

Public Safety Committee - 4/7/16

**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, April 7th, 2016 at 9:30 am.

**Members Present:**

***Legislator Kate Browning - Chairperson***

*Legislator Robert Calarco - Vice-Chair*

*Legislator Kara Hahn*

*Legislator Bridget Fleming*

*Legislator Tom Cilmi*

*Legislator Leslie Kennedy*

*Legislator William Spencer*

*Legislator Monica Martinez*

**Also In Attendance:**

*Presiding Officer DuWayne Gregory - Legislative District #15*

*Legislator Robert Trotta - Legislative District #13.*

*George Nolan - Counsel to the Legislature*

*Sarah Simpson - Assistant Counsel to the Legislature*

*Jason Richberg - Clerk/Suffolk County Legislature*

*Amy Ellis - Chief Deputy Clerk/Suffolk County Legislature*

*Robert Lipp - Director/Legislative Budget Review Office*

*John Ortiz - Senior Budget Analyst/Legislative Budget Review Office*

*Michael Pitcher - Aide to Presiding Officer Gregory*

*Janet Horan - Aide to Legislator Browning*

*Alysa Turano - Aide to Legislator Hahn*

*Ali Nazir - Aide to Legislator Kennedy*

*Elizabeth Alexander - Aide to Legislator Spencer*

*Liz Sutton - Aide to Legislator Fleming*

*Ray Donnelly - Aide to Presiding Officer Gregory*

*Katie Horst - Director-Intergovernmental Relations/CE's Office*

*Kerry Suoto - County Executive Assistant*

*Jason Hahn - County Executive Assistant*

*Robert Braun - Deputy Bureau Chief/County Attorney's Office*

*Patrice Dlhopsky - Director/Suffolk County Probation Department*

*James Cerone - Sergeant/Chief of Department's Office - SCPD*

*Mike Postel - Director/Police Communications System - SCPD*

*Vincent DeMarco - Suffolk County Sheriff/SC Sheriff's Office*

*Michael Sharkey - Chief Deputy Sheriff/Suffolk County Sheriff's Office*

*Joe Williams - Commissioner/Fire, Rescue & Emergency Services*

*Tom O'Hara -FRES/Office of Emergency Management-Ambulance Services Consultant*

*Gil Anderson - Commissioner/Suffolk County Department of Public Works*

*Alan Schneider - Suffolk County Personnel Director/Civil Service*

*Cindy DiStefano - Director of Classification/SC Civil Service*

*Joette Pavelka - Public & Environmental Health Lab/Department of Health Services*

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Lou Tutone - 1st Vice-President/Suffolk County Police Benevolent Association  
Tom Tatarian - 2nd Vice-President/Suffolk County Police Benevolent Association  
Jim Hughes - 1st Vice-President/Suffolk County Detective's Association  
Jim Roddin - Trustee/Superior Officer's Association  
John Becker - President/Deputy Sheriffs Police Benevolent Association  
Artie Sanchez - Secretary/Deputy Sheriffs Police Benevolent Association  
Suzanne McBride - AME Representative/Police Emergency Unit  
Dawn Ruggiero - 911 Dispatcher/Suffolk County Police Department  
Jodi Pagel - 911 Dispatcher/Suffolk County Police Department  
Jennifer Nunns - 911 Dispatcher/Suffolk County Police Department  
Matt Porter - Unit President/Suffolk County Probation Officers Assoc.  
Linda Lagnese - Vice-President/Suffolk County Probation Officers Assoc.  
David Spreckels - Suffolk County Probation Officer's Association  
Douglas Forgione - Hauppauge Delegate/SC Probation Officer's Association  
Christina Valenti - Suffolk County Probation Officer  
Brian Lane - Suffolk County Probation Officer  
Bill Johnston - Suffolk County Probation Officer  
Brian Reiter - Suffolk County Probation Officer  
Michele Benedetto - Suffolk County Probation Officer  
Jessica Brennan - Suffolk County Probation Officer  
Daniel Buckely - Suffolk County Probation Officer  
Robert Spetta - Board Member/New York State Alarm Association  
Brent Mele - Long Island Alarm Association  
Michael Sokoly - Long Island Alarm Association  
Curtis Cole - Systems Design Company  
All Other Interested Parties

### **Minutes Taken By:**

Alison Mahoney - Court Stenographer

**(\*The meeting was called to order at 9:37 A.M. \*)**

### **CHAIRPERSON BROWNING:**

Good morning. We will start the Public Safety meeting. If everyone will please rise for the Pledge of Allegiance led by Legislator Hahn.

### ***Salutation***

Please remain standing for a moment of silence for those who defend our country, at home and abroad.

### ***Moment of Silence Observed***

Thank you. Okay, good morning. I'd like to begin the meeting this morning. I know we have a lot of I know Probation Officers here today; I just can't imagine why you're here. But, you know, before we start, we have had this past year some things that have occurred within our law enforcement and, you know, I'd like to read a statement to you that I've written with regard to a recent event.

*"So four years ago, I received a packet of information about a former Corrections Officer, Ed Walsh, about the sexual assault in Maryland when he was in college, failing a drug test while applying for a position with the NYPD, a suspended license for traffic violations in Nassau, and more recently participating in illegal gambling events. I questioned how he ever got the job in law enforcement with a track record like that, but because there are people, you know, that have been denied*

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*positions in law enforcement for a whole lot less. The information I received I turned over to Sheriff DeMarco," and I see Sheriff DeMarco is here today and I want to say thank you, Sheriff DeMarco, for doing what was right by the taxpayers and the members of the Suffolk County Sheriff's Department. "Last week a Federal jury, four years later, found the former Corrections Officer guilty of theft, of government services and wire fraud. So a clear message was sent that stealing from taxpayers is not okay, and there is no exception to the rule no matter who you are or who you think you are. What this individual did should have no reflection on the officers who put on a uniform every day, go to work and perform their duties with dignity and integrity. I appreciate what they do, and I'm sure that my colleagues at the Legislature will agree."*

*"On the issue of the sexual assault, Mary, his victim, came forward, which is probably one of the hardest things she has ever had to do. So for anyone to say, 'Well, that was in the past and a long time ago,' well, I say shame on them. It did not get erased from her memory and she has had to live that every day like it was yesterday."*

*"I want to say thank you to Parents for Megan's Law, Laura Ahearn, and Legislator Kara Hahn for standing with me and supporting me when I spoke out about him and what he has done. Now, the U.S. Attorney Kaper said 'Stay tuned', and I welcome his comment and to stay here in Suffolk County as long as he feels necessary. Thank you."*

So with that, we have cards and the first card is Lou Tutone.

### **MR. TUTONE:**

Good morning, Madam Chair and the rest of the Public Safety Committee. My name is Louis Tutone, I am the 1st Vice-President of Suffolk County PBA. I appreciate the opportunity to speak in front of you today. I am here to speak about the Suffolk County Probation Officers contract.

Suffolk County Probation Officers have been without a contract for six years, longer than all but one other County bargaining unit. In 2014, Probation Officers voted in the affirmative to be represented by the Suffolk County PBA in hopes that Suffolk County government would take their desire for a new contract seriously. While I believe that the Suffolk PBA has been able to improve some of their work conditions, Probation is still without a contract.

Since 2014, the Suffolk Probation President, Noel DiGerolamo, has been in negotiations with the Director of Labor Relations and the Deputy County Executive, hoping to finally resolve the shocking situation. Well, in late Fall of 2015, an understanding regarding all issues contained in negotiations was reached with the County, an understanding that is fair for both sides. In November of '15, we were informed that it was being forwarded to the Suffolk County Executive for approval. Today, April 7th, Suffolk County Probation Officers are still without a contract.

I am sure that the officers that speak after me are going to relay the frustration that they have felt over the course of all these years. These officers are not second-class workers in Suffolk County and deserve a fair contract. The work that these officers do every day is vital to public safety in Suffolk County. They are an imperative part of our law enforcement system monitoring sex offenders in the County and working collectively with all other law enforcement agencies to help curtail recidivism in the County. I give one recent example.

The Probation report that was prepared by our, your Suffolk County Probation Officers over the course of the last couple of months, Reference Sheldon Leftenant, the individual convicted of attempted murder of Suffolk County Police Officer Mark Collins. This report was vital in the sentencing of the subject to the max, 55 years. I want to publicly thank all Suffolk County Probation Officers for all the hard work that you do every day that help support the work of Suffolk County Police Officers and every other law enforcement agency in Suffolk County. Thank you for the

committee's time.

**CHAIRPERSON BROWNING:**

Lou, don't go anywhere. Question, Legislator Cilmi.

**LEG. CILMI:**

Thanks, Madam Chair. Lou, thanks for the testimony and for being here. So it's been six years for Probation.

**MR. TUTONE:**

Correct.

**LEG. CILMI:**

It's been six years for our Deputy Sheriffs. We know virtually nothing here on this Legislature about why it's taking so long to get those contracts approved. The Chair of this committee sent an e-mail or a letter to the Administration requesting some representation here, asking for a discussion as to where we're at with those negotiations. I don't think the letter was specific to Probation, but it certainly talked about the Deputy Sheriff's contract. The e-mail that we got back was not only a declination of Dennis Cohen, who apparently is doing the negotiating, but he in his letter said that he would instruct Jennifer McNamara, who is our Labor Relations Director, that she shall not attend either. And I just want to make it clear that I think it's unconscionable that after six years we can't have a conversation, publicly or otherwise, with the Administration about why these unions are still without a contract. And I sent an e-mail back to Mr. Cohen and I said, *Okay. Well, if you don't want to have the conversation in public* -- which he specifically said in his letter, he didn't want to talk about it in public and I appreciate that. You're dealing with, you know, employer issues, labor issues may not be appropriate for public discussion -- I said, *Why don't we do it in executive session*, and I have not heard back from him. So I'm hoping that somebody from the Administration here will bring the message back to Mr. Cohen that I think we deserve, as a Legislature, a conversation about why, after six years, two of our unions are still without contracts.

Beyond that, I did make a request to the Administration to find out where we were with the Probation Officers contract, because I was under the understanding that a contract had been negotiated and it was just awaiting some sort of approval from the County Executive. And the message that I got back was that, *As far as we're concerned, it's still under negotiation*. Is that contrary to your belief about this contract?

**MR. TUTONE:**

I was not part of negotiations. I think there may have been a difference of opinion, but that's why I said that it was not an agreement, it was an understanding of all issues involved in negotiations. *(After a brief pause)*, is that vague enough for you?

**LEG. CILMI:**

*(Laughter)*. It sounds like you've been practicing on your vagueness. I suppose it's vague enough for me. I understand that you're constrained as to what you can talk about and what you know about this negotiation. How long has it been now since the PBA or since there's been a relationship between the PBA and Probation

**MR. TUTONE:**

2014.

**LEG. CILMI:**

I'm sorry?

**MR. TUTONE:**

In 2014 we began representing the Probation Department.

**LEG. CILMI:**

Later 2014, beginning 2014?

**MR. TUTONE:**

August, I believe.

**LEG. CILMI:**

August, okay. So it's been almost two years, or a year-and-a-half or so at this point. So that leaves four-and-a-half years that it was somebody else's responsibility to negotiate.

You know, I appreciate you coming to testify, and I'm sure I speak for everybody here when I say -- and I wouldn't normally speak for everybody here, but I'm sure I speak for everybody here when I say how much we value the work of our Probation Officers and our Deputy Sheriffs. And I truly, truly hope that negotiations -- which are a back and forth between, you know, parties -- are ongoing, I don't know that they are. And I hope this is resolved soon. So thank you.

**MR. TUTONE:**

Okay. Thank you.

**CHAIRPERSON BROWNING:**

I believe Legislator Trotta has a question.

**LEG. TROTТА:**

This is an odd position I'm in here. The PBA's contract was 3.5% a year for eight years, essentially; that's almost three times the cost of living at a cost of \$400 million. If you would have taken a cost of living increase, which is one-third of what your -- about 1.2%, 1.3% a year, that would be a savings of somewhere around \$300 million, and the Probation Officers and the Sheriff's Office would all have a contract. I mean, I didn't predict inflation but, you know, running for the years, over the years, when I came in front of the PBA and the SDA, my platform was a cost of living increase. Sales tax revenue is down, companies are leaving, people are struggling to pay their taxes, their mortgages.

So you standing here, you know -- listen, I don't blame the unions. I think they should -- they're doing a fantas -- the Police PBA union is doing too good of a job. They really, really -- you know, it hurt the taxpayer and it hurt the Sheriffs and it hurt the Probation Officers. Because if you would have taken, and the PBA and the SDA would have taken a cost of living increase and that would have been just what my parents are getting on Social Security, they're getting nothing -- they get 0, 0, 1.2, 1.3 -- we would have two or \$300 million. So my question to you is has the PBA thought about maybe reducing their future increases to something like a cost of living to offset the Sheriff's Department and the Probation Officers?

**CHAIRPERSON BROWNING:**

Can I jump in? I don't think one contract has anything to do with the other. The PBA negotiated their contract, they got their contract, and that's not up to them, that's up to the County Executive. No, no --

**LEG. TROTТА:**

Well, the reality is there's no money.

**CHAIRPERSON BROWNING:**

The County Executive negotiated their contract. The County Executive gave them what they wanted and what they asked for. So now it's up to him to negotiate a contract for the Deputy Sheriffs --

**LEG. TROTТА:**

I wasn't asking you, I was asking --

**CHAIRPERSON BROWNING:**

-- and with Probation to give them what they're asking for. They're not being unreasonable. So let's take the PBA and the SOA Detectives out of it, their contract is done. That was a choice of the County Executive to agree to what they wanted. So let's move forward to the other two contracts.

**LEG. TROTТА:**

I wasn't asking you, Kate, I was asking him.

**CHAIRPERSON BROWNING:**

Oh. I don't think that's for him to say, that what he should do as a union.

**LEG. TROTТА:**

I think he can take care of himself.

**CHAIRPERSON BROWNING:**

And that's their job. I was a union rep once, that was my job.

**LEG. TROTТА:**

I applaud them for what they did. I stand in awe of what they did for their members, in awe. But the reality is I feel bad for the rest of the 800 people we had to lay off and for the Probation officers and for the Sheriff's Department who can't get contracts because we have no money.

**CHAIRPERSON BROWNING:**

And you can't blame the unions for what the County Executive did.

**LEG. TROTТА:**

Did I ever blame the union? Did I ever once blame --

**CHAIRPERSON BROWNING:**

You're asking for him to give something back. Why should they?

**LEG. TROTТА:**

I am not -- I asked if that was a possibility in the realm to help his other -- they are now representing two unions, so wouldn't one union help the other union? I mean, it's all about give and take. So is it unreasonable to ask one union to help a fellow union? It's not, and that's my question.

**CHAIRPERSON BROWNING:**

Lou, do you want to answer the question?

**MR. TUTONE:**

Sure, with permission of the Chair. Legislator Trotta, in 2012 when we negotiated our contract, we were not representing Probation. And as I have said I think at the end of last year when we were talking about the other deferrals, we have deferred or given the County back a tremendous amount of money. Anytime they come -- anytime they come, we are always willing to help. I'm not saying -- again, I don't make the final decisions and I'm not saying that we are going to open our contract

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so that the Deputy Sheriffs and Probation can settle a contract. What I believe what is in place is fair to both parts -- both parties. And again, it's not an agreement, it's an understanding of the facts that were negotiated. But I think it's fair to both parties, from what I understand, from what I'm being told.

**LEG. TROTТА:**

What is fair to both parties?

**MR. TUTONE:**

The understanding that we have that is with the County Executive right now.

**LEG. TROTТА:**

In reference to what?

**MR. TUTONE:**

To Probation.

**LEG. TROTТА:**

Oh, so you have something negotiated already?

**MR. TUTONE:**

They've been negotiating since 2014, since we took over.

**LEG. TROTТА:**

I mean, the point I'm trying to bring around is there are taxpayers out there that are struggling, you know. And even in my more affluent district, they're hurting.

**MR. TUTONE:**

I understand.

**LEG. TROTТА:**

And, you know, I get calls from the Deputy Sheriffs and people all the time saying it's unfair. I mean, the reality is if we were to give them the same raises, we'd be getting deeper and deeper in debt. You know, I don't want to burden my kids and my grandkids with deferrals that are going to be coming down the road. It's got to stop at some point, and it's unfortunate. I mean, in this day and age to get three times the cost of living, and I was a benefit of it, it's unconscionable. Sitting over here now and looking at the reality of it, I never said take a dime or take from any police officer. The cost of living, you guys got three times the cost of living; it's devastating to the County budget and that's the reality of it. We can sit here and make pretend, it's almost a third of the entire budget.

**MR. TUTONE:**

I don't think that the other unions are able to get what you say what we got, but in return --

**LEG. TROTТА:**

I don't know how we ever could.

**LEG. TROTТА:**

In return you have the givebacks that we have given.

**LEG. TROTТА:**

Your giveback means absolutely nothing because you're getting it. It's nothing. You're actually making money on your givebacks, because every year you give something back you're getting 3.5%

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on the interest as you get it down the road. I wish I could get 3.5% on my money in the bank.

**CHAIRPERSON BROWNING:**

Rob, do you have a question?

**MR. TUTONE:**

But moving forward, during the term of this contract, we made policing in Suffolk County more affordable, much more affordable.

**LEG. TROTТА:**

Okay. Explain that to me, please.

**MR. TUTONE:**

With a secondary scale, with a starting salary that is much lower --

**LEG. TROTТА:**

Yeah, but they haven't hired anybody. It's such a small --

**MR. TUTONE:**

That is not the PBA's issue.

**LEG. TROTТА:**

Well, the reality is it went up \$400 million over the cost of this contract. The cost of policing increased \$400 million, and that's the reality of it. Because every year it goes up, the taxes go up in the police portion. You know, no one wants to sit here and say it, it's like the giant elephant in the room, but that contract is killing this County.

Listen, I applaud you for getting it. It's unbelievable. But don't make no -- make no mistake, that the Sheriffs don't have a contract and the Probation officers don't have a contract because of that contract, a hundred percent. Because if it was a cost of living, we would have an extra \$300 million, we wouldn't have a budget shortfall and we'd be on a much better playing field right now. You know, I didn't vote for it, these people did, the County Executive put it forward and we made a mistake.

**MR. TUTONE:**

I disagree, that our contract has anything to do with the other two contracts.

**CHAIRPERSON BROWNING:**

Okay. Thank you, Lou. And again, I will say it again, the Administration knows how many contracts they have to negotiate. They know what they have to do. So, you know what? If he wanted to give away the store at the beginning, that's his issue. He still has some other people that he has to resolve with and leave it at that.

**LEG. TROTТА:**

He's representing them, that's the whole point.

**CHAIRPERSON BROWNING:**

I'm sorry, the Administration is responsible. They're the ones that have a budget, they're the ones responsible for negotiations, and if they say yes, then why should they say no. Okay? So, thank you, Lou.

**MR. TUTONE:**

All right. Thank you.

**CHAIRPERSON BROWNING:**

Oh, Leslie? I'm sorry. Sorry, Lou.

**LEG. KENNEDY:**

That's okay. Hello, Lou.

**MR. TUTONE:**

Hello, Leslie.

**LEG. KENNEDY:**

Rob just brought up something that is not relevant to the case, but this class of 104 recruits is not on the secondary pay scale?

**MR. TUTONE:**

Yes, they are.

**LEG. KENNEDY:**

Okay, I thought so. Thank you.

**MR. TUTONE:**

You're welcome. One hundred three, ended up being 103.

**CHAIRPERSON BROWNING:**

Okay. Next is, I hope -- Linda, don't worry, we're not going to do that to you. Linda Lagnese.

**LEG. CILMI:**

Your speaker list just got shorter.

**CHAIRPERSON BROWNING:**

*(Laughter)*.

**MS. LAGNESE:**

Good morning. My name is Linda Lagnese and I am a Supervising Probation Officer and the Vice-President of the SCPOA Unit. I'm here to speak about the fact that Probation Officers have been without a contract for over five years and have not received a cost of living wage in over six years. We have over 50 less Probation Officers than we did when we became our own union over ten years ago, and the amount of work required of each officer has increased. We are constantly being asked to do more with less and our Probation Officers have. It is very hard to keep up morale when we have no contract and more and more work is required.

The Legislators have always been extremely supportive of the Probation Officers and the work that we do, but for some reason we do not get the same response from the County Executive's Office. It is hard to comprehend why the County would allow its workers to go for five years without a valid contract. The County has spent over a million dollars on a continuous improvement campaign, yet if they would invest the money in its workers of Suffolk County and provide contracts in a timely manner, they would certainly get a better return for their money. Probation Officers are professionals and an integral part of the criminal justice system. All we're asking is for the respect we deserve and the contract that is long overdue. Thank you.

**CHAIRPERSON BROWNING:**

Thank you.

**LEG. SPENCER:**

Question.

**CHAIRPERSON BROWNING:**

Question?

