

PUBLIC SAFETY COMMITTEE
OF THE
SUFFOLK COUNTY LEGISLATURE
Capital Budget Meeting

A Special 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 May 18, 2011, 2:00 p.m., to discuss the matter of the 2012-2014 Capital Budget.

Members Present:

Legislator Jack Eddington - Chairman/Public Safety
Legislator DuWayne Gregory - Vice Chair/Public Safety
Legislator Kate Browning - Member/Public Safety
Legislator John Kennedy - Member/Public Safety
Legislator Tom Cilmi - Member/Public Safety

Also in Attendance:

Presiding Officer Bill Lindsay - District #8
Legislator Edward Romaine - District #1
Legislator Thomas Muratore - District #4
Jack Caffey - Aide to Presiding Officer Lindsay
Bobby Knight - Aide to Presiding Officer Lindsay
Chris - Aide to Legislator Cilmi
John Ortiz - Budget Review Office
Eric Kopp - County Executive's Office
Ed Hennessy - County Executive's Office
Robert Moore - Chief of Department/Suffolk County Police Department
Noel DiGerolamo - PBA
Brian Watts - Communications Tech/Suffolk County Police Department
Russ McCormick - Suffolk County Detective's Association
Michael Sharkey - Chief of Staff/Suffolk County Sheriff's Office
Joe Rubacka - Deputy Warden/Suffolk County Sheriff's Office
John Searing - Deputy Commissioner/Fire, Rescue & Emergency Services
Dot Kerrigan - AME
All Other Interested Parties

Verbatim Transcript Prepared By:

Lucia Braaten, Court Stenographer

(*THE MEETING WAS CALLED TO ORDER AT 2:10 P.M. *)

CHAIRMAN EDDINGTON:

If everybody could, please, rise for the Pledge of Allegiance, led by Legislator Kennedy.

(*Salutation*)

Thank you very much. Okay. This is where we get to play Santa Clause and you are the people with little requests to come up and talk to us, so this is a good time. I guess if Chief Sharkey wants to come up first. And we'll hear from the Sheriff's Department.

CHIEF SHARKEY:

Okay. Good afternoon. Just a brief presentation. There were a total of six capital projects in our program. However, most of them remained unchanged from our requested to recommended, and only three of them necessitate a review and comment by the Budget Review Office. We do agree with all of the Budget Review Office's recommendations. I'll just touch base on the three major projects.

First is Capital Project 3008, which is the construction of the new additions at the Yaphank Correctional Facility. This project no longer includes renovations to the existing dormitories in Yaphank. Those renovations will now be performed under Capital Project 3009. The project is progressing on schedule and we anticipate it being completed by the beginning of 2012. Of note under that project, 4.6 million for furniture and equipment is scheduled for this year. We submitted an I.R. for these funds in early January. As of this date, the resolution has not moved forward.

The Budget Review Office agrees with our concerns, states it's imperative that the 4.6 million for equipment scheduled for 2011 be appropriated as specialized equipment and non-stock items need to be ordered. Eventually, the fund balance of this project will be exhausted and this funding will be necessary. As you know, if the funding is not appropriated this year, the next year it can be considered will be 2013, one year after the facility is scheduled to become operational.

The second project I'd like to briefly discuss is 3009, renovations to the existing portions of the correctional facility in Yaphank, which is interrelated with Project 3008. This is an ongoing project which addresses renovations and repairs to the 1959, 83 and 1988 portions of the correctional facility in Yaphank. The Commission of Corrections is concerned about the eight dormitories, which are in various states of disrepair and have always been included in the future capacity of our correctional facilities. The last official plan of the Commission received from Suffolk County has these eight dormitories being converted to direct supervision, and expanded out the back to include indoor recreation. While the Commission stated that they would not require the County to convert these dorms to direct supervision due to both cost and loss of capacity, they are requiring and waiting for the County to submit alternative plans for their approval. Those renovations will be covered under 3009.

The third and last project I'd like to discuss is 3014, which is improvements to the County Correctional Facility in Riverhead. In connection with that, I do have a handout which is -- the current laundry list, if you will, of repairs and renovations that are needed at the facility. Overall -- the overall comment I will make on this project is we see what the cost to building a new facility is in Yaphank, and in the long run, the annual upkeep in Riverhead is well worth the investment. We were spending roughly one-and-a-half million dollars a year versus the cost we see in Yaphank to create a new facility. This is an ongoing capital project for the maintenance, repair and upgrade of an overcrowded correctional facility that is 42 years old.

The maximum security portion of the facility has been severely overcrowded since 1980. In without overcrowding, jails are severe use facilities because they're used 24 hours a day, seven days a week. With the increase in beds and age of the current facility, renovation and expansion of program support areas and infrastructure are necessary to accommodate the increased population, along with the daily electric, plumbing, heating system failures, which have become commonplace. At this time, there are a total of 47 items of work to be -- excuse me, to be performed. This list of work has been prepared by both the Sheriff's Office and DPW in a joint effort to maintain the facility.

