

**PUBLIC SAFETY AND EMERGENCY SERVICES COMMITTEE
MINUTES**

**THURSDAY, MARCH 22, 2018
3:30 P.M.**

PRESENT: Kevin W. Hines, Chairman
Thomas Faggione, Kevindaryan Lujan, Joseph J. Minuta,
Rob Sassi, Joel Sierra, Kathy A. Stegenga, John S. Vero

ALSO

PRESENT: L. Stephen Brescia, Chairman
Michael Amo, Independence Party Leader
Katie Bonelli, Majority Leader
Barry J. Cheney, Legislator
James M. Kulisek, Legislator
James D. O'Donnell, Legislator
Paul Ruskiewicz, Legislator
Peter V. Tuohy, Legislator
Antoinette Reed, Legislative Counsel
Harry Porr, Director of Operations and Cost Control
Christopher P. Borek, Chief Assistant District Attorney
James P. Burpoe, Commissioner, General Services
Stacy Butler, Deputy Commissioner of Procurement and Compliance,
Dept. of General Services
Carl E. DuBois, Sheriff
Kenneth T. Jones, Undersheriff
Anthony Weed, Assistant Undersheriff
Paul Arteta, Deputy Sheriff/Captain
Capt. Anthony Mele, Acting Corrections Administrator
Brendan Casey, Commissioner of Emergency Services
Allen Wierzbicki, Deputy Commissioner, Emergency Services/
Emergency Communications
Craig Cherry, Deputy Commissioner, Emergency Services/Police Liaison Services
Derek Miller, Director of Probation
Deborah Slesinski, Deputy Budget Director

Chairman Hines opened the meeting at 3:32 p.m. and asked everyone to stand for the Pledge of Allegiance. All committee members were present.

Mr. Vero moved the request to accept funds from the New York State Division of Criminal Justice Services for the Alternatives-to-Incarceration (ATI) Program, \$143,506.00 for the term July 1, 2018 to June 30, 2019, seconded by Ms. Stegenga.

Mr. Miller stated the county has a local Alternatives-to-Incarceration (ATI) Program and they have been giving the county funding to the Probation Department for several years. The department receives \$42,000.00 for a program called Misdemeanor Alternative Sentencing Program

which helps supervise people who go to jail. The other monies go toward the Treatment Alternative for Safer Communities which is felony level court that helps people with drug and alcohol problems. It allows for treatment programs. He added he comes to the committee every year to accept the funds that go into the budget.

Motion carried. All in favor.

Mr. Minuta moved to discuss the Corrections Report, seconded by Ms. Stegenga.

Mr. Mele stated as of this morning the facility head count is 707 and out of the 707 inmates, the ICE population is 186. He added that boarder revenue year-to-date is \$1,368,365.00.

Mr. Faggione moved to discuss the Sheriff's Report, seconded by Ms. Stegenga.

Sheriff DuBois highlighted a few points in the report which included four new deputy sheriffs graduating tomorrow, the boat for the marine was damaged but there is no cost to the agency, there is a new K-9 named Maverick and there is a new class beginning March 12th.

Undersheriff Jones stated that the committee had requested a list of schools and businesses that assist Undersheriff Weed and Lieutenant Lopez. Mr. Hines clarified that the list the committee now has before them (see original minutes), is a list of schools and businesses where the Sheriff's Office has done security and different events.

Undersheriff Jones stated that is correct.

Mr. Hines pointed out that if a legislator does not see their school on the list the can have the school officials contact the Sheriff's Office.

Mr. Weed briefly reviewed the handout with the committee (see original minutes).

Sheriff DuBois reminded the committee that the Raise the Age issue is still pending and will have to be further discussed at some point because it is going to be significant to the county.

Mr. Hines stated they will discuss the issue next month but this is not just the Sheriff's Office issue.

Mr. Hines moved to adopt a resolution calling for State funding of a school resource officer for every elementary and secondary school in New York State, seconded by Mr. Faggione.

Sheriff DuBois explained the New York State Sheriff's Office is encouraging county governments to pass a resolution for state funding for school resource officers for every elementary and secondary school in New York State. He added that one of the high points is that due to budget constraints, tax caps and limited sources of revenue, it is beyond the fiscal capability of many school districts and other local government entities to fund the placing of an armed police officer in every school.

Mr. Hines pointed out that one cannot hire private security although some schools do, but the experts have stated that under the SAFE Act, you cannot have armed security guards in schools, it must be an on-duty police officer. He added that is another reason this resolution is on the table.

Mr. Casey stated the Police Advisory was asked by the County Executive to come up with recommendations for school safety after the Lakeland Florida shooting took place. The number one recommendation was having an armed officer in the school and everything else that is discussed is secondary such as cameras and doors. Those items will only delay someone until someone can get to them. If someone is trained properly the incident will end quickly.

Undersheriff Jones explained that Orange County BOCES has deputy sheriffs at the school and has for several years. A school resource officer (SRO) is a police officer that is armed and teaches class and does more than just security.

