

NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,
PRESIDING OFFICER

PUBLIC SAFETY COMMITTEE

DENNIS DUNNE,
CHAIRMAN

1550 Franklin Avenue
Mineola, New York

February 10, 2014
4:40 p.m.

REGAL REPORTING SERVICES
516-747-7353

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

DENNIS DUNNE
Chair

DONALD MACKENZIE
Vice-Chair

VINCENT MUSCARELLA

DENISE FORD

LAURA CURRAN
Ranking

DAVID DENENBERG

KEVAN ABRAHAMS

WILLIAM J. MULLER III, Clerk

LIST OF SPEAKERS

GREG MAY. 5
CHRIS MISTRON 5
GREG STEPHANOFF 17
BOB MCMANUS 25
TIM HAHN. 27

2 CHAIRMAN DUNNE: I call the Public
3 Safety Committee to order. I'll act as the clerk
4 and I'll call the roll.

5 Legislator Abrahams?

6 LEGISLATOR ABRAHAMS: Here.

7 CHAIRMAN DUNNE: Legislator Denenberg?

8 LEGISLATOR DENENBERG: Here.

9 CHAIRMAN DUNNE: Ranking Member Laura
10 Curran?

11 LEGISLATOR CURRAN: Here.

12 CHAIRMAN DUNNE: Legislator Walker?

13 LEGISLATOR WALKER: Here.

14 CHAIRMAN DUNNE: Legislator Muscarella?

15 LEGISLATOR MUSCARELLA: Here.

16 CHAIRMAN DUNNE: Legislator Don
17 MacKenzie?

18 LEGISLATOR MACKENZIE: Here.

19 CHAIRMAN DUNNE: And I'm here. We have
20 a quorum.

21 The first item to come before this
22 committee is Item 40-14, an ordinance
23 supplemental to the annual appropriation

ordinance in connection with the Traffic Safety Board.

41-14 is with the Traffic Safety Board.

42-14 is the same, with the Traffic Safety Board.

54-14 is with the Traffic Safety Board.

If nobody on this committee has any objection, we'll call all of them at the same time. Is everybody okay with that?

LEGISLATOR MUSCARELLA: So moved.

LEGISLATOR WALKER: Second.

CHAIRMAN DUNNE: Moved by Legislator Vincent Muscarella, seconded by Legislator Walker.

Who do we have to talk to us today?

MR. MAY: We have Mr. Christopher Mistrion from the Traffic Safety Board.

CHAIRMAN DUNNE: Okay. Mr. Mistrion, could you give us a -- one at a time. We'll go with 40-14 first.

MR. MISTRON: 40-14, the Stop DWI Coordinator Association secured a grant through the governor's traffic safety committee to distribute to DWI programs around the state, for

special holiday enforcement periods. This will help supplement what monies we do receive through our normal DWI program. Specifically earmarked for this year is Memorial Day, July 4th, and Labor Day. This is going to be shared, as the backup shows or should show, between the NCPD as well as several other village/city departments. They are all working within cooperation during these periods.

CHAIRMAN DUNNE: Any questions from any legislator on this item? Yes.

LEGISLATOR DENENBERG: Basically all three. You want to let him talk about all three?

CHAIRMAN DUNNE: We're doing four together. We'll have questions after you explain each of them.

41-14 is what?

MR. MISTRON: It is our normal appropriation for the Stop DWI grant itself. All estimates of the expenditures are based upon revenues that come in from the fines. It's distributed through several different locations - the NCPD, the other villages for enforcement, the district attorney for funding, prosecutors for

1 the events, probation to be able to follow the
2 people once they go through the court,
3 rehabilitation, and then also administrative
4 expenses.
5

6 CHAIRMAN DUNNE: And then 42-14.

7 MR. MISTRON: 42-14 is the child safety
8 passenger grant. We receive a grant each year
9 that allows us to buy materials to continue doing
10 the program; something as easy as pool noodles,
11 which we use to address, rear facing seats, to
12 seats themselves. Again, it's for the ongoing
13 program both at the fitting station and the
14 mobile, when I come into the different
15 legislative districts.

16 CHAIRMAN DUNNE: Okay. And 54-14?

17 MR. MISTRON: Gone are the days of the
18 Buckle-Up grant and the Step grant, which was a
19 special traffic enforcement program. They've
20 been rolled into one grant called the Police
21 Traffic Services Grant. This particular grant is
22 to identify -- will be used for a specific period
23 of time in the end of May and June for Buckle-Up
24 enforcement as well as aggressive driving. And
25 the new component that has been instituted is

1 pedestrian safety, where police will be operating
2 both in identifying driver's failure to yield to
3 pedestrians, as well as this year with the
4 training and the police officer will be
5 identifying pedestrians that are not crossing
6 properly also. So we will be trying to identify
7 all facets of safety.

