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3 NASSAU COUNTY LEGISLATURE

4

5 RICHARD NICOLELLO

6 PRESIDING OFFICER

7

8 PUBLIC SAFETY COMMITTEE

9

10 LEGISLATOR DENISE FORD

11 CHAIR

12

13

14 Theodore Roosevelt Building

15 1550 Franklin Avenue

16 Mineola, New York

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18

19 April 9, 2018

20 2:16 P.M.

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2     A P P E A R A N C E S:

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4     LEGISLATOR DENISE FORD

5                     Chair

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7     LEGISLATOR STEVEN RHOADS

8                     Vice Chair

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10    LEGISLATOR VINCENT MUSCARELLA

11

12    LEGISLATOR JOHN FERRETTI

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14    LEGISLATOR DELIA DERIGGI-WHITTON

15                     Ranking member

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17    LEGISLATOR SIELA BYNOE

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19    LEGISLATOR DEBRA MULE

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1                   Public Safety - 4-9-18

2                   LEGISLATOR FORD:     Good  
3   afternoon.   I would like to call the Public  
4   Safety Committee to order and ask the clerk to  
5   do the roll call.

6                   MR. PULITZER:     Thank you madam  
7   chairwoman.   Legislator Debra Mule.

8                   LEGISLATOR MULE:     Here.

9                   MR. PULITZER:     Legislator Siela  
10   Bynoe.

11                   LEGISLATOR BYNOE:     Here.

12                   MR. PULITZER:     Ranking member  
13   Delia DeRiggi-Whitton.

14                   LEGISLATOR DERIGGI-WHITTON:  
15   Here.

16                   MR. PULITZER:     Legislator John  
17   Ferretti.

18                   LEGISLATOR FERRETTI:     Here.

19                   MR. PULITZER:     Legislator Vincent  
20   Muscarella.

21                   LEGISLATOR MUSCARELLA:     Here.

22                   MR. PULITZER:     Vice chairman  
23   Steven Rhoads.

24                   LEGISLATOR RHOADS:     Present.

25                   MR. PULITZER:     Chairwoman Denise

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2   Ford.

3                   LEGISLATOR FORD:       Here.

4                   MR. PULITZER:       We have a quorum  
5   ma'am.

6                   LEGISLATOR FORD:       Thank you very  
7   much there are six items on the agenda today  
8   which are clerk items 100-18, 101-18, 134-18,  
9   144-18, 145-18 and 160-18.

10                   Clerk items numbers 100-18 and  
11   101-18 are ordinances supplemental to the  
12   annual appropriations ordinance in connection  
13   with the Office of Emergency Management.

14                   May I have a motion.   Moved by  
15   Legislator Rhoads.   Seconded by Legislator  
16   Mule the items are before us.

17                   Who is here from the administration  
18   to speak?

19                   MR. DELANEY:       Tom Delaney,  
20   Emergency Management.

21                   On item 100-18, this is a  
22   supplemental appropriation for \$148,789.   It's  
23   New York State funding.   This is for what's  
24   called our Public Safety Answering Point, or  
25   PSAP grant.   This money is being used by fire

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2   marshal's office to continue the buildout of a  
3   redundant dispatch system which will  
4   eventually become their primary system. The  
5   current system they have right now is very  
6   antiquated and this buildout has been  
7   continuing now for the past several years and  
8   they're almost to the point where the backup  
9   is going to become their main system.

10           LEGISLATOR FORD:     Then what would  
11   they do for backup. Would they be able to  
12   update what they're using now as a backup?

13           MR. DELANEY:     What they're using  
14   currently is their primary system is  
15   antiquated and no longer serviceable. They're  
16   probably just going to decommission that and  
17   might look at what we're going to be using as  
18   a new backup system.

19           LEGISLATOR FORD:     I guess because  
20   it would be warranted considering to make sure  
21   we have redundancy. Especially with emergency  
22   management.

23           MR. DELANEY:     Correct. And it  
24   also might be where that backup system might  
25   be located. We might want to have another hot

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2     site.

