

**PUBLIC SAFETY COMMITTEE
OF THE
SUFFOLK COUNTY LEGISLATURE**

Minutes

A regular meeting of the Public Safety 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 Thursday, November 13, 2008, at 9:30 a.m.

MEMBERS PRESENT:

Legislator Jack Eddington, Chairperson
Legislator Wayne Horsley
Legislator Lynne Nowick
Legislator DuWayne Gregory

MEMBERS NOT PRESENT:

Legislator Kate Browning, Vice Chair
Legislator Daniel Losquadro

ALSO IN ATTENDANCE:

George Nolan, Counsel to the Legislature
Paul Perillie, Aide to Majority Caucus
Linda Bay, Aide to Minority Caucus
Robert Calarco, Aide to Legislator Eddington
Bobby Knight, Aide to Presiding Officer Lindsay
Maxvel Rose, Aide to Legislator Gregory
Greg Moran, Aide to Legislator Nowick
John Ortiz, Budget Review Office
Ben Zwirn, Deputy County Executive
Brendan Chamberlain, County Executive's Office
Ed Hennessey, County Executive's Office
Barbara LoMoriello, Deputy Clerk of the Legislature
Debra Alloncius, AME Legislative Director
Robert Anthony Moore, Chief, Suffolk County Police Department
Aristides Mojica, Inspector, SCPD Commissioner's Office
Noel DiGerolamo, Suffolk County PBA
Matt Bogert, 1st VP, Suffolk County Correction Officers Association
Gary Osarczuk, 2nd VP, Suffolk County Correction Officers Association
Joseph Caracappa, Under-Sheriff, Suffolk County Sheriff's Office
Michael Sharkey, Suffolk County Sheriff's Office
John M. Searing, Deputy Commissioner of FRES
Michael Rando, DSPBA
Gail D'Ambrosio, President Elect, SC Probation Officers Association
Daniel delValle, Vice President, SC Probation Officers Association
Hope Collazo, American Red Cross/Community Service Program
Other Interested Parties

MEETING TAKEN BY:

Lucia Braaten, Court Stenographer

[THE MEETING WAS CALLED TO ORDER AT 9:40 A.M.]

CHAIRMAN EDDINGTON:

Good morning. I'm going to start the Public Safety Committee Meeting with the Pledge by Legislator Nowick.

(*Salutation*)

If you could remain standing for a moment of silence for all those that serve our country domestically and abroad.

(*Moment of Silence*)

Thank you. Okay. I just want for the record that Legislator Browning has an excused absence. She has a very important meeting in her District Office. And there's an accident on the Expressway that has delayed Legislator Losquadro. No fault, but don't want to hold everybody up.

Okay. I have no cards. Is there anybody that would like to address the Committee? A beautiful thing. Okay. Let's start with the agenda, then.

I've got ***I.R. 1499 - A Local Law to require the Probation Department Employees use County vehicles while conducting County business.*** I'll make a motion to table for Public Hearing.

LEG. NOWICK:

Second.

CHAIRMAN EDDINGTON:

Second by Legislator Nowick. All those in favor? Opposed? Abstentions? Passed. ***(Vote: Tabled for Public Hearing 4-0-0-2 Not Present: Legs. Browning and Losquadro).***

I.R. 1810 - A Local Law to amend Probation Department fees.

LEG. GREGORY:

Motion.

CHAIRMAN EDDINGTON:

Motion to approve by Legislator Gregory.

LEG. HORSLEY:

Second.

CHAIRMAN EDDINGTON:

Second by Legislator Horsley. All in favor? Opposed? Abstentions? ***(Vote: Approved 4-0-0-2 Not Present: Legs. Browning and Losquadro).***

I.R. 1865 - Establishing the Police Fund Review Committee to examine the impact of escalating Suffolk County Police Department personnel costs on the fiscal stability of the Police Fund. I'll make a motion to table.

LEG. HORSLEY:

Second.

CHAIRMAN EDDINGTON:

Second by Legislator Horsley. All those in favor? Opposed? Abstentions? ***(Vote: Tabled 4-0-0-2 Not Present: Legs. Browning and Losquadro).***

I.R. 1868 - A Local Law clarifying the use of forfeitures under the conviction of the misdemeanor crimes of reckless driving. Do we have anybody from the Attorney's Office here? Okay. Well, then how about -- how about you, George?

MR. NOLAN:

I'll try to help you out.

