

**PUBLIC SAFETY COMMITTEE**  
Monday, March 13, 2023 - 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: Clayton Barber, Robin DeLoria, Stephanie DeZalia, Derek Doty, Charlie Harrington, Kenneth Hughes, Steve McNally, Noel Merrihew, Tom Scozzafava, Matt Stanley, Joe Pete Wilson, Davina Winemiller, Margaret Wood and Mark Wright. Shaun Gilliland, Roy Holzer, Jim Monty and Ike Tyler were excused.

Department Heads present: James Dougan, Emily Evatt, Judy Garrison, Miriam Hadden, Michael Mascarenas, Mary McGowan, Jack Moulton, Heather Sheehan, David Reynolds and Daniel Woods.

Deputies present: Michael LaVallie and William Tansey.

Also present: Jen Fifield and Krista Moran.

News media: Alana Penny – Sun News.

McNALLY: I will call the Public Safety meeting to order. Please stand for the pledge. Good morning. Noel is not here. County Sealer, Dan Woods.

WOODS: Good morning everyone. If you flip to the second page, you can see my report for February. If anybody has any questions, I'd be happy to answer.

McNALLY: Anything for Dan? If not, thank you.

MASCARENAS: I just want to announce that Dan did pass his exam. We have a few department heads in the county that are competitive through civil service and Dan did very well on his exam so I want to congratulate him on that. We are going to have to do a permanent appointment. I'd like to ask the board to permanently appoint Dan Woods to the position of Director of Weights and Measures.

**RESOLUTION AUTHORIZING THE PERMANENT APPOINTMENT OF DANIEL WOODS TO THE POSITION OF DIRECTOR OF WEIGHTS AND MEASURES. DeLoria, Harrington**

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

MASCARENAS: Congratulations.

WOODS: Thank you very much.

McNALLY: Board of Elections – Jack Moulton, Mary McGowan.

MOULTON: Good morning. So I provided each of you a copy of the quote for the new machines.

I talked about at the last meeting. The total number came out to \$359,800.00 and then we have one-hundred twenty in a set aside plus thirty thousand in budgeted funds for this year so we have about \$150,000, current budgeted funds to use on that.

We did talk with Mike about it and we think buying them out right like this would be our best bet moving forward this year.

MASCARENAS: Just a little more explanation, these weren't budgeted for in the 2023 budget however, after meeting with Jack and Mary they gave me some pretty compelling reasons why they'd like to make that change currently. They don't want to roll out new voting machines in a Presidential year and I tend to agree with them on that. I think if we were to get those now they wouldn't be available for primary but hopefully by general election we would have the new machines out and be able to get a little practice with them prior to the Presidential year and a little less anxious for our voters. They also brought me a proposal that you can lease these machines which would have been a little more stable in terms of budgeting but my concerns with leasing the machines is that they are on a seven year cycle so at the end of that seven years we would have to up and get new ones. These current machines have lasted us fifteen years so, if we get anywhere close to that we're certainly saving a lot of money by purchasing them out right over leasing them and have to do that change over. Now, there's nothing saying we're not going to have to do that change over in seven years. A lot of companies are now making money off from not providing support after a certain amount of time but I can tell you, our current machines have certainly done their job and we've had them for fifteen years and I would recommend that the board purchase these machines over leasing those machines and get them currently. We do have a \$120,000 that are in the reserve fund, Tommy is aware, that we started to do with elections and the remainder of that \$359,800, would have to come from unexpended unappropriated.

DOTY: Is the number of machines you want to buy for total replacement or is it over a couple of years?

MOULTON: This is for total replacement. We wouldn't be able to operate two different machine types in the same election.

DOTY: Okay, so in the case of like, North Elba and I think there is one other place that you proposed new polling locations with districts being lessened or merged you've taken that into account the number of machines that you need?

MOULTON: Yeah, we have and we've also taken into account like in a couple of towns where they received extra machines as back up in case of a failure of one so it's all included in that thirty-three number.

