

PUBLIC SAFETY COMMITTEE
Monday, April 10, 2023 - 9:30 AM

Steve McNally, Chairman
Ike Tyler, Vice-Chairman

Supervisor Harrington 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, Shaun Gilliland, Charles Harrington, Roy Holzer, Kenneth Hughes, Noel Merrihew, James Monty, Thomas Scozzafava, Davina Winemiller, Margaret Wood and Mark Wright. Steve McNally, Matt Stanley, Ike Tyler and Joe Pete Wilson were excused.

Department Heads present: James Dougan, Emily Evatt, Judy Garrison, Mary McGowan, Jack Moulton, Heather Sheehan, Matt Watts and Daniel Woods. Miriam Hadden, David Reynolds and Kristy Sprague were excused.

New Media: Sun News – Alana Penny.

HARRINGTON: I will call this Public Safety Committee to order. Please stand for the pledge of allegiance. Thank you. First on the agenda, County Sealer Dan Woods.

WOODS: Good morning everyone. If you turn to the second page you'll see my report for the month of March. I'll give you a second to look at it. If anyone has any questions I'd be happy to answer.

DOTY: Dan, with respect to the Dollar Store in Lake Placid you gaining any ground? It looks like things aren't going too good?

WOODS: To be honest, I'm not gaining any ground in any of the Family Dollar, Dollar General stores as of right now. I've talked to Corporate and I've been through the ranks. They say they're going to send people up in teams and they're going to try to go through all the stores and reprice everything but with prices changing weekly, they get 18 to 30 pages of price changes per week.

DOTY: If I think back, one of our fines is like \$15,000?

WOODS: Yes sir and that was actually, if you follow the local law that would have been up to \$100,000 or more being a multiple failure within one calendar year so it's been reduced drastically down to \$15,000 but yes, I'm getting a lot of fines that are \$15,000 because they are not even reaching 50% pricing accuracy when 98% is what the State requires to have a pass.

DOTY: So, I guess I'm concerned, how do we move forward? How many phases of the problem are there? Is it unresponsive or irresponsible workers at these stores or is it a blatant mispricing scheme that's going on across the board?

WOODS: As politically correct as I can be I cannot give my opinion on the workers or what is happening as far as that. I can tell you what my results are as far as doing the inspections. If you want to talk further I'd be happy to talk to you.

DOTY: Okay, I'm worried about the end of the road that says a store can't recover from the fines

not that being irresponsible is right for the public but this is going to affect I don't know how many stores in Essex County but I'm sure it's probably four to six?

WOODS: There are between Family Dollar and Dollar General I think there's seven or eight.

DOTY: Okay, anyway keeping us up to par like you do with your reports is appreciated.

WOODS: Yes, sir.

DOTY: Thanks Dan.

SCOZZAFAVA: Unfortunately I've had extensive dealings with Dollar General and this isn't just in Essex County, this is a national problem this chain and their stock is through the roof. Don't ask me how but it's probably one of the worse run companies that I've ever seen. I've talked to the District Manager, when you can reach him which you know is extremely difficult but the bottom line is the people that they have working in the stores are all good workers and so on but they, I don't even know if they do full time employment or if they play that game where they keep everybody part time but it's just a problem and if you write to corporate you get no response so you're dealing with your District Manager of course they are dealing with somebody two or three levels higher than what they are. It's an issue. I mean and I'm glad that they are in our community but believe me, they've been a godsend where at least you can buy items there and so on but it's an ongoing problem and again, it's not just – all you need to do is google Dollar General on complaints you'll find a lot of hits on it.

WOODS: Yes pricing accuracy has been huge nationwide, there's multiple states that have multi-million dollar lawsuits so Essex County fining \$15,000 is nowhere near the \$1.7 million that one of the states just got from them in a lawsuit last year. It's a nationwide problem.

SCOZZAFAVA: I just wish back in 2008, I would have bought some of their stock.

HARRINGTON: Other questions for Mr. Woods?

WINEMILLER: Can you please explain to us and I understand that you're saying it's Dollar General's fault but the way I understood the packaging is done by manufacturers so let's say we're talking about Cheez It right and they are supposed to be an 8 oz. box of Cheez It priced at you know, \$2.19 so explain to us how that is working against Dollar General.

WOODS: There's two different inspections that I do. There's the package checking which is what you're talking about being sold by the weight and then there's pricing accuracy. Pricing accuracy is I'll go in and check 100 random items and you take the shelf price so if it says \$2.19 and you take your scanner and you scan what it is going to scan at the register and it's coming up as \$3.19 that is considered an overcharge and the customer is getting charged more than what they think they are getting charged when they put that item in their shopping cart.

WINEMILLER: Okay so it's the bar code is different than the sticker price on the shelf?

WOODS: It's not even different they did not update it, they did not update it in the system, and they did not update it on the shelf.

