

**STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE**

*Monday, January 6, 2020*

*9:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	John V. Malter, Chair Frederick G. Potter	Kelly H. Fitzpatrick, Vice Chair Thomas J. Ryan	Steven P. Maio
<b>STAFF:</b>	Jack K. Wheeler Tim Marshall Noel Terwilliger James Allard	Christopher Brewer David Hopkins Brenda Aston Jennifer Prossick	Cheryl Crocker Shawn Sauro Andy Morse
<b>LEGISLATORS:</b>	Scott J. Van Etten Hilda T. Lando	Robin K. Lattimer Jeffrey P. Horton	K. Michael Hanna Robert V. Nichols
<b>OTHERS:</b>	Mary Perham		

**I. CALL TO ORDER**

Mr. Malter called the meeting to order at 9:00 a.m. and asked Ms. Fitzpatrick to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE DECEMBER 2, 2019, MEETING MADE BY MS. FITZPATRICK. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. DEPARTMENTAL REQUESTS**

A. Probation

1. **Justice for Families Grant** – Mrs. Crocker requested authorization to sign an MOU (Memorandum of Understanding) with LawNY for the Justice for Families Program Grant. There will be numerous agencies involved with this. This award is between \$25,000 - \$30,000 for three years and will help the Probation Department to help with monitoring of domestic violence offenders as well as assistance with victims and training.

Ms. Fitzpatrick asked is this a new grant? Mrs. Crocker replied yes. This is a three-year grant. Mr. Ryan asked what would the training encompass? Mrs. Crocker replied the training would be specific to domestic violence; working with the victims and supervising the offenders. Mr. Malter asked is the \$25,000 - \$30,000 per year? Mrs. Crocker replied yes.

Mr. Maio stated the District Attorney has a contract for a victims advocate; is there any interrelationship between the two? Mr. Wheeler replied there may be a little. The District Attorneys contract goes back to the work with the CAC (Child Advocacy Center) and some other things that we are working on.

Mrs. Crocker explained this grant is something new that just came out. The other agencies involved include the court system to provide the training as well as the NET, Arbor Development and LawNY. Mr. Potter asked is this a State grant? Mrs. Crocker replied no, this is a Federal grant.

**MOTION: AUTHORIZING THE DIRECTOR OF PROBATION TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH LAWNY FOR THE JUSTICE FOR FAMILIES PROGRAM GRANT IN THE AMOUNT UP TO \$30,000 FOR EACH OF THREE YEARS MADE BY MS. FITZPATRICK. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

B. District Attorney

1. **Approval of Contract for Second Victims' Advocate** – Mr. Terwilliger requested authorization to amend and extend the contract with the Institute of Human Services/Department of Social Services to include additional part-time victims' advocate services. The grant does include funding for two part-time contracts. This second position will give us a few more hours per week. Mr. Wheeler clarified this would be contracting for additional services. Last month the victims' advocate contract was presented by both the District Attorney and Department of Social Services and are funded with grant funds. We should have approved both positions at the same time.

Mr. Terwilliger explained this additional contract will help both our discovery unit and the CAC. The goal is for the District Attorney to have a full-time victims' advocate in our office and our hope is they would work with all of the agencies. Mr. Wheeler stated this is a way to get the process started and is in addition to what was approved last month.

Mrs. Lando asked is this different than what the Department of Social Services has? Mr. Terwilliger replied we are not doing the counseling side of things. The job of the victims' advocate is to make sure individuals are pointed in the right direction for the services they may need including counseling, probation, etc.

Ms. Fitzpatrick asked so this is a new service? Mr. Terwilliger replied yes. Ms. Fitzpatrick asked is this similar to what we agreed to for the Public Defender? Mr. Sauro replied it is the same services, but different side of the coin. Mr. Malter asked in the future, if we were to create the full-time position, would it be grant funded? Mr. Terwilliger replied we would hope so, yes.

**MOTION: AUTHORIZING THE DISTRICT ATTORNEY TO AMEND AND EXTEND THE CONTRACT THROUGH THE DEPARTMENT OF SOCIAL SERVICES AND THE INSTITUTE FOR HUMAN SERVICES FOR ADDITIONAL PART-TIME VICTIMS' ADVOCATE SERVICES TO BE PAID FOR WITH VOCA GRANT FUNDS MADE BY MS. FITZPATRICK. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Request to Roll Over 2019 Equipment Funding to Purchase Surveillance Equipment** – Mr. Terwilliger explained they were in the process of purchasing covert video surveillance equipment and had three quotes at the end of the year, however, after speaking with Purchasing, it was determined that we needed to bid this because of the cost. He requested authorization to roll over \$16,000 from the 2019 equipment line to the 2020 equipment line to purchase the covert surveillance equipment. This equipment is used in the drug enforcement unit as well as in homicide investigations.

Mr. Maio asked why would this equipment be purchased through your office and not the Sheriff? Mr. Terwilliger replied all of the police agencies within the County are able to use this equipment. Mr. Maio asked is the funding only available for the District Attorney? Mr. Wheeler replied this is equipment funding from 2019 that they did not use. Mr. Maio asked why isn't the Sheriff's Office doing this? Sheriff Allard replied the drug investigation unit is housed within the District Attorney's Office.

Mr. Potter asked this was not included in the fund balance and is just rolling over? Mr. Wheeler explained excess equipment funding that is not rolled over would then go into the general fund.

**MOTION: AUTHORIZING THE DISTRICT ATTORNEY, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO SOLICIT BIDS FOR THE PURCHASE OF COVERT SURVEILLANCE EQUIPMENT AND AUTHORIZING THE COMMISSIONER OF FINANCE TO ROLL OVER \$16,000 IN UNEXPENDED MAJOR EQUIPMENT FUNDING TO THE 2020 MAJOR EQUIPMENT LINE; AND AMENDING THE DISTRICT ATTORNEY'S 2020 MAJOR EQUIPMENT LIST TO INCLUDE COVERT SURVEILLANCE EQUIPMENT MADE BY MS. FITZPATRICK. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. Emergency Management Office

1. **Contract Renewals** – Mr. Marshall presented contract renewals for 2020 for Motorola, Empire Access, Twin Tier Pathology, Environmental Emergency Services, Inc. and EMSTAR. Mr. Potter asked were there any increases over last year? Mr. Marshall replied the contracts have remained the same with the exception of Motorola, which increased due to the last equipment piece coming into the project.

**MOTION: APPROVING THE FOLLOWING 2020 CONTRACTS FOR THE EMERGENCY MANAGEMENT OFFICE: MOTOROLA MAINTENANCE - \$141,238.32; EMPIRE ACCESS - \$2,400; ENVIRONMENTAL EMERGENCY SERVICES, INC. - \$8,400; TWIN TIER PATHOLOGY - \$900 PER CASE; AND EMSTAR - \$5,625 MADE BY MR. MAIO. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

D. Sheriff's Office

1. **Accept 2020 Police Traffic Services Grant** – Sheriff Allard requested authorization to accept the 2020 Police Traffic Services Grant from the Governor's Traffic Safety Committee in the amount of \$8,010. This funding will be used for additional traffic enforcement.

**MOTION: AUTHORIZING THE SHERIFF TO ACCEPT THE 2020 POLICE TRAFFIC SERVICES GRANT FROM THE GOVERNOR'S TRAFFIC SAFETY COMMITTEE IN THE AMOUNT OF \$8,010 MADE BY MR. POTTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **2020 STOP DWI Law Enforcement Agreements** – Sheriff Allard requested authorization to disburse STOP DWI funds to various local law enforcement agencies pursuant to the STOP DWI Plan. Mr. Potter asked what does the fringes line cover? Sheriff Allard replied that is for additional expenses; anything that is not covered in the payroll.

**MOTION: AUTHORIZING THE SHERIFF TO ENTER INTO AGREEMENTS WITH LOCAL LAW ENFORCEMENT AGENCIES FOR THE DISBURSEMENT OF STOP DWI FUNDS MADE BY MS. FITZPATRICK. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

3. **Re-Appropriate Funds for UPS with Bypass Switch** – Sheriff Allard informed the committee they were unable to get the bids done in 2019 for the replacement of the UPS with Bypass Switch. He requested authorization to re-appropriate \$7,700 from the 2019 Major Equipment line item into the 2020 Major Equipment line item to purchase and install the UPS with Bypass Switch.

**MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO RE-APPROPRIATE \$7,700 FROM THE 2019 MAJOR EQUIPMENT LINE ITEM TO THE 2020 MAJOR EQUIPMENT LINE ITEM FOR THE PURCHASE AND INSTALLATION OF A UPS WITH BYPASS SWITCH FOR THE CONTROL ROOM IN THE STEUBEN COUNTY JAIL AND AMENDING THE JAIL'S 2020 MAJOR EQUIPMENT LIST TO REFLECT THE SAME MADE BY MS. FITZPATRICK. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

4. **Re-Appropriate Funds for Water Line Capital Project** – Sheriff Allard explained they had previously budgeted \$37,500 to purchase a dishwasher for the Jail. After some analysis, they determined it would be better to lease the dishwasher for \$4,800 per year. That leaves us with \$32,700. Sheriff Allard explained they

are currently on year three of the water line replacement project and the prices have increased from the original bid. He requested authorization to re-appropriate the \$32,700 from the 2019 Major Equipment line into the capital project entitled "Replace Water Lines in the Jail".

Mr. Malter asked what is the usable life of the dishwasher? Sheriff Allard replied they have gotten 7 years out of the last two that they have had. Mr. Maio asked that the draft resolution presented be amended to reflect that amount has been increased rather than inflated.

**MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO RE-APPROPRIATE \$32,700 FROM THE JAIL'S 2019 MAJOR EQUIPMENT LINE TO THE CAPITAL PROJECT ENTITLED "REPLACE WATER LINES IN THE JAIL" AND AMENDING THE DRAFT RESOLUTION TO CHANGE THE WORDING IN THE SECOND RESOLVED FROM "...AS THAT AMOUNT HAS BEEN INFLATED" TO "...AS THAT AMOUNT HAS BEEN INCREASED" MADE BY MR. MAIO. SECONDED BY MR. POTTER FOR DISCUSSION.**

Mr. Van Etten asked if you are in year three of this project, how much longer do you anticipate it taking? Sheriff Allard replied he believes this will be the final year. The original water lines were galvanized and we started getting pinhole leaks and have been replacing with copper lines. He commented the increase is due to the fittings doubling in price.

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

5. **Renew School Resource Deputy Agreements with BOCES** – Sheriff Allard requested authorization to renew the agreements with GST BOCES for two School Resource Officers, which BOCES fully funds. One officer is at the Coopers campus and the other is at the Wildwood campus.

**MOTION: AUTHORIZING THE SHERIFF TO RENEW THE AGREEMENTS WITH GST BOCES FOR TWO SCHOOL RESOURCE OFFICERS MADE BY MR. POTTER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

6. **Renew Other County Inmate Housing Agreements** – Sheriff Allard requested authorization to renew the other county inmate housing agreements in the amount of \$100 per inmate per day. This is an increase from the previous amount of \$87.00 per inmate per day.

**MOTION: AUTHORIZING THE SHERIFF TO RENEW THE OTHER COUNTY INMATES AGREEMENTS AT A RATE OF \$100.00 PER INMATE PER DAY MADE BY MS. FITZPATRICK. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

7. **Jail Report** – Mr. Malter asked what is the population at the Jail? Sheriff Allard reported it is 117 as of this morning. The lowest we reached was 109 last month. He did a quick scan of their warrant arrest report and we are up 30 from 20. The total number of warrants has increased 15 percent from last year. Sheriff Allard also announced that the head of the Majority of the Assembly is willing to re-examine the reform laws and there is a push to give more authority to the judges. Ms. Fitzpatrick asked how does that affect staffing at the Jail? Sheriff Allard replied last year we had 205 inmates. We are still full staffed as if we had full occupancy. We have two units that are temporarily not being used unless we have multiple disciplines. With that staff, we are avoiding overtime for trips and constant watch. We are also utilizing the inmate workers to paint and deep clean those units and then will move onto another. We are rotating through all of the units and doing a deep clean and rehabilitation of the entire facility. We have three vacant full-time positions and five vacant part-time positions. Mr. Wheeler commented we should also see some relief in the temporary hire line item. We should also see less pressure if things stay as they are right now. Sheriff Allard commented once the construction project is done, we can use some of these staff to do security at the new building and that cost would be on us as the State is not utilizing the new building. Mr. Malter asked how many pods do you have? Sheriff Allard replied 7.

E. County Manager

1. **Contract Renewal – Finger Lakes SPCA** – Mr. Wheeler explained we have partnered with the Finger Lakes SPCA now that the Sheriff has taken over the animal cruelty responsibility. He expects an annual report in the next month or two. The contract amount is \$10,000 annually and they work with the Sheriff and the New York State Police on equipment. This amount covers any vet bills and services for staff. Sheriff Allard commented the Finger Lakes SPCA has been fantastic to work with. Almost every arrest we do has the interaction of a veterinarian. They do a really good job.

