

PROTECTIVE SERVICES COMMITTEE MEETING
PUTNAM COUNTY OFFICE BUILDING
ROOM #318
CARMEL, NEW YORK 10512

Members: Chairman Gross & Legislators Gouldman & Nacerino

Wednesday 6:30p.m. June 10, 2015

The meeting was called to order at 6:30p.m. by Chairman Roger Gross. He requested that Legislator Nacerino lead in the Pledge of Allegiance. Upon roll call Legislators Gouldman, Nacerino and Chairman Gross were present.

Item #3 - Approval/Protective Services Committee Meeting Minutes/May 7, 2015

The minutes were approved as submitted.

**Item #4 - Approval/ Putnam County Multi-Jurisdictional All-Hazard Mitigation Plan/
Bureau of Emergency Services**

Chairman Gross welcomed newly appointed Acting Commissioner of Bureau of Emergency Services Anthony Sutton and Deputy Commissioner of Bureau of Emergency Services Robert Lipton to address agenda item #4.

Deputy Commissioner of Bureau of Emergency Services Lipton stated this is the first All-Hazard Mitigation Plan (Plan) that Putnam County has had. He stated once the plan is approved and in place it allows the County to pursue and be considered for Grant funding. He stated once it is adopted by the County the clock begins to tick. He explained the plan will be in effect for five (5) years. He stated from the date of adoption is when the time period begins. He stated at the five (5) year mark a new plan will be required to be re-submitted. He stated each Town and Village need to approve the plan if they want to be made eligible to receive Grant funding. He stated that there was a great deal of time and effort contributed to developing this plan. He stated that representatives from all of the Towns, Villages and the County contributed to the plan that is in front of the Legislature for approval this evening.

Chairman Gross questioned if there were any unknown hazardous discovered through this process.

Deputy Commissioner of Bureau of Emergency Services Lipton stated no.

Commissioner of Bureau of Emergency Services Anthony Sutton stated that there was a great deal of work put into this plan, preceding his arrival to the County. He stated that this is a process that requires a widespread collaborative effort and input. He stated he would like to commend Deputy Commissioner Lipton on taking on the project, running with it and bringing it to completion. He stated that FEMA Disaster Funds are based on having a valid plan in place.

Deputy Commissioner of Bureau of Emergency Services Lipton stated it was a great effort from all of the municipalities.

Legislator Nacerino stated that she is aware that the Plan is on the agenda of the Town of Patterson board meeting for approval tonight as well.

Legislator LoBue questioned if the County has a map of all of the gas lines throughout the County.

Deputy Commissioner of Bureau of Emergency Services Lipton stated that the County has it available to them. He explained that type of information is safeguarded. He stated that the residential gas line maps are a bit more accessible.

Chairman Gross made a motion to approve the Putnam County Multi-Jurisdictional All-Hazard Mitigation Plan/Bureau of Emergency Services; Seconded by Legislator Gouldman. All in favor.

Legislator Nacerino made a motion to waive the rules and accept the additional; Seconded by Legislator Gouldman. All in favor.

Item #5 – Discussion/Child Safety Zones-NYS Sex Offender Registration Act of 1996

First Deputy County Attorney Negro stated that the State Law preempts any local legislation. He cited some cases as examples in which this occurring.

Chairman Gross stated that the correspondence that the Legislature received stated concern with Sex Offenders purchasing properties. He questioned if Relators carry responsibility to do a background check on potential buyers, or does a convicted Sex Offender have to disclose that fact to the Relator.

First Deputy County Attorney Negro stated no there are no laws on the Local or State level that deal with Relators and their responsibility to do a background check on a potential buyer. He stated that under the Sex Offender Registration Act (SORA) there is the Sex Offender Registry. He stated that a potential buyer can go onto the Registry to see if there is a Sex Offender living in the area.