Mr. Hines clarified that Undersheriff Jones suggests that the resolution be changed to read, "armed police officer" instead of "school resource officer."

Undersheriff Jones stated that is correct.

Mr. Hines asked the committee members if anyone has an issue with changing the resolution to read, "police officer."

Mr. Lujan replied that it depends on how the answers are to his questions. He asked what is the training and background of an SRO.

Undersheriff Jones replied that an SRO is a trained police officer who interacts with kids, teaches class. etc. He stated that it is a full-time officer which is more expensive than an alternative of a part-time or retired police officer.

Mr. Casey added that an SRO can teach classes and a regular police officer cannot. The primary job will be security and to mentor the kids.

Mr. Lujan stated that it is important to have a specific model for the kids and he would like to make sure whoever is doing security in a school has a certain skill set. He asked if any schools have an interest in this at their school.

Mr. Casey replied there are districts that are opposed to armed people on campus while others are in favor of it.

Mr. Minuta commented that an armed officer is needed in schools and he is in full support of this.

Discussion ensued between Sheriff DuBois, Undersheriff Jones, and Legislators Lujan, Minuta and Sierra regarding the differences between an SRO and a police officer and how the schools should fund it.

Motion carried. All in favor of the amended resolution to read, "police officer" instead of "school resource officer."

Mr. Faggione moved the request to accept and appropriate federal grant funds in the amount of \$9,732.00 to support the Video Recording of Statements Grant from the Department of Criminal Justice Services for the Orange County District Attorney. The funds will be used to purchase video equipment and distribute to police departments that did not receive equipment under prior grants. Equipment will be installed in the police stations for each of the following Orange County police agencies: City of Newburgh and Town of Walkill, seconded by Ms. Stegenga.

Mr. Borek stated these monies have been received for several years and they are to provide video recording statements to the police agencies. He added that it helps because they have better evidence for trial.

Motion carried. All in favor.

Mr. Sassi moved to discussion a resolution of the Orange County urging the New York State Legislature and Governor of the State of New York to enact Senate Bill No. 2761 and Assembly Bill No. 3398, "Laree's Law," seconded by Mr. Lujan.

Mr. Sassi stated this is for discussion only and no vote will be taken because there was inconsistency in the law; therefore, Mr. Borek will further explain and then once it has been corrected he will bring it back to committee. There is a major heroin epidemic in the United States and this law is to go after the dealers as well as send a message.

Mr. Borek explained that they are doing all they can regarding the opioid crisis particularly with the overdoses and treating cases with sales and subsequent deaths. He would be happy to use any additional tools that the legislature passes. The language in this law needs to be "tightened" before it becomes law because there are sections that are unclear.

Mr. Hines asked if the legislature can support this and let the Assembly fix the language to comply or is it recommended that the law not be voted on now.

Mr. Borek replied they have some concerns in the way the bill is drafted but he will leave it to this body to decide on how to pass laws.

Mr. Hines asked who the recommendation to not vote on the law came from.

Mrs. Reed replied that they wanted full disclosure from the District Attorney's Office before this was voted on because there are deficiencies in the state legislation. She is not sure that the legislature would want to fully support something that does not meet the goal and is not correctly drafted.

Mr. Hines asked if the state has an inclination this is incorrect or was it the lawyers.

Mr. Borek replied that he found out about this an hour ago.

Mr. Hines then asked if it would be proper that Mrs. Reed write a letter and send it to the to the local Assembly.

Mrs. Reed replied she can do that but it would look better if it came from the District Attorney's Office.

Mr. Borek stated they will do that as well as make a few phone calls.

Mrs. Reed stated that it would be prudent for the legislature not to vote on the law.

The committee agreed to take no action on the agenda item.

Ms. Stegenga moved the request for supplemental appropriation for Pilot Program-Evaluation of security and communication link from various school districts within Orange County to the Emergency Services Center (E911), \$250,000.00 (bonding), seconded by Mr. Lujan.

Mr. Burpoe explained he is here today to request appropriation for the Pilot Program of \$250,000.00 for the evaluation of security and communication link from school districts to the 911 Center.

Mr. Hines asked Mr. Burpoe why he brought this to the committee without speaking with the Commissioner of Emergency Services.

Mr. Burpoe replied a few days ago at the Education and Economic Development Committee meeting this was on the agenda and he spoke about it.

Mr. Hines stated he never saw a public safety issue come from General Services so it is confusing.

Mr. Casey stated they have been looking for solutions for a while because what they use now is not working properly. The Mutalink System is the State recommended solution for public safety, school and communication access. It is readily available and on State bid. He showed the committee a short video on what Mutalink is and the background of it so the legislators have a better understanding of it.

Mr. Burpoe commented that the Department of General Services oversees setting this up with the vendor and helping with the study. The monies are to get this started.

