

PROTECTIVE SERVICES COMMITTEE MEETING

Held In Room #318

PUTNAM COUNTY OFFICE BUILDING

CARMEL, NEW YORK 10512

Members:

Chairman Gross, Legislators LoBue & Wright

Tuesday

December 09, 2014

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

Chairman Gross made a motion to waive the Rules and Accept All the Additional; Seconded by Legislator LoBue. All in favor.

Item #3) Discussion/Approval/Grant Award/FY2014 Explosive Detection Canine Team Grant

Chairman Gross stated that this grant has been awarded and there is no County match of funds required. He invited representatives from the Sheriff's Department to the front of the meeting room to address this agenda item: Undersheriff Pete Convery, Sergeant William Meyer, Deputy Tim Keith and Explosive Detection Canine Sentinel.

Sergeant Meyer stated that the Sheriff's Department is working to meet the initiatives of the Federal and State Governments in terms of bomb detection. He stated that an Explosive Detection Canine Dog is also trained to find guns, do article searches and track people. He stated that these dogs are very versatile. He stated that Deputy Keith is the Sheriff's first Canine Explosive Detection Handler. He stated that Sentinel is the first Explosive Canine in the Sheriff's Department. He stated that Sentinel joined the Sheriff's team in June of 2014. He stated that last month Sentinel found a backpack in Pump House Park with several loaded guns in it. He stated originally it was believed that the bag was in the Lake. He stated that Sentinel's discovery of the backpack was a tremendous asset and time to this situation. He stated that the Federal Government is pushing the money to the State and the State is making the money available to municipalities; Counties especially, for bomb detection. He stated that the Grant covers all costs: the vehicle, all accessories for the vehicle, all the training, all the equipment, and the purchase of the Dog. He stated that Sentinel cost \$8,000. He stated that the Sheriff's Department has included in the 2015 Budget the cost of dog food, veterinary care and the stipend for the Dog Handler; \$6,000. He explained that the Stipend will be prorated because the next schooling for an Explosive Detection Canine Team in not until the Spring and graduation would not be until the summer. He stated it costs approximately \$40.00 a month to feed a dog. He stated that the Federal and State Government are looking to Counties to be capable of handling these matters on their own. He stated the case where Sentinel found the guns was actually the State Police's case, however they did not have a Dog available.

Legislator Gross questioned if Sentinel can be used to detect drugs as well.

Sergeant Meyer stated no an explosive dog is trained to hone different skills versus a dog that is trained to detect drugs. A huge discrepancy for instance is a drug dog is trained to dig when they locate the

scent they are searching for; for obvious reasons an explosive dog is not trained to dig. He stated that the Jail has a Drug Dog that is used in the Jail, which is separate from the patrol dogs. He stated that Road Patrol has a Drug Dog, Duncan. Duncan has been in services for six (6) to seven (7) years. He stated that Duncan and his handler have done a phenomenal job.

Chairman Gross stated for clarification if this grant is accepted the County will have three (3) dogs.

Sergeant Meyer stated that is correct. He stated if the grant is accepted this would be the second Explosive Canine Detection Team and the County has one (1) Drug Canine Detection Team.

Chairman Gross stated that there is a sharing of these Canine Teams with the other Police Departments and the State Police.

Sergeant Meyer stated that is correct. He stated when there is a major event that happens in this County everyone is there and then the resources are pooled.

Chairman Gross questioned if the County is reimbursed for the cost of the Detection Team by the other agencies if they call for the Sheriff's Team assistance.

Sergeant Meyer stated no. He stated this is how it works for the Sheriff's Department also. For example if they call the State to use of their Blood Hound and Handler, there would not be a cost to the Sheriff's Department.

Chairman Gross questioned where the location of the training for the Dog and his Handler is held.

