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PUBLIC SAFETY COMMITTEE
OF THE
SUFFOLK COUNTY LEGISLATURE

MINUTES

A meeting of the Public Safety Committee of the Suffolk County Legislature was held in the Maxine S. Postal Legislative Auditorium located at the Evans K. Griffing Building, 300 Center Drive, Riverhead, NY, on February 27, 2020.

Members Present:

Legislator Tom Donnelly - Chairman

Legislator Bridget Fleming - Vice-Chair

Legislator Kara Hahn

Legislator William Spencer

Legislator Leslie Kennedy

Legislator Susan Berland

Legislator Steven Flotteron

Legislator Rudy Sunderman

Legislator Samuel Gonzalez

Also in Attendance:

Sarah Simpson - Counsel/Suffolk County Legislature

Jessica Nowak - Assistant Counsel/Suffolk County Legislature

Lora Gellerstein - Chief of Staff/Presiding Officer's Office

Amy Ellis - Chief Deputy Clerk/Suffolk County Legislature

Craig Freas - Legislative Budget Review Office

Derek Stein - Aide to Presiding Officer Calarco

Karen Klafter - Aide to Legislator Donnelly

Liz Alexander - Aide to Legislator Spencer

Ali Nazir - Aide to Legislator Kennedy

Tim Rothang - Aide to Legislator Sunderman

Samantha Sarube - Aide to Legislator Berland

Irene Donohue - Aide to Legislator Fleming

Tim Freeman - Aide to Legislator Flotteron

Nicole Duckham - County Executive Assistant

Anthony Calandrillo - Lieutenant/Chief of Department's Office

Anthony Papparatto - Chief of Staff/Suffolk County Sheriff's Office

Calvin Wicks - Lieutenant/Suffolk County Sheriff's Office

Doug Sutherland - Deputy Comptroller of Suffolk County

Lou Tutone - 1st Vice-President/Suffolk County PBA

Jim Roddin - 2nd Vice-President/Superior Officer's Association

George Michels - Suffolk County Detective's Association

Matt Porter - President/Suffolk County Probation Officer's Assoc.

Jacqueline Routh - Director of Outreach & Organizing/Suffolk AME

Matthew Elliot - Consumer Advocate/Vaping Community

All Other Interested Parties

Meeting Taken By:

Alison Mahoney - Court Stenographer

(*The meeting was called to order at 9:34 a.m.*)

CHAIRMAN DONNELLY:

So good morning, everybody, and welcome to this meeting of the Suffolk County Legislature's Public Safety Committee. I'd ask you all to please rise for a salute to our flag led by our Deputy Presiding Officer, Legislator Hahn.

Salutation

Please remain standing for a moment of silence in honor of all those in our military who are serving both here and abroad as well as all first responders throughout our nation.

Moment of Silence Observed

(*Legislator Flotteron entered the meeting at 9:34 a.m.*)

Thank you. Be seated.

Once again, good morning to all. Welcome to this February 27th meeting of the Suffolk County Legislature's Public Safety Committee. We do not have any correspondence addressed to the committee so we'll go right into our public session.

Public Portion

Our first resident to speak is Matthew Elliot; if you could step forward. Good morning, sir. You have three minutes and you just have to hit the mic there. Thank you.

MR. ELLIOT:

Good morning, everyone. My name is Matthew Elliot, I am a consumer advocate for the vaping industry. I'm also an adult. I am 28 years old -- I'm sorry, 29 years old, just had my birthday -- and I'm a former smoker. At my height of smoking, I smoked three packs a day. I understand the direction that we want to keep these products out of the hands of our youth and we want to keep the harmful second-hand effects of combustible tobacco out of our youths' lungs. However, limiting where adults have the ability to smoke their combustible tobacco products is wrong.

Now, I see that there are two resolutions, one of which would even ban from patios or fire escapes in multi-municipal buildings. The problem with that is restricting people to the street or the parking lot, especially in certain areas in Suffolk County which are not the nicest, could be a severe health risk. We have single parents who come home after working, put their child to bed, want to go outside on the patio and have a cigarette before going to sleep; now this person would have to go downstairs, over 50 feet away from the building and then smoke. In some areas there's no lighting area, there's no safety and that could cause a real problem. I would say it should be up to the businesses, the apartment complexes, whether they want to allow smoking or not on their patios or on their property, and I think this is something that should be handled internally that way instead of a

1 governmental overreach; excuse the term.

