

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PUBLIC SAFETY (INCLUDING FIRE PREVENTION & BUILDING CODES, OFFICE OF EMERGENCY SERVICES, SHERIFF & COMMUNICATIONS)

DATE: MAY 22, 2009

COMMITTEE MEMBERS PRESENT:

SUPERVISORS VANNESS
O'CONNOR
BELDEN
SOKOL
GIRARD
THOMAS

COMMITTEE MEMBER ABSENT:

SUPERVISOR BENTLEY

OTHERS PRESENT:

BUD YORK, SHERIFF
ROBERT SWAN, UNDERSHERIFF
SHANE ROSS, CHIEF DEPUTY
MICHAEL GATES, CAPTAIN, DEPARTMENT OF CORRECTIONS
KAREN PUTNEY, ADMINISTRATOR, FIRE PREVENTION AND
BUILDING CODE ENFORCEMENT
BRIAN LAFLURE, DIRECTOR OF THE OFFICE OF EMERGENCY
SERVICES/FIRE COORDINATOR
AMY MANNEY, DEPUTY DIRECTOR, OFFICE OF EMERGENCY
SERVICES
PAUL DUSEK, COUNTY ATTORNEY
HAL PAYNE, COMMISSIONER OF ADMINISTRATIVE AND FISCAL
SERVICES
JOANN MCKINSTRY, DEPUTY COMMISSIONER OF
ADMINISTRATIVE & FISCAL SERVICES
JOAN SADY, CLERK OF THE BOARD
SUPERVISORS: GERAGHTY
PITKIN
MERLINO
STRAINER
RICHARD KELLY, PERSONNEL OFFICER
TODD LUNT, HUMAN RESOURCES DIRECTOR
ALYSON MARTIN, *THE POST STAR*
SARAH MCLENITHAN, LEGISLATIVE OFFICE SPECIALIST

Mr. VanNess called the meeting of the Public Safety Committee to order at 10:00 a.m.

Motion was made by Mr. Belden, seconded by Mr. Girard and carried unanimously to approve the minutes from the meeting of the Public Safety Committee, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Bud York, Sheriff, who distributed copies of the Sheriff & Communications Agenda to the Committee members. A copy of the Agenda is on file with the minutes.

Agenda Item 1, Sheriff York apprised, was a request for Sergeant Steven Stockdale and Investigator Terry Comeau to attend the Information Sharing Conference in Niagra Falls, New York from June 3 through June 5, 2009. He noted that the expenses would be paid through asset forfeiture monies.

Motion was made by Mr. Belden, seconded by Mr. Girard and carried unanimously to authorize Sergeant Steven Stockdale and Investigator Terry Comeau to attend the Information Sharing

Conference in Niagra Falls, New York as outlined above. *A copy of the Request for Authorization to Attend Meeting or Convention is on file with the minutes.*

Sheriff York advised that Agenda Item 2 pertained to the load curtailment program, which had been suggested by Hal Payne, Commissioner of Administrative and Fiscal Services. Sheriff York explained that the program would save the County money by shutting the Jail power down during peak hours and using the generator as a power source.

Sheriff York outlined six major reasons why this proposal would not be feasible, as follows:

1. Computer and 911 systems are not designed to experience interruptions. Even with system buffers via UPS, power spikes and unstable voltage remain a serious concern. Every computer in the building along with 911 systems would be subject to potential power interruptions each time the system is switched from the power grid to generated power.
2. Operating the generator as a main power source will increase the cost of fuel and maintenance and add wear and tear on the generator.
3. Staff would need to be available 24/7 to switch from the power grid to the generator. A maintenance staff member would need to remain on site and monitor the generator the entire time the building was off grid. The availability of staff and the cost of overtime need to be considered.
4. When the building is operated on a generator there is no air conditioning available. The 911 Communications Center systems and computers rely heavily on proper cooling to ensure reliable operation.
5. Without the main power grid as a primary source of power the 911 Center no longer has a redundant power source. Both the New York State Sheriff's Association (NYSSA) Accreditation and the New York State 911 Board standards require redundant power systems. Both the Public Safety Answering Point (PSAP) accreditation and the 911 funding received from the State would be in jeopardy should we remove the power grid as the main source of power.
6. Failure of the generator would cause failure of the 911 Communication Center within 20 minutes of exhaustion of the UPS. The liability associated with prospect is unfathomable.

He commented that the liabilities of the load curtailment program would exceed the benefits; therefore, he stated, he was not in favor of participating in the program.

Mr. VanNess expressed his concerns with the depreciation on the 911 equipment caused by the periodic shutdowns; therefore, he stated, he did not think it was feasible to participate in the program. Sheriff York questioned whether any other Counties with 911 systems were participating in the program and Mr. Payne responded in the negative. Shane Ross, Chief Deputy, advised that he was astounded that the Committee would even consider removing the 911 system from the main grid.