8
9 CHAIRMAN DUNNE: And where are you going
10 to be doing that education?

11 MR. MISTRON: The education was already
12 done as part of -- last year with the police
13 officers. So the police officers were trained
14 last year; this year is when they're going to
15 start implementing programs to address the
16 pedestrian -- with the pedestrians and
17 enforcement purposes.

18 CHAIRMAN DUNNE: Educating the public --

19 MR. MISTRON: That's the ongoing thing
20 that traffic safety is doing. That we'll
21 actually see in the coming weeks with contracts
22 that we work with other groups to help educate.
23 Yes, we have an ongoing program right now within
24 the schools, with video that was produced and so
25 on, to try to continue the pedestrian. We had

1 the opportunity, if you recall several months
2 back, to meet with both caucuses to discuss
3 coming into the districts and actually doing
4 education for the pedestrian safety with all of
5 the different civic groups and community groups
6 within your districts. So now we're at the point
7 where we will be able to start that.

8
9 CHAIRMAN DUNNE: Excellent.

10 Legislator Denenberg, you had a question
11 on three of these?

12 LEGISLATOR DENENBERG: Yeah. Hey,
13 Chris. Thanks for the work you do. One after
14 another, they're all good programs.

15 Is the money from these grant programs
16 reduced from last year, the same as last year?
17 What's the picture? This is three of your main
18 sources of funding, right?

19 MR. MISTRON: Well, when it comes to the
20 police traffic services grant, it's actually a
21 little bit more than the combined Stop -- I mean,
22 Buckle-Up and Step grants. I was able to secure
23 a little bit more money for purposes of
24 pedestrian. So that one is a little bit higher.
25 When it comes to the GWI, we're close to 30

percent decrease. Unfortunately the revenue in 2012 - rather, 2013, came in quite less. I was able to maintain the budget from prior year surpluses. But the DWI grant is roughly a 30 percent decrease from prior years.

LEGISLATOR DENENBERG: And that's because of less?

MR. MISTRON: Because of less activity. Variety of reasons.

LEGISLATOR DENENBERG: So that could be good in a way, right?

MR. MISTRON: I would like to think it's because they're not there.

LEGISLATOR DENENBERG: All right. It just -- so 30 percent reduced. How much in terms of actual dollar figures is that?

MR. MISTRON: We're looking at about \$230,000 less. The one thing about that is that in terms of the educational programs that we've been providing over the years, they are pretty much being maintained. We were able to maintain that. The one nice thing was that because of that Stop DWI coordinator's grant for the holiday enforcement, that was able to absorb some of the

1 cost or provide monies for the reduction that we
2 had to enforcement.

3
4 LEGISLATOR DENENBERG: Did the
5 consolidations that went through, did that have
6 any effect on your budget? Would it have helped
7 because you're not going to as many precincts as
8 you were before? Did it hurt? Did it have no
9 effect?

10 MR. MISTRON: I don't believe it had
11 effect because you still have the same number of
12 sector cars out there. And when it comes to DWI,
13 those are assigned mostly as special patrols and
14 specifically assigned for DWI use. So it's not
15 necessarily the officer's doing, because of their
16 work, that make most of these arrests.

17 LEGISLATOR DENENBERG: As far as your
18 classes or what you -- the service that you
19 perform, how did it change or affect you? Did it
20 add, reduce? You're not going to as many
21 precincts, I guess.

22 MR. MISTRON: We're looking that the
23 funding for enforcement has been reduced;
24 probably they took one of the largest hits.
25 Again, I was able to be able to fix or retrieve

some of that lost money through another grant.
In overall dollars, maybe the PDs are seeing
maybe more like a 15 percent decrease.

LEGISLATOR DENENBERG: Okay. Just
wanted to see what, if any, effect this
consolidation had on it. But I do see that your
funding is down quite a bit, so it's going to
make it a tougher year for you. But give the
great service you do, I hope you're able to find
money elsewhere.

Thanks.

CHAIRMAN DUNNE: Legislator Denenberg,
did you want to break any of these down or do you
want to do it in bulk?

Legislator Curran.

