NASSAU COUNTY LEGISLATURE

FULL LEGISLATURE MEETING

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RICHARD NICOLELLO

PRESIDING OFFICER

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BUDGET

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OFFICE OF MANAGEMENT AND BUDGET

POLICE DEPARTMENT

FIRE COMMISSION

SHERIFF'S DEPARTMENT

County Executive and Legislative Building

1550 Franklin Avenue

Mineola, New York

* * * * * * *

Thursday, October 6, 2022

1:19 p.m.

1 of 2

TAKEN BY: KAREN LORENZO, OFFICIAL COURT REPORTER

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2   LEGISLATOR RICHARD J. NICOLELO

3   PRESIDING OFFICER

4   9TH Legislative District

5   ***

6   LEGISLATOR HOWARD KOPEL

7   Deputy Presiding Officer

8   7th Legislative District

9   ***

10   LEGISLATOR DENISE FORD

11   Alternate Presiding Officer

12   4th Legislative District

13   ***

14   LEGISLATOR KEVAN ABRAHAMS

15   Minority Leader

16   1st Legislative District

17   ***

18   LEGISLATOR SIELA BYNOE

19   2nd Legislative District

20   ***

21   LEGISLATOR CARRIE SOLAGES

22   3rd Legislative District

23   ***

24   LEGISLATOR DEBRA MULE

25   5th Legislative District

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 3          LEGISLATOR C. WILLIAM GAYLOR, III

 4          6th Legislative District

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 6          LEGISLATOR JOHN J. GIUFFRE

 7          8th Legislative District

 8          ***

 9          LEGISLATOR MAZI MELESA PILIP

10          10th Legislative District

11          ***

12          LEGISLATOR DELIA DERIGGI-WHITTON

13          11th Legislative District

14          ***

15          LEGISLATOR JAMES KENNEDY

16          12th Legislative District

17          ***

18          LEGISLATOR THOMAS MCKEVITT

19          13th Legislative District

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21          LEGISLATOR LAURA SCHAEFER

22          14th Legislative District

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2   LEGISLATOR JOHN FERRETTI,JR.

3   15th Legislative District

4   ***

5   LEGISLATOR ARNOLD W. DRUCKER

6   16th Legislative District

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8   LEGISLATOR ROSE MARIE WALKER

9   17th Legislative District

10   ***

11   LEGISLATOR JOSHUA LAFAZAN

12   18th Legislative District

13   ***

14   LEGISLATOR STEVEN RHOADS

15   19th Legislative District

16   ***

17   MICHAEL PULITZER

18   Clerk of the Legislature

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 2          A L S O   A P P E A R E D:

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 5          PUBLIC COMMENT:

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 7          MARIA CERAULO

 8          PEARL JACOBS

 9          SUSAN GOTTEHRER

10          META MEREDAY

11          BRIAN SULLIVAN

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CALENDAR IN ORDER OF APPEARANCE:

1.   Office of Management and Budget
         Andrew Persich, Budget Director

2. Police Department
         Patrick Ryder, Commissioner

3. Fire Commission
         Michael F. Uttaro, Chief Fire Marshal

4. Sheriff's Department
         Anthony LaRocca, Acting Sheriff

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 2              PRESIDING OFFICER NICOLELLO:  I'm
 3    going to call this meeting of the Nassau
 4    County Legislature to order.  There is a
 5    no roll call.   However, we are going to,
 6    as we always do, lead things off with the
 7    Pledge of Allegiance.  Legislator
 8    Deriggi-Whitton, please lead us.
 9              (Whereupon, the Pledge of
10         Allegiance is recited.)
11              PRESIDING OFFICER NICOLELLO:  Thank
12    you very much.
13              We have several slips for public
14    comments.   I'm going to call them up now
15    before we start proceeding.  Brian
16    Sullivan, I will call you up when we do
17    the Corrections, Sheriff Department.
18              Starting off with Susan Gotterher.
19    By the way, if anyone else wants to
20    submit public comment, there are slips at
21    the table here up at the front.  The
22    Clerk's Office who will provide you with
23    those slips.  Fill it out and we will
24    call you up.
25              MS. GOTTEHRER:  Good afternoon.  My
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2   Susan Gottehrer, I'm the Director of the

3   Nassau County New York Civil Liberties

4   Union. Thank you so much for holding the

5   hearing. I'm here today to ask some

6   questions regarding the Nassau County

7   Jail and the Police Department. It is

8   hard to look at a budget and have three

9   minutes to ask all the questions. This

10   is also my way of conveying to the Public

11   Safety Committee to please ask these

12   questions of the heads of the agencies if

13   we are not able to ask them directly.

14   For the sheriff I notice that you

15   open your budget statement by saying the

16   Corrections Division shall ensure a safe

17   and humane environment that incorporates

18   proved evidence-based rehabilitation and

19   reintegration initiatives; that's on page

20   149. And so I would like to know if

21   while you're providing your testimony, if

22   you could share with us the actual

23   programs that are in the jail as we speak

24   and what programs are going to be

25   introduced in the future.

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2   I also see one of the goals is to

3   reduce the cost of incarceration and that

4   you have a building consolidation program

5   going on. I know that Mr. Spasato who

6   was recently appointed the Commissioner

7   of Corrections made a regular practice of

8   shutting down entire units for full days

9   while he was in charge of the jail as

10   Sheriff. There were also six suicides in

11   a year or two period during his tenure.

12   So I'm wondering about the opening

13   statement in the goal to reduce the cost

14   of incarceration. Does that include

15   medications, withdrawal medications?

16   Does that include shutting down full

17   buildings for full periods of time? Does

18   that include shutting down visits with

19   attornies, cutting short visits with

20   families, etcetera? We're really looking

21   to exactly what you mean by that.

22   I would also like to know about the

23   SCAP program that is listed as $1.5

24   million in revenue in the proposed

25   budget. If you could describe the SCAP

1

2   Meaning, are we holding people for ICE in

3   the Nassau County Jail at $165 a day, or

4   is that part of a program to collect

5   money on people who have criminal charges

6   against them? As as we know, the

7   immigration system is a civil system.

8   I'm just looking for clarification on

9   what the SCAP a paragraph.

10   Also, what is your plan for

11   communicating with incarcerated people

12   and families during COVID, and do you

13   have in the budget money for masks and

14   PPE if there's another crisis?

15   For Commissioner Ryder, I see on

16   Page 240 that Fines and Forfeitures make

17   up a little under $25 million worth of

18   projected revenue for 2023. This is one

19   of the highest numbers on the budget

20   proposal. I also see that Intelligence

21   and Asset Forfeiture are housed in the

22   same unit. If you could explain the link

23   between the two and given that amount of

24   expected income, how can the public be

25   sure that it's not an incentive on

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 2          policing tactics?
 3               I would also like to ask you about
 4          the 36 new officers respond to criminal
 5          justice reforms, given that DCJS just
 6          issued a report showing that rearrest
 7          rates have not changed since before
 8          reforms.  Can you share with us the
 9          evidenced-based data to ask for those 36
10          additional officers?
11               PRESIDING OFFICER NICOLELLO:  Thank
12          you.  The three minutes are up.
13               We have also have an opportunity, if
14          you have something in writing, to submit
15          is to the Clerk's Office and it will be
16          made part of the record, and we have an
17          e-mail address to submit written comments
18          to supplement written comments to
19          supplement the three minutes you're
20          speaking here.  That address is:
21               LegPublicComment@nassaucountyny.gov.
22               Do we have the address down there?
23               (Whereupon, Clerk's Office
24          confirms.)
25               PRESIDING OFFICER NICOLELLO:  All
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right.

                                MS. GOTTEHRER: Thank you.

                                PRESIDING OFFICER NICOLELLO: Pearl
Jacobs.

                                MS. JACOBS: Good afternoon,
everyone. I come before to advocate for
Uniondale. A community that is
underserved, disenfranchised,
marginalized, suffers from disinvestment
and environmental injustice.

                                Ironically, Uniondale serves as a
donor community for Nassau County. Our
tax revenue base is huge; however, little
to know investment returns to our
community for infrastructure
improvements, facade improvements for
businesses, and health and safety
improvements.

                                In addition to all that I have just
mentioned, Uniondale is a community whose
boundaries continue to be infringed upon,
and the fight for Uniondale's identity
continues and will continue.

                                I strongly request that Uniondale

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2   receives its fair share of monies from

3   this budget. In addition to my

4   aforementioned request, I would also ask

5   that monies be allocated for camera

6   technology.

7   Four years ago, I met with

8   Legislator Abrahams and the Nassau County

9   Police Department representatives to

10   advocate for camera technology. I again

11   came before this Legislative Body two

12   months ago requesting that technology be

13   implemented on Uniondale's main streets

14   beginning with Uniondale Avenue to assist

15   in reducing crime and improving quality

16   of life.

17   This past spring a young man was

18   murdered in Uniondale Park. This is a

19   priority for our community as business

20   owners and residents are complaining

21   about loitering on their properties,

22   vandalism, and people aimlessly wandering

23   around the community. I hope there are

24   not any more of those shelter homes,

25   because there's supposed to be a

1

2   moratorium on that. I will check with the

3   Department of Social Services on that.

4   Inspector Giuerer in the First

5   Precinct team does a great job serving

6   and protecting our community, but they

7   cannot be everywhere. Unless you plan to

8   clone the police, we want cameras on our

9   streets. I hope that's included in this

10   upcoming budget. Thank you.

11   PRESIDING OFFICER NICOLELLO: Thank

12   you. Maria Cerualo.

13   MS. CERAULO: Good afternoon, my

14   name is Maria Ceraulo and I'm the

15   criminal justice chair for the National

16   Alliance on Mental Illness (NAMI),

17   Queens/Nassau.

18   I'm coming before you to talk about

19   your desire to reduce the cost of

20   incarceration and expressed desire to

21   have humane treatment for people that are

22   incarcerated. As you may know,

23   disproportionate numbers of people are

24   incarcerated with mental illness in the

25   jails and prisons in America. I suggest

that you don't prosecute ill people, you
send them for treatment. Invest in
community resources to treat them. The
Governor has called and set aside funds
for crisis stabilization centers so that
when there is an emergency or crisis,
people can be sent to a stabilization
center where they'll receive services
where they will not be punished in the
jail or sent to an ER.

I wanted to say I know of a family,
and more than one, that are in the Nassau
County jail now. It hardly sounds humane
to me when they're still inside a keep
lock when it is illegal to put ill people
in solitary confinement in the state of
New York, the law was just passed. Yet
we incarcerate mentally ill people, we
don't medicate them. And then when they
act out, we prosecute them further. It's
a never ending cycle of punishment for
people who are mentally ill.

People that try to visit have had
real big problems trying to visit. Loved

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 2              ones have tried to file grievances that
 3              somehow disappear and no one ever saw
 4              them.  This is hardly humane.  I wanted
 5              to ask all of you, if you didn't mind,
 6              how many of you have been inside Nassau
 7              County jail?
 8                   PRESIDING OFFICER NICOLELLO:  I
 9              think we all have.
10                   MS. CERAULO:  Have you?
11                   PRESIDING OFFICER NICOLELLO:
12              Multiple times, yes.
13                   LEGISLATOR DERIGGI-WHITTON:  You may
14              have heard the Vera Institute has drawn
15              attention to what's gone on in Riker's
16              Island, and there are pictures released
17              of what the conditions are like inside
18              that jail.  Which to be an American
19              citizen, it's quite remarkable to think
20              this is what's happening in our own
21              country.  Now I'm hoping that Nassau
22              County in better shape than that; I don't
23              know.
24                   So I hope you will really do
25              everything you can to make this a humane
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2   response to a public health problem.

3   Mental illness is an illness. It is not

4   a violation of law, although they may do

5   minor crimes.

6   Okay. That's basically what I wanted

7   to say. Thank you very much.

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 2                OFFICE OF MANAGEMENT AND BUDGET:

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 4              PRESIDING OFFICER NICOLELLO:  Andy?

 5              MR. PERSICH:  Good afternoon,

 6      everyone.  Thank you for having me.  Andy

 7      Persich, Office of Management and Budget.

 8      I am here to present to you County

 9      Executive Blakeman's first proposed

10      budget.  A fiscally balanced budget that

11      has not tax increases in it and adds some

12      heads in certain arenas that have been

13      discussed previously.

14              I'm going to give a brief

15      presentation; I hope to be brief.

16      There's not a lot to say about this

17      budget, other than it is another plain

18      vanilla budget that grows on a few

19      different areas.

20              I'm going to start if you want to

21      follow me through.  First, I have to

22      thank my staff too before I forget that.

23      Every year we go this process and, I will

24      say it is a painstaking process to get

25      this done.  Without them, I wouldn't be
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1
2   sitting here in this position.

3   PRESIDING OFFICER NICOLELLO: Please

4   also identify your staff.

5   MR. PERSICH: Sure. I just want

6   identify the people sitting next to me,

7   my Senior Team: Chris Nolan, Irfan

8   Qureshi, Irina Sedighi. They're my

9   senior team and I have a few staff

10   members out in the audience who have been

11   here with me for a few years and have

12   made the process a little bit better, but

13   like with everything else, there are some

14   challenges that we go through in

15   production and doing the numbers.

16   But that said, I'm going to give you

17   a historical prospective on how we

18   developed this budget and where we're at

19   in this budget. In order to get there,

20   I'm going to turn to slide one. You have

21   to get -- we use our baselines for what

22   we're projecting in 2022 to get to 2023.

23   I don't need to tell you all that.

24   That's why we're here. The one thing

25   that we're noticing is the sales tax

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2   number in '22 is significantly lower than

3   collections. We're projecting right now

4   a 5% increase in our projections.

5   There's some upside, but there's some

6   caution I want to make everybody you

7   aware of. There's some adjustment checks

8   that come from the State that we've been

9   notified that may go south a little bit

10   because of the way they calculated.

11   We're in a good spot conservative

12   with the budget for 2023, but the 2022

13   numbers are a little stronger. When we

14   grow the base in '23, it's off a higher

15   number in '22. We see 5% growth in '22,

16   that's what we're projecting. The '23

17   budget includes a 1.8% increase on top of

18   that 5%.

19   We're also getting back the

20   disproportionate hospital money that was

21   taken from us by our friends in New York

22   State and additionally the AIM money is

23   now being restored. They were

24   intercepting that from us to give back to

25   the towns and the hospitals, but the

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2   State budget included the restoration of

3   those monies to us, which is

4   approximately $20 million to the good.

5   In addition to that, we've included

6   in our baseline numbers the forgiveness

7   on the gasoline tax on the $3 and over.

8   That's also included in that. As

9   everybody is aware, we're still actively

10   negotiating contracts with collective

11   bargaining units and that's ongoing. We

12   are hoping to get some resolution done

13   soon with some of them. It's a process, I

14   will say that.

15   If you turn to the next page, the

16   2023 Budget, as I said, no tax increase

17   budget. Sales tax I just covered. We're

18   paying down the referral of the last

19   piece of the amortization in the Police

20   District Fund. While it is not a real

21   big savings, it eliminates a liability in

22   the out years so we don't have recurring

23   money we owe to the State. It's

24   approximately $35 million dollars. It

25   help us in the arena when we go through

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2   our credit rating agencies. They like

3   that because we're getting rid of long

4   term liabilities. You're gonna here OPAB

5   and everybody complaining about that.

6   This is one of the things that actually

7   make sense when we have money to do stuff

8   like this. You've all been here long

9   enough to know that this is a different

10   position than we've been in many, many

11   years and the go forward piece is clearly

12   critical how we move forward fiscally

13   sound.

14   In addition, this budget includes a

15         $25 million contingency. I've stated

16   before, the uncertainty in the economy.

17   The inflation numbers are going around.

18   We have to be prepared that while it

19   seems to be roaring right now or trending

20   a little choppy, we have to be ready for

21   that. Building the contingency into a

22   budget is a good fiscal practice. It's

23   accepted by some of our friends over at

24   NIFA too, I think, and it takes some of

25   the strain of what they might impose on

risk in this budget offsets it a little
bit.

The budget grows by $166 million.
That's just from a couple of things.
Mostly has to do with labor and the debt
service piece going back up to
normalization.

The last piece of the NIFA benefit
we got was in '22. In '23, we're
restoring back to where we were in the
previous years. A little lower than
anticipated, but the savings achieved
from that both in '21 and '22 have helped
us put away money so it offsets some of
the future liabilities that we have out
there.

The head count is increasing by 86,
predominantly in the Public Safety arena,
mostly in the Police Department, Fire
Commission, Probation, DA's Office and a
couple of other areas.

One other anecdotal note I just want
to make to everybody is that in 2008, if
you recall, we entered into an IMA with

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2   the City of Glen Cove. Those residents

3   will now be part of the collection and

4   disposal district and the sewer district.

5   It will hep offset some of the costs to

6   the residents.

7   The next slide just shows a

8   comparison year over year between 2022

9   and 2023. As you can see, the proposed

10   budget in salaries is going up by $55

11   million. That's as a result of

12   collective bargaining agreements being

13   funded in the budget at the settled rate.

14   We've done this for the past couple of

15   years. We've segregated out what the

16   retro and the cola (phonetic) pieces in

17   the budget, but that's the driving force

18   of the number up. The '22 budget

19   included it too.

20   You'll see Fringe is dropping and

21   that's a result of we paid the pension

22   deferral in '22 back from the other

23   funds, which was approximately $122

24   million, which I think we have in we

25   another slide. But that reduction in

fringe benefits was offset by the debt

service increase. If you looked on a

comparison basis, those are the two

driving forces that are making the

numbers go up and down.

    We're also seeing some increases in

transportation as a result in a new bus

contract. The RFP is out there, so where

this lands exactly, I don't know. We've

estimated a little conservatively with

the numbers, but there is some inflation

factors that are factoring in, whether it

be the price of natural gas, gasoline,

diesel, equipment costs, everything else;

we factored that in.

    Our direct assistance is going up a

little bit. OTPS we're seeing an uptick.

We have to keep in mind that the

inflation costs are driving up some of

our pricing for goods and services. We

factored that into the budget.

    Gas, I mean, it is down, it's up.

You're hearing all different reports

right now. Probably that is one of the

main drivers here. But the cost of goods and everything now that we are acquiring now is costing us more money more for the equipment we need for the departments.

As can you see, sales tax is going up. I think I've discussed that. State aide is going up primarily driven by the STOA money for buses. Federal aide slightly. And department revenues are starting to decline a little bit. The housing market is starting to hit the headwinds. Transaction volume is going down. Interest rates are rising, so we've taken the number down conservatively. I do think housing market is a market, it will go down, it will come back up. I think when you look in the out years of the budget when we do the multiyear plan, we have restoration of those revenues, but all in all, I think we've taken a fiscally conservative approach on the revenue side to keep this budget balanced.

That said, the budget's $3.3 billion

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2   versus $3.2 from last year. That's

3   exclusive of departmental, because that

4   gets a little crazy because we have to

5   do, I would say, budgetary things that is

6   much more complicated and has no impact

7   as far an expenses and revenues.

8   If you turn to next slide, which I

9   think is the sales tax slide, you can see

10   we're not being overly aggressive. If in

11   you see where we're at right now and

12   where we're going to, I think we're in

13   the ballpark of being in the comfort zone

14   of not over estimating this number. It's

15   the main driver of what this budget is

16   built on and it has been for a few years

17   now, because it is the largest revenue

18   source that the County has so we are very

19   cognoscente of it. And having some

20   cushion from 2021 from the money we put

21   into reserves to where we're at now, I

22   think has built us a financial structure

23   that will benefit us for the downturn.

24   We won't be running around here when we

25   have a large judgement or some anomaly

1

2   that comes out. I think we are in a

3   position now that we have never been in.

4   I've reiterated this in past hearings,

5   that we have just have to be cautious

6   with the go forward. When you get to the

7   out years, and I'll show that later on,

8   things get a little bit more difficult

9   because collective bargaining numbers get

10   higher in the out years.

11   I will turn to the next slide.

12   Again, I think we have addressed the

13   liability section. We've paid down $123

14   million last year. We're looking to

15   settle some outside litigations. We

16   still have a lot of claims out there for

17   old Article 18 cases that date back to

18   the '90s. We're working on resolving

19   those. Those are significant numbers.

20   I've been in touch with the attornies on

21   this one. It's a very, very large

22   number, but I don't think we're in a bad

23   place.

24   The other thing we've enacted is

25   doing structured settlements in some of

1

                2   the things we do. The LIPA thing coming

                3   off the books, and when I get to the next

                4   slide with the CERTS of how we're

                5   progressing with that, I think we will

                6   finally rid ourselves of the backlog. It

                7   is not going to be instantaneously, but

                8   we're trying to pump it out as fast as we

                9   can.

               10   If you look at next slide, this is

               11   what the CERT liability looks like. I

               12   know this has been a hot topic for

               13   everybody and I've been asked this. At

               14   the end of 2021, we can call our

               15   liability to be approximately $447

               16   million net of LIPA settlement. We've

               17   put out the door approximately $86

               18   million dollars and it's not just special

               19   revenue funds. We have all these other

               20   resources which we are dipping into. If

               21   you look in the system, it's not going to

               22   be dollar-for-dollar of this special

               23   revenue fund, but we have $360 million of

               24   outstanding liability as of now. We have

               25   resources of approximately 343 to cover

that. There's a little slippage, but
it's a negotiation so, hopefully, we may
be able to get the number down a little
bit. I think we have some resources
built into some of the reserves that if
we run short, we will have the ability to
cover any shortfall in the CERT line.
Keep in mind, that we have now built in a
PAGO system for lack of a better thing.
We have DAF and we have operating funds
to cover approximately $70 million of
that money. Once the assessment is
stabilized, I think that number will
probably close to being manageable. I
would say it would land between $70-100
million annually as increase.

Finally, I just want to cover a few
things. If you look, this is the
multiyear plan we have to present as part
of the Charter and is one of the things
that NIFA focuses on. In '22-23 we're
okay because we have built contingencies.
In 2025, we're okay. In '26, we start to
get really tight because expenses and

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2   rising costs we have to be concerned

3   about. So while I hate not to use it --

4   what I will say is we have some money in

5   the bank, let's be cautious about what

6   the future looks like, we don't want to

7   go back to the old days. I think this

8   Body and everybody else, we've all worked

9   together to get here where we are. I

10   think we're gonna continue down that

11   path. I just want to bring to light, in

12   four years from now, it's not as robust

13   as where it is. We have to be fiscally

14   minded if we have any surplus, how to

15   strategically place it so that when we

16   get there, we are free and clear of

17   having any of our friends at NIFA

18   scrutinize about how are we getting there

19   and what we did.

20   In closing, I have to bring up my

21   bond upgrades, I'm proud of those. Just

22   for argument's sake, but I have to bring

23   it up again: Two bond upgrades. We've

24   built a resilient budget and we have a

25   strong economic base here in this County

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2   and we're starting to behave like that

3   fiscally. We can give the residents the

4   service they're entitled to, and we plan

5   on keeping this ship going down that

6   path. That has been my mission statement

7   from the County Executive: Keep this

8   budget balanced and be fiscally prudent.

9   We have the highest reserves we've

10   had in years. The continuity of my team,

11   which I have to give thanks to again,

12   that's helped make this process a little

13   easier. The budget is structurally

14   balanced and we've taken care of some of

15   our pension costs in CERT and other

16   liabilities out there. We are in the

17   strongest cash position we've been in in

18   years.

19   That is all I have to say about the

20   budget. I'm here to field your questions

21   and anything I left out, by all means,

22   you can throw at me.

23   PRESIDING OFFICER NICOLELLO: We

24   will open it up to the legislators, but I

25   have a couple. You indicated this is a no

1

2   tax increase budget, but I think you're

3   selling yourself a little short. There

4   was a proposed $35 million increase in

5   taxes in the four year plan.

6   MR. PERSICH: Correct. Under the

7   previous administration, we included a

8          $35 million tax or restoration of the $70

9   million. We have held the line. The

10   plan includes a no tax increase for the

11   four years. Part of that's built on the

12   strength of the sales tax number and

13   that's what giving us the flexibility not

14   to do anything with taxes.

15   PRESIDING OFFICER NICOLELLO: The

16   bottom line is that the proposed $35

17   million tax increase has been taken out

18   of the budget.

19   MR. PERSICH: That is correct.

20   PRESIDING OFFICER NICOLELLO: I just

21   have one other question and then I'll

22   open it up.

23   What may the funds in this

24   contingency fund be spent on?

25   MR. PERSICH: Like with any other

1

2   thing, if we have a shortage in one of

3   the areas, whether it be fringe benefits,

4   because health insurance rates, I'm just

5   giving everybody a warning shot here,

6   they're going up. COVID is starting to

7   hit. All the free testing and all the

8   things that we thought were free are now

9   coming to fruition, I think. Health

10   insurance rates could be doubling. I

11   haven't gotten the NYSHIP rates. I doubt

12   they will be out before November. I'd

13   rather not say as why, but I do believe

14   they're going to be going up. So that

15   contingency could be use for anything

16   that we have shortages in on the

17   appropriation side. I would have to come

18   to this body and say I need to move

19   money. It goes in the BU budget. We've

20   had this in the past. I have to come to

21   you and say, we need money here and we're

22   gonna take it from the contingency to pay

23   for this. If don't use it, we then create

24   what I would say is the fiscally prudent

25   way of doing it. We have a rolling

1

2   surplus which is where we need to be and

3   we can rid ourselves of our partners at

4   NIFA.

5   PRESIDING OFFICER NICOLELLO: Thank

6   you, Andy.

7   Any other legislators? Legislator

8   Ferretti and then Legislator Ford and

9   Legislator Rhoads.

10   LEGISLATOR FERRETTI: How are you

11   doing? Thank you for your presentation,

12   Andy and your entire team. Thank you for

13   the hard work in putting this budget

14   together.

15   Just a couple of more questions

16   about what the Presiding Officer was

17   asking you about. The previous

18   administration's multiyear plan did not

19   call for just a property tax increase for

20   2023, correct?

21   MR. PERSICH: It called for property

22   tax increases in '23, '24, and'25.

23   LEGISLATOR FERRETTI: The multiyear

24   plan put forth by County Executive

25   Blakeman and your team, does that do

1

2   anything with the out years in terms of

3   --

4   MR. PERSICH: No. The property tax

5   is still not going up. It's still frozen

6   at 755.

7   LEGISLATOR FERRETTI: So in other

8   words, it's not just removing the $35

9   million property tax increase that was in

10   the multiyear plan by the administration

11   for '23, it is removing the proposed $35

12   million property tax increase by the

13   prior administration in '24, and a $10

14   million property tax increase for '25?

15   MR. PERSICH: That is correct. It's

16         $150 in total that the plan was in the

17   previous administration, the reduction to

18   restore the $150 million.

19   LEGISLATOR FERRETTI: You just said

20   reduction.

21   MR. PERSICH: Right.

22   LEGISLATOR FERRETTI: I just want to

23   make sure I understand. The previous

24   administration had proposed in their

25   multiyear plan a $150 million property

increase, correct?

MR. PERSICH: Correct. That is correct.

LEGISLATOR FERRETTI: And County Executive Blakeman's multiyear plan is proposing to remove the entire $150 million property tax increase that the prior administration proposed, correct?

MR. PERSICH: That is correct.

LEGISLATOR FERRETTI: Okay. As you might recall the last two budgets, the Majority had put in budget amendments for rodent extermination programs.

MR. PERSICH: Correct.

LEGISLATOR FERRETTI: They were passed by this Body and then vetoed by the previous Count Executive; do you recall that?

MR. PERSICH: I do recall that.

LEGISLATOR FERRETTI: Does this budget add any money in for a rodent extermination program?

MR. PERSICH: It adds approximately $200,000 to the rodent extermination

1

2   budget. It is almost a half million

3   dollars in total. I would say increased

4   it by $200,000 --

5   LEGISLATOR FERRETTI: $222,000.

6   MR. PERSICH: It's 222 to be exact.

7   I'm rounding. I apologize.

8   LEGISLATOR FERRETTI: It' a couple

9   of extra rats there.

10   MR. PERSICH: Yes.

11   LEGISLATOR FERRETTI: The

12   administration has already started

13   baiting sumps under the current budget;

14   is that correct?

15   MR. PERSICH: I cant answer that,

16   Legislator. I would assume yes, because

17   it's part of the program they have out

18   there.

19   LEGISLATOR FERRETTI: All right.

20   But this budget does have money in there.

21   I know Legislator Walker, Legislator Ford

22   and myself have been working closely with

23   Ken Arnold in putting a program together.

24   I just want to make sure the money is in

25   there for the rat extermination program,

1

2   correct?

3   MR. PERSICH: That is correct.

4   LEGISLATOR FERRETTI: Thank you.

5   PRESIDING OFFICER NICOLELLO:

6   Legislator Ford, then Legislator Rhoads.

7   LEGISLATOR FORD: Good afternoon.

8   Thank you very much for your

9   presentation.

10   I just want to make sure I

11   understand with the head count. For the

12   budget, the budgeted full time head count

13   is increased by 86 positions to 7,413.

14   MR. PERSICH: Correct.

15   LEGISLATOR FORD: You indicated they

16   would be police officers, fire, sheriff.

17   When you go through looking at the

18   various department, does this increased

19   head count, do we also take into

20   consideration the increases that are

21   proposed, like say for Parks and

22   Recreation. Right now, their full time

23   onboard is 131 and we're proposing 142.

24   Then for the Department of Public Works,

25   on board 345 as of September, and propose

1
2   404; is there money in the budget that

3   these individuals can be hired?

4   MR. PERSICH: Yes. The budget

5   includes -- it's a growth over the '22

6   budget of 86 positions, but there are

7   vacancies in '22 that are not onboard.

8   The budget includes the funded vacancies

9   from '22 and '23. To answer your

10   question, yes it is --

11   LEGISLATOR FORD: So the money is

12   there. There's no deterrent to hiring

13   any of these people --

14   MR. PERSICH: No.

15   LEGISLATOR FORD: And fulfilling

16   these jobs?

17   MR. PERSICH: No.

18   LEGISLATOR FORD: All right. Thank

19   you.

20   PRESIDING OFFICER NICOLELLO:

21   Legislator Rhoads.

22   LEGISLATOR RHOADS: I appreciate it.

23   Thank you, Presiding Officer. Thank you

24   for your presentation, Andy. I

25   appreciate it.

1

2   Going back two years ago, we were

3   told by the previous administration,

4   County Executive Curran, and told by NIFA

5   that we had to restructure debt because

6   sales tax revenues were going to plummet,

7   correct?

8   MR. PERSICH: That is correct.

9   LEGISLATOR RHOADS: In fact, they

10   forecasted I believe a difference in

11   sales tax revenue of I believe a 20%

12   decrease in 2021 from 2020 levels.