Deputy Keith stated that the training that he went to was run by the MTA Training Academy. He stated that there is a premiere facility currently being built in Stormville, NY. He stated when he was trained they were in Grand Central, New Jersey, Connecticut etc. He stated that the purpose of training in different areas and situations is to expose the dog to as many different situations as possible. He stated that Sentinel has been in a helicopter. He continued to provide an overview of the different scenarios that Sentinel has worked in.

Deputy Keith stated that one of the reasons for an additional dog is because of the capability gap. He stated that staffing an additional dog would allow a Dog and Trainer to be scheduled on each of the shifts. He stated in a search situation other than a "passive search", there is a need to have more than one (1) Dog involved. He stated that an Explosive Canine is anticipated to be in service for ten (10) years. He stated that this would be a way of overlapping the services between the current Explosive Canine, Sentinel, who is two (2) years and ten months old and the new dog that would be obtained through this proposed grant.

Chairman Gross questioned where the dogs are breed and bought from.

Deputy Keith stated that Sentinel was gotten through MTA. He stated that the New York State Police get their dogs from a different source. He stated Sentinel came from overseas. He stated that the dogs from Europe tend to be very driven and have less hip dysplasia issues.

Legislator LoBue stated that she had requested that a list of 911 calls be provided to the Legislature that involved calls regarding explosives/bombs. She stated that she did not receive that information. She stated that last year she asked for a similar report regarding narcotic arrests and was provided that information. She stated that she needs justification to approve getting a second Explosive Canine Team in Putnam County.

Sergeant Meyer stated that he could tell her tonight.

Legislator LoBue stated that she did not want a verbal report. She made her request in writing and she would like the response to be handled in the same professional manner. She stated that she would like the total number of Explosive/Bomb Related calls that came into the 911 Center and out of them how many were positive.

Sergeant Meyer stated there have been no positive explosives found in Putnam County in 2014.

Legislator LoBue requested again to document the number of 911 Explosive/Bomb relation calls and send it to the Legislature. She stated that also the process to be followed in applying for a grant, for all of the County Departments, is to come to the Legislature prior to applying for a grant. She stated as backup tonight for this meeting there is correspondence dated October 14, 2014 from Undersheriff Convery requesting that this matter be place on this agenda. She stated that there is another correspondence dated October 2, 2014 from Homeland Security stating the Sheriff's Department was approved for the grant.

Sergeant Meyer stated that the application for this grant was during the summer of 2014 and it fell through the cracks. He stated that he is in charge of the Grants for the Sheriff's Department and he will take full responsibility for this error in process. He stated that there is nothing that he can do at this point other than apologize. He stated this was a competitive grant; there were approximately 41 applications submitted from New York State and 12 rewarded in New York State. He stated the State awarding Putnam County this grants projects that the State recognizes the need for the program and the Team.

Legislator LoBue questioned what other local agencies have an Explosive Dog Team.

Sergeant Meyer stated that the MTA has an Explosive Dog Teams, but they are assigned south of the White Plains area. He stated the State Police have a few, but he does not believe any are assigned to Putnam County.

Deputy Keith communicated several scenarios in which the Explosive Dog Team has and can be of assistance in.

Legislator Albano stated that he supports the need for the Explosive Dog Team . However, he stated that this is similar to unfunded mandates. The State recognizes the need and they provide assistance in funding to start the programs up. Unfortunately, then the County is left with the additional costs.

Undersheriff Convery stated that today there was a report released from the CIA and Homeland Security; the threat of terrorism is real. He stated that the Federal Government is not going to be able to

help us, in hands on capacity. He stated if there is an incident happens in Putnam County, we will want to be prepared.

Legislator Nacerino requested clarification on the additional costs that will be incurred, outside of \$6,000 for the stipend for the Sheriff's Deputy who will be the Canine handler.

Sergeant Meyer stated that currently there are two (2) Canine handlers in the Sheriff's Department. He stated with this proposed Team it will make it three (3) dogs. He stated that it costs approximately \$40.00 a month to feed a dog and the Veterinary care is approximately a couple of hundred dollars a year for each dog. He stated that they did include these expenses in the 2015 budget of the Sheriff's Department, anticipating the third dog. He stated that they will not be asking for anymore money in 2015 to cover any of the costs. He stated in summary the Grant covers the cost of implementing this program 100%. He stated that the County comes up with the handler, stipend, dog food and Veterinary Care.