Mr. Geraghty questioned whether any other buildings in the County were being considered for the program and Mr. Payne responded in the negative. He stated that the jail was suggested due to the amount of power used by the 911 system.

Agenda Item 3, Sheriff York apprised, referred to the 911 surcharge funds. He requested that the full Board address the issue with our State Legislators in Albany along with the many other Counties affected by the loss of funds. Mr. VanNess pointed out that a resolution had been passed at the May 15, 2009 Board meeting regarding this matter.

Sheriff York asserted that more action was necessary referring to an email received from Dan Jaquish from the Essex County Emergency Services. He said the email stated that the State had renamed the 911 surcharge the "Public Safety Surcharge" and was diverting the funds into the general fund. He noted that due to the State not abiding by the Federal mandates for the funds, they lost 48 million dollars in Federal Funding.

Sheriff York suggested that the Supervisors contact other Counties to query whether they would be interested in traveling to Albany to present a united front on the issue. Mr. VanNess advised that the next step would be to pursue legal action against the State and he recommended that the area counties be contacted to inquire if they were interested in participating. Mr. Geraghty suggested that the matter be presented at the next New York State Association of Counties (NYSAC) meeting.

It was the consensus of the Committee that Mr. Payne contact NYSAC to inquire if other Counties would be interested in participating in litigation against New York State regarding the disbursement of the 911 surcharge funds.

Agenda Item 4, Sheriff York stated, referred to the non-bargaining unit employees personnel policies that were adopted by Resolution No. 30 of 2008. He questioned if Resolution No. 298 of 2009, which authorized no raises for all non-bargaining employees, as well as no 2010 longevity increments for all non-bargaining employees, would rescind Resolution No. 30 of 2008.

Mr. Payne advised that Resolution No. 30 of 2008 was proposed by former Sheriff Larry Cleveland, to ensure that the non-bargaining units in the Sheriff's Department would follow the same contract as the Union employees. Mr. VanNess apprised that they would move along to Agenda Item 5 until Paul Dusek, County Attorney, was able to advise of the necessary action.

Referring to Agenda Item 5, Sheriff York requested authorization to submit an application for Federal appropriation funds to Congressman Scott Murphy's Office for an amount not to exceed \$100,000, to support training and equipment purchased for the Warren County Sheriff's Office Narcotics Enforcement Entry Team (ERT).

Motion was made by Mr. Belden, seconded by Mr. Sokol and carried unanimously to authorize the submission of an application for Federal appropriation funds to Congressman Scott Murphy's Office for an amount not to exceed \$100,000, to support training and equipment purchased for the Warren

County Sheriff's Office Narcotics Enforcement Entry Team (ERT) as outlined above and the necessary resolution was authorized for the June 19, 2009 Board meeting. *A copy of the resolution request form is on file with the minutes.*

Agenda Item 6, Sheriff York apprised, was a request to amend the 2009 County budget to increase estimated revenues and appropriations in the amount of \$36,500 to reflect funds received from the 2008 Law Enforcement Terrorism Prevention Program (LETPP).

Motion was made by Mr. Thomas, seconded by Mr. Sokol and carried unanimously to approve the request to amend the 2009 County budget as outlined above and refer same to the Finance Committee. *A copy of the request to Amend the County budget is on file with the minutes.*

Continuing the Agenda review, Sheriff York stated that Agenda Item 7 referred to the enhancement of revenues by boarding in female inmates and the decrease in revenues from the State for parolees. He apprised that the State was no longer offering reimbursement for the boarding of State parolees, which would result in an estimated reduction in revenue of \$87,000 to \$100,000; however, he stated, Captain Michael Gates had presented an idea on how to increase revenue.

Sheriff York informed the Committee that the Jail generated an estimated \$130,000 in revenue per year from Dutchess County for boarding inmates. He said that Captain Gates offered the Dutchess County Jail Administrator a \$10 reduction in the boarding fee if they would guarantee 20 inmates a month, which would generate \$322,000 in revenue for the remainder of the year.

Mr. VanNess questioned whether a Memorandum of Understanding (MOU) with Dutchess County was necessary to reduce the boarding rate, as well as querying whether the boarding rate was set by the Sheriff's Department or the County. Captain Gates responded that a previous resolution required that the boarding rate be set between \$75 and \$85; therefore, he said, as long as the rate was within that range the Sheriff was authorized to determine the boarding rate. Mr. VanNess requested that Captain Gates consult with the County Attorney's Office before proceeding.

Paul Dusek, County Attorney, entered the meeting at 10:20 a.m.