DOTY: In a somewhat related note, will Board of Elections be sending me and Town of North Elba some kind of official notice that you want to change the polling place?

MOULTON: Yeah, at some point once we finalize everything with the polling location yes.

SCOZZAFAVA: So, Moriah District #2, which is one of the largest districts in the county, so will that have two machines now?

MOULTON: Moriah will have two functioning machines.

SCOZZAFAVA: Good because that's always been a struggle every election. The other question

I have, are the old machines worth anything?

MOULTON: No. We've talked to Dominion, it's a no. They actually don't even make parts for them anymore.

STANLEY: Now I know the Town of Jay has two districts and we used to have two polling locations and we've been trying to get that second polling location back, in getting these machines and getting that second polling location back will this plan have two machines for Jay?

MOULTON: I mean this plan, I'm not going to say specifically for Jay but it does have extra machines built into it that we keep to deploy in case of an emergency.

STANLEY: And with your predecessors I've talked and tried to get that second polling location that was shut down, I would definitely like to reopen those talks to get that second polling location back.

MOULTON: Yes, we would be happy to talk to you about it.

STANLEY: Awesome, thank you.

WINEMILLER: I have a question Mike, regarding the technology here and I understand you know that you're saying after seven years we may need to re upgrade regardless and I'm just curious about the software that's required for these machines and you know what the technology will be and what is the length of time that that technology is good for?

MASCARENAS: I'm pretty confident that it is going to be over the seven year period because that's the lease quote they gave us so it tells me that within that time period they are going to provide support over a minimal of seven years. So, I feel pretty good about that number. I don't feel good necessarily beyond that seven years and knowing, just the way the world is working you know, it's a way for vendors to get ahold of you long term and when they stop supporting certain soft wares and/or devices that you have to upgrade entire systems. We are dealing with it on a number of fronts so I wouldn't feel good after the seven year mark but I think moving forward we can plan to budget that amount in terms of capital on annual basis where we can take on that purchase at that time so that would be my plan. I would figure in over the next seven years and start putting money in a reserve in the Elections to be able to make that purchase at the end of the seven year period so it's not that one time hit to the county budget.

WINEMILLER: So would you be looking to work with the software company for a contract for a seven year or more contract?

MASCARENAS: I don't want to tie myself to any one vendor or company because that's where you start getting into proprietary issues, you start paying a lot more long term so this is a State contract bid item that we're looking at who knows who is going to be a player in seven years but right now these guys are the main players and they are on State contract and we can purchase that. I think the purchase price will be a little less than what the quote is based on what we were able to pull from OGS this morning but I feel good about that number, not to exceed that amount.

WINEMILLER: Okay, thank you.

McNALLY: Anybody else?

MOULTON: So, all of these machines are all tested, approved by the State Board of Elections before they go onto the State contract so that's where a lot of this comes from quality assurance wise is the State kind of negotiates everything makes sure the machines are up to standards and allows counties to buy them and the machines that we have now it is not really a software issue the software was developed in 2008, so it is a software issue but it's also mechanical failure with scanners and just constant repairs that they no longer make parts for software wise they should last for a while.

WINEMILLER: I guess that is my concern you know, seven years for a computer it's gone you know, that is my concern that we're purchasing these and knowing.

MASCARENAS: Yeah, as long as they support and continue to make parts we are okay, it's when they stop doing that you run into the issue. Anything can be repaired as long as they continue to support it.

SCOZZAFAVA: As I sit here and listen to this I think back to the days of the old mechanical machines which were bullet proof. I used to set them up and there was no way you could cheat them or fool them or anything else. That's how I got elected the first time, I set the machine up. (*laughter*) but seriously, I mean they worked great in those days.

MOULTON: Well, you definitely can't cheat these machines either Tom.

McNALLY: Okay anybody else? Someone want to move that?

MASCARENAS: So it would be to purchase voting machines in the Board of Elections in an amount not to exceed \$359,800, with a \$120,000 coming from the Board of Elections reserve account that would be the resolution.

