

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

**Members: Chairman Gouldman & Legislators Castellano & Jonke**

**Tuesday**

**May 16, 2017**

**(Health Meeting to Immediately Follow)**

The meeting was called to order at 6:35p.m. by Chairman Gouldman who requested in honor of National Police Week, that Captain Frank Christian from the Putnam County Sheriff's Department lead in the Pledge of Allegiance. Upon roll call Legislators Castellano, Jonke and Chairman Gouldman were present.

Chairman Gouldman stated that National Police week is in honor and remembrance of all of those police officers who have passed in the line of duty.

**Item #3 - Approval/Protective Services Committee Meeting Minutes April 17, 2017**

Chairman Gouldman stated the minutes were accepted as submitted.

**Item #4 - Discussion/Training Reimbursement for Hiring of Sheriff's Deputies**

Personnel Director Paul Eldridge stated that all new police officers, when they are appointed, are required to take MPTC (Municipal Police Training Committee). He stated it is extensive (654 hours of training). He stated in General Municipal Law Section 72C indicates, if an officer who completes that training in the agency he/she was hired into, but then transfers and takes a job in another police department after the completion of the MPTC, if that transfer occurs from the end date of their training before three (3) years out, the receiving agency will need to pay back a proportional amount of the cost of the MPTC. He stated it is a pro-rata calculation. If the transfer of the police officer happens after the three (3) year time period there is no money owed to the Department the officer is coming from.

Chairman Gouldman questioned if that is taken into consideration when looking for candidates.

Personnel Director Paul Eldridge stated yes. He stated the advantage of course of hiring an officer who has completed the MPTC is that they hit the ground running. He stated however that does not apply with an officer from New York City. He stated they cannot be a direct transfer, they need to apply and get their name on the list.

Chairman Gouldman stated that he will be going out of order with the next agenda items.

**Item #6 - FYI/Statistics for Putnam County Coroner Cases as of May 1, 2017**

Chairman Gouldman stated since there was a mix up with a report that was provided at this committee regarding coroner cases earlier this year he contacted Acting Commissioner of Health Dr. Nesheiwat. He stated that Acting Commissioner Nesheiwat agreed to provide an updated Coroner Cases Report on a monthly basis.

Legislator Castellano requested that the 2016 cases and corresponding numbers for the same time period be provided as well for comparison basis.

Chairman Gouldman stated that he will send that request to Acting Commissioner Nesheiwat.

**Item #7 - Other Business**

**a. Update/Appointment of Three (3) Deputy Fire Coordinators/Bureau of Emergency Services**

Legislator LoBue stated that she noticed that the person who has been appointed to Battalion 16, Mr. George Wahlers, who will primarily cover the Mahopac Fire Department (FD) and the Mahopac Falls FD, worked in the past in Westchester at the Somers FD as Chief. She questioned if he lives in Mahopac or the Mahopac Falls area.

Deputy Commissioner Robert Lipton stated there is no requirement that a Deputy Fire Coordinator has to live in the particular area that they are appointed to. He stated Mr. Wahlers is very well known in the fire services community. He stated that Mr. Wahlers does live in Putnam County. He stated that the Somers FD, the Mahopac and Mahopac Falls FDs work together often.

Chairman Gouldman stated that he is aware of many people who live in a Town and work and participate in a fire department in a different Town. He read the names of the three (3) Deputy Fire Coordinators: James Gagliardo, George Wahlers and Shawn Keeler.

**Item #5 - Discussion/2017 Town of Southeast 4<sup>th</sup> of July Fireworks Event**

Chairman Gouldman invited Undersheriff Paul Boscia along with Captain Frank Christian to speak to this matter, on behalf of the Sheriff's Department. He stated before beginning the discussion of this agenda item, he would invite Undersheriff Boscia to speak in regards to National Police Week.

Undersheriff Paul Boscia stated there were two (2) members of the Putnam County Sheriff's Department who passed away in the line of duty in the entire history of the department. He stated Undersheriff John Day, in 1903 and a Jail Deputy Sheriff died on duty in 1947. He stated that he would also like to remember Undersheriff Peter Convery (passed November 15, 2016) and Senior Investigator Mark Gilmore (passed March 1, 2017) who both passed away recently.

