

Public Safety 11-21-13
PUBLIC SAFETY COMMITTEE
OF THE
SUFFOLK COUNTY LEGISLATURE

Minutes

A regular meeting of the Public Safety Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on Thursday, November 21, 2013 at 9:30 a.m.

Members Present:

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

Also in Attendance:

George Nolan - Counsel to the Legislature
Sarah Simpson - Assistant Counsel to the Legislature
Renee Ortiz - Chief Deputy Clerk/Suffolk County Legislature
John Ortiz - Senior Budget Analyst/Budget Review Office
Josh Slaughter - Aide to Legislator Browning
Bobby Knight - Aide to Presiding Officer
Paul Perillie - Aide to Legislator Gregory
Justin Littell - Aide to Legislator D'Amaro
Lora Gellerstein - Aide to Legislator Spencer
Tom Vaughn - County Executive Assistant
Marie Berkoski - County Executive Assistant
Lenny Latendresse - Intern, County Executive's Office
Rob Waring - Captain/Suffolk County Police Department
Tracy Pollak - Suffolk County Police Department
Mike Sharkey - Suffolk County Sheriff's Office
Patrice Dishopolsky - Suffolk County Probation Director
Marilyn Ostrofsky, SPCA/Humane Investigator
Tom Liguori - SPCA/Detective
George Whalley - SPCA/Detective
Lois Gross - SC SPCA
Roy Gross - SC SPCA
Christine Larkin - SC Probation Officers Association
Bob Holley - Director/Suffolk County Fire Academy
Eddy Johnston - Deputy Director/Suffolk County Fire Academy
Anthony LaFerrera - Co-Chair, SC FRES Commission
John Jordan - Deputy Commissioner/Fire, Rescue and Emergency Services
Jim Roddin - SC SOA/Trustee
Joe Link - PBS/Financial Secretary
Paul Margiotta - Executive Director, Traffic/Parking Violations Agency
Shelly Gordon - Traffic/Parking Violations Agency
Adam Halpern - Traffic/Parking Violations Agency

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Arthur Sanchez - DSPBA
All Other Interested Parties

Minutes Taken By:

Lucia Braaten - Court Stenographer

Minutes Transcribed By:

Kim Castiglione - Legislative Secretary

(The meeting was called to order at 9:41 a.m.)

CHAIRPERSON BROWNING:

Good morning. We will start our Public Safety meeting with the Pledge of Allegiance led by Legislator Kennedy.

Salutation

And a moment of silence for those who defend our country at home and abroad.

Moment of Silence

Thank you. We have two cards, and -- okay. Our first card is Roy Gross.

MR. GROSS:

That was fast. Trying to get rid of me here? Good morning, Ladies and Gentlemen. My name is Roy Gross. I'm Chief of Department of the Suffolk County SPCA. I'm here to talk about I.R. 1877, the animal abuser registry. Former Legislator Jon Cooper, who we all know is a supporter of the Suffolk County SPCA, he is the one that proposed the animal abuser registry with us in mind. It was voted on with complete support of the Legislature. By the way, it is the first in the nation, the first in the nation. Convictions from our cases would be posted on this registry as we are the only humane law enforcement agency in Suffolk County. We receive calls from the Police Department, Legislators, County Executive, Assemblymen, Senators, the Sheriff's Department, Animal Control, State Police, fire department, Health Department, DEC, Fish and Wildlife, Adult and Child Protective Services, LIPA, ASPCA, PETA and the Humane Society, etcetera. There's more, and each and every case is investigated.

We try to educate people to comply with the law rather than making an arrest. In some cases there is no option. Education is done on many levels, schoolchildren to adults. We even train the new recruits at the Police Department. The first line of defense is education. We receive many complaints against rescue groups and animal shelters which we investigate. Some are founded, some are unfounded. Some need to be educated. There are many good rescue groups in Suffolk County, however, they cannot enforce the law and in many cases they do not know the law.

When the County needs us for pet friendly shelters for the wildfires, for housing of animals during gas leaks, for pet food distributions in storm ravaged areas, we are there. You call, we come, 24/7. Our volunteers put more effort into our cause than many paid employees. We have been providing services to the County for over 29 years. We are not asking to be thanked for what we do, although I'm sure our volunteers would appreciate that. Our satisfaction is in the protection of animals. That is our mission, that is our goal. We know that most of you -- probably all of you love animals. What we see or what we see out there would appall you.

Years ago we completed -- we had complete support from the Legislature. We're not sure what has changed or why. We haven't changed our mission. We're there to protect the animals. You have heard from our other members of our organization, so I'm not going to need to repeat what they have given you in the last meeting. We hope that we can count on your support. Thank you.

CHAIRPERSON BROWNING:

Thank you, Roy. Any questions?

LEG. HAHN:

Yeah.

LEG. GREGORY:

Yeah.

CHAIRPERSON BROWNING:

Yeah? Okay, DuWayne.

LEG. GREGORY:

Hi Chief, good morning. Thank you for you coming.

CHAIRPERSON BROWNING:

No, don't go anywhere, Roy. Stay up.

MR. GROSS:

I'm not getting away that easy I guess.

LEG. GREGORY:

No, I just -- you had said that your agency is the only -- your organization is the only humane -- I forget the term that you used.

MR. GROSS:

Law enforcement.

LEG. GREGORY:

Law enforcement. You say that because many of your members hold peace officer status. Is that why you say that?

MR. GROSS:

That is correct. By State law, there can only be one SPCA per county, as a State Law. We are the only SPCA in Suffolk County and the only one -- humane agency that can enforce the law. Yes, we have approximately 30 peace officers in the County.

LEG. GREGORY:

Okay. And as a peace officer you're obviously allowed to carry a weapon and you are allowed to make an arrest.

MR. GROSS:

We are the agency that can investigate animal cruelty cases. Yes, carry weapons and execute search warrants and make arrests, that's correct.

LEG. GREGORY:

Okay. But as it relates to the website, we're talking about the animal abuser registry, is there any specific qualification that is needed to administrate the registry?

MR. GROSS:

Well, just think about what we've been doing for 30 years. We also maintained the dog bite registry for the last 16 years successfully, at no cost to the taxpayers mind you. The \$50 fee that is in this law, we are offering to waive that fee and let the County keep that money. We're not asking for it. We just want to -- this registry is begging for names. There are people that have been convicted of animal abuse. The law is already passed. All we're asking for is a letter from either the Police Department, or probably better the District Attorney's Office, to give us the name of the person that's been convicted of animal abuse, with the mugshot, with their information, where they live and what crimes they committed. They will remain on this registry for five years.

We know and we strongly believe that this will deter future animal abuse by having this registry, by having these people on it and maybe somebody will think twice before they hurt an animal, that they will be on this registry for five years just as a sex offender registry, which has successfully worked, you know, all over in all municipalities. And I should add that we are the first, as I mentioned, we're the first in the nation ever to have a registry like this, and I can't tell you how

many municipalities throughout the country have called us how to set up this registry that we have helped them through, that in other municipalities they're already in operation. We've had this registry up on the -- on our website. Like I said, it's begging for names. We know what we're doing. We're out there, we're trained. We know that the people, and these are the people that we are investigating, these are the people being convicted of animal abuse and we should be the ones, the Suffolk County SPC, to maintain this registry.

LEG. GREGORY:

You brought up an interesting point. You said that the other municipalities throughout the country have shown interest in it and they actually, some of them, from what you just said, have -- obviously they started after us but their website is up and running and ours is not.

MR. GROSS:

The website is up and running, but we just don't have any names to put on it. We could have it tonight. If we get the names of these convicted animal abusers, we will immediately post it on our website.

LEG. GREGORY:

Okay, but back to my original point that I was trying to make, is there a specific skill that is needed? I mean, you don't need to be a law enforcement anybody to put a name on a website or am I misunderstanding something?

MR. GROSS:

Well, wouldn't it make more sense -- the law is already passed. We are the ones that are in the law, the Suffolk County SPCA. Why would you take it away from us to give it to someone else? We already set this thing up, whatever expenses were incurred to put it on the website and all we needed are names. What would be a reason to take that away from us when all we're asking for is the names to put it on a website.

LEG. GREGORY:

The names are coming from the District Attorney's Office or where do they come from?

MR. GROSS:

Well, they're people that have been convicted of animal abuse throughout the County. We need to have that information from the District Attorney, who is the one that prosecutes, and the convictions would be -- they would have that information to give to us. We can't run around to every municipality in Suffolk County trying to say who's been convicted of animal abuse. Very simply, if we get a letter from the -- let's assume the District Attorney's Office, with the name of the perpetrator that's been convicted of animal abuse to post on the registry. It's as simple as that.

LEG. GREGORY:

Yeah, it seems very simple. So that information hasn't been forthcoming in three years? Why is that?

MR. GROSS:

It's four years. It's four years and we're still -- all we're asking for is that information so we can post it on our website.

LEG. GREGORY:

Okay. All right. Thank you.

MR. GROSS:

Thank you.

CHAIRPERSON BROWNING:

Kara?

LEG. HAHN:

Yeah. So that was my basic question was your organization, you know, well respected for all that you do, but the bottom line is this law was passed several years ago, and the registry has no names on it. Now -- now we're getting to the heart of the matter. Why does it have no names on it? Is there another way for your organization -- I mean, I don't know -- is there anyone here from the DA's Office that can speak to this and/or the County Executive's Office? Tom Vaughn? He might not be able to speak to this. But, I mean, it would seem like it should be, you know, either you get it from them or you find it because you're charged with doing this. I don't know how you look up, you know, convictions, if there's another way through LexisNexis or I don't know. I don't know, I'm not a -- I don't know anything about finding criminals that are charged and convicted with this kind of crime, how easy that is from a public FOIL perspective, but it would seem like we should have written into the law directing a certain organization to share this information with whoever we contract to do this, but maybe it's not that simple.

CHAIRPERSON BROWNING:

Tom, you have an answer?

MR. VAUGHN:

(Nodded).

CHAIRPERSON BROWNING:

Yes?

MR. VAUGHN:

Uh-huh.

CHAIRPERSON BROWNING:

Go ahead.

MR. VAUGHN:

I'm pondering an answer for a moment.

LEG. KENNEDY:

Madam Chair?

CHAIRPERSON BROWNING:

Let me -- you good?

MR. VAUGHN:

Yes, I am good. I often wish that things were as simple as the way that they are presented here, but very seldom are they that simple. I understand Mr. Gross's comment of all we are asking for is names, but quite frankly, for at least the last year that has not been all that they have been asking for. So while that may be all that they are asking for today, that is not the case prior to a recent turn of events, a recent turn of events that I think that came about right around the time that Legislator D'Amaro introduced this law.

We actively -- I have personally sat through no less than at least -- I've actually lost count -- a number of meetings with the SPCA to try and get this worked out, to try and get this database established. Dennis Cohen, Chief Deputy County Executive, Dennis Brown, County Attorney, has sat through numerous meetings trying to get this worked out. As a matter of fact, in February, we had a quite extensive meeting and a quite good meeting with the SPCA to try and get this worked out. There were conditions of a contract that we were working on, there were conditions that both sides

wanted to see. We actually drafted a document that we sent to the SPCA that included what I would characterize, and I wish Dennis Brown was here with me right now, but what I would characterize included all of the requests from the SPCA at that time. And what we got back was no thank you, we don't want to do this until we get fully indemnified by the County for the other activities that we do.

So while it is nice to say today that all we are asking for is names, this issue has been unfortunately tied to many, many other issues and it's just not that simple unfortunately.

LEG. HAHN:

Thank you.

CHAIRPERSON BROWNING:

John?

LEG. KENNEDY:

Chief, two issues I guess I have for you. One, actually I have the Penal Code up in front of me. I'm not going to pretend to actually be conversant with all the sections in the Penal Code, but I imagine that there's various different offenses that involve abuse of animals and, you know, degrees in which, you know, an individual may be charged, prosecuted and convicted, whether it's a misdemeanor or a felony. But way back in, you know, the Mesozoic Age when I went to law school, basically a conviction was self-evident. It was prima facie evidence of the fact that, in fact, the incident had occurred, the individual was guilty and they were sentenced to whatever the particular sentence was and the conviction stood. So that piece to me seems to be something that the SPCA could then rely upon for purposes of putting it on a registry or, quite frankly, putting it anywhere else, because you can go right to WebCrims and bring up an individual's name and what a particular conviction is.

MR. GROSS:

That's correct.

LEG. KENNEDY:

Correct?

MR. GROSS:

That's correct.

LEG. KENNEDY:

Okay. Now, to try to find out what all the levels of courts in the County of Suffolk, what action they have taken in order to ascertain convictions, I agree with you, that's probably a bit of a task. You know, we have the criminal courts here on the west end, we have our town courts out there. There's probably even some village courts that have some jurisdiction --

MR. GROSS:

That's correct.

LEG. KENNEDY:

-- over particular offenses. So granted, there are a lot of different entities that have capacity to go ahead and effectuate and convict.

MR. GROSS:

That is correct.

LEG. KENNEDY:

But we agree that once the convictions occurred, that's it, that's prima facie, it's evidence, there's no

element of question as to whether or not the individual is guilty. That you can rely on, and there's no issue between the action the court's taken and your ability to put that name pretty much anywhere, because it's out there already.

MR. GROSS:

That is correct. I just want to back up a little bit saying about having the information. If we get it on a letterhead, let's assume from the District Attorney -- we asked for indemnification, that's a different matter. The indemnification, as Mr. Vaughn brought up, was denied. We asked for indemnification specifically for this, that if the information we posted on a registry was incorrect, having something in writing, and again, running around to all of these municipalities and villages to try to get that information is a task in itself. If we get it very simply, as I said, on a letterhead from the District Attorney and we make a mistake, if we put the wrong -- if it's John W. Smith and we put John R. Smith on there --

LEG. KENNEDY:

I understand.

MR. GROSS:

-- shame on us that we're going to have to take the hit on that. However, we would have some recourse if we have the name that was given to us was incorrect, that was given to us, then we would possibly have some recourse to say, listen, you know, we're being sued for something here that is not our mistake.

LEG. KENNEDY:

Okay.

MR. GROSS:

So that's why we're looking for that indemnification, only for that purpose.