**LEG. SPENCER:**

Yes, please.

**CHAIRPERSON BROWNING:**

Okay. Be nice. Legislator Spencer (*laughter*).

**LEG. SPENCER:**

Can you just help me as far as history is concerned. You said you became your own union ten years ago?

**MS. LAGNESE:**

Over ten years ago, yes.

**LEG. SPENCER:**

Okay, and I wasn't around then. What -- before then, were you part --

**MS. LAGNESE:**

AME; we were members of AME, and we decertified at a point when we did not have a contract. All the peace officers and the Probation Officers in the Probation Department decertified and became our own union.

**LEG. SPENCER:**

And how long was your last contract that you had?

**MS. LAGNESE:**

It lasted for five years.

**LEG. SPENCER:**

It lasted for five years. And so you haven't had a contract now for six years?

**MS. LAGNESE:**

We're in the sixth year; 2010, it expired the end of 2010.

**LEG. SPENCER:**

Since you became your own union, then have you negotiated a successful contract?

**MS. LAGNESE:**

We had one.

**LEG. SPENCER:**

When you first became a union.

**MS. LAGNESE:**

Yes.

**LEG. SPENCER:**

Okay, since that time. And as far as since your contract expired, then you're frozen at that same

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rate, you don't get any --

**MS. LAGNESE:**

If people are at top step. A lot of our officers have been here more than the 12 years that the step system has, so they don't get any raises.

**LEG. SPENCER:**

Okay. Thank you very much.

**CHAIRPERSON BROWNING:**

Leslie?

**LEG. KENNEDY:**

I just want to make a statement in response to what you said. Having worked with Probation Officers at a substance abuse facility for ten years, and having taken care of your clientele, I am fully aware of what you do every day. You deserve more than just a cost of living raise.

**MS. LAGNESE:**

Thank you.

*Applause*

**CHAIRPERSON BROWNING:**

Thank you. Next is David Spreckels; I hope I said that correct.

And if I can ask my colleagues to stick to questions because we do have quite a few cards.

**MR. SPRECKELS:**

First I want to thank you guys for the time and your hard work up here. Just to put into perspective how long this has been is I have a 6th grader, and his whole elementary school I haven't gotten a raise; it's 6th grade now.

Legislator Trotta, you had said that the County is struggling many times in paying bills. Just think of mine with three kids and no raise. For the mortgage, for the taxes, for the things the kids want to do, it is quite a struggle. And just to put it in perspective how long it is, too, I just look at all of you up here; I wonder how many of you were here as a Legislator in 2010 up on this board. I would like to see just for my perspective if one of -- if you guys could just raise your hand, whoever was here prior to 2011 on this board, on this committee.

**CHAIRPERSON BROWNING:**

I'll answer that question. I think you were a Legislative Aide?

**D.P.O. CALARCO:**

Yeah, I was a staff.

**CHAIRPERSON BROWNING:**

I'm the only Legislator.

**MR. SPRECKELS:**

So that gives you a perspective --

**LEG. HAHN:**

DuWayne was here.

**LEG. CILMI:**

I was here.

**CHAIRPERSON BROWNING:**

Were you here in -- okay.

**LEG. KENNEDY:**

I was an Aide.

**CHAIRPERSON BROWNING:**

Sorry. I guess --

**LEG. CILMI:**

I sort of blend in, I don't say much.

**CHAIRPERSON BROWNING:**

There you go, but I'm sorry. Go ahead.

**MR. SPRECKELS:**

So it seems about four or five maybe? And a lot of you guys are seasoned Legislators by this point. We still don't have a contract. So I would just say, if I could implore you guys to talk to the County Exec to try to expedite this. It would encourage us. It would encourage us as we try to figure out our budgets and have to cut more and more at home because I'm trying to not get further into debt. So, that's all. Thank you.

**CHAIRPERSON BROWNING:**

Thank you.

***Applause***

And the next speaker is Robert Spetta; is it Spetta or Sperra? I'm sorry.

**MR. SPETTA:**

Hello. My name is Bob Spetta, I'm here concerning the alarm permitting fees that the County is proposing to charge. I am a past president of the Long Island Alarm Association, a board member of the New York State Alarm Association, and I think the Legislator should be aware of a few things concerning these alarm permits.

Number one, these security systems are life safety systems. They monitor fire alarms, they monitor CO detectors, they monitor medical systems as well as security systems, and they're all tied into one system. So there's much more to that than -- to these systems than just security. When this flier was sent out to customers having security systems, I noticed that it neglected to report to the County residents that there could be fines associated with these permit fees, that those fines can be up to \$750. I think you should be made aware of that these -- the County residents that have alarm systems already pay a sales tax for their monitoring fees, so they're already paying a tax to have a security system. When you combine this with the permit fees of \$100 and the fines up to \$750, it amounts to a 30% tax for people to have a life safety system in their home. I'm not aware of any other item that is charged 30% to protect your safety. I mean, it's -- or anything in the County that a resident would have that they're going to pay a 30% tax in order to make sure that they feel safe in their own homes.

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So if we put this into context, for a Suffolk County resident to get a pistol permit, it costs him \$94.25, that's for a pistol permit. For a Suffolk County resident to have a life safety system in their home, it's going to cost them up to \$100 per year, or \$50 a year for residents, plus fines up to 500 to \$750. So I think that this permitting law should be really re-evaluated, because we're talking about life safety systems for the residents. These are life safety systems that make them feel safe and secure in their homes in a very safe way for everybody. Thank you very much.

**CHAIRPERSON BROWNING:**

Thank you. And there is a representative directly behind you, Katie from the County Exec's Office, because I believe, you know, they were the ones that -- the County Exec put it in the budget. I'm assuming that the fine structure and the permitting fees was created by the Administration. I know that we met --

**MR. SPETTA:**

Yes.

**CHAIRPERSON BROWNING:**

-- with regards to my bill, and you also met with the Police Department. But when it comes to the monetary end of it, I think that would be the purview of the County Exec's Office. She's directly behind you, I believe, yeah. So maybe if you could share your information, and I think it would be important for you to have a conversation with the Administration also.

**MR. SPETTA:**

Okay. Thank you very much.

**LEG. CILMI:**

Madam Chair?

**CHAIRPERSON BROWNING:**

If you want to hold on a second, we've got one question, Legislator Cilmi.

**LEG. CILMI:**

Thanks for being here. So I have been vocally opposed to this alarm management program, but I really want to ask you a question with respect to how it was adopted. You said you were president of the alarm -- what was the association?

**MR. SPETTA:**

Long Island Alarm Association.

**LEG. CILMI:**

Long Island Alarm Association. And how many members did that -- does that association have?

**MR. SPETTA:**

We have approximately 150 alarm, licensed alarm installers.

**LEG. CILMI:**

So is it safe to say that all the major alarm companies that we would all be familiar with are members of your organization?

**MR. SPETTA:**

Quite a few are, yes.

**LEG. CILMI:**

Quite a few. When were you president of that organization?

**MR. SPETTA:**

I was president approximately two years ago.

**LEG. CILMI:**

Okay. Do you have a relationship with the current president, or you still sit --

**MR. SPETTA:**

Yes, absolutely.

**LEG. CILMI:**

-- on the board or something of that --

**MR. SPETTA:**

Yes, I do.

**LEG. CILMI:**

You do. Was your organization notified prior to the Legislature passing the bill or at the time that the bill was presented?

**MR. SPETTA:**

No.

**LEG. CILMI:**

So you didn't know about it.

**MR. SPETTA:**

We knew nothing of it. As a matter of fact, from the transcript of the meeting, the only representative there was Chief Cameron.

**LEG. CILMI:**

Right. So this was a Local Law, I think; Counsel, right, this was a Local Law?

**MR. NOLAN:**

Yes.

**LEG. CILMI:**

So we had a public hearing.

**MR. NOLAN:**

You did.

**LEG. CILMI:**

You didn't happen to see the legal -- you know, the legal notices in the paper about the public hearing?

**MR. SPETTA:**

No.

**LEG. CILMI:**

No. You'd think everybody read those legal notices, right?

(\*Laughter\*)

**MR. SPETTA:**

You would think, right (*laughter*).

**LEG. CILMI:**

Well, that's a shame, that as an association representing more than a hundred alarm companies in Suffolk County, that you weren't at least consulted when we endeavored, when the County endeavored to do this. And it's a shame that you didn't have a voice in the adoption of this legislation, because quite possibly at that point, maybe the Legislature wouldn't have adopted it had we heard from you beforehand. And I would -- you know, I'm always very disappointed when we pass bills here and when we hear after we've passed a bill and after notifications are sent out that there are folks who didn't know about the proposed legislation and they would have come out and spoke. Now you're fighting against a bill, you know, something that's already in place and it's much more difficult.

I think we need to do a much better job as a County communicating with stakeholders when we're considering legislation that is impactful. And certainly, as you pointed out in your testimony, this legislation is incredibly impactful when you charge folks \$50 a year to register an alarm system in Suffolk County, and you charge businesses \$100 a year to register an alarm system in Suffolk County. I mean, our average General Fund property tax in Suffolk County per household is probably \$100, so it's, in effect, a huge tax increase --

**CHAIRPERSON BROWNING:**

Tom?

**LEG. CILMI:**

-- for those residents who are just trying to protect their property. That's it, I'm done, Madam Chair. Thank you.

**CHAIRPERSON BROWNING:**

No, and I --

**LEG. CILMI:**

Thank you for being here.

**CHAIRPERSON BROWNING:**

I appreciate your passion about it, but we do have a couple of more questions, and I have a question. Nassau County; did Nassau County reach out to you when they implemented this?

**MR. SPETTA:**

They did, yes.

**CHAIRPERSON BROWNING:**

They did, okay. That was my question. And we have another question, our Presiding Officer Gregory.

**P.O. GREGORY:**

Well, you kind of asked my question.

**CHAIRPERSON BROWNING:**

Sorry.

**P.O. GREGORY:**

I was going to ask you, as a past president of the association, what your experience was with Nassau, if you had any experience.

**MR. SPETTA:**

Well, I'm going to respond to that by saying that was some time ago. And just as the County embraces technology for things, the technology for alarm systems has changed. We have many more methods to reduced false alarms, because that's what the whole issue is here, false alarms. So we have things like video verification, we have things like second call verification. We have things that we could implement that could reduce false alarms immensely rather than fining and permitting the taxpayers, and that was the solution that was provided to you. There were no other alternative solutions to false alarms other than fining and permitting. And I might add that just because Nassau County does something doesn't mean that it's effective or right.

**P.O. GREGORY:**

Oh, I absolutely agree with that.

**MR. SPETTA:**

And that change has -- things have changed quite immensely over time with the technology surrounding alarm systems.

**P.O. GREGORY:**

But with some of these solutions that you talk about, video verifying, that is -- excuse my lack of knowledge or understanding -- that sounds to me that that would be more of a relationship between the homeowner and the company and what type of service and what level service they would contract with, right? Because not everyone is a video -- I would think that would be more expensive than just a standard box, right?

**MR. SPETTA:**

Well --

**P.O. GREGORY:**

Or no?

**MR. SPETTA:**

-- we put them in residential places all the time now, because cameras are everywhere. Cameras are in --

**P.O. GREGORY:**

Oh, yeah. No, I know there's a commercial I just saw last night. A woman is on her cell phone, she can see a video and she's not even home.

**MR. SPETTA:**

Right.

**P.O. GREGORY:**

So I know the technology's there. But to me, you know, if you just put an alarm box, maybe it's \$80 a month, whatever it is, and then if you get something like that, maybe \$120 a month. So that's a relationship between the homeowner and the provider. So, but how does that necessarily stop the false alarms? Because the alarm will go off; is it the verification that it's a false alarm?

**MR. SPETTA:**

Absolutely. Because what happens is when that alarm goes off now, all they're doing, typically, in a central station application is just asking for a password. What if you could suddenly, when an alarm goes off, a video picture comes up in the central station, and then also a customer on a cell phone receives that same video picture and sees that and says, *Hey, wait a minute. That's somebody I know going into that room, or No, I have no idea who that is;* all of a sudden that's not a false alarm, that's a real alarm. And it also helps the police, by the way. These alarm systems serve as a filter to the police. It's not just, okay, you know, every single one of them is a false alarm. These are a filter to help reduce time for police to respond to calls.

**P.O. GREGORY:**

But that's at a -- at what cost is that to the homeowner? Because you're not going to get that, I would imagine, for the same price.

**MR. SPETTA:**

Well, I think if we equated it to -- you know, that can vary from alarm company to alarm company. But if we equate it to your cable bill, a typical alarm system costs you about \$20 a month; what's your cable bill every month?

**P.O. GREGORY:**

Right.

**MR. SPETTA:**

That's just to get entertained. So, I think if we put it in those context, alarm security is a very, very cost effective means to feel safe in your home.

**P.O. GREGORY:**

So your response pretty much is that there isn't a false alarm concern. Your issue, you're saying that they're -- these -- this issue can be addressed in a different way. Because I'll tell you, I went on a ride-along, every now and then I go on a ride-along with our local police officers in the 1st Precinct, and just during my patrol for five hours, we had several false alarms. I hear that on a regular basis. You know, some say, and I've been at community meetings where some say, Look, we pay a lot of money for our police officers. If they get a false alarm, you know, they're not really concerned about that. But others are like, *You know, this is an issue that should be addressed.* So I want to hear from the industry side of things what --

**MR. SPETTA:**

I was just -- you know, just as a side note. I was just wondering, how many times does a police officer go to write up a fender bender on the highway? Is that a real accident type of thing or is that -- you know, just as a comparison.

**P.O. GREGORY:**

Well, it's something that's happened.

**MR. SPETTA:**

Correct.

**P.O. GREGORY:**

Yeah.

**MR. SPETTA:**

But these are life safety systems, so, you know. But at any rate, getting back to the question. Yes, there is a false alarm issue.

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But there are means to lower these false alarms immensely and they're proven, they're proven means to do it, and these are things that were never raised in the initial law.

**P.O. GREGORY:**

Okay. All right, I would like to hear more about that.

**MR. SPETTA:**

Yeah.

**P.O. GREGORY:**

All right, thank you.

**CHAIRPERSON BROWNING:**

Okay. So, and again, my question for you is is that basically if the Administration had reached out to you and the Police Department and had the conversation with you, that maybe you could have resolved some of the issues that they had concerns about.

**MR. SPETTA:**

Correct.

**CHAIRPERSON BROWNING:**

Okay. So Legislator Krupski, you have a question?

**LEG. KRUPSKI:**

Good morning.

**MR. SPETTA:**

Good morning.

**LEG. KRUPSKI:**

Do you -- does your business operate at all on the East End where there's already laws in place to address this problem?

**MR. SPETTA:**

No. I mean, we monitor East End homes and businesses, we do do that. So, but --

*(\*Mr. Spetta's phone is going off\*)*

I'm sorry about that. I apologize.

**P.O. GREGORY:**

Is that a false alarm?

*(\*Laughter\*)*

**MR. SPETTA:**

Yes, we do monitor those East End homes and businesses, yes, as well. Because I'm a wholesaler, I monitor for many different alarm companies on Long Island. We are a monitoring company.

**LEG. KRUPSKI:**

Thank you.

**CHAIRPERSON BROWNING:**

Okay. And one last question, Legislator Trotta.

**LEG. TROTТА:**

Are you getting a lot of people cancelling their central stations?

**MR. SPETTA:**

Yes.

**LEG. TROTТА:**

Okay, that was my question. So rather than paying this, people are disconnecting their alarms.

**MR. SPETTA:**

Correct, especially elderly people.

**LEG. TROTТА:**

Okay. So 99% of all alarms are false alarms, as you probably know. What can be done, what specifically? Like, you know, if an alarm goes off and someone doesn't have a code, you don't have to send the police, do you? You don't have to call the police.

**MR. SPETTA:**

No.

**LEG. TROTТА:**

You could do second --

**MR. SPETTA:**

We can do second call verification, which was brought up at the meeting. Second call verification is a real simple way. Everyone has a cell phone today, and what happens is when the alarm goes off they call the premise, if there's no answer there then they call a cell phone, that would be before we dispatch the police. If that was a mandate, that would help to reduce the false alarms immensely.

**LEG. TROTТА:**

What number, what percentage of calls, alarms that you get in that you actually call the police? I mean, I'm sure, you know, if you get -- my son comes home, sets the alarm off, he doesn't get there soon enough, you call up and he knows the code, he tells you the code and the police never come, they're never notified; what percentage of those are verified false alarms, before they even get to the police?

**MR. SPETTA:**

I don't have a statistic off the top of my head.

**LEG. TROTТА:**

Is it half?

**MR. SPETTA:**

I would say that, yes. Oh, more than that, probably. I mean, we call quite a few and filter those out.

**LEG. TROTТА:**

Now, is there a more effective way to filter those out?

**MR. SPETTA:**

Yes, absolutely. Absolutely.

**LEG. TROTTA:**

But you would agree that sending a police officer to somewhere five times in a year or six times in a year is a waste of police resources.

**MR. SPETTA:**

Absolutely. And I don't have a problem with permitting somebody like that, or fining somebody like that. You know, we are -- our method is to try and reduce -- no one wants to dispatch the police, no operator wants to dispatch the police to an alarm call.

**LEG. TROTTA:**

So would you be -- what's the word, for a system where you didn't have to register, but if a police officer -- and it could be controlled by the computer, went to a house five times and there was a false alarm five times, there's no reason why the police officer can't issue a summons to them for some County ordinance for \$50 for having five false alarms; would you be against that?

**MR. SPETTA:**

I would not be against that at all. Because what that means is there's either a malfunction in the equipment, or the user is not educated on how to use the equipment. So that would be a great incentive for somebody to get that alarm system fixed or to learn how it works, but to permit somebody is definitely an issue.

**LEG. TROTTA:**

I mean, clearly I think a permit is nothing more than just a tax so they can --

**MR. SPETTA:**

Correct.

**LEG. TROTTA:**

Okay, thank you.

**CHAIRPERSON BROWNING:**

So, one last question real quick. Nassau County, do they charge a permit fee or do they require a permit?

**MR. SPETTA:**

Yes, they do charge a permit fee.

**CHAIRPERSON BROWNING:**

They do charge a permit fee.

**MR. SPETTA:**

Yes.

**CHAIRPERSON BROWNING:**

Okay. Because I saw it on the news the other night and I thought they said that they do not.

**MR. SPETTA:**

No, they charge a permit fee.

**CHAIRPERSON BROWNING:**

Okay.

**MR. SPETTA:**

They charge that permit fee in a totally different way. When they charge a permit fee, it's up -- it's the responsibility of the alarm installer to provide that permit to the County. So what's happened is the alarm installer has educated the user on how to use the alarm system. It's not just suddenly a permit fee. You know, so they've instituted a program where it's an educational process with a professionally and licensed alarm installation company in order to install that, and working together with the County to try and do this.

**CHAIRPERSON BROWNING:**

Okay. Are you registered with our Consumer Affairs, the alarm companies? They're registered with Consumers, right?

**MR. SPETTA:**

I believe so, yes.

**CHAIRPERSON BROWNING:**

Okay, I thought so. Okay, thank you. No more questions.

**MR. SPETTA:**

Thank you.

**CHAIRPERSON BROWNING:**

Next speaker is Curtis Cole.

**MR. COLE:**

Good morning, Madam Chair and Public Safety Committee. Thank you for giving me the opportunity to voice my disappointment with the current Suffolk County alarm permitting. I own a home in Suffolk County, it's in Legislator Krupski's district, and it has an alarm system which has never had a false alarm.

I own a business in Southampton, in Legislator Fleming's district, which installs security systems throughout Suffolk County. We have in place strident procedures to respond to our accounts who are experiencing false alarms. The permit is basically a tax on the people to own something that they've been able to own for a very long period of time. Homeowners and business owners who have chosen to protect their properties are being monetarily penalized because of a few people who choose not to service and upgrade their existing systems. The Town of Southampton has a similar program, which I think Mr. Krupski was referring to; that system does not require permitting, it just penalizes people who have experienced the false alarms. The Town of Southampton's false alarm fees are significantly higher than what Southampton -- what Suffolk County is proposing. Frankly, I think both of them are too high to compare them to a traffic ticket, they're fairly exorbitant based on the same response time or less for police.

So I encourage the Legislature to consider more of a fine-based system than a permitting system in place. The program is basically designed by the County Executive and the Police Department to fill a budget gap, that's where the permits are really coming from. I don't think myself or anybody in my industry would disagree with the fact that there are issues with the false alarms, but I think there are better ways to address those things and fix them for the people that are experiencing them.

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So I encourage the Legislator to reconsider the alarm permit program as it's currently constructed and to give homeowners -- there is an easy way to certainly notify homeowners of this program. Everybody who's had false alarms could receive a letter saying that this is being considered. I hold an alarm license, I could have been sent a letter suggesting that this was going to happen and wasn't notified. So I would encourage the Legislator to reconsider the program as it's currently constructed. Thank you.