Legislator Nacerino stated in reference to the discussion regarding an "active search" should this grant not be approved and Putnam County does not have an explosive Canine Team, if Putnam had a situation requiring an active search, would the County get the support from the State Police or the MTA.

Deputy Keith stated it would be dependent on availability of the resources.

Sergeant Meyer stated that the recent situation at Pump House Park; the Sheriff's Department received a call from the State Police requesting if Putnam County had a Canine Explosive Team to assists them in that situation, their team was not available.

Legislator Nacerino stated that she understands that in today's world you need to be prepared. She stated that however she believed that there is some sort of reciprocal arrangement between the different agencies to help in serious situations.

Sergeant Meyer stated that is correct. He stated that they have a working relationship with Westchester County, the State Police and their bomb squads. He stated that the problem is a lot of the time their dogs are not available and there could be an eight (8) hour wait.

Legislator LoBue questioned how long will the \$60,000 cover the costs of the team.

Sergeant Meyer stated for the life of the team.

Legislator LoBue stated that is approximately ten (10) years.

Legislator LoBue questioned how often does the Team need to get recertified.

Deputy Keith stated once (1) a year. He stated it is scheduled when the Sheriff's Department is at maximum staffing, so there is no overtime incurred.

Legislator LoBue stated that she cannot vote to move this matter forward until she receives, in writing, the documentation answering her in reference to: how many 911 explosive related calls have there been in Putnam County and how many were confirmed.

Legislator Wright stated that he could not vote on this matter, because his son works for Homeland Security, therefore he will recuse himself from the vote.

Sergeant Meyer stated that the Sheriff's Department did have a few calls in 2014; however none of them were confirmed. He stated that he would go down to the Sheriff's Department and print that out. He stated that he had to provide that information when he applied for this grant.

Chairman Gross stated that the Committee will wait to vote on this. He stated that he will allow Sergeant Meyer the time to go and print the material that Legislator LoBue requested and submit it back to this Committee.

**Item #6) Approval/Fund Transfer (14T281)/Purchase needed Vehicle/cut from 2015 Budget/
Sheriff's Department** *(item Tabled at the 12/2/2014 Full Mtg)*

Undersheriff Convery stated that during the 2015 budget process there was a BCI (Bureau of Criminal Investigation) vehicle taken out of the Sheriff's Department Budget. He stated that during that process there was discussion about the possibility of utilizing 2014 money. He stated in the 2015 Budget, approved by the Legislature and County Executive, a new Criminal Investigator position was approved and three (3) new Deputy Positions. He stated the fund Transfer (14T281) being considered is for a Dodge Charger and a Durango. He stated that the proposed vehicles will be used by Police Officers.

Chairman Gross stated that the money to pay for the vehicles is coming from another line in the Sheriff's 2014 Budget.

Legislator Nacerino stated that she has the utmost respect for the Sheriff's Department and all that they do. She stated that she has concerns about approving these vehicles. She stated this matter went through the budget process. She stated that the cars were not approved during that process. She stated now they are asking to approve the two (2) vehicles using money from the Sheriff's Department Gasoline and Telephone budget lines. She stated that in 2015 she will request that the matter of restricting certain budget lines from being transferrable be considered. She stated that this request defies the Legislative process. She stated that both branches of government did not approve the request during the 2015 Budget Review process.

Legislator Albano stated that Legislator Nacerino makes a valid point in reference to taking money from certain lines to pay for something unrelated. He stated that he would be willing to consider a compromise and approve one (1) car, since there is a need that has been demonstrated.

Chairman Gross stated that there has been discussion among the Legislators regarding the moving around of dollars in Department's Budget and he supports the theory of if there is money left in a budget it should go back into the general fund. He stated he believes there is a need at the least, for one (1) vehicle with the Investigator coming on board.

