

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

Members: Chairman Jonke & Legislators Nacerino & Sullivan

Tuesday

June 19, 2019

(Immediately Followed Personnel Meeting)

The meeting was called to order at 6:55PM by Chairman Jonke who requested that Legislator Sullivan lead in the Pledge of Allegiance. Chairman Jonke requested a moment of silence in memory of Putnam County's beloved Judge Jim Reitz. Upon roll call Legislators Nacerino, Sullivan and Chairman Jonke were present.

Item #3 - Approval/ Protective Services Meeting Minutes/ May 16, 2019

Chairman Jonke stated the minutes were accepted as submitted.

Chairman Jonke stated he will be going out of order. He stated the Committee will next address agenda item # 7.

Item #7 - Approval/ School Bus Safety/ Vehicle Concern – Proposed Resolution to Impose Public Safety Fee/ Senior Deputy County Attorney DiBlasi

Chairman Jonke stated it has been brought to the Legislature that there has been an increase of drivers not adhering to the law that states a vehicle must stop when following or approaching a school bus that is stopped and has its lights flashing and a stop sign displayed from the side of the bus. He stated the Sheriff's Department, District Attorney's Office and the County Attorney's Office have been contacted regarding the creation of legislation to address this disturbing matter.

Senior Deputy County Attorney DiBlasi stated she has drafted a resolution for the Legislature's consideration. She stated under the Vehicle and Traffic Law (VTL) Section 1804 there is a provision that specifically allows a municipality to impose a fee or surcharge. She stated Nassau County has imposed a Public Safety Fee of \$55.00 for all traffic and camera violations. She stated the \$55.00 would be in addition to the already existing monetary fine for the violation of the VTL. She stated the Public Safety Fee could be used to deter the County's cost of prosecuting the actions. She stated that fee is narrowly tailored to that use only.

Legislative Counsel Firriolo pointed out that the amount of this fee for Putnam County was left blank in the proposed resolution. He stated the fee amount is to be determined by the Legislature.

Chairman Jonke facilitated discussion of this very important matter.

Legislator Nacerino stated that the Brewster School buses have cameras on them.

Legislator Sayegh questioned if a tape would be enough evidence to press charges against a driver.

Undersheriff Corrigan stated the way the Law is currently written a Police Officer would need to witness the violation. He stated there was talk about changing this violation to a misdemeanor, which would change things a bit. He stated currently he does not believe the submission of a video tape would change much.

Legislator Albano stated that he believes the key component is public awareness. He stated if the fee is, as recommended this evening, passed and applied, he recommends advertising the institution of the Public Safety Fee. He stated that he believes it would be crucial to it having an impact and creating a change.

Legislator Sullivan stated the Public Safety Fee could be used to pay for the advertising. He stated it has been reported that the State is considering putting cameras in all School Buses. He stated consequently you would think that they will address the issue that video tape evidence be admissible.

Undersheriff Corrigan stated he would like to caution the false sense of security from a camera. He explained it does not always identify a person. He stated there are many methods being used to avoid photographic evidence today. He stated that a photo of a license plate does not always lead you to the driver.

Legislative Counsel Firriolo stated that is correct. He stated the fine will be charged to the licensee of the vehicle.

Undersheriff Corrigan stated there is always a mechanism in place to challenge or plead not guilty. He stated if the fines are made in the amount that they are doable for most people to pay, it will be more successful.

Lynne Eckardt Town of Southeast Councilwoman representing herself, stated she has had constituents contact her about this matter. She stated she agrees with Legislator Albano that the word needs to get out that this is a violation, she does not believe the \$55 proposed fee will be very effective. She stated that she believes if a fee is established it should go to the Town Court Systems, because it would have a direct impact on them.

Captain Babcock questioned if the proposed Fee is specific to the section of the VTL “passing a school bus with red lights”.

Legislative Counsel Firriolo stated no the penalty is for violation to that section.

Captain Babcock stated it may be beneficial to have a meeting with the local Magistrates Association and have their input on these discussions. He stated that is also a way to get the word out that this is a serious violation.

