

PUBLIC SAFETY COMMITTEE
OF THE
SUFFOLK COUNTY LEGISLATURE

Verbatim Minutes

A regular meeting of the Public Safety Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York, on Thursday, July 28th, 2011, at 10:00 AM.

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 William Lindsay - District #8
George Nolan - Counsel to the Legislature
Sara Simpson - Office of Counsel to the Legislature
Alicia Howard - Legislative Assistant/Suffolk County Legislature
Robert Calarco - Aide to Legislator Eddington
Terry Pearsall - Chief of Staff to Presiding Officer Lindsay
Kara Hahn - Director of Communications for Presiding Officer Lindsay
Marge Acevedo - Aide to Presiding Officer Lindsay
Bobby Knight - Aide to Presiding Officer Lindsay
Michael Pitcher - Aide to Presiding Officer Lindsay.
Paul Perillie - Aide to Majority Caucus
John Ortiz - Budget Review Office
Eric Kopp - Deputy County Executive
Brendan Chamberlain - County Executive Assistant
Robert Anthony Moore - Chief of Dept/Suffolk County Police Department
Ted Nieves - Deputy Inspector/Suffolk County Police Department
Peter Ervolina - Sergeant/Chief of Patrol's Office/SCPD
Gerard Frielingsdorf - Sergeant/Chief of Department's Office/SCPD
Tracy Pollak - Headquarters/Suffolk County Police Department
Hank Mulligan - 2nd Vice-President/Superior Officer's Association
Russ McCormick - Suffolk County Detective's Association, Leg. Chair
Noel DiGerolamo - 2nd Vice-President/PBA
John Searing - Deputy Commissioner/Fire, Rescue & Emergency Services
Hope Callazo - American Red Cross/Community Service Program
Dot Kerrigan - 3rd Vice-President/AME
Gail D'Ambrosio - President/Suffolk County Probation Officer's Assoc.
Anthony LaFerrera - Chairman/Suffolk County FRES Commission
All Other Interested Parties

Verbatim Minutes Taken By:

Alison Mahoney - Court Stenographer

*(*The meeting was called to order at 10:04 A.M. *)*

CHAIRMAN EDDINGTON:

We'll start the Public Safety Committee with the Pledge of Allegiance led by Legislator Gregory.

Salutation

If you could remain standing for a moment of silence for our service personnel overseas.

Moment of Silence Observed

Thank you. All right, let me do the Public Portion, we have one card. Anthony, if you would come forward.

MR. LAFERRERA:

Good morning, Mr. Chairman. Anthony LaFerrera, Chairman of the Suffolk County FRES Commission. I also represent Babylon Central Fire Alarm on the E-911 Commission.

I know I sent e-mails to members of this committee. There was a vote -- and I know the Sheriffs aren't here today, this is nothing against them -- about them becoming a PSAP. The vote wasn't taken at the last 911 meeting, they were one short of a membership for a vote. The vote was taken through an e-mail, and my question is the legality of that. I'm not saying, you know, how -- one way or another people vote, but is that correct? I mean, we could all stay home and do e-mails if we had to vote on Suffolk County laws. I just don't think that's right.

I'm not saying they won't become a PSAP. I'm sure there's -- you know, we couldn't even ask questions on that, if there were any questions to be through an e-mail.

So that's basically -- and two more parts. I'd like to know why there are no minutes taken at this commission meeting. And the reason I bring it up is because I know in my FRES Commission meetings, minutes are taken, sent out and even posted on the County website. And I just -- that's a question I have and how that vote is legal or not legal.

CHAIRMAN EDDINGTON:

Thank you. Let me ask you a question while you're here, though. I mean, you've come many times and I look at you as an expert in your area. What's your -- if you're willing to share with us, what's your feeling about this? Because it seemed like everything was running smoothly with the Sheriff's Department asking for this. Would you be willing to share your opinion about this?

MR. LAFERRERA:

They presented all their information and requirements to become a PSAP. Just in reference to this last vote, I just have a problem with that, how it was taken. I think the committee meeting should be called again and if there's any questions, you know, with physical bodies there back and forth and let the vote be taken. I'm not saying they wouldn't become a PSAP one way or the other, but if there's questions we can't do that through an e-mail.

CHAIRMAN EDDINGTON:

Okay. Thank you very much. Legislator Kennedy.

LEG. KENNEDY:

Yeah. Anthony, thank you for coming. And, you know, PSAPs are something that's important for the dispatch throughout the County. We have worked together on a number of different issues, not the least of which was the recent cell phone surcharge, to go ahead and augment a funding stream. Now, my concern with the Sheriff's Office is that the communications for 911 are always critical, but

I don't know why they would need to establish a separate PSAP. The Suffolk County Police Department at this point is a PSAP, I believe; correct?

MR. LAFERRERA:

Yes.

