

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

Members: Chairwoman Nacerino & Legislators Addonizio, Sayegh

Thursday

6:00p.m.

July 20, 2023

The meeting was called to order at 6:02PM by Chairwoman Nacerino and who requested Legislator Sayegh lead in the Pledge of Allegiance. Upon roll call Legislators Addonizio, Sayegh, and Chairwoman Nacerino were present.

Item #3 - Acceptance/ Protective Services Meeting Minutes/ June 20, 2023

The minutes were accepted as submitted.

**Item #4 - Update/ Community Engagement & Police Advisory Board/ Scott Rhodes
Chairman of CEPAB**

Chairwoman Nacerino introduced Co-Chair, Ronald Reid of CEPAB.

CEPAB Co-Chairman Ronald Reid stated CEPAB's Culture Festival will be held on September 23, 2023, from 11:30a.m. – 5:00p.m. at the Putnam County Veterans' Park. He then spoke to and shared his notes from a conversation CEPAB had with the owner of a local business, The Hangout Café, regarding an incident said to have occurred on April 26, 2023. He reported the business owner had told them that damage had occurred to the front window of his business and when he was driving his child to school he was followed and discriminatory language was used towards he and his family. He stated the business owner said he went to the Sheriff's Department to file a report on the incident. He stated the business owner and his spouse waited in the lobby as directed waiting for someone to come and speak to them. He stated the business owner said no one came to speak to he and his wife to take their report, so they left. He stated the same day the business owner went back to the Sheriff's Department and a report was taken by a Deputy. He continued to read from his notes regarding another incident that was said to have occurred on April 28th. He stated on May 4, 2023, members of the Putnam Bureau of Criminal Investigations (BCI) visited the business owner. He stated the business owner said he told the BCI members that he was distrustful of the process due to the misinformation and miscommunication. He stated on behalf of CEPAB he would like Sheriff McConville to speak to any further developments with this investigation. He stated in closing he would like to ask if any information is provided to the Protective Services Committee that the Legislative members on said committee make themselves more available to what is happening in their legislative areas. He stated CEPAB is willing to continue to support these efforts as an equal partner. Next Co-Chairman Reid stated CEPAB was invited on June 27, 2023, to the Southern Dutchess BOCES to attend a police meeting with law enforcement agencies from Westchester, Dutchess, Ulster and Columbia Counties. He stated the purpose of the event was to work to strengthen the relationship between law enforcement and local communities, discuss career opportunities and

establish a long-term commitment to working together. He provided an overview of the of the topics and information shared at said meeting that focused on recruiting and retention of law enforcement. He added that district Senators and Legislators were also in attendance and provided valuable input. He stated the topics discussed at the June 27th meeting generated some questions CEPAB has for the Putnam County Sheriff's Department. He proceeded to list them: 1- How does one become aware of job opportunities for the position of Deputy Sheriff in Putnam County? 2- Once they become aware, how do they apply? Once they apply, what is the interview experience like? 3- What is the diversity make-up of Putnam County's Sheriff Department? A follow-up to that is when could they get demographic information similar to the EEO-1 (Equal Employment Opportunity) Report? He ended that request asking if the requested information could be provided within the next two (2) weeks? He stated finally regarding stationary road camera installations at major intersections such as Route 312 and Independent Way near the entrance of I-84, what obstacles, if any, would the Sheriff's Department be facing to start such a project.

Chairwoman Nacerino spoke to the question about job availability in the County. She stated all Deputy positions in the Sheriff's Department are tested positions and are advertised in the County's local papers. She stated that is applicable to all the County's tested positions. She stated interested individuals can also get information on vacancies on the County's website under the Personnel Department. She next deferred to Sheriff McConville.

Sheriff McConville requested that CEPAB Co-Chair Reid repeat his question regarding the incident at the Hangout Café.

CEPAB Co-Chairman Ronald Reid stated they would like to know the developments, related to the incident.

Sheriff McConville stated the matter was reported to the Sheriff's Department, the complainant was interviewed, an investigation was conducted. He stated what was posted on social media, including the comments, were inaccurate and not reflective of what transpired. He stated the incident reported to the Sheriff's Department was the complainant was traveling on Route 52 near the Shop Rite Plaza and a vehicle passing threw, what the complainant believes to be a rock, which struck his vehicle and scratched it. He stated the BCI Department did an extensive interview, pulled video from several different locations. He stated a vehicle is seen on the footage, the license plate cannot be made out, due to the distance of the camera to the vehicle. He stated it is not clear enough to see if anything was or was not thrown from the vehicle. He stated a report was taken on the criminal mischief to the vehicle. He stated they went back to reinterview the complainant, who refused to return the Sheriff's Department phone calls. He stated they went to the complainant residence, but the complainant was uncooperative. He stated they spoke about this at the CEPAB conference in May. He stated where attendees were speaking to what was posted on social media as they were the facts. He stated the individuals who were speaking to that were urged to use caution. He stated while social media is an entertainment medium, it does not always appear to be reflective of the truth, which was the case related to this incident.

CEPAB Co-Chairman Ronald Reid requested if the Sheriff could speak to how feasible it is to post stationary cameras in major intersections throughout the County.

