

**PUBLIC SAFETY COMMITTEE**  
**OF THE**  
**SUFFOLK COUNTY LEGISLATURE**

A special meeting of the Public Safety Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York, on Thursday, November 19, 2015.

**Members Present:**

Legislator Kate Browning - Chairperson  
Legislator Robert Calarco - Vice-Chair  
Legislator Kara Hahn  
Legislator Monica Martinez  
Legislator Leslie Kennedy

**Members Absent:**

Legislator William Spencer

**Also in Attendance:**

Legislator Robert Trotta - District No. 13  
George Nolan - Counsel to the Legislature  
Sarah Simpson - Assistant Counsel to the Legislature  
Jason Richberg - Clerk of the Legislature  
John Ortiz - Budget Review Office  
Michael Pitcher - Aide to the Presiding Officer  
Josh Slaughter - Aide to Legislator Browning  
Bill Shilling - Aide to Legislator Calarco  
Elizabeth Alexander - Aide to Legislator Spencer  
Katie Horst - County Executive's Office  
Vincent DeMarco - Suffolk County Sheriff  
Mike Sharkey - Suffolk County Sheriff's Office  
Lou Tuttone - Suffolk County PBA  
Robert Braun - Deputy Bureau Chief/County Attorney's Office  
Laura Ahearn - Parents for Megan's Law and the Crime Victims Center  
Hector Gavilla  
Stephen Ruth  
James Emanuel  
Allison Chaikin  
All Other Interested Parties

**Taken by:**

Lucia Braaten - Court Stenographer

*(\*The meeting was called to order at 10:05 a.m.\*)*

**CHAIRPERSON BROWNING:**

Good morning. We'll begin the Public Safety Committee meeting. If everyone could please rise for the Pledge of Allegiance, led by Legislator Martinez.

*(\*Salutation\*)*

Moment of silence for those who defend our country at home and abroad.

*(\*Moment of Silence\*)*

Thank you. Okay. We have a few cards, and the first card is Hector Gavilla.

**MR. GAVILLA:**

Good morning, everybody. Okay. With regards to safety and the red light cameras, okay, last week we heard testimony from the traffic engineers and we found out that they weren't really honest about the locations of cameras. They said that they set up video cameras and they looked for the intersections that had the most T-bone accidents. But what we found out was that in the shopping center in Commack, there is no history of T-bone accidents there at all. So what I'd like to propose in the interest of safety is setting up a civilian committee where we could review the videotapes that were used, and determine if, indeed, the most dangerous intersections were selected, okay? We do have a group of people who have volunteered to do that, to review those temporary video cameras that were used to select the most dangerous intersections.

Now, if we all agree that they are the most dangerous intersections, the other thing that I'd like to do -- propose as well is that we put signs that say, "No Right Turns on Red," no right turns on red. And the idea behind the no right turn on red is that if you really do believe it's a dangerous intersection, why would you allow the drivers to enter into the most dangerous intersections in Suffolk County, right? So, in the interest of safety, we should always put the "No Right Turn on Red" at those intersections. I mean, think about it logically. That's the reason why those signs were set up in the first place, the no right turn on red. So every intersection that we identify as dangerous intersections, we have to make no right turn on red, and that's very important, everybody.

The other part, in the interest of safety, is that instead of penalizing somebody for a fraction of a second going over the white line, and then we have angry residents, because we do want to promote the idea of safety, we also don't want people being angry at you, because we're here together, we have to live together in this community. So the other thing I'd like to propose is that change the rule that if they're a second behind after the red light -- it turns red, it has to be one full second. If somebody goes past that white line after one second, they deserve a ticket. But let's not penalize people for just being a fraction of a second over the white line. So it should be one full second we should wait, and then they definitely are a red light runner and maybe double the penalties for that. And double the penalties for somebody who makes a right on red when there's a sign that says, "No Right Turn on Red," because we do not want red light runners, and we're not promoting that idea. We are promoting the idea of safety. So, again, I'm saying let's change the rules to say that wait one second, and if it's one full second and they go past that white line and the light turned red one second after, then they should get it.

One last thing I'd like to say. I think it's very rude that some of you don't listen to the speakers up here. You know, we take our time, we're sacrificing our time. And I watch you having side conversations, and I don't think that's really nice. You know, we're residents, we're voters, we're

your constituents, and we're here to really make a difference, and we want to work together.

