

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PUBLIC SAFETY - SHERIFF, OFFICE OF EMERGENCY SERVICES AND FIRE PREVENTION & BUILDING
CODE ENFORCEMENT

DATE: NOVEMBER 24, 2010

COMMITTEE MEMBERS PRESENT:

SUPERVISORS VANNESS
GIRARD
THOMAS
CONOVER
MCDEVITT

OTHERS PRESENT:

BUD YORK, WARREN COUNTY SHERIFF
BRIAN LAFLURE, FIRE COORDINATOR/DIRECTOR, OFFICE OF EMERGENCY
SERVICES
AMY MANNEY, DEPUTY DIRECTOR, OFFICE OF EMERGENCY SERVICES
SCOTT COMBS, SECOND DEPUTY FIRE COORDINATOR
KAREN PUTNEY, DIRECTOR, FIRE PREVENTION & BUILDING CODE
FREDERICK MONROE, CHAIRMAN OF THE BOARD
JOAN SADY, CLERK, BOARD OF SUPERVISORS
JOANN MCKINSTRY, ASSISTANT TO THE ADMINISTRATOR
KEVIN GERAGHTY, BUDGET OFFICER
SUPERVISORS KENNY
LOEB
MCCOY
STRAINER
TAYLOR
WOOD
PAT AUER, DIRECTOR OF PUBLIC HEALTH
DON LEHMAN, THE POST STAR
AMANDA ALLEN, SR. LEGISLATIVE OFFICE SPECIALIST

COMMITTEE MEMBERS ABSENT:

SUPERVISORS BENTLEY
SOKOL

Mr. VanNess called the meeting of the Public Safety Committee to order at 9:30 a.m.

Motion was made by Mr. Girard, seconded by Mr. Thomas and carried unanimously to approve the minutes of the prior Committee meeting, subject to correction by the Clerk of the Board

Privilege of the floor was extended to Bud York, Warren County Sheriff, who distributed copies of his meeting agenda to the Committee members; *a copy of the agenda is also on file with the minutes.*

Commencing with the agenda review, Sheriff York presented several requests for new contracts, which he listed as follows:

1. West Glens Falls Emergency Squad, Inc. in the amount of \$9,400 for ambulance services at the Correctional Facility for the term commencing January 1, 2011 and terminating December 31, 2011;
2. Dr. Kana, D.D.S. in the amount of \$34,200 for dental services provided at the Correctional Facility for the term commencing January 1, 2011 and terminating December 31, 2011;
3. Glens Falls Hospital in the amount of \$68,746 for behavioral health services at the Correctional Facility for the term commencing January 1, 2011 and terminating December 31, 2011;
4. Eaton Powerware in the amount of \$6,409 for UPS Systems service contracts for the term commencing January 1, 2011 and terminating December 31, 2013; and
5. Lexis Nexis in the amount of \$50,400 to provide legal access to inmates for the term commencing January 1, 2011 and terminating December 31, 2013.

Sheriff York noted that contracts were currently in place for the services listed, all of which would expire on December 31, 2010; he added that new contracts were necessary to continue these inmate services.

Mr. Girard asked how the new contract prices compared to those of the expiring contracts and Sheriff York responded that a number of contracts would increase in price upon renewal, but noted that these expenses had been accounted for in the 2011 Budget. Sheriff York pointed out that the renewal contract with Hudson Headwaters Health Network, which was also to expire on December 31, 2010, was not included in his request because they were still negotiating the renewal price and he said he anticipated that the contract request would be presented at the next Committee meeting.

Motion was made by Mr. Girard, seconded by Mr. Conover and carried unanimously to approve all five of the requests presented for new contracts, as outlined above, and the necessary resolutions were authorized for the December 17th Board meeting. *Copies of the requests are on file with the minutes.*

Continuing, Sheriff York presented a request for a resolution authorizing an inter-municipal agreement continuing the contractual relationship with the Town of Schroon for marine patrol services on Schroon Lake. He noted that Resolution No. 687 of 2007 previously authorized this agreement for a three-year term and indicated that a sum of \$4,000 would be paid to Warren County annually. Sheriff York said he sought to renew this contract with the same payment provisions for the term commencing January 1, 2011 and terminating December 31, 2013.

