

**PROTECTIVE SERVICES COMMITTEE MEETING**  
**Held via Audio Webinar Pursuant to Temporary Emergency Orders**  
**Members: Chairwoman Nacerino & Legislators Sayegh & Sullivan**

**Thursday**

**March 18, 2021**

**(Immediately Followed the 6:00pm Rules Committee Mtg.)**

The meeting was called to order at 6:22PM by Chairwoman Nacerino and who lead in the Pledge of Allegiance. Upon roll call Legislators Sayegh, Sullivan and Chairwoman Nacerino were present.

**Item #3 - Approval/ Protective Services Committee Meeting Minutes/ December 8, 2020**

Chairwoman Nacerino stated the minutes were accepted as submitted.

**Item #4 - Approval/ Protective Services Committee- Police Policy Review Panel Meeting Minutes February 17, 2021**

Chairwoman Nacerino stated the minutes were accepted as submitted.

**Item #5 - Approval/ Police Policy Review Panel's "Plan"/ Per Executive Order #203**

Chairwoman Nacerino explained the matter had been tabled from the Special Protective Services Meeting on March 9<sup>th</sup> to give the Police Policy Review Panel and the Legislators ample time to review current policies from the Sheriff's Department, which were inserted in the document. She stated the Sheriff's Department has deleted the notation of the word "draft" from the plans pages and the Sheriff has certified his final version. She stated the Legislature is tasked with approving and ratifying the "Plan" in accordance with Executive Order 203 (EO). She stated if we are remiss in doing so, we will jeopardize receiving both Federal and State funding to our County. She continued to speak to the process required to be in compliance with EO.

Chairwoman Nacerino made a motion to waive the Rules and accept the Additional: the draft resolution for consideration by the committee to approve to the Special Full Meeting, immediately following; Seconded by Legislator Sayegh. All in favor.

Legislator Sullivan stated Governor Cuomo initiated EO 203 in June of 2020 with a deadline of April 1, 2021. He explained that Federal and State funding was tied to the EO 203. He stated after his review of the documentation and commentary by all the participants and members of the Subcommittees and public at large he finds himself in a position of having to vote in the affirmative for ratification. He stated our law enforcement members and community needs the funding that is tied to EO 203. He stated he believes the goal of providing the best law enforcement agency for our community was hampered by this process with a deadline. He stated he strongly believes the timeline was inappropriate and resulted in expediency rather than unconditional quality. He stated there are a number of areas he believes still require more attention. He stated as Protective Chair Nacerino has stated we will continue to work on the review of the police policies and procedures going forward. He stated more communication and education is required to fulfill the mandate of EO 203 including and not limited to the Use of

Force policy and implementation, the de-escalation training, crisis intervention training etc. He stated he would like greater partnership and collaboration with the following subcommittee groups: Putnam Family, Mental Health and Substance, Use Disorder, Veterans, People of Color, Education, Law Enforcement, Latinx, Clergy, Community Outreach, Homeless and the LGBTQIA+. He expressed his appreciation to all of the people who volunteered their time to be active members of these subcommittees. He stated he looks forward to continuing with this work into the future, resulting in policies and procedures everyone will be happy with. He stated we all need to feel comfortable that our law enforcement agencies are acting and performing their duties in a way that we all would like them to.

Chairwoman Nacerino stated her agreement. She stated there is still more work to be done with this plan, and that has been acknowledged. She stated this is a living document and we will continue to explore our options to implement, amend, and prioritize recommendations accordingly. She stated several times, our work does not end with the April 1<sup>st</sup> submission deadline. She stated she looks forward to working collaboratively with Sheriff Langley. She stated she encourages the members of the subcommittees to attend the Protective Services Committee meetings.

Legislator Sayegh expressed her appreciation to all of the volunteers who participated in this process. She stated a common thread through all the comments that came from the subcommittees was transparency, accountability, communication, and training. She stated she looks forward to continuing this conversation through the open lines of communication with the Sheriff's Department and the members of the community. She stated she would also like to thank law enforcement for their professionalism, for their service to our County and for keeping our community as safe as possible.

Legislator Montgomery requested clarification on the process in terms of the discussion about the proposed resolution accepted as additional.

Legislative Counsel Firriolo confirmed this meeting is where the discussion regarding the proposed resolution should take place.

Legislator Montgomery requested an overview of the changes that have been made to the additional document.

First Deputy County Attorney Andrew Negro stated the revised resolution accepted as additional for consideration by this Committee includes more clarity regarding the process that the panel underwent and clarified some of the steps taken during the process. He stated the purpose of this resolution is to have the Legislature ratify and approve it in accordance with EO 203.

