

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PUBLIC SAFETY

DATE: JANUARY 24, 2008

COMMITTEE MEMBERS PRESENT:

SUPERVISORS VANNESS
BENTLEY
BELDEN
HASKELL
STEC
GIRARD

OTHERS PRESENT:

BUD YORK, SHERIFF
SHANE ROSS, CHIEF DEPUTY
KAREN PUTNEY, ADMINISTRATOR - FIRE PREVENTION &
BUILDING CODE ENFORCEMENT
MARVIN LEMERY, FIRE COORDINATOR/DIRECTOR OF THE
OFFICE OF EMERGENCY SERVICES
FREDERICK MONROE, CHAIRMAN
PAUL DUSEK, COUNTY ATTORNEY
HAL PAYNE, COMMISSIONER OF ADMINISTRATIVE & FISCAL
SERVICES
JOAN SADY, CLERK
SUPERVISORS GERAGHTY
STRAINER
TODD LUNT, DIRECTOR OF HUMAN RESOURCES
AMANDA ALLEN, SR. LEGISLATIVE OFFICE SPECIALIST

COMMITTEE MEMBER ABSENT:

SUPERVISOR O'CONNOR

Mr. VanNess called the meeting of the Public Safety Committee to order at 10:15 a.m. and he welcomed the newly elected Sheriff, Bud York, and Chief Deputy, Shane Ross, to their first Committee meeting.

Motion was made by Mr. Haskell, seconded by Mr. Bentley and carried unanimously to approve the minutes from the November 7, 2007 Sheriff & Communications Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Sheriff York, who distributed copies of the agenda to the Committee members, a copy of which is on file with the minutes.

Sheriff York apprised that agenda item one referred to several requests for permission to submit applications for grant opportunities, which he outlined as follows:

1. To the U.S. Smokeless Tobacco Company for an amount not to exceed \$12,000 for a 2008 Polaris Ranger 6-wheel utility vehicle. Sheriff York pointed out that this grant would not include a cash award, but rather listed the MSRP (Manufacturer's Suggested Retail Price) for the Polaris Ranger, which would be given to the Sheriff's Office if the grant was awarded;
2. To the Governor's Traffic Safety Committee for an amount not to exceed \$18,828 which would be dedicated to overtime and/or equipment costs incurred through VTL (Vehicle Traffic Law) enforcement;
3. To the Warren County STOP-DWI program for an amount not to exceed \$36,000

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- to cover the lease costs for two Harley Davidson motorcycles as well as associated training and equipment expenses for six officers;
4. To the New York State Office of Homeland Security for an amount not to exceed \$54,000 to allow for training, intelligence and information sharing, as well as law enforcement investigations and operations relating to the LETPP (Law Enforcement Terrorism Prevention Program);
 5. To the New York State Police/Governor's Traffic Safety Committee, for an amount not to exceed \$97,880 to secure 21 TraCS (Traffic and Criminal Software) in-car computers and e-ticketing systems and the accompanying software and installation costs. Sheriff York advised that a cash award would not be received through this grant, and the figure listed represented the value of the computer equipment that would be received. He added that due to his inexperience with the grant process, he had mistakenly completed and submitted the grant application without prior Committee consent, for which he apologized. However, he noted, his contacts at the New York State Police had already confirmed that the grant would be awarded. Sheriff York explained that because the computer systems would require professional installation, the New York State Police would forward payment to the chosen vendors upon completion of the installation as part of the grant agreement. He noted that the e-ticketing systems printed traffic tickets and electronically transferred them to the Sheriff's Office, DMV (Department of Motor Vehicles) and the appropriate Court system, eliminating the need for manual entry at each level. Sheriff York asked how the computers would be inventoried and Joan Sady, Clerk of the Board, replied that they would have to be inventoried and they would have to further consult the Treasurer's Office as it was initially thought that the computers might have to be accounted for as a gift or donation and be offset later. She added that this had yet to be determined by the Treasurer's Office;
 6. To the Governor's Traffic Safety Committee for a Local Highway Safety grant, of an amount not to exceed \$100,000, to be used for motorcycle safety, education and enforcement.

Sheriff York apologized once again for beginning the grant application process without the Committee's permission and he assured the Committee that he would seek their consent in advance for all future grant proceedings. He noted that the grant application requests presented totaled approximately \$300,000, none of which required that the County provide matching funds, and these were only a small percentage of the grant funding available. Sheriff York stated that he and his staff intended to seek out and capture as many grant opportunities as possible in the future for the County's benefit. He noted that a young Patrol Officer, Chris Hatin, had been instrumental in putting together the grant application for the TraCS computers as he had discovered the grant opportunity and brought it to their attention.

Mr. VanNess pointed out that it was very important to keep in mind that all six of the grants described were non-matching grants and required absolutely no County contribution. Sheriff York

added that another positive point was that these funds would be used to purchase items that would otherwise have been purchased through the Budget with the use of taxpayer dollars.

Sheriff York advised that Chief Deputy Ross had assumed the grant writing responsibilities of the Sheriff's Office and many of the grants available could assist other Departments as well. He noted that in some cases it might be feasible for Chief Deputy Ross to access these grant opportunities on their behalf to save monies in the Departmental Budgets. For example, Sheriff York apprised, Chief Deputy Ross was currently in the process of working on a grant application with the Department of Social Services to secure funding that would be used for the security system in the proposed Health and Human Services Building.

