PUBLIC SAFETY COMMITTEE

OF THE

SUFFOLK COUNTY LEGISLATURE

MINUTES

A Special 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, May 21st, 2014, at 2:00 PM, to discuss the matter of the 2015-1017 Capital Budget.

Members Present:
Legislator Kate Browning - Chairperson
Legislator Robert Calarco - Vice-Chair
Legislator Kara Hahn
Legislator William Spencer
Legislator Monica Martinez
Legislator John Kennedy

Also in Attendance:
Presiding Officer DuWayne Gregory - Legislative District No. 15
Legislator William Lindsay - Legislative District No. 8.
Legislator Robert Trotta - Legislative District No. 13
George Nolan - Counsel to the Suffolk County Legislature
Terry Pearsall - Chief of Staff to Presiding Officer Gregory
Robert Lipp - Director/Budget Review Office
John Ortiz - Senior Budget Analyst/Budget Review Office
Jill Moss - Budget Analyst/Budget Review Office
Bill Shilling - Aide to Legislator Calarco
Debbie Harris - Aide to Legislator Stern
Jason Hahn - Aide to Deputy Presiding Officer Schneiderman
Pam Donovan - Aide to Legislator Anker
Seth Squicciarino - Aide to Legislator Hahn
Mark Malizia - Aide to Legislator Spencer
Tom Vaughn - County Executive's Office
John Morafino - County Executive's Office
Suraiya Afrina - Intern/County Executive's Office
Ed Webber - Commissioner/Suffolk County Police Department
Mark White - Chief of Support Services/Suffolk County Police Department
Robert Scharf - Lieutenant-Staff Services Bureau/SCPD
Mike Postel - Director of Technical Services/SCPD
Marianne Scheschowitz - Budget Analyst-Budget Section/SCPD
Patrice Dlhopolsky - Probation Director
Mike Franchi - Deputy Warden/Suffolk County Sheriff's Office
Joe Williams - Commissioner/Fire, Rescue, Emergency Services
Ed Moltzen - Community Development Program/FRES
Gil Anderson - Commissioner/SC Department of Public Works
Phil Berdolt - Deputy Commissioner/SC Department of Public Works
Jim Roddin - Superior Officer's Association
All Other Interested Parties

Minutes Taken By:
Alison Mahoney - Court Stenographer.

(*The meeting was called to order at 2:08 PM*)

CHAIRPERSON BROWNING:
Good afternoon. We will start the Public Safety Capital Budget meeting with the Pledge of Allegiance led by Legislator Calarco.

Salutation

Okay, thank you. Have a seat. Okay. We have quite a few projects. I think what I might do is ask -- where do I want to start? Okay. Robert, maybe we could let you start with any changes or amendments to the Capital Program, BRO's changes or amendments.

MR. LIPP:
Hold on one second.

CHAIRPERSON BROWNING:
Okay. I guess if I was to start in the book, where are we? It actually starts with the jail, but -- is there anyone here from the Sheriff's Office at this time? No?

DEPUTY WARDEN FRANCHI:
(Raised hand).

CHAIRPERSON BROWNING:
Oh, sorry. Can't see you behind the monitor. I think there might be quite a few questions on the Sheriff's Department, so if you wouldn't mind, we might hold off, jail-related I think.

I guess -- while we're waiting for that, I guess, Commissioner Webber, if you would like to come up and bring whoever with you. I know Communications for the 800 Megahurtz, for the infrastructure improvements, I know that's a biggy, which I absolutely believe we need to get moving based on many meetings that I've been to. Would you want to start with that one, and/or you can give us a presentation of the budget yourself.

COMMISSIONER WEBBER:
Okay. Good afternoon, everyone, Madam Chair. I would like to thank the Budget Review Office for their fair and impartial review of the department's 2015-17 Capital Project. We are prepared to discuss any of the projects that you may have questions on. And I brought Mike Postel, our Communications Director, to answer any specific questions you may have on the major radio purchase that you are alluding to.

I can tell you, before I open it up to questions to him, just in the layman's terms I can go over it pretty quickly. We're replacing and updating our old Analogue 1994 Vintage Radio System with an IP, which is Internet Protocol P-25, which is Project 25, Digital Radio System. The old system is 20-years old and it needed repair. We have some additional benefits we get from it. We will have GPS abilities in our portables, which if you recall in the fire, the wild fires that some firemen got lost in the woods, this would prevent that from happening, we would know where they were. We do encryption for narcotic investigation or tactical, text messages and a suite of other P-25 compliant. P-25 means it's Project 25, it increases. It's the Federal, State and local jurisdictions interoperability or communications ability; very important in times in emergency such as Sandy, Flight 800. Nassau County is currently changing to the P-25 compliance, as is the MTA Police, so it will increase our communications in case of emergency.

We'll also be replacing not only the infrastructure, which what I just addressed is the guts of the system, if you will, the base of each tower system, as well as in Headquarters, but we'll be replacing -- most of the mobiles can be updated. They're current enough, but the portables, most of them have to be replaced or purchased.

And the last thing will be also, there's a 700 Megahurtz system that we picked up and we recently were licensed on. We will be actually adding that to the system so that we can -- we have a fire limitation by the FCC if you don't build-out on the system, within five years you could lose it, so that's important to increase our abilities to communicate both voice and data communications.

And the last thing is being P-25 compliant, we now do not have one vendor because it's industry standard, so we can have any one of a number of vendors. As you know, we have one vendor forever in the Suffolk County Police Department, because once you're in the system, another system can't come in. This will eliminate that situation and we'll all be able to buy from any one of the other manufacturers.