2
3 We see a huge decrease in smoking right now. I understand we want
4 to stomp it out completely, but as long as cigarettes are going to
5 be sold people are going to smoke and they're going to find ways
6 where they can smoke.

7
8 And as far as the vaping's concerned, there's no way of knowing if
9 someone is vaping in a building or not, unless you are running
09:37AM 10 tests that detect for propylene glycol vegetable glycerin. There's
11 just no way of knowing. It doesn't leave an offensive odor in the
12 air, it doesn't stain the walls, it doesn't stain the carpets.
13 People are going to be doing it and that's something that isn't
14 really enforceable unless you walk into their residence and check
15 if they're vaping currently.

16
17 I just -- I'm very concerned with the direction that this is going.
18 And while I understand the intent is pure and in good taste,
09:38AM 19 I feel this is a little overbearing and there must be alternative
20 solutions and, again, to leave it with the businesses. Thank you.

21
22 **CHAIRMAN DONNELLY:**

23 Thank you, Mr. Elliot. Just as a matter of procedure, the bills
24 that you are referencing are going to be discussed this afternoon
25 in the Health Committee, they're not going to be discussed here at
26 the Public Safety Committee. So that's at two o'clock.

27
28 **MR. ELLIOT:**

29 Oh, my apologies. I got the time wrong.

09:38AM 30
31 **CHAIRMAN DONNELLY:**

32 No worries, no worries. You're more than welcome to come and speak
33 here any time. But just as a point of reference, those particular
34 resolutions that you are referencing are not going to be on our
35 agenda, they'll be on the afternoon agenda.

36
37 **MR. ELLIOT:**

38 Okay, thank you very much.

09:38AM 39
40 **CHAIRMAN DONNELLY:**

41 You're welcome. Thank you for coming, sir.

42
43 I have no other cards. Would anybody like to address this
44 committee this morning? Okay. Seeing none, we'll continue to move
45 along in our agenda.

46
47 We do not have any appointments and we do not have any
48 presentations, so we'll move to **Tabled Resolutions.**

09:39AM 49
50 We'll start with **Resolution 1024(-2020)** - that's **Directing the**
51 **Suffolk County Sheriff's Office to post certain signage outside of**
52 **interview rooms at correctional facilities (Gonzalez).**

53
54 **LEG. FLEMING:**

55 Motion to table.

1 **CHAIRMAN DONNELLY:**

2 I have a motion to table by Legislator Fleming. Seconded by
3 Legislator Gonzalez. All in favor? Opposed? Abstentions?
4 Motion is *carried to table (VOTE: 8-0-0-1 - Not Present:*
5 *Legislator Spencer).*

6
7 I have *Tabled Resolution 1082(-2020) - Requiring that individuals*
8 *receive information about available resources upon release from*
9 *County correctional facilities (Gonzalez).*

09:39AM 10 **LEG. FLEMING:**

11 Motion to table.

12
13 **LEG. GONZALEZ:**

14 Second.

15
16 **CHAIRMAN DONNELLY:**

17 So a motion to table from Legislator Fleming. Seconded by
18 Legislator Gonzalez. All in favor? Opposed? Abstentions?
09:40AM 19 Motion to *table is carried (VOTE: 8-0-0-0).*

20
21 Moving along to *Introductory Resolutions*. We'll start with
22 resolution -- *Introductory Resolution 1115(-2020) - Amending the*
23 *2020 Capital Budget and appropriating funds in connection with the*
24 *Sheriff Correctional Facility Security Modernization Project.*
25 *(CP 3066) (County Executive).* Motion to approve by Legislator
26 Sunderman. Seconded --
27
28

09:40AM 29 **LEG. GONZALEZ:**

30 Second.

31
32 **CHAIRMAN DONNELLY:**

33 -- by Legislator Gonzalez.

34
35 Resolution number --

36
37 **LEG. FLOTTERON:**

38 You have to call the vote.

09:40AM 39 **CHAIRMAN DONNELLY:**

40 I didn't call the vote?

41
42 **LEG. FLOTTERON:**

43 No.

44
45 **CHAIRMAN DONNELLY:**

46 Oh (*laughter*). All those in favor of Resolution 1115? Opposed?
47 Abstentions? Motion is carried (*Approved - VOTE: 8-0-0-1 - Not*
48 *Present: Legislator Spencer*).

