

**AUDIT & ADMINISTRATION COMMITTEE MEETING
HELD IN ROOM #318
PUTNAM COUNTY OFFICE BUILDING
CARMEL, NEW YORK 10512**

Members: Chairman Castellano and Legislators Ellner & Gouldman

Thursday **6:30pm** **February 23, 2023**

The meeting was called to order at 6:33pm by Chairman Castellano who requested Legislator Gouldman lead in the Pledge of Allegiance. Upon roll call Legislator Gouldman and Chairman Castellano were present. Legislator Ellner was absent. Castellano stated Legislator Nacerino would sit on the Committee in the absence of Legislator Ellner.

Item #3 – Acceptance of Minutes – December 20, 2022 & January 30, 2023

The minutes were accepted as submitted.

Item #4 – Correspondence/County Auditor
a. Sales Tax Report

Legislator Gouldman stated the numbers for January are higher than they were last year, which is a positive sign.

Legislator Montgomery requested that the numbers be stated for the record.

Chairman Castellano stated the sales tax revenue for January 2023 is \$6,673,020.

- b. Board In Revenue Report – Duly Noted**
- c. Transfer/Revenue Report – Duly Noted**
- d. 2023 Contingency/Subcontingency Report – Duly Noted**

Item #5 – Correspondence/ Commissioner of Finance

- a. Overtime/Temporary Report – Duly Noted**

- b. Approval/ Budgetary Amendment 22A089/ Highway/ Adjust Capital Budget/ Stoneleigh/Drewville Intersection Project (Also reviewed in Physical)**

Commissioner Carlin stated this amendment will match the books to the supplemental agreement previously approved.

Chairman Castellano made a motion to pre-file the necessary resolution; Seconded by Legislator Gouldman. All in favor.

c. Approval/ Budgetary Amendment 22A090/ Highway/ Adjust Capital Budget/ Drewville Road Bridge Replacement Project (Also reviewed in Physical)

Chairman Castellano made a motion to pre-file the necessary resolution; Seconded by Legislator Nacerino. All in favor.

d. Approval/ Budgetary Amendment 22A091/ Finance/ Year End Journal Entry #2

Commissioner Carlin stated this budgetary amendment corrects year end accounts.

Chairman Castellano made a motion to pre-file the necessary resolution; Seconded by Legislator Gouldman. All in favor.

e. Approval/ Budgetary Amendment 23A004/ Bureau of Emergency Services/ Grant Award/ FY2022 State Homeland Security Program (SHSP) (Also reviewed in Protective)

Legislator Nacerino made a motion to waive the rules and accept the additional; Seconded by Chairman Castellano. All in favor.

Chief Deputy Commissioner of Finance Michael Lewis stated this is comprised of two (2) components, one (1) is a Chevy Tahoe to be used as an emergency response vehicle for \$56,731. He stated both current emergency response vehicles are 11 years old and both have over 75,000 miles and are used 24/7/365.

Legislator Montgomery questioned if this vehicle is for the not-for-profit organization REACT.

Commissioner Carlin stated he does not believe so. He stated these vehicles are used by the Bureau of Emergency Services.

Legislator Montgomery questioned if the County is purchasing a vehicle for REACT.

Commissioner Carlin stated yes, the County is purchasing a vehicle for REACT, but this vehicle is for the Bureau of Emergency Services.

Legislator Gouldman questioned if the vehicle price includes being fit with all the necessary equipment.

Chief Deputy Commissioner Lewis stated he would defer to Interim Commissioner of the Bureau of Emergency Services Bob Lipton, but he believes the vehicle will come with all equipment installed.

Legislator Gouldman stated it was mentioned that these vehicles have been used to transport doctors to work during weather events. He questioned how residents can utilize this service.

Commissioner Carlin stated that is a question for the Bureau of Emergency Services.

Sheriff Kevin McConville stated in a situation where medical professionals need to get to their workplace, emergency responders will chip in to transport them.

Chairman Castellano stated there have been a few storms in the past couple of years where the roads were difficult to travel on. He stated he believed contacting the Bureau of Emergency Services would be the best way to arrange travel for medical personnel.

Commissioner Carlin stated the approval of this expenditure needs to be approved by both the County and the State.

Chairman Castellano stated the \$121,731 includes the Chevrolet Tahoe, 2 UTVs (utility task vehicle), and 1 trailer to transport the UTVs.

Legislator Montgomery stated in May 2022 the Protective Services Committee considered a 2021 SHSP Grant. She questioned if this is the same thing.

Commissioner Carlin stated yes, but it is a different program year. He stated there may be different expenditures.

Legislator Montgomery stated the grant considered last year states that it is for vehicles.

Chief Deputy Commissioner Lewis stated there is always a lag, the award letter was not received until September 26, 2022

Commissioner Carlin stated the Federal fiscal year begins on October 1st.