CHAIRPERSON BROWNING:
Good.

COMMISSIONER WEBBER:
That's a quick overview. And I'm sure Mike can answer any of the detailed questions you may have.

CHAIRPERSON BROWNING:
Kara, was your question with regard -- okay. Kara?

LEG. HAHN:
Yeah, just quickly. Is FRES moving over to this as well?

MR. POSTEL:
FRES currently operates the EMS portion on the trunked 800 System; they will be handled and accommodated through that. Their daily operations that FRES handles with the fire coordinators are run on the 800 Megahurtz System. And the 700 portion that the Commissioner spoke about, which there is a portion that's already being installed on a New York State grant that we received, and this will enhance it going forward. There are discussions about migrating some of the fire service over with that; I'm sure Commissioner Williams could answer that a little bit further. But we're in constant communication with FRES to work together with them to move things forward.

LEG. HAHN:
Yeah, because I think you were there when I worked --

COMMISSIONER WEBBER:
Kara, if I can interrupt just a moment. This is not just for the Police Department. The money that's in the budget, Capital Budget is for all County agencies; that's the FRES, Sheriffs, MTA, all the current users within the County, DPW, the buses. It covers all the radios and upgrades necessary for all County needs. It's about 9,000 radios on the system and about 5,000 are Police.

LEG. HAHN:
Good. So at least our FRES employees will migrate over to the P-25 compliant over Internet protocol; is that --

MR. POSTEL:
(Shook head yes).

LEG. HAHN:
I guess my -- I was leading the question towards true interoperability will be when, you know, each department and each truck, fire truck and each First Responder also have the P-25 compatible for when there is a true -- another serious tragedy/event, everyone on the ground that are not -- you know, not necessarily just our employees, but our very dedicated volunteers in the field as well are part of that. And I understand that each district will be responsible separately, I am sure, but there are plans, coordinating plans to get us there?

MR. POSTEL:
Legislator Hahn, currently Fire Rescue, through a grant when I was at Fire Rescue, issued one portable radio to every fire department and EMS agency in Suffolk County. That portable radio, since it is County-owned, will be upgraded to go to the Project 25 standard. Between the Police Department and Fire Rescue, there are approximately 400 portable radios that we have, which are called cash radios, which can be deployed to an emergency. So that if the fire department doesn't bring their 800 radio with them or they need additional radios and were operating on the trunked radio system, those radios can be assigned on a temporary basis until the districts and department can budget money to move forward to purchase their own equipment for their vehicles.

LEG. HAHN:
Okay. So you said there are 400 spare for emergency scenarios?

MR. POSTEL:
Yes, approximately 400. I know the Police Department has 175 and I believe FRES has close to 200 in their stock.

LEG. HAHN:
And -- but those were 800 Megahurtz? So is that -- is that different from the P-25 that you're -- or am I confusing this here?

MR. POSTEL:
No. When I speak about 800, 800 is actually 700/800. When the radios are upgraded, they'll be capable of both bands, to be able to handle that.

Obviously you're aware that the fire departments do have their own frequencies and they're going to continue to operate on those for their daily basis. When we talk about a County-wide event, we would hope that they would move over and come on to the trunked radio system to have communications for command and control and allow people to be able to handle and mitigate the incident more effectively.

LEG. HAHN:
And we're doing incident command training for these major events. Are we -- this is a question for Joe, so I'll skip that one. Okay, I think that's all I had.

I just know that back when I worked in Vivian's office, which was 2004, 2005, you know, I was trying to talk -- I think I was talking with you at the time, yeah -- about the importance of getting interoperability, true interoperability amongst all of our first-responding agencies all throughout Suffolk County. And here we are ten years later and we're still getting there; we're making progress, but it's taking a very long time. I guess it's because of the amount of money and waiting for grants and everything.

MR. POSTEL:
Yeah, we have made several improvements over that time. As I said to you, I alluded to the grant that we received from the State for interoperability, and we're working with FRES. We currently recently issued FRES several additional talk groups on the 800 System so that they could operate

more effectively, because the talk groups that they have weren't enough for them. And it's a constant working relationship with them, as well as the other Public Safety agencies; Probation, Sheriff's Department. We work with DPW with the transit system because the transit buses use it, etcetera. So the system has been upgraded over time, but it's to the point in time where you can't upgrade their system anymore. The parts aren't available. You can get parts, but supply and demand, the parts are increasing which is hurting the operating budget, so it's becoming more and more difficult to replace them. And there are certain key components of the system which there are not parts available for, and if they do break, we stand a catastrophic communications failure.

LEG. HAHN:
Yeah, there's no question that this is important. I guess my points are, are we going far enough? Are we getting, you know, far enough where we need to be? But I'm glad we're making this progress and we'll support it, obviously. Thank you.

CHAIRPERSON BROWNING:
You're good?

LEG. HAHN:
Sure.

CHAIRPERSON BROWNING:
Okay. Budget Review, do you have anything you would like to add?

MR. LIPP:
Probably the largest issue facing the Working Group in the Legislature in terms of recommendations on our part relates to moving up money for the purchase of an additional helicopter. One point three million was listed in the proposed program in subsequent years; we were recommending moving it up to 2013. So that's a significant decision you're going to have to make.

LEG. CALARCO:
2015.

MR. LIPP:
2015 I said, I thought.

LEG. CALARCO:
You said 2013.

MR. LIPP:
I stand corrected, 2015. And basically, it relates to the age and the risk factor of it not sticking around, and then perhaps even a larger impact. So that's a service provision issue.

