

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

**Members: Chairman Gross & Legislators Gouldman & Nacerino**

**Thursday**

**6:30p.m.**

**April 9, 2015**

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The meeting was called to order at 6:30p.m. by Chairman Roger Gross. He requested that Reporter and Resident Eric Gross lead in the Pledge of Allegiance. Upon roll call Legislators Gouldman, Nacerino and Chairman Gross were present.

**Item #3 - Approval/Protective Services Committee Meeting Minutes/March 11, 2015**

The minutes were approved as submitted.

**Item #4 – Approval/Grant Application/Hazardous Materials Emergency Preparedness Grant/Bureau of Emergency Services**

Chair Gross requested that Acting Commissioner of the Bureau of Emergency Services Robert Lipton speak to this item.

Acting Commissioner of the Bureau of Emergency Services Robert Lipton stated that the lump sum is divided by the 62 Counties in New York State. He stated that the federal funding that is available is \$227,225. He stated each County Local Emergency Planning Committee (LEPCs) via the application process possibly receive \$3,917 by the formula under this grant program. He stated if all of the Counties do not apply the unclaimed portion of their funding is divided evenly amongst the applying Counties. He stated last year Putnam County received approximately \$6,000, because not all of the Counties applied.

Legislator LoBue questioned if there is a match on the part of the County.

Acting Commissioner of the Bureau of Emergency Services Robert Lipton stated there is a 20% match.

Chair Gross questioned when is the application deadline.

Acting Commissioner of the Bureau of Emergency Services Robert Lipton stated the deadline is May 8, 2015.

Legislator Nacerino made a motion to approve the Grant Application/Hazardous Materials Emergency Preparedness Grant/Bureau of Emergency Services; Seconded by Legislator Gouldman. All in favor.

**Item #5 – FYI/Fund Transfer (15T044)/Ninham Tower Generator Project/Bureau of Emergency Services**

Legislator LoBue questioned if this is a temporary or permanent generator.

Acting Commissioner of the Bureau of Emergency Services Robert Lipton stated this is a permanent backup generator for Ninham Tower.

**Item #6 – Discussion/Text-911 Service & Item #7 Next Gen Text Messaging**

Chair Gross stated that he would like to combine agenda items #6 &7. He stated that Acting Commissioner of the Bureau of Emergency Services Robert Lipton stated will speak to these matters.

Acting Commissioner of the Bureau of Emergency Services Robert Lipton stated that he also has Supervisor Cindy Jacobsen with him bringing her expertise on the subject matter of the Text-911 Service which goes along with the Next Gen Text Messaging item.

Chair Gross made a motion to waive the Rules and accept the Additional; Seconded by Legislator Gouldman. All in favor.

Acting Commissioner of the Bureau of Emergency Services Robert Lipton stated the Text 911 is included in the Next Gen. He stated that there are discussions going on about 911 services coordinating with text messaging, and using pictures and videos. He stated currently the first step in this process is to accept Text Messaging. He stated that there are three (3) different ways to receive text messages. He stated two (2) out of the three (3) are being used in some Counties. The third way is still in the development phase. He stated the first way is through the Short Message Service (SMS) to the Teletype (TTY) or Telecommunications Device for the Deaf (TDD). He stated TTY and TDD are old fashion teletype. He stated the problem with the old fashion type of a system is that it is limited to one way communication at a time. He stated the second way is text messaging via a web browser. He stated this is the method that is currently being used, by some Counties. He stated that the system needs to be live on the web. He stated that the Phone/Cad systems are not live on the web. He stated they need to have a separate unit. He stated otherwise the web could be hacked. He stated that he is not comfortable, personally, to begin to use that type of system at this time. He stated that he is observing the Counties that are and will evaluate their experiences. He stated the third method is still in development. He stated that Verizon is working to develop a gateway; a direct gateway between Verizon and the 911 Center. He stated that appears to be the most secure and functional way to do business. He stated that the communication piece allows dual paths of communication and it would come directly into the CAD systems.

Chair Gross questioned what if a person has AT&T as their carrier and not Verizon, would they be able to access it.

Supervisor Cindy Jacobsen stated yes they would be able to access it. She stated that the four (4) main carriers: Verizon, AT&T, T-Mobile and Sprint have their systems in place allowing their Customers to text to a 911 Center to provide an approximate location. She stated that the other smaller carriers have until June of 2015.

Acting Commissioner of the Bureau of Emergency Services Robert Lipton stated that he would like to verify that it is only the Phone Companies that have this deadline. He stated that the County is not under any obligation to hook up with a phone company.