13   MR. PERSICH: No. In 2020, if I

14   recall, it was a 20% decrease in the

15   budgeted numbers in 2020. That was the

16   middle of the pandemic. That was the

17   original estimate.

18   LEGISLATOR RHOADS: Right. However,

19   the estimate for '21, as I recall, was

20   that there was going to be a decrease

21   from the the 2020 numbers despite the

22   fact the economy was reopening based upon

23   what they thought might happen.

24   MR. PERSICH: I have to go back and

25   check the exact numbers. But, yes --

1

2   there was a slight increase if I recall

3   from the 2020 to 2021 number, but the

4   base in '20 was so slow, it was still

5   lower than what we were collecting in

6   2020.

7   LEGISLATOR RHOADS: The bottom

8   line in spite of the forecasted decrease,

9   it looks like from the numbers that we're

10   being presented here that there, in fact,

11   was 34% increase in sales tax revenue in

12   2021 from 2020; is that correct?

13   MR. PERSICH: Correct.

14   LEGISLATOR RHOADS: And that in

15   2022, it appears to be an additional 11%

16   increase from 2021.

17   MR. PERSICH: Correct.

18   LEGISLATOR RHOADS: So the debt

19   restructuring that County Executive

20   Curran and NIFA forced this County to

21   adopt, at this point, we would a agree

22   was based upon a false premise.

23   MR. PERSICH: Let me put a different

24   spin on it. I would say while the

25   opportunity presented itself to do the

1

2   debt restructuring at that point, the

3   uncertainty that we were sitting upstairs

4   with was a little different. We didn't

5   know what was going to happen. I think

6   being conservative in the sales tax

7   number has benefited us. The debt

8   restructuring has benefited us, I will

9   say. Even though we don't want the

10   partners, we were able to accumulate --

11   to your point, Legislator, I guess

12   because the sales tax number was so low

13   we ended up generating a surplus to fund

14   other things is what I will say.

15   I don't know if I answered your

16   question or confused you more. What I'm

17   saying is, I think at this point and time

18   had you presented that and the pandemic

19   wasn't going on which was -- I mean, we

20   were all here. It was the craziest time.

21   I don't what different solution might

22   have been out there.

23   LEGISLATOR RHOADS: I think the

24   difficulty that I'm having is that --

25   again stepping back two years -- the

1

2   argument that we were having was the fact

3   that sales tax revenues in 2020 were

4   continuing to increase as the economy

5   reopened, yet we were being told that we

6   were forecasting a decrease in the sales

7   tax revenue in 2021 to justify the debt

8   restructuring; that's my recollection.

9   MR. PERSICH: That is correct.

10   LEGISLATOR RHOADS: And obviously,

11   everything on the record and that will

12   bear that out.

13   I do notice that this year, however,

14   since the debt restructuring was done,

15   that of the overall budget increase,

16   nearly half of that budget increase,

17   based on my math, about $140 million of

18   our spending increase is as a result of

19   can being kicked down the road and now

20   it's time to pay the piper now that the

21   Curran Administration is gone, the

22   Blakeman Administration now has to deal

23   with making $141 million in additional

24   debt servicing payments that have to be

25   incorporated into this budget.

1

2   MR. PERSICH: Yes.

3   LEGISLATOR RHOADS: Overall -- I

4   know you've just taken the position that

5   somehow the debt restructuring was good

6   in that it put is in a stronger cash

7   position. However, overall, you would

8   have to agree the debt restructuring,

9   one, was not necessary; and, two, has

10   actually put us in a more difficult

11   position with respect to the overall

12   budget, driving up our budget numbers as

13   apposed to keeping the lower.

14   MR. PERSICH: Yes. To your point, I

15   will say yes to that. But, again, at

16   that point and time -- let me just take

17   you back, though. If you look at the

18   chart, sales tax in 2020 dropped by 7-8%,

19   which --

20   LEGISLATOR RHOADS: Overall, it did.

21   It was originally forecasted to be down

22   by 30%.

23   MR. PERSICH: And if we didn't do

24   the debt restructuring, the scoop and

25   chuck, I think in 2020 the conversation

1

2   would be different. We wouldn't have a

3   structural balance budget. Part of the

4   component was taking $75 million of 2020

5   money and scooping and chucking -- that

6   was the term we used to do this. This is

7   a scoop and chuck. I think it helped in

8   the short term; in the long term, yes. I

9   don't disagree with you. We've mortgaged

10   the future and now we're paying for it,

11   yes. There's no secret there. That is

12   the truth. We did push it out further.

13   Because we extended the life of the debt

14   is what we did do.

15   LEGISLATOR RHOADS: Well, you also

16   extended the life of NIFA an additional

17   ten years.

18   MR. PERSICH: Agreed, but. I think

19   the other thing too, there's two

20   components that get mixed up in it. We

21   used to be able to easily do debt

22   restructuring ourselves, but in 2017

23   there was a tax law change that

24   prohibited us from doing that. That

25   created a problem too. Now that we have

1

2   a better credit rating, I think going

3   forward I think to the point we do a debt

4   restructuring, we don't need any partners

5   anymore. If that helps us. I think

6   that's if one positive out of the whole

7   thing came out of it, I think that we've

8   positioned ourselves in a position that's

9   gonna benefit everybody for the future.

10   LEGISLATOR RHOADS: However, I would

11   imagine that you would agree, as it turns

12   out, we would have been -- without the

13   debt restructuring, we would still be in

14   a sound financial position. It might not

15   be as good, we would have been fiscally

16   sound.

17   MR. PERSICH: We wouldn't be as

18   rosy. Remember, we were paying $330

19   million of 300 and some odd million

20   dollars in debt service prior to the

21   restructuring. We took two years, I will

22   say, vacation for lack of a better thing.

23   The numbers went down. We didn't start

24   making the principal and interest

25   payments until '23. So I think it would

1

 2   have been a little bit more of a struggle

 3   of who is sitting here in '23 without

 4   having that restructuring there.

 5   LEGISLATOR RHOADS: Just out of

 6   curiosity, do you happen to know as a

 7   result of NIFA's life being extended

 8   basically until 2035, can you tell what

 9   is the additional cost to the County as a

10   result of NIFA's existence for probably

11   12 or 13 years longer as result of the

12   restructuring?

13   MR. PERSICH: Simple terms, off the

14   top of my head, the operating budget is

15   roughly around $2 million, so 12 times

16   two is $24 million.

17   LEGISLATOR RHOADS: So in addition

18   to the additional debt service we now

19   have to pay to the tune of about $140

20   million, we're gonna be stuck over the

21   next 12 to 13 paying an additional $20-26

22   million in NIFA expenses, which we have

23   no control over.

24   MR. PERSICH: Correct.

25   LEGISLATOR RHOADS: NIFA spends what

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 1

 2          it wants to spend.  That's assuming that

 3          they don't increase their spending over

 4          the next 13 years, which historically

 5          they've done on something of a regular

 6          basis.

 7               MR. PERSICH:  That is correct.

 8               LEGISLATOR RHOADS:  Refusing to use

 9          County office space and going out and

10          actually paying to rent for example.

11          Refusing to use County staff to actually

12          staff their office, going out and

13          spending money and hiring people on their

14          own.  That's what they typically engage

15          in.

16               MR. PERSICH:  Majority of their

17          expenses come in two fold: One is

18          personnel costs and some is outside

19          services that they're required to do.

20               LEGISLATOR RHOADS:  Like for

21          example, hiring their own individual to

22          participate in contract negotiations was

23          something else.  Something we

24          specifically vetoed, but they elected to

25          do on their own regardless.
```

1

2   MR. PERSICH: Yes. And there's some

3   other things that they have to pay for,

4   borrowing, banking fees --

5   LEGISLATOR RHOADS: By the way, the

6   additional costs as a result of the debt

7   restructuring, did that procurement cost

8   of the actual restructuring itself?

9   MR. PERSICH: Yes, it did. Whenever

10   we do a debt deal we roll it all in, it

11   takes all the expenses and rolls it into

12   the bond deal. This included that. The

13   banker fees and everything else. The

14   cost of issuance, that's what we call it.

15   LEGISLATOR RHOADS: What were the

16   costs of issuance?

17   MR. PERSICH: I have to go back. I

18   don't think they were significant enough.

19   We look at it Net PV; Net Present value.

20   The deal was positive. That's how we

21   had to do it. Otherwise, the State

22   Comptroller doesn't allow us to do it. I

23   think it all fit within confines of what

24   we were saving.

25   LEGISLATOR RHOADS: From a

1

2   historical standpoint, we've seen that

3   those procurement costs can be as much as

4          $20-25 million per year.

5   MR. PERSICH: They could be, yes.

6   LEGISLATOR RHOADS: We are not

7   talking about --

8   MR. PERSICH: You're extending it

9   over the life.

10   LEGISLATOR RHOADS: Just a couple of

11   a hundred dollars is an insignificant

12   amount of money, but we're talking about

13   tens of millions of dollars that are

14   being spent on procurement costs for

15   borrowing that we may not have needed.

16   MR. PERSICH: Correct.

17   LEGISLATOR RHOADS: Do we know, is

18   there a reason those costs are unknown?

19   Has NIFA reported those costs to anyone?

20   MR. PERSICH: We are required in the

21   official statements to do those, I just

22   don't know them off the top of my head.

23   They're a required issuance when we do

24   ROS. When we did the restructuring, the

25   banker came in and said this is what the

1

2   cost of -- there's underwriting costs,

3   there's legal costs, there's a whole

4   bunch of different things that rolled up

5   into the debt restructuring. It's common

6   practice. It's called a cost of issuance

7   that you roll it into the deal and

8   stretch it over the time of the bond.

9   LEGISLATOR RHOADS: Again, looking

10   at the debt restructuring for a moment,

11   was the way that NIFA chose to

12   restructure the debt, the most efficient

13   way to restructure it over the life of

14   the deal, or was it essentially front

15   loaded to get the maximum benefit over

16   the course of the first two years of the

17   deal?

18   MR. PERSICH: It was structured to

19   bet the maximum benefit over the first

20   two-and-a-half-years. The P. V. may have

21   been a lit more favorable if we straight

22   lined the debt, meaning that we didn't

23   take all the money up front in the first

24   two years, the savings. I would argue

25   the point though, despite the sales tax

1

2   and everything being so low, that surplus

3   we generated in '21 was not a factor in

4   what we did in the debt restructuring to

5   help reduce that savings. We basically

6   benefited twice from doing the

7   restructuring up front, even though we

8   mortgaged the future, we got money up

9   front from the debt restructuring and

10   from the surplus generated from the debt

11   service savings.

12   LEGISLATOR RHOADS: Are we able to

13   calculate how much more, and I understand

14   the first two years you benefited, are we

15   able to calculate how much more it's

16   costing us now as a result of the

17   decision to front load the benefits of

18   the debt restructuring as opposed to

19   spreading it out over the course of the

20   15 years of the deal?

21   MR. PERSICH: I don't have that

22   number in front of me, but we did do an

23   analysis on that. I can get that for

24   you. I'm gonna it's between $50-60

25   million is what I will say.

1

2   LEGISLATOR RHOADS: That's over the

3   life. You're looking at $50-60 million.

4   MR. PERSICH: Right.

5   LEGISLATOR RHOADS: I have no other

6   questions.

7   PRESIDING OFFICER NICOLELLO:

8   Minority Leader Abrahams, Legislator

9   Derrigi-Whitton, Legislator Bynoe.

10   LEGISLATOR ABRAHAMS: How are you,

11   Andy?

12   MR. PERSICH: I'm well. How are

13   you, Minority Leader?

14   LEGISLATOR ABRAHAMS: Good. Good.

15   I just have a couple of questions.

16   It really ties to some of the things

17   about the multiyear plan and some of the

18   sales tax -- property tax stuff that was

19   mentioned earlier.

20   You had mentioned before that the

21   multiyear plan now is flat. Meaning the

22   previous administration's tax increases

23   are no longer in the budget. You were

24   part of the offering of that; what

25   changed?

1

2   MR. PERSICH: What changed was the

3   significant increase in sales tax that

4   the property tax increase was not

5   required because we have revenue to

6   offset it.

7   LEGISLATOR ABRAHAMS: The enormous

8   growth in sales tax, was that known at

9   the time you offered the budget?

10   MR. PERSICH: At that point, no. But

11   now we know and --

12   LEGISLATOR ABRAHAMS: Yeah. So now

13   we know and we're able to change it. So

14   we could budget by crystal ball, like

15   some would suggest. Or we could go based

16   off the facts, which at the present time

17   which you were part of the offering of

18   that, would suggest we preserve and have

19   a conservative budget. It sounds like to

20   me -- and the previous county executive

21   doesn't need anyone to defend her -- but

22   it sounds like to me, due to her

23   conservative budgeting as it pertains to

24   the sales tax and other items, is the

25   reason why the current administration has

1

2   what they have, the resources they have,

3   to be able to do what they're doing;

4   would you agree?

5   MR. PERSICH: Yes. I would say that

6   some of the benefits we've done in the

7   past has benefited the future, but we're

8   here now and this is the hand we were

9   dealt. I mean back then, I will say,

10   Legislator, I did not have a crystal

11   ball. I was more nervous about what we

12   didn't have. We were all there. I which

13   I had hindsight back then.

14   LEGISLATOR ABRAHAMS: I agree. We

15   were coming off a down year even though

16   it wasn't as down as we thought it would

17   be. We were coming off a down year in

18   2020. COVID is still around today, but

19   it was around as it was very much last

20   year. There was a lot of uncertainty. I

21   think from our standpoint, we wanted to

22   budget conservatively. I'm glad to see

23   we've come out of it to a large degree,

24   but at the time, I think it's a little

25   bit -- and this is not to you -- I think

1

2   it's a little bit unfair to budget with

3   hindsight being 20/20. It's nice to say

4   things now and be able to budget based

5   off of things a year prior, that being

6   said.

7   More importantly, I do want to ask

8   you about some of the sales tax numbers

9   going forward for this year in terms of

10   those projections. Currently, how much

11   are we budgeting for sales tax for fiscal

12   year 2023?

13   MR. PERSICH: We are projecting a 5%

14   increase, or about 1.455 in 2022, which

15   is approximate 80 million over the

16   budget.

17   LEGISLATOR ABRAHAMS: Eighty

18   million over. And you feel that is

19   satisfactory to where we should be or

20   does that follow the same practice as

21   before in terms of sales tax projection?

22   MR. PERSICH: Hope is not a strategy

23   as I' have been told before. The way

24   their tending and the checks keep coming

25   in, I think we're gonna be okay. The

1

2   biggest part of sales tax comes in the

3   following year. We call it the holiday

4   season. We still have to cautiously wait

5   for 6-8 checks that come in 2023 for

6   2022. I'm optimistic. I think where

7   we're at as far as the numbers we've

8   presented is conservative, but there is

9   still the unknown.

10   LEGISLATOR ABRAHAMS: I do want to

11   talk a little bit about the unknown. I

12   think everyone up here and everyone out

13   there can agree that based on inflation

14   and what we're reading about a potential

15   recession and everything that's going on

16   in the world, not just here in New York

17   State, but everything that's going on in

18   the world, some would argue that we are

19   nearing a potential recession. Where, as

20   you know, everything in the economy will

21   begin to collapse and people will start

22   to spend less. Have you factored any of

23   that in the budgeting that we are seeing

24   before us today? I'm not asking you -- I

25   don't know if you have an economist that

1

2   you guys consult with, but is there any

3   idea or anything you can share with us in

4   regard to the sales tax that pertains to

5   that?

6   MR. PERSICH: Good thing about the

7   base being as low as it was and what

8   we're growing it off of has helped to

9   give us a conservative approach even if

10   the numbers do take a turn sideways. We

11   use a bunch of different analytical

12   tools. We use Moody analytics to help us

13   assist us getting to the number. We don't

14   pick number the number right off the top.

15   We try to stay under the 2% range, which

16   has been a practice here since I've been

17   here. I don't want to go above growth of

18   more than 2%. The base has grown -- and

19   it holds true, which I agree, the

20   inflation thing is a benefit to sales tax

21   in the beginning.

22   LEGISLATOR ABRAHAMS: It is.

23   MR. PERSICH: It is. And we hit the

24   recession -- and we may be in one now.

25   It's a lagging indicator when we get to

1

2   the recession. When the unemployment

3   number starts ticking up, that's when we

4   really gotta start paying attention.

5   That's when spending is gonna hit the

6   breaks. That's where you're gonna have a

7   lot more jobless claims and the resources

8   available are not gonna be like during

9   COVID. I think that's when we're scared.

10   As far as my numbers right now, I'm

11   okay with where we're at now and to the

12   future. I don't think we've over

13   estimated where we're going to be.

14   LEGISLATOR ABRAHAMS: I asked the

15   question because I can imagine how hard

16   it is to budget. There's a period of time

17   where we are going through where we are

18   not collecting sales tax for gasoline,

19   but obviously, that will expire at some

20   point. That's actually helping the

21   number even more, but at the same time

22   you have the recession that's around the

23   corner -- or could be around the corner,

24   who knows.

25   MR. PERSICH: Let me just say this,

1

2   when those checks come in all the time,

3   it's almost like watching the stock

4   market with me. I run around and try and

5   figure it out. Is it up, is it down. We

6   live and die by that number. I keep tabs

7   on it, my pulse on it, all the time.

8   We're very much in tune with it.

9   LEGISLATOR ABRAHAMS: Okay. Well,

10   Andy, again, I just want to thank you.

11   Your budgets presented have been honest,

12   been conservative, been forthright and I

13   appreciate that from you from that

14   standpoint. Again, thank you for your

15   testimony today.

16   MR. PERSICH: I thank the support of

17   this body. It's been some bumpy rides,

18   but we've managed to get into a place

19   that I will say we never thought we'd be

20   in.

21   PRESIDING OFFICER NICOLELLO: You're

22   doing a good job, Andy. I don't know

23   about the guy before you (laughter).

24   MR. PERSICH: It was him

25   (indicating).

1

2   PRESIDING OFFICER NICOLELLO: Next,

3   Legislator Deriggi-Whitton.

4   LEGISLATOR DERIGGI-WHITTON: I also

5   want to concur with my colleagues. You

6   really did steer this boat through really

7   stormy waters.

8   I have a question: I remember when

9   we were doing the refinance, there was a

10   discussion of NIFA's role being extended.

11   Can you explain the difference versus how

12   this extended there?

13   MR. PERSICH: Legally, I don't know

14   the requirements. From my perspective

15   despite this Body's knowing, I have to

16   report to them more than anybody else.

17   Oversight to me would mean that we

18   have freedom to put the control back into

19   the elected officials hands, which is I

20   think everybody's goal here. Oversight

21   just means they look at the budget and

22   they say, eh, this is not good, that's

23   not good.

24   Right now, we're in total control

25   period: We have contracts, borrowing.

1

2   Everything has to go through them.

3   Fairness to them, they bailed us out

4   in 2000, so we're there with them, but

5   now we're here. I would say oversight

6   would be a better place for us at this

7   point.

8   LEGISLATOR DERIGGI-WHITTON: And did

9   the refinancing extend the control period

10   with NIFA?

11   MR. PERSICH: The control period

12   calculation is somewhat arbitrary. I

13   don't know if it did or not. It extended

14   theoretical life of NIFA, but the control

15   period is established by the Board, not

16   by us or anybody else.

17   I personally think even with the

18   restructuring, that control period should

19   probably not be in effect.

20   LEGISLATOR DERIGGI-WHITTON:

21   Correct. That was a major concern.

22   Believe me, we all want to see NIFA go.

23   But the way I understand is that this

24   refinancing was not going to extend the

25   control period, there would be oversight

1

2   but not extend the control period.

3   MR. PERSICH: I can't say I heard

4   that or even have knowledge of that. My

5   understanding is it is a calculation

6   that's based on a calculation they

7   identify as risk which 1% of the budget.

8   If they identify $30 million --

9   that's why what I did in this budget,

10   just so everybody is aware, the

11   contingency was built in there to take

12   some of the wind out of the sale, even

13   though there are risks in every budget.

14   Every budget has a risk.

15   LEGISLATOR DERIGGI-WHITTON: So in

16   your opinion did this refi help

17   accelerate us getting rid of NIFA in the

18   fact that it approved out financial

19   status?

20   MR. PERSICH: I would hope so.

21   LEGISLATOR DERIGGI-WHITTON: So you

22   believe the refi that we did could

23   actually lower the amount of time we are

24   under control of NIFA?

25   MR. PERSICH: Yes, but there were

1

some things associated with it.

        LEGISLATOR DERIGGI-WHITTON: That's

a big thing. That's a really big thing.

That's how I saw it, honestly. It is not

going to be the same situation. They're

going to see it, keep an eye on it, as

they should most likely and it's another

checks and balances, but they will not

have the control, which is what we're all

looking to do.

        MR. PERSICH: Just let me close with

this: I think our performance

financially, even during the tough times

has proven that we've behaved, that we

don't need them, because we're finishing

with surpluses. We're putting money away

responsibly to head off any future down

turns.

        LEGISLATOR DERIGGI-WHITTON: Right.

I think that the refi was part of the

responsible reaction to an unprecedented

experience that we all lived through.

        Again, I appreciate you getting us

through that time. You know what I like

1
2   about you is you say the truth. I don't

3   feel that you waiver depending on who is

4   not going be happy with you later, but I

5   appreciate that. I saw you do it with the

6   prior administration too. That's really

7   the only way to lead and you're doing a

8   great job.

9   MR. PERSICH: Thank you very much, I

10   appreciate the complements.

11   LEGISLATOR DERIGGI-WHITTON: I just

12   have two quick questions:

13   One, under the revenues where it

14   says other revenues on Page 7, second to

15   last page, there is a $30 million

16   increase from 23 to 26 under other

17   revenues.

18   MR. PERSICH: I don't know the

19   components of that. I see where you're

20   looking. I'm assuming it's got to do

21   with some of our collections and other

22   revenue streams, but I will get back to

23   you on that. I don't have the detailed

24   data behind it. I apologize. We try and

25   make these charts a little simpler

1

2   without all the details.

3   LEGISLATOR DERIGGI-WHITTON: Okay.

4   I was just curious because that is a big

5   increase.

6   My last question: Again, this may

7   not be privy to part of your budget, but

8   do you think you could come up with a

9   list of items that we could use the

10   funding right now both from the American

11   Cares Act Recovery Act, as well as the

12   Opioid settlement. I know they're very

13   restricted as to what we can use. But I

14   was speak to people recently about the

15   jail; we're concerned about the jail.

16   Especially if it was designed to address

17   the opioid problem which do exist at the

18   jail. A lot of people that go in there do

19   have issues. Maybe some money could be

20   used for infrastructure for creating drug

21   programs there.

22   MR. PERSICH: I will say, I can't

23   speak for the Administration on the plan,

24   but of course we're gonna entertain any

25   changes. The jail does have a program

1

2   now. I'm not the expert in the facility,

3   but I do have institutional knowledge of

4   watching the numbers there. The do have

5   programs there, they do have treatments

6   there. I know they offer the services

7   there. Whether we could use opioid

8   funding or not as part of the day-to-day

9   operations, maybe we could enhance the

10   programs. That's for, I guess, this Body

11   and the County Executive to figure out

12   how to use those resources.

13   LEGISLATOR DERIGGI-WHITTON: I would

14   love to look into that. I did speak with

15   different people that work in the jail.

16   It is something they would really be open

17   to. Even if it's only for

18   infrastructure. I understand how

19   technical it is with this funding. We may

20   only be able to --

21   MR. PERSICH: Opioids is a little

22   less restricted, I will say, than the

23   ARPA Fund.

24   LEGISLATOR DERIGGI-WHITTON: Okay.

25   Even if you took a million dollars out of

the 70 million and improved the room and

the facilities. Even if we could use it

for salary; I have no idea. I think it

would be a good step and take away money

that we would have to put in in other

avenues to the jail.

MR. PERSICH: I'm open to any

suggestions. I hate to say it, I'm not

the policy maker. I would defer to you

guys and the County Executive to figure

out the plan to do that. We'll

administer whatever we want to do. I'm

not the guy to tell you how to put the

money in the jail, where to put it. I

have institutional knowledge of some of

the things that happen there, but I'm not

fully entwined on day-to-day stuff there.

LEGISLATOR DERIGGI-WHITTON: I'm

tying to find somebody who knows how we

can use this money. I was hoping it was

you.

MR. PERSICH: Sorry.

LEGISLATOR DERIGGI-WHITTON: All

right. Basically, that's it. Thank you

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 1
 2          again.  I say if I had to do it all over

 3          again, I would do everything we did back

 4          then in line with you.

 5               MR. PERSICH:  The answer to your

 6          question about the other revenues, I just

 7          got from my staff.  It's three

 8          components:  Rents and recoveries are

 9          going up; investment income is going up;

10          permits and fines are going back up.

11          Those are the revenue streams that we

12          have. They take dips and they go up

13          sometimes, but investment income is going

14          up as a result of the current market

15          conditions and what we are gaining on our

16          investments.

17               LEGISLATOR DERIGGI-WHITTON:  Okay.

18          Rents for properties that we own?

19               MR. PERSICH:  Rents, recoveries;

20          mostly capital recoveries.

21               LEGISLATOR DERIGGI-WHITTON:  All

22          right.  Thank you.

23               MR. PERSICH:  You're welcome.

24               PRESIDING OFFICER NICOLELLO:

25          Legislator Bynoe.
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LEGISLATOR BYNOE: Thank you,

Presiding Officer.

          Hi. How are you?

          MR. PERSICH: Good afternoon. How

are you Legislator? So I will echo the

sentiments of my colleagues. I think

you've been excellent steward over the

taxpayer's money in terms of providing

plans that can steer the ship in the

right direction. Thank you for that.

          MR. PERSICH: Thank you.

          LEGISLATOR BYNOE: I have a question

regard that other revenue. You say it's

rents receivables and also fines and

fees.

          MR. PERSICH: Correct.

          LEGISLATOR BYNOE: TPVA, their

numbers went down, you're projecting

they're going to go up?

          MR. PERSICH: Based on traffic

volume. What I'm seeing personally is,

and if anybody has driven lately,

behavior is gonna go back to being what

it is. I think red light camera fees are

1

2   going back up and fines will be going

3   back up. I think that's a large

4   component of what makes up fines and fees

5   is the red light camera program. That, I

6   think, is going to be restored as the

7   economy gets back to normal. Traffic has

8   been back to normal and I think there's

9   a lot more lights flashing with the

10   picture taking. I don't want to say

11   we're get back to the 2019 levels, but

12   I'm hopeful we are. When we start losing

13   revenue, we have to start thinking about

14   other things that we may have to adapt

15   to. That is why it is not a strategy,

16   hope, but I seeing indicators that the

17   numbers are going back up.

18   LEGISLATOR BYNOE: So the dip wasn't

19   at all based on our ability to collect

20   outstanding fees and things of that

21   nature?

22   MR. PERSICH: Our ability to collect

23   I don't think is the problem. I think

24   it's the number of transactions that have

25   occurred.

1

2   LEGISLATOR BYNOE: To that point,

3   the bus camera program.   Where are we

4   with that? That is a piece of

5   legislation that this Body introduced for

6   the purpose of public safety. I'll tell

7   you, that someone called just the other

8   day and calm the other day said where is

9   bus arm because someone ran the bus arm

10   blatantly.

11   MR. PERSICH: I think the

12   Administration is exploring options with

13   the towns and the two cities for them to

14   do the enforcement through a third party,

15   and then we would get a piece of that by

16   handling the violation piece, processing

17   the violation piece. It's being

18   administered -- there's some town

19   components because of all the different

20   school districts and everything else, I

21   think the Administration's exploring the

22   possibility of using the townships to run

23   the violation through and we just process

24   the ticket, for lack of a better thing,

25   and get a piece of the pie. It's about

1

2          $3 million.

3   LEGISLATOR BYNOE: Can you explain

4   how that would work? Why would the Town

5   even be involved?

6   MR. PERSICH: I think because the

7   towns --

8   LEGISLATOR BYNOE: I can see the

9   cities, but not the towns.

10   MR. PERSICH: Well, I think it's a

11   little bit more complex than that because

12   the individual townships and school

13   districts reside within the Town and I

14   think the towns better have control over

15   this. I think that our point is that the

16   administration probably would cost us

17   more and we'd rather have the townships

18   be involved in this because they would

19   like some of the fine revenue too. So

20   that's why I think they would get a piece

21   from this third party vendor.

22   LEGISLATOR BYNOE: Because they want

23   part of the revenue.

24   MR. PERSICH: I would say this, I

25   don't know if it's gonna be a windfall of

money that's gonna be out there. I think

the pot of money probably could be about

$10-11 million in total that we're gonna

get a third of that.

LEGISLATOR BYNOE: That's a

considerable amount of money. But more

importantly, more importantly, if these

programs are driving that much revenue,

that means that people are blatantly

putting our children in jeopardy and that

is terrible.

MR. PERSICH: I concur with you.

LEGISLATOR BYNOE: We cannot stall

this any further. If we're inclined to

incorporate the towns in this, then let's

get this moving. Because it is not about

revenue. When I look at Suffolk County's

numbers and the number of violations,

they were outrageous. People are putting

our children in jeopardy.

MR. PERSICH: I concur

wholeheartedly. I would prefer that we

maybe get the Administration involved.

I'm not the most knowledgeable in what

1

2   the program is. I have my hand in the

3   pot, but maybe we can have a side

4   discussion on that.

5   LEGISLATOR BYNOE: Yeah. We gotta

6   move. I do know that the towns later

7   submitted their own legislation and kind

8   of slowed us down, but we've got to

9   implore them and also our administration

10   to sit down and get this moving.

11   MR. PERSICH: Understood.

12   LEGISLATOR BYNOE: Great. Thanks.

13   I want to talk a little bit about

14   staffing levels. When I was looking

15   through this yesterday and earlier last

16   week, it was glaring to me all the

17   positions that are open. I know you

18   budget for them, but I do know that OMB

19   plays a role beyond budgeting for these

20   positions. OMB plays the role I think in

21   approving the PRFs?

22   MR. PERSICH: That is correct.

23   LEGISLATOR BYNOE: My question is,

24   are PRFs issued? We have 78 open

25   positions. I know testing and training

1

2   takes place for some of these positions

3   which include the corrections facility,

4   but we have 78 open positions there, we

5   have 25 open in Health, we have 10 open

6   in Human Services. They're vital at this

7   point, at every point and juncture, but

8   in particular where we are with COVID and

9   all the other behavioral health issues

10   that go along with it. Then we have 24

11   open positions in Probation, 60 in DPW,

12   87 open positions in Social Services.

13   These numbers are really staggering. We

14   have 314 in total across the County. Are

15   PRFs issued for every single one of these

16   positions? I know OMB is the one that's

17   supposed to do the final sign off on

18   that.

19   MR. PERSICH: Let me say this, I

20   personally can tell you that we move

21   potions as quickly as we can get them.

22   Some we have to look at. I can tell you,

23   I don't have the number. I used to keep

24   that stat of how many PRFs I have

25   approved that are not filled. That's a

1

2   component of a couple of things. One is

3   the current contract of where it's at.

4   Some of the positions in DSS are not --

5   case workers and CPS workers, you have

6   high turnover there. If I hit the button

7   on 20, I may only get 10. And in those

8   10 may only last six months because the

9   job specs are not there. We go through

10   PRFs religiously with the administration

11   to see what can be filled, what's out

12   there and available. We do have high

13   turnover. One is is that some of the

14   lower salary structure is challenging

15   here.

16   LEGISLATOR BYNOE: Should we be

17   looking at --

18   MR. PERSICH: I think when we get to

19   collective bargaining with CSEA, that's

20   one of the things we look at. That's one

21   of the things. I think attracting workers

22   to come to work for Nassau County -- the

23   other thing too is, the economy is a

24   little robust now. Meaning that people

25   are making more money because the

1

2   recession is not there. They're short

3   sighted in that. I think that's a factor

4   --

5   LEGISLATOR BYNOE: I think that's a

6   factor across all kind of vocations.

7   MR. PERSICH: The other thing too,

8   it's a generational thing. Working from

9   home is more attractive than driving in.

10   We in government, having done it, it's

11   almost physically impossible to work from

12   home doing the jobs that we do here.

13   LEGISLATOR BYNOE: I hear that. I

14   hear you loud and clear.

15   MR. PERSICH: I think this challenge

16   is in recruiting.

17   LEGISLATOR BYNOE: So my questions

18   specifically -- I get it. I hear all the

19   challenges. We're witnessing them across

20   all kinds of vocations. It's hard to

21   recruit in this day and age, especially

22   our younger folks who want to be able to

23   call the shots and want to be able to

24   work and limit that type of stress by

25   having to punch a clock and be somewhere

everyday, but the numbers are staggering.

My question again is just around PRFs. I would love to know what that number is. You said you used to keep a count. I'd love us to --

MR. PERSICH: I'll get you a stat that shows that. It's not like we're withholding. Certain things are based on cycles. We're planning on doing, like the Corrections Budget, we have attritions like the Police Department. I don't backfill one-for-one, we have to do a classes. We wait for timing on that. We're planning on doing a corrections class of around 30 coming up in November some time. The police class, we're on a cycle with that. We have a pretty good system worked out. We have a class in November and then in May. We're tying to get on cycles with classes.

Even with caseworkers in DSS. The State program mandates only a certain time of year that that program could be administered.

1

2   DPW, we just went through a whole

3   change with some of the equipment

4   operators because we realize we're

5   lacking in there. I just approved a

6   bunch of PRFs for that. I'm pressing the

7   button just about everyday.

8   We've got to be cautious too. We've

9   got to look at what we're doing and where

10   we're putting the resources. I'm not

11   withholding for any strategic reason

12   here. If I press the button -- I've

13   approved a lot, but they're not coming.

14   LEGISLATOR BYNOE: The other part, I

15   know there were a significant amount of

16   retirements that happened in DSS in

17   particular. So projecting into the

18   future for succession planning and we can

19   look and see and feel who's getting ready

20   to go. If we can start, knowing the

21   challenges we face in being able to

22   recruit, knowing the challenges that we

23   face specifically about being able to

24   maybe offer more attractive salaries that

25   can't happen until we move through CSEA,

1

2   knowing all those things, I think we

3   gotta start a little earlier when we know

4   that folks can retire and trying to

5   recruit. If there's a delay based on

6   hiring specifically in DSS regarding

7   State requirements and mandates for

8   training and the like, we may need to

9   speak to the State. Because 87 positions

10   there with the type of work they do --

11   we have had a hearing before that was

12   heartbreaking with the challenges that

13   happened out in Suffolk that were tragic,

14   and I don't want see us be in position

15   where we're not able to keep the pulse of

16   what's happening in the households of

17   these most vulnerable people: Our young

18   people.

19   I'd love to hear about the PRFs. I'd

20   love to hear some level of plan on how we

21   will try and offset some of these

22   challenges and see how we can how get

23   some of these departments staffed at the

24   appropriate level.

25   PRESIDING OFFICER NICOLELLO:

1

2   Legislator Solages.

3   LEGISLATOR SOLAGES: Thank you for

4   your presentation and I echo the

5   statements made by my colleagues before

6   pertaining to your stewardship.

7   MR. PERSICH: Thank you, Legislator.

8   LEGISLATOR SOLAGES: In your

9   presentation, you describe in Chart 1

10   regarding the tax certiorari backlog, you

11   stated that when the assessment system is

12   stabilized. How do we get there? Can

13   you describe your plan more in detail;

14   how do we get there?

15   MR. PERSICH: I don't have the plan

16   for how do we handle the assessment

17   issue. But I will say we did the

18   reassessment last year or this year,

19   whatever tax year we did in, personally

20   -- I have to go back and recall. I think

21   once we have a more defendable role,

22   meaning that once the reassessment is

23   fully in place, I think the number of

24   challenges will drop because we will have

25   a better assessed value on properties.

1

2   So I think the challenge is coming from

3   some of the Class 4 and everybody else

4   will be mitigated is what I'm alluding

5   to.   The challenge is making the role

6   defendable. That's been the biggest

7   challenge of this county for years. We

8   have to establish what the role. Look,

9   it is not going be perfect. We all know

10   that, but I think we have to have a more

11   defensible role.

12   LEGISLATOR SOLAGES: I thank my

13   colleague for recognizing vacancies in

14   other departments, but in the Department

15   of Assessment, we have 25 vacancies. How

16   can we get there with that number of

17   vacancies?

18   MR. PERSICH: I just approved a few

19   the other day. It is an ongoing process.

20   When you look at a vacancy number, there

21   could be someone retiring today or

22   tomorrow. There is process of getting

23   the person through the door. While you

24   look, today is 25, tomorrow we could hire

25   30 people just because of civil service

1

2   restrictions, fingerprinting, timing of

3   candidates coming here. It's an ongoing

4   process is what I will say.

5   At any given point, this county

6   turns over people; between 200-300

7   annually. It's not anything I do, it's a

8   function of what happens here. It's an

9   attrition rating. That's what happens in

10   most companies. People get to the ripe

11   age. Hopefully, one day I will be there

12   and I will say, it was very nice, but it

13   is time to go. I'm not there yet, but I

14   think no matter what we do, we have

15   attrition of between 200-300. As much as

16   I want to fill them as fast as I can, I

17   don't know if I can -- it is not going to

18   be identical. So when one goes out, one

19   doesn't come back in.

20   LEGISLATOR SOLAGES: The key is to

21   produce more accurate assessments.

22   MR. PERSICH: Yeah. I'm not holding

23   PRFs. Until we have a game plan of where

24   we're headed with assessment, I think

25   we're cautiously moving forward with

strategic PRFs that we have there.

LEGISLATOR SOLAGES: Understood. My last comment, going back to Legislator Bynoe's comment about the vacancies in the Department of Social Services. Based on my understanding, there is a very low number of child protective service employees for the County that speak Spanish. There was a situation in the Village of Hempstead about two months ago in which a CPS worker was attacked by a client. There was an issue of getting a Spanish-speaking person to that home. I just ask, respectfully, if we could work more closely with the Department in trying to address those vacancies.

MR. PERSICH: Legislator, I will say this, one of the focuses is bilingual and different languages that we need to be cognizant of. We try and get bilingual case workers or SWEXes or CPS workers. The problem is is that there are not many out there. I don't think the pool is there, even though we try to get them.

1

2   We're working on rectifying that problem

3   with the Department, but it is a

4   challenge. I will say that much.

5   LEGISLATOR SOLAGES: Thank you.

6   PRESIDING OFFICER NICOLELLO:

7   Legislatoar McKevitt.

8   LEGISLATOR MCKEVITT: Mr. Persich, I

9   just want to go back to a quick

10   discussion regarding the refinancing of

11   the debt and NIFA's role. Whether we are

12   in a control period by NIFA is solely

13   within the purview of NIFA; isn't that

14   correct?

15   MR. PERSICH: Yes.

16   LEGISLATOR MCKEVITT: So no matter

17   what we felt -- and we've actually felt

18   in past years where we've exceeded the

19   parameters between revenue expenditures.

20   No matter what, NIFA is solely going to

21   determine whether we're still stuck in

22   control.

23   MR. PERSICH: Yes.

24   LEGISLATOR MCKEVITT: By refinancing

25   the debt, again, we had nothing to do