And then a larger impact for us from a financial point of view -- that is Budget Review as opposed to the Police Department -- that from a financial point of view, these costs just go up every year. So it's a -- you actually, arguably, might be saving a little bit if you front load it, and at the end of the day you have a better service provision if you do it that way. But it's a significant decision you have to make.

CHAIRPERSON BROWNING:
It's an expensive decision to make. So the helicopters are replaced every 14 years? How old are the other ones right now?

COMMISSIONER WEBBER:
They start at 2000, I have the list here of -- actually, I think it's 2007, 2009; I have it here in a

moment. We have a 2000, a 2005, a 2007, a 2009. The thought process was to trade in the oldest, which is the 2000 A-Star, for the new C-145.

CHAIRPERSON BROWNING:
So -- okay. So they're only reaching the 10-year, the 2005 is reaching -- and what's the 2005, an A-Star?

COMMISSIONER WEBBER:
The A-Star, yes. The 2000, 2005 and '09, 2009 are all A-Stars, the 2007 is the C-145.

CHAIRPERSON BROWNING:
Okay. And the '09 is an A-Star, okay. So that -- that makes it not quite -- the oldest is not quite ten years old.

MR. LIPP:
Yeah, the oldest one is 14 years old.

CHAIRPERSON BROWNING:
What's the plan for the 1.3, what kind of helicopter are you looking at, the EC-145 or the A-star? I mean, are you --

COMMISSIONER WEBBER:
I'm sorry. What we're looking to purchase? Another C-145.

CHAIRPERSON BROWNING:
The next helicopter you would purchase --

COMMISSIONER WEBBER:
C 145; they're commonly referred to as a Medevac Hop.

CHAIRPERSON BROWNING:
Right.

MR. LIPP:
You should note that the helicopter will cost more than 1.3 million. There's already seven and a half million appropriated.

CHAIRPERSON BROWNING:
Yes, that's right. I forgot about that.

MR. LIPP:
And also --

CHAIRPERSON BROWNING:
I should know that (*laughter*).

MR. LIPP:
-- there's a trade-in value. The last time I purchased a helicopter, it was a lot more expensive than that.

CHAIRPERSON BROWNING:
(Laughter), yeah. Okay. So the next one would be the 145. What's the downtime right now on the helicopters? I mean, are they all being pretty well maintained? Because I know you have your maintenance periods where you have to take them down for maintenance.

COMMISSIONER WEBBER:
Yes, we're appearing to all the requirements that Federal Aviation requires. So there's usually one down doing some part of a -- as you know, they run by hours.

CHAIRPERSON BROWNING:
Right.

COMMISSIONER WEBBER:
And we usually have one down being serviced, if you will, and the other three are usually up and running.

CHAIRPERSON BROWNING:
And what's the period of time that it's down when it is?

COMMISSIONER WEBBER:
It's almost on a concurrent basis that one's down and the other three are up.

CHAIRPERSON BROWNING:
Okay. But timeline, is that a 30-day period that they're down?

COMMISSIONER WEBBER:
It would depend upon the type of work being performed as to how long it's down.

CHAIRPERSON BROWNING:
Okay. And then -- okay. As far as the maintenance that's being done, are they still -- they're not under warranty anymore, so that's our bill, whatever the maintenance is, right?

COMMISSIONER WEBBER:
Yes.

CHAIRPERSON BROWNING:
Okay. We'll talk more about this one at another -- with our Working Group, I think.

Heavy duty vehicles for the Police Department. BRO, you're the same as the County Executive?

MR. LIPP:
Yes.

CHAIRPERSON BROWNING:
I think pretty much everything you're on the same page, right?

MR. LIPP:
Well, there are a few minor changes, and the one that I pointed out was probably the biggest change. And it isn't a change in terms of the total dollars, the big change was moving it up from being deferred.

CHAIRPERSON BROWNING:
Right.

MR. LIPP:
There's also with the soft body armor we had a change.

CHAIRPERSON BROWNING:
Right. Have we always done the body armor in the Capital?

MR. LIPP:
No, this was -- this is a case in the 5-25 legislation for pay-as-you-go --

CHAIRPERSON BROWNING:
Right.

MR. LIPP:
-- to a reoccurring cost that we have not been doing that approach, the funding of late.

CHAIRPERSON BROWNING:
Okay. I'm not finding that one right now for the body armor, but how many vests do we need for next year?

COMMISSIONER WEBBER:
Just a moment, I have that sheet here. We needed 1130 vests through the life of this particular Capital Project we're looking for.

CHAIRPERSON BROWNING:
Give me that number again?

COMMISSIONER WEBBER:
Eleven hundred and thirty, 1,131. It allows us to purchase 1,258, the money in the projected.

CHAIRPERSON BROWNING:
Okay.

COMMISSIONER WEBBER:
So that would give us money left over for hopefully hiring recruits some time in the future, it would outfit them -- allow us to outfit them with the body armor also.

CHAIRPERSON BROWNING:
And how many vests are going to need to be replaced, that many?

COMMISSIONER WEBBER:
Yes, the 1130 is what we indicate need to be vests at this time. I mean, it does vary as officers retire. If you jumped into -- if you heard the other night, the officers jump into water in order to rescue people --

CHAIRPERSON BROWNING:
It destroys it.

COMMISSIONER WEBBER:
-- and we have to replace those.

CHAIRPERSON BROWNING:
Right, right. And I know this isn't -- I know it's not -- obviously, if we had a new class at some point this year, you're going to need new vests. And I know this is not a Capital Project, more of an Operating, but is there a projected start date yet for a class?

