

Public Safety Operating Budget 10-22-13

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

**Operating Budget**

A special meeting of the Public Safety Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York, on Wednesday, October 22, 2013.

**Members Present:**

Legislator Kate Browning - Chairperson  
Legislator Robert Calarco - Vice Chair  
Legislator DuWayne Gregory  
Legislator Kara Hahn  
Legislator John Kennedy  
Legislator William Spencer

**Also in Attendance:**

Presiding Officer Wayne Horsley - District No. 14  
Tom Cilmi - District No. 10  
Robert Lipp - Director, Budget Review Office  
John Ortiz - Budget Review Office  
Diane Dono - Budget Review Office  
Debbie Harris - Aide to Legislator Stern  
KelliAnne Sacchitello - Aide to Legislator Muratore  
Ryland Gaines - Aide to Legislator Montano  
Tom Vaughn - County Executive's Office  
Marie Berkoski - County Executive's Office  
Ed Webber - Commissioner, SC Police Department  
Mark White - Chief of Support Services, SC Police Department  
Bob Holley - Director, Fire Academy  
Ed Johnston - Deputy Director, Fire Academy  
Joe Williams - Commissioner of Fire, Rescue & Emergency Services  
John Jordon - Deputy Commissioner, Fire, Rescue & Emergency Services  
Gil Anderson - Commissioner, SC Department of Public Works  
Patrice Dlhovsky - Director, SC Department of Probation  
Mike Sharkey - Chief of Staff, Suffolk County Sheriff's Office  
Mike Franchi - Deputy Warden, Suffolk County Sheriff's Office  
Ed Heilig - Division Chief, Suffolk County District Attorney's Office  
Linda Russo - Budget Analyst, Office of the Medical Examiner  
Arty Sanchez - DSPBA  
Russ McCormick - SOA  
Christine Larkin - Suffolk County Probation Officers Association  
Laurette Mulry - Legal Aid Society of Suffolk County  
Erin Leary - Legal Aid Society of Suffolk County  
Rick Brand - Newsday  
All Other Interested Parties

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**Minutes Taken By:**

Lucia Braaten - Court Stenographer

**Minutes Transcribed By:**

Kim Castiglione - Legislative Secretary

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(\*The meeting was called to order at 3:46 p.m. \*)

**CHAIRPERSON BROWNING:**

Okay. We will begin the Public Safety public hearings for the budget. Would you all please rise with the Pledge of Allegiance led by Legislator Calarco.

*(Salutation)*

**CHAIRPERSON BROWNING:**

Okay. Thank you. Apologies on the delay, however, these are trying times, and many people need to be heard about our budget issues. I will start -- there are only two cards, so I'll start with the Public Portion. And our first speaker is Christine Larkin.

**MS. LARKIN:**

Good afternoon. I'm Christine Larkin. I'm the Vice President of the Suffolk County Probation Officers Association. The last two times I spoke at this meeting I discussed being down 50 Probation Officers and the impact that that has on the officers and the community. That continues to be a primary concern and a need to be improved.

I would like to speak today on another need that we have as Probation Officers. Part of doing our job is to monitor the probationers in the community. That means getting out there and seeing them in their homes with their families and at their employment. This task can only be accomplished with vehicles to get to those home and employment visits. We are currently doing an audit of all the vehicles in the department and looking at their mileage and what condition that they are in. In looking at some of the reports that we have received to date, many cars have over 90,000 miles and some have over 110,000 miles. This unfortunately means that they go out of commission on a regular basis and need maintenance. Currently we are running into a problem with getting them fixed.

DPW continues to report to our Probation Officers when they call or visit about the cars that they have put into the shop that DPW has lack of staff and a lack of funds to get the parts to fix the cars. So the cars will sit there for months for what would normally have been a simple repair. This takes more Probation Officers out of the field and not being able to monitor their people in the community and the community safety.

Please look at getting cars placed in the budget. Help fix our limited fleet size and our aging car population at Probation. Help us to help the PO's to do their jobs better. Thank you.

**CHAIRPERSON BROWNING:**

Thank you, Christine. And I guess, John, I know I made a request on the issue with police cars also. I guess we're going to have to look into Probation and find out what's going on also. Probation has always used DPW for their repair work, too? Yes?

**MR. LIPP:**

We have in our review that there is a shortage of cars Countywide and DPW had mentioned that, you know, there are several cars that have over 150,000 on it, and to be able to decommission and replace those cars Countywide, not just in Probation, probably you'd need like about a million-and-a-half.

**CHAIRPERSON BROWNING:**

Christine, do you know, for example, a Probation Officer has a vehicle and it goes into the shop for repair work, do you have an estimated timeline that they have to wait to get that car back?

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**MS. LARKIN:**

Currently it's -- off the top of my head it's about three to five weeks at a minimum and some Probation Officers are telling that it's eight weeks to get vehicles back. You know, unfortunately, I don't have per se exactly all the dates of when the cars went in and when they came out, but that's what the officers are reporting to us.

**CHAIRPERSON BROWNING:**

Okay. If there's any way you guys can get it, and I know Patrice is here, so maybe she'll be able to give me those numbers also, but you're not the first one to say this. So, thank you for bringing that to our attention. And again, cars, I'm not sure if that's something we can address in the Operating Budget. I believe we have done that in past. Is that more something we should be addressing in Capital?

**MR. LIPP:**

We typically do do cars in the Operating Budget, but now we're morphing over to the Capital Program because of our financial problems. But we are short.

**CHAIRPERSON BROWNING:**

Okay. But then again, a lot of what Christine is saying is staffing issues at DPW.

**MR. LIPP:**

It's a mixture, yes. I mean, it's a combination of old cars that require more servicing and limited number of mechanics that we have. Yes, a combination.

**CHAIRPERSON BROWNING:**

Okay. Thank you.

**LEG. CILMI:**

Kate, can I ask a question?

**CHAIRPERSON BROWNING:**

Sure.

**LEG. CILMI:**

Forgive me, I missed some of your testimony, but I got the general gist of it. I ran into somebody recently who told me about this insurance plan that we have that takes care of some of the car repairs that have to happen. Does that ring any bells with anybody here?

**MS. LARKIN:**

It doesn't. No, it doesn't ring any bells.

**LEG. CILMI:**

Well, when we -- when cars are in need of repair --

**MS. LARKIN:**

Right.

**LEG. CILMI:**

-- we can either do them ourselves or we can have other repair shops do them, right?

**MS. LARKIN:**

We've always taken them to either the Hauppauge or the Yaphank DPW garages. I mean, we do -- when we need a -- when we need an inspection or a wash, we have certain facilities throughout the

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County that are not DPW that do that at times, but that's a separate list, but that's only for those particular items.

**LEG. CILMI:**

So as far as you know, is DPW exclusively doing the repairs on our vehicles?

**MS. LARKIN:**

As far as I know, yes.

**LEG. CILMI:**

Or are there any other agencies -- I shouldn't say any other agencies, but are we contracting out with other repair shops, for example.

**MR. LIPP:**

Yeah, there are other repair shops. For instance, even if we had plenty of mechanics, which we don't, but there are specialty repairs that are needed that it would have to farm out anyhow, so that we always have some outside contracts. They've just become more acute as the age of the vehicles gets longer and as the number of mechanics gets shorter.

**LEG. CILMI:**

Because the person I spoke to suggested to me that if we were to hire back some of the mechanics that are gone or hire some additional mechanics, that we would be able to avoid the costs associated with the repairs that we're needing to do with other repair shops. And be able to turn around the repairs much more quickly, which would solve some of the problems that we're talking about.

**MR. LIPP:**

I haven't seen any analysis. Clearly, if we do more hiring we'd be able to fix more vehicles and we'd probably have some more preventive maintenance. That being said, I wouldn't think on the surface, but I'm not sure that it would pay for itself or more than pay for itself.

**LEG. CILMI:**

I'm going to try and remember who it was who told me that and see if I can reach out to that person, and then maybe Budget Review can do a quick -- quick analysis of the numbers, see how much we're spending with outside repair shops and if it makes sense to, you know, hire another mechanic or two to do some of the work ourselves. Okay. Thank you.

**MS. LAKIN:**

Thank you.

**CHAIRPERSON BROWNING:**

And I just noticed -- thank you Christine, but I noticed that Gil Anderson is here, so I don't know, after we're done with the speakers maybe at some point you might want to enlighten us. The next speaker is Laurette Mulry. Oh, and I believe Erin Leary.

**MS. MULRY:**

Hello.

**CHAIRPERSON BROWNING:**

Hi.

**MS. MULRY:**

Honorable Chairwoman Browning, Vice Chair Calarco, esteemed members of the Public Safety

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Committee, good afternoon. My name is Laurette Mulry. I'm the Deputy Attorney in charge of the Legal Aid Society. I'm here today with my colleague, Erin Leary, to speak about the Legal Aid Society's budget for 2014. I know some of you were here this morning when we presented at the joint committees this morning, however, I did feel it was important to come back again this afternoon to speak to Public Safety because, of course, we do feel that Legal Aid plays a vital role in our Criminal Justice System. And as we have advocated for on many times, we must assure that there is equal and equal effective advocacy on both sides of the case in order for justice to be meted out swiftly and effectively somewhere in the middle. And because of that, it is important, because we have the common goal of the safety of all the citizens of Suffolk County, and certainly Legal Aid contributes to public safety in other ways.

I was here when the Sheriff spoke so eloquently about alternatives to incarceration, and that you have these programs available in the community, but we have a lack of resources for getting individuals into these programs. And I would like to say that Legal Aid plays a very important role in assuring that our clients and individuals are screened appropriately for these programs so as to not needlessly, excuse me, incarcerate individuals who are non-violent offenders who really should be in community programs and treatment programs and in programs that will effectively reduce recidivism rates. Legal Aid does do that.

In fact, there was letters that were handed out, support letters, for Legal Aid, and I believe the first letter is from Suffolk TASC and that's a treatment alternative program, and I did -- I do believe that it goes to the work that Legal Aid does to try to assist in linking up eligible individuals with those programs.

I also would like to point out the report that Budget Review Office did and I would like to say I'm very thankful that Budget Review has seen clear to assess the work that Legal Aid has done, and to show all the work that Legal Aid has done above and beyond our core duties of indigent legal defense. In fact, we work very hard with the County Attorney's Office and with the District Administrative Judge in the County to assure that if there are State monies available for indigent defense to improve the quality of defense and representation, that we make sure that we do our best to get all of those monies available and maximize the amount of monies that we can get and pass through from the State to the County.

In our budget request this year we asked for three specific items. We asked for an increase in positions, we asked for an increase for cost of living and we also asked for increase in our medical. And as I said earlier this morning, we were very happy to see that the County Executive saw clear to give us the increase in positions, and of course that shows that they realize the need for those additional attorneys and one clerical support worker to handle the increased caseloads and also to allow our individuals, our attorneys in the courtrooms, to take on more cases and alleviate that 18B budget. We're very happy to be a part of that and very happy to accept those positions.

However, the County Executive's budget recommendation did not include for us any cost of living increase or anything for our medical plan, and we had asked for a twofold request for our medical. First, we were asking to cover our net projected premium increase for 2014 under NYSHIP's plan. NYSHIP is the New York State Health Insurance Program that we gained entrance to I think it was two years ago, and we've saved the County a lot of money by going into that plan in terms of our premiums. However, our employees pay 20% towards the cost of their premiums and we would love to be able to reduce that from 20% to 10% or 15% based on date of hire. That is, again, in asking for benefit parity for our employees.

So the Budget Review Office has put into its report that they would suggest adding an additional \$165,000 or so to account for the net projected premium increase. They also said that it was not unreasonable to ask for a cost of living increase. They did suggest instead of implementing that plan

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in January, instead implementing it July 1st so as to be commensurate with what the County AME's and County exempts have, which would then cut that request amount in half.

So we hope that you will take into consideration the assessment that Budget Review Office has made in its report. We hope that you will put Legal Aid into the omnibus package, that you will vote to adopt those provisions and any questions that you have, I am very happy to answer them.

### **CHAIRPERSON BROWNING:**

Any questions? No? Just real quick. I think most of them said that they were here this morning. But your caseload is, you know, each attorney is handling -- what type of caseload do they have at this time?

### **MS. MULRY:**

Especially our attorneys in District Court have upwards of 600 cases at any one point in time, so well above what the ABA standards have said. We are happy to, you know, to work with those caseloads. Unfortunately, there is an ACLU lawsuit against the State and particularly Suffolk County regarding -- and one of the issues is caseloads, so we're well aware of that. Additional positions of course would go towards helping with that. But right now it's approximately 600 cases.

### **CHAIRPERSON BROWNING:**

And what is the average caseload elsewhere, like in say Nassau?

### **MS. MULRY:**

Four-hundred.

### **CHAIRPERSON BROWNING:**

About 400?

### **MS. MULRY:**

Yes.

### **CHAIRPERSON BROWNING:**

Okay. I know that you've just taken on obviously the new Human Trafficking Court. And have you been able to estimate what your caseload might be just from that court?

### **MS. MULRY:**

From what I understand, they already have -- I don't know the total number of cases that they have set up for -- next week begins, by the way, the Human Trafficking Court. And I understand from Judge Horowitz that we have over half of those cases already assigned to Legal Aid. So it looks like we will get the majority of cases in that new part.

### **CHAIRPERSON BROWNING:**

You don't know what that number is?

### **MS. MULRY:**

I don't know the exact number. I can definitely find that out for you. But it hasn't -- it's not up and running yet. Actually, that court will start as of Tuesday. I think it will meet every other Tuesday. That's a Human Sex Trafficking Court. It's a new initiative that's come down from the State, and Judge Horowitz is going to be running that program.

There is also, obviously has been in existence, the Drug Court, the Mental Health Part and the Veterans Parts. These are all diversionary courts. These are all treatment plan courts. It's a form of alternative to incarceration and it takes a lot of our resources in order to staff those courts

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because, of course, there are weekly appearances that are necessitated, there are also treatment plan meetings for our attorneys, so there's a lot that goes into it in terms of our -- an investment of resources. There's also a Youth Diversion Part that's starting up I believe by the end of this year. It may already be in operation.