```
 1
 2          whether or not the control period is
 3          gonna be extended or shortened because
 4          that's within NIFAs purview.  But one
 5          thing we did do is increase by 10 years
 6          the number of years NIFA is gonna be
 7          around. Originally, NIFA would be
 8          expiring the oversight in 2025, but the
 9          refinance brought them out to 2035; is
10          that correct?
11               MR. PERSICH:  That is correct.
12               LEGISLATOR MCKEVITT:  Approximately
13          each year, NIFA costs this county at
14          least 2 million dollars in expenditures,
15          payments and salaries?
16               MR. PERSICH:  That is correct.
17               LEGISLATOR MCKEVITT:  So over those
18          ten years, it's a minimum of $20 million
19          NIFA is going to cost the tax payers?
20               MR. PERSICH:  Yes. That is correct.
21               PRESIDING OFFICER NICOLELLO:
22          Legislator Giuffre and then Legislator
23          Rhoads.
24               LEGISLATOR GIUFFRE:  Legislator
25          McKevitt just stole my thunder.
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1

2   PRESIDING OFFICER NICOLELLO: You're

3   not gonna ask it anyway (laughter)?

4   LEGISLATOR RHOADS: I'll beat the

5   dead horse (laughter).

6   Again, Andy, first off, I appreciate

7   colleagues trying to defend what

8   certainly in my opinion and I think on

9   this side of the aisle is the

10 indefensible. This is not directed as a

11 criticism of you, Andy, you're there to

12 advise the County Executive. The

13 previous County Executive is the one that

14 ultimately made the decisions. I have no

15 idea what your advice to the previous

16 county executive was, all I know is what

17 the end product was. What we're seeing

18 in the end product is a substantial cost

19 to the County now that it appears as

20 though we didn't have to incur.

21   We weren't asking anybody to use a

22 crystal ball back in 2020, we were asking

23 people to use common sense. You had a

24 budget sales tax number that was

25 projected once the pandemic hit and we

1

2   were in a full economic shut down that

3   was forecasted to decrease by 40% by the

4   end of fiscal year 2020. By the time we

5   were dong out budget, it was clear that

6   the numbers were coming in much better

7   than we thought to the point where the

8   decrease was not 40%, it was only 8% from

9   what was projected to be over the full

10   year of 2020 had COVID never even

11   happened.

12   What wound up happening is that in

13   the projected budget not only did the

14   County Executive decide that she was

15   going to forecast a flat sales tax number

16   -- and I was wrong when I said it was

17   20%. She forecasted a 19% cut from 2020

18   with a full shut down in 2021 in order to

19   justify this borrowing that we did. We

20   used it to justify taking a cash advance

21   on the County's credit card, which is

22   essentially what we did with the debt

23   restructuring. As it turns out, revenues

24   were not 19% cut over 2020, we actually

25   collected about $550 million more, over

1

2   half a billion dollars more than what was

3   forecasted by the County Executive in her

4   budget. And in order to pay for the debt

5   restructuring, we this year are facing an

6   additional $140 million in debt service.

7   By the way, over the life of this

8   loan, can you project the increased cost

9   in debt service over what we would be

10   paying were it not for fact that we did

11   restructuring?

12   MR. PERSICH: I can get that. I

13   worked on this because I like to see

14   before and after effects is what I think

15   you're looking for. We did look at it,

16   so --

17   LEGISLATOR RHOADS: It is fair to

18   say I'm sure we're probably talking over

19   the life of repayment of the loan that

20   we're probably looking at, with the

21   understanding that the debt service will

22   decrease as more of the debt is paid off,

23   but you're probably looking at least half

24   a billion dollars in debt service

25   payments, aren't you, over the the life

1

2   of the loan?

3   MR. PERSICH: I wouldn't go that

4   far. Well, let me put it to you this way

5   --

6   LEGISLATOR RHOADS: Well, how many

7   hundreds of millions do you think it is?

8   MR. PERSICH: I don't think it's

9   hundreds of millions. I think it's

10   probably --

11   LEGISLATOR RHOADS: This year it's

12         $140 million.

13   MR. PERSICH: We would have debt

14   service payments no matter what. If we

15   didn't do the NIFA restructuring --

16   LEGISLATOR RHOADS: This is the

17   increase in the debt service payment that

18   we're talking about. The 140 million is

19   the increase.

20   MR. PERSICH: The 140 is off the

21   base of 180 bringing it to 320. I think

22   what happened is we dipped and then we

23   came back into --

24   Let me just -- having a crystal ball

25   and being hindsight now, one thing that

1

2   we did with this Body was put that

3   special revenue fund together and we're

4   not factoring into that 550 net PV.

5   Without that funds for the backlog of tax

6   certs, those resources now became

7   available not through borrowing. I guess

8   we didn't factor those things into light

9   when we were doing this deal, I can tell

10   you that.

11   LEGISLATOR RHOADS: By the way, that

12   special revenue fund only existed because

13   we turned around and said to the County

14   Executive, you're crazy.

15   MR. PERSICH: I'm thankful for that,

16   trust me.

17   LEGISLATOR RHOADS: For thinking

18   that sales tax revenue wasn't going to

19   bounce back.

20   MR. PERSICH: It was the smartest

21   thing we ever did. I will tell you that

22   much. Because think about it, that $300-

23   400 million backlog, if we didn't have

24   the resource to pay for it, how were we

25   gonna do it? That's one of the questions

1
2   that I don't think we factored in here.

3   To your point, it was an unpopular

4   decision at that point. The after

5   effects and the timing of everything, I

6   agree with you, probably wasn't presented

7   in the best manner. But I think,

8   unfortunately, the hand was dealt to us

9   and I gotta deal with it. I hear what

10   you're seeing. I can cut up these

11   numbers a little bit more and give you a

12   little bit more of a perspective on that,

13   if you would like. Just so you could see

14   where we would have been if we didn't do

15   it and if we did do it.

16   LEGISLATOR RHOADS: Yeah. If you

17   could get that, I'd appreciate it because

18   I know --

19   MR. PERSICH: I can get that for

20   you. I think it would be helpful.

21   LEGISLATOR RHOADS: Legislator

22   McKevitt just indicated, obviously now

23   with NIFA's life being extended, that's

24   an additional $20 million we're gonna

25   have to expect to pay -- NIFA related

1

2   cost -- on top of the additional monies

3   that we had to pay for the cost of the

4   restructuring itself.

5   To move onto a different point. I

6   agree with the concerns that the minority

7   expressed with respect to forecasting

8   sales tax revenue going forward. The

9   minority is right. The Biden

10   administration is an absolute disaster

11   (laughter). The economy -- I agree.

12   LEGISLATOR DERIGGI-WHITTON: You

13   also voted. You voted for the refinance.

14   If you're gonna say you were strong-armed

15   to vote for the refinance, that scares

16   the heck out of me if you're gonna go for

17   higher office.

18   LEGISLATOR RHOADS: We had no

19   choice. But I agree with you. NIFA

20   forced us into that and you know it. The

21   same NIFA --

22   LEGISLATOR DERIGGI-WHITTON: No one

23   should ever force you into a vote.

24   PRESIDING OFFICER NICOLELLO: Look.

25   Wait, wait, wait, wait. You weren't part

1

2   of the negotiations and NIFA made it

3   extremely clear that if we did not

4   approve the debt refinancing, they were

5   going to shut down elements of this

6   county in the middle of a pandemic. Call

7   it what you want, but they used every

8   leverage at their disposal to force us to

9   pay for that refinancing and we were

10   lucky to get that reserve fund out of

11   that negotiation.

12   LEGISLATOR RHOADS: Right.

13   Incidentally, the extended their own

14   life, so we're gonna be under their thumb

15   until 2035 at a minimum.

16   I just wanted to say that with

17   respect to -- I mean, look, the economy

18   is in recession, they've tried to change

19   the definition of it. We've had two

20   straight quarters of negative GDP. That

21   was the definition. Inflation is at 8.3%

22   and they seem to have no ability to be

23   able to control it. Are we confident

24   that in our forecasted number for sales

25   tax revenue increasing is accurate? Is

1

2   that something that you believe in your

3   expert opinion that we can rely upon?

4   MR. PERSICH: I believe that we are

5   conservatively budgeting the sales tax

6   number and I would think if things, even

7   if they take a turn south, there is a

8   little room for us to be comfortably

9   safe. It's a conservative number, the 18,

10   I will say that. It's not an aggressive

11   number based on what trends are going

12   with right now.

13   LEGISLATOR RHOADS: Thank you. Mr.

14   Persich.

15   PRESIDING OFFICER NICOLELLO:

16   Legislator Ferretti.

17   LEGISLATOR FERRETTI: I do have a

18   few follow up questions, Mr. Persich, on

19   a different topic.