LEG. KENNEDY:

I understand that piece, and I'm just going to stay on this one for a second. The broader term of indemnification for you folks is something that I still don't understand why we haven't gotten it resolved, and then, you know, I guess I would have to talk to Mr. Vaughn to find out the Exec's position and to see where you guys are at. But as to this one specific issue, what does D.A. Spota say about your request to be able to have sent to you that, you know, John Doe in fact has been convicted of, you know, misdemeanor 1 animal abuse.

MR. GROSS:

I have not spoken to Mr. Spota regarding that. We're asking for that, to get that information, because the way the law is written right now it doesn't say how that information is to be given to us. That's why we're asking for that and we're hoping that that will either come from either the Police Department or from the District Attorney's Office.

LEG. KENNEDY:

Okay. Through the Chair, Madam Chair, so then can I ask Mr. Vaughn.

CHAIRPERSON BROWNING:

Yes.

LEG. KENNEDY:

Tom, so there have been multiple meetings, a whole variety of things have been discussed, indemnification, the registry and whatever else, space. As a matter of fact to your credit, to the Administration's credit, you did get the space up on the North Complex. You're actually in the next building right over from me.

MR. GROSS:

That's correct.

LEG. KENNEDY:

And it seems that, you know, the space has worked out well, and as a matter of fact it's relieved the agency of a, you know, an onerous rent burden and, you know, you seem to have some pretty good accessibility. So in the myriad of things that had to be addressed, that one got done.

MR. GROSS:

Absolutely. And I would really want to thank the County for that.

LEG. KENNEDY:

Absolutely, as a matter of fact, so that's a plus. So let's go to now this registry bit. Has your office, has the County Executive's Office had any kind of conversation with the District Attorney to find out if what Chief Gross is asking for is something doable or a possibility?

MR. VAUGHN:

I think that there are a couple of different issues going on here, Legislator Kennedy.

LEG. KENNEDY:

Well, let's -- and I'll be happy to hear about the couple, but let's stay on the one that I just asked you about.

MR. VAUGHN:

Absolutely.

LEG. KENNEDY:

Okay.

MR. VAUGHN:

The Administration in February of this year, and pardon me if I don't have the exact date right, but in my head I want to say February.

LEG. KENNEDY:

Okay.

MR. VAUGHN:

As I said, we had a very extensive conversation with the SPCA to work out the exact details of who was going to supply what and how the information was going to go and this, that and the other thing. And at the time there was, and I agree with Mr. Gross, there was concerns on the part of the SPCA for them to be protected should -- in the event that they should get erroneous information from either -- from whoever was going to be the source of information.

LEG. KENNEDY:

Right.

MR. VAUGHN:

As I said, those concerns were codified into an agreement by the County Attorney's Office. They were sent to the SPCA and summarily rejected, and at that point in time the conversation stopped and the conversations didn't resume until Legislator D'Amaro put forward a bill that, quite frankly, is a very good bill. The bill strengthens the language in the original law. It doesn't preclude the SPCA from being able to do this registry, but in the event that the SPCA were to become another organization or change their name or whatever else may happen in the future, it would allow them or any other organization committed to the protection of animals to maintain a database. We're not talking about who's allowed to knock on doors. He's absolutely right. They are by New York State

Charter the only law enforcement animal abuse agency in Suffolk County.

LEG. KENNEDY:

Okay. Tom, listen, I understand, and as a matter of fact, Legislator D'Amaro is very able and capable of explaining the bill and has talked a lot about it, and it's good to hear that the Administration supports Legislator D'Amaro. And it sounds like you support the SPCA up to the point where we could get a meeting of the minds, but that's not occurred yet. But I'm going to go back to where we were probably three or four minutes ago. Has the County Executive had a conversation with District Attorney Spota about what Chief Gross just mentioned? Because I'll be happy to pick up the phone to him, you know, as soon as I get out of here. It'll get done with, you know, the blizzard of meetings today. I just don't want to duplicate work, so I'm simply asking, did he pick up the phone to Tom Spota?

MR. VAUGHN:

This -- what I'm trying to say, Legislator Kennedy, and I personally spoke to not the District Attorney's -- not the District Attorney personally, but I did speak to his office and I would have to go back through my notes to find out the individual that I spoke to specifically. This issue, how this database was going to be handled, as far as our office was concerned, was resolved in February prior to the SPCA saying no thank you. So how the -- all of this, how the information was going to be worked out, who was going to do what, how things were going to happen, this was -- as far as we were concerned, prior to the final correspondence that the County Attorney received, this was worked out. So whether it was the District Attorney who was going to give them the information or the Police Department that was going to give them the information, I don't have my notes in front of me and I'm sorry on that.

LEG. KENNEDY:

And that's fine. Listen to me. I'm not asking you, you know, I'm not cross examining you, Tom. I'm asking about that piece that Chief Gross --

MR. VAUGHN:

No, I'm just trying to be as specific as possible.

LEG. KENNEDY:

Which is good and I appreciate that, thank you. Chief, do you have anything to add to the dialogue here because, quite frankly, I think I'm just going to speak to Eddie Heilig or Mr. Spota.

MR. GROSS:

Well, I've put calls in to Mr. Vaughn, I've put calls in to John Schneider, someone else also I put calls in, never got a return phone call, so it wasn't something that we didn't want to continue to try to get --

LEG. KENNEDY:

But gentlemen -- listen, I don't mean to be testy here, but both of you are talking to me about something that another chief elected might do. Usually when I want to have a conversation with them I pick the phone up and I talk to them.

As to your point, I understand the reliance aspect. As to your point, Tom, you know, I admire the fact that you sat down and you tried to work out or resolve other issues. My sense is, is this is really not about the registry at all. This is about indemnification, which remains an open issue and is unresolved. I'll yield. I'll speak to the District Attorney and I'll get back to you, all right, Chief?

MR. GROSS:

Thank you.

CHAIRPERSON BROWNING:

Mr. Vaughn.

MR. VAUGHN:

Thank you very much, Legislator Browning. As far as our office was concerned, this issue was about this database. We tried to separate the two issues and work in good faith to get the database issue resolved last year. As a matter of fact, we specifically brought forward legislation that could not be adopted because we didn't finalize the exhibit to go with it last year to say -- to go forward with this, that we would indemnify specifically for the purpose of running this database, but the attachment they we needed to file with that was never agreed to, and that was where the conversations broke down in February. Look, we have gone over this and over this and over this and we have a good piece of legislation here to clarify language and doesn't preclude the SPCA from going forward, but at this point in time the last conversation that we had with the SPCA was thanks, but no thanks.

CHAIRPERSON BROWNING:

Okay. Well, it sounds to me like there's a stalemate going on. I do think maybe the indemnification might have a little bit of something to do with it.

MR. VAUGHN:

May very well be.

CHAIRPERSON BROWNING:

But I don't think we're going to be able to resolve it sitting here right now. And, John, I guess if you're going to reach out to the District Attorney's Office and -- I think we need to resolve this, because this has been going on way too long.

LEG. KENNEDY:

No doubt.

CHAIRPERSON BROWNING:

Thank you, Mr. Gross. Do you have anything else you'd like to say?

MR. GROSS:

Again, it's near 30 years that the SPCA has been your SPCA here in Suffolk County. I think we're doing a damn good job of it. We started off with basically nothing, without having an SPCA out here. We probably saved about 500 animals last year alone. We investigate about 3,000 cases a year, okay. The people, the education, like I said, is a major part of what we do. I know there was a handout given to all the Legislators at the last meeting. If anybody has any question on that I'd be happy to answer it.

CHAIRPERSON BROWNING:

Okay. Thank you. And I did, when Paul Llobell was here I had asked him about providing me with a list of how many calls you've had say over the past year, two years, and if you can do a breakdown on, you know, how many of those calls were actually law enforcement calls from Suffolk County Health Department, whatever. So if there's a possibility that you could provide that for me I'd appreciate it. Yes, Tom.

MR. VAUGHN:

Madam Chairwoman, if I just may for one moment. Mr. Gross, you said during the beginning of your comments that you weren't looking for thanks but that someone should thank the volunteers, and I would be more than happy to thank the volunteers of your organization. I do believe that they do outstanding work.

CHAIRPERSON BROWNING:

Yes, they do. Thank you. Okay. We have one more speaker. Thank you, Mr. Gross.

MR. GROSS:

Thank you.

CHAIRPERSON BROWNING:

Christine Larkin.

MS. LARKIN:

Good morning. I'm Christine Larkin. I'm the Vice President of the Suffolk County Probation Officers Association. I'm getting up here today to reiterate something that I spoke about probably a month or so ago here, that we are strongly opposed to hiring the part-time Probation Officers that are currently in our budget. The part-time Probation Officers would not be peace officers. They would not have arrest powers. They would not be able to go into the field. They would not probably be able to do office reports, and unfortunately those are the pieces that we need help in. We need more people on the ground in the field having a caseload. The part-time workers would not be able to have caseloads. I'm not sure what they would be able to do, but they would not be able to fill the burden of the needs that we have currently in the Probation Department. Thank you.

CHAIRPERSON BROWNING:

Okay. Christine, I'm pretty sure that -- I know we did put some -- we modified the budget to make sure we could hire more. I guess maybe Patrice, if you'd like to respond to the comment and kind of give us a little bit of update on what's going on with the Probation Officers. Yeah, John, if you could give us -- can you give us some information on the budget as far as Probation Officers -- Roz, actually, I'm sorry -- sorry, Jill.

*(*Laughter*)*

MS. MOSS:

I'm sorry, what was the question?

CHAIRPERSON BROWNING:

If you can give us, refresh us on the Probation Officers and what we did in the budget for positions.

MS. MOSS:

I know the recommended had a half a million dollars for the retirees that they wanted to bring back, and I know that --

LEG. GREGORY:

Madam Chair, if I may. As far as my recollection in the Working Group, there was \$350,000 in the recommended budget to hire 10 or 11 Probation Officers in June?

MS. DLHOPOLSKY:

In the budget as it stands at the moment money was transferred from what would have been the amount in the -- put for the rehiring of part-time retired officers into salary line, so that was 300 or 350, I forget. Three-hundred?

LEG. GREGORY:

There's another issue. Yeah, and there was monies, from my recollection, to hire some Probation Officers. There was also a separate pool of money to rehire retirees on a part-time basis to monitor the urinalysis and things like that. That money, we took that money -- we didn't agree with hiring the retirees. We felt that we could use that money to hire an additional 10 or 11, I think, or a total of 22 full-time Probation Officers, and I think it's all supposed to start in June. That's my recollection.

CHAIRPERSON BROWNING:

Okay.

MS. DLHOPOLSKY:

Well, I don't believe that there was a specific thing in there about when it would start. However, the obvious fact is even if the SCIN forms were signed, by the time we went through the hiring process, you know, we wouldn't be talking about anything before then. I believe some money was still left in that allocation for the part-time. Some of that money was also intended for part-time clerical help. So that's where we stand at the moment.

CHAIRPERSON BROWNING:

Okay. But -- okay. So the bottom line is we don't know when those full-time hires are going to be.

MS. DLHOPOLSKY:

Well, as you well know, we can't begin the hiring process unless we have signed SCIN forms, so we will have to have that conversation with the County Executive's Office.

CHAIRPERSON BROWNING:

There's an existing test list, right?

MS. DLHOPOLSKY:

Yes, we have an active list.

CHAIRPERSON BROWNING:

Okay. And when does that list expire?

MS. DLHOPOLSKY:

I forget, but it's relatively new. It's got years to go.

CHAIRPERSON BROWNING:

Christine, do you know?

MS. LARKIN:

It was just taken, I think. In '12 I think the people took the test.

MS. DLHOPOLSKY:

Probably about three years left on it.

CHAIRPERSON BROWNING:

Okay. So I guess we'll follow-up on it because I know we're sitting here saying we remember moving some money over for more full-time and not so much for the part-time rehires, you know, so.

MS. DLHOPOLSKY:

Correct. You did move money.

MS. MOSS:

It was \$300,000 transferred over.

CHAIRPERSON BROWNING:

Okay.

MS. MOSS:

Three-hundred thousand.

CHAIRPERSON BROWNING:

I can't see.

MS. MOSS

I'm short.

CHAIRPERSON BROWNING:

I was wondering where that voice was coming from. Okay, I thank you. Okay, Patrice, thank you.

MS. DLHOPOLSKY:

Thank you.

CHAIRPERSON BROWNING:

We'll get back to you, Christine.

MS. LARKIN:

Thank you.

CHAIRPERSON BROWNING:

Okay. I don't have any more cards and I know Legislator Kennedy, you have a -- he has a commitment at a school, so I think what -- if Mr. Margiotta would oblige us, we'll try and get through the agenda and then we'll do the presentation because I know it's going to take a while. Okay. Tabled resolutions.

Tabled Resolutions

I.R. 1508-13, Adopting Local Law No. -2013, A Local Law to require use of safety helmets by all bicyclists in Suffolk County (Barraga). I'm making a motion to table.

LEG. MURATORE:

Second.

CHAIRPERSON BROWNING:

Did I hear a second? Second, Legislator Muratore. All in favor? Opposed? Abstentions? It's tabled. ***(Vote: 6-0-0-1 Not Present: Legislator Spencer)***

Okay. ***I.R. 1592-13 - Terminating the County's ShotSpotter Program (Cilmi).*** I'll make a motion to table. Second, Legislator Calarco. All in favor? Opposed? Abstentions? It's tabled. ***(Vote: 6-0-0-1 Not Present: Legislator Spencer)***

I.R. 1690-13 - Adopting Local Law No. -2013, A Local Law to amend Section A13-10 of the Suffolk County Administrative Code to authorize donation of property held by the Police Property Bureau (Co. Exec.). Okay, so I'll make a motion to table for Public Hearing.

LEG. MURATORE:

Second.

CHAIRPERSON BROWNING:

Second, Legislator Muratore. All in favor? Opposed? Abstentions? It's tabled. ***(Vote: 6-0-0-1 Not Present: Legislator Spencer)***

I.R. 1698-13 - Adopting Local Law No. -2013, A Local Law to enhance and improve Suffolk County's E-911 Service (Schneiderman).

