

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

Members: Chairwoman Nacerino & Legislators Sayegh, Sullivan

Tuesday

April 19, 2022

(Immediately Followed the Physical Comm Mtg.)

The meeting was called to order at 6:45PM by Chairwoman Nacerino who requested Legislator Albano lead in the Pledge of Allegiance. Upon roll call Legislators Sayegh, and Sullivan were absent. Chairwoman Nacerino was present. She stated Legislator Albano and Jonke would be sitting in as committee members for this meeting.

Item #3 - Approval/ Protective Services Meeting Minutes/ March 9, 2022

Chairwoman Nacerino stated the minutes were accepted as submitted.

Item #4 - Discussion/ Expenses for People v. Andrew Krivak/ District Attorney Robert Tandy

Chairwoman Nacerino invited District Attorney Tandy to address this item.

District Attorney Tandy stated this is a matter involving expert witness fees. He stated ordinarily he would have included this in his budget for 2022, however when he submitted the 2022 budget for the District Attorney's Office, this need did not exist. He stated the requested funding will also cover the cost of travel for the witnesses.

Chairwoman Nacerino stated let the record show, there were approximately five (5) emails sent to the Legislature today expressing opposition of support of this request.

Legislator Jonke asked if this will be Mr. Krivak's second or third trial.

District Attorney Tandy stated it will be his second trial. He stated he was first on trial in 1996.

Legislator Jonke stated he will support this request. He stated the emails received in opposition of approving this funding are mind boggling. He stated he supports letting justice be served.

Chairwoman Nacerino stated her agreement with Legislator Jonke.

6:51PM

Chairwoman Nacerino made a motion to go into Executive Session to address legal questions related to this matter with the County's District Attorney; Seconded by Legislator Jonke. All in favor.

7:08PM

Chairwoman Nacerino made a motion to come out of Executive Session; Seconded by Legislator Jonke. All in favor.

Chairwoman Nacerino stated no action was taken in Executive Session.

Item#5 - Approval/ Fund Transfer (22T063)/ To Fund Re-Trial Costs People v. Andrew Krivak/ District Attorney Robert Tendy

Chairwoman Nacerino made a motion to approve and move to the Audit & Administration Meeting Fund Transfer (22T063)/ To Fund Re-Trial Costs People v. Andrew Krivak; Seconded by Legislator Jonke. All in favor.

Item#6 - Discussion/ Putnam County's Patrol Units/ Legislator Montgomery

Chairwoman Nacerino stated Sheriff McConville was present to speak to this item.

Sheriff Kevin McConville started by stating as the Sheriff of Putnam County the responsibility of the deployment of personnel, the assignment of duties and responsibilities to address public safety issues fall under his purview. He continued by stating along with the fiscal duties and obligations of the Sheriff's Department. He stated he will not address any specifics regarding patrol operations, including the number or location of patrol posts. He stated everyone can be assured that patrols are assigned to provide effective and responsible public safety. He continued to read from his prepared statement (copy attached to the minutes). He concluded by stating any Legislator can contact him if they have questions or concerns.

Chairwoman Nacerino stated her appreciation to Sheriff McConville for the information that he shared. She stated she is confident that he and his command staff, within the discretion of his role as Sheriff, are making the right decisions for the people of Putnam County.

Legislator Jonke stated his issue with Sheriff McConville's predecessor was only about overtime. He stated he would like to recognize that he has reached out to Sheriff McConville for issues in his legislative district that have been immediately addressed to the satisfaction of our constituents and to his satisfaction. He stated the level of communication from the Sheriff's Department in the short period of time that Sheriff McConville has been serving in this role is unbelievable. He stated he believes he is doing a great job, and hopes he continues to do so.

Legislator Albano stated that he agrees with all of the comments in regard to the job that Sheriff McConville and his staff are doing. He stated he has been a Legislator for almost 12 years and every year he has been frustrated with the amount of overtime paid out in the Sheriff's Department. He stated he found it obvious that the overtime needed to be managed. He stated it appears to him that Sheriff McConville is making the right decisions and is glad he is onboard.