20   I wasn't gonna comment on anything

21   that we were talking about with the

22   borrowing, that wasn't my intent. Just

23   hearing words a couple of times now like

24   crystal ball and hindsight: Just to set

25   the record straight, we had hearings, we

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 1
 2          spent hours talking about this where this
 3          side of the aisle was screaming that the
 4          projections were way, way off. You
 5          remember that, right?
 6               MR. PERSICH:  Yes, Legislator; I do.
 7               LEGISLATOR FERRETTI:  And looking at
 8          your bullet points on the slide shows,
 9          your projections were way, way off,
10          right?
11               MR. PERSICH:  They were probably on
12          the wrong side of where we actually --
13               LEGISLATOR FERRETTI:  We don't have
14          a crystal ball, but we have common sense.
15          When you have a year when the world shuts
16          down and then reopens at the end of the
17          year, it's probably not going to be as
18          bad is where the world shut down. In
19          fact, it was much better.  And the year
20          the world shut down, the amount of actual
21          sales tax revenue was higher than the
22          projection than when the year it was open
23          for 2021. All accurate, right?
24               MR. PERSICH:  Yes.
25               LEGISLATOR FERRETTI:  That' not
```

1

2   crystal ball stuff, guys. That's common

3   sense. We knew it, we said it. The rest

4   is history.

5   My questions with regard to the

6   other topic. When we talk about the $2

7   million a year, NIFA -- what is the exact

8   budget for NIFA. Is it exactly $2

9   million?

10   MR. PERSICH: It's $2 million. It

11   could vary 2.1-2.2, depending --

12   LEGISLATOR FERRETTI: Is it static

13   every year?

14   MR. PERSICH: No. It moves around

15   between 2-2.5 depending on what they're

16   doing. They're some legal things that

17   they're entitled to do.

18   LEGISLATOR FERRETTI: They have

19   staff, right?

20   MR. PERSICH: I don't know what the

21   staff count is, five or six.

22   LEGISLATOR FERRETTI: They get

23   raises occasionally?

24   MR. PERSICH: I can't speak to that.

25   LEGISLATOR FERRETTI: Is it fair to

assume that in 2033, their budget is

going to be higher than this year?

MR. PERSICH: Yes. I would say so.

LEGISLATOR FERRETTI: So it's not $2

million a year, it's going to be

something more than that. Like with

everything else, budgets go up.

MR. PERSICH: If it goes up by 2%,

you can do the math, it's gonna go up by

$200,000.

LEGISLATOR FERRETTI: And how much

of that budget is paid for the

Dellaverson.

MR. PERSICH: I don't have a break

down of that. I can get that for you.

They just give us a number. They

intercept it. I don't really get into

details of what they're giving to me.

They give me a number and if it's 2.5 or

1.5, either one of the two, they get it

no matter what because it's part of the

sales tax inter --

LEGISLATOR FERRETTI: What do they

get? What does Dallaverson get?

1

2   MR. PERSICH: I have no idea what

3   he's getting.

4   LEGISLATOR FERRETTI: Are they still

5   getting paid?

6   MR. PERSICH: I can't answer that,

7   Legislator. I don't have access to their

8   books and records. I can't answer that

9   question.

10   LEGISLATOR FERRETTI: Where does the

11   funding -- does NIFA fund themselves, who

12   funds NIFA?

13   MR. PERSICH: NIFA is funded through

14   the County sales tax. That's where it's

15   funded through. They intercept --

16   LEGISLATOR FERRETTI: It comes out

17   of our budget.

18   MR. PERSICH: It comes out of our

19   budget. They take the revenue from the

20   sales tax first, is what they do.

21   LEGISLATOR FERRETTI: Okay. Thank

22   you.

23   PRESIDING OFFICER NICOLELLO:

24   I'm gonna wrap things up with one

25   issue. You mentioned that the State's

1

2   going to be making adjustments with

3   respect to sales tax. Is it something

4   unusual or different in degree?

5   MR. PERSICH: No, it's not a

6   different degree. We received

7   correspondence from NYSAC which told us

8   that -- we get these sales tax adjustment

9   checks which they estimate. We received

10   correspondence that during the pandemic

11   they overstated the revenues that we

12   collected that should have gone to the

13   City, so there might be a negative

14   adjustment check in this quarterly check,

15   which could drop the number. I dont know

16   how significant. I'm just putting it out

17   there. The calculation coming up, they

18   warned us that collections could be a

19   little bit lower for the next quarterly

20   check.

21   PRESIDING OFFICER NICOLELLO: Just

22   explain that a little bit more, it goes

23   to the City?

24   MR. PERSICH: Well, the quarterly

25   adjustment checks are based on

1

2   adjustments that are made because we

3   estimate collections and they give us

4   money. Then what happens is a

5   calculation of what portion goes to the

6   City and what comes to the counties.

7   It's an estimate. What they said was,

8   they had an error during the pandemic

9   with the numbers on those checks, so now

10   they're catching up or correcting that

11   number. They warned us that there could

12   be a negative impact on our collections.

13   I'm just throwing it out there that there

14   is a possibility that the next check

15   could be lower than what we anticipate.

16   PRESIDING OFFICER NICOLELLO: Why

17   does what the City collects have anything

18   to do with what the County collects?

19   MR. PERSICH: I'll be honest with

20   you, how the State comes up with the

21   calculations -- they send us back up

22   documents, but there is other

23   calculations they do in this number. It's

24   like AIM. AIM was another one that all of

25   a sudden we had to jump through hoops for

1

2   because we had NIFA, we had to come to

3   you and say it's okay to do that. It

4   could be a black box up there of how they

5   calculate it. As long as it's going up,

6   I'm a little happier.

7   PRESIDING OFFICER NICOLELLO: Thank

8   you very much to you and your staff. We

9   appreciate the presentation.

10   MR. PERSICH: Thank you,

11   Legislators, I appreciate your time.

12

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2   PRESIDING OFFICER NICOLELLO: I

3   invite Commissioner Ryder up for the

4   presentation for the Police Department.

5   POLICE COMMISSIONER RYDER: Okay.

6   Good afternoon and thank you for giving

7   us this opportunity to present our

8   budget.

9   If I may, before we start. It was a

10   little difficult today. There was a

11   crossing guard up in Glen Cove who was

12   struck and fighting for his life right

13   now. It is one of Glen Cove's crossing

14   guards, but --

15   LEGISLATOR DERIGGI-WHITTON: Thank

16   you for saying that. He's a really good

17   guy too.

18   POLICE COMMISSIONER RYDER: I didn't

19   finish.

20   LEGISLATOR DERIGGI-WHITTON: I heard

21   it was a DWI and he was caught.

22   POLICE COMMISSIONER RYDER: The

23   police medics and the Aviation Bureau

24   took him up to Northwell and are taking

25   care of him.

1

2   Also, I know you all know Steve

3   Skrynecki, he passed about an hour and a

4   half ago. Steve lost his battle with

5   cancer. I spoke to his son yesterday.

6   And today we moved him back to his house,

7   as his wishes, and he passed today and

8   they're preparing a statement now from

9   the family. Tough time in law

10   enforcement.

11   PRESIDING OFFICER NICOLELLO: I'd

12   like to take a moment of silence for

13   Steve and the recovery for the crossing

14   card in Glen Cove.

15   (Whereupon, a moment of

16   silence is observed.)

17   PRESIDING OFFICER NICOLELLO: Thank

18   you.

19   POLICE COMMISSIONER RYDER: Thank

20   you.

21   If I may, I'm just gonna jump at a

22   couple of those questions that were

23   thrown at us first before before we jump

24   into the budget.

25   The first was on mental health. As

1

2   you all know during police reform, our

3   Mobile Crisis Unit was staffed up and

4   added extra bodies to it. I don't know

5   the percentage, but I know this number:

6   95% of the people that we deal with with

7   mental health, do not go to jail; 95%.

8   They go to the hospital where they need

9   to be for treatment. Now we work closely

10   with Mobile Crisis to make sure there is

11   follow up done and we're all working

12   together to make sure they get where they

13   should be, and that's getting that

14   treatment.

15   As far as the cameras in Uniondale,

16   it was Minority Legislator Kevan Abrahams

17   that requested cameras in Uniondale a

18   while ago. It took a while. I apologize,

19   but funding always does. I just spoke to

20   them before. Already approved on the

21   order. So they are coming in. There's

22   about $80,000 worth of cameras that are

23   going to deployed for that area for the

24   security.

25   LEGISLATOR ABRAHAMS: Great news.

1

2   Thank you, Commissioner.

3   (Whereupon, Ms. Jacobs is

4   addressed regarding her public

5   comment.)

6   LEGISLATOR ABRAHAMS: Thank you.

7   POLICE COMMISSIONER RYDER: The last

8   thing that was mentioned about head count

9   and why it was increased. We have UBS

10   Arena. UBS Arena has 280 events already

11   scheduled for next year. Already

12   scheduled. They take a 10-15 a night,

13   plus two supervisors that are mounted,

14   highway, traffic conditions. I know

15   Legislator Solages is a bit concerned

16   about the traffic in that area. We've

17   been working with the arena. That was a

18   reason to increase. The other reason is

19   school safety. We see the threats that

20   go on throughout the country. We are

21   constantly adding more resources into

22   homeland security. Lieutenant Robert

23   Connelly has done an outstanding job. We

24   have a great relationship with all of our

25   superintendents. Again, it's the bodies

that we need to fill that.

We also project -- as you heard Andy say in the business model, we do classes twice a year. It is not mix and match and throwing things together. Every time we through a class together, I bring in police officers that not only are working at the lower pay scale, but already contribute to healthcare and to the retirement pension. From a business standpoint, it's the smart thing to do to get ahead of the curve.

As attrition goes throughout, then they go below. Already the 42 that was predicted to go into the November class, we are going to fall under our predicted head count. We're always chasing it, but at least we stay pretty well on top of it. That is reason for the head count numbers.

I will jump into both the budget revenues and I think I'll jump right to Fines and Forfeitures because it's been brought up. It's not asset forfeiture.

1

2   Has nothing to do with asset forfeiture.

3   Fines and Forfeitures were probably done

4   during the boot and tow, time so it's

5   still in here. Those numbers that come

6   from this are mostly generated by Public

7   Safety fees, which are tickets and red

8   light cameras.

9   Our tickets dropped during COVID

10   from 250,000 a year to 125,000 a year. I

11   got a report this morning, we're up 50%

12   from where we were last year. I'm

13   getting calls from all of you about

14   traffic conditions in areas. We got new

15   officers, a ton of them out there.

16   They're doing a great job and they're

17   bringing the number back up to where we

18   should be. The projected numbers that

19   Andy is speaking about, we don't work

20   like that. I'm not working it as a

21   revenue, but I am telling you from a

22   safety standpoint, like cameras on buses,

23   that is what we push. That is why you

24   see that revenue number.

25   If you look at the revenues versus

1

2   the expenditures, it's a balances budget.

3   If there are questions on that, I'll take

4   them at the end.

5   Head count, I think I've already

6   addressed that. We increased the police

7   head count. It's now 2542.

8   Overtime Budget. You saw what

9   happened in '20. In '21, overtime went

10   through the rood from the pandemic,

11   protests, unrest, a lot of resources

12   expended. This year we got it back down

13   to 50. When I first got here six years

14   ago, it was at $72 million on an average.

15   We will hit 50 this year and next year

16   we'll be shooting to make sure we stay

17   under the budget again.

18   Police Salary Budget. It's

19   self-explanatory the numbers that are in

20   there. There are increases, of course

21   from contracts negotiations with SOA/DAI

22   and then and then we'll see how we go

23   forward with the PBA.

24   Crime. It's nice to look at the

25   numbers that constantly go down. We

experienced three years now of being the

safest county in America, but numbers

went up last year.

If you flip to the next slide, it

shows you that. You see the green, all

of last year was down. Towards the end

of last year we started to spike. The

crime numbers really started to take off.

You could see what's happened this year.

We're going after the issue. Our murders

are down 17%; shootings are down; our

overdose deaths are down 20%; but

property crime is rising. That's the one

that is addressed. Unfortunately, I'm

not getting political here, but because

of bail reform and the new law changes

about who stays in and who doesn't, I'm

dealing with a lot of property crime.

You do a shooting, you're gonna stay in

jail. You do a homicide, you're gonna

stay in jail. Unfortunately, if you

overdose and die, we know the outcome,

but we go after those problems and

address them because we can control them.

1

2   We're going after stolen cars. If

3   you flip the slide, you'll see stolen

4   cars are up 112%. Four months ago, they

5   were up to 258%. We've gotten it down

6   because we took the fight to Newark, New

7   Jersey where we're trying to getting

8   aggressive working the the US Marshall's

9   Office and the US Attorney's Office to go

10   after these gentlemen that are coming

11   into Nassau County and stealing the cars

12   here in Nassau County along the same are

13   the catalytic converters.

14   Overall, major crime is up 52%. All

15   other crimes, which covers the cat-cons;

16   catalytic converters are the big issue

17   here. With the new law that was put of

18   forward here, we're now able to go after

19   the cat-cons and we're starting to bring

20   that number down. All other crimes are

21   up 22%, so the total crime number in

22   Nassau County is up 29%. Again, we're

23   struggling with it to get it back down to

24   where it is. I will leave like that.

25   That is my budget and my

1

2   presentation. I know there's ton of

3   questions, so I a ten I have them all

4   lined up and ready to go. I didn't want

5   to offer until I'm asked.

6   PRESIDING OFFICER NICOLELLO: Okay.

7   The catalytic converters, obviously the

8   numbers are exploding both in Nassau and

9   Suffolk. Any new initiatives that you

10   can talk about? Your staff did a great

11   job at a civic association I went to back

12   in late August pointing out that many of

13   the auto crimes are with vehicles with

14   the key fobs in them. Apparently, it's a

15   ridiculous number, like 97%. Specific to

16   catalytic converters, where are we going

17   with this?

18   POLICE COMMISSIONER RYDER: Real

19   quick on stole cars; 95% are stolen with

20   the fobs in them. We went after it in

21   educational program, handing out

22   pamphlets in the communities, community

23   presentations, and then we also went

24   after it from going after the group in

25   Newark, which has turned over real good

1

2   for us.

3   As far as cat-cons go, the literally

4   get underneath your car and in 30

5   seconds, they're gone with your catalytic

6   converter. It's got three precious metals

7   that are in it. Don't ask me to pronounce

8   them, because I can't. The three

9   precious metals get melted down and the

10   value is about $1500 to $2000 per ounce.

11   They go out and steal ten of them during

12   the course of a night and they make

13         $2000. If they're caught, it's a

14   misdemeanor, the get an appearance ticket

15   at the station house and walking back out

16   the door. That's a problem for us. If we

17   catch them and we're able to charge them

18   with the damage to the vehicle, then

19   we're able to hold them in that

20   individual case, but again 10 to 15 cars

21   may be done before we get there.

22   Etching. You heard of etching in

23   Suffolk County. It does not work. It is

24   pretty thing, it's a nice thing. But

25   I've etched a vehicle. They don't see

1

2   the etch when they cut it off. They take

3   that, they go to the dealer, he melts it

4   takes the metals out. They're not looking

5   at it, or they cut the etching part off

6   of it. We don't believe -- New York

7   City's been doing it for a while. They

8   have not one arrest according to my guys.

9   Not one arrest regarding etching. We get

10   more from doing inspections at the end of

11   it. The buyer. Doing the junkyards and

12   stuff.

13   We have some cases that are going on

14   right now that I think are really going

15   to change the game. I'm pretty sure in a

16   month from now we'll be having a really

17   nice story to tell you about with our

18   cat-cons.

19   PRESIDING OFFICER NICOLELLO: Okay.

20   The only other question I had was

21   detective staffing. It's been a chronic

22   problem over the years. We amended the

23   contract to address the problem. Are we

24   up to where we should be with detective

25   staffing? And if we are or not, like our

1

2   gang unit, are they fully staffed?

3   POLICE COMMISSIONER RYDER: The

4   budgeted head count is 330. We dropped,

5   as of this morning, it was five down from

6   retirements. We're cutting an order today

7   that puts the five back. If I had 10,

8   I'd make 10. The County Exec would make

9   10. I don't have it. When the PBA

10   contract is adjusted and done, that will

11   then make the opening to go more to the

12   squad. But on the healthy side of it,

13   from the work that we've done, we have

14   been carrying a steady 330 as the

15   budgeted head count.

16   PRESIDING OFFICER NICOLELLO: The

17   various units, Gang Unit, Cyber Crime

18   Unit, they're all fully staffed.

19   POLICE COMMISSIONER RYDER: All

20   fully stacked, we can always use more in

21   our cyber crime world, as you know with

22   Suffolk County.

23   PRESIDING OFFICER NICOLELLO: Okay.

24   Legislator Ford.

25   LEGISLATOR FORD: Good afternoon,

1

2   Commissioner. Thank you very much. It's

3   good to hear about the catalytic

4   converters and how you're dealing with

5   that situation as it is everywhere in the

6   County. I'm hoping that we will have

7   good news in a month or two months.

8   I'm not going to go into too depth

9   of my questioning because I know we are

10   going to have a meeting in regard to the

11   police reform plan to we can get an

12   update as to where we are with that.

13   I'm probably going to jump around a

14   bit and I apologize. But I know that

15   when we talk about the camera technology,

16   it's good that it's coming into

17   Uniondale, but where are we with license

18   plate readers throughout the County?

19   I've been looking to get some on the

20   bridges that are coming into the barrier

21   island. I know it's hard because you

22   might have different approaches to a

23   neighborhood, but for me, on the barrier

24   island, there's only three ways to go in

25   or out.

1

2   POLICE COMMISSIONER RYDER: So a

3   couple of years ago, you all the

4   expenditure of $3 million to buy license

5   plates readers. The are being deployed

6   still as we speak. Every plate reader

7   that we put up on a pole, we have to have

8   an agreement with PSEG. They work great

9   with us, by the way. And we put up our

10   pole and that's the first one. We worked

11   with Glen Cove. We just gave a couple to

12   Glen Cove. We gave a couple to Freeport

13   to add to their large program that they

14   have. It is productive for us because

15   it's covering the main roads. We've been

16   rolling out. Probably every week we roll

17   out a new site. We probably got another

18   50 to go because of grants. We've been

19   rolling them out all over the County of

20   Nassau.

21   LEGISLATOR FORD: All right. Thank

22   you. I'm going to go to some of my

23   favorite subjects. But first, we met in

24   regard -- I guess people are concerned

25   about the Language Access Line. In order

1

2   for residents to be able to report crime

3   or call in an emergency. And I know,

4   it's technology that I think has a lot

5   of faults to it. Even last week when I

6   called in to watch the redistricting

7   hearing in the City of Long Beach, the

8   Language Access Line did not work there.

9   I'm rather concerned about that. I know

10   even for people reporting hate crimes, I

11   know right now the procedure is report to

12   the precinct. The request is perhaps if

13   we had a centralized location. Is there

14   anything that can be done about that?

15   POLICE COMMISSIONER RYDER: Any

16   report in Nassau County, we come to you.

17   We never make you come to us. That's not

18   our policy. That's Suffolk's, not ours.

19   We always go to the customer. As far as

20   the centralized of hate crimes. It is

21   centralized. Each precinct records it.

22   It then goes through channels two ways:

23   Up to the Detective Division who

24   investigates it, through the Patrol

25   Division to the Chief of Department who

oversees to make sure there's

accountability, and then Detective

Sargant Sabrina Greg -- who is with me

here on my right -- she then makes sure

that the statistics for reporting

purposes are done correctly. It's

definitely centralized.

If you wanted to make a complaint

and there was language issue, you do it

online on top of Language Line. When we

come to you -- and I know there was a

report that was done in *Newsday* where

they reported the 94 cases, and 44 times

out of the 94 cases there was problems in

connection with the Language Line or the

officers hung up on them. We only

received 13 of those cases to look at.

Four out of the 14 were in favor of us,

if you read the report. Four of the 14

that we received information on were in

favor of us.

Example: Seventh Precinct answering

officer connected tester to an

interpreter after two minutes wait;

however the interpreter was unable to

hear the tester due to technical issues.

Total time used was 10 minutes. It was

conducted, but there was difficulty in

hearing.

Fifth Precinct. Answering officer

did not speak to the tester language line

but transferred the caller to a bilingual

officer who was very polite and answered

the testers questions. Total minutes:

Four minutes.

I looked at all of these cases.

What's happened is, we've done for the

year, a year-to-year, August-to-August,

we did over 12,094 calls, 12,094 calls.

Over 70,871 minutes on the phone. There

is not one complaint on file with the

Nassau County Police Department about

Language Line. Not one.

In fairness to our Police

Department, we went out and we spoke to

the group that did the report. I

personally gave them my cell phone; all

of them. I said the minute you get a

1

2   complaint against my officer, you call me

3   immediately. I don't care it's 3 o'clock

4   in the morning, or 3 o'clock in the

5   afternoon because I can't investigate

6   something that happened three months ago.

7   I don't know who picked up the phone. I

8   don't know who was sitting there.

9   There's three phones at the front desk. I

10   need to address it now, so it doesn't

11   happen five more times. So I have not

12   received those phone calls, but now

13   because of this investigation, I have

14   handed out 14 cases through IAU that are

15   being investigated. I said find out what

16   happened. And I said, as I showed you

17   four already came back they were

18   favorable in our favor.

19   Another example was that when they

20   talked about family court in a bubble in

21   the report. In the family court, I spoke

22   to Jeff Reynolds that morning. I

23   corrected that. It was the Hempstead

24   Police Department, not to blame them,

25   that called to the location. The waited

two hours to figure out, it is not us,

it's Nassau County. So, yes, there was a

two hour delay, but we didn't get

notified for two hours. It's kinda hard

to go somewhere where you don't know

what's happening.

The other one they talked about is

an illegal eviction. Our officers went to

the residence. Two people living in a

home, I'm not going to use their names.

I don't want to do that in public. The

two people Mrs. A and Mrs. B. Mrs. A was

acting as a landlord and subletting her

apartment. She was collecting rent from

Mrs. B. Mrs. B would pay Mrs. A. Mrs. A

paid nobody because they were squatting

in the place. Mrs. A left the location

because she received a notification she

ws gonna get evicted leaving Mrs. B

there. Mrs. B called 9-1-1 because she

thought it was an illegal eviction.

Nobody was being evicted. Fairfield just

bought the property. It was told the

water's not running, no heat, no

electricity. Not true. Water was

running. There was no hot water, but

water was running. There was heat in the

building. There was electricity. The

gas was shut off by National Grid and

lock was put on it. My officers went as

far to call the Fairfield Board at night

and when they got there, they said we

can't cut this lock, it's National Grids

lock for Failure to Pay.

We offered to bring her to housing

with her two children, she opted to stay.

We went above and beyond for the family

and the two kids that were left in there.

But again, not so fairly reported here in

the report.

I have not to date received a

complaint about any of my Language Line

issues. What I get is a report in

Newsday and then I read it and I say

well, I guess we got some problems here.

And now we start looking at the problems

spending tons of time to investigate.

But on those two cases when I was called,

1

2   it was handled immediately, immediately,

3   within a 24 hour period, condition

4   corrected. And that's what is supposed

5   to happen. But instead they call up

6   different numbers. I don't know who they

7   are. I don't have the dates, the times. I

8   would love to have the taped conversation

9   if they have it, because then I can

10   identify the officer and discipline that

11   officer. But I don't have it and I don't

12   believe my officers acted that way in

13   many of these calls.

14   LEGISLATOR FORD: Thank you very

15   much for clearing that up. You know, and

16   I can attest, and I'm sure any of us,

17   that when we call you, you do respond.

18   Even if you're in a meeting a lot of

19   times, you'll just quickly text and say

20   I'll call back in five minutes or so. I

21   agree. I think that since you did make an

22   offer that if they let you know when

23   something is not working properly at that

24   time, it is better to investigate it. And

25   I know for a fact that in so many cases,

1

2   if not all, your officers and your staff

3   do go above and beyond with a lot of

4   this. I've had a lot of good compliments

5   from residents who deal with it.

6   POLICE COMMISSIONER RYDER: And we

7   get complaints, and when we get a

8   complaint, we address the complaint.

9   LEGISLATOR FORD: And you've always

10   been very forthcoming when we do. Even

11   like right now, asking you a question out

12   in the open. You weren't prepared for.

13   You know you were thinking you were going

14   to talk budget, but you already had

15   everything ready so that you can respond,

16   inclined to let us know what is

17   happening.

18   Just quickly, I'm going to my

19   favorite topic and you know you could see

20   it on my face when I'm going to --

21   POLICE COMMISSIONER RYDER: Medics.

22   LEGISLATOR FORD: Medics and as well

23   as my school crossing guards. But let's

24   go to the medics, because I know that's

25   going to be, I guess, under the Fire

1

2   Commission and I know that they they do

3   report under you. We're looking to, of

4   course, increase the number of medics --

5   we need them. One of the other issues

6   that had been brought up is that Medics

7   are the only ones -- I think in the

8   United States of America -- they sit

9   alone in the cab in the ambulance. That

10   could be one of the reasons why it's very

11   hard to keep the trainees. The people

12   who apply, and once they go through

13   training, I guess, when they realize

14   there going to be alone, that they don't

15   stay, that they go to other jobs. Where

16   are we now? Is there any talk or are we

17   pushing this to have -- and I know that

18   it was recommended during the many

19   meetings that we had that perhaps we

20   could look at EMTs that could ride with

21   them. That would be, I guess, seasonal

22   more so than part-time so that they're

23   not limited on the number of hours they

24   could work a week. Where are we with

25   that? Is that in the budget or can put

1
2   in the budget, if necessary?

3   POLICE COMMISSIONER RYDER: So some

4   of the things that we've done -- and

5   look, it's been eight years for a

6   contract for the medics, and not fair. I

7   believe the County Exec is working very

8   hard to correct all of our union

9   negotiations. As far as today, we filed

10   with civil service to increase -- start

11   them at a higher pay scale. They are

12   coming in a $38,000 a year. Well-skilled,

13   well-trained, goes through a tough

14   academy to go out there on a street and

15   drive in a bus by themselves; It's

16   difficult. So what we've done is filed to

17   raise their starting pay scale and jump

18   it. So that brings in a higher -- a

19   competitive rate, even though it's still

20   probably one of the lowest competitive

21   rates out there. That's been done.

22   As far as drivers, that discussion's

23   been back and forth, both myself and

24   Ronnie in the back earlier today were

25   talking about that. That's going to be a

negotiation that's going to take place

with the county-level. I can't discuss

that, but it is on the table.

As far as our medics go. We are,

we've hired and unfortunately, like

everything else, you try to stay ahead of

it. We hired 41 medics in the last two

years, 16 of them failed out of the

system, meaning that they didn't get

through the academy. So now every time

you lose one, it's another four-month

investigation. So we are constantly

cycling them through to stay ahead. But

that's a large number to lose out of 41

the 16. So again, we're pushing on that.

We are currently down as far as medics

go. I believe we are at 136 and budgeted

head count is 152, and there's been

recommendations to even raise that

number. But you can't talk about raising

the number until you at least try to get

to the number, and we're trying, but it's

not getting there.

LEGISLATOR FORD: When the medics

1

2   leave, like the ones that we trained, in

3   like this 16, do we do exit interviews to

4   find out would be the reason why they are

5   leaving?

6   POLICE COMMISSIONER RYDER: I

7   believe that's done at the fire academy

8   where they go through their training, the

9   Police Medic Academy, and it's done by

10   the director and the deputy director.

11   LEGISLATOR FORD: Is there an

12   overriding or constant reason, is it

13   mainly the salary?

14   POLICE COMMISSIONER RYDER: Usually,

15   when we get them at that point, it's not

16   the salary as much as it is the challenge

17   of driving a single bus. We lose so many

18   in the beginning because of the salary.

19   LEGISLATOR FORD: All right.

20   Hopefully, we'll be able to achieve the

21   number of medics that we need, we

22   desperately need. And we're okay with

23   all the ambulances so far. I know that

24   we've brought in new ones.

25   POLICE COMMISSIONER RYDER: So like

1

2   the rest of the world, there was a

3   shortage of everything during the

4   pandemic. We have six new that are on the

5   street right now. We have four that are

6   at Proline that are getting released to

7   us in the next day or two. The reason for

8   that was we had Proline not understanding

9   the process of billing here -- it all

10   gets straightened out. We have four more

11   in that process. So that's 12 new. We got

12   three additional through a grant that

13   brings us up to 15 and in our 2023

14   proposal we're asking for 14 new

15   ambulances.

16   LEGISLATOR FORD: That's really good

17   news. Okay, thank you very much on that.

18   Just on the civilian side with the

19   employees that you have other than the

20   medic: The school crossing guards. I

21   don't have the the detailed budget on the

22   number of how many we have.

23   POLICE COMMISSIONER RYDER: We have

24   a total of 383 crossings. We have 279

25   part-time crossing guards and 96

full-time crossing guards.

So as of this year now at school, we did a heavy campaign the early spring, so over the summer we get them through the process. We had a 100 people sign up for the job. We got 14. That's again, a struggle for us and people. They say they want to do it. It's $25 an hour. It's a good part-time job, but when it gets down to it, they decide not to do it. So we're short every day in every command. We have an agreement that we will never go over six officers out of service to cover those crossings. We'll never go above it. We did two years ago. That won't happen again. So the is number six. If we go above that, it's overtime that is paid, so it's not coming from the current roll call and staff.

LEGISLATOR FORD: So that you're not taking a car out of service where they can't respond. So it'll be six that it may happen to.

I know that we talked about it, this

part-time business really isn't working.

I just wish that everybody would just all

admit it, that it was not good decision

that was made so many years ago. Because

we didn't have this problem. We had

mostly women that worked full-time, they

were dedicated, they did a lot of other

jobs during that time and between the

crossings and everything. So I'm

beseeching you and everybody in this

administration to really, you know, face

the fact that these are people who stand

out in all kinds of weather. And

unfortunately, today we saw one that is

fighting for his life and I pray that he

gets through all of this. But when you

think about the sacrifices they make,

that you know and that these children and

these families count on those people to

be at these corners. And not only is it

during the school time, we also have many

that use crossing guards during religious

observances, especially when they can't

hit the buttons to be able to cross

1

2   safely. The crossing guards, can do that

3   or help them to get across to they can go

4   to their services. When you think about

5   this, how many part-time? We can't keep

6   them either. You have 100 apply and 14

7   show up. I think this is going to become

8   a very, very big issue and something

9   very, very critical. And these women, I

10   guess mostly women, and men are the eyes

11   and ears for a lot of these kids. You

12   know they see a lot of things that go on,

13   especially children going to and from

14   school, dealing with their families. I'm

15   hoping that we can correct this and we

16   finally face the fact -- because I think

17   that whatever they make on an annual

18   basis, when you take how much we pay, and

19   how many hours we take out of a day for

20   six officers to cover crossings and then

21   you're going to be paying police officers

22   overtime, how much are we spending on

23   this to cover the shortfalls? I'm sure

24   that we will find in the long run that it

25   would be cheaper to finally bring a lot

1

2   of these people back on to full-time, and

3   that we don't have to have this

4   discussion any more and you don't have to

5   hear me about this.

6   But I also, I guess, even with our

7   mechanics, do we have the proper number

8   of mechanics, and are they getting they

9   turning around the police cars in a very

10   fast fashion?

11   POLICE COMMISSIONER RYDER: We are so

12   we are just at our head count with our

13   mechanics. We are always looking for a

14   better way. Because of the freeze and

15   the pandemic and we don't have new cars

16   coming, we're putting Band-Aids on old

17   cars. The mechanics are working overtime

18   seven days a week trying to keep up just

19   keeping the cars out there. Now that the

20   new cars are coming in and we're turning

21   the cars over, we have 56 coming. We have

22   another 23, I think, in the garage now

23   that they're turning over to put out, and

24   we've turned out a bunch over the last

25   couple of months. So it's easing up as

1

2   far as it goes, but we can always use an

3   additional mechanical or two. But again,

4   we go back and and Andy's got a budget

5   that we all got to try to live with. So

6   it's difficult, but we get through it.

7   LEGISLATOR FORD: And then my last

8   thing would be on the public safety

9   officers. I know that they are the people

10   who you know actually work in this

11   building, they work on other facilities

12   they work in our parks. We are short on

13   them. They're another group that needs a

14   grade change.

15   POLICE COMMISSIONER RYDER: We are

16   short two full timers, but we are

17   basically at the head count, a little

18   shift into part-time. What we did over

19   the summer, a great idea and program. We

20   took our explorers and many of you know

21   Mario Doyle. He trained them all and

22   helped them get their public safety

23   license. So they all got a public safety

24   license and then all those that were of

25   age and and fit the requirements with

that license were then brought in. So we

brought in about 10 of them. Out of the

10, they were seasonal. So we just

worked to take them as a seasonal and

make them part-timers going forward.

It's it's a great program for the kids as

they're getting older, to get into a

program and earn some money while they're

going to school. So we are at the head

count. But the problem is like crossing

guard. If I ask all of you, you all have

another need for crossing guard, and

everybody has a concern about something

with public safety.

So we just took our crossings and

and evaluated every single crossing. What

can we shift? What can be changed?

Working with the school, we actually

reduced it a little bit. We're doing the

same with public safety. You know I don't

want to have a cop standing where a

public safety officer should be, and I'm

sure the public safety officer doesn't

want to stand where cop is. So we've

worked out and reevaluated many of our

post. Some of them didn't need to be

there, and some of them we needed to add

to. So we pay them the overtime with

these extras that we just brought on

literally last week because seasonal just

ended. They'll now be helping us with

filling the spots.

LEGISLATOR FORD: Thank you very

much, sir.

POLICE COMMISSIONER RYDER: Thank

you.

PRESIDING OFFICER NICOLELLO:

Legislator Ferretti and Rhoads.

LEGISLATOR FERRETTI: Hello,

Commissioner. Welcome. As always, thank

you for everything you do. Of course,

thank you to our men and women in blue

for everything.

I have some questions: The budget

calls for, if my math is correct, an

increase of 48 officers; Is that correct?

POLICE COMMISSIONER RYDER: It's 36.

LEGISLATOR FERRETTI: That's 36 full

1

2   time head count?

3   POLICE COMMISSIONER RYDER: That's

4   36 full time head count.

5   LEGISLATOR FERRETTI: That's 36 more

6   officers.

7   POLICE COMMISSIONER RYDER: Thirty

8   six more officers.

9   LEGISLATOR FERRETTI: I see in the

10   budget that there's an increase from '21

11   to '22 in the equipment line. Just

12   refresh my recollection. Is that because

13   of the body cameras?

14   POLICE COMMISSIONER RYDER: Most of

15   that is IT stuff with our servers and

16   computers as they're out. As you saw what

17   happened in Suffolk, we're trying to stay

18   ahead of the curve regarding the way that

19   we present and put our servers that are

20   separate. We don't merge them. We have

21   silos in many of the different ways that

22   we do our phone service to computer

23   service, to internet access. So again,

24   ways that we protect it. So a lot of

25   that's going to be an uptick in our

1

2   computers. Body cameras were mostly paid

3   out of last year. Storage for the body

4   cameras are in this year.

5   LEGISLATOR FERRETTI: Okay, so it's

6   going up this year from 2.5 to three.

7   Right. Is that on the same line, just to

8   keep up with the technology?

9   POLICE COMMISSIONER RYDER: Yes,

10   sir.

11   LEGISLATOR FERRETTI: To some of the

12   things you were talking about earlier

13   with the catalytic converters and other

14   things, what I'm noticing a lot of in my

15   area is people catching on their home

16   cameras outside their front doors, people

17   are going checking the door handles,

18   always masked. Then they go through the

19   car and take stuff from the car. Are you

20   seeing an uptick in that kind of

21   complaint?

22   POLICE COMMISSIONER RYDER: Again,

23   it's right into our property crime issue

24   that we're having. A 100%, kids are going

25   around, "jigglers", as we call them. They

1

2   jiggle the handle so they get one popped.

3   They go in and grab what they can.

4   Sometimes, if they find the key, if

5   they're going to step up to that car

6   theft level, they'll take the car. Most

7   of the time, if they're doing that,

8   they're not looking for the car, they're

9   looking for what's in the car.

10   LEGISLATOR FERRETTI: All right, so

11   we'll call them jiggers, for lack of a

12   better term. These jigglers, let's

13   assume they don't take the car and they

14   just rummage through. Are there times

15   when we've caught these guys and gals?

16   POLICE COMMISSIONER RYDER: Yup. We

17   just had a huge initiative that ended

18   September 30th. We took it through August

19   and September, run by our Patrol Division

20   and working with the DD, and that's where

21   we were up 74% in crime, we're down to

22   52%.

23   LEGISLATOR FERRETTI: So we have

24   caught a lot of them.

25   POLICE COMMISSIONER RYDER: We have

1

2   caught them.

3   LEGISLATOR FERRETTI: If they just

4   take stuff, the don't take the car; is

5   that something that they would be

6   released immediately under the bail

7   reform?

8   POLICE COMMISSIONER RYDER: They get

9   a ticket at the station house and

10   released.

11   LEGISLATOR FERRETTI: So yes. What

12   if they go that extra step and they take

13   the car and we catch them? Do they get

14   released immediately under the bail

15   reform?

16   POLICE COMMISSIONER RYDER: They

17   will get released at arraignment in the

18   morning, but again no bail.

19   LEGISLATOR FERRETTI: So it's got to

20   be very disheartening to the officers

21   that that are working so hard to catch

22   these people that they are immediately

23   required to be released. Are you seeing

24   anything in terms of morale of the

25   officers as a result of this?

1

2   POLICE COMMISSIONER RYDER: It's

3   frustrating for the officers because of,

4   obviously the recidivism, the turn

5   around. But the other issue, our style

6   of policing. We will not chase anybody.

7   Everybody knows that, you know and the

8   bad guys know it, meaning in a car. I'm

9   not going to go into a pursuit of a

10   vehicle. We will slowly, we'll get

11   aviation involved. Last night we had one

12   that came out of Uniondale. We were able

13   to take him down the parkway, from

14   Uniondale all the way down to Exit 15 or