LEG. KENNEDY:

Madam Chair, I'm going to make a motion to move this bill, as a matter of fact, the motion to approve and I'm going to also ask the Clerk to add me as a cosponsor on the bill. Very quickly, this bill, as you may recall, is a successor to the bill that Presiding Officer Horsley and I had introduced

back in the summer. It would codify a lot of the recommendations that came out of the Comptroller's audit regarding review of operations of PSAPs. It is cost neutral, I believe, through the BRO. Can I ask through the Chair, to BRO, John?

MR. ORTIZ:

I was just looking that up.

LEG. KENNEDY:

Okie doke. Quickly, what it would do is it would reinstate the Memorandum of Understanding or contractual agreement that had previously been required of the ten non-county PSAPs, put them in place. It would codify the quarterly distribution of the revenues that are collected, both the landline, the cell phone surcharge and very importantly, the voiceover internet protocol. Heretofore that was not something that was subject to the 20% distribution for PSAPs. So the County Executive, to his credit, he made a commitment that he, in fact, would include in the 2014 Operating Budget a 20% distribution to the non-County PSAPs. He did so, but the balance of these operational measures have not yet been added to the code in concert with Comptroller Sawicki's recommendations. So I think it's good housekeeping for us and that's why I offer the motion.

CHAIRPERSON BROWNING:

Okay. And I'm assuming second, Legislator Gregory.

LEG. GREGORY:

Yeah, sure.

CHAIRPERSON BROWNING:

Okay? So -- and cosponsor you said?

LEG. GREGORY:

Yeah, sure.

CHAIRPERSON BROWNING:

Okay. So we had a motion and a second. All in favor? Opposed? Abstentions? It's approved.
(Vote: 6-0-0-1 Not Present: Legislator Spencer)

LEG. KENNEDY:

Thank you.

CHAIRPERSON BROWNING:

Congratulations.

J.R. 1877-13 - Adopting Local Law No. -2013, A Local Law to strengthen the Animal Abuse Offenders Registry (D'Amaro).

LEG. GREGORY:

Madam Chair, I'd like to make a motion to discharge without recommendation.

CHAIRPERSON BROWNING:

Okay. And there's a second on that?

MR. NOLAN:

Who's the second?

LEG. KENNEDY:

Tom is.

CHAIRPERSON BROWNING:

Legislator Muratore. Okay. Well, to be honest with you, I was going to make a motion to table, but I don't know if there's a second for that. Okay. Well, then I guess we'll make that motion to discharge without recommendation. There was a second. All in favor? Opposed? And I'm opposed.

LEG. KENNEDY:

And I'm an abstention.

CHAIRPERSON BROWNING:

And one abstention. So I guess it is discharged without recommendation. (**Vote: 4-1-1-1 Opposed: Legislator Browning; Abstention: Legislator Kennedy; Not Present: Legislator Spencer**)

Introductory Resolutions

I.R. 2002-13 - Accepting and appropriating 100% Federal pass-through grant funds from the NYS Division of Homeland Security and Emergency Services in the amount of \$840,000 for the "State Homeland Security Program (SHSP) FY2013" administered by the Suffolk County Department of Fire, Rescue and Emergency Services and to execute grant related Agreements (Co. Exec.).

I make a motion to approve and place on the Consent Calendar. Second, Legislator Muratore. All in favor? Opposed? Abstentions? It's approved. (**Vote: 6-0-0-1 Not Present: Legislator Spencer**)

I.R. 2003-13 - Accepting and appropriating 100% Federal pass-through grant funds from the NYS Division of Homeland Security and Emergency Services in the amount of \$2,584,010 for the "Urban Area Security Initiative (UASI) FY2013" administered by the Suffolk County Department of Fire, Rescue and Emergency Services and to execute grant related Agreements (Co. Exec).

I guess same motion, same second, same vote. (**Vote: 6-0-0-1 Not Present: Legislator Spencer**)

I.R. 2004-13 - Accepting and appropriating 100% Federal pass-through grant funds from the NYS Division of Homeland Security and Emergency Services in the amount of \$51,000 for the 2013 HazMat Grant Program administered by the Suffolk County Department of Fire, Rescue and Emergency Services and to execute grant related Agreements (Co. Exec.).

Same motion, same second, same vote. (**Vote: 6-0-0-1 Not Present: Legislator Spencer**)

I.R. 2005-13 - Approving an increase in the fleet of the Suffolk County Department of Fire, Rescue and Emergency Services (Co. Exec.). Mr. Vaughn, were you planning to amend that, the increase to a temporary increase or what are you doing with that?

MR. VAUGHN:

I actually thought that we had amended it already, but if you want to discharge it without recommendation on my heartfelt promise that we will amend it if it hadn't been amended.

LEG. CALARCO:

Is anybody from FRES here?

CHAIRPERSON BROWNING:

Yeah. Oh, I know Mr. Williams, and I forgot to say, does have an excused absence because he's at

another meeting. Tom, do you have the answer on that? Oh, sorry, John, I didn't see you here. So John Jordan's here if you need any help with that.

MR. VAUGHN:

No. So the reason was that, Legislator Browning brought it to my attention, we do typically make things a temporary increase to the fleet so as to not lock ourselves into future commitments or to allow for, quite frankly, a change in equipment. We did amend the title. I spoke with both Budget and Mr. Jordan. I spoke to somebody else too, but at least Budget and Mr. Jordan last night to make sure it wasn't a big deal if we made it a temporary increase. We didn't really think it was a big deal either way, but we thought -- we were more comfortable going with temporary increase so as not to box ourselves in. And then it would also allow us, I think, more flexibility so should future grant money not become available, then we can make a decision whether it was something that we would want to bond for going forward, if need be.

CHAIRPERSON BROWNING:

And, John, would you kind of like to give us a little FYI on what exactly this is, this temporary increase is.

MR. JORDAN:

What this stuff includes -- excuse me. Good morning, first of all. Some of the items that we're talking about is deployable assets, some generators that have to be fleeted because they have wheels and they're trailer mounted and things like that. We have fuel cell trailers that we bought to bring to scenes for, you know, to keep operations going if there's a long fire or something like that. It's various pieces of equipment. We have other trailers that we bought to transport things like {inaudible} and stuff like that. We also have a trailer that we bought that we can go to a scene and refill bottles for firefighters. You know, there's various things like that. But we're okay with the temporary title on it.

CHAIRPERSON BROWNING:

Okay. And, you know, I know, and this is all through grant money that you're receiving this, so it's -- and I know we've been going back and forth on this and it's not with the intent to hurt anybody, it's more, you know, we know it's free money that we're buying this. So, again, we don't, like Tom said, it's not to box ourselves in to say now this is what we have and now you have to continue to maintain that. So anyway, okay. As long as everything is good with that.

So it has been amended for a temporary increase, so I'll make a motion to approve. Second, Legislator Hahn. All in favor? Opposed? Abstentions? It's approved. **(Vote: 6-0-0-1 Not Present: Legislator Spencer)**

I.R. 2008-13 - Accepting and appropriating 100% Federal grant funds from the Federal Emergency Management Agency (FEMA) in the amount of \$159,000 for the 2012 Assistance to Firefighters Grant (AFG) Program administered by the Suffolk County Department of Fire, Rescue and Emergency Services and to execute grant related Agreements (Co. Exec.).

Motion to approve and place on the Consent Calendar. Second, Legislator Calarco. All in favor? Opposed? Abstentions? It's approved. **(Vote: 6-0-0-1 Not Present: Legislator Spencer)**

I.R. 2009-13 - Amending Resolution No. 500-2011 to modify appropriated funds in the HazMat 2009 Grant (Co. Exec.). I'm -- does anybody want to know what this is? I'm just curious. Okay. I'll make a motion to approve. Second, Legislator Calarco. All in favor? Opposed? Abstentions? It's approved. **(Vote: 6-0-0-1 Not Present: Legislator Spencer)**

I.R. 2011-13 - Authorizing the transfer of Phone Debit Card Funds from the Sheriff's Office Prisoners' Commissary Account to the Interdepartment Operation and Service Fund (Co.

Exec.). I'll make a motion to approve and second, Legislator Kennedy. And Mr. Sharkey, could you -- you know, I think this is something, I know that when I visited the jail, we actually make -- bring in revenue on this, correct? This is -- could you kind of give us a little explanation what this is?

CHIEF SHARKEY:

Yeah. This is a revenue generating prospect here. We had seen a drop in volume in inmate phone calls due to the drop in inmate population over the last 18 months or so. As a result of that, we were looking for ways to regenerate that income to the County. The revenue stream for inmate phone calls does flow directly back to the County. There was the loss -- we looked into a pilot program of offering the sale of phone cards to the inmates through our Commissary Program. It turned out to be very popular with the inmates with -- which more than compensated for the lower population in the increased sales. And, as a result, we felt that that money should go back to the County.

CHAIRPERSON BROWNING:

Okay. Anybody have any questions? No? I just -- do you have a ballpark number on what kind of revenue we get on that?

CHIEF SHARKEY:

Specifically on the phone cards?

CHAIRPERSON BROWNING:

Yeah.

CHIEF SHARKEY:

Well, this is \$150,000 that was over the course of, I believe, six to seven months. Now, what we've set up going forward, so that you won't have to revisit this every six months or so to move the revenue, we've arranged to have the revenue that is generated by the debit cards to be added directly to the monthly payments that go to the County, so that it will be a seamless thing. Now that we know that the program is successful it's just going to automatically flow into the revenue stream to the County.

CHAIRPERSON BROWNING:

Okay. Thank you. So I believe we had a motion and a second, right, Renee?

MS. ORTIZ:

Yes.

CHAIRPERSON BROWNING:

Okay. All in favor? Opposed? Abstentions? It is approved. **(Vote: 6-0-0-1 Not Present: Legislator Spencer)**

I.R. 2012-13 - Approving the reappointment of Rabbi Steven A. Moss as Chair of the Suffolk County Human Rights Commission (Co. Exec.).

LEG. MURATORE:

Motion.

CHAIRPERSON BROWNING:

Motion to approve, Legislator Muratore. Second, Legislator Calarco. All in favor? Opposed? Abstentions? It's approved. **(Vote: 6-0-0-1 Not Present: Legislator Spencer)**

I.R. 2013-13 - Approving the reappointment of Mark J. Epstein, Esq., to the Suffolk County Human Rights Commission (Co. Exec.). I guess same motion, same second, same vote. **(Vote: 6-0-0-1 Not Present: Legislator Spencer)**

Okay. ***I.R. 2014-13 - Approving the reappointment of Dr. Yu-Wan Wang to the Suffolk County Human Rights Commission (Co. Exec.)***. I guess we can do same motion, same second, same vote. ***(Vote: 6-0-0-1 Not Present: Legislator Spencer)***

I.R. 2015-13 - Approving the reappointment of Augustus G. Mantia, MD to the Suffolk County Human Rights Commission (Co. Exec.). Same motion, same second, same vote. ***(Vote: 6-0-0-1 Not Present: Legislator Spencer)***

I.R. 2016-13 - Approving the reappointment of Rajeshwar Prasad to the Suffolk County Human Rights Commission (Co. Exec.). Same motion, same second, same vote. ***(Vote: 6-0-0-1 Not Present: Legislator Spencer)***

I.R. 2039-13 - Accepting and appropriating Federal funding in the amount of \$60,000 from the United States Department of the Treasury, Internal Revenue Service, for the Suffolk County Police Department's participation in the IRS STEPP (Suffolk-Treasury Enhanced Prosecution Program) with 80.08% Support (Co. Exec.). Motion to approve. Second by Legislator Hahn. All in favor? Opposed? Abstentions? It's approved. ***(Vote: 6-0-0-1 Not Present: Legislator Spencer)***

I.R. 2040-13 - Accepting and appropriating Federal funding in the amount of \$17,203 from the United States Department of Justice, Drug Enforcement Administration, for the Suffolk County Police Department's participation in the DEA Long Island Task Force with 77.01% support (Co. Exec.). Same motion, same second, same vote. ***(Vote: 6-0-0-1 Not Present: Legislator Spencer)***

I.R. 2041-13 - Accepting and appropriating Federal funding in the amount of \$17,203 from the United States Department of Justice, Federal Bureau of Investigation, for the Suffolk County Police Department's participation in the FBI Joint Terrorism Task Force with 77.01% support (Co. Exec.). Same motion, same second, same vote. ***(Vote: 6-0-0-1 Not Present: Legislator Spencer)***

I.R. 2042-13 - Accepting and appropriating Federal funding in the amount of \$30,000 from the Department of Homeland Security, United States Immigration and Customs Enforcement (ICE), for the Suffolk County Police Department's participation in the ICE El Dorado Task Force with 77.01% support (Co. Exec.). Same motion, same second, same vote. ***(Vote: 6-0-0-1 Not Present: Legislator Spencer)***

I.R. 2044-13 - Accepting and appropriating grant funding in the amount of \$225,225 from the State of New York Governor's Traffic Safety Committee passed through the STOP-DWI Foundation for the Suffolk County STOP-DWI Program to fund DWI Enforcement Related High Visibility Road Check Patrols with 82.77% support (Co. Exec.). Same motion, same second, same vote. Everybody still good with that? ***(Vote: 6-0-0-1 Not Present: Legislator Spencer)***

I.R. 2045-13 - Authorizing execution of a Law Enforcement Officer Reimbursement Sub-Recipient Agreement with the Town of Islip for MacArthur Airport (Co. Exec.). I make a motion to approve. Legislator Muratore seconds that. All in favor? Opposed? Abstentions? It is approved. ***(Vote: 6-0-0-1 Not Present: Legislator Spencer)***

I.R. 2046-13 - Accepting and appropriating a grant in the amount of \$12,000 from the New York State Governor's Traffic Safety Committee (GTSC FFY2014) Child Passenger Safety Program with 100% support for Sheriff's Traffic Safety Initiative (Co. Exec.). I make a motion to approve and place on the Consent Calendar. Second, Legislator Hahn. All in favor? Opposed? Abstentions? It's approved. ***(Vote: 6-0-0-1 Not Present: Legislator Spencer)***

I.R. 2047-13 - Accepting and appropriating a grant in the amount of \$4,000 from the New York State Governor's Traffic Safety Committee Grant (GTSC FFY2014) Highway Safety Program with 100% support for Sheriff's Traffic Safety Initiative (Co. Exec.). Same motion, same second, same vote. (Vote: 6-0-0-1 Not Present: Legislator Spencer)

One more. ***I.R. 2048-13 - Accepting and appropriating a grant in the amount of \$9,365 from the New York State Governor's Traffic Safety Committee Grant (GTSC FFY2014) Highway Safety Grant to fund the Sheriff's Smart Start Program with 100% support for Sheriff's Traffic Safety Initiative (Co. Exec.). I guess we'll do same motion, same second, same vote. (Vote: 6-0-0-1 Not Present: Legislator Spencer)***

Okay. That's it for the agenda. And okay. So Mr. Margiotta, it's your turn. So if you would like to come up and adjust yourself and I know there's going to be some questions.