**CHAIRPERSON BROWNING:**

Thank you.

**MR. GAVILLA:**

We're not working against you. All right. Thank you very much. Have a great day.

**CHAIRPERSON BROWNING:**

Next is Stephen Ruth.

**LEG. TROTTA:**

I got a question, Hector.

**CHAIRPERSON BROWNING:**

Sorry.

**LEG. TROTTA:**

Hector.

**CHAIRPERSON BROWNING:**

Legislator Trotta has a question for you, Mr. Gavilla.

**LEG. TROTTA:**

You mentioned that you thought there was no T-bone accidents at Dorothy and Commack Road. I asked for that data, I don't have it yet. How did you get that data?

**MR. GAVILLA:**

Well, it's not that I got the data, but I am a lifetime resident of Suffolk County and I grew up in Dix Hills. I moved there when I was ten years old in 1980, and I know that there aren't too many accidents there, definitely no T-bone accidents have occurred there. I also subscribe to Newsday, the archives, and I read all the articles, especially lately, about all the dangerous accidents, and I found that there were more T-bone accidents and deaths that occurred just two miles south in the intersection of Vanderbilt Parkway and Commack Road, just two miles south on the same road. As a matter of fact, they just renamed that intersection after a Police Officer who died in 2009, because he died as a result of somebody who crashed into him.

And I had mentioned also, in 1986, that same intersection that does not have a red light camera, there was a program that Suffolk County instituted back then and they named the most dangerous intersections in Suffolk County. That intersection that today does not have a red light camera had a black spot sign, and that was knocked down by an accident, someone who had a car accident as well.

But, also, Mr. Trotta, to answer your question, I spoke with several firemen that I'm friends with, volunteer firemen, and when I told them what we're doing, that -- the intersection at Vanderbilt Motor Parkway and Commack Road was the first thing they said to me, "Why didn't they put a red light camera there?" And they said to me, "We have never responded to any T-bone accidents or deaths in front of the Meat Farms. So I don't need the data, I just had an interview with the firemen.

**LEG. TROTTA:**

I requested that information, I haven't received it yet, but I did the same thing. I called the Fire Commissioner or Fire Chief over there and he said he has never remembered responding to one

there. And I like your idea, so thank you very much.

**MR. GAVILLA:**

Thank you very much, sir, I appreciate it. Are there any other questions?

**CHAIRPERSON BROWNING:**

No.

**MR. GAVILLA:**

Okay. Thank you. Have a great day.

**CHAIRPERSON BROWNING:**

Next speaker is Stephen Ruth.

**MR. RUTH:**

Good morning, Ladies and Gentlemen. I want to thank God for allowing us to be here this morning. My name is Stephen Ruth and I live in Legislative District Number 4. I rise in opposition against the Red Light Camera Program.

I would like everyone to know how proud I felt the other day when my son spoke in front of you. I only wish my friend John Luke here, whose son was lost, who couldn't witness his son do the same. Unfortunately, that's not the case, as his son was lost in front of at least two cameras and never was shown the video. Our sons are the same age. John's son only passed six months ago. His father here, John, and I are the same age. We lost a mutual friend in the same intersection named Rob Lucchese. I was with him before his crash.

Drivers in Suffolk County are being subject to feel as if they're running up and down spiral staircases with every step being a different height, because all of our yellow lights are timed differently; shorter where cameras are -- shorter where cameras are located. I'm sure you didn't plan on this when you approved the Red Light Camera Program, yet I did a study in Nassau County and their intersections are not the same, the yellow lights are much longer. I'm saying this -- I'm not saying that there's a different Department of Transportation, I'm just saying that their -- in the same speed zones, their yellow lights are much longer. Honestly, it's much safer.

I think we need to have a universal yellow light law named "John Luke's Law". It could only save lives, and that's really all we're trying to do here is save some lives. I think everyone can agree, so please give this some consideration.

Thank you very much for your time. And thank you, God, for allowing me to represent the people of Suffolk County, as well as the innocent spirits of the lives lost. Thank you.

*(\*Applause\*)*

**CHAIRPERSON BROWNING:**

Next speaker is Allison Chaikin.

**MS. CHAIKIN:**

Good morning. I came before you on Tuesday and I said, "Good morning, my name is Allison Chaikin." I am -- I have no agenda whatsoever, I'm just a mom. I have two teenage daughters, and I'm a member of the community.

