

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PUBLIC SAFETY

DATE: MARCH 3, 2013

COMMITTEE MEMBERS PRESENT:

SUPERVISORS WOOD
GIRARD
TAYLOR
FRASIER
BROCK
SEEBER
SIMPSON

OTHERS PRESENT:

CHARLES WALLACE, ADMINISTRATOR, FIRE PREVENTION & BUILDING CODE ENFORCEMENT
BRIAN LAFLURE, FIRE COORDINATOR/DIRECTOR, OFFICE OF EMERGENCY SERVICES
AMY DREXEL, DEPUTY DIRECTOR, OFFICE OF EMERGENCY SERVICES /EMERGENCY SERVICES COORDINATOR
BUD YORK, SHERIFF
SHAWN LAMOUREE, UNDERSHERIFF
KEVIN B. GERAGHTY, CHAIRMAN OF THE BOARD
MARTIN AUFFREDOU, COUNTY ATTORNEY
JOAN SADY, CLERK OF THE BOARD
FRANK E. THOMAS, BUDGET OFFICER
DON LEHMAN, *THE POST STAR*
SAMANTHA HOGAN, LEGISLATIVE OFFICE SPECIALIST

Ms. Wood called the meeting of the Public Safety Committee to order at 9:30 a.m.

Motion was made by Mrs. Frasier, seconded by Ms. Seeber and carried unanimously to approve the minutes of the previous Public Safety Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Brian LaFlure, Fire Coordinator/Director of the Office of Emergency Services, 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 with the Action Agenda section, Mr. LaFlure presented the following requests:

1. Request for authorization for himself and Scott Combs, Second Deputy Fire Coordinator, to attend the New York State Fire Coordinators Conference at the New York State Fire Academy in Montour Falls, NY on March 19 - 21, 2014.

Motion was made by Mr. Girard, seconded by Mr. Brock and carried unanimously to approve the travel request. *Copies of the Authorization to Attend Meeting or Convention forms are on file with the minutes.*

2. Request to approve the revision of the Warren County Comprehensive Emergency Management Plan which included an extensive document for all response plans for Warren County.

Mr. Girard questioned if this was a general update and Amy Drexel, Deputy Director of the Office of Emergency Services/Emergency Services Coordinator, replied the update included a format change and a new appendix.

Motion was made by Mr. Taylor, seconded by Mr. Simpson and carried unanimously to approve the request and the necessary resolution was authorized for the March 21st Board meeting. *A copy of the request form is on file with the meeting minutes; the updated plan documents are on file with*

the Clerk of the Board.

3. Request to approve the Mass Fatality Plan that would serve as an annex to the Warren County Comprehensive Emergency Management Plan.

Motion was made by Mrs. Frasier, seconded by Mr. Taylor and carried unanimously to approve the request and the necessary resolution was authorized for the March 21st Board meeting. *A copy of the request form is on file with the meeting minutes; the Mass Fatality Plan is on file with the Clerk of the Board.*

4. Request to approve revisions to the Warren County Fire Mutual Aid Plan which established guidelines for the development of uniform agreements between fire and other emergency response agencies.

Mr. LaFlure explained an issue had been identified with Article (209) of the State Law which indicated that if a town's Fire Chief called another fire district for assistance and the assisting fire department had an accident, any damages to equipment would become the responsibility of the requesting town. He further advised the arising issue had been who would be responsible for damages if services were provided by dispatch, rather than a request from a neighboring town. Mr. LaFlure stated that he had discussed this matter with Martin Auffredou, County Attorney, who assisted by revising the Mutual Aid Plan to add language clarifying that participating fire departments would only provide assistance when responding to a summons received through respective authorized dispatch centers. Additionally, he said Mr. Auffredou's revisions had included a requirement that any fire companies or departments wanting to participate in the Mutual Aid Plan would need to adopt a resolution stating their compliance. Mr. LaFlure indicated that assistance could not be received from or provided to any fire company/department that did not adopt a resolution of this nature.