LEG. GREGORY:

He's taking off his jacket.

CHAIRPERSON BROWNING:

I know, get comfortable here. And I neglected to, I don't know -- I should probably ask Mr. Sharkey. I know we have some Commissioners, we have FRES. I'm assuming everybody's good to go? Okay. So I don't want to hold you up. Okay. So Mr. Margiotta, if you'd like to proceed.

MR. MARGIOTTA:

Thank you. Before I begin, there are -- I put in some videos here that were taken off of red light cameras that reinforce why we have the Red Light Camera Program. It may be a little startling, so I just want you to know upfront there's no blood or gore, anything like that, but I just want you to know.

This is the accomplishments that we did in seven months over at the TBVA. Over 100,000 tickets were put into the system, physically put it. Seventy-five thousand people were put in that had gotten -- that had received tickets. Close to 50,000 of those tickets are closed and paid, and over \$10 million in fines were collected. We put 90,000 people through our door in seven months. It's really six months, because in April we were just getting up and going, we had no conferences, we had no judges, we had no prosecutors, so it's really six months. So I wanted to give you just an overview of where are and what we've done so far.

Now on to the safety. Unfortunately, we don't have 2012 statistics because New York State has not come out with them yet. We've been waiting. But these are the ones from '09, '10 and '11, and it goes up and down a little bit. In 2009 there were 314,000 crashes in the State of New York, and we were 9.8%. In 2010, there were 315,000 crashes and we were 8.7%, and in 2011 there were 307,550 crashes and we were 9.9%. So it kind of went up, went up -- well, stayed up, went down and went back up. This does not give us the statistics of how many of them are as a result of a traffic control device, a red light. There are statistics that breakdown what they believe caused each accident by the police officer's report, which I'll try and get. Okay.

This is one of the incidents. You can clearly see that he just went through the red light.

This is an idea of the appointments that we have set up and how many people are actually coming through our doors, how many letters have been sent, and actual people versus -- what we call actual customers, because people, for whatever reason, bring friends with them to come to traffic court. So some of them -- one person may bring two or three people with them. So we have a lot more people than we actually do have people that are actually conducting business. And then we have walk-ins on the bottom, you'll see how that works.

Public Safety 11-21-13

And one of the things we can't control is the Police Department writes tickets returnable two months after the date of the ticket on a schedule. We have no control over how many of those people are going to appear, mail the ticket in, not show up at all, come in earlier. So every day we have a calendar of up to three or 400 people sometimes, that we don't know if they're coming. So we just have to be prepared if 100 come or if 300 come. We're getting percentages and it's kind of varying a little bit depending -- believe it or not, the weather has a lot to do with it. If it is raining out we're busier. I don't know why that is.

Okay. Another entertaining video. Now, you see this person in a rental truck, you know, who knows if he even had the right license to drive the truck. We don't know anything about it, but it hit right into the driver's door of that vehicle.

So we have approximately 73,000 unique cases, which are people basically. Now, there's 100,000 tickets, so you could see the average, which is weird, but the average is 1.4 tickets per person because some people have three tickets, some people have one ticket. Letters have been issued for all 73,000 cases. We're pretty happy about that. We were given backlog from the Department of Motor Vehicle with tickets from the '80s all the way up until 2013, til March 31st of '13. We have addressed every ticket they gave us for the past 30 years that they've been doing this, in six months. So every one of those tickets have been addressed, people have been notified, they've gotten dates and they're on the calendar.

This is -- now, that's just a truck that was not planning to stop for that red light and the car in front of it was planning, and it didn't have a choice.

The daily operations. I don't want to spend too much time, I know you have a lot to do, but it just gives you an idea of how people come through the door and how they're disseminated through. There's a few things you can come in for. Generally, you're either there for a trial, you're there for a conference or you're there to see the Clerk or the Cashier, and then depending on what happens in those instances you're filtered down to other places. Where you see leave without pay, it's not -- it's the person was given time to pay their fine. So although they pled guilty today, we gave them say 30 days to pay the fine, so they actually left without paying the fine, which is fine. It's not that they just left. They were given time.

See the car on the left had basically no warning. This is tickets disbursements and entered. You see all the different departments and the percentages. Obviously the Suffolk County Police Department is way up there. I'd say they're responsible for about 80% of the tickets that we adjudicate in the Traffic Violations Bureau.

You see that was just a light tap, that wasn't even a -- they weren't even traveling that fast and the car flipped over.

So this is the red light cameras. This is how many citations were issued by locations. All the locations have numbers. What you're looking at is the green, I would start with the green, because the burgundy was half in the year, half out of the year when they came up. The green was when the camera was first put in. You see how many summonses were issued. If you go to 674 it's dramatic. It's way up over 5,000. And then if you look down to the blue, which is this year, it's 1,000, and we are already in November. All of them, if you see -- if you go to the green -- sometimes you'll see it go up from the green to the purple, but then it goes down. The blue is generally always lower, and even the -- I guess the purple, those are the statistics. It tells you the cross streets in the towns.

This is an accident at night. Yeah, and the person just driving through, no clue. Okay.

So you could see -- see, if you look at 633, the one all the way to the left, you see it was over 2,000, and in '13 it's barely -- it's 1550 or something like that. What's even more dramatic is 653,

but you see the trend is always going down. Again, that's what we're trying to avoid. Again, you see the green way up, the blue down. And you see, right through. These people -- these aren't even people that are actually breaking and trying to stop.

Again, a little closer, but if you look at 74, 72, 451, 813, you see all of them, they're going down. The instances are going down. This is -- I call it the infamous left turn. It's the most dangerous turn you can make driving, and the light was clearly steady red.

Here you go again, seeing the blue way up -- I mean the green way up and the blue down. You'll see why I call that special delivery, it's a UPS truck. So it's not just -- it's commercial vehicles, it's everybody. I made it a little bigger for these just to give you a better idea of the decline. As you see on 822, it declined more in '12 and went a little up in '13, but generally it's down. And this is the same for every -- for every red light camera. So that's the total presentation.

CHAIRPERSON BROWNING:

That was good.

MR. MARGIOTTA:

I can just tell you that it's -- the incidents at an intersection with a red light camera continually drop and necessitate the moving of that camera to another location that it does not have one where the incidents are up. So it's a mobile system. I believe they're leaving some fake cameras at times, trying to get people to think there's a camera there so that they still continue to stop, but I'm not sure how that program is doing.

CHAIRPERSON BROWNING:

Okay. Well, clearly, I know that there's been some cameras placed in my district and I think overall, especially on the William Floyd Parkway and Montauk Highway, we've actually had requests for a very long time, when we first got red light cameras, to have them placed there, because it's -- it is a very dangerous intersection. There has been a reconfiguration of that intersection, which has made a difference. It reduced the number of accidents, but there's still an -- incidents with -- to the south of Montauk Highway there's a railroad crossing. Too often people will, you know, the train's coming, the bar goes down, traffic keeps going, and then you wind up getting a back load of traffic sitting in the middle of the intersection, blocking the intersection. And, you know, I'm hoping that that will help resolve that problem. Now, in a situation like that, because now you have cars that are just sitting there.

MR. MARGIOTTA:

Blocking the intersection.

CHAIRPERSON BROWNING:

Does the camera pick up all of those or how does that work?

MR. MARGIOTTA:

The camera will only issue a citation or we'll only approve a citation if the vehicle was before the red light when the light was red. So it has to be red when the car approaches, red when the car goes through it and red when the car's on the other side. So we take a picture of the car showing the light's red and the car is approaching, the car's on the other side and the light's still red and the video of the car driving through it. So you see flashes a lot, that's because if your tire is going over the white line or the sensor at more than six miles an hour, they're anticipating you're going to go through it so it starts taking pictures just in case, but no citations.

CHAIRPERSON BROWNING:

Okay. But those vehicles that are now because of the backup --

MR. MARGIOTTA:

Only if they went through.

CHAIRPERSON BROWNING:

If they're forward of the red camera, the red light, sorry, the traffic light, but now they're sitting in the intersection, in the middle of the intersection, kind of under it. Are they going to get their picture taken?

MR. MARGIOTTA:

Yes. If the light was red when they approached it and they went through it, yes.

CHAIRPERSON BROWNING:

What if it's not red when they approached it.

MR. MARGIOTTA:

No.

CHAIRPERSON BROWNING:

But they just kind of moved forward and it's backed up. Okay. And obviously I know that, you know, I think we've probably all received a lot of these e-mails by about the administrative issue and I don't disagree. I think that -- it's my understanding in the past, you know, if a Police Officer pulls me over for having a busted taillight, not having my insurance card on me, I might get a summons issued to me, go to the local Police Department, the local precinct, and produce that, you know, show that you fixed that taillight. You know, you may not know that taillight wasn't working when you left. You know, the insurance card, you know, you just got new insurance, maybe that you had an expired one, and you didn't put the new one in yet, in your car, so, you know, show up at the precinct. The Police Officer will sign off that yes, you have everything. However, it's my understanding you would still get that \$50 administrative fee.

MR. MARGIOTTA:

If you were guilty at the time you received the ticket, yes. If you're not guilty, no. And insurance and registration and inspection are not -- they're not permitted to be dismissed by correcting or proving. Only 375 under the Vehicle and Traffic Law, specific Section 375, I think it's 376 and a little 378, not a loud muffler, not two lights out and not a brake violation, gives you the opportunity to fix it and the court will not fine you.

The difference, I think, now is before it was the State handling it, so the State does nothing. Suffolk County Police Officers spend their time pulling them over, they write the ticket, they file the paperwork. The person goes to a precinct, a Police Officer leaves his desk, goes out, spends ten minutes inspecting and writing the thing, sends it back. All the State does is go, okay good. Well, that's all us, so they had nothing to lose. It didn't cost them a penny. They only benefitted. There was no way that they could -- they could lose money in that situation. On our side, I mean the truth is it's not should people pay, it's who is going to pay, because somebody's paying. It's either the taxpayer generally or the person that got the violation. Somebody has to pay. I'm doing a little research now to find out how much it is. You know, if it's \$10 obviously that's a different story, but we have a feeling it's not, it's pretty high.

CHAIRPERSON BROWNING:

Yeah, but it's just -- I mean, if I'm -- you know, I came in to work today, I parked my car. My lights are working, my taillights are working, everything's working fine. The bulb blows out as I'm leaving here, I don't know that.

MR. MARGIOTTA:

I agree.

CHAIRPERSON BROWNING:

Or one of my headlights goes out on my way home. I wouldn't consider that being guilty and I would say, you know, it's mechanical or whatever you want to call it problem. So now I'm going to get pulled over possibly and, you know, it was working fine this morning when I went to work, but to now have to pay some kind of a fine --

MR. MARGIOTTA:

Well, it's not a fine. The fine is very high compared.

CHAIRPERSON BROWNING:

Administrative fee. But I just think that to pay an administrative fee in a case like this, I think is unfair.

MR. MARGIOTTA:

Then who should pay for that?

CHAIRPERSON BROWNING:

You shouldn't have to pay anything.

MR. MARGIOTTA:

Well, somebody is paying, because it's costing us money at TPVA, it's costing the County police money, it's costing everybody money and it's thousands, thousands.

CHAIRPERSON BROWNING:

Well, okay. The Police Officer is still out on the road anyway doing his job, so in the course of his duty he may see the car go down the road, no taillight, you know, maybe the car was speeding, which is a reason why he didn't find an insurance card. But, you know, in the instance of a taillight or a headlight, you know, the officer is on the road on duty. It's not like we're calling some Police Officer from some precinct and saying hey, go out to, you know, such a road because we see a car without a light. You know, he's out there in the course of his day's work and picks it up. So it's not like you're sending anybody out to do it.

MR. MARGIOTTA:

But we do, actually, sometimes. We have traffic stops in our Traffic Division.

CHAIRPERSON BROWNING:

Right, but that's all in the course of their duty.

MR. MARGIOTTA:

Yes.

CHAIRPERSON BROWNING:

It's not like you're specifically sending them out for that one vehicle. So, you know, you're telling them to go do what -- you know, they're out doing their job and you're now saying to them, okay, you can write them up that ticket, go to the nearest precinct and what does it take for the Desk Sergeant or whoever to come out and sign off on it. It doesn't take much time.

MR. MARGIOTTA:

We're talking about thousands, though. I have to show you, if you guys want to come over, this is not a minor thing that's going on. You're talking about thousands of hours and man-hours and mail and postage as well.

CHAIRPERSON BROWNING:

But we're there to protect and serve, and we pay taxes for that service, so --

MR. MARGIOTTA:

That brings me to -- I was thinking, and I have no right to say this, but -- and I don't even know if it would be legal, but I agree with you with Suffolk County residents, they're already paying. But we have many, many, many, many violators that are not from Suffolk County and can get three, four, five in a row and spend an hour on the side of the road with a Police Officer and then the County pays for it, taxpayer pays for it.

CHAIRPERSON BROWNING:

Right, but I mean, you know, generally I believe, and I know we have Mr. Waring is here from the Police Department that, you know, if -- you know, when you pull somebody over, and it's a basic police question. I don't know Mr. Waring, if you want to respond. You know, when a Police Officer pulls somebody over you run the plate. You might, you know, if something pops up you do a warrant check on them. I mean, what would a basic, you know, you're on the L.I.E., you pull a car over, what would your procedure be?

