

PUBLIC SAFETY COMMITTEE
OF THE
SUFFOLK COUNTY LEGISLATURE

Minutes

A regular meeting of the Public Safety Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on Thursday, June 14, 2012 at 10:00 a.m.

Members Present:

Legislator Kate Browning - Chairperson
Legislator Robert Calarco - Vice-Chair
Legislator DuWayne Gregory - Member
Legislator William Spencer - Member
Legislator Kara Hahn - Member
Legislator Lou D'Amaro - Member

Also In Attendance:

George Nolan - Counsel to the Legislature
Sarah Simpson - Assistant Counsel to the Legislature
Terry Pearsall - Chief of Staff/P.O. Lindsay's Office
Barbara LoMoriello - Deputy Clerk/Suffolk County Legislature
John Ortiz - Budget Analyst/Legislative Budget Review Office
Josh Slaughter - Aide to Legislator Browning
Bobby Knight - Aide to Presiding Officer Lindsay
Michael Pitcher - Aide to Presiding Officer Lindsay
Lora Gellerstein - Aide to Legislator Spencer
Ali Nazir - Aide to Legislator Kennedy
Ben Zwirn - County Executive Assistant
Tom Vaughn - County Executive Assistant
John Jordan - Acting Deputy Commissioner/SC FRES Department
Tedd Nieves - Deputy Inspector/Suffolk County Police Department
Tracy Pollak - Headquarters/Suffolk County Police Department
Mike Sharkey - Chief of Staff/Suffolk County Sheriff's Office
Noel DiGerolamo - President/Suffolk County PBA
Lou Molinari - 2nd Vice-President/Suffolk County PBA
Tim Morris - President/Superior Officer's Association
Russ McCormick - Sergeant-at-Arms/Suffolk Detective's Association
Artie Sanchez - Vice-President/Deputy Sheriffs Police Benevolent Assoc
Richard Meyer - Association of Municipal Employees
Laura Ahearn - Executive Director/Parents for Megan's Law
Rabbi Steven A. Moss - Nominee/Chair&Member-SC Human Rights Commission
Luis E. Rodriguez - Nominee/Suffolk County Human Rights Commission
Luis Valenzuela, PhD - Nominee/Suffolk County Human Rights Commission
Jennifer Blaske - Human Rights
Arthur P. Bloom - Nominee/Suffolk County FRES Commission
Ryan Murphy - Nominee/Suffolk County FRES Commission
Tim Crafts - Nominee/Suffolk County FRES Commission
All Other Interested Parties

Minutes Taken By:

Alison Mahoney - Court Reporter

*(*The meeting was called to order at 9:34 A.M. *)*

CHAIRPERSON BROWNING:

We'll start the Public Safety meeting. If everyone could please stand for the Pledge of Allegiance led by Legislator Calarco.

Salutation

And we'll have a moment of silence for those who defend our country.

Moment of Silence Observed

Thank you. Okay, good morning. I know we have a number of appointments and a couple of reappointments, so what I would like to do is try and get a move on those. I don't believe there's any cards; are there any cards?

MS. LOMORIELLO:

No cards.

CHAIRPERSON BROWNING:

No cards, good.

Okay. So I will just call each number we're going to take out of order. Okay, we don't have a lot, we have only two other things on the agenda, so we'll go straight to the agenda.

Tabled Resolutions

1065-12 - Adopting Local Law No. -2011, A Charter Law to provide for fair and equitable distribution of public safety sales and compensating use tax revenues (Schneiderman).

LEG. CALARCO:

Motion to table.

LEG. D'AMARO:

Second.

CHAIRPERSON BROWNING:

Motion to table, Legislator Calarco. Second, Legislator D'Amaro. All in favor? Opposed? Abstentions.

LEG. GREGORY:

Abstain.

CHAIRPERSON BROWNING:

It's tabled (VOTE: 5-0-1-1 - Abstention: Legislator Gregory - Not Present: Legislator Spencer).

