us less for 852•COPS than they would for 311.

**LEG. LOSQUADRO:**

Oh, all right.

**MS. CATES•WILLIAMS:**

Agreed.

**LEG. LOSQUADRO:**

Sounds good to me. Thank you.

**CHAIRMAN EDDINGTON:**

Okay. Well, thank you for that answer; Commissioner Dormer could have never done that. Okay, we have a motion by Legislator •• was it Caracappa?

**LEG. CARACAPPA:**

Sure, why not.

**CHAIRMAN EDDINGTON:**

And a second by me. All those in favor? Opposed? Abstentions?

***Approved (VOTE: 6•0•0•0).***

***IR 2402•06 • Establishing a special imprest petty cash travel expense for the Suffolk County Police Department (County Executive).***

**LEG. BROWNING:**

Hold on, I have an issue with that.

**CHAIRMAN EDDINGTON:**

Legislator Browning, you have a question?

**LEG. BROWNING:**

What is it?

**CHAIRMAN EDDINGTON:**

It's a payment for expenditures already incurred by Police Officers, I believe, right?

**LEG. BROWNING:**

Oh, okay.

**CHIEF MOORE:**

This is actually a very clever accounting mechanism; this allows the Police Department ••

**LEG. CARACAPPA:**

It's called crooked books.

**LEG. LOSQUADRO:**

Like clever to be meaning Three Card Monty?

**CHIEF MOORE:**

No, I said clever. This really allows the Police Department to take advantage of buying discounted tickets, you know, making reservations far in advance of the actual event. Historically, particularly when it comes to training, we get very short notice as to when training opportunities become available and that forces us to buy airline tickets, for example, at much higher rates. Having this money which will be replenished periodically permits us to buy in advance and that's basically it in a nutshell. Again, it allows us to take advantage of preferred, particularly airfare rates.

**LEG. LOSQUADRO:**

Mr. Chairman?

**CHAIRMAN EDDINGTON:**

Legislator Losquadro.

**LEG. LOSQUADRO:**

Does this also allow you to avoid the black hole that is the usual approval process for travel expenditures?

**CHIEF MOORE:**

I don't know. I can't •• I don't know. I believe someone from ••

**P.O. LINDSAY:**

Just an observation, if I might, Mr. Chairman?

**CHAIRMAN EDDINGTON:**

Legislator?

**P.O. LINDSAY:**

If this is the County Executive's bill, the black hole isn't here. So if he's willing to go along with it, I don't have a problem.

**CHAIRMAN EDDINGTON:**

Legislator Caracappa.

**LEG. CARACAPPA:**

Well, as some of my colleagues may or may not know, it's a double sign•off process for a travel voucher for the County Executive and the Presiding Officer. I just want to make sure that the Presiding Officer's authority is still in place here by way of the sign•offs of any travel voucher and the exact cost of what it's costing the taxpayer; I don't want to diminish the role of the Presiding Officer.

**CHAIRMAN EDDINGTON:**

Yes, you have a comment.

**MR. KOVESDY:**

Good afternoon. My name is Allen Kovesdy, I'm with the County Exec's

Office. It still will require sign-offs but it does give the Police Department the ability to get the fares at the cheapest level. They still will have to provide a conference, it will still require the check-offs, but it will allow them to get the tickets at the beginning of the process rather than three months down the line at the most expensive end.

**LEG. CARACAPPA:**

Mr. Chairman? It will all be documented for the travel voucher for the Presiding Officer's review?

**MR. KOVESDY:**

Yes, sir.

**LEG. CARACAPPA:**

Thank you.

**CHAIRMAN EDDINGTON:**

Okay, thank you. I have a motion by Legislator Browning, I'll second that. All those in favor? Opposed? Abstentions? **Approved**  
**(VOTE: 6•0•0•0).**

***IR 2403•06 • Amending the 2006 Capital Budget and Program and appropriating funds in connection with the acquisition of a disaster recovery Project (CP 1729)(County Executive).*** I'll make a motion to approve.

**LEG. BROWNING:**

I'll second that.

**CHAIRMAN EDDINGTON:**

Second by Legislator Browning. All those in favor? Opposed? Abstentions? **Approved (VOTE: 6•0•0•0).**

***IR 2404•06 • Amending the 2006 Capital Budget and Program and appropriating funds in connection with the acquisition of a Cluster Replacement (CP 1789)(County Executive).***

**LEG. LOSQUADRO:**

Is this for computers?

