

PUBLIC SAFETY COMMITTEE
OF THE
SUFFOLK COUNTY LEGISLATURE

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 Friday, November 20, 2009, 9:30 a.m..

Members Present:

Legislator Jack Eddington - Chairperson
Legislator DuWayne Gregory - Vice Chair
Legislator Thomas Barraga
Legislator Kate Browning
Legislator Daniel Losquadro

Also in Attendance:

Presiding Officer William Lindsay - District #8
George Nolan - Counsel to the Legislature
Sarah Simpson - Assistant to Counsel of the Legislature
Renee Ortiz - Chief Deputy Clerk/Suffolk County Legislature
Barbara LoMoriello - Deputy Clerk/Suffolk County Legislature
Thomas Muratore - Legislator-Elect/4th Legislative District
Kara Hahn - Director of Communications/PO Lindsay's Office
Michael Pitcher - Aide to Presiding Officer Lindsay
Bobby Knight - Aide to Presiding Officer Lindsay
Michael Cavanagh - Aide to Presiding Officer Lindsay
Gail Vizzini - Director/Budget Review Office
John Ortiz - Senior Budget Analyst/Budget Review Office
Jill Moss - Budget Analyst/Budget Review Office
Laura Halloran - Budget Analyst/Budget Review Office
Ben Zwirn - County Executive's Office
Patrick Heaney - Commissioner/Economic Development
Brendan Chamberlain - County Executive Assistant
Ed Hennessy - County Executive Assistant
Dennis Brown - Bureau Chief/County Attorney's Office
Robert Kearon - Division Bureau Chief/District Attorney's Office
Michael Sharkey - Chief of Staff/Suffolk County Sheriff's Office
Anthony Prudenti - Deputy Sheriff Police Benevolent Association
Joe Williams - Commissioner/Fire, Rescue & Emergency Services
Noel DiGerolamo - 2nd Vice-President/PBA
Tom Titarian - Recording Secretary/PBA
Lou Tutone - 5th Precinct Trustee/PBA
Gail D'Ambrosio - President/Suffolk County Probation Officer's Assoc.
Dot Kerrigan - 4th Precinct/AME
All Other Interested Parties

Verbatim Transcript Prepared By:

Alison Mahoney - Court Stenographer

*(*The meeting was called to order at 9:42 A.M. *)*

CHAIRMAN EDDINGTON:

If everybody would please stand for the Pledge led by Legislator DuWayne Gregory.

Salutation

Please remain standing for a moment of silence for all those that serve our country, both domestically and abroad.

Moment of Silence Observed

Okay. I'll start with the public portion, and I have one card, Thomas Tatarian.

OFFICER TATARIAN:

Thank you. I'm here today representing the Suffolk County PBA and I'm here to thank you for your vote for the hiring of the 200 Police Officers for next year.

For the last year or two, we have been hearing from the County Executive and his representatives and representatives from the Police Department that there are more Police Officers on patrol now than there have ever been. But on a regular basis, we have to use officers from the Precinct COPE, Precinct Crime Section, officers assigned to the Marine Bureau, Applicant Investigations and the newly reinstated Motorcycle Unit has been informed that they, too, will be used to backfill sectors in the precincts. So it is obvious that we do not have enough Police Officers to staff and the 200 hirings for next year is going to make a great difference. And from the members of the Suffolk PBA, I thank you.

Tabled Resolutions

CHAIRMAN EDDINGTON:

Thank you. Is there anybody else who would like to address the committee before we start with the agenda? All right, then let's start with Tabled Resolution ***IR 1485-09 - Adopting Local Law No. -2009, A Charter Law to prevent double taxation for public safety services in certain towns and villages (Romaine)***. I'll make a motion to table

LEG. GREGORY:

Second.

*(*Legislator Losquadro entered the meeting at 9:44 A.M. *)*

CHAIRMAN EDDINGTON:

Second by Legislator Gregory. All those in favor? Opposed? Abstentions? ***Tabled (VOTE: 5-0-0-0)***.

1589-09 - Adopting Local Law No. -2009, A Local Law to ensure the timely filling of vacancies on the Human Right Commission (Montano). I'll make a motion to table.

LEG. GREGORY:

Second.

CHAIRMAN EDDINGTON:

Second by Legislator Gregory. All those in favor? Opposed? Abstentions? ***Tabled (VOTE: 5-0-0-0)***.

1597-09 - To maintain the integrity, continuity and independence of Suffolk County's Community Oriented Police Enforcement (COPE) Units of the Suffolk County Police Department (Kennedy). I'll make a motion to table.

LEG. BARRAGA:

Second.

CHAIRMAN EDDINGTON:

Second by Legislator Barraga. All those in favor? Opposed? Abstentions? **Tabled (VOTE: 5-0-0-0).**

IR 1708-09 - Adopting Local Law No. -2009, A Local Law imposing a surcharge on wireless communications service in the County of Suffolk (County Executive).

LEG. LOSQUADRO:

Motion to table subject to call.

CHAIRMAN EDDINGTON:

Motion to table subject to call by Legislator Losquadro.

LEG. GREGORY:

Second.

CHAIRMAN EDDINGTON:

Second by Legislator Gregory. All those in favor? Opposed? Abstentions? **Tabled Subject to Call (VOTE: 5-0-0-0).**

IR 1860-09 - Directing the Director of Real Property Acquisition and Management to locate property for a police substation in Huntington Station (Cooper). I'll make a motion to table.

LEG. LOSQUADRO:

Subject to call?

CHAIRMAN EDDINGTON:

I don't really -- I'll change it to a motion to --

LEG. LOSQUADRO:

I'll make the motion to table subject to call.

CHAIRMAN EDDINGTON:

Okay, and I'll second that. All those in favor? Opposed? Abstentions? **Tabled Subject to Call (VOTE: 5-0-0-0).**

1895-09 - A Local Law prohibiting sex offenders from living near their victims (D'Amaro).

I'll make a motion to approve.

LEG. BROWNING:

Second.

CHAIRMAN EDDINGTON:

Second by Legislator Browning. All those in favor? Opposed? Abstentions? **Approved (VOTE: 5-0-0-0).**

LEG. BROWNING:

Cosponsor.

CHAIRMAN EDDINGTON:

1924-09 - Amending the 2009 Capital Program and Budget and appropriating funds for the purchase of furniture and equipment for the new Fourth Precinct (CP 3184) (Nowick).
I'll make a motion to table.

LEG. BROWNING:

Second.

LEG. LOSQUADRO:

On the motion.

CHAIRMAN EDDINGTON:

Do I have a second? Second by Legislator Browning. On the motion, Legislator Losquadro.

LEG. LOSQUADRO:

Did we get the updated information we were looking for from the Department of Public Works on this? Because apparently there were two different pieces of information shared between apparently what was given to the County Executive's Office and what was given to the Legislature as far as occupancy date and lead time to secure or procure this equipment.

COMMISSIONER HEANEY:

Good morning. The latest communication that we had was at another committee meeting where we received information from Lou Calderone over at DPW and we were basically told that the IR was premature, that March would be a more appropriate time to consider that. DPW had not done an analysis to determine what type of equipment should be purchased. That was the very last communication we had.

LEG. LOSQUADRO:

The information now is that Department of Public Works has not yet done an analysis on the --

COMMISSIONER HEANEY:

That's what we were told.

LEG. LOSQUADRO:

-- on the needs?

COMMISSIONER HEANEY:

That's what we were told, that it had not been completed.

LEG. LOSQUADRO:

They don't know how many officers, how many desks? I mean, I thought that was already determined, the layout of the building, there's a finite number of rooms that's supposed to house a number of people.

