

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 Thursday, July 29, 2010, at 10:00 a.m.

Members Present:

Legislator Jack Eddington - Chairman
Legislator DuWayne Gregory - Vice-Chair
Legislator Kate Browning
Legislator Tom Cilmi
Legislator John Kennedy

Also In Attendance:

Presiding Officer Lindsay - Legislative District No. 8
Legislator Tom Muratore - District #4
George Nolan - Counsel to the Legislature
Tim Laube - Clerk/Suffolk County Legislature
Robert Calarco - Aide to Legislator Eddington
Kara Hahn - Director of Communications/P.O. Lindsay's Office
Michael Pitcher - Aide to Presiding Officer Lindsay
Bobby Knight - Aide to Presiding Officer Lindsay
Linda Bay - Aide to Minority Caucus
Paul Perillie - Aide to Majority Caucus
John Ortiz - Budget Review Office
Ben Zwirn - County Executive's Office
Ed Hennessey - County Executive's Assistant
Brendan Chamberlain - County Executive Assistant
Dennis Brown - Bureau Chief/County Attorney's Office
Robert Anthony Moore - Chief of Department/SC Police Department
Bob Donohue - Lieutenant-Community Outreach/SC Police Department
Tracy Pollak - Headquarters/Suffolk County Police Department
Joe Williams - Commissioner/Fire, Rescue & Emergency Services
Vito Dagnello - President/Correction Officer's Association
Noel DiGerolamo - 2nd Vice-President/SC Police Benevolent Association
Jim Hughes - Vice-President/Suffolk County Detective's Association
Russ McCormick - Sergeant-at-Arms/Suffolk County Detective's Assoc.
Kerry Kneitel - Chief Deputy/Suffolk County Sheriff's Office
Anthony Paparatto - Lieutenant Investigator/SC Sheriff's Office
John Andrejack - Sergeant-Marine Patrol/SC Sheriff's Office
Dan DelValle - Probation Officer's Association/Coram Building Delegate
Dot Kerrigan - 4th Vice-President/Association of Municipal Employees
Kathy Malloy - Association of Municipal Employees
Hope Collazzo - ARC - Community Service Program
Gail D'Ambrosio - President - SC Probation Officer's Association
Ann Marie & Tom Harrington - Residents of Centereach
John & Elizabeth Barry - Self-Represented
All Other Interested Parties

Minutes Taken By:

Alison Mahoney - Court Reporter

*(*The meeting was called to order at 10:05 A.M. *)*

CHAIRMAN EDDINGTON:

All right, we're going to start the Public Safety Committee meeting.
If everybody could stand and Legislator Kennedy will say the pledge.

Salutation

If I could ask everybody to remain standing for a moment of silence for our troops that are in harm's way, and also a moment of silence for Beverly Fondanerosa, a Probation Officer who suddenly died from a heart attack last week.

Moment of Silence Observed

Thank you very much.

Okay, we'll with **Public Portion**. I have Ann Marie Harrington.

MS. HARRINGTON:

Good morning. I'm here to speak on Resolution 940-2009 that was passed by the Legislature back in November of last year. It directed a report to be done on issues concerning the Community Service Program in this County. The report was issued the first week in February of 2010, it is now going on seven months since that report was issued and I don't see anything being done, I don't see it being addressed; I would like to know where it stands.

There, okay, were a lot of concerns that were raised during the discussion of the resolution. When the report was finally issued, not only did the report make those concerns look like nothing, it raised a lot of other very serious concerns. Basically, I don't see anything happening here. And I would just -- okay, we have requested formal hearings, we have heard nothing, we're getting answers from no one and this is getting ridiculous. At the rate it's going, okay, nothing is ever going to change. These people have not been called in to answer questions. The questions that have been asked were, "I don't know", that should not be acceptable. And I would just really, really like to get some answers on what's going on.

This is four years, okay, since this is going on and it has taken a great toll, and other families are facing the same situation that we have and this isn't right. Okay, you can't sit there and hold certain department heads fully accountable and answerable and not hold all of them equally responsible. And pretty much -- okay, I would just need to impress that this is important and something really, really needs to be done soon. And I thank you.

CHAIRMAN EDDINGTON:

Thank you. Next speaker is Tom Harrington.

