

**PROTECTIVE SERVICES COMMITTEE MEETING  
PUTNAM COUNTY OFFICE BUILDING  
ROOM #318  
CARMEL, NEW YORK 10512**

**Members: Chairman Gouldman & Legislators Gross & Wright**

**Thursday**

**6:30p.m.**

**February 18, 2016**

The meeting was called to order at 6:30p.m. by Chairman Gouldman who led in the Pledge of Allegiance. Upon roll call Legislators Gross, Wright and Chairman Gouldman were present.

Chairman Gouldman explained that there were a few individuals present this evening who were requested to participate with some items on the Health Committee agenda. Due to a conflict in their schedules and the need to leave the meeting shortly, Chairman Gouldman stated that he would recess the Protective Meeting and Reconvene after the Health Committee Meeting has ended.

At 6:31 P.M., Chairman Gouldman made a motion to recess the meeting; seconded by Legislator Wright. All in favor.

At 7:32 P.M., Chairman Gouldman made a motion to reconvene the meeting; seconded by Legislator Gross. All in favor.

**Item #3 - Approval/Protective Services Committee Meeting Minutes/January 25, 2016**

Legislator Gross and Chairman Gouldman approved the minutes as submitted. Legislator Wright abstained.

**Item #4 - Approval/Re-Appointments/Putnam County Traffic Safety Board**

Chairman Gouldman stated that unfortunately one of the members on the list of re-appointments has recently passed away, Mr. Norman Olsen.

Chairman Gouldman made a motion to pre-file the necessary resolution; seconded by Legislator Gross. All in favor.

**Item #5 - Discussion/Correspondence to County Executive/ County Owned Cell Phones**

Chairman Gouldman stated that, as of today, we have not yet received a response from the Administration on the correspondence that he sent on January 26, 2016. He stated that he would send a follow-up memo.

Legislator LoBue requested a copy of the corresponding cell phone numbers in connection with the County Owned Cell Phone list which was previously provided.

Chairman Gouldman agreed. He stated that we should review the list, not by the individual person, but by the position they hold.

Legislator LoBue stated that she was not addressing this issue personally. She stated that she wanted to know why these departments and individuals have cell phones and when the phones were issued.

**Item #6 - Discussion/Memorialization/Cayuga County Resolution/Calling on the State to Develop a 100% State Funded Indigent Legal Defense System as a Way to Provide Mandate Relief and Lower Property Taxes.**

Chairman Gouldman explained that the proposed bills request that the State create a 100% State funded indigent legal defense and relieve the counties of this financial burden imposed upon them since 1965.

Legislator Gross stated that this issue was brought up at one of the seminars he attended during the NYSAC Conference. He stated that this is a statewide concern and has become very costly to the counties.

Legislator Albano believed there was a litigation matter regarding this issue where other counties have sued.

Legislative Counsel Van Ross stated that there were five (5) counties that brought an action against the State which mandated the State take over 100%. He stated that the counties eventually won that lawsuit. However, it only affects those five (5) counties. He stated that this proposed legislation is to cover all of the counties.

Legislator Albano stated that perhaps we should combine with other counties and do our own lawsuit.

Legislator Scuccimarra concurred. She stated that we have complained about all of these mandates, however we never receive any relief from the State.

Legislator Wright stated that this matter was touched on tangentially in budget decisions last year with the Legal Aid Society. He stated that *Gideon v. Wainwright* has been around for a long time and it is well imbedded in the constitution and the rights under the constitution. He stated that before taking a position on this, he believed that our Legal Aid Society should be contacted for comment on this matter. He stated that his understanding was that this was not just a reimbursement bill, but would require the State to set up and operate a statewide defender association. He stated that it may well be a good thing or not. He stated that he would be 100% in favor if this was a funding only mechanism, however, he believed that Senator DeFrancisco's bill goes further to establish a statewide defender program that would overtake the current County Legal Aid Society. He stated that this is a policy determination and believed we should get the input from the individuals that have done this work in the County for, quite literally since *Gideon v. Wainwright* was passed by the Supreme Court. He stated that he is in favor of the funding, although he does not know if all of the proponents have been clearly spelled out in terms of what the implications would be for a statewide agency.