As you're aware correctional facilities are unlike any other County building for the following reasons: Accelerated deterioration of the buildings as a result of 24/7 operation and abuse, unusual wear and tear caused by thirty-one years of overcrowding. As the facility conditions deteriorate, the risks and cost of negative events increases exponentially.

When analyzing the County Executive's proposed 2012 to '14 Capital Program, the two most important points to be made here today are, first, the funding. The Sheriff request in 2012 has been deferred in the Executive's recommendation to 2013, so there is a zero fund for next year. And second, the construction funding for a new kitchen in Riverhead, which had been in subsequent years, is now eliminated from the 2012 to '14 program, yet the planning funds for this new kitchen is included in 2014.

Annual funding of Capital 3014 allows the County to have a quality preventive maintenance program, and as systems reach the end of their useful life, they are replaced. By not placing funds in 2012, the 2012 to '14 recommended Capital will undoubtedly place this preventive maintenance program in jeopardy. For this year alone, roof repair costs are estimated almost a half a million dollars, and the kitchen will need an additional \$200,000 in renovations just to continue to operate over the next few years. Funding maintenance correctly and providing quality preventive maintenance programs ensures our correctional facility never reaches the poor condition or is impacted by excessive costs of deferred maintenance. Maintaining our correctional facility properly costs less than returning the facility to a fair condition from a critical systems failure. As an example, we're allowed to house 60 prisoners in the Riverhead gym. If, however, if the roof of the gym begins to leak significantly and the gym becomes uninhabitable, the Commission of Corrections will require us to house out those inmates at a cost of seventy-five hundred dollars per day. If it takes just five days to repair the roof, the County would have spent a total of \$375,000 to house out the inmates and still have to pay for the new roof repair, which, as an emergency repair, would cost much more than a scheduled repair.

In conclusion, we fully concur with the recommendations of the Budget Review Office, specifically 1.9 million in funding be advanced and returned to 2012 from 2013, as we requested, since improvements and critical repairs will be required annually. Reinstate the seven million for the Riverhead kitchen in subsequent years, as it inevitably must be replaced, and include \$250,000 in subsequent years for the capital master plan for Riverhead, which will be used as the justification for future funding as a long-term preventive maintenance and repair plan for this facility.

That concludes our formal presentation. If you have any questions, I'd be glad to take them.

CHAIRMAN EDDINGTON:

Legislator Lindsay.

P.O. LINDSAY:

Yeah. Mike, talk to me. 3008 is the current replacement, the current construction that's going on now for the new jail, right?

CHIEF SHARKEY:

Yes, that's for the addition, the new addition in Yaphank, yes.

P.O. LINDSAY:

And the 3009 is the one to renovate the existing Yaphank facility.

CHIEF SHARKEY:

Yes.

P.O. LINDSAY:

Okay.

CHIEF SHARKEY:

The original Yaphank portions of the facility, yes.

P.O. LINDSAY:

I mean, we can't even think about doing that until 3008 is completed and we move the prisoners from one facility to the other, no?

CHIEF SHARKEY:

Yeah, that's --

P.O. LINDSAY:

When the new facility is complete --

CHIEF SHARKEY:

We can work on areas.

P.O. LINDSAY:

-- are we going to still use the old facility?

CHIEF SHARKEY:

Yes, absolutely, that was always the plan. The original facility remains online, yes.

P.O. LINDSAY:

Okay. So the renovations have to be done with prisoners in them? Very difficult.

CHIEF SHARKEY:

That's why we utilize variances. For example, as we mentioned in Riverhead, we utilize the gym area as a variance area. We use it as a shifting area or a swing space when we're renovating a tier in Riverhead. We'll move that tier into the gymnasium area, renovate their housing area, and then they'll go back. So we have -- we'll utilize swing space, so there would be portions of the Yaphank facility we would have to use as swing space to enable us to do the renovations.

P.O. LINDSAY:

Okay. And it seems like 3009 has fell off the table altogether now, is that what -- no?

CHIEF SHARKEY:

No. We've actually --

P.O. LINDSAY:

When is that scheduled for?

CHIEF SHARKEY:

We addressed the funding in that project, because, initially, the plan, when 3008 was going forward, was that there would be enough funding in that project to cover the renovations of the original portions. There's not enough funding in that, so 3009 was a previously existing project to maintain the existing Yaphank facility. So it's simply just continuing to fund 3009 to allow for the renovations of the original portions of the facility.

P.O. LINDSAY:

And what is Budget Review recommending in 3009?

CHIEF SHARKEY:

I'm sorry, are you asking me?

P.O. LINDSAY:

I was trying to find it, because it isn't in the synopsis, I was going back to the original. Is it 11 million dollars?

MR. ORTIZ:

It was included by the Executive, as requested by the Sheriff, and we agreed with that.

P.O. LINDSAY:

Okay. How much is it, though, John?

MR. ORTIZ:

It's 2.5 million over the course of the program.

P.O. LINDSAY:

Oh, okay. Just a little confusion there, that's all.

CHIEF SHARKEY:

Okay.

P.O. LINDSAY:

Thank you.

CHAIRMAN EDDINGTON:

Any other questions? Okay. So then 3014, then you really -- you need to have that 19 -- what is it, one-million-nine-hundred advanced; it's a priority, as you see it.