Chairman Geraghty commented that a lot of communities had fire districts and he felt the respective town boards were unlikely to get involved in this process. Mr. LaFlure then corrected his statements to indicate that it would be the Commissioners of each fire district that would need to be in compliance with these state regulations. Chairman Geraghty noted that it was unlikely there were any fire districts that did not carry mutual aid insurance coverage and Mr. LaFlure agreed this was probably correct, but stated this was a formality that had to be addressed. Mr. LaFlure advised Mr. Auffredou had put written the amended agreement to address situations in which mutual aid was automatically provided, particularly in situations where assistance was required for Haz-Mat and marine rescue emergencies, where more than one agency was dispatched in certain emergency situations. Mr. LaFlure clarified that the language Mr. Auffredou had used was intended to indicate that any automatically dispatched agencies would be responsible for their own teams and equipment. Chairman Geraghty asked how long the fire agencies would have to comply with these new requirements and Mr. LaFlure answered that no time frame had been established because the plan revisions still had to be approved by the Board of Supervisors and then the State before they would become official. He reminded the Committee that by current standards, it could cost as much as \$600,000.00 to \$1,000,000.00 to replace some of the fire equipment used, if damaged. Chairman Geraghty asked Mr. LaFlure to compare the new agreement with the old one from 1951 and underline or highlight the changes and Mr. LaFlure agreed to do this and forward the comparison to the Committee members.

Motion was made by Mrs. Frasier, seconded by Mr. Simpson and carried unanimously to approve the revisions to the Warren County Fire Mutual Aid Plan and the necessary resolution was authorized for the March 21st Board meeting. *A copy of the request form and the revised Mutual Aid Plan are on file with the minutes.*

5. Request to apply for the FY2014 State Homeland Security Program grant in an amount not to exceed \$72,000.

Mr. LaFlure advised that the State had not yet released the application documents, but had informed that the award was expected to increase by at least 15%, although not more than 20%, over the FY2012 award of \$60,000.

Motion was made by Mr. Taylor, seconded by Mrs. Frasier and carried unanimously to approve the request to apply for the FY2014 State Homeland Security Program Grant and the necessary resolution was authorized for the March 21st Board meeting. *A copy of the request is on file with the minutes.*

6. Request for a transfer of funds in the amount of \$13,000 from Budget Code A.3645.4005 422 (FY12 Hazmat Grant Program Repair/Maint.Equipment) to Budget Code A.3645.4005 260 (FY13 Hazmat Grant Program- Other Equipment) in order to purchase equipment for the Adirondack Regional Hazmat Consortium.

Motion was made by Mr. Girard, seconded by Mrs. Frasier and carried unanimously to approve the request for a transfer of funds, as outlined above, and to refer same to the Finance Committee. *A copy of the request is on file with the minutes.*

Regarding the final Action Agenda Item (#7), Mr. LaFlure advised that it would be important to have a discussion about the state of Emergency Medical Services (EMS) in Warren County. He stated that he and the EMS Coordinator had put together a layout of the current status, but had developed no solutions. Mr. LaFlure said a meeting should be scheduled by Chairman Geraghty and Committee Chairman Wood to discuss this matter further and Ms. Wood responded that they would work on scheduling this meeting.

Referring to the Old Business/Pending Item listed, Mr. LaFlure advised the DPW Engineering Division was working on plans for the construction of the shelter proposed to house Office of Emergency Services vehicles.

Concluding the Agenda review, Mr. LaFlure stated that the Communications Vehicle was currently at the DPW's North Shop having some mechanical work done. He added that the welder at the Shop had done a great job of making pieces for the vehicle and that they appreciated the assistance.

Mr. Taylor thanked Mr. LaFlure for pointing out the Clause regarding Emergency Response, stating that it could have been overlooked. Ms. Seeber thanked Mr. LaFlure for taking the time to meet with her to help her to become acquainted with the work his Office did.

This concluded the Office of Emergency Services portion of the Committee meeting. Privilege of the floor was then extended to Bud York, Warren County Sheriff, who distributed copies of his agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Commencing the Agenda review, Sheriff York presented the following requests to attend meeting or conference:

1. Communications Officers Vicky Waters, Lisa Mansfield, George Habshi and Matt Suders to advance EMD certification in Albany, NY on March 10 - 12, 2014.

Motion was made by Ms. Seeber, seconded by Mrs. Frasier and carried unanimously to approve the travel request. *Copies of the Authorization to Attend Meeting or Convention forms are on file with the minutes.*

2. Lieutenant Steven Stockdale to attend the 6th Annual Bivona Summit on Child Abuse in Rochester, NY on April 22 - 23, 2014.

Motion was made by Mr. Simpson, seconded by Mr. Taylor and carried unanimously to approve the travel request. *Copies of the Authorization to Attend Meeting or Convention forms are on file with the minutes.*

3. Undersheriff C. Shawn Lamouree to attend New York State Sheriffs Association (NYSSA) Training in Saratoga Springs, NY on June 9 - 11, 2014.

