

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

Members: Chairman Gouldman & Legislators Castellano & Jonke

Wednesday

October 11, 2017

The meeting was called to order at 7:10p.m. by Chairman Gouldman who led in the Pledge of Allegiance. Upon roll call Legislators Castellano, Jonke and Chairman Gouldman were present.

Item #3 – 2018 Budget Review

Chairman Gouldman stated he will be going out of order and beginning with the Coroners Department Budget.

Coroner Page 10-11:

Chairman Gouldman invited Commissioner of Coroners Dr. Michael Nesheiwat to provide an update regarding the Coroners Department.

Commissioner of Coroners Dr. Nesheiwat stated the records from 1914 have been archived on the computer. He stated they keep three (3) years of records in the office. He stated as a point of information there is mandatory Electronic Death Certificate Registration throughout the State of New York. He stated as of January 2018 it will be mandatory that any newly elected or appointed Coroners will be required to be certified through New York State. He stated that he did get certified. He stated the purpose is to track vital statistics.

Chairman Gouldman questioned what is required to get certified.

Commissioner of Coroners Dr. Nesheiwat stated that there is a course that must be taken by all Coroners and Medical Examiners (M.E.) and the course is followed by a test that must be taken and passed to receive the certification. He stated the other two (2) Putnam County Coroners will be participating in the certification course in February of 2018, which is the first class that will be offered. He stated for clarification that the Death Certificates will still be kept in the Town Clerk's Office.

Chairman Gouldman requested that Legislative Counsel Robert Firriolo review what recourse would a County have if an elected Coroner or M.E. does not pass the Certification Course or chooses not to take the course.

Legislator Nacerino stated that is not within the purview of the Legislature. She stated if the State is making the certification a requirement, she believes the certification should be made a pre-requisite to applying for the position of Coroner.

Legislative Counsel Firriolo stated he will review the Legislation that sets up the registration system to evaluate what would constitute an inability to serve.

Commissioner of Coroners Dr. Nesheiwat stated he has a lot of documentation from the seminar that he attended on this matter that he will provide to Legislative Counsel Firriolo to assist in his review.

Legislator Scuccimarra questioned if Putnam Hospital conducts the autopsies.

Commissioner of Coroners Dr. Nesheiwat stated the County has negotiated a deal for autopsies with Northern Pathology Associates. He explained they are a sub-set of the Putnam Hospital's Pathology Department. He stated the hospital does not manage Northern Pathology Associates; the County has a contract directly with Northern Pathology Associates.

Legislator Scuccimarra questioned if it would benefit the County to someday have a laboratory.

Commissioner of Coroners Dr. Nesheiwat stated he has stated many times, that he believes the County should seriously consider having a County Morgue. He stated he recognizes that it would be a big undertaking initially, however in the long run he believes it would result in a very big savings. He went into detail to support his recommendation.

Legislator Nacerino questioned if Commissioner Nesheiwat is concerned with the reduction in Post Mortem Examination budget line (pg. 10 #54151). She stated that he requested \$153,000 the Administration approved \$144,000.

Commissioner of Coroners Dr. Nesheiwat stated he projected 85 cases for 2018, which they have been averaging 75 cases per year. He stated over the past couple of years he has attended different seminars that have provided training which they have put into use, that are resulting in a slight cost savings. He stated doing a "deeper dive" with unattended deaths to determine the cause of death has allowed the County's Coroners office to reduce the number of autopsies that need to be done. He stated the "deeper dive" involves investigation by the Coroners in working with the person's personal doctor, cardiologist etc. He stated the hope of the investigation is to collect enough data that an unattended death would not require an autopsy.

Legal Aid (page 8):

David Squirrell, Chief Attorney of Putnam County Legal Aid, stated New York State in the 2018 budget passed a law that will compel New York State to compensate the Counties for any additional funds that the providers of indigent legal services will need. He stated the budget for Putnam County Legal Aid is \$616,559, same as last years. He stated of that total \$30,000 is earmarked for expert and forensic exams. He stated if all of that funding is not used it is returned. He stated the \$301,768 is the amount of money the County expects to receive from New York State. He stated that included in the law that was passed, by December 1st New York State Department of Indigent Legal Services must do a needs assessment of all of the Counties in New York State. He stated that he had his meeting a couple of weeks ago. He stated New York State Department of Indigent Legal Services will recommend to New York State how much extra money is needed by any individual agency. He stated his focus was on parity with the Putnam County District Attorney's Office and the County's Law Department. He explained they are two offices that the Legal Aid Attorneys go up against in court so his position with New York State is

that there should be more parity. He stated in the event that New York State does award the Putnam County Legal Aid Office additional funding, per Commissioner of Finance William Carlin the money would pass through to the Legal Aid Office's budget via a budgetary amendment. He stated if it does happen it will take place approximately May or June of 2018. He stated this year the funding appears to remain level.