Chairwoman Nacerino stated that she believes there is the right oversight and that Sheriff McConville is taking a strong approach on the matter of unnecessary overtime. She stated there will always be circumstances that will require overtime, but she does believe there is room for improvement in the management of the overtime spending.

Legislator Castellano stated that he agrees and believes Sheriff McConville is trending in the right direction.

Legislator Montgomery stated that her question regarding the Sheriff's Road Patrols has not been answered. She stated that it was not even mentioned in the Sheriff's presentation. She questioned why the Chair of the Committee allowed this discussion, which had nothing to do with her inquiry, to go on.

Chairwoman Nacerino stated she believes it has everything to do with the agenda item and that is why she permitted it. She spoke to her interpretation of the Sheriff's message.

Legislator Montgomery stated she did contact Sheriff McConville regarding this matter, and he stated he would discuss this at the April Protective Services meeting. She stated so she would like to know how many Road Patrols the Sheriff's Department had at the start of 2022 and how many do we have now.

Sheriff McConville stated as he mentioned in his statement, he will not divulge the number of patrols out of concern for the safety and security for our members as well as other law enforcement agencies. He stated he has chosen a different path than his predecessors.

Legislator Montgomery requested a copy of the Sheriff's Department organizational chart, marked confidential. She stated she would like to see the previous staffing and the current staffing.

Sheriff McConville stated he is in the process of completing a reorganization and restructuring. He stated once that is completed, he will confer and consult and, if applicable, he will provide a copy to the Legislature.

Legislator Montgomery stated so we may not get a copy of it. She questioned if the reorganization that is being done based on the Bonadio Report.

Sheriff McConville stated it is not. He stated it is based on proper law enforcement techniques, strategies, and operational factors.

Legislator Montgomery questioned where did Sheriff McConville get that data being used for his reorganization.

Sheriff McConville stated from the 30 plus years of law enforcement experience, managerial, data analysis experience, and conversations with other law enforcement professionals who have in excess of 25 years' experience. He stated he has over 210 years of experience among the members of his Command Staff, the State Police, other law enforcement agencies and throughout New York State.

Legislator Montgomery questioned if there are expert statistical professionals that are analyzing this data and coming up with recommendations, and why is this being done without utilizing the Bonadio Report that the County paid \$45,000 for.

Sheriff McConville stated he does not have the Bonadio Report, nor has he seen it.

Legislator Albano stated he believes we have exhausted this discussion. He stated he does not believe the Legislature needs to micromanage the Sheriff's Department.

Chairwoman Nacerino stated the point is the Sheriff has the control and discretion and is the professional. She stated his Command Staff are also experts who he is working and making decisions with. She stated it is not the job of the Legislature to challenge those decisions.

Item #7 - Approval/ Budgetary Transfer (22T064)/ Requesting funding from the Sheriff's Sub-Contingency Account -For a Vehicle in the Bureau of Criminal Investigation (BCI) Division/ Sheriff Kevin McConville

Chairwoman Nacerino stated this was a matter that was discussed during the 2022 budget process. She stated this funding was earmarked for this purpose.

Sheriff McConville stated that there is no fiscal impact.

Legislator Montgomery questioned how many vehicles there will be, once this one is purchased.

Sheriff McConville stated 98, five (5) vehicles are being decommissioned.

Chairwoman Nacerino made a motion to approve and move to the Audit & Administration Meeting Budgetary Transfer (22T064)/ Requesting funding from the Sheriff's Sub-Contingency Account -For a Vehicle in the Bureau of Criminal Investigation (BCI) Division; Seconded by Legislator Jonke. All in favor.

Item #8 - Approval/ Budgetary Transfer (22T065)/ Request Funding from the Sheriff's Sub-Contingency Account -For a Vehicle in Civil Division/ Sheriff Kevin McConville (Ref: 22T070)

Chairwoman Nacerino stated again this was deemed as a necessary expenditure by the Sheriff's predecessor. She stated the funding during the 2022 budget process was put into sub contingency. She facilitated further discussion.

Chairwoman Nacerino made a motion to approve and move to the Audit & Administration Meeting Budgetary Transfer (22T065)/ Request Funding from the Sheriff's Sub-Contingency Account -For a Vehicle in Civil Division; Seconded by Legislator Albano. All in favor.