CHIEF SHARKEY:

Yeah, as we had requested it to be split up basically evenly over the three years of the program. The Executive's recommended essentially zeroed out '12 and moved that money and doubled it in '13. And we feel it's much more appropriate to keep it evenly spaced, so we can address maintenance needs as they come up, and Budget Review Office agrees with our view.

CHAIRMAN EDDINGTON:

I think that's a good way to run a business, yeah. Good. Thank you. Okay, then. Thank you very much, gentlemen. Chief Webber.

CHIEF WEBBER:

Now, if I remember last year, this was very quick. The Commissioner said, "Good, great, we got everything we need," and it's over.

*(*Laughter*)*

And I saw you with a big folder today, so I'm assuming it's going to be a little different.

CHIEF WEBBER:

Good afternoon, as you know I'm Chief of Support Services. To my left is Sergeant Mallin of the Motor Carrier Safety, and I brought him along because I anticipate there may be some questions on the motor property proposal on Crooked Hill Road. We had five projects for 2012 -- we had five projects for 2012, and understanding the current fiscal realities, we concur with all BRO's recommendations. And having said that, I'll answer any questions that I can, and/or that are directed towards Sergeant Mallin.

LEG. KENNEDY:

Mr. Chair.

CHAIRMAN EDDINGTON:

Legislator Kennedy.

LEG. KENNEDY:

Thank you, Mr. Chair. And Chief, thank you. Earlier today, I had an opportunity to have some conversation with Sergeant Mallin and with Lieutenant Geer. There is an initiative going on in the southern part of my district on Crooked Hill Road to create a new motor carrier inspection area. It involves roughly about one-and-a-half acres of property that are located on Crooked Hill Road, which is a County Road just north of the Expressway. And the owner of that property has agreed to donate the land through the Town of Smithtown, and not only to donate the property, but to actually engage in site clearing for it as well, in preparation of having us be able to construct a motor carrier safety inspection station.

CHAIRMAN EDDINGTON:

What exactly is that Legislator, a motor carrier --

LEG. KENNEDY:

Well, that's why Sergeant Mallin is here, Mr. Chair. And I'm going to ask him if he can speak specifically to what the facility would involve, and also to the high incident of trucks that are running in violation in that Commack Road, Exit 52 corridor. So, with your permission, if I could, through the Chair and through the Chief, ask if Sergeant Mallin could speak to that issue a little bit.

SERGEANT MALLIN:

Thank you very much. I appreciate the opportunity to address you. I'm Sergeant Mike Mallin, I'm a Supervisor in the Highway Patrol Bureau's Motor Carrier Safety Section. And, I mean, we could go -- I could give a brief overview of what we do, our mission is, or I could go straight into this inspection site, depending up to you, sir.

LEG. KENNEDY:

Well, Chief, maybe if you can frame for us just a little bit about the magnitude of the volume of what work that the unit does, and citations, and value of the finds, and then maybe move into this so we can talk about the revenue that's going to actually come in in addition to enhancing the public safety function, if that's okay, Mr. Chair.

CHAIRMAN EDDINGTON:

Sure.

SERGEANT MALLIN:

First off, in Suffolk County, an interesting figure I'll just put out is we have more commercial motor vehicles registered in Suffolk County than any other county in New York State, to include New York City, combined. So the amount of commercial motor vehicles, truck traffic, bus traffic, which we also do enforcement on, is a huge amount for our County here. So we lead the County in the number of commercial motor vehicles that are registered in any other County, to include the City, combined.

So the Motor Carrier Safety Unit conducts commercial motor vehicle inspections, to include buses and large limousines throughout the Police District, and we also assist East End agencies when required. If there's a serious motor vehicle crash involving a bus or truck, we'll go out there and help the East End agencies. So we do truck enforcement throughout normal patrol throughout the Police District, and we literally stop and inspect thousands of trucks every year. I think last year we inspected over 18 -- 1,800 trucks and buses throughout the Police District, conducted safety inspections. So we enforce all Federal and State transportation laws that applies to this heavily regulated industry in trucking, so we'll do -- our officers, and there's 14 of us, two Sergeants and 12 Police Officers working days and nights. We have good coverage throughout the County. We inspect these vehicles to make sure they're safe, they're being operated safely on the roads. Mechanically, we'll inspect the drivers, make sure they're properly licensed, they have a commercial driver's license, a medical card. If they're carrying something like hazardous materials, that they have an inventory of all the hazardous materials that are on the vehicle, and then we'll inspect the truck to make sure it's safe; brakes, lighting, suspensions, tires, and it really goes on and on. I don't mean to -- I don't want to bore you with it. It's exciting to me, it might not be as much to you.

And, also, we've been really focusing a lot more recently on bus inspections, the tragedy up on the Thruway in the Bronx the other month. It was a horrific crash, so we've been focusing working with our partners in Department of Transportation on making sure the residents of Suffolk County are traveling on safe buses and they're licensed operators.

