

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

Members: Chairwoman Nacerino & Legislators Addonizio, Sayegh

Monday

December 18, 2023

(Immediately Followed the 6:30p.m. Physical Services Meeting)

The meeting was called to order at 7:05PM by Chairwoman Nacerino and who requested Legislator Ellner lead in the Pledge of Allegiance. Upon roll call Legislator Addonizio and Chairwoman Nacerino were present. Legislator Sayegh was absent. Chairwoman Nacerino stated Legislator Greg Ellner will be sitting as a member of the committee for this meeting.

Item #3 – Acceptance/ Protective Services Meeting Minutes/ November 15, 2023

The minutes were accepted as submitted.

Item #4 – Approval/ Finalized License Plate Reader Policy/ Putnam County Sheriff Kevin McConville

Chairwoman Nacerino stated Putnam County Sheriff Kevin McConville will speak to this agenda item.

Sheriff Kevin McConville stated Putnam County will be utilizing this finalized License Plate Reader (LPR) Policy. He explained said policy is based upon the New York State Division of Criminal Justice Services best practices. He noted on the last page of the document has the category requested by the Legislature, the “Accountability and Safeguards” that will be in place. He stated the Sheriff’s Department plans to conduct audits. He stated that there also is a section of the policy “Releasing LPR Data” which is also included on the last page of the policy.

Chairwoman Nacerino thanked the Sheriff for this information and for pointing out that the concerns and requests of the Legislature were addressed. She stated the question has been asked in the past, will the LPR Policy be posted on the County’s website.

Sheriff Kevin McConville stated he has mentioned this in the past, they are nearing the completion of the Sheriff’s Department Accreditation process. He stated once they have filed, and the policies are accredited, the Accreditation Team and Command Staff will make the determination of what policies will be posted on the County Website under the Sheriff’s Department and which will not be posted.

Chairwoman Nacerino requested Sheriff McConville speak to the process of when/if a FOIL is received regarding data captured by the LPR.

Sheriff McConville stated an individual or an entity can FOIL for LPR data. He stated the Civil Division Captain who is the Sheriff's Department FOIL Officer will address the FOIL Request with the County Clerk and the County's Law Department to ensure the FOIL is accurate and that the right process is followed.

Legislator Ellner requested confirmation that the Law Department has reviewed the LPR Policy.

Sheriff McConville stated the County Law Department has reviewed the LPR Policy.

Legislator Montgomery questioned if the Community Engagement Police Advisory Board (CEPAB) has been part of this process.

Sheriff McConville stated CEPAB will be brought in at a future date to review the final LPR Policy. He stated that he has had some conversations with some of the members of CEPAB prior to the finalization of the LPR Policy. He stated there were no concerns made at that time. He stated that they have meetings and discussions with CEPAB, and as a result of those discussions there have been some changes made in the "Use of Force" Policy.

Legislator Montgomery stated her disappointment that CEPAB will not be part of the group who will determine if the LPR Policy will be posted online. She expressed her disappointment that Putnam County only still only has one (1) police policy posted on the County Website.

Sheriff McConville stated the decision regarding what policies are posted on the website rest solely on the Sheriff's shoulders. He explained that there is a mandate by New York State Division of Criminal Justice Services to have the Use of Force Policy posted online. He stated the Putnam County's Sheriff's Use of Force Policy is posted online.

Chairwoman Nacerino stated she would like to stay on topic.

Legislator Crowley requested confirmation of a statement made earlier that all of this will be going through Westchester's Real Time Crime and there is someone in-house.

Sheriff McConville stated that is correct.

Legislator Jonke expressed his opinion regarding Legislator Montgomery's dialogue with the Sheriff regarding the posting of the Sheriff's Department Policies. He stated that he has full faith in the Sheriff.

Chairwoman Nacerino made a motion to Approve the Finalized License Plate Reader Policy; Seconded by Legislator Addonizio. All in favor.

Item #5 - Approval/ Request to Accept M99743A Armored Ambulance Humvees as part of the National Defense Authorization Act of Fiscal Year 1997- Allowing Military to Transfer Excess Department of Defense Property to Law Enforcement Agencies/ Putnam County Sheriff Kevin McConville

Sheriff McConville stated this vehicle is roughly 7 years old and he has been informed it is in very good condition. He stated it will be a vehicle that will be relied on in multiple situations.

Legislator Ellner stated the backup references “Humvees” is there more than one.

Sheriff McConville provided clarification that there is only one (1) Humvee. He stated it is a Humvee that will be lightly armored and capable of transporting patients.

Legislator Ellner questioned if this vehicle will have an impact on the County’s vehicle insurance.