MR. HARRINGTON:

Good morning. I am also here about Resolution 940-2009. Over the past three and a half years, my wife and I have tried to compartmentalize all of the events stemming from our son's death, to address each one separately. However, the Suffolk County Attorney has now decided to turn these around, lump them all together and I guess it is an attempt to punish us. I will tell you where this feeling comes from.

We have legal action pending against several members of the Suffolk County Police Department; this action is for incompetence and gross negligence in their duties. Because of the lawsuit, the County Attorney will not permit us to be involved in any of the processes to try and repair the Pre-Plea

Program. The criminal justice system in Suffolk County is a disgrace. We have seen Police Officers flat out refuse to do their jobs. Someone either in the Police Department or the County Attorney's Office actually interfered with a New York State DMV Fatality Hearing that attempted to have us blocked from the hearing addressing the death of our son. The DA exercises his power only when it seems to benefit him or his friends or if national negative attention is brought to Suffolk County.

The Pre-Plea Program seems to do nothing more than collect money. Why was this program under the supervision of the DA and not the Probation Department? Have any of you or any of the other members of the full Legislature tried to figure out why Director Desmond of Probation, Diane Amorosa, Hope Collazo of the Red Cross and people in the DA's Office knew about this problem a year prior to this resolution being passed, yet no one attempted to do anything to fix this system prior to the resolution.

Legislator Eddington, my wife and I met with you. You told us that your concern was fixing the problem, and we understand that. What we do not understand is the lack of concern for those who failed so miserably at doing their jobs and being held accountable for that. When did we stop holding people accountable for gross failures, especially when those failures deal with the law and human lives? How can you expect us to believe that this system can be repaired when none of the people involved that we had spoken to prior to coming before the Legislature could even quote to us the proper Statutes that govern not being able to bring the person back in for completing his sentence. They were quoting us CPL 410 and 65 which deals solely with the Community Service Program, not the Pre-Plea Program, it's under a different set of laws altogether.

You also had asked me and my wife when we were in your office, Legislator Eddington, "You aren't going anywhere, are you?" My answer is still the same, no, we're not. So here I am today before the Public Safety Committee, who from what I have been told is the committee that is responsible for hearings, and I am asking if you will consider bringing formal hearings into the Community Service Pre-Plea Program to find out what went wrong and why no one is willing to address the issues. Can I continue?

CHAIRMAN EDDINGTON:

Just you have to wrap it up, your time is up.

MR. HARRINGTON:

Okay. We have been told that we needed our Legislator, Tom Muratore, to lead the way into public hearings; however, we have tried contacting the Legislature (sic) in these matters and have not heard back from him. When we do try to contact him or members of his staff, we must always follow-up our phone call with either another phone call or another e-mail to try and get a response. Again, I would like to ask that this committee considers the possibility of formal hearings into this program. Thank you.

CHAIRMAN EDDINGTON:

Thank you. Next speaker is John and Elizabeth Barry.

MS. BARRY:

Do we get three minutes a piece?

CHAIRMAN EDDINGTON:

You just have to hold the button down. You can have three minutes each if you want, sure.

MS. BARRY:

This is the button? Okay, I got the button. Thank you. I want to start by thanking Mr. Eddington so much for recommending us coming here about a concern that's very true to my heart.

I'm coming here for two reasons. I am a nurse practitioner working with the mentally ill population,

I'm also the mother of a child who is seriously, or was seriously chemically addicted. Unfortunately, we don't need to go into the details of what happens with a seriously addicted individual, our newspapers and our television broadcasts are filled with the sadnesses that happens to people and the families regarding this issue. Our public -- one of the main concerns of families as well as the public is the individuals who drive under the influence and the deaths that occur.

One of the things I have found in the last several years is the numbers of people who have told me, professionally and non-professionally, about how difficult it is to get the motor vehicles away from their actively abusing children and family members. Voluntary compliance is absolutely necessary for any law to be implemented. No Police Officer can be at every corner. It's the commitment of the families and the public while any type of law is in effect.

Bringing personal reference to the experience we have had with our son James, also known as Jay, about three or four years ago -- and I will commend Mr. Dormer who responded and explained the situation that we encountered the night of what I'm about ready to speak about. My son, for six months prior to this incident, had -- was very actively involved with heroin and other substances. He was very, very ill, there are multiple incidences of driving while intoxicated, two very serious car accidents. He had had a vehicle confiscated by the Suffolk County Police because of his erratic behavior, and the story goes on.