**CHAIRPERSON BROWNING:**

Thank you. And let me ask you a question. In the Town of Southampton, do they have a permit application for the customer?

**MR. COLE:**

They don't have a permit, they have false alarm fees. So as you get false alarms, you are --

**CHAIRPERSON BROWNING:**

Right.

**MR. COLE:**

You are fined for those alarms.

**CHAIRPERSON BROWNING:**

Okay. So when you install a new customer, do you give them that information with regards to the Local Law in the Town of Southampton?

**MR. COLE:**

We do, yes.

**CHAIRPERSON BROWNING:**

Okay. Do you have a question, Bridget?

**LEG. FLEMING:**

Yes. Thank you, Kate. Thank you, Madam Chair. Hi, Mr. Cole. Just a quick question. I know in Southampton, I know there are some who feel that the fines are too high, but with a very small police department, we have 95 sworn officers, 140 square miles to cover, seven sector cars with each cop alone in his or her car; false alarms are a huge, huge cost to the taxpayers and to the safety of the community. So the fine system is really designed to create incentives to avoid as much as possible, and especially with second homeowners who aren't even there and don't even know that the alarms are going off.

I have just a question for you. Since those fines are in place, and we did some tinkering with the fines to try to make the incentive structure more effective, has there been any kind of technological response? Have customers who have had to pay these fines, I know they've come up-in-arms and complained to Southampton Town and to the Police Department, but have you as provider of the service been able to respond to concerns with any kind of technical fixes that make it less likely that the alarms would go off when there's not a real concern for safety?

**MR. COLE:**

One of the biggest culprits of --

*(\*Mr. Cole's phone went off\*)*

**LEG. FLEMING:**

Is that an alarm going off?

(\*Laughter\*)

**CHAIRPERSON BROWNING:**

You forgot your phone.

**MR. COLE:**

Sorry about that. In Suffolk County, and on the East End in particular, one of the things that happens with alarm systems is construction sites are actually required by the insurance companies to install alarm systems. And frankly, those systems are not intended to go into those homes, but we're required to do it by the builders and homeowners and the insurance companies, Chubb in particular. And that's a huge source of false alarms, systems being installed and things that are not -- they're really not supposed to be there.

In terms of technology, video verification is something that we are using on construction sites now instead of alarm systems. Armed guard response and unarmed guard response is something that's taken hold in Southampton, but those are homeowners that can afford those kind of services. So rather than having the Police Department respond, they're paying for a third party guard response company to respond to those alarms. And typically, a guard response charges \$50 to respond to the alarm as opposed to the fines that Southampton charges. But I would compare the fines that, you know -- first of all, the response time by any Police department for an automatic alarm is typically at least an hour or two hours. If you compare that to a traffic ticket, how much you charge for a traffic ticket versus how much you charge for those alarm permits, it's pretty onerous in terms of the service provided by the Police Department, time involved and the fees paid by the people.

**LEG. FLEMING:**

I appreciate your perspective on that, but especially when we are feeling so much pressure in terms of staffing and the dollars that it costs to provide that staffing in the Police Departments, I don't see it the same as you do, respectfully.

On the video, though, that's what I was sort of getting at. There are solutions to the safety concerns or the security concerns of homeowners, those who maybe can afford to pay what we're paying for, essentially otherwise, when we provide sworn police officers to police their construction sites or their homes. But with video, that is what I was kind of asking; aren't there technical solutions that the market will kind of force to happen if we impose fines that don't involve police response? Video could do it. If it's an hour out anyway, which I'm not sure is true in my district, but if it's an hour out, then what is the service that's being provided, how valuable is it in terms of safety? And if that's true, wouldn't a video or something that doesn't require a police response be just as effective? And in my view, doesn't fining folks create the incentive to come up with those solutions?

**MR. COLE:**

I don't object to the fine structure. Actually, I think it's a good incentive for people to install technology that will improve things and to maintain and upgrade their systems so that they don't have false alarms. The fine structure as it stands I don't object to, I think the fees are a little bit high; it could be up to \$800 for somebody to pay for a police officer to respond to an alarm in Suffolk -- in Southampton; that's pretty high. And so yes, those fines would encourage people to do the things that you're mentioning, I think they could be less. I really object to the permitting that Suffolk County is now requiring for people as opposed to the fines.

**LEG. FLEMING:**

Thank you.

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**CHAIRPERSON BROWNING:**

Thank you. Next speaker is Michael Sokoly.

**MR. SOKOLY:**

I'd like to thank the Public Safety Committee for addressing our concerns and listening to our concerns. Chairwoman Browning has kept us kind of in the loop. I'm a licensed alarm installer in Suffolk County, I'm also the current Secretary of the Long Island Alarm Association.

Some of the concerns we have -- you know, I don't need a show of hands here. Many of you probably do have an alarm system in your home, hopefully monitored by a central station such as Mr. Spetta represents. Ask yourself a question; what would you do if you didn't have that monitored and you had smoke detection and carbon monoxide that didn't have anybody respond to? It's a point that a lot of our customers are trying to bring up to us. We're all -- as the Long Island Alarm Association, we are in favor of, you know, reducing false alarms by whatever methods we need to do to make it work, and freeing up PD, you know, to do jobs that they really need to attend to and not have to respond to things that are not really necessary for them to do.

One of the concerns that our residents have and some of my customers have as well is, you know, we're paying a tax on the service and the system that they use to protect their lives and their property. My constituents in the Long Island Alarm Association also have expressed concerns that this law will reduce some of their income by some of their customers leaving, or maybe potential customers not even wanting to put an alarm system in that they may possibly have considered as a necessity.

Addressing Legislator Trotta's concern, we have heard from many customers who are older, older residences, limited budgets, expressing their concern that they don't have the money for this permit, they don't have the ability to pay the fines, and that they're going to drop out.

One of the things that the residents in Suffolk County should be made aware of is the collections of this money from the fines and fees really do nothing to address the reduction of false alarms. The County does not, in my knowledge, receive any of the money from these fines -- I could be wrong, correct me if I am -- but 99% of it goes to the Suffolk County PD 151-B Fund. I think with that, Chief Cameron has expressed that he would put two full-time and three part-time dispatchers on using that money. I don't know what else he's going to use the money for that he gets. I think that the Legislature should at least charge Suffolk County PD with setting up a committee, a task force, working with the Public Safety Committee, us as well, businesses, residences, to assist to reduce false alarms by educating the customers, educating alarm installers.

*(Beeper Sounded)*

And I'll kind of put a dig into there; I'm currently one of the education committee members for Long Island Alarm Association, I'm also a State Instructor for Alarm License candidates, and I'm Senior Instructor at an electrical training center in Copiague that trains everybody in the electrical industry, obviously this is --

**CHAIRPERSON BROWNING:**

Mr. Sokoly, we do have a three-minute time limit.

**MR. SOKOLY:**

Thank you.

**CHAIRPERSON BROWNING:**

However, one of our Legislators does have a question for you.

**MR. SOKOLY:**

Sure. Thank you.

**CHAIRPERSON BROWNING:**

Legislator Calarco?

**D.P.O. CALARCO:**

Just a quick question for you, because you brought up the issue of COs and smoke alarms. You are aware that the way the law is written currently, that if there is a call that is fire or medical related, that does not trigger a false alarm.

**MR. SOKOLY:**

That is correct, we are aware of it.

**D.P.O. CALARCO:**

Okay. Just to make sure, so when you get those calls from your customers, you say that to them.

**MR. SOKOLY:**

That is correct.

**D.P.O. CALARCO:**

Okay. Thank you.

**MR. SOKOLY:**

If I may just address one thing that Legislator Cilmi said to Bob Spetta. In error, we do not represent the largest alarm installers, they are not members of the Long Island Alarm Association; ADT, Slomin's are not members of our organization. So that is an error.

**LEG. CILMI:**

Okay.

**MR. SOKOLY:**

So, I thank you.

**CHAIRPERSON BROWNING:**

Okay. Thank you. The next speaker is Douglas Forgione; I hope I said that right.

**MR. FORGIONE:**

Good morning. Thank you for the opportunity to address this issue. I'm here on behalf of the Probation Officers Association. I'm a Building Delegate to the Hauppauge office, and in that position I hear people's complaints, so I'm touched with the difficulties of my coworkers. Those people who I work with are dedicated, hard-working people, good people doing a difficult job, and are very cooperative. We've been told, *Do more with less*, we did. Then we were asked to give money back in 2009, we agreed. And then we're told, *Do more with nothing*. We don't get equipment, we haven't had a contract. And for those of us who are down on the ground, it doesn't seem very civil, the Civil Service, to be ignored. And so good people doing a difficult job deserve some compensation.

I don't agree with the concept that one contract is the cause of another contract not being executed. Surely we knew this day would come. And my question is what's the plan for the future? What's in it for us? Because we seem to be getting ignored. I'm a taxpayer and I'm struggling. I've raised children as a single parent and it's not easy. I hear the complaints of my coworkers who cooperate. Our employer wants workers -- and that's what we do, we work -- but the deal is we work and they

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pay. Our employers want workers, but what they get is families. We're required to live in this County to work for the County and families are struggling. And so I'm asking for help on behalf of my coworkers who say to me, *Please, speak up*. We're asking for help.

We've been trying to negotiate on our own behalf, and then we enlisted the help of fellow unions because we're not getting anywhere. And so the morale is a little tough right now. We feel neglected.

*(\*Beeper Sounded\*)*

We serve our community, we serve the court, and many times they're in dangerous positions. And how long can you keep up the faith when it seems our leaders are not watching out for us. And that's really all I had to say. Thank you for your time.

***Applause***

**CHAIRPERSON BROWNING:**

Thank you. Okay, there was a question. I know we have two speakers left and I'm going to ask their indulgence to allow Alan Schneider.

I know he's got an EMHP meeting to go to, so I want to take you out of order. But Leslie, you've got a question.

**LEG. KENNEDY:**

I will be very quick. If all of you could put together a list of the equipment that you're not getting that you need, that would be very helpful for us to pass on.

**MR. FORGIONE:**

Well, there was an issue with securing equipment. We're issued weapons, hard weapons, soft weapons, protective armor, radios, computers, handcuffs; it's a long list.

**LEG. KENNEDY:**

Uh-huh.

**MR. FORGIONE:**

We were directed to secure that equipment. Now, I believe as peace officers we swore an oath to protect the community and the community's property.

**LEG. KENNEDY:**

Uh-huh.

**MR. FORGIONE:**

So all of that issued equipment is the community's property. So if it's not safe with us, than who? So I accept the responsibility. But when we asked for a place within the building that we work to secure our equipment, it was met with some opposition, but then some funds were allocated to be able to secure our laptop computers, and a cabinet was delivered that had ten spaces for laptops. I have 34 people in my building. We were told that if people used them then we'll get more. The problem is you can't fit your equipment in the small cubby; it will hold a laptop, but we have a duffle bag full of equipment. So if we're carrying it around anyway, this cabinet is really kind of dysfunctional. They're not being used because it doesn't really work. You can't leave one thing here and the rest of your equipment you bring home every day. So the general consensus was they would like to have a locker, like a gym locker where you could secure your equipment. So although Administration did make an effort, a good faith effort, it really didn't serve the purpose because they don't ask us folks who actually have to do the work.

**LEG. KENNEDY:**

Okay. I wrote down everything you said. If you could still, if anyone thinks of anything that you are in need of, just be specific, make a list and send it over to all of us, if you could, or if anyone could?

**MR. FORGIONE:**

Thank you.

**CHAIRPERSON BROWNING:**

I'll -- I know there's a few people out there who know my e-mail, so I'd be happy to share it with you. Okay? I'll get my card to you. So thank you.

**MR. FORGIONE:**

Thank you.

**CHAIRPERSON BROWNING:**

Again. I know, Alan, you have to get to that meeting, and we are taking a little longer than expected. But I'd like to break and take out of order 1292, establishing the authority of a Deputy Commissioner of Police, specification No. 9379. And Alan, the floor is yours. I made the motion. Is there a second? Legislator Fleming. All in favor? Opposed? Abstentions? It's out of order.

I'll make a motion to approve **1292-16 - Establishing the authority of a Deputy Police -- Deputy Commissioner of Police, Specification No. 9379 (County Executive)**. And that was a second by Legislator Hahn. And Alan, if you could explain that, please.

**MR. SCHNEIDER:**

Yeah. Thank you very much. And I would just like to say I appreciate you taking me out of order, Legislator Browning, and I would like to apologize to the speakers that were scheduled to go before me. Hopefully I won't be up here too long. But basically I'm here really to answer any Legislator's questions about why this resolution is here.

**CHAIRPERSON BROWNING:**

I received some correspondence from you, I'm assuming our Presiding Officer, yes, you have a question? Do you have a question about it?

**P.O. GREGORY:**

Yes.

**CHAIRPERSON BROWNING:**

Yes. Go ahead.

**P.O. GREGORY:**

Hi, Alan.

**MR. SCHNEIDER:**

Good morning.

**P.O. GREGORY:**

So just to clarify, this bill is to establish a line of succession -- well, it does several things, right? A line of succession, but also in this bill, with establishing a line of succession, as it was explained to me, allows for a second position to be identified for a Deputy Police Commissioner. Because we only have one that exists today?

**MR. SCHNEIDER:**

Yes. The Suffolk County Police Department was formed in 1960. So back in 1960, a Local Law was passed by the Legislative body which was then made up of the town Supervisors before this Legislature was created. And when that Local Law was created, which became part of the County Charter, the Local Law neglected to include the statement for the Deputy Commissioner that the Deputy Commissioner would act for and in place of the Commissioner at all times when the Commissioner, in effect, is not there. Now, under Civil Service law, for a Deputy Commissioner to be in the exempt class, that is required language that must be in the Local Law to have an exempt Deputy position. However, when a department is created, the State Civil Service department does grant one Deputy Commissioner in the exempt class to each Commissioner who is an unclassified or non-competitive appointing authority.

So for the last 64 years, the Suffolk County Police Department has had a Police Commissioner and one Deputy Commissioner not been questioned. Now, our new Police Commissioner, Tim Sini, felt that with everything that has transpired over the past year or so, without going into any details with the department and his attempt to bring this department back to where it was and where it should be, he felt the need to bring in a second Deputy Police Commissioner, which is not unheard of for a department this size. Nassau has four, we have one. So we put in to the State for a second Deputy Commissioner, and when they received it, they looked at our Local Law, our County Charter, and they saw that the Charter did not have the required language under Civil Service Law that was necessary to -- for them to be able to approve that second Deputy as an exempt Deputy who can act for and in place of the Police Commissioner, because that language was lacking. So they came back and they told us that they need either a Charter revision or they would accept our job spec, which does have that language in it. As long as our job spec was passed by the Legislative body as a resolution, they would accept that and that would satisfy the section of Civil Service Law and enable them to approve the second Deputy position for the Suffolk County Police Department.

So it's as simple as that. This is really correcting what should have been done 64 years ago, 66 years ago when the Suffolk County Police Department was first formed and wasn't.

**P.O. GREGORY:**

So in all this time, we have never been in a situation where the Police Commissioner was incapacitated?

**MR. SCHNEIDER:**

No, no. In all this time, whenever the -- it doesn't require incapacitation. It could be the Police Commissioner could be at a meeting in New York City or on vacation or home sick for a day; the Deputy Commissioner is, in effect, during that timeframe, the Police Commissioner acting for and in his place by virtue of the job spec and by virtue of the fact that the Deputy Commissioner's position has been approved by the State as the one Deputy Commissioner that is allowed. For all departments, when you create a department, one Deputy is approved.

**P.O. GREGORY:**

Right.

**MR. SCHNEIDER:**

The difference is that in our other Local Laws, the language is correct. But back in 1960 when the Police Department was created, none of us were here, none of us knows the reason why, but that language was deficient. Nobody paid attention to that, nobody ever looked at it until a month ago when the State looked at it and told us it's not sufficient for them to approve a second Deputy. So what we're doing with this resolution is satisfying the New York State Civil Service Commission, the New York State Civil Service Department so that they will be able to approve a second Deputy in the exempt class.

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**P.O. GREGORY:**

So as I interpret what you just said, what existed was sufficient, but now that we have two, we have to be more clear in how we want the line of succession to go.

**MR. SCHNEIDER:**

It's not -- this has really nothing to do with the line of succession. This has --

**P.O. GREGORY:**

No?

**MR. SCHNEIDER:**

-- everything to do with just getting the position approved so that we can have two Deputy Commissioners in the Suffolk County Police Department.

**P.O. GREGORY:**

But if you have two, someone has to replace the Commissioner when they're not available.

**MR. SCHNEIDER:**

That is correct.

**P.O. GREGORY:**

So there is a line of succession and this bill identifies who and what that will be.

**MR. SCHNEIDER:**

Well, that's really identified by --

**P.O. GREGORY:**

Well, the Commissioner.

**MR. SCHNEIDER:**

-- the Police Commissioner; that is correct.

**P.O. GREGORY:**

All right.

**MR. SCHNEIDER:**

I mean, you know -- somebody's got to be there to act for and in place of the Commissioner. If he designates one Deputy as the first Deputy to be the person to take over in his absence but he and that first Deputy are both attending a meeting somewhere out of state, then automatically the other Deputy has now the authority to take over and run the department in the absence of both of them.

**P.O. GREGORY:**

Okay.

**CHAIRPERSON BROWNING:**

Okay. Bridget?

**LEG. FLEMING:**

Thank you. Good morning, Mr. Schneider.

**MR. SCHNEIDER:**

Good morning.

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**LEG. FLEMING:**

Just one quick question. I just need to confirm, this -- if we take this action, it's not in any way going to threaten the job security of the current Deputy Commissioner, is it?

**MR. SCHNEIDER:**

Well, in effect, yes, it is. This is, in effect, creating the second Deputy position that he is in.

**LEG. FLEMING:**

No, I mean the current Deputy Commissioner who's not affected by --

**MR. SCHNEIDER:**

The current Deputy? That's correct.

**LEG. FLEMING:**

She's still in place --

**MR. SCHNEIDER:**

That is correct.

**LEG. FLEMING:**

-- regardless of whether we take action on this or not and her job security remains exactly the same regardless of whether we pass this resolution or not; I just wanted to confirm.

**MR. SCHNEIDER:**

Her position, her job security is --

**LEG. FLEMING:**

Independent.

**MR. SCHNEIDER:**

Her job security rests in the hands of the Commissioner. She is in an exempt position. Her position is approved as a Deputy Commissioner's position. What this is doing is approving the second Deputy's position for Mr. Barry.

**LEG. FLEMING:**

But the Deputy who's currently in place with a titled position is safe, as Legislator Kennedy said, that it's independent from any action we take on this.

**MR. SCHNEIDER:**

The Police Department has one Deputy Commissioner's position approved by New York State Civil Service Commissioner. Who's in it is immaterial to them. Nobody has any security when you're in an exempt job. You serve at the pleasure of the Commissioner. This resolution has nothing to do with security or anything else. This is strictly to correct an error that was made 66 years ago, that we are just finding out about a month ago.

**LEG. FLEMING:**

I think you've answered, but just so that I'm clear; if we were to act on this, it would have no impact on the Deputy whose title is currently there.

**MR. SCHNEIDER:**

That is correct.

**LEG. FLEMING:**

Thank you.

**CHAIRPERSON BROWNING:**

Okay. Now we've got a couple of more speakers. Legislator Trotta.

**LEG. TROTТА:**

The word *exempt* you keep using, does that have anything to do with him collecting his pension? Do you have any ability to do that?

**CHAIRPERSON BROWNING:**

No.

**MR. SCHNEIDER:**

The word *exempt* is a Civil Service Law word, has absolutely nothing to do with his pension. It could be a competitive class position, it could be a non-competitive class position. It's got nothing to do with his pension, no.

**LEG. TROTТА:**

Okay, that's all.

**CHAIRPERSON BROWNING:**

Okay. Next speaker, Doc.

**LEG. SPENCER:**

I understand what you're trying to do with this and I can see correcting the deficiency in the language there. My concern comes in that you mentioned, as you were speaking, a first Deputy versus a second Deputy and they both serve at the pleasure of. But if this is passed, then there's no distinction as far as there's just two Deputy Commissioners, right? There wouldn't be a first or a second Deputy, this just put the language in place?

**MR. SCHNEIDER:**

That is correct.

**LEG. SPENCER:**

And, you know, I'm speaking from the standpoint of someone that wants -- that is supportive, not wants to be supportive of the Commissioner. But, you know, one of the things when I approved the new Commissioner, a concern of mine has been just the under representation of minorities in the Police Department, and that's something that came out from the Justice Department that we were supposed to be working on and it's been something that's happened over almost 20 years now.

**MR. SCHNEIDER:**

And we're working very hard to try to correct that.

**LEG. SPENCER:**

We are, but the -- you know, over 20 years, the gains have not really been where we want to see them. And knowing that right now the first -- the Commissioner, the Deputy Commissioner that's there is an African-American woman.