**MOTION: AUTHORIZING THE COUNTY MANAGER TO RENEW THE CONTRACT WITH THE FINGER LAKES SPCA FOR ANIMAL CRUELTY IN THE AMOUNT OF \$10,000 ANNUALLY MADE BY MR. MAIO. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **RFP Request** – Mr. Wheeler informed the committee that he and Mr. Hopkins had been approached back in December by a group that is looking to potentially use our tower sites to provide rural broadband services and that would require an RFP. There would be no cost to the County, potentially some revenue and additional services to residents.

**MOTION: AUTHORIZING THE COUNTY MANAGER, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO SOLICIT RFP'S FOR THE LEASE OF TOWER SITES FOR A WIRELESS COMMUNICATIONS PROVIDER MADE BY MS. FITZPATRICK. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

IV. **OTHER BUSINESS**

A. **COPE** - Mrs. Lando asked are we going to get a report on the COPE project? Sheriff Allard replied yes. We did one back in June, but we can do that as part of our annual report. Mr. Wheeler stated we will also be getting a report about the CAP transports.

**MOTION: TO ADJOURN MADE BY MR. RYAN. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**\*\*NEXT MEETING SCHEDULED FOR\*\***

**Monday, February 3, 2020**

**9:00 a.m.**

**PLEASE PROVIDE AGENDA ITEMS**

**NO LATER THAN NOON**

**Monday, January 27, 2020**

**STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE**

*Monday, February 3, 2020*

*9:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	John V. Malter, Chair Frederick G. Potter	Steven P. Maio, Vice Chair Thomas J. Ryan	Jeffrey P. Horton
<b>STAFF:</b>	Jack K. Wheeler Brenda Aston Tim Marshall Nate Alderman James Allard	Christopher Brewer Veronica Berry Jennifer Prossick Shawn Sauro Craig Patrick	Cheryl Crocker Brenda Mori Noel Terwilliger Brooks Baker
<b>LEGISLATORS:</b>	Scott J. Van Etten K. Michael Hanna	Carol A. Ferratella	Kelly H. Fitzpatrick
<b>OTHERS:</b>	Mary Perham	McKenna Ryan	

**I. CALL TO ORDER**

Mr. Malter called the meeting to order at 9:00 a.m. and asked Mr. Horton to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE JANUARY 6, 2020, MEETING MADE BY MR. POTTER. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. DEPARTMENTAL REQUESTS**

A. Emergency Management Office

1. **Graybar Contract Extension** – Mr. Marshall requested authorization to extend the contract with Graybar through December 31, 2020. This is for the maintenance of the generator and UPS at the 911 Center.

**MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO EXTEND THE CONTRACT WITH GRAYBAR THROUGH DECEMBER 31, 2020 FOR THE MAINTENANCE OF THE GENERATOR AND UPS AT THE 911 CENTER MADE BY MR. POTTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Acceptance of FY19 SICG Grant** – Mr. Marshall requested authorization to accept a FY19 Statewide Interoperable Communications Grant in the amount of \$796,257. These funds will be used for radio maintenance and ongoing radio projects.

**MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO ACCEPT A FY19 STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT IN THE AMOUNT OF \$796,257 MADE BY MR. MAIO. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. Sheriff's Office

1. **Donation** – Sheriff Allard requested authorization to accept a \$50.00 donation from the Hammondspport Women's Club for the K-9 Fund.

**MOTION: AUTHORIZING THE SHERIFF TO ACCEPT A \$50.00 DONATION FROM THE HAMMONDSPORT WOMEN'S CLUB FOR THE K-9 FUND MADE BY MR. POTTER. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Sheriff Allard commented Mike McCartney's family has indicated they would be interested in donating another K-9 to the K-9 Unit. We currently have three. Mr. Maio asked do we need more dogs? Sheriff Allard replied yes as we do not have a Nitrate dog and they would be able to perform bomb detection for the schools. Mr. Van Etten asked will this result in additional staff increases? Mr. Wheeler explained there will be some additional costs for training, but they will be using existing deputies.

2. **State Criminal Alien Assistance Program Grant** – Sheriff Allard requested authorization to accept a 2019 State Criminal Alien Assistance Program Grant in the amount of \$2,987. This is a reimbursement for housing non-documented individuals at the Jail.

**MOTION: AUTHORIZING THE SHERIFF TO ACCEPT THE 2019 STATE CRIMINAL ALIEN ASSISTANCE PROGRAM GRANT IN THE AMUONT OF \$2,987 MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

3. **Accept Trinity/Swanson Grant** – Sheriff Allard informed the committee that he had applied for the Trinity/Swanson Grant to purchase safety and security equipment for the Jail, specifically Tasers for the Supervisors in the Jail. He was awarded \$13,380 and he requested authorization to accept the non-matching grant.

**MOTION: AUTHORIZING THE SHERIFF TO ACCEPT THE TRINITY/SWANSON GRANT IN THE AMOUNT OF \$13,380 FOR THE PURCHASE OF TASERS FOR THE SUPERVISORS AT THE JAIL MADE BY MR. RYAN. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

4. **Bids** – Sheriff Allard requested authorization to go out to bid for milk products for the Jail and uniforms for the Sheriff's Office and Jail.

**MOTION: AUTHORIZING THE SHERIFF, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO SOLICIT BIDS FOR MILK PRODUCTS FOR THE JAIL AND DEPARTMENT UNIFORMS MADE BY MR. MAIO. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

5. **CAP Court** – Mr. Maio asked the Sheriff if we are taking people to CAP Court for cases they cannot be held on? Sheriff Allard replied no. Anyone going to CAP Court has a valid reason within the constraints of bail reform where they can be arraigned.

C. Public Defender

1. **CAP Court** – Mr. Sauro commented in response to Mr. Maio's question to the Sheriff, individuals are also brought to CAP Court for arraignments that cannot be completed within the twenty-day requirement. Mr. Maio asked are there some courts that are not doing the twice monthly CAP Court? Mr. Sauro replied yes and that is due to staffing. Mr. Wheeler stated there is some push for limited reform to address that.

Mr. Malter asked have you seen a reduction in the number going to CAP Court? Mr. Sauro replied no. Their average is two per shift for a total of four per day. The numbers are staying about the same. Sheriff Allard commented the population as of today at the Jail is 125 and we are seeing a steady increase due to warrants.

2. **Update on AmeriCorps Volunteer Program** – Mr. Sauro introduced McKenna Ryan who is their first AmeriCorps volunteer. This is her third week on the jail and she has already done a fantastic job with revamping our website and social media platforms. Ms. Ryan is planning three events for the office; one information session for the public, one session for teenagers and one volunteer opportunity to be held around the holidays. This is working out well and we still have one position open.

3. **Update on Current Staffing Losses** – Mr. Sauro informed the committee that he is currently down one part-time Public Defender and will lose another March 1, 2020. Due to these two vacancies, the western and southern portion of the County, including the City of Corning court, will not have coverage. He stated he does have potential candidates for both positions, but if those do not work out, he will be coming back to committee next month.

Mr. Malter asked why are you losing attorneys? Mr. Sauro replied they are getting other opportunities, better paying opportunities. Mr. Maio asked are full-time Public Defenders getting paid less than full-time Assistant District Attorneys? Mr. Sauro replied yes. Mr. Wheeler stated they are not supposed to and with the new salary grid, the goal is to not have people jumping from department to department as they should be hiring based on experience at the same levels. The Public Defender, District Attorney and Social Services are each facing recruitment issues for attorneys.

D. District Attorney

1. **Driver Diversion Status Update** – Mr. Baker stated Noel Terwilliger has been heading up the Driver Diversion Program. We had been trying to find a vendor to automate our system as much as possible. We had one vendor from California that had initially said they would be able to do that, but then they were including additional costs. We went back to Information Technology (IT) to see if they could automate our program. Our IT Department has indicated they can automate our process and that we can roll that out within the near future. Right now we have determined this is our best option.

Mr. Malter asked what about the plan to test this in a large and small court and have it up and running? Has that happened yet? Mr. Terwilliger replied we have had several conferences through December and January with the vendor and have been working with our IT and Finance departments. We will have more of a savings by going with the IT Department and they can get the program up and running within three to four weeks for the pilot for a small court. We still have some MOU issues to work out with the courts. Additionally, getting the RMS (Records Management System) up and running from the ground up is a lengthy process. We anticipate it to be up and running by the end of February.

Mr. Malter stated his concern is that we budgeted money for a program that was going to be up and running at the beginning of this year. Mr. Van Etten asked what was the cost for the California vendor? Mr. Terwilliger replied it was \$12,000 for the first phase with the second, third and fourth phase at a cost of between \$4,000 to \$8,000 depending on number of hours and bells and whistles. Mr. Baker commented the vendor was also going to charge a monthly fee and that was not what they had talked about initially. Mr. Van Etten asked what are other counties using? Mr. Terwilliger replied there is not any RMS currently that is handling a DDP like ours. Broome County would probably be the closest.

Mr. Malter asked from the original program, what do we have to modify? Mr. Terwilliger replied we are working with IT on an online application and that is about 80 percent complete. We also need to make sure that marries to our RMS. After that, we will work with the Finance Office on the auto payment feature. He stated they already have the judge's portal ready. Mr. Baker explained the on-line application is the critical piece to this. Mr. Malter suggested that the committee should get a report from IT on the status of the project.

Mr. Maio asked doing this internally will make the process quicker and less expensive than using an outside vendor? Mr. Baker replied yes. We will be using the same process as we had previously except it will be automated. Mr. Potter asked with the automated payment, will that create a hardship for some people? Mr. Baker replied those individuals will be able to go and pick up a prepaid VISA card and we will provide instructions for

that. Mr. Potter asked is there a surcharge that the individual will have to pay? Mr. Baker replied that will be included in the fee.

2. **Budget Transfer** – Mr. Terwilliger requested authorization to transfer \$6,000 from the 2019 Fringe line into the 2019 contractual lines to cover expenses, specifically for witness fees and travel reimbursements. He explained they had more grand juries and they also had an extradition to California.

**MOTION: AUTHORIZING THE DISTRICT ATTORNEY TO TRANSFER \$6,000 FROM THE 2019 FRINGE LINE ITEM INTO THE 2019 CONTRACTUAL LINE ITEMS TO COVER EXPENSES, SPECIFICALLY FOR WITNESS FEES AND TRAVEL REIMBURSEMENT MADE BY MR. RYAN. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mr. Terwilliger noted that with respect to last month's request for video equipment, the actual cost came in at \$13,000, not the \$16,000 he had originally requested.

E. Personnel

1. **16B Waiver – District Attorney** – Mr. Alderman stated the District Attorney is requesting a 16B Waiver to create 1 part-time Assistant District Attorney position, Management Grade H. Mr. Baker explained he had a shared services contract with Schuyler County for a part-time ADA. Schuyler County can no longer fulfill this contract. He requested authorization to create one part-time ADA and the cost would be the same as what they were paying through the contract with Schuyler County.

**MOTION: WAIVING THE 16B PROCESS AND AUTHORIZING THE CREATION OF ONE PART-TIME ASSISTANT DISTRICT ATTORNEY POSITION, MANAGEMENT GRADE H, IN THE DISTRICT ATTORNEY'S OFFICE MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

2. **16B Waiver – Conflict Defender** – Mr. Alderman stated the Conflict Defender is requesting a 16B Waiver to create 1 part-time Assistant Conflict Defender position, Management Grade H. Ms. Aston explained we have 2 full-time defenders. Our caseload is increasing and we are getting a lot of discovery materials and two people cannot cover 1,400 square miles.

Mr. Wheeler stated the Conflict Defender and Public Defender positions have been submitted under the Hurrell-Harring plan and will be offset by State revenues. The Public Defender positions were anticipated in the 2020 budget, however, the Conflict Defender position was not, but this saves us as it helps prevent cases from going to Assigned Counsel.

Mr. Maio asked has there been any attempt to get all the courts together to see if the courts could arrange their schedules so they were not all holding court at the same time? Mr. Baker replied each judge and clerk has a work schedule to work around and there are 52 courts. Ms. Prossick stated on Friday she attended a Regional 7<sup>th</sup> District meeting and there was discussion about how the court schedules are causing more stress on the Public Defenders and Assigned Counsel regionally. A status meeting is scheduled for June to see if the issue is getting worse and Judge Doran has stated that if necessary, they will adjust the schedules.

Ms. Aston commented they are barely making it and are constantly, unfortunately, late for court. We are reviewing voluminous packages of discovery materials. With this part-time position, they would be handling court in the Hornell area including Arkport and Fremont and would be handling the D and E level felonies to begin with.