Chairman Gross facilitated further discussion on this matter.

Legislator LoBue stated that she requested the report of the vehicle inventory for the Sheriff's Department. She questioned which unit a certain car on the list was assigned to, that was marked to be replaced.

Undersheriff Convery stated (*2007 Charger with 190,000 miles*) it is in the Bureau of Criminal Investigation (BCI).

Legislator LoBue questioned why the mileage was so high on that vehicle. She questioned if there are logs on each vehicle that show the mileage when a car is taken out and what the mileage is when it is returned.

Undersheriff Convery stated that there are logs on the vehicles.

Legislator LoBue stated that she would like to see the vehicle logs.

Undersheriff Convery stated the 2007 Charger is a vehicle that is used a lot and it is also used as a backup vehicle.

Legislator LoBue stated that she is in agreement with Legislator Nacerino. She stated that she will not support this request.

Chairman Gross questioned if his Committee members would approve moving forward one (1) Vehicle.

Legislator LoBue stated that she would not.

Legislator Wright stated if there was a request at the County Executive level or the Legislature level to find the monies in this year's budget, and it can be documented, then he would think differently. He stated otherwise as of right now he supports the County Executive's analysis. County Executive Odell knew of the additional positions requested in the Sheriff's Department yet did not support the two (2) vehicles.

Chairman Gross stated that the Sheriff's Department is stating that they need the vehicle and they have the money to buy the vehicle. He stated that he agrees that for 2015 there needs to be more structure and restriction on certain budget lines.

Legislator Nacerino stated this matter was vetted out during the budget process; it kind of defies the Legislative responsibility.

Chairman Gross stated that he will research to find the comment that was made recommending Department Heads find funding in a budget line that could be used for another purpose, than the original line. He stated then the matter can be revisited.

Item #4) Update/Re-institution process of the Putnam County Fire Advisory Board

Chairman Gross introduced Deputy Commissioner of Bureau of Emergency Services Robert Lipton and Ed McCarthy Chief of Putnam Valley Fire Department to speak to the next agenda item.

Deputy Commissioner Lipton stated that they were asked to compile information from the past Fire Advisory Board. He stated that he along with other members of the Bureau and First Responder Organizations have checked various locations, unfortunately they have been unsuccessful. He stated during the discussion at the October Protective Services meeting (which he was not present due to a death in

his family) they were asked to compare the Fire Advisory Board (FAB) to the Emergency Services Safety Advisory Board (ESAB) to assure that there is no duplication. He stated basically the ESAB works on public fire safety issues. The Board is composed of a representative from a Fire Department, Emergency Services, Police Department, Bureau of Emergency Services, Community Member, and Community Member with knowledge of codes and laws. He provided a broad overview of different matters that have been reviewed by this ESAB. He stated that the FAB is made up of Fire Department Officers from each one of the Fire Departments and each one of the Ambulance Corps and a member of the Bureau of Emergency Services. He stated that the FAB would work strictly on fire and emergency services issues. He stated two (2) of the major issues that need to be reviewed currently are Air Packs and Turnout Gear. He stated that currently the Fire Departments are under regulation to buy new Turnout Gear every ten (10) years. He explained with the number of fires that are responded to in Putnam County, the Turnout Gear does not warrant being replaced every ten (10) years. He stated that is an issue the FAB would research and work to try to get the regulation amended. He stated getting that regulation changed would result in cost savings; Turnout Gear is expensive.

Legislator Wright requested that Deputy Commissioner Lipton identify structurally things that one (1) Board would be permitted to do that the other Board would be prohibited from doing and vice a versa. He stated that would support the need for two (2) separate, but related Boards. He stated that the genesis of this matter is “do indeed we need two (2) separate Boards and why?” He stated the prohibitions as to how they relate to each other needs to be identified.

Deputy Commissioner Lipton stated that it is not a matter of what each Board can do, it is more about the expertise of the Board Members.