MR. WARING:

Well, like you say, you would get his information, license, registration, insurance card and then run his license to make sure it's valid and then issue any summons that -- for violations that you observed.

CHAIRPERSON BROWNING:

Right. Now, if it's a first time summons I guess the officer has the discretion to be a nice guy and say, "Oh listen, you know, your taillight's out or your headlight's out", you know, you write him up that ticket to, you know, come back and show that you got it fixed. But, I mean, if you have multiple tickets and you're a frequent flier, you'd pick up on that, right?

MR. WARING:

Yes. You would, yes.

CHAIRPERSON BROWNING:

I understand, then, if it's somebody who's, you know, a habitual offender that that's a different story, but if it's a one-shot.

MR. MARGIOTTA:

That's the problem. You'll never know if we go that way. Right now I can pull it up and see how many times you've done it, but if you're going as you were with the State and you're just sending in these affidavits, they don't appear anywhere. So we can't tell you ever got that ticket. It doesn't appear anywhere, so you can get one every week and get it fixed every week and there's no way for us to know you got prior ones for these things. There's no way to tell that unless you're either found guilty or plead guilty or there's an administrative charge, and then only we can see it. The DMV and the Police Officers aren't seeing that. That would only be in our database. But we really can't tell that.

CHAIRPERSON BROWNING:

Is there some way to track that?

MR. MARGIOTTA:

I guess IT could probably figure out a way to flag it. It's a computer, there's got to be a way.

CHAIRPERSON BROWNING:

Yeah, I would think that if somebody's getting multiple tickets and their frequent fliers with it that they're doing it. I can't imagine how many that would be, but I could be wrong. Rob, do you have a question?

LEG. CALARCO:

I do. I think there are a couple of things that I maybe kind of question. We really have a lot of people who are repeat offenders of taillights being out multiple times and, you know, the same person coming in with the same equipment violations over and over and over again that we keep dismissing because they've been corrected. I mean, a taillight would last what, six, seven, eight months at least before it goes out? Probably longer.

MR. MARGIOTTA:

What was that, Legislator?

LEG. CALARCO:

Years. I mean, we're talking about dismissing it because it's been corrected. You're not going to tell me that you have repeat offenders who come in with a taillight constantly being out.

MR. MARGIOTTA:

Not the same taillight, no, but there are people, certain people may drive a vehicle that is not roadworthy and continue to get tickets.

LEG. CALARCO:

Could you document for me how many times we've experienced multiple offenders for equipment violations?

MR. MARGIOTTA:

Equipment violations?

LEG. CALARCO:

Yeah, multiple offenders.

MR. MARGIOTTA:

For like six months, yes.

LEG. CALARCO:

Like the same person or the same vehicle over and over and over again. Yeah, I'd like to know that, because I can't imagine that's a very high number.

MR. MARGIOTTA:

I would think it's more of a minority of people that get the majority of tickets.

LEG. CALARCO:

And to the point of tracking the system, I mean, every time a ticket is issued by the Police Department there's a tracking system for that, is there not? I mean, the Police Officer writes a ticket. We know he writes that ticket. We know that, you know, he has -- the officer has their own responsibility within the department, am I not mistaken, that, you know, when a ticket comes out of the book, you know, there's no erasing that ticket ever coming out of the book, correct? We know that's been issued. Each ticket has its own individual ticket number. Is that accurate?

MR. WARING:

That's accurate. It gets entered into a database, yes.

MR. MARGIOTTA:

But what happens is, and the Captain can correct me if I'm wrong, when the Police Officer pulls you over and looks up your history, he's not going to see that ticket unless you pled guilty or you were found guilty for that ticket. It's not going to appear on your driving record. You could have hundreds of them and they'll never appear on your driving --

LEG. CALARCO:

That's fine, the Police Officer is still going to enforce the law as is their responsibility; correct?

MR. MARGIOTTA:

Yes, but he can't tell what you guys were asking, if this person is a repeat offender. There's no way to tell that.

LEG. CALARCO:

No, but you can when they come in.

MR. MARGIOTTA:

When they come in we can, yes.

LEG. CALARCO:

Sure, okay. How much does it cost us to prosecute a ticket?

MR. MARGIOTTA:

We're figuring that out now. I have them doing that. I am going to guess it's more than \$50 for a ticket. I think it would go down if you got multiple tickets. So if the officer is stopped and writing three tickets, you know, that would probably be a lot less than if they wrote the one, because you still have to stop, you have to have the conversation, you have to enter all the information. When you add two or three you are only changing the charge and if it is a traffic ticket it would be --

LEG. CALARCO:

Well, what's the cost to you, not to the Police Department.

MR. MARGIOTTA:

To us?

LEG. CALARCO:

The Police Officers are out there doing their job one way or the other. It's really, you know, not, you know, that's maybe Legislator Cilmi's favorite word, the opportunity cost, but the reality is, is, you know, the Police Officers are on the road. We put them out there and they're doing enforcement and they're doing their enforcement of the law mostly for the public safety purposes. They're not out there to generate revenue. They're out there to enforce the law, to make sure people aren't running through stop signs or driving safely or their car meets inspection purposes for safety purposes. They're not doing that to generate revenue.

So what is the cost to your agency is what I'm looking at. What does it actually -- what is it that you actually have to do in order to adjudicate one of these tickets that gets dismissed because it's a traffic light, you know, it's the taillight situation and the person comes in and they show proof that they got their taillight repaired.

MR. MARGIOTTA:

Okay. The ticket gets sent to us from the Police Department. We enter the -- an employee enters the ticket into the system. Five minutes maybe, 10 minutes. A letter would may be generated off that ticket, but then somebody's going to mail something in, the driver or the owner is going to mail something in. That mail goes to the mailroom. The Mail Clerk is going to open it, identify that as a specific kind of mail. That's going to be put in a box. Then there's employees that take that mail and they go through it, a Prosecutor goes through it to review the affidavits, to see if it's really corrected or it's not, because a lot -- a majority aren't correct. They may send in a receipt from Sears that they fixed it rather than the affidavit, which is what's required. Once the Prosecutor's done that and made a determination, then it goes to a Court Clerk. Court Clerk's going to enter that determination into the computer and then it's either going to go to a Judge or it's going to go back to the other side and then another letter is going to be generated, sent out saying it's not accepted

or there's a fee or whatever.

LEG. CALARCO:

And you're not experiencing any backlogs in the department right now? These tickets that are being adjudicated, that are being dismissed, they're not bogging you down right now, right? You said that you are -- actually have all caught up. You've adjudicated, you've sent through all these tickets that --

MR. MARGIOTTA:

That's from Motor Vehicle. Our current tickets that I set up until April 1st, from April 1st, on these especially, not just these, we are extremely backed up.

LEG. CALARCO:

You're extremely backed up. So you're going to need more employees is what you're saying?

MR. MARGIOTTA:

If we were to go -- well, I haven't hired more employees because we were handling so much at the DMV and it will be over by January. I anticipate that the volume will go down and we could start to catch up, so I don't want to hire people when I don't know how many I'm going to need yet. But I believe by January, if my numbers are right, we should start catching up further. It's not just these. There's guilty pleas by mail, there's not guilty pleas by mail. There's thousands of these come in a month.

LEG. CALARCO:

I'd be interested in knowing. We'll set something up, because I want to make sure the law -- I am, as you know, I have filed a resolution to try to address the issue, and I do want to make sure that we work to find a different way of making it as fair to everybody as we can. But this is -- you know, I'm not looking at making money off of these poor people who really are not at fault. I don't know anybody who does a 20 point check of their car before they leave in the morning to make sure the blinkers are working, the taillight's working and the brake lights are working. It's just not common practice. You might have to do that before you fly a plane, but you don't do that before you drive your car.

So, you know, I think we need to have some level of fairness for these individuals who really are not -- in all likelihood they are just not aware. And granted, the Police Officer pulls them over and the Police Officer's got some discretion to say "Hey, go get your taillight fixed", but, you know, they may not have done that, but I think we can't, you know, look to make the buck off of that. And if you ask who should pay, my answer is the guys who are guilty. You know, if it's a matter of the administrative fee is not covering it, and if we waive it for these individuals that are really not guilty of anything in the first place and they're being dismissed, then maybe we up it for the people who actually are guilty of something and let them pay because they're the ones that are actually out there knowingly and willfully, you know, breaking the law.

MR. MARGIOTTA:

I agree, but I just want to address the not guilty. They are guilty. None of these people are found not guilty.

LEG. CALARCO:

Let me ask you then, how is the law written? How are you permitted the discretion to dismiss a case then?

MR. MARGIOTTA:

If we have information suitable to the court that the person corrected the particular violation that we are permitted to do within one half hour of sundown of the following business day, excluding Sunday, the court will dismiss.

LEG. CALARCO:

So the State in their infinite wisdom in passing this law has given people the ability to rectify the problem with the, I'm assuming and maybe I shouldn't, but with the understanding that a lot of these people probably don't know that they've got the problem in the first place. So they're giving them the opportunity to fix it without being penalized.

MR. MARGIOTTA:

Yes.

LEG. CALARCO:

Okay. So I think we should follow the State's lead.

MR. MARGIOTTA:

Keep in mind, though, it costs the State nothing.

LEG. CALARCO:

No, it cost them the same thing it costs you. The DMV still has to prosecute the ticket. They still need to have people there who are going to adjudicate the ticket, are going to prosecute the ticket, who are going to need to register it into their own database systems. Don't say the DMV when they were doing this didn't have a cost. They had a cost to them as well. It's the same opportunity cost that there is to you, it's just, you know, the State was paying for it instead of the County now. And so, you know, it's not that it didn't cost them something, it just didn't cost us directly out of our budget something. It cost it out of the State's budget.

CHAIRPERSON BROWNING:

Legislator Gregory.

LEG. GREGORY:

Thank you, Madam Chair. I have to respectfully disagree with my colleagues. I do think that there -- I understand what you guys are saying about the Police Officers on patrol and we pull someone over and because of their taillight, that the person's already on patrol, but I look at it from a different point of view slightly, that that officer could be, you know, tracking down someone who's speeding down the highway. You know, there's other opportunities for that officer who is already on patrol to take up his time while he's being paid by the taxpayers of Suffolk County. And there's a cost to that.

Certainly, I think the law allows for someone to rectify their situation if it's in certain instances, but that doesn't mean that there isn't a cost to us. And how do we capture that cost is the real question. You know, I think where there's a benefit is if there's multiple tickets, I think you kind of alluded to it, you know, there's only one cost really if you write one ticket or 15 tickets. You know, there really is no additional cost, but there is a cost at the initial stop and, you know -- you know, even though momentarily there is, you know, a cost to him being distracted from his normal course of duties, there's a cost of someone inputting in the system, you know, there's a cost to that. Whether the State wanted to forego that cost I don't necessarily think that we should take their lead in that.

I would like to see, you know, like the schoolhouse rock version. You know, how a bill becomes a bill. How does the traffic ticket go through the system, you know, and what is the cost through this system. I would like to see that and then make a decision from there. But I do understand the point, you know, in the military we had to do our 20 point checks and Kate was alluding to when she was a bus driver. I certainly don't do that every morning myself when I look at my car, but by law it's our responsibility.

MR. MARGIOTTA:

Correct.

LEG. GREGORY:

By law you're supposed to stop before you make a right turn. Whether it's enforced or not that's another thing, but there are a lot of things that are our responsibilities that we don't do. You know, it's a matter of what, from our point of view, what we are willing to absorb. And that's just a point that I wanted to make. Thank you.

CHAIRPERSON BROWNING:

Well, again, I'm not going to necessarily agree with DuWayne, because, like I said before, we pay a Police District tax, and I think that that's to pay for a service, and the Police Officer's out there, he's doing his job, and pulling somebody over for a busted taillight or, you know, whatever, no headlight, it's in the course of his duty for the day. You know, so I don't necessarily agree with the -- that fee being imposed because it's -- while you're saying in a way you're kind of guilty because your light was out, you're not really guilty if you didn't know.

MR. MARGIOTTA:

Well, that's not true. The Vehicle and Traffic Law is what is called the Strict Liability Law. That's why they put this little nuance in for the correction part, because even if you don't know -- if you didn't know you were speeding, if your speedometer was broken and you're speeding, it doesn't matter. If your light's out and you didn't know it, it doesn't matter. If your brakes are no good. I don't want to be technical, but I always want to make sure I don't say the wrong thing because they are guilty. They have just corrected the violation within one half hour of the day prior -- the next day's sundown. If they don't submit the receipt, they'd be found guilty, whether they knew it or not.

CHAIRPERSON BROWNING:

Okay. Back up again. Okay. I'm leaving here, everything was working when I got here this morning. I'm going home, one of my lights is out. I get pulled over by a Police Officer. He writes the ticket, tells me I have how much time, like you have a 24-hour period?

MR. MARGIOTTA:

Just til a half hour after sundown the next business day, so it could be very little time. If you got the ticket at 11:30 at night, now you'd have to fix it by like 5:00 the next day.

CHAIRPERSON BROWNING:

Okay. So by 5:00 tomorrow. Does it matter where I am? Say I got pulled over in Hauppauge and I live in the 7th Precinct. I can just go to the 7th Precinct, right?

MR. WARING:

Yes.

CHAIRPERSON BROWNING:

So what happens to that ticket that the Police Officer writes? Where does that go when the Police Officer at the end of his duty, what happens to those tickets when he comes in? Do they go straight over to TVB or where do they go?

MR. WARING:

No. A Supervisor goes through it to make sure it's filled out correctly, then they forward it to the Administrative Section and they'll enter it in the computer to account for it and then they'll forward it to the court.

CHAIRPERSON BROWNING:

Okay. So now tomorrow I'm going to go to my local precinct with that ticket that you gave me, and I'm going to show -- the Police Officer's going to come out and say, "Okay, it's fixed." What is -- he signs off on the ticket?

MR. MARGIOTTA:

He signs an affidavit.

CHAIRPERSON BROWNING:

Okay. So he gives you the affidavit that your thing is fixed. So now -- and now you have to send that paperwork to --

MR. MARGIOTTA:

Or bring it in, yes. And then we have to review it to see if -- I mean, most -- a lot of them are not done within the timeframe. A lot of them aren't Police Officers who filled out affidavits. There's a lot of mistakes, but there are some people that actually do get it right.