Legislator Gouldman questioned if this is a Federal or State mandate.

Supervisor Cindy Jacobsen stated it is a Federal mandate for the Cell Phone Providers.

Legislator LoBue stated that Putnam is a small County. She stated that she hopes it does not become a mandate for the County. It sounds as though it will create a lot more work and add more responsibility.

Supervisor Cindy Jacobsen stated that she believes it will become mandated eventually. She stated that for the hearing or speech impaired people this is how they communicate now. She stated that text messaging is also a useful method to use if someone thinks a person broke into their home and they do not want to speak. She stated it would always be better to make an actual voice call.

Chair Gross stated also the upcoming generations' mode of communication is texting. He stated considering that, this will accommodate their generation.

Legislator Nacerino stated at the 2015 NYSAC Conference there was a lot of discussion about the Next Gen Text Messaging process. She stated it is emerging technology. She stated it is a bit preliminary in terms of Putnam County's needs. She stated that it will come of age. She stated that she agrees with Chair Gross in that the kids do not use their cell phones to speak. She stated it would provide another form of communication in a situation where a 911 call needs to be made. She stated she agrees that it is just a matter of time before it is here and being used.

Chair Gross thanked Supervisor Cindy Jacobsen and Acting Commissioner Lipton for the education on this matter.

**Item #7 – Update/Acting Commissioner Bureau of Emergency Services Lipton:**

- **Next Gen Text Messaging**
- **Emergency Services Safety Advisory Board (ESSAB) Projects**
- **Update on Local Emergency Planning Committee (LEPC)**

Acting Commissioner of the Bureau of Emergency Services Robert Lipton stated the ESSAB is working on the Putnam Hospital Radio Project. He stated the representatives from the hospital met with the vendors. He stated that the project is moving along.

Chairman of the ESSAB Eric Gross stated the ESSAB is compiling the number of emergency calls that are made from Nursing Homes and facilities such as Arms Acres. He stated that they would like to present some information to this Committee at the May meeting. He stated the ESSAB plans to research this matter to see if some regulation can be put in place that would provide these facilities to provide their own response services for assisting a person who has fallen out of bed, as an example. He stated it was reported to the ESSAB March meeting that there were eight (8) calls that came in from the same facility for the same individual one (1) day.

Legislator Nacerino stated that this is a serious matter. She stated the volume of those calls are very taxing on the emergency services. She stated however there are certain restrictions at some of the facilities that prevent their employees from lifting people who are in the facility.

Legislator Albano stated that is unbelievable to hear. He stated he is thankful that Mr. Gross and the members of the ESSAB are addressing this matter.

Acting Commissioner of the Bureau of Emergency Services Robert Lipton stated the Local Emergency Planning Committee (LEPC) Annual Meeting, which is an open meeting to the public, will be May 7, 2015 @ 1:00p.m. at the Bureau of Emergency Services. He stated that the LEPC is in the midst of reviewing the HAZMAT (Hazardous Material) Plan for Putnam County.

**Item #8 – Update/Homeland Security Grant Program FY 2015/Bureau of Emergency Services**

Acting Commissioner of the Bureau of Emergency Services Robert Lipton stated that the County has not yet received the application paper work to apply for the Homeland Security Grant. He stated that he wanted to request permission now. He explained that the documentation should be coming very soon, and there would not be enough time to wait for the May Committee Meeting and then the approval from the Full Committee at the June Full Regular meeting. He stated shortly before leaving his office to come here he did receive some notification pertaining to the Grant. He stated that Putnam County will receive the same amount that they received last year, \$275,000, which 25% is split with the Sheriff's Department. He stated that the application period for 2015 has been cut down from one (1) month to 21 days.

Legislator LoBue questioned what the funding will be used for.

Acting Commissioner of the Bureau of Emergency Services Robert Lipton stated that there are a few different projects being considered and a final choice has not been made yet. He stated that he will notify the Legislature once a decision is made.

Legislator Gouldman made a motion to pre-approve the Application for the Homeland Security Grant Program FY 2015-by the Bureau of Emergency Services; Seconded by Legislator Nacerino. All in favor.

**Item #9 – Discussion/Approval/Niagra County Legislature-Proposed Memorialization Resolution Opposing Executive Action to Ban Widely-Used 223/5.56 Rifle Ammunition Designated M855/SS109 By the U.S. Department of Justice and Bureau of Alcohol, Tobacco and Firearms and Condemning all Backdoor Gun Control Via Executive Actions**

Chair Gross stated that the ammunition listed in this resolution is used in semiautomatic rifles, also known as assault weapons. He stated that in the New York Safe Act that was passed it stated that any Assault Weapons owned by individuals had to be registered by a certain date last year (2014). He stated that Assault Weapons cannot be passed on in a will. He stated the intent is to end that weaponry in New York State. He stated that he believes this resolution is related to that matter. He stated this resolution is opposed to the ban.

