

PUBLIC SAFETY COMMITTEE MEETING MINUTES
MARCH 10, 2009

PUBLIC SAFETY COMMITTEE MEMBERS PRESENT: Lindsay, Suprenant, Scribner, Banks, Alexander, Henke

PUBLIC SAFETY COMMITTEE MEMBERS ABSENT: Sady

SUPERVISORS: Wilbur, LaPointe, Rymph, G. Hall

Debra Prehoda, Clerk

Sheriff LeClaire

Undersheriff Mabb

Phyllis Cooper, Treasurer

Ray Rathbun, Fire Coordinator

Gary Evens, Deputy Fire Coordinator

Mike Gray, Alternative Sentencing

Roger Wickes, County Attorney

Kevin Kortright, District Attorney

Bill Cook, Director Public Safety

Warren County Representatives: Supervisors VanNess, O'Connor, Sokol, Bentley, Girard, Nenninger – Atty, LaFlure – Dir. Emergency Srvs., Joan Sady ,Clerk & staff

Jim Clark, Laberge Group

Sean McQuire, State Rep. - Grant

Bill McCarty, Code Enforcement

Anthony White, Probation

Bryn Reynolds, Captain Sheriff Dept.

Bruce Mason, EMS

AGENDA AS PRESENTED IN COMMITTEE NOTICE:

1. Call to Order
2. Approval of Minutes – February 10, 2009
3. Department Requests/Reports:
 - A. Fire Training Center Update
 - B. Colfax Lease – County Attorney
 - C. Sheriff
 1. Cambridge Bike Race
 - D. Alternative Sentencing
 1. Discuss Permission for Interns
 - E. Code Enforcement
 1. Review 2008 Permit Activity
 2. Discuss Request for Permit Fee Refund – Town of Hebron
 3. Discuss Annual Training Requirements
 - F. District Attorney
 1. Discuss Establishing WeTip – Anonymous Tip Lane
 2. Discuss Social Host Law
 - G. Department of Public Safety
 1. Radio System Update
 2. December Ice Storm Report
 3. 2008 Year End Report
4. Other Business
5. Department Head Evaluation – Director of Public Safety
6. Adjournment

Chairman Lindsay called the meeting to order at 1:00P.M.

A motion to approve the minutes of the February 10, 2009 meeting was moved by Mr. Banks, seconded by Mr. Alexander and adopted.

FIRE TRAINING CENTER UPDATE –The Warren County Public Safety Committee and the Washington County Public Safety Committee met jointly to discuss the Fire Training Center. Mr. Brian LaFlure, Director of Emergency Services/Fire Coordinator stated as they have moved along with this joint Fire Training Center committee, they are now at a point where they felt it was time for the two counties to get together. The Laberge Group

is the engineering firm on this project and they have reached the first part of milestone A, schedule attached. The first phase of work with Laberge was to make sure that there were no problems with the site to move forward and no fatal flaws were discovered. They would now like permission to have Laberge Group move forward with the completion of the second half of the first contract. Jim Clark, Laberge Group, addressed the committee on where they are at with the project. He stated fourteen projects were taken on with this first phase of their study. The FAA has contacted Laberge and issued a determination of no negative impact with this project (nothing presents a problem, i.e. smoke plume, flight lines, height of buildings.) With the availability of possible grant funding, the joint two county fire training center committee needs to have the Laberge Group study completed to move forward with pursuing these grants. Mr. Clark stated this is a campus type setting with pads and various buildings that is proposed to have state of the art equipment to protect the environment, i.e. smoke capture equipment and clean burn equipment. A budget for this project, staffing and use of the facility by the two counties will be completed in the next phase of this study. A motion to approve finishing the second set of phase A with the Laberge Group was moved by Mr. Banks, seconded and adopted. Warren County also approved a motion to finish phase A. Roger Wickes, County Attorney, stated the outstanding project issues remaining as included in the intermunicipal agreement are listed below:

- Each County's real property title interest in the Dix Avenue site – Chip Mellon, Co-Chairman Warren – Washington County Fire Training Center Sub Committee, stated that the entire parcel can be utilized.
- Cost allocation of outstanding real property taxes on the project site;
- Facility Schedule of Operations;
- Facility Maintenance;
- Matters relating to Airport operations, and/or related regulatory requirements;
- Sources and uses of funds for projected use, operation and maintenance of Facility;
- Requirements for facility use by professionals, including fire, law enforcement, EMS and hazardous materials professionals;
- ACC interest, interface and/or involvement in facility funding, budget, scheduling, program development, operations, and/or use.