LEG. KENNEDY:

Okay. And as far as I understand it, they're not --

MR. LAFERRERA:

They're the primary -- I'm sorry. They're the primary PSAP.

*(*Presiding Officer Lindsay entered the meeting at 10:08 A.M. *)*

LEG. KENNEDY:

Okay. And then we have ten non-County PSAPs that function as the secondary, or in some cases do they do primary dispatch as well?

MR. LAFERRERA:

They're primary dispatch but they're a secondary PSAP on the County level.

LEG. KENNEDY:

Okay. Were you aware that the Sheriff was actually on the agenda for this meeting and that the commission was going to make a decision about creating them as what would be, I guess now, a 13th PSAP; is that it?

MR. LAFERRERA:

Yes. They were given the opportunity to present themselves at -- how they can be a PSAP according to law, Suffolk County Law; there are so many things you have to do to become a PSAP, to be eligible. That particular day, and I have no problem saying it, I had a personal matter. And the person that was the representative with me also, there was a town-wide disaster in Babylon. There was a big HAZMAT situation that day, so that Chief of Operations had to stay in the office. That's why we weren't there that day, and I have no problem saying that.

LEG. KENNEDY:

Okay.

MR. LAFERRERA:

But like I said to Mr. Eddington, the vote afterwards I don't think is correct.

*(*Legislator Browning entered the meeting at 10:09 A.M. *)*

LEG. KENNEDY:

Okay. Well, thank you. I appreciate you bringing that matter to our attention. Thank you.

CHAIRMAN EDDINGTON:

Legislator Lindsay.

P.O. LINDSAY:

Hi, Chief. How are you? I think probably what the mutual concern is around here has to do with our fiscal crisis. I mean, we are in horrible, horrible fiscal shape, and we're very sensitive to duplication of services.

What do you envision here? I mean, if -- I guess the vote was taken that they're a PSAP, they're not -- is the Sheriff's Office asking for a slice of the PSAP money?

MR. LaFERRERA:

Their request is to become a secondary PSAP, yes.

P.O. LINDSAY:

So where are we going to get the money from; from the rest of the PSAPs?

MR. LaFERRERA:

Mr. Lindsay, that is my one concern, that questions couldn't be asked at that meeting, as they were in previous meetings, about that before the vote was to be taken -- was to be taken, which they were one short to do the vote. But now the vote was done through an e-mail, now we can't ask any questions in reference to what you're talking about, what the cost would be over five years, maybe, if they were to be approved by the Legislature to become a PSAP, \$150,000 times five years.

And I will also be honest with you, there were some questions about who knows who's going to be in control January 1st and what that person might have intentions of what's going to be happening. And now if we do that, what happens then? You know, if they're approved and things turn around January 1st.

P.O. LINDSAY:

So you're talking about in reference to the highway issue.

MR. LAFERRERA:

Yes, sir.

P.O. LINDSAY:

Okay. And that would play, certainly play into the whole thing. It's just, you know, we're -- it has nothing to do with this issue, but we're struggling with our health centers, you know, we're trying to keep them afloat. And in our haste, we received a bunch of cuts from the State to allocate the cuts across the whole system, we might bankrupt the system, so we have to take a look at it. And I have the same concern about the PSAP system. There is no more money. There's no more money, so --

MR. LAFERRERA:

You're not going to get any argument from me, sir, about that. You know, I'll fight for whatever we can get.

P.O. LINDSAY:

So by adding one more, you just make the pie smaller and smaller to the existing ones. And is that going to crush the existing system that's in existence?

MR. LAFERRERA:

Well, now we're going to divide the 20% by 13 instead of 12, I understand that. But my main concern as well was the vote and the minutes, that was my main concern.

P.O. LINDSAY:

I'm done.

CHAIRMAN EDDINGTON:

Just to follow-up on that. I think that might be something that we could use. Because if the pie is smaller and the other agencies have to cut, maybe we should be aware of how it's going to impact what you do before we do -- to agree to anything.

P.O. LINDSAY:

We don't have to agree to it.

CHAIRMAN EDDINGTON:

I think we do, don't we?

MR. LAFERRERA:

That's why I felt this is the place to bring it up.

P.O. LINDSAY:

I don't know about that.

CHAIRMAN EDDINGTON:

Yeah, I'll ask our attorney; do we have to approve of that?

MR. NOLAN:

I will have to look it up.

CHAIRMAN EDDINGTON:

Okay. Well, while we're looking that up, Legislator Cilmi.

LEG. CILMI:

Yeah, while Counsel is looking that up. You know, to directly speak to the Chief's question with regard to the validity or the legality of an e-mail vote, there's -- Robert's Rules maintains a website that you can go on, and if you type -- there's a search thing and you can type in "e-mail" and they'll give you information about whether or not e-mail votes are permitted under Robert's Rules or not. And if the -- as you probably know, if the organization itself doesn't have its own rules of order, it always defers to Robert's Rules.

