

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: CRIMINAL JUSTICE & PUBLIC SAFETY

DATE: FEBRUARY 27, 2018

COMMITTEE MEMBERS PRESENT:

SUPERVISORS: LEGGETT
GERAGHTY
SIMPSON
WILD
MAGOWAN
DIAMOND
SOKOL
HOGAN
BRAYMER
DRISCOLL
VACANT

OTHERS PRESENT:

JOY LAFOUNTAIN, ASSIGNED COUNSEL ADMINISTRATOR
CHARLES WALLACE, ADMINISTRATOR, FIRE PREVENTION AND BUILDING
CODE ENFORCEMENT
REPRESENTING THE SHERIFF'S DEPARTMENT
BUD YORK, SHERIFF
SHAWN LAMOUREE, UNDERSHERIFF
REPRESENTING THE OFFICE OF EMERGENCY SERVICES
BRIAN LAFLURE, FIRE COORDINATOR/DIRECTOR
AMY HIRSCH, EMERGENCY SERVICES COORDINATOR
MARCY FLORES, PUBLIC DEFENDER
REPRESENTING THE DISTRICT ATTORNEY'S OFFICE:
JASON CARUSONE, DISTRICT ATTORNEY
MANON AFFINITO, DIRECTOR VICTIM ASSISTANTS PROGRAM
RONALD F. CONOVER, CHAIRMAN OF THE BOARD
MARY ELIZABETH KISSANE, COUNTY ATTORNEY
SARAH MCLENITHAN, DEPUTY CLERK OF THE BOARD
FRANK E. THOMAS, BUDGET OFFICER
SUPERVISORS BEATY
MERLINO
ERIN BROTHERS, CONFIDENTIAL SECRETARY TO THE PUBLIC DEFENDER
TRAVIS WHITEHEAD, TOWN OF QUEENSBURY RESIDENT
DON LEHMAN, *THE POST STAR*
MOLLY GANOTES-GLEASON, LEGISLATIVE OFFICE SPECIALIST

Please note, the following contains a summarization of the February 27, 2018 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/2018/criminal/>

Mr. Leggett called the meeting of the Criminal Justice & Public Safety Committee to order at 9:15 a.m.

Motion was made by Ms. Braymer, seconded by Mr. Simpson 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 Joy LaFountain, *Assigned Counsel Administrator*, who distributed copies of the agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Commencing her agenda review, Mrs. LaFountain presented a request for a new contract with the Legal Aid Society of Northeastern New York, Inc., for Paralegal/Case Management Support Services, in the amount of \$45,000, for a term retroactive to January 1, 2016 and terminating December 31, 2018.

Motion was made by Mr. Sokol, and seconded by Mr. Simpson and carried unanimously to approve the request as presented and the necessary resolution was authorized for the March 16th Board Meeting. *A copy of the resolution request form is on file with the minutes.*

Next, Mrs. LaFountain introduced a request for a contract with the Rural Law Center, Inc., for 23 appeals per year in an amount not to exceed \$57,500 on an annual basis or \$115,000 over the duration of the contract, for a term commencing May 1, 2018 and terminating May 30, 2020. Mr. Leggett inquired about the funding and Mrs. LaFountain replied it was partially reimbursed by the Office of Indigent Legal Services and the remainder was included in the budget.

Motion was made by Ms. Braymer, and seconded by Mrs. Hogan and carried unanimously to approve the request as presented and the necessary resolution was authorized for the March 16th Board Meeting. *A copy of the resolution request form is on file with the minutes.*

There being no further Assigned Council business to discuss, privilege of the floor was extended to Charles Wallace, *Administrator, Fire Prevention and Building Code Enforcement*, who distributed copies of the Fire Prevention and Building Code Enforcement agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Commencing his agenda review, Mr. Wallace reported on the 2018 Northern Adirondack CEO Educational Conference which would be held in Lake Placid, NY on March 4-8, 2018, which he and staff would be attending. Mr. Wallace informed all employees of the Code Enforcement Office were required to complete twenty-four hours of in-service training annually which they would obtain through this conference.