COMMISSIONER WEBBER:
Yes. As I mentioned, the difference between the 1130 and the 1258 is 128 vests.

CHAIRPERSON BROWNING:
No, no, no. I'm saying is there a projected start date for a new class?

COMMISSIONER WEBBER:
It's a Capital Project.

CHAIRPERSON BROWNING:
Not at this time (*laughter*). Well, I thought while I got you here I could try. We'll keep asking; okay, Tom?

(*Laughter*)

I got a thumb's up. That sounds positive. So, because we do have 60 budgeted. Anybody have any questions --

LEG. CALARCO:
No.

CHAIRPERSON BROWNING:
-- for the PD? No? Okay.

I think there are no more questions. I will reach out to you if anything comes up between now and Friday. We don't have much time, so. Nothing else? Okay, I appreciate you coming in.

COMMISSIONER WEBBER:
Thank you very much.

CHAIRPERSON BROWNING:
Thank you.

Okay. I do see new vehicles.

LEG. TROTTA:
3512.

CHAIRPERSON BROWNING:
Oh, where did I see that? Thank you. 3512. There is a request for vehicles, not just for -- you know, for Police, Sheriffs, DA's Office, Probation, which is I guess one of the questions I should have asked. Okay. Phil is here.

LEG. CALARCO:
Gil is here.

CHAIRPERSON BROWNING:
Oh, I didn't see Gil.

(*Laughter*)

LEG. CALARCO:
He's hiding.

CHAIRPERSON BROWNING:
No pressure, I swear. There is a request for 338 vehicles. You know, I know we've gone through -- and I guess the Police Commissioner did leave. However, the issue with cars and the

time line getting -- getting the cars out on the road, okay? And I know that we have improved the hiring of employees to get those cars back out on the road. I mean, I don't want to see that we're putting money in for cars, then we buy cars and then they're sitting for how many months, you know, collecting dust and not getting striped and getting put out on the street.

Now, again, my question would be -- and I guess it's kind of an operating, an operating budget issue, is we just don't have enough maintenance. And again, this is going back to the maintenance, but we just don't have enough. And there used to be a time when the Police Department had their own maintenance. The Sheriff's Department, they have their own maintenance; they take care of their own cars, they have their own mechanics. And I really think it's time to really consider trying to do a little bit more, so that DPW is not having to battle between taking care of a Police car versus -- you know, especially in the wintertime, versus a snow plow because of the fact that you don't have enough. We have a great Budget Director who's going to be very great at putting those numbers together (*laughter*). But we need to figure out a way to start looking at the motor pool for the Police Department, that's what I think. I don't know what anybody else thinks, but it's just every year it's a problem.

COMMISSIONER ANDERSON:
On the 29th, at the Public Safety Committee meeting, we are making a presentation on where we are with that decision-making process.

(*Legislator Kennedy entered the meeting at 2:32 P.M.*)

I can say that with the new influx of new vehicles, we are going to be significantly -- our ability to maintain them are going to be significantly improved because of the warranties that will come with the new vehicles. So that's going to take a big load off of the DPW staff that have to maintain them. So for the next hundred thousand miles on each vehicle, obviously there's a minimal amount of maintenance that's required.

We also have looked at, and I honestly don't know what the presentation is going to say on the 29th, but I know that in past discussions we have started to -- when we purchase the vehicles, also purchase -- you know, make them so that they're ready, you know, all the striping is in place and the rest of it. So, I think that will help us as well.

CHAIRPERSON BROWNING:
Right. And obviously, yes, because they're new, it's going to take a little less work. But I do think that we really need to go back to looking at having less of the maintenance having to come to DPW. You don't have enough people and, you know, we all know that. I got the numbers a couple of months ago from you's; how many mechanics you had today versus how many you had five years ago, ten years ago. And when you had your own motor pool, when the PD had their own motor pool, you had more mechanics. So now you've put the PD and DPW together and you have less mechanics, so, you know, it makes sense. And I -- like I said, I really do think it's time to start looking at putting a bit more over in to the Police Department and having them have their own motor pool where they can focus on their own vehicles and that -- I don't want to say take it away from you, but to allow you to do what you need to do. You know, we talked about street sweepers and, you know, all the kind of work, you mentioned there was like 40 something maintenance guys? That's just not enough. You know, you're just -- this more with less has become way too much more with way too less.

LEG. TROTTA:
Kate Browning?

CHAIRPERSON BROWNING:
We will continue to talk about that. Did you have a question?

LEG. TROTTA:
On the Police cars.

CHAIRPERSON BROWNING:
On the cars? Go ahead.

LEG. TROTTA:
To Dr. Lipp. I'm looking at the Police cars. You're buying 338 of them for $10 million and you're paying it off over 18 years?

MR. LIPP:
Typically, that's the length of a bond, yes.

LEG. TROTTA:
All right. So typically a Police car, in my limited knowledge, or more than limited knowledge, lasts about two or three years.

MR. LIPP:
Well, I will say there was one case a couple of years ago, I believe, where we actually borrowed three and five-year bonds just, in particular, for vehicles; that was the exception to the rule, though.

LEG. TROTTA:
But my point is we're paying $355,000 in interest a year. The cars will be gone in three years, and then this cycle happens again three years from now. So we're paying another $355,000 a year, and then three years from now we'll be doing it again. At some point it's just going to collapse, because there's no way that you can, you know, pay for six sets of vehicles that are -- five of which are gone and you're continuing to pay for them. Would you agree that that's not fiscally sound to be doing that?

MR. LIPP:
It's not a good idea. And we have spoken in the review about the problems and issues associated with pay-as-you-go funding and the reasons why we've done it and why we should try to start to move away from it.