Sheriff McConville stated they have been working on that for the past 14 months. He stated Undersheriff Lindert led the efforts on behalf of the Sheriff's Department to work with NYSEG to receive authorization to post License Plate Readers (LPR) on their poles. He stated they are in the process of purchasing LPRs. He stated they will be amending the LPR Policy, and anticipate coming before this committee next month, August, to present the New York State LPR Policy. He stated they will be looking for any recommendations or suggestions from the Protective Services Committee. He stated in regard to the NYS Department of Transportation (DOT), as an example on Route 312, if the DOT has cross wires they will not permit that an LPR be affixed. He stated that has been an obstacle. He explained the appropriate posting location of the LPR so that it captures useful data and has points of energy to power is a challenge with that restriction. He stated with the permission from NYSEG they will be ready to deploy the LPRs. He stated they have been delivered. He stated they want to revisit the LPR Policy. He stated the LPR Policy that was in place at the Sheriff's Office, was not the policy the Legislature had promulgated. He stated the Legislature had approved an LPR Policy (Reso #237of 2020). He stated that policy was not being followed when he took office in January 2022. He stated also none of the LPRs had permits or authorization to be deployed where they were. He stated that took about 6 (six) months of work to get that resolved. He stated additionally there was not one (1) LPR on a Sheriff's vehicle that was operational. He stated in effect the County had no LPRs in operation. He stated once there is an LPR Policy he and the members of his Department will have them operational.

CEPAB Co-Chairman Ronald Reid questioned when the next Implicit Bias Training class will be given at the Sheriff's Department. He explained CEPAB would like to have a representative in attendance.

Sheriff Kevin McConville stated the Sheriff's Department has their own instructors of the Implicit Bias Training and are currently working to schedule the next training session, which will most likely be in September.

Chairwoman Nacerino thanked CEPAB Co-Chairman Ronald Reid for attending and providing his update. She stated she looks forward to the CEPAB's September Culture Festival.

Legislator Sayegh expressed her appreciation for the work of CEPAB and she thanked the Sheriff for his continued support in working with them.

Legislator Addonizio expressed her appreciation and her anticipation of CEPAB's upcoming event the Culture Festival in September.

Legislator Montgomery inquired what rules or restrictions would be followed in terms of how often a question or comment can be made.

Chairwoman Nacerino stated that there is a full agenda and many people present. She stated as the Chair she will run the meeting with a focus on allowing everyone, who wishes to speak, to do so at least once.

Legislator Montgomery expressed her appreciation to CEPAB Co-Chairman Ronald Reid for his report. She stated she thought CEPAB met with the Sheriff frequently. She stated she liked seeing the transparency tonight between Co-Chairman Reid and the Sheriff. She complimented CEPAB on their outreach programs. She stated she believes all that CEPAB has done in a short time is remarkable. She read from the resolution that established a Police Policy Advisory Board passed by the Legislature in 2021 (R#104). She stated there was a focus on public access to police policy. She stated the Putnam County Sheriff's Department's policies are supposed to be posted on the County website. She stated the only policy that exists on the Putnam County Sheriff's website is the Use of Force Policy. She stated she believes in the 21st century we should encourage and establish a culture of transparency and accountability to build public trust and legitimacy between the public and law enforcement. She stated to her knowledge CEPAB only deals with the Sheriff and does not deal with the Deputies or Staff.

CEPAB Co-Chairman Ronald Reid stated he would like to interject to state CEPAB has met with Staff at the Sheriff's Department and spoke about policies as well as other matters. He stated he is aware that the Sheriff's Department is working on policies, however it takes longer than we like. He stated they have so many checks and balances that must occur before a policy can be finalized.

Legislator Montgomery stated there are other Sheriff's Departments throughout New York State who have their policies posted. She continues to speak to the reported benefits of posting the policies.

Linda Harris, Town of Kent Resident, requested that laws be enacted that would protect the children in our schools. She stated an incident that occurred in the schools and the Sheriff's Department had no jurisdiction. She stated in her opinion with relation to the owners of the Hangout Café, they did not trust the Sheriff. She stated she has spoken to the owners, and they have reached out beyond the County for help. She suggested the Sheriff take another try and try to gain a level of trust. She continued to speak to her opinion of a level of division that exists in the County and that to her it is a sign that things are being done incorrectly. She suggested the Sheriff's Department invite other County groups to their training sessions.

CEPAB Co-Chairman Ronald Reid stated he wanted to point out to the Protective Services Committee that CEPAB has reached out to other groups to join them. He stated he is unsure about their hesitation, but they are doing the best that they can on a volunteer basis.

Chairwoman Nacerino stated she is aware that CEPAB has made every effort to bring people to the table. She stated it should be stated that CEPAB is a board of the County. She stated with that said it is the responsibility of CEPAB to communicate with the Sheriff's Department and to collaborate with the goal to move forward and to continue to make strides in Putnam County.

Legislator Montgomery stated yes CEPAB was established by the Legislature in 2021. She stated after approximately a year they went off on their own. She requested clarification on that.

Chairwoman Nacerino stated the appointment of CEPAB as a County Board must be renewed annually.

Legislator Crowley stated CEPAB is on their own they are a not-for-profit organization.