Mr. Thomas questioned whether the \$4,000 per year fee sufficiently covered the costs associated with the marine patrol services and Sheriff York replied affirmatively, advising that patrol services had been reduced over the past few years so as not to exceed the contract amount. In response to a question posed by Mr. VanNess, Sheriff York apprised that the Marine Patrol boat was typically docked on Schroon Lake and removed as necessary for other patrol requirements, and was not manned on a daily basis; he added that the dock space was provided by the Town of Schroon Lake at no cost to the County. Mr. Geraghty asked how many hours per day the Marine Patrol operated on Schroon Lake and Sheriff York replied that he did not have that information readily available, but could provide it upon returning to his office. Mr. Geraghty then questioned whether Schroon Lake bordered both Warren and Essex Counties and Sheriff York replied affirmatively. Sheriff York said there had been some indications that the Towns of Chester and Brant Lake were interested in contributing funds to Warren County to increase patrols into the Pottersville area, but he said he did not have specific information to provide on the matter at this time. Chairman Monroe interjected that although other communities may have discussed this possibility, the Chester Town Board had not. He reiterated Mr. Geraghty's point that Schroon Lake was a part of Warren County and noted there was a growing group of concerned citizens residing in the Schroon Lake area actively seeking increased noise and speed restrictions on Schroon Lake in light of the growing number of high performance boats using the Lake subsequent to more restrictive regulations being imposed for boat traffic on Lake George. Sheriff York said these matters had been discussed unofficially with Chester Town Board members, as well as other area officials, and that is where the favorable indication that funds could be contributed to increase marine patrol efforts had originated.

Motion was made by Mr. Thomas, seconded by Mr. Conover and carried unanimously to approve the request for an inter-municipal agreement with the Town of Schroon as previously noted and the necessary resolution was authorized for the December 17th Board meeting. *A copy of the request is on file with the minutes.*

As Sheriff York had no further business to present, privilege of the floor was extended to Brian LaFlure, Fire Coordinator/Director of the Office of Emergency Services (OES), who distributed copies of his agenda to the Committee members; *a copy of the agenda is also on file with the minutes.*

Beginning with Agenda Item 1, Mr. LaFlure presented a request for authorization to submit a grant application to the New York State Division of Homeland Security for an amount not to exceed \$127,599 to support local emergency interoperability and terrorism preparedness measures. He advised the grant did not include a Local Share requirement and would be split between the OES Homeland Security program and the Warren County Public Health Department, with the Homeland Security program receiving \$113,349 and the Public Health Department receiving \$14,250. Mr. LaFlure advised they had been notified by the New York State Division of Homeland Security of the availability of the grant funds, as well as the fact that for the first time, the Homeland Security and Public Health grants had been combined. He noted they were working in connection with the Public Health Department to ensure their needs were being met through this grant opportunity.

Mr. LaFlure pointed out that in prior years, expenditure of these grant funds had been limited to new equipment purchases and could not be used for sustainment measures, such as maintenance, repair or service contracts to maintain previously purchased equipment. He added that the current grant funds were the first that would be allowed for this use, which would be very helpful in funding costs associated with upgrades, calibrations, inspections and other similar necessities.

Motion was made by Mr. Conover, seconded by Mr. Girard and carried unanimously to approve the request for authorization to submit the grant application as outlined above and the necessary resolution was authorized for the December 17th Board meeting. *A copy of the request is on file with the minutes.*

Continuing to Agenda Item 2, Mr. LaFlure addressed a request for authorization to submit a grant application to the New York State Division of Homeland Security for an amount not to exceed \$125,000 to be used for regional HAZMAT interoperability communication equipment upgrades. He explained they were working in connection with a five-County HAZMAT consortium, which included Clinton, Essex, Franklin, Warren and Washington Counties, to obtain funding allowing them to consolidate their radio equipment so that all five Counties would be operating on the same system. Mr. LaFlure further explained the grant opportunity was only available to HAZMAT organizations, preferably on a regional basis, and he felt they would receive a favorable response to the grant request as the appropriate criteria would be met.

Motion was made by Mr. Conover, seconded by Mr. Thomas and carried unanimously to approve the request for authorization to submit the grant application as outlined above and the necessary resolution was authorized for the December 17th Board meeting. *A copy of the request is on file with the minutes.*

Mr. LaFlure announced that Agenda Item 3 consisted of a request to transfer a water deluge gun to the North River Fire Department at no cost. He explained that the water deluge gun had been purchased many years ago to do pump testing for the local fire departments; however, he noted, this procedure was no longer employed, eliminating the need for this piece of equipment. Mr. LaFlure advised that the North River Fire Department did have a use for the water deluge gun and he suggested that it be transferred to them at no cost.