**MOTION: WAIVING THE 16B PROCESS AND AUTHORIZING THE CREATION OF ONE PART-TIME ASSISTANT CONFLICT DEFENDER POSITION, MANAGEMENT GRADE H, IN THE CONFLICT DEFENDER'S OFFICE MADE BY MR. MAIO. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

3. **16B Waiver – Public Defender** – Mr. Alderman stated the Public Defender is requesting, one Typist, Grade IV; 1 Senior Typist, Grade VI; 1 Paralegal Assistant, Grade XI and 1 Senior Assistant Public Defender, Management Grade I. Mr. Sauro explained these positions are all very important for different reasons. The Senior Typist will have the State mandated duties of Data Control Officer and under the ILS mandate, we need to get that position up and running as training for Data Control Officers is already occurring. This individual will be coordinating communications of data from all three indigent defense departments to ILS to ensure that we are in compliance. Mr. Malter asked is there an annual audit? Mr. Sauro replied yes and they will also be doing quarterly monitoring.

Mr. Sauro explained by 2023 there will be certain benchmarks that we will need to meet to ensure that the quality of services is as high as they can be. Additionally, the caseload caps will become effective and each attorney will be capped at 150 cases. If we hit our cap, then those additional cases go to the Conflict Defender, and when they hit their cap, then the cases go to Assigned Counsel.

Mr. Sauro explained with the Senior Assistant Public Defender position, he will have more flexibility in hiring and will be able to hire an individual with more experience. He explained with the Typist and Paralegal Assistant positions, as we add additional attorneys, support staff is required to assist them. A general rule of thumb is one support staff for every two attorneys. Right now the attorneys are preparing their own motions and doing their own typing.

Mr. Malter asked do you have people in mind for these positions? Mr. Sauro replied he has one potential individual for the Senior Assistant Public Defender positions, and he does not have anyone for the other positions. Mr. Alderman explained these remaining positions are open-competitive positions. Mr. Wheeler commented they are also working with CSS Workforce NY to get paralegals as a demand occupation. Mr. Sauro stated he is also working with the Steuben County Bar Association to put together something where they can begin advertising and recruiting on a perpetual basis. He would like to put some serious energy into that so we can all have a pool of attorney applicants.

**MOTION: WAIVING THE 16B PROCESS AND AUTHORIZING THE CREATION OF ONE TYPIST POSITION, GRADE IV; ONE SENIOR TYPIST POSITION, GRADE VI AND ONE PARALEGAL ASSISTANT POSITION, GRADE XI IN THE PUBLIC DEFENDER’S OFFICE MADE BY MR. MAIO. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

Mr. Potter commented he knows all of these positions are being mandated, but his concern is that no one is giving consideration to the victims in these situations and that is getting worse for them. He understands there is nothing we can do here and that is not right. Mr. Baker stated no, it is not right. Mr. Maio commented he saw that the Police Chief’s Association and State representatives were set to meet and there was some feeling that some things need to be switched up.

Sheriff Allard stated last week at his Sheriff’s Association conference in Albany, our association met with the Chief’s Association and the District Attorney’s Association and we sent a joint letter to the Senate and Assembly requesting a meeting to discuss this. Both the Senate Majority and Minority leaders met with us. The Assembly has refused to meet with us. He stated tomorrow he and Mr. Baker, along with a couple of the police chiefs, will be attending a rally in Albany.

Mr. Ryan asked if the State does reverse this, what will we do with all of these positions? Mr. Wheeler replied you have a few separate issues; bail reform and discovery. The positions we just discussed fall under Hurrell-Harring and nothing will change with those. The other requirements we will have to wait and see. Mr. Baker commented no one is predicting that it will change back; it will continue to be what it is. Mr. Wheeler stated the hope is that they listen to the feedback from all of the stakeholders and do things that make sense.

#### IV. OTHER BUSINESS

A. *District Courts* – Mr. Maio stated four years ago when Dan Farrand was the head of this committee, one of the goals of the committee was to establish district courts in the County. We have been hearing about staffing for the past four years and about part-time judges who cannot meet as often as they should. What the Constitution of New York State says is that a County may request from the State, legislation and a resolution establishing a district court by referendum. Mr. Maio stated he thinks this committee needs to take a look at, either by a subcommittee or an ad hoc committee, whether that would be efficacious for this County to do and what the structure might look like, how many districts, the costs, cost savings, etc. We are a big county, but we are not the biggest.

Mr. Baker commented we have the most courts in the State. Mr. Maio stated we would be the test case for this and if any County is suited to this, it would be us. We should look at the process to move along and if there is an appetite among the Board, to move it along.

Mr. Malter stated we can look at this as a committee. We will need to get some information about the law. Mr. Wheeler commented OCA (Office of Court Administration) has to be involved. Ms. Prossick stated the regional meeting she attended Friday was the first time they admitted that district courts may be coming. It seems like OCA is setting things up to see if they can consolidate and make it smaller.

Mr. Potter stated he agrees this is something we should look at. With a referendum vote you are taking the vote of the local people away and voters do not like that. Mr. Maio replied the people would get a vote. The people of the district outside of the city have to vote in favor, and the people within the city have to vote in favor. If there is not a majority vote, then it does not happen. Ms. Prossick stated this would be similar to the assessor situation. You will lose judges and clerks that cannot be replaced. Mr. Potter commented it is more difficult to get people to run. Mr. Malter stated we experienced this when we went from a Board of Supervisors to a Legislature. That process has to happen.

Ms. Fitzpatrick stated as the local judges handle more and more CAP cases, they do not like it. You may have a handful of judges doing CAP and getting better at it. There may be judges that will no longer want to run.

Mr. Van Etten stated he thinks it is a good idea and we have talked about this for a number of years. His question is on the district courts and the judges; are they appointed or elected? Mr. Maio replied the judges would be elected by the people who live in the district. Mr. Wheeler stated it would be under OCA. Mr. Ryan asked how is it that OCA has the power to create so much havoc? Ms. Prossick replied they are elected judges. Mr. Wheeler stated under State Law they have this authority. Mr. Malter stated we will need a total overview of this and what the cost savings are at one end and the loss of revenue at the other end.

Mr. Van Etten asked with regard to CAP Court, he has heard that we do not always have a District Attorney present? Mr. Baker replied once we have the additional part-time attorney, we will be able to have attorneys present at CAP court. With our staffing issues, we were calling in to see if it was something that required staff to be present. He commented the Corning City Court is a pretty big lift by itself. Mr. Van Etten stated we changed from giving the attorneys a stipend to increasing the salary and making it permanent, and yet people are not showing up to do their job. Mr. Baker stated we will be able to be present in CAP court with this additional part-time ADA. Now that Mike McCartney's position is filled, we have been in court more.

Mr. Sauro stated he wanted to mention that due to bail reform, a number of indigent clients who were victims of the system are now at liberty and he has seen positive changes. These are very grateful people and families have been made better. These individuals are able to more fully participate in their defense. Please do not lose sight of that.

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OF A PARTICULAR PERSON MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. MAIO. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. *Drug Court* – Mrs. Crocker stated she wanted to let the committee know that she is considering the possibility of withdrawing from the drug court team. Over the next few weeks, another judge will be filling in and will try to get the team on the same track that we were on before. She hopes they will be able to put a more concrete procedure in place so when the original judge returns, hopefully he will continue to follow that. Mrs. Crocker stated she will be participating on some subcommittees over the next few weeks to make changes that we will be more comfortable with pertaining to public safety. She explained one of the issues is that participants that are being allowed in felony drug court have violent offenses or are violent; additionally, if they commit another offense while in the program, some are not being discharged unsuccessfully from the program. The integrity of the program is at issue, as well as the current participants' attitudes as it is becoming more difficult for her officers that are supervising them. It is slowly getting out of control.

Mr. Maio asked does the team make the decision of who participates? Mrs. Crocker replied not anymore; now it is only the judge. Mr. Maio asked when people are accepted into the program is it the judge or team's decision? Mrs. Crocker replied if the judge agrees, it is the team. If the judge does not agree, then the judge makes the determination. Mr. Maio asked if you withdraw from the team, who will supervise the people in drug court? Mrs. Crocker replied we would have to supervise them, the difference would be how. Right now, we go by the drug court program and we see them once or twice per week. If we go by regular probation, we would do a risk assessment and supervise based on that; most likely less than weekly. Mr. Maio stated so if you do not participate in drug court, then these people are getting less supervision? Mrs. Crocker replied yes. Our voice is not being heard anyway. Mr. Maio stated so you are saying the public would be better served with less supervision.

Ms. Prossick stated Mrs. Crocker is voluntarily pursuing a program that is not required and it is putting violent people into the community and putting liability on her office. She is participating in the release of these people. What she is doing in drug court is not under State statute.

Ms. Fitzpatrick asked are you concerned about officer safety as well? Mrs. Crocker replied yes. Ms. Fitzpatrick asked if you continue to participate in drug court, does that put your officers at higher risk? Mrs. Crocker replied that is part of it. Mr. Wheeler stated our goal would be to participate, but there needs to be some changes and we cannot force those. With us withdrawing, hopefully it will self-correct.

Mr. Malter asked have we withdrawn at this point? Mrs. Crocker replied to some extent; she is still participating. Mr. Malter asked is it your decision to withdraw? Mrs. Crocker replied yes. Mr. Wheeler explained this is just informational for you. Our goal is to be a partner.

Mr. Baker commented there have been times when the District Attorney's Office has pulled out in the past. This is not uncommon. Mr. Malter stated if that has worked in the past, why not do it again. Mr. Wheeler stated we hope that it does not come to that and we will see what happens over the next four weeks.

**MOTION: TO ADJOURN MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by Amanda L. Chapman, Deputy Clerk, Steuben County Legislature

**\*\*NEXT MEETING SCHEDULED FOR\*\***

**March 2, 2020**

**Legislative Committee Room**

**9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office**

**NO LATER THAN NOON**

**Monday, February 24, 2020.**

**STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE**

*Monday, March 2, 2020*

*9:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	John V. Malter, Chair Thomas J. Ryan	Jeffrey P. Horton	Frederick G. Potter
<b>STAFF:</b>	Jack K. Wheeler Tina Goodwin Tim Marshall Shawn Sauro Craig Patrick	Christopher Brewer Noel Terwilliger Andy Morse Nate Alderman James Allard	David Hopkins Cheryl Crocker Jennifer Prossick Jennifer DeMonstoy Brenda Aston
<b>LEGISLATORS:</b>	Scott J. Van Etten Aaron I. Mullen	Carol A. Ferratella Robert V. Nichols	Kelly H. Fitzpatrick Gary B. Roush
<b>ABSENT:</b>	Steven P. Maio, Vice Chair		
<b>OTHERS:</b>	Mary Perham, <i>The Leader</i>		

**I. CALL TO ORDER**

Mr. Malter called the meeting to order at 9:00 a.m. and asked Mr. Baker to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE FEBRUARY 3, 2020, MEETING MADE BY MR. RYAN. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**III. DEPARTMENTAL REQUESTS**

A. Emergency Management Office

1. **RFP for Electrical Engineering** – Mr. Marshall stated he is requesting authorization to put out an RFP for electrical engineering. The County does not have any general A & E for engineering. We have been having issues that are causing problems at 911 and need to give an electrical engineer to come in and take a look. We are looking at the cost right now.

Mr. Ryan asked are you having the same issue as you had in previous years? Mr. Marshall replied yes; we have had ongoing issues for a while. Mr. Wheeler stated we did think we had some of those issues resolved. Previously there was a municipal power issue that was worked out. The recent issues are more of an internal nature. They have stop gap plans, but this needs to be done in a phased way as they will have to take the entire building off power. Mr. Malter asked did we have an electrical firm do the work originally? Mr. Marshall replied yes. Mr. Wheeler commented it has been so long and we would need to do the procurement anyway.

**MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO ISSUE A REQUEST FOR PROPOSALS FOR ELECTRICAL ENGINEERING SERVICES MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

2. **Request to Bid Radio Communications Tower Lighting** – Mr. Marshall informed the committee they have had some lighting issues at a couple of the tower sites and they need to upgrade to LED lighting. The cost will be covered by Homeland Security Grant funds.

**MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO ISSUE A BID FOR RADIO COMMUNICATIONS TOWER LIGHTING MADE BY MR. POTTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

3. **Litigation** – Mr. Van Etten stated he received correspondence notifying him of a pending lawsuit. Ms. Prossick replied if the committee would like to discuss this in detail, that would be more appropriate in Executive Session.

B. 911

1. **Public Safety Answering Points Operations Grant** – Mrs. Goodwin requested authorization to accept a total of \$187,468 from the Public Safety Answering Points (PSAP) Operations Grant. This represents our portion of the cellular surcharges that the State collects annually. This funding is distributed across the State and is based on the number of calls received and CAD records. Mr. Wheeler stated they would like to encumber this funding into the capital project for future upgrades.