1233-12 - Adopting Local Law No. -2012, A Charter Law to clarify the process for distributing public safety sales tax revenues to municipalities outside the Police District (Schneiderman). Same motion, same second, same vote. ***Tabled (VOTE: 5-0-1-1 - Abstention: Legislator Gregory - Not Present: Legislator Spencer)***

HR 04-12 - Requesting the State of New York to amend the Tax Law, in relation to requiring a Revenue Distribution Agreement for Equitable Allocation within the County of Suffolk for public safety purposes of sales and compensating use tax (Senate Bill S.2638 and Assembly Bill A.3735) (Schneiderman). We'll do same motion, same second, same vote?

LEG. CALARCO:

Sure thing.

CHAIRPERSON BROWNING:

Good. **Tabled (VOTE: 5-0-1-1 - Abstention: Legislator Gregory - Not Present: Legislator Spencer).**

Introductory Resolutions

1528-12 - Adopting Local Law No. -2012, A Local Law to ensure advanced planning for emergencies by nursing homes, long-term care facilities and group homes for the disabled ("Prepared To Protect Our Most Vulnerable Citizens Act") (Stern). Motion to table for a public hearing. Second, Legislator Calarco. All in favor? Opposed? Abstentions? **It's tabled (VOTE: 6-0-0-1 - Not Present: Legislator Spencer).**

1554-12 - Accepting and appropriating 100% Federal funds awarded as pass-through funding by the New York State Division of Criminal Justice Services to the Suffolk County Department of Probation and authorizing the County Executive to execute related agreements (County Executive).

LEG. CALARCO:

Motion to approve and place on the Consent Calendar.

LEG. D'AMARO:

Second.

CHAIRPERSON BROWNING:

Motion to approve and place on the Consent Calendar by Legislator Calarco. Second -- who was that?

LEG. CALARCO:

D'Amaro.

CHAIRPERSON BROWNING:

Legislator D'Amaro. All in favor? Opposed? Abstentions? **Approved & placed on the Consent Calendar (VOTE: 6-0-0-1 - Not Present: Legislator Spencer).**

Next we have **1572-12 - Approving the reappointment of Scott Thebold as a member of the Suffolk County Fire, Rescue and Emergency Services Commission (County Executive).**

I know this is a reappointment, so he doesn't need to be here. I'll make a motion to approve.

LEG. CALARCO:

Second.

CHAIRPERSON BROWNING:

Second, Legislator Calarco. All in favor? Opposed? Abstentions? **Approved (VOTE: 6-0-0-1 - Not Present: Legislator Spencer).** And I'd like to be a sponsor. I'm glad to see Scott's staying on board.

1573-12 - Approving the appointment of Ryan J. Murphy as a member of the Suffolk County Fire, Rescue and Emergency Services Commission (County Executive).

LEG. CALARCO:

Motion to approve.

CHAIRPERSON BROWNING:

Is Ryan -- Ryan is here, right?

MR. MURPHY:

Yes, ma'am.

CHAIRPERSON BROWNING:

Okay, you made the motion.

LEG. CALARCO:

Yes.

CHAIRPERSON BROWNING:

Legislator Calarco made the motion; I'll second that. Would you like to come up for two seconds?

MR. MURPHY:

Certainly.

CHAIRPERSON BROWNING:

Just introduce yourself and give us a little bit about who you are.

MR. MURPHY:

My name is Ryan Murphy. I've been a member of Patchogue Fire Department for 12 years. I'll be representing Suffolk County Volunteer Firemen's Association on the commission. I currently act as Public Information Officer for Suffolk County Southern New York Volunteer Firemen's Association. I am also on the Fire Prevention Life Safety Committee for the Firemen's Association of the State of New York.

CHAIRPERSON BROWNING:

Okay. Thank you. Any questions by anyone?

LEG. HAHN:

Thank you for your service as a volunteer.

MR. MURPHY:

Thank you.

CHAIRPERSON BROWNING:

No? Okay.

LEG. CALARCO:

I would just like to add, Ryan is from my district, the 7th Legislative District. He's a great asset in our community to our local fire department and a great asset to Fire -- to FRES where he works as an employee for the County and I think will be a great asset on the commission. Thank you, Ryan, for your service.

MR. MURPHY:

Thank you, Legislator Calarco.