So, you know, you might look there and our Counsel might look there to see if that's -- if it's allowed under their jurisdiction.

MR. LAFERRERA:

Okay. Well, that's why I'm here. I love coming to see you guys, so we got a lot of things done.

CHAIRMAN EDDINGTON:

Well, thank you very much. We'll continue to research this and let you know what we found out on our vote.

MR. LAFERRERA:

I appreciate all your help.

CHAIRMAN EDDINGTON:

Okay. Thank you very much.

LEG. KENNEDY:

And Mr. Chair, can I add just one other thing? The piece of correspondence, I know that the Sheriff, you extended the invitation and that the Sheriff had another commitment so he wasn't able to be here. But -- and I'm going to ask Mr. LaFerrera to confirm this.

The Sheriff talks about the expansion of the funding stream, and so that he perceives that the department would be able to participate in that funding stream, just as other PSAPs do. But my understanding is with the cell phone surcharge that that funding stream goes only to the non-County PSAPs; is that correct? We have a distribution through ten non-County PSAPs. It's not going in to the PD or to FRES, nor would it be, I guess, to this newly created one in the Sheriff's Office, at least not in this distribution that we had this year.

MR. LAFERRERA:

You're talking in reference to the 20% divided by eleven.

LEG. KENNEDY:

Yeah.

MR. LAFERRERA:

That is my understanding also.

LEG. KENNEDY:

So that may be a misunderstanding on the Sheriff's part, that by seeking this status that he's going to get access to an additional funding stream. I don't think that's the way our legislation was created.

CHAIRMAN EDDINGTON:

I believe that's exactly what he believes. So you want to -- George, please?

MR. NOLAN:

Yeah, under our code, we authorized the committee to review requests for additional PSAPs and to add PSAPs. So we gave that authority to the committee.

CHAIRMAN EDDINGTON:

Then what I'm going to ask Mr. Nolan then to reach out to the Sheriff's Office and make sure that they are aware of what Legislator Kennedy just said, that they would not qualify for the money. Because it sounds like that -- first I thought we were told that they weren't looking for any additional funding, then we got some correspondence that they were. And now, based on what Legislator Kennedy is saying, they wouldn't qualify for that anyway, so we're going to have to sort this out. Maybe what we could do is ask them to have another vote after this is all clarified. Would that be --

MR. LAFERRERA:

That's all I'm asking for.

CHAIRMAN EDDINGTON:

Okay. Legislator Lindsay.

P.O. LINDSAY:

And just to make it crystal clear, there isn't any money in this budget to expand a duplication of services. So if there's no money in PSAP, there's no money in our budget to do it.

CHAIRMAN EDDINGTON:

Okay. Thank you very much.

MR. LAFERRERA:

Thank you.

CHAIRMAN EDDINGTON:

Okay. Next we have Chief Robert Anthony Moore that was going to give us a little information about 911 calls.

CHIEF MOORE:

Oh, okay.

CHAIRMAN EDDINGTON:

The reason I asked you to come is because we did have another Legislator have a concern, and I tried to answer it but I thought it would be better if you dealt with it. What I had said was that in the past, years ago when there was an accident on the road or something, you would get two or three calls, now you get 30 or 40 calls. And how you deal with all those calls, it came because somebody was put on hold. So if you could address that.

CHIEF MOORE:

Good morning. I am Robert Anthony Moore, I am Chief of Department, Suffolk County Police Department. And I believe that the incident you're referring to is a motor vehicle crash that occurred on 7/18 at 6:54 in the evening at Caleb's Path and Nostrand Avenue in Central Islip.

The individual who contacted your office is Modesto Romero. And subsequent to your inquiry, the staff of our Communications Section, working closely with your staff, attempted to find out exactly, you know, where this occurred and what had happened, and this is what they have. At 18 -- at 18:54, 6:54 and three seconds, the first call was received; that's what the 911 record says. At 6:54:50, or 47 seconds later, the call was sent to the dispatcher; at 6:55 and 53, the call was dispatched, that's 63 seconds; and at 6:57 and 21, Unit 316, three sixteen, arrived on the scene. So the patrol vehicle arrived at the scene three minutes eighteen seconds from the time of the receipt of the first call to 911.

They further searched their records for a call from -- is it Mr. Romero?

CHAIRMAN EDDINGTON:

(Shook head yes).

CHIEF MOORE:

And they could find no record in the CAD report with this name on it. So if the individual did call, we're not clear -- it's not clear what happened. And I think that Rob and the Lieutenant from Communications are trying to move a little further to get the gentleman's telephone number to see if we can get some information based on the telephone number.

So yes, since we've had cell phones introduced, the volume of calls, duplicate calls has increased dramatically. That generally doesn't have an impact on our response times other than perhaps make our response times better. So I'm not sure what else I can tell you at this juncture about that incident.