**MOTION: AUTHORIZING THE 911 DIRECTOR TO ACCEPT A PUBLIC SAFETY ANSWERING POINTS (PSAP) OPERATIONS GRANT IN THE AMOUNT OF \$187,468 AND APPROPRIATE TO THE 911 COMMUNICATIONS SYSTEM CAPITAL PROJECT TO BE USED FOR FUTURE UPGRADES MADE BY MR. HORTON. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

C. Sheriff

1. **Milk Bid Award** – Mr. Morse stated one bid was received from Upstate Niagara for \$0.2585 per half pint. Last year the bid from Byrne Dairy was \$0.194 per half pint. We did check to see why Byrne Dairy did not bid and they were sold to Upstate Niagara.

**MOTION: AWARDING THE MILK BID FOR THE JAIL TO THE SOLE BIDDER, UPSTATE NIAGARA FOR \$0.2585 PER HALF PINT MADE BY MR. RYAN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

D. District Attorney

1. **Traffic Diversion Program** – Mr. Baker provided an overview of where they are with the Traffic Diversion Program. They wanted to use a computer program and received quotes from vendors but that became cost and time prohibitive. We have been working with Information Technology on our existing program and the payment piece needs to be tested. There is a new vendor who is just getting into this field. They can do everything we want done including payment, notifications, scheduling, court notifications. They can also have their program up and running within 7 – 10 days of approval. The cost is 10 percent of the proceeds. We would not need to hire anyone and all of the cost and risk is on them. If at some point the State does not like this program, then we do not have an investment in hardware or staff. Mr. Baker stated Orleans County is using this vendor and have been very pleased with them. They have a help desk that is available Monday – Friday, 9am – 5pm and they can customize the program to fit our needs.

Mr. Malter asked what do we need to do? Mr. Baker replied we would have to evaluate every ticket to determine who would be eligible for the program. That is just an analysis piece. Mr. Malter asked with the staff that was utilized previously for this, what has happened with them? Mr. Baker replied we were just doubling up on functions. A lot has fallen to Mr. Terwilliger, particularly with record keeping. Mr. Malter commented from a cost standpoint this is much less expensive than hiring someone.

Mr. Terwilliger stated Orleans County had a demo and their program is exactly what we want. The help desk component will also alleviate pressure on our staff. Mr. Wheeler stated he would recommend issuing an RFP as they are not the only vendor that offers this type of service.

Mr. Malter stated in the budget for this year you anticipated revenue and the program was supposed to be up and running in the middle of December. What is the status of that? Mr. Terwilliger replied the IT portion was supposed to be turned on this week, but we are still working on the financial piece and that will not be ironed out for another four to six weeks.

**MOTION: AUTHORIZING THE DISTRICT ATTORNEY, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO ISSUE A REQUEST FOR PROPOSAL FOR A TRAFFIC DIVERSION MANAGEMENT PROGRAM MADE BY MR. HORTON. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

E. Personnel

1. **16B Waiver – District Attorney** – Mr. Alderman stated the District Attorney is requesting a 16B Waiver to create one part-time Assistant District Attorney position, Management Grade H. Mr. Malter asked for an explanation of what has transpired with this. This position was here but then a year ago we entered into a contract with Schuyler County and now you are asking to move the position back to the District Attorney’s Office. Mr. Baker explained he had a shared services contract with Schuyler County for a part-time ADA. Schuyler County can no longer fulfill this contract. He requested authorization to create one part-time ADA and the cost would be the same as what they were paying through the contract with Schuyler County. Mr. Malter stated this previously had been approved by Administration and Finance and you are not looking for any additional money or positions. Mr. Wheeler replied that is correct, this is coming back for your review.

Mr. Horton asked with regard to CAP Court, what everyone is saying is that the \$5,000 stipend was to cover the attorneys to attend CAP Court, but they are not going to CAP Court? Mr. Baker replied we put a stipend in for the people who wanted to be involved. We are covering CAP and went to an on-call program for sessions that we could attend. Our people are prepared and ready to go. In cases where there is nothing for us to do except to monitor, we have not been going. We are down one part-time position and are going as frequently as we can with the staff that we have. His preference is to be at CAP and once we are at 100 percent staffing, we will be there.

Mr. Mullen stated some of the concerns he has is that he has heard from multiple people that you are not actually going to CAP. One of the reasons you gave for needing more people was Raise the Age, and that work has been light. Basically Mike McCartney’s position was offered at 80 – 90 percent. He thought that was a special scenario just for Mr. McCartney. Mr. Mullen stated he looked over the letter Mr. Baker sent out and he thought most of what was mentioned was what you normally do. One issue was the new discovery demands. I think I saw, and it is a good point, on the letter that you have a backlog of discovery from old cases. I don’t mind a temporary position to help with that, but I would like to see data on what is actually being done at CAP court. Mr. Mullen stated he would also like to see data on Raise the Age and if we give you a temporary position, then in one year he would like data to show what is going on with the new discovery demands. A lot of what you mentioned in the letter is what your job is generally. You mentioned 2,100 hours for CAP per year. Is that what you are doing now?

Mr. Baker replied CAP court takes up to three hours. We are demanding those three hours no matter what. He has the January numbers as that is what we have since bail reform. We are doing a couple of arraignments at a minimum for each and every CAP session. We are also doing orders of protection and bench warrants which are taking a lot of time. The Raise the Age compensation totaled \$2,500 back in 2016.

Mr. Malter asked if there are arraignments where you need to be present, do you show up? Mr. Baker replied yes. If there is not an arraignment, we still cannot book anything else for those three hours. Once we get back to full time staff, then we will be covering CAP. He stated he has someone lined up to hire that has 7 – 8 years of experience. Mr. Horton asked after that individual is hired will you still be doing CAP on an on-call basis? Mr.

Baker replied no. We only went to the on-call when we lost Mr. McCartney and the part-time position at the same time. Mr. Potter asked have you filled Mr. McCartney's position? Mr. Baker replied yes.

Mr. Van Etten stated you have to understand why we are asking these questions. We were told if we paid the stipend, it would cover CAP and then we hear that you are not attending. On the flip side, I do not want someone sitting out there with nothing to do for three hours. He stated he thinks we can arrive at a happy medium. Mr. Baker stated there will be someone there. We are seeing more warrant returns and orders of protection. Mr. Van Etten commented we should be at the one-year anniversary of CAP. Sheriff Allard replied he believes that will be in April. Mr. Van Etten asked if the Legislature could get a full summary of the past year and whether there have been any dramatic changes. Sheriff Allard commented CAP court takes longer now than it did before. Mr. Van Etten commented it will be interesting to see how it has changed. Mr. Malter stated he would like to see the breakdown before January and then January/February.

Mr. Horton commented some of the new judges feel more comfortable having the District Attorney present at CAP. Most of the new judges are on-call on the weekends and the Sheriff Deputies are helping guide them through the process. Mr. Potter stated your letter listed all of the local courts and travel times but you are not having someone at the local courts. Mr. Baker stated our DA nights are covered. We have 62 local courts that we cover every single month.

**MOTION: WAIVING THE 16B PROCESS AND AUTHORIZING THE CREATION OF ONE PART-TIME ASSISTANT DISTRICT ATTORNEY POSITION, MANAGEMENT GRADE H, IN THE DISTRICT ATTORNEY'S OFFICE MADE BY MR. POTTER. SECONDED BY MR. MALTER FOR DISCUSSION.**

Mr. Mullen asked how does the Traffic Diversion Program account into this? Mr. Baker stated his hope is that the amount of work involved will reduce to some extent and will save some ADA time. The other piece is the discovery requirement on all traffic tickets.

Mr. Malter commented if we do not approve this request, the CAP situation will remain the same or get worse. We will be going from one situation to another.

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

F. County Manager

1. **Memorializing NYS to Pass S7280/A9107** – Mr. Wheeler stated last month Chairman Van Etten received a copy of a resolution that Fulton County did relative to putting emergency responders on the same footing as law enforcement in terms of what information is shared about them. Right now there is a provision that should the defense request, the prosecution may have to provide the home address for fire and EMS providers that show up on scene. This bill will fix that.

Mr. Baker stated our policy is doing exactly what the bill calls for; providing the name of the agency and the individuals that have responded on scene. This bill would alleviate the risk of us not doing enough.

**MOTION: MEMORIALIZING THE GOVERNOR AND THE NEW YORK STATE LEGISLATURE TO PASS SENATE BILL S7280 AND ASSEMBLY BILL A9107 RELATIVE TO ENSURING PRIVACY PROTECTIONS FOR ALL EMERGENCY PERSONNEL PRESENT AT A CRIME SCENE MADE BY MR. HORTON. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

2. **Bail Reform** – Mr. Potter asked do we need to do a memorializing resolution regarding bail reform? Mr. Wheeler replied we did a resolution opposing the bail reform legislation last year. Mr. Malter commented at the last meeting we talked about District Courts and we will discuss that at the April meeting.

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.D. DISCUSSIONS REGARDING PROPOSED, PENDING OR CURRENT LITIGATION MADE BY MR. HORTON. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. RYAN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: TO ADJOURN MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**\*\*NEXT MEETING SCHEDULED FOR\*\***

**April 6, 2020  
Legislative Committee Room  
9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office  
NO LATER THAN NOON  
Monday, March 30, 2020**

**STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE**

*Monday, April 6, 2020*

*9:00 a.m.*

*Via Teleconference*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	John V. Malter, Chair Aaron I. Mullen	Steven P. Maio, Vice Chair Frederick G. Potter	Jeffrey P. Horton Thomas J. Ryan
<b>STAFF:</b>	Jack K. Wheeler Tina Goodwin Brenda Mori Cheryl Crocker	Christopher Brewer James Allard Tammy Hurd-Harvey Andy Morse	David Hopkins Tim Marshall Shawn Sauro
<b>LEGISLATORS:</b>	Scott J. Van Etten Kelly H. Fitzpatrick Frederick G. Potter	Robin K. Lattimer Hilda T. Lando Thomas J. Ryan	Carol A. Ferratella Robert V. Nichols Gary D. Swackhamer.
<b>OTHERS:</b>	Media		

**I. CALL TO ORDER**

Mr. Malter called the meeting to order at 9:00 a.m.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE MARCH 2, 2020, MEETING MADE BY MR. MAIO. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. RYAN ABSENT FOR VOTE)**

**III. DEPARTMENT REQUESTS**

A. Emergency Management Office

1. **Change Order** – Mr. Marshall stated he has a change order request for the Motorola project. We had an issue with the UPS at the 911 Center and one of the things we identified was we wanted to do a backup power supply for the radio communications system if we had another power failure. We brought over the UPS from the Whitesville tower site and configured to 911 and now that is the backup system that is a backup to the backup. If we have a power outage like before, the new system will pick up and hold for a number of hours. We have to replace the power supply we had over at the Whitesville tower site and the cost is \$15,750.

Mr. Malter asked is this covered by grant funding? Mr. Marshall replied we have a capital project for the VHF fire upgrade and it is funded with grant money.

**MOTION: APPROVING A CHANGE ORDER FOR MOTOROLA TO PURCHASE A BACKUP POWER SUPPLY SYSTEM FOR THE WHITESVILLE TOWER SITE FOR A TOTAL COST OF \$15,750 MADE BY MR. HORTON. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. RYAN ABSENT FOR VOTE)**

2. **FY17 SHSP Budget Adjustment** – Mr. Marshall stated the next item is the FY17 SHSP budget adjustment. In order to close out that grant, he is transferring \$14,574.95 to the equipment line item. We need to replace the printer we used for the ID system. We also need to replace the GIS plotter at the 911 Center as it is no longer on a maintenance contract. We also are going to purchase additional equipment for the fire investigator. This is all within the FY17 State Homeland Security program.

**MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO TRANSFER A TOTAL OF \$14,574.95 FROM THE FY17 STATE HOMELAND SECURITY GRANT TO THE MAJOR EQUIPMENT LINE TO PURCHASE A PRINTER FOR THE ID SYSTEM, A GIS PLOTTER FOR THE 911 CENTER AND EQUIPMENT FOR THE FIRE INVESTIGATOR AND AMENDING THE MAJOR EQUIPMENT LIST TO INCLUDE THESE ITEMS MADE BY MR. POTTER. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. RYAN ABSENT FOR VOTE)**

Mr. Malter asked Mr. Wheeler how are these authorizations being signed? Mr. Wheeler replied Mr. Brewer is in the office and we are scanning documents back and forth. Also, Mr. Brewer is authorized to sign in my place once you authorize these approvals.

3. **Electrical Engineering Contract** – Mr. Marshall stated at the last meeting, we had discussed having an electrical engineer come to the 911 Center to look at the issues with the dips in power. We did formulate a quote through Purchasing and Labella was the vendor that came in with the lowest bid. Actually, their bid was under the costs that we can do as a professional service. The cost was \$5,700. He requested authorization to enter into a contract with Labella for electrical engineering services for a total cost of \$5,700.

**MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO ENTER INTO A CONTRACT WITH LABELLA FOR ELECTRICAL ENGINEERING SERVICES AT THE 911 CENTER FOR A TOTAL COST OF \$5,700 MADE BY MR. HORTON. SECONDED BY MR. POTTER FOR DISCUSSION.**

Mr. Van Etten commented that's a very good rate. Mr. Marshall replied compared to the other vendors it is an excellent rate.

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

4. **Declaration of Public Health Emergency** – Mr. Marshall stated he needs to have the committee declare a public health emergency so that we can make emergency purchases. As you know, there is a supply shortage across the nation, across the world. There are critical supplies that we need to provide to the hospitals, EMS agencies and others. We received two pushes from the State; the first was a half pallet of stuff and the second was a little more, but nowhere near what we are burning for supplies. We have identified a vendor in Fulton County and they can provide face masks and face shields that emergency responders need to block droplets. They can provide us with 600 of those for \$3,000 plus shipping through Saratoga Horse Works and we ordered those. We also ordered 1,000 N-95 masks for \$4,500 plus shipping, so a total cost of \$4,600. These are coming from Federal Eastern International.

Mr. Wheeler stated we also ordered and we will get you a detailed list for the Finance Committee meeting, test kits which include swabs and vials for testing because the hospitals in the County have less than 100 each. We ordered 1,000 kits and that cost \$6,000. All of the purchases eventually will be covered by FEMA. We don't have the specific vendor details right now.

Mr. Marshall stated the last piece we purchased were some spray bottles. We have gallons of hand sanitizer from the Governor, however we were not able to get the bottle sizes we needed, so we had to purchase those. These bottles will come from US Plastic Corporation for a total price of \$1,171. These are all the purchases we have made so far under this emergency situation.

Mr. Malter commented it's amazing these companies even have a supply. Mr. Marshall stated it is. We were lucky to get some of these supplies ordered before other agencies wanted them. Other corporation and vendors are getting into the game and are retooling to make these supplies.

Mr. Wheeler stated Tim (Mr. Marshall), Ken (Mr. Forenz) and Matt (Mr. Marmour) have done a great job in identifying these things. We are all competing against each other to try to find PPE and testing kits. He is

surprised to have found some. The *Administrative Code* process allows the three of us (County Manager, Purchasing Director and County Attorney) to make these emergency purchases. We will bring back a detailed list for the Finance Committee.

Mrs. Lando asked when will you get them? Mr. Marshall replied we should get the face shields and face masks next week. We have received some of the bottles, but not the pumps. We are trying to stay with vendors that we know are New York based or that other counties are using. We are getting tons of emails from fly-by-night businesses. We are sticking with vendors that we have done work with before.

Mr. Malter asked so you need us to declare an emergency? (*Secretary's Note: This is where audio started recording*) Mr. Wheeler replied we need a ratification of the actions for these specific purchases and if we have more, we will bring it back again. So it's just those purchases that were noted and again we will get you a detailed list, but essentially the ones we just spoke of; to just ratify our actions and then Finance will have to approve it as well. Mr. Malter stated so we are just ratifying the actions of the items you just purchased? Mr. Wheeler replied right.

Mr. Ryan stated I have a question. Is there a dollar limit on these requests or a minimum or maximum? Mr. Wheeler replied no. We are using our best judgement. So the most expensive thing we bought were the N-95's for about \$4,500 and those vials and swabs for about \$5,000 to \$6,000. So obviously we are using discretion. We wouldn't be purchasing you know a box truck or anything for \$30,000 or \$40,000. We are just, certainly I think the high end of these supplies that we would buy are probably in that \$5,000 - \$6,000 range. Mr. Ryan stated so the Finance Committee makes the final decision.

Mr. Mullen asked can I ask a question? It's unrelated to the purchases, but who, what is the plan for how they are going to be billed? Is that going to be (*Secretary's Note: Audio cut out*)...realize that people aren't going to be able to work as much in the office now, are you going to have a bunch of people together; hopefully not. What's the plan? Mr. Marshall asked as far as distributing these supplies? Mr. Mullen stated I thought you are purchasing smaller bottles to fill with the larger hand sanitizer? Mr. Marshall stated right, and requests come in for hand sanitizer, like a local fire department; if a local fire departments says you know well I need hand sanitizer, we can fill six or eight bottles and then give them some one gallon bottles and then they can go off and do what they need to do. It's not going to be where we are going to have a bunch of people filling these bottles up and distributing all these small bottles. We will give them the small bottles, we will give them the gallon jugs and say here you go, go do what you have to do. Mr. Wheeler stated yea and also, Tim utilizes, we have utilized his radio technicians. These are still working on radio stuff, but they also help with, kind of the, and the deputy fire coordinators for supply pick up and in some cases, delivery as well.

Mr. Malter stated okay. So can I get a motion getting this on the table?

**MOTION: DECLARING A PUBLIC HEALTH EMERGENCY AND RATIFYING THE PURCHASES MADE TO-DATE BY THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE IN RESPONSE TO THE COVID-19 OUTBREAK MADE BY MR. POTTER. SECONDED BY MR. RYAN FOR DISCUSSION.**

Mr. Potter stated okay quick question. Have you found the prices you've had to pay for these items are escalated significantly over what they normally would be? Mr. Wheeler replied absolutely, and because its counties bidding against each other, bidding against with the State and bidding against the Federal government too. Yes, it's more than we would pay under normal circumstances and all the other counties that we have talked to are in the same boat and if they can get their hands on them they are paying the premium too just because eventually it will be reimbursed by FEMA. We need these supplies on hand if we can get them. Mr. Marshall stated one of the things we are finding is going to our normal suppliers that we would regularly deal with, and they don't have them and they don't know when they are going to get them and uh, so then we really end up having to pay what the market price is at the time. Mr. Malter asked this is all reimbursed by FEMA? Mr. Marshall replied yes it should all be reimbursed by FEMA, yes because it is listed as an emergency purchase as part of the Covid-19. Mr. Wheeler stated and they are, we are doing all the things that FEMA required. So Kenny is tracking down

three quotes even though some of them are going to be astronomical, just so that we have all of our, all of the information backup so that when it is submitted to FEMA, we won't have, or run into any of those roadblocks.

Mr. Marshall stated a lot of the issues that we find is when we go looking for quotes on this stuff, the suppliers just don't have it. So our quote is not available, so we have to buy it from the vendor we can buy it from. Mr. Malter stated well it's important that we get this stuff in supply so that we can distribute it. Mr. Marshall stated absolutely. We have a very robust distribution plan that both Ken Forenz, from my office, and Matthew Marmour, from the Public Health Department, have worked on and they have done a tremendous job on identifying what resources are coming in, what requests are being made, what the burn rates are for the hospitals, the nursing homes, the EMS, law enforcement and fire agencies, what they are burning at a rate so that we can give them to the people that need them the most at the moment.

Mr. Malter stated okay. Anything else?

Mrs. Lando asked can I ask a question? So did that include, I can't remember Tim, did you include gowns in the order as well? Mr. Marshall replied we have some gowns right now but we are looking for new gowns. One of the things we have done with gowns is the State has identified the fact that we can't get specific isolation gowns and that they can use fabric gowns. We are working right now between the Office for the Aging, RSVP Program, they have identified some volunteers that are willing to sew gowns. They have a pattern that they have identified and they are actually making; having folks make gowns. They are going to distribute them through the Office for the Aging and bring them to us and then we can distribute them from here out of the stockpile. Mrs. Lando stated awesome, thanks. Mr. Marshall stated but we are still looking for the specific isolation gowns. That is one of our high priority levels right now, is gowns. We don't have enough.

Mr. Malter asked has any of this...*(Secretary's Note: Audio cut out)*...? Mr. Marshall stated yeah, we did receive two pushes from the Strategic National Stockpile that came through the State and the materials we got here in Steuben County were very miniscule. You know certainly, New York City, Long Island, has a much harder fight than we do right now and I think a lot of the supplies are still getting pushed down there, rightfully so. For us right now, I am on a supply call with the State every single day at 2:30 p.m. and they have no information on when we are going to get another push from the Strategic National Stockpile. So right now, what we have is what we have. So we have to go to battle and win the rest of this war on the materials that we have right now or what we can acquire. That's why this emergency purchases is so important right now, because if we identify items that we need, we need to be able to buy them and get them here so that we, you know, can go into the next battle, you know, equipped.

Mr. Malter stated all right. Anything else?

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mr. Malter stated Tim? Mr. Marshall stated that's all for me folks. Thanks so much for your support. We appreciate you guys thinking of us and you know, we are here getting it done. Mr. Malter stated thank you.

**B. Sheriff's Office**

Sheriff Allard commented this is probably the most quiet you've ever had me in a meeting I think, today. I had you on mute for most of it (laughing).

1. **Uniform Bids** – Sheriff Allard stated I have the uniform bid and I hope Andy (Mr. Morse) is on the call because I don't have the information. We did our normal every other year uniform bid and I think it went to four different vendors. Andy, are you out there? Apparently not. Mr. Malter asked so you don't know what the bids are? Sheriff Allard replied no, I haven't seen them. I just know that they are in. Ms. Mori stated I will try to get Mr. Morse on the call, if you just want to continue on with the rest.

Mr. Malter asked how about the milk bid? Sheriff Allard stated that we did last month, we don't need to redo it.

2. **State Farm Grant** – Sheriff Allard stated the Undersheriff wrote a grant with State Farm in order to create; there is a, it's called the Amy Stock trailer out of Albany, where a young lady that was involved in a fatal crash due to an intoxicated driver. They made an education platform with a trailer that houses the vehicle that was crashed, along with the 911 calls and everything involved with that. John (Undersheriff McNelis) wrote a grant with State Farm to try to duplicate that here with the rise in fatal crashes we have had over the last two years, to try to use that as an education material in the high schools. State Farm is going to send us a check for \$24,750 to start us on that path to buy a trailer in order to use one of the vehicles from one of our own crashes and develop a similar trailer to the Amy Stock trailer. So I am looking for permission to receive that \$24,750.

Mr. Malter asked is this a trailer that we are going to sit out and haul a crash vehicle on for education? Sheriff Allard replied yes. Well, it's just not hauling on, it sets it up so that it is an interactive, educational trailer for when we do the prom training and all of that to try and stop our high school kids from driving intoxicated, crashing and dying. That's the purpose of it. It won't just have a car sitting on the back of it. It will be the full production.

Mr. Potter stated the budget request is \$25,000 instead of the \$24,705. Is there an additional \$250 of equipment that you will be getting? Sheriff Allard replied no, we were told that we were getting \$25,000, so that's what we did and then the last email we got from State Farm said it's going to be \$24,750. So we are looking to change it to \$24,750. Mr. Potter stated okay.

Mr. Malter stated I'm assuming there's got to be some insurance costs putting this vehicle on the road, so I'm assuming we have enough in your budget to cover that? Sheriff Allard replied yes. As we go forward, we won't be negatively affecting the budget and we will continue to look for other grants as we put this together.

**MOTION: AUTHORIZING THE SHERIFF TO ACCEPT A \$24,750 GRANT FROM STATE FARM TO BE USED TO REPLICATE THE AMY STOCK EDUCATIONAL TRAILER MADE BY MR. HORTON. SECONDED BY MR. POTTER FOR DISCUSSION.**

Mrs. Lando asked can I ask a question? Mr. Malter stated go ahead Hilda (Mrs. Lando). So for Jim, we have been talking, we have talked about this at the Prevention Coalition and I know we have talked about trying to get that trailer to come here and how expensive it was and we didn't do it, but I would suggest or I would ask to make sure when you do this to work with the Prevention Coalition because I think we've got a lot of contacts that might be able to help to get this thing going. Sheriff Allard stated absolutely, thank you.

Mrs. Ferratella asked will we be able to let other counties utilize this trailer and car as well? Sheriff Allard replied yeah, the plan would be to use it exactly like the Amy Stock trailer where it goes out through the STOP DWI Coordinator network, and any county can request it through STOP DWI and we would absolutely share it with anyone that needed it. Mrs. Ferratella stated thank you. Mrs. Lando stated I have another question please. So Jim, that's not enough; I'm trying to remember what the cost was when we were going to do it ourselves back last year, and it seems like it was a lot more money than that. Sheriff Allard stated it could be. Again, as we do this we will continue to ask for grants and other funding sources to make sure we are not negatively affecting the budget.

Mr. Van Etten asked so is this an enclosed trailer or an open trailer? Sheriff Allard stated we haven't bought it yet, so I assume it will be an enclosed trailer; that's the way the Amy Stock trailer is. That's actually a custom trailer, the way that one works. Mr. Van Etten stated and so the sides open up in order to see the vehicle. Sheriff Allard replied yes and it has speakers and lights and everything else in it. Mr. Van Etten asked what are you going to tow it with? Sheriff Allard replied we've got our Boat Patrol pickup truck which is an F-250. Mr. Van Etten stated okay. Mrs. Lando stated I think you can go online too. Mr. Van Etten stated an enclosed trailer, a 22 foot HaulMark, is about \$7,000 so this would have to be a custom one in order to spend that much money.