LEG. TROTTA:
I mean, it makes no logical sense. People will be paying for cars that have been gone for 15 years.

MR. LIPP:
Well, there is some logic to why we did it, and that had to do with we needed the cars and we didn't have the funding, for a variety of reasons, and we got ourselves into that sort of approach to life. And that's why we're saying in the review that we need to start getting off the dime with that stuff. And yes, it used to be -- I believe, once upon a time, we used to pay cash for that, or is that not the case?

COMMISSIONER ANDERSON:
Yeah, operating.

MR. LIPP:
Yeah, it used to be operating, cars, clearly the body armor, all that kind of stuff was all operating budget stuff, now that's not the case.

LEG. TROTTA:
This could end up to be a disaster costing, you know, millions and millions of dollars every year for cars we don't have.

MR. LIPP:
That's a problem.

CHAIRPERSON BROWNING:
Robert, you're -- one of your recommendations in here is recommending the Comptroller's Office to seek to borrow the vehicles based on a five-year probable use for life. What's the process for him to do that?

MR. LIPP:
Okay. So back prior to 2004, we used to have a different method to issue the bonds in terms of repaying the principal. Currently what we do is what's called the level debt service. We give the Comptroller authority to do a variety of things, probably every year in sort of a pro forma resolution, and it's up to him whether or not, or whoever the Comptroller might be, he or she in the future -- how to finance it, and that's in consultation with our financial advisor. And since, I guess, 2004, the decision has been made by the Comptroller to use level debt service as the policy.

The alternative policy, what we used to do is something called 50% Rule, and that would be the largest difference between the highest principal repayment and the lowest principal repayment. It can't be more than 50% in any given year, so. And the way those bonds were structured is you have four basically four tranches of bonds, projects that have a period of probable usefulness of five years are one block, ten years, and then block 15 and then 20. So you get a quicker drop off on the debt service and principal repayment. The bad news is that you have to pay more up front, and therein lies the same reason why we're doing that as we're putting things in Capital that we used to put in operating. The end.

CHAIRPERSON BROWNING:
Does that answer your question?

LEG. TROTTA:
It's not good.

CHAIRPERSON BROWNING:
Well, I mean, the reality is it's body armor. And I think you know only too well, you need body armor.

LEG. TROTTA:
A tough course and you need cars.

CHAIRPERSON BROWNING:
Right. It's not an easy solution; I wish it was. So unless you're willing to do a massive increase in property taxes.

LEG. TROTTA:
It would be humongous.

CHAIRPERSON BROWNING:
Exactly, it would have to be, and if you wanted to pay cash. Now, the Parks Police cars, is that -- I guess we don't know where things are with the Parks Police and moving into the Police Department. Are those Parks Police cars going to stay with Parks? And if there's a merger with the Parks and the Police Department, are those cars going to be moved over to the PD? Just out of curiosity.

COMMISSIONER WEBBER:
You're asking me?

CHAIRPERSON BROWNING:
Don't know? Thank you, Phil. Thank you, Gil.

COMMISSIONER WEBBER:
The details of the merger, if you will, have yet to be worked out in detail. I would assume some would, but I would assume that some would have to stay back for the Park Rangers that will be subsequently hired to replace the Police Officers.

CHAIRPERSON BROWNING:
Okay. And there's nothing yet on the -- when do they finish meeting in Albany?

LEG. CALARCO:
About another month.

CHAIRPERSON BROWNING:
Is it another month? Okay. So you have another month, okay. So we'll see what happens with that.

Should we get to -- is there anything -- I see Probation is here. Thank you, Commissioner. And thank you, Chief White.

CHIEF WHITE:
You're welcome.

CHAIRPERSON BROWNING:
Anything in Probation?

MS. DLHOPOLSKY:
Hello.

CHAIRPERSON BROWNING:
Okay. I see --

MS. DLHOPOLSKY:
Just the continuation of the last year's Capital Project, which basically will, when finished, renovate the bathrooms in the public area of the Yaphank building. And we'll also replace staff bathrooms that are adjacent to or behind the public bathrooms, in addition to creating a drug testing -- a secure drug testing center in that building which will have a bathroom to be used for the purpose of collection of urines. But it's a continuation of last year's.

CHAIRPERSON BROWNING:
Okay. And I can't find Probation right now.

LEG. CALARCO:
First page.

CHAIRPERSON BROWNING:
Very first page.

LEG. CALARCO:
I don't know. What's the number?

MS. DLHOPOLSKY:
3063.

CHAIRPERSON BROWNING:
3063?

MS. DLHOPOLSKY:
Right.

MS. MOSS:
Page 35.

MS. DLHOPOLSKY:
Page 35.

CHAIRPERSON BROWNING:
I think we're in a different book.

MR. LIPP:
Yeah, so this was --

CHAIRPERSON BROWNING:
BRO?

MR. LIPP:
Just so you know, a point of information, page 35. It's just -- it's not a separate write-up, it's in the table called *Capital Projects Included in the Proposed Capital Program and Budget as previously adopted and requested.* So we have so many projects that we write up. There was no change or anything, so we just listed in the front end on page 35.

CHAIRPERSON BROWNING:
Okay. So no change, okay. Thank you.

MS. DLHOPOLSKY:
Thank you.

CHAIRPERSON BROWNING:
Have a good day. Have a good weekend.

LEG. CALARCO:
Is Gil still here?

CHAIRPERSON BROWNING:
No, I think he left.

LEG. CALARCO:
No, he's still here.