CHAIRPERSON BROWNING:

Now, is that in the computer system for the Police Department still, that you had that ticket?

MR. MARGIOTTA:

Yes.

CHAIRPERSON BROWNING:

Okay. And is there not a way that the precinct can access that system to void it out?

MR. MARGIOTTA:

They're not allowed to do that.

CHAIRPERSON BROWNING:

They're not allowed to.

MR. MARGIOTTA:

No. It's only the court that can make that decision. They have to review it and also it's a little broader too, because it gives us a little leeway and we do utilize this leeway, too. If you did get a red light -- you got a ticket for your taillight out and you bring it to us with a receipt from Sears for clearly your light the next day, you don't have the affidavit, it's too late. We don't charge you the fine, we say it's a \$50 administration fee so the County isn't paying and you don't have to pay anything. Normally they pay \$188 for that, but we do use this -- we do give a lot of leeway with this, so, you know, for whatever that's worth, we do a lot of that. Because most people don't do it correctly.

CHAIRPERSON BROWNING:

Well, I still don't like that, because, I mean, if it's somebody that has an older vehicle and maybe they're older vehicles because they -- because of their personal finances, and I just feel like, you know, we pay taxes, we pay Police District tax to pay for this service of our Police Department, and you know, now I might have to pay 50 bucks. That might be the last \$50 that person has for the week. And, you know, to buy bread or milk or whatever, you know. So you don't know people's circumstances. So that's why I kind of have an issue with that \$50 fee, because you just don't know. Somebody might have a beautiful Mercedes and be able to afford it or somebody might have that not so nice car and, you know, it could be their last \$10 or last 50 bucks, you know. So I just have a hard time with that. Does anybody else have a question? Kara?

LEG. HAHN:

I agree with like different points of what everyone's saying. I mean, I agree with the fact that you're guilty when the light's out, so the ticket should be issued. But just clarify for me. You have to fix it before the sundown. Do you have to get the affidavit too before the --

MR. MARGIOTTA:

Yes.

LEG. HAHN:

So you have to do all that.

MR. MARGIOTTA:

Yes. You have to prove to a Police Officer that it's been corrected prior to one half hour after sunset the next day.

LEG. HAHN:

No, but do they have to sign the affidavit within that time as well?

MR. MARGIOTTA:

Yes. They have to actually inspect the car prior to that time to say -- basically so it's not going into another evening without a light missing.

LEG. HAHN:

So I'm okay with getting it fixed and bringing proof of when you got it fixed. I'm just a believer in, you know, we got a lot of working people, and someone shouldn't have to take their next day of work off to get their light fixed and then prove it. Like you can go somewhere, you can do it yourself in the dead of night and have it, you know, have had it done, but to actually have to get to a precinct and prove it within that short amount of time is like really problematic for me, but anyways I'm not proposing to change that at the moment.

MR. MARGIOTTA:

Legislator Hahn, it isn't just a precinct so you know. You could bring it to your mechanic and a certified inspection station could fill it out. There's not just the police. The police is the obvious and easiest.

LEG. HAHN:

Okay. Good. I do think that a \$50 fine when you've corrected it -- but another piece that had come up, there was some testimony, there was -- somebody said, you know, my son actually showed the cop my insurance card and they still wrote us a ticket. Now -- okay, whatever, we're not going to go with he said, she said what happened, but if they're shown to be not guilty, proven or determined to be not guilty, then they don't pay a thing. They just have their own opportunity costs having to come down and prove that they were not guilty.

MR. MARGIOTTA:

Correct. So we know, too, this particular area of law does not address and does not cover unregistered, uninsured, uninspected, so a lot of people think I have to inspect it the next day and that's going to matter, and it doesn't by law. Those things cannot -- it's only specific to these mechanical parts of your car. So if you didn't -- if you didn't have -- if your car was uninspected and you went out the next and got it inspected, it means nothing.

LEG. HAHN:

You still get the \$75 ticket or whatever the cost is for the ticket.

MR. MARGIOTTA:

The cost for the whole thing, \$188.

LEG. HAHN:

Okay. And also, you got to remember with newer cars there are -- like my car tells me your taillight's out, and I sometimes drive around for a couple of weeks because I don't have time to go get my taillight fixed and I would deserve that ticket.

The other thing that has come up, and you kind of screwed yourself by putting that really attractive -- attractive, not the word -- that -- one of those videos in there where the dump truck rear-ended

the car. So you know where I'm going. So there's a lot of people who say I couldn't stop at that red light because the tractor trailer behind me was going to barrel into me. Just didn't want that to happen, what you showed there.

MR. MARGIOTTA:

Sure. Can I show you one thing, though, on it?

LEG. HAHN:

Yeah.

MR. MARGIOTTA:

I'm going to show you again. Look at how far back this truck had to be from that red light when it the car. It's not even in the realm of -- it's already a red light, we're starting out with a red light, okay? Now it comes flying through. That truck hit that car way before. There was no intent ever to stop for that light.

LEG. HAHN:

Oh, I understand the truck's in the wrong, but I'm bringing up a whole other point.

MR. MARGIOTTA:

The car that got hit.

LEG. HAHN:

I'm bringing up a whole other point. There's some people who say I went through this red light because there was this 18 wheeler barreling behind me and if I stopped that was going to happen to me. They gave me the ticket and, you know, I fought it or whatever, but I chose not to die. I shouldn't have to pay because I chose not to die. And there are some people who make that conscious decision, I'm going to get a red light ticket and it doesn't matter because I'd rather be safe. They had to make a decision and maybe they would have gotten T-boned, too, who knows, and it's not the right decision, but they're looking at that dump truck behind them thinking I can't stop or I'm smushed.

MR. MARGIOTTA:

If you bought the video and they went to trial and the Judge saw they were right on top of them going through and that car was right behind them and they made that testimony, I doubt he would find them guilty.

LEG. HAHN:

Okay. So you have examples of that?

MR. MARGIOTTA:

Yeah. Well, there's a lot of people not guilty. I don't know why they're not guilty.

LEG. HAHN:

Because I do hear that. And so it could be, you know, go in and challenge it then.

MR. MARGIOTTA:

Sure. Or even if they notify us and I review it, if that's the case then I bring it to the Judge and get it dismissed, too.

LEG. HAHN:

Okay. Yeah, because I've heard that a lot, that, you know, this is raising the number of rear-end crashes because people are stopping at red lights where -- and then the person behind them doesn't think they're going to stop and duh, duh, duh. And that I went through one because I was afraid of the tractor trailer behind me or big pickup truck and I drive a Volkswagon Bug, you know, I really

couldn't stop. And so I'm glad to hear that. So thank you.

MR. MARGIOTTA:

Thank you.

CHAIRPERSON BROWNING:

Okay. Legislator Muratore.

LEG. MURATORE:

Thank you, Madam Chair. I'm just a little confused here. Do we want to do away with the law? I mean, do we want to do away with checking our taillights and headlights? I mean, you know, it's like, well, I didn't know the gun was loaded. Are we going to go to that next? I mean, it's your responsibility. Like DuWayne said, and you know being a bus driver, it's your responsibility that your vehicle is safe to operate on the roadway. And to me, when I was a Police Officer, taillights were as important to me as speeding, because on a dark, rainy night and the car in front of you doesn't have taillights, you're going to end up in an accident, probably more so than a guy speeding alongside of you. I'm confused. Do we want to do away with the law that says you have to have taillights that operate or headlights that operate?

CHAIRPERSON BROWNING:

No, I don't think I'm saying that. I'm saying you have to give somebody the benefit of the doubt that their vehicle was working just fine this morning --

LEG. MURATORE:

But you have it. You have it with the affidavit.

CHAIRPERSON BROWNING:

Right.

LEG. MURATORE:

You go and -- you know, I think what the committee has to do is get a copy of the affidavit. Let them see what it's all about, you know, because they're a little confused. You know, it's not only the Police Officer. You can go to a mechanic, you go to a certified inspection station. There's a whole bunch of people. So you're getting a free ride if it is out and you get it fixed. Two things accomplished: Number one, you are making your car that much safer, and (B), you're taking care of your summons. So why don't we just stay with the law instead of wanting to change it? That's what you want to do here.

CHAIRPERSON BROWNING:

No, no, no. I think what it is, we're not saying that we want to change the law. We're saying the administrative fee is the part. I mean, you know, again, it's looking at a single mom, somebody's who's unemployed.

LEG. MURATORE:

Well, so then we're saying if you're rich you pay the fine, if you're poor, you don't pay the fine.

CHAIRPERSON BROWNING:

No, no, no. That's not what I'm saying. Everybody's different. You know, a \$50 fine might be a drop in the bucket for you, but \$50 to somebody else could be their last \$50 of the week. And now you're taking away from them the ability, like I said, the single mom, you know, the unemployed person whose on an unemployment check of, what, 400 bucks a week that, you know, he has to feed his family. I just -- I'm trying to --

LEG. MURATORE:

But the law is the law. You have to follow the rules of the Vehicle and Traffic and Law.

CHAIRPERSON BROWNING:

They are following the law because now they had to fix the light, and God knows what that might have cost them. On top of that now you're saying okay, now you have to pay an administrative fee. It's not a fine. I don't disagree if you got pulled over for speeding and you have to pay the fine for speeding and your taillight's out, you know, but to try and give a little bit more discretion, but not to take somebody's last \$50 on an administrative fee. You fixed the problem. It's done. So, you know, that's the part. If you're guilty, you're guilty and you pay whatever the fine is, but, you know, that administrative fee I think should be a bit more discretionary. Anybody else?

LEG. HAHN:

Yeah, quickly. You get pulled over once with three tickets, how many administrative fines do we charge?

MR. MARGIOTTA:

Three.

CHAIRPERSON BROWNING:

Kara, you got three tickets?

*(*Laughter*)*

MR. MARGIOTTA:

Assuming you're guilty of all three. Assuming you're guilty.

CHAIRPERSON BROWNING:

Yeah. There you go. Well, the three tickets could be, you know, one could be a speeding ticket. So, well, if one's a speeding ticket then it's a speeding ticket, you know.

LEG. CALARCO:

If you're guilty, you're guilty.

CHAIRPERSON BROWNING:

Exactly.

LEG. CALARCO:

To your point, Legislator Muratore. From my perspective the State Law, I think we should follow the law, and the State Law allows for a person to rectify in certain very specific situations and not be penalized, not be fined. And I think that when we apply the administrative surcharge in those circumstances, we're deviating from the State Law because the State Law and the head of State in the DMV, New York State would not have charged you a thing and now we are charging you something even though you are complying with the law. You are -- you had a mistake, the State Law gives you 24 hours to fix it, you went and you fixed it, you come in and you correct the problem. And I think that in those situations we shouldn't be furthering charging people. But, you know, like I said at the beginning, I'm willing to sit down with the Administration and I'm willing to look at it to try to find a way of making -- crafting it so it's fair to everybody. But, you know, hey listen, if it's a matter of us not covering our costs then I'd rather raise the cost on those people who willfully, knowingly violate the law, you know, by doing 90 miles an hour down the highway or run through the red lights or speed through the stop signs.

CHAIRPERSON BROWNING:

Tom, you got something else?

LEG. MURATORE:

Yeah, just to go back to what Legislator Calarco said. Exactly, we need to sit down with them and see exactly what we're doing and see what the forms are and how the -- you know, how we can, you

know, take care of things and make it fair for everybody. Not only the rich should way pay or the poor should not pay it, something like that. I mean, we have to find a way to recoup our costs if there are costs involved. If there aren't, then maybe, you know, we bypass the cost. I'm in agreement there with you. I just got issues with the law. You've got to enforce the law or take the law away. That's what you do, either way.

CHAIRPERSON BROWNING:

Okay. Is this still on the same issue, because I was going to ask a different question.

LEG. SPENCER:

Yes.

CHAIRPERSON BROWNING:

Go ahead.

LEG. SPENCER:

Yesterday we had a conversation, and as I thought about this issue, I can definitely understand that when a ticket is dismissed and someone had a taillight out they indicated that they did commit the infraction and there's a charge that's associate with it. And a couple of potential thoughts that I had was we were talking about the administrative fee maybe being too high, potentially lowering it to \$40 or \$25 or something like that, is one potential solution, because I do think there is an administrative fee and dismissed doesn't mean not guilty.

But you had mentioned to me, and I don't think we've talked about that, was that there's another category of dismissed in the interest of justice, and in that particular case, there isn't an administrative fee that's associated with it, but that -- and you indicated like the 80 year old that's been driving for 50 years and has an unblemished record, they had the taillight out and there is some consideration of that person's maybe reduced capacity. And in terms of making that determination, is that made by the adjudicator at the time? Who -- when would that come into play? Is it age only, is it circumstances? What would determine in the interest of justice?

MR. MARGIOTTA:

We look at each, believe it are not, each person we conference with we look at that person's history. We don't listen to too many of the facts, because the officer isn't there to tell us the other side. We look at the history, and if somebody was born in 1932 and I see they have a clean license and they have a taillight ticket that they didn't get fixed until two days later or three days later, we're going to dismiss it in the interest of justice, because we don't feel that anything we do here is going to help anyone, that this isn't going to stop her from doing it again or, you know, we don't think that there's an issue with public safety or with anything. We just make this a situation where to be fair to everyone, we would dismiss it. And the Prosecutor makes the motion and the Judge usually grants it.

LEG. SPENCER:

Okay. What would be -- you know, you're saying like someone licensed 1932 or whatever. What would be another situation where if you just saw a person, someone that had -- like a single parent with a lot of children or that she's trying to support or he's trying to support. The interest of justice, do you have any other parameters that would be considered in that? Because there's a certain subjectivity, even though you're looking at objective facts, to decide that, and I think that that's kind of what we're actually looking at here, is the interest of justice. And, you know, we can't have any economic disparity that he can afford to pay and this one can't. But it is something that is coming back to our Legislative office and we're giving you that feedback. I don't know if lowering that administrative charge -- is there a sense of, I'm asking several questions, of how much administration is associated with stopping someone, giving them a ticket, processing the ticket, is there a true cost to that?