3                   LEGISLATOR FORD:       Thank you.   Any  
4     questions?   Legislator Bynoe.

5                   LEGISLATOR BYNOE:       Thank you  
6     chairwoman.   Good afternoon.   Will this be the  
7     final piece to the puzzle?

8                   MR. DELANEY:       No.   This is an  
9     ongoing grant that we've been applying for  
10    every year.   New York State makes available  
11    several grants targeted to specific purposes,  
12    and we make sure we apply to every one of them  
13    every year.

14                  LEGISLATOR BYNOE:       What would be  
15    the time line for us to get to the final end  
16    product where we can abandon the old system?

17                  MR. DELANEY:       Next year's grant.

18                  LEGISLATOR BYNOE:       Very good.  
19    Thank you.

20                  LEGISLATOR FORD:       Just on this  
21    one, any public discussion?   No?

22                  How about 101-18.

23                  MR. DELANEY:       On 101-18 this is  
24    another grant from New York State for  
25    \$899,849.   One thing I failed to mention on

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2     the prior item, along with this item, there is  
3     no cost match on these. This is just money  
4     coming directly to the county. We don't have  
5     to provide any in-kind or anything to receive  
6     these awards.

7           This grant is for interoperatable  
8     communication, and what it's being used for is  
9     our public safety, our law enforcement systems  
10    are migrating from a 500 megahertz system to a  
11    700 megahertz system. But this will also  
12    allow a rebuild of the core. So that even if  
13    we stay on the 500 system longer than  
14    anticipated we're still replacing outdated,  
15    unserviceable items with newer items that have  
16    compatibility to work with both the 500 and  
17    700 systems.

18           LEGISLATOR FORD:     These types of  
19    communication devices are they issued -- like  
20    this would be I guess with fire services,  
21    police services. Would it also incorporate  
22    public safety as well? The public safety  
23    division?

24           MR. DELANEY:     The main concept of  
25    this is to be able to build out our system and

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2    create interoperability. It's up to county  
3    agencies whether or not they want to provide  
4    other agencies with the communication  
5    devices. It's up to law enforcement to  
6    provide radios. This grant does not allow for  
7    what we call subscriber equipment. Just for  
8    portable radios.

9           LEGISLATOR FORD:     Because I know  
10   it's important, especially like if we have  
11   natural disasters, not only within the county  
12   agencies to communicate with one another, but  
13   is this also the same type of frequency that  
14   other agencies outside of Nassau County would  
15   be using as well? That they would be able to  
16   communicate?

17           MR. DELANEY:     They technically  
18   could should we have that patching capability  
19   to be able to do that. It does exist.

20           LEGISLATOR FORD:     Thank you. Any  
21   debate or discussion from the legislators?  
22   Any public comment? Thank you.

23           MS. MEREDAY:     I'm concerned about  
24   the interoperability aspect of it because we  
25   don't seem to be that well connected to our



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2   extensive services or community service  
3   organizations particularly in times of crisis  
4   or emergency. That poses a problem when you  
5   will notice that our fire and police officers  
6   do an outstanding job, not taking anything  
7   away from that, but generally in many crises  
8   and disasters the neighbor is the first person  
9   that can get to their neighbor because they  
10   know what that situation is. But in many  
11   cases when we don't have electricity, whether  
12   you have the access to give someone the  
13   information during a press conference, there's  
14   may residents that are already out of power  
15   and they have no way of getting that  
16   information, something like these types of  
17   radios or systems that are portable and can be  
18   used we need to do a better job. Particularly  
19   coming from the standpoint of being in a  
20   vulnerable environment. And I know as  
21   FEMA-trained and a 9-11 first responder, that  
22   we are behind the eight ball and do really  
23   need to get better prepared so we're not  
24   trying to fix the problem after the horse has  
25   already left the barn so to speak.

