

PROTECTIVE SERVICES COMMITTEE MEETING
Held via Audio Webinar Pursuant to Temporary Emergency Orders
Members: Chairwoman Nacerino & Legislators Sayegh & Sullivan

Tuesday

April 20, 2021

(Immediately Followed the 6:00pm Health, Social, Educ. & Environ. Mtg.)

The meeting was called to order at 7:25PM by Chairwoman Nacerino and who requested Legislator Sayegh lead in the Pledge of Allegiance. Upon roll call Legislators Sayegh, Sullivan and Chairwoman Nacerino were present.

Item #3 - Approval/ Protective Services Committee Meeting Minutes/ February 18th & Special Protective Services Meeting March 9, 2021

Chairwoman Nacerino stated the minutes were accepted as submitted.

Item #4 - Approval/ Fund Transfer (21T062)/ To Cover Overtime Expenses from February due to 6- Correction Officers Vacancies and 1- Officer on 207C/ Sheriff Langley (reviewed Personnel Comm @ 4/13 mtg)

Chairwoman Nacerino stated this request is dictated by need.

Chairwoman Nacerino made a motion to Approve Fund Transfer (21T062)/ To Cover Overtime Expenses from February due to 6- Correction Officers Vacancies and 1- Officer on 207C; Seconded by Legislator Sayegh. All in favor.

Item #5 - Approval/ Budgetary Amendment (21A028)/ Inmate Commissary Funds- Purchase Oxygen Tanks and Regulators for Correctional Facility and Transportation Vehicles/ Sheriff Robert Langley

Chairwoman Nacerino stated there are several requests from the Sheriff's Department. She requested that Captain Greenough explain the difference between Inmate Commissary Funding and the T- Commission Funding for everyone's clarification.

Captain James Greenough explained the T- Commission is a commission that comes from the Inmates' phone calls and tablets. He stated the Inmate Commissary commission is based on the Inmate Commissary. He stated the Inmate Commissary commissions can only be used on things that benefit the inmates in some way that were not required under the law for the County to provide.

Chairwoman Nacerino stated the Inmate Commissary commission comes for the purchases made by the Inmates for personal items such as gum, candy, things of that nature, she requested confirmation that is where the revenue comes from.

Captain James Greenough stated that was correct. He stated that is why one of the items the Sheriff's Department purchases is microwaves. He stated the Inmates like to use them to heat up the food they purchase from the Commissary.

Legislator Sullivan questioned Legislative Counsel Firriolo if he would agree, based on the definition for the use of Inmate Commissary funds, that these items fall into the classification for that kind of expenditure.

Legislative Counsel Firriolo stated he did look into this and found the use of the Inmate Commissary funds is for, as Captain Greenough stated, items that support the health and welfare of the Inmates. He stated first aid is certainly for their benefit, but he stated that is a question that would have to go to a Judge. He stated the general guidance he saw stated, health, safety and welfare of the Inmates.

Chairwoman Nacerino made a motion to Approve Budgetary Amendment (21A028)/ Inmate Commissary Funds- Purchase Oxygen Tanks and Regulators for Correctional Facility and Transportation Vehicles; Seconded by Legislator Sullivan. All in favor.

Item #6 - Approval/ Budgetary Amendment (21A029)/ Inmate Commissary Funds- Purchase Trauma/ First Aid Kits for Correctional Facility and Transportation Vehicles/ Sheriff Robert Langley

Chairwoman Nacerino stated that the Trauma/ First Aid Kits for the Correctional Facility and Transportation Vehicles will replace the existing items.

Legislator Sayegh questioned when this equipment was last replaced.

Captain James Greenough stated it was in 2013.

Chairwoman Nacerino made a motion to Approve Budgetary Amendment (21A029)/ Inmate Commissary Funds- Purchase Trauma/ First Aid Kits for Correctional Facility and Transportation Vehicles; Seconded by Legislator Sayegh. All in favor.

Item #7 - Approval/ Budgetary Amendment (21A030)/ Inmate Commissary Funds- Purchase Battery Backups for the Inmate Law Library Computers in the Correctional Facility/ Sheriff Robert Langley

Chairwoman Nacerino made a motion to Approve Budgetary Amendment (21A030)/ Inmate Commissary Funds- Purchase Battery Backups for the Inmate Law Library Computers in the Correctional Facility; Seconded by Legislator Sayegh. All in favor.