Motion was made by Mr. Girard, seconded by Ms. Seeber and carried unanimously to approve the travel request. *Copies of the Authorization to Attend Meeting or Convention forms are on file with the minutes.*

4. Sergeants Peter DiFlore and Eric Mazzeo; Investigator Gildersleeve; and Patrol Officers Josh Lopez, George Carpenter and Kevin Conine to attend the New York Tactical Officers Association (NYTOA) conference in Syracuse, NY on April 29 - May 1, 2014.

Ms. Seeber stated that because Patrol Officer Conine was her stepson, she would abstain from voting on this request.

Motion was made by Mr. Simpson, seconded by Mrs. Frasier and carried by majority vote, with Ms. Seeber abstaining, to approve the travel request. *Copies of the Authorization to Attend Meeting or Convention forms are on file with the minutes.*

5. Request for an intermunicipal agreement and contract with the Village of Lake George for patrol coverage for the summer of 2014. Sheriff York advised he had received a listing of the dates the Village was requesting coverage and noted a cost of \$28,000.00, as well as any overtime pay required, would be charged for these services.

Motion was made by Mr. Taylor, seconded by Mr. Girard and carried unanimously to approve the request to enter into a contract with the Village of Lake George, as outlined above, and the necessary resolution was authorized for the March 21st Board meeting. *A copy of the resolution request form is on file with the minutes.*

6. Request for a new contract with Stanley Convergent Security Solutions to provide onsite service as needed for repair and maintenance of the Integrator Security Systems within the Warren County Correctional Facility.

Mr. Simpson asked if this was an annual contract and Sheriff York responded affirmatively and noted that this year a separate control panel and a new server had to be installed.

Motion was made by Mrs. Frasier, seconded by Mr. Simpson and carried unanimously to approve the request to enter into a new contract with Stanley Convergent Security Solutions, as outlined above, and the necessary resolution was authorized for the March 21st Board meeting. *A copy of the resolution request form is on file with the minutes.*

Returning to Item 5, Mr. Girard inquired about the issues that had occurred during the Car Show held in the Village last year which indicated more overtime would be required in future years if the

event continued and he asked whether this additional overtime cost had been factored into the \$28,000 contract cost for Sheriff's Patrol Server for 2014 events. Sheriff York answered the organizers of the Car Show had not paid the Sheriff's Office for the additional patrol time needed to cover the event in prior years, but advised that a charge was being assessed for 2014 because the event organizers had been awarded additional 2014 Occupancy Tax funding to cover these costs. He added it was his intent to charge the additional \$7,000, unless the Committee had a problem with this action.

7. Request to enter into a new contract with Government Payment Services to provide support to accept credit cards for the purpose of posting bail and depositing funds for inmates.

Motion was made by Mr. Taylor, seconded by Mr. Simpson and carried unanimously to enter into a new contract with Government Payment Services, as outlined above, and the necessary resolution was authorized for the March 21, 2014 Board meeting. *A copy of the request form is on file with the meeting minutes.*

8. Request to enter into a new contract with Wells Communication for radio console maintenance.

Motion was made by Mr. Girard, seconded by Mrs. Frasier and carried unanimously to enter into a new contract with Wells Communications as outlined above and the necessary resolution was authorized for the March 21, 2014 Board meeting. *A copy of the resolution request form is on file with the minutes.*

9. Request to enter into a new contract with TRANE Inc. for chiller maintenance. Sheriff York advised that TRANE was a unique company in that they were the only company able to perform maintenance on the chiller system located on top of the Public Safety Building, which was responsible for both heating and cooling the facility.

Mr. Girard inquired about the contract costs, and whether they had increased from the previous year. Sheriff York replied that in the case of Wells Communication (Item 8) the price had remained the same as last year (\$10,800), while the contract with TRANE (Item 9) included a price of \$6,069 which was an increase of about 2%. Undersheriff Lamouree stated that he believed the 2013 contract cost had actually been \$5,800, reflecting an increase of \$400.

Motion was made by Mr. Girard, seconded by Mr. Simpson and carried unanimously to enter into a new contract with TRANE Inc. as outlined above and the necessary resolution was authorized for the March 21st Board meeting. *A copy of the resolution request form is on file with the minutes.*

10. Request to fill the vacant position of Computer Programmer. Sheriff York explained this position had been vacated by Michael Colvin who was promoted to fill the position of County Information Technology Director. He advised this position needed to be filled with a person who had the same knowledge base as Mr. Colvin, due to the fact that he had written a lot of programs used by the Sheriff's Office.