The above mention items have not been covered by contract to date. These are items that the sub committee is addressing but needs to be finalized by the two Boards. These items will be included in Phase B. Mr. LaFlure stated that within the last few weeks ACC has indicated they that are still very much interested in this project.

Each county has placed enough monies in the capital project to cover the local match require for the current grant. Additional grants can be pursued for various other phases of the project as it moves along. Trish Nenninger, Second Assistant Warren County Attorney, stated they are working to finalize the grant contract, which should be complete within the next few weeks. The deadline for the grant submission is March 31, 2010. Sean McQuire, liaison for shared services state grant, stated he couldn't promise that the funds will be extended beyond the March 31, 2010 deadline but he is sure we will be at an acceptable point.

Mr. Clark, Laberge Group, explained a change order charge submitted for additional costs incurred for wetland markings in the amount of \$7500. He stated that they anticipated placing 200 flags but were required by DEC/Army Corps of Engineers to place over 450 flags. A motion to approve change order for Laberge group for additional flag markings in the amount of \$7500 (split between the two counties) was moved by Mr. Banks and seconded by Mr. Alexander. Discussion. There is funding in the capital project for payment of this change order. Mrs. G. Hall suggested waiting until the end of the project to settle up/negotiate any change orders. Mr. Clark stated any future change orders would be put before the committee for consideration. In this case, the Army Corps of Engineers was out doing the work and it was necessary to proceed. It would have cost more money to stop the work and get the change order approval. The motion to approve change order for Laberge group for additional flag markings in the total amount of \$7500 (split between the two counties) was moved by Mr. Banks, seconded by Mr. Alexander and adopted. Mr. Henke opposed. A motion to request future change orders require prior approval by the two committees chairman and the two chairman of the Boards and set a cap limit of up to \$10,000 (\$5000 each county) was moved by Mr. Alexander, seconded by Mr. Suprenant and adopted.

The sub committee is already working with Fire, EMS and law enforcement agencies and they have responded to the site analysis and concept plan use of the facility. A lot of the legwork has been done that will need to be formalized. Some outside entities, Finch Paper, Crown Zellerbach, have also expressed an interest in renting for employee training such as search and rescue, confined space and HAZMAT.

The committees to date have not addressed milestone B. Milestone B is preliminary design, permitting and contract document phase in the amount of \$252,885.00. Mr. Clark, Laberge Group, recommends immediately moving forward with intermunicipal agreements for Milestones B, C and D.

Mr. VanNess, Warren County, stated the Warren County Economic Development Corporation is in discussions with the owner/sponsor representing the new Wal-Mart building proposed for this same general area as the Fire Training Center about sharing an access road off Queensbury Avenue, i.e. savings on running pipes for water, sewer.

Warren County adjourned from the joint meeting.

COLFAX LEASE – Roger Wickes, County Attorney, addressed the following items with the committee:

- Colfax Tower - The draft lease has been received and includes extending for 25 years starting in 2012, increased rent in 2012 to \$1000 with a 3% a year escalator and collocation mirrors escalator, 15% add on for each sub lease (15% premium but not on Verizon that is already located on the tower), exempted AT&T and immediately waived reduction for equipment installed on the tower (they listed the equipment and he will need to discuss with Bill Cook, Director Public Safety). He recommends the County not approve that they will not let us work on our equipment unless that person is on their approved vendor list. The County would have to ask for permission to place new equipment on the tower.

The signing bonus that was discussed was not included. A motion to present a resolution to extend this contract/lease and authorize the County Attorney to negotiate the removal of the approved vendor list for work done on our equipment and inclusion of the signing bonus was moved by Mr. Banks, seconded by Mr. Henke and adopted.

- Presbytery Hill Tower, Town of Hebron - Bill Cook, Director of Public Safety, addressed a request to rent space at this tower site. The rent amount was not set but \$1700 per month has been proposed. A motion to move forward with leasing space was moved by Mr. Banks, seconded by Messrs. Alexander and Henke and adopted.

SEX OFFENDER REGISTRY LAW UPDATE – Roger Wickes, County Attorney, addressed recent court cases that have involved sex offender registry laws. Washington County is currently a defendant in one such case that has been pending for about two years now. Albany County is the lead county in this joint case that Washington County is involved. Recently, two court cases both invalidated the sex offender registry laws. The courts, with these rulings were not in our district. Both courts determined that the local laws were invalid and cannot be enforced. The Board could look at repealing our local law. No interest expressed in repealing our local law. The decisions at the two other courts do not affect us at this time. If we get a decision in our appellate division then we would need to react. There is no State law. He wanted to make the committee aware of the issue.