Item #8 - Approval/ Budgetary Amendment (21A031)/ Inmate Commissary Funds- Purchase Dual-Sided ID Card Printer for the Inmate Classification System in the Correctional Facility/ Sheriff Robert Langley

Chairwoman Nacerino requested an explanation of the Dual-Sided ID Card Printer for the Inmate Classification System.

Captain James Greenough stated the Inmates each wear an I.D. badge on their shirts and different color tags, for their classification system. He explained the I.D. badge provides

information to the Officers, so they know who each Inmate is and if they are in an appropriate area.

Legislator Sullivan requested that Legislative Counsel Firriolo research that the purchase of said items are a proper use of Inmate Commissary Funds. He stated he does not see how they fall into the definition that was provided earlier.

Chairwoman Nacerino stated this item can be moved forward to the Audit Committee, and we will receive Legislative Attorney Firriolo's response to Legislator Sullivan's question.

Chairwoman Nacerino made a motion to Approve, pending the opinion of Legislative Counsel Firriolo, Budgetary Amendment (21A031)/ Inmate Commissary Funds- Purchase Dual-Sided ID Card Printer for the Inmate Classification System in the Correctional Facility; Seconded by Legislator Sullivan. All in favor.

Item #9 - Approval/ Budgetary Amendment (21A032)/ Inmate Commissary Funds- Purchase Automated External Defibrillators for the Correctional Facility and Transportation Vehicles/ Sheriff Robert Langley

Legislator Sayegh stated she thought Automated External Defibrillators (AED) were required to have in a Correctional Facility and therefore would not be an approved purchase using Inmate Commissary Funds.

Captain James Greenough stated he does not believe AEDs are required equipment. He stated the Sheriff's Department believes it is important to have the AEDs accessible for any issues that may arise for an Inmate. He stated and again they are not required to have in the Transportation Vehicles either.

Chairwoman Nacerino made a motion to Approve Budgetary Amendment (21A032)/ Inmate Commissary Funds- Purchase Automated External Defibrillators for the Correctional Facility and Transportation Vehicles; Seconded by Legislator Sayegh. All in favor.

Item #10 - Approval/ Budgetary Amendment (21A033)/ Inmate Commissary Funds- Purchase 30 Televisions, Four (4) Flexvolt Jobsite Charger Radios and Eight (8) Microwaves for the Correctional Facility/ Sheriff Robert Langley

Legislator Sayegh stated she remembered that there was a purchase of Televisions already, sometime in the past.

Captain James Greenough stated the Correctional Facility has not requested a purchase for Televisions since he believes, 2019.

Legislator Sayegh questioned if there was a purchase in 2019, why is there a need to purchase 30 additional Televisions now.

Captain James Greenough stated they will be used to replace Televisions throughout the Correctional Facility as they are needed. He stated there are approximately 20 Televisions used throughout the facility. He stated they operate for 16 hours a day. He stated they break regularly, so they want to have them on hand. He stated that is why there is such a large number being requested. He stated Televisions are not required, that is why they use the Inmate Commissary funds to purchase them.

Chairwoman Nacerino requested the current balance in the Inmate Commissary reserve fund.

Captain James Greenough stated approximately \$55,000.

Legislator Sayegh stated she would like to request that Captain Greenough confirm back to the Legislature as to when the last time was that Televisions were purchased for the Correctional Facility before the Audit Meeting on April 26th.

Captain James Greenough confirmed he would do that.

Legislator Sullivan stated he would like to add to his original request under agenda item #8 for Legislative Counsel Firriolo's legal opinion in relation to the proper use of Inmate Commissary funds. He stated he would like Legislative Counsel Firriolo to do the same with agenda items # 9 and #10.

Chairwoman Nacerino confirmed the request.

Chairwoman Nacerino made a motion to Approve Budgetary Amendment (21A033)/ Inmate Commissary Funds- Purchase 30 Televisions, Four (4) Flexvolt Jobsite Charger Radios and Eight (8) Microwaves for the Correctional Facility; Seconded by Legislator Sullivan. All in favor.

Item #11 - Approval/ Budgetary Amendment (21A035)/ T-Commission Reserve Funds to Replace Equipment: Purchase Camera Systems & Accessories for Patrol Cars/ Sheriff Robert Langley

Legislator Sullivan requested the balance in the T-Commission Reserve Funds as of today.