Risk Manager Mat Bruno stated that it will not. He explained it will be added onto the County’s Vehicle Policy and it would be covered under that. He stated if it increases the premium, it will not be by much and it will be offset by decommissioning some of the vehicles.

Legislator Crowley questioned if a CDL license is required to drive the Armored Ambulance Humvee.

Sheriff McConville stated a CDL license is not required.

Chairwoman Nacerino made a motion to Approval/ Request to Accept M99743A Armored Ambulance Humvee as part of the National Defense Authorization Act of Fiscal Year 1997- Allowing Military to Transfer Excess Department of Defense Property to Law Enforcement Agencies; Seconded by Legislator Ellner. All in favor.

Item #6 - Presentation on the Putnam County Sheriff’s Office- Sheriff Response Team/ Putnam County Sheriff Kevin McConville

Chairwoman Nacerino clarified this agenda item is up for discussion and for informational purposes only, there will be no action taken.

Sheriff McConville stated based on his research of the Emergency Response Team (ERT) it was formed in or about 2002, the purpose of the team was to provide highly professional and skilled personnel from three (3) agencies in Putnam County to create a response to critical incidents, barricaded individuals, hostages etc. He stated the ERT was comprised of seventeen plus members of the Sheriff’s Office, approximately four (4) members of the Town of Carmel Police Department and approximately three (3) members of the Town of Kent Police Department. He stated the approximate total number of members was 24, with a few vacancies. He stated training of the ERT members was performed and were able to perform the duties of the ERT. He stated there was a Board of Directors created to manage the ERT’s activities and functions. He stated the Board of Directors consisted of the Putnam County Sheriff, the Police Chiefs of the Towns of Carmel and Kent and it was decided that they would follow the DCJS (Department of Criminal Justice Standards). He continued to speak to the history of the ERT. He stated the ERT

and its Board of Directors lacked clear and concise command control over operations of the ERT. He stated it was never defined nor was it addressed in any of the documents that initially created the ERT. He stated December 11, 2023, the Putnam County Law Department, after meeting with the County's Personnel Department, made the determination that in light of the fact that the ERT was never approved by the appropriate Legislative action nor did it receive insurance, the ERT had to be stopped as constructed. He stated that caused great concern. He stated he believes his actions in response to the Law Department's determination was in alignment of what the Legislature would have wanted him to do. He stated he took action and created a Sheriff's Response Team (SRT) made up of 19 members of the Sheriff's Department. He stated they are all trained and qualified and have experience. He stated Undersheriff Lindert, per a meeting he had with the County's Personnel Department, learned that said Department was unaware that the Physical Fitness Tests process and testing was not being done through the Personnel Department, they requested that practice cease as they were going to consult with the County's Law Department. He stated it has also been the purview of the Personnel Department to perform any type of testing. He continued to speak to some eye-opening discoveries, that no one anticipated. He stated as they attempt to reconstitute the ERT there are several issues that will need to be addressed to assure that lawful authority and the approval process for other Towns and Villages to participate is fully executed. He stated this action will require consultation with the County Law Department and the Legislature and will soon commence. He stated, depending on the findings of the County Law Department, the plan is to engage other Towns and Villages to see if their personnel would want to join the Sheriff's Office Response Team. He stated after receiving the letter from the County Attorney on December 4, 2023, he immediately called a meeting with his Command Staff to address issues raised in said correspondence. He stated, as mentioned earlier, the Sheriff's Office has the appropriate number of trained personnel to stand up a team as authorized by the contents of the letter from the Law Department and to preserve the capacity of the specially trained negotiators and tactical operators. He stated the Putnam County Sheriff's Response Team has 19 positions filled, leadership roles filled and had preliminary conversations with their Crisis Negotiation Team and the Tactical Team, they are able to operate fully and is lawfully authorized and indemnified to perform as a response team under his direction. He stated he has appointed Captain Schepperly, who is experienced in writing policies and practices for the New York State Police's Special Operation Teams. He stated Captain Schepperly has drafted policies and procedures for the SRT and the Command Staff is reviewing them. He continued to speak to the role of the SRT. He stated in January they will have their first official meeting and implement the policies and procedures at that time. He stated Captain Schepperly will take the helm. He stated looking to the future, they anticipate at some point in time, which is undefined at this point, to come and explain and initiate the process of reconstituting a Countywide team. He stated the absolute goal is to provide lawful authority while meeting the highest standards and addressing liability issues.

Senior Deputy County Attorney Connor McKiernan stated as the Sheriff stated in December a review of the ERT was done by the Law Department and the Sheriff precipitated by the Personnel Department concerns. He stated it was discovered that there was liability and coverage concern as well as procedural defects in the formation of the ERT. He stated specifically in the lack of presentation of the ERT to the Legislature for approval. He stated there should be an Intermunicipal Agreement (IMA). He stated that is needed in accordance with General Municipal Law (GML) when there is an agreement between municipalities, and it requires Legislative approval. He stated that was lacking as far as the Law Department found in its research of the formation of the ERT.