09:40AM 49
50
51 *Resolution No. 1116(-2020) - Appropriating funds in connection with*
52 *the Purchase of Heavy-Duty Equipment for the Sheriff's Office.*
53 *(CP 3047) (County Executive).*

54
55 **LEG. GONZALEZ:**

56 Motion.

1 **CHAIRMAN DONNELLY:**

2 Motion to approve by Legislator Gonzalez. Seconded by Legislator
3 Kennedy. All in favor? Opposed? Abstentions? Motion is carried
4 (*Approved - VOTE: 8-0-0-1 - Not Present: Legislator Spencer*).

5
6 *Introductory Resolution 1117(-2020) - Accepting and appropriating*
7 *funding from the Bureau of Justice Assistance in the amount of*
8 *\$95,304 for the PREA-TIPS Program with 50% support to be*
9 *administered by the Suffolk County Sheriff's Office to execute*
09:41AM 10 *grant related agreements (County Executive). Motion from*
11 *Legislator Berland. Seconded by Legislator Gonzalez. All in*
12 *favor? Opposed? Abstentions? Motion is carried (Approved -*
13 *VOTE: 8-0-0-1 - Not Present: Legislator Spencer).*

14
15 *Resolution 1136(-2020) - Appropriating funds in connection with*
16 *the Purchase of Communications Equipment for the Sheriff's Office.*
17 *(CP 3060) (County Executive). Motion from Legislator Sunderman.*
18 *Seconded by Legislator Kennedy. All in favor? Opposed?*
19 *Abstentions? Motion is carried (Approved - VOTE: 8-0-0-1 -*
09:42AM 20 *Not Present: Legislator Spencer).*

21
22 *Resolution No. 1140(-2020) - Accepting and appropriating a grant*
23 *providing 75% support, in the amount of \$286,221 from the United*
24 *States Department of Homeland Security, and amending the 2020*
25 *Capital Budget and Program in connection with the Purchase of*
26 *Marine Equipment (CP 3513) (County Executive).*

27
28 **LEG. FLEMING:**
29 Motion to approve.

09:42AM 30
31 **CHAIRMAN DONNELLY:**
32 Motion to approve by Legislator Fleming.

33
34 **LEG. SUNDERMAN:**
35 (*Raised hand*).

36
37 **CHAIRMAN DONNELLY:**
38 Seconded by Legislator Sunderman. All in favor? Opposed?
39 Abstentions? Motion is carried. (*Approved (VOTE: 8-0-0-1 -*
09:43AM 40 *Not Present: Legislator Spencer).*

41
42 *Resolution No. 1143(-2020) - Accepting and appropriating a grant*
43 *providing 100% support, in the amount of \$969,888 in State funding*
44 *from the New York State Division of Homeland Security and Emergency*
45 *Services, and amending the 2020 Capital Budget and Program in*
46 *connection with the Purchase of Interoperable Communications*
47 *Equipment (CP 3245) (County Executive).*

48
49 **LEG. FLEMING:**
09:43AM 50 Motion.

51
52 **CHAIRMAN DONNELLY:**
53 Motion by Legislator Kennedy and seconded by Legislator Sunderman.
54 On the motion, can somebody from the Police Department step
55 forward, please?

1 **LIEUTENANT CALANDRILLO:**

2 Good morning.

3
4 **CHAIRMAN DONNELLY:**

5 Good morning. Can you just give me a rundown on this particular
6 grant? It's pretty significant in terms of financial amount, I
7 just want to have an idea on what kind of interoperable equipment,
8 what agencies this is going to deal with, how is this going to
9 improve the communications network, etcetera.

09:44AM

10
11 **LIEUTENANT CALANDRILLO:**

12 I was trying to get some specific information on this before
13 today's meeting; the gentleman that purchases the equipment was
14 not in and unable to provide me a list. But in the past we've used
15 this money mainly for radios, that's the biggest expense of this.
16 It's a reoccurring grant, we've gotten it before and --

17
18 **CHAIRMAN DONNELLY:**

09:44AM

19 You can't be any more specific than that? Is it related to the
20 E-911 Commission? Is it directed to our secondary PSAPs? It's a
21 pretty significant amount of money.

22
23 **LIEUTENANT CALANDRILLO:**

24 Yeah, again --

25
26 **CHAIRMAN DONNELLY:**

09:44AM

27 And I think there's -- you know, I have a genuine concern with the
28 E-911 Commission which is under the auspices of the Police
29 Department and how long it takes for the secondary PSAPs, and
30 there's 12 in the County, for them to get their funding. You know,
31 it's been an issue that I've been on, so I'd like it if you could
32 kind of elaborate particularly on this grant.