15   14 and then he jumped on a Cross Island

16   and he took off. He made us, and there

17   was no way we could stop. And when we're

18   not going to get into a pursuit. It's not

19   worth the value of the car to the loss of

20   a person. It's frustrating, it's

21   frustrating to a cop. It's frustrating to

22   a cop that when you lock somebody up,

23   he's out. It's even more frustrating when

24   you lock up somebody for possession of

25   drugs and you can't get him any help,

1

2   because he's getting the ticket. He's

3   walking out of the station house. So he's

4   here and it's removed the court system

5   where we used to push them and they'd end

6   up in Diversion Court for drugs. So

7   we've lost that, and that's frustrating.

8   And then that young man or that young

9   woman ends up overdosing and dying, or

10   even overdosing and reviving them. But

11   still it's very frustrating.

12   I'd like to think the morale of our

13   police officers is, is strong. We got

14   young caps that are well-trained, great

15   supervisors, and great detectives. But it

16   does send a negative message to you when

17   you can't keep the person in. In some

18   situations, not everybody deserves to be

19   put in there.

20   LEGISLATOR FERRETTI: Yeah, it's

21   just -- I'm grateful to you and the

22   leadership because, I'll be honest with

23   you. I have friends that are cops. I have

24   never heard this from one that's a Nassau

25   County cop, God's honest truth. But from

other departments I've heard them say, "

why would I lock them up? They're just

they're just going to be out again". And

that's something I think that we need to

make sure our officers in Nassau County

that they don't have that that mindset.

Because we need to keep doing what we can

to at least try to lock up the bag guys.

So thank you for that.

Have you seen an uptick in -- and I

know your numbers, you probably have

numbers on robberies, but specifically

bank robberies, and maybe that's just

something that --

POLICE COMMISSIONER RYDER: So over

the last two years bank robberies were

extremely low. Just this year we're

seeing an uptick across the board.

Again, you saw that chart. It was all

green when it was down. At the end of

last year, it started to spike, and then

it blew up this year.

LEGISLATOR FERRETTI: Bank

robberies?

1

2   POLICE COMMISSIONER RYDER: Bank

3   robberies have gone up. They've almost

4   doubled, maybe tripled from where they

5   were, but they're still in low numbers in

6   the fact that they're in the single

7   digit. So we might have went from four to

8   maybe nine or 10.

9   LEGISLATOR FERRETTI: In what period

10   of time?

11   POLICE COMMISSIONER RYDER: Over the

12   last seven months.

13   LEGISLATOR FERRETTI: Yeah, it's

14   just something -- I have family that

15   works in a bank and I just hear that it's

16   happening more often, and I can't help to

17   think that, two and a half years ago

18   somebody walked into a bank with a

19   mask --

20   POLICE COMMISSIONER RYDER: Wouldn't

21   happen.

22   LEGISLATOR FERRETTI: The cops would

23   be called, right. But now it's kind of

24   made easy for them. Come in with a mask

25   and it's not even even gloves sometimes

1

2   and it's not, doesn't even raise a red

3   flag.

4   And then the last line of

5   questioning I have for you is: Legislator

6   Ford was talking about the crossing

7   guards. We've had discussions recently

8   because a young lady from the middle

9   school was crossing. And what we talked

10   about was there's also a bus shortage for

11   a lot of these school districts. So since

12   they don't have a late bus anymore

13   because of the bus driver shortage, kids

14   are doing the after school activities and

15   then they have to cross major roadways

16   after the crossing guards have already

17   left. We're normally in years past

18   pre-pandemic, they would get a bus home.

19   Now they're they're crossing these roads.

20   And you were great working with me to to

21   alleviate that problem in that specific

22   instance.

23   But in terms of addressing --

24   because I think we would be fair to say,

25   we do have a shortage -- I don't know if

1
2   shortage is the right word, but we would

3   love to have more crossing guards, right?

4   POLICE COMMISSIONER RYDER:

5   Absolutely.

6   LEGISLATOR FERRETTI: You know,

7   crossing guards call out, I don't know if

8   we always have somebody to take the place

9   right now, or do we?

10   POLICE COMMISSIONER RYDER: No, we

11   don't. That's why we have a cop take it.

12   LEGISLATOR FERRETTI: And so that's

13   obviously not something we want.

14   I understand that in years past $25

15   an hour is a pretty good part-time wage.

16   I don't think it is any more. I mean I

17   don't even know what's the minimum wage

18   now at, 15? But I was outside Wendy's

19   just last week and we're advertising on

20   the window $20 an hour. I know in banks,

21   for example, tellers, they're getting

22   paid more than that. And I think it's

23   obviously we have to realize that we're

24   in, hopefully we could say right now,

25   post-pandemic world where a lot of people

1

2   want to work from home. Obviously, $25

3   an hour is not attracting enough people.

4   I mean, is there any possibility to to

5   increase that hourly wages?

6   POLICE COMMISSIONER RYDER:

7   Discussions are there to increase that,

8   but the problem is if I keep paying the

9   part-time more, the full-timer starts to

10   get a little discouraged also. I'm

11   hoping that the contracts get moving

12   forward. So you gotta bring that scale

13   up; you have to.

14   LEGISLATOR FERRETTI: Because 25 it

15   sounds okay. I don't even know if it is

16   in '22, but if you compare it to, let's

17   say, $20 an hour in a bank, those people

18   number one, are not risking their lives,

19   like we've seen today.

20   POLICE COMMISSIONER RYDER:

21   Absolutely.

22   LEGISLATOR FERRETTI: They're not

23   out in the rain, they're not out in the

24   cold and they can work an eight-hour day

25   right, whereas our part-time crossing

1

2   guards are working four hours a day an

3   they got to go two hours in the morning,

4   drive home to wherever home is and then

5   come back later in the day, right?

6   POLICE COMMISSIONER RYDER: Correct.

7   LEGISLATOR FERRETTI: I mean I would

8   take $20 an hour over $25 if those were

9   the conditions. So I think that's

10   probably what we're running into. So

11   maybe that's something we could --

12   understand the issues with that it might

13   affect the full-time salaries, but maybe

14   they have to be raised too. But that's

15   something that can be negotiated, I

16   guess. But it's just something we got to

17   keep an eye on.

18   Because just like Legislator Bynoe

19   was was talking about the the cameras on

20   the buses. We've had these hearings

21   before, but we have to make sure that we

22   have these crossing guards at every

23   crossing every day. I know you're doing

24   your best with the resources you have and

25   I appreciate that. So thank you.

1

2   POLICE COMMISSIONER RYDER: Thank

3   you.

4   PRESIDING OFFICER NICOLELLO:

5   Legislator Rhoads.

6   LEGISLATOR RHOADS: Thanks. Good

7   afternoon, Commissioner.

8   POLICE COMMISSIONER RYDER: Good

9   afternoon.

10   LEGISLATOR RHOADS: How are you?

11   POLICE COMMISSIONER RYDER: Good

12   sir.

13   LEGISLATOR RHOADS: Good, good.

14   Again, thank you so much for for

15   your presentation, for everything that

16   you do and your leadership of the

17   Department at a time which is

18   particularly challenging, certainly, to

19   say the least. You and your members

20   continue to do an outstanding job and you

21   know we're grateful. I'm sure to speak

22   for everyone here for everything it is

23   that you do and they do to to keep us

24   safe under these circumstances. And

25   again, please send our prayers and best

1

2   wishes to our crossing guard and their

3   family.

4   Just wanted to touch upon, and I'm

5   excited, by the way, that there is

6   finally some movement on on our police

7   medics, as you're aware. We have 12

8   additional ambulances, I believe, which

9   we're waiting on. I believe you indicated

10   that there's 14, hopefully, that will be

11   coming on the way.

12   POLICE COMMISSIONER RYDER: That's

13   that's in the '23 capital project budget,

14   yes.

15   LEGISLATOR RHOADS: Do we have an

16   indication as to as to what the long term

17   plan is as far as increasing the head

18   count overall for our medics?

19   POLICE COMMISSIONER RYDER: So, as I

20   said earlier, our head count is 151. I

21   don't think we've seen 151 in years. And

22   the reason is the way through attrition,

23   salary, job description, and it's a tough

24   academy to go through. So by submitting

25   the paperwork that we did to Civil

1

2   Service today to the county executive

3   office, that will raise that starting

4   salary.

5   LEGISLATOR RHOADS: In order to be

6   able to attract people, you need --

7   POLICE COMMISSIONER RYDER: We make

8   it more attractive.

9   LEGISLATOR RHOADS: -- to make it

10   more attractive in terms of salary.

11   POLICE COMMISSIONER RYDER: We're

12   also looking at drivers as part-time

13   again, in negotiations.

14   LEGISLATOR RHOADS: By the way, I

15   meant to ask this question: We don't

16   necessarily need to have additional

17   medics so that you have two medics in a

18   cab. Is it possible to hire chauffeurs?

19   POLICE COMMISSIONER RYDER: That is

20   exactly the conversation we're having. I

21   can't go into discussions that the Union

22   have, but we've had in our prior

23   discussions about bringing in even an EMT

24   or even just a fireman that wants to

25   drive and make some extra money and come

1
2   in as a part-timer and drive on different

3   days for our ambulance.

4   LEGISLATOR RHOADS: Okay. So those

5   discussions are ongoing?

6   POLICE COMMISSIONER RYDER: That is

7   correct.

8   LEGISLATOR RHOADS: Because I will

9   tell you, you know, obviously over the

10   course of the -- I mean I am a fireman,

11   so I talked to a lot of fireman. But I'm

12   aware of the issues, certainly with

13   respect to my own department, and these

14   are just multiplied across the

15   departments that we have countywide. You

16   know I went back and scrolled through my

17   phone and we get -- the Wantagh Fire

18   Department will send out a text alert

19   when a call comes in. And I looked at

20   the calls that came in over the course of

21   the last week. So basically, since last

22   Thursday to today. Our department's been

23   alerted to 32 rescue calls. Sixteen of

24   those rescue calls have been toned out to

25   us as mutual aid to the Nassau County

1

2   Police Department. So that means that

3   those are calls that originated through

4   9-1-1. Then 9-1-1 bounced them to us

5   because we did not have a police

6   ambulance that was available to cover it.

7   So for just that one week period, and I

8   think the numbers are pretty consistent

9   throughout the year, half of the calls

10   that the volunteer fire departments are

11   responding to, are calls that came in

12   through our 9-1-1 system that are

13   supposed to be covered by our police

14   ambulances. But can't. From a fire

15   department perspective, that creates an

16   incredible strain on our department's

17   resources and on our manpower. You know,

18   because every time we have to respond to

19   a call, we're not paid to be there. We

20   have to respond from our houses or get

21   guys to respond from their houses from

22   their jobs, from wherever they happen to

23   be to come pick up that call. So I know

24   that there is frustration, certainly, out

25   there on the part of many of our fire

1

2   departments, and I am so grateful that it

3   sounds as though there is a long term

4   plan to be able to address that moving

5   forward. But I would hope that in the

6   future we can be more aggressive.

7   The first key to that plan is making

8   the job itself more competitive. As

9   you've indicated, they're going for the

10   two grade jumps at the Civil Service

11   Commission, which I understand will take

12   place at the end of this month, the 26th

13   or the 27th, I think.

14   POLICE COMMISSIONER RYDER: I think

15   it is yes.

16   LEGISLATOR RHOADS: So hopefully

17   that gets approved. And then we can talk

18   about increasing the head count in terms

19   of the number of medics that we actually

20   have, and it sounds as though we're

21   talking about increasing the number of

22   buses that we have. Because as a long

23   term solution, it enables us to service

24   the public better and get a quicker

25   response instead of 9-1-1 getting a call,

1

2   figuring out that there's no one

3   available, bouncing it to the fire

4   department. Even though that transition

5   is seamless, it does take additional time

6   for that to happen, even if it's only

7   minutes and minutes can make a

8   difference. It enables us to provide

9   better service. It takes pressure off

10   stressed resources in the volunteer

11   ambulance companies and the volunteer

12   fire departments.

13   Additionally, it certainly appears

14   as though our ambulances are a money

15   maker for the County, in terms that if

16   the individual has insurance, then

17   obviously the Police Department, has the

18   ability to bill the insurance company for

19   the transport, which can cost, depending

20   upon the level of service, can cost as

21   much as I believe it's $1200 transport,

22   if I'm not mistaken.

23   So you know, I'm glad to hear that

24   we're making positive strides, but we

25   really do need to keep on top of this to

1
2   ensure that that those strides are

3   greater so that we can try and solve what

4   is a long term problem.

5   I just want to thank you for your

6   leadership on that and I thank the

7   Administration and County Executive

8   Blakeman for his leadership on that as

9   well.

10   I know you indicated in your

11   presentation that there is I believe an

12   almost 53, a 52.8% increase in major

13   crimes 2021 or 2022. Do you happen to

14   know, by the way -- and you maybe not and

15   maybe you do -- In the percentage of

16   major crimes from the start of 2020 to

17   2022?

18   POLICE COMMISSIONER RYDER: I did not

19   have that analysis. I only did

20   year-to-date.

21   LEGISLATOR RHOADS: Okay. So we know

22   2021-2022 was an increase of 53%. I'm

23   assuming that there was an increase in

24   major crimes 2020 to 2021.

25   POLICE COMMISSIONER RYDER: Correct.

1

2   LEGISLATOR RHOADS: But we don't we

3   don't know what the -- do we happen to

4   know what the 2021?

5   POLICE COMMISSIONER RYDER: I know

6   '21 to '22, we're at 52% right now. I

7   don't have the number from '20 to '21. I

8   don't have it with me. I can get it for

9   you.

10   LEGISLATOR RHOADS: Not a problem. I

11   appreciate that.

12   What's considered to be a felony

13   assault? Because I see here the felony

14   assaults are up almost 20%.

15   POLICE COMMISSIONER RYDER: Assaults

16   are one of the more difficult crimes that

17   we deal with, because you can't really

18   prevent it. You know you're reactive to

19   that. There's there's no -- it's usually

20   in a domestic setting. We're getting the

21   call and there's an assault involved. A

22   felony assault will be assault with a

23   weapon; that will be a felony. A felony

24   assault would be if it's a serious

25   physical injury to the individual, like a

fractured skull. If you slammed them into

a wall and he cracked his head open, that

would be a serious physical injury and

that would fall into probably an Assault

2, but a felony.

        LEGISLATOR RHOADS: And with respect

to, I noticed the increase in stolen

vehicles is over 110% increase. Do we

have any idea what that's attributable

to?

        POLICE COMMISSIONER RYDER: It's

it's been out there in the press. We have

an issue with a large group of organized

crime coming from Newark. They come here,

they steal, they bring kids that are

under the legal age, so they're a 17

year-old or 16 year-old so they'll be

affected by Raise the Age and they'll go

to family court, not to criminal court.

        They also know that there's --

listen, when you get caught stealing a

car. If you're caught, there's nobody

hurt or anything of that nature, you're

walking out. You're walking out in the

morning at arraignment, no bail. So

there's no penalty.

We've put the pressure on them in

Newark and try to keep it there where

that has not had to Raise the Age issue,

and we're able to then bring my numbers

down by over a 130 points in the last

three months.

LEGISLATOR RHOADS: Are are you

dealing with that same issue with respect

to gang-related violence? Because my

understanding of Raise the Age is it's no

longer possible to charge anyone under

the age of 18 as an adult for any

criminal offense. And what I'm hearing,

and I'm curious if that's if that's the

case, is it now gang crimes that would be

committed are now being committed by 16

and 17-year-olds for the same reason that

that you just alluded to with respect to

stolen vehicles.

POLICE COMMISSIONER RYDER: Gangs

have adjusted their style. So our

shootings are down, our homicides are

down, but gang have gone into credit card

fraud. Gang has gone into the

"jigglers"; they're going around and

hitting handles. You can make a very good

profit that evening. There are still

gangs that are in predominantly the

Hempstead, Roosevelt, Uniondale area.

But our violence in gang activity in

Roosevelt and Uniondale has gone down. It

has increased slightly in Hempstead.

LEGISLATOR RHOADS: And overall, an

I know we spoke about Raise the Age, and

obviously that eliminates the

consequences for many of these crimes,

actually all of these crimes. But even

with respect to bail reform generally, do

we have any indication as to how bail

reform has affected the overall crime

numbers?

POLICE COMMISSIONER RYDER: So

there's a correlation. When the crime

numbers have gone up, the bail reform has

been in effect. When the crime numbers

were down, obviously there was no bail

1

2   reform. So there is a correlation. But

3   it's kind of hard to match case to case,

4   right. We do have recidivist. We do have

5   a larceny group that runs out constantly.

6   And look at the other crime numbers as we

7   list them. Those numbers have gone up

8   and the reason they've gone up is because

9   they're going back into the malls and

10   they're stealing, and they're basically

11   getting a ticket and walking down the

12   street and then go stealing off another

13   place. We'll do a field arrest in that

14   case. We don't even bring them to the

15   station house. We'll fill the paper work

16   out in the street and give them the

17   ticket there. Then those individuals will

18   then go about their business and get

19   caught stealing somewhere else later or

20   the next day.

21   LEGISLATOR RHOADS: So I know that

22   we keep statistics on the number of

23   individuals that are arrested repeatedly,

24   and I believe that there was one

25   individual who was actually arrested

eight times, including five times in one

week, and released each time. When they

do these recidivism statistics, are they

including the repeat offender, or is that

offender only counted once? In other

words, does the repeat offense include

not only the people, but the number of

crimes that are being committed while

they're out without bail?

POLICE COMMISSIONER RYDER: If you

commit five larcenies while you're out,

that's five separate crimes. So larceny

1, 2, 3, 4, 5. You get arrested, get a

ticket; arrested, get a ticket; arrested,

get a ticket. There's never a point where

we say you got to go in. Until they hit

the 30 day or 45 days of the return on

the ticket, and on the return of the

ticket you don't show up, then the

warrant is issued for you. On the second

notice. They then call you, tell you miss

the date to give you the option to come

in. If you don't come in --

LEGISLATOR RHOADS: I don't mean to

1

2   interrupt you, so if you are told to come

3   in for a court appearance that you

4   normally would have -- normally a judge

5   would set bail to compel your appearance

6   to come back and you don't show up, a

7   warrant's not issued right away? The

8   court staff actually has to call a second

9   time to ask you if you would agree to

10   come in?

11   POLICE COMMISSIONER RYDER: There's

12   no initial bench warrant issued. They

13   give the opportunity to the offender.

14   They reach out say, hey, you missed your

15   court date. All right, I'll be in. The

16   next court day is Tuesday. You got to be

17   Tuesday, and we hope they come in on

18   Tuesday.

19   LEGISLATOR RHOADS: And then, if

20   they don't come in, only then can a

21   warrant be issued?

22   POLICE COMMISSIONER RYDER: Yes.

23   LEGISLATOR RHOADS: I have no other

24   questions.

25   PRESIDING OFFICER NICOLELLO: Thank

you, thank you.

                         Minority Leader Abrahams.

                         LEGISLATOR ABRAHAMS: Thank you,

          Presiding Officer. How are you,

          Commissioner?

                         POLICE COMMISSIONER RYDER: I'm

          well, sir.

                         LEGISLATOR ABRAHAMS: First I want

          to thank you for the cameras along

          Uniondale Avenue.

                         POLICE COMMISSIONER RYDER: It took

          a while.

                         LEGISLATOR ABRAHAMS: It's been a

          journey. Took a while. I know COVID

          slowed down things, of course, but but

          nonetheless, it took a long time. But I

          appreciate you still putting forth the

          effort to get it done. And I wanted to

          thank you for being able to get it to

          this point where we actually have money

          appropriated to it. I just wanted to

          also state for the record that if the

          money does fall short, you know we do

          have access to our CRP Funds and I would

1

2   be happy, as I offered in the past, to be

3   able to utilize those.

4   I just wanted to get from you, I

5   know it's not strictly a budgetary

6   question, but it came up with Pearl

7   bringing it up. What timeframe do you

8   anticipate being able to do it?

9   POLICE COMMISSIONER RYDER: So right

10   now it's at purchasing. And the bids have

11   all come in. So now it's a matter of

12   ordering it and having the check cut and

13   bring it in in. So within 30 days we

14   could be putting cameras up.

15   LEGISLATOR ABRAHAMS: Excellent news

16   (applause).

17   Commissioner, I want to ask you a

18   little bit about the budget numbers and

19   staffing. And I was noticing in the

20   budget also that it indicated that we

21   anticipate potentially, a 120 officers

22   will leave at the end of fiscal year

23   2023. However, at the same time we are

24   bringing in two new classes. This is the

25   part that I'm little bit confused about.

1

2   Is it two new classes of 75 each, which

3   150, or is it a total classes, that total

4   of 75?

5   POLICE COMMISSIONER RYDER: It's

6   projected 75 and 75, but I can tell you

7   now, the November class that we thought

8   was going to be higher is actually lower.

9   It's all based on the head count and

10   retirements. If I don't have the number,

11   Andy's not going to let me hire it, it's

12   not going to happen.

13   We predict the class 75 and 75, 150.

14   Normal attrition rates, we lose about 75

15   to 100 people a year. It's been actually

16   higher in the past years, but we've

17   caught up coming out of the last

18   administration. So now it's predicting

19   forward and this is what we have. But if

20   the number is not there, it would be

21   reduced. It won't be 75, it'll drop to 50

22   if that's what the class is going to be.

23   LEGISLATOR ABRAHAMS: Fair enough.

24   Well, I mean, obviously we hope that

25   you're able to have the resources you

1

2   need to be able to provide safety and

3   safeness to the County.

4   The one thing that I would like to

5   stress and be able to get back to, based

6   on your presentation, you had indicated

7   the 52.98% increase in major crimes. I

8   truly believe, I'm a strong believer in

9   visibility. Making sure that our offices

10   are visible throughout the communities.

11   When I was growing up, I mean this is a

12   long time ago, not to date myself, but

13   there was a time when officers rode

14   bicycles. They were were walking more.

15   There were more outside of their vehicles

16   than they did. Not that crime doesn't

17   happen in Times Square, but I truly

18   believe when you have people in

19   centralized areas and you have officers

20   in centralized areas, people tend to

21   think twice.

22   So I was hoping that within the

23   ability of increasing the head count,

24   that we could start to even look at a

25   pilot program where we could start to get

1

2   -- I know it's some officers we do have

3   on the street, but if we can get it to a

4   more robust thing. I mean, especially, I

5   know notion guards (phonetic) is here and

6   know they would advocate and love to see

7   that, officers walking up Uniondale

8   Avenue, Jerusalem Avenue, part of the

9   major business corridors, assuming that's

10   where the need was and if crime was

11   existing. Is there resources, with the

12   increase in account, to be able to try to

13   add more to what we're doing?

14   POLICE COMMISSIONER RYDER: So what

15   we do is, we added bike patrols in the

16   last couple of summers. So it's great.

17   The bikes are out there. We've got all

18   the members in each command, all trained,

19   all the POP Cops. We've added POP Cops

20   into it. We went from one to now we have

21   four. We've added in Community Affairs

22   and we've had it in Homeland.

23   We mandate cops to do a park walk

24   and talk a day. Most of them are done in

25   the school. They're in school saying

hello, greeting, understanding for God

forbid, the active shooter comes. But

what we've also done is, we're doing it

now, we had seven foot posts that went

out the other night, Saturday night. So

we had seven places that we were

covering. We try to cover it where the

crime concerns are. It's all of my retail

stores right now. That's my biggest

problem: Home Depot, Walmart, CVS getting

hit. So we're putting cops in front of

these locations. They're getting out,

stopping walking. What we also do is ask

them to stop in a community, walk and see

the shop owners and say a hello. A

little meet and greet-type thing.

So in these additional officers,

that will give us some flexibility to do

more of it. Summer is always short

because vacations. Now we come to the

season, holiday season especially, we

flood the malls, that we have extra

resources and and again preventing any

kind of active shooter situations. But we

1
2   also take a BCO cert that are doing

3   sometimes crime-fighting and putting them

4   in the malls to be the predictive-style,

5   policing.

6   So yes, the answer is yes to your

7   question. Where, exactly, like a permit

8   foot post, we haven't touched that yet

9   until we see what a head count ends up

10   being. Because don't forget, we hire

11   them, but I don't see them for seven

12   months.

13   LEGISLATOR ABRAHAMS: I got it.

14   Commissioner, before I forget. I just

15   want to thank you on behalf of my office.

16   You've always been phenomenal at getting

17   back to us. Even though I know there has

18   been periods over your tenure, where

19   we've not always seen eye-to-eye or

20   sometimes disagreed, as a small-time, not

21   all the time --

22   POLICE COMMISSIONER RYDER: I'm

23   afraid of Robin (laughter).

24   LEGISLATOR ABRAHAMS: But you have

25   always, and I think everyone up here can

1

2   agree. You've always responded very

3   quickly, especially if there's been any

4   incidents throughout my district, you've

5   responded very quickly.

6   Just to wrap up, I did want to ask

7   you finally: So as your report indicated

8   that the crime is up. Is Nassau County an

9   anomaly? Is crime up in Suffolk,

10   Westchester, New York City, North

11   Carolina, Virginia?

12   POLICE COMMISSIONER RYDER: Crime is

13   is up across the country.

14   LEGISLATOR ABRAHAMS: Across the

15   country across, is their initiatives of

16   bail reform? Is there bail reform in

17   North Carolina or Virginia?

18   POLICE COMMISSIONER RYDER: I have

19   no idea.

20   LEGISLATOR ABRAHAMS: Within your

21   report, the amount of people that are

22   repeating crime -- because obviously the

23   whole point is we want to prevent the

24   crime and getting officers there. The

25   amount of people that are repeating the

crime, is that number going up?

LEGISLATOR ABRAHAMS: So the number
we always use, and I've said it a 100
times up here: 90% of the crime is done
by 10% of the population. That 10% of the
population, maybe five percent of them,
have become that constant recidivist
rate. So when you look at these crime
numbers and you see this for arguments
take, so far this year in Nassau County
there's been 20,000 crimes that were
committed. Of those 20,000 crimes, it's
done by 10% of the population. It's a
small percentage that causes me the
problem. The reason the numbers go up is
because that percentage are not staying
in jail or not having a penalty or not,
you know, reporting to court in a timely
fashion.

LEGISLATOR ABRAHAMS: Your officers
are arresting someone on Tuesday and then
arresting them again on Friday?

POLICE COMMISSIONER RYDER: So we,
we just did the top 10 recidivist and I

1

2   have them in my office. The top 10

3   recidivist have been arrested -- each one

4   of the arrested at a minimum seven times

5   in the last two months. And they keep

6   popping out. But again and focus on that.

7   That's that 10% percent. It's not the

8   majority. Is not a community that says

9   that community is all bad, it's that 10%

10   of that population and it's in all

11   communities.

12   LEGISLATOR ABRAHAMS: Proactively,

13   what can be done? I mean the crimes they

14   committed, are they done the same

15   geographic area? Is there ways to

16   protect those areas? I mean you talked

17   about how this Newark gang is coming to

18   Nassau County. Is it widespread in

19   Nassau County or is it specific to

20   certain zip codes?

21   POLICE COMMISSIONER RYDER: It's

22   widespread and it's all retail. It's it's

23   Green Acres mall, it's Roosevelt Field,

24   it's Broadway Mall, it's a CVS and Valley

25   Stream and it's up in Syosset, where

1

2   they'll go in and just take advantage and

3   take stuff and just walk out.

4   Many of our retail stores and this

5   is one of our biggest problems. They're

6   not getting involved, they step back,

7   they, they steal, they'll call 911, but

8   by the time we get there, they're gone.

9   Some of them won't even sign a complaint.

10   They said our headquarters doesn't want

11   to. They've gotten to that point now

12   where they're not going to sign

13   complaints because it's just wasting the

14   time of the stores. It's not, and I keep

15   trying to tell it, we need those reports

16   to see what those crime numbers are.

17   LEGISLATOR ABRAHAMS: Commissioner,

18   if you could -- I'm going to ask you I

19   guess, a difficult question. I mean,

20   obviously as you said before, crime is up

21   all throughout the country. All

22   different types of reasons depending on

23   where you live in the country, this is

24   the highest I've seen crime in my 20

25   years of service as a legislator.

1

2   There's many different factors, and I've

3   talked to many different people from the

4   social aspect, the community aspect, and

5   they give it their perspective. From a

6   law enforcement perspective, why do you

7   believe -- I mean obviously this might be

8   the highest number that you've probably

9   seen since your time here as well -- Why

10   do you feel the number is at such a high

11   point? Is it how we're reporting? Is

12   that reporting different than it has been

13   in the past? Are we capturing more

14   categories?

15   LEGISLATOR ABRAHAMS: If you look

16   at that one shot that I gave you, right.

17   The orange one. So around 1978 I think it

18   was, 75. We had 4,000 police officers.

19   Since that time our head count went down

20   under 2,500 way under. I think we were

21   one to 2100.

22   LEGISLATOR ABRAHAMS: I remember in

23   the early two thousands.

24   POLICE COMMISSIONER RYDER: The

25   crime had come down further and further

1

2   and further.

3   LEGISLATOR ABRAHAMS: Yes.

4   POLICE COMMISSIONER RYDER: Right,

5   and I always say, there's checks and

6   balances. Sooner or later something's

7   going to go up that goes down. But the

8   reason we're seeing directly and if look

9   at this other chart that we provided, we

10   were down almost all of the years.

11   So 2020 pandemic, even though there

12   was bail reform and everything else,

13   there was a pandemic. People stayed

14   inside. In 2021, same thing. Stores

15   are opening up now. The unrest that we

16   had in this country. It's a direct

17   correlation to there's no penalty no

18   more. This 17 year-old kid knows he's

19   not going to jail.

20   LEGISLATOR ABRAHAMS: Commissioner,

21   not to cut you off. You're saying the 52%

22   is related to there being no penalty on

23   the bail reform completely?

24   POLICE COMMISSIONER RYDER: No, no.

25   I didn't say that.

1

2   LEGISLATOR ABRAHAMS: Oh, okay.

3   POLICE COMMISSIONER RYDER: I said

4   things go up, go down. I know there's

5   adjustments. But the way our numbers

6   have skyrocketed, especially in this last

7   this year, it's because we just -- again,

8   we know where the kids are coming from:

9   Newark and other places where there is no

10   Raise the Age. So the 17 year-old kid is

11   coming here, committing a crime, stolen

12   cars, especially, which is one of my

13   highest numbers, knowing that even if we

14   catch him, he's not staying in.

15   LEGISLATOR ABRAHAMS: Because of the

16   Raise the Age.

17   POLICE COMMISSIONER RYDER: That's

18   right.

19   LEGISLATOR ABRAHAMS: I understand

20   what you're saying.

21   But I mean, I guess I'm not asking

22   you the factor that into what percentage

23   of the crime that we're seeing that's

24   going up, but I think, everyone in this

25   room can agree that the Newark kid that's

1

2   coming over or even the the guy that

3   steals $20 from a cash register, whatever

4   is considered to be a misdemeanor, that's

5   not the reason why we're seeing a 52% --

6   If that was the case, then we would be

7   seeing -- I know full well, I got family

8   and friends that live in states that

9   don't have bail reform and they're seeing

10   higher increases, so that can't be the

11   reason that we're seeing 52.98%, right?

12   POLICE COMMISSIONER RYDER: It is

13   not the sole reason.

14   LEGISLATOR ABRAHAMS: I just want to

15   make sure of that. I don't want to fear

16   people into that as well. Could it be a

17   factor? I think there was a study that

18   kind of determined that bail reform is

19   less of a factor, but --

20   (Whereupon, public

21   interruption.)

22   LEGISLATOR ABRAHAMS Just this to

23   summarize. Just getting back to the head

24   count, I guess the 2544?

25   POLICE COMMISSIONER RYDER: 42.

1

2   LEGISLATOR ABRAHAMS: Is that an

3   ideal number? Or would you like to see

4   that number go up over the years? That's

5   my last question.

6   POLICE COMMISSIONER RYDER: This is

7   the first time it's been raised in years

8   in the County Exec understood the

9   discussion we had about UBS and crime,

10   school safety. Would I like to see

11   higher? Absolutely, I'd like it higher.

12   But there is budget restraints and

13   everything else that we deal with. I

14   understand that. So right now, I always

15   manage what I'm given, and we've given

16   always a good return. So as we go

17   forward, you want a foot post? I'd love

18   to seen more foot posts in Nassau County,

19   but again we're not at that number of

20   that flexibility. I'll have some --

21   LEGISLATOR ABRAHAMS: What number do

22   you need to be at to get that

23   flexibility?

24   POLICE COMMISSIONER RYDER: If I was

25   at, 2,600 would be in a better place.

1

2   LEGISLATOR ABRAHAMS: That's good to

3   know. Three classes instead of the two.

4   POLICE COMMISSIONER RYDER: But then

5   don't forget, you'll lose that 100, so

6   they're only backfilling.

7   LEGISLATOR ABRAHAMS: I know I said

8   one more question. Do you find, because I

9   find that I see some officers in the city

10   use those segways; do you find that

11   effective?

12   POLICE COMMISSIONER RYDER: No, sir.

13   I'd be having more injuries than you can

14   imagine.

15   LEGISLATOR ABRAHAMS: So we'll stick

16   to the foot patrol and the bikes.

17   POLICE COMMISSIONER RYDER: Yes,

18   sir.

19   LEGISLATOR ABRAHAMS: Thank you.

20   Commissioner.

21   POLICE COMMISSIONER RYDER: Thank

22   you.

23   PRESIDING OFFICER NICOLELLO:

24   Legislator Deriggi-Whitton.

25   LEGISLATOR DERIGGI-WHITTON: Thank

1
2   you. You know, I know we had a moment of

3   silence, but I just have to say I went to

4   high school with Carlos Vasquez. I

5   remember his first accident. This poor

6   guy was an incredible athlete -- he's

7   still alive. But he was a track runner

8   and we thought he was going to make the

9   Olympics. He had a motorcycle and he

10   made a curve at a bend and went under a

11   car and lost his leg right below the

12   knee. But he was the most positive man

13   you could ever meet and he was so happy

14   to get this job as a crossing guard,

15   because he could do it. And he still

16   remained very strong. So I'm just hoping

17   to God that his strength is there. He

18   always asked me about my parents. Every

19   time I saw him. He sent me birthday

20   messages all the time, all these

21   wonderful things. So I just wanted to

22   give that background. So when you do

23   think of him, just know he's an

24   incredible man, and I really am praying

25   for him.

1

2   The other thing is just a quick

3   note. There was a report from the

4   Treasurer's Office that came out and I'm

5   just keep bringing it up to everyone to

6   find out if anyone can figure out what's

7   going on. But there's a $147 million

8   dollars allocated through this part, in

9   other words authorized through the

10   Legislature. I'm sure some of it is

11   allocated for different things, but I'm

12   hearing that the older bonds especially

13   might not be, might might need a second

14   look. But I mean we worry about cars

15   being repaired, ambulances being bought.

16   I mean it's a lot of money. That is money

17   that we already gave the okay for you to

18   use for public safety only, not the other

19   categories. It's like 300 something for

20   DPW, but there is that money available.

21   It's in the Treasurer's Office report. If

22   you need help finding it, I'd be happy to

23   help you.

24   POLICE COMMISSIONER RYDER: Thank

25   you.

1

2   LEGISLATOR DERIGGI-WHITTON: But I

3   really think we should find out if that's

4   still available. Because we want to see

5   the funding that we authorized going to

6   public safety.

7   POLICE COMMISSIONER RYDER: I think

8   the biggest problem is that for the first

9   time, probably in a long, long time,

10   we've got money to spend, but we can't

11   spend because there's nobody selling. I

12   can't buy a car. We just asked about

13   unmarked cars the other day and we said

14   we'll see in the third quarter of 2023.

15   It's difficult.

16   LEGISLATOR DERIGGI-WHITTON: I

17   believe that because we did a streetscape

18   and I heard that stop signs are in

19   backorder because of the supply demand,

20   which is amazing because I think we took

21   ours down and now we don't have one

22   there. So anyway, it's amazing how much

23   that's hitting us.

24   But I would just -- maybe if you

25   ask, you'll get the answer. It might

1

2   take a little time, but someone has to

3   look at that much money, because that's

4   money we all approved for you and for

5   your men and women, so we want it to be

6   used that way.

7   Thank you for all you do and thank

8   you.

9   POLICE COMMISSIONER RYDER: Thank

10   you.

11   LEGISLATOR DERIGGI-WHITTON: I hope

12   all of our prayers work with the special

13   guy.

14   PRESIDING OFFICER NICOLELLO:

15   Legislator Bynoe.

16   LEGISLATOR BYNOE: Thank you,

17   Presiding Officer. Hi, Commissioner; how

18   are you?

19   POLICE COMMISSIONER RYDER: Good

20   afternoon. How are you?

21   LEGISLATOR BYNOE: I won't squander

22   the opportunity to thank you as well. You

23   are phenomenal, you are responsive, and

24   always accessible and I appreciate that.

25   POLICE COMMISSIONER RYDER: Thank

1

2 you.

3   LEGISLATOR BYNOE: A lot of the

4 questions were asked. I just want to go

5 back to one of your opening remarks

6 regarding the Mobile Crisis unit and

7 maybe get a little more detail from you.

8 What you reported sounds great. You said

9 95% of the folks --

10   POLICE COMMISSIONER RYDER: That's

11 correct.

12   LEGISLATOR BYNOE: Get a referral

13 someplace else and then the Mobile Crisis

14 unit is actually doing follow-ups. Do

15 you have an idea of how many or a

16 percentage of times where there is a

17 mentally aided call, where Mobile Crisis

18 unit does respond with the police?

19 Because I know the idea was to have four

20 different zones, and the like.

21   POLICE COMMISSIONER RYDER: The

22 minute a call comes in, sometimes the

23 calls are referred right to Mobile

24 Crisis. No threat of any injuries or any

25 danger. So we send it right to Mobile

Crisis. They handle and they do a great job.

The second phase would be if there's someone at the residence that is contemplating suicide, we're going. Cop going, ambulance is going; Mobile Crisis notified, Mobile Crisis coming. Sometimes we're there and it's already resolved before Mobile Crisis gets there. But we don't leave till Mobile Crisis arrives, because sometimes they'll be fully staffed. Sometimes, like everybody else, there might be less of a staff but they're coming. They're always notified so they're always giving history and data that we can then back up and support that person's aftercare a visit, I always like to say. And that's done by Mobile Christ and not by the Police Department. But now we're also backing up files in 9-1-1, that we know it's a repeat call and we know that person's name. So we're going to go see "Johnny" and "Johnny" is supposed to be on medication. When we're

1
2   getting there, we got a little history of

3   what we're going into, again shared with

4   Mobile Crisis. Mobile Crisis has a

5   history that we don't know about, that

6   they are also sharing with us now.

7   So it's been -- I don't know the

8   exact percentage, I could get that data

9   for you and I will. But they do arrive

10   on a lot of our calls. To date, we've had

11   no issues, no arguments, no

12   disagreements. The RESU Unit when they

13   go out, when there's a potential threat

14   of violence or the person is acting

15   irrational, they talk the Mobile Crisis

16   person and if they say, listen, you got

17   this, you go handle this, we'll get them

18   when it's over. That's exactly -- But if

19   there's a discussion to have, give me a

20   chance, we give em a chance to do it. So

21   we're all about making sure that they get

22   the proper place and the proper treatment

23   they should.

24   LEGISLATOR BYNOE: That's excellent,

25   really, really good to hear. It would be

