

PROTECTIVE SERVICES COMMITTEE MEETING
Held In Room #318
PUTNAM COUNTY OFFICE BUILDING
CARMEL, NEW YORK 10512
Members:
Chairman Gross, Legislators LoBue & Wright

Thursday

April 10, 2014

The meeting was called to order at 7:45p.m. by Chairman Roger Gross. He requested that Undersheriff Convery lead in the Pledge of Allegiance. Upon roll call Legislators LoBue, Wright & Chairman Gross were present.

Item #3) Approval/Protective Services Committee Meeting Minutes: March 11, 2014

Chairman Gross made a motion to approve the minute from March 11, 2014; Seconded by Legislator LoBue. All in Favor.

Item #4) Discussion/Marine Patrol on Lake Mahopac in 2014

Chairman Gross stated the Legislature received a letter from the Putnam County Sheriff's Department ("Sheriff's Department") stating what they can do related to patrol of Lake Mahopac and the associated cost.

Legislature Oliverio stated the Town of Putnam Valley's Police Department disbanded in 1996. He stated when this occurred the Sheriff's Department began to provide Marine Patrol for Lake Oscawana. He stated the Town of Putnam Valley receives a grant to patrol Lake Oscawana, which is then given to the Sheriff's Department to pay for the Marine Patrol. He stated Lake Oscawana is still being patrolled by the Sheriff's Department today. He stated he thinks it would be fair if the Town of Carmel would do the same.

Legislator Wright questioned if the Marine Patrol for Lake Mahopac would be a partial grant.

Chairman Gross stated the Marine Patrol would be a partial grant.

Legislator LoBue stated she wanted clarification on who regulates Lake Mahopac.

Town of Carmel Supervisor Schmitt stated the State owns Lake Mahopac.

Legislator LoBue questioned if the State could patrol Lake Mahopac.

Legislator Oliverio stated the State would provide a grant to patrol Lake Mahopac.

Chairman Gross stated Sheriff Smith wrote a letter to the Legislature stating they are requesting \$30,000 in the budget to patrol Lake Mahopac; 50% would be reimbursed in 2014 by the New York State Parks

and Recreation Historical Preservation. He stated therefore, there would be a total cost of \$15,000 for the Sheriff's Department to patrol Lake Mahopac.

Legislator Nacerino stated patrolling the Lake Mahopac goes back to the principle of the health and safety of our residence. She stated \$15,000 is not a lot of money if a life is saved during an accident.

Undersheriff Convery stated in the 2014 budget there is already funding for the Town of Carmel at approximately \$21,000. He stated the Sheriff's Department received a grant last year for a new Hudson Marine River Boat at no cost to the County. He stated the County needs to have a trained unit for Lake Mahopac due to the high occupancy during the summer time.

Legislator Scuccimarra stated living near Lake Oscawana it is easy to picture people getting out of hand. She stated Lake Mahopac is much busier and bigger.

Legislator Wright questioned if Mahopac Park District could utilize the boat to spread the \$16,000 cost. He proposed the option of hiring retired police officers. He stated he does not see why the County does not decrease the cost when there are other creative solutions.

Legislator Albano questioned Supervisor Schmitt as to what the cost of patrol would be for the Town of Carmel if no intervention from the Sheriff's Department occurs.

Supervisor Schmitt stated the cost would be \$55,000. He stated the Town of Carmel received a 50% grant, which then reduces the total cost to \$25,000.

Legislator Albano questioned if there is a split that can be fairly done to offset some of the County expenses.

Supervisor Schmitt stated the Town of Carmel was looking for ways to cut the 2014 budget. He stated the Town of Carmel's Police Department costs \$9.3 million dollars. He stated cutting the Carmel Marine Patrol would help reduce the Carmel Police Department's operating costs. He stated Carmel's Police Department reached out to the Sheriff's Department who then agreed to patrol Lake Mahopac.

Legislator LoBue stated there is a marina in the area so; Lake Mahopac is not just used by the residents.

County Auditor Michele Sharkey stated the Carmel Police Department has patrolled Lake Mahopac in the past and this has been at zero cost to the County.