Mr. Hines commented that is he is not sure the study is needed because the experts within the county have already done it.

Mr. Minuta stated since this came up at the Education and Economic Development Committee meeting, he has done a good amount of research as well as asked questions to people in the district. The first thing that needs to be looked at is the legal aspect of this because there are further requirements such as the students having rights. In his opinion, a study should be conducted because there are many districts and multiple schools within the county that have a different system.

Mr. Casey pointed out that Mutalink is designed to be non-partisan meaning it can fit over any system.

Mr. Minuta stated that is fair enough but this study should be free.

Mr. Lujan commented that there should be a breakdown of how the monies will be used and where the main pilot program will be located. He stated that he does not have a preference regarding what school receives the pilot but the legislature should be involved.

Mr. O'Donnell replied that he has had numerous conversations about this program and as far as school safety goes, everything is on the table. He emphasized that if Mr. Casey has an idea or a better solution for school security, he is all in. Furthermore, this is IT but also public safety.

Mr. Paduch pointed out that when this was discussed at the last committee meeting, this is a supplemental appropriation; therefore, the committee should know what the monies are being used for.

Mr. O'Donnell stated that this is already going to the floor because it passed at the Education and Economic Development Committee.

Mr. Lujan commented that he is in favor of this project but the legislature should be involved in this process.

Ms. Stegenga clarified that the monies for this project will be moved out of the general fund into a specific line.

Mr. Burpoe stated that is correct.

Mrs. Reed noted that they are seeking bonding authority.

Chairman Brescia suggested that this request be tabled until Mr. Burpoe further researches whether or not a study is actually needed because there is a lot of uncertainty. He added he is not against this but waiting one more month is a good idea.

Mr. O'Donnell stated that the committee does not have to vote on the total amount of \$250,000.00, they can lower the amount which he plans to do at the Ways and Means Committee meeting next week. He suggested the amount be decreased to \$15,000.00.

Mr. Wierzbicki pointed out that before anything is done regarding this pilot program, some money needs to be spent for monitors and computers.

Mr. Hines clarified that a small portion of money will be for the study and the bulk of it will be used for hardware for the 911 Center.

Mr. Burpoe and Mr. Casey stated that would be correct.

Mr. Sassi suggested that the amount be decreased to \$25,000.00.

Mr. Sassi moved to amend the resolution by decreasing the amount from \$250,000.00 to \$25,000.00 (bonding) to conduct a study the evaluation of security and communication link from various school districts with Orange County to the Emergency Services Center (E911), seconded by Mr. Faggione.

Motion carried. All in favor.

Mr. Faggione moved the request for supplemental appropriation from contingency to restore Alive@25 unexpended revenues that were rolled into the General Fund at the end of 2017 but did not roll to 2018 budget, \$22,867.93, seconded by Mr. Lujan.

Motion carried. All in favor.

Ms. Stegenga moved the request to accept and appropriate a one-time upfront payment of \$150,000.00 from the MTA to partially offset the cost of rehabilitating the Cronomer Tower in exchange for a license granting the MTA the right to use certain tower and shelter space at the Cronomer Tower site in Newburgh as part of the MTA's regional radio system buildout for an initial term of 5 years and three (3) additional automatic renewal terms of five (5) years each. Authorizing the County Executive or his designee to execute a license agreement in a form acceptable to the County Attorney to memorialize the foregoing, seconded by Mr. Lujan.

Mr. Wierzbicki explained that the MTA spoke to him about tying into the radio system because they had money to spend; therefore, \$150,000.00 was offered to help finance the system.

Motion carried. All in favor.

Ms. Stegenga moved the request to accept and appropriate \$495,121.93 from the MTA in exchange for the County; (i) delivering to the MTA up to 1,350 User Identifiers on the County's future trunked radio system for the MTA Police Department's subscriber radios at a cost to the County of no more than \$24,000; and (ii) upgrading 1,010 of the County's subscriber radios to encrypted mode thereby enhancing interoperable communications on the Orange Countywide Radio Network as well as the MTA's Regionwide Radio Network. Authorizing the County Executive or his designee to execute and deliver an agreement in the form acceptable to the County Attorney to memorialize the foregoing, seconded by Mr. Lujan.

Mr. Casey stated the MTA offered these monies because were having issues with encrypting the radios.

Motion carried. All in favor.

Mr. Faggione moved the request to accept and appropriate grant funds from New York State Homeland Security and Emergency Services in the amount of \$864,231.00. These funds will be utilized to offset the cost of the second phase of the construction portion of the Radio Communications project. The funds will be applied to the costs of the fortification of the Cronomer Tower and the foundations and placement of shelters on five (5) leased sites. A portion of the funds will also be utilized to offset the Interoperability Coordinators salary as allowed by the grant, seconded by Mr. Lujan.

Mr. Casey stated this was a grant that was received to support the radio network and they are putting the funds back into the network.

Motion carried. All in favor.

The meeting adjourned at 5:21 p.m.