MR. MARGIOTTA:

Yes, we're figuring that out now. I didn't have it. I asked them to do that at the beginning of the week. They're collecting all the data to give me an idea of what that cost would be, from the moment it's issued to the moment it's dismissed or it's done. It will be a little different for a traffic ticket than it will be for a paper ticket, too.

LEG. SPENCER:

Understood. We also would appreciate it as Legislators, because your input always means a lot to us before we vote on things, because they are dealing with it every day and we want to be an asset and a partner to you. And, you know, you can I'm sure understand our points, where people are coming in and saying, you know, \$50 was the money that I was going to use to pay my electric bill or something. Well, you can't buy electric for 50 bucks. But anyway, that would be our concern. So if you have any recommendations to us, it would really go a long way.

MR. MARGIOTTA:

Okay. Sure.

CHAIRPERSON BROWNING:

Okay. A couple of questions. I know we talked at some point, at one point we spoke about the lunch period, that you were closed during lunch and evenings. Can you refresh us again on what you're doing with that?

MR. MARGIOTTA:

Sure. I've been working with -- Performance Management has been giving me a lot of help. One of the things I have now is an Industrial Engineer that I agreed to have working in our department to assess -- I have him assessing all our processes, how does this work, is it being done efficiently, is it not, what about the timing? So they originally came to me and wanted to open during lunch, just the Clerk and the Cashier, and they said that would just be two people that we have to pay and then I explained that that's not the case. You would need at least three Security Guards. You have to scan these people through and you're going to need a Supervisor because they're dealing with money and you're going to need a Police Officer with a gun because now we have a Cashier that's open. But I like the idea. If it could be done I told them, without really generating a big cost to the agency, by switching people's schedules around, so he's been doing that and he believes that he can do that. The other thing they were asking is if we would open at 8:30 and close at 4:30.

I don't like any agency of government office closing at 4:30 because I immediately assume if it's a government it's open until five. So people are going to come, no matter what, at 4:30 and we are going to be closed. So I don't like that idea so I told him I would not close early.

Opening up at 8:30, I think you are just going to annoy people because they're going to get there at 8:30, they're going to go through the process, they're going to get to the counter at twenty to, they're never going to finish their business and get back to work on time. So now they're just going to be mad that they took the morning. So I said we'd have to open at eight to give them enough time to actually come in early and go through, so they're working on that for me too, but now it would be eight to five. We'd be adding an hour.

CHAIRPERSON BROWNING:

Okay. Yeah, because I mean, most people are nine to five that work.

MR. MARGIOTTA:

We do have Thursday nights, too.

CHAIRMAN BROWNING:

But you do have the night.

MR. MARGIOTTA:

Yes.

CHAIRPERSON BROWNING:

Okay. And is there a timeline when people have to come? Say I get a ticket and, you know, again, let's talk about people's finances, that there's a timeline that they have to get to the court if they want to go to the Traffic Vehicle Bureau to pay that fine or whatever. So is there a timeline that you're giving on the ticket?

MR. MARGIOTTA:

Yes. By law you have 15 days to get the ticket to us with a plea. If you do not, you must appear on the date the ticket tells you to appear to plea guilty or not guilty. But the way the system is set up, if you don't answer your ticket 15 days later, not even 15 days, I'm going to wait until your return date, so it's two months after you got the ticket. On your return date I'm going to mark you, if I'm really going good, that you failed to appear. Now I'm going to wait 60 days more, so now we're into four months, and then I'm going to notify Motor Vehicle that you have failed to appear for 60 days from the day you were supposed to appear. Motor Vehicle is going to send you a notice saying if you don't appear in the next 30 days we're going to suspend your license. So the truth is you can get five months without even answering your ticket the way this system is set up.

CHAIRPERSON BROWNING:

Okay. It's just if somebody is paycheck to paycheck and they go on a Thursday night --

MR. MARGIOTTA:

Oh, we give time to pay, too.

CHAIRMAN BROWNING:

You do give them time.

MR. MARGIOTTA:

Oh yeah.

CHAIRPERSON BROWNING:

So if I go in on Thursday and say I've got ten bucks.

MR. MARGIOTTA:

Yeah, we'll give you like 30 days, 60 days, whatever we have to do.

CHAIRMAN BROWNING:

Okay. Red light cameras, go back a little bit. Before you decide where to put them, how -- you put cameras up at that intersection to check, to see if it warrants a red light camera; correct?

MR. MARGIOTTA:

Yeah. They do some sort of monitoring. I don't know if it's by the camera, by they monitor how many people go through a red light ticket at an intersection and then they sit down and they look -- well, there's a lot more to it, too. It's got to be something that you could actually, you know, if it's a curved road you might not be able to do it because the camera and the video may not watch you. But if everything works it's supposed to be by how many violations are occurring at the intersection.

CHAIRMAN BROWNING:

Okay. Do you know what the timeline is if they put the camera up there before they put the red light one in?

MR. MARGIOTTA:

I do not know. I don't even have their -- the criteria. I have asked for it because another

Legislator, who is not here today, asked me about a few of them. So I have asked -- DPW does that. I have asked them to send me the actual reports of what they did and how they found it and why they chose those. So I'm getting them for those and I'm going to give them to the Legislator. But then I think after I review that I'll get a better understanding of what they're doing.

CHAIRPERSON BROWNING:

Okay. I know -- and a lot of times in accidents, especially, you know, intersection accidents, a lot of times it's, you know, it's a 50-50, you know, who is responsible. Are these red light cameras in the case of an accident where some of them are just blatant, you can tell who's wrong, does that -- can people use that as evidence when -- for insurance purposes as to who's paying?

MR. MARGIOTTA:

The way the law is written the video itself is exempt from disclosure from the public. You can't FOIL the video, you can't request the video or the photographs. The question of if we're subpoenaed and it's a so ordered subpoena from a State Judge, you know, I don't know any reason why I don't think I would have to comply and turn it over and then they'd have to determine it. Otherwise, you can't get it. It would have to be not only a subpoena, but ordered by Judge, and then the County Attorney would, I would think, would say turn it over.

CHAIRPERSON BROWNING:

It's just I'm, you know, looking at it and saying some of those ones, if there was no camera it would be, you know, both parties would be held responsible. Okay. Any other questions? No?

MR. MARGIOTTA:

Also, I just want to let you know it gives us the speed, too, so when the person says I was stopping and the speed is 43 miles an hour in a 30 when they hit the red light, we know they weren't stopping. So we have a lot of data.

CHAIRMAN BROWNING:

Okay. You know, I think that -- I know overall we have had one or two calls maybe, Josh, right? People saying they don't like the red light camera. Overall I think most people seem to be happy enough with it or I shouldn't say happy with it, but they know the intersections.

MR. MARGIOTTA:

Yes.

CHAIRMAN BROWNING:

You know, you might get one or two that have been in opposition to it. Just out of curiosity, is there a way to do like a PR on, you know, the red light cameras, that the County should do something to say this is why we have red light cameras?

MR. MARGIOTTA:

I'm actually working on that. I've ordered some television screens in the waiting room, and we're trying to put together some sort of piece that while they're waiting that they can watch this piece to explain the red light cameras and why their safety is important and the statistics and all that. I'm putting that together.

CHAIRMAN BROWNING:

Yeah, but that's only people that go to the TVB.

MR. MARGIOTTA:

Once I make it, I guess we can do whatever we want with it.

CHAIRMAN BROWNING:

I'm saying even on a media basis, you know, somebody is watching Channel 12.

MR. MARGIOTTA:

Sure, I could turn that over to them, too.

CHAIRMAN BROWNING:

That they would be able to have an opportunity or have something online that this is why we have red light cameras. That, you know, again, the people who call my office and have said I don't like the red light cameras, we can say you know what? Why don't you Google X, Y, Z and you'll see why we have red light cameras.

MR. MARGIOTTA:

Sure.

CHAIRMAN BROWNING:

Okay. Anybody else? Okay, thank you. I appreciate it.

MR. MARGIOTTA:

Thanks.

CHAIRMAN BROWNING:

And thank you, Captain Waring. We will not adjourn the meeting at this time. We will have to take a recess for some discussion on an issue. So we will take a recess and we'll be back in about five, ten minutes.

(Executive Session was held from 11:34 to 11:51 a.m.)

CHAIRPERSON BROWNING:

Okay. We're back again, and because we did the agenda before the presentation, one Legislator was not here yet. So we would like to go back and reconsider the votes. Okay. So we will start again.

LEG. GREGORY:

Madam Chair, I'd like to make a motion to reconsider *I.R. 1508-13 (Adopting Local Law No. -2013, A Local Law to require use of safety helmets by all bicyclists in Suffolk County (Barraga)* under tabled resolutions.

LEG. MURATORE:

Second.

CHAIRPERSON BROWNING:

We have a second, Legislator Muratore. All in favor? Opposed? Abstentions? It is up for reconsideration.

LEG. GREGORY:

I'd like to make the motion to table I.R. 1508.

LEG. MURATORE:

Second.

CHAIRPERSON BROWNING:

Second, Legislator Muratore. All in favor? Opposed? Abstentions? It's tabled. *(Vote: 7-0-0-0)*. I.R. -- go ahead, sorry. Do it again.

LEG. GREGORY:

I'd like to make a motion to reconsider *I.R. 1592-13 (Terminating the County's ShotSpotter Program (Cilmi))*.

LEG. MURATORE:

Second.

CHAIRPERSON BROWNING:

Second, Legislator Muratore. All in favor? Opposed? Abstentions? It's reconsidered.

LEG. GREGORY:

I'd like to make a motion to table I.R. 1592.

LEG. HAHN:

(Raised hand).

CHAIRPERSON BROWNING:

Second, Legislator Hahn. All in favor? Opposed? Abstentions? It's tabled. **(Vote: 7-0-0-0)**

LEG. GREGORY:

Madam Chair, I'd like to reconsider *I.R. 1690-13 (Adopting Local Law No. -2013, A Local Law to amend Section A13-10 of the Suffolk County Administrative Code to authorize donation of property held by the Police Property Bureau (Co. Exec.))*.

CHAIRPERSON BROWNING:

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

LEG. GREGORY:

I'd like to make a motion to table, it's in Public Hearing, I.R. 1690.

CHAIRPERSON BROWNING:

Okay. I'll second that. All in favor? Opposed? Abstentions? It is tabled for Public Hearing. **(Vote: 7-0-0-0)**

LEG. GREGORY:

I'd also like to consider -- reconsider *I.R. 1698-13 (Adopting Local Law No. -2013, A Local Law to enhance and improve Suffolk County's E-911 Service (Schneiderman))*.

LEG. MURATORE:

Motion -- second.

CHAIRPERSON BROWNING:

Second on that motion, Legislator Muratore. All in favor? Opposed? Abstentions?

LEG. KENNEDY:

I'll make a motion to approve.

CHAIRPERSON BROWNING:

Motion to approve 1698.

LEG. GREGORY:

Second.

CHAIRPERSON BROWNING:

Second, Legislator Gregory. All in favor? Opposed? Abstentions? It's approved. **(Vote: 7-0-0-0)**

LEG. GREGORY:

I'd like to reconsider *I.R. 1877-13 (Adopting Local Law No. -2013, A Local Law to strengthen the Animal Abuse Offenders Registry (D'Amaro))*.

CHAIRPERSON BROWNING:

I'll second that. All in favor? Opposed? Abstentions? It is reconsidered.

LEG. GREGORY:

I'd like to make a motion to discharge without recommendation I.R. 1877.

CHAIRPERSON BROWNING:

Motion to discharge. Do we have a second?

LEG. HAHN:

(Raised hand).

CHAIRPERSON BROWNING:

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

LEG. KENNEDY:

Opposed.

CHAIRPERSON BROWNING:

It's discharged without recommendation. I'm opposed. Sorry, I didn't forget that. I'm opposed and Legislator Kennedy abstains. **(5-1-1-0 Opposed: Legislator Browning; Abstention: Legislator Kennedy)**

LEG. GREGORY:

Introductory Resolutions. I'd like to reconsider ***I.R. 2002-13 (Accepting and appropriating 100% Federal pass-through grant funds from the NYS Division of Homeland Security and Emergency Services in the amount of \$840,000 for the "State Homeland Security Program (SHSP) FY2013" administered by the Suffolk County Department of Fire, Rescue and Emergency Services and to execute grant related Agreements (Co. Exec.).*** And place -- oh, sorry.

CHAIRPERSON BROWNING:

Yeah.

LEG. GREGORY:

Got ahead of myself.

CHAIRPERSON BROWNING:

The motion to reconsider. I'll second the reconsideration. All in favor? Opposed? Abstentions? It's up for reconsideration. I'll make a motion to approve and place on the Consent Calendar I.R. 2002.

LEG. GREGORY:

Second.

CHAIRPERSON BROWNING:

Second, Legislator Gregory. All in favor? Opposed? Abstentions? And it's approved. **(Vote: 7-0-0-0)**. Reconsider?

LEG. GREGORY:

I'd like to reconsider ***I.R. 2003-13 (Accepting and appropriating 100% Federal pass-through grant funds from the NYS Division of Homeland Security and Emergency Services in the amount of \$2,584,010 for the "Urban Area Security Initiative (UASI) FY2013" administered by the Suffolk County Department of Fire, Rescue and Emergency Services and to execute grant related Agreements (Co. Exec).***

CHAIRPERSON BROWNING:

I'll make a second. All in favor? Opposed? Abstentions? It's reconsidered, I.R. 2003. I'll make a motion to approve and place on the Consent Calendar. Second, Legislator Gregory. All in favor? Opposed? Abstentions? It's approved. **(Vote: 7-0-0-0)**

LEG. GREGORY:

I'd like to reconsider ***I.R. 2004-13 (Accepting and appropriating 100% Federal pass-through grant funds from the NYS Division of Homeland Security and Emergency Services in the amount of \$51,000 for the 2013 HazMat Grant Program administered by the Suffolk County Department of Fire, Rescue and Emergency Services and to execute grant related Agreements (Co. Exec.).***

CHAIRPERSON BROWNING:

I'll second that. All in favor? Opposed? Abstentions? It's reconsidered. I'll make a motion to approve and place on the Consent Calendar, 2004. Second, Legislator Gregory. All in favor? Opposed? Abstentions? It is approved. **(Vote: 7-0-0-0)**

LEG. GREGORY:

I'd like to reconsider ***I.R. 2005-13 (Approving a temporary increase in the fleet of the Suffolk County Department of Fire, Rescue and Emergency Services (Co. Exec.).***

CHAIRPERSON BROWNING:

Okay. 2005 is -- I'll make that second. All in favor? Opposed? Abstentions? Oh my God. Okay. It is reconsidered. I'll make a motion to approve.

