

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PUBLIC SAFETY

DATE: MARCH 25, 2013

COMMITTEE MEMBERS PRESENT:

SUPERVISORS WOOD
GIRARD
BENTLEY
MONTESI
TAYLOR
FRAISER
STRAINER

OTHERS PRESENT:

KAREN PUTNEY, FIRE PREVENTION & BUILDING CODE ENFORCEMENT
ADMINISTRATOR
BRIAN LAFLURE, DIRECTOR, OFFICE OF EMERGENCY SERVICES
BUD YORK, SHERIFF
KEVIN B. GERAGHTY, CHAIRMAN OF THE BOARD
PAUL DUSEK, COUNTY ADMINISTRATOR
MARTIN AUFFREDOU, COUNTY ATTORNEY
JOAN SADY, CLERK
FRANK E. THOMAS, BUDGET OFFICER
SUPERVISORS LOEB
MASON
JIM LIEBERUM, WARREN COUNTY SOIL & WATER CONSERVATION DISTRICT
DON LEHMAN, *THE POST STAR*
THOM RANDALL, *ADIRONDACK JOURNAL*
CHARLENE DIRESTA, SR. LEGISLATIVE OFFICE SPECIALIST

Mrs. Wood called the meeting of the Public Safety Committee to order at 9:32 a.m.

Motion was made by Mr. Strainer, seconded by Mr. Bentley and carried unanimously to approve the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Brian LaFlure, Director of the Office of Emergency Services (OES), who distributed copies of the agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Commencing the agenda review, Mr. LaFlure requested to appoint members to the Warren County EMS (Emergency Medical Services) Advisory Board, as outlined on the resolution request form.

Motion was made by Mr. Taylor, seconded by Mrs. Frasier and carried unanimously to appoint members to the Warren County EMS Advisory Board as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the April 19, 2013 Board meeting.*

Mr. LaFlure requested to appoint members to the Warren County Fire Advisory Board, as outlined on the resolution request form.

Motion was made by Mr. Montesi, seconded by Mr. Strainer and carried unanimously to appoint members to the Warren County Fire Advisory Board as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the April 19, 2013 Board meeting.*

Mr. LaFlure requested to amend the 2013 County budget to increase estimated revenues and appropriations in the amount of \$91,000 to reflect the receipt of Fiscal Year 2012 HAZMAT Grant Program funding.

Motion was made by Mr. Girard, seconded by Mr. Montesi and carried unanimously to approve the request to amend the 2013 County budget as outlined above and to forward same to the Finance Committee. *A copy of the resolution request form is on file with the minutes.*

Mr. LaFlure requested authorization to submit a grant application to the New York State Division of Homeland Security and Emergency Services for the Fiscal Year 2012 Local Emergency Management Performance Grant, for a term commencing October 1, 2012 and terminating September 30, 2013 in an amount not to exceed \$29,003.

Motion was made by Mr. Strainer, seconded by Mr. Taylor and carried unanimously to authorize submission of the grant application as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the April 19, 2013 Board meeting.*

Mr. LaFlure requested to fill the vacant position of EMS Coordinator, annual salary of \$8,694, Employee No. 9204, due to resignation. He stated a Deputy EMS Coordinator had been completing the duties as Acting EMS Coordinator and he would like to promote the employee to this position.

Motion was made by Mr. Strainer and seconded by Mr. Montesi to approve the request to fill the vacant position of EMS Coordinator as outlined above.

Mr. Montesi asked what had happened to the previous EMS Coordinator and Mr. LaFlure replied the EMS Coordinator and First Deputy EMS Coordinator had resigned. Mr. LaFlure added both employees had been employed in the positions for some time and deserved a lot of credit; however, he continued, there were a lot of changes in EMS and it was time for some changes in personnel, as well. Mr. Strainer asked if the new EMS Coordinator would complete a probationary period and Mr. LaFlure replied in the negative and noted he would promote an existing employee to the position. Mr. Bentley said he had talked to Gary Scidmore, the former EMS Coordinator, who felt he was being pushed out of the position. Mr. LaFlure responded that Mr. Scidmore had been offered a termination or resignation and had chosen to resign. He suggested the Committee enter into an executive session in order to discuss the employment history of a particular person.