Chairman Gouldman thanked Undersheriff Boscia. He stated that they would begin discussing agenda item #5 and began by reviewing that for the 2016 Town of Southeast 4<sup>th</sup> of July Fireworks Event (Event) the Sheriff's Department coverage cost was \$18,215.95, for an of average 8.5 hours per shift. He requested that they address the projected cost for the upcoming 2017 Event.

Captain Frank Christian stated that the 2016 Event had a lower number of attendees due to the fact that there were other fireworks events on the same evening in Danbury and the Town of Kent. He stated there were about 5,000 attendees at the 2016 Event. He stated at the 2015 Event there were approximately 15,000 attendees in surrounding locations. He stated based on the number of anticipated attendees at an event dictates the number of Sheriff Personnel that is

required to work the event. He stated that in the case of the Event the Sheriff's Department will be protecting five (5) critical areas: Routes 684, 84, 312, Southeast Train Station, the Power Plant at 6N and Route 312. He stated for the 2017 Event he has projected the amount to be spent for the necessary coverage to be \$17,087.59.

Legislator Jonke questioned why, as logged on the summary sheet for the 2016 Event, does it show an average of 8 hours worked, and in some cases more than 8 hours. He stated the Event is a half an hour fireworks show.

Captain Christian stated that the Sheriff's Department needs to arrive in advance of the scheduled event in order to secure the area and control the lot. He stated officers arrive early to set up a command post, the bomb dogs go through and check all critical areas. He stated that they will call officers off the event as they see the crowd numbers dwindle. He stated last year the parking lot after the fireworks was emptied in 23 minutes. He stated again that was quick, but the crowd of 5,000 was much lower than previous years.

Legislator Jonke requests that the areas that the Sheriff's Department monitor for the Event be listed.

Captain Christian stated the parking lots by Marshalls, Home Depot, Kohls, Green Medical Building, the pullout area where the Honey Stand parks, and over at the parking lot where the Department of Motor Vehicle Office is located.

Legislator Nacerino questioned what was the budget that was worked with when there was the 15,000 people in attendance (2015).

Captain Christian stated they worked within the budget that the Legislature approved. He stated he did not recall specifically. He stated that it gets harder and harder to get people to cover this event. He stated everyone thinks the Sheriff's Deputies like doing this. He stated that they do not like working it. He stated it is a holiday weekend. He stated it gets harder and harder to get officers to cover the event. He stated also in the year prior, he believes the State Police agreed to provide a certain number of officers, and they did not deliver. He stated also the need to patrol 84 is a necessity. He stated he has not yet reached out to the other agencies to see if they are available to help out.

Legislator Nacerino questioned if they agree to help out, will that help to reduce the number of Sheriff Officers.

Captain Christian stated no, there would still be a requirement for the same number from the Sheriff's Department.

Legislator Nacerino stated this is a very expensive endeavor.

Legislator LoBue stated that this is too expensive to carry on.

Legislator Jonke stated from the side of the Legislature this is a dollars problem. He stated what is being discussed is a 30 minute fireworks show. He stated the money being spent to put on the fireworks show is all coming from private donation, but then the tax payers have to pay \$18,000 for the Sheriff's Department to provide security. He stated that is where the Legislature is having a difficult time with this.

Undersheriff Boscia stated historically **the fireworks event was held at the Brewster Scolpino Park. He stated it is a smaller venue and easier to control. He stated three (3) Deputies and three (3) State Troopers monitored that event.** He stated that it was very manageable. He stated now it has become this huge event in the middle of all of the shopping. He stated that in his opinion the fireworks display is not that great. He stated regardless of that, this appears to be a Chamber of Commerce event and a money maker for all of the businesses selling beer, wine etc. He stated that it may be good for business, but the cost is coming out of someone's coffers, the County's to pay for the manpower needed to police the Event. He questioned if the Town would be happy to return to Scolpino Park and have a smaller event.

Legislator Jonke stated the Town is not involved. He stated a few years back the Town of Southeast was laying off employees it was decided it would not be fair to spend money on fireworks, when employees were getting laid off. He stated a group of private citizens got together and raised the funds to provide the fireworks show. He stated the Town of Southeast offered their property adjacent to the Highlands shopping center as a location to shoot off the fireworks. He stated that is how this all evolved to be the event it is today. He stated the entire event is paid for with donations raised by people and businesses, which amounts to just under \$10,000. He stated to tell the tax payers it is going to cost \$18,000 to provide security from the Sheriff 's Department for the event is difficult. He stated that he has reviewed the different reports of the number of attendees at this event in the past years. He stated that at the Highlands parking lot there are about 1,500 parking spots. He stated if you estimate 3 people per car it totals less than 5,000.