So the issue has come up, especially on the west end of the County, where there's a lot of congestion, more and more building is going on, is we need a safe spot, a safe location for the officers, my officers, to inspect these tractor trailers in some cases, so we can't do this on the side of the road. If we see a truck that's equipment violations on it and we're going to inspect it, we can't just pull off to the right shoulder, like a regular car stop. My officers are actually going underneath these trucks on mechanics creepers and inspecting the underside of the trucks, checking the brakes, suspensions, tires, so we need a safe location to pull these trucks off the main roadway so we can do an inspection, walking around the entire truck, doing a 360 on it, checking all the lights and all that. So it's been a challenge for us, especially on the west end of the County, to find a safe location where we're not going to inconvenience the public, taking up a multitude of parking spots, and at a safe location for the officers and the truck driver to -- so we can conduct these vehicle inspections on them.

LEG. KENNEDY:

Sergeant, if I can just interrupt for a second, because I know you have more to tell us about the magnitude and some of the high profile inspections you've been involved with, including the fatality on Pulaski Road and Bread and Cheese Hollow, where we had the garbage truck, the front end garbage truck that tragically ended the life of a teacher. But I believe in your folder you have a rendition that Public Works had put together for us that shows what the facility would be like. Could I share that with my colleagues?

SERGEANT MALLIN:

Absolutely.

LEG. KENNEDY:

So, as we're looking at that rendition, I believe that we had talked about the fact that there was probably about two million dollars in fines and citations issued in this last year, and that particularly when vehicles are running overweight, there may be fines that go up into the multiple thousands of dollars; is that correct?

SERGEANT MALLIN:

Yes, sir. I mean, ultimately, we're not in the business of generating revenue or anything like that. To us, really, it's about protecting infrastructure, the roadways in the County, and making sure the trucks are operating safely. But, I mean, my unit, just in overweight fine violations in 2010, issued 2.1 million dollars in overweight fine violations. That's not including the other -- the thousands of other tickets we issued for mechanical violations on the vehicles.

LEG. KENNEDY:

And what happens when a vehicle is running overweight? What is the -- what's the consequence of that?

SERGEANT MALLIN:

Several. One, and I talk about the infrastructure, these overweight vehicles are literally tearing up the roadways, putting unnecessary and undue wear and tear on all our roads. And I would submit, in the time of constrained budgets and all that, it's not good. It's never a good time, probably especially now. So these vehicles are traveling, and we're talking grossly overweight vehicles, we're not 1,000 pounds, 2,000, talking 20, 30, 40,000-plus pounds overweight vehicles, and the majority of these are the tractor trailer type things, carrying sand, gravel, RCA and all that, so heavy, heavy loads in absolute violation of all the applicable laws, Federal and State laws, so that's one thing. So the infrastructure, which is we're out there trying to protect. We're stopping these trucks going over bridges that are clearly posted for truck restrictions, not over 40 tons, and almost double the weight they're going over our bridges in the County, and we're trying to prevent that. And if we can't prevent it, we're stopping them and issuing some pretty heavy-duty fines, the weight fine violations on these trucks.

P.O. LINDSAY:

Legislator --

SERGEANT MALLIN:

And the second --

P.O. LINDSAY:

I'm sorry. Just an explanation. Is this on the north side of the Expressway?

SERGEANT MALLIN:

Yes, it is.

LEG. KENNEDY:

Yes, it is, Mr. Chair.

P.O. LINDSAY:

Where is this, like behind the theater?

LEG. KENNEDY:

It would be physically located behind the theater. I believe that the Sergeant has another --

P.O. LINDSAY:

Okay.

LEG. KENNEDY:

-- larger mock-up, I'll ask him to give to you, Mr. Chair.

P.O. LINDSAY:

Okay, okay, just so that I could get it a --

LEG. KENNEDY:

But it would be literally right across Crooked Hill from the where the Home Depot and Walmart are, just before it tails into joining Commack Road now. It's a heavily wooded area in there, so it would not be proximate to any residences. It would be in an area that really is either through commercial, consumer, you know, shopping areas, and/or commercial traffic, as it is now. It really is very uniquely suited for this function. And, as I said, we're gaining a benefit of about three-quarters of a million dollars worth of donated value through the raw land and the site improvement.

P.O. LINDSAY:

And the \$600,000 that's proposed in thirteen is for construction, not for land purchases.

LEG. KENNEDY:

That's correct, Mr. Chair.

P.O. LINDSAY:

Okay.

LEG. KENNEDY:

It would actually install the scales and some of the other equipment that Sergeant Mallin's officers need in order to do this inspection function in a safe environment, not proximate to all of the ongoing traffic.

P.O. LINDSAY:

Okay. Because the portrayal to the Working Group was that this is being done in private parking lots now and that that should continue, there's no need for a facility; you disagree with that?