Motion was made by Mr. Girard, seconded by Mr. McDevitt and carried unanimously to approve the request to transfer the water deluge gun to the North River Fire Department at no cost, and the necessary resolution was authorized for the December 17th Board meeting. *A copy of the request is on file with the minutes.*

Moving on to Agenda Item 4, Mr. LaFlure noted that both the Sheriff and the Superintendent of Public Works had been authorized by resolution to approve contracts for amounts up to \$20,000 without prior Committee approval and he suggested that the same authorizations be extended to the OES Director in emergency situations. He said that due to the fast paced nature of OES operations, it would be wise to have the ability to expedite necessary

services in time sensitive situations.

Mr. Conover asked if the authorizations sought would be exercised only in emergency situations and Mr. LaFlure replied affirmatively, noting that the OES did not have the same need to approve purchases or contracts on a regular basis as the Sheriff and Superintendent of Public Works did.

Motion was made by Mr. Conover, seconded by Mr. McDevitt and carried unanimously to approve the aforementioned request and the necessary resolution was authorized for the December 17th Board meeting. *A copy of the request is on file with the minutes.*

Agenda Item 5, Mr. LaFlure announced, included a request to authorize himself to attend the Regional Fire Administrators meeting in Montour Falls, NY on December 1 - 3, 2010, at no cost to the County.

Motion was made by Mr. Girard, seconded by Mr. Conover and carried unanimously to approve Mr. LaFlure's attendance at the Regional Fire Administrators meeting as outlined above. *A copy of the Authorization to Attend Meeting or Convention form is on file with the minutes.*

Continuing to Agenda Item 6, Mr. LaFlure presented a request for Amy Manney, Deputy Director of the OES, to attend the Instructor Training Certification Program presented by FEMA's (the Federal Emergency Management Association) Center for Domestic Preparedness (CDP) which would take place in Anniston, AL on January 22 - 30, 2011. He noted that pending the appropriate approvals, the New York State Division of Homeland Security and the CDP would fund all costs associated with Mrs. Manney's course attendance, including travel, food and lodging expenses.

Motion was made by Mr. Conover, seconded by Mr. Thomas and carried unanimously to approve the above referenced request for out-of-State travel and the necessary resolution was authorized for the December 17th Board meeting. *A copy of the request is on file with the minutes.*

Mr. LaFlure apprised that Agenda Item 7 consisted of a request to re-appoint members of the Emergency Medical Services (EMS) Advisory Board, as listed in the resolution request form, for the term commencing January 1, 2011 and terminating April 30, 2011. He noted that a short term was being used to make the EMS and Fire Advisory Board appointments expire on the same date.

Motion was made by Mr. Girard, seconded by Mr. Thomas and carried unanimously to approve the request to re-appoint members of the EMS Advisory Board and the necessary resolution was authorized for the December 17th Board meeting. *A copy of the request is on file with the minutes.*

Proceeding to the Old Business/Pending Items section of the agenda, Mr. LaFlure outlined the items listed as follows:

1. Fire investigation fees - Mr. LaFlure advised that he had no new information to present on this item;
2. Permanent appointment of a Hazard Mitigation Coordinator - this item would also remain pending, Mr. LaFlure stated, until a decision was made on the person to be appointed; and
3. Hazard Mitigation contract extension - Mr. LaFlure apprised that this item pertained to the contract extension desired with Friends of the North Country, the organization currently serving as the Hazard Mitigation Contractor. He advised they were still awaiting FEMA approval of the latest version of the Hazard Mitigation Plan before the contract extension could be achieved.

Concluding the agenda review, Mr. LaFlure addressed the listing of Topics for Discussion, which he outlined as

follows:

1. Sub-grantor of sheltering mitigation grant update - Mr. LaFlure reminded the Committee that during the prior meeting permission had been given to proceed in assisting a local church to gain grant funding for their facility. He said that they had subsequently submitted information to the State regarding the matter and were denied grant funding. Therefore, Mr. LaFlure advised, the project was no longer being pursued;
2. Agency updates - Mr. LaFlure pointed out that the agenda included a handout detailing OES activities for September 27 - November 23, 2010, which the Committee could review at their leisure;
3. Tri-County CART (County Animal Response Team) Plan - Mrs. Manney advised the first meeting of the tri-County group, including Saratoga, Warren and Washington Counties, was scheduled to be held in December. She reminded the Committee that during the prior year the three Counties had submitted a joint application for CASE (Companion Animal Sheltering Equipment) grant funds and were now working to develop a plan which would allow the equipment to be used properly amongst the three Counties and to ensure there would be no discrepancies with which group would be using the equipment and when. Mrs. Manney said she would update the Committee on the matter again in January to let them know how the plan was proceeding.