And finally, I do feel -- there's another Veterans Court, I understand there was a meeting held yesterday by Judge Hinrichs, another Veterans Court that's going to be started in the East End.

**CHAIRPERSON BROWNING:**

Okay. So that's pleasant. And really, no more money, but we're going to do more. And again, there is no State funding or anything for these new courts, these new mandated courts?

**MS. MULRY:**

Not specifically for those courts. Again, you know, the new positions will help us to be able to staff those courts and alleviate some of the load in District Court.

**CHAIRPERSON BROWNING:**

But that's strictly County dollars. There's no State funding at all?

**MS. MULRY:**

Not currently.

**CHAIRPERSON BROWNING:**

Okay. Do you have a question?

**LEG. SPENCER:**

I do. You mentioned these -- the new court. Did I overhear you say there's a Human Sex Trafficking Court?

**MS. MULRY:**

Yes. This is a new initiative. It's come down from on high, from Judge Lippman in the State of New York to -- Judge Horowitz is actually going to be running that out of the other treatment court. So the treatment team provider that does Drug Treatment Court and Mental Health Part will be a part of that.

**LEG. SPENCER:**

Will this court be for the victims who are caught or will it be for the traffickers?

**MS. MULRY:**

Specifically to help the victims. There will be services that will be provided in those courts from what I understand. I have gone to a couple of meetings yet I haven't actually seen it in operation. In fact, we have a team of attorneys today that went into the City to go to just such a court, to like a site visit to actually see it in operation. But one week from today it will be in operation in Suffolk County in District Court.

**LEG. SPENCER:**

And there's a Drug Court, too, you mentioned?

**MS. MULRY:**

Yes. There's a Drug Treatment Court, there is a Mental Health Court, and there is also a Veterans Court. And as I said, they're going to be starting a new Veterans Court out east.

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**LEG. SPENCER:**

These courts are really -- focuses on alternatives to incarceration --

**MS. MULRY:**

Yes.

**LEG. SPENCER:**

-- but you would be basically -- if there's someone that is a distributor, they wouldn't be part of this -- the Drug Court. These are --

**MS. MULRY:**

No.

**LEG. SPENCER:**

-- victims that are using.

**MS. MULRY:**

Exactly.

**LEG. SPENCER:**

In the same thing. So there would be a distinction as opposed to someone that is a kingpin that would be handled then.

**MS. MULRY:**

Yes. And actually the District Attorney's Office is basically the gatekeeper as to who goes into those -- into Drug Treatment Court. So Legal Aid will screen our clients and will make recommendations, but it's ultimately the decision of the treatment team and the DA's Office as to who goes in.

**LEG. SPENCER:**

And what happens, and it just helps me, because I know that that's been a big interest of mine when we were talking about -- and Legislator Hahn, the Narcan situations where we're trying to get people into treatment, you know, so we have our officers that are trained. So they're coming on the scene and we want them to -- if they make a save to make sure we get that person into treatment. But will they be -- to get into these courts, will they be arrested or referred? How does that work, and where do we draw the line in terms of if an officer -- they save someone, they come back, are they then arrested and referred to this particular court and referred for treatment? Where -- what separates the criminal or at least from -- I don't know if you can answer that question.

**MS. MULRY:**

Absolutely I can. No, they are arrested. And this is a condition then of their sentencing. Okay. Essentially what happens is there is a contract that is signed at the outset and their -- what they're going to be charged with is held in abeyance until they finalize this program, a drug treatment program, which is I believe anywhere from a year to 18 months long, depending on, you know, how they are reacting to it. They must come back weekly. So that's why I'm saying it's very intensive for our attorneys that work in those parts because they must make weekly appearances with these clients. So from week to week they come back. They're actually drug tested week to week, and if they test positive they're immediately remanded, no questions asked. So it is monitored that closely. And Probation, I know Probation is here. They can speak a little bit more closely about it, because they have individuals on the drug treatment team who are monitoring these individuals. So it is very closely supervised.

**LEG. SPENCER:**

And there would be I guess strict criteria to be eligible.

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**MS. MULRY:**

Yes.

**LEG. SPENCER:**

So if you have someone that perhaps is a seller, but is a user, they wouldn't necessarily be eligible because of their selling activities? Well, I guess this -- probably not for this venue. I'll get more but just from the funding process I was just trying to make sure I had a basic understanding and kind of knew so that I could speak intelligently when looking at these funding decisions. So thank you. I appreciate that.

**MS. MULRY:**

You're welcome.

**CHAIRPERSON BROWNING:**

No more questions? Okay. Thank you, Laurette. Okay. Now where to start. I did see Mike Sharkey was here. Mike, if you want to come up. I know you've been around for quite a while.

**CHIEF SHARKEY:**

Good afternoon. Thank you for giving us the opportunity to discuss our Operating Budget request, and thank the Executive's Office for their review and the Budget Review Office for their thorough review. I'm joined today by my colleague, Deputy Warden Franchi, who prepared our request for this upcoming budget year. I could give you the short version and just say we agree with all of BRO's recommendations, but I am going to go into a little bit of detail. That shouldn't take much more than five minutes.

The Sheriff's Office 2014 Operating Budget request, there's 157 million, while the County Executive's recommended budget is 153.8 million, a reduction of almost 3.2 million. Our requested budget is 6.58 million more than our '13 requested, which is mostly accounted for by the 2012 Correction Officer arbitration award that increased the Correction officer permanent salaries by a cumulative 10.1%. That was over a three year arbitration award.

When only non-personnel related operating expenses are compared year to year, we are requesting a very modest increase of less than 1% or \$80,000. This was only necessary because of a last second inclusion in the Sheriff's Office Operating Budget of \$250,000 in additional funds for inmate meals. This became necessary when it was learned that the Cornell Cooperative Extension that had been supplying this portion of our yearly food requirements would no longer be doing so. Otherwise our non-personnel operating request would have shown a 2% decrease from our 2013 requested.

Our 2014 requested budget took into account the following major factors. The 2014 will be the first year of full operation of the new Yaphank addition. Many operating costs for the supplies and equipment that had been funded under the capital project as start up costs will now be in the Operating Budget. Hiring of at least that number of Correction Officers necessary to bring us to the required New York State Commission of Correction staffing levels by the end of 2014. This would include all backfills of Correction Officer positions that occur from separation of service and promotions. The intention to fill all remaining Correction Officer promotional vacancies, the intention to fill all Deputy Sheriff promotional vacancies, and subsequently hire the number of DS I's necessary to fill the current vacancies, including all backfills that occur due to retirements and promotions by the end of 2014.

Significant portions of the old Yaphank facility are closed for renovations. This will allow us some ability to mitigate our overtime expenses by utilizing the officers that would have been required to

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fill the security posts in old Yaphank elsewhere.

Our initial analysis of the 2014 recommended budget seems to indicate that while there is planned hiring, there will not be enough to reach the staffing levels under which the budget was prepared. Therefore, there will more than likely be an increased need for overtime funding over and above that which we requested for 2014. The good news is that the recommended budget, while not providing for all of the hiring we requested, doesn't levy the double blow of also reducing the funding for the Sheriff's Office overtime accounts as it did last year.

In the area of staffing the Sheriff's Office is chronically understaffed and the shortage of staff has been well documented over past budget presentations. Today current staffing levels in the Sheriff's Office is still below that required to keep pace with our workload. We are currently short 67 Correction Officers, all ranks, of the New York State Commission of Corrections minimum staffing, which is a total of 982 officers. We currently have 25 recruits in the academy. It must be remembered that the staffing level is a minimum and includes a reduction on certain security posts of 10%, which the Commission allows us to cover with overtime.

The actual number of Correction Officers needed to fill all posts 24 hours a day, 365 days a year, under the full coverage formula is 1,064 or 1102 once the Yaphank renovations are complete. This difference of 80 officers is a pure overtime expense, therefore, every additional Correction Officer vacancy results directly into additional overtime.

In our 2013 requested budget we asked for an initial class of 50 Correction Officers to fill vacancies and an additional class later in the year to fill all remaining vacancies and backfill positions that remained. Instead, we hired an initial class of 36 in March and have just started an additional class of 25. However, in the interim we lost 41 senior officers to retirement. If we lose no one else to retirement between now and the end of year we will start 2014 with a shortage of 67 Correction Officers when compared to mandated minimum staffing. Our 2014 overtime projections, upon which our 2014 Operating Budget request was based, leaves a shortage of 57 officers. Therefore, it is very conceivably that we may have underfunded our overtime account for the corrections appropriations.

In the 2014 budget request we have again asked that all of our sworn vacancies, promotional and entry level, be filled before the end of '14, with hiring for Correction Officers being done in two classes, in March and September of '14. In the case of Deputy Sheriffs we made the assumption that all Deputy Sheriff promotions and vacancies would be filled by the end of 2013 and full duty by April of 2014. We based our 1,000 series funding requests on these assumptions, however, initial indications are that neither of these is a likely scenario and it is more likely that a single class of 25 Correction Officers will be hired some time during the first half of the year. This conclusion is supported by BRO's analysis giving the same conclusion.

Even with the high number of separations from service that we've been experiencing this year we still have a very large number of officers in both titles who can retire. During 2014 we will have 156 Correction Officers eligible to retire and 70 Deputy Sheriffs. This must be factored into whatever hiring plan we formulate and funding levels we decide on, especially in the overtime accounts.

Lastly, it's entirely conceivable that the class of 25 Correction Officers that is being recommended in the County Executive's budget will be completely offset by Correction Officer retirements, and we could finish 2014 with fewer officers than we began it. The Budget Review Office is recommending an additional 20 officers be added to the initial class of 25 tentatively scheduled for March of 2014. It's their belief there is sufficient funding in the Corrections appropriations permanent salary lines in the 2014 recommended budget as constructed to fund these additional officers. We are in agreement with the Budget Review Office on both of these facts and think it's imperative that the recommendation be followed if we are not to cause further concern on the part of the Commission of

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Corrections about our staffing levels that could place our variance beds in jeopardy.

As part of this course of action we would hope that the additional promotions required by the Commission of Corrections staffing plan also be implemented some time in 2014 in anticipation of the completion of the Yaphank renovations.

Fortunately, in the 2014 recommended budget our overtime accounts have been funded as requested by our office. However, the recommended level of hiring upon which our estimates for overtime expenses are based are not consistent with what we had requested. Therefore, we again agree with the findings of the Budget Review Office report that states there will be a surplus of funds in the permanent salary accounts, additionally, that it would be prudent to transfer 1.5 million of this surplus to the overtime accounts in each of the Sheriff's appropriations to cover the increased overtime expense we can expect because of the failure to fill all of our sworn vacancies.

In the area of inmate population, since April of 2012 we've been very fortunate that our innate population has seen a significant decrease from the very high levels we were experiencing in late 2011 through the first quarter of 2012. 2011's average daily count was 1783 inmates. 2012 saw an average of 1687, and to date in 2013 we have seen an average of 1570 inmates. This is a significant drop from the very high levels we had been experiencing and has allowed us to significantly reduce the amount of funding in fees for service, non-employees substitute jail costs required by the Sheriff's Office. Given our current level of beds available to us to house inmates, we are confident that we can again request funding in this appropriation at the greatly reduced level of 540,000. When compared to very high levels acquired in 2011, 2012, it still must be remembered we're able to house this level of inmates only because of the existence of our 405 variance beds. To lose them for any reason, we'll immediately find ourselves in a situation where we would have to start housing inmates again.

I have several other odds and ends to discuss. As part of our 2014 Operating Budget request we had requested 1.57 million for terminal vacation, terminal sick pay and deferred pay. This was cut to 1.06 million. Our 2013 Operating Budget was underfunded in these accounts by over a million dollars as a result of a larger than expected loss of sworn officers to retirement and the year is not over. In 2013, a total of 41 Correction Officers and five Deputy Sheriffs left. As stated previously, we will have 156 Correction Officers and 70 Deputy Sheriffs who will be eligible to retire in 2014. This equates to over ten million in deferred monies that are owed to those officers upon separation of service. Therefore, we agree with BRO's recommendation to transfer 351,000 from the permanent salary lines to the terminal and deferred pay lines.

In late May -- in late May of this year, the Sheriff's Office has been informed by the Cornell Cooperative Extension that they would no longer be able to purchase meat for inmate food needs and this function would have to be absorbed by the Sheriff's Operating Budget. We, therefore, added 250,000 to the 3330 food line. This was subsequently cut in the recommended budget. As this was in reality just a transfer of funds from Cornell's budget to the Sheriff's budget, we ask that it be reinstated.

In 2014 we requested 60 replacement vehicles at a cost of \$1.6 million. We realized that just as was with last year vehicles would be purchased through the Capital Program. Currently only five million has been included in the Capital Budget for vehicles Countywide, thus it is clear we will not be replacing our requested number of vehicles. However, with 132 vehicles having over 100,000 miles, more than a third of our fleet, we can expect escalating auto repair costs and we are forced to keep older and older vehicles in service.

In summary, we agree with the Budget Review Office report and ask the Legislature to consider the following BRO recommendations in the adopting resolution: Add an additional 20 Correction Officers

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to the March 2014 class. If we are to remain ahead of the attrition rate and at least attempt to get to the COC minimum staffing levels, this is imperative. Increase the 2014 overtime funding to levels that are more in line with the planned hiring levels for 2014. Increase the funds in inmate food appropriation 3151 to our full requested amount to compensate for the loss of meat products that were previously supplied by Cornell. Increase the funding for officer terminal and deferred pay to avoid repeating the current year's large deficit in this account as officer service separations are going to continue to increase as a larger and larger percentage of them become eligible for retirement. That's the end of our formal presentation. I'd be more than happy to take any questions.