Commissioner Carlin stated there is some bad news, the State Legislature did pass a complete takeover of the Indigent Legal Services cost, but the Governor vetoed it.

Legislator Castellano questioned if Legal Aid Chief Attorney Squirrell supports the use of video appearance.

David Squirrell, Chief Attorney of Putnam County Legal Aid, stated he has discussed this matter with the County Executive several times. He stated the bottom line is that it would need to be considered on a case to case basis. County Executive Odell stated that she agrees with that and that is how it would be implemented. He stated that he agrees with County Executive Odell that there are probably a number of cases that would lend itself to the video appearance program.

Sheriff's Department (page 53-69):

Legislator Nacerino questioned on page 53 the Overtime Line (51093) whose overtime is included in that line.

Pat Butler, Sheriff's Department Fiscal Technician, stated the 51093 Overtime Budget Line funds overtime in the BCI (Bureau of Criminal Investigation) department.

William Meyer, Sheriff's Department Sergeant stated that the BCI Investigators and any personnel who are part of the administrative support and in the union are paid from the 51093 Overtime Budget Line.

Chairman Gouldman requested if in the future a general breakdown of the overtime be provided to the Legislature.

William Meyer, Sheriff's Department Sergeant stated the 51093 overtime is used to cover open shifts, when people are on vacation, covers a call out, covers someone who catches a case at the end of their shift, covers any event that they attend and any other scenario that may arise that is above and beyond their normal shift.

Commissioner of Finance Carlin stated in the future a subsidiary breakdown of overtime could be provided as backup correspondence in the "black budget books". He stated, however that level of detail could not be part of this tentative budget.

Chairman Gouldman questioned what fees are included as revenue, \$65,000, in the Sheriff's Fees budget line page 53 (415100).

Sheriff's Department Fiscal Technician Pat Butler, stated they are fees from the Civil Department. She explained they are fees received through the serving of papers and property evictions.

Legislator Jonke questioned on page 53 Motor Vehicles (52650) in 2017 the budgeted amount was \$60,855 and it has gone down to \$40,000 in the 2018 Tentative. He questioned what the planned use is for that funding.

Sheriff's Department Fiscal Technician Pat Butler, stated there will be one (1) Tahoe purchased for the BCI Department. She stated that it is needed for the I.D. Department. She explained that they need a large vehicle because they carry a lot of equipment with them.

Legislator Jonke questioned what causes or what is the threshold that requires that a vehicle be retired.

Sergeant William Meyer stated it is usually a combination of factors. He stated in most cases if the County Mechanics state that it would be too costly to repair the vehicle and of course the mileage on the vehicle is a factor. He stated usually a vehicle is taken out of service with mileage between 100,000 to 150,000, and taken into the evaluation is the condition of the car. He stated the Sheriff's Department does recycle their vehicles. He stated as an example, a Patrol Car that has reached its useful life, as a Patrol Car, will be taken off the road, and moved to the School Resource Officer (SRO) Program for use for a couple of years.

Chairman Gouldman questioned why there was no funding in the Canine Stipend Budget Line page 53 (51090).

Fiscal Technician Butler stated that all of the Canine funding has been moved to the Road Patrol Budget. (page 62 Canine Stipend 51090 2018 Tentative \$36,000).

Legislator Nacerino questioned what falls within the category of the Other Equipment budget line on page 53 (52180), \$19,895.

Fiscal Technician Butler stated tactical body armor, digital voice recorder, video camera, infrared thermometers used in fire investigations, rifles, hard cases, lights for the rifles, pocket scanners for evidence trackers and a tablet, etc.

Legislator Nacerino questioned if those are purchases that are made every several years.

Sergeant Meyer stated some of them are replacement purchases.

Chairman Gouldman questioned what does the Holiday Pay budget line page 53 (51096) \$20,900 cover.

Fiscal Technician Butler stated that is a contractual amount.

Legislator Sullivan questioned why there is an increase in the Temporary budget line page 53 (51094).

Fiscal Technician Butler stated the Sheriff's Department would like to hire another Temporary person to help process pistol permits. She stated the Sheriff's Office will use the funding from this line to hire Temporary help to do clerical work in his office.

Legislator Jonke questioned if not having a full-time employee working on the pistol permits is causing delay in processing.

Fiscal Technician Butler stated no, there is a full-time employee in that department. She explained that the backlog is being caused due to the combination of the large volume of applicants and the many layers of processing associated with a pistol permit application.

Legislator Jonke stated that in the big picture the biggest delay is not in the Sheriff's Office it is in the Courts, as he understands it.

Sergeant Meyer stated that the delay is in the court system, but the Sheriff's full-time pistol permit person is doing 6-7 interviews a day. He stated the volume is overwhelming. He stated it used to be an interview for a pistol permit would take place maybe once or twice a week. He stated it is a tremendous amount of work at the Sheriff's Department level of the process.

