

**PROTECTIVE SERVICE COMMITTEE MEETING
TO BE HELD IN ROOM 318
PUTNAM COUNTY OFFICE BUILDING
CARMEL, NEW YORK 10512**

Members: Chairwoman Nacerino & Legislators Sayegh, Sullivan

Thursday

6:00PM

July 21, 2022

(Physical Services to Immediately Follow)

The meeting was called to order at 6:00PM by Chairwoman Nacerino who requested Legislator Sayegh lead in the Pledge of Allegiance. Upon roll call Legislator Sayegh, Legislator Sullivan, and Chairwoman Nacerino were present.

Item #3 - Approval/ Protective Services Meeting Minutes/ June 23, 2022

Chairwoman Nacerino stated the minutes were accepted as submitted.

Item #4 - Update/ Community Engagement & Police Advisory Board (CEPAB)

Co-Chair of the Community Engagement & Policy Advisory Board Ronald Reid stated CEPAB is now a non-profit organization. He introduced the CEPAB members that were with him: Jeffrey Tepper, Toni Faiella-Salas who serves as the Secretary for the CEPAB and Mirna Santiago. He stated they hosted a big community event the Putnam Cultural Festival held at Tilly Foster Farm on May 29th, 2022. He thanked the Sheriff Cadets, Legislators Castellano, Sullivan, and Albano, and County Executive Mary Ellen Odell for their assistance and support. He stated the highlight of the festival was the youth activity headed by Jeff Tepper, a retired John Jay Middle School Counselor.

Jeffrey Tepper stated the role of the CEPAB Cultural Festival is to ensure that the community is aware of the assistance that the organization provides. He stated all the youth activities are free with the exception of inflatables which were paid for by the generous donations of three (3) local businesses: Feehan Insurance Agency, Beal P.F. & Son Incorporated, and Patterson Autobody. He stated Mike Calamari provided games, like soccer, out of funds from his business. He thanked Carmel High School Graduate Eleanor Harrison for taking the initiative in setting up a face painting and kids tattoo activity. He stated everything ran smoothly and parents and kids were very happy with the activities. He stated after the event he emailed the Carmel High School Principal and the members of the Carmel Board of Education, to let them know about the fantastic job these students did, and the great example they provided to every young person who saw them there, volunteering and enjoying themselves while they did it. He stated they are looking to enhance next year's activities as well and try and coordinate with all high schools in Putnam County to involve more students.

Co-Chair Reid stated history lessons on Putnam County were provided by Historian Jennifer Cassidy and many different genres of music were introduced at the festival. He stated CEPAB partnered with several Carmel High School students who started a non-profit organization that provides instruments to areas in need. He listed several of the bands that performed at the festival. He thanked the Jamaican Reggae Band from Brooklyn, NY for taking the time to play at the festival. He stated Senator Harekham's Office provided lifesaving narcotic kits and opioid abuse education. He stated there were exhibits from the Putnam Department of Health and Cornell Cooperative Extension. He stated the Girl Scouts sold cookies. He stated CEPAB received an award from New York State for their contributions and dedication to bettering the community. He stated CEPAB was awarded a New York State Recognition Award for the Cultural Festival. He stated CEPAB is currently working on setting up a demonstration led by Sheriff

Kevin McConville on how to use body cameras. He stated they are available for the demonstration and look forward to receiving the projected date. He stated Mrs. Santiago will provide education to officers as a Biased Instructor.

Diversity, Equity and Inclusion Consultant and Attorney Mirna Santiago stated she investigates claims of discrimination against Employers as a Labor and Employment Attorney. She stated she founded a non-profit organization to introduce Middle and High School girls to the law called Girls Rule the Law. She stated she has done workshops and presentations for a wide variety of people including Attorneys, Legislators, and community members as a Diversity and Inclusion Consultant. She stated she partnered with CEPAB and is having discussion with the Sheriff to provide an anti-biased training program called Recognizing and Interrupting Implicit Bias because no one is free from bias. She stated holding presentations for the Sheriff's Department, County Legislators, and community members was part of the 2020-2021 recommendations. She stated more information can be found on her website: www.mirnasantiago.com.