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2           I'm curious as to what the full  
3   extent of this grant and the capabilities it  
4   can provide for residents in auxiliary  
5   organizations community groups, faith-based  
6   organizations can work together to better  
7   address and better protect the needs of our  
8   residents. Particularly those who are the  
9   most vulnerable. Our young people, our  
10   seniors, older veterans, those with disability  
11   et cetera. I'm trying to put it on the table  
12   while the weather is relatively clear before  
13   we get into hurricane season and we have to  
14   deal with yet another nor'easter, because some  
15   of our communities are dealing with dead trees  
16   that are about to fall on homes and things of  
17   that nature. I'm hoping that we can be more  
18   proactive before we have to deal with any more  
19   tragedies or loss of life. Thank you.

20           LEGISLATOR FORD:     Thank you very  
21   much. But I believe this grant is strictly  
22   for our responders. But that being said, I  
23   think moving forward, it would be something,  
24   you're right, we need to make sure that our  
25   communities are somehow connected to vital

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2   information that we need. We said that after  
3   Sandy when our communities were literally cut  
4   off and nobody knew what was going on. The  
5   method of communication didn't really always  
6   fulfill what was needed.

7           But I think then what you're saying  
8   that we look at our various departments to  
9   make sure they do have those certain radios  
10   that can communicate on this 700 megahertz  
11   system, right?

12           MR. DELANEY:     It's a new system.  
13   It currently isn't operatable yet. The  
14   problem is we need to get off the 500  
15   megahertz system because they want to sell  
16   that spectrum. That's why there's interest to  
17   move to 700. It's a long story. But there's  
18   a lot of pushback about getting off the 500 at  
19   this point.

20           Bottom line is we are rebuilding  
21   the core that both systems would use. It's a  
22   public safety upgrade. It's not for like any  
23   normal public communications. The Office of  
24   Emergency Management is working other  
25   initiatives to increase our public

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2   notification during a disaster or other  
3   instances.

4                   LEGISLATOR FORD:       That's  
5   definitely will be something, moving forward,  
6   we're going to be looking at, the aftermath of  
7   basically disasters and focusing on Sandy  
8   moving forward. What do we need to do in the  
9   legislature to ensure that we work with things  
10  that work and fix the things that didn't  
11  work.

12                   One of the issues that I have  
13  living in a community that was devastated by  
14  Sandy, communications was very, very  
15  important. The fact is that there was no game  
16  plan so to speak to be able to disseminate the  
17  information. A lot of people were basically,  
18  hate to say it, lived in the dark for too  
19  long.

20                   I thank you Mereday for bringing  
21  that up because that is going to be something  
22  that will be a focus on our hearings.

23                   Thank you very much sir.

24                   All those in favor of passing these  
25  items please signify by saying aye. Any

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2       opposed? These items pass unanimously.

3           Clerk item 134-18 is a resolution  
4       to establish a standing reward for information  
5       leading to the arrest and prosecution of drug  
6       dealers in Nassau County to be funded  
7       utilizing the asset forfeiture funds of the  
8       police department.

9           May I have a motion. Moved by  
10       Legislator Rhoads. Seconded by Legislator  
11       Ferretti. The item is before us.

12           As indicated by its title, this  
13       resolution establishes a standing reward of up  
14       to \$5,000 to individuals who provide tips to  
15       Crimestoppers that lead to the arrest and  
16       conviction of drug dealers in Nassau County.  
17       The reward will be allocated by the police  
18       commissioner and funded by forfeiture funds.  
19       With the input of the administration, it is  
20       intention to submit an amendment in the nature  
21       of a substitute for the meeting of the full  
22       legislature on Monday, April 23, 2018. Any  
23       questions? Yes.

24           LEGISLATOR DERIGGI-WHITTON:

25       Thank you. Is this going to be like what they

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2       say sometimes with some of the other  
3       conditions like this that it's based on the  
4       conviction or is it just the arrest?

5                   LEGISLATOR FORD:       Arrest and  
6       conviction.

7                   LEGISLATOR DERIGGI-WHITTON:       I  
8       don't see it saying that. Believe me, I, of  
9       course, support it. Do you know if we should  
10      put a certain amount aside? It says up to  
11      \$5,000 per incident. Do you have any idea how  
12      many times we might use it? Should we budget  
13      for it? Actually Siela is going to jump in.