Captain James Greenough stated the balance is \$102,000.

Legislator Sullivan questioned how many cameras are being requested to purchase.

Captain James Greenough stated they would be purchasing five (5) new Cameras and licenses for 42 cameras, which are already in place in the Cars.

Legislator Sullivan requested an explanation to the use of these Cameras.

Sergeant William Meyer stated these are in-car camera systems that have been utilized for years. He stated they are in every marked car. He stated they record during traffic stops. He stated

they record audio and video. He explained they have multiple triggers, back seat videos and impact collision.

Legislator Sullivan requested Sergeant Meyer please provide the list of the triggers for the camera.

Sergeant William Meyer stated there is a trigger when the door of the vehicle is opened, when there is a front-end impact, when the emergency lights are put on, and when the vehicle reaches a certain speed.

Legislator Sullivan questioned the process of taking the video out of the car.

Sergeant William Meyer stated the video is downloaded to a server every time the car comes back to the office it connects to a server and it is automatically downloaded.

Legislator Montgomery stated the Commissary funding comes from the Inmates and their families, purchasing items. She stated the Jail Personnel are allowed to purchase things that are needed for the Jail. She stated this is to alleviate the costs falling on the taxpayers. She stated this funding does not affect the County Budget or come from the County Budget. She stated the funds are generated by the Inmates. She stated that is why we see expenditures like this, which are ruled by State Law. She stated she is confident that Captain Greenough and Sergeant Meyer are familiar with the State Law and what they are allowed to spend these monies on. She stated the money is extracted from the Inmates and their families and basically put back into the Jail, as an asset for us.

Chairwoman Nacerino stated that is her understanding as well and thanked Legislator Montgomery.

Legislator Sullivan requested to clarify what is currently being discussed, which was item #11. He stated that involves T- Commission Reserve Funds, money only generated by the Inmates use of the telephone system. He stated there is nothing else being discussed right now. He stated the Committee discussion is past the agenda items involving Inmate Commissary Funding. He stated he has asked his Attorney, Legislative Counsel Firriolo to provide his professional opinion on whether the requests meet the proper use of the funds. He stated he did not ask anyone else for an explanation. He stated he would like to return to the discussion of the Camera Systems. He questioned if there is a policy in place for the use and storage of the data from said Cameras.

Sergeant William Meyer stated there is a policy that addresses the use and storage of the data for the Camera System.

Legislator Sullivan requested that a copy of said policy please be sent to the members of the Protective Services Committee.

Legislator Sullivan questioned where the server is stored that the data from the Car Camera Systems is downloaded to and who has access to that data.

Sergeant Meyer stated he is not sure, but he will get that information.

Legislator Sullivan questioned who would have that information.

Sergeant Meyer stated the Operations Division, specifically Captain Babcock.

Chairwoman Nacerino stated she will make a motion to move this matter to the Audit & Administration Committee meeting and hopes the requested information is provided prior to that meeting.

Chairwoman Nacerino made a motion to approve/ Budgetary Amendment (21A035)/ T-Commission Reserve Funds to Replace Equipment: Purchase Camera Systems & Accessories for Patrol Cars; Seconded by Legislator Sayegh. All in favor.

Item #12 - Update/ Body Worn Cameras/Chairwoman Ginny Nacerino

Chairwoman Nacerino stated during the meetings of the Police Policy Review Panel meetings, many of the subgroups stated they were in favor of the use of Body Worn Cameras. She stated Sheriff Langley supports the use of Body Worn Cameras as does she. She explained in fact the Sheriff did submit a request for funding to purchase Body Worn Cameras. She stated subsequently the request was withdrawn by Sheriff Langley, because he discovered it is a Union matter. She stated the request to purchase was premature. She stated Sheriff Langley will keep the Legislature updated on the meetings with the PBA representatives. She stated the County Attorney's Office is involved in these matters as well.

Sheriff Langley stated he is working with the Union members and they plan to be moving forward very soon with a pilot program with the Body Worn Cameras. He stated the Town of Kent and the State Police are currently running a pilot program with the Body Worn Cameras.

Chairwoman Nacerino thanked the Sheriff for that update and information. She stated the purpose for speaking to this matter tonight, is to state that Putnam County is working on it.