CHAIRMAN EDDINGTON:

I guess I wasn't clear. We're not questioning at all the response time or the efficiency of the 911 staff. I've been there a number of times, and maybe it was spelled out, I couldn't give the answer, that's why I'm asking. I don't know the protocol. If 20 people call and -- I mean, you can't all be dealing with one issue because there could be 20 other in the County going on. What do you do with the other 19? You get the call and you're already responding, you've got 19 other calls coming in for that same incident; what do you do?

CHIEF MOORE:

Well, generally when a number of people call 911, the operators tell the other individuals, "Thank you, we have that call." So that's a very short and succinct conversation.

CHAIRMAN EDDINGTON:

Okay. Then I guess there's just a question to whether -- because this gentleman was saying he was put on hold or something and you don't have a record. I have no more questions then. You have a procedure and that's how it's done and I don't know what happened in this case. Anybody else? Yes.

P.O. LINDSAY:

On a different subject, can I talk?

CHAIRMAN EDDINGTON:

Sure. Legislator Lindsay.

P.O. LINDSAY:

Chief, I want to switch gears and I want to talk about something that we've talked about before here and that's high speed chases, where a suspect is fleeing from either Police or the Sheriff's Office or whatever. And of course what brings it up is there's been -- since we met last, I believe there's been at least two incidences that I know of. One, unfortunately a woman in my district was killed as a result of the suspects fleeing the Police and broad-sided them, and it was a tragedy for my community because people were really very much involved. And I think in that chase as well as the other one, you know, both PD and Sheriff were involved; am I correct on that?

CHIEF MOORE:

The primary units in both those incidences were the Sheriff's units.

P.O. LINDSAY:

But I thought I -- especially the other one, I thought I read that PD was involved as well, put out the things that flatten the tires, and the second one where thank God there was an accident but nobody was hurt.

CHIEF MOORE:

Yeah, that's true. I'm not that familiar with the second incident as much as with the first incident. So it's not clear -- you know, I really can't comment on it. I'd be happy to look into it more deeply. I can't imagine that --

P.O. LINDSAY:

I mean, we went over this once before, but we do have a protocol with that type of situation, right?

CHIEF MOORE:

The Police Department does. I really can't speak for the Sheriff's Office, I'm not familiar with their processes and procedures.

P.O. LINDSAY:

And the protocol is to do what?

CHIEF MOORE:

Well, in the case of the Police Department, generally, and we'd be happy to provide our Rules and Procedures Sections that pertain to pursuits. Generally, an officer advises the dispatcher that he or she is pursuing a vehicle and the details of the pursuit. Immediately the dispatcher issues a warning, reads a warning to the officer about endangering the lives of people. The dispatcher immediately calls for a supervisor to take command of the pursuit and the supervisor takes charge and monitors the pursuit. An additional unit is permitted to join the pursuit as a secondary unit, and depending on the circumstances, depending on what the individual is wanted for and other factors, location, you know, density, traffic conditions, the supervisor is authorized and encouraged by the Police Department to terminate the pursuit.

P.O. LINDSAY:

The suspect, what do we just let the suspect get away? I mean, do we -- I mean, we must put out some kind of all-points bulletin or something for it to --

CHIEF MOORE:

Of course. During the course of the pursuit, you know, there are constant notifications, where they are. If they can get a good description of the vehicle, the license plate, you know, those kinds of things, that is announced on the radio for everyone to hear as well.

P.O. LINDSAY:

I would be interested in seeing that protocol in writing. And Mr. Chairman, I really would like to see if the Sheriff's Department uses the same protocol.

CHAIRMAN EDDINGTON:

Well, I can answer that because I did speak to Chief Sharkey and he said yes, they do follow the same procedure. And I have had the Commissioner -- I've never got it in writing, but I have had him explain it to me. So maybe I'll just make a request for it in writing for all of us.

P.O. LINDSAY:

Yeah, and maybe if we can get the verification from the Sheriff's Department in writing that they are using the same. And, you know, the incident that I'm talking about, you know, the people were activists in the Sachem community, certainty, and it was a very, very sad. And I don't know whether anything would have changed the outcome of that, but I think we have to do our due diligence to make sure that the proper protocols were followed and that everything was done to protect public safety. Okay, thank you.

CHAIRMAN EDDINGTON:

Absolutely.

P.O. LINDSAY:

Thank you, Chief.

CHAIRMAN EDDINGTON:

So we'll just ask for that, just -- I know you have it, so if we could just get a copy for the committee of the protocol.

CHIEF MOORE:

Yes, sir.

CHAIRMAN EDDINGTON:

Thank you. One other thing; ShotSpotter. I got some information from Newsday, my source.

*(*Laughter*)*

And I was wondering if you guys could comment on -- it seems to be the issue that's holding it up with who wants to pay for the cost of what would amount to a bunch of light bulbs, whether it's going to be us or LIPA. And I see Mr. Brown was -- he's involved in it, so maybe he could tell us if it's going to be dealt with and when.