33
34 **LIEUTENANT CALANDRILLO:**

35 I can have that information for you before Tuesday.

36
37 **CHAIRMAN DONNELLY:**

38 Okay. If you can have it for us for Tuesday --

09:45AM

39
40 **D.P.O. HAHN:**

41 Unless you want to discharge without recommendation.

42
43 **CHAIRMAN DONNELLY:**

44 I think that might be an appropriate procedural, to discharge
45 without recommendation.

46
47 **LEG. FLEMING:**

48 I'll second that.

09:45AM

49
50 **CHAIRMAN DONNELLY:**

51 So -- I'm sorry.

52
53 **MS. SIMPSON:**

54 We have to bond for it, too.

1 **LEG. KENNEDY:**

2 It's 100%.

3
4 **LEG. BERLAND:**

5 It says 100%.

6
7 **CHAIRMAN DONNELLY:**

8 Yeah. No, it's a Consent Calendar -- it's a Consent Calendar item,
9 but we can do a discharge without recommendation.

09:45AM 10

11 **D.P.O. HAHN:**

12 It doesn't have to go on the Consent Calendar.

13
14 **CHAIRMAN DONNELLY:**

15 Yeah. We can just -- it's still going to be on the docket. So
16 it's not so much about the funding, Legislator Berland, it's more
17 about there's some internal communication issues that some of us
18 are concerned with. So we'll make a motion to discharge without
19 recommendation by Legislator Hahn. Seconded by Legislator Kennedy.
20 All in favor? Opposed? Abstention?

09:45AM 21

22 **LEG. BERLAND:**

23 I'm going to abstain.

24
25 **LEG. KENNEDY:**

26 Yeah.

27
28 **LEG. BERLAND:**

29 I would just discharge it. I mean, I would just approve it and
30 then let them explain it and then deal with it at the meeting.
31 To say we want to discharge without recommendation for a --

09:46AM 32

33 **CHAIRMAN DONNELLY:**

34 I'll do whatever the committee would like. Legislator Hahn?

35
36 **LEG. BERLAND:**

37 -- \$900,000 grant I think is -- I think is wrong, but.

38
39 **CHAIRMAN DONNELLY:**

40 It's not about -- we're accepting the money, Legislator Berland.
41 It's not about that. It's about some of the more internal issues
42 that we're having.

09:46AM 43

44 **D.P.O. HAHN:**

45 *(Inaudible)*.

46
47 **CHAIRMAN DONNELLY:**

48 We want an explanation. It's under our purview.

49
50 **LEG. BERLAND:**

51 I'm not saying it's not, I just don't have to agree *(laughter)*.

09:46AM 52

53 **CHAIRMAN DONNELLY:**

54 Yeah, you don't. That's fine.

55

56

1 **LEG. FLEMING:**
2 The discharge motion goes first, so.

3
4 **CHAIRMAN DONNELLY:**
5 Legislator Flotteron.

6
7 **LEG. FLOTTERON:**
8 What is the internal problems you're concerned with?

9
09:46AM 10 **CHAIRMAN DONNELLY:**
11 I'm just curious as to how the grant funding is being used. Does
12 it involve other agencies? Does it involve other law enforcement
13 agencies? Does it involve Fire, Rescue, EMS agencies.

14
15 **LEG. FLOTTERON:**
16 What is the concern with that? I mean, it's radios to improve our
17 services, that's what I'm -- I guess I don't --

18
19 **CHAIRMAN DONNELLY:**
09:47AM 20 But that's what we want to know, we want specifics.

21
22 **LEG. FLEMING:**
23 Yeah, it's reasonable.

24
25 **CHAIRMAN DONNELLY:**
26 Okay. So we'll do the motion to approve by Legislator Berland.
27 Seconded by Legislator Kennedy; or no? You're good?

28
29 **MS. SIMPSON:**
09:47AM 30 Well, are we withdrawing -- the discharge would go first. So is
31 the discharge motion still on the floor? Because discharge goes
32 before approval; approval is always the last option.

33
34 **LEG. FLEMING:**
35 But is there a second on the approval motion?

36
37 **CHAIRMAN DONNELLY:**
38 What do you want to do, Leslie? Sorry to put you on the spot.

39
09:47AM 40 **LEG. KENNEDY:**
41 You know what? I have to agree with Susan Berland.

42
43 **CHAIRMAN DONNELLY:**
44 Okay. So you'll second?