Co-Chair Reid stated CEPAB is focused on targeted assistance for mental health, opioid addiction, Board of Education Incidents, Complaint Reports, and discrimination and intimidation in Putnam Senior Homes by management. He stated a resident of a 55+ community was forced to leave the facility due to an alleged breach of privacy in her apartment and she was afraid to reach out for fear of retaliation by management. He stated he implores government agencies to document civil and commercial matters within a reasonable time frame and follow up with filed complaints. He stated it is necessary to ensure everyone has access to complaint documentation. He stated CEPAB understands considering current events in our Country the Sheriff's Department has a great many areas that they are focusing on. He stated but we need that documentation, such as complaint reports easily accessible. He stated in closing he and the members of the CEPAB wish everyone a safe and enjoyable summer.

Chairwoman Nacerino thanked the CEPAB members for taking the time to provide this interesting update. She stated the work being done by CEPAB is profound and important work. She stated it is wonderful to see the community being brought together.

Legislator Montgomery thanked CEPAB for their hard work to support the community. She questioned if CEPAB read the Bonadio Report, which was an analyzation of the staffing needs in the Putnam County Sheriff's Department. She also questioned how often they meet with the Sheriff to discuss the plan that was adopted and sent to the State.

Co-Chair Reid stated he has not read the Bonadio Report. He stated CEPAB has scheduled meetings with the Sheriff. However, he stated, he and the members of CEPAB understand there will be circumstances that may require that the dates be changed.

Legislator Montgomery stated one of the goals stated in the plan that was sent to New York State, was transparency and accountability in the Sheriff's Department and officer safety. She stated her support for CEPAB and their role of serving as a conduit to public input and transparency for government overall, especially the Sheriff's Department.

Legislator Sullivan echoed the sentiments of Chairwoman Nacerino. He expressed his pleasure in being a part of the Cultural Festival. He requested the history on how CEPAB came to fruition.

Co-Chair Reid stated he coached the son of CEPAB Chairman Scott Rhodes around 2015-2016 when issues that occurred in Brewster were brought to his attention. He stated a meeting was set up with the intention of allowing people to voice their issues and instead their voices were oppressed. He stated CEPAB was created to allow reasonable and rational people to face these issues head on by discussing a means of resolving them with County Officials.

Chairwoman Nacerino stated Putnam County is a family and relationships need to be fostered to take on prevalent issues in our community.

Legislator Albano expressed his appreciation for the work CEPAB has taken on.

Item #5 - Approval/ Fund Transfer 22T126/ Bureau Emergency Svcs/ Three (3) Audio Feeds to New Consoles and Upgrade 911 Center Video Wall/ Commissioner Bureau of Emergency Svcs Ken Clair

Commissioner of Bureau of Emergency Services Ken Clair stated the Bureau is carrying on with the upgrade of the consolidation. He stated three (3) additional consoles and additional audio equipment has been added to support the consolidation of dispatchers in the County's 911 Call Center. He stated additional audio equipment is needed as well.

Chairwoman Nacerino stated the fund transfer is \$10,700 and there is no fiscal impact.

Legislator Sayegh questioned if this is all that is needed for the 911 Call Center.

Commissioner Clair affirmed that the audio equipment and speakers is all that is needed currently.

Legislator Sullivan stated he was glad to see that the County is continuing to make progress with the consolidation.

Chairwoman Nacerino made a motion to approve Fund Transfer 22T126/ Bureau Emergency Svcs/ Three (3) Audio Feeds to New Consoles and Upgrade 911 Center Video Wall; Seconded by Legislator Sayegh. All in favor.

Item #6 - Approval/ Fund Transfer 22T127/ Bureau Emergency Svcs/ Upgrade 911 Center Video Wall/ Commissioner Bureau of Emergency Svcs Ken Clair

Commissioner of Bureau of Emergency Services Ken Clair stated screens will be purchased and this involves two (2) New York State contracts. He stated they currently do not have the ability to bring in extra feeds. He expressed the need for the additional feed. He stated grant funding totaling \$47,084 will be used. He clarified this fund transfer is in the amount of \$36,315.

Chairwoman Nacerino made a motion to approve Fund Transfer 22T127/ Bureau Emergency Svcs/ Upgrade 911 Center Video Wall; Seconded by Legislator Sullivan. All in favor.