P.O. LINDSAY:

Mr. Brown is going to pay for the light bulbs?

CHAIRMAN EDDINGTON:

I'm hoping. Attorneys make a lot of money.

CHIEF MOORE:

I brought a few notes to help me in responding to your questions, and I also have with me Sergeant Peter Ervolina who is on the staff of the Chief of Patrol Officer; he is the coordinator, if you will, of the ShotSpotter Program. And if you like, I could give you a quick overview. If you have --

CHAIRMAN EDDINGTON:

It doesn't matter who does it, just -- yeah, give us where is it, what's happening.

CHIEF MOORE:

Yeah, why don't I do that. And I'd be happy to respond to any questions. If you have any really hard questions, the Sergeant can answer those.

*(*Laughter*)*

The ShotSpotter began surveys of their censor locations on May 9th; they completed those site surveys by May 12th. On May 13th there was a kick-off meeting between ShotSpotter and Precinct Commanders to just nail down what was expected of the Police and how we could help to expedite the program. By May 17th we, the Police Department, had received a list of proposed censor locations and there were a total of 108, one zero eight locations; 55 of those were on buildings and 53 were on LIPA poles. Of the 55 building permissions, at this point 41 of the 55 have been completed.

There is a bit of a hold-up in that there are a handful of churches, three or four churches, which are scheduled to have censors placed on them. The Arch Diocese of Rockville Centre is reluctant to make an agreement with ShotSpotter; they would much prefer to make an agreement with the Police Department. The Police Department is not the owning entity of the censors, so the Police Department cannot enter into a relationship with the Arch Diocese. So thanks to Dennis Brown from the County Attorney's Office and our own Sergeant, Brian Cassidy from our Legal Bureau, we've been working very hard with ShotSpotter and with the Arch Diocese to see if we could come to some resolution. Ultimately, if the churches don't work out, we expect that we're going to shift the site to LIPA poles in the vicinity. So that's a bit of a hold-up as far as buildings are concerned.

As I said, 53 of the censors are to be located on LIPA poles. LIPA for its part will only enter into a contract or agreement with the party owning the equipment; and again, in that case, that's ShotSpotter. ShotSpotter really wants LIPA to make that agreement with the Police, but again, we can't. So again, Mr. Brown and Sergeant Cassidy are working diligently with LIPA and with ShotSpotter to see if we can come to some accommodation when it comes to making the payments to LIPA. That's basically where we stand. So any questions you might have we'd be happy to answer.

CHAIRMAN EDDINGTON:

Maybe -- well, what's the difference from -- what did Nassau County do?

CHIEF MOORE:

Well, you know, that's an excellent question. Nassau County has a very -- the ShotSpotter had a very different business model prior to their dealings with Suffolk County, and the business model basically was the purchasing agency became the owner of the equipment. In this instance, we don't own the equipment, we lease the equipment from ShotSpotter. Now, since we lease the equipment from ShotSpotter, any dealings that have to do with placement of equipment, payment, that sort of thing, has to come from ShotSpotter.

So ShotSpotter, for its part, has been working very hard; I mean, we have to give credit where it's due. But having said that, this is a new business model for them, and it seems clear that many of these impediments were unanticipated on the part of ShotSpotter. So that's the major difference, and it's a significant one.

CHAIRMAN EDDINGTON:

So once the attorneys got involved -- Mr. Brown, where are you at?

MR. BROWN:

Well, nothing's been finalized yet, but the idea that Brian Cassidy and I were kicking around was entering into an ancillary agreement to the ShotSpotter agreement whereby the County, through the Police Department, reimburses ShotSpotter for any electricity costs that might be required in connection with installing sensors on the poles.

CHAIRMAN EDDINGTON:

Legislator Lindsay.

P.O. LINDSAY:

So is that what the rub is; that LIPA wants the power used by the sensors, a payment for that or, Dennis, are they trying to charge us to mount them on the pole?

MR. BROWN:

I don't know if that is -- I don't know if they're going to -- if they want to charge us to mount on the pole, but the issue that I'm familiar with is the cost of electricity. The contractor originally calls for the installation of the sensors and that the property owners would pick up the cost of the electricity; LIPA doesn't want to do that.

P.O. LINDSAY:

Okay. Can't we just have the power cost added -- have ShotSpotter pick it up and add it to the cost? I mean, many years ago I was an electrician. A sensor uses such a small amount of electricity, we're talking about a de minimus amount of money.

MR. BROWN:

I think Brian had mentioned the cost of about \$2,000, two or \$3,000.

P.O. LINDSAY:

For all five systems.

MR. BROWN:

As far as I'm aware, yes.

P.O. LINDSAY:

Yeah. I would be surprised if it's that much, to tell you the truth, but, you know, whatever. I mean, we're spending how much on this system? A lot of money.