Risk Manager Mat Bruno stated without Legislative approval it would have made it very difficult if anything were to have happened to protect the County. He stated moving forward his role will be to make sure the proper steps are followed in terms of approvals and documentation that are needed. He stated that he has been in contact with the County's General Liability carrier, and they have assured him once everything is in place there would not be a problem. He stated that he did commit to them to keep them apprised of the situation, this way the County would have proper coverage without any negligent risk involved.

Chairwoman Nacerino stated she is very pleased that this deficiency was identified, that posed a real threat to the accountability for the County.

Legislator Addonizio requested clarification about a statement made by the Sheriff that in the future they will initiate a Countywide Team.

Sheriff McConville stated once the Sheriff's SRT is finalized, then they will meet with the Law Department. He stated the Sheriff's Office is authorized to have their own response team and tactical negotiators. He stated there is no need for any formal agreement with the Legislature required for that. He stated what was being discussed is not for the purpose to exclude anyone, it is the liability issue threat that is driving this.

Legislator Ellner stated he represents the Town of Carmel and the Town of Kent and was appreciative that Chairwoman Nacerino invited him to sit on the Committee in Legislator Sayegh's absence. He stated he wanted to give a recap for his clarity of what had been reported. He stated in summary as of now the County has no choice, we must take the SRT because of potential exposure to the County. He stated once everything is figured out things will progress. He stated he believes the maximum way to protect the citizens of Putnam County needs to be part of the consideration moving forward. He stated having the most available boots on the ground which would include the Police Departments of Carmel and Kent. He stated he also believes that there are certain skills sets that are required by this type of a team, such as a sniper.

He questioned what happens with the equipment that was used by the ERT. He stated he would like Senior Deputy County Attorney Connor McKiernan to address that question.

Senior Deputy County Attorney Connor McKiernan stated the Law Department was not requested to look into that for this evening's meeting.

Sheriff McConville stated their greatest concern was to structure a team immediately that would be able to respond if the need were to arise. He stated that in Captain Schepperly's research on this matter he reported that Westchester and the State Police have their own stand-alone teams, they do not have members from an outside agency on their team.

Chairwoman Nacerino requested Sheriff McConville address the statement made by Legislator Ellner in regard to the need for members with specific skills.

Sheriff McConville explained there are two (2) components to a response team: crisis negotiation and tactical. He stated the crisis negotiation team receive the same training. He spoke to their training. He stated the tactical training is done specific to the individual's position on the team and a sniper receives additional sniper training.

Chairwoman Nacerino stated in summary the SRT is being implemented, as not to jeopardize any safety measures within the County. She stated then moving forward in coordination with the law and management the Sheriff will be making a decision whether or not there is a need to go to the outside agencies. She stated the fact of whether the SRT is able to encompass the needs of the County remains to be seen. She requested confirmation from the Sheriff that her summary was accurate.

Sheriff McConville stated that is correct and he would certainly look forward to a partnership with associate law enforcement agencies on this.

Chairwoman Nacerino stated should that not come to fruition the SRT would not be remiss in servicing the needs of the Towns.

Legislator Jonke stated he has always liked the idea of an ERT, especially since we are such a small County. He questioned if it is typical in other Counties that the Sheriff's Department is the lead agency and works with other law enforcement agencies within that County.

Sheriff McConville stated that it is typical. He stated in fact he has been contacted by the Village Police Department that has a trained individual interested in joining the team. He stated he explained the need to hold off until everything has been straightened out. He stated when everything is in place, they will be willing to interact with other agencies.

Legislator Jonke stated if this is typical then there should be Counties, we could reach out to who have an IMA in place and Putnam County could use it as a template.

Sheriff McConville stated they have begun reaching out to establish a foundation.

Legislator Crowley stated she recognizes the importance of the insurance. She stated the ERT was a tier 1 SWAT and now we are technically a parameter control containment team.

Sheriff McConville stated that is not correct. He stated they will remain a tier 1 response team. He spoke to that matter.

Legislator Crowley questioned how this change will affect the County fiscally, as there is a risk in losing the federal grants, such as the CREST Grant for the Humvee that was voted on this evening. She stated the Sheriff's Department would need to apply for new grants, all the insurance and fiscal responsibility would rely on the County and the Sheriff's Department.

Sheriff McConville stated that is not entirely accurate. He stated the Sheriff's Department does receive Federal grant funding for the Sheriff's Response Team, which currently goes to the Bureau of Emergency Services. He stated the Commissioner of Finance distributes portions to the Carmel and Kent Police Departments, but the majority stays with the County. He stated that money will now be repurposed to the SRT.