**RESOLUTION AUTHORIZING THE PURCHASING AGENT TO PURCHASE VOTING MACHINES FROM DOMINION VOTING FOR THE BOARD OF ELECTIONS DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$359,800.00, WITH \$120,000.00 COMING FROM THE BOARD OF ELECTIONS RESERVE ACCOUNT. DeLoria, Doty**

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

MOULTON: Thank you.

McGOWAN: Thank you.

McNALLY: Kristy here?

MASCARENAS: Kristy is not here. She called in sick this morning but she did ask that the board do a resolution of congratulations to Jayne King on her retirement from the District Attorney's office.

**RESOLUTION OF CONGRATULATIONS TO JAYNE KING UPON HER RETIREMENT FROM THE ESSEX COUNTY DISTRICT ATTORNEY'S OFFICE. Hughes, unanimous**

McNALLY: Emergency Services – Matt Watts.

MASCARENAS: We have Mike LaVallie subbing for Matt Watts today.

LAVALLIE: Good morning. You have the Essex County Office of Emergency Services monthly report. I do have a couple of resolutions. If you have questions on that monthly report?

McNALLY: Any questions?

LAVALLIE: The first resolution is authorization to enter into a contract with Responder Training Enterprises for four, propane specialist kits and training in the amount of \$57,978.00, sole source approval has been obtained by the Department of Homeland Security and Emergency Services and funds will come from the HazMat Consortium these are year '19 grant funds which is attached. This is replacing the previous authorization from the November 2022 meeting.

**RESOLUTION AUTHORIZING AN AMENDMENT TO RESOLUTION #298, OF DECEMBER 6, 2022, AUTHORIZING THE PURCHASING AGENT TO PURCHASE FOUR (4) PROPANE SPECIALIST KITS AND TRAINING FOR THE EMERGENCY SERVICES DEPARTMENT, IN THE AMOUNT OF \$57,978.00, FROM SOLE SOURCE RESPONDER TRAINING ENTERPRISES, FROM HAZMAT CONSORTIUM GRANT FY19 AND FURTHER AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE A CONTRACT FOR THE SAME. Wright, Doty**

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

LAVALLIE: The second one, authorization to purchase a decontamination shower, price not to exceed \$15,000, to come from HazMat Consortium FY20 budgeted funds.

**RESOLUTION AUTHORIZING THE PURCHASING AGENT TO PURCHASE A DECONTAMINATION SHOWER FOR THE EMERGENCY SERVICES DEPARTMENT, IN THE AMOUNT OF \$15,000.00, WITH FUNDS TO COME FROM HAZMAT CONSORTIUM GRANT FY20. Doty, Wright.**

McNALLY: Questions?

DOTY: Is this a mobile unit?

LAVALLIE: Yes. I believe it is also inflatable.

McNALLY: All in favor, opposed – carried.

LAVALLIE: The third one, authorization to purchase electrostatic decontamination kits for each of the seven counties in the HazMat Consortium this will include replenishment kits, carrying cases and train the trainer as well as full hands-on training for each county. Price not to exceed \$120,000, to come from HazMat Consortium FY 20 budgeted funds.

**RESOLUTION AUTHORIZING THE PURCHASING AGENT TO PURCHASE ELECTROSTATIC DECONTAMINATION KITS FOR EACH OF THE SEVEN COUNTIES IN THE HAZMAT CONSORTIUM IN AN AMOUNT NOT TO EXCEED \$120,000.00, WITH FUNDS TO COME FROM HAZMAT CONSORTIUM GRANT FY20. Wright, Hughes**

McNALLY: Questions?

HUGHES: Good morning. Are we purchasing this for other counties? I don't understand necessarily the HazMat Consortium.

LAVALLIE: Yes, sir. So we are the actual distributor of the seven county consortium so we are responsible for managing the grant and so we go around and obtain each counties request and then we place the order through the grant and disburse the equipment.

MASCARENAS: So, Mr. Hughes, the State on this particular grant has one fiscal conduit they deal with in terms of the seven counties. Another county did it, I forget who a few years back it's kind of our turn to take that on and we manage the grant for those all seven counties but in order to qualify you need that seven county consortium to even qualify for those funds so yes, we're the fiscal conduit for all of those.