14                   LEGISLATOR BYNOE:       It actually  
15      doesn't say per incident or per arrest and  
16      conviction. Not based on what I've read in  
17      the summary. It appears to say that the  
18      resolution shall require Nassau County police  
19      commissioner upon the agreement of Nassau  
20      County Crimestoppers to annually allocate up  
21      to \$5,000. Is that per arrest and conviction  
22      or is it just total of \$5,000 annually?

23                   LEGISLATOR FERRETTI:       Legislator  
24      Bynoe, I'm not sure I'm following your  
25      question.

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2                   LEGISLATOR BYNOE:       In the summary  
3   that we received, not the actual item, I just  
4   asked for the item, but in the summary it  
5   states that they're asking that Nassau County  
6   commissioner, upon agreement with Nassau  
7   County Crimestoppers, to annually allocate up  
8   to \$5,000. And so I'm asking whether it's  
9   \$5,000 annually as a total or per?

10                  LEGISLATOR FERRETTI:     Now that  
11   you're saying it's from the summary I think I  
12   understand because I'm reading the actual  
13   legislation and it says shall allocate Nassau  
14   County Crimestoppers annually from Nassau  
15   County sheriff federally seized forfeiture  
16   funds amounts sufficient to fund a standing  
17   reward of up to \$5,000 for information leading  
18   to an arrest and conviction.

19                  LEGISLATOR BYNOE:       So this is per  
20   arrest? That's the answer?

21                  LEGISLATOR FERRETTI:     Correct.

22                  LEGISLATOR BYNOE:       We've already  
23   decided it was based on conviction. Here it  
24   says annually. At some point I think we may  
25   be better served if we clean that up a little

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2     bit. Then my question is, do we understand  
3     the financial impacts for this? For the  
4     financial forfeiture fund is not unlimited. I  
5     would surmise we should be figuring out what  
6     we think this would be required annually for  
7     them to contribute towards this initiative.

8                   LEGISLATOR FORD:     Legislator  
9     Bynoe, according to our counsel, we are  
10    working with the administration to clean up  
11    some of this, to some of the limitations so  
12    that it will come before the full leg. I  
13    understand what you mean. It's like if we  
14    have -- I mean we're looking at maybe up to  
15    \$5,000 for arrest and conviction of a drug  
16    dealer. But we may find out all of a sudden  
17    like we're going to get 20 people calling in  
18    on drug dealers and all 20 of them lead to the  
19    arrest and conviction. So we're talking about  
20    a large amount of money. So we need to make  
21    sure that if we're going to offer this reward  
22    that we have the funds to stand behind it for  
23    the people to get paid. Because then we're  
24    going to be shooting ourselves in the foot so  
25    to speak. If they're doing this and putting



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2       themselves out there and not getting the  
3       rewards it's not going to be a successful  
4       program.

5           I think that we need to make sure  
6       that we clarify that we make that quite clear  
7       in this legislation that the funding will be  
8       there regardless of how many notices we get  
9       from different people.

10           LEGISLATOR BYNOE:       That's right.  
11       That's the one piece that we need to look at,  
12       the financial impact. The other is that it  
13       does say resolved, in the final part of your  
14       resolution, that it's an annual contribution  
15       of \$5,000. Just to clear it up so that we all  
16       know what we're doing.

17           LEGISLATOR FORD:       I know what you  
18       mean. At first, to me, it sounded like we  
19       would give the amount of funds would be set  
20       aside for that to fund this. But I guess if  
21       it is sufficient to fund a standing reward  
22       that standing reward sort of makes it sound  
23       like we're going to limit it to \$5,000 a  
24       year. Thank you very much. I think the  
25       changes will be made but we will pass this

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2    through.

3                   Any other comments? Questions?

4    Any public comment? Sorry, I didn't mean to  
5    cut you off.

6                   LEGISLATOR BYNOE:     You didn't. I  
7    was reminded that I have another question.  
8    Also, this could yield a lot of phone calls.  
9    Administratively I want to make sure we will  
10   be in a proper position to receive that kind  
11   of information and we will have the support  
12   staff to take the calls and make sure we  
13   dispatch the information to the police  
14   department timely.

