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NASSAU COUNTY LEGISLATURE

RICHARD NICOLELLO,  
Presiding Officer

PUBLIC SAFETY COMMITTEE

DENISE FORD, Chairwoman

1550 Franklin Avenue  
Mineola, New York

Monday, March 12, 2018  
4:09 P.M

1

2     A P P E A R A N C E S :

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4     DENISE FORD,  
      Chairwoman5     VINCENT MUSCARELLA,  
      Vice Chairman

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7     STEVE RHOADS

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9     JOHN R. FERRETTI

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11    DELIA DERIGGI-WHITTON,  
      Ranking

12    SIELA BYNOE

13    DEBRA MULE

14    MICHAEL PULITZER  
      Clerk of the Legislature

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LIST OF SPEAKERS

TOM DELANEY . . . . . 13

1                   Public Safety Committee/3-12-18

2                   CHAIRWOMAN FORD:   At this time I  
3   will call the Public Safety Committee to  
4   order and ask the clerk to call the roll.

5                   CLERK PULITZER:   Legislator Mule?

6                   LEGISLATOR MULE:   Here.

7                   CLERK PULITZER:   Legislator  
8   Bynoe?

9                   LEGISLATOR BYNOE:   Here.

10                  CLERK PULITZER:   Ranking Member  
11   Delia DeRiggi-Whitton?

12                  LEGISLATOR DERIGGI-WHITTON:  
13   Here.

14                  CLERK PULITZER:   Legislator John  
15   Ferretti?

16                  LEGISLATOR FERRETTI:   Here.

17                  CLERK PULITZER:   Legislator  
18   Vincent Muscarella?

19                  LEGISLATOR MUSCARELLA:   Here.

20                  CLERK PULITZER:   Vice Chair  
21   Legislator Rhoads?

22                  LEGISLATOR RHOADS:   Here.

23                  CLERK PULITZER:   Chairwoman  
24   Denise Ford?

25                  CHAIRWOMAN FORD:   Here.

1                   Public Safety Committee/3-12-18

2                   CLERK PULITZER:   We have a  
3   quorum, ma'am.   There are three items on the  
4   regular agenda today which are Clerk Items  
5   77-18, 78-18 and 80-18.

6                   Clerk Item 77-18 is a local law  
7   to amend Title 64 of the Miscellaneous Laws  
8   of Nassau County.

9                   May I have a motion?

10                  LEGISLATOR RHOADS:   So moved.

11                  LEGISLATOR MULE:    Second.

12                  CHAIRWOMAN FORD:   Moved by  
13   Legislator Rhoads, seconded by Legislator  
14   Mule.   This item is an amendment to Nassau  
15   County's Social Host law which, in its  
16   existing form, prohibits a person over the  
17   age of 18 who owns, rents, or otherwise  
18   controls a private residence from knowingly  
19   allowing the consumption of alcohol by  
20   individuals under the age of 21 on such  
21   premises, or failing to take reasonable  
22   corrective action upon learning of the  
23   consumption of alcohol.

24                  Since the enactment of the  
25   Original Host Law in 2007, opioid addiction

1           Public Safety Committee/3-12-18  
2   amongst young people has become disturbingly  
3   commonplace.

4           The necessity to include  
5   controlled substances including heroin and  
6   Oxycodone within the scope of the Social  
7   Host Law has been apparent.

8           By including controlled  
9   substances within the Nassau County Social  
10   Host Law, parents, guardians, siblings,  
11   friends, and anyone else over the age of 18  
12   will be held accountable for the consumption  
13   of controlled substances by anyone under the  
14   age of 21 at his or her owned rented or  
15   otherwise controlled private residence.

16           The goal of this amendment is to  
17   stop opioid and other drug use amongst young  
18   people in locations where it should least  
19   likely be occurring and ultimately prevent  
20   addiction which devastates countless lives  
21   every day.

22           Any debate or discussion?   Yes,  
23   Legislator Rhoads.

24           LEGISLATOR RHOADS:   I just want  
25   to thank you, Madam Chairwoman, as one of

1                   Public Safety Committee/3-12-18  
2   the sponsors as well as Legislator Laura  
3   Schaefer and Tom McKeivitt. I think this is  
4   an important piece of legislation as a first  
5   responder myself. Unfortunately, I can't  
6   tell you how many homes we have the  
7   opportunity to respond to in an instance  
8   where you have someone in that home that's  
9   in the process of an active overdose.

10                   By instituting this legislation  
11   it forces all of us, any adult, to pay more  
12   attention to what's happening inside your  
13   own home.

14                   We all hear stories about there  
15   being parties involving alcohol, parties  
16   involving drugs. Ultimately people need to  
17   know they are responsible for the activities  
18   that are taking place under their roof.

19                   In a situation where it can be  
20   established that an adult or a person over  
21   the age of 21 knowingly permitted those  
22   activities to go on under their roof, there  
23   should be some consequences to that.