CHAIRPERSON BROWNING:

Thank you, Ryan. And I'm looking forward to seeing you at the FRES meetings.

MR. MURPHY:

Certainly.

CHAIRPERSON BROWNING:

So there was a motion and a second. All approved? Opposed? Abstained? (*Laughter*), whatever. It's approved. (***VOTE: 6-0-0-1 - Not Present: Legislator Spencer***). Congratulations, Ryan. And you don't have to -- none of you have to come back on Tuesday as long as it's approved.

LEG. CALARCO:

Thanks, Ryan.

MR. MURPHY:

Thank you.

CHAIRPERSON BROWNING:

Okay. Actually, out of -- I know we're getting close to time. Rabbi Moss does have to leave, and so I would like to take out of order 1616.

MR. NOLAN:

There's two.

CHAIRPERSON BROWNING:

Yeah, there's 1615, 1616, 1617 and 1618.

MR. NOLAN:

Do 16 first.

CHAIRPERSON BROWNING:

And there's 14?

MR. NOLAN:

Yeah. Do 16 first.

CHAIRPERSON BROWNING:

Okay. 1616. I guess there's two, there's 1614 and 1616, but we'll get there.

So anyway, I'd like to make a motion to take out of order 1616.

Is there a second?

LEG. D'AMARO:

Second.

CHAIRPERSON BROWNING:

Second, Legislator D'Amaro. All in favor? Opposed? Abstentions? It's taken out of order.

1616-12 - Approving the reappointment of Rabbi Steven A. Moss as a member of the Suffolk County Human Rights Commission (County Executive). Motion to approve the reappointment of Rabbi Steven A. Moss to a member of the Suffolk County Human Rights Commission. I'll make a motion.

LEG. GREGORY:

Second.

CHAIRPERSON BROWNING:

Second, Legislator Gregory. Rabbi Moss, do you have anything you'd like to say? I know you came to support the other new members.

RABBI MOSS:

Good morning. I just want to say that I am here to -- I wanted to be here this morning to first support our new appointments, the County Executive's new appointments to our commission, and both of them are very fine assets to it. And I do want to also thank all of you for constant support of our commission.

As some of you might know, if I am, once again, reappointed, this I think is my 21st year as Chair of the Commission. And I've been very honored to serve and look forward to continuing to do this, the work that I do for the County and for the citizens of our County.

And also, I do want to say publicly I thank you to Mr. Bellone for now moving ahead with these appointments and reappointments, and we actually have five more coming up hopefully this summer. So then -- and also making a brand new appointment which gives us now with Mr. Rodriguez our full complement of 15 members of our commission, which we haven't had in quite a few years, to continue to do our work. So thank you very much.

CHAIRPERSON BROWNING:

And thank you. Anyone have any questions for the Rabbi? No? Okay. So there was a motion to approve and a second. All in favor? Opposed? Abstentions? ***It's approved.***
(VOTE: 6-0-0-1 - Not Present: Legislator Spencer). Congratulations, Rabbi.

RABBI MOSS:

Thank you.

CHAIRPERSON BROWNING:

And thank you for everything you do.

RABBI MOSS:

Thank you.

CHAIRPERSON BROWNING:

And I'd like to take out of order ***1614-12 - Approving the reappointment of Rabbi Steven Moss as Chair of the Suffolk County Human Rights Commission (County Executive).*** I guess we'll do same motion, same second. And question, DuWayne?

LEG. GREGORY:

Yes. I obviously support this. I just -- I thought -- it was just my understanding that the Chair was selected by the committee and not by legislation.

RABBI MOSS:

No.

MR. NOLAN:

I don't think so.

RABBI MOSS:

No.

LEG. GREGORY:

Really?

CHAIRPERSON BROWNING:

If Rabbi Moss wants to come up, I think he's got an answer for that; yes? George is taking a look at that.

LEG. CALARCO:

We have to get you on the record.

CHAIRPERSON BROWNING:

On the record.

RABBI MOSS:

No. In our bylaws it states that the Chair is appointed by the County Executive and then approved by the Legislature. We, on the commission itself, the members, do the appointment of the vice-chair.

LEG. GREGORY:

Okay.