Chairman Monroe asked why the U.S. Smokeless Tobacco Company was interested in granting a six-wheeled vehicle to the Sheriff's Department and Chief Deputy Ross replied that this was a National grant that had been in place for several years. He added that this was a form of advertisement for the U.S. Smokeless Tobacco Company, through the donation of equipment to law enforcement agencies.

Referring to the grant application that would fund efforts of the LETPP, Chief Deputy Ross advised that he had successfully submitted applications for similar grant opportunities over the past three years, which had resulted in the purchases of items such as the system which produced the County identification badges worn by all County employees. He noted that a portion of the \$54,000 grant funding would be shared with the Glens Falls Police Department, although the exact split was not yet known. Chief Deputy Ross stated that \$19,000 of the County portion of the grant funds would be used to purchase a video surveillance system for the County Airport, the plans for which had already been approved by the granting agency. He added that they had also received conceptual approval to use the remainder of the County-share to continue to secure the Municipal Center Building. Chief Deputy Ross said that although there had been much debate over the subject, prior to continuing with this portion of the grant writing he required approval from the Committee to determine whether or not they were in favor of increased security in the Municipal Center.

Mr. Haskell stated that he had been in favor of increased security for some time, due to the possibility of an individual entering the building during business hours with relatively no accountability. He said that although nothing adverse had happened thus far, there was the potential for an unfavorable event to occur as there were no precautions in place to prevent it. Mr. Haskell stated that although this matter had been voted on and rejected in the past he was still in favor of securing the Building and Mr. VanNess agreed. Mr. VanNess added that one of the biggest discussions with respect to the proposed Health and Human Services Building was the single point of entry which was intended to increase security and he was in favor of such measures for the Municipal Center also. Sheriff York pointed out that the perception of the employees in the Municipal Center might be that employees in both the Department of Social Services and the Probation Offices received an increased level of protection due to high emotions in both offices while other County employees were not protected as highly, regardless of the fact that they might also deal with the same high emotions, albeit on a

lower level. He stated that it was his feeling that all County employees should receive the same level of protection regardless of the Department they worked in.

Chief Deputy Ross stated that although the grant funds received would certainly not be sufficient to entirely secure the Municipal Center, it would be a good start. Mrs. Sady asked if the grant funds had been guaranteed and Chief Deputy Ross replied that they had received a letter stating that the \$54,000 in grant funds were available if the County desired them and could be accessed through the submission of a completed grant application. However, he added, the application had to be completed and submitted prior to January 31st, which did not give sufficient time for approval by the Board of Supervisors at their February 15th meeting.

Mr. VanNess suggested that the Committee authorize the resolution allowing for submission of the grant application and answer question with respect to increased security in the Municipal Center as they arose at the February 15th Board meeting.

Chairman Monroe reminded the Committee that this topic had been discussed in the past and although there were some good arguments for increased security, there were also good arguments against it that had to be considered. For example, he said, he had worked in the Court system where there was very high security, although once an employee left the building there was virtually no security in the parking lot. Mr. Monroe added that no matter how much security was added to the Municipal Center they could not protect the Building against acts of terrorism. Increased security in the Family Courts was a good idea in light of the fact that high emotions might tempt one party to introduce a gun into the situation; however, he said, it did not seem that such measures were necessary in the other portions of the Municipal Center and it also did not create a favorable perception for the public if the building was so tightly secured. Mr. Monroe stated that he understood the reasons for and against the increased security and thought that all items should be discussed prior to making a decision.

Mr. VanNess noted that because the next meeting of the Board of Supervisors was scheduled for February 15th and the grant application deadline was January 31st there was no way that it could be approved in time and he asked if an extension could be requested. Chief Deputy Ross advised that the grant application had been misplaced in the transition of the Sheriff's Office and he had already requested an extension, which had granted the January 31st deadline. Mrs. Sady suggested that it might be appropriate to move ahead with the request because it was only for permission to submit the grant application and if the full Board decided against securing the entire Municipal Center, they might be able to use the funds for some level of security. Chief Deputy Ross advised that he would write the grant for a very broad range of use so that in the event that the Board did not wish to increase security in the Municipal Center they could use the funds for a related purpose.

Todd Lunt, Human Resources Director, noted that he'd had similar discussions with Chief Deputy Ross regarding increased security through the Workplace Violence Prevention Initiative. He noted that under a prior grant the County had received a number of years prior they had gotten doors that could be used to increase the security in the building. He said that there were things that could be done to improve the security without requiring all visitors to enter through a magnetometer and a

guard security checkpoint. Mr. Lunt stated that by installing security cameras at the Municipal Center's main and DMV entrances and requiring swipe cards for all other entrances there would be a record of visitors entering and leaving the building without increasing security to an uncomfortable level while increasing the employee's sense of protection as well. Mrs. Sady stated that she agreed with Mr. Lunt's suggestions and added that she did not feel that these lesser security upgrades would present a controversy, such as securing the entire building might.

Mr. Bentley asked why the new security doors had not been installed and Chief Deputy Ross replied that because they had been unable to secure the appropriate consent for the project in the past they had been unable to proceed in installing them. Mr. VanNess added that it was his feeling that once the Board of Supervisors was made aware that the increased security measures would be only to the extent outlined by Mr. Lunt, as opposed to a full lock-down of the building, the Board would have no issue with the increased safety measures.

