

PUBLIC SAFETY COMMITTEE
Monday, May 9, 2022 - 9:30 AM

Steve McNally, Chairperson
Ike Tyler, Vice-Chairperson

Chairman McNally called this Public Safety Meeting to order at 9:30 am with the following Supervisors in attendance: Stephanie DeZalia, Shaun Gilliland, Charlie Harrington, Roy Holzer, Kenneth Hughes, Steve McNally, Noel Merrihew, Tom Scozzafava, Matt Stanley, Ike Tyler Joe Pete Wilson, Davina Winemiller, Margaret Wood and Mark Wright. Clayton Barber, Robin DeLoria, Derek Doty and Jim Monty were excused.

Department Heads present: Brandon Boutelle, Dan Palmer, Judy Garrison, Sue Montgomery-Corey, Allison McGahay, David Reynolds, Heather Sheehan, Daniel Woods and Max Thwaites. Kristy Sprague was absent.

Also present: Miriam Hadden, Shona Doyle and Jennifer Fifield.

News Media: Tim Rowland – SUN

McNALLY: Alright, let's stand for the pledge please. Good morning, welcome to the Public Safety Committee. Veteran's Office – Noel Merrihew.

MERRIHEW: No report this morning just a reminder, Memorial Day there will be a ceremony at the county cemetery.

McNALLY: Great, thank you. County Sealer, Dan Woods.

WOODS: Good morning everyone. If you flip to the second page, you'll see my report for April. I don't have anything further to add to that, if you have any questions I would be glad to answer.

McNALLY: Anything for Dan? Alright, great, thank you.

WOODS: Thank you very much.

McNALLY: Board of Elections – Sue Montgomery-Corey.

MONTGOMERY-COREY: Good morning and Allison is joining us. Good to see you. Good morning everyone. The first thing we want to deal with is the easiest subject and that's the summer hours for the Board of Elections. We were hoping to do a resolution for ours, May 16 – September 16, 8:00 to 4:00 and if you could help us with that we'd really appreciate it.

RESOLUTION AUTHORIZING ESSEX COUNTY BOARD OF ELECTIONS TO CHANGE THE HOURS TO BE OPEN FROM 8:00 A.M. TO 4:00 P.M. BEGINNING MAY 16, 2022 THROUGH SEPTEMBER 16, 2022. Holzer, Tyler

McNALLY: Questions, concerns? All in favor, opposed – carried.

MONTGOMERY-COREY: Okay, do you want to take it over or do you want me to keep going?

McGAHAY: What topic do you want to cover next?

MONTGOMERY-COREY: I want to do a heads up about the grant that we will be getting, we don't have any information as far as timing or amounts but we will be getting a grant from the State for applications and ballots to pre-pay postage for absentee ballots. I just want to give you a heads up that's coming. We don't need an action from you right now but just heads up and then we also wanted to let you know that we will be needing to do a mailing to voters impacted by the potential second primary that you may have heard. Things are very challenging in the election world right now. We have a June 28th primary that has been on the calendar and that, at this point is a local primary, we have no local primaries so that's clear for us but there are probably statewide primaries that will have to take place on that day and then we anticipate an August 23rd primary that will likely include Congressional candidates and the State Senate candidates. We're waiting on information on that from the courts and the State board of Elections and then on November 8th we have the general election so one of the many unknowns of this whole redistricting court challenge thing and one of the cases that was filed was concerning Assembly races and Assembly lines. We don't know where that is headed but we do anticipate that it may impact the Assembly races but also anything that is tied to the Assembly district lines like State committee seats or county committee seats.

McGAHAY: Judicial bill.

MONTGOMERY-COREY: Judicial delegates as well although most likely the Judicial calendar will stay the same as far as the caucus I would assume.

McGAHAY: Well, if they had an August 23rd primary then they wouldn't be able to do the August 8th convention.

MONTGOMERY-COREY: Oh, okay.