Legislator Sullivan stated we are very pleased to hear that soon Body Worn Cameras will be used in the Sheriff's Department. He stated before these cameras are used the County needs to address the facts of where the data from the cameras will be stored and who will have access to said data. He stated in summary there needs to be a policy in place that we have all signed off on.

Legislator Sayegh stated at the heart of this is transparency and accountability of law enforcement, that is what everyone is interested in. She stated our policies need to reflect that.

Legislator Sullivan questioned who specifically the Sheriff is working with from the Unions.

Captain Ortolano stated she has been working with the PBA President and the Attorney's Anthony Quinn and Rosa Mole. She stated this discussion began over a year ago. She stated

the proposed policy was sent to the County Attorney to see if she had any objections. She stated to date she has not heard back from the County Attorney.

Legislator Sullivan stated that makes complete sense that the proposed policy be sent to the County Attorney because the County and the Sheriff's Department are dual employers. He stated he looks forward to seeing it.

Item#13 - Approval/ Establish A Police Policy Advisory Panel / Chairwoman Ginny Nacerino

**a. FYI/ Correspondence From- Leaders of People of Color Subcommittee on Police Policy Review To- Chairwoman of Protective Services Nacerino
Date- March 15, 2021**

Chairwoman Nacerino stated since March there have been discussions with representatives of the People of Color Subcommittee, Scott Rhodes, Jenie Fu and Ronald Reid regarding the proposed formation of an advisory board. She explained the purpose of such a panel would be for the stakeholders of the community to be involved in the continuation of police policy reform. She continued to provide an overview of the backup material to this agenda item. She stated Sheriff Langley had stated he supported having an advisory board. She explained after consideration she did agree that the Sheriff's proposal had considerable merit and could best facilitate the work of an impartial public advisory board. She stated the alternative to have the Legislature or County Executive establish and control such a board would seem to impose an unnecessary layer of government between the Sheriff and the stakeholders, seeking public accountability and policing. She stated she did request, in writing, that Sheriff Langley reconfirm his willingness to assume responsibility for organizing a public advisory board on policing as outlined in his March 5, 2021 letter. She stated in the Sheriff's memo of response dated April 9, 2021 he did confirm his willingness to organizing a public advisory board, that would fall under his responsibility. She stated as Chair of the Protective Services Committee, she looks forward to collaborating with the Sheriff and the panel for the betterment of Putnam County. She explained that the word "committee" was replaced with the word "panel" in the title of this newly formed board. She explained per the Putnam County Legislative Manual the term "committee" is used for groups in the Legislature such as standing committees, special committees and sub committees of the Legislature. She clearly stated that there is no functional difference between a "board" and a "panel".

Scott Rhodes expressed his appreciation and acknowledged the County's efforts in getting the residents vaccinated, particularly the vulnerable citizens. He recognized Commissioner of DSS, Mental Health and The Youth Bureau Mike Piazza for his efforts and initiative to outfitting responding Officers with iPads to connect to the mental health resource. He continued to speak to the focus and mission he and his fellow members have for the panel. He explained that the process of looking at police policies began as a result of Governor Cuomo's Executive Order 203. He stated they support continuing changes of police policies in Putnam County and support a collaborative process with the Sheriff's Department the various branches of Putnam County Government and the residents of Putnam County. He stated they support the formation of this panel and see it as a major component for police reform in Putnam County. He stated they want

to make sure that every entity has a key stakeholder involved in this process. He stated also they want to make sure that the panel will work in conjunction with all three (3) branches of the County Government: the Sheriff's Department, the Legislature and the members of the Protective Services Committee. He stated they want to have a voice and be the voice of the people of color and the citizens of Putnam County. He stated his appreciation for being permitted to speak this evening and stated also on the audio webinar with him were Ronald Reid, Jenie Fu and two (2) new co-leaders, Dennis Cohen and Matinah Drew.

Legislator Sullivan expressed his appreciation to the volunteers. He stated he would like to make an edit to the proposed resolution. He stated rather than having the panel provide an update annually, due to the level of importance, he proposed that they report to the Protective Services Committee monthly.

Legislator Sayegh stated she supports the proposed change to a monthly report from the panel, or at the least, quarterly, especially for the first year. She expressed her appreciation for the members of the Police Policy Review Panel, the work they have done and for the different matters they have brought forward. She stated she supports having this proposed panel which will provide public input directly to the Sheriff's Department.