Legislator Montgomery stated it would be helpful to have a redline copy for comparison and review. She stated she is not in full agreement of what is included in the resolution regarding that there was collaborative work performed. She stated as we are recognizing this is a living document and we will continue to work with the Sheriff on this. She stated she has her concerns with how the panel was formed and about some feedback she has received from the subcommittees. She stated she will support the "Plan".

Chairwoman Nacerino stated her agreement with comments made by Legislator Montgomery. She stated it was a short window in which all of this work was done, and we do not want to jeopardize our Federal and State funding which is crucially needed.

Legislator Montgomery questioned if there will be a discussion about the “Plan” itself tonight. She questioned if the subcommittees had ample time to review and approve the final documents that were referenced that the Sheriff submitted.

Chairwoman Nacerino explained that is why this matter was delayed a week.

County Attorney Bumgarner stated the changes made to the Sheriff’s polices were highlighted and forwarded to the Panel, the Legislature and included on the County website. She stated notice was sent to the Panel members. She stated there were no changes or comments, so no further vote was necessary.

Legislator Sayegh stated she has been contacted and informed that Undersheriff Cheverko, Captains Babcock, Greenough and Lieutenant McManus are on the audio webinar.

Chairwoman Nacerino stated she is the Chair and was not notified. She stated if Undersheriff Cheverko has any comments, she invited him to speak.

Undersheriff Cheverko stated for the record, Sheriff Langley was unable to be a part of this meeting, because he is addressing a personal family matter.

Chairman Albano stated his support for approving and moving this “Plan” forward.

Legislator Montgomery stated she is asking these questions because she wants to make sure that the proper process was followed. She does not want the funding jeopardized.

Chairwoman Nacerino facilitated further discussion on this matter.

Chairwoman Nacerino made a motion to Approval/ Police Policy Review Panel’s “Plan”/ Per Executive Order #203; Seconded by Legislator Sullivan. All in favor.

**Item #6 - Approval/ Budgetary Amendment (21A011)/ Request to Use T-Commission Reserve Funds- Purchase Glock Model 17 & Glock Model 23 Weapons to Replace Weapons Currently Used by the Sheriff’s Office & Correctional Facility/ Sheriff Robert Langley**

Lieutenant McManus stated currently the Sheriff’s Department uses Glock Models 22, 23, & 27. He stated they generally run generation 4 guns and have some generation 3. He stated the year of a gun does not really matter it is the number of rounds that have been put through a gun that matters. He stated it is recommended that the inner workings of a gun be replaced after 5,000 - 10,000 rounds fired. He stated a lot of the guns in the Sheriff’s Department are beyond the maximum. He stated based on an extensive study performed by the FBI in 2018, the 9 mm is

the best in terms of accurate round to use in law enforcement. He also stated the ammunition for the 9mm guns is less expensive by approximately \$50.00 per case.

Legislator Sayegh questioned what happens to the weapons that are being replaced.

Lieutenant McManus stated they have a trade-in program with their vendor. He stated the vendor will give them \$250 credit for each gun traded in. He stated that money could then be used to purchase ammunition etc.

Chairwoman Nacerino requested Undersheriff Cheverko speak to what T- Commission Funds are.

Undersheriff Cheverko stated the T-Commission Funds comes from the inmates' phone calls. He stated each inmate is charged a fee to use the phone and a certain percentage of that fee goes to the Sheriff's Department's T-Commission funds.

Legislator Sullivan stated he believes the credit amount received for each gun should be returned to the County. He stated he does not believe any department can spend County money as a result of a credit when we are approving the full amount. He stated there is already a budget amount for ammunition in the Sheriff's budget.

Chairwoman Nacerino stated the T-Commission Funds are not taxpayer dollars, as explained by Undersheriff Cheverko.

Legislator Sullivan stated he would like clarification from the Commissioner of Finance on that.

Lieutenant McManus stated the vendor has stated they are providing a credit which stays with the vendor for future purchases from them.

Legislator Sullivan stated he understands what is being explained. He stated however there is money in the 2021 Sheriff's budget for ammunition. He stated so if they get a credit, he believes the same amount should be returned to the County's budget.

Chairwoman Nacerino stated she understands Legislator Sullivan's point. She stated that is a discussion for another time. She stated the request in front of the Committee is a request to approve the use of the T- Commission Funds, non-taxpayer funding, by the Sheriff's Department.

Undersheriff Cheverko stated the ammunition that is budgeted for 2021 is for 40 caliber and it will be used during training a qualification with the current 40 caliber guns.

Chairwoman Nacerino stated she believes we are getting off track with this matter. She stated if there is a question about allocated funds in the line, at a future date that can be discussed.

Legislator Sullivan stated he is not clear that Undersheriff Cheverko stated they will be using the 40 caliber guns, when Lieutenant McManus stated that those guns were going to be turned into

the vendor. He stated he will not dwell on that this evening, but that does need to be cleared up. He stated related to the specific request, there are 170 guns being purchased. He questioned who the guns will be for.