Senior Deputy County Attorney DiBlasi stated the statute that would allow for the inquisition of this fee/surcharge is limited to a conviction of said violation. She stated it would not apply if it is pled down to a lesser offense.

Chairman Jonke stated that he believes it would be a positive action. He stated it is a way to address the issue.

Chairman Jonke and Legislator Sullivan believe a fee/surcharge of \$55 is too low. They recommended it be set at \$100.

Chairman Jonke made a motion to approve Resolution to Impose Public Safety Fee/ Surcharge of \$100; Seconded by Legislators Nacerino & Sullivan. All in favor.

Legislator Montgomery questioned how will the County assure that the fee/surcharge of \$100 goes to “safety”.

Legislator Sullivan stated that will be figured out.

Chairman Jonke stated he would have no objection in having the fee/surcharge collected and distributed to the appropriate Town to help cover court costs.

Item #4 - Update/ 2019 Town of Southeast Fireworks Event

Captain Tompkins stated there is a meeting scheduled for tomorrow, Thursday, June 20th at the Sheriff’s Office with all of the Agencies (State Police, MTA Police, and REACT) who will be involved with the coverage of the event, as well as a representative from Commissioner Clair’s Office. He stated last year Sergeant Monroe created a very comprehensive action plan for this event and it worked extremely well. He stated the same plan will be followed for this year at the June 30th event.

Chairman Jonke stated the Sheriff’s Department did a great job last year with the event. He stated he is hoping the weather will cooperate and it will be another great night. He stated it is a nice event for the County and the Town of Southeast.

Chairman Jonke stated he will be addressing agenda item #6 next.

Item #6 - Discussion/ DSS Security Vacancy and Mandate Requirement

- a. Correspondence from Legislator Sullivan to Sheriff Langley Dated May 28, 2019**
- b. Correspondence from Sheriff Langley to Legislator Sullivan Dated June 12, 2019 (backup not attached)**

Legislator Sullivan stated the Legislature requested that research be done to determine if the vacant Sheriff Deputy position at the DSS Office could be changed to a position of a Special Patrol Officer (SPO). He explained that SPOs are used in many different offices throughout the

County. He stated it would result in a significant cost savings. He clarified that the DSS position is vacant due a retirement of a Sheriff's Deputy who was assigned to that position.

Undersheriff Corrigan stated for clarification that if this were to occur there would need to be two (2) SPOs assigned to the position because of the limitation of hours that they can work.

Legislator Sullivan stated the approximate annual cost of the current position covered by a Sheriff's Deputy is \$147,000, including benefits etc. He stated the Town of Carmel SPO budget for two (2) SPOs was approximately \$65,000 - \$70,000. He stated that is a substantial savings. He stated it makes sense to do that, if it is permissible.

Undersheriff Corrigan stated that he has been researching the specifics of the mandate. He stated there does not appear to be a requirement that the position be filled by a Police Officer. He stated he continues to do further research, but at this time he has not discovered any requirement.

Legislative Counsel Firriolo stated that since the position has been filled by a Deputy for the past 17 years, per New York State Law, the County cannot take away a position from an established union, in this case the Putnam County Sheriff's Employee Association (PCSEA). He stated the PCSEA has what is called "exclusivity" of that position. He stated it is not a law, however it would be considered improper labor practice to take away the position. He clarified that it could be negotiated as part of the upcoming contract. He provided the example that the PCSEA could exchange said position for another position that they would like a Deputy to fill in another position in the County. He stated as of right now the Legislature cannot replace the Deputy position in DSS with an SPO without it being a violation. He stated at the start of this mandate the County could have decided to meet the requirements of providing security by contracting with a private security service or used an SPO. He stated but the County did not do that.

Legislator Sullivan stated for clarification the intent of the Legislature is not to eliminate a Deputy position. He explained it became a subject of review and discussion due to the fact of the retirement of the Sheriff's Deputy which created a vacancy in the position. He stated the current vacancy has been generating overtime costs in order for the position to be covered. He stated the retirement presented an opportunity for the Legislature to revisit it and hopefully save taxpayers money, while keeping security in place.