Next, Mr. Wallace reviewed the 2017 final budget numbers for his Office, indicating they received \$32,000 in revenues for 2017, which, he informed, was 118% above the projected revenue amount. He spoke of expenses and appraised there was \$12,439 remaining in the budget due to a reduction in part-time salaries and less fuel usage. He added they were \$44,000 above the adopted budget for 2017. Mr. Leggett inquired if the revenue level was due to a busy year and Mr. Wallace replied it was due to a number of large construction projects. Mr. Wallace mentioned as of January 2018 the revenues were higher than those reported for the same time last year.

There being no further Fire Prevention and Building Code Enforcement business to discuss, privilege of the floor was extended to Shawn Lamouree, *Warren County Undersheriff*, who distributed copies of the Sheriff's agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Commencing his agenda review, Undersheriff Lamouree indicated Action Agenda Items A-F and H were all notices of in-State training which did not require Committee action and were included in the agenda for informational purposes. Item G, he said included a request for out-of-State travel for Sargent Mazzeo and Patrol Officers St. John, Carpenter, Grimaldi, Schroeck, Maille and Fish to attend the 2018 Child Passenger Safety Conference, in Long Beach, NJ on March 19-21, 2018.

Ms. Braymer asked if there were any particular days when individuals could have their child seats and placement in their vehicles inspected; Undersheriff Lamouree answered there were set hours at the Sheriff's Office and there were also child passenger safety events scheduled.

Motion was made by Mr. Magowan, and seconded by Mr. Wild and carried unanimously to approve the out-of-State travel request as presented and the necessary resolution was authorized for the March 16th Board Meeting. *A copy of the resolution request form is on file with the minutes.*

Next, Undersheriff Lamouree introduced a request to authorize the co-location of emergency radio equipment and construction of support facilities on Verizon tower located on Route 149, Queensbury, and authorizing the Sheriff to execute any other necessary documents to facilitate full implementation and functionality of the emergency radio

equipment on the tower and associated required equipment including construction agreements, installation, service, maintenance and support, provided that the funds have been budgeted for and are available. He indicated last month a resolution was approved for a lease agreement with Verizon and this request was to move forward with the construction of the tower. Mr. Leggett inquired about the funding and Undersheriff Lamouree replied the funding was through the Dormitory Authority of the State of New York State (*DASNY*).

Motion was made by Mr. Sokol, and seconded by Mr. Magowan and carried unanimously to approve the request as presented and the necessary resolution was authorized for the March 16th Board Meeting. *A copy of the resolution request form is on file with the minutes.*

Continuing, Undersheriff Lamouree presented a request to amend the County Budget in the amount of \$1,691.60 to reflect the receipt of funds from insurance recoveries.

Motion was made by Ms. Braymer, seconded by Mr. Sokol and carried unanimously to approve the request to amend the 2018 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.*

Next, Undersheriff Lamouree presented a request to amend the County Budget in the amount of \$23,850 to reflect the receipt of funds from the New York State Governor's Traffic Safety Committee Traffic Grants. Mr. Leggett asked for an explanation of the Police Traffic Services. Undersheriff Lamouree explained in the past New York had the Buckle Up New York (*BUNY*) grant along with other small grants that were bundled into one which incorporated the BUNY and traffic safety grants. He indicated there were different requirements that had to be met. Mr. Leggett questioned if the grant covered overtime for the items described in the grant and Undersheriff Lamouree replied in the affirmative.

Motion was made by Mr. Magowan, seconded by Mr. Wild and carried unanimously to approve the request to amend the 2018 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.*

Under the Topics for Discussion portion of the Agenda, Undersheriff Lamouree notified there were currently two vacant Corrections Officer positions due to promotions; he advised one Corrections Officer position had been filled since the January 23rd Committee Meeting.

Sheriff York spoke regarding two Correction Officers that were out on 207-C Workers Compensation and unable to work who he had been trying to get into the New York State Retirement System for the past two years; however, he said, the State was reluctant to pay for them. He indicated they were still being paid and he could not fill their positions. He mentioned he would be attending a hearing for one of them at the end of March and he had been dealing with the situation for the past six years. Mr. Leggett inquired how those two positions were covered during the day and Sheriff York answered they were covered by a combination of full-time and part-time employees and overtime.