**MR. SCHNEIDER:**

Uh-huh.

**LEG. SPENCER:**

And I have concerns that I don't want it to be a clever way of not really addressing the issue head on, that now all of a sudden if there's two Deputies -- you know, I really think that this has to -- you know, if there's a first and a second Deputy or whatever where the Commissioner is incapacitated and thereby can go to whoever the Commissioner so chooses, is kind of a way to maybe be able to side-step the elephant in the room, that should be taken on directly. That if there's someone that's there that's qualified that should be in that position or not qualified and shouldn't be in that position, that should be addressed as opposed -- you know, it makes it now more ambiguous, *Oh, there's the Commissioner and then there's a couple of Deputies and we can choose whoever we want.* Whereas a Deputy that's there, and if that Deputy should be there and should have that authority and opportunity to lead and address those issues, I don't want this legislation as a way of being able to not address these issues head on. And I hope I've said that in a way where I'm not making any sort of accusations or any sort of saying that that's the case, but I do know that my concern is that it's been a long time where we've been trying to generate diversity or making our Police Department look more like our population and trying to be as fair as possible, and I just haven't seen the gains that we should make. And to me, that would be, you know, one of the unintended consequences that I would really want to make sure that this doesn't allow us to kind of side-step that issue. So that's my reservation.

**MR. SCHNEIDER:**

Okay, let me see if I can alleviate your concern a little bit. First of all, this resolution has nothing to do with first or second Deputy. This -- my job as the Personnel Director of this County is to get the department heads of this County where they're trying to go, to run their department as efficiently as possible. So here we have a new Police Commissioner who's taking on an enormous burden, considering what he was left with when he came in. So he's doing everything he possibly can and one of the things that he believed that he needed was a second Deputy who had law enforcement and Federal experience and he had somebody that he knew and trusted that he felt could really assist him and contribute to the success that he would like to bring to this department.

So we have a department of nearly 2500 sworn officers, over 3,000 employees, and we have a Commissioner and one Deputy to run it. I've always thought that's kind of absurd, that we have basically two management people to run a Police Department of this size. Our neighbors in Nassau County have a Commissioner and four people assisting him. So he put in for a second Deputy. My job is to get that position approved. So not thinking that we were going to have any problem at all, we sent it up to the state. They have an obligation to check to make sure that everything is in accordance with Civil Service law. They went back, checked our Charter and saw that the Local Law that was established, that established our Police Department in 1960 did not have the required language to enable them to approve the second Deputy. So they came back to us and they said, *Here's what you need to do*, and it turned out it was this resolution. So we brought it, Legislator Browning asked us for the derivation of this, we gave her a copy of the directive that was sent down by the State asking us to do what is in front of you today and that's why I am here.

As far as the items that you have brought up, Legislator Spencer, we've been under a Consent Decree since 1988. We have tried as best as possible to try to bring the minority numbers up; we have been very successful in some areas of the department, we have not been successful in other areas, as you are well aware. However, in this last exam, under this Administration, the extensive recruitment that was done for the first time, one-quarter, over 25% of the candidates taking that exam were minorities. And an extremely significant number, which is the most important thing, an extremely high number of minorities are in the upper band of candidates that are eligible. Because in the past, it didn't matter how many people took the exam, if you didn't get in that band it didn't matter. You passed the exam, you scored an 85, you scored a 90, you weren't in the upper band, you didn't have the shot. This time, some very significant numbers of minority candidates are going to have that shot, as evident by the initial group of candidates that are now in the process for the

first class.

So from that standpoint, I am hoping that with the four years that this list is going to be in effect, we are going to start to see the changes that you want to see into the department that we all want to see go into the department.

As far as the effect of this resolution on the two Deputies, there is no -- there is no -- nothing changes. Nothing changes here. This is not -- what you do here today doesn't change anything.

**LEG. SPENCER:**

I get that and I appreciate the efforts. And again, I fully support the Commissioner and the Administration and the Police. I think that -- when I look at -- when you talk about running the department and you -- it depends on, you know, we use that word Commissioner and the Commissioner typically, in a department where you have a Chief of a Department that's really running the day-to-day -- it sort of escapes me a little bit because I thought the Commissioner would have more of an oversight policy direction to where it seems a little concerning to me from the standpoint that if the Commissioner was at a meeting or out of the country or something, that they would not be able to give the direction. I mean, I guess I'm failing to really appreciate the need. That's not to say I'm not going to support it, I just needed to get a couple of things on the record. You know. We're not talking about --

**MR. SCHNEIDER:**

That's fine.

**LEG. SPENCER:**

-- the President of the United States carrying around nuclear coats, you know. It's very important, but it seems, you know, like should there be Deputy Legislators or whatever, that someone that's designated in case there's -- I don't see the need. I understand the deficiency in the language, but I just fail to grasp a need that you need to have a second one when we never even had a situation where we had to use the first, then all of a sudden we're going to send it up to the State and they're like, *Well, we've got to do a resolution to correct this*, I guess my brain is just trying to pick this apart and say, you know, is there -- is there something else here? You're not giving me a realistic issue to where you would actually have to have a second Commissioner authorized. Where what's the situation where really at an out-of-town meeting, that a Commissioner would not be completely able to be engaged and be able to give direction in a situation. A Commissioner is not out walking a beat, you know. So that's -- I'll vote for it, but I'm just -- you know, I've explained, I've expressed my concerns. You know, I'll support it, I'll give you the benefit of the doubt. That's what my concern is. Thank you.

**CHAIRPERSON BROWNING:**

Okay. Leslie, you still have a question?

**LEG. KENNEDY:**

Doc Spenc and Alan pretty much clarified most of it, I just want to make a statement. These two individuals I have personally vetted.

The experience of each of them is a little bit different, and I think we do need this. Very rarely do I agree (*laughter*) with additional positions, but I think that both of them have unique qualities that we need in our Police Department.

**MR. SCHNEIDER:**

Thank you.

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**CHAIRPERSON BROWNING:**

Okay, no more questions. So with that, we had a motion and a second; correct?

**MR. RICHBERG:**

Yes, we do.

**CHAIRPERSON BROWNING:**

I made the motion, Legislator Hahn was the second?

**MR. RICHBERG:**

Yes.

**CHAIRPERSON BROWNING:**

Yeah, okay. All in favor? Opposed? Abstentions? *It is approved. (VOTE: 9-0-0-0 - Including Presiding Officer Gregory)*. Thank you, Alan.

**MR. SCHNEIDER:**

Thank you very much. And again, thank you for taking me out of order.

**CHAIRPERSON BROWNING:**

I'm guessing you're late for your meeting already.

**MR. SCHNEIDER:**

I apologize to the people that were waiting. Thank you.

**CHAIRPERSON BROWNING:**

Okay. And we have -- we will go back to the two last speakers. Again, I do want to apologize, and thank you for your patience. Matthew Porter?

**MR. PORTER:**

Madam Chairperson and Members of the Legislature, my name is Matt Porter and I am Unit President for the SCPOA. My members, all 242 strong, have been without a contract for far far too long; to be exact, five years, four months and seven days and counting. It's been January 1 of 2010 since our last raise. And for us, we're fighting harder than any other law enforcement in the County to provide for our families. That's our greatest concern when you talk to our membership. No raise in six years, how do you provide for your kids for their college fund? When you're thinking about retirement, where is the additional money going into your 401K so you can survive? How do we do that with nothing? It's one of our greatest concerns. And when I talk to my members and you can't look eye-to-eye to them because they're down on it, the morale is down, what do I do? What are our options? And to sit with them, talk with them and hear their struggles is something I have to do, but it's just -- it's a big thing. I can't praise them enough for keeping it together for as long as they have. Telling them to hold on and wait a little longer is getting tougher and tougher to say.

And just to give you a brief history, 92% of our membership voted for our affiliation with the PBA. We believe to get two officers to agree on anything is hard enough, but to get 92% to vote for it just gives you an indication of the direction we wanted to go. And we're thankful for the support of the PBA, their representation in our affiliation. They have done a great job educating us on how to be more like a union to get ourselves together and to push forward with our agendas that we haven't had in years past. So I'm grateful for our affiliation and I hope it continues stronger from this point forward.

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We have the highest educational requirements of any law enforcement agency in the County, with the smallest paycheck. The rationalization of that is just incomprehensible to me, but I just thought I'd let you know that.

I also have to say that the job, for what it is, isn't what it used to be, and I'll clarify that. I mean, I am a son of a probation officer, I'm a grandson of a probation officer, so I have a long history with the department. In our last hiring class in October of 2014, we went through and canvassed our entire Spanish-speaking list to find two candidates, just two, and one of them already left for NYPD. We used to be an agency they got people from NYPD and hired, now we're losing them for better pay, more options and a better contract. We have officers that -- we just lost an officer who had 12 years on the job to a school district for a better opportunity. We're paying, you know, a pay rate and a scale from 2010; if you're bilingual with a college degree, you have better options than to come work for us, and that's hurting us department-wide, it's also hurting our morale and our infrastructure.

I just -- we're asking for your help because it's our sense of urgency, which is borderline to desperation now. We don't feel it's met by the County with the same regard and we need your help in getting that sense so that we can come to a fair and equitable resolution to this as soon as possible. And I thank you for listening.

**CHAIRPERSON BROWNING:**

Thank you, Matt. And my question for you is the past four years we've heard about alternatives to incarceration. How does alternatives to incarceration happen? It happens with you, correct?

**MR. PORTER:**

Yes.

**CHAIRPERSON BROWNING:**

Probation Officers are the alternatives to incarceration, so that is one thing that I just don't understand, that you're not getting that respect. I know that we got the e-mail declining the offer to come here. I know Legislator Cilmi had asked to at least do it, you know, in an executive session; I got zero response. We didn't even get a response back saying no, it was just ignored. So I apologize for that, that they're not even willing to come over and talk to us in executive session. So I'm hoping, you know the e-mail said that discussions are going on, so I don't know who's telling the truth. My understanding is something's sitting on the County Exec's desk to be signed since November, but his Chief Negotiator is saying, *Well, we're still having discussions and things are moving*. So we don't know what the truth is. And it would have been nice if they could have at least come over and said, you know, *We'll talk to you privately*. But it is kind of tough because we have to look at these faces.

And I did a ride-along with your guys and I can tell you -- oh, she's here. But I can tell you that, you know, I was amazed and shocked at some of the homes you had to go into and the conditions and the various situations and the passion and the caring and, you know, so I think that maybe the County Executive should do a ride-alongs with you to see what you do. So, again --

***Applause***

Maybe he'll appreciate you more, and maybe Mr. Cohen should do, too, and Ms. McNamara, so they can see exactly what you're dealing with.

***Applause***

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**CHAIRPERSON BROWNING:**

So anyway, we will continue to try again, as a Public Safety Committee, to try and get a push that something gets signed or agreed upon sooner than later.

**MR. PORTER:**

We're here, we're ready to listen and act.

**CHAIRPERSON BROWNING:**

I know you are, and we appreciate what you do. Because all these speciality courts that we have, you know, I've been to them all, I know how you guys work in these courts. You know, the Veterans Court, the Youth Court, Drug Court; you know, it's amazing how much work I see that is being done, not just the ones who are out on the street. So again, we save a lot of money by not putting people in a jail cell.

A jail cell costs more than you, and that's something that should be seriously taken into consideration during this contract negotiation.

**MR. PORTER:**

I thank you very much for your comments.

**CHAIRPERSON BROWNING:**

Thank you. Any questions? No? Okay. Thank you, Matt.

**MR. PORTER:**

Thank you.

*Applause*

**CHAIRPERSON BROWNING:**

Last but not least, John Becker.

**MR. BECKER:**

Good morning, Legislators, Madam Chair. Before I get started, I just want to acknowledge President Matt Porter and the rest of the Probation Officers that are here. On behalf of the DSPBA, we support you and we certainly share in your frustration; six years is quite a long time.

I wanted to give this committee an update on the status of our negotiations and the basis of filing a Federal lawsuit against the County Executive. First, I appreciate the request from Legislator Browning, Legislator Cilmi, to have representatives from the County provide some insight as to why we are six years without a contract. It is no surprise that that request was denied.

On our end, I can tell you there has been no significant progress made in collective bargaining, or for a settlement for Highway Patrol. Additionally, as of December 31st, 2015, our \$4 million in retroactive pay was not paid as part of the 2011 Memorandum of Agreement. I was informed the reason for the \$4 million not being paid was due to pending litigation. So let's take a moment and try and follow that logic.

In 2011, the DSPBA enters into an agreement with the County; in 2012, the County negotiates a contract with the Suffolk County PBA which violates that agreement. They state the justification in doing so was that they don't believe our Memorandum of Agreement was valid, but then they do not return the money. So now we have all these different legal actions going on simultaneously as a result of violation of this agreement. We have an action in Supreme Court which we won, but the County now is appealing that. We have improper practice charges in PERB, and now we have a Federal lawsuit.

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Astoundingly, the County has managed to violate the same agreement twice, and the reason for not paying the money is, again, due to pending litigation, but this pending litigation was created as a result of their actions. It's interesting. So the DSPBA has now decided to file a Federal lawsuit to reclaim the \$4 million, along with interest, punitive damages, attorney fees and all other associated costs. So now the taxpayers of Suffolk County will have to pay more money than had it been paid when it was due in December. So during a time of a financial crisis, this seems a rather poor management of the County's already strained budget.

I also would like to address one other issue. When a lawsuit was announced in the media, the statement from the County was, and I will quote, *"These claims are yet another attempt to bully the Administration into an unfair contract for the taxpayers."* Legislators, I can tell you, I find that both insulting and utterly absurd to suggest that our 250-member union are the ones who are the bullies. In fact, I think it's quite the opposite. Our members are the ones who are six years without a contract and have had our hard-earned money unlawfully withheld by the Bellone Administration, not the other way around.

I also want to state for the record that if speaking out on something that is unjust, on behalf of the hard-working men and women who I represent, makes me a bully, then guilty as charged. I was raised to know the difference between right and wrong, and what is happening here to the Deputy Sheriffs and the Probation Officers in Suffolk County is the very definition of wrong. I thank you for your continued support.

### ***Applause***

#### **CHAIRPERSON BROWNING:**

Thank you, John. You mentioned the interest, and I don't know if George could keep me right. With the Federal lawsuit, what is interest on \$4 million? I mean, what would the interest be as you go through the process, if it takes a year or two years?

#### **MR. BECKER:**

Yeah, at least -- the standard interest is 9%, so that clock started as of January 1st of this year. So we're already going to be paying more.

#### **CHAIRPERSON BROWNING:**

Okay. And I don't know what the interest -- if we were to bond \$4 million now for the Deputy Sheriffs, what would our interest rate be? Do you need some time?

#### **MR. ORTIZ:**

Yeah, just a second.

#### **CHAIRPERSON BROWNING:**

Okay, we'll give him some time. But I would like to know what that could be, because clearly if the clock is ticking at 9% a year versus whatever the County's interest on a bond would be, it would maybe give them a little kick in the behind to do something. So is there any questions? Tom?

#### **LEG. CILMI:**

John, thanks for being here, again. And I apologize that the efforts of this committee didn't bear any fruit in terms of at least getting some information from the Administration as to where they stand in this negotiation. I mentioned before that -- to Lou Tutone with respect to the Probation Officer's contract that a negotiation is a give and take, a back and forth. Can you speak to -- since I don't have anybody from the Administration here to discuss it back and forth, can you speak to the nature of that give and take over the past -- you know, since you've been working on this?

**MR. BECKER:**

Yeah. Well, I think you brought up an excellent point. When you look at the definition of what a negotiation is, that's not what's going on here. There is no back and forth, and I think that's why the -- there has been such a stalemate. For a deal to be made, there's going to be give and take on both sides, it can't be all give and take on the part of the union.

**LEG. CILMI:**

Well, at that point it would be all give, I would imagine, right?

**MR. BECKER:**

Yeah. Mostly, yeah, all give; all take on the County.

**LEG. CILMI:**

Right. So when was the last time the County Executive's Office made a proposal to the union?

**MR. BECKER:**

We provided a proposal, we have yet to receive a counter.

**LEG. CILMI:**

Right. So you provided -- was there any proposal at all from the County Executive's Office, ever?

**MR. BECKER:**

No, there isn't -- there is no written proposal that has been submitted to us.

**LEG. CILMI:**

So, you submitted a written proposal to the County Executive's Office.

**MR. BECKER:**

Correct.

**LEG. CILMI:**

When did that happen?

**MR. BECKER:**

As of very recently, we submitted a proposal that encompasses both a collective bargaining agreement and a settlement for highway.

**LEG. CILMI:**

Have you proposed more than one proposal?

**MR. BECKER:**

Yes, we have, we've proposed multiple proposals.

**LEG. CILMI:**

Over time.

**MR. BECKER:**

Yes.

**LEG. CILMI:**

Two, three, four?

**MR. BECKER:**

Yes, at least three.

**LEG. CILMI:**

Okay.

**MR. BECKER:**

This negotiation has been going on long before I was even president.

**LEG. CILMI:**

Right, I understand that. And to your knowledge, there has been no response in terms of a written counterproposal?

**MR. BECKER:**

None that I've received.

**LEG. CILMI:**

And since you've been president, have there been, you know, sitting across a table, sort of negotiating-type sessions?

**MR. BECKER:**

Yes, we have had negotiation sessions, both formal and informal.

**LEG. CILMI:**

Okay. And when was the last time that that happened?

**MR. BECKER:**

I believe mid-March was our last session.

**LEG. CILMI:**

Are you at liberty to share the nature of that conversation?

Was there any willingness on the part of the Administration to offer alternatives to what you have proposed, what your latest proposal was?

**MR. BECKER:**

I believe what the County is asking for makes it impossible for us to negotiate a deal.

**LEG. CILMI:**

Okay. So if I'm just reading between the lines a little bit, it sounds to me like they've drawn a line in the sand somewhere with respect to some element of your contract and you're not willing to live with that.

**MR. BECKER:**

Correct.

**LEG. CILMI:**

Okay. So it's been six years, almost, it's been six years for the Probation Officers almost. What happens -- I mean, at some point is there arbitration or do you not have arb -- is that not an option for you?

**MR. BECKER:**

Arbitration is an option. However, we feel -- it's the County's position that long-term deals were able to be negotiated with all the other unions; why are we any different? Why should we have to

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go down the path of arbitration to only get a three-year deal and then be right out of a contract again. You're right back where you started. We're simply asking to receive the same treatment. You were able to negotiate with other unions, why are we any different?

**MR. CILMI:**

Yeah, I don't blame you. I mean, part of the reason that we all supported the contracts that we have supported is -- was to avoid arbitration. And arbitration in your case would mean, what, a three-year settlement? Is it always three years or could it be six years?

**MR. BECKER:**

It's usually a two-year deal. We're entitled to a three-year arbitration; but again, that would only cover years '11, '12, '13.

**LEG. CILMI:**

Right, so you'd still be three years behind.

**MR. BECKER:**

Correct.

**LEG. CILMI:**

Okay. Talk to me a little bit more, get in the weeds a little bit more with respect to the \$4 million thing. So a court ruled that the County owes your members \$4 million.

**MR. BECKER:**

No, this was part of a -- the Memorandum of Agreement we signed in 2011.

**LEG. CILMI:**

I understand that. There was a Memorandum of Agreement, but hasn't that gone -- hasn't that been before a court?

**MR. BECKER:**

Yes. So Judge Mayer in Supreme Court ruled that that was a valid agreement. The County has now appealed that decision and it is in the Appellate Courts to which we're waiting a date for oral arguments.

**LEG. CILMI:**

When was that appeal filed?

**MR. BECKER:**

Shortly thereafter the decision.

**LEG. CILMI:**

Which was -- do you remember?

**MR. BECKER:**

I don't recall the exact date.

**LEG. CILMI:**

Do you have a month, a year even?

**MR. BECKER:**

The decision came out in March of '14.

**LEG. CILMI:**

Okay.

**MR. BECKER:**

And the appeal was filed shortly thereafter.

**LEG. CILMI:**

Okay. So two years ago there was a court decision that basically said to the County that we should pay you the \$4 million because the agreement was valid.

**MR. BECKER:**

The judge directed the County to proceed to arbitration. When they appealed that decision, that arbitration was stayed, so we have yet to get our remedy. This is -- and again, this is what leads to the frustration, is there has been at every turn a roadblock, an appeal, a continuance. We're just unable to have our case heard. So when we did finally get a decision in our favor, that was appealed, and it seems to be that the direction that -- to prolong this process for as long as possible.

**LEG. CILMI:**

And you said you're waiting for a date from the court for oral arguments on the appeal?

**MR. BECKER:**

Yes.

**LEG. CILMI:**

Can we -- can I ask, through the Chair, we do have at least one person from the County Attorney's Office here; he may not be familiar with this particular matter, but it's sort of a general question. If the appeal was filed in 2014, is it normal for it to take this long to even give a date for an oral argument? Maybe Mr. Braun could speak to that.