Mr. Simpson inquired why there would be a savings of \$21,000 and Sheriff York replied that Mr. Colvin had been employed in this position for a number of years and had acquired a significant amount of experience and longevity pay. He added that depending on the experience of the person hired to fill the position, there could be a salary decrease of up to \$21,000.

Mr. Brock asked if there was any reason that the Sheriff's Department was not a part of the County's Information Technology Department and Sheriff York replied that he was not sure how long

this individualized position had been in place, but said he felt the Sheriff's Office needed their own Computer Programmer on staff.

Motion was made by Mrs. Frasier, seconded by Ms. Seeber and carried unanimously to fill the vacant position of Computer Programmer and refer same to the Personnel Committee. *A copy of the Notice of Intent to Fill Vacant Position form is on file with the minutes.*

11. Request to amend the County Budget to increase revenues and appropriations in the amount of \$39,750, to reflect the carryover of 2012 and 2013 grant funding from the Law Enforcement Terrorism Prevention Program (LETPP) and in the amount of \$37,750 to reflect the receipt of funding from the Governors Traffic Safety Committee (GTSC).

Motion was made by Mr. Taylor, seconded by Mr. Simpson and carried unanimously to approve the requests to amend the County Budget, as outlined above, and to refer same to the Finance Committee. *Copies of both requests are on file with the minutes.*

12. Request for a transfer of funds in the amount of \$3,904 from Budget Code A.3110 455 (Law Enforcement-Safety Equipment) to Budget Code A.3110 260 (Law Enforcement-Other Equipment) to balance budget codes and avoid a deficit.

Motion was Mrs. Frasier, seconded by Mr. Simpson and carried unanimously to approve the request for a transfer of funds, as outlined above, and to refer same to the Finance Committee. *A copy of the request is on file with the minutes.*

13. Request to amend the County Budget to increase revenues and appropriations in the amount of \$1,885.46 to reflect the carryover of 2011 LETPP grant funds.

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

14. Request to increase the maximum accrual of sick leave for non-Union employees of the Sheriff's Office from 180 to 200 with the limit for payout of sick leave at time of retirement remaining at 90 days. Sheriff York advised this change had already been negotiated for Union staff.

Motion was made by Mr. Girard, seconded by Mrs. Frasier and carried unanimously to approve the request as outlined above and refer the same to the Personnel Committee. *A copy of the request is on file with the minutes.*

Concluding the agenda review, Sheriff York noted that one Correction Officer position had been filled and the impact to the budget was a savings of \$4,752.00. He stated he felt that with this hire they had sustained the regulatory staffing numbers they were required to maintain according to the prior Jail staffing analysis.

Regarding Item 14, Chairman Geraghty questioned the change in sick time accruals, stating his opinion that this would impact every non-Union employee in the County. Sheriff York defined that it was only for the Sheriff's Department and that he was presenting it on the advisement of the County Administrator. Chairman Geraghty countered that this change could pose a great impact to the County and he suggested that the item be tabled until Paul Dusek, County Administrator, was available for consult. Ms. Wood advised that the request still had to be approved by the Personnel Committee and rather than rescinding the authorization already given by the Public Safety Committee, the issue should be discussed further at that time.

Finally, Sheriff York thanked the Committee for taking the time to tour the Public Safety Building during last month's Committee meeting.

This concluded the Sheriff's portion of the Committee meeting. Privilege of the floor was extended to Charles Wallace, Administrator, 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.*

Commencing the Agenda review Mr. Wallace, advised that Item I(A) pertained to the Year End Report for 2013, which included a listing of expenses and revenues. He pointed out the Report showed expenses at 1% under budget and revenues 10% over budget.

Moving on to Item I(B), Mr. Wallace referenced the Budget Permit Numbers for 2013, which included a total of 984 building permits issued and fees collected of \$176,443.

Mr. Wallace Item I(C) referred to the Fire Safety Numbers for 2013 which were broken down by quarter. He pointed out the year-end total of 659 inspections performed included both paid and unpaid inspections, as well as the total of \$43,575 collected for fire safety inspections in 2013.

Mr Taylor asked if the numbers reported were higher than 2012 and Mr. Wallace replied that he had not made this comparison, but said he believed figures were about the same.

Mr. Simpson asked what the no-charge inspections were for and Mr. Wallace acknowledged these were for County-owned buildings.