LEGISLATOR CURRAN: Thank you. For 54-
14, I'm just curious to know how the money is
divided among the villages, among the village
police departments. What's the criteria for
divvying it up?

MR. MISTRON: Normally what it was was if
you look at the last page, the breakdown, as a
matter of fact there were three columns. I was
going back and forth with the state with my

1 original request, they followed up, and so. I
2 included all of that.
3

4 The monies that are distributed to the
5 villages is more based on historic enforcement
6 over the years. So what I do is at the end of
7 each grant period I get a progress report from
8 them. I actually sit down and I look to see
9 whether or not the arrests match what the grant
10 was for. In some cases, I have actually cut
11 complete money out of a department. An example
12 is if we're paying for a program. This is
13 enhancement money. So if I find that a
14 department made only their, say, seatbelt tickets
15 during the grant period, that's not the purpose
16 of this grant; it's to enhance not to supplant.
17 And the state comes after us for that, for not
18 monitoring it properly.

19 These numbers are from historic. Some of
20 the numbers are increased because of different
21 departments' participation in that training for
22 the pedestrian safety. And some of it is a
23 little bit - a few cuts because maybe during the
24 period they just didn't produce anything in the
25 time that they were on the road.

CHAIRMAN DUNNE: Okay. There being no other questions, any public comment?

(No verbal response.)

There being none. Item 40-14, 41-14, 42-14, and 54-14, all in favor indicate by saying aye.

(Aye.)

Any against?

(No verbal response.)

It passes unanimously.

Chris, before you leave, I'd like to entertain a motion to suspend the rules so we can go to the addendum.

LEGISLATOR WALKER: So moved.

LEGISLATOR MUSCARELLA: Second.

CHAIRMAN DUNNE: Motion by Rose Walker, seconded by Vince Muscarella.

The item you have on here, Chris, is 59-14.

MR. MISTRON: Right.

CHAIRMAN DUNNE: It was made by Rose Walker, seconded by Vince Muscarella.

All in favor to have the rules suspended say aye?

(Aye.)

Any against?

(No verbal response.)

The rules are suspended.

Now, Chris, 59-14.

MR. MISTRON: What happens is that of the monies that are collected for people who park in handicapped spaces, the monies from the surcharges are shared between, by law, between the Department of Physically Challenged and Traffic Safety. We utilize our funding share for several educational components as well as special programs for special needs.

One of the ones that we do is we have, as part of our child safety seat program, we provide special services for families with special needs for trying to help those families on how to properly choose, to fit some very unique and very difficult seats, as well as we do special education within the communities with regards to special need transport and so on. So that is what that money is earmarked for.

CHAIRMAN DUNNE: Legislator MacKenzie made the motion on that, seconded by Legislator

Muscarella.

I received some phone calls today that, say, at L.A. Fitness in Levittown, the plows plowed all of the snow into the handicapped parking spots so the people that are handicapped that were going to the gym couldn't park their cars in the handicapped parking. Now that's private parking, right? That has nothing to do with --

MR. MISTRON: That would be private property. That has nothing to do with us.

CHAIRMAN DUNNE: So the owner would have to make a complaint and then the police could do it?

MR. MISTRON: I'm not enforcement. What we can do is we can reach out to -- if a complaint like that comes in, we can reach out to the owners of the area to try to suggest that they free up and clear out the handicapped parking spaces.

CHAIRMAN DUNNE: Because there were some seniors and some young -- well, he was on my football team in high school, a young guy. L.A. Fitness in Levittown, if you'd give them a call I

would appreciate it. I got a few calls on that.

MR. MISTRON: Sure.

CHAIRMAN DUNNE: On the item, which is an ordinance to supplement the annual appropriations ordinance in connection with the Traffic Safety Board, Item 59-14; all in favor indicate by saying aye.

(Aye.)

Any against?

(No verbal response.)

It passes unanimously.

The next item to come before us is Item 46-14, which is an ordinance supplemental to the annual appropriation ordinance in connection with the police department.

Item 47-14 is the same, with the police department.

Item 48-14 is same thing, with the police department.

We're going to bulk all three.

Moved by Legislator Walker, seconded by Legislator MacKenzie.

SERGEANT STEPHANOFF: Good afternoon.

Sergeant Greg Stephanoff again.

Item 46-14 is a domestic violent grant for \$899,721. This is also to buy caper alarms, that I was discussing earlier. These are the alarms that with one push of a button, it will send an alarm to our communications bureau and then they will immediately dispatch a control car.