Motion was made by Mr. Bentley, seconded by Mr. Haskell and carried unanimously to approve the requests for permission to apply for all six grant opportunities and the necessary resolutions were authorized for the February 15th Board meeting. *Copies of all six requests are on file with the minutes.*

Resuming the agenda review, Sheriff York advised that agenda item number two referred to discussion regarding the Federal and State Asset Forfeiture monies and grant funding for the newly formed Drug Investigation Unit. He explained that the Sheriff's Office had asset forfeiture monies in a sub-account, classified as A.3110 2626 01A, which was monitored by the Treasurer's Office and could not be co-mingled with regular Budgeted items. Sheriff York stated that there were very strict rules as to how the Forfeiture monies could be used as they were intended for expenses incurred for purchases made for drug investigations and surveillance costs. He advised that the account currently contained approximately \$130,000, which he requested to access in order to increase the Drug Investigation Unit. Sheriff York noted that the District Attorney's Office utilized a similar fund and in speaking with Kate Hogan, District Attorney, he was advised that the Board of Supervisors had previously authorized a resolution (Resolution No. 379 of 2004) which allowed the District Attorney access to those funds. He added that he was requesting that a similar resolution be authorized for the Sheriff's Office.

Sheriff York advised that because the Forfeiture monies were so strictly regulated, they were subject to audit at any time and a system similar to the one used by the District Attorney's Office would be favorable to avoid any issues relating to future audits. In addition, he noted, he had already incurred some costs for drug investigations, for which he could use the Federal and State Asset Forfeiture monies accumulated. Sheriff York explained that the system currently used by the District Attorney's Office required that a memo be forwarded to the Treasurer stating the amount needed and for what purpose, at which point the Treasurer issued a voucher for the necessary purchase, providing a complete audit trail.

Discussion ensued with respect to the matter.

Motion was made by Mr. Haskell, seconded by Mr. Stec and carried unanimously to allow the

Sheriff's Office to expend Asset Forfeiture monies for appropriate costs, (similar to Resolution No. 379 of 2004), and the necessary resolution was authorized for the February 15th Board meeting. *A copy of the request is on file with the minutes.*

Sheriff York advised that agenda item number three pertained to discussion on the Hyper-Reach Reverse Notification and Senior Citizen Wellness Check Program. He explained that the system would be used through the 911 Center to allow for areas of Warren County to be notified in the event of an emergency, as well as to institute a program for senior citizens living alone to be contacted daily via telephone to ensure their well being. For example, Sheriff York noted, the system could be used to alert all residents in a specific area of a missing person suffering from Alzheimers disease and would also have been very helpful during the recent storm in Horicon to notify residents of places to avoid due to extensive storm damage. He stated that the costs for the three-year proposed contract would be \$18,800 for the first year and \$12,000 per year for the second and third years.

Mr. Strainer entered the meeting at 10:39 a.m.

Mr. Stec noted that implementation of this system had been discussed during the prior year by former Sheriff Larry Cleveland. He asked if the system would entail only the flat fees as detailed by Sheriff York or if a usage fee would be assessed each time the system was used. Sheriff York replied that it was his understanding that the flat fees included in the contract would cover all usage for both the Reverse Notification and Wellness Check programs; however, he said, he would have to confirm this with the vendor.

Mr. VanNess recalled that at the time this item was discussed by former Sheriff Cleveland, the Committee had not chosen to proceed with the installation of the system because there would be an additional cost for each use, over and above the annual fees noted by Sheriff York and Mrs. Sady agreed with Mr. VanNess' recollection.

Sheriff York reiterated that he would contact the vendor to determine if this was the case and he noted that if they chose to use the Reverse Search system he would suggest using the Hyper-Reach system offered through Same Asher Computing Services, Inc. as it would not require installation of any computer hardware at the 911 Center. He added that all of the hardware would be boarded with the vendor and all maintenance would be provided by them. Undersheriff Ross noted that the system would allow for the use of prefabricated contact lists as well as the ability to actually circle an area on a computer touch screen to make contact with the necessary parties in the event of an emergency. Mr. Stec stated that he felt this was an excellent tool, although they would have to determine whether or not there was a per call fee for use of the system prior to making any decision on its use. Undersheriff Ross recalled that there was a per call fee for use of the system; however, he said, he did not know if that fee was already included in the annual fees listed by Sheriff York. Sheriff York stated that he felt the Reverse Call system was very important and he was prepared to meet with the Budget Officer to find the funding within his existing Budget to facilitate its use.

Mr. VanNess stated that there was sufficient Committee interest in the Reverse Call system and the

presence of a usage fee would be the deciding factor in whether or not the system would be approved. Sheriff York apprised that he could attain the answer to this question very quickly by contacting the vendor.

Mr. Monroe noted that during recent winter power outages there had been no way to quickly notify residents of the availability of shelters that were set up then and this could be an answer to the problem. Mr. Stec asked if the system would be limited to notification of emergency services or if it could also be used for other public service messages and Sheriff York replied that although it was not something that the Sheriff's Office would be interested in doing he was under the impression that the system could be used to notify residents of any event or occurrence, not just emergencies. Mr. VanNess noted that if there was an additional per call fee for use of the system it could be assessed to the Town using the system, rather than being paid by the County.

Hal Payne, Commissioner of Administrative & Fiscal Services entered the meeting at 10:46 a.m.

Discussion ensued.