CHAIRPERSON BROWNING:
Why, you want to talk to him?

LEG. CALARCO:
I want to talk about the jail.

CHAIRPERSON BROWNING:
Oh, yeah. I'm assuming that Gil isn't leaving yet? Because we have jail questions. And I'm kind of holding off on the jail, because I think it's going to be lengthy. Oh, Gil, you're hiding again.

Okay, FRES, Commissioner Williams. I think it feels like it's been a really, really long day.

COMMISSIONER WILLIAMS:
Good afternoon. I appreciate the opportunity here to talk about our Capital Projects. I want to introduce Joel Vetter from my office who was very instrumental in working on the Capital projects. I brought Joel along to answer any questions you have. There's just two of the Capital projects I'd like to talk about in the very beginning.

Number one, we're looking to replace our command van. Our command van right now, the current one is 10-years old, the technology of it is getting old. It cannot be updated. We've looked at either refurbishing that one. We do have it in our projects to be replaced and I'd like to see that continue.

The other one was the new training building at the Fire Academy. We all know that the type of fire fighting in Suffolk County is changing. Firefighters deserve the best we can offer them. One of the props that we're looking to build at the Fire Academy is a garden apartment type of project. Currently, right now Nassau County Fire Academy has such a subject -- a project like that, and what's happening is that Suffolk County Fire Departments right now are going into Nassau County for training and paying for the training. So I look forward to getting that approved, and I will turn it over to Joel Vetter for any specific questions or any type of overview you would want with any of our Capital Projects.

LEG. TROTTA:
What number is that?

CHAIRPERSON BROWNING:
Okay, 3405, that's the training center. Where's the van?

LEG. CALARCO:
He's talking about -- that's your CAD system?

CHAIRPERSON BROWNING:
No.

COMMISSIONER WILLIAMS:
No, that's a new command van.

CHAIRPERSON BROWNING:
Command van.

COMMISSIONER WILLIAMS:
The mobile.

CHAIRPERSON BROWNING:
Where is that?

MR. VETTER:
3515, page 216.

CHAIRPERSON BROWNING:
Thank you.

LEG. CALARCO:
Oh, BRO recommended it.

CHAIRPERSON BROWNING:
Oh, okay. So BRO is the same -- okay. So no major issues, that's good to see.

COMMISSIONER WILLIAMS:
I want to thank everybody. The County Executive's office, your Budget Office, I believe we worked very well together this year. We presented the products to them and I'm glad to see everybody sees the need. We look for your support.

CHAIRPERSON BROWNING:
Okay. Well, thank you, Joe. And again, thank you always, because you've certainly had quite a few busy years recently, so we can only pray for a better winter and a better season than we've had in the past. So, but I appreciate it and everything that you do.

COMMISSIONER WILLIAMS:
It's easy to do the job with the great team that I have at FRES.

CHAIRPERSON BROWNING:
There you go.

COMMISSIONER WILLIAMS:
I owe it to them.

CHAIRPERSON BROWNING:
There you go. Did you want -- you're okay on the FRES communication thing, right? That was explained enough to you? Okay.

MR. VETTER:
I can give you a short one, real quick.

LEG. KENNEDY:
Go ahead.

MR. VETTER:
So as far as interoperability, both the UHF, which is a different spectrum and the VHF spectrum, in comparison to the 800, has been aggressively built out over the last few years. More and more agencies do have current interoperable capabilities. The problem we're facing is the current low band radio structure that's utilized for paging in the County, as well as for some fire departments truck-to-truck, is coming to its end of service life altogether and being done away with.

With the change over and the funding for the UHF and the CAD upgrade system, that will give us the ability to not only become interoperable between the PSAPs, so we'd have the ability to connect that P-25 as well as the IP-based systems and take one frequency and touch it to another and radios would work seamlessly. We do have large cashes of current radios, and more and more agencies now are going into what's called a dual-band radio, so it's both 800 and either a VHF or UHF, based on the operation.

LEG. HAHN:
So not fully understanding how these radio communication systems work, talk to me about how effective they are in areas, like on the North Shore, for example, Stony Brook Village, where there's like -- there's a real problem with cell phone type service. And so does this fix some of those communication issues in any way? Like is this what we're migrating to better in those circumstances or not, or is it totally unrelated to geography, etcetera?

MR. VETTER:
With the current west end towers that we have, minus the build-out of the East End site that we're currently doing, it will greatly enhance our capabilities. The low band spectrum that we're currently activating off of for the Fire and EMS side, combined agencies is very geographically challenged with the hills; it will solve a lot of that. So the majority of the fire service is on the UHF side of the spectrum, and the free-standing EMS agencies are on the UHF side of the spectrum. So to answer your question simply, yes, drastically changes it.

LEG. HAHN:
Thank you.

CHAIRPERSON BROWNING:
Okay. Thank you. And have a good weekend.

And saving the good one for the last, the Sheriff's Department and the jail. I guess if Gil wants to join us. Okay. I'm going to pass it over for a minute to Legislator Calarco.

LEG. CALARCO:
Do you have any questions on this?

CHAIRPERSON BROWNING:
I mean, I guess the status of the jail, the Phase II. And, you know, obviously the efforts of the Sheriff to try and -- you know, and the courts, to try and reduce the number of beds being filled by people in need of drug rehab and people with mental health issues, you know, they're aggressively doing that. In the meantime, we're still being told to build Phase II. So I know you've got tons of questions and I'm going to leave it with you and I'll be right back.

LEG. CALARCO:
I don't have too many, a couple of quick, easy ones, I hope. I do want to talk about the new jail project, the addition to the new jail or whatever we want to call it, the Phase II.