SERGEANT ERVOLINA:

One point five.

CHIEF MOORE:

Over all .

MR. BROWN:

Over all, \$1.5 million.

P.O. LINDSAY:

Right, and \$2,000 is -- yeah, it's de minimus. I mean, if we can't have ShotSpotter, pay the utility and just add it to the bill.

MR. BROWN:

We could come to some type of agreement to reimburse the electricity.

P.O. LINDSAY:

Okay.

MR. BROWN:

I do not know what the -- and I don't know if the Police Department knows the current stage of negotiations between ShotSpotter and LIPA.

P.O. LINDSAY:

Okay. But the other issue, if LIPA is trying to charge us for mounting to their poles, let us get involved in that. I mean, you know, I would be very happy to contact LIPA and say in the interest of public safety --

LEG. BROWNING:

And their employees.

P.O. LINDSAY:

You know, please, you know, reconsider that policy, if that is a policy, you know? Thank you.

CHAIRMAN EDDINGTON:

Legislator Kennedy.

LEG. KENNEDY:

Thank you, Mr. Chair. Dennis is that the same issue that the Diocese has regarding electricity consumption, or they just -- they have a reluctance to enter into an agreement with ShotSpotter but feel --

LEG. GREGORY:

ShotSpotter is the Protestant religion.

*(*Laughter*)*

LEG. KENNEDY:

There's that threading right-to-life issue there, there you go. What besides the fact that the Bishop doesn't want to deal with an entrepreneurial vendor and feels more comfortable with Commissioner Dormer; what else is it besides that?

CHIEF MOORE:

That's not really clear. We're not sure --

LEG. KENNEDY:

Excellent; that's what I like to hear.

CHIEF MOORE:

Yeah, why the Arch Diocese would rather deal with the Police Department than a corporate entity.

LEG. KENNEDY:

Excellent. Anybody going to find out why? I mean --

CHIEF MOORE:

Well, actually, yeah, we're trying to get an answer. There's a gentleman who's representing the Arch Diocese and he's --

LEG. KENNEDY:

Sullivan. Is that Mister --

CHIEF MOORE:

Eric Anderson.

MR. BROWN:

He's the business manager.

CHIEF MOORE:

Yeah, he's the business manager and he's talking to the General Counsel for the Diocese. And at this juncture, as of July 15th, they were going to get back to the Police Department.

LEG. KENNEDY:

I ask not just to go ahead and, you know, have general knowledge, but I'm dealing with an issue with the Diocese right now regarding a delinquent tax matter, so I'm dealing with a couple of the administrators. And again, if there's anything that's going to help move the process along, tangentially I'm dealing with a different matter. So I'd appreciate knowing what the rub is.

CHIEF MOORE:

Sure. Okay.

CHAIRMAN EDDINGTON:

Legislator Browning?

LEG. BROWNING:

You mentioned the 108 locations; is that all of the communities?

CHIEF MOORE:

Yes, that's the total number, all five communities.

LEG. BROWNING:

Okay. And the churches, you mentioned actually churches that have agreed already; are some of them in North Bellport?

CHIEF MOORE:

I'm not sure about that. You know, any Catholic churches are under the authority of the Arch Diocese there. There may be other locations that are churches but other than Catholic.

LEG. BROWNING:

Yeah, I think there were a couple of the churches that we identified in North Bellport.

CHIEF MOORE:

Okay. We know St. Joseph's in Patchogue is one of the churches where we would like to place a center -- a center and, you know, we're waiting to hear from the Arch Diocese on that.

LEG. BROWNING:

Yeah, it just -- I think like has been said, it makes sense. You know, it's the parishioners who are attending the parishes, it makes sense that they would want to cooperate. And also LIPA, they have employees that have to go in there, don't you think they'd want to work with this? I mean, aren't their employees worth it?

CHIEF MOORE:

Well, I think, you know, I really can't speak for them. I know for our part, we're always looking to see if there's a precedent, and if there is a precedent it usually smoothes the process of any agreements that the Police Department engages in. If something has no precedent, we tread a little more lightly because we know that in doing so we're establishing policy.

LEG. BROWNING:

Well, I'll certainly be reaching out to you and Jack and I will reach out to St. Joseph the Worker and the Diocese.

CHAIRMAN EDDINGTON:

Okay. Legislator Gregory.

LEG. GREGORY:

Thank you, Mr. Chairman. There was another number that you threw out, Chief; you said 41 of 55; what was that in reference to again?

CHIEF MOORE:

Yeah, there are -- we're anticipating 55 buildings are going to be used for the placement of censors, and of those 41 agreements have already been closed.

LEG. GREGORY:

Ah. So there's multiple censors, I guess, on each building since you said there's 108 -- where are the 108 locations? I'm confused now.

CHIEF MOORE:

That's the buildings, the LIPA poles and --

LEG. GREGORY:

Oh, okay.