**MR. BRAUN:**

Good morning, Legislator. You're right, I'm not familiar with this particular appeal or this litigation at all, personally. But when a court renders a decision, a Notice of Appeal has to be filed within a short time, then briefs have to be written, the record has to be prepared, all that gets submitted to the court. There may be motions along the way, and ultimately the court sets the matter down for oral argument, and a couple of years is not an unusual amount of time for that.

**LEG. CILMI:**

Okay. So you personally, then, would not have any information as to whether or not the court is close to --

**MR. BRAUN:**

I have no idea.

**LEG. CILMI:**

-- setting a date.

**MR. BRAUN:**

Certainly, Legislator, I could inquire for you, but I just don't have that information right now.

**LEG. CILMI:**

If you could do that --

**MR. BRAUN:**

Sure.

**LEG. D'AMARO:**

-- that would be fantastic. I'd at least like to know that this is, you know, going to happen in the near future. I mean, you know, if nothing else, our employees deserve to know that there is a light sort of at the end of a tunnel, whether that's a positive -- whether that's, you know, the bright light of the sun or if it's a freight train, you know, coming in the other direction; one way or the other, they ought to know.

**MR. BRAUN:**

I will see what information I can find for you and we'll get back to you.

**LEG. CILMI:**

Okay, I appreciate that. Thank you. John, I think that's all I had for you, but thank you.

**MR. BECKER:**

Thank you.

**LEG. CILMI:**

Thanks for your patience.

**MR. BECKER:**

I appreciate it. Thanks for your support.

**CHAIRPERSON BROWNING:**

Don't go anywhere, John. Presiding Officer Gregory has a question.

**P.O. GREGORY:**

Hey, John. Thank you for coming again today. I know you and your members are frustrated that this process hasn't been resolved yet. I spoke to someone very involved in negotiations the other day and there is -- although this person explained to me that they want to talk, that they want to move forward, but there are some very serious concerns as to the offers, you know, as it relates to breaking patterns; I don't understand all the negotiations. So to them, it's really just a matter of, you know, they don't want to break any patterns, interest bargaining or whatever the term is, because that could open up other potential contracts. So that is a difficult ask for them, but they, you know, are willing to sit down, they want to talk, they want to get it resolved. I brought up the \$4 million issue, you know, so I don't know if they've reached out to you; this was just the other day.

**MR. BECKER:**

Nothing recent. But we certainly appreciate you looking into it and speaking on our behalf as well. We're always willing to sit down and continue negotiations.

**P.O. GREGORY:**

Okay. All right, thank you. And Rob and Kara were present, they are my witness to that conversation as well.

**LEG. HAHN:**

Yeah, we are pushing it.

**MR. BECKER:**

Thank you. I appreciate it.

**CHAIRPERSON BROWNING:**

Okay. No more questions? Okay. Well, John, I appreciate it. And I think I understand one of the concerns in the patterns is the Correction Officers contract.

**MR. BECKER:**

Sure.

**CHAIRPERSON BROWNING:**

Traditionally you make less, and now their start pay is like 30,000, correct?

**MR. BECKER:**

Right, the starting pay for Correction Officers as per the new contract is now 30,000. Just for the record, Deputy Sheriffs are already at 30,000. And in regards to the patterns, Correction Officers didn't always make more than Deputy Sheriffs; that's something that's transpired within the last few contracts or arbitration decisions. That wasn't always the case. So one making more or less than the other does not break the pattern.

**CHAIRPERSON BROWNING:**

Okay. Well, I appreciate it. Thank you, John.

**MR. BECKER:**

Thank you.

**CHAIRPERSON BROWNING:**

We do not have any more cards. Is there anyone in the room who would like to speak before we close for the public portion? Okay, come up, state your name.

**UNKNOWN AUDIENCE MEMBER:**

I put a card in, I think it got lost

**CHAIRPERSON BROWNING:**

Oh, I don't see it. But go ahead, state your name and we'll give you another card.

**MR. BUCKLEY:**

Sorry. My name's Dan Buckley, I'm a supervising Probation Officer with Suffolk County Probation Department and I'm a POA member for the last -- well, since we've begun, and I've been with the Probation Department coming up 15 years now.

I hope to be the briefest speaker today. I just wanted to simply come forward and say that I'm not here to complain. I'm actually just here to, A, thank the Legislators for your support. I know that to a person everybody in this room does support the efforts of the Probation Officers, I've personally spoken to many of you and I do appreciate that everybody here does support us.

Again, I'm not here to complain. I'm just here to ask for any assistance that can be provided by you folks in our endeavor to try to find a contract that's fair to us. I can say with certainty that the Probation Officers in this County are not overpaid. I can also say with almost certainty, although we're not privy to the negotiations or the specifics of the proposed contract, I can almost certainly say that if this contract comes to us, we still will not be overpaid. We're looking for a fair contract, that's all we're looking for.

I was recently promoted to a supervising position in the department and I now supervise nine of our officers directly, and indirectly I supervise probably another 20. And I can say for certain, the people that I have daily interactions with, that they work for every penny that they earn and they

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put far more into their job than the pennies that they do earn. And again, I can say with certainty that whatever this contract may be, should we see it, they will continue to work as hard as they do now and harder and they will earn every penny that they are paid and they'll earn more.

Once again, any help that you can provide us with trying to come to a successful resolution to this problem, I would sincerely appreciate. And again, I wasn't here to complain, just here to ask for your help. Thank you.

***Applause***

**CHAIRPERSON BROWNING:**

No, thank you. And I do apologize; for whatever reason, your card got stuck in the middle somewhere. But thank you.

I know we do have a presentation, but I know Sheriff DeMarco, I believe you need to -- we're here a little longer than we expected, and I know you have to get somewhere? I believe you would like to come up on the -- where's the bill; 1308, I'm assuming? So I would like to take out of order -- I'll make a motion to take out of order 1308.

**D.P.O. CALARCO:**

Second.

**CHAIRPERSON BROWNING:**

Second, Legislator Calarco. All in favor? Opposed? Abstentions? It's out of order. Do you want to come up and have a seat? It would be easier. Just in case, because I was thinking, after Alan, it may take longer (*laughter*).

But I guess ***1308(-16 - Establishing a reporting requirement for the Sheriff's Internal Affairs Bureau (Calarco)***, is there a motion to approve?

**D.P.O. CALARCO:**

Motion.

**CHAIRPERSON BROWNING:**

Motion. And second, Legislator Hahn. And does anyone have any questions? Or, Sheriff, do you want to make any comments on it?

**SHERIFF DEMARCO:**

Yes. I want to say that I am supportive of Legislator Calarco's resolution. We spoke on the phone, I guess over a month ago probably, and I do want to thank you for letting me have some input and making some minor adjustments to it. So thank you very much.

But I also want to put on the record what I did say to Legislator Calarco when he called me about the resolution, and that is that I don't believe that there needed to be a resolution, but I do support and I do understand why you are doing it. Any time that you have ever -- any of you have ever asked me or my staff to be present at a meeting, we've been there with the information you requested, and that has even included Internal Affairs sensitive stuff. I know I've sent my Internal Affairs Investigators to some Legislators' offices when there were questions. So I just want to -- you know, hopefully you'll acknowledge that this is not a reflection on any wrongdoing that was done by the Sheriff's Office Internal Affairs Investigators. Yes?

**D.P.O. CALARCO:**

Absolutely, Sheriff. I would say this is definitely not coming out of a lack of responsiveness by your office in any way to answer any of the questions I've ever had or I think any of my colleagues have had.

**SHERIFF DEMARCO:**

Thank you, thank you. And I understand why you are proceeding with this legislation, I understand why you proceeded with the Police Department. And I know Commissioner Sini was supportive as well of that legislation.

But I also want to let you know that, or give my opinion. Some I have personal knowledge of, some I don't, but the reason why the Federal government, in particular the U.S. Attorney's Office, had to get involved in some recent cases, whether it's Ed Walsh or James Burke, is because of -- this is my opinion, I'm not speaking for anyone else. Because of the lack -- or because of true morale failure from -- you can call it whatever you want over there, Building 77, the agency across the river, but I'm going to call it what it is, the District Attorney's Office. And that's why the U.S. Attorney's Office did get involved and that's what I believe why this legislation is here. Yet I don't see any legislation on an agenda for any oversight of the District Attorney's Office, and to me that's truly where it's needed. I understand that some of you may feel intimidated or there might be a fear factor there. I'm not -- I believe you all are very brave people. I've experienced the fear and the intimidation, so I know what that feeling is, but you have to power through it; I know you're all brave and I hope you do. So, thank you, and I do support your resolution.

**CHAIRPERSON BROWING:**

I know what you're talking about, (*laughter*), because when I was vocal four years ago, people asked me the same thing, "*What are you, crazy*", and "*Aren't you scared*", and I said, "*No, I'm not, because it's right thing to do.*" And in the end, we proved a point, it was the right thing to do. But, Legislator Calarco?

**D.P.O. CALARCO:**

I just wanted to -- I appreciate your comments, Sheriff. And I think that you have handled this particular situation as well as anybody in your spot could have, to ensure that you are maintaining integrity of your office that the voters elected you to do. And I can appreciate your comments regarding our need to go further and I look forward to continuing to work with my colleagues, and we are looking at legislation that may provide us the type of oversight we need throughout the County. And I also look forward to getting your personal perspectives on that and other issues that we can do to make sure that we're addressing all of the issues in this County, including the District Attorney's Office.

**SHERIFF DEMARCO:**

Thank you.

**CHAIRPERSON BROWING:**

Okay. And I don't think you want to go anywhere, but let's -- you might want to stay because I know we have another bill, and Kara has a question. But we did have -- didn't we have a motion to approve and a second?.

**LEG. TROTТА:**

I have a quick question.

**CHAIRPERSON BROWING:**

Okay. Go ahead.

**LEG. TROTTA:**

If we would have asked you for this, would you have provided it without a resolution?

**SHERIFF DEMARCO:**

Yes, I would have.

**LEG. TROTTA:**

So the resolution is unnecessary?

**SHERIFF DEMARCO:**

We provide this for -- we provide this already to our Community Advisory Board on a quarterly basis. I believe that, but I do understand why there is a resolution.

**LEG. TROTTA:**

If you would have provided it for us, why do you think there's a need for it?

**SHERIFF DEMARCO:**

I understand why there's a need. I don't know if there is a need.

**D.P.O. CALARCO:**

I would answer that question, and it's certainly not, as I said, a reflection on Sheriff DeMarco. But the reality is that Sheriff DeMarco, I don't know how long he will be Sheriff and how many times he plans to try to run for reelection and the voters will reelect him, but at some point in the future he won't be the Sheriff anymore and the next Sheriff may not be so willing to be open with us as this one is. Just like our current Police Commissioner is very willing to be open with us and has more than been willing to offer information to us that we have requested, but certainly that's not the way it was in the past, was it?

**LEG. TROTTA:**

That's a very good answer.

*(\*Laughter\*)*

**CHAIRPERSON BROWING:**

Okay. DuWayne, you have a question?

**P.O. GREGORY:**

Yes. Thank you, Madam Chair. Thank you, Sheriff, for coming here today. You said some very strong words. And to be honest, I obviously am aware of what's going on, what's transpired. And I don't know all the details, but I do recall reading something, probably in Newsday, about your interaction with the DA and your, as you defined it, as I would define your words as your difficulty in proceeding forward with the Walsh case. It's my understanding that there are recordings that have been -- that may be available that can explain your position; is that true? Would you be willing to make them available, or --

**SHERIFF DEMARCO:**

I'll discuss that more in the future.

**P.O. GREGORY:**

Okay, okay. All right. But no, I certainly -- I know Vinny's always been -- excuse me, the Sheriff has always been a good partner to work with and I know -- I can see the frustration on his face and can imagine being put in a position where you have someone under your command and control that's obviously violating the law and you want to do something about it and you feel restricted.

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So thank you. Thank you for coming out and supporting this today.

**SHERIFF DEMARCO:**

Thank you. And I also want to acknowledge Legislator Browning for reaching out to me. I know she said 2012, I think it actually probably started some time in 2011. And her standing by me the whole time and understanding -- you know, there was a little period we didn't talk because of the frustration between us about being able to divulge information, but she's a trooper and a true watch guard. Thank you.

**CHAIRPERSON BROWING:**

Aw. Thank you. I appreciate it. Kara, you had a question?

**LEG. HAHN:**

Well, a lot of things are frustrating in this business, and one of Robert's Rules of Order where you can't just jump in and answer the questions and everyone else gets to go first, but to comments you made earlier, it's coming. And then I do have questions for him not related to this that hopefully when we're done here --

**CHAIRPERSON BROWNING:**

Okay. We made the motion and the second, correct?

**MS. ELLIS:**

Correct.

**CHAIRPERSON BROWNING:**

Okay. So all in favor? Opposed? Abstentions? *It's approved (VOTE: 8-0-0-0).*

Don't go anywhere, because you wanted to ask questions.

**LEG. HAHN:**

Yes.

**CHAIRPERSON BROWNING:**

There was -- I guess we could, since we're here. Does anybody have any questions? It was 1243. I guess I'll make a motion to take out of order 1243.

**LEG. HAHN:**

Second.

**CHAIRPERSON BROWNING:**

Second, Legislator Hahn. All in favor? Opposed? Abstentions?

I'll make a motion to approve *1243-16 - Appropriating funds in connection with improvements to various Sheriff's Office Facilities. (CP 3019) (County Executive)*. I made the motion and second, Legislator Hahn. Does anybody have any questions? Mike, I guess you want to join them?

**LEG. HAHN:**

Is Vinny leaving?

**SHERIFF DEMARCO:**

No, I'm over here.

**LEG. HAHN:**

Okay.

**CHAIRPERSON BROWNING:**

Sorry, I thought it was about this. Okay. A little update what this is. Obviously it's something that's in the budget?

**CHIEF SHARKEY:**

Yes, this was part of the Capital Program that was submitted last year. We have several Capital Projects that take care of our facilities. We have 3014 that takes care of the Riverhead facility, we have 3009 that takes care of Yaphank, and this one covers anything else that is under our control. And the main project that we're looking to move forward with on this is security access and camera systems for our detention facilities.

**CHAIRPERSON BROWNING:**

Okay, good. So there was a motion and a second. All in favor?

**LEG. CILMI:**

Madam Chair?

**CHAIRPERSON BROWNING:**

Sorry.

**LEG. CILMI:**

Could we just -- I've read through it. Could you just sort of summarize the work that this will allow you to do?

**CHIEF SHARKEY:**

Well, we've been able to move several small projects forward. This one is data improvements and infrastructure, but because the size of this project as compared to others is much smaller, we haven't been able to move forward on the main project we want to move which is the security system at our 1st District Court Detention Facility, to integrate cameras into it and building access, etcetera, which are woefully in need of repair. And the first year's funding didn't cover the costs for that, so we had to wait for the second year funding to come in before we could proceed.

**LEG. CILMI:**

Okay. So this is necessary in order to sort of prepare your infrastructure for larger projects?

**CHIEF SHARKEY:**

No, this is a smaller project because it's covering our smaller outlying facilities.

**LEG. CILMI:**

Okay.

**CHIEF SHARKEY:**

You know, our main offices are in Riverhead and Yaphank, but we also have facilities in Westhampton and in Central Islip that need upkeep as well; on a much smaller basis, but they still need upkeep.

**LEG. CILMI:**

Okay. Thank you.

**CHAIRPERSON BROWNING:**

Okay, good on it? Motion and a second, All in favor? Opposed? Abstentions?

***It is approved (VOTE: 8-0-0-0).***

Kara, you still have a question for the Sheriff? I'm sorry, Vinny, another question.

**LEG. HAHN:**

I want to -- as Chair of the Environment Committee, you know, I want to thank the Sheriff's Labor Assistance Program for the work that they do on our highways, you know, cleaning up litter and trash that has just become an absolutely disgusting, you know, occurrence and issue in the County. You know, I had requested -- and I do every year, I request that they come and they'll clean up along Nicolls Road and other highways, and the difference that it makes when they're done and when they go through is just incredible. And I drive around spots and see the trash that just accumulates along our highways. It's so discouraging and it's embarrassing as a representative of this great County, you know, seeing that. And I was kind of just wondering, you know, how many miles you're able to accomplish, clean-up of the highways, and is there a way to increase that and what's the cost? Because there really is a tremendous benefit to our communities when you are able to get out and do that service for us. I'm hoping we can find a way to increase it, I don't know.

**SHERIFF DEMARCO:**

There obviously is a cost to it because we do use inmates who volunteer to do it and they have to be supervised, so there is a cost to it. They also -- we have a limited number of inmates who are allowed to go outside the facility and do this type of work. DPW does not clean our buildings, the inmates do, so that's obviously our first priority is to use the inmates for ourselves to keep the jail and our other facilities clean so we don't get in any type of trouble from the State Commission. But when we have the opportunity to, we do respond to requests from the public, from Legislators as well, to work on projects outside the facilities. So we're more than happy to do it, and we do have a long list, sometimes we get requests straight from DPW for assistance with trash as well. We'll put you on the list.

**LEG. HAHN:**

Yeah, no, it's very discouraging. I actually clean up the trash on my road where I live and I just did it, maybe it was two weekends ago; industrial-sized bags almost as tall as myself, filling two of them and having to drag them down my street. The amount of trash on the side of our roadways is disturbing, and what it is sometimes is disturbing, too. You know, it just looked -- when you guys finished on Nicolls Road and then I drive and I see a bag, a bag after -- and a beer bottle, you know, and I cry because it takes about all of ten minutes before somebody's throwing something down on what was just cleaned, but it really just looks so much better, and thank you for that effort /. And thank you for doing that.

**SHERIFF DEMARCO:**

Our pleasure.

**CHAIRPERSON BROWNING:**

Okay. So, thank you, Sheriff, and looking forward to continuing working with you.

So, Joel. (*Laughter*), you never thought you were going to be here this long. We still have a presentation. This is important. Joel, if you want to make yourself comfortable, after all this. He's Chairman -- Joel is Chairman of REMSCO, and there's a recent creation of the REMSCO Technical Advisory Group to prepare, I guess, the *Migration to Electronic Patient Care*; I guess it's kind of like the EMRs.

**MR. VETTER:**

Yep, that's basically it.

**CHAIRPERSON BROWNING:**

So, that's basically what it is for ambulances. The reason why I called you was to kind of give the Legislators an FYI. I don't know if anybody has received calls, but a couple of my ambulance companies called and said *The Legislature is mandated that they do this and the cost*, and we're like, *I don't know what you're talking about*. So if you could kind of give us an idea, and I know that you do want to kind of do something a little bit more extended with everyone at a later date?

**MR. VETTER:**

Yes, yes. So, thank you for the opportunity to sit here in front of you as your REMSCO Chair. I was a little nervous when I was driving here, I'm like, *I'm running late*.

**CHAIRPERSON BROWNING:**

*(Laughter)*.

**MR. VETTER:**

And then I said, *Yes! Public speakers*. So I see the agenda is pretty full, so I will keep it brief, with the intent after discussing with the REMSCO Council, kind of building out some of our projects and our timelines. So back to 2008 is when, as a REMSCO, we started to create White Papers and other initiatives which, you know, back in the day, Legislator Calarco has been involved since then in public safety and we've always been a body that has put pen to paper and that's kind of where it's been limited to a little bit. So before I start, I will also tell you that I appreciate the time. I am here on my own, the positions and information I will be sharing with you is not of myself as the REMSCO body, not as my full-time employer of the position of the Commission or any Executive Officers.

So the REMSCO as well as the REMAC -- so the Regional Emergency Medical Service Council and the REMAC, the Regional Medical Advisory Council and board -- was established and carries out its responsibilities pursuant to Article 30 of the New York State Public Health Law in Part 800. The 30-member REMSCO Council has representatives from out-of-hospital emergency medical care providers, the fire service, community volunteers, the commercial ambulance service sector, physicians, nurses, health planning agencies, hospitals, police services, County government, the business community and other constituents promoting health and human services. By Statute of the Council, it's charged with several responsibilities, including the coordination of medical emergency services in Suffolk County.

The makeup of REMSCO has been identified for in excess of a decade as a New York State Best Practice through the Department of Health by bringing together those individuals with broad outreach and into of the regional health care and delivery system to provide the vital link in information gathering and dissemination; that includes education, evaluation and limited enforcement. The REMSCO encourages active participation by all parties involved in our Regional EMS system, and thus we have a constant, chronic open format and public meeting format which can be found on the *SuffolkREMSCO.com* website.

So REMAC and REMSCO, they set evidence-based medical protocols, system-wide policies and procedures, and for some they describe them as unfunded mandates. But really, it's a requirement to participate, as seen in our emerging health care system. The out-of-hospital care is rapidly changing in our environment. We have changed from a pre-hospital care model of almost 40 years in existence, and it's changing to more of an out-of-hospital care; I know it might sound like a play on words. But, you know, many moons ago, we would not think of community paramedicine, we would not think of alternative care facilities instead of 911 receiving ERs. That scope of practice has become very broad and expanding.