Mr. VanNess noted that Mr. Dusek had joined the meeting and he advised that they would return to review Agenda Item 4 to gain his legal opinion on the matter. Mr. VanNess outlined Resolution No. 30 of 2008, which stated that the Warren County Board of Supervisors authorized the adoption of Personnel Policies and Rules to Non-Bargaining Employees in the Sheriff's Office and updated agreement to provide raises for not only the non-bargaining unit employees but also for all hourly and part-time employees and to include the right to change health insurance provisions as necessary. Mr. VanNess questioned if it was necessary to rescind the resolution to ensure that non-bargaining employees did not receive raises.

Mr. Dusek apprised that Resolution No. 30 of 2008 was an adoption of the policy and not a contract; therefore, he stated, a new resolution was required that noted Resolution No. 30 of 2008 and the

amendments necessary to set forth the policy that would authorize the non-bargaining employees not to receive raises in 2010. Sheriff York questioned if the policies regarding time off and sick time could not be enforced due to the lack of a contract existing for non-bargaining employees. Mr. VanNess replied that although no contract existed, Resolution No. 30 of 2008 set forth the policies that should be followed with the exception of the pay raises.

Mr. Geraghty requested that the pay ranges of the non-bargaining unit and union positions be reviewed to ensure that the salary of the Supervisory positions was not surpassed by those of the lower grade position. Todd Lunt, Director of Human Resources, advised he would review the payroll records.

Returning to Agenda Item 7, Captain Gates advised he would consult with the County Attorney's Office before determining the rate that would be charged for boarding inmates.

Proceeding to Agenda 8, Sheriff York stated that discussion on ambulance services to the Jail was necessary. He explained that in recent months the cost of ambulance service for the Jail increased substantially.

Sheriff York apprised that Empire Ambulance had submitted a bid of \$450 per transport, which would be a considerable savings; however, he stated, Captain James Miller of the West Glens Falls Emergency Squad expressed an interest in remaining the ambulance provider for the Jail. He said that Mr. Miller supplied a quote of \$9,400 for the year regardless of the number of trips made, pending Queensbury Town Board approval.

Mr. VanNess asked if a Memorandum of Understanding (mou) was necessary. Captain Gates replied that under the current purchasing policy a request for proposal (RFP) or bid process was not necessary for medical services in the Jail as long as the quote did not exceed the \$10,000 threshold.

Sheriff York questioned if a Resolution was necessary and Joan Sady, Clerk of the Board, advised that when a provider was chosen an agreement would be necessary. Captain Gates apprised that two draft agreements had been drawn up and reviewed by Mr. Dusek and he believed the next step would be to request the Committee's permission to enter into a contract.

Mr. Strainer asked if the County was required to use the West Glens Falls Emergency Squad, as the Jail was located in their district. Brian LaFlure, Director of the Office of Emergency Services/Fire Coordinator, responded that Empire had a certificate that specified they could provide services anywhere in the County; therefore, he said, Empire could be used.

Julie Pacyna, Purchasing Agent, advised that according to the purchasing policy any medical services were exempt from bidding. Mr. Girard questioned if the 911 Center would have to dispatch to Empire Ambulance and Mr. LaFlure replied that the dispatch details would need to be worked out.

Sheriff York advised that he would like to continue using the services of the West Glens Falls

Emergency Squad; however, he said, it was necessary for the Queensbury Town Board to approve the contract before any further action could be taken.

Mr. VanNess apprised that he did not think it was necessary for the Committee to take any action; however, he said that it was necessary for Sheriff York to request the Committees authorization for an agreement with the provider that was chosen.

Mr. Payne questioned whether the ambulance service directly billed the insurance company of inmates that had their own health insurance and Sheriff York replied that the patient would be billed. Captain Gates advised that the Jail was working in conjunction with the Department of Social Services to identify the inmates that received Medicaid health benefits to ensure in those instances the insurance information was provided to the service provider to allow them to bill directly.

Mr. Payne interjected that an issue that may arise was when Medicaid paid \$800 for the same service that the County paid \$400 for; therefore, he said it was necessary to charge an equitable rate. Sheriff York commented that he was not concerned with how much insured inmates were charged; however, he said, he was concerned with the rate charged to the County. Mr Payne stated that it may create difficulties for the ambulance providers when they submitted invoices for their services.

Mr. Girard commented that Captain Gates should be eligible for the \$100 award for making a suggestion that would save the County money and Sheriff York agreed.

It was the consensus of the Committee to refer to the Personnel Committee that Captain Gates be awarded \$100, under the Employee Suggestion Program, for making the suggestion that the County generate more revenue by charging Dutchess County a reduced fee for boarding their inmates as long as they were guaranteed 20 inmates per month, which would generate \$320,000 in revenue annually.

Concluding the Agenda review, Sheriff York requested an executive session to discuss the employment history of a particular individual.