24                   The intention as the chairwoman  
25   said is to make opioids -- to make it less

1                   Public Safety Committee/3-12-18

2       convenient for opioids to be used in a  
3       comfortable setting and the ultimate goal is  
4       eliminating that use.

5                   It should be noted that this  
6       applies to Class 1 through 4 drugs as  
7       defined in the State Public Health Law which  
8       would include marijuana, heroin,  
9       hydrocodone, oxycodone, fentanyl, anabolic  
10      steroids and cocaine, as well as all the  
11      other drugs that are encompassed within that  
12      description.

13                  I think it's important piece of  
14      Legislation and I certainly want to thank  
15      you Legislator Ford for your leadership as  
16      well as Legislator Schaefer and Legislator  
17      McKevitt on that issue.

18                  CHAIRWOMAN FORD:   Legislator  
19      Mule.

20                  LEGISLATOR MULE:   Yes, I would  
21      just like to say that this is a common sense  
22      amendment that needed to be done.   It's  
23      something that came out, directly out of the  
24      heroin prevention task force meeting where  
25      people from all different stakeholder groups

1                   Public Safety Committee/3-12-18  
2     who are looking to solve this terrible  
3     problem of opioid abuse, or talk about what  
4     is being done and what needs to be done, and  
5     this came about as a result of that. I'm  
6     very much in favor of it and it's something  
7     that needed to happen. Thank you.

8                   CHAIRWOMAN FORD: Thank you. And  
9     I agree with you too. Legislator  
10    DeRiggi-Whitton.

11                  LEGISLATOR DERIGGI-WHITTON: I'm  
12    also happy to see this come to fruition.

13                  The only thing that I see as an  
14    issue is when it just says knowingly permit  
15    the consumption. We also have to realize  
16    there is a responsibility as a homeowner,  
17    believe me I have teenagers, it's real.

18                  What you need to do is keep any  
19    prescription drugs in a place, for instance,  
20    they were saying keep them in the kitchen  
21    where you can see because kids come into  
22    your house, we have a pool, they want to use  
23    the bathroom.

24                  If there is anything in the  
25    medicine closet, we are really, not only

1                   Public Safety Committee/3-12-18

2       knowingly that they're using it, but if we  
3       have it in our household, it's our  
4       responsibility to lock them up.

5                   Again, as a mom, I support this  
6       but I also see that it has to be more than  
7       knowingly consumption has to be any  
8       availability of these drugs is our  
9       responsibility.

10                  CHAIRWOMAN FORD: I agree because  
11       I think that's education also, and I think  
12       that's something, if you go through any of  
13       the training where we go to a heroin task  
14       force where they always talk about how to  
15       cut down with these people coming into your  
16       home looking through your bathroom medicine  
17       cabinets, and even like kitchen cabinets, I  
18       don't even leave anything like that there, I  
19       have to say I hide everything, because I  
20       just don't want to have anybody coming into  
21       my house, somebody visiting who may take  
22       something like that.

23                  I think when we, for the social  
24       host law for drinking, I remember being part  
25       of the coalition for underage drinking

1           Public Safety Committee/3-12-18  
2   against underage drinking, and at that time  
3   to even think about a law that would  
4   basically punish people who knowingly  
5   allowed children to drink in their house is  
6   not a cool thing. Some people pushed back  
7   at that, but it was something that you had  
8   to do.

9           You see that like now more and  
10   more you might see parties. They don't have  
11   as many parties at people's homes anymore.  
12   We're actually going after parents who want  
13   to be the cool parents and have keg parties  
14   for kids that are 14 and 15.

15           So I think this is also like just  
16   another step. I think whatever we do we  
17   have to take whatever measures that we can  
18   take to help start fighting this. If we  
19   have to start it in the homes, let's start  
20   it in the homes. Hide the drugs. Make sure  
21   you know who is in your house. See what  
22   kind of parties they're having.

23           I'm not a cool mother. Never  
24   was. I'm proud to say I'm not. Leave it at  
25   that. Legislator Bynoe.

1 Public Safety Committee/3-12-18

2 LEGISLATOR BYNOE: I didn't have  
3 anything to say but I am in support of this.  
4 I think it's a proper step forward. Thank  
5 you.

6 CHAIRWOMAN FORD: Thank you. We  
7 are all in agreement.

8 LEGISLATOR MUSCARELLA: Just one  
9 other thing. Nothing in this legislation  
10 interferes with New York State law  
11 concerning good samaritan, those people  
12 making phone calls, there would be no  
13 liability imposed on anyone making a phone  
14 call to get help with a call from a first  
15 responder coming in when someone needs it.

16 CHAIRWOMAN FORD: Thank you.  
17 That's a very important distinction to make,  
18 that we still have the Good Samaritan Law to  
19 help protect people that are overdosing.

20 Any other comments?

21 (No verbal response.)

22 Any public comment?

23 (No verbal response.)

24 Okay. All those in favor of  
25 passing this item please signify by saying

1                   Public Safety Committee/3-12-18

2       aye.

3                   (Aye.)

4                   Opposed?

5                   (No verbal response.)