Undersheriff Boscia stated that he does not agree to say the average car load has three (3) people in it. He stated that he believes that most people have packed cars. He stated to make it work it is going to cost a lot of money and the taxpayers will be paying for a lot of people who don't even live in Putnam County. He stated if this event was returned to a smaller venue, the people of the neighborhood would attend and have a good time. He stated that is his opinion.

Captain Christian stated the County provided transportation from the Town of Southeast Train station via the Trolley. He stated it is important that the Trolley or some form of transportation be provided otherwise there will be a need to input some type of lighting along that roadway from the train station to the Highlands.

Legislator LoBue stated it will cost the County \$300 to run the Trolley, she stated for two (2) Trolleys that will cost the County \$600. She stated that is an estimate. She stated that she believes this event has become very expensive to support.

Undersheriff Boscia stated if the people who were magnanimous and donated the money for the fireworks had no ulterior motives, except to give to the community, he did not see a problem

with moving the event to a smaller venue, away from the businesses that are selling beer and wine and everything else. He stated and if they don't come across with the money, then you know. He stated that he highly recommends that this be reduce and make it a manageable event.

Legislator Jonke stated most of the donations are coming from businesses that are not located in the Highlands area. He questioned if the projected cost (\$17,087.55) is a hard number, with no room for negotiation or a way to reduce the manpower. He stated based on the report given tonight the event went from an attendance of 15,000 to 5,000 and walking through the crowds, most of the attendees are children 8-12 year olds.

Undersheriff Boscia stated and those children sometimes get lost and the Sheriff's Personnel need to go look for them. He stated to plan for this type of event from the Sheriff's Department approach it must be planned from the approach of the worst case scenario. He stated the first time the event occurred, it was a problem because a minimum number of officers were sent. He stated that is not a good scenario in terms of an officer taking action, if the need arises.

Legislator Jonke stated in all of the years this Event has been taking place, there were no arrests.

Legislator Albano stated it sounds to him as though the hours should be cut back. He stated if that does not prove to be effective, then it gets re-evaluated the following year. He stated he does not know the police business, and is sure that there is more to it than he understands. He stated it seems for a 30 minute event and if the parking lot can be emptied in approximately an hour, a four (4) hour or some time close to that shift should be workable.

Legislator Scuccimarra stated that she believes this event has gotten out of control. She stated that being said, these gentlemen are doing their job and need to prepare for the worst case scenario. She stated if the coverage from the Sheriff's Department is scaled back and something does occur at the event, who would be blamed, she believes it would be the Sheriff's Department. She stated that she believes the Legislature and the Sheriff's Department need to work together on this and possibly scale back the event, per Undersheriff Boscia's recommendation. She stated she does not support the Legislature telling the Sheriff's Department how they should do their job.

Legislator Nacerino stated that she does not believe that is the evaluation being made tonight. She stated there is a need and want, when working with the taxpayers' money the Legislature needs to determine is it a need or a want, and is it affordable. She stated it is a wonderful event. She stated conversely from all of the negatives about it morphing into something big, it has become a center for the 4<sup>th</sup> of July holiday. She stated that she has attended all but one of these events. She stated that it is a very enjoyable evening and she has never seen a problem. She stated the Legislature needs to determine, not to underscore what the police officers do, but it must be determined from a fiscal standpoint whether or not this is something that should be supported with taxpayer dollars. She stated a strong consideration needs to be given to supporting or not supporting this event next year.

Legislator Sullivan requested clarification of what Comp Time is (*2016 Overtime Summary Sheet shows Comp Time Total \$1,888.30*).

Undersheriff Boscia stated it is the same as overtime, it equates to time and half. He stated however the Officer does not get paid directly. He stated the Officer can use it at another time. He stated the Officer would have the option to take it as pay at a later date, or use it as personal time.

Legislator Sullivan requested confirmation, was it reported that the bomb dogs are brought to the event.