Motion was made by Mr. Stec, seconded by Mr. Haskell and carried unanimously to approve a new contact with Sam Asher Computing Services, Inc. for the Hyper-Reach Reverse Notification and Senior Citizen Wellness Check program system, contingent upon funds being available within the existing Budget and there being no unreasonable additional per call fee for use of the system, and the necessary resolution was authorized for the February 15th Board meeting. *A copy of the request is on file with the minutes. (Note: Subsequent to the meeting, Sheriff York advised that the first year contract cost would be \$12,000 and not \$18,800, but the Senior Citizen Wellness Check program would not be implemented at this time.)*

Moving to agenda item four, Sheriff York advised that he had recently attended a meeting for all newly elected Sheriff's across the State wherein it had been highly recommended that an audit be performed upon assuming Office. He said that he felt this was a good business practice and the New York State Sheriff's Association would conduct the audit, free of charge, for the Sheriff's Civil Department, which would take place on February 6th. Sheriff York stated that he had met with a local firm to discuss the costs of auditing the remainder of the Sheriff's Office and he would return to the Committee with those figures at a future meeting. Mrs. Sady noted that if the costs of the audit were less than \$3,000 Sheriff York would be required to gain three quotes for the services and if it was more than \$10,000 for the services he would have to begin an RFP (Request for Proposal) process. Mr. Stec stated that he felt that the costs of the audit would be less than \$10,000, but more than \$3,000; therefore three quotes for the audit services would be required.

Motion was made by Mr. Haskell, seconded by Mr. Stec and carried unanimously to authorize Sheriff York to proceed in securing quotations for an audit of the Sheriff's Office.

Mr. Haskell noted that the audit was not being performed because the Committee felt there had been any wrongdoings at the Sheriff's Office but rather as a good business practice for the new incumbents. Mr. Stec commented that when he began his first term as Supervisor of the Town of

Queensbury he had used the same practice for the larger Departments at the Town and this was a good way to begin the term as an elected official.

Sheriff York advised that agenda item number five referred to a request to authorize the Sheriff's Records Department to begin charging a \$25 fee for all accident report requests. He explained that because there were three Police Departments involved in accident investigations in Warren County, *the City of Glens Falls Police Department; the New York State Police and the Warren County Sheriff's Office*, many large insurance companies and law firms contacted the Sheriff's Records Department to determine which Police agency had handled certain accident investigations, and gain a copy of such, free of cost. Sheriff York advised that these companies were supposed to contact DMV to get these accident reports, where a charge was assessed. He said that by instituting the \$25 fee they would recover funds for the employee time which was expended searching for the information requested.

Motion was made by Mr. Stec, seconded by Mr. Haskell and carried unanimously to authorize the Sheriff's Office to charge a \$25 fee for copies of accident reports and the necessary resolution was authorized for the February 15th Board meeting. *A copy of the request is on file with the minutes. Please note: Subsequent to the meeting it was determined that there was a legal issue with regard to charging a fee for accident reports. The resolution request was held for further review.*

Mr. Girard entered the meeting at 10:53 a.m.

Sheriff York asked that they skip ahead in the agenda review to discuss item number seven, as item number six required an executive session. He explained that item number seven referred to discussion on a shortfall in contractual expenses in the Corrections Division. Sheriff York stated that he wanted the Committee to be aware that although the previous administration had renewed four contracts for 2008 with the Committee's approval, the increases in costs for those contracts had not been appropriately budgeted. He noted that the increase in contract costs was approximately \$84,000 which had not been included in the 2008 Budget.

Mr. VanNess stated that he, Sheriff York and Mrs. Sady had met to discuss this situation at which point they had verified that the 2008 Corrections contract code (A.3150.470) was approximately \$84,000 short of the total needed to fund the contracts approved for 2008. He added that they had decided not to amend the budget at this point because the total budgeted for contractual expenses in 2007 had not been expended and therefore they preferred to wait until the end of 2008 to determine if any adjustments were necessary. Mr. VanNess said that Sheriff York had been asked to advise the Committee of this matter so they would be aware of the situation which might require a budget adjustment later in the year.

Returning to item number six, Sheriff York advised that the agenda included a notice of intent to fill a vacant position, discussion of which would require an executive session.

Motion was made by Mr. Haskell, seconded by Mr. Stec and carried unanimously to enter into executive session to discuss the employment history of a particular person, pursuant to section 105(f)

of the Public Officers Law.

Executive session was held from 10:55 a.m. to 10:59 a.m.

Upon reconvening, Sheriff York apprised that he wished to fill the position of Civil Law Enforcement Officer, base salary \$31,100, which was vacant due to resignation. He noted that there was a list of tested eligibles from which he would hire for this position.

Motion was made by Mr. Stec, seconded by Mr. Haskell and carried unanimously to approve the request to fill the vacant position of Civil Law Enforcement Officer with a base salary of \$31,100 and refer same to the Personnel Committee. *A copy of the request is on file with the minutes.*

Mr. Stec stated that during the prior year, former Sheriff Cleveland had advised of an inmates ability to choose to either attend their court appearances in person or via video conference. He added that at that time there had been one County in which the State had allowed only video conference for court appearances in an effort to determine if it was a safer and more cost-effective option. Mr. Stec stated that he felt this would be a much more cost-effective option for Warren County and he asked if Sheriff York had any update on this topic. Sheriff York replied that although he was aware of the situation he did not have an update but would research the matter and return to the Committee with his findings.

Mr. Stec then apprised that the Courts in the Town of Queensbury were being expanded to deal with increased appearances and security issues; however, he said, the project had been put on hold due to an issue with the Wickes Law. He said that former Sheriff Cleveland had been involved in the security design of the Courts and had also thought he could attain materials and furnishings at a better price for the Town. Mr. Stec said that he wanted Sheriff York to be aware of former Sheriff Cleveland's involvement in the project and also of the opportunity for lower cost furnishings he had offered as the Town of Queensbury would be appreciative of any assistance he could give in those areas. Sheriff York replied that he would certainly be glad to assist wherever possible.