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Back in the mid-90s, 2000 I was a flight paramedic; I was one of 18 that was doing high-risk procedures in very at-risk locations. That's now expanded. Those services which were considered high-risk are now becoming a standard of care. Programs like that, programs like Narcan and other aspects that we've put in place, is not the creation of any one individual, and that responsibility does not fall under any one individual. Those out of risk -- those out-of-hospital, high-risk procedures are now being done in over ten agencies with excess of 150 providers; those providers are both volunteer and paid.

Today's threats are real, the demand for service is even bigger. The Suffolk County system, which stands tall in its large base of volunteers, has evolved into a hybrid combination system. In keeping with the New York State Department of Health's Bureau of Emergency Medical Service Policy Statement, pursuant to Article 30 of the Public Health Law for the collection of pre-hospital care data and documentation where the Federal government continues coordination of the uniform collection and data through the National EMS Information System Dataset -- you'll hear that referred to as NEMSIS in the future -- New York State continues to collect patient care data through it's regional-based system and through the State data bridge. More than 70% of New York State ambulance data is collected through that current electronic platform.

In keeping with the New York State policy, Suffolk REMSCO will continue to work with agencies in New York State in an effort to facilitate the submission of the required data elements to a vendor-neutral electronic medium. The County allowed their contract with ZOLL Data System to expire in January of 2016 after unsuccessful attempts in developing a regional dataset because there are more options now for ambulance services than in the past. And due to the ability of the region to pull the local data from the New York State data depository in that way, as well as push data depository, neither of which existed back in 2006 when this old data system, the EPCR licensing and hardware was purchased.

In an effort to ensure an effective and accurate program development and project goals, because it's more than just setting dates in that way. The REMSCO voted in March -- on March 8th of 2016 to establish two technical advisory groups. The goals of the tags are simple; to put together a multi-disciplinary group of individual representatives of the Regional EMS System, reviewing the operational and financial impact of the EPCR in ambulance services and facilitating the use of the ambulance service's choice of an EPCR vendor, and preparing the County for the inevitable migration to electronic patient care driven by the Federal Health Care Reform Design and Delivery System Reform Incentive Payment -- that's a mouthful, right -- initiatives across the entire health care spectrum, including EMS within New York State. This is essential to ensuring the proper transition of patients from EMS to the hospital and facilitating quality improvement, review, and ultimately reduce the liability risk to the ambulance services, their governing bodies and the members of the service medical system.

Following that meeting, the REMAC, which initially was the first subcommittee of the REMSCO, set target dates for implementation. They voted 9-5 to rescind those target dates and are awaiting the technical advisory recommendations and vote from the REMSCO. So I open it up to you guys.

### **CHAIRPERSON BROWNING:**

Legislator Trotta.

### **LEG. TROTТА:**

This is the PCR thing, whatever they're called?

### **MR. VETTER:**

So the electronic CAD system now, the Federal implementation is the transfer of data electronic --

**LEG. TROTТА:**

All right, let's go back to the contract that expired in 2006 -- 2016, in January. Was that the one that you asked for a year increase last year?

**MR. VETTER:**

That's the project that's managed by the Health Department, not by REMSCO nor myself in my professional career. That's the one they were working on, yes.

**LEG. TROTТА:**

The one that only one -- we spent all this money and only one fire department was using?

**MR. VETTER:**

The extension contract last year was for them to answer, but it's -- from what I can identify through, it was for a web-based host service that was never utilized and no money was --

**LEG. TROTТА:**

Let's stop. We spent a million dollars on this system and then we were going to sign a three-year contract for \$100,000 a year to extend it and I said no, it shouldn't be a three-year contract, only one fire department has this. How many fire departments have it now?

**MR. VETTER:**

Currently operating electronic patient cares, there are two to three, but we'd have to check with the State that was receiving the electronic transmission of data.

**LEG. TROTТА:**

The ones that we spent all this money on.

**MR. VETTER:**

I was not involved in that project, nor do I know what their numbers were. That was a Health Department project.

**LEG. TROTТА:**

Well, last year it was one, it was Sag Harbor. Is that -- then you asked for a three-year extension on that contract.

**MR. VETTER:**

No, the Health Department asked, not I.

**LEG. TROTТА:**

Well, you were there. You were advocating it.

**MR. VETTER:**

Yes.

**LEG. TROTТА:**

What happened? Why did that stop and what happened to the million dollars we spent?

**MR. VETTER:**

I think -- well, looking at the project that was voted on, it was hardware-based enterprise server. Back prior to 2006, everything was owned and operated within a bubble. It was before a public safety cloud version or apps were available. There is now a broad-brush stroke, so what we've --

**LEG. TROTТА:**

So did we waste a million dollars?

**MR. VETTER:**

No.

**LEG. TROTТА:**

What did we get for a million dollars?

**MR. VETTER:**

I don't know, you'd have to ask that of the Health Department.

**LEG. TROTТА:**

Well, you were the guy there asking for the extension of the contract saying it was so necessary for three years.

**MR. VETTER:**

Not I.

**LEG. TROTТА:**

Yes, it was you. At the Waiver Committee, you came in and asked for a three-year extension to a service contract for this.

**MR. VETTER:**

Respectfully, no, that was Mr. Delagi from the Health Department, sir.

**LEG. TROTТА:**

You were there advocating for it.

**MR. VETTER:**

I have never been at a Waiver Committee in my career of the County.

**CHAIRPERSON BROWNING:**

No, you're mistaking him for Bob Delagi.

**LEG. TROTТА:**

For who?

**CHAIRPERSON BROWNING:**

Bob Delagi; it's not him.

**LEG. TROTТА:**

Did I speak to you after about that then?

**MR. VETTER:**

You've called me about other projects.

**LEG. TROTТА:**

Well, that project I called you about.

**MR. VETTER:**

You've spoken to me about several projects, the radius project --

**LEG. TROTТА:**

This one in particular --

**MR. VETTER:**

-- the EPCR project.

**LEG. TROTТА:**

And you were advocating for three years.

**MR. VETTER:**

I'm advocating for a solution of data with the impending aspect of the Federal requirement for patient care tracking.

**LEG. TROTТА:**

Okay. So as it was explained to me, the County really should have no business in this. You know, the individual fire departments can have any kind of electronic data transmission they want, and a lot of them do. So my question to you is why is the County even getting involved in this? It's just getting itself into something that's going to cost us a million dollars.

**MR. VETTER:**

The County is not getting themselves into this. What we're doing --

**LEG. TROTТА:**

Well, not anymore we're not because we just stopped the contract.

**MR. VETTER:**

Correct. So the REMSCO, which has the statutory authority and responsibility under the State Statute of Health Law, is establishing what the project and the program's going to be.

**LEG. TROTТА:**

This is another new one.

**MR. VETTER:**

No, we're leveraging the current State data bridge that was not in effect back in the --

**LEG. TROTТА:**

But why is the County getting involved, since there's no requirement that we do?

**MR. VETTER:**

Again, I'm here as the REMSCO Chair, not as an aspect of the County employee. It's not the County that's doing this.

**CHAIRPERSON BROWNING:**

This is not -- yes.

**MR. VETTER:**

The REMSCO falls under the State Department of Health.

**LEG. TROTТА:**

So then why are you even here then?

**MR. VETTER:**

To advise you so that when your Legislative constituents start calling you and telling you that you are implementing a system that's an unfunded mandate, you could correct them and educate them that you're not.

**LEG. TROTТА:**

So a constituent --

**CHAIRPERSON BROWNING:**

Rob, let me explain. I got a phone call from an ambulance company in my district and they said that they have to go to this new system and they said, *Well, we were told it was the Legislature that mandated this.* I in turn --

**LEG. TROTТА:**

It's not then.

**CHAIRPERSON BROWNING:**

-- called Joel and I asked -- we asked the question and he said, *No, it's REMSCO, which is nothing to do with us.*

**LEG. TROTТА:**

Okay.

**CHAIRPERSON BROWNING:**

That was --

**LEG. TROTТА:**

But the fact remains, we spent a million dollars on a system and we're still paying \$100,000 a year for a service contract that we have nothing for, zero, nothing.

**CHAIRPERSON BROWNING:**

But you're talking about something that's got nothing to do with him, so.

**LEG. TROTТА:**

Well, it still -- I mean, it was -- he was advocating for it last year.

**MR. VETTER:**

If I could correct -- you know, I don't mean to make it a play on words; I'm advocating for an electronic patient care system --

**LEG. TROTТА:**

You were advocating for a three-year contract for a system that we don't have anymore that we spent a million dollars for, and I think that you were pushing us saying, *Oh, we should have to do this, this is going to work.*

**MR. VETTER:**

The Federal Statute is very clear on what we have to do as a region. That's what I was trying to explain to you.

**LEG. TROTТА:**

Okay. But that has nothing to do with us as the County.

**MR. VETTER:**

No, it's not.

**CHAIRPERSON BROWNING:**

Rob, you know, stop beating him up for something that I asked him to come to explain to us. It's a Federal --

**LEG. TROTTA:**

I'm not beating him up. We wasted a million dollars and no one seems to care.

**CHAIRPERSON BROWNING:**

That's -- he's here to tell us about a mandate that is coming down, that's been coming since '08, I believe you said?

**MR. VETTER:**

Correct.

**CHAIRPERSON BROWNING:**

Right, a Federal mandate that we were going to get phone calls. He's clarifying the issue so that when your constituents and your local ambulance companies call and they get the same wrong information and they call and they say you, a Legislator, supported this mandate, you're going to have now the information. He's providing you with the information so can you respond your constituents.

**LEG. TROTTA:**

I called -- when this occurred to me last year, I called every one of my ambulance companies and they laughed at the million dollars that we spent. And then I called him back and he was like, *Oh, they don't understand*. And I said, *Why are we even doing this?* So I already spoke to my ambulance companies and they were, like, saying, *Why did we do this? Why did we spend a million dollars?* And I think people should be held responsible for the fact that we spent a million dollars and we got nothing for it. To sit here and say this is -- I'm not saying he did it.

**CHAIRPERSON BROWNING:**

He's clarifying when your constituents call --

**LEG. TROTTA:**

I took care of that last year, I've spoken to them all.

**CHAIRPERSON BROWNING:**

But they may call you again, and there are other Legislators who have not received those phone calls. I've received phone calls, I don't know about the rest of them, but they're likely to get it once this rolls out. So he just wants to explain what is going to be happening because the Federal government has said it. We have -- all the time, in all of our committees we have different organizations that come to do presentations to tell us what they're doing, what's going on; it's just to enlighten you and I don't think you're being fair to Joel.

**LEG. TROTTA:**

Just one more question. What was the name of the company that we just -- we canceled the contract in 2'16, that one that we spent the money on?

**MR. VETTER:**

They contract for both has been the ZOLL Interface.

**LEG. TROTTA:**  
ZOLL?

**MR. VETTER:**  
ZOLL. The secondary contract that you're referring to for the \$100,000 a year, you'd have to validate with the Health Department, but I believe no money was ever exchanged on that extension of that grant.

**LEG. TROTTA:**  
Okay, thanks.

**CHAIRPERSON BROWNING:**  
Okay, Legislator Calarco.

**D.P.O. CALARCO:**  
Just to, I guess, elaborate a little bit on the background. And I can appreciate, Legislator Trotta, your concerns about the County making an investment in a program that didn't pan out very well, to be quite honest. And it's a pretty accurate representation, it was an EPCR system that we helped establish because the Federal government was mandating that the EPCR system be put in place to allow the ambulance companies to communicate electronically with the hospitals in terms of sharing the health information. The system that was purchased or acquired back, I guess, in 2008, if I'm not mistaken.

**MR. VETTER:**  
Six.

**D.P.O. CALARCO:**  
And I don't even think Mr. Vetter was on REMSCO at the time. 2006, you're correct, because it was before I was a Legislator, by all means. Relied on the agencies to basically have a hard book laptop in their ambulances and to keep all their information there, and then to have, in essence, a hard wire into the hospital system in order to transfer the information over. And that was largely based because of the technology that was available at the time, and it was very unweildly, getting the ambulance companies to be willing to consider acquiring those laptops which were costly for them, and each ambulance company is its own taxing entity and is usually trying very hard to maintain their own budgets in reasonable ways. It didn't want to participate in it very well and it didn't -- you know, it tried to get rolled out, they were actually here at a Public Safety Committee many moons ago to give us a presentation about it and the ambulance companies didn't buy in at the breadth that we would have liked. But nonetheless, the mandate is still there.

What REMSCO is looking to do is to now roll it out where there's, you know, new technology. People have tablets that are a lot cheaper than those laptops, there are web-based applications, we have the cloud now. There's all these new technologies that are available that make that transfer of information much more easily done, much cheaper, and the reality is is the ambulance companies are going to have to do it. And there are many different providers and they can choose whichever provider they want to do. What we're helping to do is establish a base-line platform so each one of those systems communicates with each other in a fashion that works from a data perspective. Because if you have one system communicating and using one set of language as the, you know, categories that things fall under and another -- you know, if one system keeps patients names by last name, first name in one category and another system has a column for last name and a column for first names, then those two systems don't communicate very well, then your hospitals have to then have multiple systems in order to make sure that they can communicate properly with the ambulance providers. So all that we are trying to help do is establish a baseline of communication and then let the providers -- you know, let the providers, the EMS providers choose whoever they

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want to use to provide their EPCR system did. Did I get that about that right, Joel?

**MR. VETTER:**

You're correct.

**LEG. CALARCO:**

Thank you.

**LEG. TROTТА:**

Why does the County even have a role in this?

**D.P.O. CALARCO:**

So the County doesn't have a large role except that we do have an EMS division and our Health Department, this isn't directly under REMSCO. And in fact, it's not part of REMSCO's auspices, but the EMS Division of the Health Department provides many of the staff services for REMSCO, they do all the training for EMS providers and they do many of those things. So there is like this hybrid situation that occurs in that division, as basically a provider to REMSCO, is providing a lot of these services.

**LEG. TROTТА:**

Is this going to cost us any more money?

**MR. VETTER:**

No.

**D.P.O. CALARCO:**

No. Most of REMSCO is provided through the State funding through Article 30.

**CHAIRPERSON BROWNING:**

Okay. Leslie, did you have a question?

**LEG. KENNEDY:**

No, I was going to clarify it. Because I, too, was a Legislative Aide, and as a nurse, I went to the ambulance in my district that had gotten the equipment and had started and there were some errors. ZOLL came in, tried to adjust, they couldn't get all the pediatric doses loaded, they couldn't -- it was working on some cases and not working on others. And the transmittal was up to the State where you have to --

**MR. VETTER:**

Yep.

**LEG. KENNEDY:**

-- also report it was going to be able to be transmitted to the hospitals eventually. But we knew the mandate was coming back then and tried our best, it just didn't work.

**MR. VETTER:**

There was also a lack of cellular connectivity back, if you think about what cell phones were back then, wi-fi connections, all the other blue tooth, or the lack of existence in that way. So it's changed drastically.

**CHAIRPERSON BROWNING:**

Okay. So I do not believe there are any more questions. Joel, I apologize.

**MR. VETTER:**

No, you don't have to apologize.

**CHAIRPERSON BROWNING:**

You know, you're trying to come to provide us with appropriate information and --

**MR. VETTER:**

So if I may, just in closing. I know Legislator Calarco will share or has shared, we have started -- the first phase was advertising the tags, the second phase with funding from both Northwell and Stony Brook and the Catholic Health Hospitals, so it doesn't cost the County anything, as promised. We're putting on a One-System/One-Vision EMS Best Practice Conference where you have stress to the REMAC and the REMSCO to be present so we could meet our constituents and we'd offer that to you, too. So it comes with a free lunch, so you don't to sign in and worry about employee numbers in that way. It should be a good day.

And then I would ask, you know, the second phase of what we're looking to do with you collectively and with the Executive and Legislative Branches of even Town Government where there's more control of enforcement of it, is to kind of have maybe a summit to really kind of educate everybody to what the laws are, the requirements are, a simple two, three-hour type of component, and then work with our responders to implement something in the future. Thank you.

**CHAIRPERSON BROWNING:**

And I know you've been talking to Josh, so we'll be in touch with you to try and pick a time and day that we can do that.

**MR. VETTER:**

Will do. Thank you.

**CHAIRPERSON BROWNING:**

Okay? Thank you, Joel.

I do not believe there is anything else. I mean, we do have -- does anyone have any questions for the Police Department regarding anything? No? The one question was the alarm bill that was approved, and I know that people are now starting to register. Do you have an update on how many people have registered to date?

**SERGEANT CERONE:**

Good morning. Good afternoon. Yeah, as of yesterday there was 913 verified registrants for the alarm program, and that was as of the --

**CHAIRPERSON BROWNING:**

What was that number again?

**SERGEANT CERONE:**

Nine hundred and thirteen.

**CHAIRPERSON BROWNING:**

Nine hundred and thirteen.

**SERGEANT CERONE:**

It was over a thousand that were received; of that, 913 have been verified and conclusively entered into the program. And I can also say that yesterday when I we went to go speak to them, there was a pile of incoming mail, so that number should be increasing as time goes on.

**CHAIRPERSON BROWNING:**

Okay. And Sergeant --

**SERGEANT CERONE:**

I'm sorry. Good afternoon. I'm Sergeant James Cerone, I work out of the Office of the Chief of Department.

**CHAIRPERSON BROWNING:**

Okay. And will we be seeing you all the time, or are you not sure?

**SERGEANT CERONE:**

I don't think that's a decision that I'm going to make. I welcome the opportunity to come back, though, if you'll have me.

*(\*Laughter\*)*

**CHAIRPERSON BROWNING:**

Like I said, I won't shoot the messenger, but thank you.

There are no -- I guess no more questions. One thing, 852-NARC. It's my understanding -- and you don't have to answer this question -- the 852-NARC number, which we certainly welcome for our constituents to be able to call, but it's my understanding that goes to the PIB, that they're the ones who handle that and not the 911 operators. However, I have heard that there are supervisors in 911 who have been kind of holding on, I guess, responding because of possibly a backlog or, you know, the amount of phone calls that are actually coming in. I would assume that once people get used to knowing about that number, there might be an influx at the beginning when they hear about it. But if we could kind of -- you know, if you could take it back and say update us on how they're going to be handling 852-NARC, we'd appreciate that.

**SERGEANT CERONE:**

Understood.

**CHAIRPERSON BROWNING:**

Okay. Thank you.

**SERGEANT CERONE:**

Thank you.

**CHAIRPERSON BROWNING:**

Our Probation Director is here. Patrice, do you have anything you need to report or talk to us about?

**DIRECTOR DLHOPOLSKY:**

No.

**CHAIRPERSON BROWNING:**

Okay. Clearly we are going to be receiving some information about equipment issues, so we'll certainly be asking you the question when we get the question.

**DIRECTOR DLHOPOLSKY:**

Okay.

**CHAIRPERSON BROWNING:**

Mr. Williams, is there anything specific? I know you're here for a particular bill, but are we almost -- are you okay if we just hang out and go through the agenda?

**MR. NOLAN:**

It's going to be fast.

**CHAIRPERSON BROWNING:**

I think it'll be quick.

**COMMISSIONER WILLIAMS:**

Okay.

**CHAIRPERSON BROWNING:**

Okay, ***Tabled Resolutions, 1026-16 - Adopting Local Law No. -2016, A Local Law to amend Resolution No. 1123-2015 and improve Alarm System Registration Requirements (Browning)***. I'm making a motion to table. Second, Legislator Calarco. I spoke with the Chief and I spoke with the industry, so I want to make sure that when I'm done that it's done right. So, all in favor? Opposed? Abstentions? ***It is tabled (VOTE: 8-0-0-0)***.

***1042-16 - Adopting Local Law No. -2016, A Charter Law to establish minimum qualifications and screening process for appointment of Police Commissioner (McCaffrey)***. I'll make a motion to table.

**LEG. HAHN:**

Second.

**CHAIRPERSON BROWNING:**

Second, Legislator Hahn. All in favor? Opposed? Abstentions? ***It's tabled (VOTE: 8-0-0-0)***.

***1180-16 - Adopting Local Law No. -2016, A Local Law to prohibit the sale of Kratom in Suffolk County (Stern)***. Is that still --

**MR. NOLAN:**

It has to be tabled.

**CHAIRPERSON BROWNING:**

Yeah. Okay, motion to table by Legislator Fleming for public hearing. Second, Legislator Hahn. All in favor? Opposed? Abstentions? ***It's tabled for public hearing (VOTE: 8-0-0-0)***.

***1230-16 - Adopting Local Law No. -2016, A Local Law to ban the manufacture of synthetic --***

**MR. NOLAN:**

It was withdrawn.

**CHAIRPERSON BROWNING:**

Oh, it has been. Oh, okay. How did I miss that one?