```
1
2          great to get some of that data. I'll get

3          it for you, yeah, and also the number of

4          calls. And is it your office that's

5          contracting these Mobile Crisis folks, or

6          is this is Human Services?

7                POLICE COMMISSIONER RYDER:  Not us.

8          Yup.

9                LEGISLATOR BYNOE:  Well, I'll ask

10         Human Services.  I'm wondering how many

11         coals go directly to that line as opposed

12         to coming to you.

13               POLICE COMMISSIONER RYDER:  A whole

14         bunch.  I know that because we speak to

15         them and they're like we know them,

16         they've already called us several times.

17         They know.

18               LEGISLATOR BYNOE:  Good stuff.

19         People are getting the help they need, I

20         hope.  Thank you.

21               Then my colleague, Legislator Ford,

22         touched on this earlier about hate crimes

23         and how we're responding.  And we met

24         with a coalition who was really concerned

25         regarding crimes here in Nassau County
```

1

2   and concerned about whether there could

3   be some level of an improvement or a

4   change in how we're we're managing those.

5   So they used as an example one of the

6   local jurisdictions neighboring Nassau

7   and they said specifically they have a

8   division that solely responds and

9   investigate these hate crimes. When they

10   looked at the numbers that are reported

11   for the level of hate crimes in that

12   municipality versus what we are

13   reporting, the numbers dropped

14   dramatically, that we don't have the same

15   number of hate crimes.

16   Now I'd like to think, because it's

17   not an issue, but I would think that

18   maybe if we used a different approach,

19   that we could really capture the amount

20   of hate crimes that are happening and

21   really aid folks that are maybe suffering

22   silently and not reporting.

23   I do believe language access is key

24   and I also believe that by building out a

25   unit that will respond to the hate crimes

1

2   and also investigate the hate crimes and

3   we could build a unit with some level of

4   diversity, I think that it could get us

5   where we need to be as a county. We can

6   reduce those incidents that are occurring

7   and then the victimizations that are

8   happening to folks, If we can properly

9   identify folks that are doing these

10   crimes.

11   We got a real great lesson in what

12   was from detective sergeant about what is

13   an actual hate crime, because not not

14   everything is a hate crime. I think

15   having a specialized unit that fully

16   understands exactly what the hate crime

17   is and being able to be trained in a way

18   to interface with those that have been

19   victimized. Just like domestic violence

20   or someone who's been unfortunately

21   sexually assaulted, there's a competency

22   that goes along with being able to talk

23   to that person and get the information

24   from them and put them at peace of mind

25   when they're probably at the highest

1

2   level of anxiety based on being a victim

3   of a crime.

4   I thought the approach was was

5   great. We wanted to have an opportunity

6   to speak to you about that. I know you're

7   bringing on new officers, so I wanted to

8   plant that seed. Because as you're

9   bringing on new officers, I'd love to see

10   you know some consideration granted

11   towards being able to do that.

12   So that dovetails into my next

13   comment, which is diversity in our

14   recruiting. Diversity in our recruiting.

15   So the other -- I think it was, yeah, it

16   was just Monday. We had a presentation

17   from DCE Anissa Moore regarding this new

18   Diversity Equity Inclusion Division

19   that's going to be birthed out of Human

20   Rights and she was explaining what their

21   role would be. I asked her specifically

22   if she would be working with the Nassau

23   County Police Department regarding their

24   recruiting and training and all the

25   things that would go a long with having

someone successfully enter the academy

and be able to successfully graduate and

become a part of our law enforcement

here. She said that this was one county

and we would be working together to make

sure that that happened. I just wanted to

know whether some resources from your

department have isolated to work along

with that particular department.

POLICE COMMISSIONER RYDER: I've had

numerous conversations from the County

Exec with DCE Moore. Tomorrow she and I

are meeting with the Black Clergy at nine

a.m. also in the recruitment side. She's

meeting with Jimmy Pettenato, our

lieutenant over in Community Affairs,

who's responsible for recruitment. We're

already out there doing heavy, heavy

recruitment, but she will be in the

process with us the whole way.

LEGISLATOR BYNOE: Very good, that

was real -- that's great. That was a big

conversation that we had here on the

floor about having to have someone with

that type of background, be able to play

a role in making that connection. So

happy to hear that that's happening.

So I think that exhausts my

questions for you. Again, very much

appreciates you. Thank you.

POLICE COMMISSIONER RYDER: Thank

you.

LEGISLATOR SOLAGES: Good afternoon,

Commissioner. How you doing today?

POLICE COMMISSIONER RYDER: Good,

sir.

LEGISLATOR SOLAGES: Thank you.

Thank you again. I echo the comments of

my colleagues. We thank the Department

for its professionalism, its courage, and

keeping Nassau County safe. Thank you to

all the members of your department.

The budget calls for an increase in

head count by 36 and also $356 million in

salaries. How does the Police Department

plan on using increases in funding and

staff to improve diversity and inclusion

in the department? You answered that

1

2   question in part with Legislator Bynoe.

3   POLICE COMMISSIONER RYDER: Yes. The

4   reason for part of our increase in head

5   count is because we've enhanced on so

6   many of those community support units:

7   POP, Community Affairs, Homeland, all of

8   those officers that have been now pushed

9   into those areas. We've added the two

10   PALs. As you know, one is added in

11   Elmont. So we've pushed the resources

12   there. That means you're taking them from

13   the street side of enforcement and doing

14   the day-to-day operations of the Police

15   Department.

16   So we intend on both using those

17   officers. The last class that we just

18   brought in had I believe it was 30%

19   minorities in the class and you know that

20   was a big jump for us and we have not

21   lost one kid in that class -- I call them

22   kids, excuse me. But we have not lost

23   one recruit in that class and they're

24   about to go on field training in two

25   weeks. So we've kept that number. So

that's been good.

The list, as we've all spoken over in the past, because of looking at diversity, because of consent decree, we have been able to sustain it and go lower. And it's not a quality of who's a better, smarter kid, it's you get lucky, and you said "B" and I said "A". But that separates a lot of kids. But those numbers that are in there because of the consent decree are now actually getting to it and they're actually rolling out.

And then going forward with DCE Moore and Community Affairs, we've already started the recruitment drive. We've been down into Roosevelt, we've be down into the Uniondale at the schools. Where we have a great relationship with the superintendents. We've been up in Westbury. We just did something last week. And we have LBG doing it next week at the school.

So again, these are the ways that we're interacting as far as getting the

1

2   diversity within the Police Department

3   better.

4   LEGISLATOR SOLAGES: Thank you.

5   According to the Administration, 36

6   sworn officers will be designated to

7   community safety. Are these officers

8   focused on communication and community

9   outreach? What are the Nassau County

10   Police Department's strategies to

11   strengthen relations with our

12   communities?

13   POLICE COMMISSIONER RYDER: So it's

14   moving them all around. Those 36 are

15   going to be patrol cops; no doubt about

16   it. But taking the 36 from within, and

17   we've already done, put them into those

18   places, is where it's helping recruitment

19   in diversity.

20   LEGISLATOR SOLAGES: Understood.

21   Minority police officers play a very

22   vital role in the relations between

23   community and the police -- like my

24   father who was a police officer in New

25   York City -- Currently, what are your

1

2   goals for the next year's class in terms

3   of increasing, and are we losing any of

4   these recruits or candidates to other

5   departments that may offer attractive

6   packages?

7   POLICE COMMISSIONER RYDER: So we

8   are definitely losing, especially when it

9   comes to minority officers, because the

10   Village of Hempstead hires from within

11   the village, the Village of Freeport

12   hires within the village, and Glen Cove

13   gives priority to the village. So we lose

14   a lot of choices within that hiring

15   process. I think I answered that.

16   LEGISLATOR SOLAGES: Before

17   Legislator Rhoads asked you for the

18   numbers for major crimes during 2020 to

19   '21, if you may please provide that as

20   well, I would appreciate that.

21   Going back to the point to the

22   Department of Criminal Justice Services.

23   They have stated that the recidivism has

24   remained steady and is actually

25   decreasing, not increasing. Do you agree

1

2   with that, sir?

3   POLICE COMMISSIONER RYDER: My data

4   does not show that. That report gave

5   State data excluding the City of New

6   York.

7   LEGISLATOR SOLAGES: Our report,

8   does it include the Village of Valley

9   stream, for example, in my district?

10   POLICE COMMISSIONER RYDER: Yes,

11   sir, it does.

12   LEGISLATOR SOLAGES: Thank you. To

13   my understanding there was a report that

14   Did not include the villages, but it does

15   include villages.

16   POLICE COMMISSIONER RYDER: The

17   quarterly report that we pushed to all of

18   you, that has that data in there. It

19   shows that it has increased and that

20   includes our villages. Yes, it does.

21   LEGISLATOR SOLAGES: Understood.

22   Thank you.

23   Andy before was here and we were

24   talking about future projections and a

25   crystal ball was mentioned. We can't

1

2   account or predict accurately how

3   inflation or a recession may impact the

4   County's revenue projections. In the

5   same way, Commissioner, I ask you:

6   Conceal carry. Many people are applying

7   for concealed carries in light of the

8   recent Supreme Court decision. How might

9   it impact the rates of violent crime to

10   increase the number of concealed carry

11   firearms? As the County Executive has

12   stated in his desire, how will the impact

13   of safety of law enforcement

14   professionals as they conduct traffic

15   safety stops to do their jobs which are

16   already dangerous enough? How do you

17   believe that change in the law for

18   conceal carry, how do you believe that

19   that will affect crime here in Nassau?

20   POLICE COMMISSIONER RYDER: So all

21   that I can say is that we have taken more

22   guns off the street this year than ever

23   before in Nassau County. And the City

24   has also done the same. There's a lot of

25   guns out there.

1

2   As far as it comes to the Second

3   Amendment and the right of somebody. We

4   follow the law. Whatever the law says,

5   we follow.

6   LEGISLATOR SOLAGES: Yes, sir, the

7   Implementation of body camera program

8   seems to have had a positive impact on

9   both police officers and the community.

10   Speaking to our officers, many of them

11   have become comfortable and favorable of

12   the program. Have the cameras resulted in

13   a decrease in the cost of the County's

14   litigation? What we spend, in terms of,

15   you know, having County employees in

16   court on County time.

17   POLICE COMMISSIONER RYDER: So we,

18   we've just had a full-year of it. So we

19   don't know.

20   I can tell you this: My complaints

21   are down, which, which is good. My cops

22   have embraced it. They've done a great

23   job. And many scenes that I've watched

24   where, if I heard the story, you might

25   say: Come on. And then you look at the

1

2   video and you say nice job officer. And

3   that's and I'm saying nice job officer

4   every single time. They've done a great

5   job.

6   LEGISLATOR SOLAGES: Thank you,

7   Commissioner.

8   Lastly, Legislator Ford mentioned

9   the upcoming hearing in November

10   regarding the Reform plan, which myself

11   and two of my colleagues did not vote

12   for. I look forward to submitting

13   questions for that hearing in the future

14   regarding transparency and

15   accountability. But as a glimpse of the

16   upcoming hearing, what are other ways in

17   which the Nassau County Police Department

18   plans to improve transparency and

19   accountability within the Department?

20   POLICE COMMISSIONER RYDER: The

21   Nassau County Police Department is very

22   transparent. We post our numbers, as we

23   promised, during reform. We've done

24   everything that was asked during the

25   reform process under County Executive

1

2   Curran has been completed and continues

3   to go forward in the reporting process,

4   and we are totally transparent. We give

5   everything that is asked of us.

6   LEGISLATOR SOLAGES: My last

7   question: Your department will receive

8   an increase in resources, which I'm

9   thankful for, but to what extent of any

10   of the increase of resources will be

11   dedicated towards providing more

12   transparency and accountability? Will

13   you dedicate any additional officers to

14   Internal Affairs or other departments?

15   POLICE COMMISSIONER RYDER: Our

16   Internal Affairs is fully staffed. If

17   there's a need, they always get the

18   staffing that they need. Our Internal

19   Affairs, as you know, reports everything

20   that has any hint of criminality to the

21   District Attorney's Office and now to the

22   Attorney General's Office. So again, we

23   been very transparent in all of our

24   complaints.

25   LEGISLATOR SOLAGES: Thank you very

1

2   much, Commissioner.

3   PRESIDING OFFICER NICOLELLO:

4   Legislator Rhoads.

5   LEGISLATOR RHOADS: Commissioner, I

6   know you said that approximately 10% or

7   so are the sort of bad apples that commit

8   these repeat crimes. I think you also

9   indicated that you have a list of the

10   sort of top 10 for 2022. Of those 10

11   individuals, can you tell me -- do you

12   have the list with you?

13   POLICE COMMISSIONER RYDER: I have

14   it on my phone.

15   LEGISLATOR RHOADS: Of those 10

16   individuals, can you approximate how many

17   crimes those 10 individuals have

18   committed?

19   POLICE COMMISSIONER RYDER:

20   (Perusing) I can tell you that, after

21   looking at this, on average they did

22   about seven to eight crimes.

23   LEGISLATOR RHOADS: Okay. So those

24   ten individuals are responsible for about

25   70 or 80 crimes within the county of

1

2   Nassau. Correct?

3   POLICE COMMISSIONER RYDER: That's

4   correct.

5   LEGISLATOR RHOADS: Of the crimes

6   they committed, were any of those crimes

7   eligible for bail?

8   POLICE COMMISSIONER RYDER: You mean

9   eligible to get an appearance ticket?

10   LEGISLATOR RHOADS: In other words,

11   were all of those individual arrests, did

12   they result in the issuance of an

13   appearance ticket as opposed to going

14   before a judge?

15   POLICE COMMISSIONER RYDER: That is

16   correct.

17   LEGISLATOR RHOADS: So none of them

18   actually went before a judge?

19   POLICE COMMISSIONER RYDER: No, sir.

20   LEGISLATOR RHOADS: In the past,

21   would that have been the case?

22   POLICE COMMISSIONER RYDER: Well,

23   again, bail is for the purpose of

24   securing that person returning to court

25   and they're not a threat to society. And

1

2   if I had had a repeat individual, I'm not

3   giving an appearance the second time. I'm

4   sending him over to jail. I would

5   require bail.

6   LEGISLATOR RHOADS: Right, in other

7   words, for all of those 70 repeat

8   offences, there would have been -- all

9   right. Let's take out the first ten,

10   because that's not a repeat offense at

11   that point. So for and 60 of the crimes

12   that were committed in Nassau County by

13   just those 10 individuals, on those 60

14   occasions they would have been before a

15   judge to review whether or not to be held

16   on bail.

17   POLICE COMMISSIONER RYDER: That's

18   correct.

19   LEGISLATOR RHOADS: And, in fact,

20   even if those 60 individuals were brought

21   today before a judge and if they weren't

22   issued an appearance ticket, is the judge

23   allowed to consider the dangers of the

24   criminal in making a decision as to

25   whether to assign bail?

1

2   POLICE COMMISSIONER RYDER: I can

3   answer it this way, the judge will not

4   require bail, but if he is a threat to

5   somebody, I can't answer that. But I can

6   tell you that the law states that you're

7   not to hold them unless there's

8   extenuating circumstances, and I don't

9   know what that would be.

10   LEGISLATOR RHOADS: Right. And, in

11   fact, there's very little guidance that's

12   actually given on that and that results

13   in judges simply not issuing bail so as

14   not to be in violation of the law.

15   POLICE COMMISSIONER RYDER: Correct.

16   LEGISLATOR RHOADS: So for 60 of the

17   70 crimes that are committed by these 10

18   individuals, they would have received

19   bail before bail reform and they are not

20   receiving bail today.

21   POLICE COMMISSIONER RYDER: That is

22   correct.

23   LEGISLATOR RHOADS: Do those numbers

24   go into your crime statistics?

25   POLICE COMMISSIONER RYDER: Yes,

1

2   they do.

3   LEGISLATOR RHOADS: So every one of

4   those 60 crimes is included in the

5   increase of crime that you see all across

6   the county: The overall 30% increase in

7   crime, 53% increase in major crimes.

8   POLICE COMMISSIONER RYDER: That's

9   correct.

10   LEGISLATOR RHOADS: So would we

11   conclude from these numbers that bail

12   reform has a direct impact on the

13   increase in crime? Because now

14   individuals who would previously be held

15   on bail, just like these 10 individuals

16   who went on to commit 70 crimes, would

17   have been held and now are not.

18   POLICE COMMISSIONER RYDER: So I

19   stay with the stats. Those 60 would be

20   60, so the answer is yes with those 10

21   people.

22   LEGISLATOR RHOADS: Okay. We're

23   talking about the top 10.

24   POLICE COMMISSIONER RYDER: Yes.

25   LEGISLATOR RHOADS: Right. That list

1

2   --

3   POLICE COMMISSIONER RYDER: Goes

4   down.

5   LEGISLATOR RHOADS: Goes down. And

6   that list is extensive, Correct?

7   POLICE COMMISSIONER RYDER: Correct.

8   LEGISLATOR RHOADS: So I'm correct

9   in concluding that there is a direct

10   impact between the effects of bail reform

11   and the crime rates here in Nassau County

12   and across the state?

13   POLICE COMMISSIONER RYDER: Correct.

14   As I said, there is definitely that

15   correlation.

16   LEGISLATOR RHOADS: Thank you.

17   PRESIDING OFFICER NICOLELLO:

18   Legislator Ferretti.

19   LEGISLATOR FERRETTI: Commissioner,

20   heard a lot today, a lot of good

21   information, so I thank you for that.

22   One thing you said earlier, though,

23   really stuck with me. You mentioned

24   something and I won't ask you, obviously,

25   to say this specific corporation or

1

2   business, but you mentioned something

3   that there's actually policy out there

4   that you're aware of, where stores are

5   instructing their employees not to call

6   9-1-1 or file reports when robberies are

7   committed because of --

8   POLICE COMMISSIONER RYDER: Not

9   robberies, we're talking larceny, right.

10   And they are instructed to let the

11   individual go and then call 9-1-1.

12   LEGISLATOR FERRETTI: They're

13   instructed to let the individual go and

14   then call 9-1-1. Is there a policy in

15   place that you're aware of by any of

16   these companies to not file a report when

17   the police --

18   POLICE COMMISSIONER RYDER: We've

19   had problems where they are saying that

20   Corporate has said that they are not to

21   file a report with police, and that's

22   when we get involved, calling Corporate

23   saying, what are you doing?

24   And so, yes. The answer to your

25   question is yes.

1

2   LEGISLATOR FERRETTI: What does

3   corporate say when you say what are you

4   doing?

5   POLICE COMMISSIONER RYDER: That's

6   our policy.

7   LEGISLATOR FERRETTI: Are you aware

8   if that's their policy nationwide or

9   specific to New York state or Nassau

10   County or somewhere else?

11   POLICE COMMISSIONER RYDER: I can

12   only answer from cooperate to Nassau

13   County.

14   LEGISLATOR FERRETTI: Look, I'm not

15   going to sit here on my soapbox. But

16   when we have a situation where there are

17   companies instructing their employees not

18   to file police reports when crimes occur,

19   something is very, very wrong. Something

20   very, very wrong. Whether you agree with

21   what's going on out of Albany or not,

22   something's up. Thank you.

23   LEGISLATOR SOLAGES: Just in the

24   opposite direction of the question by

25   Legislator Ferretti, there is a pilot

1

2   program in place in San Francisco in

3   which their police department is working

4   with stores where they're accessing their

5   live feed -- video feed -- in order to

6   gain knowledge as to criminal activity.

7   Is there any consideration in Nassau

8   County for such a program that would help

9   stores combat the increase in crime?

10   POLICE COMMISSIONER RYDER: So we

11   have a monthly meeting with all of our

12   store security personnel regarding --

13   that's how we know who these repeat

14   offenders are in the fact that we, when

15   we arrest them -- we meet monthly with

16   them and we discuss. They give us access.

17   They don't give us direct access, they

18   give the access to us. But again, our job

19   is not to be the security for that store.

20   I'm trying not to use names either. But

21   my job is not to be the security for that

22   store. My job is to effect and enforce

23   the laws that are being broken in that

24   store.

25

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 1

 2                PRESIDING OFFICER NICOLELLO:

 3       Legislator Giuffre.

 4                LEGISLATOR GIUFFRE:  Commissioner,

 5       Thank. Well, you already know that I'm a

 6       fan.  We'll leave it at that.

 7                If stores in Nassau County -- chain

 8       stores, big stores -- have a policy of

 9       not calling the police when the larcenies

10       take place, would that affect your crime

11       statistics?

12                POLICE COMMISSIONER RYDER:  Yes.

13       And I need to clarify, they're being

14       instructed not to call us while it's

15       happening. Let them leave and then call

16       9-1-1. And then some don't file a report.

17                LEGISLATOR GIUFFRE:  If there's no

18       report file, does that affect the

19       statistics?

20                POLICE COMMISSIONER RYDER:  Yes.

21                LEGISLATOR GIUFFRE:  That was my

22       question, that's it. Thank you.

23                LEGISLATOR ABRAHAMS:  You stole my

24       question, John, like, like John did

25       yours.
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1

2   LEGISLATOR WALKER: Commissioner, I

3   just want to thank you too, and thank all

4   the men and women in blue who protect us

5   day in and day out. And I'm sorry, I can

6   be annoying sometimes at three o'clock on

7   a Sunday.

8   POLICE COMMISSIONER RYDER: Yes, you

9   can, Rose. It's either you are Robin;

10   either one, and I love you both

11   (laughter). You do a great job.

12   LEGISLATOR WALKER: But, as a

13   Legislator Ferretti said, these stores

14   are being instructed to not call till

15   after the crime takes place, the

16   individual leaves the store. But then

17   corporate, for some of them, are telling

18   them, even if they call, you're not

19   filling out any report. I mean, obviously

20   individuals who are going to go into

21   stores and do that no matter what they're

22   taking, I'm sure they're sharing that

23   with some of their buddies, and so it

24   only makes the situation worse which is

25   just very, very, very sad. And is there

anything that can be done dealing with

these corporations? Saying like, look

what are we doing?

POLICE COMMISSIONER RYDER: So

actually, some of them have been told:

Call the police, take the report but

refused to have anybody arrested and they

use the report for their insurance

policies. And we have spoken to cooperate

on some very large companies, some we've

gotten some positive change and some have

said that's our policy. And it's

difficult when -- again, that's why I'm

putting cops standing on foot posts, as

Legislator Abraham's talking about, I'm

putting these cups standing in front of a

chain store and again, just to be

security. And as Legislator Solages is

saying, it's not an effective use of my

resources, that's for darn sure. But if

I don't stop it, sooner or later, it just

keeps going and so it becomes very

complicated.

But we do -- I will tell you my

1
2   chief of patrol doesn't take much from

3   the corporate and he goes at him and at

4   the end of the day sometimes we get some

5   changes. Most of the time we don't.

6   LEGISLATOR WALKER: Which is very

7   sad for all of our residents and

8   certainly all of our officers.

9   So all right, thank you.

10   POLICE COMMISSIONER RYDER:

11   LEGISLATOR BYNOE: Thank you. Just

12   quickly. I may have missed something, but

13   why would they instruct their staff not

14   to call until after the perpetrator has

15   left? Is it because they don't want a

16   confrontation between their --

17   POLICE COMMISSIONER RYDER: 100%.

18   They don't want the confutation.

19   LEGISLATOR GAYLOR: Thank you,

20   Commissioner. How are you?

21   POLICE COMMISSIONER RYDER: Good.

22   LEGISLATOR GAYLOR: Great job by the

23   men in blue, always.

24   I'm going to bounce around a couple

25   of subjects. They're not really

1

2   budget-related, but since you're sitting

3   there, I'm Going to hit you up.

4   I didn't hear you discuss anything

5   about the opioid crisis that we're facing

6   here in the county. So just if you could

7   give a short, maybe one minute summary of

8   what are we doing to combat this terrible

9   --

10   POLICE COMMISSIONER RYDER: As you

11   all know, what's coming, the newest thing

12   is press pills and they're putting

13   Fentanyl in the pills. We saw great

14   success in 2019 into '20. We had a 30%

15   reduction in our overdoses; Operation

16   Natalie. It skyrocketed during the

17   pandemic because kids are home using

18   drugs, using pills from the cabinets,

19   getting that addicted.

20   Our detective division again,

21   pushing Operation Natalie, working with

22   Patrol and Enforcement, we went after it

23   pretty hard this year. So we have been

24   very fortunate, very fortunate, that are

25   fatal overdoses, heroin-related, are down

1

2   20%, and our non-fatal are down 26%. But

3   I'm still losing kids. And I'm losing

4   them because the hottest thing now is

5   they're making it look like skittles and

6   candy and it's got Fentanyl in it. Just

7   a little drop of Fentanyl will kill you.

8   Sometimes the Fentanyl that is being

9   used -- and you saw with the military

10   individuals that were down in Florida

11   went to give mouth to mouth to somebody

12   and was infected with the Fentanyl and he

13   died.

14   It's dangerous stuff. We've been

15   working very good with our Federal

16   partners and State partners. Again, we've

17   gotten a reduction, but still in 2022

18   alone, as far as non-fatal we've had a

19   107 cases. Total back for '22, between

20   non-fatal and fatal: 545 cases. And you

21   Narcan a kid, you bring them back, you

22   drive him to a hospital, the cop puts him

23   in a bed, he gets some fluids or whatever

24   happens, he gets up and he walks out.

25   Nothing being done. We're not helping

1

2   these kids.

3   LEGISLATOR GAYLOR: Okay. Falling

4   into the next line of questioning: The

5   Mobile Crisis team; do they get involve

6   on drug overdoses?

7   POLICE COMMISSIONER RYDER: No. Not

8   on my end.

9   LEGISLATOR GAYLOR:: The Mobile

10   Crisis team, what does it consist of?

11   POLICE COMMISSIONER RYDER: It's not

12   my Mobile Crisis team, so I can't really

13   speak to it. I just know there's social

14   workers that are working with them.

15   LEGISLATOR GAYLOR: Social workers.

16   So why aren't we using the mental health

17   laws to mandate or put somebody into the

18   hospital and put them on a hold because

19   they are a threat to themselves or

20   society.

21   POLICE COMMISSIONER RYDER: I'm not

22   the lawyer, but I think the mental health

23   law is meant for mental health, not for

24   drug use. And so I would love to find a

25   way to keep them to recovery.

1

2   LEGISLATOR GAYLOR: Fair enough,

3   fair enough.

4   You mentioned that you've taken guns

5   off the streets. Those legal guns or

6   illegal guns?

7   POLICE COMMISSIONER RYDER: Illegal

8   guns.

9   LEGISLATOR GAYLOR: Finally, I was

10   watching a show called UK Cops. It seems

11   the United Kingdom, England has testing

12   device like a breathalyzer for marijuana

13   or other substances. Are we looking into

14   to obtaining such kind of testing devices

15   where you blow into something and it

16   could tell you the amount THC in your

17   system and combat the incidents where

18   people are driving under the influence?

19   POLICE COMMISSIONER RYDER: We are.

20   We are working with all of our partners

21   about developing and having something for

22   us. But I don't know that instrument

23   that's being used. I do know it's a

24   problem for us because we can't test for

25   it.

LEGISLATOR GAYLOR: You can't test

currently because you don't have a device

or a hand held device?

                    POLICE COMMISSIONER RYDER: That's

correct.

                    LEGISLATOR GAYLOR: All right. But

they're out there on the market,

obviously, if the other police

departments are using them.

                    POLICE COMMISSIONER RYDER: Like I

said, I'm not aware, but I will say that

my CTS group is the group that lectures

all over the state of New York. They

they're considered one of the best. We

don't have it yet, we're trying.

                    LEGISLATOR GAYLOR: Very good.

Thank you, Commissioner.

                    PRESIDING OFFICER NICOLELLO:

Legislator Pilip.

                    LEGISLATOR PILIP: Commissioner,

thank you so much for coming here and

answering all my colleagues' questions.

                    I also personally would love to see

more minority joining the police

1

2   department. I think it's going to help us

3   to build a strong community.

4   I grew up in Israel. Back then we

5   had an issue with my community and the

6   police department in Israel really did a

7   lot to include more minority. And I'm

8   proud to say now we see more and more

9   women and men in blue in Israel. One of

10   them is my sister and that really helped

11   us to build a strong community back in

12   Israel.

13   So I do believe we can come up good

14   plan and we should do more efforts to

15   include the minority to join our police

16   department.

17   In addition, I would love to thank

18   you personally. Since I took office, It

19   have been has been an amazing experience

20   working with you and with your team, and

21   you have been doing a great job and thank

22   you so much for that.

23   POLICE COMMISSIONER RYDER: Thank

24   you.

25   PRESIDING OFFICER NICOLELLO: Any

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1

2          other legislators?

3                (Whereupon, no verbal

4          response.)

5                PRESIDING OFFICER NICOLELLO:  I

6     think we're good. Thank you very much.

7                POLICE COMMISSIONER RYDER:  Thank

8     you, all.

9                (Whereupon, a brief recess

10         is taken, 4:49 p.m.)

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3   (Whereupon, hearing resumes,

4   4:51 p.m.)

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6   PRESIDING OFFICER NICOLELLO: Fire

7   Commission is next.

8   CHIEF UTTARO: All right, good

9   afternoon. Basically, in reviewing our

10   budget this year it's been another busy

11   year coming out of the pandemic, things

12   are picking up, constructions picking up

13   exponentially. We have a lot of new

14   initiatives on board, which will be

15   coming in the ordinance which you guys

16   should be seeing, hopefully in a couple

17   of weeks before the end of the year, so

18   we can adopt that. New things that came

19   down from the State that are good,

20   positive fire safety initiatives.

21   Construction is up significantly.

22   Thankfully, fires have been down, but

23   we're coming into the busy season. We're

24   dealing with a lot of stuff with the

25   e-bikes and the lithium batteries, so

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1
2        those have been causing imposing
3        challenges to the fire service.
4               As you know, we've been working with
5        the County Executive's office, on the EMS
6        side. We've made a lot of positive
7        strides. We just had a meeting early this
8        afternoon, so things are really moving in
9        the right direction and we picked up
10       steam on several different things that
11       we're doing, including, an addition to
12       our CAD system for Firecom dispatch,
13       which is going to enable a lot better
14       cooperation, coordination between the 71
15       volunteer fire departments, which we've
16       never had before.
17              So that being said, I'll entertain
18       any questions you may have regarding our
19       budget, but we're satisfied right now and
20       open it up to you.
21              LEGISLATOR FORD:  Good afternoon,
22       Chief.  Thank you very much.
23              I know that we've met all during
24       this year to talk about specifically EMS,
25       and I always thank you very much for
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2   coordinating and chairing those meetings,

3   because they've been, I believe, very

4   productive.

5   So when you talked about this

6   communication system, which I think is,

7   you know, just very revolutionary, where

8   maybe you can explain that it will tie in

9   the 71 fire departments so that it'll be

10   a more effective way of despatching

11   ambulances throughout Nassau County; am I

12   correct?

13   CHIEF UTTARO: Yes, it's an

14   enhancement to the new system we have

15   now, which really brought us from 1980's

16   technology into the 21st century. It's

17   it's web-based and this new licensing

18   agreement, which they call Crew Force,

19   which they've been great vendor to work

20   with, and sometimes you don't have great

21   vendors, but they've been very good. It

22   will allow us to let them utilize tough

23   books, laptops, I-pads, tablets, and then

24   the MDTs that you find in police cars and

25   in front of most ambulances and fire

trucks now. And when they enable it, it

has GPS ability, we will be able to see

where these units are. We will be able

to track them. When you have a large fire

scene, we'll be able to see where they

are on the fire scene. And when it comes

to ambulances, we'll see people leaving

the hospital that are available and we

can get help that much quicker. We'll

also be able to see our departments that

are on standby, that have standby crews

of emergency medical technicians or

paramedic with drivers. It will enable

them to put them in the system, and more

sparingly use our police ambulances right

now as you build up their stock, as you

were talking about with Commissioner

Ryder.

So it's fantastic. It also ties in

all the patch centers. Not everybody is

dispatched by Nassau County Firecom.

There are several other dispatch agencies

spread across the county. It will tie all

those in electronically as well. They'll

1

2   be able to see the same things that

3   Firecom sees and be able to share their

4   information back and forth. So it really

5   is, for the first time ever, unifying the

6   71 departments.

7   LEGISLATOR FORD: I know the

8   funding. I think the cost is probably

9   about $400-500,000, I believe. That we

10   will be able to get that through ARPA

11   Funding?

12   CHIEF UTTARO: Yes. Through some

13   research that Chris Ostuni had done, yes,

14   it is AROA Funding eligible. I think

15   it's about $456,000 the initial outlay,

16   and then we have budgeted in for its

17   continued use -- what you have to pay,

18   basically to keep the program going. The

19   names eluding me, but.

20   LEGISLATOR FORD: As soon as that

21   funding is available, how long will it

22   take to actually get this system and have

23   it up and running?

24   CHIEF UTTARO: These guys call me

25   twice a week. They are very eager to get

1

2   it off the ground. We're going to be

3   probably one of the bigger municipalities

4   using it. They came and did a demo for us

5   which we were very impressed with. From

6   what I'm understanding from my

7   conversations with IT this morning, I

8   think they're looking to get some of this

9   information at least to Finance and

10   Rules, by the end of the month. So as

11   soon as that's in play, we could have

12   this ready to go by the end of the year.

13   LEGISLATOR FORD: Wonderful, that's

14   very good news.

15   I'm looking at your proposed budget.

16   Currently you have 91 employees on board

17   and that the proposed is 113. Where are

18   you with to be able to achieve that goal?

19   You know, is there an open list that you

20   can hire from, or do people have to take

21   tests? I know you usually hire from the

22   fire services, right? In the various

23   fire departments. If, given the

24   opportunity, how soon would you be able

25   to bring those employees in?

1

2   CHIEF UTTARO: We're actively

3   working on all of them right now. There

4   are they built into that '22. There are

5   several, there's two clerical positions.

6   One as an accountant we're actively now

7   going over a list to be able to hire.

8   There's also included in there open

9   positions for eight fire marshals that

10   we're actually interviewing in two weeks

11   from an established list. And it also is

12   going to have an additional five fire

13   marshals for the 2023. So that is going

14   to push our staffing up.

15   There are active lists. The other

16   one is Firecom. They're going to be

17   adding five Firecom Tech-1 next year. We

18   are awaiting that list to be certified by

19   the State right now. So that's the only

20   list we're going to be waiting on. We

21   understand it should be ready to go by

22   the end of October, the State's moving a

23   little slow these days, especially in

24   civil service, but we anticipate to have

25   that ready to go and start beginning to

1

2   higher after the first of the year.

3   LEGISLATOR FORD: And then, with the

4   current number of employees that you

5   have, how are you with the inspections? I

6   know that you have to go out sometimes

7   for new businesses, you do the

8   inspections. Are there any delays with

9   them, or do you feel that you're

10   responding in a timely manner?

11   CHIEF UTTARO:: I think we're

12   responding in a timely manner. I'm

13   definitely blessed with a staff that

14   doesn't say no often. They do get out

15   there and get the work done. They have a

16   lot of pride in what they do. We do have

17   the ability that we have guys that work

18   after-hours to get work done when there's

19   a job that has to get done and it's

20   behind. There are a lot of deadlines.

21   And, like I said, there's a lot of large

22   projects, including one going up in Long

23   Beach right now. That's going to keep our

24   time consumed pretty well.

25   We are hitting those goals. We have

six people presently as fire marshal
trainees. The other eight, hopefully,
that we will be hiring in two weeks. It
takes a little time for them to come on.
And it does take about two years to get
them trained. But everything fell into
place with this first six and we were
able to get almost all of their training
done already in the first about seven or
eight months of employment, which has
been fantastic. So we think those guys
might be ready to hit the street by the
end of the year, which is probably about
a year early, so that that really worked
out well.

But between codes training and
hazmat training they go through several
different training evolutions, including
peace officer and firearms. It does take
time. It's not a quick three, four or
five months academy and then they're out
on the street, so it does take some time.

LEGISLATOR FORD: Like on the job
training.

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2   CHIEF UTTARO: Yes. But we've

3   already started that. We have them moving

4   through the different divisions so they

5   can learn how things work, teaching them

6   how to review plans, how to do site

7   inspections. Also, it's about gaining

8   knowledge over time. Codes are very

9   difficult to navigate and understand

10   sometimes. So it helps let them get a

11   leg up on things and this way they'll be

12   productive when they get out in the

13   street.

14   LEGISLATOR FORD: Thank you very

15   much. They really are doing a great job.

16   I mean, you know, way back in the past

17   sometimes we'd get complaints and not on

18   wood; so far so good. And I think a lot

19   of times things fall into place because

20   of good leadership. So I thank you very

21   much for doing this and everybody who

22   works there, because you really are a

23   jewel of Nassau County. Thank you.

24   CHIEF UTTARO: Appreciate it. Thank

25   you.

1

2   PRESIDING OFFICER NICOLELLO: Could

3   you just give us an update on the Police

4   Medics.

5   CHIEF UTTARO: I was listening to

6   what Police Commissioner Ryder was

7   saying. They are adding, I understand, to

8   their budget, which is going to help.

9   That's going to help staff the ambulances

10   that they have. And I know they have

11   other ambulances on order, which is also

12   going to help.

13   This crew force thing that we're

14   talking about, that CAD upgrade that's

15   going to be becoming before you soon for

16   funding from ARPA, that is going to help

17   also. Right now, which I know,

18   Legislator Ford has been in some of these

19   meetings that have lasted some time

20   sometimes, there's been a lot of active

21   discussions about how to utilize the

22   volunteers better. So you don't have --

23   there's cases that sometimes we have

24   three ambulances going to the same call.

25   This crew force program allows us to

basically peel off one or two of those

ambulances when they're not needed. If

it's a serious case like a cardiac rest

or some type of serious trauma, obviously

having more hands is better for the

patient so they'll keep them coming in.

But many times it's for a sick person or

for, as we call it, a basic life support

cas, that you have two or three resources

coming in that don't know that each other

are coming in. This will enable us to

help use the resources better and get

them to where they need to be. So I'm

hoping that answers your question

somewhat.

PRESIDING OFFICER NICOLELLO: Yeah.

The other issue is, obviously, salary.

There's been discussions about changes in

grade, etcetera. Are those discussions

on-going?

CHIEF UTTARO: Yes, from my

understanding they've come to a position

where they're going to be able to offer a

better starting salary for the paramedics

1

2   or the police medics. New York City just

3   recently raised all of its salaries,

4   which made it made us not competitive.

5   Stonybrook has raised its salaries and

6   then some of the private carriers as

7   well: Northwell, the hospital-based,

8   along with our fire districts that hire

9   these men and women *per diem* to staff

10   their paramedic programs there, it puts a

11   strain on the system.

12   Nationwide, paramedics and EMTs are

13   down, people just aren't -- it's not even

14   volunteering. They're just not taking

15   the courses to become paramedics and EMTs

16   which is a troubling trend. So we're

17   hoping at least the ones that we have

18   here and because we have such a populous

19   region, we'll be able to, with a better