Legislator Addonizio stated that she is in support of the opposition to ban ammunition. She stated that if this ban were to go through it would create a precedent for the government to ban any type of ammunition.

Legislator Nacerino made a motion to Approve the Niagra County Legislature-Proposed Memorialization Resolution Opposing Executive Action to Ban Widely-Used 223/5.56 Rifle Ammunition Designated M855/SS109 By the U.S. Department of Justice and Bureau of Alcohol, Tobacco and Firearms and Condemning all Backdoor Gun Control Via Executive Actions; Seconded by Legislator Gouldman. All in favor.

**Item #10 –Discussion/Approval/NYSAC- Proposed Memorialization-Resolution Urging NYS to Fully Fund All Costs Related to Raising the Age of Criminal Responsibility to 18 Years of Age in Order to Avoid a New Unfunded Mandate on Counties and New York City**

Probation Director Funicelli stated that the Chief Judge of New York State Judge Lipton proposed raising the age of criminal responsibility. He stated the thinking is that 16 and 17 year olds would go through Family Court rather than the Criminal Court. He stated that based on research the developmental stage of a 16 and 17 year old is better handled by the Family Court system. He stated that North Carolina is the only other State that has criminal responsibility at the age of 16, along with New York. He stated in concept it makes sense. He stated however there are implications that are serious for the Counties; he stated that is where these resolutions come in. He stated that the process that is followed in Family Court versus the process followed in Criminal Court takes more time. He stated in Family Court there is a review of what is going on in the individual's life versus in the Criminal Courts they address the incident that brought the individual to the court. He stated if this change goes through all of the 16 and 17 year olds will be shifted to go through the Probation Department. He clarified those are individuals that currently they have no contact with. He stated in order for the case to be passed to Family Court the Probation Department needs to conduct an intake, evaluation, an assessment of their needs and put programs into place, if needed. He stated it is valuable and worthwhile work. He stated it will involve more programs and more staff will be needed. He stated that he would estimate at the very least that he would need one (1) additional Probation Officer. He stated dealing with this age group will warrant more time and programs that are being mandated by the State. He stated he believes once it is thoroughly examined it will get approved by the State. He stated the concern is that although the talk currently is that the State will fund 100% of any expenses incurred by this legislation, it does not always pan out that way.

Legislator Nacerino stated that conceptually she support this change. She stated that she believes that 16 and 17 year olds are still children. She stated she would like to be proactive in getting the 16 and 17 year olds to go through the Family Court system. She stated that being said she does not like when policy is pushed forward without the proper funding attached.

Probation Director Funicelli stated that is the purpose of this NYSAC resolution. Funding is a serious component of this proposed change and it must be addressed.

Chair Gross facilitated further discussion on this matter, which was all in favor of the change to handle the 16 and 17 year olds in the Family Court. but the change must be accompanied with funding from the State to cover the additional costs that will be incurred by the Counties.

Legislator Gouldman made a motion to Approve the NYSAC- Proposed Memorialization-Resolution Urging NYS to Fully Fund All Costs Related to Raising the Age of Criminal Responsibility to 18 Years of Age in Order to Avoid a New Unfunded Mandate on Counties and New York City; Seconded by Legislator Nacerino. All in favor.

**Item #11 - Discussion/Approval/NYSAC-Proposed Memorialization-Resolution Calling on Governor Cuomo and the Stated Legislature to Plan for Next Generation 911 in NYS and Create a NYS 911 Department that Supports County Public Safety Answering Points and Enhances Local Emergency Dispatch Services**

Legislator Nacerino made a motion to Approve NYSAC-Proposed Memorialization-Resolution Calling on Governor Cuomo and the Stated Legislature to Plan for Next Generation 911 in NYS and Create a NYS 911 Department that Supports County Public Safety Answering Points and Enhances Local Emergency Dispatch Services; Seconded by Legislator Gouldman. All in favor.