The night when I'm in question which Mr. Dormer addressed and explained, my daughter-in-law, who owns two vehicles, tried to -- tried to get the vehicle away from my son. That night she was going to leave my son and she had called for our help to get anything that could possibly be dangerous in the community, and that was his car, his truck rather, which was registered in her name. I want to emphasize the night before my son who was in a near fatality from a drug overdose, he had just gotten out of drug rehab and any other intervention that could be made by our families had been done. Our main concern was protecting the community. When we called the Police in an effort to avoid any escalating violence that may occur, we explained the situation in detail to the Police, and what they ultimately did, after we had obtained all the car keys from my son, was to hand the car keys over to my son who was an unlicensed, bona fide drug addict who had had this very long history. The car in question was registered in my daughter's name and they handed the car keys over to my son under the concerns of the fact that the car did actually belong to him. Even though he looked like he was not under the influence, he did -- he was under the influence because we had just seen him taking some drugs and he -- anyway, needless to say, they handed the car keys over to him. Fortunately nothing happened that night, and the subject is moot as far as our concerns about his driving under the influence. My son died a few hours later from a drug overdose. Fortunately, he left this world without having the consequence of hurting another human being.

The story that I'm telling you is very, very common; it doesn't hit the newspapers, it doesn't hit a lot of things. You would not be -- you would be surprised, having this experience, how many people come up -- have come up to me and told me about their own experiences with their own children or nephews or nieces. This is an issue that needs to be addressed. The public safety of our highways is extremely important. You see the newspaper articles about how we need to punish people, but it doesn't seem -- it seems incongruent when families are trying to protect the highways and the Police Officers do not have the legal powers to be able to assist families to protect the highways.

I do hope you will consider what my views are. I also want to emphasize the reason why I am here, because I think our late son would want us to.

CHAIRMAN EDDINGTON:

Thank you very much.

MR. BARRY:

Well, I'm just going to add a little bit to actually what went on that evening. He was trying to hide

the keys from us, we found his extra set of keys that were hidden in a big jug. As I started to back his pick-up truck out of the driveway, the Patrol Officer pushed -- parked the patrol car right behind me so I could not get the vehicle out without ramming into the patrol car. I refused to give him the keys. I handed her the keys, telling her in all good conscience I could not give him the keys because I had seen him pop a half-dozen to a dozen pills within the previous 25 minutes. As my wife had said, he had two DWI convictions, one in New York, one in Connecticut, for drug driving; not drunk driving, drug driving. He had a seized vehicle by Suffolk County PD for drug driving, he still had that case pending; one simple radio call would have given all the information.

Of the six Patrol Officers who were at the scene, none made the call. The Patrol Officer who blocked the driveway was doing what she was supposed to do. I could not get an explanation as to what statutes we're dealing with. I talked to the Patrol Sergeant and Supervisor later on and the letter from Mr. Dormer; he just responded that everything was done according to procedure. Now, I see we have a Sheriff's Sergeant and a PD Lieutenant, they may be able to explain what statutes were involved; I could not find any.

I get a good laugh every time I see the increased punishment for DWI, but those of us who are trying to stop it get stymied on a continuous basis. It may be a State problem, it may be a local problem, we don't know. But if there was anything the Legislature could do to bring light and allow the PD, who I think would have used their judgment not to give him back the keys, it would be appreciated. Thank you, Ladies and Gentlemen.

CHAIRMAN EDDINGTON:

Thank you. Okay. Well, we are trying to work on setting some policies with the Police Department, so we're working on that.

Before we start the agenda, I just wanted to -- I had asked the Sheriff to come today, he had a prior commitment, and I had asked his Chief to come and he also had a prior commitment. But I wanted to discuss something to see if you've heard, my committee, some things that I've heard.

First of all, we have, you know, the issue of the jail opening up and it's not staffed. You know, now we're hearing that if John J. Foley is sold we'll get a Police class, and I'm wondering if that's what we're holding out for a Correction Officer's class, maybe we'll sell another building and be able to get a couple of classes of Correction Officers. I don't know if you've heard that.

LEG. BROWNING:

We can sell the Dennison.

CHAIRMAN EDDINGTON:

The Dennison, I have heard about that. So I don't know if that's going to be the new policy, sell a building get a class.