COMMISSIONER HEANEY:

I don't think I would -- I wouldn't disagree with any of that.

LEG. LOSQUADRO:

I thought -- this is another change, another wrinkle, because I thought it was we just didn't know what the occupancy date would be or what the lead time necessary was. So the information now that they don't know what equipment they need, that's the third different thing we've heard now.

COMMISSIONER HEANEY:

Well, some --

LEG. LOSQUADRO:

So I find that actually very difficult to believe, that they don't know what they need. I find it more plausible that they're not exactly sure when they'll need it, but for them to now say they don't know what they need. I'm going to have to make a formal request now to the Department of Public Works, because as far as I knew, they shared that information with Legislator Nowick many moons ago which is why she put in the bill which specified a dollar amount as to what Department of Public Works said they needed to furnish this building.

COMMISSIONER HEANEY:

I hope I have not misspoken and that, in fact --

LEG. LOSQUADRO:

I hope you haven't either, because --

COMMISSIONER HEANEY:

-- that what we were told --

LEG. LOSQUADRO:

I don't know what to make of this now. It's just -- you know, we're getting deeper down the rabbit hole. Do we want the furniture or don't we, do we need it or do we not and when do we need it? So, all right, the next request has to be a formal request now to Department of Public Works. I don't know why anything can't be simple anymore.

CHAIRMAN EDDINGTON:

Okay. Thank you very much. So we have motion to table and a second. All those in favor? Opposed? Abstentions? ***Tabled (VOTE: 5-0-0-0).***

Introductory Resolutions

1939-09 - Approving the reappointment of Richard Sorrentino as a member of the Suffolk County Fire, Rescue and Emergency Services Commission (County Executive).

LEG. BROWNING:

Motion.

CHAIRMAN EDDINGTON:

Motion to approve by Legislator Browning. I'll second that. All those in favor? Opposed? Abstentions? ***Approved (VOTE: 5-0-0-0).***

1940-09 - Approving the reappointment of Frank Thornhill as a member of the Suffolk County Fire, Rescue and Emergency Services Commission (County Executive).

LEG. BROWNING:

Same motion.

CHAIRMAN EDDINGTON:

Same motion, same second. All those in favor? Opposed? Abstentions? ***Approved (VOTE: 5-0-0-0).***

IR 1941-09 - Approving the reappointment of Richard Vella as a member of the Suffolk County Fire, Rescue and Emergency Services Commission (County Executive).

LEG. BROWNING:

Same motion.

CHAIRMAN EDDINGTON:

Same motion, same second. All those in favor? Opposed? Abstentions? **Approved (VOTE: 5-0-0-0).**

IR 1942-09 - Approving the reappointment of Jay Egan as a member of the Suffolk County Fire, Rescue and Emergency Services Commission (County Executive). Same motion, same second. All those in favor? Opposed? Abstentions? **Approved (VOTE: 5-0-0-0).**

IR 1959-09 - Naming the new Fourth Precinct building after Cyril J. Donnelly (Kennedy). I'm going to make a motion to table, this has to go to the Screening Committee. Do I have a second?

LEG. GREGORY:

Second.

CHAIRMAN EDDINGTON:

Second by Legislator Gregory. All those in favor? Opposed? Abstentions? **Tabled (VOTE: 5-0-0-0).**

1973-09 - Amending the 2009 Capital Budget and Program and appropriating funds in connection with replacement and upgrading Mobile Data Terminals (MDT) in Police vehicles (CP 3510) (County Executive). I'll make a make a motion to approve.

LEG. BROWNING:

I'll second.

CHAIRMAN EDDINGTON:

Second by Legislator Browning. All those in favor? Opposed? Abstentions? **Tabled (VOTE: 5-0-0-0).**

IR 1982-09 - Accepting and appropriating 100% Federal 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:

Motion to approve and place on the Consent Calendar.

CHAIRMAN EDDINGTON:

So noted. I'll seconded that. All those in favor? Opposed? Abstentions? **Approved and placed on the Consent Calendar (VOTE: 5-0-0-0).**

IR 2002-09 - Amending the 2009 Capital Budget and Program and appropriating funds in connection with improvements to fire training center (CP 3405) (County Executive).

LEG. BROWNING:

Motion.

CHAIRMAN EDDINGTON:

Motion to approve by Legislator Browning. I'll second that. All those in favor? Opposed? Abstentions? **Approved (VOTE: 5-0-0-0).**

IR 2010-09 - Accepting and appropriating a grant in the amount of \$9,800 from the New York State Governor's Traffic Safety Committee Grant (GTSC FFY2010) Buckle-Up NY Program with 100% support for Sheriff's Traffic Safety Initiative.

LEG. LOSQUADRO:

Motion to approve and place on the Consent Calendar.

CHAIRMAN EDDINGTON:

So noted by Legislator Losquadro. Second? I'll second that.

All those in favor? Opposed? Abstentions? ***Approved and placed on the Consent Calendar (VOTE: 5-0-0-0).***

IR 2011-09 - Accepting and appropriating a grant in the amount of \$488,601 from the United States Department of Justice, Office of Community Oriented Policing Services (COPS), to support the efforts of the Suffolk County Police Department in the areas of monitoring, apprehending, investigating, and prosecuting child sexual predators with 91.98% support (County Executive).

LEG. BROWNING:

Motion.

CHAIRMAN EDDINGTON:

Motion by Legislator Browning.

LEG. LOSQUADRO:

Second.

CHAIRMAN EDDINGTON:

Second by Legislator Losquadro. All those in favor? Opposed? Abstentions? ***Approved (VOTE: 5-0-0-0).***

IR 2012-09 - Accepting and appropriating a grant in the amount of \$130,632 from the United States Department of Homeland Security, Federal Emergency Management Agency, for a Port Security Program with 100% support (County Executive).

LEG. LOSQUADRO:

For the purposes of discussion, I'll make a motion to approve and place on the Consent Calendar because it's a 100% grant.

CHAIRMAN EDDINGTON:

I'll second it.

LEG. LOSQUADRO:

But another Port Security Grant. If we could just get an explanation as to what -- this is the third one we've seen in short order here, I just wonder what this one is.

LEG. LOSQUADRO:

I know the last one was the surface breathing system for the Marine --

MR. ZWIRN:

And it was computer equipment.

MS. BAY:

Is it 2015?

LEG. LOSQUADRO:

2012.

MR. ZWIRN:

It's not --

LEG. LOSQUADRO:

It's great we went paperless, but it makes it more difficult to find things sometimes.

MR. ZWIRN:

It's not --

CHAIRMAN EDDINGTON:

Yeah, but it's not --

CHAIRMAN EDDINGTON:

Just for the record, we have part-time utility Deputy County Executive Ben Zwirn.

*(*Laughter*)*

MR. ZWIRN:

See, they didn't forget. Anyway --

LEG. LOSQUADRO:

Was there a player to be named later in that deal?

(Laughter)

MR. ZWIRN:

I don't know, possibly. It's not -- I don't have specific backup on this, Legislator Losquadro. It's a very generalized backup material here. It talks about specialized equipment which will enhance the Marine Bureau's ability to prevent and respond to Maritime incidents and provide security enhancements. But I'll get -- if we get it to the floor by the General Meeting, I'll have an answer for you.

LEG. LOSQUADRO:

Yeah, I just see -- right, I see just the --

MR. ZWIRN:

Your request is --

LEG. LOSQUADRO:

I see the general equipment line, so I was wondering if there was something more specific.

MR. ZWIRN:

I don't have the backup, but it's certainly a fair question and I'll get the information for you.

