

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

**Tuesday**

**July 8, 2014**

The meeting was called to order at 6:30p.m. by Chairman Roger Gross. He requested that Deputy Commissioner of Social Services Joe Demarzo lead in the Pledge of Allegiance. Upon roll call Legislator LoBue & Chairman Gross were present. In the absence of Legislator Wright, Legislator Castellano sat as member of the committee.

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

**Item #3) Approval/Protective Services Committee Meeting Minutes: May 13, 2014**

Chairman Gross stated the minutes were accepted as submitted.

**Item #4) Discussion/In-House Lab Drug Testing and Probation Assistant Position**

Director of Probation Funicelli stated that he would like to thank the Legislature again for their recognition of the Probation and Parole Officer's week, he was unable to attend the July Full Legislation meeting. He then went on to describe the role of the Probation Department and the number of probationers they have on a regular basis. Director of Probation Funicelli stated that while not all of the approximate 600 Probationers that the probation department is responsible for are regularly tested for drugs a large percentage of them are required to be tested. This is largely due to the strong connection between alcohol and drugs within the criminal community. Director Funicelli explained that out of the approximate 600 Probationers, approximately 100 of those are in Treatment Court, which was explained as a last chance probation before State penitentiaries. Director Funicelli stated that on average about 95% of the Probationers in Treatment Court are tested weekly for drugs, but approximately 50% of the regular program Probationers are tested as well.

Director of Probation Funicelli began to describe the current steps that are taken during a drug test of a probationer. He stated that the first step is collecting a supervised specimen that can be tested on-site with a test strip for initial results. Should it show positive for any of the drugs tested, the specimen is then sealed and sent to a laboratory, off-sight, for official confirmation. He explained the process of shipping, stating that there is a daily courier that collects samples and brings them to the laboratory at a cost of a thousand dollars monthly, approximately twelve-thousand a year. This process can take 1-2 additional days.

Director of Probation Funicelli explained his proposal for a new drug testing machine includes a machine that would be loaned to the Probation Department without contract or any payment on a trial

basis from the Siemens Healthcare Global Company. This new drug testing machine would allow for instantaneous results. In addition to the proposal to use this new process the Probation Department is requesting a Part-Time Probation Assistant would be hired and trained by Siemens Healthcare Global Company, to operate and conduct the additional drug tests using the new machine.

Legislator LoBue stated her concerns are with legality. She questioned if the results would be acceptable in the courts.

Director Funicelli stated the test results of the new machine are comparable to the results of an off-site Laboratory tests. He then stated that the County's legal department has also given their approval on the machines results.

Legislator LoBue questioned Director Funicelli on the matter of possible reduction in cost of the off-site laboratory.

Director Funicelli stated that the goal of having this new machine is to ultimately eliminate the use of an off-site laboratory except in extraordinary cases such as oral specimens which would require an off-site facility to conduct the test. He stated that there would be an estimated \$18,000 in savings with a part time operator of the new machine, as opposed to having a Probation Officer take on the extra work load. He stated that with one operator as opposed to ten employee's it is much more efficient to have someone held responsible for calibrating and maintaining a complicated piece of machinery such as this.

Chairman Gross stated his concern is with a part time employee being available to operate the new machine every day of the week while still being kept within the parameters of part time employment.

Director Funicelli responded by describing how routine drug testing works and that typically the Probation Officers choose two days out of the week to have their Probationers come in for drug testing. During these times, the Probation Assistant would be required to operate the new machine. He then stated that about 90% of drug tests take place on these two days and the other 10% takes place throughout the week resulting in a twenty hour work week schedule for the part time employee. He then stated that there are other tasks a Probation Assistant can do if that person has down time.

Legislator LoBue stated her concern is the financial impact of purchasing the machine.

Director Funicelli stated that due to the machine being loaned on a trial basis, the only cost that would be paid by the department would be the testing materials used in the machine. He stated that the price of the machine would have to be negotiated with the Siemens Healthcare Global after the trial period has ended. The goal would be not to exceed the twelve-thousand dollars a year that the County currently pays. He stated that adding a higher cost to this process would be counterproductive.

Legislator LoBue questioned if the machine is used in any other departments in the area.

Director Funicelli named one that he had observed in use which was in Brooklyn, New York.

Legislator LoBue went on record saying that she thought the idea was great but was just being cautious because of the timing of the upcoming budget process.

Legislator Nacerino stated that she would like to see a final price on the cost of the machine. She then questioned Director Funicelli about false-positives and how cases are pursued after a positive result has been found.

Director Funicelli stated by describing graduated sanctions. He stated that the department's job is not to send people back to jail but to assist them in making a better life for themselves.

Legislator Castellano questioned Director Funicelli about the length of the machines trial period. He also wanted to know if an estimated price could be negotiated sooner than later.

Director Funicelli stated he would be present at the personnel committee meeting. Along with presenting this requested information, Director Funicelli stated that he would bring Senior Deputy County Attorney Fusco with him to Personnel Committee meeting to share her legal opinion. Director Funicelli stated Senior County Attorney Fusco has been working very closely with the Parole Department on this proposal.

**Item #5) FYI/Fund Transfer (14T139)/Sherriff's Department/ Purchase Throwbot Robot**

Legislator Gross stated that the price of the Throwbot Robot would be \$25,620 and would have zero impact on the budget. It was then explained that grant funding would be used to finance the purchase of this Throwbot Robot.

Legislator Oliverio described that the Throwbot would allow law enforcement to have more tactical strategies by using this robot that is virtually silent and has a camera on it.

Chairmen Gross, made a motion to waive the rules and accept the additional; Seconded by Legislator LoBue. All in favor

**Item #6) Other Business**

- a. Discussion/ Putnam County Coroner Vacancy

Chairman Gross stated that there is a vacancy in the Putnam County Coroner's Office and he requested that someone be appointed to appear before Personnel Committee on July 15th, in order to fill the vacancy. He stated that the other two Coroners are overloaded with cases and the vacancy is in great need of being filled.

**Item #7) Adjournment**

There being no further business, at 7:00P.M., Chair Gross made a motion to adjourn; Seconded by Legislator LoBue. All in favor.

Respectfully submitted by, Legislative Summer Intern (P.I.L.O.T) Alix Reed.