Chairwoman Nacerino stated she would support a quarterly report from the panel. She stated if there is a need for them to come sooner that is always an option.

Scott Rhodes stated that the panel would like to have a monthly dialogue with the Legislature and the Protective Services Committee in the beginning.

Legislative Counsel Firriolo provided his professional input in the proper wording to accomplish the requested amendments. He recommended wording such as "at least quarterly". He stated such wording would provide flexibility. He pointed out with that wording the panel could be on the agenda monthly if the need be but would be obligated to be on the Protective Services Agenda quarterly.

Chairwoman Nacerino stated she would support the recommendation from Legislative Counsel Firriolo. She stated this will be under the responsibility of Sheriff Langley and she welcomes and invites the panel to the Protective Services Committee Meetings as often as they wish to attend.

Sheriff Langley stated he agrees moving to a quarterly reporting schedule. He stated there is a lot of work to be done. He stated the panel members would reserve the right to meet with the Legislature on their own on a monthly basis should they see fit.

Scott Rhodes stated his agreement to that. He stated he likes the idea of the flexibility of providing a report monthly and or quarterly.

Legislator Montgomery stated she would recommend this group be called a "board". She stated there is nothing that refers to a "panel". She expressed her appreciation for their generosity for agreeing to meet with the Legislature on a monthly basis. She stated no other board does that.

She stated putting a requirement of a quarterly report, in her opinion, is burdensome. She stated she supports a report annually, while permitting them to come to the Legislature as frequently as need be.

Ronald Reid after technical difficulties joined the conversation. He expressed his concern with a change of having the panel report to the Sheriff without any notification to the panel members.

Chairwoman Nacerino repeated that the Sheriff had expressed that he wanted to oversee the panel. She stated it was agreed that it would be the most efficient and effective way. She stated the panel would work towards accomplishing their goals without the interference of the other layers of government such as the County Executive or the Legislature. She stated this will not negate any information or collaboration with the Legislature.

County Attorney Bumgarner stated the reason this item is on the agenda in its proposed form is because it was the Legislature's understanding this is exactly what the subgroup wanted. She continued to speak to this item.

Chairwoman Nacerino facilitated further discussion on this matter. She concluded the discussion by stating there is clearly more to be clarified regarding the formation of this panel.

Chairwoman Nacerino made a motion to Table the Approval/ Establish A Police Policy Advisory Panel; Seconded by Legislator Sullivan. All in favor.

Item#14 - Approval/ FY2021 State Homeland Security Program (SHSP) Grant/ Deputy Commissioner Bureau of Emergency Services Robert Lipton

Deputy Commissioner Robert Lipton stated this is an annual grant. He stated it is in the amount of \$234,000 and \$58,000 goes to law enforcement. He stated the New York State did change this grant to a competitive grant. He stated we are competing for the \$234,000. He stated if Putnam County is awarded funding there will need to be certain priorities fulfilled per the direction of the State. He stated in summary any funding awarded will be specified for specific uses, their four (4) priorities.

Legislator Montgomery questioned what the County's priority for the funding is.

Deputy Commissioner Robert Lipton stated cyber security. He stated he has been in communication with Director Lannon. He stated another category is crowd enforcement, which he has contacted Sergeant Bill Meyer. He stated a project the County likes to help with funding is the Mahopac Falls Dive team.

Chairwoman Nacerino made a motion to Approve /FY2021 State Homeland Security Program (SHSP) Grant; Seconded by Legislator Sayegh. All in favor. *(Approval not needed because there is no match)*

Item#15 - Approval/ Re-Appointments/ Emergency Services Advisory Board: Dave Jacobsen, representing EMS Council, three (3) year term, Eileen Barrett, representing the

Putnam County Community, three (3) year term, Eric Peters, representing the NYS Uniform Building & Fire Code, three (3) year term/ County Executive MaryEllen Odell

Chairwoman Nacerino made a motion to Approve Re-Appointments/ Emergency Services Advisory Board: Dave Jacobsen, representing EMS Council, three (3) year term, Eileen Barrett, representing the Putnam County Community, three (3) year term, Eric Peters, representing the NYS Uniform Building & Fire Code, three (3) year term; Seconded by Legislator Sullivan. All in favor.