Mr. Belden entered the meeting at 11:02 a.m.

As he had no further business to present, Sheriff York thanked the Committee and he and Chief Deputy Ross left the meeting at 11:03 a.m.

To begin the Fire Prevention & Building Code Enforcement portion of the meeting, privilege of the floor was extended to Karen Putney, Administrator of Fire Prevention & Building Code Enforcement, who distributed copies of the agenda to the Committee members. *A copy of the agenda is on file with the minutes.*

Motion was made by Mr. Haskell, seconded by Mr. Bentley and carried unanimously to approve the minutes from the November 28, 2007 Fire Prevention & Control Committee meeting, subject to correction by the Clerk of the Board.

Ms. Putney advised that agenda item one referred to the Monthly Activity Report for December of

2007, which also served as a year-end report as it showed all activity for the year 2007, a copy of which was included in the agenda. She pointed out that the figures shown were approximately 13% lower than those reported for 2006 and this was simply a sign of the times and the changing economy. Ms. Putney stated that although they were hoping for increased figures in 2008, they had remained in the same general range of numbers over the past five years. She added that the agenda also included a document comparing the number of permits issued from 1984 through 2007 which was broken down by Town so that the Committee members could see where the growth was occurring. Ms. Putney apprised that similar reports had to be completed for submission to the State of New York prior to January 31st; however, she said, those reports were not yet complete.

Agenda item number two, Ms. Putney explained, pertained to items pending from prior Committee meetings, the first of which was the vacant position of Handicap Coordinator. She advised that this position had previously been filled by John Farrell, who retired, and had remained vacant since. Ms. Putney said that she had attempted to contact William Lamy, DPW Superintendent, to determine the duties performed by this position; however, she said, he was out of the office and could not be reached. She noted that although she did not know what the position entailed, if the Committee wished her to assume those duties she would do so.

Mr. VanNess asked if the Handicap Coordinator was a salaried position and Mrs. Sady replied in the negative. She explained that Handicap Coordinator was an appointment Mr. Farrell had received as the former Director of Civil Defense. Mr. Belden stated that because the duties of this appointment were unknown, the matter should be referred back to the Public Works Committee so that Mr. Lamy could make such determination.

Motion was made by Mr. Belden, seconded by Mr. Haskell and carried unanimously to refer the vacancy of the Handicap Coordinator back to the Public Works Committee for determination of the duties performed by the position.

Ms. Putney advised that the second pending item listed referred to an appointment to the International Conference for Building Officials (ICBO). She said that because she was not aware of the specifics for this appointment either, she contacted ICBO and found that they are now called the International Code Council (ICC). Ms. Putney noted that when speaking with the ICC she had found that the County's membership in this organization had expired and, therefore, there was no longer an appointment. She said that membership in the ICC would only give a discount on Building Code books, which were already received free from the State; a free interpretation of International building codes, but not on State building codes and they would receive a free quarterly magazine. In light of these unnecessary benefits, Ms. Putney stated that she did not feel the membership was warranted and the pending item should be removed and the Committee agreed.

Continuing with the agenda review, Ms. Putney announced that item number three consisted of four resolution requests, the first of which was a notice of intent to fill the vacant position of Fire Prevention & Building Code Enforcement Officer, base salary \$37,282. She explained that the position had been approved and included in the 2008 Budget; however, she said, she needed the permission of the Committee in order to fill the position.

Mr. VanNess reminded the Committee members that the position had been approved for inspections of schools and commercial properties. Mr. Belden asked if revenues would be received through this position as schools and commercial properties would be billed for inspections and Ms. Putney replied affirmatively and she noted, the revenues for 2008 would be relatively small as she had to purchase a County vehicle for this position.

Motion was made by Mr. Girard, seconded by Mr. Haskell and carried unanimously to approve the request to fill the vacant position of Fire Prevention & Building Code Enforcement Officer as outlined above and refer same to the Personnel Committee. *A copy of the request is on file with the minutes.*

Ms. Putney stated that the second resolution request was to amend the title of the Fire Prevention & Building Code Enforcement Officer title in the 2008 Budget. She explained that the 2008 Budget listed the position as a 'Code Enforcement Officer' which was not correct as the title should be the same for all full-time inspectors.

Motion was made by Mr. Haskell, seconded by Mr. Belden and carried unanimously to amend the title of the new full-time position in both the 2008 Budget and the Table of Organization from 'Code Enforcement Officer' to 'Fire Prevention & Building Code Enforcement Officer' and refer same to the Personnel Committee. *A copy of the request is on file with the minutes.*

The third request, Ms. Putney apprised, was a request to amend the 2008 Budget to include \$14,000 for the purchase of a County vehicle for the new Fire Prevention & Building Code Enforcement Officer position. She explained that she had requested funding for this vehicle in the 2008 Budget request; however, she said, it had been included in a serial bond appropriation and the funding now needed to be moved to facilitate the purchase. (*Appropriation Code A.3620 230, Revenue Code A.3620 5710*).

Mr. Belden asked if this purchase had been included in the DPW serial bond and Ms. Putney replied affirmatively.