Undersheriff Corrigan proposed the following. He explained the Sheriff's Department is entertaining a request for an additional School Resource Officer (SRO) per a request from the Brewster Central School District. He stated so they would not be losing a Deputy Sheriff's position it would be the equivalent of moving the position from DSS to the Brewster Central School District. He stated that he would not be in favor of losing a Deputy Sheriff position, but he would be in favor of moving it. He stated then two (2) SPOs could be assigned to the DSS Security position.

Captain Tompkins stated as a point of information, the SRO position would be 100% funded by the Brewster Central School District.

Legislator Nacerino stated when the SPO program was first established in the Putnam County Schools, former Sheriff Smith spoke to the training, qualifications and past experience of the SPOs. She stated the SPOs are doing a great job throughout their different assignments in Putnam County. She questioned Undersheriff Corrigan if this would have to be negotiated contractually into the PCSEA contract prior to taking any action.

Legislative Counsel Firriolo stated that is a question that should be directed to Personnel Director Paul Eldridge.

Legislator Sullivan stated this matter is on for discussion. He stated the key thing is that Undersheriff Corrigan agrees with the Legislature and is willing to work on this.

Undersheriff Corrigan stated that he would like to continue to explore the feasibility of this option.

Chairman Jonke stated that he will send correspondence to Personnel Director Eldridge requesting his professional insight to this proposal.

Item #5 - Discussion/ Approval/ Tabled from June 4, 2019 Meeting/ Grant Application – FY18 Explosives Detection Canine Team Grant Program/ Sheriff Langley

- a. Correspondence from Chairman of Protective Services Jonke to Sheriff Langley Dated June 5, 2019**
- b. Correspondence from Chairman of Protective Services Jonke to Undersheriff Corrigan Dated June 5, 2019**
- c. Email from 1st Sergeant Meyer Dated June 13, 2019 Attachment FY2018 EDC Workbook**
- d. Correspondence from Legislator Sullivan to Sheriff Langley Dated May 17, 2019**
- e. Correspondence from Sheriff Langley to Legislator Sullivan Dated May 22, 2019**

Chairman Jonke stated that there is a request to replace a Canine in the Sheriff's Department that will be retired.

Undersheriff Corrigan stated that is correct. The dog to be retired is eight (8) years old and has some back issues. He stated that he believes it to be important to state that the Explosives Detection Canine is a multi-purpose dog. He stated it is used for searches, missing people and it sweeps locations before events looking for explosives. He stated as an example the Explosives Detection Canine swept the St. James Church, yesterday, prior to the services due to the fact that there were so many Judges, Lawyers and Politicians in the church. He stated they were all able to sit in there under the blanket of safety provided by the dog that swept the Church.

Captain Tompkins stated that a bomb dog has basically a 30 minute threshold that they can sweep a building. He stated the larger buildings, such as the Brewster School District, one (1) dog is not capable of sweeping that large of a space. He stated it could take even more than two (2) dogs. He stated it is common to assist each other with sharing the Canines when there is a need for a large sweep, such as in a school.

Legislator Sullivan stated that he is glad to hear that the Dog can be used for other purposes. He stated Putnam County does not have a big call for bomb concerns. He requested clarification that there are two (2) forms of training. He stated there is a general training, which is 12 weeks and then the Dog goes through the training specifically directed to training the dog to detect bombs.

Undersheriff Corrigan stated that is correct. He stated one of the County's Canines located a firearm in a backpack that had been tossed in the woods by an individual. He stated he would much rather the Canine find it than some young person.

Chairman Jonke requested clarification of the number of Dogs Putnam County currently has.

Undersheriff Corrigan initially stated that there were six (6) Dogs in the Sheriff's Department. He later corrected the record and stated he had neglected to count the Electronic Dog. He stated the County has seven (7) Dogs: 1- Bloodhound, 1- Arson Detection, 1- Electronic Detection, 2 – Narcotics Detection and 2- Bomb Detection.