McGAHAY: So everything would change. That wasn't a new lawsuit that was brought, it was a motion to intervene just clarifying so we don't know where that is going. I know there is oral argument on that tomorrow and we'll find out more but if there is the August 23rd primary then that adds of course another nine days of early voting as well and we do need to discuss that as a group because while the beach house, you know we had that legislation that was passed that said that the municipality with the highest population has to be the place that has the early voting site that for us is the Village of Lake Placid and the Mayor and the Village Clerk have been absolutely fantastic about letting us use that space for early voting. It's secure, it's assessable, it meets all of our needs but we've never asked them to use that location in August before. June has always been great because the beach isn't open yet, the kids are still in school so you don't have the crowds, August is going to be an entirely different scenario with visitors, people assessing the beach, it's already limited to one-way traffic only because of all the roadwork we have going on and while it has been discussed with the Village Clerk and they are totally agreeable to allowing us to be there, we might just have some issues with how to get voters into the building with all the traffic issues so we'll look at it together.

McNALLY: Do we anticipate having a second site?

McGAHAY: Well, we don't know, we haven't talked about that part either you know last year when we did the North Hudson site, thank you so much, thank you for that we asked you to approve that on a one-year basis so that we could try it out and see how it went and a lot of the reasons for using North Hudson was because we had so many primaries for local offices down in the southern end of the county so we really needed that so we'll have to talk about that as well. Thankfully I don't know if public safety is going to be available to us as well this year but that was always a great site also but it's going to be a challenging year but we don't know exactly what to ask you for yet because we don't know what we are up against moving forward.

MONTGOMERY-COREY: Yup and I think a couple other things, one thing that I've been very concerned about as you know we've had an ongoing inspector shortage as does everybody in the State and I think having a second primary, in August during prime vacation time is going to make that challenge even bigger so we'll be having to work on that, figuring out was to be more outreach so that we can hopefully attract some more inspectors so it's a very challenging time for the Board of Elections as they are always challenging this is more so, so we appreciate your support in all of this and I don't have anything more.

WINEMILLER: Does the voting have to take place in a municipally owned building?

McGAHAY: No, absolutely not and just I wanted to also point out that there have been counties that got waivers, were able to get waivers allowing them to not comply with that rule that you have to have your early voting site in the municipality with the highest population Washington County did that, help me with the other county that did that.

MONTGOMERY-COREY: I'm not remembering but what I do remember is that the waivers that were granted, were granted through legislative action so if this county wanted to seek a waiver it would likely need to go through the State Legislature and as we all know, the State Legislature ends its session in mid to late June so the timing of that is not wonderful for asking for a waiver but it could potentially be done.

WINEMILLER: I would like to suggest the possibility of using the Lake Placid Elementary School as a voting location.

McGAHAY: I'm sure that that would probably be shot down for June and for November's elections because the kids are still in school but for August that's absolutely a possibility yes, sure. Schools are great as long as school isn't in session because we take up their whole space. When we tried to use schools for early voting you know we need our machines secure which means, if we're in the gym, no there's no practices in the gym for nine days straight, no one goes into the gym for nine days straight and that's just not feasible for a school district.

SCOZZAFAVA: If we were granted a waiver, where would you suggest if we don't need to do North Hudson?

McGAHAY: It would be a waiver to not have to do it in the Village of Lake Placid just somewhere else.

SCOZZAFAVA: Somewhere else being in North Elba?

MONTGOMERY-COREY: No the waiver wouldn't necessary be for that but we would have to discuss it and we have not discussed that possibility.

SCOZZAFAVA: I think we should do a resolution making that request regardless if it goes through or not, at least make the request.

McGAHAY: Well I don't know if you've been through Lake Placid? I live in Lake Placid.

SCOZZAFAVA: Yes, it's all tore up.

McGAHAY: It's all tore up. I mean the end goal is wonderful. It looks better and better all the time it's just going to be tough on voters.

SCOZZAFAVA: So I think, it's May, we may have time if we get Dan Stec –

McNALLY: Are you moving that Tommy?