Item #5 - Update/ ALS Awarded Contract – Empress Ambulance Services/ Chairwoman Ginny Nacerino

Chairwoman Nacerino stated she would like to begin by stating Advanced Life Support is a very important service as it protects the health and safety of our residents. She stated there is a coordinated effort that is put forth with all of the first responders as well that is important. She stated she believes Putnam is the only or one of the only counties who provides Advanced Life Support (ALS). She stated in other counties it is encumbered upon the Towns to do so. She stated for the record the Legislature played no part in the negotiations or the rewarding of the contract. She explained the purpose of tonight’s meeting is to get an overview of how the process occurred. She stated a panel of speakers have been invited: beginning with Deputy County Executive Burpoe, Director of Purchasing John Tully who will provide an overview of the RFP (request for proposal) process and the selection process, then Commissioner of Bureau of Emergency Services (BES) Robert Lipton and Director of Emergency Medical Services Alex Roehner will provide information on what proceeded and led to the implementation of a new contract and speak to matters that pertain to the BES as they work along with the selected ALS provider, Empress Ambulance Services. She stated the final speakers will be the representatives from the Empress Ambulance Services, Executive Director Robert Stuck, President of Empress Ambulance Services Michael Minerva and Vice President, Vice President, Corporate Development Jim O’Connor, who will provide an overview of the services that will be provided to Putnam County. She stated she will open the floor to allow for questions after each group has addressed their topic. She stated Deputy County Executive Burpoe, Director of Purchasing John Tully will begin.

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

Deputy County Executive Burpoe stated he and Director of Purchasing John Tully will provide a chronological report of what has occurred up to this point. He began by starting with January 1, 2022, when Amblunz was awarded the ALS contract. He stated it was a three (3) year contract with a two (2) year extension. He stated at approximately \$123,000 per month and an approximate total of \$1.4 million. He stated throughout the course of that year there were learning curves and some problems happening as they were establishing pickups and billings. He stated February 15, 2023, Amblunz sent a letter to Commissioner Lipton requesting a meeting about financial concerns they had with running the contract. He stated Amblunz was requested to submit certified financials. He stated said records were requested by the County, three (3) different times. He stated the only thing provided was a Microsoft spreadsheet, no certified records. He stated Amblunz finally responded stating their headquarters would not

provide certified financials. He stated the County went back and forth with them to see what it was they were saying they could not afford. He stated Amblunz blamed their financial challenges on several factors, staffing, fuel prices, and a new law that had been passed requiring departments to bill ambulance services. He stated on May 22, 2023, they had a meeting with the representatives of Amblunz. He stated prior to the May 22nd meeting he reviewed the contract to determine if there were areas where the County might be able to help them with their burden. He stated there was nothing in the contract that would permit the County to legally do that. He stated in the review of the contract it was also realized there was a 90 day escape clause for Amblunz and a two (2) year escape clause for the County. He stated at the May 22, 2023, meeting Amblunz stated they wanted to initiate their 90 day clause, which would have brought them to August 22, 2023. He stated after the May 22nd meeting he did not have a good feeling, so he instructed Commissioner Lipton and Director Tully to start assembling a team to put together an RFP, so the County would be ready. He stated on June 1, 2023, the County received a letter from Amblunz stating they were initiating the 90 day escape clause, stating they would end June 30, 2023. He stated after meeting with them they agreed to stay until the end of July with an additional \$85,000 - \$90,000 per month in addition to the \$123,000 monthly payment. He stated after additional discussions it was agreed that an additional \$12,500 for the month of July would be paid, allowing the County time to put together a new RFP. He stated Amblunz wanted to stay only til July 15th. He then expedited the RFP process. He stated Director of Purchasing Tully and Commissioner of Bureau of Emergency Services (BES) Lipton formulated the RFP. He stated that Director of Purchasing Tully would speak to that process.

Director of Purchasing John Tully stated once they received the direction to create the RFP to ensure that there would be no gap in the services provided, they immediately began working to develop the new document. He stated Commissioner BES Lipton formed an Advisory Committee. He stated as Director of Purchasing in the creation of an RFP he relies on the scope of services from the using department. He continued to speak to that process. He stated related to the work to have the County prepared Commissioner BES Lipton and his staff engaged if the process of trying to get a Certificate of Need (CON) in the County's name to increase the vendor pool. He stated the RFP was finalized and on May 25th the formal notice was sent to the newspapers, it was posted on the BidNet Service. He stated all interested parties knew their proposals were due on June 30, 2023. He stated it was clear that the provider had the option to apply with the vendor holding the CON and/ or the County holding the CON. He stated due to all of the risks associated with the incumbent company leaving at the end of the June, Deputy County Executive Burpoe requested he convene the Evaluation Committee immediately. He stated the day of the bid opening an Evaluation Committee was setup. He provided the names of the Evaluation Committee: Commissioner BES Lipton, Deputy Commissioner BES Falloon, two (2) citizen experts: Mike Mocuiski and Pattie Frische. He stated Deputy County Executive Burpoe over saw the entire process. He stated Purchasing Department Assistant Supervisor Planning and Design, Alexis Hawley and he did the pricing evaluation of the proposals. He stated they had two (2) Evaluation Committee meetings. He stated a contract award was fully executed by the County Executive on July 7, 2023, a week prior to the goal date.

Deputy County Executive Burpoe stated it should be noted in the new contract the escape clause has been rewritten so it is in the best interest of the County not the vendor and the implementation of mandatory quarterly reporting is now part of the contract. He stated the

vendor will be required to meet quarterly and provide their financials and go over performance. He stated the County should never have this problem again.