SERGEANT MALLIN:

Currently, that's what -- ideally, we try and use some sort of government facility so that we know it's safe and secure, and even some of the volunteer fire departments have cooperated with us. But the issue is -- and in this case we're inspecting trucks on private property and we're told, basically, "Thank you very much, we love the police, but we don't want you inspecting trucks here," and this is really the genesis of this. And when I inquired why it was -- you know, if a truck driver sprains his ankle, he might sue us. So more and more of this is, unfortunately, occurring. We're being asked, you know, politely, but still nonetheless asked not to do truck inspections on private property. So, you know, we need parking lots off the roadway that we can do this. And what we were finding, sir, more and more is on the west end there's a lot more people now taking up these parking spots. So we'd get a truck in and away from the public, and we don't want to inconvenience the public. We don't want to, you know, take -- scare any, you know, or take up parking spots for businesses and all that. So this is really where this is coming in, so we don't inconvenience the public. I have safe location for my officers to conduct inspections. We don't have cars whizzing past us. Even in the parking lots, we could have it coned off and they're driving through our traffic cones, people in cars, and it's -- so, if we can get an area that we can kind of call our own where we can safely do these trucks inspections, it would be very much appreciated and, I would submit, needed by our officers.

LEG. KENNEDY:

Sergeant, could I just get that other rendition so we can orient it?

P.O. LINDSAY:

And while Legislator Kennedy is picking that up, Sergeant, what about the rest area on the south side of the Expressway, do you utilize that sometimes.

SERGEANT MALLIN:

Yes, sir. That's the rest area or park and ride, that's State property, that's off of Commack Road. That thing fills up by about 7:30 in the morning and --

P.O. LINDSAY:

No, I'm talking about the rest stop on the Expressway.

SERGEANT MALLIN:

Oh, on the -- that's available -- unfortunately, on the west end one, it's open to the public, it's open to trucks, motorists, there's public pay phones over there. So, once again, that's just another area where we have cars and trucks going past us at -- I'm going to be honest, at not a slow rate of speed. I think -- so it's a safety issue, too, actually working at those rest areas. Out further east on the Long Island Expressway, we have -- it's actually dedicated weigh stations by Exit 66, Yaphank area, that are actually closed off and that's more conducive to doing it. But, as far as the west end, though, it's become more and more challenges. We've used the -- we used to use the park and ride off of Commack Road. That fills up with commuters in the morning and we're not going to cone anything off to inconvenience the commuters. We are able still in a decent amount of area on the Wicks Road park and ride by Exit 53, we utilize that also with the Department of Transportation.

But, as I stated, County Road 4, Commack Road, is a high -- exceptionally high volume of traffic, I'd say, than just about any of the other County roads and a lot of overweight loads coming down that road, so we do like to focus in. And I get through my chain of command on a consistent basis basic community concerns, complaints for that location. So we're up there all the time. And we were -- currently just moved further north on County Road 4, Townline Road, where we've gotten some complaints from Smithtown about trucks. There's two schools over there, Commack High School, trucks going through the school zone at a high rate of speed. And we went up there two days last week and it was just, quite frankly, one truck after another. We issued speeding tickets to them and conducting truck inspections.

CHAIRMAN EDDINGTON:

Well, Sergeant, I could just say -- to interrupt you, is that if you do your job as enthusiastically as you talk about what you need to do, we're in good shape. I think you're probably the best salesman that the Chief could have brought here. You definitely showed that there's a need, and certainly the safety issue is what we're all about here. So, you know, I think we definitely can support this for sure and get you there. It says you need -- the money's going to come in '13. I wish we could get it to you sooner, but, you know, I think it's a great project. You mentioned on 66, at exit 66. Now, I mean, I live right near. That's not being used, right?

SERGEANT MALLIN:

Being used for what, sir, for --

CHAIRMAN EDDINGTON:

For like weighing and checking trucks and stuff? Because, I mean, I see trucks going by there all the time.

LEG. KENNEDY:

Mr. Chair, if I can just chime in a little bit, there may be a little bit of a difference the way motor carrier section's been operating most recently. As you recall, there was the Sheriffs who started to do Highway Patrol and that might have had a little bit of a change in the frequency the motor carrier may actually be on the Expressway. I'm not sure. Is that true, Chief?

CHIEF WEBBER:

Yes, you're correct.

CHAIRMAN EDDINGTON:

Well, I didn't -- I was going to -- my next question was going to be are the Sheriffs now -- I'm not seeing any activity there. I used to see activity and now I'm not, so I was wondering, was it abandoned or are the Sheriffs going to do that, or what's going on, since I heard you mention 66, whoever can answer that.

CHIEF WEBBER:

I don't think we can answer that, you'd have to ask the Sheriff.

CHAIRMAN EDDINGTON:

Well, okay. So I guess what you're saying, though, is you're not -- the Police Department is not dealing with that whole weigh station because it's on the Expressway.

CHIEF WEBBER:

That's correct.

CHAIRMAN EDDINGTON:

Okay. Then I'll ask the Sheriff to come up when you guys are done. Legislator Cilmi.

LEG. CILMI:

Thanks, Mr. Chairman. So, Sergeant, you said that we're bringing in "X" amount of revenue now. And again, not that it's a revenue issue, but just to put things into some perspective. How much is that in the department as a whole?

SERGEANT MALLIN:

Well, I can only speak for the Motor Carrier Safety Section. Just in overweight fines that we've issued in 2010, the total that we've issued was over 2.1 million dollars.