Legislator Crowley questioned the fact now there will be some Sheriff Employees serving on this specialized downsized team they will have more responsibilities. She expressed concern that with this additional responsibility on said members of the Sheriff's Department it will put them in a more jeopardizing situation because of being over committed.

Sheriff McConville stated the number of people on the team has not been reduced. He stated at this point of time they cannot include the members from the Town of Carmel and Kent.

Legislator Crowley stated at this point if the onus relies on the Sheriff's Department, it is a volunteer position, what would happen if the members of the Sheriff's Department did not want to participate anymore.

Sheriff McConville stated then they would be removed from the team.

Legislator Crowley stated then there would be no team.

Sheriff McConville stated since this occurred there have been requests from eight (8) other members of the Sheriff's Office who have requested to participate. He stated the potential to increase the number of members from the Sheriff's Office is significant.

Legislator Crowley stated then that would cost the County more in overtime costs.

Sheriff McConville stated not necessarily, because it would depend on the incident and how it is managed.

Captain Schepperly stated currently there is a SRT that is fully staffed. He stated if a participant wants to resign, it is not immediate, such a request would be accommodated, as other members are brought on board. He stated currently there are several members who are interested in joining the team and that will be a process that would take until spring of 2024 at least. He stated as the Sheriff mentioned the State Police and the Westchester Police Departments have committed to assist Putnam County if need be. He stated that they have begun training with the Westchester Police Department Members. He stated that they will be coming up in January to train with the Sheriff's Office.

Chairwoman Nacerino stated basically there are the same number of people, 19, on the SRT and are fully functional. She stated at this point in time the County's hands are tied in terms of working with the Police Departments in the Towns of Carmel and Kent. She stated the funding that comes into the Bureau of Emergency Services that previously was distributed to the Towns of Kent and Carmel Police Departments will now be distributed to the County, since the sole reliance will be on Putnam County and that addresses the overtime question.

Legislator Montgomery questioned why the mutual aid agreements and the insurance aspect and etc. couldn't have been addressed rather than disbanding an entire team.

Sheriff McConville stated they had no choice based on the letter from the Law Department. He stated until all those issues are resolved there is the SRT filled with qualified and trained individuals.

Legislator Montgomery stated this raises some questions for her in terms of other programs in the Sheriff's Department that do not have Legislative Approval such as the Canine Operations. She stated the Legislature approves the funding for the Canine Operations but have never approved the actual program. She spoke to another program that existed a "Diplomat Protection" program, which was never sanctioned as far as she knows.

Senior Deputy County Attorney Connor McKiernan stated the important distinction is those are internal programs. He stated according to State Law an agreement including other agencies requires Legislative approval, whereas an internal program does not.

Legislator Montgomery questioned again why the County couldn't have pursued an Intermunicipal Agreement.

Senior Deputy County Attorney Connor McKiernan stated as the Sheriff stated the Law Department is looking into the potential for a Countywide entity. He stated this is not something the Law Department can turn around in a day or a week, it is something that requires time and consultation.

Legislator Montgomery stated her understanding and the Law Department's diligence in protecting the County. She stated she does not like to see a whole team disbanded.

Chairwoman Nacerino stated she does not believe anyone wants to see that. She stated the fact is we do not want to jeopardize the County in anyway. She stated we would be remiss if we were to continue doing what we were doing.

Carmel Police Chief Anthony Hoffman provided his background and experience in law enforcement. He stated he was a member of the ERT and he does not understand why the Sheriff is pursuing this, in the way that he is. He stated that there is a MOU (Memorandum of Understanding) in relation to the ERT. He stated it was signed on October 18, 2006 by then Putnam County Sheriff Donald Smith and there is an executed resolution by the Town of Carmel and he believes the Town of Kent has one also, authorizing the mutual aid agreement to operate with the Sheriff's Office and agency in Putnam County. He stated the ERT has been working well. He stated the oversight was provided by the Board of Directors, which were Town of Kent Police Chief Owens, the Sheriff and himself. He stated issues brought up by Sheriff McConville were mostly related to training. He stated they were addressing those concerns. He stated there was discussion about adding members to the ERT. He stated they were pursuing a method to do that. He stated the Sheriff raised issues with the Personnel and Law Departments. He stated the concerns were spoken about with the Personnel Department, and they thought they were on their way to continuing the ERT. He stated the letter from the Law Department surprised them all, including the Sheriff. He stated he does not believe the statement from the Law Department is correct in stating that the ERT had no lawful authority. He stated he believes it would be covered under GML §209-M, Police Mutual Aid. He stated he discussed that with Town of Carmel Council, Greg Folchetti and he agreed. He stated they would like to continue the ERT with the Mutual Aid agreement that is in place and was constituted. He stated the only piece missing is documentation from the Putnam County Legislature.

