

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: CRIMINAL JUSTICE & PUBLIC SAFETY

DATE: MAY 24, 2017

---

---

COMMITTEE MEMBERS PRESENT:

SUPERVISORS MONTESI  
GERAGHTY  
GIRARD  
SIMPSON  
BRAYMER  
SEEBER  
MACDONALD

OTHERS PRESENT:

MARCY FLORES, PUBLIC DEFENDER  
SHAWN LAMOUREE, UNDERSHERIFF  
REPRESENTING OFFICE OF EMERGENCY SERVICES:  
BRIAN LAFLURE, DIRECTOR, OFFICE OF EMERGENCY SERVICES  
AMY HIRSCH, EMERGENCY SERVICES COORDINATOR  
MICKI GUY, EMS COORDINATOR  
TRAVIS HOWE, 2<sup>ND</sup> DEPUTY EMS COORDINATOR  
JOHN A. TIMS

COMMITTEE MEMBERS ABSENT:

SUPERVISORS BROCK  
VANSELOW

RONALD CONOVER, CHAIRMAN OF THE BOARD  
MARY ELIZABETH KISSANE, ASSISTANT COUNTY ATTORNEY  
AMANDA ALLEN, CLERK OF THE BOARD  
SUPERVISORS FRASIER  
LEGGETT  
MERLINO  
SOKOL  
DON LEHMAN, *THE POST STAR*  
SARAH MCLENITHAN DEPUTY CLERK OF THE BOARD

---

---

*Please note, the following contains a summarization of the May 24, 2017 meeting of the Criminal Justice & Public Safety Committee; the meeting in its entirety can be viewed on the Warren County website using the following link: <http://www.warrencountyny.gov/gov/comm/Archive/2017/criminal/>*

Mr. Montesi called the meeting of the Criminal Justice & Public Safety Committee to order at 11:51 a.m.

Motion was made by Mr. Simpson, seconded by Mr. Geraghty and carried unanimously to approve the minutes from the previous Criminal Justice & Public Safety Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Marcy Flores, *Public Defender*, who distributed copies of the Public Defender Agenda to the Committee; *a copy of the Agenda is on file with the minutes.*

Commencing the agenda review, Ms. Flores presented the following requests:

- 1) To amend the Table of Organization and Salary Schedule to create the new position of 8<sup>th</sup> Assistant Public Defender, *Annual Salary \$47,500*, effective August 1, 2017.

Ms. Flores advised the position would be fully funded through grant funding for three years and included funds for a desk, computer and training. She said she would not fill the position until the grant was approved by the New York State Comptrollers Office. She noted the position would be eliminated if the grant was not extended.

Motion was made by Mr. Simpson, seconded by Mr. Girard and carried unanimously to approve the request and forward same to the Personnel & Higher Education Committee. *Copies of the resolution request forms are on file with the minutes.*

Ms. Flores stated that she would like to hold off on Agenda Items 2 and 3 until she concluded with the Agenda review, as she would like to discuss them during an executive session because they related to matters involving personnel.

- 4) To extend the agreement with New York State Office of Indigent Legal Services for the following Contracts: No. C000352 to May 31, 2018; No. C000252 to November 30, 2018; and No. C000652 to December 31, 2018.

Motion was made by Ms. Braymer, seconded by Mr. MacDonald and carried unanimously to approve the request and the necessary resolution was authorized for the June 14<sup>th</sup> Board meeting. *A copy of the resolution request form is on file with the minutes.*

Ms. Flores presented requests for the following individuals to attend New York State Defenders Association Annual Meeting & Conference from July 24-25, 2017 in Saratoga Springs, New York: Marcy Flores; Sterling Goodspeed; Nellie Halloran; Brian Pilatzke; Glenn Liebert; Anna Besson; Lynn Pucciarelli; and Mary Kate Leahy.

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

Continuing to Agenda Item 6, Ms. Flores advised that she had attended a meeting with the New York State Office of Indigent Legal Services on May 2<sup>nd</sup> in Albany, New York during which they indicated public defense would be taken over by the State by 2023 for criminal matters. She informed she planned on continuing to comply with all of their requests for information. She stated her intent was to email the Committee members with the pertinent information pertaining to this action as it became available rather than waiting to provide them with updates at the Committee meetings.

In regards to the May 10<sup>th</sup> meeting with the New York State Office of Indigent Legal Services in Elizabethtown, New York, Ms. Flores stated the purpose of the meeting was to discuss training and to ensure the “standards” of the Indigent Legal Services Application were being applied on a uniform basis throughout the Counties in the State. She remarked she was pleased to report there were no compliance issues here but there were other Counties that were struggling to comply with the standards.