Director of Purchasing John Tully stated also the RFP included an opportunity to scale the service being provided. He stated the Commissioner of BES and staff members will be permitted to evaluate the effectiveness of the services on a monthly and quarterly basis. He stated to the extent needed there is some scalability permitted in the contract in terms of increasing or decreasing services. He clarified the award did go out based on the exact configuration that was submitted by Commissioner Lipton and the Advisory Committee. He stated the notices of award and declination were sent out on July 7th to all the proposers. He stated during the ensuing week the County worked with the awarded company, Empress, on a fee schedule and other matters. He stated the contract was fully executed on July 14, 2023. He stated the former company, Amblunz fulfilled their commitment through the close of business on July 15th.

Chairwoman Nacerino requested information on the number of companies that did bid on the RFP.

Director of Purchasing John Tully stated there were four (4) total bids. He provided a broad overview of each. He stated that Empress did provide two (2) responses to the County's RFP 1- with them holding the CON and 2- with the Putnam County holding the CON. He stated the Committee spoke to each of the front running companies. He stated the determination was to make an award with the vendor holding the CON and that resulted in the award going to Empress. He stated it was a competitive RFP. He stated there were some proposals that the County may consider in future negotiations. He stated the awarded contract will result in a \$1.2 million increase to the County budget. He stated there will be a fiscal impact in 2023. He stated it is a three (3) year contract with the provision of two (2) renewable terms.

Chairwoman Nacerino stated time was of the essence. She stated the County was put in this position. She stated there have been many rumors about the process. She stated with that said she would like to thank Deputy County Executive Burpoe and Director of Purchasing Tully for providing clarity to this process.

Director of Purchasing John Tully stated the timing of everything that was done, was strategic in nature in the attempt to mitigate any risk to the County and result in a gap of ALS in Putnam County. He stated all of those who participated in the RFP, those awarded and those who did not get awarded the contract, were informed the same time. He stated the County Executive published a press release as soon as his staff was able to get it done.

Deputy County Executive Burpoe stated the Administration's focus was to make sure that everything was in place to take effect at 12:01a.m or even before, if need be, to protect the citizens of Putnam County.

Director of Purchasing John Tully stated Empress was very amicable in the meetings to make sure that services would be in place when the County needed them.

Legislator Addonizio recognized this must have been a very stressful process.

Director of Purchasing John Tully stated Deputy County Executive Burpoe's has been through similar urgent award scenarios in his past positions, his expertise during this process was very valuable. He stated there have been some new measures implemented in the Purchasing Department, which he was not aware of. He stated once they revise their Procurement Policy, they will be included.

Chairwoman Nacerino stated her appreciation to all those who were involved and stated it was a stupendous job on their parts.

Legislator Sayegh questioned how do we avoid finding ourselves in a situation like this.

Director of Purchasing John Tully stated Deputy County Executive Burpoe did mention earlier that the termination clause in the contract was balanced out. He stated they believe the revisions made to this contract has put the County in a good position moving forward.

Legislator Gouldman stated it is unfortunate that things like this happen. He stated it would have been awful if someone called 911 for assistance, and there was no response. He stated he would like to thank the Administration for their leadership and for all they did to address this matter so quickly. He requested a clarification on the two (2) one (1) year extension options in the contract.

Deputy County Executive Burpoe stated after the three (3) years, the County has the right to invoke. He stated they will consider that at research market value at which time the County will determine if they should extend or go back for another RFP.

Legislator Montgomery stated she was not in support of the last ALS contract that was awarded to Amblunz. She thanked Empress and Mr. Stuck for working with the County. She stated this has been of great concern for a number of months. She stated speaking to the timing and strategy, she found out the contract had been negotiated by the County with Empress from the press. She stated the Protective Services Committee Members were quoted in the press release, and she is not sure why they did not tell the rest of the Legislators. She stated in the future, a matter like this that affects our local fire departments, local EMS agencies and the Towns and Villages, she hopes the communication of information is better.

Chairwoman Nacerino clarified, the committee members of the Protective Services Committee did not have any information on the signing of the contract, she as Chair of the Committee was contacted. She stated she received a phone call in confidence that this matter would be coming for this agenda. She stated it is not at her discretion to make those announcements.

Legislator Crowley stated she is very excited to have Empress back working in Putnam County. She stated the continuity they already have with our first responders and department heads will be a real positive. She stated in her communications with those who work in the EMS field it creates a lot of comfort knowing they have a working relationship and know how to come

together. She stated she is very impressed by what was accomplished under these circumstances and very thankful.

Legislator Ellner questioned if the option extensions are at a predetermined increase rate.

Deputy County Executive Burpoe and Director of Purchasing Tully stated they are predetermined.

Ken Launzinger, Chief of Lake Carmel Fire Department, stated at the start of this meeting it was said that the County is providing this service, so the Towns will not be responsible to pay anything, is that correct.

Chairwoman Nacerino stated the County is contracting with Empress, that is what her statement reflects. She explained in some other Counties the Towns are responsible for contracting for ALS service.

Ken Launzinger, Chief of Lake Carmel Fire Department, spoke to the fact and his frustration that this contract the County has signed with Empress will have a financial impact on the Towns, yet the Towns had no input with the negotiations. He stated they will need to find a way to come up with this additional funding, because it was not budgeted for.