LEG. MURATORE:

Second.

CHAIRPERSON BROWNING:

Second, Legislator Muratore. All in favor? Opposed? Abstentions? It's approved. **(Vote: 7-0-0-0)**

LEG. GREGORY:

I'd like to reconsider ***I.R. 2008-13 (Accepting and appropriating 100% Federal grant funds from the Federal Emergency Management Agency (FEMA) in the amount of \$159,000 for the 2012 Assistance to Firefighters Grant (AFG) Program administered by the Suffolk County Department of Fire, Rescue and Emergency Services and to execute grant related Agreements (Co. Exec.).***

CHAIRPERSON BROWNING:

I'll second that. All in favor? Opposed? Abstentions? It is reconsidered. I'll make a motion to approve 2008 and place on the Consent Calendar. Second, Legislator Hahn. All in favor? Opposed? Abstentions? It's approved. **(Vote: 7-0-0-0)**

LEG. GREGORY:

I'd like to reconsider ***I.R. 2009-13 (Amending Resolution No. 500-2011 to modify appropriated funds in the HazMat 2009 Grant (Co. Exec.).***

CHAIRPERSON BROWNING:

I'll second that. All in favor? Opposed? Abstentions? It's reconsidered. I'll make a motion to approve.

LEG. MURATORE:

Motion to table.

LEG. KENNEDY:

I'll second the motion to table. Motion to table on this resolution, Madam Chair, is made because if you reference the resolution, you'll see that there are a number of towns. The monetary amounts under this grant while granted are moderate, there is 9,500 that actually the Town of Brookhaven would be forfeiting and there are four other towns as well. I would just like the opportunity to have the conversation with the Supervisor to find out if, in fact, he concurs and has no use for their funding.

LEG. GREGORY:

If I may, through the Chair. Would you be okay with discharging it and we can sort those issues out on Tuesday and then if necessary table it then or --

LEG. KENNEDY:

You know, I suppose that's fine. I mean, I'm going to make the phone call. I see Mr. Vaughn at the podium. Tom, is there anything that you have on this as far as this particular grant regarding the reprogramming of the funds?

MR. VAUGHN:

The funds are being reprogrammed because they were New York State funds that weren't utilized and they hadn't been utilized since 2009.

LEG. KENNEDY:

I did see that, as a matter of fact. You know, simply in Brookhaven's case I would want to bring to the attention of the current Supervisor that there was this funding and if, in fact, there was some appropriate purpose at the town level, I'd like him to at least be aware of it and to either say they could use it or no, he's fine to reprogram it. So, you know, I'll go with the discharge with recommendation, but it's clearly predicated on the fact that we have this conversation by Tuesday.

LEG. GREGORY:

All right. So --

CHAIRPERSON BROWNING:

Are you withdrawing your table and we'll do a discharge?

LEG. KENNEDY:

Yeah, withdrawing the table and going to discharge.

CHAIRPERSON BROWNING:

Okay.

LEG. GREGORY:

I will withdraw my motion. Did I make a motion?

CHAIRPERSON BROWNING:

I think there was a motion and a second. So we're withdrawing the approval and the table.

LEG. KENNEDY:

I'll make the motion to discharge without recommendation.

LEG. GREGORY:

I'll second that.

CHAIRPERSON BROWNING:

So there was a motion to discharge without recommendation and a second, Legislator Gregory. All in favor? Opposed? Abstentions? It's discharged without recommendation. **(Vote: 7-0-0-0)**. Go

ahead. You want to do that, reconsider?

LEG. GREGORY:

I would like to reconsider *I.R. 2011-13 (Authorizing the transfer of Phone Debit Card Funds from the Sheriff's Office Prisoners' Commissary Account to the Interdepartment Operation and Service Fund (Co. Exec.))*.

CHAIRPERSON BROWNING:

I'll second that. So all in favor? Opposed? Abstentions? 2011 is up for reconsideration. I'll make a motion to approve 2011. Second, Legislator Muratore. All in favor? Opposed? Abstentions? It is approved. **(Vote: 7-0-0-0)**

LEG. GREGORY:

I'd like to reconsider *I.R. 2012-13 (Approving the reappointment of Rabbi Steven A. Moss as Chair of the Suffolk County Human Rights Commission (Co. Exec.))*.

CHAIRPERSON BROWNING:

I'll second that. All in favor? Opposed? Abstentions? It is up for reconsideration. Motion to approve, Legislator Muratore. Second, Legislator Kennedy. All in favor? Opposed? Abstentions? It is approved. **(Vote: 7-0-0-0)**

LEG. GREGORY:

I'd like the committee to reconsider *I.R. 2013 (2013-13 - Approving the reappointment of Mark J. Epstein, Esq. To the Suffolk County Human Rights Commission (Co. Exec.))*.

CHAIRPERSON BROWNING:

Okay. I'll second that. Sorry. I just asked him a question. I'll second that. All in favor? Opposed? Abstentions? It is up for reconsideration. Motion to approve, Legislator Muratore. Second, Legislator Hahn. All in favor? Opposed? Abstentions? It is approved. **(Vote: 7-0-0-0)**. Go ahead.

LEG. GREGORY:

I'd like to reconsider *2014-13 (Approving the reappointment of Dr. Yu-Wan Wang to the Suffolk County Human Rights Commission (Co. Exec.))*.

CHAIRPERSON BROWNING:

I'll second that. All in favor? Opposed? Abstentions? It is up for reconsideration. Motion to approve, Legislator Muratore. Second, Legislator Hahn. All in favor? Opposed? Abstentions? It is approved. **(Vote: 7-0-0-0)**

LEG. GREGORY:

I'd like the committee to reconsider *I.R. 2015-13 (Approving the reappointment of Augustus G. Mantia, MD to the Suffolk County Human Rights Commission (Co. Exec.))*.

CHAIRPERSON BROWNING:

I'll second that. And all in favor? Opposed? Abstentions? It's up for reconsideration. Motion to approve, Legislator Muratore. Second, Legislator Hahn. All in favor? Opposed? Abstentions? It is approved. **(Vote: 7-0-0-0)**

LEG. GREGORY:

I'd like the committee to reconsider *I.R. 2016-13 (Approving the reappointment of Rajeshwar Prasad to the Suffolk County Human Rights Commission (Co. Exec.))*.

CHAIRPERSON BROWNING:

I'll second that. All in favor? Opposed? Abstentions? It is up for reconsideration. Motion to

approve, Legislator Muratore. Second, Legislator Hahn. All in favor? Opposed? Abstentions? It's approved. **(Vote: 7-0-0-0)**

LEG. GREGORY:

I'd like to reconsider ***I.R. 2039-13 (Accepting and appropriating Federal funding in the amount of \$60,000 from the United States Department of the Treasury, Internal Revenue Service, for the Suffolk County Police Department's participation in the IRS STEPP (Suffolk-Treasury Enhanced Prosecution Program) with 80.08% Support (Co. Exec.).***

CHAIRPERSON BROWNING:

I'll second that. All in favor? Opposed? Abstentions? It is up for reconsideration. Motion to approve 2039. Second, Legislator Muratore. All in favor? Opposed? Abstentions? It's approved. **(Vote: 7-0-0-0)**

LEG. GREGORY:

I'd like the committee to reconsider also ***I.R. 2040-13 (Accepting and appropriating Federal funding in the amount of \$17,203 from the United States Department of Justice, Drug Enforcement Administration, for the Suffolk County Police Department's participation in the DEA Long Island Task Force with 77.01% support (Co. Exec.).***

CHAIRPERSON BROWNING:

I'll second that. All in favor? Opposed? Abstentions? It's up for reconsideration. And make a motion to approve. Second, Legislator Kennedy. All in favor? Opposed? Abstentions? It's approved. **(Vote: 7-0-0-0)**

LEG. GREGORY:

I'd like the committee to reconsider ***I.R. 2041-13 (Accepting and appropriating Federal funding in the amount of \$17,203 from the United States Department of Justice, Federal Bureau of Investigation, for the Suffolk County Police Department's participation in the FBI Joint Terrorism Task Force with 77.01% support (Co. Exec.).***

CHAIRPERSON BROWNING:

I'll second that. All in favor? Opposed? Abstentions? It's up for reconsideration. I'll make a motion to approve 2041. Second, Legislator -- who said that?

LEG. SPENCER:

(Raised hand).

CHAIRPERSON BROWNING:

Spencer. All in favor? Opposed? Abstentions? It's approved. **(Vote: 7-0-0-0)**

LEG. GREGORY:

I would like the committee to reconsider ***I.R. 2042-13 (Accepting and appropriating Federal funding in the amount of \$30,000 from the Department of Homeland Security, United States Immigration and Customs Enforcement (ICE), for the Suffolk County Police Department's participation in the ICE El Dorado Task Force with 77.01% support (Co. Exec.).***

CHAIRPERSON BROWNING:

I'll second that. All in favor? Opposed? Abstentions? It's up for reconsideration. I'll make a motion to approve. Second, Legislator Spencer. All in favor? Opposed? Abstentions? It is approved. **(Vote: 7-0-0-0)**

LEG. GREGORY:

I would like the committee to reconsider ***I.R. 2044-13 (Accepting and appropriating grant***

funding in the amount of \$225,225 from the State of New York Governor's Traffic Safety Committee passed through the STOP-DWI Foundation for the Suffolk County STOP-DWI Program to fund DWI Enforcement Related High Visibility Road Check Patrols with 82.77% support (Co. Exec.).

CHAIRPERSON BROWNING:

I'll second that. All in favor? Opposed? Abstentions? It is up for reconsideration. 2044, I'll make a motion to approve. Second, Legislator Spencer. All in favor? Opposed? Abstentions? It is approved. **(Vote: 7-0-0-0)**

LEG. GREGORY:

I'd like the committee to reconsider ***I.R. 2045-13 (Authorizing execution of a Law Enforcement Officer Reimbursement Sub-Recipient Agreement with the Town of Islip For MacArthur Airport (Co. Exec.).***

CHAIRPERSON BROWNING:

I'll second that. All in favor? Opposed? Abstentions? It is up for reconsideration. I'll make the motion to approve 2045. Second, Legislator Calarco. All in favor? Opposed? Abstentions? It is approved. **(Vote: 7-0-0-0)**

LEG. GREGORY:

I'd like the committee to reconsider ***I.R. 2046-13 (Accepting and appropriating a grant in the amount of \$12,000 from the New York State Governor's Traffic Safety Committee (GTSC FFY2014) Child Passenger Safety Program with 100% support for Sheriff's Traffic Safety Initiative (Co. Exec.).***

CHAIRPERSON BROWNING:

I'll second that. All in favor? Opposed? Abstentions? It's up for reconsideration. I'll make a motion to approve and place on the Consent Calendar, 2046. Second, Legislator Gregory. All in favor? Opposed? Abstentions? It's approved. **(Vote: 7-0-0-0)**

LEG. GREGORY:

I'd like the committee to reconsider ***I.R. 2047-13 (Accepting and appropriating a grant in the amount of \$4,000 from the New York State Governor's Traffic Safety Committee Grant (GTSC FFY2014) Highway Safety Program with 100% support for Sheriff's Traffic Safety Initiative (Co. Exec.).***

CHAIRPERSON BROWNING:

I'll second that. All in favor? Opposed? Abstentions? It's up for reconsideration. I'll make a motion to approve and place on the Consent Calendar. Second, Legislator Calarco. All in favor? Opposed? Abstentions? It's approved. **(Vote: 7-0-0-0)**

LEG. GREGORY:

I also would like the committee to reconsider ***I.R. 2048-13 (Accepting and appropriating a grant in the amount of \$9,365 from the New York State Governor's Traffic Safety Committee Grant (GTSC FFY2014) Highway Safety Grant to fund the Sheriff's Smart Start Program with 100% support for Sheriff's Traffic Safety Initiative (Co. Exec.).***

CHAIRPERSON BROWNING:

I'll second that. All in favor? Opposed? Abstentions? It's up for reconsideration. Motion to approve and place on the Consent Calendar, 2048. Second, Legislator Spencer. All in favor? Opposed? Abstentions? It's approved. **(Vote: 7-0-0-0)**

LEG. SPENCER:

Madam Chair, please, I'd like to express my appreciation to the Chair, to Counsel and to this

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committee, to the Clerk's Office for the special concession and time. It really means a lot to me. Thank you.

CHAIRPERSON BROWNING:

Well, I do apologize because I know you mentioned it to me yesterday and I did forget, so we had I know two conflicts going on, but I appreciate you coming back.

LEG. KENNEDY:

Madam Chair, also, if I can just mention for the committee's consideration possibly for Tuesday. Fire Academy Holley was here actually at my request, and I left because of that other conflict or commitment, so I am going to suggest that he come out to our General Meeting in Riverhead on Tuesday and possibly he can address us during the public officials portion in the morning. He had some updates and progress for us regarding the Academy. So, through the Chair --

CHAIRPERSON BROWNING:

Okay.

LEG. KENNEDY:

-- I'm going to make that suggestion and maybe we can ask the P.O. if he would accommodate that on the agenda for Tuesday.

CHAIRPERSON BROWNING:

Okay. We'll try and do that. If not, we have one more committee.

LEG. KENNEDY:

Yeah.

CHAIRPERSON BROWNING:

Right?

LEG. KENNEDY:

Yeah.

CHAIRPERSON BROWNING:

But, yeah, we'll reach out to the Presiding Officer and see if we can accommodate him. So with that I'll make a motion to adjourn. Second, Legislator Hahn. All in favor? Opposed? We are adjourned.

(The meeting was adjourned at 12:04 p.m.)