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NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,
Presiding Officer

PUBLIC SAFETY COMMITTEE

DENNIS DUNNE, Chairman

1550 Franklin Avenue
Mineola, New York

Monday, December 3, 2012
1:20 P.M

REGAL REPORTING SERVICE
(516) 747-7353

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A P P E A R A N C E S :

DENNIS DUNNE ,
Chairman

JOSEPH BELESI ,
Vice Chairman

DENISE FORD

MICHAEL VENDITTO

JOSEPH SCANNELL ,
Ranking

DAVID DENENBERG

WAYNE WINK

WILLIAM J. MULLER , III
Clerk of the Legislature

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LIST OF SPEAKERS

JOE AVELLA, Nassau County,
 Medical Examiner's Officer.....5

GREG STEPHANOFF, Sergeant,
 Nassau County Police Department.....8

TOM DELANEY, Nassau County OEM.....15

GREG MAY, Director of Legislative Affrs...18

EDWARD SHANK, attorney for
 Nassau County Probation Department.....19

Public Safety Committee/12-3-12

2 CHAIRMAN DUNNE: Will the members
3 of the Public Safety Committee please take
4 their seats? I'm going to call the Public
5 Safety Committee to order. I will be the
6 clerk and take attendance first. Legislator
7 Wink?

8 LEGISLATOR WINK: Here.

9 CHAIRMAN DUNNE: Legislator Dave
10 Denenberg?

11 LEGISLATOR DENENBERG: Here.

12 CHAIRMAN DUNNE: Ranking Member
13 Legislator Joe Scannell?

14 LEGISLATOR SCANNELL: Here.

15 CHAIRMAN DUNNE: Legislator
16 Michael Venditto?

17 LEGISLATOR VENDITTO: Here.

18 CHAIRMAN DUNNE: Legislator
19 Denise Ford?

20 LEGISLATOR FORD: Here.

21 CHAIRMAN DUNNE: Vice Chairman
22 Joe Belesi?

23 LEGISLATOR BELESI: Here.

24 CHAIRMAN DUNNE: And chairman,
25 Dennis Dunne, I'm here. We have a quorum.

Public Safety Committee/12-3-12

2 The first item on today's calendar is Item
3 672-12, an ordinance supplemental to the
4 annual appropriation ordinance in connection
5 with the Office of the Medical Examiner's
6 Office. Is there someone from the Medical
7 Examiner's Office here?

8 MR. MAY: Yes. Mr. Joe Avella.

9 CHAIRMAN DUNNE: Joe, tell us
10 what this is for.

11 MR. AVELLA: This is a grant
12 administered by DCGS, New York State DCGS,
13 and it's used to support the ongoing
14 operations of the DNA lab.

15 LEGISLATOR BELESI: So moved.

16 LEGISLATOR FORD: Second.

17 CHAIRMAN DUNNE: Motion by
18 Legislator Belesi, seconded by Denise Ford.

19 Now, any legislators have any
20 questions on this?

21 LEGISLATOR DENENBERG: I had a
22 question.

23 CHAIRMAN DUNNE: Legislator Dave
24 Denenberg.

25 LEGISLATOR DENENBERG: Now,

Public Safety Committee/12-3-12

2 what's the amount? Is this \$22,000?

3 MR. AVELLA: \$22,000, correct.

4 LEGISLATOR DENENBERG: This money
5 is coming from where?

6 MR. AVELLA: This is a grant that
7 is I believe originated as the Paul
8 CoverDell Grant. It's a federal grant that
9 is administered by New York State Department
10 of Criminal Justice Services.

11 LEGISLATOR DENENBERG: We still
12 qualify for this grant even though the
13 medical examiner's office -- I thought that
14 we haven't been operating. I thought we
15 were going up to -- isn't this the forensic
16 lab?

17 MR. AVELLA: There are several
18 forensic labs that are still in operation
19 and have always been, so there was no change
20 in service. This is one of those
21 laboratories.