### **CHAIRPERSON BROWNING:**

Okay. I'll open it up for question. Anybody? Everybody looks so happy about everything. Okay. DuWayne.

### **LEG. GREGORY:**

I'm sorry, Chief Sharkey. Can you just mention again the information about the vehicles? That seems to be a common theme that we're hearing.

### **CHIEF SHARKEY:**

Yeah. We've been running our vehicles to higher and higher mileages, and I know that we're not any different than any of the other agencies you'll hear from today. You know, we're running vehicles up to mileage we've never even considered before. We have, you know, marked police vehicles on the road with, you know, 160, 170,000 miles on them. And as such, the choices are replace the vehicles or give sufficient funding to do the proper repairs on them. But at a certain point, it doesn't really pay to be putting transmissions and engines into vehicles that are that old and have metal fatigue etcetera.

### **LEG. GREGORY:**

How many vehicles are we talking about, roughly?

### **CHIEF SHARKEY:**

We requested 60 for next year, but -- you know, it was easier -- it was actually easier to track when it was in the annual Operating Budget because, as you know, the Capital spills over from year to year. So there may be funding in a particular year for a certain number of vehicles and we may not see those until the following year, and it seems to be that we're getting less vehicles since it moved from the Operating Budget into the Capital.

### **LEG. GREGORY:**

Okay. All right. Thank you.

### **CHAIRPERSON BROWNING:**

Okay. So, you know, you have the mandate on your staffing from the Commissioner of Corrections. So you're saying you need the class of 25. What is his mandated requirement from the Commissioner of Corrections right now for -- in a perfect world, what would it be?

### **CHIEF SHARKEY:**

The number we would require right now is nine 982, but we're short somewhere in the neighborhood of 70?

### **MR. FRANCHI:**

Yeah.

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### **CHIEF SHARKEY:**

So we're short approximately 70 officers from that total. We've been trying to schedule classes of a size to stay ahead of the curve for retirements, but it hasn't happened.

### **CHAIRPERSON BROWNING:**

Okay. So Basically you're saying even if you get the 25 you're still not where you need to be, but he's given you enough variances. I believe the variances is what allows you to have less.

### **CHIEF SHARKEY:**

No, the variances are bed space.

### **CHAIRPERSON BROWNING:**

It's bed space.

### **CHIEF SHARKEY:**

They're basically just working with us as long as they see that we're making efforts working towards these staffing levels. That's why we are concurring with Budget Review's recommendations that the class that seems to have been funded for this coming March, which was -- looks as if it was to be 25, would be to bump it up to 45.

### **CHAIRPERSON BROWNING:**

Okay. How many -- how many prisoners do you have right now? Do you have any that are not currently residing in Suffolk County?

### **CHIEF SHARKEY:**

Nothing that's other than for reciprocal agreements with, you know, other agencies because we need to house them out for reasons other than the fact that we're overcrowded.

### **CHAIRPERSON BROWNING:**

Right. And I know that there was -- the issue came up, and I'm forgetting what the numbers were, not too long ago we talked about your overtime budget and how it went so high to a point where we said if we had Corrections Officers it would be less than what your overtime budget is. What was the overtime budget last year? Yeah, I might have missed that one. You might have said it and I missed it.

### **CHIEF SHARKEY:**

Just give me one second.

### **CHAIRPERSON BROWNING:**

I know it was a really -- oh, you have it? It was 26.7 million? That was your overtime? Hold on.

### **CHIEF SHARKEY:**

I have several numbers here if you want me to just -- I kind of skipped around in here to try to keep it brief. I know we're running an hour late.

### **CHAIRPERSON BROWNING:**

No, that's fine. Go ahead.

### **CHIEF SHARKEY:**

If you want me to get into this a little bit more. In 2014 the Sheriff's Office requested overtime funding in the amount of 21.4 million. Our year-end estimate for 2013 is 24.9. Our 2013 requested was 25.7. We actually came in below our requested amount due to the fact that the facility opened a little bit later than we thought it was going to. The County Executive's recommended was

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extremely low. It was well below what was -- what we would have considered adequate.

**CHAIRPERSON BROWNING:**

No, it's just what I'm -- I look at those numbers for an overtime budget and I'm thinking how many officers could you hire to reduce that -- that number.

**CHIEF SHARKEY:**

We've made a move to do that every Operating Budget year.

**CHAIRPERSON BROWNING:**

Right.

**CHIEF SHARKEY:**

It's never happened. We've -- I mean, I've sat here seven years, at least seven years saying we're opening a facility soon, we need to hire classes and for one reason or another policy decisions were made that it wasn't able to be done.

**CHAIRPERSON BROWNING:**

I'm just trying to say if we were to put full-time officers, even with salaries and benefits, you know, wouldn't it -- that would be the smarter thing to do.

**CHIEF SHARKEY:**

That's a policy decision for you to make.

**CHAIRPERSON BROWNING:**

Well, we keep trying. It just seems to make sense to -- then your overtime budget probably wouldn't be what it is today.

**CHIEF SHARKEY:**

Our overtime budget would be lower and our permanent salaries line would be higher.

**CHAIRPERSON BROWNING:**

Right. But more officers means less overtime.

**CHIEF SHARKEY:**

Correct.

**CHAIRPERSON BROWNING:**

And that would be a perfect world to say no overtime, but I'm sure the guys that work there would not be happy with that, so.

Let me ask you something about Detention Attendants. How many Detention Attendants do you have in the courts? Officers that work -- like in the Riverhead --

**CHIEF SHARKEY:**

I'm sorry. I thought you were using the term of the job title Detention Attendant.

**CHAIRPERSON BROWNING:**

I'm not sure what they're called. They're the Sheriffs who do the escorts with the prisoners from the jail to the courts.

**CHIEF SHARKEY:**

You're asking about Deputy Sheriff's that work in the First District Court?

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### **CHAIRPERSON BROWNING:**

Okay, the Deputy Sheriffs. I wasn't sure if they were Deputy Sheriffs or Corrections Officers.

### **CHIEF SHARKEY:**

I don't have those numbers with me to share with you today.

### **CHAIRPERSON BROWNING:**

Okay. If you can get me that number I'd appreciate it. And I guess Budget Review, do you have any comments? Obviously they like your budget proposals. I like that.

### **MR. LIPP:**

Nothing to add unless you have specific questions.

### **CHAIRPERSON BROWNING:**

Okay. Nope, no specific questions. Okay. Thank you. Thank you, Mike. Oh, sorry. One question.

### **D.P.O. HORSLEY:**

I've been running in and out today, maybe you answered this question. You had mentioned earlier that the Cooperative Extension has transferred -- one should transfer the 250,000 or whatever it may have been for the animal issues for food. How did that happen and why was that done? Could I just ask you that?

### **CHIEF SHARKEY:**

We've had an ongoing relationship with Cornell over years and years.

### **D.P.O. HORSLEY:**

That I knew, okay. But why the transfer I guess is what I'm asking.

### **CHIEF SHARKEY:**

Cornell -- the larger organization Cornell, not the local Cornell, has made a policy decision that they were not in the meat buying business. It has to be something directly educationally connected.

### **D.P.O. HORSLEY:**

Part of their mission. Okay.

### **CHIEF SHARKEY:**

And only about 10% of the meat that they supplied to us was directly related to the programs and the meat processing program that was being taught. So the Cornell organization did not want to continue simply purchasing as a pass through to the Sheriff's Office and we were in agreement that we are better suited to purchase our own meat products for the inmates, and the understanding was that the 250 was coming out of their budget and just sliding over into ours. I think there was just an oversight.

### **D.P.O. HORSLEY:**

Okay. I just wanted to see what was the history of it so I could understand it because we've got to make adjustments to both budgets. Okay. Thanks.

### **CHAIRPERSON BROWNING:**

The meat -- because I know they were using some of the meat from the farm. Are you continuing to use the meat that comes from the farm?

### **CHIEF SHARKEY:**

The meat that came from the farm, it's kind of a misunderstanding. There was not a large quantity

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of meat that was actually produced there. That was out of the meat that we got through Cornell only about 10% of it was actually raised and produced at the farm. So I'm not sure if Cornell is completely abandoning the program. I mean, you well know Sheriff DeMarco has a plethora of programs so, I mean, although you never want to lose a program, if we lost that one there are many other programs for the inmates.

### **CHAIRPERSON BROWNING:**

Okay. Thank you. I think what's happened is the juvenile detention issue is similar, that they've taken away that program that they were working with Probation and Cornell, and I know Patrice can speak on that. So it might be a similar cutback that Cornell is doing on their own. Okay. Thank you, Mike. And I guess Commissioner Webber.

### **COMMISSIONER WEBBER:**

Good afternoon, everyone.

### **CHAIRPERSON BROWNING:**

Good afternoon.

### **COMMISSIONER WEBBER:**

Thank you very much for inviting us here this afternoon. To my right is Chief Mark White, Chief of Support Services.

### **CHAIRPERSON BROWNING:**

You're going to have to hold your finger on the button or grab the other mike that works better.

### **COMMISSIONER WEBBER:**

Okay. I'm told this one's better. The Police Department's 2014 budget was prepared following ADH 1413, which is basically a cost to continue budget. It's really an unremarkable budget in that there's really no changes between the recommended and the one we put forward. Before I ask you any questions -- accordingly I'll defer to your questions later on, but before I start questions I would like to thank, as the Sheriff just said, the BRO for their thorough and in-depth review of our budget. I would also like to acknowledge all the men and women of the Suffolk County Police Department, both sworn and civilian, for all of their hard work and dedication to duty.

As a result of their hard work, the index crimes, which are broken down into violent crimes and property crimes, have reduced markedly since 2011. Violent crimes, which consist of murder, forcible rape, robbery and aggravated assault have gone down 9.2% year to date since 2011. Property crimes, which consist of residential and commercial burglaries, larceny and motor vehicle thefts, have gone down 15.51%, for a total index crime reduction of 15.5%. It's remarkable the reduction in the crime trends.

The new Administration, when we came in we instituted the Intelligence Led Policing, which includes recognitions of patterns and trends. Ninety-nine patterns and trends were identified and we've cleared 65 to date. We have cleared over 403 incidents and made over 212 arrests on these patterns and trends. I will now open it up to any questions you may have.

### **CHAIRPERSON BROWNING:**

Questions? Okay. Go ahead, Tom.

### **LEG. CILMI:**

Hello, Commissioner. Thanks for being here. I had a question with respect to just something I caught by chance, I think, in the budget. As you know, the County entered into an agreement earlier this year with Parents for Megan's Law to -- and this may not even be in the police budget,

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I'm not sure, to facilitate the oversight of sex offenders in Suffolk County through the Community Protection Act, which we approved. I noticed in the budget that Parents for Megan's Law is not specifically mentioned in terms of a continuance of that funding, but rather the funding is there but no specific agency is listed. Maybe Budget Review can support me in that or find that somewhere. And I was wondering if you could comment on the program, how it's been working so far from your point of view, as well as whether or not it's your intention to continue using Parents for Megan's Law for that purpose going forward. I'm not sure if that's your decision or not, but.

**COMMISSIONER WEBBER:**

Yes, we've included the \$773,000 in our budget. I can tell you that we've made -- I'm sorry.

**MR. LIPP:**

Same, sorry.

**COMMISSIONER WEBBER:**

No, we've made 11 -- arrested 11 individuals to date as a result of information from the Community Protection Act, 31 charges and there's additional charges to come. I can tell you we get between 30 and 40 tips from them weekly, which we investigate and follow-up and that we're working very closely with them. So as far as we're concerned we're continuing with the contract we presently have.

**LEG. CILMI:**

Okay. So you think it's working well?

**COMMISSIONER WEBBER:**

Yes.

**LEG. CILMI:**

Robert, what you're showing me on the screen here is from your report?

**MR. LIPP:**

Yes, it's the end of the Police Department write up where we have our recommendations, so this is one recommendation that pertains specifically to what you're talking about.

**LEG. CILMI:**

Okay. So correct me if I'm wrong, but we appropriated \$900,000 this year for Parents for Megan's Law, is that correct?

**MR. LIPP:**

Yes, over 900 actually.

**LEG. CILMI:**

Over 900. It says in your report there, "The line item for the contract with Parents for Megan's Law of \$773,896, resulting from the passage of the Community Protection Act, is 001-3120 49A and has an activity code of four zeros in the generic activity code contracted agencies. The agency should be assigned a unique activity code and the name should be changed to Parents for Megan's Law." So that's exactly what I was referring to, the activity name in the proposed budget is simply contract agencies, it's not Parents for Megan's Law. That led me to ask, I wonder whether or not the County is exploring other options in terms of that service going forward. You know that not to be the case, Commissioner?

**COMMISSIONER WEBBER:**

I'm not aware of anything. It's working well at the moment so, you know, we just started in May. I

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would assume we'd have to have a period of time in which to evaluate.

**LEG. CILMI:**

Right. Through the Chair to the County Executive's Office, I see Dr. Toulon with us. I'm not sure if he can comment on this at all.

**DR. TOULON:**

No.

**LEG. CILMI:**

No? You can't. Okay.

**CHAIRPERSON BROWNING:**

Are you talking about the effectiveness of the Community Protection Act?

**LEG. CILMI:**

No. No, no, no. More specifically the fact that Parents for Megan's Law as an agency was -- seemed to have been omitted, you know, with that specificity in the budget. And that concerned me a little bit, because we all respect the work that Parents for Megan's Law does and having had numerous conversations with Laura Ahearn subsequent to the passage of that Community Protection Act, it seems like the program is working quite well. Did you have something else to add, Robert?

**MR. LIPP:**

So the overall amount, over 800,000, relates, so there are three line items in the budget for Megan's Law. This is the one that just administratively just needs to be changed, and if the Legislature takes our recommendations as an amendment, we could amend the budget and then the next -- then the adopted budget you would see the proper line explanation.

**LEG. CILMI:**

Okay. And that's something that you would support, Commissioner?