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

Executive session was declared from 9:36 a.m. to 9:48 a.m.

The Committee reconvened and Mrs. Wood noted no action was taken during the executive session.

Mrs. Wood called the question and the motion was carried by majority vote, with Mr. Bentley voting in opposition, to approve the filling of the vacant position of EMS Coordinator as outlined above and to forward same to the Personnel Committee. *A copy of the Notice of Intent to Fill Vacant Position form is on file with the minutes.*

Mr. LaFlure requested authorization to fill the vacant position of First Deputy EMS Coordinator, annual salary of \$4,737, Employee No. 10203, due to resignation. He noted this was a non-Union position which was not mandated or reimbursable.

Motion was made by Mr. Montesi, seconded by Mr. Girard and carried by majority vote, with Mr. Bentley voting in opposition, to approve the filling of the vacant position as outlined above and to

forward same to the Personnel Committee. *A copy of the Notice of Intent to Fill Vacant Position form is on file with the minutes.*

Mr. LaFlure requested to fill the vacant position of Second Deputy EMS Coordinator, annual salary of \$2,999, Employee No. 11831, due to promotion. He noted this was a non-Union position which was not mandated or reimbursable.

Motion was made by Mr. Taylor, seconded by Mr. Strainer and carried by majority vote, with Mr. Bentley voting in opposition, to approve the filling of the vacant position as outlined above and to forward same to the Personnel Committee. *A copy of the Notice of Intent to Fill Vacant Position form is on file with the minutes.*

Mr. LaFlure requested a resolution to accept revisions to the Warren County Comprehensive Emergency Management Plan. He said the document was revised on an annual basis and was distributed to all of the Towns and Villages in Warren County.

Motion was made by Mrs. Frasier, seconded by Mr. Strainer and carried unanimously to accept the revisions as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the April 19, 2013 Board meeting.*

Mrs. Wood announced that Amy Drexel, Deputy Director of the OES/Emergency Services Coordinator, had achieved the necessary credentials to receive the designation of Associate Emergency Manager (A.E.M.). She added there were under 2,000 A.E.M.'s in the United States. Mr. LaFlure commented this achievement was a long, time consuming process and he stated he was proud of Ms. Drexel's achievement. He noted there were only 5,000 A.E.M's in the world, 1,800 of which were in the United States. Mr. Taylor asked if credits were received in the application of grants due to Ms. Drexel achieving the A.E.M. designation and Mr. LaFlure responded that certain grants, such as the Local Emergency Management Performance Grant, required OES employees be trained to certain levels. He added that Ms. Drexel's salary would be partially covered by the Local Emergency Management Performance Grant due to her achievement of the A.E.M. designation. He opined that more grants were adding requirements which were making it difficult for the Counties to apply. A brief discussion ensued.

Mr. LaFlure reported the Lake George Fire Company had offered to allow the County to garage the Communications Vehicle to complete repairs. Pertaining to the state of EMS in Warren County, Mr. LaFlure informed actions could be taken to assist rural EMS Squads in maintaining operations. He said he would continue discussions on the matter and would report to the Committee at a later date. Concerning the Fire Training Center, Mr. LaFlure stated the operation of the Center was going well and additional props had been added. He advised a contractor in Washington County had offered to finish construction on an additional prop. He noted the Fire Training Center was being utilized by Law Enforcement Personnel, as well. A brief discussion ensued.

This concluded the Office of Emergency Services portion of the Committee meeting and the Fire Prevention & Building Code Enforcement portion of the meeting commenced at 9:56 a.m.

Privilege of the floor was extended to Karen Putney, Fire Prevention & Building Code Enforcement Administrator, who distributed copies of the agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Commencing the agenda review, Mrs. Putney said a Budget Performance Report was included in the agenda packet and she noted the budget was as expected for this time of year.

Mrs. Putney requested a transfer of funds in the amount of \$102 to reflect the purchase of two adding machines for the Office. She noted that both of the Department's adding machines had stopped working.

Motion was made by Mr. Bentley, seconded by Mr. Taylor and carried unanimously to approve the request for a transfer of funds as outlined above and to forward same to the Finance Committee. *A copy of the Request for Transfer of Funds form is on file with the minutes.*

Mrs. Putney stated Monthly Activity Reports for January and February were included in the agenda packet. She reported a 9% increase in Building Permits and a 6% increase in revenues compared to the same time period in 2012.