These alarms are going to be dedicated, per the Department of Justice, from the Office of Violence Against Women for that purpose. They're going to be dedicated for that purpose.

CHAIRMAN DUNNE: Any question on this item? Legislator Curran.

LEGISLATOR CURRAN: I noticed last month also, in some of these specific grants, either from the state or from the federal government, there are four specific things: terrorism, violence against women, and I see it goes towards overtime. And I just wanted to make sure that that was proper, that it's a proper use of the money because I know overtime has increased; we've got to pay those bills. I want to make sure if we approve it that it's proper and it won't come to bite us later if those grants

aren't used for what they're supposed to be used for.

SERGEANT STEPHANOFF: What we do in the police department is with each grant we assign a grant manager. I work in personnel and accounting. We also make sure that the money -- what we do is we assign a code. If someone is working off a certain grant, they have to code it to that grant. We make sure that the work is performed. So we actually separate it in the payroll system and we make sure that it's used for that purpose.

LEGISLATOR CURRAN: So if it's overtime, it's overtime for this particular purpose?

SERGEANT STEPHANOFF: Yes.

LEGISLATOR CURRAN: Got it. Thanks.

CHAIRMAN DUNNE: Okay. Legislator Denenberg.

LEGISLATOR DENENBERG: Just to follow up on Legislator Curran's question. If it's overtime costs, I mean, is it overtime that is related to -- Legislator Curran's question was that the overtime would have to be related to the work being done for the grant.

2 SERGEANT STEPHANOFF: Yes.

3 LEGISLATOR DENENBERG: But are we just
4 saving the work to be done by the grant for only
5 overtime because during regular time the officer
6 is doing something else?

7 SERGEANT STEPHANOFF: No. A lot of the
8 grants are for enhanced patrols, in other words,
9 to do extra.

10 LEGISLATOR DENENBERG: Okay. So it can
11 automatically go to overtime?

12 SERGEANT STEPHANOFF: It will go out
13 because it will further -- whatever the roll call
14 is for that day, they'll enhance the roll call to
15 put out more cars. That's generally what the
16 grants do. The grants go above and beyond what
17 the normal patrol is.

18 LEGISLATOR DENENBERG: So it would
19 typically be overtime then?

20 SERGEANT STEPHANOFF: Yes. Because it's
21 going to be -- it's going to add to more than
22 what the compliment is.

23 LEGISLATOR DENENBERG: Enhanced patrol
24 or enhanced number of patrol?

25 SERGEANT STEPHANOFF: Yes.

LEGISLATOR DENENBERG: Okay. Thanks.

CHAIRMAN DUNNE: Okay. Next item is 47-14.

SERGEANT STEPHANOFF: 47-14 is a justice assistance grant. This grant is going to go for purchasing of cameras that have been linked to our shotspotter system. And when the system recognizes a bullet shot, it's going to hone in the cameras and I think triangulate in the direction of where the shot comes from. There's also some salary in there for some training also. And it's going to be used for -- the overtime is going to be used for gun violence, to patrols against gun violence.

CHAIRMAN DUNNE: When the commissioner -- I forget who the heck it was -- first brought this into being with -- you brought us down to, I think it was the rifle range, and showed us how it worked, the triangulation, and that was just with the sound.

SERGEANT STEPHANOFF: This is going to bring video into --

CHAIRMAN DUNNE: Are you going to give us a demonstration? The member of this committee

will be invited to --

SERGEANT STEPHANOFF: I could ask.

CHAIRMAN DUNNE: Could you make that possible so we could see how it works? It sounds very interesting. It's technology at its best.

And 48-14 -- unless anybody has questions on this. Okay. 48-14.

SERGEANT STEPHANOFF: 48-14, this is a port security grant for \$3,027,614. There is a county match of \$1,018,454. This grant is in a couple of parts.

The first part is going to outfit our AB Bureau, the helicopters with day and night cameras. And what that's going to do is that's going to give a live feed directly to the ground so that if the helicopter flying over, he doesn't have to communicate by radio what he sees; it's going to link directly to a command center or to CB. Also, if there is an area of interest, they can GPS exactly where the location is so that -- marine bureau will be linked to this, because it can be done over water or over land all over the county.

This is in partnership with New York/New

Jersey Ports, because we're responsible for maintaining the waterways, the Nassau County waterways. It could also be used for any incident. It's homeland security, but it also could be used for any major incident that comes around for the county.

CHAIRMAN DUNNE: Excellent.