**COMMISSIONER WEBBER:**

Oh yeah, it's a budget presentation issue. It's just how you put it into the budget.

**LEG. CILMI:**

Just wanted to make sure.

**COMMISSIONER WEBBER:**

It's nothing to do with the expenditure of the fund.

**LEG. CILMI:**

Okay. In terms of staffing, we've been talking recently about the class for this year and I was under the impression, and apparently it was a mistaken impression, that we had budgeted for specifically a class of 75 for this year. I was told that that wasn't the case, that there had been a commitment for a class, but that no specific number of officers was discussed at that point, or at least committed to at that point. And I know the budget has another class, at least one other class planned for next year, correct?

**COMMISSIONER WEBBER:**

That's correct.

**LEG. CILMI:**

So could you just talk to us generally speaking about our current staffing levels and the staffing

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levels as proposed in the budget?

**COMMISSIONER WEBBER:**

The current staffing is 23 -- 2354, and we're authorized 2782, I believe, right? 2782. We have -- anticipating a class of 40 beginning Monday. We're hopeful to have additional transfer of individuals and Police Officers from the Parks Department, and there is a class in next year's budget. The exact amount I'm not sure of, but I did read in the BRO report they're anticipating 60 in September.

**MR. LIPP:**

Yes.

**LEG. CILMI:**

Okay. So you said the class is starting on --

**COMMISSIONER WEBBER:**

Monday.

**LEG. CILMI:**

On Monday. And how many are in that class, 40?

**COMMISSIONER WEBBER:**

Four-zero.

**LEG. CILMI:**

Four-zero, 40. And we're expecting, although it's not a certainty, but we're -- I guess the department is hoping to receive the transfers in from the Parks Police of those officers.

**COMMISSIONER WEBBER:**

Yes.

**LEG. CILMI:**

Now, that's subject to some approvals though, right?

**COMMISSIONER WEBBER:**

Yes, I believe so. Again, that's more Civil Service and Department of Law.

**LEG. CILMI:**

Okay.

**COMMISSIONER WEBBER:**

The budget contains 35, funding.

**LEG. CILMI:**

Okay. What do we do if that doesn't happen?

**COMMISSIONER WEBBER:**

We would meet with the County Executive and discuss the ability to hire additional personnel.

**LEG. CILMI:**

Okay. You said that our -- we're currently budgeted for 27-something and we have 23-something?

**COMMISSIONER WEBBER:**

2354, yes.

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**LEG. CILMI:**

2354. So just doing some --

**COMMISSIONER WEBBER:**

Authorized, yes. There is a slight technical term between budgeted and authorized, but authorized is with the maximum amount we could hire if there was sufficient funding. Budgeted means how much money is in the budget to withstand the number of employees in the Police Department, very technical, but I don't know what the actual -- we'd have to work that out.

**LEG. CILMI:**

Can somebody explain to me -- can somebody can explain to me what the technicality is between authorized and budgeted? Robert, I'll look to you for that. Sounds like a Dr. Lipp question.

**MR. LIPP:**

I believe what he's talking about is that includes vacancies that are not funded for in the budget. So, in other words, if you have ten vacancies and there's money for all the filled positions plus one of the vacancies, then you have the money to fill that one vacancy, but not the other nine vacancies. So the authorized number of positions in that case they would include the ten vacancies in my example, but would only have funding for only one of the ten.

**LEG. CILMI:**

Well, I'm a little confused. I thought when we did a budget we budgeted for "X" number of positions and those are the budgeted, authorized positions and there shouldn't therefore be positions that are in the budget but aren't budgeted for. Am I --

**MR. LIPP:**

It's part of the turnover savings, so you have the total cost of positions would include filled as well as vacant positions, and then there are adjustments to that which would allow or not some funding for vacant positions to be filled. There is always a certain number of vacant positions, could be higher or lower in a given year, than -- in terms of unfunded vacancies and given the financial times now, it's not surprising that there's not a lot of money in the budget to fill vacancies.

**LEG. CILMI:**

I'm not questioning that. I understand that. I'm just having a problem understanding the technicality that the Commissioner pointed out, but maybe I'll save that rest of that conversation for offline. It just doesn't make sense to me. I understand that we have -- that we have positions that are budgeted for that are vacant and I know what the process is to fill those vacancies, but to have positions that are in the budget that are unfunded in the budget doesn't make sense to me. But I'll have a conversation with you about that afterwards.

Commissioner, what -- the number that we have now, how does that compare to historically in the past year or two what -- is that up here? That graph doesn't look good, at least from a law enforcement point of view. So -- all right. Just take me through what I'm looking -- January, what is that first one, January of '04?

**MR. LIPP:**

Yes.

**LEG. CILMI:**

Okay. So January of '04 we had 2726 officers? Sworn personnel? And today we have --

**MR. LIPP:**

Yes. So the sworn personnel includes not only patrol officers but SOA and Detectives, and the

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difference between perhaps some of the numbers that the Commissioner is talking about and this explicit chart is we're not including Police Officers or -- or sworn personnel rather, that are -- could be out on Workers Comp. So this is a little bit less probably than the number that he was referring to.

**LEG. CILMI:**

Okay. Because your number is showing 2278.

**MR. LIPP:**

Correct.

**LEG. CILMI:**

So that's 450 fewer sworn personnel than we had nine years ago, ten years ago. Commissioner, is it -- and yet you say that crime is down.

**COMMISSIONER WEBBER:**

That's correct.

**LEG. CILMI:**

Do you think that that's a function of societal factors, do you think it's a function of the proficiency of our department or a combination of the two? Or some other factor that I'm missing.

**COMMISSIONER WEBBER:**

No, no. I think it's a combination of the two. I think our new philosophy of policing has become more efficient.

**LEG. CILMI:**

Okay. What about the mix between higher ranking officers, those who would be in the Superior Officers category, for example, Detectives and Police Officers. Talk to us about that mix. How has that mix changed over the years, would you expect it to change next year?

**COMMISSIONER WEBBER:**

Proportionately I think they're probably close on each section being reduced by the appropriate amount.

**LEG. CILMI:**

Would you expect it to change at all?

**COMMISSIONER WEBBER:**

I would hope that, you know, again, we do need Police Officers if that's what you're looking for me to say.

**LEG. CILMI:**

No, no, no, not necessarily.

**COMMISSIONER WEBBER:**

Because the financial constraints that we have, when we're working with that, hopefully there will be some SOA promotions and some Detective promotions.

**LEG. CILMI:**

Right. I didn't mean to, you know, necessarily suggest that we need more Police Officers, although I'd like to have more Police Officers. My question was with respect to the mixture of officers to Detectives to Superior Officers. Is that a good mix the way we have it now? Do we have enough for

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Detectives, for example.

**COMMISSIONER WEBBER:**

I would probably like to see more of each of those two different bargaining units, the SOA and the SDA, Detectives and Superior Officers.

**LEG. CILMI:**

Okay.

**COMMISSIONER WEBBER:**

But again, we realize the financial constraints of the County and we're working closely with the County Executive, as we speak, for some promotions in both those areas.

**LEG. CILMI:**

Okay, great. Great. From a budgetary point of view, the Intelligence Led Policing that you sort of brought into Suffolk County here, how has that enabled you to do more with less? What sort of decisions have you been able to make as a result of the data that you're getting on a daily basis that helps you do a better job as a Police Department?

**COMMISSIONER WEBBER:**

Well, you just hit the nail on the head. That's exactly what we do. By getting the information quickly we can get it out to the troops so we can thereby address problems before they become worse or exacerbated, whether it be a crime problem or a neighborhood problem.

**LEG. CILMI:**

So it basically helps with resource allocation.

**COMMISSIONER WEBBER:**

Yes, exactly.

**LEG. CILMI:**

Cars. What about the car issue. Is that a problem as far as you know?

**COMMISSIONER WEBBER:**

Like all departments, you know, we are in a serious condition with our cars. But I will say the Legislature and the County Executive's Office has been -- we got 68 cars last year, we have 40 cars in just recently, 24 more to come. These are marked. There's an I.R. in front of you that hopefully you'll be voting on shortly for a million dollars more for law enforcement purposes, so that will help us move along and we have 92 marked cars in the next year's budget.

**LEG. CILMI:**

Have we changed the marked cars from the previous design? I know some of the officers were a little cramped in their cars.

**COMMISSIONER WEBBER:**

They no longer -- it wasn't a voluntary maneuver on our part. They no longer make the Crown Vics, the larger Fords. They moved down to the Tauruses. We're addressing some of the room issues by issuing smaller computers or reconfiguring the entire inside to give the officers more room, but it's not something we have an alternative to do unless we went out and bought the four by fours, which are more expensive.

**LEG. CILMI:**

The crime stats that you spoke about, which certainly it's good to hear that crime is down. Is it

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down across precincts or is it, for example, up in the Third Precinct and the First Precinct maybe and down in the others, or --

### **COMMISSIONER WEBBER:**

It's pretty much down across the -- you know, I look at it, we get it weekly, and the last time I looked it's pretty much close to all precincts, the reductions.

### **LEG. CILMI:**

Have you seen an uptick in any specific types of crime at all?

### **COMMISSIONER WEBBER:**

Ironically stolen vehicles. They're starting to climb a little bit, but that's unusual because all the devices, GM has ways to disable vehicles and it's not something -- but we've been seeing a slight uptick in the stolen vehicle section.

### **LEG. CILMI:**

It would be interesting if people were stealing the cars to get their hands on the devices that are in the cars to stop people from stealing the cars. Don't ask me to say at that again. Okay. I think that's all the questions I have for the time being. Thanks very much, Commissioner.

### **CHAIRPERSON BROWNING:**

John.

### **LEG. KENNEDY:**

Commissioner, how are you?

### **COMMISSIONER WEBBER:**

Very good, sir.

### **LEG. KENNEDY:**

And thank you for being here. There's two areas that I guess I'm going to ask you to talk to me about in general terms, since a lot of what we talk about here by design has to be in general terms. One is going to be NESOT and the other one is going to be motor carrier. You know that I have spoken about the great work that I think that NESOT does, particularly being familiar with, you know, some of your officers right across the street here, and the significant role they played here in the Fourth Precinct. At one time I think there were probably more people involved with it over there and today I think there's probably less people that are involved with it. So I'm hoping or I'm wondering if that's something temporary or is there a change, is there a departmental change in the approach specifically towards narcotics enforcement, you know, an interdiction, arrest and the whole gamut.

And then secondly I'll ask you to speak a little bit in motor carrier, specifically because I think when we go back probably a couple of years ago they were prolific writers, which I love to see, and they probably had face amounts of fines that were north of about three million. More recently there again I think that number is down, and down maybe under a million. So I'm curious as to if that's something that's temporary or, you know, if there's a change there.

### **COMMISSIONER WEBBER:**

Well, as we increase the strength of the department we are planning to increase the motor carrier safety personnel. So that -- it's a temporary --

### **LEG. KENNEDY:**

We got a nice place for them to work at now, right?

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**COMMISSIONER WEBBER:**

A nice place, yes, thank you very much.

**LEG. KENNEDY:**

Well, thank you. So that is something that you anticipate. Now, my understanding with the motor carrier officers is that they have significant additional hours of training and certification beyond the standard Police Officer, so does that mean you'll be looking at existing personnel that you'll train up, that will move over towards motor carrier?

**COMMISSIONER WEBBER:**

We moved some of the motor carrier people out into other areas, but what we do to continue their -- maintain their abilities, we transfer them back into motor carrier on a rotating basis --

**LEG. KENNEDY:**

They keep certifications in place?

**COMMISSIONER WEBBER:**

They maintain their certifications and abilities to do the things that they do best.

**LEG. KENNEDY:**

Okay. All right. Good, I'm glad to hear that one. With NESOT, again, I guess obviously I'm purposely being vague, and then likewise I guess I would just ask you to comment, too, on the EMT certification and the Narcan training in particular for our officers. You've heard it, we've heard it all day long today from providers to our ME who most recently left. No matter what we do it seems like the opiate addictions are persistent and unfortunately very predictable, you know, as far as fatalities. So what can you tell me about it?

**COMMISSIONER WEBBER:**

We continually train. We've trained a significant number, I can't tell you how many, but I think we are over 140 Narcan saves.

**LEG. KENNEDY:**

Yes.

**COMMISSIONER WEBBER:**

I'd just like to make a correction. We do not arrest -- we're prohibited from arresting a Narcan victim. The prior speaker or one of the prior speakers suggested that maybe we arrest people for Narcan. We don't.

**LEG. KENNEDY:**

No, as a matter of fact, my recollection is there was something specifically adopted in State Law wasn't it, some amnesty for an overdose victim or something to that effect? Something to encourage voluntary reporting or whatever.

**COMMISSIONER WEBBER:**

That's correct. So we do continue to train. I couldn't give you the exact number. The Chief runs the academy. I don't know how we're doing.

**CHIEF WHITE:**

Dr. Coyne, our Chief Surgeon, is out consistently getting everybody up to speed on Narcan, anybody who is an EMT and authorized to use it. He goes out and does roll call training at the precincts to keep people up to speed on training.

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### **LEG. KENNEDY:**

Chief, let's stay on that for a second, though. And the key there is, is folks that are EMT, going back probably about 18 months ago, I think we identified that every one of your officers that goes through the academy does become trained up as an EMT, but, unfortunately, for whatever reason, we had some lapses in those EMT re-certs, but then thanks to, you know, a variety of different efforts you folks collaborated and are now ramping back up to get a greater percentage of our officers re-certified and trained as EMT. Is that still going on?

### **CHIEF WHITE:**

That is still going on, Legislator. And one of the nice things is we've gone to a different model to retrain the people who are still certified called continuing medical education. They don't have to go back through the entire re-cert course anymore, so it's a shortened course. As long as they're not already expired we keep the people who are up and running as EMTs now through this continuing medical education, an ongoing process, certified. So -- and we're also running classes to re-certify those who've already expired. We're behind and most of that is related to a lack of training personnel and a lack of overtime necessary if we had to get them through the training. So we're trying to keep our overtime costs down and still keep an adequate number of EMT's out on the road so the Narcan Program works well.