22 LEGISLATOR DENENBERG: How is
23 this different than --

24 MR. AVELLA: This particular one
25 is the department of forensic genetics.

Public Safety Committee/12-3-12

2 That department was unaffected. There were
3 no changes.

4 LEGISLATOR DENENBERG: So this
5 has nothing to do with the police lab?

6 MR. AVELLA: Correct.

7 LEGISLATOR DENENBERG: Okay.

8 Thank you.

9 CHAIRMAN DUNNE: Any legislators
10 have any other questions?

11 (No verbal response.)

12 Is there any public comment?

13 (No verbal response.)

14 There being none, all those in
15 favor indicate by saying aye.

16 (Aye.)

17 Any against?

18 (No verbal response.)

19 So passed. The next committee is
20 finance with that.

21 CHAIRMAN DUNNE: The next item is
22 Item 702-12, an ordinance supplemental to
23 the annual appropriations ordinance in
24 connection with the Police Department. We
25 also have 704-12 with the police, 705-12 for

Public Safety Committee/12-3-12

2 the police. You can take all three at this
3 time. Motion for all three items.

4 LEGISLATOR FORD: So moved.

5 LEGISLATOR BELESI: Second.

6 CHAIRMAN DUNNE: Motion by
7 Legislator Ford, seconded by Legislator
8 Denise Belesi. We'll take 702 first and
9 then we'll go to 704 and 705.

10 SERGEANT STEPHANOFF: Good
11 afternoon. Sergeant Greg Stephanoff again.
12 Item 702 is a grant from the New York State
13 Department of Criminal Justice for \$50,000.
14 This money is going to be used to focus on
15 under 21 drinking nightclub problem, in
16 nightclubs, nightclub situations. It's also
17 going to be used to buy some equipment,
18 license plate reader, window tint readers,
19 just to help the officers with their
20 enforcement.

21 CHAIRMAN DUNNE: Is there a
22 window tint reader, what is --

23 SERGEANT STEPHANOFF: Window tint
24 readers measure to make sure that the
25 tinting is legal on the cars.

Public Safety Committee/12-3-12

2 CHAIRMAN DUNNE: That's pretty
3 cool. I never knew they had that before.
4 On 702 we have a question on 702.
5 Legislator Ford.

6 LEGISLATOR FORD: Also, thank you
7 very much because I know that you did some
8 stings during the past couple of weeks and
9 found some places selling to underage
10 drinkers. So I appreciate the efforts, with
11 everything else that's going on.

12 But with this equipment here, I
13 know with the nightclub and the drinking
14 establishments, does any of this cover,
15 like, the noise measurement meters that you
16 may have, or would that be under something
17 else?

18 SERGEANT STEPHANOFF: I think the
19 noise level is -- I think that's when you
20 bring in the fire marshal in the town, they
21 would have inspectors.

22 LEGISLATOR FORD: Okay. So that
23 would be the actual local zoning
24 jurisdiction rather than the police?

25 SERGEANT STEPHANOFF: I believe

Public Safety Committee/12-3-12

2 so, yes.

3 LEGISLATOR FORD: Thank you very
4 much.

5 CHAIRMAN DUNNE: 720, any other
6 legislator? Legislator Denenberg.

7 LEGISLATOR DENENBERG: With
8 respect to what Legislator Ford just said,
9 each town would have an ordinance on noise
10 level, but they often, in the village of
11 Freeport, the Freeport Police ends up
12 enforcing and they have decimeters.

13 I don't know that any town code
14 people -- I think Town of Hempstead has all
15 of six people to enforce noise violations.
16 I know throughout my district that if it's
17 the summer and people are complaining about
18 a party, or their they're complaining that a
19 business is breaking the noise code, the
20 only people that are going to be responding
21 is the Nassau County Police. They're the
22 only ones who would have a squad car in the
23 area if there's a party on a Friday or
24 Saturday night. And they're the only ones
25 that are going to be around 10, 11:00 in a

Public Safety Committee/12-3-12

2 business area. So how would we -- I mean
3 Nassau police can enforce town code, such as
4 the noise level --

5 SERGEANT STEPHANOFF: Without
6 using I guess a piece of equipment, if you
7 hear it for a certain amount of blocks, you
8 can also enforce it as well. I don't think
9 you always have to get piece of equipment
10 out for the decibel readings.