Concluding the agenda review, a discussion ensued with regard to asset forfeiture vehicles. Sheriff York indicated they had seized multiple vehicles over the ten years he had been elected Sheriff, which included the one he drove. Undersheriff Lamouree explained the vehicles, money or property were surrendered by defendants through asset forfeiture proceedings with the District Attorney and their council. He added the item that was being forfeited had to be involved in the crime and he explained obtained vehicles were inspected for condition, and if they required a lot of money to make them viable, they would eventually be sent to auction. Mr. Wild inquired how much money was received from forfeiture and how it was used and Sheriff York replied the monies were placed in a fund set up

by the County Treasurer which had a current balance of \$90,000; he added that these funds were used for police services and public safety. A lengthy discussion ensued.

Mr. Diamond exited the meeting at 9:46 a.m. and Mr. Conover exited the meeting at 9:47 a.m.

There being no further Sheriff business to discuss, privilege of the floor was extended to Brian LaFlure, *Fire Coordinator/Director of the Office of Emergency Services (OES)*, who distributed copies of the OES agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Commencing his agenda review, Mr. LaFlure presented a request to approve revisions to the Warren County Comprehensive Emergency Management Plan. Ms. Braymer asked what the revisions were and Amy Hirsch, *Emergency Services Coordinator*, indicated names were added, they updated the table of contents and plans, corrected typos, changed dates and corrected formatting, added language regarding volunteers and staff to Appendix B, updated the statistics in Appendix D and transformed the Multi-Year Training and Exercise Plan to Appendix F, which was more comprehensive.

Motion was made by Mr. Driscoll, and seconded by Mr. Wild and carried unanimously to approve the request as presented and the necessary resolution was authorized for the March 16th Board Meeting. *A copy of the resolution request form is on file with the minutes.*

Next, Mr. LaFlure introduced a request for a new contract with Waterhorse Adventures LLC for equipment service/maintenance for the Warren County Dive Team, in an amount not to exceed \$5,000 per year, for a term commencing upon execution by both parties and terminating December 31, 2018 with the option to extend up to two additional one-year terms.

Motion was made by Mr. Sokol, and seconded by Mr. Magowan and carried unanimously to approve the request as presented and the necessary resolution was authorized for the March 16th Board Meeting. *A copy of the resolution request form is on file with the minutes.*

Mr. LaFlure presented a request for a second new contract with Waterhorse Adventures LLC to provide scuba training services for the Warren County Marine Rescue Team and Warren County Sheriff's Office Dive Team in an amount not to exceed \$5,000 per year, for a term commencing upon execution by both parties and terminating December 31, 2018 with the option to extend up to two additional one year terms.

Motion was made by Mr. Wild, and seconded by Mrs. Hogan and carried unanimously to approve the request as presented and the necessary resolution was authorized for the March 16th Board Meeting. *A copy of the resolution request form is on file with the minutes.*

Mr. LaFlure introduced a request for out-of-State travel for Ms. Hirsch to attend the Foundations of Emergency Management course at the Emergency Management Institute in Emmitsburg, MD from April 15-28, 2018. He indicated it was training necessary to maintain Federal Emergency Management Agency (*FEMA*) grants.

Motion was made by Ms. Braymer, and seconded by Mr. Magowan and carried unanimously to approve the travel request as presented and the necessary resolution was authorized for the March 16th Board Meeting. *A copy of the resolution request form is on file with the minutes.*

Concluding his agenda review, Mr. LaFlure mentioned he and Ms. Hirsch had attended the New York State Emergency Management Association (NYSEMA) Conference in Syracuse, NY on February 12-15, 2018 and he had attended Unmanned Aircraft Systems Training in Oriskany, NY on February 20-21, 2018. He spoke regarding drones and informed they were a very important and useful tool. He indicated he was in the process of getting licenced to operate a drone, and there was potential grant money available to purchase one. He added Warren and Washington Counties were going to work together and share pilots and equipment. He informed during a situation last month a drone was used to view the ice jam in the Town of Thurman, which he said provided incredible situational awareness with the ability to see what you would normally not be able to see.

There being no further OES business to discuss, privilege of the floor was extended to Marcy Flores, *Public Defender*, who distributed copies of the Public Defender agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Commencing her agenda review, Ms. Flores introduced a request to ratify the existing contract with LexisNexis for a term commencing January 1, 2018 and terminating September 30, 2018 and authorizing continuation of the agreement. She indicated negotiations for the contract would be completed by Julie Butler, *Purchasing Agent*.