Item #7 - FYI/ Fund Transfer 22T130/ Bureau Emergency Svcs/ Additional Funds for 911 Dispatch Center Overtime/ Commissioner Bureau of Emergency Svcs Ken Clair – Duly Noted

Item #8 - Approval/ Fund Transfer 22T143/ Sheriff's Dept./ Funding for Leased Vehicles in the Narcotics Division/ Sheriff Kevin McConville

Undersheriff Thomas Lindert stated this fund transfer will be used to replace two (2) to three (3) vehicles depending on the price. He stated a commitment needs to be made now to reserve vehicles for next year. He stated the leasing program will start once the vehicles are obtained.

Chairwoman Nacerino requested clarification that this funding does not need to be paid upfront.

Undersheriff Thomas Lindert stated that is correct. He explained the Sheriff's Department needed to give the commitment, and once the vehicles are in then the lease will begin.

Legislator Sullivan explained this was put in sub-contingency so the Sheriff's Department would come to the Legislature and explain why the vehicles and other equipment are needed. He stated he is in support of this fund transfer.

Legislator Albano stated he believes the leasing program will work out well.

Legislator Sayegh stated leased cars typically are required to be within a certain amount of mileage. She questioned if miles added on the cars will be in the lease or if there are special terms.

Undersheriff Lindert confirmed there are special terms. He stated the Sheriff's Department works with the Director of Purchasing on these leases. He stated Enterprise will contact the County and to give notice that the vehicle is reaching its premium for Enterprise to sell it. He stated it is determined by the County's Purchasing Department as to whether the County should keep or return the vehicle to Enterprise. He stated vehicles are usually replaced every three (3) to five (5) years.

Chairwoman Nacerino questioned what is the duration of the lease.

Undersheriff Lindert stated the duration of the leases are typically three (3) to five (5) years.

Legislator Sullivan stated this is consistent with what is done with other vehicles in the County. He stated the County has moved to a leasing program. He stated this was done to save money. He stated the County gets rid of the cars at their maximum value before the County has to start spending a lot of money on repairs.

Legislator Montgomery questioned if only the BCI unit leases the vehicles.

Sheriff Kevin McConville confirmed currently only the BCI unit leases vehicles.

Legislator Montgomery questioned if the Sheriff's Department has a specific vehicle in mind as discussed during the budget season.

Undersheriff Lindert stated the type of vehicle is dependent on the build and when the vehicles are available.

Legislator Montgomery stated there are no specifics for what the money is being approved for. She questioned if the funds are being allocated now.

Sheriff McConville stated they will be back before the Legislature to discuss the specifics once the vehicle is picked. He stated their request is that the funds be transferred to their budget line so that they can commit to the vehicles.

Legislator Montgomery stated the original request for vehicles in the 2022 budget was \$90,000 and now \$24,000 of the \$35,000 placed in sub-contingency is being requested. She requested information on what the other \$11,000 will be used for.

Sheriff McConville stated information will be provided once the model and number of vehicles are solidified.

Chairwoman Nacerino stated the Sheriff has made it abundantly clear, there is no money being expended at this time and this fund transfer is being requested so that they can begin the process.

Legislator Montgomery questioned if the Legislature has the comprehensive review of all the vehicles in the Sheriff's Department that was requested.

Sheriff McConville stated the former Sheriff had furnished the comprehensive review and they are in the process of making updates.

Reporter Liz Armstrong questioned if the cars will be gasoline powered, electric, or a combination of both.

Sheriff McConville stated there are limitations on what vehicles Enterprise will build out. He stated he does not recall seeing electric or hybrid cars.

Legislator Montgomery requested during the budget season and it is a request now that the Sheriff's Department consider hybrid or electric vehicles.

Sheriff McConville clarified the Sheriff's Department can only select what Enterprise has and all models available will be looked at that fits the County's financial budget.

Legislator Montgomery questioned if Enterprise is the only option for purchasing.

Undersheriff Lindert stated the procedures laid out by Purchasing is what the Sheriff's Department follows.

Chairwoman Nacerino stated everyone would like to make the initiative to move towards more energy efficient vehicles. She stated a comprehensive plan must be discussed and formatted to accommodate electric vehicles.