**CHAIRMAN EDDINGTON:**

It's to deal with SEQRA, I think it's furniture and other supplies. Could we have Counsel?

**LEG. LOSQUADRO:**

Perhaps Budget Review knows.

**LEG. HORSLEY:**

Sharon does.

**LEG. LOSQUADRO:**

Oh, well, I'm sure Sharon knows. Commissioner; through the Chair, if I may?

**CHAIRMAN EDDINGTON:**

Yes, absolutely.

**COMMISSIONER CATES • WILLIAMS:**

Good afternoon. Sharon Cates • Williams. A cluster of servers, we're replacing old equipment.

**LEG. LOSQUADRO:**

Okay.

**CHAIRMAN EDDINGTON:**

While you're there, could we just •• Fiber Optic Cable Backbone Project, that's the next one?

**COMMISSIONER CATES • WILLIAMS:**

Yes, that's to connect all of our data centers, Hauppauge, Yaphank and Riverhead, Fiber Optic Cable, it's a higher grain of cable, faster speeds, bandwidth, etcetera; it puts us on the cutting edge.

**CHAIRMAN EDDINGTON:**

Sounds good. Okay, then let's •• IR 2404, do I have a motion?

**LEG. BROWNING:**

Motion.

**CHAIRMAN EDDINGTON:**

Motion by Legislator Browning, second by Legislator Losquadro.

All those in favor? Opposed? Abstentions? **Approved (VOTE: 6•0•0•0).**

***IR 2405•06 • Amending the 2006 Capital Budget and Program and appropriating funds in connection with the acquisition of a Fiber Optic Cable Backbone Project (CP 1794)(County Executive).***

**LEG. BROWNING:**

Motion.

**CHAIRMAN EDDINGTON:**

Legislator Browning and a second by Legislator Losquadro.

All those in favor? Opposed? Abstentions? **Approved (VOTE: 6•0•0•0).**

**LEG. SCHNEIDERMAN:**

Does anybody know what the offsets on those were?

**MR. NOLAN:**

They're just changing the method of financing.

**LEG. CARACAPPA:**

It would need 14 votes on the floor, correct?

**MR. NOLAN:**

That's correct.

**CHAIRMAN EDDINGTON:**

Okay. ***IR 2412•06 • Establishing a Sex Offenders Residence Policy (Losquadro).***

**LEG. LOSQUADRO:**

I'll make the motion and I'll be happy to explain it if I get a ••

I'll make a motion to approve if somebody will second it.

**LEG. CARACAPPA:**

I'll second it for the purposes of discussion.

**CHAIRMAN EDDINGTON:**

Second by Legislator Caracappa.

**LEG. LOSQUADRO:**

This came about from a discussion on Legislator Browning's bill I discussed with Counsel and it was determined that there was a loophole which existed regarding motels, hotels and motels. So I worked with Counsel after that meeting to develop a bill that would close that final loophole and this now accounts for hotels and motels as well to establish the same policy that Legislator Browning established for the rest of the residences. This would be in an area that is zoned residential, if there's a hotel or motel within a residential area it would establish the same policy.

**LEG. SCHNEIDERMAN:**

On the motion.

**CHAIRMAN EDDINGTON:**

On the motion, Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

This applies to hotels that are being used in a residential fashion or does it apply to all hotels? You know, let's say it's hotels being used in a transient fashion. Does the hotel ••

**LEG. LOSQUADRO:**

No, no, if the hotel ••

**LEG. SCHNEIDERMAN:**

•• have to establish whether somebody is a sex offender or not?

**LEG. LOSQUADRO:**

This would be for placement, as Legislator Browning's bill was. This would prevent us from placing more than one individual into a hotel or motel in a residential area, this would be our own internal placement policy.

**LEG. SCHNEIDERMAN:**

Okay, so there's no requirement placed on the hotel, only on DSS?

**LEG. LOSQUADRO:**

No.

**LEG. SCHNEIDERMAN:**

So Counsel, that doesn't •• wouldn't constitute a conflict for me being in the hotel industry; is that correct?

**MR. NOLAN:**

I'd give you an ethics ruling.

**LEG. BROWNING:**

Are you in a residential area?