### **LEG. KENNEDY:**

Okay. And you didn't speak to me about NESOT, Commissioner, but that's okay, I guess, and I'll just ask you at some time if we see each other maybe we'll have another conversation.

### **COMMISSIONER WEBBER:**

Yes, I'd prefer that.

### **LEG. KENNEDY:**

Okay. Thank you.

### **CHAIRPERSON BROWNING:**

Okay. I know that we just hired, and I believe Tom just touched on it, too, was the -- I'm hoping that there is a plan in place for next year. I am planning to have our Civil Service Director come over, Mr. Schneider, to speak on the issue with Parks Police Officers transferring over to the Suffolk P.D., because I do have concerns that it's not going to be as easy a shift as some people would like to say it would be. There was -- back in '07 I believe it was, is when there was a lot of civilianization done and there was 120 Police Officers, according to this report, who were put back on the street and their positions were civilianized. But I'm reading here about the numbers of -- so we had 120 Police Officers went back out on the street and we put civilians in those jobs, but it's looking like as time has gone by, all those civilian positions have dropped. I'm just curious, how are the civilians now handling those jobs when there's less of them?

### **COMMISSIONER WEBBER:**

Well, we're attempting to replace some of those as we speak. As a matter of fact, we just got SCINs for nine Clerk Typists which will help us out in that area, a couple of Detention Attendants. So we're addressing that with the County Exec, some of the areas where we need to have some help, the County Executive is coming forth with signed SCINs.

### **CHAIRPERSON BROWNING:**

Okay. And, you know, this time around we have a class of 40 that's going in?

### **COMMISSIONER WEBBER:**

Yes, ma'am.

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### **CHAIRPERSON BROWNING:**

Is there a date -- do we have --

### **COMMISSIONER WEBBER:**

Monday.

### **CHAIRPERSON BROWNING:**

Oh, they're starting on Monday. I still haven't gotten an answer to my letter, so it's nice to hear. So we have 40 that are starting on Monday. And how many did we budget for, because we did the Police District tax increase, and I know we put more than 40 in the budget, so how many did we actually budget for last year?

### **MR. ORTIZ:**

At the beginning of the year the assumption was that there would be 75 hired in September.

### **CHAIRPERSON BROWNING:**

Okay, that's what I thought. And we're only getting 40. And then next year will be a plan for 60, and if all would go well the 35 Parks Police Officers would go in, which would bring that up to 95. Okay. I'm not going to ask you all those Civil Service questions right now, because I'll save that for Alan Schneider.

Another issue that came to my attention was grant writers, and I heard we only have two grant writers within the Police Department. And I should have asked Mike Sharkey the same thing, how many people they have. But with the two grant writers you have, is that a sufficient number of grant writers for an entire department? Because I have heard about certain grants that, especially within the specialty units, you know, with the Marine Bureau, Aviation, you know, that there might be other grants and I'm not going to say that they're not doing their job, I'm just wondering are they overwhelmed with having to do renewable grants? Are they -- do they have the time necessary to be able to research all the grants that are out there?

### **COMMISSIONER WEBBER:**

Yeah, it's a combination because the grant writers, while they write grants, because we're so specialized in the areas receiving the grants, the command receiving the grant or requesting the grant is often the one that writes a lot of it and then passes it over to the grant writer. So while we have 61 grants as we speak, about \$22 million worth of grants, while they're busy they don't themselves do all the writing. There may be some organizations they do but we're so specialized, Marine Bureau is different than the Homeland Security Grants we get, the Bomb Squad and all these other areas. So those particular areas actually do a lot of writing, give the basic information. They don't have to -- the grant writers that we have don't start from scratch.

### **CHAIRPERSON BROWNING:**

Okay. Well, I guess maybe that answers my question. I know there was some other questions I had but right now they've gone off the top of my head because we're taking so much time here. Promotions. I know that we did have some promotions recently. There was one of each level from Sergeants up. How are we doing with promotions? Is there an expected new promotions?

### **COMMISSIONER WEBBER:**

As I mentioned to Legislator Cilmi, we are discussing it with the County Executive as we speak for some promotions and they're working out the financial viability of those promotions, but I'm hoping to get some shortly.

### **CHAIRPERSON BROWNING:**

Okay, because I know the Deputy Sheriffs are looking for promotions, too. And I've always said, I

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know, especially with Lieutenants and Sergeants, you know, they're the ones that always -- I believe that we need more than anything. You know, I know Wayne talks about it when you talk about military ranks, you know, how important a Sergeant is and the Lieutenants are, you know, as far as overseeing the PO's. So I would hope that we are going to have the adequate and the appropriate amount of promotions needed for the Police Department. I don't -- one question?

### **LEG. GREGORY:**

Hi, Commissioner. You had mentioned something about SCINs being signed. You said for the Detention Attendants and Clerks, Clerk Typists?

### **COMMISSIONER WEBBER:**

Yeah, nine Clerk Typists, a couple of Detention Attendants, a warehouse worker. What else do we have? I did make a note of it here. About 13, yeah, about 13 civilian SCINs were transferred over, in addition to the SCINs we currently have for Communications. We have five signed SCINs for Communications.

### **LEG. GREGORY:**

Great. Thank you. That's all.

### **CHAIRPERSON BROWNING:**

Okay. And just as a note, the Community Protection Act, it was funny, my staff and I were talking about it the other day, and you know, I don't know if we can attribute it to the Community Protection Act or not, but you know, we keep an eye on who the sex offenders are in my district and we're starting to see a lot more of them being arrested. You know, we get the notification when one moves in, but we also get the notification when they move out. And we have this year seen an increased number that seem to be going back to jail. And I don't know if we can attribute it to the Community Protection Act, but it seems to me it's happening more so I'm hoping that that's what I can attribute it to. So thank you. No more -- oh.

### **LEG. CILMI:**

I just had -- just one quick -- I'm sorry to belabor this. And if you can't answer, that's fine. But I had sent a very direct question to let's just say the Administration with respect to the number of Police Officers that were budgeted for in the 2013 budget. And the question was is 40 the number that the budget calls for, and the response that I got was, in part, the budget talked about the need for a 2013 police class but does not specify the number. John, when you spoke a minute ago in answer to Legislator Browning's question, you said we envisioned 75 officers. I don't want to nitpick about language, but what do you mean exactly by we envision 75.

### **MR. ORTIZ:**

Well, our office works collaboratively with the Budget Office for the Executive, and when they're creating their budget we sit down with them and make assumptions on how many retirements we're anticipating, how many are going to be in the new class, how promotions, etcetera, etcetera, and that's the number that we agreed on at the beginning -- or at about this time last year.

### **LEG. CILMI:**

So when you say we, you mean to say Budget Review and the County Executive's Budget Office.

### **MR. ORTIZ:**

Correct. And it's pretty simple to go from 75 to 40 when you subtract 35 Park Rangers.

### **LEG. CILMI:**

Well, no, I understand that. But 35 Park Rangers is next year, potentially.

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**MR. ORTIZ:**

Correct, but they'll be presumably be starting early in the year when these recruits won't be hitting the streets until August. So effectively we're hiring Police Officers in October. They wouldn't -- boots on the grouped in August of next year. The 35 Park Rangers will be starting earlier in the year. So it's those 35 really are offsetting, if they are eventually transferred, would be offsetting the need for 35 additional Police Officers.

**LEG. CILMI:**

Okay. So in this years budget, in the 2013 budget, which we passed in November of last year, it included "X" amount of funding for a police class. Is it specific to a police class? Do we put the funding in for a police class?

**MR. ORTIZ:**

When we construct or review the recommended budget we do it, you know, per individual starting on a certain date, so it was 75 Police Officers starting in mid-September.

**LEG. CILMI:**

Seventy-five Police Officers starting in mid-September. And starting means entering the academy.

**MR. ORTIZ:**

Correct, so that they would be on the street nine months later, which would be June 1st or the middle of June in the pick of overtime. During that class -- next Monday really they're not going to be, you know, deployed until the middle of August now.

**LEG. CILMI:**

So the funding that we approved for the 2013 budget included enough money to pay for 75 Police Officers for September, October, November, December; for four months.

**MR. ORTIZ:**

Correct.

**LEG. CILMI:**

And now we're going to hire 40 Police Officers in October, near the end of October, so they'll be on the payroll for two-and-a-half months.

**MR. ORTIZ:**

Correct. There will be a cost avoidance of I believe it's about \$225,000 by hiring them later.

**LEG. CILMI:**

Okay. So the money that we approved for the 2013 budget, the cost avoidance that you're talking about is the differential between the 75 officers in September versus 40 officers in October?

**MR. ORTIZ:**

Right.

**LEG. CILMI:**

That's all it is, 200 and some odd thousand dollars?

**MR. ORTIZ:**

That was off the top of my head. I'm not sure the exact number, but it's, you know, the new recruits do start at a much lower level.

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### **LEG. CILMI:**

Right. Okay. I just wanted to understand. But when we do the budget we do envision not only a dollar number, but we envision a quantity as well. I mean, maybe we should -- maybe we should start putting the number, you know, the number of officers in the budget as well so that there's no confusion, because there seems to be some confusion based on the answer that I got via email as to whether or not we had actually budgeted for 75 or 40 or no specific number of officers at all.

### **MR. LIPP:**

I think the way I would look at it is the budget document's a plan. As John said, that plan included implicitly 75 officers hired on a specific date. And whether that plan actually comes to fruition, in this case here it didn't exactly, did it.

### **LEG. CILMI:**

It didn't, but the people who are paying additional taxes for that plan paid those additional taxes, so that came to fruition. It's just the class that didn't come to fruition, the way we envisioned it anyway. Okay, thanks.

### **CHAIRPERSON BROWNING:**

DuWayne.

### **LEG. GREGORY:**

I just -- I feel compelled to say a response, not in defense of anyone, as I had very similar questions a few years ago. I remember Connie Corso was sitting in the chair. We raised taxes, as we have done in the Police District every year, I believe, ever since I've been here for my five years we've raised taxes on constituents in the Police District, had a class in the budget and didn't have a class. So now that we're reducing that argument to well, we budgeted for 75, we're only having half the class. I mean, we've taxed people for a class that we didn't hold at all. Remember, we're in a deficit, all bets are off when, you know, you may raise taxes but you have a deficit in one area, a surplus in another area. It all equals out and a decision was made that we not have a class. I don't know particularly, I don't know the ins and outs of where the money is for this particular situation, but nevertheless we're still in a deficit. I'm sure there are shortages in the P.D. as there have been for the past several years.

### **LEG. CILMI:**

I understand that, Legislator Gregory, and I do appreciate that. And I know that when we do the budget, it's -- the tax increase that we approved in last year's budget for the Police District has much more to do with other factors within the Police District than it does just the police class. So there's a lot more involved in the budget than just a police class is my point. I understand that, you know, the County Executive has the authority and -- to manage the budget based on circumstances that present at the time, and I'm glad that he's working with the Police Department to do that in a way that's not negatively impacting public safety. So my questioning and my points were not meant at all to criticize, just to understand why on one hand we're saying we did this, on the other hand somebody else is telling me well, we didn't really do that, we did this. So that's all.

### **LEG. GREGORY:**

Yeah, my response --

### **LEG. CILMI:**

I'm not being critical.

### **LEG. GREGORY:**

No, my response -- because I had very similar questions, I was like how is that possible that we didn't have any class and, you know, so we're on the same vein, if you will.

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### **LEG. CILMI:**

I understand it a little better now with the explanations.

### **CHAIRPERSON BROWNING:**

All I can tell you is my opinion is, is that we have been asked, even the year that we raised the taxes and obviously we don't sign the SCIN forms, but the years that we approved an increase in the Police District tax to hire Police Officers, I know there was a lot of noise made about that on this end and also from residents. When I knocked on doors and they told me, "Well, how come we didn't get more Police Officers? I paid for it." So even in this case I still feel the same way, to say that we raised a Police District tax for 75 Police Officers, now we find out we're getting 40, and to use this 35 Parks Police Officers, which that's not set in stone, but that's not until next year. This year's budget said 75, that's what the numbers were, and the 75 officers that we're -- that we planned and envisioned that are not coming to fruition, you know, I always say don't fool the public and tell them what they're going to get and then turn around and make it something different. But that's what we believed it was going to be, was 75. And to use next year's budget proposal of 35 Parks Police Officers has nothing to do with what we already said we were going to do this year.

And I know with the retirements, we are not -- we're not keeping up with the numbers that are leaving, and especially when they got their contract, I believe the number of officers that left, once they got a contract, went up much higher. So, you know, our numbers are continuing to drop and I get, you know, intelligence police -- led policing and using technology and those are great things to do, you know, and maybe can help reduce the number of officers that you need, but I personally feel the public is cheated, because we didn't give them the 75 officers that they paid for this year.

And you know, again, next year, if we're going to budget for 60 I want to know we're going to get 60. I don't want to hear next year well, we're only going to put 20 and then put in 35 Parks Police Officers. And again, that's not even guaranteed.

So with that, I have nothing more to say. I'm just going to say let's not pass Police District taxes if we're not going to give the people what they pay for. Or we give them their money back. Sounds like the right thing to do. But, anyway, I don't think there's any more questions. I appreciate you coming in.

### **COMMISSIONER WEBBER:**

Thank you very much.

### **CHAIRPERSON BROWNING:**

Thank you. Okay. I know Mr. Holley you've been here a long time. It's up to you guys, Bob, I guess, FRES, Police Academy all want to get up at the same time, that's great. Again, apologies. It's taken -- this has been a long day.