LEG. LOSQUADRO:

Okay. All right, thank you. We can proceed with the --

CHAIRMAN EDDINGTON:

Thank you, sir.

LEG. LOSQUADRO:

Do we want to take it off the Consent Calendar?

LEG. BROWNING:

Yeah, I was just going to say, take it off the Consent.

CHAIRMAN EDDINGTON:

Okay, yeah, let's make a --

LEG. LOSQUADRO:

Just a straight -- I'll withdraw that motion and make a motion to approve.

CHAIRMAN EDDINGTON:

Okay. Motion to approve, I'll second that. All those in favor? Opposed? Abstentions? Okay, it passed. **Approved (VOTE: 5-0-0-0).**

IR 2013-09 - Accepting and appropriating a grant in the amount of \$87,330 from the State of New York Governor's Traffic Safety Committee, to enforce motor vehicle passenger restraint regulations with 85.14% support (County Executive). I'll make a motion to approve.

LEG. BROWNING:

Second.

CHAIRMAN EDDINGTON:

Second by Legislator Browning.

LEG. LOSQUADRO:

Just on the motion.

CHAIRMAN EDDINGTON:

On the motion, Legislator Losquadro.

LEG. LOSQUADRO:

I guess this is different than the Buckle Up NY Program, the Motor Vehicle Passenger Restraint Regulations; I guess it's not part of the same grant program, or does this one have a County share and that's what makes it different? We had IR -- where was it? IR 2010 was a grant for the Buckle Up NY Program and I guess this is also Buckle Up NY, I guess it's a different program that has a County share; is that correct?

MR. ZWIRN:

It doesn't indicate the program, but most of these grants, and this one included, is for overtime for seatbelt enforcement. But it is part of the Governor's Traffic Safety Committee, the Buckle Up Program.

LEG. LOSQUADRO:

Right. The only thing that stood out to me was the other one was 100% State funded and this one is 85%. So under the same program, I was wondering if it was just --

MR. ZWIRN:

I just think some of the grants --

LEG. LOSQUADRO:

-- eligible for 100% funding on this one or if this was just a different program.

MR. ZWIRN:

I think it's probably a different grant under the same program and we take as many of those grants, obviously, as we can.

LEG. LOSQUADRO:

Oh, absolutely. All right, thank you.

CHAIRMAN EDDINGTON:

Okay. We have a motion and a second. All those in favor? Opposed? Abstentions? **Approved**

(VOTE: 5-0-0-0).

2014-09 - Accepting and appropriating a grant award in the amount of \$100,000 in State funding from the State of New York Division of Criminal Justice Services for the Suffolk County Police Department's First Precinct Gang Task Force 2009 with 100% support (County Executive). I'll make a motion to approve.

*(*Presiding Officer Lindsay entered the meeting at 9:44 A.M. *)*

LEG. GREGORY:

Second and --

CHAIRMAN EDDINGTON:

Second by Legislator Gregory.

LEG. GREGORY:

On the motion?

CHAIRMAN EDDINGTON:

And on the motion.

LEG. LOSQUADRO:

On the motion, also?

LEG. GREGORY:

Mr. Chair, through the Chair, to Mr. Zwirn?

MR. ZWIRN:

I have Ed Hennessy from our IR office here, he asked this question himself, so I'll let him give you the answer.

LEG. GREGORY:

I didn't ask the question.

MR. ZWIRN:

I know what it's going to be about.

LEG. GREGORY:

On the grant -- this is an annual grant that we get. My concern is, and I voiced it to the Commissioner myself and the Commanding Officer Gigante about the funding and the way the new task force has been reassigned, how would that impact on the funding, because it's specifically for the 1st Precinct. And if those officers, those gang officers are being deployed in other precincts throughout the County, how is that going to impact the funding from the State?

MR. ZWIRN:

It shouldn't have any impact on the funding from the State.

LEG. GREGORY:

But there is no -- from what I understand, there is no -- there isn't a 1st Precinct Gang Task Force. Those members that were a part of the task force are now being reassigned to this County-wide task force that's being deployed not only in the 1st Precinct but the 2nd, 3rd and --

MR. ZWIRN:

But the grant money itself will not be affected because it has -- it is bond just for that purpose. I mean, it can be used for other things as well. It's not solely dedicated to gang issues, but -- the grant itself will not be in jeopardy. You were just saying -- I think your next question was going to be how is the grant going to be expended?

LEG. GREGORY:

Right, exactly. So if it's not just for gang use, what's it -- because my conversation with Assemblyman Sweeney is that it is for gang use, it may be for overtime, but it's specifically for overtime related to the gang -- the task force, the gang task force members.

MR. ZWIRN:

Well, it's a fair question. And again, I would say let's move it to the floor and then we'll get that information for you specifically well before the meeting. So if there are any additional questions, you'll be able to ask at the General Meeting.

LEG. GREGORY:

Okay. All right, I'm just concerned, I don't want us to jeopardize, you know, any funding that we may have. Thank you, Mr. Chair.

CHAIRMAN EDDINGTON:

Okay. Legislator Losquadro.

LEG. LOSQUADRO:

That was going to be the obvious question I had, is that we don't have a 1st Precinct Gang Task Force. We've seen the way that grants are written; you know, we've dealt with it with the HOV grant, we've seen other State grants. If they're not worded properly, if they're not for a specific purpose, we could jeopardize the grant anyway. So this is of -- this is of great concern to me.

If we want to say for our Gang Task Force, you know, and then specify it to be used in the areas area of the 1st Precinct, I think that's being more honest with the situation being that we did switch to this County-wide gang task force. So I just want to be very careful about how we proceed with this and make sure that it's worded properly, that we don't wind up accidentally losing this after the fact. So if we want to use it towards activities in the 1st Precinct, that's fine. But if we're planning on just using it in the 1st Precinct and not necessarily for gang related issues, I think that's a whole nother (sic) issue entirely and it's something that might not be allowable under this particular grant program.

So again, this is something that even though it's 100% sport, I think we need additional information and we should not place it on the Consent Calendar.

MR. ZWIRN:

And if I just might add. Historically, this funding has been used by COPE with support from the Gang Unit. There was a question raised, now that we have centralized unit, will that have an impact, and the answer from the analyst with respect to the grant was no, so that the grant will not be jeopardized. But I respectfully understand your question and we'll get it a more definitive answer.

LEG. LOSQUADRO:

See, that's new information. Thank you.

MR. ZWIRN:

Well, you never know what you could learn at a committee meeting.

CHAIRMAN EDDINGTON:

Okay. So we have a motion and a second.

LEG. LOSQUADRO:

Just to approve, right?

CHAIRMAN EDDINGTON:

Correct. All those in favor? Opposed? Abstentions? **Approved**
(VOTE: 5-0-0-0). You seemed very surprised when you got an answer there, Legislator.

LEG. LOSQUADRO:

I was.

CHAIRMAN EDDINGTON:

IR 2015-09 - Accepting and appropriating \$20,427 in sub-granted funds from the Economic Opportunity Council of Suffolk, Inc., for the Wyandanch Weed and Seed Program sponsored by the U. S. Department of Justice with 85.14% support (County Executive).

LEG. GREGORY:

Motion

LEG. LOSQUADRO:

Second.

CHAIRMAN EDDINGTON:

Motion by Legislator Gregory, second by Legislator Losquadro.
All those in favor? Opposed? Abstentions? **Approved (VOTE: 5-0-0-0)**.

IR 2054-09 - Accepting and appropriating 100% Federal pass-through grant funds from the NYS Office of Homeland Security (OHS) in the amount of \$50,000 for "Creation of Explosive Detection Canine Team" under Homeland Security 2009 Explosive Detection Canine Team Grant Program to be administered by the Suffolk County Sheriff's Office in partnership with the Nassau County Sheriff's Office (County Executive). I'm going to make a motion to table for discussion. Do I have a second?