Chairwoman Nacerino stated that is a significant piece, according to the Law Department. She requested Senior Deputy County Attorney Connor McKiernan speak to that.

Senior Deputy County Attorney Connor McKiernan stated as stated any IMA needs to have Legislative approval, per GML§119-o. He stated a Sheriff cannot unilaterally bind the County without Legislative approval via an IMA. He continued to speak to the interpretation of a different section of the law raised earlier, which he stated is not applicable in this matter.

Town of Carmel Police Chief Anthony Hoffman stated he respectfully disagrees and provided his reasons.

Chairwoman Nacerino facilitated conversation regarding the legal views. She did state what is being discussed is a County Agency. She stated the County must ensure we are accountable, not remiss in liability and cautious moving forward to make sure it is done correctly.

Town of Kent Police Chief Kevin Owens stated he will not repeat what has already been stated. He stated it seems disingenuous. He stated he was never contacted with inquiries related to the ERT, before receiving the letter stating the ERT is cancelled. He stated he believes the other people involved with the ERT should have been contacted. He stated he knows this topic was discussed in front of the Legislature back when it was first formed. He stated the ERT has received funding from the County in the past. He stated the County has been aware of the existence of the ERT. He stated it sounds to him like there is resistance to all work together. He stated he heard the presentation, and it sounded like “bla, bla, bla” to him. He stated they feel this was a back doored, intentionally.

Chairwoman Nacerino stated she takes issues with that accusation. She stated the Legislature was not apprised of this until it was requested that the matter be brought to the Protective Services Committee this month. She stated the fact remains there is nothing disingenuous going on and Senior Deputy County Attorney Connor McKiernan has answered the questions very eloquently. She stated the Legislature works within the confines of the County Attorney, the input of the County Sheriff and the input of the County’s Personnel Department.

Legislator Ellner stated this is a very passionate issue. He stated he was contacted by Chief Owens and Chief Hoffman, Kent Supervisor McGlasson and Carmel Supervisor Cazzari. He stated they all told him they want to cooperate, and they would like to be on the ERT as the process unravels.

Town of Carmel Supervisor Michael Cazzari stated when this began years back he was a Lieutenant in the Town of Carmel Police Department and worked with then Undersheriff Peter Convery in the formation of the multijurisdictional team. He stated they worked with the State

Police. He stated this started because if more support was needed in a situation it took sometimes and hour plus for assistance from the State Police or Westchester Police to respond. He also stated the training for the multijurisdictional team was a positive in that each agency had highly trained individuals. He stated if the Sheriff wants to remove his department from the multijurisdictional team there is a mechanism in the original agreement that provides a 60-day removal from the team. He stated the team would still be intact. He stated it's his view that the multijurisdictional team is not a County team.

Chairwoman Nacerino requested that Legislative Counsel Firriolo speak on this matter on behalf of the Legislature.

Legislative Counsel Robert Firriolo stated he can add and confirm what Senior Deputy County Attorney Connor McKiernan stated regarding the IMA. He stated not having an IMA does expose the County to liability. He spoke further to that.

Town of Carmel Councilman Elect Rob Kearns stated he is a Veteran and while stationed in Virginia Beach he was the Team Leader for the ERT on Navy Station – Norfolk. He expressed concern for the what the react time may be by the Sheriff's SRT. He stated he believes by not having the additional members from the Towns of Carmel and Kent on the team it will have an adverse effect on the response times.

Sheriff McConville stated that he does not agree with that statement, and he spoke to his reasons. He stated the NY State Police have their Special Operations Response (SOR) Team, which consists of 32 members statewide. He stated he is confident in the ability to respond.

Town of Carmel Councilman Elect Rob Kearns expressed his disagreement with the Sheriff.

Sheriff Kevin McConville stated again that per the direction of the County Law Department the ERT could not continue to operate without Legislative approval. He stated this was not at his doing. He stated it was clear in the County Attorney's letter that the Sheriff has the authority to form a team with the Sheriff's Office employees. He stated that is what he did, and believes it is what the Legislature would approve, to have the safety factors in place. He continued to speak to this matter.

Town of Carmel Councilman Elect Rob Kearns stated to him it seems like a power grab by the Sheriff, in the fact that the Sheriff did not lobby for Legislative Approval.

Sheriff Kevin McConville stated that takes time. He spoke to some of the steps that need to be carried out. He stated as a newly elected councilman he would think Mr. Kerns would want to

protect his community from issues. He continued to speak to the actions they have taken since the notification of the County Law Department regarding this matter.

Chairwoman Nacerino stated these questions have all been addressed by the Sheriff and the First Deputy County Attorney numerous times. She facilitated further discussion.