Then I heard another thing, that there's a lot of openings in Correction; not people that need to be -- people that need to be hired, SCINS, and then I heard that there's a possible new warrant -- Warden coming in. So I'm trying to see if anybody else here has heard. I see the Presiding Officer; did you hear any of this? Because I'm hearing from different sources and --

P.O. LINDSAY:

Well, I think there's some Sheriffs representatives, maybe they could --

CHAIRMAN EDDINGTON:

Oh, I didn't see, I'm sorry.

P.O. LINDSAY:

-- shed some light.

CHAIRMAN EDDINGTON:

Could I get somebody from the Sheriff's Department to come forward then? I'm sorry, I didn't see you back there, I didn't have my glasses on.

CHIEF DEPUTY KNEITEL:

I'm Chief Kneitel, I'm Chief Deputy Sheriff. I wouldn't be able to answer any of the issues you're bringing up; Chief Sharkey would have to deal with that, or the Sheriff.

CHAIRMAN EDDINGTON:

You know, just talk into the mic a little bit, and maybe there's a question you could answer. Legislator Gregory just wanted to ask you something.

LEG. GREGORY:

It's my understanding that the Sheriff's Department is in the process of receiving a grant for an emergency service vehicle; is that true?

CHIEF DEPUTY KNEITEL:

Lieutenant Papparatto might be able to answer that.

LIEUTENANT PAPPARATTO:

I'm Lieutenant Papparatto from the Sheriff's Office, I handle the grants. The JAG grant that the County gets every year, there is money for an Emergency Management Vehicle, which is a marked vehicle.

LEG. GREGORY:

So you're confirming what I've heard. Does the Sheriff's Department have an EMS or an Emergency Management vehicle at this point, or is this a new piece of equipment that you're requiring?

LIEUTENANT PAPPARATTO:

No, it's a new piece of equipment. It's actually for the -- it's not like an ES vehicle or anything like that, it's for the HAZMAT Deputies that we have.

LEG. GREGORY:

Okay. So it's for a function that you're doing now, but you're seeking to acquire a different vehicle to conduct that function; is that what you're saying?

LIEUTENANT PAPPARATTO:

Yes. It's actually -- it's going to be used for towing our trailers that we have for the STOP Program and the Traffic Safety Program we have.

LEG. GREGORY:

And what type of vehicle do you use now?

LIEUTENANT PAPPARATTO:

Actually we've been using the cars, which is -- they overweight the car.

LEG. GREGORY:

Okay.

CHAIRMAN EDDINGTON:

Legislator Lindsay.

P.O. LINDSAY:

Do we -- and I don't mean to put you guys on the spot, but do you guys know anything about an additional Warden that was hired?

CHIEF DEPUTY KNEITEL:

No, that has nothing to do with my division. I'm in charge of the Enforcement Division.

P.O. LINDSAY:

There's nobody else here from the Sheriff's Department?

CHIEF DEPUTY KNEITEL:

No, a bad week, everybody had prior commitments. That's the only reason I'm here, but none of these things were on the agenda.

P.O. LINDSAY:

Pardon? I'm sorry.

CHIEF DEPUTY KNEITEL:

I said none of these things were on the agenda. I'm here because of what I knew was going to come up today, so I'm not prepared to answer any questions to any of these other issues.

P.O. LINDSAY:

Okay, and I can appreciate that. I can appreciate that. I mean, I think the question that Legislator Eddington has -- and maybe Mr. Zwirn, maybe someone in the administration knows about this -- is that we have a dire need for Correction Officers. We're under threats of losing our waivers and, you know, somebody told us that we've hired another Warden and we just don't understand why.

MR. ZWIRN:

Mr. Presiding Officer, I don't know if they hired another Warden. I know that the Sheriff is in conversation with the County Executive about additional staffing, additional CO's. I don't know what the resolution -- I know what I've read in the paper, like everybody else. But I think with budgetary constraints, the County Executive is trying to see, you know, what is the minimum amount of CO's that we're going to need to run the new facility.

P.O. LINDSAY:

Well, and we certainly are on board and appreciate that. But we need more Indians, we don't need another Chief, that's I think the issue here.

MR. ZWIRN:

I'll find out and get right back to you.

P.O. LINDSAY:

All right, thank you.

CHAIRMAN EDDINGTON:

Thank you. Legislator Kennedy.

LEG. KENNEDY:

Thank you, Mr. Chair. On those same lines, I read the Newsday article, I guess, that everybody else has read. And what I would ask either Deputy Chief and/or you, Ben, I'd like to see a copy of the correspondence that's coming from the Commission on Corrections.