DOTY: The grant covers 100% of the cost?

LAVALLIE: Yes sir. I believe.

McNALLY: All in favor, opposed – carried.

LAVALLIE: The fourth one, authorization to purchase twelve portable radios, eighteen speaker mics, eighteen batteries, eighteen clips, twelve desktop charges, fifteen APX 8500 radios and five APX 6500 radios. Price not to exceed \$165,000, to come from grants SCIG 19 and SCIG 20 budgeted funds. If I could just explain a little more on that, we obtained the grant through the SICG grant and distribute portable radios, mobile radios for the Sheriff's Office, Department of Public Works. We again, just manage the grant and obtain the grant and then we purchase the equipment and disburse that to the Sheriff's Office and DPW as well as fire and EMS who are responsible for their mobile radios in their ambulances and fire trucks so that is what that's for.

**RESOLUTION AUTHORIZING THE PURCHASING AGENT TO PURCHASE TWELVE (12) PORTABLE RADIOS, EIGHTEEN (18) SPEAKER MIC'S, EIGHTEEN (18) BATTERIES, EIGHTEEN (18) CLIPS, TWELVE (12) DESKTOP CHARGES, FIFTEEN (15) APX 8500 RADIOS AND FIVE (5) APX 6500 RADIOS FOR THE EMERGENCY SERVICES DEPARTMENT TO DISBURSE, IN AN AMOUNT NOT TO EXCEED \$165,000.00, WITH FUNDS TO COME FROM SCIG 19 AND SCIG 20 GRANTS. Doty, Wright**

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

LAVALLIE: Fifth and final one, authorization to up fit the new director's vehicle, price not to exceed \$31,000, to come from Grant SICG FY19 budgeted funds. We've obtained the Director's new vehicle and now it needs to be updated with the lights, the console, the radio all of that fun stuff so that's what the funds are for.

**RESOLUTION AUTHORIZING THE PURCHASING AGENT TO PURCHASE ADDITIONAL EQUIPMENT FOR THE EMERGENCY SERVICES DIRECTOR VEHICLE, IN AN AMOUNT NOT TO EXCEED \$31,000.00, WITH FUNDS TO COME FROM SICG 19 GRANT. Doty, Wright**

McNALLY: Wasn't the cost of the vehicle like \$31,000 also?

LAVALLIE: I believe the cost of the vehicle was \$52,000.

WINEMILLER: This seems like a really lot of money.

SCOZZAFAVA: So all the equipment on the vehicle we are taking off the old one I'm assuming? What happens to that equipment?

LAVALLIE: That is still on the older vehicle. I believe that is going to be repurposed but I'm not 100% sure as far as that is concerned.

SCOZZAFAVA: I heard you mention lights and all of that, light bar is that being repurposed onto this new vehicle?

LAVALLIE: It can. I don't know what the Director's position is on the old vehicle. It's already outfitted. I believe that is going to be repurposed to something else but I'm not 100% sure.

SCOZZAFAVA: So is this being covered through grant dollars?

LAVALLIE: Yes.

SCOZZAFAVA: It just seems high, \$31,000 but I know everything is expensive today.

MASCARENAS: I will certainly check with Matt prior to full board meeting to see what his plan is for the existing vehicle.

SCOZZAFAVA: The Sheriff, who is here – how are you vehicles? Is that something you can use? Did yours come in I mean?

REYNOLDS: Ours should be coming soon.

McNALLY: Anything else? All in favor, opposed – carried.

LAVALLIE: Thank you. On the EMS side, authorizing the purchasing agent to go out to bid to provide for third party billing services for the EMS program in Essex County.

**RESOLUTION AUTHORIZING THE PURCHASING AGENT TO GO OUT TO BID TO PROVIDE FOR THIRD PARTY BILLING SERVICES FOR THE EMS PROGRAM IN ESSEX COUNTY.  
Hughes, Wright**

McNALLY: Questions?