SCOZZAFAVA: I'm not on the committee.

HOLZER: I have a question as well.

McNALLY: Would you like to move that resolution?

HOLZER: After my question. So for your poll watchers, where are they primarily coming from for your early voting locations from last year, where did they come from? Elizabethtown?

MONTGOMERY-COREY: They came from all over but they were among our more experienced inspectors there's a difference between poll watchers and inspectors.

HOLZER: Right, okay. I meant inspectors.

MONTGOMERY-COREY: I figured you did.

HOLZER: I'll move that to request the waiver.

RESOLUTION REQUESTING THE ESSEX COUNTY BOARD OF ELECTIONS A WAIVER TO THE RULE OF HAVING AN EARLY VOTING SITE IN THE MUNICIPALITY WITH THE LARGEST POPULATION. Holzer, Tyler

McNALLY: Questions, concerns? All in favor, opposed – carried.

McGAHAY: Supervisor Holzer you have your marijuana referendum on the ballot this fall, you had asked me if the Board of Elections has everything that they need to place your ballot proposal in November ballot and we have everything that we need from the Town of Wilmington, right? We have the ballot proposal, the abstract. Other towns that have a marijuana referendum on your ballot this year? North Elba. Town of Jay – do we have everything that we need from the Town of Jay, yes? Great. North Elba, I already know that we have everything for that. Okay, great thank you.

SCOZZAFAVA: Tomorrow Port Henry Fire District #3, is putting on the ballot a \$4.5 million bond issue which legally they are way over the border of limitation limit. I was surprised to hear that the Board of Elections, they run these elections on their own? The fire districts?

McGAHAY: The fire districts, yeah, we don't run fire districts, we don't run school board elections, we don't run Village elections, we don't run fire district elections. Under the election law it specifically says, right in the beginning like in Chapter 1, it lists out that county boards shall be established and here are the elections that they are to run.

SCOZZAFAVA: So there's no checks and balances to this if somebody wanted to –

McGAHAY: I'm not saying there's no checks and balances. I mean those are paper elections so you know, I'm sure that you have a group of people, I'm expecting that there are a group of people that reviewed the ballots together.

SCOZZAFAVA: I'm just taken aback with how this process works and then I found out that the residences are getting calls from all kinds of landlords and business owners that can't vote, even though they will be assuming the burden, the people that live in the apartments can go vote. The Lee House being a prime example that would increase their tax bill by thousands of dollars and yet, the owners have no say in the matter. I guess we need to discuss that.

McGAHAY: Yeah, when there's a commercial property who the residence is, is a question that comes up.

McNALLY: It's not getting fixed here so.

SCOZZAFAVA: It's insane.

McNALLY: Just another point, Lake Placid is 75 miles from Minerva for that voting, if we don't move it and with the cost of fuel, that's a hardship to drive that far.

SCOZZAFAVA: We have one in North Hudson, correct?

McNALLY: We did last time; it doesn't mean we are this time.

MONTGOMERY-COREY: We did searches on the amount of time it would take somebody to drive from the southern part of the county up to North Elba and it's, up and back it's almost three hours.

McNALLY: Right and also, do we have an estimated cost what the second primary is going to cost us, to run the second primary?

MONTGOMERY-COREY: No not at this point.

McGAHAY: Well, we used to have, remember until a couple of years ago we always had two primaries, every other year Congress was in June and your State and Local were in September and then we had the general election in the fall and some years we had a fourth when you had the Presidential primary in February as well so we can tell you what our most expensive elections have been in the past, we have that historical data.

MONTGOMERY-COREY: But current costs, we haven't cost it out in current costs.

McGAHAY: Right, including early voting. We never had one of those years.

McNALLY: Alright, anybody else? Anything else? Alright, thank you very much. Emergency Services – Max Thwaites.

THWAITES: Good morning. I would like to start with the first resolution, authorizing the Essex County Emergency Services to apply for and accept the fiscal year 2020 Hazmat Targeted grant for the HazMat Consortium, this grant is for the seven counties of this area.