Legislator Albano stated that he was in favor if the State wanted to take this over.

Legislator Castellano stated, to Legislator Wright's point, the takeover could end up costing the County more money than the Legal Aid Society that we currently have. He believed we should receive their input.

Legislator Gross stated that Legal Aid Attorney Pat Brophy should be invited.

Chairman Gouldman stated that this matter would be tabled. He stated that he would invite Pat Brophy to next month's meeting to provide his input on this matter.

Legislator Wright suggested that the Department of Law also be invited to enlighten us as to whether we have the opportunity to join.

### **Item #7 - Other Business**

#### **a) Correspondence/From Legislator Gross/Town of Southeast 4<sup>th</sup> of July Fireworks**

Chairman Gouldman made a motion to waive the rules and accept the other business; seconded by Legislator Gross. All in favor.

Chairman Gouldman stated that the Town of Southeast will be having their fireworks display on July 2<sup>nd</sup> this year. He stated that, as in previous years, they would like a safe and enjoyable event and have requested additional police protection from the Sheriff's Department. He stated that they believe the estimated cost to the County would be \$14,000.

Legislator Gross stated he has spoken with the Town of Southeast Council members and they have stated that they were trying to have a longer event this year. He stated that they raise money for this event and Legislator Gross wanted the town to know what they could expect from the County. He stated that if the County was not going to fund or if they had any interest in taking it over, he believed it would be interesting to know. He stated that the Town Council members want to move forward with raising funds in order to be ready for July.

Chairman Gouldman stated that he accepted this as other business now instead of waiting for the following month. He stated that there are time restraints with raising funds.

Legislator LoBue stated that by accepting this as other business, the public has not been made aware that we are discussing this request because it was not on the agenda. She stated that she would like to see the actual costs, in writing, from the Sheriff's Department for last year's event.

Legislator Gross believed there were differences of opinions amongst the Legislators last year when this event was discussed. He expected that there would be animosity towards this event and he told the Town of Southeast Council members that he did not believe it would be approved this year. He stated that he wanted to get the request to Legislator Gouldman as soon as possible.

Legislator LoBue stated that this item was not originally on the agenda. She stated that if there are concerns about opposition from constituents or other towns questioning why they are not receiving funding, she believed that it should be held over until next month.

Chairman Gouldman stated that he was one of the Legislators last year who didn't oppose it, but had questions due to the fact that Putnam Valley has a similar event and the Village of Cold Spring in the Town of Philipstown have a similar event. He stated that Putnam Valley doesn't really utilize the Sheriff's Department deputies during the event. They utilize the Fire Department and Fire Police. He believed that the Village of Cold Spring handled their event themselves. He stated that due to the location of the Southeast event along Interstate 84, he believed it was a bigger operation. He stated that last year he attended both events; Village of Cold Spring in the Town of Philipstown and the Town of Southeast. He stated that both events were great and the Southeast event was very organized. He stated that this year he would not have a problem with the funding.

Legislator Albano believed that we should approve, at the very least, \$10,000 so they know that we are on board. He stated that last year he tried to have the part time police in Brewster participate. He believed there would be a savings if we could scale down on the use of Sheriff's Department deputies and incorporate the use of part time Village of Brewster police to offset some of the costs.

Legislator Gross believed that perhaps we could utilize the four (4) or five (5) Special Patrol Officers in the Mahopac School District during the event to help with the cost.