15                  LEGISLATOR FORD:     Thank you.  
16   Legislator Ferretti.

17                  LEGISLATOR FERRETTI:  
18   Commissioner Ryder is fully on board with this  
19   and has represented that these calls will be  
20   going to the police department and he has  
21   sufficient staffing to handle it.

22                  LEGISLATOR FORD:     I think also,  
23   because there was a was good point brought up,  
24   to make sure that when the calls come in they  
25   are aware of the fact that this is something

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2   new and they handle the calls properly and  
3   direct them to the right personnel. Thank  
4   you. Okay.

5                   MS. MEREDAY:     Yes. With regard  
6   to this resolution I would be concerned with  
7   the number of questions and issues that were  
8   brought up here to have this kind of passed  
9   through to the full leg because this is  
10   basically you giving a recommendation on a  
11   faulty resolution. Albeit an important one.  
12   That recommendation that you're moving it  
13   today and forwarding it on with the  
14   expectation that the changes will be made does  
15   not give me much of a level of confidence to  
16   be honest.

17                   Again, it is too vague in terms of  
18   the standing reward. Standing generally means  
19   that there is a consistent amount.

20                   Drug dealers. What type of drugs  
21   are we talking about? What level of  
22   classification? Why aren't we not addressing  
23   it from the distribution standpoint as well?  
24   If you're going to stem the tide, clearly we  
25   have not done a great job of that. And then

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2    you can have maybe one individual who can  
3    basically just be turning people in just so  
4    they can get the reward and remove their own  
5    competition. Again, you have to look at these  
6    types of things from all perspectives and you  
7    have to make sure all the holes are sealed  
8    up.

9                   And I am concerned, as with  
10   Legislator Bynoe's point, about an annual  
11   allocation of \$5,000 means a one-shot cost of  
12   \$5,000. So are you saying each case is  
13   \$5,000? Are you just going to give \$150?  
14   Again, there are too many holes in this cheese  
15   that I feel it should not be kind of sliced up  
16   and put on the sandwich that the taxpayers are  
17   going to have to eat down the road. That's  
18   just my comment with regard to this.

19                   LEGISLATOR FORD:     It's up to  
20   \$5,000 for arrest and conviction. It's from  
21   drug forfeiture funding. The police  
22   commissioner is on board with this and our  
23   counsel have been meeting with him to discuss  
24   this. I think we just want to clarify that  
25   just to make sure because it is misleading to

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2       a certain degree when you look at the standard  
3       of up to \$5,000 annually. It's just for each  
4       conviction. If there's ten convictions --

5                   MS. MEREDAY:     And drug dealers of  
6       what drug? You need to be specific. We can't  
7       think when it comes down to money and you're  
8       dealing with this type of scenario. It needs  
9       to be specific. All the T's need to be  
10      crossed and the I's need to be dotted. Thank  
11      you.

12                   LEGISLATOR FORD:     All those in  
13      favor of passing this item please signify by  
14      saying aye. Opposed? Item passes  
15      unanimously.

16                   The clerk items 144-18 and 145-18  
17      are ordinances supplemental to the annual  
18      appropriations ordinance in connection with  
19      the police department.

20                   May I have a motion. Moved by  
21      Legislator Muscarella. Seconded by Legislator  
22      Mule. The items are before us. Who from the  
23      administration is here to speak about this?

24                   MR. STEPHANOFF:     Good afternoon  
25      Lieutenant Greg Stephanoff.

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2                   Item 144-18 this item appropriates  
3   \$20,000 in funds from the New York State  
4   Office of Homeland Security and provides law  
5   enforcement agencies with resources. This  
6   \$20,000 will be used for training. There will  
7   be multijurisdictional exercise that will be  
8   conducted with the New York State Police in  
9   regard to homeland security.

10                  LEGISLATOR FORD:     Any debate or  
11   discussion? Any public comment?

12                  What about now 145-18.

13                  MR. STEPHANOFF:     145-18 this item  
14   appropriates \$50,000 in funds to receive from  
15   New York State Office of Homeland Security for  
16   our Marine Bureau. This is recurring funds  
17   that we get. We use this during Memorial Day  
18   and Labor Day for extra patrols and we also  
19   partner with open waters that we patrol. It  
20   offers some relief to us for what we do during  
21   those holidays.