Captain Schepperly stated Putnam County Sheriff's Department long ago learned from Columbine, when an event occurs at a school you cannot wait for a response team. He stated there are practice drills conducted in the Schools of the County. He stated the drills are conducted to practice the coming together of all agencies; State Police, Westchester County, Town of Carmel Police, and Town of Kent Police. He stated the School Resource Officers (SRO) are trained to respond immediately. He continued to speak to the fact that most responses are by the Deputy who is on patrol, or the Police Officer on patrol. He spoke to an incident that occurred in the County and the responder was a Senior Investigator who was in route to the Lab. He stated an ERT or the SRT are deployed to family barricade subjects, where there is a parameter pretty much established, and they take over the long-term management of those incidents.

Town of Carmel Administrative Lieutenant Neil Brown stated he was at a meeting for the ERT about a week before the letter came out. He stated the Sheriff was already talking about how they were not sanctioned. He stated his opinion is that the Sheriff knew this was coming. He stated the Sheriff also expressed his dissatisfaction with how said meeting was run, how the training was being handled and that there was no accountability. He said he recalled the Sheriff saying he needed a syllabus for every training. He made a statement that the Sheriff wants control of this and that is what this is all about, it has nothing to do with legal. He continued to speak this.

Chairwoman Nacerino allowed the Sheriff to respond to those comments made by Lieutenant Brown.

Sheriff McConville stated he never said he wanted to micromanage anything. He stated on November 20, 2023, after two (2) days of training on November 16 and 17, he was dismayed to learn there was no training syllabus prepared for that training session. He stated also he was equally dismayed and concerned by some actions that were taken at that training, that were unjustified and would have led to litigation for the County. He stated he did not know that the Law Department was going to make the decision they did, if he had he would have discussed it. He stated this has nothing to do with him wanting to control this. He continued to speak to the lack of documentation in relation to the ERT Training which he does not support. He stated he knows what records are requested and subpoenaed by the New York State Attorney General when a shooting occurs such as documentation on training, the individual members and their

policies. He stated that is where his concern is. He stated at the Board of Directors meeting when this discussion occurred it was stated by someone, if it is not in writing then we don't have to worry about it. He stated that is not how law enforcement is supposed to operate. He continued to speak to his position on this and the discrepancies he found as he continued to ask questions and look into the operation of the ERT. He stated the involvement of the Law Department on the proper creation is critical. He continued to speak to the importance of professionalism and lawful authority as it relates to this matter.

Chairwoman Nacerino stated she applauds the County Law Department and Sheriff McConville for fulfilling their duties and obligations to the best of their ability and knowledge in this situation. She stated this is not an easy thing to do, it is not a popular thing to do, as witnessed by some of the responses being made here tonight, but it must be done.

Chairwoman Nacerino facilitated further discussion. She stated the essence of this discussion is that the ERT is not sanctioned to operate at this time. She stated until such time that we are and depending in what direction we go in, that is when we will move forward.

Legislator Crowley stated she originally questioned why there was not a resolution prepared to be considered by this committee for tonight instead of reverting to the SRT, but she believes she got the answer that there is a little insider stuff.

Legislative Counsel Rob Firriolo clarified there is no IMA drafted for the Legislature to consider.

Legislator Crowley stated she understands this isn't legally binding, but she does not understand why this was not put forth to maybe reconsider it.

Chairwoman Nacerino stated the Law Department stated this is something that they will have to work on and it will take time.

Legislative Counsel Rob Firriolo stated he believes Legislator Crowley had the MOU that she was referring to. He stated for clarification an MOU is not the same as an IMA.

Legislator Crowley stated after seeing the interaction between the agencies tonight she is concerned about them working together in a very highly contentious situation. She stated it makes her very nervous and the safety of our citizens she is worried about because she did not realize it was this contentious.

Chairwoman Nacerino stated it need not be and agreed it was displayed by some members of the audience. She stated at the end of the day everybody has to work together for the greater good.

She stated everyone needs to stay focused on that. She thanked those who attended the meeting. She stated a special thanks to the representatives from the Law Department and for their explanation of this process.

Item #7 - Discussion/ The Purchase in 2024 of Electric Scooters To Be Used on the Putnam County Bike Path/ Putnam County Sheriff Kevin McConville

Sheriff McConville explained they have been looking at different methodologies and equipment to be utilized as the Sheriff's Department patrols the Bike Path. He stated in the last two (2) weeks Captain Schepperly has put a detail together, and in that time, there has been over 50 interactions with members of the public and they were all positive. He stated they are also identifying areas off the Bike Path where people are going and living. He stated that is part of their co-responder grant. He stated currently they are using bicycles to conduct the patrols. He stated they are now looking into incorporating electric scooters. He stated one of the Sergeants has researched this and there have been three (3) companies identified. He stated they are in conversation with them. He stated there is one (1) of the three (3) that they believe is the best fit for their needs. He stated they are priced at \$15,000 to \$17,000. He stated the model they are considering will get at a minimum 50 miles on a charged battery. He stated they believe they will be very valuable in this patrol duty.