Motion was made by Mr. Belden, seconded by Mr. Sokol and carried unanimously that executive session be declared pursuant to Section 105 (e) of the Public Officers Law.

Executive session was declared from 10:38 a.m. to 10:45 a.m.

The Committee reconvened and Mr. VanNess announced that no action was necessary pursuant to the executive session.

Sheriff York addressed the Committee regarding the Board's decision to eliminate two positions from the Sheriff's Department. He advised that he would like to delay eliminating the two positions until it was determined if the early retirement incentive would be offered. He said he felt that if an early retirement incentive was offered, a few individuals in the Sheriff's Department would take advantage of the program which may prevent a layoff of existing employees, as he would abolish

the two vacant positions.

Mr. VanNess commented that he believed that the early retirement incentive would be discussed at the Personnel and Finance Committee meetings scheduled for June 10, 2009. He said that he would like to see the early retirement incentive program move forward; however, he advised, it was unclear whether the incentive could be offered due to legal reasons. He pointed out that the Sheriff's Department had already given up two Road Patrol Officers, one Building Maintenance Mechanic and a part-time Property Clerk within the last year.

Sheriff York reminded the Committee that during the 2009 Budget process he had eliminated three positions from the Department which resulted in a savings to the County of over \$100,000. He commented that although he was not in agreement with the reduction in staff, he would proceed as directed by the Committee, but preferred to refrain from eliminating any positions until a determination was made with respect to an early retirement incentive.

Sheriff York also reminded the Committee that the Sheriff's Department had been able to complete more work with less staff than they had in prior years. He distributed a document reflecting the number of emergency calls received versus the number of positions in place which re-illustrated his point that although staff had decreased, demand had increased. He pointed out that not only had the Sheriff's Department been able to save money in salary expenses, \$35,000 was saved on meal expenses for the Jail, between \$15,000 to \$20,000 was saved in fuel expenses, \$13,000 was saved by not purchasing vehicles on the State contract and \$5,000 was saved in delivery charges by picking up the new vehicles rather than having them delivered.

Sheriff York cautioned the Committee that due to the rise in criminal activity a reduction in staff might prove hazardous to public safety. He reiterated that he felt it was necessary to eliminate positions through attrition rather than having to lay off employees. Mr. VanNess stated that he wanted to see how many positions would be vacated due to retirement and how many of those would have to be filled to operate the Departments.

Sheriff York asked whether it was the intent of the Committee to eliminate the Marine Patrol Unit. Mr. VanNess responded that he was not in favor of eliminating the Marine Patrol Unit, as 75% of the budget was reimbursed by New York State. He pointed out that the Sheriff's Department was the only full-time Law Enforcement Agency on Lake George, which if eliminated, could have a negative impact on the County.

Mr. Thomas questioned why Washington and Essex Counties did not contribute to the Marine Patrol on Lake George. Mr. VanNess replied that Lake George was not a jurisdictional waterway; therefore, he said, the Marine Patrol Unit patrolled the entire waterway. Mr. Thomas suggested notifying Washington and Essex County's that it was their responsibility to patrol and Sheriff York replied that was a possible solution.

Mr. Pitkin questioned who was responsible for the waterway of Lake George and Mr. Belden advised

that it was the responsibility of the State of New York. Mr. Pitkin questioned why the State was not responsible for the Marine Patrol Unit and Mr. VanNess explained that the 75% reimbursement the County received for the Marine Patrol Unit could be considered the State's contribution. Mr. Pitkin questioned why Washington and Essex were not contributing to the remaining 25% of the Marine Patrol Unit budget.

Sheriff York pointed out that it was necessary to make a decision on whether it was important to have police coverage on Lake George, which, he noted, he felt was necessary. He suggested that the County approach Washington and Essex Counties and request funding for the Marine Patrol Unit. He said that the Counties should be notified that if they did not provide funding assistance, the patrolling in their area would cease.

Mr. Sokol queried whether New York State should be included in the letter and Sheriff York replied that he did not think it was necessary, as the Sheriff's Department received the majority of the funding towards the Marine Patrol Unit from the State.

Motion was made by Mr. Belden, seconded by Mr. Thomas and carried unanimously to authorize the Chairman of the Board to forward a letter to Washington and Essex Counties, as well as to New York State, requesting financial assistance for the Marine Patrol Unit to continue to patrol the Lake George waterways.

Sheriff York advised that although he did not wish to cease patrolling Lake George, if financial assistance was not provided by the other counties it may become necessary. Mr. Payne interjected that if the other counties provided the necessary financial assistance it would reduce the amount of reimbursement received by the State. Sheriff York apprised that the financial assistance received from other counties was not reported.

Mr. VanNess suggested delaying a decision until responses were received from Washington and Essex Counties. Sheriff York asserted that a decision was necessary now, as the Marine Patrol Unit had already begun to patrol Lake George for the year.