Mr. Malter stated basically all we are doing here is accepting the money. I'm assuming that if we go out and buy a trailer, we are going to have to sit out there and bid that out? Sheriff Allard replied yes. Mr. Malter stated so we will have more information when that happens. So this is just to accept the \$25,000.

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

3. **Uniform Bids (Cont.)** – Mr. Malter asked if Andy was here yet? Mr. Morse stated yes I am. Mr. Malter stated so you have the information on the bid? Mr. Morse stated there are like 30 line items on this bid. We are recommending awarding to four separate vendors, based on a line item basis. So whoever the low was would be awarded.

*Secretary's Note: Following the meeting, Mrs. Chapman contacted Mr. Morse to obtain the names of the four vendors. The vendors are Bob Barker Company, Galls, Inc., Ranger Outfitters and United Uniform Distributors, LLC.*

**MOTION: AWARDING THE UNIFORM BIDS AS RECOMMENDED BY THE PURCHASING DIRECTOR, TO THE LOW BIDDER ON A LINE ITEM BASIS MADE BY MR. RYAN. SECONDED BY MR. MAIO FOR DISCUSSION.**

Mr. Potter asked was there an increase in cost over last year? Mr. Morse replied they were fairly comparable, I would say within five percent. Mr. Malter stated okay, so anything else?

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

4. **SRO (School Resource Officer) Contract Renewals** – Sheriff Allard stated renewal of the SRO contracts; the SRO contracts, I'm not sure if we need any action on this as I look at the original resolution but I wanted to make sure the committee, that everybody was aware. There was a change in the Education Law last year which made it necessary for us to now include language in the SRO contract outlining the SRO's role in a disciplinary hearing or in doing discipline. The language that we have added has gone through Jen (Ms. Prossick) and she has approved it. Basically discipline is under the purview of the school district and the SRO's will continue to engage in criminal investigations and only act within that scope. The other change is that before, the salary for the SRO's was capped at \$30,000 because that was the limit under the retirement system. Last year they passed a bill to raise that and it was signed by the Governor to raise that ceiling to \$35,000. So the schools have all agreed to that increase and will reimburse accordingly. So the pay will go up for the SRO's slightly so they can max out at \$35,000 a year rather than \$30,000 a year. Again, I don't see where that does anything to the original resolution, but I wanted to make sure that everybody was aware of it and that if in fact Jen (Ms. Prossick) thinks a resolution, or any action that needs to be taken, then we did so.

Mr. Potter asked all the schools have been closed all these weeks, are the SRO's continuing to be paid? Sheriff Allard replied yes. They are being paid, again, being reimbursed. Some school districts have their SRO's coming in and helping with food distribution and home visits. Others have the SRO's coming in part-time and some want to pay them to stay home so that they secure those SRO's return after this is done. Mr. Potter stated okay that brings me to my second question. With the Governor's budget, school aid, aid to the school districts has been frozen to what it was during this current fiscal year. Was the agreement to increase the salary made before the Governor's budget released or before the budget was passed or after? Sheriff Allard replied before. Mr. Potter stated I'm thinking the districts will be looking at ways to conserve and save money anywhere they can, so before I would vote for the increase, I would want to make sure that the schools were okay with it. Sheriff Allard stated we reached out to every superintendent and all have approved it. So, when we originally put this together, I haven't contacted them since Covid, but they were all on board a month ago when this was first looked at.

Mr. Maio stated okay, I've got a question. So I understand there was a law that authorized the salaries to \$35,000, but who sets the salary? Sheriff Allard replied we set the salary. So what the law did was it raised the ceiling that a person who is retired can still earn within the system without penalty. Mr. Maio stated yeah I understand that those raises are authorized, are allowed so they don't have a retirement issue, but who decides how much they

actually get paid? Sheriff Allard explained so that is a number that is derived from \$30,000 minus their Workers' Comp and any other money that the County would have to take, it reduces it by that amount and then that breaks down to an hourly wage for the ten-month school district. Mr. Wheeler stated you folks set it, the County sets it. Mr. Maio stated so that's what I'm getting at. So just because they are allowed to earn \$35,000, by what mechanism are we now increasing their salary to \$35,000? Is this what this vote is doing? Sheriff Allard replied that and through contracts with the school districts where they agree to pay that amount. Mr. Maio stated okay, so are we approving a contract raising salaries to \$35,000 from \$30,000?

Ms. Prossick stated if I can, so it's a contractual obligation Steve (Mr. Maio). The school districts are paying a set amount via the contract that they, as the Sheriff just described, approved, along with the new language that is required from Education Law. So it's not money coming out of the County, it's coming into the County from the schools. Mr. Maio stated so the schools have agreed that the \$35,000 is the right salary and we are just the mechanism by which that is accomplished. Is that correct? Ms. Prossick stated correct.

Mr. Van Etten asked did we lose Mr. Malter? Oh, he's on mute. Mr. Malter asked am I there now? Mr. Van Etten stated yes, you are now. Mr. Malter stated so based on what you are saying the State only allows retired people to make \$30,000 a year and this allows them to make up to \$35,000; it just increases the amount they can make without affecting their pension. Is that correct? Sheriff Allard stated that is correct. Mr. Malter stated we really are not changing anyone's salary at this point, we are just sitting out there and the State is the one doing this. Are we just sitting out there ratifying that the schools can pay the people up to \$35,000 a year? Ms. Prossick stated well it is contract renewal time, so we are putting that into these contracts, so it is just a renewal of all of the SRO contracts at the new amount that the State has increased, with the new language that is required under the Education Law.

Mr. Malter stated so I guess it is up to the schools whether they want to pay these people this additional money. Ms. Prossick stated correct. Based on where this State budget is at this point, I don't know why anybody would be increasing anything. Mr. Potter stated agreed. Mr. Van Etten stated I would rather pay an SRO than another administrator in a school district, so maybe they will smarten up. Mr. Potter stated agreed. Sheriff Allard commented the feedback that I have gotten back from every administrator is they are more than happy to pay this and it is still half of what they would pay otherwise, so they are more than willing to do what they need to do to keep that protection in their district.

Mr. Malter asked so each of these contracts we now have needs to be modified; is that what we are dealing with Jen (Ms. Prossick)? Ms. Prossick replied yes. He and Terri (Ms. Moir) at the Sheriff's Office, and myself have come up with a new template. The Sheriff and Undersheriff have seen the language and everyone is in agreement with it. It basically increases the scope of duties of the SRO's significantly, just because we have to spell out what they can and can't do. So we already have the first two done of the templates, so we should be good as long as you guys are okay with this. Mr. Malter asked are we doing this as of the next fiscal school year, in other words, in September? Ms. Prossick replied yeah, I think, and Sheriff you can correct me, I think it is July; they are up for renewal here this summer. It's a different schedule. Sheriff Allard stated yeah they get renewed in the summer for implementation in September.

**MOTION: AUTHORIZING THE SHERIFF TO RENEW THE SRO (SCHOOL RESOURCE OFFICER) CONTRACTS WITH PARTICIPATING SCHOOL DISTRICTS INCORPORATING THE NEW EDUCATION LAW LANGUAGE AND THE NEW SALARY OF UP TO \$35,000 MADE BY MR. RYAN. SECONDED BY MR. HORTON FOR DISCUSSION.**

Mr. Malter stated this is really not any additional money that's going to cost the County, so it is up to the schools whether they want to pay it or not.

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

5. **LiveScan Grant** – Sheriff Allard stated one more, the LiveScan Grant. The LiveScan is the digital fingerprint system that is in the Jail, in the Deputies Room and the County Office Building. It's aging. We got a grant, but it is a matching grant for \$30,000 to replace it. My plan would be if you're okay with accepting it, I will put that in the budget for next year, the matching part, and there would be no purchase unless it makes it through next year's budget. We have to let them know if we are willing to accept it at this point. It is through the State, through DCJS. Mr. Malter stated I don't have a problem with that.

**MOTION: AUTHORIZING THE SHERIFF TO ACCEPT A MATCHING \$30,000 GRANT FROM THE NYS DCJS FOR THE REPLACEMENT OF THE LIVESCAN DIGITAL FINGERPRINT SYSTEM MADE BY MR. POTTER. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Mr. Swackhamer stated I have two questions for the Sheriff. One is, are we having the officers in the Jail wear masks or anything at this point? Sheriff Allard replied some do and some don't. So if you want me to take ten minutes to explain everything we are doing in the Jail, I can. Or if you would rather contact me one on one, I can do that. Mr. Swackhamer stated let's go to my second question; what's the road patrol doing these days? Sheriff Allard replied well a lot of what they are doing is helping Public Health out right now. They are doing all the checks on the quarantine folks in order to help Public Health. Last weekend we were at both Wal-Marts making sure there were no issues there with the scaling back and they are continuing to run calls and continuing to provide public safety throughout the County. We are still making arrests. They are still doing everything that they have to do. Obviously they can't do that with social distancing, so we are trying to do it as safely as we possibly can. I just heard today that Wayne County has an entire shift on quarantine because they had an infected Deputy. We are trying to avoid that.

Mr. Ryan asked what will be the protocol if we have a case in the Jail of Covid-19? Are we going to keep them housed, let them go? Sheriff Allard replied all of that depends on whether they are sentenced or pre-sentenced. If they are sentenced we can't let them go. If they are pre-sentence, and it makes sense, we could work something out through the DA's Office and the judges and the Public Defender. Currently we are extremely fortunate that we have PrimeCare in place now. I can't tell you what a, what a deal changer that is. They went through H1N1 and their protocols are set. The guidance they have given us is directly in line with CDC. The protocols they are using are right now we have two units set up as intake units. Any new person that is remanded to the Jail goes into one of those units, in a semi-isolated state and they remain in that state until PrimeCare clears them as asymptomatic and then they are moved into a housing unit. Those people are screened twice a day and checked twice a day for symptoms. If they do show any symptoms, they will stay in isolation. Once they meet that ten day mark with no symptoms, and PrimeCare feels confident that they are not a carrier or are completely asymptomatic, then they are moved into population. Should we have a person who does exhibit signs and then tests positive, that entire housing unit will go into isolation and quarantine until we are through that. The deputies that work the intake; some wear masks and some do not. Depending on whether someone is showing symptoms or any issues that they bring in with them, we have masks available to all of them should they decide that personally they want to wear them. We have hand sanitizer, wipes and every other PPE available to them at the time they are in there. Every employee of the Sheriff's Office, for the past two, two and a half weeks has their temperature taken when they arrive at work. Every inmate has their temperature taken daily; the ones in intake have it done twice daily. For the folks that come in for CAP, they are isolated in booking and stay in isolation until we know whether they are going to be remanded or released and those folks are masked and gloved at all times as they deal with those people. So, even the Road Patrol gets their temperatures taken daily when they arrive at work for call-in service. I get my temperature taken daily. I kid with them and tell them we only bought thermometers that only go to 99, but they are on to me with that. So, we continue to do everything we can to be as safe as possible. Cider Creek delivered two cases of their homemade hand sanitizer and the deputies have been using that. It works well, but it makes you smell like last night's hangover. Mr. Ryan asked (laughing) do they drink it or put it on their hands? Sheriff Allard stated that's why we give it to the deputies and don't put it in the Jail. We are working with Tim (Mr. Marshall) and Darlene (Ms. Smith) and doing everything we can to help on that end. Right now, knock on wood, we haven't had a fever higher than 99 in our facility. Mr. Ryan stated sounds like you have it covered; good job. Sheriff Allard stated the Sheriff's Association has been a big help in

giving us guidance, long before; we got zero guidance from the State or the Commission of Corrections. So as a group, we all arrived at a best practices and put those into place over two weeks ago.

C. Personnel

1. **Reclassifications – Sheriff’s Office** – Mr. Alderman stated we have some reclassifications. I believe you all got the write-up from the Sheriff on this. So if you have any questions you can certainly feel free to ask him or I during this. First we have, we want to reclassify a vacant Senior Criminal Investigator position, it’s a downgrade, to a Criminal Investigator position. Mr. Malter asked can I ask why the downgrade? Sheriff Allard explained certainly; that position was used to get, the last person held it is now retired and we no longer utilize that position. That came from a Sergeant’s position before it was upgraded to a Senior Investigator. That’s the whole purpose of the shift is for the same amount of money, or close to the same amount of money, we can have that Supervisor back, but also get an additional Investigator which we never created with the COPE Program, which we said we would.

Mr. Malter asked does anybody want to make a motion to bring it on the table?