**LEG. SCHNEIDERMAN:**

No, I am not, but I'm still in the industry.

**MR. NOLAN:**

I would abstain at this level.

**CHAIRMAN EDDINGTON:**

I'm just wondering, Mr. Zwirn, did you have any •• does the County Executive have any concerns?

**MR. ZWIRN:**

I don't think the County Executive is opposed, he just thought that the bill was duplicative, he thought that Legislator Browning's bill had pretty much covered this as well. But we have no •• otherwise, we have no objection to it.

**LEG. LOSQUADRO:**

As I said, this was really an outgrowth of the discussion on the floor in which it was sort of exposed, if you will, that there was this loophole. So I just sought to close it and complete what was originally intended.

**MR. NOLAN:**

Yeah, it's not duplicative because this applies to hotels and motels that may be zoned commercial but are directly adjacent to a residential community.

**MR. ZWIRN:**

The only concern was we didn't know what exactly •• you know, is there a hotel, motel? That would pretty much cover everything, we think.

**LEG. BROWNING:**

I have •• if you don't mind.

**CHAIRMAN EDDINGTON:**

Legislator Browning.

**LEG. BROWNING:**

I do have •• there's a motel down near Smith Point Beach right in the middle of a residential area, there's one on Montauk Highway right adjacent to a residential area, so it would certainly •• I'm going to support it for that reason.

**MR. ZWIRN:**

Yeah, we don't have any objection.

**CHAIRMAN EDDINGTON:**

Okay, thank you very much.

**LEG. SCHNEIDERMAN:**

If the Clerk could note that I'm •• rather than abstain, I'm going to recuse myself at this point until I have a favorable opinion.

**LEG. LOSQUADRO:**

Okay.

**CHAIRMAN EDDINGTON:**

Okay, thank you very much. Okay, then I have a motion from Legislator Losquadro and a second from Legislator Browning. All those in favor? Opposed? Abstentions? **Approved (VOTE: 5/0/1/1 Recusal: Legislator Schneiderman • Not Present: Legislator Vilorio • Fisher).**

**IR 2415•06 • A Charter Law to expand sex offenders notification requirements (Eddington).** I'll make a motion to approve.

**LEG. BROWNING:**

I'll second.

**CHAIRMAN EDDINGTON:**

Second by Legislator Browning.

**LEG. CARACAPPA:**

The hearing is closed on that, Mr. Chairman; we had a hearing already?

**CHAIRMAN EDDINGTON:**

No, I've got to table it. Actually, I'm sorry, I have to table it. Thank you

very much. I'll change that motion to table for a public hearing; I'll will make the motion and Legislator Browning will second that. All those in favor? Opposed? Abstentions? **Tabled**  
**(VOTE: 6•0•0•0).**

***We did the reappointment.***

***IR 2435•06 ••***

**LEG. CARACAPPA:**

Mr. Chairman?

**CHAIRMAN EDDINGTON:**

Yes.

**LEG. CARACAPPA:**

Before you go to 2485, I know you did 2428 at the very beginning of the meeting before I stepped in; I ask to be included with the majority on that vote, if I could?

**CHAIRMAN EDDINGTON:**

Absolutely; if you would please note that.

**LEG. CARACAPPA:**

Thank you.

**CHAIRMAN EDDINGTON:**

***IR 2435•06 • Amending the 2006 Capital Budget and Program, accepting 100% grant funds in the amount of \$58,000 from the New York State Department of Education and appropriating funds for a geographic information systems (GIS) needs assessment study for Suffolk County Government (CP 1741) (County Executive).***

**LEG. LOSQUADRO:**

Motion to approve and place on the Consent Calendar.

**CHAIRMAN EDDINGTON:**

Motion to approve and place on the Consent Calendar ••

**LEG. CARACAPPA:**

That's Danny's line.

**CHAIRMAN EDDINGTON:**

•• by Legislator Losquadro, seconded by Legislator Browning. All those in favor? Opposed? Abstentions? **Approved and placed on the Consent Calendar (VOTE: 6•0•0•1 Not present: Legislator Viloría•Fisher).**

Okay, thank you very much. We're adjourned.

**(\*The meeting was adjourned at 12:41 PM\*)**

**Legislator Jack Eddington, Chairman  
Public Safety & Public Information Committee**

**{ } • Denotes Spelled Phonetically**