Chairwoman Nacerino stated that subject and concerns will be addressed when the representatives from Empress speak.

Ken Launzinger, Chief of Lake Carmel Fire Department, continued to speak to his frustration with the current circumstances and his opinion is it could have been handled in a different way.

Cindy Jacobsen, Member of Carmel Ambulance Corp. wanted to clarify something that was referenced earlier by Legislator Gouldman. She stated at no time would an individual call 911 and not of had an ambulance respond, they may not have gotten a medic. She stated medics are a very important part of the system, but she wanted to clarify the basic system would have still been in place. She questioned was it in the contract or was it determined in the contract process as to how much the agencies would pay and did that play into the County's contract.

Director of Purchasing John Tully stated the total cost to the County over the course of the three (3) year contract will be \$8.3 million. He stated that is 100% funded by the County. He clarified the County will not receive any offsetting revenue over the next three (3) years. He stated the contract had a provision in it that the awarded vendor would have the sole responsibility to negotiate with each fire district on the terms of the transport. He stated the County did not have privity of contract in that discussion. He stated Commissioner Lipton could certainly speak more to that topic. He stated the County did bring to the attention of Empress what the Administration was hearing in respect to the transport component, and they will address that.

Chairwoman Nacerino invited BES Commissioner Robert Lipton and EMS Director Alex Roehner to speak next.

BES Commissioner Robert Lipton stated he wanted to begin by reinforcing what had been reported by Deputy County Executive Burpore and Director of Purchasing Tully. He confirmed that in February of 2023 Amblunz sent him a letter stating they were having financial difficulties. He stated EMS Director Roehner is the one that stated based on that communication from Amblunz the County should be proactive in terms of how to handle this. He stated then in May another letter was received stating they would like to have a meeting. He stated at said meeting the representatives of Amblunz were saying that their February letter was when the 90 day period began, which they were saying they would be finishing working in Putnam County in May of 2023. He stated it was communicated that the County was willing to accept their 90 day notice at the May meeting, not February. He stated that is when the process of forming the Advisory Committee began. Director Roehner put the Advisory Committee together. He stated the committee members included: Mike Mocuiski, Dave Jacobsen, Chris Tobin, Bobby Kearns, Bob Cuomo, and Steve Weigand. He stated all of those people are highly respected members in the EMS community. He expressed his sincere appreciation for all of the work and time that they dedicated. He continued to speak to the pressure of the circumstance and the great job that was done. He stated once the RFP was completed, it was published in the beginning of June. He stated the entire time there was a looming possibility that Ambulnz would back out, and leave the County without ALS services. He stated once the results came back from the RFP the Administration put together an RFP Committee to review each applicant. He stated that committee existed of: himself, BES Deputy Commissioner Falloon, Mike Mocuiski, Pattie Frischie. He stated there were two (2) RFP applicants that were very competitive with each other. He stated WEMS (Westchester Emergency Medical Services) and Empress. He stated each company was contacted. He stated the deciding factor was the time. He stated WEMS stated it would take them 4-6 months to get everything up and running. He stated Empress stated they could get up and running in 48 hours. He stated Executive Director Robert Stuck of Empress also committed if Amblunz broke the contract sooner than what was agreed to, just let him know and Empress would take care of the County. He stated that Empress had worked with the County and they have a very good understanding of the County and their Medics have been part of Putnam County for years. He stated he is in support of the choice that was made and he looks forward to working with Empress. He stated Empress took over seamlessly. He finished by stating EMS Director Roehner's work and communication with the different agencies, which continues to this day, has been so tremendous.

Chairwoman Nacerino stated her agreement that the work and communications with the members of the departments that is carried out by EMS Director Roehner is extremely valuable and she thanked her.

Legislator Crowley stated she was very impressed with the people selected to serve on the Advisory Committee and the RFP Review Committee and that there was engagement with the EMS Committee. She stated her thanks to all for their due diligence.

Ken Launzinger, Chief of Lake Carmel Fire Department questioned what would the amount have been if the County had gone with WEMS, under the scenario that they would not back charge any of the departments.

Director of Purchasing John Tully stated and the County would have held the CON. He stated that would have cost the County over \$11 million and that is not where the costs would have ended for the County. He stated that and the fact that WEMS could not start immediately, pushed them to an award with a vendor who held a CON.

Chairwoman Nacerino invited representatives from the Empress Ambulance Services, Executive Director Robert Stuck, President of Empress Ambulance Services and Vice President, Vice President, Corporate Development Jim O'Connor to speak next.