Mrs. Putney informed a copy of a final letter which was sent to businesses identified as requiring a Fire Safety Inspection was included in the agenda packet. She said the Fire Safety staff had made several phone calls and visits to compile a list of businesses requiring a Fire Safety Inspection. She noted the Office tracked all attempts to contact these businesses. She informed of a phone call inquiring about the process and she explained that the last effort to gain access to the businesses would involve court action.

Mr. Montesi pointed out that when a new business opened they required a Certificate of Occupancy and he asked if it was possible to make the Certificate of Occupancy contingent upon a Fire Safety Inspection. Mrs. Putney responded that Certificates of Occupancy were not always required or issued unless the business was new. She noted when a restaurant opened they required an inspection by the New York State Department of Health (NYS DOH) who would not issue the permit to operate the restaurant until they received a Certificate of Compliance from the Fire Prevention & Building Code Enforcement Office. A brief discussion ensued.

Mr. Girard asked if the letter had been reviewed by the County Attorney and Martin Auffredou, County Attorney, replied affirmatively. Mr. Auffredou stated the procedure of the Fire Prevention & Building Code Enforcement Office pertaining to notices and contacting the businesses made his job easier as there was documented proof available when he was required to appear in court. Mr. Strainer asked if the County would be liable due to the lack of a Fire Safety Inspection and Mr. Auffredou replied that unless the County had been grossly negligent he did not believe there was a liability. Mr. Auffredou stated the Office's process and the level of documentation placed the County in a favorable position, as substantial records were retained on each business.

Mr. Loeb inquired about the possibility of sending the letters as certified with a signed receipt and Mrs. Putney replied that would be possible but cost prohibitive as the cost would be approximately \$6 per letter. Mr. Auffredou stated that Mrs. Putney asked his opinion on the best time in each circumstance to send a certified letter. He advised if a respondent claimed to have not received the letter in the court room, usually the Judge would give the respondent a copy of the letter and tell them they had one week to comply. Mrs. Putney stated the letter was the precursor to court action and she added the purpose of the court appearance was for compliance and not the collection of fines. Mr. Taylor asked if the majority of these businesses were large or small and Mrs. Putney replied they were the smaller businesses.

Mrs. Putney said the next item on the agenda pertained to a discussion on authorization for the Fire Prevention & Building Code Enforcement Office to perform Fire Safety Inspections on newly formed businesses. She noted any public assembly building, such as restaurants, movie theaters, libraries, etc. was required to have a Fire Safety Inspection on a yearly basis. She said other types of businesses, classified as mercantile or non-residence buildings, only required Fire Safety Inspections every three years and when a business changed ownership or format, things were missed. She added things could be changed, such as display locations and aisle widths which would affect fire safety. She advised the current local law did not authorize the Department to perform a Fire Safety Inspection on the newly formed businesses which would be most likely to make these types of changes. Mrs. Putney stated she had discussed with Mr. Auffredou an amendment to the local law which would grant the necessary authority. She added once the new business was inspected, they would then be subject to inspection every three years unless they were classified as a public assembly building.

Mr. Auffredou stated the question before the Committee was if they felt the Fire Prevention & Building Code Enforcement Office should have the authority within the local law to conduct Fire Safety Inspections on newly formed businesses. He said that within the three year rotation for mercantile businesses, there could be a change of occupancy or use which under the current local law would not trigger a Fire Safety Inspection. He stated he had met with a State representative last week and determined that the County had the authority to conduct Fire Safety Inspections on newly formed businesses.

Discussion ensued.

Paul Dusek, County Administrator, voiced his concern with expanding the current Fire Safety Inspection Program as additional funding would be necessary. He said the Program was fairly new and was accomplishing the primary mission and he felt it was premature to expand the Program at this time. He recommended the discussion be postponed until budget time to determine if the necessary funds would be available.

This concluded the Fire Prevention & Building Code Enforcement portion of the Committee meeting and the Sheriff and Communications portion of the meeting commenced at 10:31 a.m.

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

Commencing the agenda review, Sheriff York requested authorization for a Communications Officer to attend Advanced EMD (Emergency Medical Dispatcher) Certification Training in Albany, New York on May 20-22, 2013, utilizing a Sheriff's vehicle.