Legislator Montgomery stated that Chairwoman Nacerino is reiterating what she has previously stated in former meetings.

Chairwoman Nacerino clarified she is not the one who makes the comprehensive plan, but she recognizes it needs to be done.

Co-Chair of the Community Engagement & Policy Advisory Board Ronald Reid stated performance factors of the vehicle such as horsepower should be looked at when choosing the vehicles for the Sheriff's Department.

Chairwoman Nacerino made a motion to approve Approval/ Fund Transfer 22T143/ Sheriff's Dept./ Funding for Leased Vehicles in the Narcotics Division; Seconded by Legislator Sullivan. All in favor.

Item #9 - Approval/ Budgetary Amendment 22A055/ Sheriff's Dept./ Marine Patrol- State Aid Navigation Grant/ Sheriff Kevin McConville

Chairwoman Nacerino stated the Putnam County Sheriff's Department and the Town of Carmel Police Chief were notified that they must submit separately as governmental entities who are eligible for reimbursement under the annual Marine Patrol State Aid Navigation Grant. She explained previous to this new process the County served as a pass through for the Town of Carmel.

Chairwoman Nacerino made a motion to approve Budgetary Amendment 22A055/ Sheriff's Dept./ Marine Patrol- State Aid Navigation Grant; Seconded by Legislator Sullivan. All in favor.

Item #10 - FYI/ Follow up memo from County Executive MaryEllen Odell - Bonadio Final Report

Chairwoman Nacerino stated this matter was discussed in full at the June 23, 2022, Protective Services Committee Meeting. She stated County Attorney Jennifer Bumgarner had a personal conflict and was unable to be present at the June 23rd meeting. She stated County Attorney Bumgarner did listen to the audio of the June meeting. She explained County Executive Odell sent a memo, dated June 28, addressing some statements made at the June 23, 2022, Protective Services Meeting. She stated also County Attorney Bumgarner sent a memo, dated July 15, 2022, addressing the matter, unfortunately she was unable to be present at this meeting. She stated County Attorney Bumgarner believed the information contained in her memorandum was important in terms of creating clarity on the facts that were brought forward. She stated she will make a motion to approve the acceptance of said memorandum as additional to this agenda item.

Chairwoman Nacerino made a motion to Waive the Rules and Accept the Additional; Seconded by Legislator Sayegh. All in favor.

Chairwoman Nacerino stated she would be reading County Attorney Bumgarner's July 15, 2022, Memorandum into the record. The following is a summary of the said memorandum. She stated this will be clear on the position of County Attorney Bumgarner and County Executive Odell. She stated the July 15th memorandum by County Attorney Bumgarner reiterates why the Sheriff's Department Personnel were not interviewed by the Bonadio Group. She stated the memorandum states the Bonadio Group contacted County Attorney Bumgarner to inquire about how to gain access to Deputies for interviews on various issues. She stated the memorandum states County Attorney Bumgarner made a verbal agreement with Quinn Law Firm, who represents the PBA, that the Deputies can be interviewed as long as their identities are kept confidential. The memorandum states it was further stated by County Attorney Bumgarner that she and Mr. Quinn of the Quinn Law Firm agreed they would both review the reports to make sure there were no identifying factors. She stated the memorandum states former Sheriff Robert Langley would not allow Deputies to be interviewed on account of not being involved in the communication process with the PBA Council on this issue. She stated the memorandum states County Attorney Bumgarner in conference with County Executive Odell determined the Bonadio Group would move forward with their analysis without interviewing the deputies.

Chairwoman Nacerino questioned if any of the committee members had any questions or statements and stated she would permit any person present an opportunity to speak once on this matter.