In response to Mr. McDevitt's request for further clarification, Mr. LaFlure apprised the CART Plan had been established following Hurricane Katrina when many homeowners had refused to leave their homes during the ensuing evacuation because there were not any shelter facilities available for their companion animals, which put the lives of the residents in jeopardy. He said this Plan had been devised to provide proper shelters for animals in the event of a major disaster or emergency requiring evacuation in order to encourage residents to seek safe shelter facilities. Mr. LaFlure explained that the equipment used in connection with the CART Plan consisted of trailers equipped with expandable cages and other necessary facilities to set up shelters for companion animals.

4. Article of indicted EMO - Mr. LaFlure noted that the agenda included a copy of a newspaper article from *The Star* which was a publication based in Cleveland County, NC, regarding the indictment of the former Lincoln County, NC Emergency Management Director on two counts of felony forgery, as well as two counts of uttering for falsifying documents; he added that these charges were based on allegations that grant funds received had not been used appropriately. Mr. LaFlure clarified that although the grant funds were not used for personal gain, they were not used to purchase items specifically identified in the grant opportunity. He said that ultimately, the Emergency Management Director was indicted on the charges specified and Lincoln County had been responsible for repaying the Federal Government for the grant funds received. Mr. LaFlure concluded that this was a perfect example of why he and Mrs. Manney were always very careful to be accurate when making grant purchases to avoid situations such as this.

Mr. VanNess advised that he had recently spoken with Mark Westcott, Congressman Chris Gibson's representative for Warren County, who indicated that he desired to set up a meeting with representatives from both Warren and Washington Counties for the Fire Training Center to discuss possible alternate funding opportunities for the project before the \$400,000 in grant funding received had to be returned to the appropriate granting agencies. He advised that in speaking with Mr. Westcott he had identified Mr. LaFlure as the key contact person to approach in scheduling this meeting.

As Mr. LaFlure had no additional business to present, privilege of the floor was extended to Karen Putney, Director of Fire Prevention & Building Code Enforcement, who distributed copies of her agenda to the Committee members; *a copy of the agenda is also on file with the minutes.*

Mrs. Putney advised they would begin the agenda review with Item IIA, Monthly Activity Report. She apprised that as of the end of October, revenues received by her Department were down 13%, and permit issuances down 6%, when compared to figures reported for the same period in 2009. She added that as of the prior Friday, November 19th, those figures had risen to 14% and 7% respectively in comparison to 2009 figures; however, she noted, business had been excellent for the current week and she was able to report only a 10% decrease in revenues and a 6% decrease in permit issuances. Mrs. Putney said the 2010 Budget projected \$112,000 in revenue for 2010 and as of that morning the revenues received totaled \$105,700; she added that she was somewhat optimistic that they would come close to generating the projected revenue amount by the close of 2010. Moving on to Item IIB, Budget Performance Report, Mrs. Putney noted that a copy of the Report was included in the agenda reflected the revenue shortfalls previously indicated.

Mrs. Putney apprised that she had received a letter from NYSEDA (New York State Energy Research and Development Authority) announcing that Warren County had been chosen as a target municipality to have one new single family home, built within the last three years, reviewed to measure energy savings in order to determine whether the NYSEDA Energy Conservation Program was working efficiently. She said she was required to provide NYSEDA with a listing of homes built within the past three years, at which point she would be notified as to which home they would be reviewing. Mrs. Putney stated that the owner of the chosen home would be awarded \$100 for allowing the review process.

Subsequent to meetings with Paul Dusek, County Attorney/Administrator, Mrs. Putney advised that they were in the process of revising their building permit application process to better organize the application and make it more user friendly. She said they hoped to have the revisions complete before the start of 2011 so that the new version of the application could be distributed to the Towns and posted on their website for the new year.

Mr. Geraghty asked if the asbestos survey would be listed on the application and Mrs. Putney replied affirmatively, noting that this section had already been added on the bottom of the demolition inspection forms.