Motion was made by Mr. Girard, seconded by Mr. Strainer and carried unanimously to authorize attendance at the training as outlined above. *A copy of the Authorization to Attend Meeting or Convention form is on file with the minutes.*

Sheriff York requested authorization for ten staff members to attend the 2013 New York State Tactical Officer Training Conference in Verona, New York on April 23-25, 2013, using a Sheriff's vehicle. He noted there was no cost to the County.

Motion was made by Mr. Taylor, seconded by Mr. Bentley and carried unanimously to authorize attendance at the Conference as outlined above. *A copy of the Authorization to Attend Meeting or Convention form is on file with the minutes.*

Sheriff York requested authorization for two staff members to attend the Woodland Tactics and Operations Training at the State Preparedness Training Center in Oriskany, New York on April 9-11, 2013, using a Sheriff's vehicle.

Motion was made by Mr. Bentley, seconded by Mr. Montesi and carried unanimously to authorize attendance at the training as outlined above. *A copy of the Authorization to Attend Meeting or Convention form is on file with the minutes.*

Sheriff York requested authorization for one staff member to attend the Child Abuse Summit Conference in Rochester, New York on April 22-24, 2013, using a Sheriff's vehicle. Mr. Strainer asked if the cost was budgeted and Sheriff York replied there was no cost to the County.

Motion was made by Mrs. Frasier, seconded by Mr. Bentley and carried unanimously to authorize attendance at the Conference as outlined above. *A copy of the Authorization to Attend Meeting or Convention form is on file with the minutes.*

Sheriff York requested a contract with Chic's Marina for routine and emergency boat maintenance and services for the Warren County Sheriff's Office for a term commencing January 1, 2013 and terminating December 31, 2014.

Motion was made by Mr. Montesi, seconded by Mr. Taylor and carried unanimously to authorize the contract as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the April 19, 2013 Board meeting.*

Sheriff York requested a contract with Trane Company for service on the Trane Screw Chiller at the Sheriff's Office for a term commencing January 1, 2013 and terminating December 31, 2013 in an amount not to exceed \$5,856.

Motion was made by Mr. Bentley and seconded by Mr. Girard to authorize the contract with Trane Company as outlined above.

Mr. Strainer asked if the cost of the contract covered maintenance of the Chiller and Sheriff York replied affirmatively. Mr. Strainer asked if the cost covered parts and labor and Sheriff York replied labor was covered, as well as the majority of the parts. Sheriff York explained Trane Company responded whenever they were called for repair and performed routine maintenance. He added certain parts were covered under the contract. Mr. Auffredou recalled three or four instances where Trane Company had been called for repair and they had responded in a timely manner. He indicated the Sheriff had obtained a resolution last year which granted him the authority to purchase necessary parts up to \$3,000 without the need for Committee approval. A brief discussion ensued.

Mrs. Wood called the question and the motion was carried unanimously to authorize the contract with Trane Company as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the April 19, 2013 Board meeting.*

Sheriff York said the next item had been omitted from the agenda and he requested a contract with Wells Communication Service for repair and maintenance of the communication consoles at the 911

Emergency Communication Center for a term commencing January 1, 2013 and terminating December 31, 2013 in an amount not to exceed \$10,800 to be paid in monthly increments of \$900.

Motion was made by Mr. Bentley, seconded by Mr. Montesi and carried unanimously to authorize the contract with Wells Communication Service as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the April 19, 2013 Board meeting.*

Sheriff York requested a contract with Justice Benefits, Inc. to provide revenue enhancement services in regards to the State Criminal Alien Assistance Program for a term commencing April 24, 2013 and terminating April 23, 2016 at a rate of 20% of the awarded amount. Chairman Geraghty questioned the anticipated amount of revenue and Sheriff York replied approximately \$7,000.

Motion was made by Mr. Strainer, seconded by Mrs. Frasier and carried unanimously to authorize the contract with Justice Benefits, Inc. as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the April 19, 2013 Board meeting.*

Sheriff York requested to amend the 2013 County budget to increase estimated revenues and appropriations in the amount of \$542 to reflect the receipt of funds from a criminal defendant for repair to a Sheriff's vehicle. He explained the Judge had required the defendant to make restitution to the Sheriff's Office for damage to the vehicle and the defendant had done so.