Chairwoman Nacerino stated that sounds like a great addition for the Sheriff's Department.

Legislator Ellner questioned if the \$15,000 - \$17,000 price range refers to the cost of one (1) scooter. He also stated he encourages that a safe location be identified to charge the batteries. He stated in his son's University they will not allow any e-bikes or scooters to be charged in any of the dormitories.

Sheriff McConville stated that will be part of the process. He clarified the price quoted was approximately \$15,000, which includes two (2) scooters, two (2) helmet cases, two (2) rear racks, two (2) front racks, two (2) extra batteries and shipping.

Legislator Gouldman questioned if these scooters will be strictly for use on the Bike Path. He questioned if the scooters would replace the bicycles.

Sheriff McConville stated they will look to deploy them at appropriate events also and no they will not be getting rid of the bicycles.

Chairwoman Nacerino stated she looks forward to hearing more information on this as it progresses forward, possibly at the February 2024 meeting.

Legislator Crowley stated she knows the Sheriff's Department has been doing a lot of patrolling of the Bike Path and addressing the encampments and bringing the people to the homeless shelters. She stated this is another way to help the less fortunate. She stated they could also be useful in the cleanup of the trash that is on the bike path. She stated she is in support of this and is aware the UTVs (utility terrain vehicles) that are currently used are a tight fit on the bike path.

She stated again she is in support of this. She stated the bike path gets a lot of use and people love it.

Item #8 - Approval/ Budgetary Amendment 23A079/ Vehicle Accident Claim Reimbursement Payment- Sheriff's Department Patrol Vehicle/ Senior Manager Risk & Compliance Mat Bruno

Senior Manager Risk & Compliance Mat Bruno stated in working with First Sergeant Tim Keith on this matter, he secured the full reimbursement for vehicle damage that was not the County's fault.

Chairwoman Nacerino noted it is a great coordinated effort.

Senior Manager Risk & Compliance Mat Bruno stated he has a great working relationship with the members of the Sheriff's Department.

Chairwoman Nacerino made a motion to Approve/ Budgetary Amendment 23A079/ Vehicle Accident Claim Reimbursement Payment- Sheriff's Department Patrol Vehicle; Seconded by Legislator Ellner. All in favor.

Item #9 - Approval/ Re- Appointment to P.C. Traffic Safety Board (TSB) -Town of Kent Police Chief Kevin Owens and Brewster Central School District Supervisor of Transportation and Town of Patterson Councilwoman Mary Smith, Town of Philipstown Legislator Nancy Montgomery and Town of Carmel Police Department Sergeant Stephen McCabe/ Putnam County Undersheriff Thomas Lindert

Chairwoman Nacerino made a motion to Approve the Re- Appointment to P.C. Traffic Safety Board (TSB) -Town of Kent Police Chief Kevin Owens and Brewster Central School District Supervisor of Transportation and Town of Patterson Councilwoman Mary Smith, Town of Philipstown Legislator Nancy Montgomery and Town of Carmel Police Department Sergeant Stephen McCabe; Seconded by Legislator Addonizio. All in favor.

a. FYI/ Resignation from TSB/ Town of Patterson Representative Peter Dandreano

Legislator Montgomery stated she has served on the Traffic Safety Board for a long time and would like to thank Mr. Dandreano for his dedication to that board and his community. She stated that he dedicated his personal time outside of the TSB Meetings.

Chairwoman Nacerino stated her agreement that Mr. Dandreano has been a very dedicated member of his community. She stated he has been instrumental in developing good community relationships and safety standards throughout the Town of Patterson and Putnam County. She stated he will be missed.

Item #10 - FYI/ Community Resiliency Economic Sustainability and Technology (CREST) Grant -\$100,000 To Fund Appliances in the Correctional Facility Kitchen in Need of Replacement/ Putnam County Sheriff Kevin McConville

Undersheriff Lindert stated the appliances are old and in need of costly repairs. He stated this grant will help to replace a lot of the aging appliances.

Legislator Montgomery stated her appreciation for Senator Peter Hackham's generosity. She stated the CREST grant funding allocations are at his discretion. She stated her appreciation also to the Sheriff's Department for putting the time and work in to submit the grant application.