**MOTION: AUTHORIZING THE RECLASSIFICATION OF A SENIOR CRIMINAL INVESTIGATOR POSITION, GRADE XIV, TO A CRIMINAL INVESTIGATOR POSITION, GRADE XIII WITHIN THE SHERIFF’S OFFICE MADE BY MR. HORTON. SECONDED BY MR. RYAN FOR DISCUSSION.**

Mr. Maio stated yeah Sheriff? Sheriff Allard stated yep. Mr. Maio stated in the email and everything and the presentation it’s talked about to bring this, that these are all things to bring us into the COPE program. How is the other (*Secretary’s Note: Audio a little garbled*) doing as far as the treatment end of it? Sheriff Allard asked can you restate that? You broke up halfway through. Mr. Maio stated I’m sorry. How has the other part of the COPE program, that is to say, the treatment half, been working? Sheriff Allard replied up until two weeks ago, it was working fantastic. We have Julie Haar who comes in and classifies. We had another treatment provider that was in so that we had a full-time equivalent. About a month and a half ago we had a meeting with OASAS to take on our unit that was vacant and set it up as an actual inpatient treatment facility for those in custody. So, for example, the folks that are in drug court, they get sent away. We would be able to do those here between PrimeCare and our addiction specialists. OASAS has since backed out on that obviously with the State budget how it is, and they have no money for that. My hope was to get some money through OASAS for the treatment end of that. So we are going to have to re-attack it and look at it from a different perspective. The treatment continues and it continues on. Right now all of our mental health is being done telemedicine wise with the teleconferencing so that we don’t have, so that we limit the amount of exposure we have to the virus coming in. Mr. Maio asked do you know about how many inmates are in the program? Sheriff Allard replied typically it is around 30. Mr. Maio stated thanks.

Mr. Malter asked is there anything else that we need to bring up on this?

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mr. Alderman stated okay next, we are asking for authorization to reclassify a currently encumbered Deputy Sheriff position to a Deputy Sheriff Corporal position and this obviously is for more supervision. I believe, and the Sheriff can elaborate, but I believe the Sheriff was missing supervision on one shift. Mr. Malter stated that was all stated in the paperwork you sent out. Sheriff Allard asked does anybody have questions?

Mr. Ryan stated I was looking at your information and when you know, what’s the criteria besides time and grade moving on steps? Is there anything other than time and grade when you go from one step to the next? Sheriff Allard replied no that’s completely contractual with time and service. Mr. Ryan stated okay, thank you. Sheriff Allard stated within that grade.

Mr. Mullen stated I have read through the letters and I am a little confused on some of it still. Basically my understanding is that these positions that are being added, that are being reclassified; I know that there are two

vacant positions that are being filled and my understanding is that those are basically between the two part-time people and the Senior Investigator position being filled in order to make up for not having the two investigators that were part of the COPE program. Those investigators were used as deputies before and I am just wondering if this is consistent with whatever was said when the deputies were added; if when they were added, if it was well we are going to fill these two other positions and we are not going to be adding any more money right now that's basically, if the two, if the two presentations are consistent, is my question.

Mr. Malter stated right now we are dealing with A and B and your agenda and I think Aaron what you are referring to is C. Mr. Mullen stated well I am referring to A and C because that is how we get to the filling of the COPE Investigator position; through the A and the C. It is kind of difficult to separate them out from the whole memo and everything. Mr. Malter stated let's just take care of B first, that's the upgrade to Corporal Deputy Sheriff. Is there any additional discussion?

**MOTION: AUTHORIZING THE RECLASSIFICATION OF ONE DEPUTY SHERIFF POSITION, GRADE XI TO A DEPUTY SHERIFF CORPORAL POSITION, GRADE XII WITHIN THE SHERIFF'S OFFICE MADE BY MR. POTTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

Mr. Malter stated so now we will deal with your question Aaron, (Mr. Mullen) now with C. Mr. Alderman stated we are looking to reclassify a vacant full-time Correction Officer position to two part-time Criminal Investigator positions. Mr. Malter stated okay, I've got a couple of things. Number one is that in your statements you sat out there James (Sheriff Allard) and you are talking about losing one Investigator in a police department. So where is that Investigator; is it in Corning or Hornell? Sheriff Allard replied Corning. Mr. Malter stated okay. So are we sitting out there, are these people, is the Corning Police Department going to hire another Investigator? Sheriff Allard replied that would be my understanding, but I don't have any say in that. This would be their current Investigator is looking to retire. Mr. Malter stated so one of my problems here is are we sitting out here now supplementing by increasing the number of Investigators, are we sitting out there supplementing the Corning Police Department? I think we need to sit out there and make sure they hire an Investigator back. Sheriff Allard stated I know that's their plans. I have had several discussions with Chief Spaulding regarding that and he has no intention of not filling that position. This Investigator has worked on the drug initiative for I'm going to say fifteen plus years and has traveled all around the County. Now in his role as a Corning Police Department Investigator with one of our Investigators and Corning has allowed him, they have made arrests and search warrants in Cohocton, Wayland, Canisteo, Hornell, Pulteney, you name it, and they have let him do that. So I think we are ahead of the curve on it already.

Mr. Alderman commented I have had multiple conversations with Chief Spaulding as well and all indications would point to that he is looking at hiring an Investigator. You know we are up in the air now with testing. Those tests are usually held in June, but I believe from my conversations with him, that he is looking to hire one.

Mr. Malter stated you are looking at using a CO position to create these other part-time positions. Is this a position that is now vacant because of a lack of people in the Jail, or is this one that has been in the budget and funded, but zero-based? Sheriff Allard replied this is one that is in the budget and funded and the person is leaving it next Thursday.

Mr. Malter stated my other problem is that with the change in this whole criminal reform act, we are getting more people in the Jail; is this going to create a problem in next years' budget, will we then have to put this position back in and fund it? Sheriff Allard stated I don't foresee that. The only thing I have seen in the budget, the breakdown on what the Governor has proposed in the budget, the only changes to the bail reform that I have seen is to add a few more crimes in which would constitute being eligible for bail; vehicular homicide, hate crimes, any assault or any other manslaughter. It doesn't give the power back to the judges. It doesn't give discretion back to the judges. That's the only thing that has been in his budget proposal so far, to add a few more crimes to the list of those that are possible for bail; nothing on Discovery.

Mr. Malter stated my other question is, how many Investigators do we now have that are working and how many, if we ratify these changes, are you going to have? Sheriff Allard replied so currently we have a Lieutenant in charge of investigations and then we have four working Investigators. We have one Investigator who is assigned to DSS, who has been out on 207-c for quite some time. Mr. Malter stated so that gives us five at this point. Are we looking at putting three more, a full-time and another two part-time people? So that would bring you up to eight. Sheriff Allard stated well you can't count the two part-time; we also have two part-time Investigators in DSS that are grant funded. The DSS position is also funded by DSS. So this would give us one additional full-time and the two additional part-time.

Mr. Maio asked Sheriff, how much of the request for the part-time Investigators is occasioned by Corning losing theirs? Sheriff Allard replied it really doesn't affect that. What this does is make it so that we can deploy a team to do a narcotics investigation, whether we have someone from Bath or someone from Hornell or someone from Corning available, or the DA's Office. Right now we can't do that, we don't have enough people.

Mr. Malter asked Mr. Wheeler what do you think about this? Mr. Wheeler stated so the Sheriff and Chris (Mr. Brewer) and Nate (Mr. Alderman) and I talked after the budget was adopted, right around the first of the year. My opinion was utilizing a funded to be vacant position essentially makes this cost neutral. So that's why I personally would be in favor of it. I think, you know, the other things that came along with this, the kind of three-pronged approach that the Sheriff presented, I think makes a lot of sense and because it is essentially budget neutral, I certainly support it.

Mr. Maio asked Sheriff, are these going to be solely for narcotics investigations, or are they going to be doing other stuff too? Sheriff Allard replied the two part-time would be solely for narcotics. The additional Investigator is going to be a general purpose Investigator.

Mr. Malter asked anything else?

Mr. Van Etten stated my comment is that I agree that the combination of these three, as long as they are all basically budget neutral, it allows the Sheriff to put people where he needs them, especially when we had a shift that didn't have a Supervisor on, that was a concern. So I think all three of these are worth adopting.

**MOTION: AUTHORIZING THE RECLASSIFICATION OF ONE VACANT FULL-TIME CORRECTIONS OFFICER POSITION, GRADE X, TO TWO PART-TIME INVESTIGATOR POSITIONS MADE BY MR. RYAN. SECONDED BY MR. HORTON FOR DISCUSSION.**

Mr. Malter asked is there any further discussion?

Mrs. Ferratella stated I have a question for the Sheriff if I could take a minute. Referring back to your CAP report dated January 15<sup>th</sup>, and you emailed it on the 25<sup>th</sup>, and I am looking at the number of transports that you are showing. You said 135 for the City of Corning, 73 for the City of Hornell and then 869 returns. So my question is are these returns linked to the City of Corning and the City of Hornell, or are they above and beyond those agreements? Sheriff Allard replied above and beyond those agreements. The returns are to every court in the County, every local court in the County. When a CAP arraignment happens, the original paperwork has to return to that court of jurisdiction for the next court date. And also there are several orders of protection and things of that nature that our folks are going out and serving, that were issued in CAP court. Mrs. Ferratella stated okay, so the returns associated with Corning and Hornell, they are not included in the 135 and 73 transports, correct? Sheriff Allard replied correct. Those transports are, we physically went to Corning PD or Hornell PD, brought a person from there, that was under arrest, to CAP for arraignment. Mrs. Ferratella stated okay, thank you.

Mr. Maio stated Sheriff I have one more question for you. With the additions of these investigators that you are asking for today, does that bring you up to where the plan was for the COPE? Sheriff Allard replied yes, I believe it does. Mr. Maio stated okay.

Mr. Malter asked anything else?

Sheriff Allard stated I just want, thank you for listening to me, but the two part-timers, you can't overstate the importance of not losing that experience, of 40 years of investigation between the two of them.

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mr. Malter asked Mr. Wheeler do you have anything else? Mr. Wheeler replied no.

**MOTION: TO ADJOURN MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**\*\*NEXT MEETING SCHEDULED FOR\*\***

**May 4, 2020  
Legislative Committee Room  
9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office  
NO LATER THAN NOON  
Monday, April 27, 2020**

**STEUBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE**

***Special Meeting***

*Monday, April 27, 2020*

*9:45 a.m.*

*Via Teleconference*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	John V. Malter, Chair Frederick G. Potter	Steven P. Maio, Vice Chair	Jeffrey P. Horton
<b>STAFF:</b>	Jack K. Wheeler Tammy Hurd-Harvey Kelly Penziul	Christopher Brewer Tina Goodwin Brenda Mori	John McNelis Vicki Olin
<b>LEGISLATORS:</b>	Scott J. Van Etten Kelly H. Fitzpatrick Aaron I. Mullen Gary D. Swackhamer	Robin K. Lattimer K. Michael Hanna Gary B. Roush Paul E Van Caesele	Carol A. Ferratella Hilda T. Lando Brian C. Schu
<b>ABSENT:</b>	Thomas J. Ryan		

**I. CALL TO ORDER**

Mr. Malter called the meeting to order at 9:45 a.m.

**II. DEPARTMENT REQUESTS**

A. Sheriff's Office

1. **Inter-Municipal Agreement with Chemung County** – Undersheriff McNelis stated the request for this inter-municipal agreement was precipitated by Covid. If any of our shifts go down due to the pandemic, we rely on one another to cover that shift and this is completely reimbursable, including mileage. Mr. Malter asked have we had an agreement with Chemung before? Undersheriff McNelis replied no. Mr. Malter asked what other counties do we have agreements with? Undersheriff McNelis replied we have an agreement with Schuyler County for NASCAR at Watkins Glen.

Ms. Prossick stated the agreement with Schuyler County is more voluntary; they can agree to sign up. This is under the collective bargaining agreement and was run by both unions involved. This agreement is just for the pandemic emergency.

**MOTION: AUTHORIZING THE SHERIFF TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT WITH CHEMUNG COUNTY TO PROVIDE COVERAGE, IF NECESSARY, DURING THE COVID PANDEMIC MADE BY MR. VAN CAESELE. SECONDED BY MR. MAIO FOR DISCUSSION.**

Mr. Maio asked do we have agreements with the other adjoining counties? Undersheriff McNelis replied we are exploring that at this time, but looked at Chemung first considering the size of both of our agencies.

Mr. Mullen asked Undersheriff McNelis to restate the basic crux of this agreement. Undersheriff McNelis stated in the event that both deputies or corrections officers went down in either county and there was a quarantine issue, we could rely on each other for staff without compromising our own road patrol or coverage in the Jail.

Ms. Prossick explained this happened in Wayne County and there was no agreement in place. This is just an agreement to be proactive, just in case. The agreement would be run under the collective bargaining agreement of the home county.