I believe -- again, trying to summarise what I could from a Newsday article -- they're intimating that this is something that's not necessarily a negotiable posture. And as a matter of fact, other

counties that have attempted to go ahead and take issue with what the Commission on Corrections directive is regarding staffing have then gotten the privilege of having waivers yanked and have sustained astronomical costs. So once again, we're all cognisant of trying to save money, but I don't want to wind up in a posture of aggressiveness attempting to save money and then having to spend bundles that we don't have.

So if you could provide my office with copies of those pieces of correspondence, I'd like to see what, in fact, the actual language is that's coming from the Commission; that would help me. Thank you.

CHAIRMAN EDDINGTON:

Okay. Did you want to add anything, Chief, or -- no? Okay. Okay, good. Then thank you very much, and you will get that information? Okay. Thank you. All right, then we'll get right to the agenda.

Tabled Resolutions

1231-10 - Adopting Local Law No. -2010, A Local Law requiring owners of private residential communities to ensure emergency access to roads after snowfall (Romaine).
I'm going to make a motion to table.

LEG. GREGORY:

Second.

CHAIRMAN EDDINGTON:

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

Introductory Resolutions

1690-10 - Accepting and appropriating a grant in the amount of \$168,242 in federal pass-through funds from the New York State Office of Homeland Security for the 2008 Bomb Squad Initiative Program with 100% support (County Executive). I'll make a motion to approve and put on the Consent Calendar.

LEG. GREGORY:

Second.

CHAIRMAN EDDINGTON:

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

IR 1691-10 - Accepting and appropriating additional federal funding in the amount of \$33,806.50 from the United States Department of Justice, Federal Bureau of Investigation, for the Suffolk County Police Department's participation in the Safe Streets Task Force FY10 with 83.37% support (County Executive). I'll make a motion to approve.

LEG. GREGORY:

Second.

CHAIRMAN EDDINGTON:

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

IR 1692-10 - Accepting and appropriating Division of Criminal Justice Services (DCJS) funding in the amount of \$30,000 for Suffolk County's participation in Operation Rolling Thunder 2010 with 83.32% support (County Executive). I'll make a motion to approve.

LEG. GREGORY:

Second.

CHAIRMAN EDDINGTON:

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

IR 1700-10 - Appropriating funds in connection with improvements to the County Correctional Facility C – 141, Riverhead (CP 3014) (County Executive). I'll make a motion to approve.

LEG. GREGORY:

Second.

LEG. BROWNING:

Second.

CHAIRMAN EDDINGTON:

Second by --

LEG. KENNEDY:

On the motion, Mr. Chair?

CHAIRMAN EDDINGTON:

Second by Legislator Browning. And on the motion, Legislator Kennedy.

LEG. KENNEDY:

We have two resolutions here that deal with funding for the Riverhead facility. But again, as we all know, we're -- I just need to get some idea of what we're going to do with this million and a half dollars in the Riverhead facility as we're approaching opening soon with Yaphank. Does anybody know; does BRO know or anybody?

MR. ORTIZ:

Well, this is an ongoing project, the building is old and is in need of repairs. It really has nothing to do with the new building.

LEG. KENNEDY:

Oh, no, I know that, John. As a matter of fact, this has been an ongoing project ever since I got into the Leg. For the last six years we've been repairing, I guess, a building that's out-lived its useful life a long time ago. I'm just curious as to what this million and a half is going to do, and if somebody can speak to at least some of what's involved with these resolutions.

MR. ORTIZ:

A lot of it is mechanical/electronic systems, asphalt paving, drainage, exterior concrete walkways, curbs, lighting systems, roofing, water proofing, etcetera, that type of -- just general maintenance.

LEG. KENNEDY:

I don't want to get far afield of these resolutions, but once the new facility is open and we begin to operate it, what is going to happen with the Riverhead facility? Are inmates going to be taken out of there, or are we going to have two facilities with prisoners all over the place?

CHIEF DEPUTY KNEITEL:

I brought somebody from DPW that can answer questions specific to any of the repair work on these appropriations. And the answer to the other question is that to the best of my knowledge both facilities would be used, it's not going to replace the Riverhead facility.