Item #11 - FYI/ Community Resiliency Economic Sustainability and Technology (CREST) Grant -\$120,000, To Fund Replacement of the Flooring in the East and West Housing Unit of the Correctional Facility/ Putnam County Sheriff Kevin McConville

Chairwoman Nacerino stated this is again CREST Funding, thanks to Senator Harckham. She stated he is a good advocate for Putnam County.

Sheriff McConville stated they work with Senator Harckham very often on obtaining grant funding. He stated the Senator is always very helpful.

Item #12 - FYI/ Fund Transfer 23T474/ Purchase Computer and Monitors for 911 Dispatch Center/ Commissioner Bureau of Emergency Services Robertt Lipton

Commissioner Bureau of Emergency Services Robert Lipton stated the CAD (computer-aided dispatch) System is going live tomorrow. He stated the computers being purchased will be upgrades from the computers currently in the 911 Center. He stated the upgraded computers will support all of the new information systems that are coming into the 911 Dispatch Center.

Item #13 - Update/ Recent Changes at the 911 Communications Center/ Commissioner Bureau of Emergency Services Robertt Lipton

Commissioner Bureau of Emergency Services Robert Lipton stated since he was last speaking to this topic with this Committee one (1) Dispatcher has left employment. He stated to cover the shifts of that individual it takes overtime. He stated currently they have four (4) Shift Supervisors, one (1) Dispatch Center Supervisor, nine (9) fully filled dispatch positions, three (3) dispatchers in training and one (1) return Dispatcher. He explained this individual was about 90% trained and left the position before completing it. He stated the individual is now back. He stated hopefully that individual's training will be quicker than normal. He stated that leaves them with four (4) open positions. He spoke to a program in New York State that he believes will be in effect for one (1) year, it is the HELP (Hiring for Emergency Limited Placement) Program. He stated it allows the County to hire Dispatchers without waiting for them to take the Civil Service Exam. He stated that will speed up the hiring process as they will be able to hire them directly. He stated they have also changed how the calls are handled as they come into the 911 Call Center. He stated with the help of the Sheriff and the Sheriff's staff they have realized there needs to be a focus on police dispatching and separate the disciplines so there can be more of a focus and provide an even better service. He continued to speak to that. He stated they hope to continue to find and hire Dispatchers. He stated like most jobs, they continue to evolve and change. He stated that is the case in the 911 Dispatch Center. He stated as they have evaluated what is needed with the increase of call volume and emphasis on "Call Taking" is needed. He

explained a “Call Taker” speaks to the caller and stays on with the caller while relaying the information to the Dispatcher who then dispatches the units and relays the information to them. He spoke to the value of this approach, especially with certain callers. He stated that is an update to some of the things that are happening in the 911 Dispatch Center.

Chairwoman Nacerino expressed her appreciation and recognized the actions being taken to approve efficiencies. She stated she can see the value of having a Call Taker.

Commissioner Bureau of Emergency Services Robert Lipton stated also the Text to 911 Center started this year.

Legislator Montgomery spoke to her concern for the overworked Dispatchers. She stated she would like the Legislators to be informed about what is being done to address the mental health needs of the Dispatchers.

Commissioner Bureau of Emergency Services Robert Lipton stated Putnam County has the Employee Assistance Program (EAP). He stated and it is utilized when they feel there is a need. He stated there is a focus on and concern for the mental health of the Dispatchers. He spoke to how the training has been modified, which is resulting in the coverage of some shifts while the training continues. He stated Legislator Montgomery’s concern is valid.

Legislator Montgomery stated she knows several retired dispatchers who suffer from post-traumatic stress from their years on the job. She would encourage Commissioner Lipton to put together a policy. She stated he may be able to work from other Counties or agencies who have such a policy, she is not looking to reinvent the wheel. She hopes it is a goal that can be added and that members of the Bureau of Emergency Services come and show it to the Legislature.

Commissioner Bureau of Emergency Services Robert Lipton stated they will look into it.

Item #14 - Other Business

a. Approval/ Budgetary Amendment 23A089/ Use of Asset Forfeiture Funds by District Attorney to Purchase Office Furniture/ District Attorney Robert Tendy

Chairwoman Nacerino made a motion to Waive the Rules and Accept the Other Business; Seconded by Legislator Addonizio. All in favor.

Chairwoman Nacerino explained a letter of necessity was submitted with Budgetary Amendment 23A089. She stated in summary this is a time sensitive matter.

Chairwoman Nacerino made a motion to Approve Budgetary Amendment 23A089/ Use of Asset Forfeiture Funds by District Attorney to Purchase Office Furniture; Seconded by Legislator Ellner. All in favor.

Item #15 – Adjournment

There being no further business at 9:12PM Chairwoman Nacerino made a motion to adjourn;
Seconded by Legislator Ellner. All in favor.

Respectfully submitted by Deputy Clerk Diane Trabulsy.