Motion was made by Mr. Haskell, seconded by Mr. Belden and carried unanimously to approve the request to amend the 2008 Budget in the amount of \$14,000 for the purchase of a new County vehicle as outlined above and refer same to the Finance Committee. *A copy of the request is on file with the minutes.*

Ms. Putney advised that the final request was to approve overnight travel for Andrew Neville, who was chosen to fill the newly created position of Fire Prevention & Building Code Enforcement Officer, to attend the 13th Annual Educational Conference in Lake Placid, NY on March 3 - 6, 2008. She explained that although Mr. Neville was code certified he was not up to date on his in-service training. Ms. Putney said she had contacted the State to determine how to rectify this issue and they had advised her that attendance at this Conference was the best course of action. She noted that the course cost was \$240 and the lodging costs were \$91.92 per night, which was less than the GSA (General Services Administration) approved rates. Ms. Putney added that use of a County vehicle

was requested for this travel and that funds were available within the existing Budget to cover this travel.

Motion was made by Mr. Girard, seconded by Mr. Stec and carried unanimously to approve the request to authorize travel, as outlined above.

Mr. Payne asked when Mr. Neville's employment would begin and Ms. Putney replied that a February 7th start date had been agreed upon, pending approval of the request to fill the position at the February 6th Personnel Committee meeting. Mr. Payne questioned the fact that it seemed Mr. Neville had already been hired prior to the Committee approving her request to fill the position and Mr. VanNess replied that the position had already been approved and included in the 2008 Budget; however, he said, the Committee had requested that Ms. Putney wait until January to fill the position, which is what she had done.

Mr. Payne asked if a list of eligibles was available and Ms. Putney replied that she had received the name of only one eligible person for this position, and this was not the person chosen. She noted that she had advertised the position and of the nineteen applications received she had interviewed eighteen applicants prior to hiring Mr. Neville.

Discussion ensued.

Concluding her agenda review, Ms. Putney apprised that for the new members of the Committee she had included a packet of information listing the procedures and policies implemented by her Department. She asked the Committee members to review the information and contact her with any questions they might have. Ms. Putney noted that the packet included the forms and applications given to any person applying for building permits. She added that she had made changes to the office in an effort to save as much time and effort as possible for all parties involved in the process.

Mr. VanNess asked if this information was available on the County website and Ms. Putney replied in the negative although, she said, she could certainly contact the Information Technology staff to have it added if the Committee so desired. She cautioned that adding the information to the County website would not necessarily save time for applicants because they were required to visit their Town officials with their plans first and that is where they were given the proper paperwork for the County. Mr. VanNess countered that these items should still be offered on the website because it would give another avenue for applicants to access the proper paperwork subsequent to the visit to the Town and he asked Ms. Putney to contact Robert Metthe, Director of Information Technology, with respect to the matter.

As there was no further business to discuss, Ms. Putney left the meeting at 11:22 a.m.

Privilege of the floor was extended to Marvin Lemery, Fire Coordinator and Director of the Office of Emergency Services (OES), who began the OES portion of the meeting. Mr. Lemery distributed copies of the agenda to the Committee members, a copy of which is on file with the minutes.

Motion was made by Mr. Girard, seconded by Mr. Belden and carried unanimously to approve the September 27, 2007 OES Committee minutes, subject to correction by the Clerk of the Board.

Mr. VanNess began discussion regarding the proposed Fire Training Center by noting that a meeting of the Fire Training Center Committee had recently been held. He advised that after much hard work it seemed that they would finally be putting pictures together with plans for the Training Center and he said he had asked Chairman Monroe to schedule a joint meeting between representatives of Warren and Washington Counties for this presentation. Subsequent to the joint meeting Mr. VanNess said that it was his assumption that referrals on the matter would be forwarded for presentation and discussion at upcoming meetings of the Board of Supervisors of both Counties. He added that the Fire Training Center Committee, which was comprised of volunteers, had done a wonderful job with the project so far and he commended them for their efforts.

Mr. Belden asked if a site had been chosen for the proposed Fire Training Center and Mr. VanNess replied that they had narrowed their selection down to three locations which were at Adirondack Community College (ACC), the Queensbury Avenue site and at the former Ciba Geigy property, on which studies were being performed to determine which was the best location for the project.

Mr. Belden noted that ACC intended to expand their campus in the future and he asked if the Fire Training Center would affect this growth. Mr. VanNess replied that representatives of both Warren and Washington Counties had met with the President of ACC to discuss the matter and they had been assured that regardless of the location chosen, the ACC President had guaranteed that they would work with the group to ensure that the curriculum, administration and maintenance were performed through ACC.

Mr. Lemery said that it was his understanding that LaBerge Group would now take the conceptual design approved and lay it over all three site selections to determine the pricing for the project at each location to determine the desire of the Counties. Mr. VanNess stated that the group wanted to work with ACC, however, Warren and Washington Counties would be making the decision as to where the project would be placed.

Mr. Lemery advised that agenda item number one referred to items pending from prior Committee meetings. He noted that the first pending item listed vacancies on the Traffic Safety Board, which were taken care of by the Traffic Safety Board themselves and should not be listed under the Office of Emergency Services. Mrs. Sady replied that the item had been listed this way because the appointments were handled by Amy Manney, Executive Secretary of the Traffic Safety Board, who was employed under the Office of Emergency Services. She added that the appointments were listed as expiring in this manner so that they would not be overlooked. Mr. Lemery stated that at their next meeting he was sure that the Traffic Safety Board would address these expirations.