So where exactly are we with that project at this point in time?

DEPUTY WARDEN FRANCHI:
Well, I do have a prepared statement, if you'd like. It probably would answer most of your questions, if you -- or if you just want to ask questions, that's up to you.

LEG. CALARCO:
I've got a couple of few questions, but if you want to -- if the Sheriff has given you a statement he'd like you to read into the record, please go ahead and do that now.

DEPUTY WARDEN FRANCHI:
My name is Deputy Warden Franchi. I am giving the Sheriff's presentation today, as Chief Sharkey is away.

LEG. CALARCO:
You've got to hold the button down. Just pull it a little closer, I can't hear you.

DEPUTY WARDEN FRANCHI:
Okay. I would like to just begin with our presentation. We state that we agree with Budget Review's recommendations and commend them for their hard work, preparing their very detailed review. I will just present a few highlights of our program. I'll restrict my comments to the new jail, 3009 and 3014 which is the renovation and Riverhead.

Capital Project 3008, that's the new addition to the correctional facility in Yaphank, Phase II. Phase I of this project is complete and has been operating since April of 2013. This portion of the project provided an additional 440 beds to our legal capacity. The State Commission of Corrections is mandating that Phase II commence immediately. Phase II is to provide an additional six housing pods, each of the same design as those in phase I. Each pod will have the capacity to house 60 inmates, adding another 360 beds to our capacity. The purpose of Phase II of this project is to provide Suffolk County with a correctional system that meets the needs -- its incarceration needs without having to use variances that the State can grant and take away at any time.

In a letter from the Commission dated June 3rd of last year, they made it very clear they expect Phase II of CP 3008 to commence in a timely manner. Essentially, it is the COC's position that if the County substantially delays Phase II of CP 3008, they will seek to enforce their rights under the stipulation of this continuance between the County and the COC, filed with the Supreme Court of Albany County in January of 2005.

The letter basically states if the County were to violate the aforesaid stipulation, the Commission will seek to enforce its rights thereunder. These may include but be limited -- but not limited to the right to revoke all remaining variances, of which there are 374 of them now in Yaphank and Riverhead; the right to seek enforcement of the agreed upon 680 beds of total reconstruction which were to have been included in phase I of a two-phase project; and the right to review and discontinue, as warranted, the capacity approval of the two temporary sprung structures currently in use at the Yaphank facility, which is a total of 120 beds of current capacity.

The conditions that prompted the adoption of CP 3008, the overcrowding of our correctional facilities and extensive use of temporary housing granted by the Commission with variances are still as valid as they were when they began. Recently the County has experienced an extended period of time where the inmate population has dropped from a daily average of 1,767 in 2011 to last year's daily average of 1,558, a decline of 12%. The Sheriff's facility actually ended 2013 with 1,362 inmates, the lowest daily average inmate population since 2005. This has enabled the Sheriff's Office to greatly reduce the cost of substitute jail housing for an average expenditure of 3.5 million per year for the period of 2003 through 2011, to basically zero for 2013. This was very good news. However, we should not allow this fortunate set of circumstances to deflect from the course of action that was to end with Phase II of CP 3008.

The reason why our inmate population has dropped so dramatically over the course of the last twenty months is speculative. Therefore, we consider it an almost certainty that the current trend will reverse itself, as it has in the past. The reason is simple; we still have 373 beds granted to us by the State -- it's actually 374 -- which could be removed at any time. Additionally, the 120 beds located in the sprung structure attached to the original portion of the Yaphank facility that the COC regards as non-permanent housing can be closed down by them. The COC has already let it be known, in correspondence to Suffolk County in June of 2013, that failure to move forward with Phase II of CP 3008 could result in a loss of all these beds.

As for the DWI trailers, in a letter to the Sheriff's Office dated August 26th of 2013, the COC had originally set a date of November 1st, 2013, for their closure. We have requested an extension through June 30th of this year. This was granted, and by July 1st, the DWI facility will be closed, the inmates moved elsewhere in our correctional facilities. At that time, our legal capacity will be 1,980 inmates with a functional capacity of 1,744. If the COC decides we are not moving forward with Phase II or CP 3008, they may go ahead with the removal of all variance and sprung beds, our legal capacity would immediately fall to 1,444 with a functional capacity of 1,299. Even at our reduced current population of 1423, that's today's number, we would immediately be housed -- forced to house out approximately 124 inmates.

That concludes my remarks on Capital Project 3008. If you want me to continue, or if you would like to ask questions.

LEG. CALARCO:
No, I think I'd like to ask some questions.

CHAIRPERSON BROWNING:
Questions, yes.

LEG. CALARCO:
So there was a lot of information there, but I think something you said at the very beginning is what interests me the most, and that's the stipulation that we have with the Department of Corrections regarding what we have to do in this building, building of the jail. Obviously, I don't want to have to build the jail, but I know that they're kind of pushing it on us. And the questions are more of what is a reasonable timeline in terms of building the jail, and where do we need to put dollars in the budget in order to accomplish that timeline versus, you know, whether or not we're building it. So the question that I had at the very beginning in terms of where are we with this project is literally what's our timeline? I mean, where are we with the project? What have we accomplished? What are we expecting to be able to accomplish in the next year, in the next two years?

COMMISSIONER ANDERSON:
Right now we -- the Department of Public Works is in the process of completing design plans for the renovations of the existing portion of the jail, not the new portion with the six pods, but -- sorry, the old portion. That project will -- we anticipate receiving bids on that project in September. That will be completed -- that construction will be completed by November of '16.