Item #9 - Approval/ Fund Transfer (22T070)/ To Cover shortfall of purchase price and sub-contingency funds Originally Allocated- For a Vehicle in the Civil Division/ Sheriff Kevin McConville (Ref: 22T065)

Chairwoman Nacerino made a motion to approve Fund Transfer (22T070)/ To Cover shortfall of purchase price and sub-contingency funds Originally Allocated- For a Vehicle in the Civil Division/ (Ref: 22T065); Seconded by Legislator Albano. All in favor.

Item #10 - Approval/ Budgetary Amendment (22A024)/ Amendment Recognizing Reimbursement Insurance Company/ Sheriff Kevin McConville

Legislator Montgomery stated she would like to recognize the Sheriff's Department for their efforts to secure this reimbursement. She spoke to her disappointment that her question regarding County's Road Patrol Units, which she has been asking about for months, has still not been answered.

Chairwoman Nacerino stated the Sheriff stated he chose not to answer that question as to not jeopardize public safety. She stated she has no issue with that.

Sheriff McConville stated for the record, during the initial repair of this vehicle, this additional damage, was not seen when first inspected. He stated the insurance company has been contacted and they confirmed they will send additional funding to cover said damage. He stated the Legislature will be notified when the funds are received.

Chairwoman Nacerino made a motion to approve Budgetary Amendment (22A024)/ Amendment Recognizing Reimbursement Insurance Company; Seconded by Legislator Jonke. All in favor.

Item #11 - Approval/ Budgetary Amendment (22A026)/ Request Use of Federal SCAAP (State Criminal Alien Assistance Program)/ Funds to replace Two (2) Vehicles – Correctional Facility/ Sheriff Kevin McConville

Sheriff McConville stated they would like to use the SCAAP funding to purchase two (2) vehicles for the Correctional Division. He provided information on the vehicles that were being decommissioned and transferred to the School Resource Officer (SRO) program. He stated the vehicles are being purchased from the existing contract. He stated the vehicles will be ready for use and electronically wired.

Chairwoman Nacerino made a motion to approve Budgetary Amendment (22A026)/ Request Use of Federal SCAAP (State Criminal Alien Assistance Program)/ Funds to replace Two (2) Vehicles – Correctional Facility; Seconded by Legislator Jonke. All in favor.

Item #12 - Approval/ Budgetary Amendment (22A027)/ Gift/Donation – Purchase Equipment for the Sheriff's K-9 Unit/ Sheriff Kevin McConville

Chairwoman Nacerino stated this is a very generous donation from Joseph Stilwell and Town of Patterson resident. She stated this is not the first donation made by Mr. Stilwell over the years. She explained this and past year donations are to benefit the Sheriff's Department K-9 Unit.

Legislator Jonke stated his appreciation to Mr. Stilwell for his generosity.

Chairwoman Nacerino stated Approval/ Budgetary Amendment (22A027)/ Gift/Donation – Purchase Equipment for the Sheriff’s K-9 Unit; Seconded by Legislator Jonke. All in favor.

Item #13 - FYI/ The National Commission on Correctional Health Care (NCCHC) Certificate of Accreditation- Putnam County Correctional Facility/ Sheriff Kevin McConville

Sheriff McConville stated he received confirmation that the NCCHC will continue to accredit the Putnam County Correctional Facility for its compliance with the standards for health services in jails. He stated this speaks volumes of the work that is done by Captain Greenough, Lieutenant Villani, Lieutenant Taylor, the Sergeants, and the members of the Correctional Facility. He stated this is quite an accomplishment.

Item #14 - Other Business

Chairwoman Nacerino made a motion to waive the rules and accept the Other Business, Items #14a and 14b; Seconded by Legislator Jonke. All in favor.

- a) **Approval/ Grant Application/ 2022 Statewide Interoperable Communications Targeted Grant due May 11, 2022/ BES Deputy Commissioner Robert Lipton (After this meeting, it was determined there is no resolution required because there are not matching funds)**

Deputy Commissioner Robert Lipton stated Putnam County was very fortunate, the last time they applied for the Targeted Grant in 2018. He explained the County was awarded \$6 million. He stated it is a four (4) year grant and they would like to submit an application in the hopes they can secure funding for the County. He stated he is working with IT/GIS Director Thomas Lannon on the application.