LEG. CILMI:

Two-point-one. And how many locations are you doing these checks now?

SERGEANT MALLIN:

We operate throughout the County, so we kind of spread the wealth, if you want to call it that.

LEG. CILMI:

Okay.

SERGEANT MALLIN:

There's enforcement throughout the Police District, and so we're all over it. Literally, every day we're in a different location throughout the town. And we tend to focus on complaint locations that we get down through my Chief of Patrol's office from -- actually, from Legislators, from the Town Highway Departments and all that. Some have concerns about truck traffic over bridges that are posted, so we'll go there and we'll set up operation over there. So we're literally throughout the County on a daily basis.

LEG. CILMI:

So would it be your expectation that those fines would increase because of the use of this property?

SERGEANT MALLIN:

Yeah, the amount of tickets issued for overweight violations from the County I think would increase substantially. We also have a well --

LEG. CILMI:

Of course you would need more personnel to be able to deal with it, right?

SERGEANT MALLIN:

One issue we have is our vehicles are equipped -- we drive around in SUVs and we still have a couple of vans, we have portable scales in there. So, when we stop, an officer stops an overweight truck, he actually deploys these portable scales under the tires, they're about 50 pounds each, so trying to keep the guys in good shape so they can do this. But we also have a larger scale that's on a two-axel trailer that we can tow out, and we see setting this trailer up, this higher capacity scale at this location, also will be able to weigh more trucks more efficiently and effectively using the scale, so the trucks basically roll onto the scale that we have. The issue with using the scale is it's a fairly decent size scale, so we can't just -- we don't want to set up in a private parking lot, kind of set up house in someone's parking lot. So, you know, we've used in the past on the Expressway at the weigh stations on the East End and this spot would be an ideal location for that. So we'd be able to weighing and inspect more trucks, more of them more effectively.

LEG. CILMI:

I guess what I'm trying to get at is, if the projected cost of this work is \$600,000 -- is that what you said, Legislator Kennedy?

LEG. KENNEDY:

Yes, sir.

LEG. CILMI:

Is it conceivable that the return on investment would be relatively quick based on the increased fines? Not that we want increased fines, again.

SERGEANT MALLIN:

Bottom line, yes, sir. You know, I want to stay away from we're here, we're -- you know, my officers are not, like I said, in the business of issuing tickets for the sake of revenue generation and all. So, to us, honestly, it's all about safety and trying to deter these trucks from operating in that manner. But, with this site, I would predict the amount of tickets issued for overweight vehicles and mechanic defects on vehicles would increase substantially.

LEG. CILMI:

Right. Obviously, we're concerned with the safety as well, but we also have budgetary concerns, and somehow we have to make the expense side equal the revenue side. So the fact that we may, in fact, have that extra revenue, you know, goes a long way towards selling the project as financially viable. Thank you.

CHAIRMAN EDDINGTON:

Since Legislator Cilmi mentioned finances, if you have a pen, Peconic Avenue, Route 112, Medford. You'll probably make \$600,000 in a month there, because we've got these huge tractor trailers that the Town of Brookhaven has been trying to deal with, so okay. So that's -- we're dealing with that right now. Now I got Legislator Browning, and then Gregory, and then Legislator Kennedy.

LEG. BROWNING:

I was just going to say, you got that pen handy? Do you ever go on Main Street in Yaphank? I mean --

SERGEANT MALLIN:

All the time, ma'am. And I didn't even --

LEG. BROWNING:

Okay.

SERGEANT MALLIN:

So I didn't even write yours down because that's on our list already. We're on 112 and Peconic, Main Street, Yaphank, and we're watching the bridges. Those are actually the bridges I was referring to. They're restricted, 40 tons and above, and we're sitting there waiting for these, you know, 60-ton trucks to go over 40-ton bridges on County roads in --

LEG. BROWNING:

Now, there's a couple of locations, there's a trucking company right by the railroad tracks, and there's another one before -- it's east of Yaphank Avenue on Main Street and there's been a lot of complaints about them.

SERGEANT MALLIN:

Personally, I think just inspected one of those trucks and had it towed from the scene for being unsafe. I know what you're talking about, ma'am.

LEG. BROWNING:

Okay. Thank you.

CHAIRMAN EDDINGTON:

Legislator Gregory.

LEG. GREGORY:

Thank you, Mr. Chair. Thank you, Sergeant. I want to go back to the Presiding Officer's comments, because I had the same exact thoughts, and he got to it before I was able to. I think, from a common sense perspective, you know, as a -- if you're a commercial truck driver, you have to use the Expressway, but you don't necessarily have to use this area to deliver the goods or products, or whatever, that you're transporting. So, from my non-law enforcement background, I would think it would make more common sense that -- to be on the Expressway and that particular -- that rest area before 53 or 52, wherever it is, because if I'm driving illegally and I know that there's a weigh station or this area on Commack Road, I'll just use another road, but I have to use the Expressway.

