



# Budget & Appropriations

## BOL Meeting Minutes - Final

Committee Chair: Catherine Borgia

800 Michaelan Office Bldg.  
148 Martine Avenue, 8th Floor  
White Plains, NY 10601  
[www.westchesterlegislators.com](http://www.westchesterlegislators.com)

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Tuesday, November 30, 2021

10:00 AM

Committee Room

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### CALL TO ORDER

*The County Board will meet pursuant to Chapter 417 of New York State Laws of 2021, allowing public bodies to meet and take action without permitting in-person public access to meetings and authorizes such meetings and public hearings to be held remotely by conference call or similar service, provided the public has the ability to view or listen and that such meetings are recorded and later transcribed. To access the meeting, please visit: <https://westchestercountyny.legistar.com>*

*With a quorum present, Chair Borgia called the meeting to order at 10:10 AM.*

*Others in Attendance: BOL: Colin Smith, Alessandra Restiano, Anand Singh BOL Remote: Kitley Covill, MaryJane Shimsky, James Silverberg, Greg Casciato, Melanie Montalto Legislator Elect Remote: James Nolan, Erika Pierce, Jewel Williams Johnson PROBATION Remote: Rocco Pozzi, Penny Stein, Sheralyn Pulver, Susan Varghese, Mary Frascello, Mona Berry Cauthen CORRECTIONS Remote: Joseph Spano, Noraima Padilla, Michael Gerald, Leandro Diaz, William Fallon EMERGENCY SERVICES Remote: Richard Wishnie, Susan Spear, Julia Criscitelli, Linda Luddy, Michael Volk, William Dingee, Dennis DelBorgo BUDGET Remote: Larry Soule, Gideon Grande, Nicole Filder, Patricia Haggerty, Roberto Nascimento, Jaevon Boxhill*

**Present:** Committee Chair Borgia, Legislator Boykin, Committee Vice-Chair Gashi, Legislator Maher and Legislator Walter

**Absent:** Legislator Johnson and Legislator Woodson-Samuels

**Remote:** Legislator Barr, Legislator Cunzio, Legislator Parker, Legislator Tubiolo and Legislator Williams

### MINUTES APPROVAL

#### I. ITEMS FOR DISCUSSION

**10:00 AM - Department of Probation**

*Guests: Commissioner Rocco Pozzi, Deputy Commissioner Penny Stein, Chief Administrator, Sheralyn Pulver, Susan Varghese, Mary Frascello, Mona Berry-Cauthen*

**11:00 AM - Department of Corrections**

*Guests: Commissioner Joseph Spano, First Deputy Commissioner Noraima Padilla, Deputy Commissioner Michael Gerald, Deputy Commissioner Leandro Diaz, Chief of Administrative Services William Fallon*

**12:00 PM- Department of Emergency Services**

*Guests: Commissioner Richard Wishnie, Deputy Commissioner Susan Spear, Julia Criscitelli & Linda Luddy*

*Members of the Department of Probation appeared before the committee to present the 2022 proposed budget, led by Commissioner Rocco Pozzi. Commissioner Pozzi spoke about their core programs and key functions, how the NYS Raise the Age Law has affected their operations, new initiatives like increased intervention/diversion to keep young offenders out of the system and the expansion of Veteran's Court, and how COVID-19 has impacted them over the past year, among others.*

*Vice-Chair Gashi announced that Legislators Cunzio and Boykin had joined the meeting before opening the floor for questions. Legislator Smith thanked the department and asked several questions about how bail reform has impacted the department in their role monitoring defendants. Commissioner Pozzi said it's difficult to give an accurate answer due to the pandemic and inheriting pre-trial from the Department of Corrections, but will be looking at making some pre-trial changes. Ms. Pulver said that the post-monitor release program is currently averaging 30 participants per month, and pre-trial has also started in-home electronic monitoring, which has been highly effective, with no one failing to attend. Legislator Smith asked about DWI monitoring post-conviction and Commissioner Pozzi said that when ordered, it works very well and would get back to the committee with exact numbers, but noted they are expecting more cases going forward as the DA's office is hoping to resolve the backlog.*