Legislator Montgomery questioned what contracts the \$70,000 will be for.

Chief Deputy Commissioner Lewis stated the contracts are for the ERT (Emergency Response Team) training in the Sheriff's Department, the Town of Kent and Town of Carmel.

Chairman Castellano made a motion to pre-file the necessary resolution; Seconded by Legislator Nacerino. All in favor.

f. Approval/ Budgetary Amendment 23A005/ Finance/ Account for State Aid from NYS Office of Indigent Legal Services/ Pass Through to Legal Aid Society (Also reviewed in Protective)

Chairman Castellano made a motion to pre-file the necessary resolution; Seconded by Legislator Gouldman. All in favor.

g. Approval/ Budgetary Amendment 23A006/ Sheriff's Dept./ Grant Award from NYS Dept. of Criminal Justice/ 20 BWC (Also reviewed in Protective)

Legislator Nacerino made a motion to waive the rules and accept the additional; Seconded by Chairman Castellano. All in favor.

Legislator Nacerino stated the additional material is in response to her inquiry regarding the maintenance and installation.

Chief Deputy Commissioner Lewis stated the Sheriff's Department was awarded a one (1) time grant of \$40,000 to purchase the body worn cameras (BWC). He stated this will cover the cost of an additional 20 body cameras at \$2,000 each. He stated although the grant will only cover the purchase this year, the vendor has agreed to honor the same cost for years 2, 3, and 4.

Legislator Montgomery stated in the past a policy has been required prior to any purchase of equipment like this, for example the license plate readers (LPR). She stated a policy for the BWC has not been presented to the Legislature. She stated footage captured on the BWC is sensitive and it is important to have the policy in place. She provided an example of an officer entering a school and possibility having to go into a restroom where students might be.

Legislator Jonke questioned if the BWC are on at all times.

Sheriff Kevin McConville stated no, they have to be activated. He stated the Sheriff's Department met with all the school Superintendents and one (1) requested to see the policy however they are not entitled to see it because it is an operational policy. He stated the industry standards are followed and they worked very closely with the PBA and incorporated their recommendations into the policy. He stated the policy is very thorough and fair and articulates the law enforcement activity that would be documented when a member of the Sheriff's Department is engaging with the public. He stated there are restrictions on use of the BWC for certain interactions to ensure privacy and security.

Legislator Jonke stated the main reason to use the BWC is for the safety of both the officers and the public.

Sheriff McConville stated since using BWC there has been a reduction in personnel complaints. He stated the BWC have already proven to be invaluable and they were fortunate that were in use during a recent deputy involved shooting incident. He stated there have been no complaints about the operation of the cameras.

Chairman Castellano stated the presence of the camera might dissuade a member of the public from exaggerating what occurred.

Legislator Nacerino stated in terms of the policy for the LPR, there were many issues to consider such as privacy, the chain of command within the department and who had authority over the information. She stated with regard to the BWC policy, the PBA (Police Benevolent Association) was adamant about having structure to this. She stated the fact that they have agreed to implement this and wear the cameras is really an indication of how they feel about it.

Legislator Montgomery stated she does not understand the difference between having a policy for the LPR and not having a policy for the BWC. She stated it is her understanding that the PBA has not yet signed onto this.

Legislator Nacerino stated the PBA has agreed to wear the cameras.

Legislator Montgomery stated she would like to see the document signed by the PBA that they have agreed to wear them. She questioned why the policy for the LPR was so important that it held up the use of them for almost a year and why there is no policy for the BWC. She stated the reason for the Police Policy Review Panel was to have these policies available. She stated she does not want to misrepresent her position; she is in favor of the BWC. She stated this is not a discussion about the importance of using a BWC, it is about the importance of policy. She stated there is a difference between operational procedures and policy. She stated operational procedures are for the department only where the policy is something the Legislature has a say in. She questioned if the Sheriff and/or his command staff wears a BWC.

Legislator Jonke stated the purchase of the LPR through grant funding required the policy to be in place. He stated in this case, the Sheriff's Department already has the BWC. He stated he believes comparing the two is like comparing apples or oranges.

Chairman Castellano stated this is the Sheriff's policy to develop with the PBA. He stated is in support of utilizing the BWC as they are a vital tool that benefit everyone. He stated the LPR could record information on a much broader scale, involving the entire public. He stated the Sheriff stated that the PBA has agreed to wear these cameras.