Moving on to Agenda Section II, Reports, Mr. Wallace advised the Monthly Activity Reports for the months of January and February of 2014, *included in the agenda packet*, reflected that Building Permit issuances were down 8%, but up by 3% in revenues, as compared to the same months in 2013.

Mr. Wallace pointed out that Agenda Section III related to proposed changes to the fee schedule used by his Office and he advised a copy of the revised fee schedule was included in the agenda packet for the Committee's review; he noted that the changes to the scheduled were marked in bold. Mr. Wallace apprised the first change would be to add a Certificate of Occupancy fee for manufactured homes and he noted at this point they were doing multiple site visits for these homes, which were not as expensive as the fees for new home construction; he advised they were doing more of these visits than they had in the past and the fees collected were not nearly enough to cover the costs associated with the number of visits required. The second change, he noted, was to implement a fee for Certificate of Occupancy Search of \$25; he explained that depending on the housing market, his Office performed 80-100 of these per year. Mr. Wallace noted that some of these were very quick, while others took more time and incurred more expense.

Ms. Wood, inquired as to the current charge for the Certificate of Occupancy search and Mr. Wallace responded that for one or two family dwellings, the charge was \$25, and \$50 for commercial buildings. He advised that currently, no charges were assessed for residential garages or pole barns, or for manufactured homes.

Mr. Wallace explained the third, and final, proposed change to the Fee Schedule was to add a fee for starting construction of a dwelling without receiving the proper permit which would be twice the amount of the required permit fee. He stated that he had done a little bit of research and found that some municipalities incorporated this charge, while some did not, and he added that quite a bit of additional work was required in these cases, such as additional site visits and research; additionally, he noted there were some facets of the construction that could not be inspected without being torn apart.

Mr. Simpson asked who requested Certificate of Occupancy searches and Mr. Wallace replied they were typically requested in association with real estate transactions and were received via fax or phone from either real estate agents or attorneys.

Ms. Seeber questioned how long it generally took to complete these searches and Mr. Wallace responded it was generally a minimum of a half hour and then the cost of postage to send the results. Ms. Seeber asked how other Counties were handling these searches and Mr. Wallace said the procedures used varied quite a bit, with some charging a minimum fee and others providing the service free of charge. Ms. Seeber stated that she would like to review more specific information on how other counties were handling these requests.

Mr. Girard inquired about the proposed fee for starting construction without a permit, stating that he believed charging an additional fee could make the situation worse. Mr. Wallace replied that he hoped adding a fee would deter the contractors from starting construction without a permit. Mr. Girard then asked if this was a recurring problem and Mr. Wallace stated that it was something that happened often.

Mrs. Frasier said she had noticed this was becoming a problem in the Town of Hague and she felt that some contractors knew better, but did it anyway, and she understood how this could become a County problem, as well.

Continuing to Agenda Section IV, Mr. Wallace presented a request to fill a vacant Building Code Enforcement Officer position, as well as any vacancies created by promotion.

Motion was made by Mr. Girard, seconded by Mr. Simpson and carried unanimously to approve the request to fill the vacant Building Code Enforcement Officer position, as well as any vacancies created by promotion, and refer same to the Personnel Committee. *A copy of the Notice of Intent to Fill Vacant Position form is on file with the minutes.*

Mr. Wallace apprised the Committee of a complaint that was received regarding a Fire Safety Inspection Fee charged. He explained that an inspection had been performed on a three-unit apartment building where the owner happened to be living in one of the units. Mr. Wallace continued that the owner's complaint had been that he was being charged for the inspections event though he lived there. Mr. Wallace said he had only spoken with the property owner briefly and then directed him to Mr. Dusek and Ms. Wood.

Ms. Wood informed that she had spoken with the gentleman, as had Mr. Dusek. She advised that in providing inspections for apartment buildings, they had found there were some buildings with no fire protection at all. Ms. Wood stated they would work through this issue and noted this was the first, and only, complaint of this nature that she was aware of. She apprised the Committee that the property owner's chief complaint was that he lived in the building and did not feel that he should have to pay for the inspections. Ms. Wood added that they would continue to follow the policies adopted by the Board of Supervisors, but wanted to make sure the Committee was aware of the situation.

As there was no further business to come before the Public Safety Committee on motion made by Mr. Girard and seconded by Mrs. Frasier, Mrs. Wood adjourned the meeting at 10:37 a.m.

Respectfully submitted,
Samantha Hogan, Legislative Office Specialist