Motion was made by Mr. Belden and seconded by Mr. Thomas to maintain the Marine Patrol Unit on Lake George for the remainder of 2009 and to abolish the Marine Patrol Unit for 2010 if financial support was not received from Washington and Essex Counties, or the State of New York.

Mr. Girard said that if it was necessary to reduce the Sheriff's budget by \$17,000, they should find a way without having to eliminate the Marine Patrol Unit. Sheriff York agreed and noted that as an elected official, it was his duty to ensure public safety and to expend the budget approved by the Board of Supervisors at his discretion while fulfilling his duties to the public. Chief Deputy Ross interjected that there were waterways other than Lake George that were patrolled and those needed to be considered also.

Mr. Belden questioned if the \$17,000 included the patrol for the other waterways or just Lake

George. Sheriff York replied that the \$17,000 was for the entire Marine Patrol Unit budget which patrolled the Hudson River, Glen Lake, Loon Lake, Brant Lake, Schroon Lake and Lake George.

Mr. VanNess called the question and the motion was carried unanimously to maintain the Marine Patrol Unit on Lake George for the remainder of 2009 and to abolish the Marine Patrol Unit if financial support was not received for 2010.

Sheriff York requested to ratify the actions of the Vice-Chairman of the Board of Supervisors with regard to the execution of the 2009-2010 cooperative agreement with the New York State Department of Environmental Conservation (DEC), which allowed the Warren County Sheriff's Office to contract with the New York State DEC to buy fuel for marine units at the New York State facility located on Green Island in Lake George. Mr. Belden questioned whether there was a savings to the County and Sheriff York replied affirmatively.

Motion was made by Mr. Belden, seconded by Mr. Girard and carried unanimously to ratify the actions of the Vice-Chairman of the Board of Supervisors with respect to the execution of the 2009-2010 cooperative agreement with the New York State DEC as outlined above, and the necessary resolution was authorized for the June 19, 2009 Board meeting. *A copy of the resolution request form is on file with the minutes.*

Mr. Sokol queried whether revenue was generated from tickets that the Marine Patrol Unit issued and Sheriff York replied in the negative. Mr. Belden questioned if the ticket revenue was forwarded to the State and Chief Deputy Ross replied affirmatively.

Mr. Payne asked whether drug seizure money could be used to fund the Marine Patrol Unit and Sheriff York replied that the money could not be used for funding the Marine Patrol Unit; however, he stated, the funds could be used to pay the Drug Enforcement Officers to do drug enforcement on the waterways. He pointed out that the Marine Patrol Unit had just received two personal water crafts from the Drug Enforcement Agency.

The Sheriff and Communications portion of the meeting concluded at 11:14 a.m.

Privilege of the floor was extended to Brian LaFlure, Director of the Office of Emergency Services/Fire Coordinator, who distributed copies of the Agenda to the Committee.

Agenda Item 1, Mr. LaFlure explained, referred to an update on a pending item from the prior Committee meeting, which referred to leasing space for the hazardous materials (HAZMAT) vehicles. He advised that he and Raymond Ives, Fire Chief for the City of Glens Falls, had toured the indoor storage space available for the HAZMAT vehicle and trailer. He said that it appeared the facility would work well for storage purposes and would require minimal renovations.

Mr. LaFlure apprised that after discussing the matter with Chief Ives and Mr. Girard, they had determined that the simplest way to obtain the space would be to amend the contract with the City

of Glens Falls allowing for the annual lease fee to be paid to the City who would then pay the property owner. Mr. LaFlure advised that although final negotiations had not taken place, the rent was estimated to be \$800 a month, which amounted to \$9,600 annually. Mr. Belden questioned whether it was a reimbursable expense and Mr. LaFlure responded in the negative.

Mr. Girard stated that the property owner wanted to keep a small portion of space for himself, which was not inconsistent with the County's needs. He questioned whether the \$800 included heat, electricity and water and Mr. LaFlure replied affirmatively. Mr. VanNess pointed out that it was necessary to have the HAZMAT vehicle and trailer remain in the City of Glens Falls due to the proximity of the HAZMAT crew, which consisted of a few Glens Falls firefighters.

Mr. LaFlure commented that prior to continuing negotiations for the storage space he wanted to receive a positive indication from the Committee that it was their desire to locate the vehicle there. Mr. VanNess stated that the Committee had been aware that it was necessary to secure an indoor storage space for the HAZMAT vehicle and trailer. Mr. LaFlure pointed out that the HAZMAT team operation did not cost the County anything, as the County billed for the HAZMAT services. Mr. Girard questioned whether the storage fee could be included in the invoices for HAZMAT services and Mr. LaFlure stated he was unsure of that.