Legislator Castellano stated that would provide a little history; the event is driven by the businesses in the area who donate funds to have this event. He believed it was a financial win for both the businesses and Putnam County. He stated that the first time the event was held three (3) years ago, perhaps the town did not properly inform the Sheriff's Department. He stated that although the County did not fund it that year, we encumbered some overtime for the Sheriff's deputies to be there. He stated that the second year it was held on the 4<sup>th</sup> of July which cost the County approximately \$21,000. It was then determined to no longer schedule the event on the holiday itself. He stated that last year the event was held on the 3<sup>rd</sup> of July which dropped down the cost to the County to approximately \$14,000. He stated the he has spoken to the Undersheriff regarding utilizing the Village of Brewster Police and has been told that they would participate and hopefully that would bring down the cost a little. He stated that they are scheduling the event this year on Saturday, July 2<sup>nd</sup>. He believed the \$14,000 estimate was appropriate. He was not looking to approve something tonight, however it has opened up the discussion and he believed it was a perfect location for a great event in Putnam County.

Legislator Wright stated that, to Legislator Albano's point, if you are trying to massage the workforce into a more cost effective arrangement and as Legislator Gross indicated that he wanted to get this out so that there could be open discussion, he stated then he would have to agree with Legislator LoBue. He stated that adding this on to the agenda does not serve for open discussion. He stated that the efforts that Legislator Albano has referenced and the unsolidified offers of the Village of Brewster to have police participation to reduce the cost, he believed that the parties that want this to come to pass could certainly accomplish all of this within the month and present us with, not only the costs from last year, but how they have improved on that for this year going forward. He stated that it can be voted out of Committee next month after open discussion. He stated he believed there was enough time to get it done right and funded for all to act on at the beginning of April.

Legislator Nacerino believed that by Legislator Gross asking for it to be on tonight's meeting it did open up the dialogue. She stated that she supports this event. It is centrally located on the eastern end bordering Danbury, Patterson, Carmel and Brewster. She believed it was well attended and is a service to our community for our quality of life in Putnam County. She believed there was some dissention last year about what towns get what, but the fact is that there has been no overture by any town to start early in the process for this year or that they are dissatisfied with the way the process is or that they are seeking help from Putnam County. She believed that we should move along the same as in the past. She stated that if there is any dissention and if anyone is seeking assistance, she believed they would have to reserve that for next year because it was too late in the game to start that. She stated that we are assisting in safety and she believed Legislator Albano's point is well taken; how do we improve efficiencies to achieve that goal.

Chairman Gouldman stated that after reviewing the previous events, he did not have an issue with this matter.

Legislator Scuccimarra stated that she did not have any issue with this request either.

Legislator Albano stated that \$10,000 should be approved. He believed this would give them the ability to come back with an amount that they believe is more realistic. He believed that \$14,000 would be cutting it tight. He stated that we could always adjust the amount once we receive more information.

Legislator Castellano believed that at the time of last year's event there was a heightened terror alert for transportation.

Legislator LoBue stated that there were many comments and concerns over the militarization of the event when individuals saw the tanks, semi-automatic weapons and the many police involved. She believed that a dollar commitment could not be made this evening until we have the exact dollar amount and the number of personnel utilized during last year's event. She stated that if we want to make some type of arrangement with the Village of Brewster police, she believed that dialogue needed to take place now to see if they were willing to help out.

Legislator Wright stated that the memorandum requested discussion of this item take place at this meeting. He stated that upon such representation he based his acceptance of this matter as "Other Business". He stated that he would revoke his acceptance of the additional if it is the intent of the Chair to pass a resolution this evening.

Legislator Gross stated that he appreciated the positive response and stated that he would report back to the Town of Southeast Council members. He stated with regard to the ERT Response Team, he believed there are certain levels on the amount of people attending an event where they would attend and bring in more heavy artillery.

Legislator Nacerino stated that she would support moving this in a whole dollar amount once we have more information for next month's Protective meeting.

Legislative Council Van Ross suggested asking the Sheriff to see if he has the money in his budget and, if not, then contact the Administration to supply the appropriate budgetary amendment.

Chairman Gouldman agreed to table this item until next month.

There being no further business, at 8:05 p.m., Chairman Gouldman made a motion to adjourn; seconded by Legislator Wright. All in favor.

Respectfully submitted by Diane Schonfeld, Clerk.