*Chair Borgia asked about vacancies and Commissioner Pozzi said they currently have 23 vacancies with 29 lines frozen, but included in the budget as they're unfunded. He pointed out the number is high due to delays in the administration of the NYS civil service test but are hoping to fill some soon. Chair Borgia asked about the trauma group for women probationers and Ms. Pulver spoke about the department's efforts on this front and this particular program is noteworthy due to its focus on women. Chair Borgia clarified that she meant LGBTQ+ or undocumented probationers may also benefit from this and Commissioner Pozzi said that would be a great idea. Chair Borgia asked how many individuals are served as a result of Raise the Age and Ms. Frascello said they've seen decreased numbers this year, due indirectly to the pandemic with around 300 cases. Commissioner Pozzi spoke more about the effects of Raise the Age on their operations and its benefits.*

*Legislator Maher began by asking several questions related to the Department's COVID-19 protocols. Commissioner Pozzi said they have been fully in-person since June and have resumed home visits, with 80% of voluntary staff responses to their survey indicating that they*

are vaccinated, and all staff are required to wear masks. Legislator Maher asked if they've seen any uptick in serious crime near their new offices in New Rochelle, and Ms. Frascello said they've noticed general uptick in crimes related to gangs, gun arrests, but was unsure if it's related. Legislator Maher indicated that the department reported higher interventions and Ms. Frascello spoke about the work of their high impact units throughout the County. Legislator Maher asked several budget related questions and Commissioner Pozzi clarified that 100% of the funding coming out corrections budget is now in probations and they are under contract with Pretrial Services of Westchester in the amount of \$454,000. Commissioner Pozzi said the budget shows increase in state revenue because NYS held back a percentage from counties in 2020, but in 2021 Federal assistance has prevented that, resulting in 18% higher non-earmarked revenue across the board. Commissioner Pozzi continued that increased intake numbers were due to the courts being back up and running full steam and that he would send the figures from 2018 and 2019, in response to Legislator Maher's request. A discussion ensued on the policy for probation violations, with the general approach being to try everything they can before going back to the courts. Legislator Maher asked how often going back to court results in incarceration and Commissioner Pozzi said they would provide that information.

Legislator Barr asked several questions about the department's hiring practices and Commissioner Pozzi stated that they have a high retention rate of people during their probationary period, and the civil service exams bring them diverse, qualified candidates. He continued that they've had some difficulty hiring due to the pandemic, but the administration has been responsive in helping them fill unmet needs. Legislator Barr asked about the perceived lack of resources in fully addressing gang issues and Ms. Frascello said while there is some recidivism but they always make a full effort to intervene.

Legislator Walter asked about NYS court facilities in Westchester and Commissioner Pozzi spoke about the process that allows them first contact with kids due to the facilities being located in the county. Legislator Walter asked several questions about line items and Commissioner Pozzi confirmed in-home electronic monitoring is something their department pays for and that emergency contractual services were expenses claimed for under the CARES Act.

Members of the Department of Corrections spoke next with Commissioner Joseph Spano about the department's 2022 proposed budget. He introduced his team and spoke about their core missions, initiatives, and budget breakdown. He also spoke about the great efforts made by the department in protecting the staff, clients, and visitors from COVID-19 over the past year.

Chair Borgia began by asking several budget related questions and Commissioner Spano said that the project increases were due to the fact that the department is still incurring pandemic related expenses, and the department's tax levy increased by roughly \$1.8M. He continued that they would see a positive impact in the budget related to overtime expenses in 2022, as a new class would help ease the workload and fill a number of supervisory positions in spite of the 40-45 projected separations in 2022.