I was at a gathering, as I explained on Tuesday. Someone very innocently just asked me my thoughts on this red light. I have a daughter that's turning 16 in December and she's going to start

driving. Back when I started driving, one of the most important lessons that my father taught me was when you see a yellow light, judge the distance and decide, can I make it through without creating any accidents and without getting a speeding ticket, and that has always stayed with me. What I have noticed is the one-one-thousand, two-one-thousand, three-one -- that's not there anymore. People are slamming their brakes on. I'm watching people hit from behind. Or Tuesday coming here, somebody went through the intersection, I guess got scared they'd get a ticket, slammed on their brakes, backed up, backed up into a car next to me. We all had to go around and come here.

I'm only here to only speak about the safety. It has -- I have, again, no agenda. I just want more time on that yellow light so that we can judge can we stop, especially going into the winter right now. And I don't want my daughter, as she's learning how to drive, to then say, "Huh, do I press the brake, do I press the gas," and not have a daughter because somebody slammed into her.

And that's all I wanted to say, is just hopefully to take a mother's word into consideration. I really appreciate your time. Thank you.

*(\*Applause\*)*

**CHAIRPERSON BROWNING:**

Thank you. And next is James Emanuel.

**MR. EMANUEL:**

How are you guys doing? I'm here last minute, actually. I spoke a couple of days ago, and I'm not going to bore you. Three minutes is not a lot of time. I probably spent almost three years researching the traffic cameras all over the United States, and putting the dots together, it's a pretty ugly picture. And I have to be very blunt with you. I think -- I don't mean to insult anybody here, but I think a lot of people are here and it's smoke and mirrors. They're talking to you folks and they think it's going to get them someplace, and I don't think it is. Suffolk County is right now in financial crisis, and that's why these red light cameras were installed, that's why they're going in all over the United States.

I have to even be a little more political with you. In my research, I found that it's strictly Democratic Part, to be perfectly blunt. In fact, I was so intrigued by it, I actually searched for Republicans that voted for these systems and I couldn't find it anywhere in the United States. It's always introduced by a Democrat. And in many cases, they're fighting with the Republicans who are trying to get rid of these red light cameras. You get an occasional Republican vote with them, but more for the -- I mean, in the State of New York, it was Sheldon Silver that introduced the program initially, and it's always the same reason. These counties are going into bankruptcy. In Suffolk County, let's be honest with each other right now, we're bankrupt. I mean, any -- you know, we can be -- we can be as creative as we want to be, but the County is bankrupt right now, it doesn't really matter. So these lights are a revenue-gatherer for us.

I think people are wasting their time talking to the County Legislature about it. I think they should be across the street at Traffic Violation Bureau doing informational picketing. You know, a lot of things that have been said here could be reduced to writing and handed to people on Route 454, handed to people as they walk in and out of court there. I've been in that building. Nobody will give you their name. I've called there. I mean, one of the conversations I had on behalf of somebody else was asking about the right turn on red, and I'm told, "Well, they want a three-second stop." I said, "Well, it's not in the Vehicle and Traffic Law." Immediately, the tone changes, they're not going to give you their name.

You know, the reality is the light is triggered to go off automatically. That's why you're flashed

every time you come to an intersection. This is strictly a revenue-gathering tool. And, again, I could sit here for two hours and give a whole presentation on what I found out. It's all upsetting, it's all stealing from the public, and I think it's get to stop. But I think what a lot of people have to learn to do here is to go across the street, do informational picketing, video everything that goes on, look at the -- you know, we have no privacy on the roads anymore. You know, we have no expectation of privacy, there's cameras everywhere. Those people over there in that building, we should know who they are. We pay their salaries. We heat that building. That building is there because of tax dollars. You know, there's no such animal as walking in there and people tell you, "We're not allowed to give you our name." We call people on the phone, they're not allowed to give a name. They shouldn't have that anonymity, it's not really allowed in government. As a Police Officer, I had to give my name. People had to know who I was, they paid my salary.

I'm disgusted by the whole thing, I'll be perfectly frank with you. But, again, all I can do is tell you folks I have a lot of information, I've done a lot of research on it, and the pattern is the same over the entire United States. Thank you for our time.

**CHAIRPERSON BROWNING:**

Mr. Emanuel, just so you know, that was something that we addressed at the last Public Safety meeting, and I believe that our Traffic Vehicle Court will be changing that. So we --

**LEG. TROTТА:**

With the names.