Legislator Jonke questioned the Motor Vehicles line on page 62 (52650), \$240,000.

Sergeant Meyer stated that is an annual request from the Sheriff's Department. He stated six (6) patrol cars will be purchased. He stated that is what is done to keep the Motor Vehicles used for road patrol current.

Legislator Jonke questioned how many cars, in total, are in the fleet of the Sheriff's Department currently.

Sergeant Meyer stated approximately 70 cars in total. He stated in the budget the funding for purchasing vehicles is broken up by division.

Legislator Jonke questioned if all of the vacancies have been filled in the Sheriff's Department-Jail.

Lieutenant Sheila Szostak stated effective as of today all of the vacancies in the Jail Department have been filled.

Sergeant Meyer stated however there are 6 (six) officers in the academy currently.

Lieutenant Szostak stated and two (2) Officers out on leave. She stated those eight (8) shifts still must still be covered. She stated that she estimates that in the second week of November, when the two (2) new recruits are trained and back from the academy they will be at full staff.

Legislator Castellano questioned how long is the academy training.

Lieutenant Szostak stated it is a six (6) week program.

Legislator Castellano stated he would like to hear from the Sheriff's Department as to what their position is of the use of the Video Appearance system.

Sergeant Meyer stated Sheriff Smith has stated that he is ready and willing to utilize the Video Appearance system. He stated the Sheriff has no issue with it.

Lieutenant Szostak stated as Attorney David Squirrell stated, the inmates have the choice whether to use the Video Appearance option or not.

Legislator Castellano stated he does understand that. He questioned if the equipment the Sheriff's Department has is up to date. He stated he believes that equipment has been there for a while.

Sergeant Meyer stated the system was tested and used, maybe two (2) times. He stated they have not used it in years. He stated he does not know if it needs to be updated or not.

Probation page 70-72:

Chairman Gouldman stated there is an increase in the Lab Analysis budget line page 71 (5445). He requested that Director of Probation Gene Funicelli provide an explanation to that.

Director of Probation Gene Funicelli stated there is a lot more testing being done. He stated as discussed at the Protective Services Committee meeting in September, the Probation Department is now testing the participants of the Drug Treatment Court program.

Legislator Nacerino questioned how the fees for the drug testing are working out.

Director of Probation Funicelli stated he needs to track that and make adjustments as necessary. He stated the cost of the drug testing should be offset by the revenues that are collected from the drug testing fees. He stated currently they are looking to make an adjustment. He stated a person is permitted to apply for a waiver to the fee, and if they qualify the fee for the testing is waived.

Stop DWI page 79:

Chairman Gouldman questioned what the Partnership Initiative budget line is on page 79 (54936).

Director of Probation Funicelli stated New York State granted a one-time allocation statewide for Stop DWI programs. He stated that Putnam County received their share, which was \$22,500.

Bureau of Emergency Services page 81-87:

Acting Commissioner of Bureau of Emergency Services Ken Clair stated that retired Commissioner Anthony Sutton was very helpful in preparing the tentative budget. He stated that there were two (2) positions removed from the department: Account Administrator and the second Deputy Commissioner of Emergency Services, page 37. He stated that put \$132,000 back into the budget. He stated there was an Emergency Services Director position added to the department, page 37 (398910115).

Retired Commissioner of Bureau of Emergency Services Sutton stated that position would focus on emergency management. He stated that is his background. He stated Deputy Commissioner Lipton has a strong background in emergency management. He stated that both gentlemen, Ken Clair and Rob Lipton have a strong background on the fire side of the business. He stated that there is definitely a need to maintain a number of different programs. He stated particularly, if there is ever any type of disaster that strikes the County in terms of setting up operations in the EOC, working with FEMA, working with the State there are a lot of relationships that need to be maintained. He stated it is good to be first if the County suffers from a hurricane type of event. He stated there is real value to a county if a request for assistance is submitted immediately to have a State Team and a Federal Team come to the County to do a preliminary damage assessment. He stated that there is a lot of work to be done to maintain the emergency management programs.

Legislator Jonke questioned what the requested salary is for this new position.

Retired Commissioner of Bureau of Emergency Services Sutton stated the salary in the budget for the position is \$65,000. He stated there have been discussions to raise it to \$80,000. He stated that he does not believe the salary of \$65,000 is going to attract the candidates that the County would be looking for.

Retired Commissioner of Bureau of Emergency Services Sutton offered a broad overview of Entergy's closing the Indian Point Plant.

Legislator Sullivan questioned how many vehicles the Bureau of Emergency Services has.

Deputy Commissioner of Bureau of Emergency Services Rob Lipton stated there are four (4) vehicles.

Item #9 - Other Business - None

Item #10 - Adjournment

There being no further business, at 8:25 p.m., Chairman Gouldman made a motion to adjourn; seconded by Legislator Jonke. All in favor.

Respectfully submitted by Deputy Clerk of The Legislature Diane Trabulsky.