SCOZZAFAVA: Could I get a little more explanation on that? Is this for our squads to do billing or is this for the county to bill our squads?

MASCARENAS: It's not to bill the squads. It is to bill directly for Medicaid and Medicare payments on calls that we either assist or provide the primary service to the patient on. We've had a contract. It's just time to go out, I can't remember the vendor off the top of my head but we need to go back out.

McNALLY: But don't most of these services go on a percentage?

MASCARENAS: Yes.

McNALLY: So why are we front loading this for \$31,000?

MASCARENAS: We're not. That's the vehicle equipment, \$31,000. It's really a no cost to us. Usually when we get that back they bill and they take a percentage of whatever is collected from the call so it's typically a no cost contract for us.

McNALLY: Did we send an RFP out on that?

MASCARENAS: That's what we are getting permission to do right now, yes.

McNALLY: Alright, all in favor, opposed – carried.

LAVALLIE: Just a couple final things, informational purposes Essex County Emergency Services in conjunction with the Sheriff's Department and the Department of Public Health, National Guard and DHSES which is the Department of Homeland Security here in New York, we will be hosting the Citizens Preparedness training class on June 24, beginning at 10 a.m. at the fairgrounds in Westport. This is open to all Essex County residents. More information will be forthcoming at the next meeting. Planning is in the beginning stages. It was something that we learned about at the OEM meeting with other counties and we reached out to the National Guard and they are interested in coming and providing this training to the residents of Essex County. They actually also provide I believe Go Bags to each participant that comes to this training.

Also, I wanted to let the board know that CPR and Wilderness First Aid Training you know it's coming due here soon, these classes for the lifeguards and camp counselors and we do have people on staff that can teach that so please reach out to myself.

MASCARENAS: Yeah, Dan Sadowski will be getting you guys out some stuff. Office of Emergency Management has taken on that function for us, Youth Bureau did it for a lot years. We've lost our instructors, they've been gracious to take that on with some of their individuals to make sure that your camps are compliant in the summer months and to be able to get your permits to open your summer day camp so, we have our own folks that are going to be doing the training, if you don't have another mechanism, a lot of you do you'll be using them moving forward.

DOTY: So, your training personnel meets the Red Cross criteria?

LAVALLIE: Yes, so we would make sure that we had the curriculum provided for each camp that is required and teach that appropriately so the class is being taught and it is not going to be recognized by the camp per say.

DOTY: Thank you.

McNALLY: Anything else? If not, thank you.

LAVALLIE: Thank you very much. I should have did this in the beginning, my name is Mike LaVallie the Deputy Director of Emergency Services provisionally, thank you.

McNALLY: Sheriff's office, Dave Reynolds.



REYNOLDS: You have my report. If you have any questions?

McNALLY: Any questions for Dave? If not, thank you. Probation – Heather Sheehan

SHEEHAN: Good morning. Happy Monday everybody. You have my report and I can answer any questions you may have. I did just want to let you know that I'm excited two of my staff completed the Mind Up for schools Train the Trainer program so just a brief overview, Mind Up for Schools is an evidence based program that has shown to increase prosocial actions, decrease aggressive behaviors and improve academic achievement. So, I'm happy that they have that training and will be able to provide that to any schools that may need it. Thank you.

McNALLY: Thank you. Public Defender – Emily Evatt.

EVATT: Good morning. I submitted my report, if you have any questions for me?

McNALLY: Any questions?

HUGHES: How's it going?

EVATT: Great. Thanks for asking. Excited to be here.

HUGHES: Still everything okay? How is the transition and how is everything working out for you?

EVATT: I think everything is going smoothly. We're still looking to fill an open attorney position so we're working on that. Without Brandon we have a lot of extra slack to pick up so everyone is very busy. Things are going well. Thank you.

McNALLY: Anybody else? You're all set, thank you. Conflict Defender – Miriam Hadden.

HADDEN: Good morning everybody. I don't have a report this but I am happy to answer any questions.