Item#16 - Discussion/ Disposition of Personal Property/ Deputy County Attorney Conrad Pasquale

Chairwoman Nacerino made a motion to waive the Rules and Accept the Additional, a Memo from Purchasing Director Mazzotta; Seconded by Legislator Sayegh. All in favor.

Chairwoman Nacerino stated Senior Deputy County Attorney Conrad Pasquale, unfortunately is having technical difficulties, therefore County Attorney Jennifer Bumgarner will address this matter.

County Attorney Jennifer Bumgarner explained her office was requested to research this matter by the County Executive. She stated the County Executive questioned whose authority is it to dispose of County owned Real and Personal Property. She stated the request is in relation to the marine vehicles and equipment that are owned by the County and utilized by the Sheriff's Department by the Marine Unit. She stated she has also received inquiries from Purchasing Director Mazzotta regarding the inventory of said vehicles and equipment due to the budgetary decision to reduce the Marine Unit. She stated Director Mazzotta questioned if it is necessary to maintain all the vehicles and equipment assigned to the Marine Unit. She stated additionally Commissioner of Finance Carlin and the County Auditor contacted her inquiring about processing a request from the Sheriff's Department for the maintenance of the marine vehicles and equipment. She stated the request from the sheriff's Department was to access the entire amount in the 2021 budget line for the maintenance of the marine vehicles and equipment. She stated their question was if the maintenance is necessary, since perhaps all of the vehicles are no longer necessary. She stated the law provides if it is determined that because of the 2021 budgetary changes all of the previously owned and operated marine vehicles and equipment were no longer necessary and were constituted surplus, which is a decision, by law, that the Legislature must make. She stated if the Legislature determines them to be surplus the Legislature can also determine the vehicles and equipment need to be disposed of. She continued to explain the process her staff researched this matter. She stated there are five (5) vehicles or equipment that are specifically utilized by the Marine Unit.: 1) 1998 Angler Boat, 18 foot. The disposition of that vehicle is questionable, and she provided why that is. 2) 2001 Sea-Doo Jet Ski. Because the County owns that vehicle outright, it is up to the County as to what action will be taken. 3) 2011 Pro 420 Zodiac. She provided explanation behind the purchase of that item. She explained her department does not have a copy of the sub-grant agreement. She stated members of her department are working with the Sheriff's Department. She stated no action can be taken to dispose of the boat until the facts are secured and if necessary, prior approval to dispose of it is secured. 4) 2008 Pro-Line Boat which is owned by the New York

State Parks and Recreation. She stated there is an intergovernmental agreement with New York State for this vehicle. She stated when the County determines they want to dispose of it, the County can return the vehicle to the State and decommission it. 5) 2012 Bruns Fiberglass boat. She spoke to the paperwork she received from Sergeant Meyer. 6) Previously owned 2013 Boston Whaler 24 Foot. She explained that vehicle was returned to New York State, per their request. She stated there is a memo dated July 20, 2020 from Sergeant Meyer to the Sheriff stating the boat would be returned to New York State on September 11, 2020. She stated notice was given to the County Risk Department, stating there was no longer a need for insurance on that vehicle. She stated that is the status the County Law Department has in relation to the Sheriff's Department Marine vehicles.

Captain Tompkins stated First Sergeant Meyer is very knowledgeable about the Marine Unit. He stated the Marine Unit does fall under his command, and therefore he would like to speak to this matter. He stated the Sheriff's Department owns and maintains a 23-year old 1998 18 foot Angler, which is used on Lake Oscawana in Putnam Valley. He stated they also own, thanks to a port security grant, and maintain a 10-year-old 2011 Zodiac inflatable rescue boat. He stated this vehicle is portable and has been key in numerous recovery efforts. He stated their smallest watercraft is a 20 year old 2001 Sea-Doo wave runner. He stated that vehicle is used the least. He stated there are two (2) Boston Whalers and a Pro-line which were made available to the Sheriff's Department at no cost through an Equipment License Agreement, essentially it is a no cost lease, with the New York State's Parks and Recreation Department. He stated unfortunately at the end of July 2020 they took one back. He stated they are now left with two (2). He stated that one of those boats will be used on the Hudson River for the 2021 boating season to provide safety for our residents and visitors. He stated the second boat owned by the Park's Department will remain as backup, in the event it is needed for deployment to any of our bodies of water in an emergency. He stated he would like to remind everyone the boats are provided to the County by the State at no cost.