Motion was made by Mr. Simpson, seconded by Ms. Braymer and carried unanimously to approve the request as presented and the necessary resolution was authorized for the March 16th Board Meeting. *A copy of the resolution request form is on file with the minutes.*

Next, Ms. Flores presented a request to ratify the actions of the Chairman of the Board in executing a grant application and grant agreement with the New York State Office of Indigent Legal Services for Contract No. C000752 for Distribution #8.

Motion was made by Mr. Simpson, and seconded by Ms. Braymer and carried unanimously to approve the request as presented and the necessary resolution was authorized for the March 16th Board Meeting. *A copy of the resolution request form is on file with the minutes.*

Ms. Flores introduced a request to ratify the actions of the Chairman of the Board in executing a contract extension with the New York State Office of Indigent Legal Services for contract No. C000752 for Distribution #5. She notified the duration of the grant was from January 1, 2015 - December 31, 2017, and she indicated a contract for the grant was signed in November of 2017 and sent to the State to be signed. She informed by the time it was sent back it had expired and she advised that was the reason for the extension.

Motion was made by Mr. Magowan, and seconded by Ms. Braymer and carried unanimously to approve the request as presented and the necessary resolution was authorized for the March 16th Board Meeting. *A copy of the resolution request form is on file with the minutes.*

Concluding the agenda review, Ms. Flores opened discussion regarding the Warren County Centralized Arraignment Plan. Mr. Leggett informed all issues had been resolved and there was a agreement in place. Mr. Geraghty inquired what the advantage was to the County now that it was determined it would cost money and Ms. Flores respond it would save the County money regarding travel for the Sheriff's Office, District Attorney's Office, her office and all other agencies in the County. She advised they were trying to present a resolution to the Office of Court Administration (OFA) that would not take effect until funding was available. She added if it was not presented to the State funding would not be possible. She advised the areas the State and Governor were focusing on for the next five years for indigent defense was the importance of having an attorney present at arraignment. She mentioned there

could come a point when the State could demand centralized arraignments and she wanted the County to be prepared. Mr. Diamond asked if the Memorandum of Understanding (*MOU*) with the City of Glens Falls, a resolution from the Glens Falls Common Council and signature from the Chairman of the Board would be included with the information she would send to the State to obtain funding and Ms. Flores replied funding from the Indigent Legal Services would only include the Public Defender's Office.

There being no further Public Defender business to discuss, privilege of the floor was extended to Jason Carusone, *District Attorney*, who distributed copies of the District Attorney agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Commencing his agenda review, Mr. Carusone informed his Office would be co-hosting the upcoming Crime Victims Rights breakfast and awards ceremony in honor of Crime Victims Rights week. He apprised Crime Victims Rights Week was April 8-14, 2018 and the purpose was to draw attention to victims rights and the support systems involved.

Next, Mr. Carusone presented a request for a transfer of funds from Budget Code A.1165 410, *District Attorney, Supplies*, to Budget Code A.1165 445, *District Attorney, Foods*, in the amount of \$500 for expenses related to the Crime Victims Rights breakfast awards ceremony. He said they expected around two hundred people to attend the event, but had been able to reduce their portion of the cost from \$900 to \$500. Manon Affinito, *Director Victim Assistants Program*, informed Crime Victims Rights Week was a National event and she encouraged all to attend the awards ceremony. She informed her office had received grant money through the New York State Office of Victim Services (*NYSOVS*) for the past twenty years. Mr. Carusone explained the cost was based on attendance and fluctuated year to year. Mr. Wild inquired what time the ceremony took place and Mr. Carusone replied 9:00 a.m. on April 9th in Washington County. Mrs. Affinito notified the awards ceremony would be held at the Kingsbury Fire House.

Motion was made by Mr. Wild, seconded by Ms. Braymer 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.*

As there was no further business to come before the Criminal Justice & Public Safety Committee, on motion made by Mrs. Hogan and seconded by Mr. Wild, Mr. Leggett adjourned the meeting at 10:24 a.m.

Respectfully submitted,
Molly Ganotes-Gleason, Legislative Office Specialist