SERGEANT STEPHANOFF: Also, the second part is going to be target harden Marine Bureau. It's going to be to put up fences, sensors, so this way nobody can - if any attack against marine bureau. It's for target hardening.

Then the third part is going to be to put sonar in the boats so they could use the sonar under the water, anything that's under the water that has to be identified.

CHAIRMAN DUNNE: Excellent. All three parts are included in this one?

SERGEANT STEPHANOFF: In this one grant, yes.

CHAIRMAN DUNNE: Excellent.

SERGEANT STEPHANOFF: And the match is going to be from capital.

CHAIRMAN DUNNE: Excellent. Any

question from any legislator?

(No verbal response.)

Any public comment?

(No verbal response.)

LEGISLATOR DENENBERG: Wait. The match is from capital?

SERGEANT STEPHANOFF: Yes.

LEGISLATOR DENENBERG: Okay. Because it's equipment that's more than a five year lifespan?

SERGEANT STEPHANOFF: Yes.

LEGISLATOR DENENBERG: Okay. Thanks.

LEGISLATOR MACKENZIE: I'm sorry. Can I just ask one question?

CHAIRMAN DUNNE: Sure.

LEGISLATOR MACKENZIE: In terms of the target hardening, is that only at the East Rockaway location or other marine bureau locations?

SERGEANT STEPHANOFF: I believe it's going to be dedicated to wherever we need it for the marine bureau locations. I think it's focused on East Rockaway. If any of the locations need anything.

CHAIRMAN DUNNE: That's north and south shore. Terrific.

Any public comment?

(No verbal response.)

There being none; Items 46-14, 47-14, and 48-14, all in favor indicate by saying aye.

(Aye.)

Any against?

(No verbal response.)

It passes unanimously.

Thank you.

53-14 is an ordinance supplemental to the annual appropriations ordinance in connection with the district attorney's office.

Legislator Muscarella makes a motion, seconded by Legislator Walker.

Who do we have to speak on this?

MR. McMANUS: Bob McManus, District Attorney's Office.

CHAIRMAN DUNNE: Okay. Mr. McManus, this is about?

MR. McMANUS: Your approval of this supplemental appropriation will enable the district attorney's office to utilize grant

funding awarded by the New York State Division of Criminal Justice Services. We use this funding to conduct investigations and prosecutions of motor vehicle theft and insurance fraud cases. Investigative efforts target healthcare practitioners and auto body shops suspected of committing fraud. This program also facilitates cooperation between law enforcement agencies and the insurance industry to combat this type of criminal activity.

CHAIRMAN DUNNE: Are there any questions from any legislator?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor indicate by saying aye.

(Aye.)

Any against?

(No verbal response.)

So moved. Goes on to Finance.

MR. McMANUS: Thank you.

CHAIRMAN DUNNE: We already suspended the rules. Part of the addendum is Item 58-14,

that's an ordinance supplemental to the annual appropriation ordinance in connection with the Department of Toxicology/Medical Examiner.

LEGISLATOR WALKER: So moved.

LEGISLATOR MACKENZIE: Second.

CHAIRMAN DUNNE: Moved by Legislator Walker, seconded by Legislator MacKenzie.

MR. HAHN: Good afternoon. Tim Hahn, Medical Examiner's Office.

This is a grant in the amount of \$58,750 from New York State Governor's Traffic Safety Committee. It's used to support the DWI blood and alcohol testing from the toxicology lab in the office.

CHAIRMAN DUNNE: Excellent. Are there any comments or any questions from the legislators?

(No verbal response.)

Any public comment?

Oops. Legislator Denenberg.

LEGISLATOR DENENBERG: And this has nothing to do with this -- this lab is fully functioning, nothing to do with the crime lab?

MR. HAHN: That is correct. This lab

has been up and running for a number of years.

LEGISLATOR DENENBERG: Okay. Thank you.

CHAIRMAN DUNNE: Any public comment?

(No verbal response.)

There being none; all in favor indicate
by saying aye.

(Aye.)

Any against?

(No verbal response.)

It passes unanimously. Goes on to
Finance.

There is no further business to come
before this body.

Motion to adjourn by Legislator
Muscarella, seconded by Legislator MacKenzie.

All in favor indicate by saying aye.

(Aye.)

Any against?

(No verbal response.)

We are now adjourned.

(Whereupon, the Public Safety Committee
adjourned at 4:58 p.m.)

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 state:

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 24th day of February, 2014.

FRANK GRAY