Proceeding with the Agenda review, Ms. Flores reported on the Defending the Veteran Client in the Criminal Courts training Brian Pilatzke attended on May 12, 2017 in Ballston Spa, New York. *A copy of the Authorization to Attend Meeting or Convention form is on file with the minutes.*

Mr. Montesi requested a brief update on the current status of nighttime arraignments prior to entering into an executive session.

Ms. Flores informed she had attended a meeting in April with six of the regions Judges, representatives of the Warren County Sheriff’s Office, City of Glens Falls Police Department, Office of Court Administration and the New York State Office of Indigent Legal Services to discuss arraignments. She mentioned it was determined security should be required for the Judge during arraignments that occur before and after the courts regular business hours. She said currently there were up to two police officers with the defendant but no security was provided to the Judge. She stated the request for security to be provided for the Judges originated from the Office of Courts Administrations concerns pertaining to the reactions of the Sovereign Citizen Group in Western New York at arraignments. She said because of these concerns the Office of Courts Administration had not approved the Arraignment Plan the County has put into effect, as they wanted the County to come up with the funding to provide security for the Judge during the after hours arraignments. She stated she was aware there were on-going discussions concerning what the cost would be to the County to provide the additional security requested.

A lengthy discussed ensued.

Concluding the Agenda review, Ms. Flores requested an executive session to discuss the employment history of two particular employees.

Motion was made by Mr. MacDonald, seconded by Mr. Simpson and carried unanimously to enter into an executive session pursuant to Section 105(f) of the Public Officer's Law.

Executive session was held from 12:12 p.m. until 12:27 p.m.

Upon reconvening, a motion was made by Ms. Braymer, seconded by Mr. Geraghty and carried unanimously to approve the request to fill the vacant position of 1<sup>st</sup> Assistant Public Defender, *Annual Salary TBD*, effective June 17, 2017 due to retirement subject to Ms. Flores returning to Committee with further information regarding the salary and refer same to Personnel & Higher Education Committee for reporting purposes. *A copy of the Notice of Intent to Fill Vacant position form is on file with the minutes.*

A motion was made by Mr. Geraghty, seconded by Mr. Girard and carried unanimously to approve the request to fill the vacant position of Confidential Secretary to the 1<sup>st</sup> Assistant Public Defender, *Annual Salary \$36,069*, effective August 1, 2017, due to resignation and forward same to the Personnel & Higher Education Committee for reporting purposes. *A copy of the Notice of Intent to Fill Vacant position is on file with the minutes*

Privilege of the floor was extended to Shawn Lamouree, *Warren County Undersheriff*, who distributed copies of the Sheriff's Agenda to the Committee; *a copy of the Agenda is on file with the minutes.*

Commencing the Agenda review Undersheriff Lamouree presented a request to authorize an Intermunicipal Agreement with the Town of Schroon to provide boat patrol law enforcement services for the portion of Schroon Lake located in Warren County.

Motion was made by Mr. MacDonald, seconded by Mr. Simpson and carried unanimously to approve the request and the necessary resolution was authorized for the June 14<sup>th</sup> Board meeting. *A copy of the resolution request form is on file with the minutes.*

Continuing with the Agenda review, Undersheriff Lamouree requested authorization to amend the County Budget in the amount of \$173,608 to reflect the receipt of funding from the Public Safety Answering Point Grant.

Motion was made by Mr. MacDonald, seconded by Mr. Geraghty and carried unanimously to approve the request and forward same to the Finance Committee. *A copy of the resolution request form is on file with the minutes.*

Proceeding to the Referral/Pending Items portion of the Agenda, Undersheriff Lamouree advised the pending item pertaining to NYSAC (*New York State Association of Counties*) Public Safety Resolution No. 1 which was discussed at the September 26, 2016 Committee meeting. Mr. Montesi inquired what the Resolution involved and Undersheriff Lamouree responded that it related to the standardized changes coming with the 911 Systems. He stated he had received no further updates from NYSAC regarding the status of the Resolution.

It was the consensus of the Committee to remove the aforementioned matter from the pending items listing.

Concluding the review of the Sheriff's Agenda with the Topics for Discussion Section, Undersheriff Lamouree apprised that since May 1<sup>st</sup> they had one Correction Officer resign; there were five vacant

Corrections Officer positions; and two vacant Corrections Sergeant positions. He noted they were working diligently to fill all of the vacancies.