### **COMMISSIONER WILLIAMS:**

Good evening -- afternoon, I guess it's getting there. As you know, I have Executive Director Robert Holley with me, Deputy Director of the Fire Academy, Edward Johnston, here, and in the audience is my Deputy Commissioner John Jordan. Looking over at the 2014 budget I realize the financial situation that the County is in. I've researched with my own people. We feel our mission could be covered. I feel very confident this year, this is one of the first years that we're going into a new year -- our dispatcher positions are full. This year we've also inherited and got a grant person who's working on our grants with our current grant people and we've also on a temporary basis, which in 2014 would be a permanent basis, is the new position called an Assistant to the County -- excuse me, Assistant to the Commissioner, which was very helpful during Sandy. That particular gentleman helped us retrieve millions of dollars in recovery and relief money going back working with different departments. I'd be glad to answer your questions. I'll turn it over to Executive Director Chief

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Holley.

### **MR. HOLLEY:**

Good afternoon. I don't have a lot to bring up. I'm sure there are going to be some questions. I think everybody is aware of the situation the Academy and the County have gone through. What I would like to ask from this body is that I saw the Budget Review -- excuse me, Budget Review Office's report asking for a more comprehensive budget review looking at both the Academy and the possibility of FRES taking over. I think that should be looked at before any decision is made.

Two items that I did have an issue with. On September 20th, the County Executive sent a letter out to the Fire Chiefs in the County stating that we were going to go back into negotiations to try and come to an agreement, hopefully a multi-year contract. This was after extending the current contract for six months. Two weeks after that, an Introductory Resolution was placed on the table which calls for the abolishment of VEEB effective June 30th, 2014. I don't know the inner working of legislation, but if that could be pulled back then I know we can negotiate in good faith, which is all that I want to do. Thank you.

### **LEG. KENNEDY:**

Kate.

### **CHAIRPERSON BROWNING:**

Okay. And, Bob, how much -- how much negotiation has gone on since this started?

### **MR. HOLLEY:**

Commissioner Williams, myself and some members from the Vocational Board sat down about two-and-a-half weeks ago and had one meeting. We have not had anything since then. I think as the Commissioner explained to me we're waiting for something to come from the legal department that we can look at so we have something concrete to work with.

### **CHAIRPERSON BROWNING:**

Okay. And I see in the budget there's, I guess after that six month period it's in the budget that FRES would take over the Academy and there's ten positions in the budget. I believe it's ten. And I'm just curious, okay. Let's go to the Academy. How many employees are in the Academy right now?

### **MR. HOLLEY:**

Currently, we have 12.

### **CHAIRPERSON BROWNING:**

You have 12. And so what would these ten positions be in FRES? Are they basically you're transferring those people over to the County or is this going to be all new employees?

### **COMMISSIONER WILLIAMS:**

Right now there's no such -- if this goes through, and again I want to overemphasize we are meeting with the VEEB Board in good intent. We've explained to them why it was explained to me why that particular resolution reads the way it reads, because that's how the budget is. But our intention is that if we do not reach an agreement on July the first, we would be taking over the Academy. Those 10 positions that we have right now we have met with Civil Service. The employees at the Fire Academy are not County employees, the current County employees. We've been told that. Those positions would be new positions. But again, I want to overemphasize we've had one formal meeting. We were supposed to have a meeting yesterday, but I know Mr. -- Chief Holley will notice that very few days go by that we don't have a discussion about something informing amongst the two of us.

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### **CHAIRPERSON BROWNING:**

Okay. But I just -- obviously we're trying to see that there's some kind of conversation going on in good faith. And what bothered me was when I saw those -- there's two resolutions, 1814 and 1815 or something like that. And I kind of question well, where's the good faith, because to me, that's already a message that well, okay we're going to have a negotiation in good faith, but we're putting out this bill. Those two bills could be put out next year, you know, in the new year. Why this year? Are they -- and obviously any resolution that comes to us this year, if it doesn't get out of committee or get voted on at the end of the year anyway it's null and void. But I just feel like it's -- okay we're going to have -- in my opinion it would be, okay, we're going to have a good faith conversation here and we're going to try to negotiate this, but then the next thing is I'm going to take this and just kind of stab you in the back. That's the way I see those two resolutions. And I would think that, you know, the Administration would hold back on the resolutions and wait until there's more negotiations.

And I see Mr. Vaughn standing up here. But am I right? Am I wrong? I mean, obviously my union background and sitting on, you know, many negotiations for -- to me it's like sitting down at the table to discuss something and then the bosses turning around and doing something different anyway, even while you're still trying to talk. It just -- it just doesn't look good. It just doesn't look like good faith.

### **MR. VAUGHN:**

Legislator Browning, I think that what's important to note is that the two resolutions in question is the budget. The resolution was included as part of the budget, so there's six months, which we promised, which we've committed to. It's there lined out in the budget, so I don't know where there's a lack of good faith. We've said that there's six months to negotiate; we're holding to that. In actuality there's more than nine months to negotiate because it's from -- the new budget doesn't start until January, so there's still the end of this year.

Mister -- I'm sorry, Commissioner Williams is quite confident that we're going to be able to work this out. Mr. Holley noted the date that he received a letter from the County Executive. It's the exact date that the County also has to submit their budget, so it was included as part of the budget. We have not done anything, I think, that is in contrary to everything that we said that we were going to do.

### **CHAIRPERSON BROWNING:**

Okay, but -- okay. Robert, maybe you can say this, because the money is not changing. The amount of money in the budget for the Fire Academy is going to be the same amount of money for FRES. So the money doesn't change. So couldn't we do a budget amendment at some point? I mean, the County Executive can do a budget amendment at any time next year, so why do it now and why not just wait and see how things go and do an amendment next year.

### **MR. LIPP:**

Well, the simple answer is this is what the recommended budget proposes. It's not clear just from the budget numbers what will happen at all. They're putting the ten new positions in the Fire Academy unit and two positions in administration that are new. Whether or not they hire some or all of them remains to be seen, and moving the money over, I guess you could use as a past precedent last year or so with the Traffic Violations Bureau when they originally put money in contracts as opposed to in the salaries because they weren't sure if they were going to hire a contract agency or County staff. They turned out hiring staff and they moved the money over.

In terms of the resolutions I believe you're talking about, typically, those resolutions in recent years have appeared in the recommended budget document. This year there are supplements that were introduced and it will be up to the Working Group if they want -- well, it will be up to the Legislature,

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"A" if they want to adopt those resolutions, past precedent is we've always stricken those from the recommended budget, but this is a little bit different wrinkle. We would have to table those resolutions if that was your desire, and then pick and choose any or all of the resolved clauses there that you desired or liked. So there isn't a simple answer as to what's going to happen just based upon the presentation in the budget document.

### **CHAIRPERSON BROWNING:**

Okay. So the County Executive could have gone ahead and put this in his budget document without the resolutions. That's what you're saying.

### **MR. LIPP:**

Well, there's some resolved clauses, I guess, that codify certain things. In terms of the dollars and the positions, though, he wanted to put them in this way.

### **CHAIRPERSON BROWNING:**

Okay. John?

### **LEG. KENNEDY:**

Yes. Thank you. Where to begin? The discussion I think that prompted much of this goes back to the summertime, maybe even prior to that, where there was some concern that departments were not getting, I guess, the number of field trainings that they thought were necessary in order to maintain the level of effectiveness of their personnel. Is that part of what was the genesis of this, Commissioner?

### **COMMISSIONER WILLIAMS:**

That is correct, and it was not only pertaining to field training, but it was also classroom, in firehouse training also the questions were coming up.

### **LEG. KENNEDY:**

Okay. So I've had a chance to talk with you, I've had a chance to talk with Director Holley, and got an opportunity to be educated on what's gone on with VEEB over these last four or five years as far as the reductions that they've sustained in funding and the expenses that they've incurred. And the piece that I want to get at is, is this term used negotiation, because when you negotiate with somebody generally what you have is parties that are kind of in equal position, whether municipality we need a service, they're the entity, they have the expertise, they provide the service. But, in fact, much of what we talk about is expense outside of their control. The employees in the Academy are public employees, correct?

### **COMMISSIONER WILLIAMS:**

I have not been told that. All I've been told they're not County employees, they do not work for the County. I don't know what your definition of public employee is.

### **LEG. KENNEDY:**

Well, here's the way that I characterize it, but I guess I'll go to somebody, we don't have Counsel here, but all of the employees, the ones listed in this budget that I was handed, are members of the New York State Retirement System. Is that correct, Bob?

### **MR. HOLLEY:**

That is correct.

### **LEG. KENNEDY:**

Either ERS or I believe yourself and the Deputy Director are in Teachers Retirement System.

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**MR. HOLLEY:**

Correct.

**LEG. KENNEDY:**

Okay. Now, this isn't absolute. A civilian or private citizen by definition can't be a member of the State Retirement System, so they're public employees. There's a bill that gets generated by the Comptroller each year for the pension contribution. That's not negotiable. It gets presented to the Academy, that's got to be part of their budget; correct? BRO, is that correct?

**MR. LIPP:**

I'm sorry. I was looking up something. You're talking about whether or not their salaries have to be part of the budget?

**LEG. KENNEDY:**

No, not whether their salaries are part of the budget, but the benefits, the pension contribution.

**MR. LIPP:**

Implicit in VEEB's budget request would be all of their costs, including I would imagine, benefits as well as anything else.

**LEG. KENNEDY:**

And who determines that?

**MR. LIPP:**

Well we're talking about -- in past years the VEEB budget request would have a certain amount and then it would implicitly appear in the recommended budget plus or minus, which would include all their costs.

**LEG. KENNEDY:**

But Tom DiNapoli doesn't negotiate with them as far as the amount's going to be. He says they're a public employee just like the half million public employees in the State of New York, and they have to contribute at a rate of "X".

**MR. LIPP:**

Right.

**LEG. KENNEDY:**

They send them a bill.

**MR. LIPP:**

No argument, yes.

**LEG. KENNEDY:**

Okay, good. Now let's talk about the health insurance. So all of those employees are members, I believe, of NYSHIP, right? The New York State Employees Health Insurance Plan?

**MR. HOLLEY:**

That's correct, yes.

**LEG. KENNEDY:**

Okay. And so just like with the pension fund, the medical bill and the medical coverages gets determined by the administrators in Albany, who administer the health insurance plan for the 500,000 municipal employees in the State of New York. They don't say could be this amount, could

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be that amount; they send you a bill. As a matter of fact, you're going to get a bill, I believe it's in the beginning of December, that's going to indicate the coverage for the cost of these, what is it, 10 or 12 current employees and how many retirees?

**MR. HOLLEY:**

I believe the retirees are nine.

**LEG. KENNEDY:**

Nine retirees. So we're talking about in total, I guess, how's my math, 21, 22 people I guess that are covered. So, if for whatever reason we don't have a meeting of the minds with the negotiation and there's the decision on the part of the Administration come July 1 that FRES will take this over, they'll cease to exist as an entity, all of those benefits will be terminated. Is that correct?

**MR. HOLLEY:**

That is my understanding, yes.

**LEG. KENNEDY:**

Okay. So it will be 12 employees that are terminated and it will be nine retirees who lose their medical coverage. Am I missing this or are we pretty much we got it in a nutshell.

**MR. LIPP:**

(Nodded).

**LEG. KENNEDY:**

Okay. So then I guess the only thing that I go back to and ask is, is what's the negotiation?

**COMMISSIONER WILLIAMS:**

What we've been talking to the Fire Academy about is trying to find ways to increase the training back to the levels that we'd like to see it go back.

**LEG. KENNEDY:**

And what is that level, Commissioner?

**COMMISSIONER WILLIAMS:**

The number one think was they just announced that on Friday they were talking about field training for next year, 2014, the original budget, was going to be much lower. I believe the figure was three or four. They just made an announcement. Through our negotiations and through their good will, they are going to seven next year.

**LEG. KENNEDY:**

Okay.

**COMMISSIONER WILLIAMS:**

We're sitting down talking about how they can decrease some of their what we call administrative cost, and that's just the cost of operations. I'm not going to go into personnel issues because I don't think we should do it in negotiations.

**LEG. KENNEDY:**

I agree.

**COMMISSIONER WILLIAMS:**

And what happens is I know Director Holley and I are talking. We talked recently, just two hours ago, about roughly about \$90,000 in cut of those costs. Those are what we are talking about with

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them, to try to find out because we only have "X" amount of dollars to fund fire training in Suffolk County, and we need to use that to the best we can and we are working together to do that.

### **LEG. KENNEDY:**

Good. Okay. So it sounds like you're making progress and that's good. I don't want to micromanage. I'm confident that you'll get to the point where you need to get to.

Let's set the Academy on the side for a second. You mentioned two other positions. Is there a second Deputy's position that would be created in the department, Commissioner, or am I misreading it?

### **COMMISSIONER WILLIAMS:**

The only thing that the Deputy Commissioner's position -- again, the budget was issued, was put in when we were still talking about a January 1st date, right, that right now that Deputy Commissioner's position would only be put in if we ever reached a point of putting -- of taking over the Fire Academy. There have been -- that position was going to take the position of the Executive Director position currently at VEEB. That's why that's in the budget.

### **LEG. KENNEDY:**

Okay. So it sounds like we may actually get to the point where -- well, let me ask this way and maybe I can just cut a lot of this to the chase. When are you two next scheduled to sit?

### **COMMISSIONER WILLIAMS:**

Again, we had a meeting yesterday -- we were supposed to have a meeting yesterday which we -- I had to cancel for another commitment.

### **LEG. KENNEDY:**

Okay.

### **COMMISSIONER WILLIAMS:**

My secretary will be contacting Chief Holley about another meeting. I did have some conversations today. I am talking to legal department about it even to the point of maybe trying to work towards a draft agreement of what we'd like to see in it and that's where our negotiations come in, with a give and take sitting down with the VEEB Board saying this is what we'd like to see and go back and forth. We all know it's going to take a little time to put that together. We had a conversation earlier even today out in the hallway here. I would say within the next month we should be sitting here with a draft contract, which is hopefully agreeable to everybody and then go through the process of getting that approved on both sides first.