Executive Director Robert Stuck stated he is very happy to be back working in Putnam County. He stated Putnam County never had to worry about going without ALS service, the Team at Empress made sure of that. He provided an overview of his background. He spoke to the growth of Empress. He stated when Empress left the County in 2022, they had approximately 30 ambulances and 180 employees. He stated today they have approximately 100 ambulances and 500 employees, in the Hudson Valley. He stated there are about 1,200 employees between their south and north division. He stated Empress is very dynamic in their approach of meeting the needs of the changing environment. He spoke to the growth of the company in the surrounding counties. He recognized Director Roehner for her ability to get the necessary people in place, her coordination was very valuable. He stated there are concerns, not on the operational side. He stated there have been changes to the County RFP and State Law that have had an impact. He spoke to the changes in the County's RFP and the State Law. He stated the RFP only allows for Empress to have fly cars, therefore there is no way for Empress to generate additional revenue. He stated that required Empress to adjust their bid to the County and to the charge that would go out to the transport agencies. He stated there was a Law passed in New York State 209-b of the General Municipal Law. He explained this law gave Fire Departments the ability to bill for ambulance services. He stated that same law also precluded a vendor from billing. He stated Empress lost the revenue on the transport side and now they lost the ability to bill not only patients but the insurance companies as well. He stated now they are put in a position to go to the Fire Departments, who in the past were never charged, but now have to be charged. He stated this was stated in the RFP process as well. He explained by law it is the Fire Department's responsibility to do the billing. He stated he feels for the Fire Departments, and in fact, he would prefer to be able to bill the insurance companies, but they do not have that right anymore. He stated they must bill the transporting agency including the Fire Departments.

Chairwoman Nacerino facilitated further discussion on this new law, which is proving to be a challenge for some Fire Departments, who never did billing before.

Executive Director Robert Stuck spoke to the rate that Empress is charging and how it is in relation to Medicare rates, because Medicare is 60% of what is used by the people they provide service to. He stated Empress charges the fair market value of an ALS intercept call. He stated Empress understands that the Fire Departments did not budget for this.

President of Empress Ambulance Services Michael Minerva stated Empress does chaos well. He stated Empress approached this bid really fiscally responsible. He stated they feel a responsibility toward the Hudson Valley and all the communities they serve. He explained as Executive

Director Stuck said Empress is very happy to be working back in Putnam County and we all feel a real sense of responsibility towards what they are doing here.

Chairwoman Nacerino stated she believes the Fire and EMS community are happy to have Empress back. She stated she believes these nuances can be worked out. She stated it has come as a sticker shock to a lot of them, as they are halfway through the year, and they had not budgeted for this. She stated it has been mentioned that there are ways to defer and mitigate it to ease the burden.

Executive Director Stuck spoke to the charges and reimbursement amounts. He stated they will monitor the situation.

Legislator Ellner questioned if it is permissible for the Fire Departments to bill the individuals' insurance to recoup.

Executive Director Stuck stated it is clear in the law that the Fire Departments do not have to bill the individuals, but the bill is the responsibility of the Fire Department.

Legislator Montgomery stated what has not been discussed is the fiscal impact to the Towns. She stated the Fire Departments are going to have to ask for financial help from the Towns, who are not prepared for this fiscally either. She would like to see the County help the Fire Departments, if not permanently at least during this interim. She stated she would have thought this topic would have been in the Fire Advisory Board Minutes, but it was not.

Chairwoman Nacerino explained this matter was discussed at the last Fire Advisory Board meeting and the minutes have not been published from that meeting.

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

Chairwoman Nacerino stated the Chairman of the Fire & EMS Advisory Board Justyn Lewis will read the additional letter into the record.

Justyn Lewis, Chairman of the Fire & EMS Advisory Board repeated that this topic was discussed at their meeting on Monday night. He stated all of the agencies were represented and spoke to this information. He stated all of the agencies were in agreement with the content in the letter that has been accepted as other business. He read his letter into the record. (copy attached to the minutes). In summary the letter spoke to the fact that the agencies are not prepared financially for this change. He further stated this is a financial hardship to the Fire and EMS agencies who provide Emergency Medical Services to the residents of their response areas and surrounding communities.

Chairwoman Nacerino stated she recognizes and has stated that there has been an unforeseen financial burden put on these Fire and EMS agencies. She stated Executive Director Stuck has stated that Empress is trying to make some provisions to mitigate the impact. She stated it needs

to be recognized that all the parties involved are faced with unprecedented and unpredicted expenses that need to be adhered to in some shape or form.

President of Empress Ambulance Services Michael Minerva stated Empress has said and he said it again, any agency that would like to discuss this, contact Empress, they are willing to discuss this and how to move forward.

Executive Director Stuck stated the Fire Departments need to decide if they want to become a billing agency, which Empress can work with them to get them through that process. He stated if they do not want to become a billing agency, he is not sure how that can be addressed, because in accordance with the new law that is who Empress has to bill.

Mary Rodda, President of the Lake Carmel EMS stated she has been forming this ambulance corp. for two (2) years. She is having a difficult time getting the Medicare number, she stated they are missing their 501(c)(3). She spoke to the challenges they have been dealing with during the two (2) years. She stated her concern is that this ambulance corp. will have to close.

Chairwoman Nacerino facilitated further discussion.

Vice President, Corporate Development Jim O'Connor offered for Mary Rodda to contact Empress to get assistance on how to navigate getting the 501(c)(3).

Cindy Jacobsen, Member of Carmel Volunteer Ambulance Corp. stated the Carmel Ambulance Corp. does bill. She stated their staff is a combination of volunteers and paid employees. She stated last year they did approximately 2,000 and this year are tracking a little more than that. She spoke to the challenges with billing. She offered recommendations for what should be taken into consideration the next time this goes to RFP.

Chairwoman Nacerino requested Director of Purchasing Tully speak to how the amount of \$400.00 was arrived at.

Director of Purchasing Tully stated the RFP included language that requested the awarded vendor charge a fair market value. He stated the RFP now includes language that will provide the County with a lot of additional information with respect to reporting. He stated that will be information that will be valuable when approaching the next RFP. He stated the previous RFP did not include that and therefore did not have that data.