LEG. LOSQUADRO:

I'll second for the purposes of discussion.

CHAIRMAN EDDINGTON:

Okay. I'd like to have some more information on -- is this a one-shot; are we going to have to take over the responsibility, what does it entail, car, officer, dog? Give me some information about this.

LEG. LOSQUADRO:

And Mr. Chairman, as Mike is coming forward, that was going to be my question. If we create a new unit where one does not -- please, come forward. Thank you -- where one does not exist now, again, the responsibility moving forward becomes whose? Do we have to then be responsible for maintaining this? It's a big investment to get something like this started.

CHIEF SHARKEY:

Just to be clear, we -- at the Sheriff's Office, we have operated four K-9 units.

LEG. LOSQUADRO:

Right.

CHIEF SHARKEY:

Three Deputy Sheriff K-9 Units and one Corrections K-9 Unit. Over the last two years, the Deputy Sheriff K-9s have come to the age of retirement; two of them retired and we replaced last year and this dog will replace a dog that was retired earlier this year. So there's no additional team, this is a replacement team.

LEG. LOSQUADRO:

Mr. Chairman, if you have a question, I'll wait.

CHAIRMAN EDDINGTON:

I just wanted to ask, is this -- this seems to be an expansion of the scope of service because you haven't had bomb detection dogs in the past; is that correct?

CHIEF SHARKEY:

Our dogs in the past have all been patrol, full-service patrol dogs with the enhanced ability to detect narcotics. We have not, in fact, had explosive-detecting dogs earlier and this would be an enhancement of our abilities.

CHAIRMAN EDDINGTON:

Is there any other talk about the Park Police or the PD, are you familiar with any of those groups having bomb-detection capabilities?

CHIEF SHARKEY:

I'm quite sure that the Suffolk County Police Department has bomb detection capabilities.

CHAIRMAN EDDINGTON:

Okay. And part of the reason I ask you is that I think a cycle or two ago, the Police Department decided not to accept a grant for training for K-9 units to do this very thing. So that's why I'm questioning why we're doing this and is this going to end up costing? Because the argument was that it was going to set up a training and then we would have to provide yearly support and I want to make sure that this isn't the same -- I want to have one criteria for all public safety groups.

CHIEF SHARKEY:

I can't speak definitively as to what grant the Suffolk County Police Department was or was not going to apply for. I do know that when our dog was retired, we began looking for a funding stream to replace the team at the least cost to the County and you certainly don't get any less cost to the County than free.

CHAIRMAN EDDINGTON:

Free for now. That's what I'm asking you.

CHIEF SHARKEY:

It's --

CHAIRMAN EDDINGTON:

Free for now, free forever?

CHIEF SHARKEY:

What I'm telling you is this does not address salary, this is replacing. We have a -- three budgeted Deputy Sheriff K-9's, we're replacing this dog; regardless of whether it's through this grant or not, we're replacing this dog. This is the least expensive way to do it.

LEG. LOSQUADRO:

Mr. Chairman?

CHAIRMAN EDDINGTON:

Legislator Losquadro.

LEG. LOSQUADRO:

I understand that, and I'm sure the Chairman does also. But the question is as a condition of this grant, will this dog be, in perpetuity, required to maintain this bomb detection ability, certification, if you will? And does that require an additional level or a heightened level of training? I'm sure it

does, these dogs undergo constant training and recertification, and I think we remember very clearly the Police Commissioner sitting here in front of us and telling us why it wasn't a good idea for the Police Department to have this.

CHIEF SHARKEY:

I believe I may have been here during that same meeting and I believe that the -- I don't want to over step because I'm not sure exactly what their grant was addressing, but I believe that that was for additional K-9 units, not replacement K-9 units.

LEG. LOSQUADRO:

To the first part of my question about the -- because it is a heightened service that this particular animal will provide, does the grant require that, moving forward, the dog obviously -- I'm sure it would, to maintain that qualification, that ability; does the grant require that? And if so, how much additional training would that be?

CHIEF SHARKEY:

I can't say specifically, but I can't image why we would want to obtain a dog and let training drop. We have to certify our other dogs in narcotics annually as well. I can't understand why we would accept a dog and not want to continue.

LEG. LOSQUADRO:

It doesn't make any sense to me either. But what I'm wondering is if we're paying for those dogs to have certain abilities now and there's a certain training regimen, it would -- it would follow that an additional ability that the dog has would require additional training.

CHIEF SHARKEY:

Maybe I could put this to bed for you now. Our existing K-9s and any replacements have all been paid for, training, annuals have all been paid for through Asset Forfeiture money prior to this.

LEG. LOSQUADRO:

Okay.

CHAIRMAN EDDINGTON:

Well, I have a motion to table. Any other motions?

MR. ZWIRN:

Mr. Chairman?

CHAIRMAN EDDINGTON:

Yes. Mr. Zwirn?

MR. ZWIRN:

I would suggest that, if at all possible, get this to the full Legislature at least. This is a \$50,000, 100% grant. It is so hard for us to get money from the State and Federal government to offset County tax dollars, I think it would be -- you know, can you imagine if we lost this grant? You know, the Sheriff's Office is a General Fund tax obligation, so everybody in the County, from Montauk to, you know, Huntington has access to this. You don't have to be in the Police District to have access to these dogs. Some of the smaller Police Districts probably do not have dogs that could handle this type of work.

So I think before, you know, we just table it, I would ask to at least get it to the floor so that we can have a further debate before the entire Legislature, because there might be others out there who represent other parts of the County who might think this is a very worth while grant.

LEG. BROWNING:

Jack?

CHAIRMAN EDDINGTON:

Legislator Browning.

LEG. BROWNING:

Before you go anywhere, you know, I'd like to know -- you know, I think you had said that you have some dogs that do some bomb work.

LEG. LOSQUADRO:

No.

LEG. BROWNING:

You never did.

CHAIRMAN EDDINGTON:

Narcotics.

LEG. BROWNING:

Okay, sorry. I thought you said you did. See, that's my concern, is we had the Commissioner said -- you know, we denied a grant and now the Sheriffs are getting a grant. And the concern is is that with all of the agreements that have been going on, you know, it's taking work away from another unit, from another bargaining unit; that's one of my concerns.

MR. ZWIRN:

But this is -- again, Legislator Browning, this is a General Fund -- this would go into the General Fund, not into the Police District. And not every Police Department has, you know, across the County taxpayers in districts that have their own Police Departments. The Villages in Amityville, for example, it's not the Police Department that controls it. The Sheriff's Office would be available to the people in the Town of Amityville. Not to say that the Police Department wouldn't respond, but there could be a chargeback; this would be coming out of their General Fund property taxes. You know, I just --

LEG. LOSQUADRO:

Jack?

MR. ZWIRN:

I think this would be a mistake not to accept this money. If you have further questions you want to raise at the General Meeting, but I can't imagine -- you know, some other municipality is going to grab this money in a nano second.

CHAIRMAN EDDINGTON:

And what's -- is this like if it's not done right now? What about in our next cycle?

MR. ZWIRN:

Well, it --

CHAIRMAN EDDINGTON:

Because then we could have all the questions answered, which is a nice thing, to vote on stuff when you have all the answers.