11 LEGISLATOR DENENBERG: So we
12 don't have a decimeter or something that
13 measures the decibel levels?

14 SERGEANT STEPHANOFF: Not that
15 I'm aware of. I can find out, but not that
16 I'm aware of.

17 LEGISLATOR DENENBERG: I'm just
18 wondering, I mean, I think that the police
19 do a very good job in those quality of life
20 type issues, but without -- I mean, how do
21 you judge whether someone's breaking a code
22 that says, I believe it's 30 decibels is the
23 code in the Town of Hempstead, as well as
24 the Village of Freeport. No one has an ear
25 that can measure 30 decibels.

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2 So, I mean, how do we enforce
3 that code as the police department who is
4 always going to be the ones responding to
5 the 911 call on a weekend or at night?

6 SERGEANT STEPHANOFF: I can find
7 that out. Offhand, I'm not sure.

8 CHAIRMAN DUNNE: Any other
9 legislators have any questions on this?

10 (No verbal response.)

11 Is there any public comment?

12 (No verbal response.)

13 There being none, all those in
14 favor of 702-12 indicate by saying aye.

15 (Aye.)

16 Any against?

17 (No verbal response.)

18 Any abstentions?

19 (No verbal response.)

20 Item passes and goes on to
21 finance. 704 and 705 are both ordinances
22 supplemental to the annual appropriation
23 ordinance in connection with the police
24 department. So we'll do 704 right now.

25 SERGEANT STEPHANOFF: Item 704 is

Public Safety Committee/12-3-12

2 a Homeland Security Grant for \$386,500.
3 This is used to combat terrorism, for
4 exercises and drills as well as classroom
5 training and office, some equipment
6 purchases too.

7 CHAIRMAN DUNNE: Any questions
8 from any of the legislators?

9 (No verbal response.)

10 Is there any public comment?

11 (No verbal response.)

12 There being none, all those in
13 favor indicate by saying aye.

14 (Aye.)

15 Any against?

16 (No verbal response.)

17 Any abstentions?

18 (No verbal response.)

19 There being none, it passes and
20 moves on to finance.

21 705 now.

22 SERGEANT STEPHANOFF: 705 is a
23 grant also from New York State Homeland
24 Security. This will provide 55,023 for
25 extra enforcement on our waterways to combat

Public Safety Committee/12-3-12

2 terrorism also.

3 CHAIRMAN DUNNE: Any legislators
4 have any questions?

5 (No verbal response.)

6 Is there any public comment?

7 (No verbal response.)

8 There being none, all those in
9 favor indicate by saying aye.

10 (Aye.)

11 Any against?

12 (No verbal response.)

13 Any abstentions?

14 (No verbal response.)

15 There being none -- I would like
16 you to stay here because you're involved in
17 one of the other ones, 709. We're going to
18 call 709-12. Item 709-12, an ordinance
19 supplemental to the annual appropriations
20 ordinance in connection with the Health
21 Department, Police Department, Office of
22 Emergency Management and Fire Commission.

23 MR. MAY: Mr. Chairman, if we can
24 also call Clerk Item 703, these are actually
25 being primarily handled by the Office of

Public Safety Committee/12-3-12

2 Emergency Management. We have Mr. Tom
3 Delaney here to answer any questions on this
4 item. Obviously Sergeant Stephanoff can
5 stay here if there are any questions on his
6 part. But this is an OEM lead item.

7 CHAIRMAN DUNNE: Okay. Ordinance
8 703-12 is an ordinance supplemental to the
9 annual appropriation ordinance in connection
10 with the police department, office of
11 medical examiner, the office of emergency
12 management and the corrections department.

13 Now, motion on these two items.

14 LEGISLATOR FORD: So moved.

15 LEGISLATOR VENDITTO: Second.

16 CHAIRMAN DUNNE: Motion by
17 Legislator Ford, seconded by our newest
18 legislator, Mr. Venditto. What do we have
19 on this?