SERGEANT MALLIN:

No, I appreciate that. Bottom line for that area, it's always been a challenge, because, I said earlier, the amount of -- it's not really designed for -- it's basically a rest area as opposed to the ones out east, which were closed off and there's -- if you go there, there's cars, trucks in there, some trucks staying there overnight and all that, so we would really need to clear that place out for -- its designated use is for actually a rest area, there's the public pay phones in there, so we'd really need to shut it down, wake up possibly a truck driver that might be sleeping because he's gone over his hours, and maybe send them somewhere else so we have room to operate. Like I said, it's a -- I mean, we really need an area to work in. I literally have the guys and myself on the mechanic's creepers, going underneath and around the side of the truck, and having tractor trailers,

cars going past us on that is a concern.

And the other thing on this -- using this spot that we're talking about today is we actually -- we can bring a vehicle within up to five miles for an inspection. So, I mean, I could -- I see us -- and that's what we do normally, is drive around looking for violators, not just randomly bring the next five trucks in a row. My officers, actually, they are looking for trucks that are overweight, and there's a whole bunch of indicators that we use to determine that, but -- or trucks that have mechanical violations. So my officers, we would use that as kind of a base of operations, drive around County road 4, of course, and the surrounding areas, also up to -- really, up to five miles and look for trucks that are in violation of -- you know, equipment violations, etcetera, speeding, or whatever the case may be, and bringing these trucks to a safe location that we could operate in.

LEG. GREGORY:

Okay. All right. Thank you.

CHAIRMAN EDDINGTON:

Legislator Kennedy.

LEG. KENNEDY:

The only other point that I wanted to add to this, too, Mr. Chair, is that, as the Sergeant had indicated, his two teams actually can be out and run from early in the morning until midnight, one o'clock, two o'clock in the morning, depending upon the nature of, I guess, what type of business is out there. If it's, you know, garbage or waste haulers, liquid waste haulers or whatever, they may be out at any time of the day or night. And so a site like this would, again, kind of go towards that safety that the Sergeant is speaking about for our police personnel that are going to have to really go over these vehicles underneath, around, on top. And it just seems that we're perpetuating an unsafe situation to not give them some dedicated or committed place they can be at. I really have nothing else. I think the Sergeant's done an excellent job.

CHAIRMAN EDDINGTON:

Okay. Any other questions?

P.O. LINDSAY:

Sergeant, as you mentioned, you touched on it before, as a result of that accident in Westchester with the bus, I understand that New York State DOT is coming down with a whole bunch of new regulations as far as buses, particularly limousines, which would fall under your jurisdiction as well, right?

SERGEANT MALLIN:

I don't know of new laws, really. I mean, there's actually a whole bunch on the books that maybe just haven't been enforced as much as they should have been in the past and all that. We've been working with DOT. As a matter of fact, we worked about four Saturdays in a row stopping buses. And the day I worked with my officers, we put 25% of the buses and limos and party buses, those type of passenger carrying vehicles, out of service, which one out of four, that's not good. So we've been focusing on that more. If you want to call it a rude awakening state-wide, actually country-wide, on that crash and all that. So we are out there making sure the buses that our residents of Suffolk County ride on, you know, to and from are safe and the drivers aren't fatigued, that they're maintaining a log book, they haven't gone over their hours of service.

P.O. LINDSAY:

Thank you.

CHAIRMAN EDDINGTON:

Okay. Gentlemen, thank you very much for coming today. Chief Sharkey, if you could just come up quickly and just address that issue.

CHIEF SHARKEY:

I believe the issue you were talking about was inspections at the Exit 66 inspection areas?

CHAIRMAN EDDINGTON:

Yeah. This, you know, piqued our interest, because we're looking to do it off the Expressway and we used to do it on the Expressway and it's not being done, as far as I know. Is there future plans?

CHIEF SHARKEY:

Actually, inspections are being done at that location. We have been doing inspections there with State DOT. We've involved Environmental Conservation with New York State Police. I've had discussions with the New York State Police. Their Motor Carrier Safety Unit has been doing enforcement on the Expressway, and Suffolk P.D. has, in fact, used the Exit 66 areas. From my understanding of their project, they're looking for a -- that doesn't really address their needs. I don't want to speak for them, but they're looking for another location west as well.

CHAIRMAN EDDINGTON:

Okay. So you're saying that the New York State have been dealing with that, and also Suffolk County Police have been working with you guys on that project?

CHIEF SHARKEY:

I believe it's -- that one of their Chiefs, I believe, Chief Meehan coordinates with our Chief {Nytel} when they're going to do inspections.

CHAIRMAN EDDINGTON:

Oh, okay. All right. Any questions? Okay. Thank you very much, Chief. Is there anybody from Probation here? I don't see. Okay. Then you get everything you want then for Christmas.

*(*Laughter*)*

Okay. FRES, gentlemen from FRES, please come forward.

DEPUTY COMMISSIONER SEARING:

We'll take whatever you were going to give to Probation.

CHAIRMAN EDDINGTON:

There you go.