22                  LEGISLATOR FORD:     It can get  
23   crazy out there. Thank God we have this. Any  
24   debate or discussion? Any public comment?  
25   No? All those in favor of passing these items

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2    please signify by saying aye. Any opposed?

3    The items pass unanimously. Thank you very  
4    much.

5           Clerk item 160-18 is a resolution  
6    requesting the legislature of the state of  
7    New York to enact and the governor to approve  
8    an act providing disability benefits for  
9    sheriffs, deputy sheriffs, undersheriffs and  
10   correction officers.

11           May I have a motion? Moved by  
12   Legislator Muscarella. Seconded by Legislator  
13   Ferretti. The item is before us. Who from  
14   the administration is here to speak about it?  
15   Good afternoon.

16           MS. ROTHSCILD: Sheriff Fludd  
17   will be here to speak on this item.

18           MS. FLUDD: Good afternoon.

19           LEGISLATOR FORD: By the way,  
20   congratulations. I wasn't here, I was away,  
21   so I didn't get the opportunity to  
22   congratulate you on your appointment and here  
23   you are.

24           MS. FLUDD: Thank you so much.  
25   This resolution is going to protect officers

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2     who are on the outside working the perimeter  
3     and give them the same disability benefits as  
4     the ones on the inside.

5                   LEGISLATOR FORD:     I know that  
6     this has been an issue that we've been trying  
7     to get passed, especially in the New York  
8     State level, for a couple of years now. Thank  
9     you very much for once again helping to  
10    introduce this, and hopefully this time we  
11    will see a positive vote. I know that the  
12    Senate and Assembly both voted for it  
13    unanimously. I'm hoping that this year the  
14    governor will join with all of us who do  
15    support this bill.

16                   I know that you're aware of what  
17    can happen, especially in our correctional  
18    facilities. It's something when they get  
19    covered what happens on the job, but sometimes  
20    when people do come to visit we need to make  
21    sure that we ensure the safety and health and  
22    welfare of all of those who work within the  
23    jail facility.

24                   Are there any public comments?

25                   LEGISLATOR DERIGGI-WHITTON:     Hi.



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2    Congratulations also. Very happy for you and  
3    for us. I just noticed, we're talking about  
4    the funding, first of all, I support this. I  
5    think we all support this for quite a while  
6    and happy to see it move forward. But like as  
7    a little housekeeping maybe, on the backup  
8    it's still saying that there is no impact on  
9    funding as stated as far as the cost. If you  
10   could just take a look. I'm fine to pass this  
11   through but before we go to full leg we should  
12   look at that page in the backup. I think  
13   that's from the year before. It might have  
14   carried over. It just doesn't make sense.

15           Actually OMB should probably be the  
16   ones to help with the funding. We're going to  
17   allow it to go through today but before full  
18   leg it should be addressed and we need the  
19   line from which it will be paid through.

20           MR. MILES:     Deputy county  
21   attorney Robert Miles. We will be getting  
22   that information for you from Andy.

23           LEGISLATOR FORD:     Legislator  
24   Bynoe?

25           LEGISLATOR BYNOE:     No.

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2                   LEGISLATOR FORD:     Anyone else?

3   Any public comment?  No?  Okay.  All those in  
4   favor of passing this item please signify by  
5   saying aye.  Any opposed?  The items pass  
6   unanimously.

7                   There is no other business in front  
8   of this committee.  May I have a motion to  
9   adjourn.  Moved by Legislator Rhoads.  
10   Seconded by Legislator Mule.  All those in  
11   favor?  This committee is now adjourned.  
12   Thank you.

13                   (TIME NOTED: 2:43 P.M.)

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CERTIFICATION

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

THAT the foregoing is a true and  
accurate transcript of my stenographic  
notes.

IN WITNESS WHEREOF, I have  
hereunto set my hand this 11th day of  
April 2018

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FRANK GRAY