20 MR. DELANEY: Tom Delaney, Office
21 of Emergency Management. These are the
22 Homeland Security Grants, Uwasi and SHSP
23 that we've been receiving every year from
24 New York State. These are actual federal
25 grants, passed through New York State.

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2 The intent of these grants is to
3 help build our capabilities and strengthen
4 against terrorism. The monies are divided
5 amongst several departments, as you've
6 listed, or as you named them before in this.

7 We put a request to these
8 departments about what their needs are so we
9 can build these capabilities and then we
10 appropriate funds as to try to build these,
11 again, capabilities.

12 CHAIRMAN DUNNE: So what's the
13 difference between 703 and 709, there's a
14 couple of different departments involved in.

15 MR. DELANEY: Well, one of them
16 is the SHSP Grant. That's the 703. The 709
17 is the Uwasi Grant. SHSP is State Homeland
18 Security Program. Uwasi is the urban area
19 security initiative.

20 We get the SHSP because we're
21 part of New York State. We get the Uwasi
22 because we're in the New York City urban
23 area security group.

24 CHAIRMAN DUNNE: Now you said we
25 get the shift, F-T, right?

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2 MR. DELANEY: SHSP, S-H-S-P.

3 CHAIRMAN DUNNE: All right. I
4 thought you said something else.

5 LEGISLATOR VENDITTO: So moved.

6 LEGISLATOR BELESI: Second.

7 CHAIRMAN DUNNE: Motion by
8 Legislator Venditto, seconded by Legislator
9 Belesi.

10 Any legislators have any
11 questions on this?

12 (No verbal response.)

13 Is there any public comment?

14 (No verbal response.)

15 There being none, all those in
16 favor indicate by saying aye.

17 (Aye.)

18 Any against?

19 (No verbal response.)

20 Any abstentions?

21 (No verbal response.)

22 There being none, this goes on to
23 finance. We can now go to item 712. 712 is
24 an ordinance supplemental to the annual
25 appropriations ordinance in connection with

Public Safety Committee/12-3-12

2 the Correctional Center.

3 LEGISLATOR BELESI: So moved.

4 LEGISLATOR VENDITTO: Second.

5 CHAIRMAN DUNNE: Motion by
6 Legislator Belesi, seconded by Legislator
7 Venditto. Who is here to speak on the
8 correction officers?

9 MR. MAY: We have me today, Mr.
10 Chairman. Captain Keith Sather regrets to
11 say that he couldn't come today. He is
12 having surgery today.

13 CHAIRMAN DUNNE: Do you know what
14 it's about?

15 MR. MAY: Absolutely. This is
16 the federal forfeiture funds that we receive
17 from the federal drug enforcement agency.
18 These funds cannot be used replace county
19 funds in any of our programs. They can
20 only be used to supplement our funds.

21 Specifically, these funds will be
22 used to purchase uniforms, and equipment,
23 and training, and in this case, SERT is not
24 C-E-R-T, it's not civilian emergency
25 response team, it's the sheriff's emergency

Public Safety Committee/12-3-12

2 response team, S-E-R-T.

3 CHAIRMAN DUNNE: Excellent. Any
4 legislators have any questions?

5 (No verbal response.)

6 Is there any public comment?

7 (No verbal response.)

8 There being none, all those in
9 favor indicate by saying aye.

10 (Aye.)

11 Any against?

12 (No verbal response.)

13 Any abstentions?

14 (No verbal response.)

15 There being none, it passes. It
16 goes on to finance. Next is Item 713-12, an
17 ordinance supplemental to the annual
18 appropriations ordinance in connection with
19 the Department of Probation. Do we have
20 someone from probation?

21 MR. MAY: We have Mr. Ed Shank
22 here from probation. Mr. Shank.

23 MR. SHANK: Good afternoon. Ed
24 Shank. 713 is for \$18,891. It's a grant
25 from the New York State Division of Criminal

Public Safety Committee/12-3-12

2 Justice Services. It's for a program that
3 provides pretrial release and bail reports
4 to the court, post arraignment, including
5 recommendations on release status and
6 community based treatment plans and
7 supervision. This is extensive to June
8 30th, 2013.