Mr. Belden questioned whether there were funds available in the budget to cover the storage costs for a partial year and Mr. LaFlure replied in the negative. Mr. Girard interjected that the County may be able to continue to store the HAZMAT vehicle and trailer at the City of Glens Falls Fire Station until next year. Mr. LaFlure said that the equipment could be stored outside until mid September when indoor storage space would become imperative.

Mr. Strainer queried whether Essex and Washington Counties had their own HAZMAT operation team and Mr. LaFlure replied affirmatively. He explained that most HAZMAT incidents required a response from more than one team. Mr. Strainer questioned whether the County was reimbursed for responding to the incidents occurring in neighboring counties and Mr. LaFlure replied affirmatively.

Mr. LaFlure advised that Warren County was able to recoup all of their expenses thus far excluding training costs. He said that the City of Glens Falls only charged the County for labor that was required due to the HAZMAT Team responding to an incident. He pointed out that the City of Glens Falls did not bill the County for utilities or the routine equipment maintenance and inspections performed.

Moving along to new business, Mr. LaFlure presented the following requests for transfer of funds:

<u>FROM CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>	<u>TO CODE</u>	<u>Title</u>	<u>AMOUNT</u>
A.3410 442	Fire Prev-Auto Gas & Oil	\$1,000	A.3410 230	Fire Prev-Auto Equip	\$1,000
A.3640 413	Civil Defense-Maint	\$1,500	A.3640 260	Civil Defense-Other Equip	\$1,500

Motion was made by Mr. Belden, seconded by Mr. Sokol and carried unanimously to approve the

requests for transfer of funds as outlined above and refer same to the Finance Committee. *Copies of the Requests for Transfer of Funds are on file with the minutes.*

Agenda Item 3, Mr. LaFlure advised, consisted of a request to transfer a self contained breathing apparatus (SCBA) refill system and fragmentation dual collar and support tank from Warren County to the City of Glens Falls Fire Department. He explained that the unit was in excess of 15 years old and the City of Glens Falls was the only fire company that used it, as most other local fire companies had purchased their own. He said that by transferring ownership to the City of Glens Falls the County would no longer be required to pay for the testing and maintenance of the equipment.

Motion was made by Mr. Belden, seconded by Mr. Thomas and carried unanimously to authorize the transfer of the SCBA cylinder refill system and fragmentation dual collar and support tank to the City of Glens Falls Fire Department as outlined above, and the necessary resolution was authorized for the June 19, 2009 Board meeting. *A copy of the Request to Transfer or Sell County Equipment is on file with the minutes.*

Proceeding to Agenda Item 4, Mr. LaFlure requested to amend the 2009 County budget to increase estimated revenues and appropriations in the amount of \$109,000 to reflect the receipt of Homeland Security State Aid.

Motion was made by Mr. Girard, seconded by Mr. Belden and carried unanimously to approve the request to amend the 2009 County budget in the amount of \$109,000 to reflect the receipt of unanticipated revenues as outlined above, and refer same to the Finance Committee. *A copy of the request to Amend the County Budget is on file with the minutes.*

Agenda Item 5, Mr. LaFlure stated, referred to a request for approval to appoint and reappoint members of the Warren County Fire Advisory Board as listed in the Agenda, for the term commencing July 1, 2009 and terminating June 30, 2010.

Motion was made by Mr. Belden, seconded by Mr. Sokol and carried unanimously to authorize the appointments and reappointments as outlined above, and the necessary resolution was authorized for the June 19, 2009 Board meeting. *A copy of the request is on file with the minutes.*

Mr. LaFlure advised that Agenda Item 6 referred to an update on the Emergency Services Training Center (ESTC) and he apprised that they were actively seeking funding for the second phase of the project. He said that at Chairman Monroe's and Mrs. Sady's suggestion, he had applied for appropriation funding through Congressman Scott Murphy's Office to assist with the project.

Mr. VanNess apprised that Patricia Nenninger, Second Assistant County Attorney, had submitted the request for an amendment to the work plan for the shared services grant to the Department of State. He said they were requesting that the grant funds be used for the preparation of the property.

Mr. LaFlure stated that he had discussed the installation of a gate on the ESTC access road with

William Lamy, Superintendent for the Department of Public Works (DPW). He said that he felt it was necessary to install a gate for liability reasons, as well as to discourage illegal dumping on the property and any unnecessary traffic.

It was the consensus of the Committee to authorize the installation of a gate by the County DPW employees on the ESTC access road.

Mr. LaFlure requested that he be included in the discussions regarding the possibility of amending the County vehicle policy and mileage reimbursement rate. He advised that he had been using his personal vehicle to travel for County business 100% of the time and it had become very expensive; therefore, he stated, he felt it was necessary he be included in the discussion.