**LEG. KENNEDY:**

With the names.

**MR. EMANUEL:**

With the names.

**CHAIRPERSON BROWNING:**

With the names issue, yes.

**MR. EMANUEL:**

I would hope so. I would hope so. I had a bad experience in there on behalf of somebody else.

**CHAIRPERSON BROWNING:**

We don't disagree, and that is something that will be changed.

**MR. EMANUEL:**

Okay, I appreciate it.

**CHAIRPERSON BROWNING:**

Thank you.

*(\*Applause\*)*

Okay. We have no more cards. Is there anyone else in the room who would like to speak? No? Okay. I do see -- I know that our Director of Probation has a conflict this morning, so she is not here. And I know FRES, I think he has a conflict also. I don't think he's here. No.

Just out of curiosity, I see, Sheriff DeMarco, you're here for the Executive Session. But I'm just curious, has there been any conversation since last meeting with regards to the contract for the --

**SHERIFF DEMARCO:**

Just with Legislator Gregory, he's working on it.

**CHAIRPERSON BROWNING:**

Okay. Legislator Gregory is working on that communication. Okay, good, I hope so. And I see Tom Porter is here. I have to say, I hope that we're getting close to a contract for you. I think they are the only two contracts left, with six years since the last contract. So I think it's time, it's time to move.

With that, we have our agenda:

**TABLED RESOLUTIONS**

So first resolution is tabled ***Resolution 1815 - Adopting a Local Law to establish a Domestic Violence Fatality Analysis Commission (Hahn)***. Legislator Hahn?

**LEG. HAHN:**

I ask it to be tabled for public hearing, so motion to table.

**CHAIRPERSON BROWNING:**

Oh, still? Motion to table for public hearing; second -- by Legislator Hahn; second, Legislator Calarco. All in favor? Opposed? Abstentions? It's tabled for public hearing. ***(Vote: Tabled for Public Hearing 5-0-0-1/Absent: Legislator Spencer)***.

**INTRODUCTORY RESOLUTIONS**

***1893 - Accepting and appropriating 100% federal grant funds from the US Department of Transportation passed through the New York State Governor's Safety Committee for the New York State Highway Safety Grant Program for the Suffolk County Office of the Medical Examiner Toxicology Laboratory (Co. Exec.)***. I know, I was going to say it.

**MR. NOLAN:**

I like the way you say it.

**CHAIRPERSON BROWNING:**

Okay, I'll say it that way next time. I'll make a motion to approve, place on the Consent Calendar; second, Legislator Calarco. All in favor? Opposed? Abstentions? It's approved. ***(Vote: Approved 5-0-0-1/Absent: Legislator Spencer)***

I had to think about how to say that. ***1907 - Accepting and appropriating a grant in the amount of \$887,000 in federal pass-through and New York State funding from the New York State Department of Transportation for the Long Island Expressway High Occupancy Vehicle Lane Enforcement Program in Suffolk County with 100% support (Co. Exec.)***. We'll do same motion, same second, same vote. ***(Vote: Approved 5-0-0-1/Absent: Legislator Spencer)***

***1928 - Adopting a Local Law to -- adopting a Local Law adopting a requirement for the registration of alarm systems (Co. Exec.)***. I make a motion to table for public hearing, and second by Legislator Martinez. All in favor? Opposed? Abstentions? It is approved. With that, we --

**LEG. CALARCO:**

Tabled.

**CHAIRPERSON BROWNING:**

Sorry tabled. (*Vote: Tabled for Public Hearing 5-0-0-1/Absent: Legislator Spencer*).

With that, we will be adjourning to go into Executive Session. I'll make a motion to go into Executive Session to discuss litigation with our Traffic Court representatives, and I believe Sheriff DeMarco will be joining us, and the County Attorney. So do I have a second?

**LEG. HAHN:**

Second.

**CHAIRPERSON BROWNING:**

Legislator Hahn. All in favor? Opposed? Abstentions? Okay. We're going into Executive Session.

*(\*Executive Session: 10:24 a.m. to 12:20 p.m.\*)*

**CHAIRPERSON BROWNING:**

We're back from Executive Session, and I don't think we need -- so okay. So I'm making a motion to adjourn, seconded by Legislator Calarco. We're adjourned.

*(\*The meeting was adjourned at 12:20 p.m.\*)*