SHERIFF – Sheriff LeClaire, addressed the following items with the committee:

- Live Scan Fingerprint Program Grant – The local police chiefs are in favor of the proposal to participate in the Live Scan fingerprint program and are addressing and seeking approval on this matter with their village boards. He will set up a grant meeting once things are more final.
- Tour of the Battenkill Bike Race April 18th & 19th – Capt. Reynolds stated this two-day event is bigger than they thought, 60,000 – 70,000 people expected. Traffic will need to be shut down in locations and over one hundred locations requiring traffic control. The State Police are also participating. This event will generate tourism revenue but the Sheriff's Department will incur overtime costs for providing coverage for this event.

ALTERNATIVE SENTENCING – Mike Gray, Director, addressed the following items with the committee:

- Discuss Permission for Interns – Mike stated he did not fill three AmeriCorp positions and would like to bring an intern on for the summer. The intern is a criminal justice major in his senior year of college. He will be working 150 hours during July and August and he will be working in various capacities. A motion to approve an intern for Alternative Sentencing was moved by Mr. Alexander, seconded by Mr. Banks and adopted.

CODE ENFORCEMENT – Bill McCarty, Code Enforcement Administrator, addressed the following items with the committee:

- Review 2008 Permit Activity – Bill distributed a handout detailing building code permit activity from 2004 forward, attached.
- Discuss Request for Permit Fee Refund – Mr. and Mrs. Christopher Stein are requesting a refund for a building and septic permit on property in the Town of Hebron because they are not moving forward with the project, letter attached. They expended approximately \$650 in these permit fees. A motion to send a letter to the Stein's indicating they can spend an additional \$25 for an extension to the permit but no refund will be issued was moved by Mr. Banks, seconded by Mr. Scribner and adopted.
- Discuss Annual Training Requirements – Code Enforcement Officers are required to obtain 24 credits per year. With state cut backs on available training courses, additional travel maybe required for completion of this requirement. Six credits are available over the internet.

DISTRICT ATTORNEY – Kevin Kortright, District Attorney, addressed the following items with the committee:

- Discuss Establishing WeTip, Anonymous Tip Line – The WeTip hot line is a not for profit organization and it is an anonymous tip line. He is interested in this program as it would target open cases with posters encouraging information. The program cost is \$3660 and he would use drug forfeiture funds to cover the expense. This is a nationwide program. Other areas using this program like it. They will target specific crimes. Local polices agencies and the Sheriff support this program. A written proposal has not been received. He has approximately \$17,000 in forfeiture funds. WeTip pays out \$1000 for a solved investigation and prosecution. This program would be useful for underage drinking parties. This can also be used for schools and businesses. Mrs. G. Hall, Budget Officer, would like additional information. Mr. Henke likes the program but it does generate work, having to investigate/respond. The District Attorney was asked to come back to the committee with an overall plan of how this will work.
- Discuss Social Host Law – He asked if the Board was interest in pursuing a Social Host law. People are hosting under age drinking parties. If you control the premises, then you are responsible whether or not you furnished the alcohol or someone else brought it. A motion to prepare a social host aw and present at the March Board meeting was moved by Mr. Henke, seconded by Mr. Scribner and adopted.

PUBLIC SAFETY – Bill Cook, Director, addressed the following items with the committee:

- Radio System Update – The radio system is working well. Preliminary testing was done on Colfax and they plan to retest on March 24th. Bill reported they have a verbal agreement with AT&T, they are the only one with power at the site/electric meter and we run our equipment off them, that we would provide power, backup generator, to them in the event the power was out. AT&T will pay the power bill and the County would provide power in the event of a power

outage. This was just left as a verbal agreement. Kevin asked about the final cost of Colfax as the Finance Committee will be discussing debt service. The Colfax project was completed under budget at an estimated cost of \$214,000.00.

- December Ice Storm Report – A report recapping the December 2008 ice storm was distributed, on file.
- 2008 Year End Report – attached.

OTHER BUSINESS: None.

DEPARTMENT HEAD EVALUATION – Director of Public Safety

- A motion to enter an executive session to conduct a department head evaluation, Director of Public Safety, was moved by Mr. Banks, seconded by Mr. Alexander and adopted.

The committee adjourned from executive session. No action was taken during the executive session.