Chairman Jonke requested confirmation that the retired canine will be given to the handler, and no longer be a financial burden to the taxpayers. He stated the dog becomes a pet and the full responsibility and financial responsibility of the new owner.

Undersheriff Corrigan stated that is correct.

Chairman Jonke requested confirmation that the same handler will be assigned the replacement dog.

Undersheriff Corrigan stated that is correct.

Captain Tompkins stated due to the fact that the handler, a Deputy, has already been through the training, the Deputy would need to only go through approximately nine (9) weeks of a 12 Week program.

Legislator Nacerino questioned if there is a life expectancy in terms of services for the Dogs that the Sheriff's Department has. She additionally questioned if there is documentation from the Vet prohibiting said Dog from acting in its capacity due to health issues and the need for it to retire.

Captain Tompkins stated it is left up to the Canine Handlers. He stated traditionally each Dog at the age of (8) years old is reassessed. He clarified the reassessment is done by the Canine's handler and if they see any sign of concern then the Dog would be brought to a Veterinarian for final evaluation.

Legislator Sullivan stated he did some research on his own and found that the norm for a Dog to serve is eight (8) to nine (9) years.

Legislator Nacerino stated that is important information to coordinate the transitions of the canines in the Sheriff's Department. She stated that she would like to see some documentation of the health issues preventing the current Explosive Detection Canine for continuing to do its job.

Undersheriff Corrigan stated he will provide that.

Chairman Jonke questioned if there is a master plan on the transitioning of the canines in the Sheriff's Department.

Undersheriff Corrigan stated it is a broad plan, because of the unpredictable variables. He stated as an example if there is a dog who at the age of eight (8) years old is healthy and capable of continuing to work, it would not be taken out of service.

Chairman Jonke responded however if a dog reaches the age of 10 years old, there would need to be a consideration of a plan to retire the dog, so in essence you could have a two (2) year window in your plan.

Undersheriff Corrigan confirmed that is correct.

Legislator Montgomery questioned if there is a requirement to only use the German Shepherd breed.

Captain Tompkins stated no. He stated one of their current dogs is a mix breed that has seemed to age very well health wise.

Legislator Montgomery stated she was anxious for this to get approved. She requested verification that the grant application has already been submitted.

Undersheriff Corrigan confirmed it was submitted, in order to meet the deadline.

Legislator Montgomery stated there is no fiscal impact with this grant.

Chairman Jonke stated there is a fiscal impact the County needs to cover the costs that are not covered by the grant. He stated it is not an inexpensive endeavor with these canines.

Legislator Montgomery stated for clarification to acquire the dog there is not fiscal impact.

Captain Tompkins stated it all depends on the amount awarded and the cost of the dog. He stated a dog could cost anywhere between \$8,000 and \$10,000. He stated after the dog is purchased there is training and equipment. He stated then there is a stipend for the Sheriff's Deputy "Handler" of the dog and that would be a legacy cost along with the food and

veterinarian bills. He stated the large bulk, the cost of the dog and equipment and training is paid for by the grant.

Legislator Montgomery stated moving forward the Sheriff's Department does have a replacement schedule for the Sheriff's Department Canines. She stated and the Sheriff's Department can continue to apply for Grants.

Undersheriff Corrigan stated based on the approval of the previous grant award, the need for the Canines of different skills is recognized for Putnam County.

Legislator Montgomery questioned if two (2) Dogs were removed from duty in one (1) year, would the Sheriff's Department be permitted to receive two (2) grants.

Captain Tomkins stated that Sheriff's Department does not want to be put in that position. He explained that is why they have applied for this current grant, which is a three (3) year grant, and it is applicable every year. He stated that the reality is that Putnam County is in a metropolitan area. He stated Putnam County is still the safest County. He stated, keep in mind we border Westchester County. He stated as Undersheriff Corrigan mentioned, Putnam County has been identified by Homeland Security as having a need for two (2) explosive dogs. He stated that is why they award the grant to the Putnam County Sheriff's Department.