Legislator LoBue stated that she needs to clearly understand the need for two (2) separate boards.

Chief of Putnam Valley Fire Department Ed McCarthy stated that they want to separate Fire and Emergency Services issues. He stated that currently they are both together. He stated that the issues from each of these functions are critical. He stated that there are critical matters that need to be addressed affecting each of these areas of services. He stated that to address the issues by one combined board is not doing justice to the issues at hand. He stated the perfect example is the need to amend the current requirement for the Turnout Gear, as mentioned earlier. He continued to explain that the issue needs to be addressed with the professionals who are familiar with the safety standards; for example the National Fire Protection Association (NFPA). He stated that he believes the people who are actually wearing the gear and using it on a regular basis are the right people to address this matter and work towards change; resulting in a savings of tax payer dollars. He stated that review of the Turnout Gear requires a dramatically different approach than the approach that would be used to look at Senior Housing and working to project forward to anticipate what will be required of the Emergency Services in the next 15 years. He stated to summarize this request, they are asking to go back to what they had a board that focused on the issues of Fire Departments and allow them to come directly to the Legislature to express their recommendations based on what is best for the County based on the advice and recommendation of the 13 Fire Chiefs four (4) Ambulance Corp Captains and the Bureau of Emergency Services.

Legislator Wright questioned if County Law states that the County has the right to establish the Fire Advisory Board.

Chief of Putnam Valley Fire Department Ed McCarthy stated that the County Law actually recommends that a County should have an FAB (*County Law 225- Fire Advisory Board*).

Commissioner Stiebeling stated that Putnam County had a FAB; it was abolished in 2009.

Chief of Putnam Valley Fire Department Ed McCarthy stated the main purpose to establish the FAB is to recreate a voice directly to the Legislature from the Fire Departments.

Chairman Gross stated with the agreement from his Committee members he will contact the County Law Department to review the proposal that was brought forward tonight. He stated that this matter will be revisited in February of 2015.

Item #8) Approval/Budgetary Amendment (14A114)/2014 Homeland Security Grant Award/Bureau of Emergency Services

Legislator LoBue made a motion to approve Budgetary Amendment (14A114)/2014 Homeland Security Grant Award/Bureau of Emergency Services; Seconded by Chairman Gross. All in favor.

Legislator Wright recused himself due to a personal conflict; his son works for Homeland Security.

Item #13) Other Business:

a)FYI/Fund Transfer (14T346)/Bureau of Emergency Services/Cover Final Payments for 911 Phone Equipment Lease- Duly Noted

Item #3) Continued: Discussion/Approval/Grant Award/FY2014 Explosive Detection Canine Team Grant

Sergeant Meyer stated that he has brought back a report that reflects a bomb threat call to any agency: Town, Village, County. He stated that there were zero (0) bomb threats from January 1, 2014 to December 9, 2014. He stated that there have been bomb checks conducted, which is logged in another data report, which he is having run currently. He stated that is why he did not print it out, because he knew that there were no bomb threats called in.

Legislator LoBue stated that she is thankful for that. She stated that she believed that was the case that is why she requested the information.

Legislator LoBue made a motion to move the Grant Award/FY2014 Explosive Detection Canine Team Grant to the Year End Meeting; Seconded by Chairman Gross. All in favor.

Item #5) Discussion/Local Law to Amend Article 12, Title I, Section 12.08 of Putnam County Charter Entitled "Coroner"