**LEG. CILMI:**

Madam Chair?

**CHAIRPERSON BROWNING:**

That has been withdrawn. Who's that?

**LEG. CILMI:**

That was me.

**CHAIRPERSON BROWNING:**

Okay.

**LEG. CILMI:**

If I may, does Counsel know why that was withdrawn?

**LEG. KENNEDY:**

He's here.

**MR. NOLAN:**

He's putting together a different bill, it's a little broader, so he decided to just withdraw that one.

**LEG. CILMI:**

Okay.

**CHAIRPERSON BROWNING:**

Okay. So, withdrawn.

Okay, **Introductory Resolutions**. We did 1243.

***1246-16 - Approving the re-appointment of Anthony Laferrera as a member of the Suffolk County Fire, Rescue and Emergency Services Commission (County Executive).*** I guess -- he's a Babylon guy, reappointment. I know, I'm shocked he's not here today.

**LEG. CILMI:**

I'll make a motion.

**CHAIRPERSON BROWNING:**

Motion to approve --

**LEG. CILMI:**

Kara did. I'll second.

**CHAIRPERSON BROWNING:**

-- by Legislator Hahn. Second, Legislator Cilmi. All in favor? Opposed? Abstentions?

***It is approved (VOTE: 8-0-0-0).***

***1248-16 - Appropriating funds in connection with the purchase of Heavy Duty Vehicles for the Police Department (CP 3135)(County Executive).***

**D.P.O. CALARCO:**

Motion.

**CHAIRPERSON BROWNING:**

Motion to approve by Legislator Calarco. Second -- who was that?

**LEG. HAHN:**

I said *on the motion*.

**CHAIRPERSON BROWNING:**

Oh, on the motion. I'll make a second. You've got a question?

**LEG. HAHN:**

Yes.

**CHAIRPERSON BROWNING:**

Okay, Legislator Hahn has a question on this one. Can anybody answer to this?

**LEG. HAHN:**

Can you go through what this is?

**SERGEANT CERONE:**

Yes, Legislator. The purpose of this is to replace an aging what we call a PD wrecker, it's a tow truck that we use for impounds of evidentiary cars and removal of disabled or decommissioned Police Department vehicles. And it's going to be replacing a 2010 model that is -- that has 222 some odd thousand miles on it and is in poor operating condition.

**LEG. HAHN:**

So you answered two questions; I was going to ask how many miles were on it and the year. How many of these do we have in our fleet?

**SERGEANT CERONE:**

It's one of four, we have three other operational, and the one that we're looking to replace would be one of four.

**LEG. KENNEDY:**

Is this going to go on that long?

**LEG. HAHN:**

How often are all four used at the same time?

**SERGEANT CERONE:**

The vehicles run on a 24-hour a day basis, and depending on the need for however many simultaneous calls for service there are, there could be one or more than one being used at any given time.

**LEG. HAHN:**

Right. So my question was how often are all four used at the same time.

**SERGEANT CERONE:**

All four of them at once? I can't say that they're ever used all four at once. I don't know for sure.

**CHAIRPERSON BROWNING:**

That's a lot of money.

**LEG. HAHN:**

How many miles are on the others that we have?

**SERGEANT CERONE:**

We have two of them that currently have over 150,000 miles on them, and the most recent one that we bought in 2015 currently has 57,000 miles on it now.

**LEG. HAHN:**

And is the only reason for replacement the number of miles?

**SERGEANT CERONE:**

I think additionally the fact that it's in poor operating condition it's kind of been in and out of the shop recently.

**LEG. HAHN:**

Do you have a maintenance record on it?

**SERGEANT CERONE:**

I don't personally have it, no.

**LEG. CILMI:**

*(Inaudible)*

*(\*Laughter\*)*

**LEG. KENNEDY:**

That would be good.

**LEG. HAHN:**

Thank you.

**CHAIRPERSON BROWNING:**

Yeah. That's a lot of miles for a secure vehicle, even for 2015. That's a lot of miles.

**D.P.O. CALARCO:**

It does a lot of work.

**CHAIRPERSON BROWNING:**

But it's not an additional vehicle, you know that issue we've always had. It's a replacement..

**LEG. CILMI:**

*(Inaudible)*

**CHAIRPERSON BROWNING:**

So thank you for having all of that information. So there was a motion to approve and a second. All in favor? Opposed? Abstentions? **Approved (VOTE: 8-0-0-0).**

**1249-16 - Appropriating funds in connection with the 700/800 Mhz Trunked Radio Communication System Upgrade (CP 3244).** I'll make a motion to --

**LEG. FLEMING:**

Motion.

**CHAIRPERSON BROWNING:**

Motion to approve by Legislator Fleming. And who was the second?

**D.P.O. CALARCO:**

I'm second.

**CHAIRPERSON BROWNING:**

Second, Legislator Calarco. I'm assuming this is the -- I don't know who -- okay. This is the Motorola project, correct?

**MR. POSTEL:**

Yes, Madam Chair. This is the next phase. We started last year with 11.9.

**CHAIRPERSON BROWNING:**

Uh-huh.

**MR. POSTEL:**

The next round of 10 is to complete the infrastructure upgrades as well as replacing portables and mobile radios. The project's going well.

**CHAIRPERSON BROWNING:**

I was going to ask; going well and on time.

**MR. POSTEL:**

Yes. As long as Mother Nature continues to cooperate, which has been a little problematic lately, you know, people don't like necessarily climbing some of our tours -- which are 360 feet tall -- when it's a little windy outside.

**CHAIRPERSON BROWNING:**

Okay. Kara, you had a question?

**LEG. CILMI:**

I do.

**LEG. HAHN:**

I know that this is a long time overdue.

**MR. POSTEL:**

Yes.

**LEG. HAHN:**

This whole project. I think we talked about it back in 2004 when I was working at Vivian's office, so *(laughter)*.

**MR. POSTEL:**

Yes.

**LEG. HAHN:**

Glad to see we're finally doing it, and it's long overdue. It is expensive.

**MR. POSTEL:**

It's expensive, but it's an investment that the County is making in its future. And it is infrastructure, just like roads and other things like that that we do need to operate.

**LEG. HAHN:**

Right. I'm glad we're finally doing it.

**MR. POSTEL:**

Thank you.

**CHAIRPERSON BROWNING:**

Okay, Legislator Fleming has a question, and then, Tom, you're next.

**LEG. FLEMING:**

Thank you. Good morning. Just a quick -- or good afternoon. Just a quick question. To what extent, if any, is this communication system helpful to the East End departments?

**MR. POSTEL:**

So the East End departments leverage the system, we have partnerships with them. When they travel into our coverage area, they -- we have agreements that they can use the system. We have also been contacted by some of the East End agencies looking to partner with us to possibly expand into the system and utilize it more with partnerships that we've worked on and broaden those partnership. When we designed the system, we designed it so that we could expand easily. So without getting very technical, instead of buying a middle of the road, we bought a little bit more capacity so that we could handle some of the East End agencies, should they want to come on board, because there were discussions about it prior and now the discussions seem to be ramping back up again.

**LEG. FLEMING:**

And that includes Shelter Island?

**MR. POSTEL:**

Yes. Shelter Island, who currently is dispatched by Southhold Town Police, yes, they would be -- you know, they're going to be included, because we have had discussions with Chief Flatley of Southhold Town and he has expressed interest to come on board to the County radio system, and we're working to try and accomplish that.

**LEG. FLEMING:**

So when you say you're working to try to accomplish that, just let me know within the context of this that we're being asked to approve, to what extent is that going to further that effort or hinder that effort, as I'm trying to decide how to vote on the bill.

**MR. POSTEL:**

It furthers the effort because it allows the additional -- excuse me. It allows the additional subscribers, the mobiles and portable radios onto the system because they are licenses that we have to pay for for them, so those licenses will be in place already to allow that to happen. It also allows some additional connectivity back in to the core of the system which resides at Suffolk County Police Headquarters for Southhold Town -- Southhold Town's ability to dispatch.

**LEG. FLEMING:**

But what about actual expansion into the future of shared services with -- allowing the local departments to share the communication system with Suffolk County? Didn't you say that that was one of the future goals?

**MR. POSTEL:**

Well, sharing as far as abandoning their current systems is what you're saying? Is that what you're asking, and just use the leverage in the County system?

**LEG. FLEMING:**

Leveraging the County system. I don't know about abandoning completely, but being able to

expand their capability --

**MR. POSTEL:**

Yes.

**LEG. FLEMING:**

-- without having to expend the kind of funding that you would -- I mean, obviously you're -- the County resources are far greater than Shelter Island's resources.

**MR. POSTEL:**

Correct.

**LEG. FLEMING:**

And Shelter Island's needs are real. And I just want to make sure that whatever we do here will allow for them to increase their capability in the future by leveraging into the system that we're authorizing that continues to get built.

**MR. POSTEL:**

Yes.

**LEG. FLEMING:**

Does that make sense?

**MR. POSTEL:**

Yes, it does make sense. And I think I can properly answer it by saying that the core that was part of last year's implementation would allow them to expand in so that we could handle their additional capacity into the system. We are also leveraging through New York State grant funding to try and build out some additional sites on the East End that does not cost the County money and we're working on that through interoperable grants as well as operable grants through New York State Department of Homeland Security.

**LEG. FLEMING:**

But those extra sites are separate from this.

**MR. POSTEL:**

Those extra sites are separate from this, yes.

**LEG. FLEMING:**

But this does include not just when you're portable is in the range of this, there's also a possibility in the future, if the investment were to be made, to really expand --

**MR. POSTEL:**

There is -- yes. If the investment were to be made, they could connect back to the core in Yaphank.

**LEG. FLEMING:**

Thank you.

**MR. POSTEL:**

And those were some of the discussions that we're having with some of the East End towns at this point in time.

**LEG. FLEMING:**

Okay. Thank you so much.

**MR. POSTEL:**

You're welcome.

**CHAIRPERSON BROWNING:**

Tom, you have questions?

**LEG. CILMI:**

I do. I do, thanks. So this is a \$10 million appropriation.

**MR. POSTEL:**

Yes, sir.

**LEG. CILMI:**

Quite a bit of money. So my questions are in that context. You said this is sort of the second phase of a project that we began last year?

**MR. POSTEL:**

That is correct. \$11.9 million was appropriated last year for the beginning face of the project.

**LEG. CILMI:**

And that money has now been spent completely?

**MR. POSTEL:**

I believe I have spent down the majority of that portion of the project at this point in time, yes. There might be a couple of one or \$200,000 left, but that could be about it at this point.

**LEG. CILMI:**

Did that money accomplish everything that you set out to accomplish when we approved the funding?

**MR. POSTEL:**

Yes. It accomplished getting the additional portable and mobile radios that we needed to start the process, it allowed me to purchase the infrastructure for the sites to start the initial set of base stations for our tower sites, the cable, the new antennas, the services to do the installation, as well as the replacement and upgrade of some of the core equipment at Police Headquarters in Yaphank.

**LEG. CILMI:**

Were you able to realize any remarkable savings as a result of your efforts to purchase whatever it was that you were purchasing for that project?

**MR. POSTEL:**

Well, the --

**LEG. CILMI:**

I mean, we gave you "X" amount of money, I hope that you just didn't call somebody and say, *Look, I've got 11.5 to spend, give me what you got.*

**MR. POSTEL:**

Legislator Cilmi, I'm not sure if you recall last year when we did have this conversation, and I don't know necessarily if it was with you or if it was a side-bar with Legislator Trotta, the project was originally slated in the Capital Programs for close to \$30 million when it was originally placed in the Capital Budget. Through negotiations and through work, through the New York State contract as well as having vendors come in and giving us best and final offers, we were able to get the project

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down from close to 30 million to 21.9. So there was a savings and we did not just accept the *we have \$11.9 million, what can you do for us?* So we did negotiate and we did get a good price for what we are paying for.

**LEG. CILMI:**

So that particular phase of the project was originally supposed to cost roughly \$30 million.

**MR. POSTEL:**

No, the entire project.

**LEG. CILMI:**

Okay.

**MR. POSTEL:**

The 21.9 is what I'm speaking of. So the the 11.9 --

**LEG. CILMI:**

Okay, so that's the 11 point plus this.

**MR. POSTEL:**

And then the 10 this year. It was determined that because the project could not be completed in one year, that we wanted to break it up over Capital Program cycles and put 11.9 last year and 10 this year.

**LEG. CILMI:**

Right. So that's almost a 30% -- probably about a 30% savings.

**MR. POSTEL:**

I worked very hard on that.

**LEG. CILMI:**

Good. Good job.

**MR. POSTEL:**

Thanks.

**LEG. CILMI:**

We do appreciate that.

**MR. POSTEL:**

Thank you.

**LEG. CILMI:**

So that work, the 11.1?

**MR. POSTEL:**

11.9, yes.

**LEG. CILMI:**

11.9 was necessary in order to continue with this phase, correct?

**MR. POSTEL:**

Yes. Well, actually -- yeah, the 11.9 is necessary to continue. The whole thing is one entire project.

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If this should fail to be approved, the 11.9 is kind of at a standstill in where we are today with --

**LEG. CILMI:**

We'll have basically wasted \$11.9 million if this doesn't go through..

**MR. POSTEL:**

Exactly, yes.

**LEG. CILMI:**

My -- I guess my last concern is that as Legislator Hahn pointed out, this has been something that has been sort of floating around for many years.

**MR. POSTEL:**

Correct.

**LEG. CILMI:**

And I'm sure this came up when we initially appropriated the 11.9 last year, but what's the likelihood of us investing the remainder of this money, finishing the project, which I assuming will be finished within another year or so.

**MR. POSTEL:**

We're estimating 2017 by the time we wrap everything up. I mean, we're well into 2016 at this point, so.

**LEG. CILMI:**

But you don't expect to have to come back to us for any subsequent money, right?

**MR. POSTEL:**

I promised retired Police Commissioner Webber I would not come back to you --

**LEG. CILMI:**

Okay.

**MR. POSTEL:**

Not come back to him for any additional monies. So, yes, I do not --

**LEG. CILMI:**

Well, we have a new Police Commissioner now, so.

**MR. POSTEL:**

I know we do, yes.

**CHAIRPERSON BROWNING:**

*(Laughter).*

**MR. POSTEL:**

But I do not foresee at this point in time needing any additional funding. Do. I do not foresee needing any additional funding.

**LEG. CILMI:**

Okay. So my concern, though, is that once we finish this project, it'll almost be outdated already and we'll have to start thinking about another project. Are you at all concerned about that?

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**MR. POSTEL:**

I am not, because through the negotiations and the project, we negotiated a five-year life cycle replacement for some of the equipment, so therefore five years from completion we have already paid for an upgrade to get up to the latest and greatest platform.

**LEG. CILMI:**

All right. Sounds like another good job is called for. Thank you. Appreciate it.

**MR. POSTEL:**

You're welcome.

**CHAIRPERSON BROWNING:**

I don't think we put your name on the record, did we?

**MR. POSTEL:**

Michael Postel, Director of Communications System --

**CHAIRPERSON BROWNING:**

Did you get it?

**MS. MAHONEY:**

Yes.

**MR. POSTEL:**

-- for the Suffolk County Police Department.

**CHAIRPERSON BROWNING:**

Just so we know for the record who they're talking to.

And Tom, I have to tell you, he did a phenomenal job, and also Chief White was involved in it. I had been to a number of those meetings because of the condition of our communication system. So, yeah, the number was -- they're tough negotiators, these guys. They were able to get Motorola to bend a lot, and they did a phenomenal job. So he definitely deserves a lot of credit. And I know Chief White and the Commissioner for -- former Commissioner Webber for your hard work on making this a reality.

**MR. POSTEL:**

Thank you, Madam Chair.

**CHAIRPERSON BROWNING:**

One last thing is I know the fire departments. I know that you've been meeting with a lot of the fire departments. Are they now in a better position?

**MR. POSTEL:**

Commissioner Williams and his staff has been meeting with the fire departments. We do constantly communicate together, because they do utilize the system. I know that they are working together and we are making room for them so that we can bring some of their requests into the system as well.

**CHAIRPERSON BROWNING:**

They have their -- you know, obviously the equipment costs for them --

**MR. POSTEL:**

Yes.

**CHAIRPERSON BROWNING:**

-- once they have to roll into this. But thank you, Mike.

**MR. POSTEL:**

You're welcome.

**CHAIRPERSON BROWNING:**

So I believe we had a motion and a second. Okay. All in favor? Opposed? Abstentions?  
**Approved (VOTE: 8-0-0-0).**

So **1250-16 - Appropriating funds in connection with the Communication System Site Rehabilitation (CP 3246).** Any questions on that; no? I'll make a motion to approve.

**LEG. CALARCO:**

Second.

**CHAIRPERSON BROWNING:**

Second, Legislator Calarco. All in favor? Opposed? Abstentions? **It's approved (VOTE: 8-0-0-0).**

**1284-16 - Accepting and appropriating Federal funding in the amount of \$17,548 from the United States Department of Justice, Drug Enforcement Administration (DEA), for the Suffolk County Police Department's participation in the DEA Long Island Task Force with 79.14% support (County Executive).** I make a motion to approve by Legislator Kennedy.  
Second, Legislator Martinez. All in favor? Opposed? Abstentions? **It's approved. (VOTE: 8-0-0-0).**

**1285-16 - Accepting and appropriating a grant in the amount of \$50,000 in Federal pass-through funding from the New York State Division of Homeland Security and Emergency Services for the Critical Infrastructure Grant Program with 100% support (County Executive).**

**LEG. MARTINEZ:**

Motion to approve.

**CHAIRPERSON BROWNING:**

Motion to approve by Legislator Martinez, to place on the Consent Calendar. Second, Legislator Cilmi. All in favor? Opposed? Abstentions? **It's approved (and placed on the Consent Calendar - VOTE: 8-0-0-0).**

**1286-16 - Accepting and appropriating Federal funding in the amount of \$15,000 from the United States Department of Agriculture, Office of Inspector General, for the Suffolk County Police Department's participation in fraud investigations involving the Supplemental Nutrition Assistance Program (SNAP) with 79.14% support.**

**LEG. FLEMING:**

Motion.

**CHAIRPERSON BROWNING:**

Motion to approve by Legislator Fleming.

**LEG. HAHN:**

Second.

**CHAIRPERSON BROWNING:**

Second, I think that was Legislator Hahn. Okay, this is a good one. And actually, I want to make mention, our Department of Social Services -- and I'm not going to put Janet on the spot, but we had an incident that came into my office, thanks to my Legislative Aide, that actually was part of a really big investigation and retrieved a couple of million dollars. So this money is well spent. So there was a motion and a second, yes?

**MS. ELLIS:**

Correct.

**CHAIRPERSON BROWNING:**

All in favor? Opposed? Abstentions? *It's approved (VOTE: 8-0-0-0).*

***1287-16 - Accepting and appropriating Federal funding in the amount of \$16,000 from the United States Department of Justice, U.S. Marshals Service, for the Suffolk County Police Department's participation in the Regional Fugitive Task Force with 79.15% support (County Executive).*** Can we just do same motion, same second, same vote? ***Approved (VOTE: 8-0-0-0).***

Okay, ***1291-16 - Accepting and appropriating a grant as pass-thru funding from the New York State Division of Criminal Justice Services to the Suffolk County Department of Probation for the S.T.O.P. Violence Against Women Act Program with 75% support (County Executive).*** Motion to approve by Legislator Hahn. Second, Legislator Kennedy. All in favor? Opposed? Abstentions? ***It's approved (VOTE: 8-0-0-0).***

92 and 08, 1308, we've done.

***1316-16 - Requesting legislative approval of a contract award for marketing and outreach services for recruitment and retention of volunteer emergency services personnel for the Department of Fire, Rescue, and Emergency Services (County Executive).*** I'll make a motion to approve. Did somebody say second?

**LEG. FLEMING:**

I'll second.

**CHAIRPERSON BROWNING:**

Second, Legislator Fleming. Any questions? Commissioner, if you could come up. Because I know that this was one that we sent to committee from the General Meeting, it was a CN, so.

**COMMISSIONER WILLIAMS:**

Yes. Let me just tell you about this program. I know I've been asked by a number of people, a number of Legislators, the value or what it does for the fire service.

We started a media campaign back in 2000, funded by the County. That particular year, we -- it is actually recruitment and retention. When we were doing the media ourselves starting in 2000, we brought in a couple of hundred new firefighters into the fire service. In 2006, when we got our next Federal grant, it wasn't funded by the County, we were successful in bringing in 748 new firefighters into the service. Our latest grant before this particular one was in 2009, we brought in, in the course of four years, working with a media company, 2,489 new firefighters into this County.

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Also, too, I think it's important to mention, we get results back from New York State on response times they get from the fire service. Those additional 2,089 firefighters, 2,489 firefighters, what the State has given as the numbers, they contributed to a 30-second average reduction in response time in our County, they contributed to a 38% decrease in fire casualties, they contributed to a 37% reduction in fire-related property damage in the County.