CHIEF MOORE:

You know, there are others that I really don't have the information on. Fifty-five are buildings, 53 are LIPA poles. Well, we'll find out why the disparity between the two numbers --

LEG. GREGORY:

Okay. But there isn't any one particular area that's completed with license agreements and surveys and all that stuff that we could -- we could deploy the system to, they're all in one state of flux?

CHIEF MOORE:

I'm sorry, Legislator. I was yelling at the Sergeant.

LEG. GREGORY:

My question was that there isn't any one particular one square mile that's been completed yet, they're all kind of different stages of the process of completion.

CHIEF MOORE:

That's largely true, yes. But I think that more important, ShotSpotter wants to come up once and begin accepting delivery of these censors which are going to be stored in Hauppauge, so they're going to be pulling those as they need them and sending crews up so they can do this all in one fell-swoop. So if one area was completed but they didn't hit what they're looking for, which I believe is around 55 -- 80%, they'd be reluctant to come up. And I think once we come to some sort of consensus on how we're going to deal with LIPA, I think that we'll see them within days of that agreement.

LEG. GREGORY:

Okay. All right, thank you.

CHAIRMAN EDDINGTON:

All right. I appreciate, Mr. Brown, all the work you're doing on this, and it's very important. Right now, as I've been checking up in North Bellport, we've had an exceptionally calm summer, a lot due to the increased patrols because what I'm hearing is a lot of the big bad guys are away, so there's less. But my concern is that now I'm hearing some people from -- the Police from North Bellport are being redeployed into an area in Islip where there's a heroin problem. And my concern is if ShotSpotter were in there I'd feel a little bit more comfortable but it's not, and I don't want, you know, that kind of liquid employment; we move them over here until this gets hot; I don't want North Bellport to get hot. So if you could just keep an eye on that area for us, we're really -- we're lucky so far.

LEG. GREGORY:

Can I --

CHAIRMAN EDDINGTON:

Legislator Gregory.

LEG. GREGORY:

Just to make a quick comment on that. I think in my conversations with young people throughout my district, I think there's a sense that ShotSpotter has been deployed already, that we have the ability to pick this up. So it may benefit from that already even though it's not. Because I was surprised, you know, talking to some kids and they -- and that was one of the things that they said, "Oh, yeah, ShotSpotter." So I was surprised that they were really engaged on that level. I mean, it's out in the community is what I'm saying, so people are talking about it, they're concerned about it and they're looking forward to it in some sense, or not.

CHAIRMAN EDDINGTON:

Beautiful. Okay. Thank you very much, gentlemen.

LEG. BROWNING:

FRES?

CHAIRMAN EDDINGTON:

Could John Searing from FRES come forward? Legislator Browning has a question.

LEG. BROWNING:

Good morning, John.

DEPUTY COMMISSIONER SEARING:

Good morning.

LEG. BROWNING:

Can we get an update on the FRES SCINs, the SCINS forms that have -- were to be signed? I think it's probably two meetings ago that we got the information. And I have since received that, you know, there are employees who are now almost double their salary because of the overtime they're making. You know, like when we read Newsday and hear about Police salaries and how they're making so much money, but they're not talking about it because they're making so much overtime because of staff shortages. So could you give us a little bit of information?

DEPUTY COMMISSIONER SEARING:

Yes. As of yesterday afternoon the SCINS have not been signed. The Commissioner did speak with Ed Dumas, so I know that there's active dialogue going on with those SCINS.

LEG. BROWNING:

So what is your overtime like right now?

DEPUTY COMMISSIONER SEARING:

We -- our overtime in the Communications Room in particular is really what drives our overtime. It's a lot, the Commissioner and I are concerned about it. Overtime is not conducive to employee health in the long term; you know, short-term it's okay, but when you have to fill a lot of spots, it really drives it. So our overtime budget has been exceeded; we exceeded it in June and we're concerned about that.

LEG. BROWNING:

You know, I have spoken to some employees and that is their concern. Because it's not something you can do. You know, they're tired after an eight-hour day. And how many positions is it again? And also, I'm hearing that there's some supervisory positions that some people are actually filling in on because they don't have the supervisors?

DEPUTY COMMISSIONER SEARING:

Yes. We're actually in a -- it's a couple of things going on. We have four dispatcher positions and one Supervisor position. However, we have a number of folks out on extended sick leaves. So we run on five squads to cover 24/7; essentially we've been down a squad. So every time a certain squad comes up, you're talking two supervisors and eight additional to do minimum staffing, makes it all -- that's all overtime. So that's been the concern that we have, to try to get those filled. Now, we just had three people come back from sick leave, but we do still have a supervisor out on sick leave.

LEG. BROWNING:

Okay. So could you get us the information on your overtime budget?

DEPUTY COMMISSIONER SEARING:

Sure.

LEG. BROWNING:

I appreciate that.

CHAIRMAN EDDINGTON:

We like to get it from you before we get it from Newsday.