Legislator LoBue stated that the community that has reached out to the Legislature is within her district. She stated that everyone can imagine the emotions involved. She stated that the way that the law is currently structured it addresses commercial: schools, churches et al. She requested confirmation from First Deputy County Attorney Negro that there is no law on the books that prevents a convicted Sexual Offender from moving into a neighborhood with children and young families. She stated any changes to these laws need to be done at the State level.

First Deputy County Attorney Negro stated that is correct. He stated that the County could petition the State.

Legislator Lobue questioned if there is anything that First Deputy County Attorney Negro could recommend that we do here in Putnam.

First Deputy County Attorney Negro stated that based on the Court of Appeals in the most recent case that he cited; most likely any legislation at the County level would be preempted by the State law.

Legislator Gouldman questioned if there is anything the County can do to prevent a sex offenders from buying property in a residential neighborhood.

First Deputy County Attorney Negro stated once again that based on the Court of Appeals in the most recent case that he cited; most likely any legislation at the County level would be preempted by the State law.

Chairman Gross asked Legislator Addonizio if there is anything a real-estate agent can do to prevent a sex offender from moving into a residential neighborhood.

Legislator Addonizio stated there is nothing that can be done except encourage new home buyers to check the sex offender registry.

Legislator Nacerino stated that sex offenders have a right to live where they want and unfortunately those rights cannot be violated.

First Deputy County Attorney Negro stated that the Court of Appeals does not want Municipalities passing Legislation preventing sex offenders from living in certain areas because the Court of Appeals feels that they would be dumping their problem on another Municipality that has a weaker sex offender law.

Chairman Gross stated a letter to Senator Murphy will be sent to further look into the sex offender situation and request the State's support in an effort to tighten Legislation.

Item #6 - Discussion/Putnam County Sheriff's Department Master Vehicle Inventory/Mileage Report May 2015

Captain O'Malley stated at a recent Conference in Saratoga Springs, which Undersheriff Convery was in attendance, there are many more unfunded mandates and demands being place on the Jails. He stated the services required to be made available in the New York State Jails are making them more like hospitals. Other issues were discussed dealing with additional responsibilities that are being placed on County Jail facilities and staff.

Chairman Gross facilitated further discussion on the issue that Captain O'Malley brought up dealing with the issues that were discussed during the Conference.

Chairman Gross stated that he believes the license plate number should be deleted from the Master Vehicle List for confidentiality purposes. He stated Sargent Boscia informed him that the cars in the inventory get auctioned off or get recycled. He stated the Sheriff's inventory get recycled through different departments.

Legislator Lobue stated that the Legislature no longer needs to receive the full master inventory list but rather a list of cars that are being taken off the lot, either auctioned off or recycled. She the legislators only need a running list from January 1st of the new cars added to the inventory and cars that were given away.

Chairman Gross stated how the Committee should receive a list every quarter to see what new cars are added and where the old cars went. He stated having a quarterly list will also allow the Committee to see how many miles were added to each car within that time frame.

Item #7 – Update/Status-Local Government Efficiency Grant Program Application/To Fund Feasibility of Police Services

Chairman Gross questioned Supervisor Schmitt, if through the consolidation of the Mount Kisco Police Department with the Westchester County Police there were officers who lost their jobs. Supervisor Schmitt stated that no officers were terminated, officers who were members of the Mount Kisco Police had an option to resign and get rehired by Westchester County Police. He stated that about 23 Mount Kisco Police Officers resigned from Mount Kisco to consolidate with Westchester County Police, while three (3) or four (4) stayed on with Mount Kisco Police. The duties of the three (3) or (4) Mount Kisco

Officers are not patrol duties but rather they serve as court officers, handle parades and special event functions; they are Police Officers not Patrol Officers.

Chairman Gross stated Mount Kisco paid an annual fee of \$6,400,000 for its Police Department prior to this consolidation.

Supervisor Schmitt stated he is not sure exactly where the savings will come from.

Chairman Gross stated how other towns in Westchester might have resentment since they will technically be paying for Mount Kisco's Police service.

Supervisor Smitt stated that when Mount Kisco's officers consolidated with Westchester County Police they got a \$10,000 salary increase.