Chairman Gross stated there would be a \$17,000 fiscal impact if the Sheriff's Department patrols Lake Mahopac.

Legislator Wright questioned Legislator Oliverio if Lake Oscawana had a similar Lake District.

Legislator Oliverio stated the State has control over the water, which allowed the Town of Putnam Valley to apply for the grant.

Legislator Wright questioned if there is a Taxing District that is associated with the surrounding area of Lake Oscawana.

Legislative Counsel Van Ross clarified there is not a Taxing District in Lake Oscawana.

Legislator Wright stated the difference between the Lake Oscawana and Lake Mahopac is that Lake Mahopac has a Tax District.

Supervisor Schmitt stated there is the Lake Mahopac Park District where those who reside in that District have a District tax cost that is included in their taxes. Those funds are used to treat Lake Mahopac. He stated the funding would not be sufficient to fund law enforcement. He stated there is public access to Lake Mahopac because it is State owned.

Undersheriff Convery stated with Supervisor Schmitt's authority the Sheriff's Department is ready to patrol Lake Mahopac beginning Memorial Day Weekend.

Supervisor Schmitt stated Lake Mahopac must be patrolled.

Legislator LoBue stated in regards to tourism; people visit Lake Mahopac. She stated she would like the support of her colleagues.

Legislator LoBue made a motion to approve Marine Patrol on Lake Mahopac in 2014; Seconded by Legislature Wright. All in Favor.

Item #5) Approval/Memorialization/Supporting Indigent Defense Legal System & Settlement of Hurrell-Harring et al. v. State of New York

Chairman Gross stated this proposition is to help those less fortunate in terms of legal defense. He then read part of the settlement of Hurrell-Harring et al. v. State of New York case. He stated it appears New York State is taking a mandate, which is rare.

Legislator Wright stated he is not in favor of the proposal and felt the Legislature should not take any action on the matter without soliciting the opinion of the Putnam Legal Aid Society, and the District Attorney's Office. He stated if the Legislature replaces the Putnam Legal Aid Society he believes the Legislature will see a transformation in defense that will not be fiscally pleasing. He stated a State Defenders Office would be a burden to the District Attorney's Office. He stated the State Defenders Office will also displace the jobs of good local attorneys.

Legislator LoBue stated she agrees with Legislator Wright and stated the Legislature should get the opinion of the Putnam Legal Aid Society.

Chairman Gross stated the Legislature could have the Legal Department and Legal Aide attend the May meeting.

Item #6) FYI/State of New York Office/The State Comptroller/Audit Results of the Putnam County Probation Department, entitled Collection of Revenue

Chairman Gross stated he commended the Director of Probation Gene Funicelli for the report and stated nothing negative was found.

Director of Probation Funicelli stated he wanted to give recognition to his Account Clerk, Michele Sharkey and Sheila Barrett. He stated there was an article regarding this item in the Journal News.

Item #7) Other Business

a.) Approval/ To Apply for 2013-2014 Homeland Security Public (PSAP) Safety Answering Point Grant

Chairman Gross stated Emergency Services Director, Adam Steibeling is requesting a grant for Homeland Security Public Safety Answering Point Grant.

Deputy Commissioner of Bureau of Emergency Services, Lipton stated there are two (2) grants with no matching funds. He stated the first grant is for \$500,000 and the second grant is for \$100,000. He stated the Bureau of Emergency Services (“Emergency Services”) would apply for the \$100,000 grant. He explained that Emergency Services learned today in order to apply for the \$500,000 Emergency Services would need to have two (2) Public Safety Answering Point (PSAP) Centers.

Chairman Gross made a motion to approve the Application Apply for 2013-2014 Homeland Security PSAP Grant for the \$100,000; Seconded by Legislator LoBue. All in Favor.

b.) Verbal Update/ERT Meeting

Chairman Gross stated he attended a meeting with multiple representatives. He stated the representatives discussed the cost and involvement of the team. He stated the ERT is composed of negotiators and snipers. He stated there is a funding issue for the Town of Carmel. He stated the Sheriff’s Department would be comfortable in taking over the ERT and they can do so with the grant funding they receive.