RESOLUTION AUTHORIZING THE EMERGENCY SERVICE DEPARTMENT TO APPLY AND ACCEPT FOR THE FY2020 HAZARDOUS MATERIALS TARGETED GRANT FOR THE HAZMAT CONSORTIUM. Tyler, Hughes

McNALLY: Questions or concerns? All in favor, opposed – carried.

THWAITES: For informational purposes only, our pictometry Eagle View Flight is 98% complete, for those of you interested and have access to it you can log in and select a date as early access and you can view our new pictures and that's all I have.

McNALLY: Alright, Emergency Medical Services.

THWAITES: A resolution of appreciation to the EMS providers in Essex County and recognizing the week of May 15 – 21, 2022, as National EMS Week.

RESOLUTION OF APPRECIATION TO THE EMERGENCY MEDICAL SERVICE PROVIDERS IN ESSEX COUNTY AND RECOGNIZING THE WEEK OF MAY 15 – 21, 2022, AS NATIONAL EMS WEEK. Tyler, unanimous

THWAITES: Also, for informational purposes it is in the State budget for fire departments that currently have a CON can now bill for the EMS services and that's all I have.

GILLILLAND: Signed by the Governor or it's in the budget?

THWAITES: It's in the budget.

McNALLY: Anybody else? We only fought for that for thirty years and then, after we fixed problem we get help from our local elected officials on that. Alright, anything else? Thank you. Sheriff – Dave Reynolds.

REYNOLDS: So I don't have a report for you but wanted to fill you in on the last month, it's been pretty busy for us so our responses, the Deputy responses through dispatch has risen from around three to four hundred to almost six-hundred just in the last month and that's tribute to the five, new people we have on the road so we're a lot more active, you can see us a lot more out there. Jail population has increased so we were hovering high forties, low fifties now we're over seven part of that is because of the Federal inmates have increased which is good for our revenue but also locally we're seeing more inmates and I think it is bail reform maybe catching up to some things because people are being sentenced. Everything is increasing, DWI's, domestics, EMS response and so on.

McNALLY: Anything for Dave? You all set, thank you. Probation – Heather Sheehan.

SHEEHAN: Hi everyone. You have my report and I'm here if you have any questions regarding that?

McNALLY: Any questions for Heather? Too easy, alright thank you. Public Defender – Brandon Boutelle.

BOUTELLE: Good morning supervisors. I have no formal report just going off of what the Sheriff said, business is steady. We're well employed over at the Public Defender's office. I'm sure Miriam is as well, our Conflict Defender. I've like I said, no formal report. I can answer any questions if there are any questions?

McNALLY: Anything for Brandon? Alright, thank you. Conflict Defender – Miriam Hadden.

HADDEN: Good morning. I don't have a report this month but if anyone has any questions I'd be happy to answer them.

McNALLY: Does anybody have anything?

GILLILLAND: As far as you being Conflict Defender, have you had to turn any over or have you been able to handle the majority of the conflicts?

HADDEN: Yeah, I mean it's been steady. There was definitely early on sort of a wave of cases that came on pretty fast so we were pretty busy. A lot of those cases were from the August drug sweep. County court cases tend to be a lot more work than the local court cases so even though I've had not as many cases in the county court I think I've spent a lot more time on those but I do spend a lot of time driving around too so that sort of a large bulk of my time because I handle most of the courts in the county but yeah, things just started to kind of calm down. There were several sentences that were handed out in the last month in the county court so a lot of those cases were dissolved. Waiting for the next round and you know we're trying to sort of catch up on all the administrative stuff that we've sort of been learning along the way. So I'm pretty steadily busy.

GILLILLAND: Thank you.

McNALLY: Okay, anybody else? Alright thank you very much. Anything else for the Public Safety Committee? If not, we're adjourned.

As there was no further discussion to come before this Public Safety Committee it was adjourned at 9:50 a.m.

Respectfully submitted,

Judith Garrison, Clerk
Board of Supervisors