As far as stage two, the current plan that we've outlined to the COC in a letter from Sheriff DeMarco to them is that we would issue an RFP in September of this year. We don't -- sorry. We don't have any design funds available until 2015, so we -- we would award the contract assuming we get the funding appropriated early in '15, say February we would award the design. We would look to receive bids in May of 2017 with construction of the six pods, the additional six pods in December of '19.

LEG. CALARCO:
Okay. So this is where I kind of have questions. We haven't even put out the design portion yet? We haven't put out for the engineering work on this yet, the planning?

COMMISSIONER ANDERSON:
No, we haven't.

LEG. CALARCO:
You're going to potentially be able to put out an RFP this Fall.

COMMISSIONER ANDERSON:
Correct.

LEG. CALARCO:
So that work will begin in '15?

COMMISSIONER ANDERSON:
Correct, the beginning of '15.

LEG. CALARCO:
And it will commence -- will reach completion in '17?

COMMISSIONER ANDERSON:
We will be able to go out to bid. We will have the construction documents completed in '17, we expect to receive bids in May of '17.

LEG. CALARCO:
In May of '17. So the budget right now is calling for 55 million in '16 and 55 million in '17, but the reality is, is I know you like to have all the money in hand before you put something out to bid.

COMMISSIONER ANDERSON:
Legally we do, yes.

LEG. CALARCO:
So the earliest you would really need any of that money, though, is actually '17?

COMMISSIONER ANDERSON:
That's correct. However, we have outlined to the COC that the current Capital Program had 55 million in '16 and 55 million in '17. So I don't think it's going to impact their decision making, I don't think they're going to think we're --

LEG. CALARCO:
If we shift a year or so.

COMMISSIONER ANDERSON:
As long as we changed it to -- if you were looking to put it all in one year, '17 would be the year. And then, you know, we would just have to identify that that's actually the course that we're taking to the COC so we didn't get --

LEG. CALARCO:
Well, I guess that's kind of what I'm thinking about here, is what is the actual reasonable timeline of getting this project off the ground and when do you need the dollars and when should we actually be putting it in the budget? I think the stipulation actually gives us more flexibility, more control of our destiny than I think others do. I think the stipulation says that they cannot remove our variances unless we're showing that we're not making good faith effort to move forward, and they don't just have this, what they used to have, really this whimsical way of being able to pull the variances whenever they wanted. We actually have something in law that says we have these variances as long as we are making good faith effort to move forward. And if good faith effort is saying, *Hey listen, we're not going to be able to put this thing out to bid till '17,* then I don't see a reason why we have to put money in the budget until '17 the earliest.

COMMISSIONER ANDERSON:
I would agree with that, only -- if it was split between two years, we would appropriate the first 55 at the end of '16. Obviously we wouldn't bond anything until we need it which would be '17, but that's --

LEG. CALARCO:
Sure. No, I understand that, but that gives us more flexibility in terms of how we craft our budget and our planning document.

COMMISSIONER ANDERSON:
Correct.

LEG. CALARCO:
And then also whether or not we even need money in '17, and maybe we can push it back a little bit more, a portion of those funds. But, okay.

MR. LIPP:
I would caution --

LEG. CALARCO:
Mr. Lipp is giving me a look like he wants to chime in.

MR. LIPP:
Yeah, if you wouldn't mind. Point of information. So we tried sort of deferring it a bit last year and we got sort of a stern call from the COC.

LEG. CALARCO:
If I remember correctly, we put it in subsequent years, or at least were contemplating putting it in subsequent years and we got that stern call. And of course I felt at that time that we should have called their bluff, because I think we have legal standing, but that's an argument I had then and I lost.

MR. LIPP:
Right. So the point to be made here is the COC has been, for lack of a better term, dictatorializing through *you must*, *you have to*, and the question that is in front of us is whether or not we want to test their wrath, perhaps, and defer it.

LEG. CALARCO:
But deferring to '17, the whole funding, is not really -- the reality is we could put 55 million in '16, we're not rolling out the RFP to build the project until '17, so what is that really accomplishing?

MR. LIPP:
Well, the bottom line is even though you make a hundred percent logical sense, the COC doesn't seem to, from the little we've seen, care about that.

LEG. CALARCO:
We have good attorneys, I have faith in them.

MR. LIPP:
Just be aware of the COC.

LEG. CALARCO:
That's all my questions. I just really wanted to see where we were on the project and what the timeline was so I know what reasonable expectations of completion is. Thanks.

CHAIRPERSON BROWNING:
That's it?

LEG. CALARCO:
That's all I have.

CHAIRPERSON BROWNING:
Okay. Anyone else have any questions? Okay. I apologize that I had to leave the room for a portion of it, but I guess we'll -- I'm on the Working Group, so we'll be talking about these issues anyway in the Working Group.

So you're good with your car situation, 91 cars?

DEPUTY WARDEN FRANCHI:
That I would have to defer to Chief Sharkey. I'm on the Corrections side.

CHAIRPERSON BROWNING:
Oh, that's true, that's true. Okay, I guess we'll check with him them. So I guess we'll not burden you anymore. And thank you again, Gil, and thank you for coming in. Have a good weekend.

COMMISSIONER ANDERSON:
You, too.

CHAIRPERSON BROWNING:
With that, I don't think there are any other questions, or any other reports. There's no one from the District Attorney's Office, correct? And the ME's Office; I don't believe we have anybody from the ME's Office, correct, at this time? So, okay. So we're adjourned.
Thank you.

(*The meeting was adjourned at 3:05 PM*)

{ } - Denotes Spelled Phonetically