WINEMILLER: Oh, I see. Okay. So the computer they put in their pricing but they may have not

changed their tag is what you're saying?

WOODS: Right. It's getting ran through corporate on a lot of the computer processing systems and the prices are being changed in the system yet, in the stores the tags aren't being put out. I have found upwards of five, six, seven dollar difference per item.

SCOZZAFAVA: But they are changing on the shelf in a lot of cases, you'll see the change but when you ring it they never change it in the computer so when they scan it you're back at what the price was two weeks ago.

WOODS: There's a lot of over charges and under charges it goes both ways but over charges are very concerning when you have an \$8.00 item and you get up to the register and it's ringing up \$13.99.

WOOD: You mentioned that this is across the board, are you familiar or is anybody familiar with other counties in the State having the same experience and I'm wondering if there's a direction where there are more rural counties having a problem because there is less competition or is it across the board, across the State?

WOODS: There's a group of directors who do have emails going back and forth and it is not just us having the issue. As far as the population wise for the county I can't speak on that right this minute, I would have to dig deeper and find out.

WOOD: It would be interesting to know what's going on in Long Island and Dutchess County and again, is it across the board or is it a company taking advantage of a rural area?

GILLILLAND: I think it is all across the board.

HOLZER: Right. Look at their staffing ratio I mean, there's no one ever in the store other than the manager.

WOODS: I know the store in Lake Placid, I've talked to the store manager and he said that he is opening and closing every day and he's the only employee and sometimes he will get somebody from Etown sent up to help offload a truck a few hours here and there but these guys are running a skeleton crew at 70 hours a week, one person trying to do it all and you have to ring a bell to even call him up so they stop stocking shelves or changing prices and going up front to cash out the person that is at the front of the store.

WOOD: Okay, thank you.

WOODS: I think it's a lot of understaffing.

GILLILLAND: One thing about the Dollar General and Family Dollar is, particularly Dollar General their demographics, they target is people making \$35,000 to \$45,000 a year and no other chain in America targets that demographic and so you've to take a look at areas that is close to the medium income which of course is our area too but I have talked to the Dollar General people the developers here and their goal is to have a Dollar General every six miles in the Adirondack Park. And as my neighbor here Wilmington and I can contest it's virtually an impossible step unless you get ahead of it and change your zoning law before they show up, if you do it after they show up they are going to take you to court.

SCOZZAFAVA: I just want to close before we all start beating up Dollar General, I come from a community where they were actually closed for a couple days they had the store burn, they had to close and rebuild and say what you want about Dollar General when you have no grocery store in your town or anything else that Dollar General can be a life saver. Do they carry every product? No but they carry a lot of items that otherwise you're going to be going out of town to buy.

GILLILLAND: They are the fourth largest grocery distributor in the country.

WOODS: And I know everybody is seeing Dollar General and Family Dollar in my reports lately and it's mainly because of all these other states really looking into and cracking down on pricing accuracy. My predecessor didn't do pricing accuracy as much as package checking it was the lower of the interest for everyone; everyone was worried about package checking and now at the point we are after the pandemic, trying to get people to work it's become a sloth now it's more taking a look at pricing instead of packaging. The packaging is starting to get back on track to where that should have been so now everyone is trying to focus on the pricing accuracy and get that and it just so happens that we have those 8 stores in the county that you have to do them twice within the calendar year so I need to do them all the first six months, give them six months' time to fix their problem and then do it again before the end of the year.

SCOZZAFAVA: Back on the packaging, that, correct me if I'm wrong back when we had Mac's Grocery there and Tops that actually, I can buy a bag of potato chips, whoever the manufacturer is although the fine is issued to the retailer, but it's the manufacturer who pays that fine, correct?

WOODS: That is correct as long as the owner of the store goes after and seeks the payment from the manufacturer. Walmart doesn't pay and Price Chopper they'll pay up front but they are going to go after whoever that manufacturer is to get their retribution plus lawyer's fees whatever else comes into effect. Pricing accuracy, this is all falling on the stores so it hits a little closer to home, it does fall on the store to pay.

HARRINGTON: Other questions for Mr. Woods? Thank you.

WOODS: Thank you. Have a great day.

HARRINGTON: Next up, Board of Elections. Good morning.

MOULTON: Good morning everyone. Alright I have a lot for you, first up petitions filing is going on right now. Today is the last day to file. You can file until 5 p.m. so far our office has processed 111 petitions.

Also, in your mailbox you may have received our sticker design contest flyer. This is the first year we're going to do it. It's pretty successful in a lot of other counties but it's artwork completion for Essex County students age 13-18, art work will be accepted between May, first of May and the last day of June and then the public will vote on the top design, the sticker will get made and handed out at the general election. We are trying to come up with more ways of getting high schoolers involved in the process.