Chairwoman Nacerino stated she is confused the Marine Patrol was defunded for the 2021 budget, so she is unclear where these vessels will be used, moving forward.

Captain Tompkins stated the Sheriff's Department has the equipment that they maintain and have a responsibility to the community, the residents and visitors. He stated they need to make the equipment available if there is a request for it. He stated although the defunding of the Marine Unit, as Chairwoman Nacerino stated, has taken place we are still fortunate to have some funds in that unit and they will make do with the funds they have to address the needs that they have or that they may have. He stated the equipment needs to be made readily available to deploy if there is a need. He stated they, in the Sheriff's Department will do their best with the funds they have.

Chairwoman Nacerino stated in Deputy County Attorney Pasquale's memo it states "In sum the general rule is that Putnam County Legislature is authorized to sell or dispose of personal property belonging to the County. The Legislature is also responsible for making the determination that the property is no longer necessary for public use and should be disposed of or sold." She questioned if Captain Tompkins agreed with that statement.

Captain Tompkins stated he wholeheartedly disagrees with that statement. He stated the decisions are being made by members of the County who have no access to the activities that take place in the Sheriff's Department. He stated the Sheriff will deploy his assets as he deems necessary in the best interest of our residents.

Legislator Sullivan stated that was an interesting narrative from Captain Tompkins. He stated County Attorney Bumgarner stated the Auditors, Commissioner of Finance and the County Executive have all weighed in on this as well as the Legislature weighing in on this by defunding and reducing the funding for the Marine Unit on Lake Mahopac and the Hudson River, because we did not want the boats on Lake Mahopac or the Hudson River. He stated the Town of Carmel is on board with this, and they will handle the patrolling of Lake Mahopac. He stated there are many other agencies who patrol the Hudson River including, Rockland and Westchester Counties, the United States Coast Guard, the Coast Guard Auxiliary the DEP and New York State's Environmental Boats and the MTA. He stated he is very familiar with the Hudson River and how little boat traffic there is on it. He explained he has a boat on the Hudson River at the Peekskill Yacht Club and has for 12 years. He stated he also has a smaller boat on Lake Mahopac and has for 30 years and is very aware of what happens on said Lake. He stated the Legislature passed a budget for 2021 which involved a decision that this is no longer necessary. He stated to hear Captain Tompkins make these assertions astounds him. He stated those boats are surplus they should be returned to New York State and we will no longer have to cover the costs for the maintenance of them or the storage. He stated they are surplus and per the statement from the County's Law Department they are allowed to be sold or returned to whoever gave the County the Vehicles.

Chairwoman Nacerino stated she believes the law reads clear on who has the authority to liquidate these assets. She stated this is on for discussion tonight, but she must say she is taken aback that Captain Tompkins said the Sheriff's Department would take liberty to do what they want because they think it is necessary, when the law is very specific.

Legislator Sullivan stated those were very good points stated by Chairwoman Nacerino.

Legislator Sayegh stated she agrees as well. She stated there were many discussions during the budget process about this matter. She stated per the law she agrees the surplus boats should be returned.

Captain Tompkins stated he appreciates what is being said and does not want to mislead anyone. He stated he understands what is being said regarding selling personal property that is owned by the County and or the Sheriff's Department. He stated he is explaining this is equipment that we do utilize, and we do need.

Chairwoman Nacerino facilitated further discussion.

Sergeant Meyer offered background on what method was used to pay for the different boats. He stated based on how the vehicles were purchased has a direct impact on how it can be disposed.

Chairwoman Nacerino stated there will be a decision made at a later date, this matter is on this agenda for discussion only.

Legislator Sullivan stated he does not think they are looking to decommission the Zodiac vehicle at this time. He stated we see it as being a benefit to the Sheriff's Department and the County.

Captain Tompkins thanked Chairwoman Nacerino for facilitating this discussion. He stated the Sheriff's Department is looking to make Putnam County the safest County not only on land but also on water.

Legislator Montgomery stated there should be records in the Legislature's files regarding the purchase of these marine vehicles, as it would require Legislative approval. She stated she has concerns about selling this equipment, especially in light that it does not seem clear as to who owns them. She stated things are changing, and we do not know what to expect in terms of the number of people being on the Hudson River, as people settle into a full season of the COVID-19 pandemic. She stated she applauds the Sheriff's Department for holding onto the equipment and finding ways to keep the residents of Putnam County safe. She stated she does not support dismantling the Sheriff's Department. She stated at the very least she believes two (2) boats should be kept as resources for the different big holiday weekends: Memorial Day, July 4th and Labor Day. She suggested the numbers be kept throughout this 2021 boating season and then reevaluate the need for the vehicles in the fall of 2021.