RABBI MOSS:

And then, of course, in terms of staff as well.

LEG. GREGORY:

Okay.

RABBI MOSS:

Yeah. Thank you.

LEG. GREGORY:

I knew it was something involving the internal operations of the board itself.

CHAIRPERSON BROWNING:

Okay?

RABBI MOSS:

By the way, if anyone wants to see our bylaws, you're welcome to, of course.

LEG. GREGORY:

No, no, I don't disagree, obviously.

RABBI MOSS:

No, I don't mean that part. Just to know how -- I don't mean it that way. I meant in a good way in the sense that if anyone is interested just to see how we do operate and things, the rules that we work under, anyone is welcome, of course, to see them.

MR. NOLAN:

Our law, the chapter of our law that deals with the Human Rights Commission is consistent with their bylaws, that it is a County Executive appointment and we approve the chairman.

LEG. GREGORY:

Okay.

CHAIRPERSON BROWNING:

Okay. So we had the motion and the second. All in favor? Opposed? Abstentions?

It is approved (VOTE: 6-0-0-1 - Not Present: Legislator Spencer). And congratulations

again, Mr. Chairman.

LEG. GREGORY:
Cosponsor.

CHAIRPERSON BROWNING:

Okay. I guess I would like to take -- because I know that you have a time issue, take out of order 1615, 1616 and 1618. Can I do it that way?

MR. NOLAN:
One at a time.

CHAIRPERSON BROWNING:

I have to do it one at a time? Okay. I was trying to rush it.

Okay, I'd like to make a motion to take out of order 1615. Do I have a second?

LEG. GREGORY:
Second.

CHAIRPERSON BROWNING:

Legislator Gregory. All in favor? Opposed? Abstentions? It's taken out of order.

1615-12 - Approving the reappointment of Lynda Perdomo-Ayala as a member of the Suffolk County Human Rights Commission (County Executive). This is a reappointment, so I'll make a motion to approve. Second, Legislator Gregory. All in favor? Opposed? Abstentions?
It is approved (VOTE: 6-0-0-1 - Not Present: Legislator Spencer).

I'd like to make a motion to take out of order, sorry 1613, Approving the reappointment of Michele T. DelMonte as a member of the Suffolk County Human Rights Commission. I'll make a motion. Second, Legislator D'Amaro. All in favor? Opposed? Abstentions? It's taken out of order.

Motion to approve ***1613-12 - Approving the reappointment of Michele T. Del Monte as a member of the Suffolk County Human Rights Commission (County Executive).*** I guess --

LEG. SPENCER:
Motion to approve.

CHAIRPERSON BROWNING:

Motion to approve. Seconded, Legislator D'Amaro. All in favor? Opposed? Abstentions?
It is approved (VOTE: 7-0-0-0).

Okay. I guess we have a couple of appointments which I should take out of order. I know you guys have a time issue and you have to be somewhere by ten o'clock. I'll take out of order 1618. Second. Legislator D'Amaro. All in favor? Approved? Abstentions? It is out of order. Taken out of order (*Laughter*).

Motion to approve ***1618-12.*** Second, Legislator D'Amaro, or Gregory?

LEG. GREGORY:
It doesn't matter.

CHAIRPERSON BROWNING:

Okay, *Approving the appointment of Luis E. Rodriguez, Esq. As a member of the Suffolk County Human Rights Commission (County Executive)*. Mr. Rodriguez, if you'd like to come forward.

MR. RODRIGUEZ:

Sure.

CHAIRPERSON BROWNING:

Okay.

MR. RODRIGUEZ:

Good morning.

CHAIRPERSON BROWNING:

If you'd like to go ahead and introduce yourself.

MR. RODRIGUEZ:

Yes. Good morning, members of the board. My name is Luis E. Rodriguez. I am a general partner at the firm Goldstein & Rodriguez located at Hempstead, New York. I've been a longtime resident of Suffolk County, having migrated to this country in 1984. I grew up in North Amityville, graduated Touro Law School in 2005. We have a general practice at our firm consisting of matters dealing with criminal law to family law, as well as administrative law. And I've been with -- and I started out as an apprentice to Judge Goldstein in Hempstead and in 2005 when I was admitted, we formed a partnership.