And then third, I've got a resolution, I would like to request a resolution of congratulations to Luisa Towne, she's an IT employee here at the county. Her voter management system program Essex Version 022223 was successfully approved by the State Board of Elections on March 14, as a compliant vendor. We are one of only two counties in the whole state that manages our own voter management system which I can tell you from most recent quotes saves the county over \$50,000 a year in addition to not having the headache of dealing with a third party.

A couple highlights of what she's done in the last twenty years, she started it in 2001. In 2007, became New York State Voter Compliant, 2013, reprogrammed that to become MOVE compliant. 2021, reprogrammed to become E-Poll Book & State Absentee Portal compliant and then last year, updated to become State Ballot Tracker compliant. This program is one of maybe six or seven in the whole country that is approved by the State Board of Elections.

RESOLUTION OF CONGRATULATIONS TO LUISA TOWNE UPON HER APPROVAL BY THE NEW YORK STATE BOARD OF ELECTIONS ON MARCH 14, 2023, FOR HER DEVELOPMENT OF VOTER MANAGEMENT SYSTEM, ESSEX VERSION 02.22.23. Holzer, Doty

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

MOULTON: Mary has got another one for you.

McGOWAN: Hello everyone. A 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 14, 2023 through September 15, 2023.

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 14, 2023 THROUGH SEPTEMBER 15, 2023. Wright, Holzer

HARRINGTON: Questions or concerns? All those in favor, opposed – carried.
Other questions for Board of Elections?

WINEMILLER: Will you please give us the dates for petitions for the different parties so the Republican was when?

MOULTON: All petitions for designating petitions of major parties of Democrat and Republican anything is due today by 5 pm. The independent petition process will start, you can start circulating on April 18 and we have all those packets in the office if you want to pick one up.

WINEMILLER: And when is the independent due?

MOULTON: Those are due towards the end of May. I don't know the exact date.

WINEMILLER: Thank you.

HARRINGTON: Any other questions? Thank you. Next up District Attorney, there's no report. Emergency Services.

WATTS: Good morning everyone. Any questions on our report that's in your packet? Okay, I have a resolution to authorize the purchasing multi threat meter from MES through the Source Well Contract not to exceed \$5,403.00, with funds to come from the HazMat Consortium Grant FY20 for Clinton County.

RESOLUTION AUTHORIZING THE PURCHASING AGENT TO PURCHASE A MULTI THREAT METER FROM MES THROUGH THE SOURCE WELL CONTRACT FOR CLINTON COUNTY, IN AN AMOUNT NOT TO EXCEED \$5,403.00, WITH FUNDS TO COME FROM THE HAZMAT

CONSORTIUM GRANT FY20. Doty, DeLoria

HARRINGTON: Questions or concerns regarding this resolution?

WINEMILLER: Can you just explain the multi threat meter? Is it like a gas meter?

WATTS: Yes. There's different ones but I think this one might be four.

WINEMILLER: Okay, thank you.

HARRINGTON: Other concerns? There being none, all those in favor, opposed – carried.

WATTS: I'd like to bring up a resolution from the floor as well for recognition of Emergency Services Dispatch Telecommunication week. That's this week. I would just like to recognize all our dispatchers.

RESOLUTION RECOGNIZING THE WEEK OF APRIL 9-15, 2023, AS NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK IN ESSEX COUNTY. Holzer, Doty

HARRINGTON: All those in favor, opposed – carried.

WATTS: The only other thing I have for information purposes is that we're working with the Sheriff's Department, Public Health, the National Guard and Homeland Security on hosting a Citizen Awareness training on June 24, at the Fairgrounds. It is going to be open to all county residents basically it prepares, it's a couple hours long, and it prepares everybody what to do before an emergency disaster, during and the recovery part of it. Anything else?

DOUGAN: It's free?

WATTS: Yes, it's free.

DOUGAN: And they have to pre-register?

WATTS: Yes.

HARRINGTON: Any other concerns for Emergency Services? Thank you. Sheriff's office, he's excused. Coroners. Probation.

SHEEHAN: Good morning everyone. I hope everyone had a great Easter. I was out sick so my report was a little bit late but you should still have a copy of it. If you have any questions I'd be happy to answer them.

HARRINGTON: Any concerns for Probation? Thank you.
Public Defender.

EVATT: Emily Evatt here. No report. Does anyone have any questions for me?

HARRINGTON: Any questions? Thanks. Conflict Defender is excused. Any further concerns to come before the public safety committee?

MONTY: I just want to remind everyone, I had a conversation with Janet Collier from Ag and Markets. Essex County is required that everyone have a contract with SPCA and/or a shelter, veterinary clinic for animal control issues. If you haven't got the contract signed and back please do because right now she's listing everybody as noncompliance. Thank you.

HARRINGTON: Any other concerns to come before Public Safety? There being none, we are adjourned.

As there was no further discussion to come before this public safety committee, it was adjourned at 9:54 a.m.

Respectfully submitted,

Judith Garrison, Clerk
Board of Supervisors