Chairman Jonke stated that he is aware that Putnam County loans our trained Canines to other Counties. He questioned if Putnam County has ever been in a situation where we have had to borrow a Canine from a neighboring jurisdiction.

Undersheriff Corrigan stated that they have borrowed Canines to help with sweeps of large areas. He stated also our dogs have been used on calls with the State Police, which serves as training opportunities as well.

Legislator Montgomery stated she would like to see a Memorandum of Understanding with the MTA (Metropolitan Transit Authority).

Undersheriff Corrigan stated that is not needed. He explained there is overlapping coverage with Canines. He stated that part of the success of Canines sweeping different areas is the fact that they are not on a scheduled or rotational basis. He stated the random searches work very well.

Legislator Montgomery stated she agrees with Chairman Jonke. She stated she likes the idea of Putnam County sharing their Canines and to get it down on paper.

Captain Tomkins stated that the Sheriff's Department has a very good working relationship with the surrounding agencies.

Chairman Jonke stated that is good to hear, he wanted to make sure that Putnam was not the agency with all of the resources handing them out to the other agencies.

Legislator Nacerino stated that it is good to hear that the resources are reciprocal between all of the agencies. She questioned if there would be a need to retrofit another vehicle, or would the current vehicle be able to serve in its current state.

Captain Tomkins stated correct the current vehicle is equipped as needed and will continue to be used.

Chairman Jonke made a motion to approve the Grant Application – FY18 Explosives Detection Canine Team Grant Program; Seconded by Legislator Sullivan. All in favor.

Item #8 - Approval/ Fund Transfer (19T124)/ To Cover OT Expenses due to Three Vacancies and One Employee on 207C/ Sheriff Langley (Also addressed at 6/19/19 Personnel Mtg.)

Chairman Jonke requested confirmation that a vacancy was filled. He stated in the past the fund transfers sent to this Committee and the Personnel Committee to cover overtime have referenced four (4) vacancies.

Undersheriff Corrigan stated that is correct. He stated a new Correction Officer began on June 10th. He stated there is another new hire very close to finishing the process and will be brought on board. He stated however there was a resignation of a Correction Officer just received and another Correction Officer who just had surgery and may be out on 207C.

Chairman Jonke made a motion to approve to the Audit & Administration Committee Fund Transfer (19T124)/ To Cover OT Expenses due to Three Vacancies and One Employee on 207C/ Sheriff Langley ; Seconded by Legislator Nacerino. All in favor.

Item #9 - FYI/ Fund Transfer (19T118)/ Purchase New Cameras and Cables in Corrections Lobby and New Evidence Room/ Sheriff Langley

Chairman Jonke requested that Undersheriff Corrigan speak to this item.

Undersheriff Corrigan stated there was a room renovated that is the evidence room. He stated that they are also working on the accreditation for the department. He stated the new cameras will be put in the Lobby of the Corrections Department, where currently there are no cameras. He stated and cameras will be put in the evidence room. He stated it is a requirement of the accreditation process that cameras be in the newly renovated evidence room.

Legislator Sullivan questioned if the Sheriff's Department uses body cameras.

Undersheriff Corrigan stated at this time they do not.

Captain Tompkins stated there is an agency scheduled in the next couple of months to do a demonstration of the Body Camera for Police Officers. He stated that they will keep the Legislature updated on that matter.

Legislator Sullivan stated that would be appreciated and he would like to hear about any information gathered by the Sheriff's Department on this subject.

Item #10 - FYI/ Fund Transfer (19T120)/ Online Training (2- online Classes for 7 Employees 1- online class for 1 Employee)/ Sheriff Langley

Captain Tompkins stated that the Training Sergeant fortunately found the Online courses otherwise the Sheriff's employees would have been sent to Massachusetts for the training, and it would have gotten costly.

Item #11 - Other Business - None

Item #12 - Adjournment

There being no further business at 7:50 PM Chairman Jonke made a motion to adjourn; Seconded by Legislator Sullivan. All in favor.

Respectfully submitted by Deputy Clerk Diane Trabulsy.