DEPUTY COMMISSIONER SEARING:

Thank you, Mr. Chairman. John Searing, Deputy Commissioner of FRES. I also have Dick Stockinger, Executive Director of Suffolk County Fire Academy, and Bob Holly, the Deputy Director of the Fire Academy. We went through the Bureau report and actually we're very happy with their spot-on analysis of what our projects are. We have four in the hopper. I'll be happy to answer questions on them. I don't want to bore you with the details right now, but we otherwise had no comments. We understand the fiscal realities of the situation the County's in, so there are some larger projects in there to put off and that's -- we can accept that, and there's some other things that we will benefit by that, ultimately, the fire service throughout the County will benefit by those projects.

CHAIRMAN EDDINGTON:

There's a Project 3416, the CAD System, and the County Executive's budget has no money in that.

DEPUTY COMMISSIONER SEARING:

Yeah, and that's the one that it's actually Phase III that's coming up. The UHF radio system, the reality of it is most of the fire departments, ambulance companies have moved to UHF, which is ultra high frequency, 400 megahertz bandwidth. We do not have the capability to talk to them at this time, so we're trying to get that capability and put it in, because we think it's of ultimate benefit toward those services.

CHAIRMAN EDDINGTON:

Okay. So that you're seeing that there's some funding slated based on a BRO recommendation for this year, and to move up almost two million dollars next year from subsequent years, so that's --

DEPUTY COMMISSIONER SEARING:

Correct. And most of that's equipment related. We have -- all the analysis was done under the current radio project. We know what has to be done, it's just a matter of getting the funding to make it happen.

CHAIRMAN EDDINGTON:

Okay. Legislator Gregory.

LEG. GREGORY:

All right. Thank you. I remember talking to John Ortiz about this. I thought I read recently, probably a month ago or maybe a little more, there's a type of Federal requirement to -- for a UHF and to move it from -- I forget exactly. But I know there's something with the radios, the Federal government's demanding a certain requirement, and most or a lot of communications equipment aren't on this -- are not using the equipment or the -- or not meeting the requirement, and it's -- I think it's 2012 or 2013.

DEPUTY COMMISSIONER SEARING:

Yes. That requirement is actually called narrowbanding, where they're moving the --

LEG. GREGORY:

Yes, yes.

DEPUTY COMMISSIONER SEARING:

The radio spectrum, as it stands right now, is at -- all right, now I have to get technical -- twelve-and-a-half megahertz -- twelve-and-a-half hertz, rather, split within each of the bands. A narrow banding is moving that to 6.25. And so, by January 1st, 2013, you have to move all of your equipment to narrow banded. And truth of the matter is anything you've bought in the last couple of years is narrowband capable. It may not have been set up that way, but it is capable. But, yeah, that's an expense. Most of the fire departments and everything have met that, though.

LEG. GREGORY:

But we don't meet that.

DEPUTY COMMISSIONER SEARING:

We don't meet it because we don't have UHF equipment yet.

LEG. GREGORY:

So, in other words, we won't meet it if we don't purchase it, and we're not planning to purchase it.

DEPUTY COMMISSIONER SEARING:

No. The project is to purchase and be able to communicate on a UHF band. We do not have even the capability right now on UHF band. If you have the equipment, you have to meet the narrowbanding requirements. The other part of the narrowbanding requirements is on the VHF band, which is in the 150 spectrum and we'll meet that, we're working on that now.

LEG. GREGORY:

All right. Thank you.

CHAIRMAN EDDINGTON:

Okay. I don't have any other questions, then.

LEG. BROWNING:

Jack, ask them about the emergency preparedness storage.

CHAIRMAN EDDINGTON:

Legislator Browning has a question, just hang on.

LEG. BROWNING:

Yeah. Our Budget Review has -- the County Executive has nothing for the Emergency Domestic Preparedness storage building. Can you tell me what's the condition of the building at this time?

DEPUTY COMMISSIONER SEARING:

We don't have one. We have -- our equipment is stored out in trailers or it's -- we have -- we're leasing 40-foot or 20-foot like Sealand trailers to keep our equipment in.

LEG. BROWNING:

Okay. And are those -- those trailers aren't adequate to store the equipment?

DEPUTY COMMISSIONER SEARING:

It's not optimal because a couple of reasons. One, we have a lot of very sensitive instrumentation. It's our weapons, WMD Response trailers, so they really need a little bit more TLC. So that's why we're looking to get someplace just to put these, to keep it more temperate, rather than have it subject to the extremes that they are now.

LEG. BROWNING:

Oh, okay, I get it. I'm sorry. I thought you had something, but I guess not.

CHAIRMAN EDDINGTON:

Okay. I guess that's it. Thank you very much, gentlemen.

DEPUTY COMMISSIONER SEARING:

Thank you.

CHAIRMAN EDDINGTON:

Okay. I guess -- I don't know. Do we need new stenographer equipment?

MS. BRAATEN:

No.

CHAIRMAN EDDINGTON:

No, huh? Everything's good?

MS. BRAATEN:

Yes.

CHAIRMAN EDDINGTON:

All right. Then we're okay. Got computers for BRO, and it's a wonderful thing. All right. We'll close the meeting, then. Thank you for being here.

*(*THE MEETING WAS ADJOURNED AT 2:57 P.M. *)*

{ } Indicates Spelled Phonetically