Chairwoman Nacerino made a motion to approve the Grant Application/ 2022 Statewide Interoperable Communications Targeted Grant due May 11, 2022; Seconded by Legislator Jonke. All in favor. (After this meeting, it was determined there is no resolution required because there are not matching funds)

- b) **Approval/ Grant Application/ FY2020 Technical Rescue and USAR Targeted Grant due May 5, 2022/ BES Deputy Commissioner Robert Lipton (After this meeting, it was determined there is no resolution required because there are not matching funds)**

Deputy Commissioner Robert Lipton stated they have combined with Westchester County. He stated they allow \$75,000 per team, hence the \$150,000.

Legislator Montgomery expressed her appreciation for the effort put into seeking the funds through the grant process. She asked for information to the operations of the Technical Rescue Team and where their equipment is kept.

Deputy Commissioner Robert Lipton stated the Putnam Technical Rescue Team is now cleared for Wild Land Search and Rescue. He stated with previously awarded grant funds they purchased two (2) ATVs for specifically rescues on Breakneck Mountain. He stated they are still working on doing the final accreditation for low angle rope rescue. He stated they have two (2) trailers fully equipped. He stated they plan to put one (1) of the trailers and position it on the Western side of the County. He explained the efficiency in response to calls as a result of having trailers on each side of the County.

Legislator Montgomery expressed her appreciation for the focus on the need to be ready for calls, particularly to Breakneck. She stated the numbers of hikers continue to increase.

Deputy Commissioner Robert Lipton spoke to the partnership with Westchester with the Technical Rescue cases.

Legislator Montgomery questioned how people can, who are interested in, become members of the Technical Rescue Team.

Deputy Commissioner Robert Lipton stated they need to be member of a fire department, because that is where their insurance would come from. He stated also members of the Sheriff's Department are members. He stated some time in the future, the Legislature will be approached to offer a solution to allowing members who are not with a fire department or Sheriff's Department but are interested in being on the Technical Rescue Team. He stated the component that needs to be figured out, is how the folks would be covered by insurance.

Legislator Montgomery questioned where the Training is conducted.

Deputy Commissioner Robert Lipton stated both in Putnam County and in Westchester County.

Chairwoman Nacerino agreed with Legislator Montgomery in the importance of this in relation not only to the County as a whole, but to the hikers who utilize Breakneck Mountain. She stated it is very challenging to our first responders. She read from the grant.

Legislator Montgomery requested that Deputy Commissioner Robert Lipton provide a copy of the detailed application.

Deputy Commissioner Robert Lipton confirmed he will do that.

Chairwoman Nacerino made a motion to approve the Grant Application/ FY2020 Technical Rescue and USAR Targeted Grant due May 5, 2022; Seconded by Legislator Jonke. All in favor. **(After this meeting, it was determined there is no resolution required because there are not matching funds)**

c) Reporter- Liz Armstrong with On- Line Highlands Current

Highlands Current Reporter Liz Armstrong questioned the Sheriff's comment about working with surrounding Law enforcement agencies. She wanted to know if other agencies respond to a call for the Sheriff's Department does the County reimburse them.

Sheriff McConville stated response to calls are guided through 911. He stated there is no reimbursement. He stated he is not aware of anywhere in New York State where there is a transfer of funds from agency to another to respond for calls of service.

Highlands Current Reporter Liz Armstrong stated then in your statement addressing agenda item #4 your reference to collaborating with the other law enforcement agencies you were referring to sharing advice.

Sheriff McConville stated he is not sure of Reporter Armstrong's use of the terminology and use of the word advice. He stated they discuss operational issues as it relates to criminal activity etc.

Item #15 - Adjournment

There being no further business at 8:02 PM Chairwoman Nacerino made a motion to adjourn; Seconded by Legislator Jonke. All in favor.

Respectfully submitted by Deputy Clerk Diane Trabulsy.