Mr. Geraghty inquired whether there was an active Civil Service listing available to hire from and Undersheriff Lamouree replied in the negative. Undersheriff Lamouree apprised that they had already gone through the active Civil Service listing from the previous test. Mr. Geraghty questioned whether they were losing employees to the State and Undersheriff Lamouree responded that the last resignation given was for personal reasons. Undersheriff Lamouree mentioned that the position was difficult due to the type of work, the environment it was in and the hours required.

Mr. Simpson asked whether the contract for boat patrol law enforcement services with the Town of Horicon would come before the Committee next month and Undersheriff Lamouree replied in the negative. Undersheriff Lamouree explained they were in the third year of the current Agreement with the Town of Horicon.

In regards to the I am Responding software which Brian LaFlure, *Director of the Office of Emergency Services (OES)*, would be discussing shortly, Undersheriff Lamouree advised that he and Larry Jeffords, *Communications Supervisor*, would be visiting Clinton County in order to get a better understanding of how it works.

Privilege of the floor was extended to Mr. LaFlure, who distributed copies of the OES Agenda to the Committee; *a copy of the Agenda is on file with the minutes.*

Commencing his Agenda review Mr. LaFlure presented the following requests:

- 1) To authorize the appointment of Travis Howe as 2<sup>nd</sup> Deputy EMS Coordinator, effective April 1, 2015 and the appointment of John A. Tims as 3<sup>rd</sup> Deputy EMS Coordinator, effective April 3, 2017.

Mr. LaFlure stated that due to an error on their part Mr. Howe had never officially been appointed to the position. He introduced Mr. Tims to the Committee members and stated he was looking forward to working with him, as he was well trained in EMS Services.

A motion was made by Mr. MacDonald, seconded by Mr. Simpson and carried unanimously to approve the request and the necessary resolution was authorized for the June 14<sup>th</sup> Board meeting. *A copy of the resolution request form is on file with the minutes.*

- 2) To adopt the Warren County Multi-Jurisdictional Hazard Mitigation Plan as approved by the Federal Emergency Management Agency.

Motion was made by Mr. MacDonald, seconded by Mr. Girard and carried unanimously to approve the request and the necessary resolution was authorized for the June 14<sup>th</sup> Board meeting. *A copy of the resolution request form is on file with the minutes.*

- 3) To transfer funds in the amount of \$2,220 from the Contingent Account to pay for insurance invoice from Rose & Kiernan for inland marine insurance on the 2004 Spartan (Mobile Communications Vehicle) which was not anticipated.

Motion was made by Mr. Simpson and seconded by Ms. Braymer to approve the request as outlined above.

Mr. Montesi questioned whether new vehicles were purchased and Mr. LaFlure replied in the negative.

He explained the increase in the premium reflected the expansion of coverage on the Communications Vehicle due to all of the equipment having been installed on it rather than being stored in their garage. A discussion ensued following which it was determined that Mr. LaFlure would report to the Finance Committee on whether the premium for inland marine coverage had been reduced to offset this increase and whether the insurance would cover the cost of replacing the vehicle since it was ten years of age or older.

Mr. Montesi called the question and the motion was carried unanimously to approve the transfer of funds as outlined above and forward same to the Finance Committee. *A copy of the resolution request form is on file with the minutes.*

Moving along to the Pending Items portion of the Agenda, Mr. LaFlure advised he had distributed a copy of the I am Responding contract proposal. He explained if they were to move forward they had the following purchase options available: pay for it on an annual basis; pay for it in a bi-annual basis; and pay for it every three years. He said the total cost for the system was slightly more than \$20,000.

Mr. Montesi reminded them they had authorized purchasing the software at the May 8<sup>th</sup> Committee meeting because they felt there was a demonstrated need for it.

A lengthy discussion ensued.

Concluding the agenda review, Mr. LaFlure reported on the Traffic Incident Management Symposium which took place in Syracuse, New York that he attended, as well as the Information Liaison Officer Conference which he attended with one other individual last month.

Mr. Thomas asked what the cost of the two conferences were and Mr. LaFlure replied there was no cost for the Information Liaison Officer Conference and the only expense associated with the Traffic Incident Management Symposium was for one nights stay at the hotel which was the GSA (*General Service Administration*) Rate of \$91. He added the funds were included in his budget for the travel costs.

There being no further business to come before the Criminal Justice & Public Safety Committee, on motion made by Mr. Girard and seconded by Mr. Simpson, Mr. Montesi adjourned the meeting at 12:53 p.m.

Respectfully submitted,  
Sarah McLenithan, Deputy Clerk of the Board