CHAIRPERSON BROWNING:

Okay. Any questions from anyone? No? Well, I wish you a lot of luck. And I certainly appreciate your service. I believe there was a motion to approve and a second. All in favor? Opposed? Abstentions? *It is approved (VOTE: 7-0-0-0)*. Congratulations, and I look forward to working with you.

MR. RODRIGUEZ:

Thank you.

CHAIRPERSON BROWNING:

Okay. The last one I'll take out of order is 1642. I'll make a motion to approve -- take out of order.

LEG. CALARCO:

Second.

CHAIRPERSON BROWNING:

Second, Legislator Calarco. All in favor? Opposed? Abstentions? It's taken out of order.

1642-12 - Approving the appointment -- say again?

MR. NOLAN:

We need a second.

CHAIRPERSON BROWNING:

Okay, I'm sorry, I didn't get --

LEG. CALARCO:

For out of order.

CHAIRPERSON BROWNING:

I'm sorry, the second for taking it out of order, the second was Legislator Hahn. I'm sorry.

1642-12 - Approving the appointment of Luis Valenzuela, Ph.D. as a member of the Suffolk County Human Rights Commission (County Executive).

LEG. HAHN:

Motion.

CHAIRPERSON BROWNING:

I'll make a -- motion, Legislator Hahn. I'll second that. Luis?

Good morning.

MR. VALENZUELA:

Good morning. I'm Luis Valenzuela. I work for the Health Education -- Health Care Education Project of the Greater New York Hospital Association and 1199 SCIU. We're currently involved in a project to save nursing homes from further cuts. I'm also associated with the Long Island Immigrant Alliance for quite some time. I'm a Clinical Associate Professor at SUNY Stony Brook, and I serve on a bunch of boards across Long Island.

CHAIRPERSON BROWNING:

Any questions from anyone? No? I think we all know you very well. So I guess there was a motion to approve and a second. All in favor? Opposed? Abstentions? Okay, ***it's approved (VOTE: 7-0-0-0)***. Congratulations.

MR. VALENZUELA:

Thank you.

CHAIRPERSON BROWNING:

Thank you.

Now we're going to go back to ***1574-12***, and this is ***Approving the appointment of Timothy Crafts as a member of the Suffolk County Fire, Rescue and Emergency Services Commission (County Executive)***.

LEG. KENNEDY:

I'll make the motion, Madam Chair.

CHAIRPERSON BROWNING:

Motion to approve, Legislator Kennedy. I'll second that.

LEG. KENNEDY:

Mr. Crafts, if you'd like to come up and just tell us a little bit about yourself.

MR. CRAFTS:

Good morning. My name is Timothy Crafts, I'm a lifelong resident of Smithtown. I've served with the Smithtown Fire Department for over 24 years in a variety of different positions up to and including Chief of Department. I've also been the past President of the Smithtown Fire Chiefs Council and I'm currently employed with Olympus in their Surgical Endoscopy Division, I'm one of their Regional Directors.

CHAIRPERSON BROWNING:

Any questions? John?

LEG. KENNEDY:

I just want to thank Mr. Craft for agreeing to go ahead and serve on the FRES Commission. I've worked with him in the Smithtown Fire Department in a number of different events, and like all the other volunteers, his willingness to go ahead and spend additional time on this important County Board is laudable and notable. So thank you.

We appreciate it. And Madam Clerk, could you please list me as cosponsor.

CHAIRPERSON BROWNING:

Okay. Legislator Hahn?

LEG. HAHN:

Thank you for your service as a volunteer for all of those years. It really is so important and you do such great work and give up so much time for our community and the families to protect them.

Thank you.

CHAIRPERSON BROWNING:

Okay. No more questions? With that, there was a motion to approve and a second. All in favor? Opposed? Abstentions? ***It is approved (VOTE: 7-0-0-0)***. Congratulations. And you don't have to come back on Tuesday and I'll see you at the FRES meetings.

MR. CRAFTS:

Thank you very much.

CHAIRPERSON BROWNING:

Thank you.