### **LEG. KENNEDY:**

Okay. Do you contemplate a multi-year contract, Commissioner?

### **COMMISSIONER WILLIAMS:**

I personally -- that's going to be my recommendation. That was my recommendation last March when we first started the negotiations. Traditionally what happens every year, especially with the VEEB contract, we never get it signed until May or June of the year we're operating in. And even talking to the legal department last year when we were talking, let's try to go a multi-year contract because it costs us money to draw those contracts, time, effort and everything else. That would be my recommendation.

### **LEG. KENNEDY:**

Okay. One last question, Madam Chair, then, to Mr. Vaughn. So, Tom, sounds like the parties really are very close to a complete meeting of the minds.

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**MR. VAUGHN:**

I think that all of us in this room agree on that.

**LEG. KENNEDY:**

Good. So then would the Executive be amenable to amending 1814 and 1815 to remove that clause that speaks to dissolution of the Academy next July 1st.

**MR. VAUGHN:**

At this point in time the amendments to the budget is going to come from the Legislature.

**LEG. KENNEDY:**

Well, now, hold on a second, that's true. We're in the process, but 1814 and 1815 --

**MR. VAUGHN:**

Are our budget. They are the resolved clauses.

**LEG. KENNEDY:**

They're two standalone resos, Tom. What they do is, is they reference the budget, but they are two standalone resos, each of about four or five pages, both with a clause that speaks about termination of the Academy in July 1st of 2014.

**MR. VAUGHN:**

Legislator Kennedy, why those bills were not in the actual physical budget I have absolutely no idea. You'd have to ask Fred Pollert. But they are the budget. Every year there's two resolutions, both a mandatory and a discretionary that go along with the budget. We deal with resolved clauses every year. They're usually printed in as part of the physical budget. This is merely those resolutions. We've dealt with them forever. They're amended, they're vetoed, they're changed. They're in every budget.

**LEG. KENNEDY:**

Well, no. Okay. That's your take on it, but I'm going to ask Robert to help fill us in here a little bit.

**MR. LIPP:**

Sure. In a sense you're both right. My understanding was the intent was to put this in the budget itself. I guess as an oversight, I'm not sure, it wasn't put in and instead you are right, that since it is a standalone resolution that was introduced, it has to be looked at as a separate document. The way I was referring to it before is based upon the tradition over the last several years where they put it in the budget. The Legislature every year has put in language to strike that part and then to pick and choose whatever resolved clause is it like. So, in other words, we would -- if that was the choice this year around, we would table these two resolutions and we'd pick and choose from the resolutions to put whatever we wanted to in the budget as amendments.

**LEG. KENNEDY:**

Thank you, Robert. The hour's getting real late so, Chief, I'll just ask you one more question. This two page document that I have that talks about the 2014 Proposed County Budget Exhibit B. Is that the same budget that was initially prepared and presented back in June, or does that reflect some of the modifications that you and I have talked about?

**MR. HOLLEY:**

No, sir, that's a budget that we prepare at the Academy, our proposed budget. And in this budget, as the Commissioner alluded to before, we do have one Clerk retiring, If I'm looking at the same document you are.

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**LEG. KENNEDY:**

Yes, under clerical I guess the first position you have, Administrative Assistant, is that the position that you're going to remove?

**MR. HOLLEY:**

Yes, sir. That lady is retiring.

**LEG. KENNEDY:**

So with a straight up and down salary of 77,000 and probably benefits, it's a rate of 28%. That's about 100 grand right there. So it's your intention to go ahead and submit a revision that would reflect that removed?

**MR. HOLLEY:**

Yes. Along with her retirement, myself, the deputy -- the Deputy Director and the Treasurer will not receive the step raise that is normally --

**LEG. KENNEDY:**

Right, because you're going to do modified wage freeze or step freeze.

**MR. HOLLEY:**

Correct.

**LEG. KENNEDY:**

So all things being equal, Commissioner, with some of the fixed costs that we just spoke about, nevertheless they're attempting to address that clerical concern, I think, that you had raised, and prudently raised. So that seems like there's some good faith on that side of the table, wouldn't you say?

**COMMISSIONER WILLIAMS:**

Absolutely. I think there's good faith on both sides.

**LEG. KENNEDY:**

Okay, great. So I'm hoping we hear from you because we have our budget work to do based on what the County Executive submitted to us, and I'd like to be able to see that we could have this wrapped with what we wind up voting on by November 6th, but I'll leave that to you gentlemen. Thank you.

**CHAIRPERSON BROWNING:**

Okay. I don't think I have any more questions at this time. I know we've been back and forth on VEEB and the Fire Academy. Is there any other issues you would like to talk about?

**COMMISSIONER WILLIAMS:**

No. Again, I appreciate the cooperation. And again, it's a pleasure this year going into a new year with the -- we know we talked back in the past about dispatchers, my dispatchers. Well, we got them last December. They came off probation. It's cut overtime for me, it's really built the morale up in the department and also the two new people that got added to my department this year have only shown the support of everybody for FRES.

**CHAIRPERSON BROWNING:**

Good. Glad to hear that. There was -- the guys who do the training, I did want to ask that, the ones who do the training, are there -- they're not full-time, they're per diem type employees.

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**MR. HOLLEY:**

That's correct.

**CHAIRPERSON BROWNING:**

There was one that I spoke with and when we talked about going -- you know, we were talking about going from six trainings to eight trainings a year, and his comment to me was, you know, I have a full-time job, I'm a volunteer in my fire department and I do the trainings. And he felt that if there was an increase in trainings, especially if you go from six to eight, we may need more trainers, because I guess the majority of them they're not -- you know, this isn't their full-time job. This is a part-time job for them. So I don't know if either of you could answer that question. Do you feel that there would be a need to have more trainers and just out of the curiosity, how much does somebody get paid for a class?

**MR. HOLLEY:**

The per diem instructors work on what we call a session. And a session is a three to four hour training period. For that period they get \$105. That's how we pay all of them. As far as hiring new instructors, yes, we're constantly modifying things, as you heard us say earlier, with the online training. Because of us putting a lot of classes online, that's going to take some of our classroom instructors and reduce their workload. We are looking at retraining these people to put them out on the field where we're going to have additional workload. So we're utilizing the existing force. If we have a demand for training and we don't have enough instructors we will hire and train new instructors.

**CHAIRPERSON BROWNING:**

Okay. And obviously my guess is they all do the training in Yaphank?

**MR. HOLLEY:**

The majority of the hands on training is done at Yaphank. We do send instructors out to do extrication drills in firehouses and we also have instructors going out to firehouses for classroom drills on a nightly basis. So the majority of the training is done at the Academy, but there is a lot of outlying training also.

**CHAIRPERSON BROWNING:**

It's just I know Yaphank being somewhat central, but it's a pretty big Island, so I'm thinking about the fire departments out in Montauk or Greenport, you know, that it can be a challenge to get the volunteers to come to Yaphank. So that was my curiosity, was do the guys go out to them sometimes and maybe make it a little easier.

**MR. HOLLEY:**

It's a combination of both. And coincidentally, Montauk is training in Yaphank tonight.

**CHAIRPERSON BROWNING:**

Good for them. And that's a hike. That's a hike for volunteers, so we certainly appreciate the fact that they do this. I guess with no more questions, I appreciate you all coming in and staying at this late hour. Thank you.

I know we still have Probation here. Probation if you would like -- Patrice if you'd like to come up, and I think we just have the DA's Office as the last one left. I'd seen you just come in not too long ago. And, Gil, I don't know if you -- would you mind coming up, because the issue about the cars and repair work, not just for them but the Police Department. If you want to come make yourself comfortable at this late -- if I had known I would have bought a pizza or two.

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But Patrice, if you -- I don't know which way you want to go. The car situation, it's not just Probation. Now I'm hearing Probation but the PD. I don't know who wants to go first.

### **MS. DLHPOLSKY:**

Certainly it is true that at any given time we do have any number of vehicles that are not in operating order, and it has been taking increasing periods of time to have them returned from repair based on a shortage of people to do those repairs. We do have quite a few vehicles that are going up there in terms of mileage, 90,000, 100,000 miles. I think that certainly the garage staff makes its best effort to provide the necessary repairs, but yes, it is difficult to operate, you know, sometimes in a situation where officers are looking to go out in the field. We've been compensating by using the DPW fleet where we have someone in our office calling and making arrangements to reserve a car from there and then PO's go there, pick up a car, take it out, and that has helped. Although to some degree I guess it's a little difficult and spontaneous situations since we have to put in a reservation ahead of time.

### **CHAIRPERSON BROWNING:**

And, you know, I'm just curious. Have they -- are the Probation Officers at any time using their own vehicles?

### **MS. DLHPOLSKY:**

Generally speaking, no. The Probation Officers do not use their own vehicles because it's considered to be sort of a threat to their safety. You know, when I started as a Probation Officer, we won't even say how long ago, we did use our own vehicles, but it was a lot more difficult for people to trace information from a license plate. Right now that is not a difficult thing for people to do, and certainly I understand the concerns of our officers in that they do not want their home addresses available to their probationers by checking their registration.

### **CHAIRPERSON BROWNING:**

Okay. Gil? I mean, you know, in a perfect world how many more mechanics could you use? Is it a shortage of mechanics? I don't want to -- is it a shortage of mechanics or is it the type of work, you know?

### **COMMISSIONER ANDERSON:**

I mean, without question we are down staff in mechanics. We have brought vehicles out to vendors and the vendors are doing their best to keep up, and there's even backlogs with vendors as well. You know, we have -- we just, in fact, we just got three SCINs signed for mechanics. We're working to get a few more, trying to bring the numbers up. To get -- to a perfect world, I don't know that I could actually give you a number. You know, somewhere between another 10 or 20 guys. But you know, again, we're faced with a budget which is pretty -- it's pretty strict, and if we don't have the money we're going to keep doing the best that we can with the staff that we have. When we do have situations such as Probation or the District Attorney's Office or, you know, obviously PD, we try to address those, you know, bring those up to the front of the cue and prioritize them. But, yeah, we -- it is a manpower shortage without question.

### **CHAIRPERSON BROWNING:**

Okay. So you have obviously your own vehicles, you have the Police Department, you have Probation and the DA's Office whose cars you work on. The Sheriff's Department, do they have their own?

### **COMMISSIONER ANDERSON:**

Most of the Sheriff's work is done through their own forces they have there. They do the work themselves unless it's vended out.

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**CHAIRPERSON BROWNING:**

Nice question.

**COMMISSIONER ANDERSON:**

Yeah. I know the specialty work always has to go out to vendors, like transmissions. There's nobody that's going to be able to do stuff like that.

**CHAIRPERSON BROWNING:**

Okay. At what point in time did we have a motor -- a mechanic shop for the PD? I mean, surely, I'm trying -- I've heard that the Police Department used to have their own shop.

**COMMISSIONER ANDERSON:**

You have -- okay.

**MR. LIPP:**

Yeah, they did. I'm not sure of the date, I'm guessing late 90's.

**COMMISSIONER ANDERSON:**

Yeah, I think that's around the timeframe, and then they were brought in and actually -- they were incorporated with DPW, but there were mechanics at each precinct provided for the minor stuff, the roll in, roll out type of work.

**MR. LIPP:**

And I think it was a little easier when it was morphed over to a Countywide thing because there was sufficient numbers of mechanics that you were able to give them a priority more so than now it's very different.

**COMMISSIONER ANDERSON:**

And I would also point to, you know, keep in mind that since we've been looking at the individual budget crisis each year since 2008, we've rolled back or we've tried to make due with -- originally cars went, you know, especially PD cars or public safety cars went to 100,000 miles and then they were automatically traded in. As the economy worsened, it was brought back to now where we individually look at each vehicle to say okay, you know, is it cost effective to keep maintaining. At what point if you got to change a timing chain or you got to replace a transmission, at some point when you're up near 150, 180,000 you have to make a judgement call, and that's what our staff does. You know, is it the optimum? No, without question. But again, I would argue that given the budget that's, you know --

**CHAIRPERSON BROWNING:**

Right. Okay, so given the budget you're limited to what you can get. Hopefully you're getting two SCINs signed.

**COMMISSIONER ANDERSON:**

Three.

**CHAIRPERSON BROWNING:**

Again -- three, sorry.

**COMMISSIONER ANDERSON:**

And they were signed. They were already signed. We're actually --

**CHAIRPERSON BROWNING:**

Okay, but you're -- and you did mention about vendors. So is there an opportunity to expand the

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number of vendors? I mean --

**COMMISSIONER ANDERSON:**

I'd have to find out about that. I really don't know. We -- I would assume we went out to all the local vendors that we could, and we keep trying to find new ones. You know, some of the vendors that we had which were, you know, there's internal things that they haven't been responsive. You know, we've tried to, where we can, bring in new guys, but there is a process with that as well, so.

**CHAIRPERSON BROWNING:**

Okay. Well, it would certainly maybe help some of our local economy if we had some mom about pop store that could maybe use some business, and if we've got it for them we should try and do it. Okay. I thank you, Gil.

**COMMISSIONER ANDERSON:**

You're welcome.

**CHAIRPERSON BROWNING:**

Was there anything else that you were here for?

**COMMISSIONER ANDERSON:**

No, that was it.

**CHAIRPERSON BROWNING:**

Okay. I know that, you know, we've been getting a lot of calls and we've getting a lot, and I know Kara was, Kara Hahn was asking about the police cars and, you know, the wait time because I had heard that some of them are months that they're actually waiting to get a vehicle.

**COMMISSIONER ANDERSON:**

Yeah. I mean, we have some that are without question they are extensive, you know, and in some cases it's parts, in some cases it's vendors that are still waiting for work to be done. We do try to track -- we do track the work. We do try to move them along, keep everything going as best we can.

**CHAIRPERSON BROWNING:**

Okay. And I know we did ask for a break down, so if you can provide us with a copy of that I'd appreciate it.