MR. ZWIRN:

Well, I don't think -- we have most of the answers for you. I don't know what the --

CHAIRMAN EDDINGTON:

Oh, I'm sorry. I didn't hear the answer to who's going to -- is this 100% free now or 100% free

from now on? In other words, we're not going to have to pay --

MR. ZWIRN:

Well, we can apply for grants going forward, but this grant is 100% right now. So you have 100% --

CHAIRMAN EDDINGTON:

Well, I guess the same logic was used in the reverse when we were talking about getting K-9's for the airport. Because we were saying it will do it now but in the future we will have to take the responsibility and we weren't really given the choice to make that decision. So we just dropped the grant, which would have been nice if we had the choice then. Legislator Browning.

LEG. BROWNING:

Yeah, I know we have a -- one of the PBA reps is with the K-9 Unit. But also -- because I understand that I believe the Suffolk County Police Department currently services all the towns and villages when it's needed with the K-9 for the bomb issue. John, can you give us some information on this?

MR. ORTIZ:

What exactly do you want?

LEG. BROWNING:

Well, I'm assuming that you would know what this grant is about, what the Sheriff have, what they're working on.

MR. ORTIZ:

I agree with Chief-of-Staff Sharkey, the information he gave you about their existing teams. I believe it's a nine year-old dog that's going to be retiring, so this is a replacement dog. It pays for a kennel and a K-9 ready vehicle, which is almost a bonus, to replace an older vehicle. It also provides overtime for travel and training. So it pretty much covers all the bases. And like Mr. Zwirn has stated, this is, you know, replacement money for -- instead of using Asset Forfeiture funds that can be used for something else, we can take this funding and replace the dog, the car and the kennel.

LEG. BROWNING:

I just -- I don't want us to be going down that road again where we're going to hear that the Sheriff's Department is taking over work from the Police Department. And I think -- you know, I always believe in getting everything in writing. And if we were to get that commitment, I mean, I would support a discharge without recommendation, but I want to know that definitely this is not going to happen, that we're going to be taking away from another department or another unit.

CHAIRMAN EDDINGTON:

Legislator Losquadro.

LEG. LOSQUADRO:

Thank you. I just want to go to something Mr. Zwirn said, and Legislator Browning touched on it. I mean, I know the duties that SCPD K-9 provides and I know they're County-wide and I know those guys run hard all across the County. So, I mean, I wasn't going to bring that issue up, but if you do get to that, I mean, since you raised it, isn't it a duplication of services at that point?

MR. ZWIRN:

Not necessarily, no. But you have -- but you do have different jurisdictions; the Suffolk County Police District handles the five west end towns --

LEG. LOSQUADRO:

I don't want to interrupt you, but I just said K-9 covers County-wide, do they not?

MR. ZWIRN:

Right, but there would have to be a charge back.

LEG. LOSQUADRO:

They do it now, don't they?

MR. ZWIRN:

But there would have to be a charge back to that tax base to be done properly, there would have to be an adjustment. This would be in a General Fund which would be available --

LEG. LOSQUADRO:

And that's not done?

MR. ZWIRN:

I assume it is done, but this is --

LEG. LOSQUADRO:

Yeah, so the work is being done now.

MR. ZWIRN:

But wouldn't it make sense to -- it would make sense to me, anyway, that we would support something like this. That even if you had an additional dog within the department that could go County-wide --

LEG. LOSQUADRO:

But you keep making the statement as though it's not being done now, they could go County-wide, we're already working County-wide; are we not?

MR. ZWIRN:

You --

LEG. LOSQUADRO:

It's just a yes or no. I'm not trying to be combative here, I'm just asking you a simple question.

MR. ZWIRN:

But you're asking a question that doesn't go to the point of how it's paid for. The answer is yes, in an emergency situation it's all-hands-on-deck.

LEG. LOSQUADRO:

No, not an emergency. Any situation --

MR. ZWIRN:

Well, this would be an emergency situation when you have --

LEG. LOSQUADRO:

Any situation is an emergency situation when K-9 is called, is it not?

MR. ZWIRN:

-- when you have a K-9 Unit that's looking for explosives is an emergency situation.

LEG. LOSQUADRO:

This is sort of like *A Few Good Men*; "Are we clear? Crystal." You know, "Is there any other sort of danger? No." If K-9 is being called, it's an emergency situation.

MR. ZWIRN:

Well, I --

LEG. LOSQUADRO:

So, I mean, I think that that's pretty clear. And right now when they're called, yes, it's an emergency situation, we can all agree on that.

MR. ZWIRN:

This is a \$50,000 grant that would go for --

LEG. LOSQUADRO:

We're not arguing semantics here.

MR. ZWIRN:

-- a K-9 Unit for explosives --

CHAIRMAN EDDINGTON:

Okay. You know what? Let's --

MR. ZWIRN:

-- and this committee is going to say table it; that's fine.

CHAIRMAN EDDINGTON:

I hear you. Here's what I'm going to ask, if my committee will allow it. I believe that Officer Tataran (sic) is a K-9 Unit person? Could you come up and answer? I hate to put you on the spot, but you seem to have the answer that we might be looking for here.

LEG. LOSQUADRO:

It's Tatarian.

CHAIRMAN EDDINGTON:

Taran, I'm sorry.

LEG. LOSQUADRO:

Tatarian.

CHAIRMAN EDDINGTON:

Tarian, sorry.

OFFICER TATARIAN:

Close enough.

CHIEF SHARKEY:

Chairman Eddington?

CHAIRMAN EDDINGTON:

Yes.

CHIEF SHARKEY:

Chairman Eddington, I'm here.

CHAIRMAN EDDINGTON:

Yes.

CHIEF SHARKEY:

I just want to make something clear. When we applied for this grant, our intention was to enhance our own abilities, not to broaden our horizons for someone else's, so let's be clear on that. Our intention is to enhance our own abilities. We have our own Homeland Security responsibilities, we have to protect Correctional facilities in the County. Okay? This is to enhance our own abilities.

CHAIRMAN EDDINGTON:

You're right, but you have to understand that the Legislature has watched the enhancement of your department's abilities in other areas. And so we're just trying to make sure that public safety is the number one concern and that we're not duplicating services and having one department do something that the other department is doing, and I would rather enhance that department who's been doing it for a long time. So that's really what I'm trying to get at and that's what I'm hearing from many of the Legislators here. Officer, could you respond to what kind of K-9 units do we have?

OFFICER TATARIAN:

All right. At present the Suffolk County PD has six trained bomb detection dogs. We also have a State certified bomb detection trainer. We do provide bomb detection services for the entire County, we always have; we do that in unison with the Emergency Services Bomb Unit.

Protocol established by the International Association of Bomb Technicians dictates that a bomb dog must have a bomb technician with him. The simple reasoning is if you find a bomb, what do you do with it if there's no one there to diffuse it? The Town of Riverhead has two K-9's, the Town of Southold has a K-9 and the Village of Southampton. We train all of them and none of them have requested a bomb dog because they already get the service provided by us, by the County PD. They have narcotic detection dogs in Southold and Riverhead but, again, no one has asked for a bomb detection dog because it's a service we already provide. We do in-service training twice a week, everything is done here in Suffolk County because, as I stated, we have a State certified bomb detection trainer already on our staff.

CHAIRMAN EDDINGTON:

Okay. Any other questions? Legislator Gregory.

LEG. GREGORY:

My question is -- and I don't know if I go to Ben Zwirn or maybe John Ortiz -- with the grant that was turned down or that we didn't apply for for Suffolk County PD and this grant, is it similar, do they mirror each other, are there some differences; are you familiar with them both?