LEG. KENNEDY:

So in other words, if we invest now a million and a half -- you know, a roof is generally considered to have a useful life more than 18 months. Five years, six years, seven years from now we're still going to be operating the Riverhead facility with a need to have all those internal systems up, functional and operational, heating, electrical, mechanical, in tight -- you know, in tact roof, I guess a repaved parking lot and all that, while also operating our Yaphank facility as well?

CHIEF DEPUTY KNEITEL:

As we do now.

LEG. KENNEDY:

Well, but the Yaphank facility we have now is a small sprung unit; we're going to have a 1,500 prisoner-capacity jail next to it.

P.O. LINDSAY:

No.

CHAIRMAN EDDINGTON:

Legislator Kennedy, if we could let Legislator Lindsay add, I think he has an answer?

LEG. KENNEDY:

Sure.

P.O. LINDSAY:

I might be able to help. Both facilities are -- we have 500 waivers that cover both facilities, which means we're housing 500 more prisoners than the buildings were designed for, and that isn't going to change when the new facility opens up. It's going to give us the capacity to get off of the waivers, but by no means -- and I've been here from -- from day one I walked in the door ten years ago, we've talked about the jail and the designs of the jail and I've been very much involved in my whole Legislative life with the jail. It was never envisioned that we would ever close Riverhead.

And the ongoing maintenance and improvements to our jail facilities are an absolutely necessity. We've been dealing with a mold problem in Riverhead for a long time, because we desperately need to patch the leaks and repair the roof and stuff like that, so hopefully this will go a long way in solving that problem. Jails are tremendously tough usage. You know, their facilities really take a beating, and if you don't pour money into the infrastructure on an ongoing basis, they fall apart rapidly.

LEG. KENNEDY:

Mr. Chair, I agree with you a hundred percent. And as a matter of fact, I've had the opportunity to be in the facility and witness firsthand some of those mold conditions; as a matter of fact, Mr. Dagnello hosted us out there not too long ago. If what's being contemplated now speaks to that condition, then not only am I in favor of it but I would move so far as to cosponsor it. But reading what I saw which was a brief description, I felt incumbent just to find out what, in fact, are we spending this money on and will it address some of the safety issues for our personnel in there as well as for the prisoner population that we have a responsibility to at least keep in tact. Perhaps the gentleman from Public Works, or Mr. Dagnello is here, he could speak to it as well, through the Chair.

MR. MONAHAN:

Good morning. I'm Mike Monahan from Public Works. I apologize for my voice this morning, I just have a very bad cold.

Legislator Kennedy, to answer your question about what we're spending the money on, Public Works has been very proactive with the Sheriff's Office over the past four to seven years. We meet on a quarterly basis and update a priority listing which we put on our Form 13-N's during the Capital Programming process every year. Currently the approximately \$1.5 million we're talking about in these two resolutions will be used to update personnel payroll offices, repair security ceilings, we have the main control room which is in dire need of updates and upgrades. There will be some repairs to some of the floor slabs that have leaked over the years, some exterior wall cracking and joint opening issues that have been ongoing that will take care of repointing and repairing to avoid future leaks; again, to deal with a potential mold issue in the future. We're looking at rehabilitating the kitchen area which is in dire need of some upgrades there.

We are currently in the process of converting one pod in the medium security area to a direct supervision type operation; in fact, the contracts have been executed and we're in construction on that. Existing roofing needs to be replaced, parking lot resurfacing, the fire alarm system has most recently been replaced.

LEG. KENNEDY:

Okay. If I can, Mr. Chair, then let me ask Mr. Monahan; and again, if he doesn't know, maybe Mr. Dagnello can tell us. I saw firsthand, I guess two years ago, a chronic dampness, mold and humidity condition on one of the tiers, actually on a number of the tiers. And as a matter of fact, walking through some of those cells was analogous to walking through a swamp. Has that condition been remedied, or is any of what we're spending right now going to address that?

MR. MONAHAN:

Legislator Kennedy, to answer your question, over the past several years we have replaced all of the air handlers in that building one at a time, that was in a direct response to the issues with mold. In addition, we identified those leaking areas in the roof and some of the repointing that was necessary. So in essence, we've half-fixed the problem now by replacing the air handlers, the other half is replacing the roofing and fixing the cracks in the slabs.

LEG. KENNEDY:

Mr. Chair, can I just ask Mr. Dagnello if he could speak to whatever the mold condition is. Again, the Presiding Officer's comments are very much on point as far as it requires money to keep this facility in tact. I just want to make sure that we're addressing employees, and for that matter prisoners' direct health concerns before we pave parking lots. Could I ask Mr. Dagnello to speak?