**Item #12-Discussion/Correspondence To: Protective Services Chair Gross From: Town of Southeast Director of Parks & Recreation Patricia Bohrman Re: Request for County Legislature to Support Funding to have Sheriff's Department present at the Friday, July 3, 2015 (rain date: Sat. July 11<sup>th</sup>) Fireworks Event**

Chair Gross stated that the Firework event hosted by the Town of Southeast was very well attended in 2014. He stated that last year there was also an event at the Tilly Foster Farm (Farm) at the same time. He stated that he has not heard that there are any plans for an event at the Farm this year. He stated that the Legislature has been contacted by the Town of Southeast Recreation Department and Town of Southeast Councilman Edwin Alvarez requesting financial assistance to cover the cost to have the Sheriff Department patrol the event. He stated that the County did provide financial support last year.

Legislator LoBue stated that she would like to request from the Sheriff's Department a report reflecting the hours of overtime from the 2014 event. She stated that she believes the amounts requested in the correspondence from Councilman Alvarez are excessive.

Legislator Nacerino stated if Councilman Alvarez based his request on last year's event, the event at the Farm would have been factored in. She stated that would not be the case this year.

Undersheriff Convery stated that this is considered a regional event. He stated that people come from Connecticut and they travel to the event via Interstate 84. He stated that it needs to be staffed properly if it is agreed to host the event.

Legislator LoBue stated that she believes that the Legislature should begin with getting, from the Sheriff Department, what the cost was last year to cover the event.

Undersheriff Convery requested that a request be put in writing to the Sheriff and he will make sure the information is provided.

Chair Gross stated that he will send the request to the Sheriff and will keep the Town of Southeast informed that they are looking into the matter. He stated that he believes it is worth mentioning that the event was a big success in 2014.

**Item #13- FYI/Correspondence: Dated April 1, 2015 Fr: Chairman Protective Services Committee Roger Gross To: County Executive Odell cc: Putnam County Sheriff Re: Haldane Central School District**

Chair Gross stated that he sent a correspondence to the County Executive requesting the County's opinion on providing financial assistance to them to employ a School Resource Officer (SRO).

Legislator Gouldman questioned if they are the only School without a SRO.

Chair Gross stated that is correct.

Chair Gross stated that the Mahopac School District has both SROs and Special Patrol Officers (SPO), which was a program that just began in 2014. He stated that the Mahopac School Administration is very happy with the collaboration of the SRO and SPO in their schools.

Legislator Scuccimarra stated she met with Diana Bowers, Superintendent of Haldane School District. She stated that initially Superintendent Bowers stated that they were looking into hiring an SPO.

Chair Gross stated the position of an SPO is filled by a retired Police Officer.

Legislator Scuccimarra stated that Captain Martin and Captain Velotti met with Superintendent Bowers and recommended that they go with the SRO. She stated that it would be a better fit in terms of what they are looking for. She stated at this point the Haldane School District is looking for financial assistance from the County.

Legislator Nacerino stated the financial split between the School Districts and the County for the SRO Program has been 50/50 split. She stated she would not support doing any more than that. She stated to make an exception for one (1) school district over another would set a poor precedent.

Chair Gross stated that the Brewster School District opted to have two (2) SROs in their schools. He stated that the agreement with the County is that the County will split 50/50 the cost of one (1) SRO. The Brewster School District fully covers the cost of the second SRO in their schools. He requested Legislative Counsel VanRoss's recommendation on how to proceed.

Legislative Counsel stated that is the type of funding that would be initiated from the Administration.

Legislator Nacerino stated that the newly instituted SPO Program has been working out very well in Mahopac. She stated the SPOs are retired Police Officers and they go through training to be an SPO.

Chair Gross stated that the SRO is the onsite commander if an incident were to occur, they are in charge. Also, they have a Police Car on the property, which does serve as a deterrent.

Legislator LoBue stated she understands the points that Legislator Scuccimarra has brought forward. She stated she has no problem as long as the same terms that apply to other School District apply to the Haldane School District.

Chair Gross stated that he did send a memorandum to the County Executive dated April 2, 2015 requesting that she notify the Legislature if the County has funds available to put towards this request. He stated that the response from the County Executive will be posted and addressed at the May Protective Services meeting.

Undersheriff Convery stated that there is an SPO in the Putnam Valley Elementary School which is working out well. He stated that he believes that the Brewster School District is considering switching to an SPO in the Elementary School. He stated that it would help to lower the Brewster School District's costs. He stated also an SPO does not have the other costs attached to the employee: pension costs and retirement costs.

**Item #14 - Other Business**

- a.) **Verbal/May 7<sup>th</sup> Protective Services Meeting will discuss: Police Consolidation- Duly Noted**

**Item#15 – Adjournment**

There being no further business, at 7:30 P.M., Legislator Nacerino made a motion to adjourn; Seconded by Legislator Gouldman. All in favor.

Respectfully submitted by Deputy Clerk of the Legislature Diane Trabulsy.