John Deitz, Assistant Chief Patterson Fire Department stated he heard that two (2) of the bidders needed more time, was a consideration given to doing an emergency RFP to cover the time frame of July 16, 2023, to the end of the end of the year.

Director of Purchasing Tully stated the real answer he believes would come from the providers. He does not believe a provider is going to want to provide a bid for six (6) months. He stated the County replicated and improved the previous bid.

John Deitz, Assistant Chief Patterson Fire Department stated the \$400.00 charge is the main issue, as previously discussed. He stated the Patterson agency currently does not bill. He stated they are reaching out to Billing Agencies. He continued to speak to the information that he has received from said agencies in terms of billing.

Chairwoman Nacerino facilitated general discussion on the different working relationships Empress has in different Counties in New York and Empress's plan to meet with the agencies in Putnam County to work on a plan to mitigate the financial impact.

Michael Mocuiski, Putnam County EMS Council Treasurer and Member and former President, stated he has been with the Putnam Valley Fire Department and Ambulance Corp for 30 plus years. He stated when an agency bills a patient there is no guarantee that the payment will be received. He continued to speak to the charges from the different agencies. He concluded by stating an accounting provided by Empress to the agencies to demonstrate their costs to staff their vehicles would justify the \$400.00 fee.

Executive Director Stuck spoke broadly to the charges and the insurance reimbursements and explained based on all of it that is how the \$400.00 amount was arrived at.

Legislator Crowley questioned what will happen if an agency is just not able to pay.

Executive Director Stuck stated that is a good question. He stated Empress has never been in this situation before, because it was not the law. He stated billing is not an easy task, and that is what he is hearing.

Chairwoman Nacerino permitted the representatives from Empress to speak to that.

Vice President, Corporate Development Jim O'Connor concluded that discussion by stating his confidence something could be figured out.

Legislator Castellano questioned if anything positive came from the passing of this law.

Executive Director Stuck stated the Fire Departments had been lobbying to get this passed. He stated the unfortunate part is not all of the Fire Departments wanted to become billing agents. He stated if they do not bill then it is an advantage to the insurance agencies.

Chairwoman Nacerino facilitated further discussion on the law.

Legislator Montgomery stated she has learned a lot. She stated ultimately this will be worked out with the Administration and not the Legislature.

Chairwoman Nacerino stated this is a work in progress, due to the circumstances. She requested that the Administration or the BES keep the Legislature apprised of the situation.

Ken Launzinger, Chief of Lake Carmel Fire Department spoke again about the adverse effect of the \$400.00 charge. He also read from a letter from Empress addressing the \$400.00 etc. He continued to speak to his view that this will have a negative impact on the agencies.

President of Empress Ambulance Services Michael Minerva stated Empress negotiated with the County.

Ken Launzinger, Chief of Lake Carmel Fire Department stated in closing he has worked with Empress before and knows they do good work that is not the issue. He stated maybe his comments are meant for the County. He stated how can the County negotiate a deal without asking for any input from the agencies.

Chairwoman Nacerino stated it has been clearly stated the \$400.00 charge is not sustainable. She stated optimistically she hopes some concessions will be able to be made. She continued to facilitate further discussion.

Legislator Montgomery requested that Empress consider inviting the Town Supervisors to the meetings they plan to have with the agencies.

Executive Director Stuck stated what he will do when he reaches out to the Fire Departments, he will tell them to invite whoever they would like to be present at said meeting.

Jennifer Hunt, Patterson EMS Member spoke to the current financial struggle they have, and now to add another agency who will be taking money from them, it will have a significant negative impact. She questioned when does the contract begin.

Chairwoman Nacerino facilitated discussion between Ms. Hunt and Executive Director Stuck.

Legislator Addonizio stated she represents the Kent and Lake Carmel Fire District. She stated her concern with the struggles they will be facing.

Chairwoman Nacerino stated she hopes more consideration will be given to this if it is possible. She thanked everyone for coming out this evening.

Item #6 - Approval/ Budgetary Amendment 23A040/ Receiving Cyber Fraud Task Forces Grant/ Sheriff Kevin McConville

Sheriff McConville stated in March of 2023, areas surrounding Putnam County were experiencing a significant increase in cyber fraud. He stated his department set up a meeting with the Secret Service Agency. He stated at that meeting an agreement was made for the Putnam County Sheriff's Department to partner with them. He stated that would make the Putnam County Sheriff's Department eligible for up to \$15,000 in reimbursement costs in joint cases to cover overtime costs.

Chairwoman Nacerino made a motion to approve Budgetary Amendment 23A040/ Receiving Cyber Fraud Task Forces Grant; Seconded by Legislator Addonizio. All in favor.

Item #7 - Approval/ Budgetary Amendment 23A041/ Asset Forfeiture Program - Partnership Initiative/ Funds to Purchase Video and Recording Equipment for Two (2) Interview Rooms in the Town of Kent Police Department/ District Attorney Robert Tendency

Chairwoman Nacerino stated the District Attorney is very supportive of the other agencies in the County. She expressed her appreciation for him bringing this forward.

Chairwoman Nacerino made a motion to approve Budgetary Amendment 23A041/ Asset Forfeiture Program - Partnership Initiative/ Funds to Purchase Video and Recording Equipment for Two (2) Interview Rooms in the Town of Kent Police Department; Seconded by Legislator Addonizio. All in favor.