McNALLY: Any questions? Thank you. Anything else for the public safety committee?

HUGHES: Chairman, good morning. I apologize to the committee to the tardiness of the piece of paper I put on your desks but I wanted to just share with you all a resolution that the Town of Essex Town Board passed last Thursday evening as it relates to concerns with the Canadian Pacific Railroad and what they are doing to keep at least the eight towns along the eastern part of Essex County safe when it comes to potential derailments of trains. I've had many constituents contact me personally in my own town. I don't know if the other supervisors have had received complaints or concerns in their own towns so I wanted to take some initiative at least in my own town to contact CP Rail and ask them what they are doing to make sure that the towns in the eastern side of Essex County specifically in my town but certainly I am thinking about other towns as well are safe and are free from harm when it comes to potential derailment because none of the derailments that have taken place were planned or known about they just happened. So, I guess what I would like to ask this committee is I would like to support a motion to ask Essex County to support a letter to CP Rail to ask them from a county perspective what they are doing to make sure their tracks in our county are safe at our crossings our, we don't have any tunnels but just looking for as much as we can to do as much as we can to ensure that our residents from Port Kent, Chesterfield all the way down to Ti are safe and at least we are holding CP Rail

accountable for externalizing what they are doing to make sure we are safe.

McNALLY: And now I believe Amtrak is also going to be running?

HUGHES: Amtrak is going to be coming back April 3.

**RESOLUTION IN SUPPORT OF LETTER ADDRESSING CANADIAN PACIFIC RAILWAY ON RAILWAY SAFETY CONCERNS IN ESSEX COUNTY. Hughes, DeLoria**

McNALLY: Questions, concerns?

SCOZZAFAVA: Ken, as you just became aware I put some extensive information on your desk regards to maintenance and training and so on that CP Rail provides for local fire departments along the line and also I believe, our Emergency Services are also involved in those trainings but I certainly support this. At one time, I believe years ago we actually had a representative from CP Rail come address the board of Supervisors but it is very concerning. I mean, the rail line runs right through the former Village of Port Henry. We've got seven miles of rail line. There are two tunnels on the line, one in Willsboro and one in Ticonderoga but from my observation and I'm a railroad fan to begin with, I can tell you that CP Rail, they do a lot of work on that line I mean, because they have the yard down in the south end of Port Henry and there's always equipment there, they are always doing balance, rail grinding but I certainly would support this and maybe go one step further and ask if they could send a representative here along with the resolution. I have noticed freights that are longer now I'm not sure why that is but I believe there is something also in the Federal Railroad in the law that that train has to be through a crossing within five minutes I believe. You can't tie up a crossing no longer than that but yeah, absolutely I've had my constituents contact me a few of them. It is concerning because of the proximity to the residents like you were saying Crown Point, Ticonderoga.

McNALLY: Alright anything else?

DOTY: How do contracts work with the railroads as far as knowing that there is annual maintenance or upkeep and who are the contracts with the State of New York or the individual towns?

SCOZZAFAVA: I think the State of New York actually monitors the safety on them. I think the Feds are involved in that too. One thing that I have learned through the years with the railroad running right through our community, Delaware & Hudson who really did very little in regards to that. We have three or four derailments down there in the last 30 plus years; Guilford and different companies that have been on that line. I think that CP Rail they do the bulk with exception of Sperry who does the rail grinding and so on, they do the bulk of the maintenance themselves but the other thing I've learned through the years is that railroads have more power than God. Believe me, when I tell you this. The stewardship on some of their properties is not the best. It destroys the entire view coming into Port Henry and we can't get them to even go in and cut the brush down so I would love to have a representative come here if that's possible, we can invite one here.

McNALLY: So, anything else? All in favor, opposed – carried.

HUGHES: Thank you.

McNALLY: Anything else for the Public Safety? If not, we are adjourned.

As there was no further discussion to come before this Public Safety Committee it was adjourned at 10:00 a.m.

Respectfully submitted,

Judith Garrison, Clerk  
Board of Supervisors