Returning to Item IA, regarding a proposed fee schedule change, Mrs. Putney explained her Department was trying to use a shared services procedure with the Planning & Community Development Department which would allow them to share the Construction Cost Coordinator working for the Planning Department to serve as the Fire Safety Inspector for the Fire Prevention & Building Code Enforcement Department. She noted that Marty Fitzgerald, who currently served as the Construction Cost Coordinator, had already completed the first of the six courses required by the State to gain the Fire Safety Inspector certification and another course was scheduled to be taken in December. Mrs. Putney said as part of the shared services agreement, her Department would be responsible for reimbursing the Planning Department for a portion of the salary associated with the shared position, which amounted to \$18,000 for 2011. In order to obtain offsetting revenues to cover the salary costs, Mrs. Putney said she would suggest reviewing and increasing the current fee schedule. She noted that some of the fee schedule changes suggested included the following:

- A) \$.03/sq. ft. increase on new construction permit costs for single and two-family dwellings, raising the current fee of \$.12/sq. ft. to \$.15/sq. ft.;
- B) \$.03/sq. ft. increase on new construction permit costs for multiple dwellings and all other new construction commercial permits, raising the current fee of \$.15/sq. ft. to \$.18/sq. ft.;
- C) \$.02/sq. ft. increase on alteration permit costs for single and two-family dwellings, raising the current fee of \$.08/sq. ft. to \$.10/sq. ft.;
- D) \$.03/sq. ft. increase on alteration permit costs for multiple dwellings and all other commercial alterations, raising the current fee of \$.12/ sq. ft to \$.15/sq. ft.; and

- E) Increasing the minimum fee for multiple dwellings and all other commercial permits from \$75 to \$100.

Mrs. Putney advised that her Department currently charged a fee of \$75 for fire safety inspections, but noted that many surrounding municipalities provided these services at no charge to the property owner.

Chairman Monroe opined that fire safety inspections fell into the arena of public safety needs, similar to services provided by the Sheriff's Office that did not incur a direct cost to area business owners. He added that due to the current nature of the economy, which was causing many local businesses to struggle financially, he did not feel it was appropriate to increase the fire safety inspection fee, especially since he did not feel the expense could be justified in light of its public safety nature.

Mr. VanNess questioned whether the \$18,000 increase in revenues had been included in the 2011 Budget and Mrs. Putney replied affirmatively, noting that the \$18,000 salary expense had been included, as well. He then asked whether it was feasible to expect the Fire Safety Inspector position to raise the necessary revenues through the inspections performed and Mrs. Putney replied that it was possible, although 240 inspections at \$75 each would have to be performed during 2011 to raise \$18,000. She noted that she could not give formal estimates on the number of inspections that could be performed annually as they had never had a position in place to perform these services for a full year; however, she noted, during the six-month period when inspections were being performed by one employee on a full-time basis, 150 inspections had been performed. Mrs. Putney advised that because this would be a shared position, essentially working in her Department on a part-time basis, the Fire Safety Inspector would need to perform 150 inspections at \$120 each to raise \$18,000 in additional revenues.

Mr. VanNess noted that the economy seemed to be getting better and it was possible that the increased revenues could also be raised through increases in the number of permits issued for new construction and alteration projects. He said that rather than increase the fee schedule presently, he would suggest that they wait until the end of the first quarter of 2011 to look at the revenue figures once again and determine whether an increase in the permitting fee schedule was necessary.

Mr. Conover agreed with Mr. VanNess' suggestion to delay fee schedule increases, provided that the Fire Safety Inspection position was still going to be implemented on January 1, 2011. Mrs. Putney responded that this was the case and that she had no issue with delaying the fee schedule increase for further review after first quarter revenue figures were available. Mr. VanNess said he would speak with Mr. Dusek to ensure that the position would be in place on January 1st as anticipated to ensure that accurate first quarter revenue figures could be reviewed, including revenues received for fire safety inspection services.

Mr. Kenny questioned how the figures included in the suggested fee schedule increase compared to surrounding municipalities and Mrs. Putney replied that they were lower than some, but higher than others, putting Warren County in the middle of the field.

Mr. Thomas asked if it was a fair assumption that more fire inspections would be performed with the Fire Safety Inspector in place than were previously being completed and Mrs. Putney replied affirmatively. Mr. Thomas then stated that he was not in favor of a fee schedule increase if additional inspections would be performed which would increase the amount of revenues received.

A lengthy discussion ensued, following which it was the consensus of the Committee that any increase to the permit/inspection fee schedule should be delayed for further consideration after first quarter revenue figures were

available for review.

Mr. Thomas asked that Mrs. Putney provide a breakdown of the permit fee revenues received, as well as the associated inspection labor costs, on a Town-by-Town basis, so that each municipality could decide whether they preferred the inspection services to continue to be provided by the Fire Prevention & Building Code Enforcement Department, or at the Town level, instead. Mrs. Putney advised that she would compile this information for presentation at a future Committee meeting.

There being no further business to discuss, on motion made by Mr. McDevitt and seconded by Mr. Conover, Mr. VanNess adjourned the meeting at 10:26 a.m.

Respectfully submitted,
Amanda Allen, Sr. Legislative Office Specialist