MR. ORTIZ:

There's a large difference because the one for the Police Department was giving \$40,000 per officer to do specific expanded functions that identified terrorist spots; it was making the Police Department do more. And what they said was the \$40,000 was going to cost them \$150,000 because they were going to have to add more officers, more dogs, so it wasn't cost effective. And of course, it was going to have to pull guys out of Patrol to do it, which of course the Police Department doesn't like to do. This is a replacement and, like I said before, it's -- instead of using the Asset Forfeiture money, we're getting money from the Feds.

LEG. LOSQUADRO:

Jack?

LEG. GREGORY:

Okay. So if I may, it's -- so it's not necessarily apples to apples because you're talking personnel as opposed to K-9's. Okay. But I am concerned that -- I don't want to get in the middle of a battle between the Sheriff's Office and the Police Department, or perceived battle, about expansion of services and taking from one department and giving it to another, I have concerns about that; I don't know if those concerns have been addressed.

CHAIRMAN EDDINGTON:

Legislator Losquadro.

LEG. LOSQUADRO:

Thank you. I think we're getting a little far afield here. I wanted to go back to one point that Mr. Tatarian brought up which I was not aware of. It stands to reason, and it makes perfect sense now

that you said it, that having a bomb dog requires having a bomb tech, and I'm assuming all the associated support services that go along with that, correct?

OFFICER TATARIAN:

Yes, that's correct. You would have to get someone from ES, Emergency Services, here to tell you, but there is an extensive list that they must have in order to get certified as a bomb technician, including the disposal unit and their training which I cannot, you know, testify to.

LEG. LOSQUADRO:

So these were the type of things I was trying to get to as to what additional costs might come as a result of moving in this direction with another branch of public safety. Does the Sheriff's Department currently have a bomb disposal unit or bomb technicians?

CHIEF SHARKEY:

No. If, in fact, a situation arose where there was a explosive device found, we would call the Suffolk County Police Department.

LEG. LOSQUADRO:

But according to the standards that were just presented to us, you have to have -- I believe that was what we were just told is that you have to have a bomb technician, was it available or assigned to that? How does that -- how do those standards work?

OFFICER TATARIAN:

Our operating procedure with the Suffolk County Police Department is Emergency Service bomb technician must be on scene before we even commence a search.

LEG. LOSQUADRO:

And those are the accepted standards when operating in this field with bomb detection dogs?

OFFICER TATARIAN:

Yes, it is.

LEG. LOSQUADRO:

So to follow that protocol, Suffolk County PD would have to be on-site already before you even commenced operations. To me it seems like either the Sheriff's Department would have to expand their services further with a bomb detection unit, or and a bomb disposal unit, bomb techs, or SCPD would have to be on-site already to perform this. I mean, these are the type of questions -- again, I'm not trying to be combative here, we're just trying to get answers because it seems that there's, you know, maybe inadvertently, but it seems as though this is going to run further than it's possibly intended.

CHIEF SHARKEY:

Legislator, not that I want to get into a three-way discussion here --

LEG. LOSQUADRO:

Absolutely.

CHIEF SHARKEY:

-- but I would say the majority of what we would be doing would be screening at our facilities and possibly at truck inspections. I don't know if the requirements and protocols that Police Officer Tatarian is referring to applied to screenings, I'm not prepared to fully discuss that, but we have no intention of --

LEG. LOSQUADRO:

Nor do I.

CHIEF SHARKEY:

We have no intention of expanding into bomb technicians, etcetera, disposal units; that's a huge investment.

LEG. LOSQUADRO:

Absolutely, which is why it seemed --

LEG. LINDSAY:

Jack?

LEG. LOSQUADRO:

-- a bit concerning when Mr. Zwirn started talking about County-wide services and services to other Police Districts that would be provided. Because it seems as though there would be a lot more to this than simply getting a grant for a single dog, which I perfectly understand. Of course, why would you want to make that investment when, you know, you can get it for free? But it seems as though there would be more to it.

Now, would -- and again, you may not be prepared to speak to this now, but would the Sheriff's Department contract with the certified trainer in the SCPD to conduct the regular training which sounds like takes place weekly, or would they be looking to contract to a private vendor, an out-of-state vendor? Do you know what you're looking to do with that, being that we have someone on staff already?

CHIEF SHARKEY:

At this point, the only training we've looked into extensively is the initial training which the grant requires be provided by a New York State provider.

CHAIRMAN EDDINGTON:

Presiding Officer Lindsay.

P.O. LINDSAY:

I'm confused. Forgive me, I had to step out of the room to take a phone call. We're retiring a dog --

CHIEF SHARKEY:

Yes.

P.O. LINDSAY:

-- and the grant is to replace the dog.

CHIEF SHARKEY:

Yes.

P.O. LINDSAY:

Okay. And the dog that's retiring, what skills does that dog have?

CHIEF SHARKEY:

The dog that's retiring was a full-service patrol dog with the enhanced certification of narcotics detection.

P.O. LINDSAY:

Okay. Can we get the grant just to replace the dog and forget about the bomb stuff.

CHIEF SHARKEY:

This grant was specifically targeting agencies that did not have bomb detection capabilities.

P.O. LINDSAY:

So the answer is no, we can't get the grant unless it has bomb detection capabilities?

CHIEF SHARKEY:

The dog, under this grant, has to have that ability.

P.O. LINDSAY:

Will the dog also have narcotics abilities?

CHIEF SHARKEY:

No, it won't. You can't cross-train in those two, it's many different scents that they have to be sensitive to.

P.O. LINDSAY:

So we're going to lose the capability of the dog for patrol and narcotics capabilities.

CHIEF SHARKEY:

We have two additional narcotics certified dogs.

P.O. LINDSAY:

I mean, Mike, most of the time we use the narcotic sniffing dogs in the prison and stuff like that to sniff out narcotics and stuff like that?

CHIEF SHARKEY:

They are used there, but they're also used on the road.

P.O. LINDSAY:

On the road, okay. I mean, I'd like the replacement dog. I just -- but it seems we're going in a different direction and we're losing the capability of patrol.

CHIEF SHARKEY:

This dog will be a full-service patrol dog. It has the enhanced ability for explosive detection.

P.O. LINDSAY:

But it won't have the capability of sniffing out narcotics.

CHIEF SHARKEY:

We still have other dogs that will have that capability

LEG. BARRAGA:

Just let me get this straight.

P.O. LINDSAY:

It's just confusing.

CHAIRMAN EDDINGTON:

Legislator Barraga.

LEG. BARRAGA:

So the dog that's retiring, if you didn't have the grant and you had to replace the dog, even with narcotic capability, you'd be spending upwards of \$50,000, or close to it.

CHIEF SHARKEY:

Yes, yes. We've --

LEG. BARRAGA:

Okay. So at least you're getting another dog, but it will have full patrol capabilities with explosive expertise, and you have \$50,000 and you still have two other dogs for narcotics work.

CHIEF SHARKEY:

Yes, that's correct.

LEG. BARRAGA:

As I understand it; correct?

CHIEF SHARKEY:

Yes.

LEG. BARRAGA:

So at least you're getting 50,000, otherwise you'd have to expend the 50,000 to replace the dog that's retiring to give it full patrol capabilities plus narcotics capabilities.

CHIEF SHARKEY:

Yes. We began searching for the best funding stream to replace this dog earlier in the year.

LEG. BARRAGA:

So one comes out of your budget, the other is the State, or in this particular case the -- is it the Federal Government that's appropriating the 50,000?

MR. ZWIRN:

Yes.

LEG. BROWNING:

It's a pass-thru.

LEG. BARRAGA:

Right, it's a pass-thru. But at least you're getting the money from some other level of government as opposed to putting the dollars up at the Local level to replace the existing dog.

CHIEF SHARKEY:

Yes. As I said earlier, either way we have to replace this dog.