Undersheriff Boscia stated that is correct. He stated in today's world they sweep an event. He stated there are terrorists out there, we have been very lucky. He stated that it takes time to do a full sweep of that area. He stated once the bomb dogs have completed their work the area must be secured by Officers, otherwise someone could come to the area after the bomb dog leaves and drop a bomb.

Legislator Albano stated this is not an exact science. He stated 8 hours was proposed, he would like to recommend reducing the hours worked per officer to 7 hours. He stated if let's say the officers do work 8 hours and something does happen, then will it be said that there should have been 9 hour shifts. He stated the fact is that there is no perfect number, if something happens, it will be said that there should have been 12 hour shifts.

Undersheriff Boscia stated that what was presented is an estimation. He stated there have been 12 hours shifts worked at this event.

Legislator Sullivan questioned if there could be one (1) or two (2) less officers assigned to the coverage of the event. He stated Captain Christian reported the Officers do not like being assigned to this event.

Undersheriff Boscia stated they could do it with less Officers, but it would not be done optimally. He stated the question he has is why is everyone so adamant about having the event at the Highlands.

Legislator Jonke stated the Highlands location was chosen by the Fireworks Committee. He requested that Town of Southeast Councilwoman Lynne Eckardt (she was in the audience) speak to that, as she was a councilmember when this all came about.

Councilwoman Lynne Eckardt stated that she was on the Fireworks Committee at the beginning but stepped down, so she was not aware of how that location was selected. She continued to express her personal viewpoint regarding this matter.

Legislator Jonke stated he was hoping Councilwoman Eckardt would shed light on why the event is held at the Highlands and why the Town of Southeast wanted that property to be used to fire the fireworks from.

Councilwoman Lynne Eckardt stated that honestly one reason was to make sure the parkland got used for a civic purpose.

Legislator Jonke stated that is the reason.

Councilwoman Lynne Eckardt stated there was more behind the decision than just that.

Legislator Jonke stated that is how the event ended up there. He stated he will report back to the Fireworks Committee the consideration of moving the event back to the Scolpino Park in Brewster.

Legislator Castellano stated that he did attend the fireworks event when it was held at Scolpino Park. He stated that he felt that was an unsafe venue with the traffic that goes right in the middle of the event and all the children running around. He stated that he appreciates all that the Sheriff's Department does in making the event safe at the Highlands location. He stated that he believes the Event provides a great training experience for the Sheriff's Department and he believes having the bomb dogs and the interaction between the people and the Sheriff's Deputies is positive. He stated last year the budgeted amount was set at \$14,000 and then the overage came out of the Sheriff's Patrol Overtime budget line. He questioned if that can be done again.

Undersheriff Boscia stated as long as if they run out of money they can come back to the Legislature and get funding from contingency.

Legislator Castellano stated that is what was agreed to last year. He stated as it turned out the Sheriff's Department did not have to request additional funds from contingency. He stated hopefully that will be the same scenario this year. He believes this to be a great event and believes it is great that people who do not live in Putnam County come to the event.

Undersheriff Boscia stated he can say that they will try, but he cannot promise. He stated if something unforeseen occurs that of course is out of his control.

Chairman Gouldman thanked Undersheriff Boscia for his comments. He stated that if something unforeseen happened and the Sheriff's Department needed additional funding at the end of the year he does not see the Legislature saying no.

Legislator LoBue stated that she is concerned. She stated this same discussion has been had in the past years regarding the high cost to the County to provide security for this event. She stated sometimes tough decisions need to be made. She stated almost \$20,000 to provide police protection at this Event is not sustainable. She stated that she sees this as a luxury. She stated some of the Towns would like help with things that she sees as higher priorities.

Legislator Sullivan stated that he agrees it sounds like a nice event. He stated however he agrees that \$20,000 to support a fireworks show is a lot to ask the County residents to contribute to, when it is actually a Town event. He stated and now the County is being asked to pick up the tab, he is not sure when that was agreed to.

Legislator Castellano stated it is not a Town event. He stated the Town Board spearheaded it during the time it was at Scolpino Park. He stated the business owners came to the Town and asked what happen to the fireworks at Scolpino Park, people showed up to find no event. He

stated after that the discussion of the current Event began. He stated it is not a Town event. He stated the Event is done through private donations.

Legislator Nacerino questioned if the Fireworks Committee was made up of Town Board Members.