LEG. NOWICK:

Has the hearing closed on this or --

MR. NOLAN:

It is. I believe that this was actually requested by the District Attorney's Office to clarify the grounds for seizing or forfeiting a vehicle where a reckless driver is involved. And, basically, it clarifies that there has to be a conviction, a prior conviction for reckless driving in order to seize and forfeit a vehicle, as far as subsequent violations, so --

LEG. HORSLEY:

So one conviction.

MR. NOLAN:

Right, one prior conviction is necessary before you take somebody's vehicle and sell it, right.

CHAIRMAN EDDINGTON:

Why -- is it illegal to do it on the first offense?

MR. NOLAN:

Well, I wouldn't say it's necessarily illegal, but all of our forfeiture laws, like, for example, DWI forfeiture, has a prior conviction as a basis for seizing and forfeiting somebody's vehicles. So this is pretty standard with our seizure and forfeiture laws, that there has to be a prior conviction.

CHAIRMAN EDDINGTON:

Gotcha. Okay, thank you. Okay. Then I'll make a motion to approve.

LEG. NOWICK:

I'll second.

CHAIRMAN EDDINGTON:

Second by Legislator Nowick. All those in favor? Did you have a question?

LEG. HORSLEY:

Yeah, there was -- apparently, there was a question being presented to me --

CHAIRMAN EDDINGTON:

Okay.

LEG. HORSLEY:

-- on this, and I guess it was for George.

MS. LOMORIELLO:

You've got to speak into the mike, Wayne.

LEG. HORSLEY:

Okay.

CHAIRMAN EDDINGTON:

Legislator Horsley.

LEG. HORSLEY:

It's early.

CHAIRMAN EDDINGTON:

We move right along. You've got to jump in here quick, you know?

LEG. HORSLEY:

Yeah. I see you're very quick on this, Jack. Apparently, Legislator Cooper wants to know that -- he had a drag racing bill that was on the agenda going back several months ago and he wants to know, does this issue interfere with that drag racing bill; is there any conflicts?

MR. NOLAN:

I don't believe so, but, you know, not having any forewarning of the question --

LEG. HORSLEY:

Nor did I have any forewarning of the question either, so.

MR. NOLAN:

But, no, I don't think they're related.

LEG. HORSLEY:

They're unrelated.

MR. NOLAN:

They're unrelated, as far as I know.

LEG. HORSLEY:

Okay.

CHAIRMAN EDDINGTON:

Okay. Then we have a motion and a second. All those in favor? Opposed? Abstentions? **(Vote: Approved 4-0-0-2 Not Present: Legs. Browning and Losquadro)**

Okay. ***I.R. 1904 - Establishing community safeguards for registered sex offenders placed in emergency housing.*** I'll make a motion to table.

LEG. HORSLEY:

Second.

CHAIRMAN EDDINGTON:

Second by Legislator Horsley. All those in favor? Opposed? Abstentions? **(Vote: Tabled 4-0-0-2 Not Present: Legs. Browning and Losquadro).**

I.R. 1919 - Accepting and appropriate additional funds received from the New York State Division of Criminal Justice Services, District Attorney's Recruitment and Retention Program. I'll make a motion to approve.

LEG. GREGORY:

Second.

CHAIRMAN EDDINGTON:

Second by Legislator Gregory. All those in favor? Opposed? Abstentions? **(Vote: Approved 4-0-0-2 Not Present: Legs. Browning and Losquadro).**

I.R. 1945 - Accepting and appropriating 100% State grant funds awarded through the New York State Division of Criminal Justice Services Bureau of Justice Funding to the Suffolk County Department of Probation. I'll make a motion to approve.

LEG. GREGORY:

Second.

CHAIRMAN EDDINGTON:

Second by Legislator Gregory, and put on the Consent Calendar. All those in favor? Opposed? Abstentions? ***(Vote: Approved 4-0-0-2 Not Present: Legs. Browning and Losquadro)***

CHAIRMAN EDDINGTON:

I.R. 1963 - Authorizing execution of an intermunicipal agreement with the Town of Islip for the use of Town-Owned property at MacArthur Airport during local disasters and other emergencies.

LEG. GREGORY:

Motion.

LEG. HORSLEY:

Motion.

CHAIRMAN EDDINGTON:

Motion to approve by Legislator Gregory, seconded by Legislator Horsley. All those in favor? Opposed? Abstentions? Motion carries. ***(Vote: Approved 4-0-0-2 Not Present: Legs. Browning and Losquadro).***

If no one would like to address the Committee, then I will ask to adjourn. Okay? All right. Have a good day. Thank you very much.

[THE MEETING WAS ADJOURNED AT 9:47 A.M.]