45
46 **LEG. KENNEDY:**
47 I know the objection. We will -- if we don't get an answer on
48 Tuesday --

49
50 **MS. SIMPSON:**
51 So you'll second the approval?

52
53 **LEG. KENNEDY:**
54 I'm seconding to approve.

1 **CHAIRMAN DONNELLY:**
2 Will you second to approve?

3
4 **LEG. KENNEDY:**
5 Yes.

6
7 **CHAIRMAN DONNELLY:**
8 That's all I wanted to know. Okay, so we have a motion and a
9 second to approve. All in favor?

09:48AM 10

11 **MS. SIMPSON:**
12 Wait, wait.

13
14 **CHAIRMAN DONNELLY:**
15 Oh, discharge goes first.

16
17 **MS. SIMPSON:**
18 The discharge still goes first, yeah.

09:48AM 19

20 **CHAIRMAN DONNELLY:**
21 And then we have a motion by Legislator Hahn, seconded by
22 Legislator Fleming to discharge without recommendation.

23
24 **MS. ELLIS:**
25 I need a clarification on the second for the discharge without
26 recommendation.

27
28 **CHAIRMAN DONNELLY:**
29 Legislator Fleming.

30
31 **MS. ELLIS:**
32 Okay, thank you.

33
34 **CHAIRMAN DONNELLY:**
35 Okay, so discharge without recommendation. All in favor?

36
37 *(*Legislators Sunderman, Hahn, Donnelly & Fleming*
38 *Raised their hand in favor of discharge without recommendation*)*

09:48AM 39

40 Opposed?

41
42 *(*Legislators Berland, Flotteron, Gonzalez & Kennedy raised*
43 *their hand in opposition to discharge without recommendation*)*

44
45 So we have a tie, right?

46
47 **MS. SIMPSON:**
48 Yes. So the discharge fails.

49
50 **CHAIRMAN DONNELLY:**
51 So the discharge fails. A motion --

52
53 **MS. SIMPSON:**
54 Now we have the motion to approve.

55
56

1 **CHAIRMAN DONNELLY:**

2 Motion to approve by Legislator Berland. Seconded by Legislator
3 Kennedy. All in favor? Opposed?

4
5 *(*Chairman Donnelly raised his hand in opposition*)*

6
7 Okay. So the motion to approve goes, okay. (**Approved - 7/1/0/1 -**
8 **Opposed: Chairman Donnelly - Not Present: Legislator Spencer**).

9
10 So just be prepared, Lieutenant, if you don't mind, on those
11 specific issues. It's not going to be on the Consent Calendar.
12 I just really want an explanation because I'm all concerned from a
13 variety of some of the secondary PSAPS about their funding. I know
14 this isn't directly related to that, but in my little, simple view
15 of the world it is all interrelated. Okay? Thank you.

16
17 And then the last resolution that we have is **Resolution No.**
18 **1184(-2020) - Accepting and appropriating a grant in the amount of**
19 **\$66,745 in Federal pass-through funding from the State of New York**
20 **Division of Criminal Justice Services for the Suffolk County Police**
21 **Department's Stop Violence Against Women 2020 Formula Grant program**
22 **with 75% support (County Executive)**. I'll take a motion to approve
23 by Legislator Fleming.

24
25 **LEG. KENNEDY:**

26 Second.

27
28 **CHAIRMAN DONNELLY:**

29 Seconded by Legislator Kennedy. All in favor? Opposed?
30 Abstentions?

31
32 I have no Procedural Motions and we have nothing subject to call.

33
34 I am going to give Legislator Spencer an excused absence. He is
35 dealing with a critical emergency and was going to be several
36 minutes late, so he should be here any moment.

37
38 Any other business before this committee? No? Seeing none, I'll
39 take a motion to adjourn by Legislator Berland. Seconded by --

40
41 *(*Legislator Spencer entered the meeting at 9:49 a.m.*)*

42
43 -- Legislator Fleming.

44
45 **LEG. SPENCER:**

46 I'm here, no excused.

47
48 **CHAIRMAN DONNELLY:**

49 No excused absence?

50
51 **LEG. SPENCER:**

52 No excused absence.

53
54 **CHAIRMAN DONNELLY:**

55 I see you, Doc.

(**Laughter**)

Since we're hot on this, we seem to be hot on this issue, Legislator Spencer is present and accounted for at the Public Safety Committee. So we have a motion to adjourn. Seconded by Legislator Kennedy. We are adjourned.

(The meeting was adjourned at 9:50 a.m.**)**

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