CHAIRMAN EDDINGTON:

Sure, sure. And as he's coming forward, I would just ask -- I heard you say that the control room, which is where I had seen a leak, that sounds like that's going to be remediated, and also in the commissary was a leak and it sounds like that is going to be fixed.

The other one that I think Legislator Kennedy was alluding to is the windows, when we were walking in the tiers the water was like coming in; is that also to be eliminated where water was leaking in on the floor through I think it was the window structure?

MR. MONAHAN:

That's part of the floor slab and exterior slab repairs, the repointing on the --

CHAIRMAN EDDINGTON:

And when is this repairs all being done?

MR. MONAHAN:

As soon as we get money.

*(*Laughter*)*

CHAIRMAN EDDINGTON:

So after --

MR. MONAHAN:

We have estimates and we're working on purchase orders.

CHAIRMAN EDDINGTON:

So we're approving it, but now you've got to try to get it.

MR. MONAHAN:

That's correct.

CHAIRMAN EDDINGTON:

Okay. Mr. Dagnello.

MR. DAGNELLO:

Thank you. My name is Vito Dagnello, President of the Correction Officers Association. I see some familiar faces up there for the last walk around of the facility which was about four five years ago, and I believe you will see the same garbage bags hanging, buckets hanging. Yes, the air handlers were replaced, didn't alleviate a lot of the problems. And redoing a pod to make it more of a direct supervision; I think the money that's going to that should go to correct the problems that are still existing from the last time you walked around, and Mr. Zwirn was there also and saw that.

So maybe the Sheriff can give you another tour of the facility and you can see it yourself, that that situation is still there. But I agree with Mr. Kennedy, the money should be spent in correcting the old problems before moving on to new issues.

P.O. LINDSAY:

Which begs the question -- if I might?

CHAIRMAN EDDINGTON:

Legislator Kennedy -- Lindsay, sorry.

P.O. LINDSAY:

To the fellow from Public Works, this money is going to be used to correct a lot of the problems that we saw there with the bags and the mold and the water; am I correct?

MR. MONAHAN:

Well, Legislator Lindsay, some of the money is being used to repair some of the leaks which should then allow them not to have bags and buckets and things like that, yes.

P.O. LINDSAY:

Will it correct all the problems?

MR. CAVANAGH:

I don't have all the details in front of me to answer that question, but my understanding is yes, it should correct those issues, unless anything new has cropped up since our initial study several years ago.

P.O. LINDSAY:

Okay.

CHAIRMAN EDDINGTON:

Well, let me just interject then. Mr. Monahan; right, Mr. Monahan?

MR. MONAHAN:

Yes.

CHAIRMAN EDDINGTON:

Obviously you're going to be the person that knows if the money has been allocated to do the work; am I correct on that?

MR. MONAHAN:

I'm one of the people, but the Sheriff's Office is the direct point.

CHAIRMAN EDDINGTON:

Okay. Well, I guess what I'm asking then is that as soon as the money is given to DPW and there's been an assignment to remediate these, I'd like to see you guys sitting right there again telling this committee that the work is in progress. Can that -- can we get that?

DEPUTY CHIEF KNEITEL:

Yes.

CHAIRMAN EDDINGTON:

Okay? All right, so hopefully we'll see you very very soon.

LEG. KENNEDY:

Mr. Chair, if I can just follow-up with a couple of requests. And actually, I'm going to make a motion, we're in a tight cycle and we'll be back here again in about 14 days. I'm going to make a motion table and I'm going to ask for a detailed list as far as what the actual activities are that are being recommended, the cost items associated with that, and I then I'll speak directly with Sheriff DeMarco and with Mr. Dagnello to look at the magnitude of the ongoing leak problem at this problem as well.

I'm somewhat mold to play the role of somebody who's going to evaluate or estimate which activities should occur, but if we're looking at 1.5 million, again, there are some activities that have absolutely nothing to do with remedying ongoing health-related conditions within the facility. And I'd like to see some representation from our engineering staff, Public Works and/or the Sheriff that whatever amount of money is going to be required to eliminate that condition specifically be addressed first and then we look at some of what the other actions are.

CHAIRMAN EDDINGTON:

Legislator Browning.