**COMMISSIONER ANDERSON:**

Okay. It'll change day by day, so I'll give it to you with the date and this way you have it.

**CHAIRPERSON BROWNING:**

Right.

**COMMISSIONER ANDERSON:**

Yeah. That's fine.

**CHAIRPERSON BROWNING:**

Okay, sounds good. Thank you. Okay. Patrice, I'm sorry. Let's get back to Probation.

**MS. DLHPOLSKY:**

Okay. Well, let me say first of all, to echo the sentiments of people who have come before me, I would like to thank the Legislative Budget Review Office for their very thorough review of our budget. I don't intend to give a big presentation. I think everybody will be glad of that given the

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hour. However, I would say this in terms of the County Executive's recommended budget. Obviously we all know we are in a time of strained fiscal situation. Within that circumstance I would say that the County Executive's recommended budget will allow us to meet our mandated services at the present time with one proviso. The County Executive's Budget recommended \$500,000 for the purpose of hiring part-time clerical staff and also retired Probation Officers who would work part-time to fill some of the non-peace officer mandated functions of the department. Assuming that we can attract a sufficient number of retired Probation Officers to do that, then we should be able to deal with our mandated functions.

### **CHAIRPERSON BROWNING:**

Okay. Can you kind of give me an FYI on what would a retiree do when you talk about non-mandated.

### **MS. DLHPOLSKY:**

There are several things. I mean, basically the basic suggestion was that some of the retirees would be used to complete presentence investigations. Our department does 5,000 a year. They are currently all done by Probation Officers. It is not a requirement in the law that they must be. Nassau County has used retired Probation Officers for a number of years to do so. So we would use some for that purpose. We would use other retired Probation Officers for the purpose of supervising the office report situation and taking supervised urine's during the office reports. I think we have mentioned before that we have a problem given that we have an 80% male population of probationers and a 60% female Probation Department in terms of Probation Officers, which makes taking supervised urine's a bit difficult. As a result, we were hoping to, and it's also difficult in terms of simply the time during office reports for Probation Officers. So as a result, we would use the retirees to do some of those supervised urine's.

### **CHAIRPERSON BROWNING:**

Okay. Any questions? No questions? I think everybody is about ready to drop here. Obviously staffing levels, you know, we keep hearing about these specialty courts and, you know, we're going to hear the need for more Probation Officers, so I think, Robert, if there's an opportunity for us to discuss this, you know, the Human Trafficking Court, we have the Drug Courts, we have all these courts and to keep these people out of jail we need Probation. What else can I say?

### **MR. LIPP:**

There is 350,000 in the Budget to fill vacancies. I don't know to what extent the Commissioner thinks that's sufficient, though.

### **MS. DLHPOLSKY:**

With the \$350,000 that Legislative Budget Review has stated that is available within our Budget, assuming that we got SCIN forms, I believe that amount in of itself probably would be sufficient for us to hire a class of Probation Officer trainees next year around mid-year, and that would be probably in the vicinity of 12 Probation Officer trainees. That was not in the recommended budget, but if it is \$350,000 there, that amount of money should be sufficient to do that.

### **CHAIRPERSON BROWNING:**

Okay. Well, I can only hope that you'll get 12 new people next year, but we'll definitely stay on top of that. Good to go? Okay.

### **MS. DLHPOLSKY:**

Thank you.

### **CHAIRPERSON BROWNING:**

Thank you, Patrice. And again, I apologize, it's almost six o'clock. Okay. I know we have a

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representative, Mr. Heilig, from the District Attorney's Office. This is going to be short and sweet, right? You're happy.

### **MR. HEILIG:**

Good evening. Thank you. Ed Heilig, a Division Chief with the Suffolk County District Attorney's Office. I will be very brief. I would like to echo the sentiments that other people have made here thanking both the Administration and the Office of Budget Review for their review of our submitted budget. We're happy with the budget that was both given to us by the recommended budget by the County Executive and happy with the review by the Budget Review Office.

The only point I want to bring up at this hearing, and the reason I'm here at this hour, is our request for an additional Assistant District Attorney. I heard, Madam Chairman, before you speak about the Community Protection Act and how that is leading to increased arrests and it's leading to increased work for our office. What nobody thought of when they did the funding for the Community Protection Act is the amount of work that it would give the District Attorney's Office in handling the number of cases that come in, both for the SORA, which are the sexual offense registry hearings that we have to do in connection with these new cases as well as the additional work we have to go in. Once the referral is made to us on one of the cases that is being done by these -- the private group, there's additional work that we have to put into the case to effectively prosecute those who have not registered in accordance with the law.

The Budget Review Office has recommended that we could earmark a position and fill it with an Assistant District Attorney, but our request is that we get the additional funding in the final budget to increase our staff by one Assistant District Attorney and one paralegal, who could assist us and not be at the level of, you know, it's savings, not be at the level of an Assistant District Attorney, but to assist us in doing the paralegal duties and all of the administrative duties that come with, you know, conducting these hearings or whatever it might be that we need to do that work. And I only expect to see a greater increase in the number of referrals we get from the private group in doing those sexual offender registry hearings.

And that is -- and the reason being is that we would like both the paralegal and the Assistant District Attorney positions fully funded is that we'd like to use the additional monies that are in the budget in the permanent salaries portion to fill some of those vacancies that we have. We are in dire need of secretarial help, clerical help. We have about five or six clerical vacancies that we have not filled in over two years. We were able to get all of our staff back from the layoffs, but over time, with the retirements and what you might have is that we have not been able to fill those vacancies, and some of our bureaus are in dire need of help.

And that's, you know, other than any questions that any member of the committee may have, that's the only point that I really wanted to make given the late hour. We won't go into cars at this time. We'll save that for another time.

### **CHAIRPERSON BROWNING:**

Yeah, we see that. I guess it could be the same question for you is, you know, what happens if you don't have enough cars or you've got -- you know, you've got a -- you've got a pool of cars and things have to go out. What cars are you using if you don't have extra cars?

### **MR. HEILIG:**

We're using Band-Aid -- we have one car that has 160,000 miles on it, and believe it are not, it's still running. They haven't decomm that car. But other cars, you know, the same issue that everyone else brings up. You bring a car in, it has 125,000 miles, they're not going to fix it, they're going to decomm that car, it's not working, and then there's no budgeted money to replace the vehicle. So we have Investigators that are sharing cars, you know, they're flip-flopping. One goes out in the

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field one day, one stays in and does office work one day. Whatever we can do we try to do.

We're having the same issues. We're getting vehicles back from the garage fixed, you know, for a thing as simple as brakes, an inspection, whatever it might be, but we have not -- I think we have 130 cars that we're authorized in the fleet. I believe we only have 117. Out of that 117, 30% are over 100,000 miles and 20% are over 120,000 miles. But we have been working with the Administration. We do have an agreement to get some vehicles. We have agreed to use Asset Forfeiture Funds to match whatever vehicles we might get through the monies that are budgeted for vehicles. So we're doing the best we can and we hope moving forward that we'll be able to replace the fleet. We're also working on some other innovative measures where we may be able to get some forfeited vehicles or vehicles that are in the impound, be able to get those vehicles on to our budgeted DPW list. It's some innovative things we're thinking about, but I don't know if we're going to be successful. So we're trying.

### **CHAIRPERSON BROWNING:**

Okay. What's the timeline, if you drop a car off say for brakes or whatever, you know, what's the timeline that you're waiting? Do you have an average?

### **MR. HEILIG:**

It's different for -- it depends on what the repair is, but it's months. It's a long time.

### **CHAIRPERSON BROWNING:**

Okay, because I know if I bring my car in I want it that day or the next day later, you know.

### **MR. HEILIG:**

It doesn't happen that way. But they are doing the best they can with what they're working with.

### **CHAIRPERSON BROWNING:**

Right, staff. Any questions?

### **LEG. KENNEDY:**

(Shook head no.)

### **CHAIRPERSON BROWNING:**

Nothing. Okay. So I appreciate you coming in --

### **MR. HEILIG:**

Thank you.

### **CHAIRPERSON BROWNING:**

-- and hopefully we can help accommodate some of your requests.

### **MR. HEILIG:**

Thank you.

### **CHAIRPERSON BROWNING:**

Okay. We have a representative from the Medical Examiner's Office. We may not have an ME, but we still have a department.

### **MS. RUSSO:**

I think I can be the first to say good evening. My name is Linda Russo. I'm currently a Senior Budget Analyst with the Office of the Medical Examiner. And I just wanted to say overall the 2014 County Exec recommended budget is really in line with our -- with our request. There is really very

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little difference between it. And the BRO, thank you for your review. The recommendations in the BRO report are currently being addressed. One speaks to the salary of the Chief Medical Examiner, which has already been addressed. It also speaks to the need for a Deputy Medical Pathologist and some administrative support. As we have developed into our own department we've learned that we need some -- a little bit of additional administrative support to keep things running smoothly, things that were primarily done in the past by the Health Department that we have now taken on our own.

We are currently working with the County Exec's Office for a hiring plan to get some additional clerical support. And I believe Dr. Toulon can speak to the search for the Chief Medical Examiner as well as the Deputy Medical Pathologist. And I'm not sure if there are any questions in particular on our budget?

### **CHAIRPERSON BROWNING:**

I have one and then, Errol, you can talk. I believe you're losing one person for maternity leave?

### **MS. RUSSO:**

Yes, that is one of the Deputy Medical Pathologists. We are currently contracting for another per diem pathologist, and hopefully that should be completed by November first, that contract.

### **CHAIRPERSON BROWNING:**

Okay. Well, thank you. Errol?

### **DR. TOULON:**

As of now, we've interviewed two candidates for Chief Medical Examiner and we have two other scheduled. Hopefully -- those are local candidates. We really don't want to have to extend beyond because of the salary they're currently making will exceed even a request that I spoke about when we requested a CN. So that's really our -- my only update.

### **LEG. KENNEDY:**

Robert, is there something in the Exec's recommendation that addresses the resolution that we did allowing for that ME's salary to float up? Are we going to have enough money if we get a new guy or gal and we got to pay them?

### **MR. LIPP:**

To the best of my recollection from their budget, there were several vacancies, so there was some room for --

### **LEG. KENNEDY:**

You can just --

### **MR. LIPP:**

Right, so in other words if they didn't hire as many as potentially they could in the department. So, for instance, in theory they could hire at whatever price the Medical Examiner and just wouldn't have money for others.

### **LEG. KENNEDY:**

Okay. And the full complement over there is a total of five physicians? Is it an ME and four assistants?

### **DR. TOULON:**

No. Currently, there is of course no ME, no --

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**LEG. KENNEDY:**

Well, no, no. I don't mean currently, I mean under normal operating circumstances?

**MS. RUSSO:**

Normal would be the Chief, the Deputy Chief and the five Medical Pathologists.

**LEG. KENNEDY:**

So a total of seven physicians, but only five that are actually conducting the autopsies.

**MS. RUSSO:**

Correct.

**LEG. KENNEDY:**

The Chief and the Deputy Chief are administrative.

**MS. RUSSO:**

Correct, and we really haven't had the Deputy Chief position.

**LEG. KENNEDY:**

Most people don't have a Deputy Chief, so that's -- I can understand that one. Okay, thank you.

**D.P.O. HORSLEY:**

Kate, just one. Robert did we adjust the budget itself? Do we have to adjust the number for the ME?

**MR. LIPP:**

No. I think the issue here, and correct me if I'm wrong --

**D.P.O. HORSLEY:**

I'm not even worried about the issue, I'm just thinking physically, it's just a clerical issue. I mean, do you adjust that when we change the salary of the ME? I know this is -- there'll be enough to cover it but, I mean, do you line it? Is there a line item there for the ME and then you --

**MR. LIPP:**

No, no, no. The salary is just for the entire appropriation, one number for permanent salaries.

**D.P.O. HORSLEY:**

One number? Okay. Thanks, I get it.

**CHAIRPERSON BROWNING:**

I guess that's all we have. I thank you and I hope we can get a Medical Examiner ASAP. I don't think it's wise to run the department without one. I got a message and I'm trying to see what it's saying. Asking -- what did you say? Oh, I thought I heard the word pizza.

**D.P.O. HORSLEY:**

You did.

**CHAIRPERSON BROWNING:**

Okay. A question asking that since the class has been reduced by 35, is there now an additional surplus in the Police District. It was a Legislator that had to leave wanted to know the answer. So, do we have a surplus in the Police District if --

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**MR. LIPP:**

I think the short answer is no.

**CHAIRPERSON BROWNING:**

Okay.

**MR. LIPP:**

In fact, I think there's a problem in the Police District because since they moved the class back from early September to late October, they won't, the way the schedule is listed, they won't be able to be on the street for the beginning of summer, so that will increase overtime by approximately, as an estimate, \$1.5 million. So, no.

**CHAIRPERSON BROWNING:**

So because we didn't start in September, because we didn't start a class in September, we're now going to face a \$1.5 million overtime over what we anticipate? Or because we didn't have them.

**MR. LIPP:**

That's -- yeah, that's our estimate based -- relative to the budget.

**CHAIRPERSON BROWNING:**

Okay. So if the class had started in September -- let me make this simpler. If the class started in September they would have been ready to be on the street by -- for the summer, which is the highest time, that's when our overtime costs are highest. So we would have saved \$1.5 million if we started in September.

**MR. LIPP:**

That's the best we could recollect of that. I mean, it's an estimate but that's our calculation.

**CHAIRPERSON BROWNING:**

That's a nice chunk of change.

**MR. LIPP:**

Yes.

**CHAIRPERSON BROWNING:**

Okay. I guess there are no more questions. We shall, I guess, adjourn our meeting. And again, anyone who is still sitting here, thank you for your patience. I can't believe that we're still sitting here at ten past six.

**MR. BRAND:**

So much fun.

**CHAIRPERSON BROWNING:**

Anyway, have a good night.

*(\*The meeting was adjourned at 6:11 p.m. \*)*