Chairman Gross provided insight into the newly adopted compensation policy that Coordinator of Coroners, Dr. Nesheiwat recommended for the Coroners beginning in January of 2015. He stated that this new compensation plan would apply to the two (2) Coroners elected in the 2014 Election. He explained that the third (3rd) Coroner does not have to adopt the new compensation policy; however can opt to do so. He stated that this evening the resolution in front of the Committee is to amend "Article 12, Title I, Section 12.08 of Putnam County Charter Entitled "Coroner". He stated that the existing

wording proposed to be deleted is: *They shall have knowledge and/or experience in forensic medicine and shall either be licensed to practice medicine in the State of New York or shall have received a doctoral degree in biochemistry and/or other areas related to forensic medicine.* He stated that the proposal is for Putnam County to abide by the New York State Law which states: *The Coroner must be a resident of New York State.* He stated that the newly elected Coroner, John Bourges is a Nurse Practitioner with medical experience and background. He stated he does not have a background in forensics; however he will work closely with Dr. Nesheiwat. He stated by approving this amendment to the Charter the newly elected Coroner, John Bourges, will be in compliance with the County Law.

Legislator Albano stated that this amendment will match the requirements that New York State Law currently has in place.

Legislator Wright stated that comments were made that Mr. Bourges will be working under the auspices of Dr. Nesheiwat. He stated that is our understanding; however there is no requirement in that regard. He questioned if the County needs to document an internal regulation within the Coroners' Office to cover the County for liability. He stated that it seems to him that there is no mandate that the person operate under the auspices of Dr. Nesheiwat.

Legislator Nacerino stated that she believes there is a requirement for the person signing a Death Certificate to be a Physician.

Legislative Counsel VanRoss stated that there are certain aspects under State Law that require a Physician's signature. He stated that if the Coroner is not a physician then a physician needs to sign, which Dr. Nesheiwat is or a Physician's signature can be obtained.

County Attorney Bumgarner stated that she believes that relates to the provision in the law that states an autopsy is required, when the individual does not die in a hospital in the presence of a doctor.

Legislator Wright stated that it would apply to unattended deaths.

County Attorney stated that the signing of the Death Certificate is one issue. However she does not believe that Mr. Bourges would need to have Dr. Nesheiwat literally to be with him on the calls; that would be pointless. She stated that in terms of how Dr. Nesheiwat plans to monitor or supervise the work in the department, she is not aware of what has been discussed.

Legislator Wright made a motion to move the Amendment of Article 12, Title I, Section 12.08 of Putnam County Charter Entitled "Coroner" by the deletion of the language starting as "*They shall have knowledge...ending with forensic medicine;* Seconded by Legislator LoBue. All in favor.

Item #7) FYI/Budgetary Amendment (14A111)/Cover the Cost to Repair 2009 Chevrolet Impala-Sheriff's Patrol Unit/Sheriff's Department – Duly Noted

Item #9) Approval/Fund Transfer (14T325)/Cover Projected Costs to Year End/Sheriff's Department

Legislator Wright made a motion to approve Fund Transfer (14T325)/Cover Projected Costs to Year End /Sheriff's Department; Seconded by Legislator LoBue. All in favor.

Item #10) Approval/Fund Transfer (14T326)/Cover Projected Costs to Year End & Clear Up Accounts/ Sheriff's Department

Legislator LoBue made a motion to approve Fund Transfer (14T326)/Cover Projected Costs to Year End & Clear Up Accounts/Sheriff's Department; Seconded by Legislator Wright. All in favor.

Item #11) Approval/Re-Appointment to Putnam County Traffic Safety Board as Alternate Members: William Meyer, Rich Pepe, John Tully

Legislator LoBue made a motion to approve the Re-Appointment to Putnam County Traffic Safety Board as Alternate Members: William Meyer, Rich Pepe, John Tully; Seconded by Legislator Wright. All in favor.

Item #12) Approval/Re-appointment to Putnam County Traffic Safety Board as a Members: Guy Gentile and Williams Edwards

Legislator Wright made a motion to approve the Re-appointment to the Putnam County Traffic Safety Board as Members: Guy Gentile and Williams Edwards; Seconded by Legislator LoBue. All in favor.

Item #14) Adjournment

There being no further business at 7:50P.M., Legislator LoBue made a motion to adjourn; Seconded by Legislator Wright. All in favor.

Respectfully submitted by, Deputy Clerk of the Legislature Diane Trabulsy.