20   salary, to lure more people in and better

21   enhance things. Not only for police

22   medics, but also for the fire districts

23   and fire companies that hire them

24   part-time to help out with getting the

25   ambulances out.

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2   PRESIDING OFFICER NICOLELLO: Thank

3   you.

4   LEGISLATOR FORD: Just speaking

5   about the EMTs and I see Don out in the

6   audience, I know that a lot of the

7   school districts have these programs, I

8   guess the seniors, you help with offering

9   EMT classes so that seniors are able to

10   take the class and become a qualified

11   EMT. Do you find any more expansion in

12   this or has it been -- is it because of

13   personal? Do you do the training?

14   CHIEF UTTARO: A lot of the training

15   is done by VEEB, which is the group that

16   operates both our Nassau County Fire

17   Service Academy Training of the Volunteer

18   Fire Fighters and they have an EMS

19   Academy as well that VEEB operates.

20   But yes, getting that expanded is

21   kind of like a juniors program. There's

22   junior firefighter programs in a lot of

23   different departments. It's a great

24   recruitment tool. It gets them early,

25   they get hooked on becoming a volunteer

1

2   firefighter and then they move themselves

3   into, you know, firefighters when they

4   turn 17. There is not such really a good

5   program for EMTs and this would be a

6   great program in schools.

7   Also, you know it's the type of

8   thing that they learn how to become an in

9   school as one of their electives. It

10   gives them a career path when they leave

11   high school because of the unbelievable

12   demand right now for for people in that

13   industry. So, and it also would help get

14   them into volunteer roles that we could

15   start basically getting people from

16   wherever it may be: Manhasset, Westbury,

17   Elmont, Massapequa. If all these school

18   districts did programs like this, it

19   would definitely help.

20   CHIEF UTTARO: Long Beach used to

21   offer it, and they're hoping to be able

22   to establish it. I hope they've been

23   communicating with you, but thank you

24   very much.

25   PRESIDING OFFICER NICOLELLO: Anyone

else? Legislator Deriggi-Whitton.

                 LEGISLATOR DERIGGI-WHITTON: Hi.

         I'm asking this question on behalf of

         Legislator Debra Mule, who's not feeling

         well. She said she's been speaking with

         you about something called Swimplay,

         which, I have to admit, I've never heard

         of until just now.

                 CHIEF UTTARO: Swimplay, I think

         it's called. It's it's a version of

         Airbnb. People rent out their swimming

         pools. She was alluding that she's had a

         problem in her district, that folks would

         rent out their swimming pools, and a

         certain group of individuals would then

         throw a party there, which would be a

         couple of 100 people, which are often got

         out of control, and there was very little

         they can do about dealing with it. So we

         were talking about some innovative ways

         that both the fire marshal staff, with

         enforcing the fire and safety codes,

         along with the building departments,

         could treat that place like a public

1

2   assembly, because that's what it's being

3   used as. And hopefully, not put the

4   people out of business, but keep the

5   legitimate parties happening and keep

6   these wild parties that are affecting

7   neighborhoods under control. Something

8   to talk about when the swim season

9   begins, again in the in the spring.

10   LEGISLATOR DERIGGI-WHITTON: Yeah, it

11   would probably be good to do a mailer.

12   I've never heard of it, but I guess

13   there's a lot that I haven't.

14   CHIEF UTTARO: Lots of entrepreneurs

15   out there.

16   LEGISLATOR DERIGGI-WHITTON: I had

17   one other question. You know we're so

18   worried about Fentanyl because it's such

19   a small amount can do such damage. Are

20   you using the Fentanyl strips or anything

21   when you go to an OD, and do you know

22   anyone does that?

23   CHIEF UTTARO: We don't. We

24   wouldn't get into anything with that.

25   That wouldn't be something -- the only

1

2   hazard it causes is exactly what Police

3   Commissioner Ryder had alluded to, is the

4   first responders responding and

5   accidentally coming in contact with this

6   very potent drug. That's a concern.

7   We've had incidents where we've had to

8   decon police officers and a firefighters

9   and EMTs because of exposure to it, but

10   that's probably the biggest hazard we

11   would face.

12   LEGISLATOR DERIGGI-WHITTON: Have

13   you had that? You have had that?

14   CHIEF UTTARO: They had it some time

15   ago. A few years ago we had an incident

16   where they made a car stop and I guess

17   they came upon this and they wanted the

18   decon to make sure everybody was safe.

19   You want to make sure it's off your

20   clothes, off yourself. It's a dangerous,

21   dangerous thing.

22   LEGISLATOR DERIGGI-WHITTON: I've

23   been worried about that. Even with

24   Narcan training. You're asking someone

25   to do mouth-to-mouth. You use the guard

1

2   and all, but such a small amount can do

3   so much damage that it just almost

4   seems--

5   CHIEF UTTARO: Absolutely. It's

6   something that they learn about in EMT

7   classes and refresher classes. To be

8   aware of it, to be safe. When possible,

9   utilize gloves and masks and all that to

10   make sure that you don't come in contact.

11   LEGISLATOR DERIGGI-WHITTON: Thank

12   you. What has it been, a year?

13   CHIEF UTTARO: Yes. I'm still

14   smiling. It's it's been crazy year, but

15   we've gotten a lot accomplished, so we're

16   very happy and we appreciate your help in

17   getting there.

18   LEGISLATOR DERIGGI-WHITTON: We

19   appreciate you.

20   LEGISLATOR WALKER: I think you

21   stated before that you've really been

22   trying to stay on top of our businesses

23   and everything. I know in the past

24   sometimes we were struggling with that.

25   The businesses were behind trying to get

1

2   approval from the fire marshals to move

3   forward, especially after COVID, many of

4   them suffering during that time. Have we

5   caught up from all those past things that

6   had to be checked so that they made sure

7   they got all that they needed to open

8   their business? And the new ones you

9   said you're really trying to stay on top

10   of, so you get them everything they need

11   as quick as possible?

12   CHIEF UTTARO: I believe we're

13   pretty much for the most part, staying on

14   top of things. There are jobs that fall

15   behind and we try to pay special

16   attention to try to work them through the

17   process. We've also had a lot more

18   meetings before big projects get

19   underway, before the shovels go on ground

20   of what they need to do so they have

21   awareness. So they're not surprised at

22   the tail end of the job that they have to

23   do something that they wished they knew

24   at the beginning of the job.

25   Another thing which we didn't have

1

2   in here, but we're hopefully going to get

3   off the ground by the end of the year, is

4   an enhancement to our computer system

5   that the fire marshal staff utilizes for

6   the past about 10 or 11 years through

7   Locality Media. It's going to allow a

8   portal so that our contractors and

9   business owners would be able to look

10   into our system and see where their plans

11   are and allow them to do a lot more stuff

12   online. So when I have more statistics on

13   that, I'll definitely make you guys aware

14   of it so you can get it out there.

15   Everybody's asking to pay things online

16   to help move their plans along;

17   electronic filing, all that. So that'll

18   bring us to that point and hopefully

19   we'll be ready to go after the first of

20   the year.

21   LEGISLATOR WALKER: And I do think

22   it's great that you try to meet with

23   them, especially say it's a new business,

24   some doing remodeling or whatever,

25   because oftentimes they get going and

1

2   then all of a sudden, oh yeah, yeah, you

3   have to do that and then it holds

4   everything up and they get frustrated.

5   They start calling us and we're calling

6   you and it just creates havoc with that.

7   And I think this new IT system is

8   going to really help in the

9   communications between all of you. And I

10   really do look forward to everything we

11   can do to enhance our fire departments,

12   certainly our medics and everything we do

13   for them because you play such a vital

14   role in the County and to our residents.

15   So again, I just want to thank you

16   for all your hard work, and hopefully you

17   keep smiling.

18   CHIEF UTTARO: Thank you. Thank you

19   for your support.

20   PRESIDING OFFICER NICOLELLO:

21   Legislator Bynoe.

22   CHIEF UTTARO: Thank you, Presiding

23   Officer. Hi. How are you?

24   CHIEF UTTARO: Hi. How are you?

25   LEGISLATOR BYNOE: Good, good.

1

2   So in Hempstead where the fire

3   occurred, it was alleged that it was some

4   level of a motorized scooter or

5   something, the battery of that device.

6   Is that accurate?

7   CHIEF UTTARO: It was a fatal fire,

8   so right now we can't say much more.

9   LEGISLATOR BYNOE: Okay. So don't

10   go any further then.

11   CHIEF UTTARO: Yeah. I can't say

12   much more than that.

13   LEGISLATOR BYNOE: But you mentioned

14   earlier that you've been very busy based

15   on lithium batteries and the sort; could

16   could you talk a little bit about how we

17   might be able to better inform our

18   constituents on how to mitigate any type

19   of risk related to that?

20   CHIEF UTTARO: Well, I know in

21   Hempstead, I don't know if it's happened

22   yet, but they did reach out to us to ask

23   us, the Village asked us for some

24   information that they can send to their

25   residents and post on their websites. The

1

2   Fire Department was talking about

3   possibly doing some type of an open house

4   type of thing to educate the public and

5   educate the residents in the village

6   about the dangers of the lithium

7   batteries, especially the off market

8   stuff that you could buy at a discount

9   store or you buy over the internet that

10   may not be a true and tested battery. It

11   may not be a true and tested piece of

12   charging equipment. Those seem to be the

13   things that are causing the biggest

14   hazards, because you're using stuff

15   that's off market, it's not tested, it

16   may not be UL listed, factory tested,

17   coming in from overseas. A lot of times

18   they have failures. That's some of the

19   things that you read about.

20   You've seen in New York City. They

21   had an eight-year old girl that passed

22   away. They were charging E-bike in the

23   apartment went on fire. The problem with

24   these things too, is they burn quickly,

25   they burn rapidly and it doesn't afford

1

2   people a lot of time to get out. So the

3   biggest, biggest piece of advice is to

4   try not to charge these things in a

5   pathway that's you know, between you and

6   your exit.

7   But getting the word out and we

8   welcome if you had something in any

9   community that you represent, you like us

10   to come --

11   LEGISLATOR BYNOE: So I represent

12   Hempstead and because of the density and

13   people living in apartment buildings, it

14   could be catastrophic. But I think any

15   one of us up here would want to be able

16   to be in a position to at least put out a

17   mailer or use our social media to be able

18   to provide our community with something

19   as simple as what you just stated: Don't

20   charge those devices between you and your

21   exit and the like.

22   If you could help us provide us some

23   technical assistance and the language and

24   how to best present that to our

25   community, I think I think it would be

1

2   extremely helpful.

3   CHIEF UTTARO: Absolutely, we just

4   attended a seminar with FDNY. We learned

5   a lot from there. We actually purchased

6   some equipment and our guys, thankfully,

7   are handy and full of ideas. They put

8   their own kits together with existing

9   stuff that we had in the garages to help

10   mitigate these. When you come upon a

11   scene, how to dispose of it correctly,

12   how to contain it. But we are also

13   putting together some social media stuff

14   and some handouts as well. As soon as

15   they're complete, I can send it to the

16   Leg (sic) and you guys can get it out.

17   LEGISLATOR BYNOE: That would be

18   extremely, extremely helpful.

19   Just a question. I know you're

20   trying to get your staffing levels up,

21   but if we were able to put something

22   together in our communities, is that

23   something that your staff would be able

24   come and help us with.

25   CHIEF UTTARO: Absolutely.

1

2   Especially, we try our best following a

3   fatal fire. We did talk to the Hempstead

4   chiefs and just waiting to hear back from

5   them. There's a lot of fire prevention

6   things coming up now in the next couple

7   of weeks. Next week's fire prevention

8   week.

9   So, yes, if you have something,

10   especially after we've had a fatal fire,

11   we have smoke detectors that we can bring

12   along. We have informational paperwork,

13   bilingual informational paperwork too

14   from NFPA. We can display it and put it

15   out there for the residents.

16   LEGISLATOR BYNOE: That would be

17   great. I did some fire prevention stuff

18   in Newcastle and in Hempstead. In

19   particular what was really, really

20   helpful was I worked with the Red Cross.

21   And we were able to get those detectors

22   where you can't pull out the battery. A

23   lot of times, people pull out the

24   battery. We worked with some of the

25   larger landlords, who were able to make

those installs in the apartments. I

think that probably is very helpful. We

did that right after the fatal fire.

Well, it wasn't fatal, but it was

extremely damaging to 100 Terrace.

So, yeah, I would love to work with

you in doing some of that.

CHIEF UTTARO: Absolutely. The Red

Cross is a great group. They they

actually do a lot of outreach with smoke

detectors for Veterans' groups, the

elderly communities that can't get access

to them. In the 21st century, nobody

should be without a smoke detector at

this point.

CHIEF UTTARO: Do you think you

could give us something timely to to use

for next week, since it is fire

prevention week, to to be able to put up

on our social media?

CHIEF UTTARO: Sure. I'll get some

stuff together from the guys that are

doing it back in the office and I'll get

it out to you so that you can post-it.

1

2   Absolutely.

3   PRESIDING OFFICER NICOLELLO:

4   Legislator Walker?

5   LEGISLATOR WALKER: I just had one

6   other question: Speaking about the

7   lithium batteries, did we ever move

8   forward on anything with the larger

9   propane tanks that people have? Not the

10   ones we have by our barbecues or

11   whatever, not that they're not going to

12   be very serious too. You shouldn't keep

13   them so close to your home or whatever.

14   But I believe, was it in East

15   Meadow, Tom, that had that fire with

16   the -- I'm not sure -- with the bigger

17   propane tank? Nobody knew was there. Is

18   there anything like any type of -- or

19   something we should work with you to make

20   sure that people have to register? Like

21   make sure that if you have a propane tank

22   that size -- because even our

23   firefighters wouldn't even know it's

24   there and I think it blew up.

25   CHIEF UTTARO: Well, two things

we've done is we do presently have a

system in place that if you're going to

do a propane installation at your home or

your business, you have to file plans.

You have to show us where the tank's

going to be. We come and inspect the set

up to make sure it's correct before they

actually attach the propane. I believe

possibly the one that happened that you

were referring to was an illegal

installation and it did actually ignite

and, as we call it, the tank blevied

(phonetic) and blew. Thank God nobody got

hurt, but it was quite a fireball and

sure the guys on scene were a little

rattled from it.

But we do have something, but we

could put some kind of like public

service announcement together that

basically says, if you're thinking of

doing something like this, this is what

you have to do and we'll give them a

contact number. We also were sharing the

information now at the fire service where

1

2   we have large tank installations when

3   you're talking about in excess of a 1000

4   gallon propane tanks. So this way they

5   have awareness of where these things are

6   and when they're fighting a fire at home,

7   they'll know that that tank might be on

8   property and to be aware of it.

9   PRESIDING OFFICER NICOLELLO: Okay.

10   Anyone else?

11   (Whereupon, no verbal

12   response.)

13   PRESIDING OFFICER NICOLELLO: Thank

14   you very much.

15   CHIEF UTTARO: Thank you very much,

16   everyone.

17

18   ******

19

20

21

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25

1

2   PRESIDING OFFICER NICOLELLO: And the

3   Sheriff's Department we have acting

4   Sheriff Anthony LaRocca.

5   Actually before we do that, Brian

6   Sullivan, the president of the the

7   Correction Officers Benevolent

8   Association would like to say a few

9   words.

10   MR. SULLIVAN: Good afternoon,

11   everybody. Brian Sullivan. President

12   Nassau County Correction Officers

13   Benevolent Association. I'll be brief.

14   That's a joke. I may go a minute over.

15   Thank you for giving me a couple of

16   minutes to speak here.

17   Just touching on what's something

18   that the police commissioner actually

19   said earlier. There was a question about

20   mental health inmates that are at the

21   jail. Commissioner Ryder actually said

22   that 98% of people that are involved with

23   mental health issues don't come into the

24   system. That I do believe to be

25   completely correct. Also what we are

1

2   holding, just to be sure, since bail

3   reform, what we are holding in our

4   correctional facility now are the

5   absolute bad guys. Everybody gets

6   released. Our head count is down

7   precipitously from where it was several

8   years ago, but we are absolutely holding

9   the worst of the worst in our facility.

10   Violent people that commit bad crimes.

11   This is the stuff that we're dealing

12   with.

13   Again I want to -- I'll take this

14   opportunity quick to congratulate Anthony

15   Larocca being named the acting Sheriff

16   for now. I've known Anthony quite a long

17   time and I'm looking forward to,

18   hopefully, a fruitful and good

19   relationship with him. I think we are

20   both on the same page on many, many

21   issues. Since he was named, we made

22   significant progress on several issues

23   that I couldn't get done with the prior

24   two administrations, as much as I was

25   banging my head against the wall with

1

2   with things. But again, I appreciate this

3   because it is a bit of an effort, when

4   you work in corrections, to get the

5   message out from behind the walls. We're

6   not the police, we're not outside, we're

7   not even probation. When things go on

8   behind the walls for correctional

9   facility, it's hard to get the message

10   out.

11   The one thing that I need to stress

12   my message is again -- I joked about all

13   the stuff. These are my notes going back

14   2016, 2017. I can probably submit this to

15   you and your going to hear a lot of the

16   same stuff that talked about before.

17   Number one on the agenda is

18   staffing. We've heard a lot about

19   staffing here today in other departments.

20   I've been at this podium countless times

21   over the past couple of years. It's on

22   top of my agenda.

23   For informational purposes, last

24   year I stated here that since January of

25   2018 we've hired 131 correction officers.

1

2   In that same time period, we lost 191.

3   That equates to a net loss of 60

4   correction officers in three years up

5   until last year.

6   I can update those numbers with the

7   following: Since January of 2018 to

8   today, we've hired 155 correction

9   officers and lost 234, equating to an

10   updated net loss of 79. That's 19 more in

11   the hole than we were this time last

12   year. When I brought this up numerous

13   times to the Curran Administration, I was

14   met several times with the same reaction:

15   "Staffing is still an issue? We just

16   hired 48 people. We thought we corrected

17   your issues there".

18   Simply put, over the last several

19   years we're not keeping up with

20   attrition, resignations. One thing that

21   we have in this job is losses to other

22   jobs. People don't want to work in

23   corrections. When you get called for

24   something else, you leave. So we don't

25   keep up with the attrition.

In a little more detail, in 2018 we hired 57 officers, lost 46. In 2019, we hired 23, lost 42. In 2020, the year of COVID. We hired zero because of COVID and lost 68 correction officers to retirement. In 2021 we hired 48, lost 51. And to date this year we've hired 27 and to date have lost 27 this year.

We have a significant staffing problem in this department. Had a staffing problem this time last year. Our officers are forced to work a lot of mandated overtime. It's an ongoing issue that doesn't even ever seem to get resolved. We have retention problems and certainly have recruitment problems. We have to address these issues so we don't go any further down this rabbit hole.

Yes, our department has contracted due to the insanity of bail reform. That we all continue to grapple with. If you all remember us in corrections going back four or five years ago, we're up here sounding -- I was here numerous times and

1

2   in Albany sounding the bell on bail

3   reform, and everybody thought we were

4   lying. I was nuts. I just wanted more

5   overtime for correction officers. What a

6   difference we have now. It's the

7   rallying cry for everybody, but I

8   digress.

9   Currently, in our present state, we

10   calculate that we should have a little

11   over 800 officers working here, including

12   through supervisory ranks. This budget

13   proposed budget, calls for a head count

14   790. We disagree by a few. That's fine.

15   The problem is actually hiring and

16   backfilling that 790. Last year, the

17   Department had an approved budget of 783,

18   our actual onboard head count was 726.

19   That's 57 less bodies than was budgeted.

20   Yet, year after year we keep hearing

21   about cost of overtime at the jail.

22   As of today we have 98 COBA members,

23   through all ranks, with 25 years or more

24   on our job. Once again, our retirement

25   is based on 25 years of service, so those

1

2   people could go at any time at their

3   option. We currently have 40 COBA members

4   with 30 or more years on the job. By mid

5   2023 we will have an additional 23 hit

6   that 30-year mark. That's 63 by mid-year

7   2023, with over 30 years on the job. Some

8   of them stick around for another year or

9   two are depending on how old they are.

10   You have to be 55 to leave.

11   This all has to be taken into

12   account, much like it is in the Police

13   Department -- as I'll talk about in one

14   quick second. For comparison, I point to

15   the public safety summary in the proposed

16   budget. As stated clearly every year

17   under the Police Department, their

18   proposed Budget maintains a sworn head

19   count that includes additional classes

20   offset anticipated attrition. It also

21   increases their supervisory head count.

22   For the Sheriff's Department, the

23   Budget funds two classes of up to 30

24   correction officers in March and July of

25   2023. And last year's proposed Budget

1

2   there was supposed to be two classes of

3   40 recruits hired in '22. To date, like

4   I said, we hired 27; again, we lost 27.

5   So again, I ask why we can never seem to

6   get over this hump and this disparity of

7   having these queues ready to replace

8   people as they go.

9   Additionally, it has to be noted

10   that this problem in hiring and proper

11   staffing reverberates through the rank

12   structure of our department, as it

13   prevents us from properly promoting staff

14   into the higher ranks. What is not taken

15   into account with much of the attrition

16   is that our higher-ranking staff are

17   amongst those that usually retire more

18   often.

19   It's not just an officer issue.

20   Currently we're short dozens of

21   corporals, sergeants, lieutenants,

22   captains throughout our rank structure.

23   We haven't done any meaningful promotions

24   here in almost five years. I know there

25   is talk about promotions now and I'm

1

2   hopeful that it's going to happen soon.

3   But we haven't had any meaningful

4   promotions in about five years. We have

5   lost close to 40 supervisors through all

6   ranks and only promoted to my knowledge

7   about six in that same time-frame.

8   Onto training. Over all, our

9   training regiment continues to remain

10   severely lacking when compared to other

11   municipalities where a 40-hour yearly

12   training regiment is the norm. It applies

13   particularly in our supervisory ranks

14   where training for supervisors is almost

15   non-existent here for years. That's a

16   holdover from prior administrations;

17   needs to be addressed. In the end, lack

18   of training relates to liability on the

19   part of the County.

20   Again, as I stated last year, this

21   proposed budget summary under goals

22   states that Department shall create

23   policies and procedures designed to

24   maintain officer safety; maintain or

25   increase the current level of training,

policies, and procedures; hold officers

accountable for their understanding of

policies and procedures. And I say here

year after year: What exactly are our

officers expected to understand and be

held accountable for if they're lacking

training on an ongoing basis?

As to other issues, I've talked here

several times and you've probably, if you

follow any of my social media, about

HALT. The average person in the street

doesn't understand what HALT is -- Humane

Alternatives to Long Term solitary

confinement. That is misnomer in and of

itself. Solitary confinement does not

exist in New York state, no matter how

much some of you can stand up here and

say that it does. What we have in New

York is administrative segregation. It's

basically jail within a jail. If you

commit a crime in jail, you have to be

separated from the general population to

keep the inmates and the officers safe.

HALT is not only not humane, it's a

1

2   complete fallacy.

3   This past April, HALT legislation

4   that was imposed by the State was put

5   into place. Our union, along with our

6   downstate partners in corrections, fought

7   this legislation because it's dangerous,

8   promotes violence in our jail, and more

9   importantly for our purposes here today,

10   is an unfunded mandate. We are no longer

11   able to separate violent predatory

12   inmates from the general population of

13   inmates. It is our job to protect the

14   general population from predators, and

15   that job was made almost impossible by

16   the New York State Legislature and signed

17   into law by the former Governor Cuomo.

18   Since April of this year, when HALT

19   went into effect, incidents necessitating

20   the use of force by officers to stop

21   violent acts of inmates has doubled. This

22   is a direct result of HALT. If you're not

23   familiar with HALT, it's basically, like

24   I said, bail reform in jail, open up the

25   door and let everybody out together. You

1

2   cannot separate violent creditors.

3   The entire premise behind it is a

4   fallacy based on false narrative that not

5   only endangers our staff but the inmate

6   population. We need to address locally

7   what the State has dumped on us and

8   refuses to acknowledge the trail of

9   wreckage that it has created. I'll be

10   glad to sit-down with any of you and go

11   over the details of that. That's not for

12   today.

13   As for being budget-related, we in

14   the unions fought to have Chapter

15   amendments done to this law to roll back

16   some of the HALT provisions to make our

17   jail safer. We were minimally successful,

18   but one amendment that was made by the

19   State and without our agreement was to

20   carve out mandated training both in the

21   recruit academy and for yearly in-service

22   training that was in the original law but

23   removed because of the associated

24   expenses. So now we're stuck with HALT,

25   its ramifications, its unfunded mandates

1
2   on the counties, the carve out of any
3   associated training, and, most assuredly,
4   civil liability to the counties, all
5   counties in New York state that they will
6   now bear -- and it's obvious that we're
7   living in the bizarro world in New York
8   state. I think everybody here can to a
9   certain amount agree with that.
10   We sincerely hope -- and I've talked
11   about this before -- I think I said last
12   year about the the opioid money that came
13   in that, whatever the 100 and something
14   million dollars, that part of that money
15   can be carved out for the Sheriff's
16   Department, the Division of Correction
17   for the jail to provide programs and
18   training in the Sheriff's Department
19   where we deal with violent, many times,
20   mentally unstable and drug-addicted
21   individuals on a daily basis.
22   Particularly, in the wake of halt, we
23   have to find ways to combat insane
24   legislation that comes down from Albany
25   and project our officers and help our

officers protect inmates from violent

inmates. It's just insane that people

think this stuff works.

As we see every year now, not just

in Nassau County but all over the state,

the prioritized objective coming down

from the State with corrections is to get

people out of the system and back on the

street as soon as possible, all in the

name of saving on the cost of

incarceration. That all started with the

insanity bail reform. This is not reform.

This is all an effort to cut the cost of

incarceration, get people out of the

system while providing no safety nets,

drug programs, mental health treatment,

etcetera, for that offender to dump them

back with no public safety considerations

with the simple release of people who

need help in the first place and many

times only get it when they are

incarcerated and they're put there under

a judge's order and forced into programs.

Absolutely no regard for the victims

1

2   of crime, many times violent crime, who

3   we all see plain as day, including our

4   law enforcement officers, are completely

5   left out of any conversation when it

6   comes to criminal justice reforms

7   statewide. I don't know what it's going

8   to for this mindset to turn around, but

9   putting the onus only on the violent

10   predators, violent people that are

11   committing crimes in our state, leaving

12   people in the street unprotected, leaving

13   correction officers unprotected in jails

14   and inmates in jails that we're sworn to

15   protect does not work. And If the State

16   won't do it, I come to you and I come to

17   the people in the County to help us

18   figure out how to do it on a local level.

19   I'll send you a copy of my thing

20   here today and I'll send you a copy of

21   things that I've said over and over and

22   over again. I joke sometimes like

23   Khrushchev and I'm banging by my shoe on

24   the table, but I thank you for your time.

25   Thank you, thank you.

1

2   PRESIDING OFFICER NICOLELLO: Thank

3   you, Brian, as always.

4   ACTING SHERIFF LAROCCA: Good

5   afternoon. I would like to thank

6   presiding Officer Nicolello and Minority

7   Leader Abrahams for inviting me here

8   today.

9   My name is Anthony LaRocca and I am

10   the acting sheriff. My priorities are

11   maintain a safe and secure correctional

12   center for both inmates and staff while

13   always keeping on the objective by being

14   fiscally prudent and keeping in mind the

15   wallets of the taxpaying residents.

16   In my first week as acting sheriff

17   directed SER Team to do a facility wide

18   search, which has not been done during

19   the tenure of the past two sheriffs. This

20   provided to be fruitful by uncovering a

21   large assortment of contraband including

22   weapons and drugs. This successful

23   operation made the lives of officers and

24   inmates alike safer.

25   Following this search, I have

1

2   implemented the use of the Tech-84 to

3   such inmates upon leaving the visiting

4   area before returning to their respective

5   housing units.

6   Now I will briefly discuss my 2023

7   Budget presentation.

8   The correction officers budgeted

9   head count is 790. Currently, we have

10   726 on board. We'll be putting in a

11   correction officer's class which will

12   keep us up to the attrition and budgeted

13   head count.

14   Since the onset of bail reform, the

15   inmate count has been low. We are

16   averaging approximately 730 inmates. I

17   have been put in a request with the

18   County Executive Office and have approved

19   50 promotions. In comparison under the

20   previous administrations, only five

21   promotions were made. This depleted all

22   supervisory rank and create unnecessary

23   overtime expenses. This will boost

24   morale, spread responsibilities

25   throughout the ranks and reduce the

1

2   overtime spending.

3   Also, I am reviewing all staffing

4   and lineups and my administrative to

5   ensure that were utilizing the correct

6   amount of post coverage and staffing.

7   After a careful review of the 2021

8   and 2022 Budget, I am confident that

9   we'll be able to mitigate the 2023

10   overtime cost down to the projected

11   amount. I have already begun assessing

12   all available resources and restructuring

13   of staffing plans and post coverages in

14   order to ensure maximum utilization of

15   all staff while also providing safety to

16   all Correction Center employees and

17   inmates.

18   Many of these changes we will be

19   implementing is to correct the

20   mismanagement practices of the prior two

21   sheriffs over the last fours. We have

22   established a new relationship with NUMC.

23   I have toured the former lock ward in the

24   hospital and we are working with the

25   hospital administration to get the prison

1

2   ward updated and functional as soon

3   possible. The reason we decided to open

4   this ward is Twofold: Safety and security

5   for all staff, patients, and their

6   families, and a tremendous overtime

7   savings by placing inmates in a secure

8   area.

9   I would never sacrifice the safety

10   of or security of either the staff or the

11   inmates to save money. This is why I am

12   doing a comprehensive top to bottom

13   assessment of all operations.

14   Thank you.

15   PRESIDING OFFICER NICOLELLO: I have

16   a couple of questions.

17   In terms of staffing, is there a

18   plan for another class this year?

19   ACTING SHERIFF LAROCCA: I believe

20   so. By the end of the year there will be

21   another class.

22   PRESIDING OFFICER NICOLELLO: What's

23   the projected number of that class?

24   MR. PERSICH: If I may, we're

25   planning and doing this class of 40,

1

2   probably in November. That's what the

3   time-frame is.

4   PRESIDING OFFICER NICOLELLO: So as

5   of now they're recruiting people. Is

6   there an indication that you're actually

7   gonna get to 40?

8   MR. PERSICH: Yes, I believe so. We

9   have 40 ready to go. It's a question of

10   timing and getting into the building and

11   finishing up the last few steps of

12   processing.

13   PRESIDING OFFICER NICOLELLO: And

14   the plan for 2023?

15   MR. PERSICH: It's two classes of

16   30. I'll say it this way: If there's a

17   need for more, we will adjust that. But

18   right now we planned on getting back to

19   the same numbers as where we're at.

20   The overtime number in the

21   correctional facility, from a budgetary

22   standpoint, not from an operational side

23   the sheriff stated was astronomical. We

24   found some things that were not managed

25   correctly and to throw more people at it

1

2   at the beginning until we had a structure

3   and give the sheriff his due time, we

4   didn't think it was prudent to just keep

5   throwing a lot of classes at it. I have

6   a little bit more confidence now that --

7   PRESIDING OFFICER NICOLELLO: I

8   understand what you're saying, but when

9   staffing reaches record lows and it's

10   dropping every year, I think you have to

11   expect overtime to go up, you simply

12   don't have the same bodies.

13   MR. PERSICH: Agreed.

14   PRESIDING OFFICER NICOLELLO: So are

15   you going to be able the reverse the

16   trend that Brian spoke about of attrition

17   exceeding the number of incoming

18   recruits, corrections officers?

19   MR. PERSICH: I would say yes, we're

20   going to get back up to the number to

21   contain overtime as a result of that.

22   PRESIDING OFFICER NICOLELLO: All

23   right. We'll be watching and we'll be

24   pushing from our end.

25   MR. PERSICH: We appreciate that.

1

2   PRESIDING OFFICER NICOLELLO: Also,

3   on the civil side, I also have an

4   understanding that the deputy sheriff's

5   numbers are down.

6   MR. PERSICH: We're adding 10 new

7   deputy sheriffs. There's some testing

8   issue. I'll defer Sheriff Larocca here,

9   but there was some testing issue that

10 prevented us from hiring or something

11 like that. I'm not very informed on that,

12 but we had an additional 10 for the next

13 year bringing that number up.

14   PRESIDING OFFICER NICOLELLO: Has

15 that issue been resolved?

16   ACTING SHERIFF LAROCCA: I believe

17 so.

18   MR. PERSICH: It was something to do

19 with the state testing is what what I

20 understand.

21   PRESIDING OFFICER NICOLELLO: We'll

22 follow-up tomorrow to get more concrete

23 information.

24   LEGISLATOR FORD: Thank you very

25 much.

1

2   You're hiring the 40 from a current

3   list that we have, correct? How many

4   applicants are still on that for next

5   year? Do you have a large pool?

6   ACTING SHERIFF LAROCCA:

7   Approximately 40 more.

8   MR. PERSICH: Yeah, there's an

9   additional 40 on for the next tranche.

10   LEGISLATOR FORD: What I'm saying is

11   how big is the list? That's what I should

12   say.

13   MR. PERSICH: I don't know the

14   answer to that.

15   LEGISLATOR FORD: When was this test

16   given? Was this the recent test?

17   MR. PERSICH: It's a State test. I

18   don't know the dates on that. I will say

19   that.

20   LEGISLATOR FORD: But it would have

21   been administered by the County.

22   MR. PERSICH: Yeah, but it's through

23   the State. The State sets the guidelines

24   when the test dates are for that.

25   LEGISLATOR FORD: Because I know

that you'll give a test and then you

establish a list based on civil service.

And then, if you have like 800 people on

the list, you start hiring and then,

after a certain amount of time, we give

another test so that list is now void and

we start new. Do we have enough people on

this list to -- for the 40 that you want

to bring in this year? And then you're

saying for next year you want to hire

only 60, a total of 60?

MR. PERSICH: That's the plan right

now to get us up. But if the attrition

numbers starts spiking up, we may have to

adjust the third.

So let me go back to your point. I

think there's enough on the list to get

to the next 40, and I think there might

be more on there to give us more for what

we need for next years classes.

LEGISLATOR FORD: Because then that

then that leads me to ask then: If we

know that we have attrition and you're

giving a class -- I never attended any of

these academies, so I don't know. But if

you're utilizing instructors in an

academy to instruct like, say, 40

candidates or 30 candidates, wouldn't it

be more cost-effective to bring in next

year, at the beginning of the year, the

60 new people? If you're going to hire a

total of 60 in 2023, wouldn't it be more

cost-effective to bring them in all at

once, because you're going to utilize the

same instructors? The classrooms of the

schools should be big enough to be able

to accommodate 60 candidates. Like you

know, you're paying people to teach them.

So if you, instead of teaching 30 and 30,

teach 60 all at once, wouldn't that be

better?

          MR. PERSICH: I'll say it this way:

Is that this class is a shorter class

than I would say the police class, so I

don't know if the number -- I can't

answer that on the training side. If we

do a class in November, we can do another

class in January on top of it and keep

1

2   the instructors moving in the same

3   direction. We can accelerate classes, we

4   can slow them down. There's a way of

5   doing it with overtime with the

6   instructors and everything else. We can

7   do two classes if we have to, I think.

8   There is a method to the madness. I

9   don't know how it's going to impact

10   training. That's what I don't know. I'm

11   not the expert.

12   LEGISLATOR FORD: Because I think

13   that we need to look at how can we bring

14   them in sooner -- these new correction

15   offices, sooner rather than later. You

16   may find all of a sudden in the summer

17   those 98 members that are eligible to

18   retire may all of a sudden decide. You

19   know what? For some odd reason, Florida

20   is beckoning them and they want out of

21   here. So I would encourage you.

22   I think maybe I read in this that

23   you were looking to consolidate some of

24   the buildings. What exactly does that

25   entail?

1

2   ACTING SHERIFF LAROCCA: Basically,

3   we can move inmates into areas that

4   aren't full; for instance, dorms and

5   tiers. And that would close down another

6   parts of the correctional center which

7   also would have an effect on manpower,

8   correctional officers, and will actually

9   cut the overtime by doing so.

10   LEGISLATOR FORD: But I know that

11   one of the issues that we have is that a

12   lot of the people who are incarcerated

13   seem to be from gangs. For the safety of

14   the other inmates as well as the

15   correction officers, that it seems to be

16   better to have the different gang members

17   separated from rival gangs.

18   ACTING SHERIFF LAROCCA: The problem

19   with that is there is no segregation at

20   this time. We can't take them and

21   segregate them based on their gang

22   affiliations. So what happens, what I've

23   witnesses myself from touring the

24   creation center in the past three weeks,

25   is some of these gang members, what

1

2   they'll do is they'll go into PC. As a

3   group there'll be 20, or even 30 of them

4   in one dorm or one tier. They segregate

5   themselves.

6   LEGISLATOR FORD: All right, I'm

7   just considering the safety. Even with

8   the mental health component. I know that

9   President Sullivan was talking about

10   possibly using opioid funding to help

11   address that because of the inmates that

12   do have mental health issues. And

13   sometimes we think that they should have

14   gotten help before. It's sad that they

15   end up in jail, but there they are. You

16   know, are you looking at trying to apply

17   for this and and do you have any

18   programs? Are you're looking to enhance

19   anything with the programs to help a lot

20   of these people who have these mental

21   health issues?

22   ACTING SHERIFF LAROCCA: Not that

23   I'm aware of. Like I said, I've only

24   been here three weeks. It's pretty

25   overwhelming.

1

2   MR. PERSICH: If I may, I think on

3   intake there's an evaluation done of the

4   inmate when they come through the door if

5   there is a need for mental health and

6   that's what happens, it's on intake. They

7   evaluate them. It's through NUMC. I think

8   they come over an they do an evaluation

9   of the inmate when they walk through the

10   door, if there is a mental condition that

11   needs to be addressed.

12   ACTING SHERIFF LAROCCA: But you

13   mean by funding your actually talking

14   about these monies that were being sent

15   from the Federal Government?

16   LEGISLATOR FORD: Yeah.

17   ACTING SHERIFF LAROCCA: That I'm

18   not aware of it this moment.

19   LEGISLATOR FORD: We will hopefully

20   see if there's anything that can be done

21   to help in that situation. I do like the

22   approach that you want to open up the

23   hospital ward back in the jail to help,

24   you know, take care of them. And

25   obviously you'll be staffing it with