LEG. BROWNING:

Yeah, I just want to say, I'm not going to support tabling it. The work needs to be done, we need to move it. And one of my biggest fears is by the end of August we're going to have a mass exodus of DPW workers, and my concern is are we going to have workers to do the work after August 31st. So we have to pass this, we -- this place has been a disaster, I've been here for five years and it's been a mess since I've been here. It needs to get done.

LEG. KENNEDY:

There's no doubt that the issues have to be addressed. Unless, you know, if it's Public Works'

representation that the amount that's in there, I'm speaking about something that I have no specifics on here whatsoever. How much is committed to remedying the water or the leak condition; is it 50,000, is it 500,000, is it sufficient to address the leak aspects? And if so, is there any ability to go ahead and rework this list of work that you've compiled?

MR. ZWIRN:

Mr. Chairman, if I might. If we could get this to the floor, between now and Tuesday I think a lot of Legislator Kennedy's questions could be answered.

LEG. KENNEDY:

Okay.

MR. ZWIRN:

And if they're not answered by Tuesday, then he could table it at the floor. But we do have a list, there's information available that you would be able to look at and review and we'll answer any questions that you have. But I agree with Legislator Browning, if we can just get it to the floor so we can -- we're prepared to pass it.

LEG. KENNEDY:

Okay.

MR. ZWIRN:

I was on those tours with you and your wife was along with us, we had a nice tour with Vito and the Sheriff's staff and there were a lot of problems. And from what I can look at, a lot of those problems will be resolved by the work that will be done, so I think you'll be satisfied by Tuesday.

CHAIRMAN EDDINGTON:

All right, it's my pleasure to agree with you, Mr. Zwirn.

*(*Laughter*)*

So I have a motion and a second. All those in favor? Opposed? Abstentions?

LEG. KENNEDY:

I'm going to abstain on this.

CHAIRMAN EDDINGTON:

One abstention, Legislator Kennedy. ***Approved (VOTE:4-0-1-0 Abstention: Legislator Kennedy).***

IR 1704-10 - Appropriating construction funds in connection with improvements to the County Correctional Facility C-141 Riverhead (CP 3014)(County Executive). I'll make a motion to approve.

LEG. BROWNING:

Second.

CHAIRMAN EDDINGTON:

Second by Legislator Browning. All those in favor? Opposed? Abstentions?

LEG. KENNEDY:

Abstain.

CHAIRMAN EDDINGTON:

One abstention. ***Approved (VOTE:4-0-1-0 Abstention: Legislator Kennedy).***

IR 1713-10 - Accepting and appropriating Federal pass-through grant funds from the NYS Office of Homeland Security (NYS OHS) in the amount of \$80,000 for "Operation Shield" under State Homeland Security Program (SHSP) to be administered by the Suffolk County Sheriff's Office in partnership with the East End Marine Task Force, Suffolk County Police Department, Asharoken Police Department, Huntington Town Harbormaster, and various other Federal, State and local agencies and to execute grant related agreements with 100% support (County Executive). I'll make a motion to approve and put on the Consent Calendar.

LEG. BROWNING:

Second.

CHAIRMAN EDDINGTON:

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

IR 1717-10 - Establishing a Suffolk County -- Anti-Bias (sic) Task Force.

P.O. LINDSAY:

Bullying.

CHAIRMAN EDDINGTON:

Oh, bullying. What did I say?

MR. NOLAN:

Bias.

CHAIRMAN EDDINGTON:

Oh, bias, I'm sorry -- ***Anti-Bullying Task Force (Cooper).*** I'm going to make a motion to table based on talking to the sponsor, Legislator Cooper.

P.O. LINDSAY:

I'll second.

CHAIRMAN EDDINGTON:

He said that New York State Dignity-For-All Act was approved by the State and the sponsor feels that the law will achieve the same goal. So I have a motion and a second by Legislator Lindsay. All those in favor? Opposed? Abstentions? Okay, ***tabled (VOTE: 6-0-0-0 - including Presiding Officer Lindsay/ex-officio member).***

IR 1721-10 - Reappointing Robert J. Hartmann as a member of the Suffolk County Vocational, Education, and Extension Board (Romaine).

LEG. KENNEDY:

Motion.

LEG. BROWNING:

Motion to approve.

CHAIRMAN EDDINGTON:

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

Okay. I believe we've concluded business so I will adjourn. Okay, then we're adjourned.

(*The meeting was adjourned at 10:49 AM*)