Item #8 - Approval/ Budgetary Amendment 23A044/ Funding for the Awarded Advanced Life Support Contract to Empress Ambulance Service/ Commissioner of Finance Michael Lewis

Chairwoman Nacerino repeated that Putnam County is not required to provide ALS Services. She stated it is a decision of the County to benefit the residents. She stated it both provides this essential service, and it is a cost savings to the local Towns and Villages.

Chairwoman Nacerino made a motion to approve Budgetary Amendment 23A044/ Funding for the Awarded Advanced Life Support Contract to Empress Ambulance Service; Seconded by Legislator Addonizio. All in favor.

Item #9 - Approval/ Budgetary Amendment 23A046/ Prevention Council of Putnam, Inc Funds towards Sheriff's Department to Conduct Off-Premises Compliance Checks at Alcohol Establishments/ Sheriff Kevin McConville

Chairwoman Nacerino made a motion to approve Budgetary Amendment 23A046/ Prevention Council of Putnam, Inc Funds towards Sheriff's Department to Conduct Off-Premises Compliance Checks at Alcohol Establishments; Seconded by Legislator Addonizio. All in favor.

Item #10 - Approval/ Fund Transfer 23T192/ Funds to Purchase Two (2) Additional Message Boards/ Commissioner Bureau of Emergency Services Robert Lipton

Commissioner Bureau of Emergency Services Robert Lipton explained the Message Boards are used by the Bureau of Emergency Services and the Highway Department. He stated a few years ago a Message Board was hit by a vehicle and destroyed. He stated the four (4) Message Boards they currently have are very old. He explained to upgrade them from 3G to 5G it would cost over \$5,000. He stated they would like to use these grant funds to purchase two (2) Message Boards.

Chairwoman Nacerino questioned if the Message Boards are lent out to the Towns and Villages and if so, are they insured.

Commissioner Bureau of Emergency Services Robert Lipton stated in the beginning they were lent out frequently and yes they are insured. He stated now, many of the municipalities have purchased their own. He stated the ones owned by the County now are primarily used by the County.

Legislator Crowley questioned is this is an item that could be leased and turned over every couple of years to keep up with the constant changes of technology, and possibly have them insured. She stated this is an expensive product.

Commissioner Bureau of Emergency Services Robert Lipton stated they have not looked into that.

Legislator Montgomery expressed her appreciation on behalf of the Town of Philipstown who does call to borrow the County's Message Board.

Chairwoman Nacerino made a motion to approve/ Fund Transfer 23T192/ Funds to Purchase Two (2) Additional Message Boards; Seconded by Legislator Addonizio. All in favor.

Item #11 - FYI/ Fund Transfer 23T195/ Additional Funds To Upfit 2023 Tahoe For The Bureau of Emergency Services/ Commissioner Bureau of Emergency Services Robert Lipton

Commissioner Bureau of Emergency Services Robert Lipton stated the newly purchased Tahoe needs to be upfitted. He stated this is a request to move the funds to the correct budget line.

Chairwoman Nacerino noted this item is an FYI and thanked Commissioner Lipton.

Item #12 - Other Business

Chairwoman Nacerino made a motion to waive the rules and accept the Other Business; Seconded by legislator Addonizio. All in favor.

a.) Update on July 9, 2023, Storm – Emergency Services/ Commissioner Bureau of Emergency Robert Lipton

Commissioner Bureau of Emergency Services Robert Lipton stated the July 9th heavy rainstorm did a lot of damage throughout the County. He stated a partial opening of the Emergency Operations Center (EOC) was done. He explained it involved members from the Department of Public Works, the Sheriff's Department and EOC. He stated the County Executive had communications with the elected officials to provide them with an update on the status of the situation and action being taken. He stated the Town Supervisors and Village Mayors have been given a spread sheet to document all calls, the County is using the same procedure. He stated a representative from Homeland Security surveyed the Putnam Valley area. He explained the information that was gathered will be sent to New York State. He stated each County has a threshold that must be met. He stated Putnam County's threshold is \$433,000. He stated then

the State has a threshold that must be met, which is between \$32,000,000 and \$35,000,000. He stated Orange County alone, reported over \$35,000,000 worth of damage. He stated just in the Putnam Valley area he estimates there is a few million dollars' worth of damage. He stated the State was satisfied and did not feel the need to survey the other severely damaged areas. He stated a submission has been made by the State of New York to the Federal Government. He stated we are now waiting for the President to sign off, and there is no way of knowing how long that will take. He stated Putnam County continues to gather data and submit it to the State. He stated he believes we have 30 days to do that. He stated to get funding for individuals' damages is difficult and a long shot. With that said, Putnam County is going to try and push for funding. He stated there is a form that was sent from the State that can be used and filled out and submitted directly to the State.

Legislator Montgomery expressed her appreciation for all that Commissioner Lipton has done.

Chairwoman Nacerino also expressed her appreciation for all that has been done and for Commissioner Lipton's update.

Item #13 – Adjournment

There being no further business at 9:53PM Chairwoman Nacerino made a motion to adjourn; Seconded by Legislator Addonizio. All in favor.

Respectfully submitted by Deputy Clerk Diane Trabulsy.