I think we're very fortunate in the County right now, compared to talking across the State. Our volunteer fire service, are calls are going up constantly, especially on the EMS end. My own office right now that does the dispatch for the whole County, we're having over 300,000 calls this year. We're very lucky with our fire service, the level of training we have. Right now we are actually holding our own in increasing approximately about 5%, 9% each year. There are other counties around the State that right now there's fire service companies having problems. We can always use more firefighters. We can always use more EMS people, there's never enough of them. But I can honestly tell you, part of this retention recruitment, the Safer Grant that we have, besides paying for the college for the students which is an incentive, and even existing members, this year to that program we added -- it used to only be the Suffolk County College, Community College that we paid for. We listened, we heard them, they came to us, they talked to us; right now we pay up to \$3,000 in each Suffolk County college, whatever one you go to, the max we'll pay. We still require them to have a certain grade average. They sign a piece of paper guaranteeing they'll be staying in the fire department or EMS agency for five years.

I just can't over emphasize what the media does for us. We've heard from fire departments right now, as a matter of fact, one of them -- our staff member was at Southold Department last week and they're asking us, they're asking us, *What's happening with the media?* They need it. It's just like anything else, it's just like that commercial you see on TV. You see a program, you want to -- mostly we get like that, we get young people. We also get people that are in their 50s and 60s that have retired, they've heard that. They're not looking to go to college, they're looking to do something for the community, and this program, especially with the media outreach, it definitely, absolutely works and it's showing in the numbers.

### **CHAIRPERSON BROWNING:**

Okay. I have to say, I was at the FRES meeting, I think it was the next day after the General Meeting, and I think what it was was the CN came in. And we heard there was 99 RFP -- you know, it was sent out to 99 applicants and it was like, *And you could only get one responder?* So I think that was one of the concerns. But I know Legislator Kennedy does have a question, yes?

### **LEG. KENNEDY:**

What does it cost on the advertising?

### **COMMISSIONER WILLIAMS:**

The advertising, over the course of four years, is \$335,000.

### **LEG. KENNEDY:**

And where do you have --

### **COMMISSIONER WILLIAMS:**

It is a Federal grant, there's no cost to the County. The schooling, everything else comes from a Safer Grant.

### **LEG. KENNEDY:**

So we are advertising to draw people in to join fire departments and one of the incentives is the schooling?.

**COMMISSIONER WILLIAMS:**

That's correct. One of the incentives that we offer, not everyone that comes in takes advantage of that.

**LEG. KENNEDY:**

Right.

**COMMISSIONER WILLIAMS:**

But that is an incentive, that if you make a commitment to your local fire service, EMS service, we will pay up to \$3,000 a year for your college.

**LEG. KENNEDY:**

Okay. Thanks.

**CHAIRPERSON BROWNING:**

Okay, Kara and then Tom.

**LEG. HAHN:**

I know how urgently this is needed everywhere, but have you done an assessment of our departments, more than a hundred; how many departments are there?

**COMMISSIONER WILLIAMS:**

We have 109 fire departments and 27 standalone EMS agencies in the County.

**LEG. HAHN:**

Have you done an assessment about where there is the greatest need for volunteers? Where the current membership is, you know, either, A, aging or just not adequate?

**COMMISSIONER WILLIAMS:**

What we do, we don't do it by age. What we do is at the end of every year, my office runs a survey. We send out -- you get the numbers back from the department. Say a department has a hundred members this year, we want to see how they grew. We can tell how many new members have come in, see if they've grown in the departments. On an average, most of them are doing fairly well. It is more difficult, in this day and age with economics, with people working, the younger people today, but we're kind of holding our own. But we do know the numbers at the end of the year, that's how we know how many we grew at the end of the year, and we also identify -- each one of these departments we have actually trained and had classes for recruiters, the people that come in in their own department working to get people to come in and work for them. So that's how we track the numbers. We don't track it by age. We do see once in a while, sometimes we'll see a drop sometimes in a department, but on an average in Suffolk County we are holding our own and the fire service is holding their own.

**LEG. HAHN:**

Right, but have you done an analysis of, you know, which departments most require mutual aid? You know, which departments -- maybe there's a longer response time, possibly? There's a whole host of ways that you can determine -- you know, there may be departments that are more needy and might require some targeted advertising. How do you decide where you advertise?

**COMMISSIONER WILLIAMS:**

We do County-wide advertising on all the major radio stations, even TV stations, we have them on all the Suffolk County buses in Suffolk County or out on the East End. As far as targeting, you know, who needs the most need, their response times, FRES is right now -- or us as a County, generally our calls that we get, other than the ambulance companies, we receive the call and we activate for a

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number of departments. After the initial activation of the non-ambulance calls most of the time, we hand the dispatching over to the local department. As far as information or response times, that's the --

**LEG. HAHN:**

Well, no, I'm thinking more, though, of mutual aid calls, you know, where over and over again they can't -- a department can't meet the need within their own department and have to call out for mutual aid. I'm wondering if you have just done a real analysis of where the most need is among our departments?

**COMMISSIONER WILLIAMS:**

We have not --

**LEG. HAHN:**

You know, a survey of the numbers, I don't know that that gets at it.

**COMMISSIONER WILLIAMS:**

We have not done that. Right now what a lot of departments are doing, they have what they call automatic mutual aid, especially during the daytime hours. What they've done, they've gotten together with their neighbors around them. So we have not run a survey like that, I guess it's something we can look into, but there are a lot of mutual aid calls right now which are automatic mutual aids. They're not necessarily that they need more help. What they'll do during the daytime, they'll activate two departments for one area and they visa versa go back and forth to each other.

**LEG. HAHN:**

Yeah, there's no question. They've done some, you know, unusual, if you go back over the years, things to answer. You know, departments have really had to band together, which is good, which is a really good thing, especially in the daytime hours, as you mention. But there just may be -- you know, we're a County-wide agency that oversees this, and this need for volunteers, you know, maybe we should be doing a study, you know, really looking at this in a scientific nature and how to help the departments, A, that need it most, and then ways to help address the lack of volunteers County-wide. You know, we really should be thinking about that.

**COMMISSIONER WILLIAMS:**

I'll definitely take the advice. I'll guarantee you I'll have a meeting with -- we'll reach out to the service agencies, but number one, I'll reach out to the Suffolk County Fire Chiefs of the Suffolk County Fire Districts, start those initial talks with them. They're a part of the service, we can definitely have a conversation with them on what kind of program we can put together to help them out.

**LEG. HAHN:**

Thank you.

**LEG. FLEMING:**

Question.

**CHAIRPERSON BROWNING:**

Okay. Well, Tom is next, then you and then Leslie.

**LEG. CILMI:**

Yes. Thanks, Madam Chair. Commissioner, how are you today?

**COMMISSIONER WILLIAMS:**

Very good. Thank you.

**LEG. CILMI:**

You cited some statistical information in your initial presentation with respect to the increase in volunteer fire service numbers subsequent to previous efforts like this. Do you have any correlating information, you know, information that would show that the increase in numbers were a direct result of this company's marketing or advertising efforts? Is there anything that shows, for example, that in years that there were no marketing efforts, the number of volunteers declined or was at a certain level, level A, and that in the years that we did the marketing it was A plus whatever?

**COMMISSIONER WILLIAMS:**

The only thing I could answer your question is that -- I guess when we looked at this, did it ourselves back in 2000, starting in 2000, our success rate of bringing new volunteers in without using an outside media company was in the hundreds, a couple of hundreds we brought in that particular year. As we started to go, in 2016 when we started getting the Federal grants, was that the -- we started to see the numbers increase. Like in 2006 we were, again, 748. I think the success rate is that -- I know this for a fact, that we're probably one of the few Counties in the State that are holding their own on the number of firefighters we have. You know, we're up some numbers, there are other places around. It's not uncommon to see -- looking at some of the publications today, some small departments, other parts of the State, other parts of the country are actually closing down their volunteer fire department because they can't get the people out.

We have not seen that in Suffolk County here. Right now in Suffolk County, I think the EMS services and the fire services are doing a fantastic job. We have fire departments that are doing over 3,000 calls a year, and we have one ambulance company, a volunteer ambulance company doing 7,000 calls a year, and that's -- I think they're getting out and they're getting the calls.

**LEG. CILMI:**

Yeah. I mean, nobody would argue that our volunteer EMS personnel are doing a bad job. I mean, I think we all know that they're doing a great job and that the challenges to training and the time, the sacrifices that they make are extraordinary and we're all, of course, very appreciate. My only question is, you know, do we know that the advertising works? I recognize that you've cited increased numbers. I'm wondering if there's a way to correlate the increased numbers directly to the advertising as opposed to simply, you know, a department's involvement in the community, which would necessarily or theoretically generate some additional members.

**COMMISSIONER WILLIAMS:**

The biggest thing I could say right now, we don't have the grant no more. The money, the advertising stopped months ago and so did the phone calls into our office. We have a line dedicated for this, we have e-mail dedicated to this. The inquiries coming from the outside interested in joining fire departments has been kind of flat. Our conversations with our recruiters, I know I got Tom O'Harry here, he leads that program, talking to the recruiters in the firehouses themselves. There's no one knocking on the door. I belong to a department myself. We just had a new probe class; we normally get ten, we had three and they were family members.

**LEG. CILMI:**

Okay. And you've seen a direct drop-off. After the grants ended or the advertising ended, you were experiencing one level of interest based on phone calls that your office gets, and once that ended you were receiving a much lower level of interest.

**COMMISSIONER WILLIAMS:**

Yes, sir. Like I said before, I used the example like a TV program, if you see it. It's constantly out there, I hear it all -- I heard it on the radio before. It's an exciting ad, it instills the people that they have brought in, the posters on all the buses like we didn't take them off, they're still there but they're getting -- no, it definitely does it and we definitely do see a drop in --

**LEG. CILMI:**

Okay, fair enough. Thank you.

**CHAIRPERSON BROWNING:**

Okay, Bridget.

**LEG. FLEMING:**

Thank you, Madam Chair. Good afternoon, Commissioner.

**COMMISSIONER WILLIAMS:**

Good afternoon.

**LEG. FLEMING:**

Just a couple of quick questions. First of all, with regard to the unusual circumstance that we had 99 -- you solicited 99 bids and only got one. This is -- you're soliciting to advertising and PR firms, I assume. And I'm wondering if this is sort of a niche? Are there other advertising PR firms that do this sort of unique recruiting of volunteers, or is that something that's more of a niche area in PR?

**COMMISSIONER WILLIAMS:**

If you wouldn't mind, Commissioner Anderson's here today, he did come by to talk. He's in charge of Purchasing and I wouldn't want to speak -- we requested Purchasing and they handle the bid and I wouldn't want to speak for him.

**COMMISSIONER ANDERSON:**

My moment in the sun.

*(\*Laughter\*)*

Good afternoon. We did send it out to advertising firms, as we did in the previous cycle. As you mentioned, we sent it out to 99 firms and of those firms, there was -- we at least accounted for 43 active hits on our website to look at the RFP and download the RFP, and there were technical questions that were received that were responded to from at least a dozen or so firms. So there was interest out there, it's just -- and I can't explain why only one firm came in at this time, but that was only one firm.

**LEG. FLEMING:**

Is it the same firm that has been doing the work in the past that brought you up from several hundred volunteers to over 2,000 volunteers?

**COMMISSIONER ANDERSON:**

Correct.

**LEG. FLEMING:**

And then the other question I have was with -- and maybe, Commissioner Anderson, you can do the same -- you could also answer it -- with regard to the CN. Can you or maybe Commissioner Williams talk about the timeline? This is 100% Federally funded under the Safer Grant, and I guess my question is when did you learn that you got the grant and when did you need to award it in order

to capture those Federal dollars?

**COMMISSIONER WILLIAMS:**

We actually found out that we get -- the whole thing -- this money was allocated by the Federal government, that's why you see on some paper work that FFY 2'14, this is the money that was allocated in 2'14.

Then the Federal government puts it out for -- we have to apply for it. FRES received the first notification that we were awarded this particular bid on August 25, 2015, that was an e-mail that was sent to us. The formal paperwork came to us September 2nd, 2015. They proposed legislation to accept it, it was forwarded on 9/10/15, the Introductory Resolution was 1006-15, it was considered by the committee on 11/5, resolution approval on 11/17. The RFP was advertised on 1/14 and the submission date and scoring of the date was 2/29. So we got our final approval on this particular grant at the end of February.

**LEG. FLEMING:**

So were you able to issue the RFP prior to getting the final -- it sounds like you were working on a very tight timeline and I just wanted to confirm that.

**COMMISSIONER WILLIAMS:**

We were trying to get it out as fast as we can. The reason why we're here even today, I am sure everybody is aware, is that we only got one -- when we submitted the original proposal, all this stuff was in the original proposal back last November when it came before the whole Legislature. And part of that resolution was advertising, we spelled it out, the college -- it spelled out the whole program. When we received only one bid, we were talking with Purchasing, we had to come before this body to get the approval because we sent an RFP out and it's only one, and that's something under a Local Law that we have to appear here for.

**LEG. FLEMING:**

Thank you. I think that answered the question. So in other words, you had to come back in a very short period of time to get our approval only because it was just the one response to the RFP.

**COMMISSIONER WILLIAMS:**

Yes, Ma'am.

**LEG. FLEMING:**

Okay. Thank you very much. Thank you, Commissioner Anderson.

**CHAIRPERSON BROWNING:**

Leslie?

**LEG. KENNEDY:**

Just one quick question. I have one department that divides its fire department and its ambulance department, they're two separate. Are you advertising for ambulance -- manning of ambulances also, and are they also eligible for the tuition?

**COMMISSIONER WILLIAMS:**

That's correct. Two answers here; if the Fire -- if the EMS -- like I know in my own department, we made a separate company, just the EMS, because we wanted to attract people like yourself, the nurses and all, to come back into service with us. As long as they're members of the fire department, they were absolutely, positively in there, and if they're members of a standalone EMS service, they're absolutely in there, the same service that we have.

**LEG. KENNEDY:**

Thank you.

**CHAIRPERSON BROWNING:**

So I don't believe there are any more questions. So we have a motion and a second?

**MS. ELLIS:**

Yes, we had a motion and a second.

**CHAIRPERSON BROWNING:**

Okay, there was a motion and a second. All in favor? Opposed? Abstentions?

**LEG. TROTТА:**

I had a question.

**CHAIRPERSON BROWNING:**

Oh, sorry.

**LEG. TROTТА:**

Quick question. Does the college come out of the 300,000, or does that come from another fund?

**COMMISSIONER WILLIAMS:**

It comes from -- the whole total grant was 1.1 million?

**MR. O'HARA:**

One point two nine.

**COMMISSIONER WILLIAMS:**

One point two nine. So the other part of the money is used for the college, to pay the college over the course of four years, and one staff member, which will only be employed while we have the grant.

**LEG. TROTТА:**

I also called about 15 of those companies that you sent and they all said they got it. They just said it was so onerous to do, it required so much stuff and paperwork and then they just said, *Forget it*. You know, 15 of them said basically the exact same thing, so. Clearly, you know, that's not good for the taxpayer, that we're not getting -- we're getting -- we're putting out 99 people and one returns, and they all -- and the other 15 people that I called all said that it's onerous, it was ridiculous, they were asking for such ridiculous stuff it wasn't even worth doing. So maybe there's some way we can -- you know, if two people said it it might be one thing, but for 15 to say it?

**COMMISSIONER ANDERSON:**

The -- unfortunately, the Federal requirements are what they are. And that's really -- it's not our requirements in mandating these process. The grant itself is processed through the Federal government, so. I'm assuming that's what they're talking about. They're not talking about the County's requirements.

**LEG. TROTТА:**

Whatever they sent, the RFP, they said it was just so much stuff. They all said the same thing. They just said it was like, *You know, I don't have time. It's going to take me two days to fill this out*. There's a problem if 99 people get it and only one return it. So maybe there's some way we can send me the thing and we can make this a little simpler? Because clearly something's not working.

**COMMISSIONER ANDERSON:**

I'll be glad to send you the RFP that was sent out so you can take a look at it and we can talk about it.

**LEG. TROTТА:**

And if they're Federal requirements that they fill out all this paper work, it's just --

**COMMISSIONER ANDERSON:**

Right. If it was regarding the County RFP itself --

**LEG. TROTТА:**

Yeah.

**COMMISSIONER ANDERSON:**

I'd be glad to talk to you about that. The Federal, obviously we can't do much about.

**LEG. TROTТА:**

Okay.

**CHAIRPERSON BROWNING:**

Okay. You know, if they don't want to do the work, then that's tough. They have to apply, they have to fill out the paperwork.

**LEG. HAHN:**

It is \$100,000?

**CHAIRPERSON BROWNING:**

Yes.

**LEG. HAHN:**

It shouldn't be --

**CHAIRPERSON BROWNING:**

No, it shouldn't be a two-page application. So we made a motion to approve and a second. All in favor? Opposed? Abstentions? *It's approved (VOTE: 8-0-0-0).*

And last but not least, John, I'm sorry. Were you able to get the information on the interest; if we were to bond \$4 million versus the 9% interest?

**MR. ORTIZ:**

Yeah, just using a five-year bond, it would be about 275,000 to bond the 4 million, where that would be about nine months of 9%. Nine percent on four million would be 360,000 for the year; after nine months, you've already accrued as much as you would on the five-year bond.

**CHAIRPERSON BROWNING:**

So if we were to bond it, it would cost us, over a five year period, 275,000.

**MR. ORTIZ:**

Correct.

**CHAIRPERSON BROWNING:**

If we -- you know, with the lawsuit at 9% per year, it would cost how much?

**MR. ORTIZ:**

Three hundred and sixty thousand dollars a year.

**CHAIRPERSON BROWNING:**

Three hundred and sixty thousand dollars a year. So, okay, that's not good.

**MR. ORTIZ:**

Of course there's always the question of bonding payroll.

**CHAIRPERSON BROWNING:**

Yeah, but we could be forced in a lawsuit to pay it and have to pay 9%.

**LEG. CILMI:**

We bonded settlements before.

**MR. ORTIZ:**

We have bonded deferred pay before.

**CHAIRPERSON BROWNING:**

We have, I know we have. Okay. Well, thank you for that information.

So I do not believe there's anything more on the agenda. Motion to --

**LEG. CILMI:**

Madam Chair, before you adjourn?

**CHAIRPERSON BROWNING:**

Yeah, go ahead.

**LEG. CILMI:**

Just two things. One, I'm admittedly often critical of the Administration for a variety of different things, but when credit is due I like to give credit. So I noticed -- look at their ears pepped up over there; *Cilmi's going to say something nice.*

**(\*Laughter\*)**

Commissioner Sini has been -- and the entire department, has been very, very responsive to my outreach for a variety of different things, and not only responsive but proactive on certain things. And so I just wanted to pay him and the Chiefs who also have been great and the Precinct Commanders, all down the line. I have noticed an improvement in the communication from the department, I just wanted to, if he's listening, say thanks.

**CHAIRPERSON BROWNING:**

And I can certainly say the same thing. Commissioner Sini is definitely -- he has been a breath of fresh air. So we certainly appreciate everything he's doing. I know the poor guy, I spoke with him probably it was 8:30 last night and I think he was on his way home, maybe. But he's been burning the midnight oil and he's doing a great job. So, anyway.

**LEG. CILMI:**

And then the other thing was, I know last time I made a motion to -- I forget exactly what the motion was, but it was a motion to recall Resolution PM 02-16, Establishing a special committee to review law enforcement operations in Suffolk County. And I believe that motion was seconded, but I was told at that point that we were close to some sort of a product that would be put before us that

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would encompass the intent of this resolution and more. Do you know where we are with that? Because, I mean, I'd like to make that same motion again, but if --

**CHAIRPERSON BROWNING:**

I'm not going to talk about the meeting that I was not invited to by the Administration. However, it is moving and I would hope that, moving forward, it will be an all-inclusive. But Administration or not, this is a Legislative initiative, and whether they like it or not, we are working bipartisan on this issue and it will continue to be that way, and I know that it's still a work in progress. I thought we might have had something sooner, but I don't agree with throwing something out there for the sake of getting press. If we're going to do it, we're going to do it right the first time. So, yes, there's still discussion going on. And I know Rob, Legislator Hahn, McCaffrey, Muratore, myself, we will continue to work on this. Okay?

**LEG. CILMI:**

All right. I'll --

**CHAIRPERSON BROWNING:**

Thank you.

**LEG. CILMI:**

I will take you at your word.

**CHAIRPERSON BROWNING:**

Thank you.

**LEG. CILMI:**

And hopefully whatever meeting that you were not invited to was just an error.

**CHAIRPERSON BROWNING:**

Very unproductive; disingenuous and unproductive.

**LEG. CILMI:**

All right.

**CHAIRPERSON BROWNING:**

Thank you. So we shall -- we'll adjourn. Thank you.

*(\*The meeting was adjourned at 1:08 P.M. \*)*