Legislator Maher asked several budget related questions, and Commissioner Spano confirmed that the corrections department shifted pre-trial monitoring to probations two years ago, and that they anticipated savings as a result of the new reimbursement rates worked out with

vendors, as evidenced in the contractual services line. Legislator Maher then asked several COVID-19 related questions and Commissioner Spano said they haven't had a resident case in over 2 months and currently have 2 staff with COVID-19. A discussion ensued on the 60% rate of staff vaccinations and Commissioner Spano said he believes the number will increase due to their protocols and initiatives, and they haven't felt the need to issue any mandates. Legislator Maher then asked several questions about the reimbursement rates for the 380 federal prisoners and a discussion ensued on who comprises them, how the rates are calculated, and protocols in place to protect staff and other inmates. A discussion ensued on a factually inaccurate letter regarding an alleged NYS investigation into the corrections department, with Commissioner Spano saying that no such request was made by him.

Members of the Department of Emergency Services spoke next, led by Commissioner Richard Wishnie, speaking about their department's 2022 proposed budget, core programs and functions, and initiatives with the majority of the presentation dedicated to the department's role during the pandemic as they managed the COVID-19 response throughout the county.

Chair Borgia asked about the vacancies in the department and Commissioner Wishnie spoke about the 2nd Deputy Commissioner position currently being handled by 1st Deputy Susan Spear.

Legislator Smith asked about new training initiatives and Commissioner Wishnie spoke about their mental health initiatives for staff and ambulance corps throughout the county, in partnership with the Department of Community Mental Health. Legislator Smith then asked several operational questions and Commissioner Wishnie spoke about the status of the new equipment shelter that would likely be shovel ready by spring 2022. Ms. and how municipalities could interface with the County's system provided they received approval and paid for it themselves.

Legislator Cunzio asked about the communications issues that the County faced during the recent severe weather events and the department stated that due to the enormous call volume received during these events they're required to triage calls in the way they would with mass casualty deaths, and while public education helps to some extent receiving the additional 5 positions requested would help significantly.

Legislator Maher asked about diverting 911 calls for people with mental health crises and a discussion ensued on how the training for staff occurred, with Commissioner Wishnie stating that a combination of in-house efforts and contractors worked to train the staff, with Commissioner Wishnie offering to provide a copy of the training, and that the program would start up in the near future.

Legislator Smith initiated a line of questioning on the Department's response to possible incidents associated with the closure of Indian Point and Mr. DelBorgo said that their response wouldn't change and that they were actually going to be doing a joint exercise with other counties and agencies the following day. Legislator Borgia clarified that a response to an incident while the plant was in operation would be different than during the decommissioning process and a discussion ensued, with Commissioner Wishnie agreeing that they would look into their concerns. He further commented that Deputy Commissioner Spear was appointed to be the County's official point person on the decommissioning process.

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*Legislator Shimsky asked about the 2nd deputy position that is required by the charter, but currently wasn't funded and questioned if it was necessary. Commissioner Wishnie stated that they've been able to function without that position, due to the efforts of Deputy Commissioner Spear and other staff picking up the slack but it was agreed further, offline discussions could be had regarding its long term outlook.*

*Chair Borgia asked them to speak more about their initiatives and Deputy Commissioner Spear spoke about their numerous initiatives including the County's Hazard Mitigation Plan submission to FEMA and a pilot program to help pay for education costs for individuals committing to service with their local emergency services. Commissioner Wishnie spoke extensively on the shortage of qualified EMS personnel and was hopeful they could make it a legislative priority in 2022. Additionally he commented on the plan to move the EMS working for the Department of Parks, Recreation, and Conservation into their department, and in response to Legislator Walter's question, said staff would be housed at 4 Daniel Road in Valhalla and that they were hourly or seasonal employees.*

*Legislator Barr asked for further clarification about the pilot program the department spoke about and a discussion ensued on its specifics, with the administration hopeful that it would help jumpstart a return to the workforce and filling the significant need.*

## **II. OTHER BUSINESS**

## **III. RECEIVE & FILE**

## **ADJOURNMENT**

Moved by Committee Vice-Chair Gashi, seconded by Legislator Maher, the Committee adjourned at 12:51 PM.