LEG. BARRAGA:

Right. So one way it's 50,000 out of our pocket; the other way, with explosive capabilities, full patrol capabilities, it's 50,000 as a pass-thru; correct?

CHIEF SHARKEY:

Yes, that's correct.

LEG. BARRAGA:

Thank you.

LEG. LOSQUADRO:

Jack?

CHAIRMAN EDDINGTON:

Legislator Losquadro.

LEG. LOSQUADRO:

I just don't want to -- believe me, I understand that point perfectly. And back to the conversation that we had, my concern is not that, because if it was that simple I wouldn't have any concern.

Again, without knowing exactly what these protocols are, and even the Sheriff's Office said they can't speak exactly to what the protocols are, they do not have the other side of the capability with the bomb unit; not having that may not allow them to even perform these functions even if it is simple screening, I don't know that. So I think we need a more accurate analysis of what this is going to cost in the long run before we make a determination to accept this and, you know, it could be penny-wise and pound foolish; that's my only point in this.

LEG. GREGORY:

I have one more question.

CHAIRMAN EDDINGTON:

One more question, Legislator Gregory.

LEG. GREGORY:

I know back in -- this term full service has been mentioned; what does a full service dog mean? What are the capabilities of a full service dog?

CHIEF SHARKEY:

It initially does tracking and apprehension.

LEG. GREGORY:

Okay. So most dogs are, if not all dogs, have that capability, then some have narcotics ability and some have bomb sniffing ability, okay. So in number, you will have the same compliment that this bill -- whether it's four dogs or five or whatever it is, but in abilities you'll have one less in narcotics abilities but you'll have an expansion of a service that you've never had and that is by way of bomb sniffing capability, or explosive capability.

CHIEF SHARKEY:

Yes.

LEG. GREGORY:

And I think that's where the concern lies.

CHAIRMAN EDDINGTON:

Then here's what I'm going to -- there's a motion to table and a second. We have another cycle in December, so that we can approve it in a timely fashion. I'm going to ask you to give us, for the next meeting, a five-year cost benefit analysis. I'm sure there has to be one out there because that's what I've seen over and over again, that it's free today, as Legislator Barraga made it very clear, and we don't want to look a gift horse in the mouth, but is it going to cost us \$50,000 every year or a hundred thousand? We're not able to articulate that today, and so that's all I think we're asking for.

CHIEF SHARKEY:

I think I spoke to that earlier when I -- we run a K-9 program in Suffolk County for as long -- longer than I've been on the job, which is over 20 years, and it's always been operated at -- other than salaries. At no cost to the County. It's been operated, as long as I've been here, all of the training and initial purchasing and replacements of K-9 animals has been done out of Asset Forfeiture. And our intention going forward is any expenses related to this dog and our other dogs, whether it be annual recertification, in-service training, etcetera, will be paid for out of Asset Forfeiture Funds. So in short, what I'm saying is this is paying for replacement, salaries for these officers are already in the budget, so there is no additional cost that is going to be borne by the County going forward.

CHAIRMAN EDDINGTON:

Legislator Losquadro.

LEG. LOSQUADRO:

Thank you. In that budget analysis, cost analysis of this -- and Asset Forfeiture is still monies, it's

just cost shifting; it's monies we could spend on other things. So it's really not free to us, it's money that comes into the County's coffers that we could spend on something else if we didn't spend it on this. So we still want to see that analysis of what the cost is, because if it's going to suck up a larger amount of Asset Forfeiture money, I still think it's something we should know because that's money that maybe won't be expended someplace else in Asset Forfeiture money that we could provide other equipment to the Sheriff's Office at no cost to taxpayers. So it's of great concern to us what the ongoing cost, especially as I mentioned before, what the plans for the training would be, being that you do not have a trainer with the certification, what the plans for the ongoing training for this animal would be and what the cost would be.

So again, it's something that we need to see because we need to make an accurate determination as to how much money -- as you said, technically it's at no cost to the taxpayers, but if it uses up more, well, maybe we'll have to spend someplace else -- more someplace else if we have less available in that Asset Forfeiture pool. So that's what the Chairman asked for and I would just like to see that component added to the analysis about the training.

CHIEF SHARKEY:

Legislator Losquadro, I can tell you certainly that if this grant is not accepted, our Asset Forfeiture Account will be drained by approximately \$50,000, currently, to replace the dog.

LEG. LOSQUADRO:

And we may look at the analysis and decide that in the long-term that maybe -- that may actually cost less out of that fund than going down this route if the protocols say you have to add other enhanced capabilities or the ongoing training costs, to have one dog with this capability are going to exceed that initial investment. So again, it could be penny-wise and pound foolish, I'm not sure. I'll be happy to take a look at the cost analysis and see what that bears out.

CHAIRMAN EDDINGTON:

Legislator Gregory.

LEG. GREGORY:

I'm sitting here and I'm thinking as we go through the conversation, you had mentioned that this dog would be used to sniff vehicles going into the jail?

CHIEF SHARKEY:

We have the responsibility of securing our facilities, you know we're going to have a much larger expanded facility in Yaphank we're responsible for. Additionally we're part of the Suffolk County SCLERG, Suffolk County Law Enforcement Response Group, which is activated in times of emergency. We're looking to enhance our own capabilities to take care of our own needs.

LEG. GREGORY:

Okay. So you're looking at future needs or -- so not responsibilities that are -- like who does that now? I suppose that the PD, or does anyone have their vehicle checked that comes to our Yaphank facility?

CHIEF SHARKEY:

Currently we have no regular screening at the facilities.

LEG. GREGORY:

All right. Thank you.

LEG. BROWNING:

Jack?

CHAIRMAN EDDINGTON:

Legislator Browning.

LEG. BROWNING:

Going back to the -- I guess Officer Tatarian. The grant that we rejected from the -- that the Police Commissioner said they rejected, he was saying that we need additional officers, we were going to need more officers, and I was wondering if Officer Tatarian could respond to that. Were we going to need more officers on that TSA grant that they just rejected?

OFFICER TATARIAN:

Yes, that grant would have required three officers to have been assigned to the K-9 Unit, in addition to the current staffing.

LEG. BROWNING:

Okay. And how much does a dog cost?

CHIEF SHARKEY:

The grant allows for -- the animal itself allows for \$5,000.

LEG. BROWNING:

Okay. And the training, I mean, so now what does -- so the \$50,000 is for the dog --

LEG. LOSQUADRO:

Also a vehicle.

LEG. BROWNING:

-- to train the dog and to train the officer?

MR. ZWIRN:

It's in the backup, Legislator Browning, with the resolution. It includes salaries, training, tuition, a vehicle, a kennel, an actual -- a kennel with a concrete base and fencing and training supplies are all part of the grant.

LEG. BROWNING:

Which totals 50,000, okay. Yeah, I mean, it's -- I keep going back to the Commissioner saying, "We don't want this because it's going to cost us more money in the end," but now I see a grant and I'm concerned that we're going to take something that now we're going to have to do continuous training. You know, we don't have a -- you know, we don't have a Sheriff who's a technician, you know, and is it going to cost us more money down the road? That's just my concern.

CHAIRMAN EDDINGTON:

Okay. I think we basically have a concern. We're going to ask you to do that cost benefit analysis and include opportunity costs in that. And we have a motion and a second; I'll take the vote. All those in favor? Opposed?

LEG. BARRAGA:

What's the motion?

CHAIRMAN EDDINGTON:

To table. All those in favor? Opposed?

LEG. BARRAGA:

Opposed.