9 This grant had been a previous
10 calendar year grant and the state this year
11 changed the funding period through July 1st
12 to June 30th. So this is for the additional
13 six months beginning January 1 and we'll
14 pick up again next July for which there will
15 be a separate supplement.

16 CHAIRMAN DUNNE: Excellent.

17 LEGISLATOR VENDITTO: So moved.

18 LEGISLATOR BELESI: Second.

19 CHAIRMAN DUNNE: Motion by
20 Legislator Venditto, seconded by Legislator
21 Belesi. Any legislators have any questions
22 on this item?

23 (No verbal response.)

24 Is there any public comment?

25 (No verbal response.)

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2 There being none, all those in
3 favor indicate by saying aye.

4 (Aye.)

5 Any against?

6 (No verbal response.)

7 Any abstentions?

8 (No verbal response.)

9 This now passes onto finance. We
10 now have an addendum. The addendum is -- we
11 need a motion to suspend the rules so we can
12 do the addendum.

13 LEGISLATOR BELESI: So moved.

14 LEGISLATOR VENDITTO: Second.

15 CHAIRMAN DUNNE: Motion by
16 Legislator Belesi, seconded by Legislator
17 Venditto. On the addendum, it's 715-12, an
18 ordinance supplemental to the annual
19 appropriations ordinance in connection with
20 the Department of Probation once again.
21 What is this about?

22 MR. SHANK: Edward Shank, Nassau
23 County Probation. This has two different
24 grants on it. The first two items were
25 \$125,345 and \$13,887 are part of our

Public Safety Committee/12-3-12

2 Alternatives to Incarceration Grant from the
3 New York State Division of Criminal Justice
4 Services.

5 The first item for \$125,000
6 includes pretrial screenings and interviews
7 for the determination of release for low
8 risk offenders. The \$13,887 is for
9 community service cases that are a part of
10 the sentence.

11 Again, this is extended through
12 June 30, 2013. This was also part of the
13 same grant that I previously spoke about.

14 The last item for \$275,000 is for
15 the traffic safety. This is DWI money, and
16 it's to support community supervision of
17 approximately 3,000 offenders on probation
18 in Nassau for drunk driving.

19 In addition to paying the salary
20 of one of our 16 DWI probation officers, the
21 funding is used to underwrite off hour field
22 operations.

23 As of October 31st, 2012, the
24 probation department has made 2,748
25 unannounced visits to homes of drunk

Public Safety Committee/12-3-12

2 drivers. The goal is to help those
3 probations working with us to improve
4 themselves to succeed and to identify and to
5 hold fully accountable those probations who
6 do not.

7 CHAIRMAN DUNNE: We want you to
8 keep up the good work. Motion?

9 LEGISLATOR VENDITTO: So moved.

10 LEGISLATOR FORD: Second.

11 CHAIRMAN DUNNE: We have a motion
12 on Item 715-12 by Legislator Venditto,
13 seconded by Legislator Ford. Any
14 legislators have any questions?

15 (No verbal response.)

16 Is there any public comment?

17 (No verbal response.)

18 There being none, all those in
19 favor indicate by saying aye.

20 (Aye.)

21 Any against?

22 (No verbal response.)

23 Any abstentions?

24 (No verbal response.)

25 It moves on to finance. That

Public Safety Committee/12-3-12

2 concludes all of the items on the calendar
3 for the Public Safety Committee.

4 May I have a motion to adjourn,
5 please?

6 LEGISLATOR BELESI: So moved.

7 LEGISLATOR FORD: Second.

8 CHAIRMAN DUNNE: Moved by
9 Legislator Belesi, seconded by Denise Ford.

10 All those in favor, signify by
11 saying aye.

12 (Aye.)

13 Any against?

14 (No verbal response.)

15 We're now adjourned. We have
16 Planning next.

17 (Whereupon, the Public Safety
18 Committee adjourned at 1:39 p.m.)

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C E R T I F I C A T E

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this 13th day of December, 2012.

FRANK GRAY