County Executive Odell stated she received a letter from Police Benevolent Association (PBA) regarding this matter.

Chairman Gross stated the Legislature also received the same letter from PBA from the President, Jim Bambino stating they are confident in taking over the ERT program.

Legislator Oliverio stated the Sheriff’s Department should incorporate the ERT within their Department. He stated this notion is due to the difference in wages and the liability. He stated he supports the Sheriff’s Department taking over the ERT.

Chairman Gross stated a major concern of his is the 207C. He stated the 207C can really financially drain a community. He stated he knows the Sheriff's Department monitors the 207C costs very closely.

Supervisor Schmitt stated he read the letter from the PBA President Bambino and stated there is mistruth in the letter. He stated all the Town of Carmel is looking for is fairness. He also stated he does not want to see the ERT disbanded or be broken up. He stated the Town of Carmel is just looking for reimbursement when the Town of Carmel's Police Officers are called to work outside the jurisdiction. He stated he would like the ERT to operate under a joint municipal jurisdictional team.

Legislator Oliverio questioned Supervisor Schmitt about the 207C issue.

Supervisor Schmitt stated the 207C is not an issue that the Town of Carmel is concerned with.

Legislator LoBue stated there are other issues and concerns. She stated the Legislature should wait and hear the recommendations of all agencies after they meet.

Legislator Nacerino stated she believes this is an issue of equity and how to disperse the equity. She stated the Sheriff's Department is interested in taking over the responsibility and this may be the best resolution. She stated equity among the County is our main objective.

Undersheriff Covery stated Sherriff Smith will be meeting with the two (2) Police Chiefs. He stated the cost of the Sheriff's Department to run the ERT is \$29,000.

Chairman Gross stated economics will drive the issue. He also stated Putnam County will have an ERT however; it is the personnel that may change.

c.) Verbal Update/Alternative To Incarceration (ATI) Meeting

Chairman Gross stated he attended the Alternative to Incarceration ("ATI") meeting with the Director of Probation. He stated this is along the same lines as the Drug Treatment Court. He stated he was unaware that it cost \$250 a day for an individual to be in jail. He stated the Legislature is looking for groups or organizations that would deal with juveniles under the age of eighteen (18) and permit them to do community service.

Legislator Albano stated it would be more productive to have a juvenile do community service than just sit in jail.

Chairman Gross stated those who participate in the ATI program and work during the week have to complete their community service hours on the weekends. He stated the Highway Department will monitor them. He stated the Highway Department employees who monitor those doing community

service on the weekend will receive time and a half. He stated therefore, there is a cost element but he believes it would still worth be it.

d.) Verbal FYI/Tour of Hudson Valley Transit Center-Hawthorne, NY

Chairman Gross stated he went to visit the Hawthorne State Police. He stated he found it interesting that all of these agencies are linked in together throughout Westchester County. He stated the facility was very impressive.

**e.) Verbal Discussion/Proposed Fiscal Vision & Accountability Commission-
Address matter of possible Police Consolidation**

Legislator Wright stated the Legislature is likely about to embark on the reinstatement of the Fiscal Vision and Accountability Commission for Putnam County. He stated a high priority was police consolidation. He stated he would like for the Commission, if reinstated review this matter.

Chairman Gross stated he agreed with Legislator Wright in talking about the matter more. He stated the matter of consolidation is an item included in the Stated Budget.

Legislator Tartaro stated he think it would be unfair for Fiscal Vision to have that task. He stated it would be a very labor intensive task, and would prevent the commission from reviewing any other matters.

Legislator Nacerino stated the Legislature has not defined what direction it plans on going towards. She stated this is a Commission that has remained dormant for quite some time.

Item #8) Adjournment

There being no further business, at 8:30P.M., Chairman Gross made a motion to adjourn; Seconded by Legislator LoBue. All in favor.

Respectfully submitted by, Administrative Assistant of the Legislature- Lisa Sommers