Legislator Montgomery stated she did not see a correspondence that said Sheriff Langley would not allow the Deputies to be interviewed. She stated she requested from County Executive Odell a copy of all correspondence between the administration and the Bonadio Group. She stated there were no documents provided until last week when the County Executive responded to her comments and former Sheriff Langley's comments from the June 23rd Protective Services Meeting. She stated County Executive Odell directed the Bonadio Group that there would be no interviews and there was no communication with Sheriff Langley regarding this matter. She stated there was an email from Joe Dillon of the Bonadio Group stating the County Executive directed his office that there would not be any interviews. She stated Joe Dillon sent the email to Sheriff Langley stating the County Executive had called off the interviews. She stated during the 2021 Budget season County Attorney Bumgarner stated that she had seen the draft report and that it would be sent to then Sheriff Langley for his review. She stated that was in October 2021, the Sheriff never received any of the drafts of the reports sent to County Attorney Bumgarner and County Executive Odell. She stated that then Undersheriff Cheverko reported in 2021, his contact at the Bonadio Group reported there were three (3) drafts sent to the County Executive. She stated former Undersheriff Cheverko was attempting to set up Deputy interviews. She stated Joe Dillon notified him that the County was willing to proceed with the draft report without interviewing the PBA. She continued to speak to the information that she had on this matter. She stated that someone in this situation is not telling the truth. She stated the analysis by Sheriff McConville on the Bonadio Report was not reliable as he

received the report at the same time as the Legislature did. She stated there is no acknowledgment of the comments by former Sheriff Langley and there is no input by County Attorney Bumgarner or County Executive Odell at the actual meetings on this matter.

Chairwoman Nacerino questioned where Legislator Montgomery received this information.

Legislator Montgomery stated she received this information from former Undersheriff Kevin Cheverko. She questioned why the Legislature relied on the analysis from Sheriff McConville who was not around during the time that the study was done and why the comments of the previous Undersheriff and previous Sheriff are not considered. She questioned why her memorandums were never answered. She questioned what Chairwoman Nacerino will do to get the correspondence between the Bonadio Group and the administration.

Chairwoman Nacerino stated there is a difference in the information provided by Undersheriff Cheverko to Legislator Montgomery versus the information from County Attorney Bumgarner. She stated she does not believe County Attorney Bumgarner or Mr. Quinn would compromise their integrity by lying.

Resident Andrew DeStefano expressed his disappointment that he just found out about the Bonadio report a week ago and would have liked to contribute to the discussion. He stated he is a New York City Retired Police Captain who lives in Patterson. He stated for the last eight (8) years he has been studying advanced crime analysis and crime prevention on the graduate and PHD level and has a 3.9 GPA. He stated he does not usually go to meetings because he trusts his elected officials to make the right decisions and examine requests that are made. He stated he does not defer when it comes to the Bonadio report. He stated he has only read the first ten (10) pages and wants to discuss the structure of the report. He stated he will be doing an analysis and podcast on the report for school. He stated the Bonadio report was written by two (2) college professors with PHDs so as to have an ethically correct system. He stated this can be confirmed by the APA (American Psychological Association) style format that the report is written in. He expressed confusion on the anger over the Deputies not being interviewed. He stated the Deputies would only have to be interviewed for context and in his opinion, it is unnecessary for this report. He questioned how the Deputies were going to be chosen for interviews.

Chairwoman Nacerino stated she did not know the answer to that question.

Mr. DeStefano questioned if there were any reports done on the Bonadio report.

Chairwoman Nacerino stated the only report is the Bonadio report itself and the only follow up was the accompanying memorandum from County Executive Odell indicating deficiencies in the report.

Mr. DeStefano reiterated the statement by Chairwoman Nacerino that Putnam County is a family. He stated he has his own concerns about the concerns of others with the Bonadio report. He spoke to a past incident when he sent a letter to Chairwoman Nacerino and County Executive Odell, approximately three (3) years ago regarding the Vet-to-Vet Program. He stated at that time then Governor Cuomo was considering proposing to defund the Vet-to-Vet program. He stated in the letter he requested Chairwoman Nacerino and County Attorney Odell do all they could to prevent the defunding of this valuable program. He stated this program helped him receive top medical care after he suffered a TBI.

Chairwoman Nacerino stated the Vet-to-Vet Program is very beneficial and important to our Veterans. She stated thankfully it was funded after a struggle. She reiterated that the purpose of putting this matter on the agenda was to ascertain the facts that transpired from the perspective of County Attorney Bumgarner.

Item #11 - Other Business – None

Item #12 – Adjournment

There being no further business at 7:20 PM Chairwoman Nacerino made a motion to adjourn; Seconded by Legislator Sullivan. All in favor.

Respectfully submitted by Legislative Intern, Eden Barone