```
 1
 2        Nassau County CSEA people.

 3            ACTING SHERIFF LAROCCA:  Staffing as

 4        doctors and nurses.

 5            LEGISLATOR FORD:  They probably

 6        would come from NUMC.

 7            ACTING SHERIFF LAROCCA:  Right.

 8            MR. PERSICH:  Part of the current

 9        contract we have with them right now.

10            LEGISLATOR FORD:  I do like this.

11            My last thing also is, I know that

12        we've always had issues with the visitors

13        centers, and so I'm hoping that we can

14        continue to improve it so that it's

15        easier for the inmates to have visits

16        from their family and friends.

17            I don't know if you still do any

18        other remote.  Because I know during

19        COVID, sometimes you allowed to Zoom

20        meetings or whatever. I don't know what,

21        I don't even know.

22            ACTING SHERIFF LAROCCA:  I believe

23        right now we're back to post pandemic

24        visitation.  The pandemic, the CDC

25        guidelines are no longer in effect.
```

1

2   LEGISLATOR FORD: The last time I

3   was there, I know that they were going to

4   build a new visitor center, holding

5   center, where they could stay which is

6   covered. You know, so that if the weather

7   is bad, they're not out in the snow and

8   rain, and whatever. Has that -- I

9   haven't been there since --

10   ACTING SHERIFF LAROCCA: There is a

11   shelter that sits in the parking lot

12   adjacent to the 832 building.

13   LEGISLATOR FORD: It's like a

14   trailer, right?

15   ACTING SHERIFF LAROCCA: No, it's

16   not a trailer. Actually, it's just an

17   enclosed looks like a pexi-glass shelter.

18   LEGISLATOR FORD: I'm going to take

19   a visit. I want to take a look at that.

20   Because I know that I was under the

21   impression that they were going to put in

22   something that had heat, or maybe air

23   conditioning, while they were waiting.

24   But I could be wrong, so we'll have a

25   discussion later. Thank you very much.

```
 1

 2              And I encourage you to please let's

 3         accelerate this hiring.

 4              PRESIDING OFFICER NICOLELLO:  And

 5         other legislators?  Legislator Walker.

 6              LEGISLATOR WALKER:  Thank you,

 7         Presiding Officer.

 8              Brian, thank you for always being so

 9         right on and telling us just what's

10         happening over there. We appreciate that.

11              Sheriff, you certainly hit the

12         ground running.

13              ACTING SHERIFF LAROCCA:  Thank you.

14              LEGISLATOR WALKER:  I too am very

15         concerned about getting the numbers up

16         for our corrections officers for the

17         safety of those prisoners who are there

18         and certainly for the safety of our

19         workers.  Because when they're forced to

20         work overtime -- you know overtime is

21         great and you say, oh, it's nice money,

22         nice money.  But sometimes after a while

23         and they're there really too long.  I

24         always worry, because that's when

25         mistakes can happen.  And they get tired.
```

1

2   And you know you don't want to put them

3   in a bad position and you certainly don't

4   want to put the inmates in a bad position

5   either because of that situation. So I

6   really hope that we can increase those

7   numbers as quickly as possible.

8   And it's a little scary when you

9   describe things. We've all toured

10   facility, but when you think that you

11   have rival gangs and you're not allowed

12   to segregate them and things that you're

13   not allowed to do by law, yet it could

14   really present a dangerous situation for

15   themselves, as well as for our workers

16   there. And I guess if there's anything

17   that we can help you with, like you said,

18   if it's not working on a state-level and

19   Brian with his up too, if it's not

20   happening up there, then if we have to

21   work on a local level, what we can do to

22   ensure the safety of of everyone, I think

23   we all need to be on the same page with

24   that.

25   Again, I thank you very much for

1

2   your presentation. Like I said, you

3   really did hit the ground running.

4   PRESIDING OFFICER NICOLELLO: Any

5   other legislators? Legislator Bynoe.

6   LEGISLATOR BYNOE: Greetings.

7   Question about how you -- first of all

8   nice to meet you.

9   ACTING SHERIFF LAROCCA: Thank you.

10   LEGISLATOR BYNOE: Never met you

11   before.

12   I've visited the jail along with my

13   colleagues on both sides of this aisle,

14   and I do recollect that we were going to

15   do something a little bit more

16   substantive for folks that we're visiting

17   the facility. So I will join Legislator

18   Ford in looking at that.

19   But in terms of the physical plant,

20   physical conditions there. We visited

21   and there were things that were

22   concerning some time ago there were

23   hazards for both our officers and the

24   inmates. One of the things that we were

25   really concerned about, which I spoke to

DPW about just the other day, were roof

leaks. And you know you said you're

doing a topdown review of the facility.

I'd really like to have you debrief us at

some point when you get there. But in

particular, I'd like to hear about your

assessment, your physical assessment of

the facility.

We have been very concerned over the

years of the conditions there. I know

that under the prior administration there

was there was some level of advancement

as to technology that was going to be

installed and things like that. But I'd

like to get an assessment from you really

as soon as you can, about the conditions

there, because it's important that we

address those things.

In terms of the relationship between

the jail and the medical center, I

definitely would love to see oversight

there as well. To this point, since we've

moved from armor, I think we've we've

made significant headway and I wouldn't

1

2   want to see us spin out of control and go

3   back to those days.

4   So my question also is regarding

5   recreational and educational resources

6   within the facility and ministerial

7   services they're getting. You know, you

8   say that you're you're back to pre COVID

9   days in terms of visits. How are we

10   doing with having chaplains and the folks

11   that come back into the facility?

12   ACTING SHERIFF LAROCCA: I'm pretty

13   certain I've noticed that they've been

14   here every day. Quite a few that come

15   into the correctional center on a daily

16   basis. So it is back to normal as far as

17   that aspect goes. And they're able to

18   have the Sunday services? Because I've

19   actually attended Good Friday service

20   there and a couple of other services, so

21   they're doing those services?

22   ACTING SHERIFF LAROCCA: Yes.

23   LEGISLATOR BYNOE: And how about

24   like educational resources?

25   ACTING SHERIFF LAROCCA: I think

1
2   there is a group that comes in with
3   educational resources on a regular basis
4   also.
5   DEPUTY COUNTY EXECUTIVE FOX: I
6   Sorry, I can. I can just add a few
7   things.
8   So yes, and I think last week,
9   Sheriff, you had a meeting with the
10   clergy at your office to introduce
11   themselves and go over all the concerns
12   with Sunday service and to get them ID
13   cards that were revoked so when they come
14   in they can easily come in and it's not a
15   whole ordeal. So that was a successful
16   meeting. That was a big step forward.
17   Also with education, we have groups
18   that come in that volunteer. We work
19   with LTI, we work with the school
20   district. We do have resources, but are
21   always willing to explore that further.
22   Absolutely.
23   LEGISLATOR BYNOE: I think the work
24   program that's a women's group that comes
25   in.

1

2   DEPUTY COUNTY EXECUTIVE FOX: Yes,

3   they're phenomenal.

4   LEGISLATOR BYNOE: I found that

5   there were less resources for women that

6   we're in there. I'd love to see if we

7   could bolster that a bit more.

8   DEPUTY COUNTY EXECUTIVE FOX: Yes.,

9   I'm drawing a blank on the woman's name

10   starts with -- I think her last name is

11   Ligouri.

12   LEGISLATOR BYNOE: Serena Ligouri.

13   DEPUTY COUNTY EXECUTIVE FOX: I know

14   she has a great program, so yeah,

15   definitely something we could explore.

16   LEGISLATOR BYNOE: Okay, very good.

17   And then I glossed over it when I talking

18   about the medical center, but it's a

19   health-related issue. So if folks need to

20   be vaccinated, whether they feel that

21   they're you know, for whatever reason --

22   are we able to get folks vaccinated?

23   Whether it be COVID vaccines, monkeypox,

24   whatever.

25   DEPUTY COUNTY EXECUTIVE FOX: Yes.

1

2   LEGISLATOR BYNOE: They can do that

3   on-site or are they being transported?

4   DEPUTY COUNTY EXECUTIVE FOX: I

5   believe they do it right there in the

6   clinic.

7   LEGISLATOR BYNOE: All right,

8   thank you.

9   COVID numbers; how are they looking?

10   I think we're contained right now. We

11   segregate the housing unit? I believe we

12   just have one.

13   ACTING SHERIFF LAROCCA: I believe

14   there is one or two at this time.

15   LEGISLATOR BYNOE: Thank you very

16   much.

17   PRESIDING OFFICER NICOLELLO: Any

18   other legislators?

19   (Whereupon, no verbal

20   response.)

21   DEPUTY COUNTY EXECUTIVE FOX: If I

22   could, just some things that were asked,

23   I just want to touch on.

24   Someone asked a question about the

25   list, I think Legislator Ford. So right

1

2   now we have, I believe, it's 2018 list

3   that we're going through. Right behind

4   it, we have a 2019 list, once we exhaust

5   this list, and then we have a third list

6   that can be established. So we're in good

7   shape with regard to the lists. So just

8   so you know.

9   And we, we have 28 applicants ready,

10   they're fully vetted and we have another

11   approximately 30 that are in phase two,

12   which means they get their psych and

13   their medical, and once that's cleared we

14   have them ready to go. So we're in a good

15   place for our next class.

16   PRESIDING OFFICER NICOLELLO: That's

17   the next class expected to be done this

18   year?

19   DEPUTY COUNTY EXECUTIVE FOX: Yes,

20   hopefully November.

21   PRESIDING OFFICER NICOLELLO: Very

22   good. How long does a list last? I mean

23   the 2018 list is probably a little stale

24   at this point.

25   DEPUTY COUNTY EXECUTIVE FOX: I

1

2   believe four years.

3   ACTING SHERIFF LAROCCA: Four years

4   is the max with the extensions.

5   DEPUTY COUNTY EXECUTIVE FOX: And

6   someone asked about deputy sheriffs.

7   PRESIDING OFFICER NICOLELLO: Yes.

8   I did.

9   DEPUTY COUNTY EXECUTIVE FOX: We

10   just did promotions for deputy sheriffs

11   in the spring. The deputy sheriff's list

12   is expiring, I believe, in April and I

13   believe the next exam is in June. That's

14   all controlled by the State. That's why

15   we are putting in 10 to hire in advance,

16   because we will have a short period of

17   time without a list.

18   PRESIDING OFFICER NICOLELLO: So

19   which list will that be off, the expiring

20   list?

21   DEPUTY COUNTY EXECUTIVE FOX: That's

22   a separate list, the list I talked about

23   before for corrections. Deputy sheriffs,

24   we don't have a backup list because the

25   test got bounced because of COVID.

1

2   PRESIDING OFFICER NICOLELLO: So you

3 can hire them provisionally?

4   DEPUTY COUNTY EXECUTIVE FOX: We're

5 going to hire 10 while we still have the

6 list. We have until April.

7   PRESIDING OFFICER NICOLELLO: All

8 right, thank you.

9   DEPUTY COUNTY EXECUTIVE FOX: Of

10 course.

11   PRESIDING OFFICER NICOLELLO:

12 Appreciate all of you being here. Andy,

13 thanks for sticking around all day.

14   ACTING SHERIFF LAROCCA: Thank you

15 very much.

16   (Whereupon, hearing

17   concludes, 5:56 p.m.)

18

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