Mr. Payne questioned if Mr. LaFlure was the only employee in the OES that used a personal vehicle and he replied in the negative. He explained that all Deputy Fire and Emergency Medical Services (EMS) Coordinators were using their personal vehicles, as well. Mr. Payne advised that it was necessary to modify the travel policy regarding the exceptions to the policy.

Mr. VanNess suggested that the policy be amended to allow the Deputy Fire and EMS Coordinators to use their personal vehicles for County purposes contingent on approval from the Director of the Office of Emergency Services/Fire Coordinator and/or the Deputy Director of OES.

Motion was made by Mr. Belden, seconded by Mr. Sokol and carried unanimously to amend the Travel Policy to allow the Deputy Fire and EMS Coordinators to use their personal vehicles for County purposes contingent on approval from the Director of the Office of Emergency Services/Fire Coordinator and/or the Deputy Director of OES.

Concluding the Agenda review, Mr. LaFlure responded to the letter received from the County Budget Officer with regard to decreasing Departmental budgets. He said that in the Agenda he had included a listing of the OES employees, their salaries and the amount of funding received for their positions, as well as a listing of the Departmental revenues and expenses for the year. He said that although he was aware of the budget difficulties, the OES was currently under funded and he would be requesting the necessary funds to properly execute the duties of the Department for 2010.

The OES portion of the meeting concluded at 11:36 a.m.

Privilege of the floor was extended to Karen Putney, Administrator, Fire Prevention and Building Code Enforcement, who distributed copies of the Agenda to the Committee members.

Agenda Item 1, Ms. Putney explained, referred to a pending item derived from the prior Committee meeting, which requested that a stamped set of plans for the Foster residence in the Town of Bolton Landing be received. She explained that she had forwarded a certified letter requesting the plans on March 30, 2009, which was returned unclaimed on April 23, 2009. She said she forwarded the request again, this time via regular mail on April 23, 2009 and the contractor for the home responded

on April 30, 2009. She said that the contractor informed her he would provide an “as-built” set of plans that were not stamped by an engineer; however, she apprised, to date no plans had been received.

Mr. VanNess suggested that the item be removed from the list of pending items, as the original plans for the home had included an attached deck and the Committee agreed.

Agenda Item 2, Ms. Putney stated, referred to a septic update. She advised that she had sent three Inspectors to the 7.5 hour Septic Inspection Training course on May 12, 2009. She said that there had been no further correspondence from New York State regarding the septic inspections; therefore, she stated, the working plan covering all of the Municipalities the Department had jurisdiction in would remain in place.

Mr. Geraghty questioned if the Towns had to send a letter to the Building Codes Office if they did not want the inspections performed by the County. Ms. Putney advised that if someone was already performing the inspections in the Town, the County was not required to perform them.

Ms. Putney advised that Agenda Item 3 consisted of a review of the Monthly Activity Report. She apprised that although revenue had decreased, it was still within the projected amount for the year. She pointed out that the number of permits issued had decreased by 21%.

Agenda Item 4. Ms. Putney stated, referred to the Budget Performance Report. She noted that the report did not reflect a very small amount of revenue for copying, which the Treasurer’s Office was looking into. She said that she had not received her gas and oil bills from the DPW for February through April, which made it difficult to project how much she would expend for the year in gas and oil.

Mr. VanNess asked Mr. Belden to look into why the DPW was behind in invoicing for gas and oil expenses and Mr. Belden replied that there had been a personnel issue that caused the delay; however, he said, the billing would be caught up in early June and would then proceed on a month to month basis.

Mr. Geraghty queried whether the Budget Performance Report could be expanded to include the waiting period for permits. Ms. Putney replied that there were currently 18 applications waiting to be reviewed. Mr. Geraghty asked what the time period for people to get permits was and Ms. Putney responded that it was two weeks.

Mr. Geraghty questioned if the mileage for the Office was logged everyday, as this would give her an indication of how much money was expended for gas and oil.

Agenda Item 5, Ms. Putney stated, referred to the notification she had received that she must abolish one position, as well as some budget discussion. She requested that the vacant position of Code Enforcement Officer be abolished, as unemployment costs would not be incurred because the

position was vacant due to resignation.

Mr. VanNess questioned whether there was a surplus of vehicles in the Department due to the resignation. Ms. Putney replied that due to there being no one allocated to the position, either herself or the Secretary would be required to perform the inspections; therefore; the vehicle would be used.

Mr. VanNess queried whether the State would perform the Fire Inspections if the County did not perform them. Ms. Putney explained that if the Fire Prevention and Building Code Enforcement Office did not perform the inspections mandated to them by the State there was a possibility that the State would take over all of the enforcement for the County.