Legislator Castellano stated it is not made up of only Town Board Members. He stated the first Event was 2013. He stated it has been a learning process each year.

Captain Christian stated he has been in front of this Committee three (3) times now and it is the same conversation. He stated Legislator LoBue brings up the same questions in reference to the expenses to the County. He stated last year the Legislature agreed to an amount, the Undersheriff told him to work with it, and he did. He stated it is what it is. He stated if the Legislature wants to have the Event, he will do the best he can with the budgeted amount set.

Councilwoman Lynne Eckardt stated she wanted to verify that the Fireworks Committee is not a Town Committee. She stated that she believes the most amount of money the Town has given towards the event was \$1,200. She stated that it is a privately run event through donations and fundraisers.

Legislator LoBue stated Mahopac use to have a fireworks event at the high school. She stated the event became so large and there was nowhere to park, complaints from homeowners were reported to the police department of people parking in private driveways. She stated the Town of Carmel made the decision to stop the event, the cost was getting too expensive to sustain, between the police and the fire department.

Legislator Castellano stated people keep coming back to the Town of Southeast Fireworks Event. He stated and to the point of parking problems, the Highlands Event has plenty of parking.

Legislator Jonke questioned if a phasing in and out of officers could be done. He provided elaboration on his suggestion.

Undersheriff Boscia stated there is a lot to do and everyone needs to be at the same place at the start of the event. He explained a scenario.

Chairman Gouldman facilitated further discussion regarding the matter.

Undersheriff Boscia stated that he understands that all of the Legislators are lay people, and he is in the business. He stated not to say anything bad about the last Undersheriff, he wasn't in the business, he ran a great jail, but operationally with this stuff he believes he has a little bit more than he did, but he loved the guy, he did not mean to say it in a bad way. He stated he knows what is being dealt with and he knows what the cops have to do. He understands what is being asked for, but he cannot promise they will do a good job if it is done that way. He stated if he is putting his guys there, he needs to worry about safety for the public and safety for his guys.

Captain Christian stated to answer Legislator Nacerino, if the amount set is \$14,000 that is what he will work with. He stated this is now the third time he is saying this.

Legislator LoBue stated the Event should be controlled. She stated she believes parameters should be set, for example, preventing people from gathering in the parking lot until 5:00p.m. and have it end by 9:00p.m. She stated and that is how it should be advertised.

Legislator Castellano stated that cannot be done because the businesses located in the Highlands shopping center are open for business. He stated that the business owners would really like to have the Event on the 4<sup>th</sup> of July. He stated the cost to have the Sheriff's coverage is prohibitive to have them work on the actual holiday. He stated the July 4<sup>th</sup> holiday is a slow time for the stores.

Legislator Scuccimarra stated she supports moving forward with this as Captain Christian has agreed to work with the \$14,000. She stated that she agrees that next year this needs to be reevaluated.

Legislator Castellano questioned the Sheriff's Department representatives as to if next year it is decided the County does not want to fund this Event, can the Town of Southeast Fireworks Committee hire a private security firm to work the event.

Undersheriff Boscia stated yes.

Captain Christian stated a private security firm could not direct traffic on the highway.

Legislator Castellano stated it would significantly cut down on the overtime cost of the Sheriff's Department.

Legislator Nacerino stated she too will support moving forward this year with the \$14,000. She stated next year the Legislature will have to begin the review of this matter way in advance and make a decision as to whether this Event is becoming cost prohibitive for the County to support.

County Auditor Michele Sharkey questioned if the request is to take the \$14,000 from Contingency.

Legislator Castellano stated that is correct, that is how it was done last year.

Captain Christian questioned if he can move forward and contact other agencies to work the event.

Legislator Castellano stated yes, but for clarification the County is only paying the Sheriff's Department participation not any of the other agencies.

Captain Christian confirmed that is correct.

Chairman Gouldman made a motion to approve and move to the Audit & Administration Committee Meeting in concept \$14,000 to fund the Sheriff's Department to provide security at the July 1, 2017 Town of Southeast Fireworks Event; Seconded by Legislator Castellano. All in favor.

**Item #8 - Adjournment**

There being no further business, at 7:40 p.m., Chairman Gouldman made a motion to adjourn; seconded by Legislator Jonke. All in favor.

Respectfully submitted by Deputy Clerk of The Legislature Diane Trubuly.