Sheriff McConville stated the LPRs that were in place prior to his administration taking office had no agreements with the pole owner, cable company, or NYS DOT (New York State Department of Transportation), which are all mandated in order to put an LPR on a telephone pole. He stated over the course of three and a half months they secured

those agreements. He stated there were three (3) LPRs and were in Garrison, Nelsonville, and Cold Spring. He stated there was no documentation authorizing the use of those LPRs so they stopped utilizing them until the agreements were all in place. He stated once that was complete, they worked with NYSEG. He stated the Sheriff's Department is the first law enforcement agency in New York State that NSYEG has given approval to for LPRs to be installed on their poles. He stated as far as BWC, there is a clear delineation of what law enforcement activity can and cannot be documented. He stated in the policy it is articulated that whenever the officer is engaging in public interaction, they are required to inform the individuals that they are wearing a BWC. He stated the policy also speaks to confidentiality and restrictions on viewing the footage. He stated the PBA and its membership has the ability to review incidents as they write the report so it is more factual.

Legislator Montgomery questioned if the Legislature will see the policy for the BWC.

Chairman Castellano stated at this point he does not believe its necessary.

Sheriff McConville stated they met with CEPAB (Community Engagement & Police Advisory Board) and discussed the use of the BWC but the policy was not shared with them.

Legislator Nacerino stated the explanation of why a policy is not being provided is clear.

Legislator Montgomery stated it is not transparent.

Chairman Castellano made a motion to pre-file the necessary resolution; Seconded by Legislator Nacerino. All in favor.

Item #6 – Approval/ Fund Transfer 22T418/ Dept. of Social Services/ NYS Office of Children & Family Services Chargeback for Placement in State Facility from 4/8/21-12/31/21 (Also reviewed in Health)

Commissioner Carlin stated this fund transfer is not necessary as it was included in the Year End Entry (Budgetary Amendment 22A091).

Item #7 – Approval/ Fund Transfer 23T017/ Office for Senior Resources/ Building Rental (Also reviewed in Health)

Legislator Montgomery questioned if this rent has been being paid from three (3) different budget lines.

Chief Deputy Commissioner of Finance Michael Lewis stated the 2023 budget allocated these funds amongst 3 programs.

Commissioner Carlin stated in the beginning it was in one line, but as it has evolved they found it easier to put it into lines that the federal claims were against for each

program. He stated \$165,000 is the annual rent that is being spread out among the budget lines.

Legislator Montgomery stated she thought the rent was \$11,000 per month, although that may have been the amount from 2019.

Commissioner Carlin stated the rent increases each year.

Chairman Castellano stated the monthly rent is currently \$13,296.

Legislator Montgomery stated it would be great to use the building for more purposes.

Chairman Castellano agreed. He stated he spoke with the County Clerk and he is willing to operate services from that building. He stated right now, the County leases it but it can only be used by the Office for Senior Resources.

Legislator Montgomery stated she approached the previous administration with an idea for a program in the building and she was turned down.

Chairman Castellano stated he believes the town has the final say. He stated he would like to see more services being provided from that location.

Chairman Castellano made a motion to pre-file the necessary resolution; Seconded by Legislator Gouldman. All in favor.

Item #8 – Approval/ Fund Transfer 23T033/ Planning/ Reclass Position from Planner II to Principal Planner Effective 1/1/2023 (Also reviewed in Personnel)

Chairman Castellano made a motion to pre-file the necessary resolution; Seconded by Legislator Nacerino. All in favor.

Item #9 – Approval/ Application for Correction of Assessment Rolls & Tax Rolls/ Town of Carmel Tax Map #54.8-1-55.1, 55.2, & 55.3

Chairman Castellano made a motion to pre-file the necessary resolution; Seconded by Legislator Gouldman. All in favor.

Item #10 – Approval/ Authorization/ County Auditor to Attend March New York Government Finance Officers' Association Annual Conference

Chairman Castellano made a motion to pre-file the necessary resolution; Seconded by Legislator Gouldman. All in favor.

Item #11 – Approval/ Town of Putnam Valley American Rescue Plan Act (ARPA) & Sales Tax Funding Reallocation

Legislator Gouldman stated the Town of Putnam Valley has requested that some of their ARPA funding be reallocated for needed projects: phosphorus reduction in Watershed area (\$483,120) and the replacement of Bell Hollow Bridge (\$1,000,000). He stated this reallocation would be greatly appreciated by the Town. He stated he will be supporting this request and he hopes his colleagues will as well.

Legislator Nacerino stated her support for Legislator Montgomery's previous request for the executive summaries for grants to be included in the backup material. She stated it will be helpful to understand what is being approved.

Legislative Counsel Firriolo when the procedure for requests for modifications to the funding is for the town to check with Commissioner Carlin that the projects are in compliance with the APRA guidelines. He stated the request would then go to the County Executive and then to the Legislature for approval.

Legislator Gouldman made a motion to pre-file the necessary resolution; Seconded by Legislator Nacerino. All in favor.

Item #12 – Other Business – None

Item #13 – Adjournment

There being no further business at 7:25pm, Chairman Castellano made a motion to adjourn; Seconded by Legislator Nacerino. All in favor.

Respectfully submitted by Administrative Assistant Beth Robinson.