CHAIRMAN EDDINGTON:

One opposed. Abstentions? Okay. ***Tabled (VOTE: 4-1-0-0 Opposed: Legislator Barraga).***

IR 2055-09 - Accepting the donation of 50th Anniversary commemorative license plates from the Suffolk County Police Historical Society for display on Suffolk County Police Department Vehicles in 2010 (County Executive).

MR. ZWIRN:
Mr. Chairman?

LEG. LOSQUADRO:
I don't know, Mr. Chairman, this seems very contentious.

MR. ZWIRN:
Could we ask for a tabling of this?

(*Laughter*)

Because we'd like to do a cost benefit analysis before we get to it. We respectfully request a one cycle tabling on this.

LEG. LOSQUADRO:
For --

MR. ZWIRN:
Not for those purposes. The County Attorney's Office just wants --

LEG. LOSQUADRO:
Through the Chair?

MR. ZWIRN:
They just want -- the County Attorney's Office just wants to review the agreement one last time before we move forward on it.

CHAIRMAN EDDINGTON:
Okay. You couldn't wait for that one, huh?

(*Laughter*)

Legislator Losquadro. Well, let's make -- I'll make a motion to table; I need a motion before we can discuss it.

MR. NOLAN:
That would be best.

LEG. LOSQUADRO:
I'll second it for the purposes of discussion; our Counsel is saying it would be best. It seems like a pretty boiler plate agreement. It's a gift of --

MR. ZWIRN:
There's an issue with respect to purchasing, that retired Police Officers have the ability to purchase this or they're going to request them to purchase it; they just want to get that squared away. But really, there's nothing contentious, they just want to just make sure they dot their I's and cross their T's.

LEG. LOSQUADRO:

All right. Get the lawyers involved, you know what happens.

CHAIRMAN EDDINGTON:

Okay. We have a motion and a second. All those in favor? Opposed? Abstentions? ***Tabled (VOTE: 5-0-0-0).***

Okay. Then at this time, I'm going to make a motion to go into executive session to discuss the issuance of subpoenas in connection with the investigation of Police Department policies, procedures and practices. I make the motion.

LEG. LOSQUADRO:

Second.

LEG. GREGORY:

Second.

CHAIRMAN EDDINGTON:

Second by Legislator Gregory. All those in favor? Opposed? Abstentions? Okay, we're going to go into executive session.

MR. BROWN:

Excuse me, Mr. Chair? Is the County Attorney's Office going into executive session with you?

CHAIRMAN EDDINGTON:

No, I don't think that will be necessary. Thank you.

MR. BROWN:

All right. Just let the record reflect, we would like the record to reflect that we object strenuously to that. You do have Legislative Counsel, but we're also counsel to the County and all of its agencies and that the topics that you're going to discuss in executive session will ultimately involve County Attorney involvement.

LEG. LOSQUADRO:

That's fine. Duly noted.

CHAIRMAN EDDINGTON:

I appreciate that and ultimately you'll get some more information.

(*Executive Session: 10:42 A.M. - 11:20 A.M. *)

CHAIRMAN EDDINGTON:

Okay, I want to call this back to order. And before I make my motion, I would just like to briefly state that there's been much deliberation on this subject and that the underlying target is the pursuit of open and honest communications with the thought of public safety of the citizens of Suffolk County. And with that, I'm making a motion to authorize the issuance of subpoenas upon the Suffolk County Police Department to obtain documents relevant to the committee's investigation of the September, 2008, transfer of the Highway Patrol functions from the Suffolk County Police Department to the Suffolk County Sheriff's Department; the 2008 policy directing the use of offices in COPE, Precinct Crime Section and Gang Units to backfill sector cars; the June, 2009, dissolution of the COPE Unit; the proposed 2009 dissolving of the Motorcycle Unit; the August, 2009, proposed transfer of the Criminal Warrants Enforcement functions to the Suffolk County Police Department -- from the Suffolk County Police Department to the Suffolk County Sheriff's Office; the July, 2009, termination of the Overtime Detective Standby Policy for Special Units; and the July, 2009, holistic policing. I make a motion to approve.

LEG. LOSQUADRO:

Second, Mr. Chairman.

CHAIRMAN EDDINGTON:

Second by Legislator Losquadro. All those in favor? Opposed?

LEG. BARRAGA:

Opposed.

CHAIRMAN EDDINGTON:

One opposed. Abstentions? Okay, *the motion is approved (VOTE: 4-1-0-0 Opposed: Legislator Barraga).*

MR. BROWN:

Excuse me. Mr. Chair. May I have a question, please, to be recognized?

CHAIRMAN EDDINGTON:

Yes, go ahead.

MR. BROWN:

A couple of questions, actually, if you'll indulge. The first is, one, will we have the opportunity to review the subpoenas? We would like to work with Legislative Counsel in making sure that the subpoenas are properly drafted. We would like to work with Legislative Counsel in connection with arranging for service. We would like to deal with Legislative Counsel in connection with fees. If a --

CHAIRMAN EDDINGTON:

Excuse me. Excuse me for a minute. Unless I'm interpreting what you're saying, I'm finding it somewhat insulting to our Counsel that you feel you need to help him do the job that he's being paid to do.

MR. BROWN:

It's not that, sir. And, in fact --

CHAIRMAN EDDINGTON:

Well, then clarify it for me.

MR. BROWN:

In fact, I think that George and I actually have a very good working relationship. The passage of your motion, there are various legal ramifications. And what we would like -- what we would like to do is to make sure that all of those legal ramifications are met and that they do not result in expense to the County in terms of retention of counsel and that the legal parameters are met with respect to service and that -- and that the authority which was initially granted to the committee by virtue of Procedural Motion 18 of 2009 is complied with. So it's really housekeeping and procedural only, sir.

CHAIRMAN EDDINGTON:

Okay. Legislator -- sorry; Counsel?

MR. NOLAN:

Yeah, I don't take anything personally at all. I actually do have a very good relationship with the County Attorney's Office and Mr. Brown. I'll be glad to speak to him after this meeting, particularly in terms of the issue of service of the subpoena; I certainly have no problem having a conversation like that.

MR. BROWN:

Thank you.

CHAIRMAN EDDINGTON:

Okay.

MR. BROWN:

There was one other thing, sir, that -- actually two of them are related, two things, sir. One is whether or not this vote authorizes all of the subpoenas, because the Procedural Motion, it required that there be a majority vote for -- of the entire membership for each such subpoena. And that's why I asked the question if we would be able to see the subpoenas in advance as well.

CHAIRMAN EDDINGTON:

Counsel?

MR. NOLAN:

There will probably only be one subpoena. All of the various records that are asked for, that were just laid out by the Chairman, will be in the single subpoena and we have a majority vote --

MR. BROWN:

Okay.

MR. NOLAN:

-- to subpoena those records.

MR. BROWN:

All right. And we will be able to see it before service?

MR. NOLAN:

We'll take that under advisement.

MR. BROWN:

Because if I may -- Mr. Chair, if I may address George. Because we're really concerned with the CPLR because as you know, under County Law Section 209, once the authority is granted to a body, a Legislative body with respect to the issuance of a subpoena, what it does is it implicates all of the procedures that are found in New York Civil Laws, Rules and Practice related to civil litigation practice. So we want to make sure that there is compliance, like I said, to keep to a minimum legal expenses that may evolve in the future.

CHAIRMAN EDDINGTON:

All right, I think that's great. I think that your interest is well noted, and maybe that will help stimulate honest and open communication. So I appreciate your concern and your willingness to help.

MR. BROWN:

Okay. Thank you, sir.

CHAIRMAN EDDINGTON:

Okay, then, if there's nothing else, the meeting is adjourned.

*(*The meeting was adjourned at 11:26 A.M. *)*