Chairman Gross stated that during the consolidation process, Mount Kisco gave Westchester County Police four (4) police vehicles.

Legislator Gouldman questioned if the Carmel Police Department would be a similar situation to the Mount Kisco consolidation. He questioned if Carmel officers get paid less than Sheriff's Department.

Supervisor Schmitt stated the Carmel Police get paid \$10,000 more than Sheriff's Department.

Legislator Nacerino questioned if the application for Mount Kisco Police Department and Westchester County Police Consolidation is being challenged in Court because it was not pursued to a referendum.

Supervisor Smitt stated that the application for the consolidation was not subject to a referendum because they did not eliminate the Mount Kisco Police Department, they kept a small number of officers that offer a different service than they did before. Mount Kisco Police did not oppose the consolidation; officers agreed to the consolidation process due to the \$10,000 salary increase. He stated the few officers who stayed on with Mount Kisco were higher overtime earning officers, Mount Kisco will have an overtime cost to pay for those officers. He stated as a reference point the Carmel Police Department, which is similar in size to the Mount Kisco Police Department, prior to the consolidation, has an overtime cost of \$450,000 a year and has an annual cost of \$8.5 million to operate. He stated as a result of the consolidation of Mount Kisco Police into Westchester Police, Mount Kisco will be saving around \$2.3 million.

Legislator Lobue stated the residents of Mount Kisco will no longer be required to pay Legacy cost and are no longer responsible for officers' pension, which is a huge savings.

Chairman Gross facilitated further discussion on the topic.

Legislator Albano stated he wants to pursue a study to see if consolidating will have a major effect in savings and see if it makes sense for Carmel Police to follow in the same steps as the Mount Kisco Police Department.

Supervisor Schmitt requested a status with the State Application to Pursue the Consolidation Study for Putnam County. He stated the application also is requesting a state grant to fund the study.

Chairman Gross stated that the application was sent to the state on May 20th, 2015.

Supervisor Smitt stated he had a discussion with Senator Murphy, who supports conduction the study. In order to conduct an effective study a \$100,000 grant will be required.

Chairmen Gross, Legislator Lobue, Albano, Gouldman and Wright agree that though Carmel is the only Town that is considering consolidation, all Towns approve a study to be conducted and the results will determine if consolidation is an appropriate course of action.

Supervisor Schmitt stated that it is not clear to him that a formal application has been submitted by the County Executive. He requested that this Committee request clarification on whether an application has actually been submitted. He stated to conduct an effective study he believes it will require \$100,000 in grant funding.

Chairman Gross facilitated further discussion on the topic, and concurred to send another letter to County Executive Odell requesting clarification on whether an Application was submitted to the State.

Item #8 - Update/Facilities Who Use 911 Call Center

Chairman Gross stated he notified Chair of the ESSAB (Emergency Services Safety Advisory-Board) and Brewster Fire Department, he is working on contacting some of the facilities that were mention last month by the members of the ESSAB as having a huge negative impact on the emergency response agencies in Putnam County. He stated that he has discussed this matter with newly appointed Commissioner of Bureau of Emergency Services Anthony Sutton. He stated Commissioner Sutton is aware of this matter, and will lend his expertise and experience in facilitating a meeting the representatives from the agencies (nursing homes, assisted living, rehabilitation centers etc.) that are placing an unsustainable demand on our emergency response agencies, for non-life threatening calls.

Item #9 – Other Business

a) Verbal/Under Sheriff Convery/Update on Police Presence at July 3rd Fireworks Event

Captain O'Malley stated The State, County and Town Police Agencies will all be assisting in the July 3rd firework event. He stated this will reduce the overall costs of the Sheriff's Department.

Item #10 – Adjournment

There being no further business, at 7:35P.M., Chair Gross made a motion to adjourn; Seconded by Legislator Gouldman. All in favor.

Respectfully submitted by Deputy Clerk of the Legislature Diane Trubulsy.