1575-12 - Approving the appointment of Arthur P. Bloom as a member of the Suffolk County Fire, Rescue and Emergency Services Commission (County Executive). I'll make a motion to approve.

LEG. D'AMARO:

Second.

CHAIRPERSON BROWNING:

Second, Legislator D'Amaro. Mr. Bloom, you want to -- good morning.

MR. BLOOM:

Good morning.

CHAIRPERSON BROWNING:

Good morning. Do you want to just tell us a little bit about yourself?

MR. BLOOM:

Sure. I'm a seventh generation resident of Shelter Island. I have 21 years of service with the Shelter Island Fire Department. I'm presently a Captain. Prior to that, I had 20 years of service with the New York City Police as a volunteer. I'm the Fire Marshal of the smallest village in New York State, Dering Harbor, and I'm eager to serve.

CHAIRPERSON BROWNING:

I think you are, when you come all the way from Shelter Island. And I had the pleasure of meeting you at a FRES meeting, so, again, thank you for your service.

MR. BLOOM:

You're welcome.

CHAIRPERSON BROWNING:

I believe there was a motion to approve and a second. All in favor? Opposed? Abstentions? And thank you for your service, *it's approved (VOTE: 7-0-0-0)*.

MR. BLOOM:

Thank you.

CHAIRPERSON BROWNING:

And you don't have to come back Tuesday. I think coming to FRES meetings at eight o'clock at night all the way from Shelter Island is quite commendable. Thank you.

LEG. HAHN:

Thank you for your service, Mr. Bloom.

CHAIRPERSON BROWNING:

Okay. 1576-12 - Approving the reappointment of Vincent Bologna Jr. As a member of the Suffolk County Fire, Rescue and Emergency Services Commission (County Executive).

I'll make a motion to approve.

LEG. SPENCER:

Second.

CHAIRPERSON BROWNING:

Second. Mr. Bologna is not here, right? Because it is a reappointment. I just wanted to make sure. So we had a motion and a second, Legislator Spencer. All in favor? Opposed? Abstentions? *And it is approved (VOTE: 7-0-0-0)*.

1617-12 - Approving the reappointment of Carolyn G. Peabody as a member of the Suffolk County Human Rights Commission (County Executive). Motion to approve, Legislator D'Amaro. Second, Legislator Gregory. All in favor? Opposed? Abstentions? *It is approved. (VOTE: 7-0-0-0)*.

Wow, this is going to be the quickest Public Safety meeting.

MR. NOLAN:

Ever.

CHAIRPERSON BROWNING:

Ever.

1627-12 - Accepting and appropriating 100% Federal pass-through grant funds from the NYS Division of Homeland Security and Emergency Services in the amount of \$1,169,092 for the "State Homeland Security Program (SHSP) FY2011" administered by the Suffolk County Department of Fire, Rescue and Emergency Services and to execute grant related agreements (County Executive). Motion to approve and place on the Consent Calendar, Legislator Calarco.

LEG. D'AMARO:

Second.

CHAIRPERSON BROWNING:

Second, Legislator D'Amaro. All in favor? Opposed? Abstentions? *It's approved (& placed on the Consent Calendar) (VOTE: 7-0-0-0).*

*1628-12 - Accepting and appropriating 100% Federal pass-through grant funds from the NYS Division of Homeland Security and Emergency Services in the amount of \$2,247,291 for the "Urban Area Security Initiative (UASI) FY2011" administered by the Suffolk County Department of Fire, Rescue and Emergency Services and to execute grant related agreements (County Executive). We'll do same motion, same second, same vote. **Approved & placed on the Consent Calendar (VOTE: 7-0-0-0).***

*1632-12 - Accepting and appropriating a grant in the amount of \$100,000 in Federal pass-through funds from the New York State Division of Homeland Security and Emergency Services for the 2010 Bomb Squad Initiative Program with 100% support (County Executive). I guess we'll do same motion, same second, same vote. **Approved & placed on the Consent Calendar (VOTE: 7-0-0-0).***

And with that, we have nothing more on the agenda. We are adjourned.

*(*The meeting was adjourned at 9:56 A.M. *)*