The second pending item, Mr. Lemery noted, pertained to his meeting with Paul Dusek, County Attorney, to discuss placing stickers on homes using generators as second sources of energy; however, he said, this had not gone any further. Mr. Haskell stated that he was still very concerned about this matter and felt that they should pass a law stating that residents using back-up generators should be

required to notify their local fire departments of their use for safety purposes. Mr. VanNess recalled that prior discussion had led to the referral asking the County Attorney's Office to research the level of liability that might be assumed by the County for requesting that use of back-up generators be reported. Mr. Lemery stated that the referral had been for himself and Mr. VanNess to meet with the County Attorney to discuss liability issues and such, which they had held with Patricia Nenninger, Second County Attorney, but it had not gone any further. He agreed that the Fire Departments needed to be notified in some manner of the presence of backup generators when in use; however, he said, he was not sure if the County would be opening themselves up to liability issues by forcing such practices.

Mr. VanNess reminded the Committee that in prior discussion they had talked about using a sticker, similar to those used in the Tot Finder program, to label homes as having backup generators and he suggested that a vendor who produced such stickers should be contacted for pricing information. He noted that if the cost of the stickers was known, the Board of Supervisors might be in favor of authorizing the purchase of the stickers to be distributed to residents using backup power sources as a voluntary means of protection for the Fire Departments. Mr. Haskell stated that it was his opinion that a County law should be instituted requiring the posting of such stickers.

Mr. Girard stated that if they were going to place stickers on homes to warn of the use of a backup generator, the most sensible place to put the sticker would be on National Grid's power meter as the Fire Departments had been given permission by National Grid to remove the meters thereby degenerating the homes when fighting fires. By placing the sticker on the meter, he noted, the person removing the meter would be advised that a backup power source was in place.

Discussion ensued with respect to the matter.

Mr. Dusek entered the meeting at 11:36 a.m.

Mr. VanNess updated Mr. Dusek on the Committee's discussion, explaining that the Committee felt that something should be done to better notify Fire Departments of back up power sources when in use and he asked if any additional liability would fall on the County by enacting a local law to require such measures and also if there would be added liability to the County as the matter had been spoken of publicly in acknowledging the issue. Mr. Dusek replied that he did not feel any liability had been created through discussion on the matter as there was no legal obligation currently to engage in such activity so they could not, by discussing the matter, create a legal obligation. He said that if a local law were passed stating that stickers had to be used to notify of backup power sources, there would have to be an enforcement mechanism within the local law and it was his opinion that the liability issue would arise in connection with the enforcement aspects of the local law. Mr. Dusek cautioned the Committee that if they began the process they would have to keep up on it and they would have to have a person in place to be sure that the local law was being enforced and the stickers were being used appropriately. He said that so long as the local law was being correctly enforced he felt that the liability aspects would be minimal.

Mr. Girard stated that it might be prudent to invite a representative of National Grid to a future

Committee meeting to discuss the matter as they also had concerns with respect to their employees working at homes where alternate power sources were being used. Mr. Belden noted that in light of Mr. Girard's statement that the most practical place to post the stickers would be on the National Grid power meters, they would also have to be sure that this action would not interfere with the remote meter readings performed by their employees. Mr. Haskell agreed that a National Grid representative should be invited to a future Committee meeting to discuss these matters. Mr. Lemery stated that if they were able to get National Grid on board with this project, they might be willing to forward notifications on the matter to residents with their monthly invoices.

Mr. Dusek advised that if this effort began as a voluntary program for public education all potential liability aspects would be eliminated and they could then study the matter further to determine if a local law should be instituted.

Discussion ensued with respect to the matter.

It was the consensus of the Committee that Mr. Lemery should contract National Grid to request the attendance of one of their representatives at an upcoming Public Safety Committee meeting to further discuss this issue.

Returning to the agenda review, Mr. Lemery advised that the second item referred to a request for authorization to submit a grant application to the New York State Office of Homeland Security. He explained that the grant was for an amount not to exceed \$73,000 and would be used to continue funding for the Warren County Homeland Security Office. Mr. Lemery reminded the Committee that at a prior meeting he had advised that this application had not been completed on time; however, he said, a couple of weeks ago he'd had the opportunity to meet with General Shephard, Director of Homeland Security, at which time he had explained the reasons why the application had not been submitted on time. Subsequent to this meeting, he said, he received a letter from the Office of Homeland Security allowing an extension for submission of this grant application. Mr. Lemery noted that there were also two forms that required the signature of Chairman Monroe, certifying that he is the Chairman of the Board, as the prior application listed William Thomas as Chairman, and also listing himself as the point of contact for the grant.

Motion was made by Mr. Belden, seconded by Mr. Bentley and carried unanimously to approve the request to submit a grant application to the New York State Office of Homeland Security as outlined above and the necessary resolution was authorized for the February 15th Board meeting. *A copy of the request is on file with the minutes.*

Mr. Belden noted that the addition of a grant writer to the County staff had been discussed in prior meetings and he asked if this was still being considered. Mr. Payne replied affirmatively, adding that a basic job description had been developed for the position and the process was still being worked on. Mr. Belden stated that funding for this position would be money well spent as there was a large amount of grant funding available which was not being captured.

Mr. Girard noted that the grant funds given by the New York State Office of Homeland Security

could not be used until the services outlined in the grant were performed and he asked if there were any issues with this method of allocation. Mr. Lemery replied that this was not an issue as they were still receiving funding from grants received in 2005 and 2006. He added that when this grant was received they would come back and ask for a Budget amendment to increase the appropriations side of the Homeland Security Budget, and as they spent that money it would be taken out of the Budget. Mr. Lemery clarified that no County monies were used initially but rather they worked directly from the grant funds given. He advised that there were no problems with the grants or the ways in which the funds were allocated; he noted that the issue Mr. Girard was eluding to was actually caused by a bookkeeping error which led to a deficit in one code and was eventually corrected through a transfer of funds.