Motion was made by Mr. Montesi, seconded by Mr. Girard and carried unanimously to amend the 2013 County budget as outlined above and to forward same to the Finance Committee. *A copy of the resolution request form is on file with the minutes.*

Sheriff York requested to create a new position of Senior Communications Officer, annual salary of \$50,715.21, effective April 22, 2013, by deleting a Communications Officer position, annual salary of \$35,064.75. He said he anticipated an overall savings to the budget of approximately \$33,000. He explained a Communications Officer had been recently dismissed and he would not fill the vacant position. Instead, he continued, he would create the Senior Communications Officer position to act as Supervisor on the night shift and by promoting an existing Communications Officer to the position there would be an overall savings. Mr. Girard asked if deleting the position would lead to more overtime usage and Sheriff York replied in the negative, explaining that absorbing the staff from the former City of Glens Falls Communications Office would allow the use of three Communications Officers, as opposed to four. Mr. Dusek said this position would be subject to Union approval and Sheriff York produced letters of acceptance from the Union for this request and the next request on the agenda.

Motion was made by Mr. Strainer, seconded by Mr. Bentley and carried unanimously to create the position of Senior Communications Officer and delete the position of Communications Officer as outlined above, thereby amending the Department's Table of Organization, and to forward same to the Personnel Committee. *A copy of the resolution request form is on file with the minutes.*

Sheriff York requested to reclassify an Auto Mechanic Helper position, annual salary of \$13,000, to a Building Maintenance Mechanic/Automotive Mechanic position, annual salary of \$47,636.87, effective April 22, 2013. He said he anticipated an overall savings to the budget of \$8,000 and stated the Union was in favor of the reclassification as it would result in a \$5,000 salary increase for the employee.

Motion was made by Mr. Girard, seconded by Mr. Montesi and carried unanimously to reclassify an Auto Mechanic Helper position to a Building Maintenance Mechanic/Automotive Mechanic position as outlined above, thereby amending the Department's Table of Organization, and to forward same to the Personnel Committee. *A copy of the resolution request form is on file with the minutes.*

Sheriff York requested to fill the vacant positions of Patrol Officer, annual salary of \$34,996, Employee No. 10165, due to termination and Patrol Officer, annual salary of \$45,852, Employee No. 10709, due to resignation. He noted these were Union positions which were not mandated or reimbursable. He anticipated a savings to the budget of \$23,905 from the first Patrol Officer position and \$8,956 from the second Patrol Officer position. Mr. Strainer questioned the difference in the amount of salary and savings anticipated and Sheriff York explained that Employee No. 10165 had an annual salary of \$58,901.02 and the position would be filled at the base salary and Employee No. 10709 had an annual salary of \$54,808 and the position would be filled by an individual with three years of service.

Motion was made by Mr. Girard, seconded by Mrs. Frasier and carried unanimously to approve the filling of the two Patrol Officer positions as outlined above and to forward same to the Personnel Committee. *Copies of the Notice of Intent to Fill Vacant Position forms are on file with the minutes.*

Mr. Auffredou stated the Committee would need to enter into an executive session to discuss a pending litigation matter.

Motion was made by Mrs. Frasier, seconded by Mr. Montesi and carried unanimously that executive session be declared pursuant to Section 105 (d) of the Public Officers Law.

Executive session was declared from 10:45 a.m. to 10:51 a.m.

The Committee reconvened.

Pursuant to the executive session, motion was Mr. Montesi, seconded by Mr. Girard and carried unanimously to authorize the law firm of Le Mire Johnson, on behalf of Warren County, to file an administrative claim and a third party defendant claim against Hudson Headwaters Health Network in the matter of Nicole Russo v. Warren County. *The necessary resolution was authorized for the April 19, 2013 Board meeting.*

Mr. Strainer commented that he had read the article in *The Post Star* pertaining to Patrol Officers in the local school and he complimented Sheriff York on a great program.

As there was no further business to come before the Public Safety Committee on motion made by Mr. Bentley and seconded by Mr. Strainer, Mrs. Wood adjourned the meeting at 10:52 a.m.

Respectfully Submitted,
Charlene DiResta, Sr. Legislative Office Specialist