6                   The item passes unanimously.

7                   We now have Clerk Items 78-18 and  
8       80-18, ordinances supplemental to the annual  
9       appropriation ordinance in connection with  
10      the Office of Emergency Management.

11                  May I have a motion?

12                  LEGISLATOR RHOADS:   So moved.

13                  LEGISLATOR MULE:    Second.

14                  CHAIRWOMAN FORD:   Moved by  
15      Legislator Rhoads, seconded by Legislator  
16      Mule.   The item is before us.   Who is here  
17      from the administration?   It you want, we  
18      can talk about both items.

19                  MR. DELANEY:    Good afternoon  
20      every one.   Tom Delaney, Nassau County  
21      Office of Emergency Management.   We got two  
22      items over here for supplemental  
23      appropriations.   One is for a total of  
24      \$856,563.   It's for a grant to us from New  
25      York State for an interoperable

1           Public Safety Committee/3-12-18  
2       communication grant.

3           The funding is going to be used  
4       by Nassau County PD to assist with the  
5       build-out of the new megahertz system. Any  
6       questions about this? There is no match on  
7       this one. It's just a grant.

8           The other one is for emergency  
9       management performance grant. This is a  
10      total of \$503,492. This is a pass through  
11      from Department of Homeland Security through  
12      New York State to us.

13          There is a 50 percent cost match  
14      on this one which we meet through salaries  
15      through our general fund budgeted to OEM.

16          CHAIRWOMAN FORD: Thank you.  
17      Just to go back to 78-18, that's the one  
18      with the radios?

19          MR. DELANEY: Correct.

20          CHAIRWOMAN FORD: Is that a  
21      system that we are using now or is this  
22      something like an enhanced system?

23          MR. DELANEY: That's 80-18.  
24      That's the interoperable. It's a system we  
25      are starting to build out right now.

1                   Public Safety Committee/3-12-18

2                   We have to get off the existing  
3   700 megahertz system. We are required to do  
4   that. That is going to be decommissioned  
5   and those frequencies are going to be bid  
6   out and we're not going to have access to  
7   them anymore.

8                   There is some, I believe looking  
9   for like 2021 currently, but we are going to  
10  be beyond that by the time we actually get  
11  off that system.

12                  CHAIRWOMAN FORD: So then this  
13  system will be utilized by all emergency  
14  responders in Nassau County?

15                  MR. DELANEY: We're doing a lot  
16  of planning on how it's going to be used. I  
17  don't know if it's going to be all emergency  
18  responders, like fire departments for  
19  example, I don't think they are going to  
20  have access to a PD system. But we are  
21  looking at perhaps rolling our existing 800  
22  megahertz system into the 500.

23                  CHAIRWOMAN FORD: Okay. So just  
24  for compatibility, because we are going to  
25  be starting a task force committee to talk

1           Public Safety Committee/3-12-18  
2    about like future storms and everything like  
3    that.   This may be something.

4           I know communications was one of  
5    the breakdowns after Super Storm Sandy.   So  
6    I'm just curious.   Will this enhance it and  
7    enable that communications would be able to  
8    continue regardless of if there was a  
9    natural disaster?

10           MR. DELANEY:    Well,  
11    interoperable communications is a finding  
12    and after action on every incident it seems.  
13    It is very difficult to get all of our 71  
14    fire departments on all of the same page  
15    when it comes to communications but we are  
16    trying to you our best.

17           CHAIRWOMAN FORD:   Thank you very  
18    much.   Any questions?

19           (No verbal response.)

20           Thank you very much.

21           MR. DELANEY:    Thank you.

22           CHAIRWOMAN FORD:   Any public  
23    comment?

24           (No verbal response.)

25           All those in favor of passing

1                   Public Safety Committee/3-12-18

2       this signify by saying aye.

3                   (Aye.)

4                   Any opposed?

5                   (No verbal response.)

6                   The item passes unanimously.

7                   Since there are no other items  
8       before us may I have a motion to adjourn?

9                   LEGISLATOR FERRETTI:    So moved.

10                  LEGISLATOR MUSCARELLA:   Second.

11                  CHAIRWOMAN FORD:    Moved by  
12       Legislator Ferretti, seconded by Legislator  
13       Muscarella.   All those in favor signify by  
14       saying aye.

15                  (Aye.)

16                  Any opposed?

17                  (No verbal response.)

18                  We are now adjourned. Thank you  
19       very much.   We will be reconvening Rules.

20                  (Whereupon, the Public Safety  
21       Committee adjourned at 4:21 p.m.)

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C E R T I F I C A T E

I, FRANK GRAY, a Shorthand Reporter and  
Notary Public in and for the State of New  
York, do hereby stated:

THAT I attended at the time and place  
above mentioned and took stenographic record  
of the proceedings in the above-entitled  
matter;

THAT the foregoing transcript is a true  
and accurate transcript of the same and the  
whole thereof, according to the best of my  
ability and belief.

IN WITNESS WHEREOF, I have hereunto set  
my hand this 28th day of March, 2018.

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FRANK GRAY