In reference to the fire inspections, Ms. Putney advised that she had been informed by the State that if they performed fire inspections they would charge \$550 per building compared to the \$75 the County charged. Mr. Belden questioned if New York Fire and Signal could perform fire inspections and Mr. VanNess replied that they performed the inspection on fire extinguishers only.

Mr. VanNess stated that as far as the Committee was concerned the vacant position of Code Enforcement Officer would be the position abolished from the Fire Prevention and Building Code Enforcement Department. Mr. Geraghty interjected that he had concerns regarding the comments in the paper that said that the work would be delayed due to the reduction in staffing. He emphasized the importance of continuing to provide the necessary services to the public regardless of the reduced staff.

Mr. VanNess advised that although the intent was to continue the same level of service with reduced staff he was worried that less important duties, such as grass cutting and other aesthetic measures, might be overlooked. Mr. Geraghty apprised his goal was to instill efficiency of government. He respectfully disagreed with Mr. VanNess' statement that services such as grounds maintenance would be sacrificed due to reductions in staff.

Mr. Sokol questioned whether the public could be notified with regard to the amount charged by the State for fire inspections and he suggested the County increase their charge to \$200 per inspection. Ms. Putney responded that the public felt they should not be charged for the service at all because it was a required inspection.

Ms. Putney queried which paper had commented that services would be delayed and Mr. Geraghty replied that it was *The Adirondack Journal*. He requested that all Department Heads refrain from making any comments with respect to prospective reductions until the Budget Committee had the opportunity to complete their proposal for budget reductions.

Discussion ensued.

Ms. Putney reminded the Committee that in the past overtime had been necessary to meet the demand for inspections and a reduction in staff would exacerbate the problem and lead to longer

delays for inspections. Mr. Belden queried why there would be a delay when the number of building permits issued had decreased. Ms. Putney replied that the Inspectors were performing required inspections that had not been performed in prior years. She pointed out that although the number of permits issued had decreased, the number of inspections performed within the first four months of the year had increased due to requests by individuals for the inspections that had not been performed in prior years.

Mr. Pitkin queried of the 18 plan reviews that needed to be performed, how many contained certified blueprints and Ms. Putney replied that without reviewing them she would estimate the number to be 5. Mr. Pitkin further questioned Ms. Putney's authority in reviewing stamped engineering plans and pointing out flaws as neither she nor the rest of her staff were engineers themselves. Ms. Putney replied that her Office was there to ensure that the Building Codes were followed, as some Engineers were not familiar with the regulations.

Discussion ensued.

Pursuant to further discussion on the matter it was the consensus of the Committee that the issue should be referred to the County Attorney's Office to determine whether it was legally necessary for the Building and Codes Department to review and approve stamped engineered plans.

Mr. Belden questioned if it was the County or the State that required her Office to inspect engineered plans and Ms. Putney advised that it was the State. Mr. Thomas commented that this was an example of mandates set by the State that required more manpower to perform the required work with no reimbursement received from the State. He suggested that the County allow the State to take over the duties of the Building Code Enforcement Office so that the taxpayers would be more aware of the issues, which may persuade them to push harder for changes to be made. Mr. VanNess stated that his concern that if the State did take over the Department they would reverse charge the County for the services provided. Mr. O'Connor interjected that the State would only threaten to take over the Department, as they did not have the manpower or funding to actually do so.

Concluding the Agenda review, Ms. Putney requested to respond to the Budget Officer's letter. She advised that without salaries, the Fire Prevention and Building Code Enforcement Office Budget consisted of \$13,960 for vehicle expenses and \$7,745 for any other expenses; therefore, she stated, there were not many places she could make reductions.

Mrs. Putney stated that the Uniform and Clothing Code could be eliminated from the 2010 budget for one year only; however, she said this would only decrease the budget by \$850. She said another possible savings was to eliminate internet usage for half the computers in her Office, which would result in a savings of \$135. She noted that other than those two suggestions there were no other places in the budget that could be reduced.

Ms. Putney said that she and one employee in her Office would be eligible to retire at the end of the year; however, she stated, the employee had 7 of the 10 required years of service to be eligible for the health insurance benefits. She explained that if an early retirement was offered the employee may consider retirement if health insurance benefits were offered as part of the package.

Ms. Putney questioned if it would be possible to provide, as a one time offer, health insurance benefits to employees who had worked for 5 years rather than the required 10 years. Mr. VanNess commented that he believed in prior years the health insurance benefits requirement had been changed several times from 5 years to 10 years. Mr. Belden suggested researching the costs versus the benefits of offering the early retirement incentive before a decision was made to ensure that the County would incur a savings.

As there was no further business to come before the Committee, on motion made by Mr. Belden and seconded by Mr. Thomas, Mr. VanNess adjourned the meeting at 12:19 p.m.

Respectfully submitted,

Sarah McLenithan, Legislative Office Specialist