DEPUTY COMMISSIONER SEARING:

Amen.

*(*Laughter*)*

CHAIRMAN EDDINGTON:

Okay. Thanks a lot, John.

DEPUTY COMMISSIONER SEARING:

Thank you.

CHAIRMAN EDDINGTON:

Oh, wait. Legislator Lindsay.

P.O. LINDSAY:

No, I don't have any questions for him.

CHAIRMAN EDDINGTON:

Oh, okay. Legislator Lindsay.

P.O. LINDSAY:

I just -- maybe Chief Moore knows this, and I should have asked you; if you don't know it, maybe you could get us the numbers. We just gave the Police test and less people showed up than was committed; is that true?

CHIEF MOORE:

We'll get those numbers for you, but that's not unusual.

P.O. LINDSAY:

But here's my question. Over the years we have waived fees for different people, returning veterans, and trying to do the right social thing. And I'm wondering because there's no fee attached, people sign up for it and don't show up.

CHIEF MOORE:

You know, sir, I'll have to check that with you. Because I had heard that the number of people who were eligible for having the fees waived as opposed to the number of that group who showed up was disappointing, I had heard that. But we'll check on that, it's an interesting question.

P.O. LINDSAY:

Yeah, if you could get me the numbers on that, because, you know, it's something that we might want to rethink. And I wouldn't object to tweaking the law making it a rebate; you know, put the money up-front, if you show up for the test and you qualify for one of the exemptions, we'd be happy to give you the money back, but -- you know, maybe I'm operating on a false assumption, maybe it isn't an issue. But I heard the same story, that we prepared for a lot more people that showed up and a lot of the people that didn't show up were the ones that were -- didn't have to pay a fee, you know? Certainly, if you pay a hundred bucks you have an incentive to show up and take the test.

CHIEF MOORE:

Much of this, as you know, is done under the auspices of the Department of Civil Service, and I think it probably would behoove us to examine, so I'm glad you brought it up. You know, many of the individuals who have their fees waived are minority children; not all of them, but many of them. And I think it would be in our best interest to explore why they didn't make an appearance; I mean, maybe they didn't have transportation. So it's an interesting question and I think we need to look a little more deeply into, you know, not only that they didn't show up, but the causes for their not appearing.

P.O. LINDSAY:

Well, you know, today we look at every dime we expend, and if we're losing revenue by trying to do the right thing and open the test to more people that can't afford to take the test, that isn't right either. So I'll talk to Alan Schneider about it as well, maybe he has some figures. But if you guys could look at it, I'd appreciate it.

CHIEF MOORE:

Yes, sir.

CHAIRMAN EDDINGTON:

Thank you, Chief. Is there anybody else that wants to -- no, thank you. Does anybody else want to address the committee? Okay. Seeing none, we'll go to **Tabled Resolutions:**

IR 1124-11 - Adopting Local Law No. -2011, A Local Law to change the formula for distribution of funds and fees generated from the seizure and forfeiture of vehicles (Schneiderman). I'll make a motion to table.

LEG. GREGORY:

Second.

CHAIRMAN EDDINGTON:

Second by Legislator Gregory. All those in favor? Opposed? Abstentions? ***Tabled (VOTE: 6-0-0-0 - including Presiding Officer Lindsay).***

IR 1546-11 - Adopting Local Law No. -2011, A Local Law amending Chapter 260A of The Suffolk County Code pertaining to demonstrations at Funeral Services (Stern). I'll make a motion to approve.

LEG. CILMI:

Second.

CHAIRMAN EDDINGTON:

Second by Legislator Cilmi. All those in favor? Opposed? Abstentions? ***Approved (VOTE: 6-0-0-0 - including Presiding Officer Lindsay).***

IR 1606-11 - Accepting \$135,933 in Federal pass through grant funds from the NYS Department of Criminal Justice Services to the Suffolk County Department of Probation for the S.T.O.P. Violence Against Women Act Program with 100% support (County Executive). I'll make a motion to approve and put on the Consent Calendar.

LEG. KENNEDY:

Second.

CHAIRMAN EDDINGTON:

Second by Legislator Kennedy. All those in favor? Opposed? Abstentions? ***Approved and placed on the Consent Calendar (VOTE: 6-0-0-0 - including Presiding Officer Lindsay).***

IR 1612-11 - Adopting Local Law No. -2011, A Local Law to strengthen the County's All-Terrain Vehicle Law (Stern). I'll make a motion to table for public hearing.

LEG. GREGORY:

Second.

CHAIRMAN EDDINGTON:

Second by Legislator Gregory. All those in favor? Opposed? Abstentions? ***Tabled for public hearing (VOTE: 6-0-0-0 - including Presiding Officer Lindsay).***

Seeing no other business, I will adjourn the meeting. Thank you.

(*The meeting was adjourned at 10:51 A.M. *)