Lieutenant McManus stated the number is based on the number of weapons there are currently in their armory. He explained every Correction Officer, every Deputy Sheriff and every Investigator are all assigned guns, and some are assigned more than one, depending on their assignment in the department.

Legislator Sullivan stated he would like an inventory of how that number was arrived at. He stated just like any other department that comes to the Legislature with a request to buy something, he would like to get the backup that ties to the 170 guns being requested.

Chairwoman Nacerino requested confirmation from Undersheriff Cheverko and Lieutenant McManus that Legislator Sullivan's request will be complied with and have it in time for the March 29<sup>th</sup> Audit Meeting.

Lieutenant McManus requested clarification of what was being requested.

Legislator Sullivan stated a list of everyone, how many people work in the Sheriff's Department, the Correctional Facility, how many guns each of those people get, and that should add up to the number, straight forward, just like what is requested of other Departments.

Lieutenant McManus stated it is not that straight forward. He stated they must have a number of weapons on hand in case one of these weapons has a failure of some sort or there is a situation that takes a weapon out of use for an unforeseen reason.

Legislator Sullivan stated then add that to the list. He stated however Lieutenant McManus feels is appropriate to break this down so the Legislature has a full understanding of the use of the guns will be fine.

Lieutenant McManus confirmed that he would provide the information in time for the Audit Meeting on March 29<sup>th</sup>.

Chairwoman Nacerino made a motion to Approve/ Budgetary Amendment (21A011)/ Request to Use T-Commission Reserve Funds- Purchase Glock Model 17 & Glock Model 23 Weapons to Replace Weapons Currently Used by the Sheriff's Office & Correctional Facility; Seconded by Legislator Sayegh and Sullivan. All in favor.

**Item #7 - Approval/ Budgetary Amendment (21A013)/ Request to Use T-Commission Reserve Funds – Purchase Computers to Replace Older Systems in the Civil Division and the Correctional Facility/ Sheriff Robert Langley**

Chairwoman Nacerino stated she has no objections to replacing the computers. She requested confirmation that the IT Department had been consulted.

Captain Babcock stated all of the computer purchases go through the County's Munis system for IT/GIS Director Lannon's approval. He stated also the quotes for the computers are received from the IT Department.

Chairwoman Nacerino stated that is not clear to her. She questioned if Director Lannon has been consulted on this purchase.

Captain Greenough stated the quote came through Corrections. He explained before the purchase is made it goes through the IT Department. He stated, they did not do it prior to sending this request to the Legislature because of the time it takes, sometimes the quote is no longer accurate, and has expired. He stated before the purchase is made Director Lannon would have to sign it.

Chairwoman Nacerino stated she would like to get confirmation that Director Lannon approves this purchase in time for the Audit Meeting.

Legislator Sullivan stated these appear to be Hewlett Packard. He stated he believes all the other County Offices have Dell Computer. He stated during his conversation with IT Director Lannon he has told him, he prefers everyone have the same computers because it makes it easier for the IT Department with the network when all the equipment is the same. He stated in the conversation he had with Director Lannon he does not believe that the IT Department was contacted regarding this proposed purchase.

Chairwoman Nacerino stated she will make a motion to approve this matter forward to the Audit & Administration Committee Meeting, March 29th in anticipation of receiving clarification as to whether the IT/GIS Department is in agreement with the purchase of this equipment.

Legislator Sayegh stated she does not have a problem with the purchase of the computer equipment. She stated it has been discussed in the past that the purchase of County computer equipment should go through the IT Department. She stated she spoke to Director Lannon, since this has been a matter discussed in the past. She stated the process should begin with contacting the IT Department rather than be approved by the IT Department.

Chairwoman Nacerino made a motion to approve to the Audit & Administration Meeting pending the outcome from the Sheriff's Department communication with the IT Department; Seconded by Legislator Sullivan. All in favor.

**Item #8 - Approval/ Budgetary Amendment (21A014)/ Request to Use T- Commission Reserve Funds- Purchase Furniture to Outfit a Forensic Computer Lab for the Sheriff's Office and the Correctional Facility/ Sheriff Robert Langley**

Chairwoman Nacerino made a motion to move to the Audit & Administration meeting Approval/ Budgetary Amendment (21A014)/ Request to Use T- Commission Reserve Funds- Purchase Furniture to Outfit a Forensic Computer Lab for the Sheriff's Office and the Correctional Facility; Seconded by Legislator Sayegh. All in favor.

**Item #9 - Approval/ Budgetary Amendment (21A015)/ Adjust the Budget for Receipt of the 2018 State Interoperable Communications Grant (SICG)- Targeted Grant Program/ Bureau of Emergency Services/ Commissioner BES Kenneth Clair**

Chairwoman Nacerino stated this is great news for the County. She questioned if the awarded funding will be used for the County's Radio Project.