Legislator Jonke requested information be provided between now and the next meeting. He stated he would like a Blue Book value of the equipment being discussed. He stated if the County owns a boat that is 20 plus years old, it cannot hold much value. He stated he would not want to jeopardize the safety of our residents for a couple of thousand dollars. He stated if someone could check the Blue Book value that would be appreciated.

Chairwoman Nacerino expressed her support for Legislator Jonke's request and repeated there are no decisions going to be made at this meeting.

Legislator Sullivan stated for clarification, we are not looking to sell these boats, they are owned by New York State and would be given back to New York State. He stated we are not looking to raise money we are just giving them back to New York State.

Legislator Jonke he stated if we are giving up equipment for free and jeopardize the safety of our residents, he does not comprehend the thinking behind that.

Legislator Sullivan stated we do not own them, we never owned them, and of course none of us want to jeopardize the safety of our residents. He stated we are no longer patrolling Lake Mahopac or the Hudson River. He stated it costs the County money to insure the boats, to maintain them, he stated it is a waste of money to keep the boats.

Legislator Montgomery stated it is Legislator Sullivan's opinion that the boats are not needed. She stated based on the sources of the funding given to purchase the boats, regionally and federally, a need was seen for Putnam County to have these vehicles. She stated the Commander

of the Coast Guard, during a conversation she had with him during the budget process and decision to defund the Marine Unit, said “this is very very concerning”. She stated they are using these boats, it was reported here this evening. She stated it is obvious there is a need, and that is why funding was received.

Legislator Sullivan stated New York State did take one of the boats back in July 2020, as previously stated, so if they were so necessary, that would not have occurred. He stated unfortunately there are no records in the Sheriff’s Department in regard to that, which is unfortunate. He stated so now we can only surmise that they determined Putnam County no longer needed the boat or they needed it somewhere else.

Legislator Sayegh stated there are no patrols being left undone. She stated Lake Mahopac and the Hudson River both are being patrolled. She stated therefore we have excess equipment. She stated we are not looking to dispose of anything emergency related. She stated our needs have changed and it is now necessary to reevaluate the fleet.

Chairwoman Nacerino expressed her agreement with Legislator Sayegh’s comments.

Legislator Montgomery questioned if the County has and if we do have she requested a copy of the documentation that stated that patrols would be increased on the Hudson River by the different agencies Rockland, Orange and the Coast Guard.

Chairwoman Nacerino stated that was discussed during the budget process.

Sheriff Langley stated as a reminder the County is reimbursed 50% for all of the Marine Patrol. He stated there is an agreement that Putnam County will patrol the Hudson River and do security check in accordance with Homeland Security at the Bear Mountain Bridge and the Newburgh Beacon Bridge as they are soft terrorist targets. He would appreciate knowing who will look into that.

Chairwoman Nacerino confirmed that will be looked into.

Captain Tompkins stated tomorrow there will be a meeting with the North Hudson Law Enforcement Task Force, which is comprised of all the marine partners and the Coast Guard who patrol the Hudson River. He stated when they heard we were defunded and not going to be patrolling the Hudson River as we had, they were quite surprised. He stated the meeting is 10:30a.m. at the TOPS building, he stated all were invited.

Item#17 - FYI/ First Quarter Correctional Facility Occupancy Report – Duly Noted

Item#18 - FYI/ Discussion/ Suicide Case in Cold Spring/ Legislator Neal Sullivan

Chairwoman Nacerino stated there is no information at this time.

Chairwoman Nacerino made a motion to Table this Discussion to next month; Seconded by Legislator Sayegh. All in favor.

Item#19 - FYI/ 4th Quarter 2020 Coroner Cases – Duly Noted

Item#20 - Other Business

Legislator Sullivan made a comment about not defunding the Police.

Item #21- Adjournment

There being no further business at 10:13pm Chairwoman Nacerino made a motion to adjourn;
Seconded by Legislator Sayegh. All in favor.

Respectfully submitted by Deputy Clerk Diane Trabulsy.