Continuing the agenda review, Mr. Lemery advised that he would prefer to skip ahead to agenda item four which referred to an Organizational Chart of the OES, a copy of which was included in the agenda. He noted that he had developed this chart for the Human Resources Department, but he had included a copy for the Committee's reference.

Mr. Lemery apprised that agenda item number five consisted of a request to participate in a State-wide Emergency Management Mutual Aid (EMMA) agreement. He explained that the State had developed an EMMA plan, similar to their Fire Mobilization and Mutual Aid compact. Mr. Lemery stated that this plan would allow for assistance to other Counties in a state of emergency and also for expenses incurred by other Counties to be reimbursed to that County by the County whose jurisdiction the event took place.

Motion was made by Mr. Belden, seconded by Mr. Bentley and carried unanimously to authorize participation in the State-wide Emergency Management Mutual Aid agreement and the necessary resolution was authorized for the February 15th Board meeting. *A copy of the request is on file with the minutes.*

Agenda item six, Mr. Lemery advised, consisted of two travel requests, the first of which was for Ms. Manney to attend the NYSEMA (New York State Emergency Management Association) Conference in Syracuse, NY February 18 - 20, 2008. He said that the hotel room rates were less than the GSA approved rates and the funding necessary was available within the existing Budget and a County vehicle would be used for the travel.

Motion was made by Mr. Haskell, seconded by Mr. Girard and carried unanimously to authorize travel for Ms. Manney to attend the NYSEMA Conference as outlined above. *A copy of the Authorization to Attend Meeting/Convention is on file with the minutes.*

Mr. Lemery explained that the second travel request was to authorize Brian LaFlure, 1st Deputy Fire Coordinator, to attend the County Fire Coordinators' Association Spring Conference in East Syracuse, NY March 31 through April 2, 2008. He added that the hotel room rates for this travel were also less than the GSA approved rates and funds were available within the existing Budget to cover the travel costs, for which a County vehicle would be used.

Motion was made by Mr. Girard, seconded by Mr. Belden and carried unanimously to authorize Mr. LaFlure to attend the County Fire Coordinators' Association Spring Conference in East Syracuse, NY as outlined above. *A copy of the Authorization to Attend Meeting/Convention is on file with the minutes.*

Proceeding to agenda item number seven, Mr. Lemery directed the Committee members to the section of the agenda which contained comparison information on staffing and salaries of other OES departments in surrounding Counties which he had compiled at the request of Mr. Belden. He said that from this documentation it was plain to see that the Warren County Office of Emergency Services was understaffed in comparison. Mr. Lemery pointed out that his position as Director was currently part-time and the Committee should seriously consider changing this to a full-time position in the future, as it entailed an incredible amount of work.

Returning to agenda item number three, Mr. Lemery apprised that the agenda included a request to create a new position within the OES for a part-time Account Clerk. Mr. VanNess reminded the Committee that this addition had been discussed and tentatively approved during the prior year; however, he said, they had asked Mr. Lemery to postpone creation of the new position until 2008.

Mr. Belden asked if a portion of the salary costs could be funded through HAZMAT (Hazardous Materials) revenue and Mr. Lemery replied in the negative, explaining that he received approximately \$19,000 per year in State funding through SEMO (State Emergency Management Organization) and he intended to fund the salary of the position with this income. Mr. Lemery noted that as discussed previously, he was very resistant to using the SEMO funding received to pay rent to the County for the space his Office occupied because other Departments within the Municipal Center were not paying rent for their space. He added that initially the SEMO grant funding had been used to defer the salary costs of the Civil Defense Director and when the Civil Defense Office was moved to its Warrensburg location they began charging rent for use of the office space occupied. Mr. Lemery stated that it was unfair to charge the OES rent when no other Department within the Municipal Center was expected to pay the same fees. He said that if it was determined by the Committee that his Department should have to pay rent, they would have to determine an alternate source of funding for the part-time Account Clerk position requested.

Discussion ensued.

Mr. VanNess stated that they would have to research the matter further to determine when the SEMO grant funds changed from being used to offset salary costs to paying rent charges. He said that in the meantime funds from the existing Budget would be used to offset the salary costs for the new part-time Account Clerk position until alternate funding was determined.

Motion was made by Mr. Girard, seconded by Mr. Stec and carried unanimously to approve the request to create the new position of part-time Account Clerk for the Office of Emergency Services and refer same to both the Personnel and Finance Committees. *A copy of the request is on file with the minutes.*

Returning to the document comparing staffing and salaries for surrounding Counties, Mr. Lemery said that he wanted the Committee members to seriously review the comparison and take note that in some other Counties there were actually two full time employees in place for his Director position. Also, he noted, they should consider increasing funding to the Department to make both the Director and Account Clerk positions full time. Mr. Lemery pointed out that in Saratoga County there were two separate full time positions for the Director of the OES and the Fire Coordinator while he was serving both titles on a part-time basis. He said that he was not suggesting the addition of any positions, but rather increasing the Departmental funding to include a full-time Director/Fire Coordinator position and a full-time Account Clerk.

Mr. VanNess stated that he appreciated all of the work Mr. Lemery had put into the Department and he agreed that in light of the increasing responsibilities of the Department, added by Homeland Security, more staff was needed to handle the increased workload.

As there was no further business to come before the Committee, on motion made by Mr. Stec and seconded by Mr. Girard, Mr. VanNess adjourned the meeting at 12:11 p.m.

Respectfully submitted,
Amanda Allen, Sr. Legislative Office Specialist