Deputy Commissioner Robert Lipton stated beginning in 2018 when the application was submitted for this grant, a great deal of time and effort went into Putnam County being considered to be a recipient of this grant. He stated the award of this \$6 million grant is tremendous. He stated this is a "Targeted" Grant. He explained the grant funding is specific to radios, towers, equipment for the towers, the shelters etc. He stated this is a tremendous relief.

Chairwoman Nacerino expressed her appreciation and applauded the work of Deputy Commissioner Lipton, Commissioner Clair and IT/GIS Director Lannon.

Legislator Sullivan also expressed his appreciation for the work done by Deputy Commissioner Lipton, Commissioner Clair and IT/GIS Director Lannon. He stated their efforts resulted in the award of this \$6 million which will help the County's Radio Project and will improve the safety and security of our constituents as well as our emergency responders.

Legislator Sayegh stated the Radio Project, and this grant application were being discussed when she was first elected as the Legislator representing Dist. 8. She stated the need and importance of the Radio Project, which will address safety issues throughout the County. She stated her excitement and appreciation to Deputy Commissioner Lipton, Commissioner Clair and IT/GIS Director Lannon for their dedication. She questioned if this funding would assist our local Volunteer Fire Departments with their purchase of new radios.

Deputy Commissioner Robert Lipton stated this will help our local departments, because it takes the burden off of everyone trying to figure out where the money will come from to buy the equipment that goes into the towers. He stated again this grant is targeted to the purchase of radio transmitting equipment. He stated the money that had been budgeted to be used for those items can not be used elsewhere, and that is how the local services will be helped.

Chairwoman Nacerino made a motion to Approve/ Budgetary Amendment (21A015)/ Adjust the Budget for Receipt of the 2018 State Interoperable Communications Grant (SICG)- Targeted Grant Program; Seconded by Legislator Sullivan. All in favor.

**Item #10 - Approval/ Fund Transfer (21T034)/ Cover Overtime Costs Incurred for January 2021 Due to Six (6) Vacancies and One (1) Officer on 207C/ Sheriff Robert Langley (also reviewed by Pers Comm 3/9/21)**

Chairwoman Nacerino stated this matter was also reviewed by the Personnel Committee on March 9<sup>th</sup>. She stated these expenditures are dictated by need and not something we can control. Legislator Sayegh stated she appreciates this is a transfer from the Jail Personnel budget line to the Jail Overtime, making this a direct transfer in her opinion.

Chairwoman Nacerino stated her agreement with Legislator Sayegh and thanked her for pointing out that there is a zero-fiscal impact to the 2021 budget.

Legislator Sullivan stated he would like to request that the Sheriff's Department provide a quarterly report of the number of people in the jail. He stated he believes that will help the Legislators understand some of the demand for overtime and regular time and filling the six (6) vacancies. He stated if Undersheriff Cheverko is still on the audio webinars, he would like to him to speak to this request.

Undersheriff Cheverko stated currently there are 51 people, and it was explained to Legislator Sullivan, when he visited the jail a month or six (6) weeks ago, all of the different things that drive the need for staffing. He stated he would be glad to provide information. He stated once the request is submitted, they will provide the information.

Legislator Sullivan thanked Undersheriff Cheverko for that. He stated it would be good to get a quarterly report, so there is a better feel for the census at the jail. He stated he did visit the jail a couple of months ago. He stated they did have a good conversation and he gained a much better understanding of what is happening there and the requirements. He stated he would like to continue to work together and thanked the Undersheriff again.

Chairwoman Nacerino made a motion to Approve to the Audit & Administration meeting/ Fund Transfer (21T034)/ Cover Overtime Costs Incurred for January 2021 Due to Six (6) Vacancies and One (1) Officer on 207C; Seconded by Legislator Sayegh. All in favor.

**Item #11 - FYI/ Budgetary Amendment (21A019)/ Inmate Commissary Account Funds to Purchase Recreational/ Exercise Equipment/ Sheriff Langley - Duly Noted**

**Item #12 - FYI/ Fund Transfer (21T036)/ Reclass Funds to Intended Use for Training of Personnel/ Sheriff Robert Langley**

Legislator Montgomery stated she is happy to see money going into training, this is a great step forward.

Chairwoman Nacerino stated that she agreed. She also recognized the generosity of the donation made.

**Item#13 - Other Business – None**

**Item #14 - Adjournment**

There being no further business at 7:40pm Chairwoman Nacerino made a motion to adjourn; Seconded by Legislator Sullivan. All in favor.

Respectfully submitted by Deputy Clerk Diane Trabulsy.