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required**

**MOTION: TO ADJOURN MADE BY MR. POTTER. SECONDED BY MR. VAN CAESELE. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**STEUBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE**

*Monday, May 4, 2020*

*9:00 a.m.*

*Via Teleconference*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	John V. Malter, Chair Frederick G. Potter	Steven P. Maio, Vice Chair Thomas J. Ryan	Jeffrey P. Horton
<b>STAFF:</b>	Jack K. Wheeler Jennifer Prossick David Hopkins Tammy Hurd-Harvey	Christopher Brewer Noel Terwilliger Tina Goodwin Cody Ryan	Brenda Mori James Allard Shawn Sauro Andy Morse
<b>LEGISLATORS:</b>	Scott J. Van Etten Hilda T. Lando Kelly H. Fitzpatrick	Carol A. Ferratella Aaron I. Mullen	K Michael Hanna Robert V. Nichols
<b>OTHER:</b>	Mary Perham Media		

**I. CALL TO ORDER**

Mr. Malter called the meeting to order at 9:00 a.m.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE APRIL 6, 2020, AND APRIL 27, 2020, MEETINGS MADE BY MR. POTTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. DEPARTMENT REQUESTS**

A. Sheriff's Office

1. **Accept Additional STOP DWI Crackdown Funds** – Sheriff Allard requested authorization to accept \$3,600 in additional STOP DWI Crackdown Funds.

**MOTION: AUTHORIZING THE SHERIFF TO ACCEPT \$3,600 IN ADDITIONAL STOP DWI CRACKDOWN FUNDS MADE BY MR. MAIO. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Approve PO Request for Water Metering Devices** – Sheriff Allard requested authorization to submit a purchase order request for water metering devices in the Jail. These metering devices are budgeted. He commented Mr. Morse did a phenomenal job finding these on State bid and we will be able to do the complete project for the cost of the first year budgeted amount.

Mr. Malter asked are these new meters? Sheriff Allard replied yes. There is one meter for every two cells in the Jail and the water use in each cell is limited by these metering devices. These devices are original to the building and have started leaking. We will be replacing all of them.

Mr. Ryan asked will these be a different brand? Sheriff Allard replied he does not know.

**MOTION: AUTHORIZING THE SHERIFF TO SUBMIT A PURCHASE ORDER FOR THE PURCHASE OF THE WATER METERING DEVICES FOR THE JAIL MADE BY MR. POTTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

3. **Approve PO Request for Final Stage of the Variable Speed Drives** – Sheriff Allard requested authorization to submit a purchase order for the variable speed drives for the Johnson Control air handlers. This is a three-year capital project which will allow the jail to be more energy efficient. This is the final year of the three-year capital project and will come in under budget.

**MOTION: AUTHORIZING THE SHERIFF TO SUBMIT A PURCHASE ORDER FOR THE PURCHASE OF THE VARIABLE SPEED DRIVES FOR THE JOHNSON CONTROL AIR HANDLERS MADE BY MR. RYAN. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

4. **Informational** – Sheriff Allard announced that about a week and a half ago, deputies took \$47,000 in crystal meth off the street during an interdiction arrest. Additionally, last week they captured the individual who was vandalizing cars in Corning.

Mr. Malter asked how are you handling this during the court shutdown. Sheriff Allard replied everything is going through CAP and the time limits are pushed off for follow-up.

Mr. Van Etten asked with regard to the vehicle vandalism, why does someone think this is something worth doing? Sheriff Allard replied in this case the individual was struggling with addiction and had relapsed. The individual was mad at himself and the world and started breaking things because he hated his life. He did not have any issues with the individuals who owned the cars, he was just drunk. The biggest public safety issue we have is addiction.

Mr. Horton asked how is the virtual CAP court going? Sheriff Allard replied it is working out very well. The Correction Officers are running the Skype portion as well as getting the paperwork up to Rochester in a timely manner via email. We are still processing paperwork and delivering it to the courts of jurisdiction. We hope we can continue with this after this current situation is over as it would be a tremendous savings to the Jail. Mr. Horton commented his wife is a judge and agrees; there will be a lot of savings all the way around. Sheriff Allard commented not having to transport inmates to hearings is pretty enormous for us.

B. District Attorney

1. **RFP - Diversion Program** – Mr. Terwilliger requested authorization to award the RFP for the management of the Diversion Program. One proposal was received from Diversion Management, LLC located in Orchard Park, New York. This proposal falls in line with the costs that we had discussed earlier, which is 10 percent of the diversion fee or \$20.00 for each ticket, whichever is higher. This cost also includes help desk services and data entry.

Mr. Malter stated he read the proposal and what he likes is that this is a one-year contract with up to four one-year renewals and we can get out of the contract anytime with ten day notice.

Mr. Horton asked is this company already up and running in other counties? Mr. Terwilliger replied yes, they are currently running in Orleans County and there are another two counties that have indicated interest. Mr. Maio asked are the counties happy with them? Mr. Terwilliger replied Orleans is extremely happy with them. It is looking like it can be a one-stop shop and this could expand down the road as New York opens up more diversion stuff. If that happens, they would be able to do all of our data entry for us.

Mr. Horton stated it sounds great, however, are there any negatives? Mr. Terwilliger replied no. This is what he has been envisioning; an online service and a help desk. With the help desk, they will help someone with logging into the system and putting in their application. In my opinion, they are geared toward customer service.

**MOTION: AWARDING THE RFP FOR MANAGEMENT OF THE DIVERSION PROGRAM TO DIVERSION MANAGEMENT, LLC OUT OF ORCHARD PARK, NEW YORK MADE BY MR. POTTER. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

Mrs. Ferratella asked when will this become effective? Mr. Terwilliger replied his understanding was once the committee approved, we could start moving forward. If that's the case, we can have this up and running within fifteen days. Ms. Prossick stated at the very least it will be by the end of this month. The money was not budgeted and we need to determine if a new resolution is needed. (*Secretary's note: The County Attorney confirmed a resolution is required pursuant to the Administrative Code*).

C. 911

1. **Inter-Municipal Agreement with Schuyler County for 911 Call Processing System** – Mrs. Goodwin requested authorization to enter into an inter-municipal agreement with Schuyler County to explore a joint project of a 911 call handling system between the two counties on the southern tier fiber network. This joint project would provide a backup for one another and would also provide for interoperability. Mr. Malter asked so this is an agreement to explore the costs and options? Mrs. Goodwin replied yes. We would need to come back to committee for any further authorizations.

Mr. Malter asked have you looked at other counties beside Schuyler? Mrs. Goodwin replied yes. We looked at almost everyone around us. Schuyler and Chemung were our first choices with the fiber and phone system. Schuyler needs to replace their system and we are coming due with ours. Chemung County was not interested at this time.

Mr. Ryan asked what would be the advantage of doing this? Mrs. Goodwin replied the cost of one system would be less than each county purchasing their own. Each county would have the ability to back each other. For example; during this pandemic if one of us did not have enough staff, or if you needed extra positions during an emergency. Also, it would provide backup if you were having technical issues at one of the sites.

Mr. Wheeler commented when we started STN (Southern Tier Network) this was the main thing that we pitched. He stated Mr. Hopkins, Mrs. Goodwin and Mr. Marshall have done a lot of work on this.

**MOTION: AUTHORIZING AN INTER-MUNICIPAL AGREEMENT WITH SCHUYLER COUNTY FOR A 911 CALL PROCESSING SYSTEM MADE BY MR. MAIO. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

2. **Electrical Engineering Study** – Mr. Malter asked have we gotten any information on the engineering study on the electrical system? Mrs. Goodwin replied no, not yet. Mr. Wheeler explained the contract just got done and we expect the work to start soon.

Mr. Malter asked at some point we were supposed to get a report on the CAP Court. Is that in progress? Mr. Wheeler replied yes, that was supposed to be done in April. I will contact the Sheriff and get back to you.

**MOTION: TO ADJOURN MADE BY MR. POTTER. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by Amanda L. Chapman, Deputy Clerk, Steuben County Legislature

**\*\*NEXT MEETING SCHEDULED FOR\*\***

**Monday, June 1, 2020**

**Legislative Committee Room**

**9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office**

**NO LATER THAN NOON**

**Monday, May 25, 2020**

**STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE**

*Monday, June 1, 2020*

*9:00 a.m.*

*Via Teleconference*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	John V. Malter, Chair Frederick G. Potter	Steven P. Maio, Vice Chair Thomas J. Ryan	Jeffrey P. Horton
<b>STAFF:</b>	Jack K. Wheeler Shawn Sauro Nate Alderman Andy Morse	Christopher Brewer Tina Goodwin Jennifer Prossick Dave Hopkins	Brenda Mori Brooks Baker Tim Marshall
<b>LEGISLATORS:</b>	Scott J. Van Etten Kelly H. Fitzpatrick Robert V. Nichols	Robin K. Lattimer K. Michael Hanna Gary D. Swackhamer	Carol A. Ferratella Hilda T. Lando
<b>OTHERS:</b>	Mary Perham		

**I. CALL TO ORDER**

Mr. Malter called the meeting to order at 9:00 a.m.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE MAY 4, 2020 MEETING MADE BY MR. POTTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. DEPARTMENTAL REQUESTS**

A. Emergency Management Office

1. **Contract Renewal** – Mr. Marshall requested authorization to renew the IAMResponding contract. This is the software EMS and Fire use to notify dispatch they have received a call via text messaging. We have had this contract for many years; since the early 2000's. He is requesting a new five-year renewal at a rate of \$22,100 per year.

**MOTION: AUTHORIZING THE DIRECTOR OF THE OFFICE OF EMERGENCY SERVICES TO RENEW THE IAMRESPONDING CONTRACT FOR FIVE YEARS AT A RATE OF \$22,100 ANNUALLY MADE BY MR. POTTER. SECONDED BY MR. HORTON FOR DISCUSSION.**

Mr. Potter asked is this cost paid for by the agencies or by the County? Mr. Marshall replied the cost of this contract is covered by Homeland Security Grant funds.

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Functional Needs Database** – Mr. Marshall informed the committee they are in the second year of a multi-year contract with Acclaim Systems. He requested authorization to renew the contract for \$2,575.

**MOTION: AUTHORIZING THE DIRECTOR OF THE OFFICE OF EMERGENCY SERVICES TO RENEW THE CONTRACT WITH ACCLAIM SYSTEMS FOR THE FUNCTIONAL NEEDS DATABASE FOR AN ANNUAL AMOUNT OF \$2,575.00 MADE BY MR. MAIO. SECONDED BY MR. HORTON FOR DISCUSSION.**

Mr. Potter asked what does this contract pay for? Mr. Marshall replied the functional needs database identifies individuals with special needs; the frail/elderly, handicapped individuals or individuals with disabilities. We can track these individuals during emergencies such as power outages or snow storms, and we can verify where they live in an affected area and can send people out to check on them. Mr. Potter asked how do you reach out to the public to get individuals in the database? Mr. Marshall replied we distribute information through the Human Needs Task Force. We also put an annual article the Second Season newsletter and also in the County newsletter. Additionally we do press releases. We currently have about three thousand individuals enrolled.

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. Personnel

1. **District Attorney Investigator Salary** – Mr. Alderman stated the District Attorney is requesting an increase in his investigator’s salary from \$30,000 to \$35,000 annually. Mr. Baker explained the law regarding the cap on how much a NYS retiree can make changed to \$35,000 in December 2019. He stated he simply missed it. Mr. Mackney is working many more hours than we have asked for and also provides training to law enforcement agencies across the county. Because of Mr. Mackney’s work, we have a 100 percent trial success with our drug cases and we have the best conviction rate in the State.

Mr. Malter asked is this increase in the budget? Mr. Baker replied this is not in the budget, however, we decided not to hire one position in the fall. We also have money in our personnel and overtime line items available. This will be budget neutral.

Mr. Potter asked can we make this retroactive? Mr. Wheeler replied very often we do not do that, but that is the call of this committee. Mr. Potter asked when did we increase the SRO salaries? Mr. Wheeler replied that coincided with the change in the law and when the law changed the schools announced that the increases would be reimbursed.

Mr. Baker stated when we hired our new investigator, we started him at the \$35,000. That began January 1, 2020 and we just missed Mr. Mackney in the process.

Mr. Potter stated I think we need to make it retroactive to the first of the year so that Mr. Mackney is being paid the same as the other investigator. Mr. Maio stated I agree and this was basically an oversight.

**MOTION: INCREASING DISTRICT ATTORNEY INVESTIGATOR WALT MACKNEY’S ANNUAL SALARY TO \$35,000 RETROACTIVE TO JANUARY 1, 2020, PURSUANT TO THE CHANGES MADE TO THE NYS SECTION 211 WAIVER MADE BY MR. POTTER. SECONDED BY MR. MAIO FOR DISCUSSION**

Mr. Van Etten asked has Mr. Mackney worked a lot year to date given everything that has been going on with the pandemic? Mr. Baker replied Mr. Mackney has been on call and working his tail off. The drug business has not slowed down and he has been working more than 19.5 hours per week.

Mr. Maio asked do we run into any problems if he is working more than he is supposed to? Mr. Alderman replied no, not in this situation. Mr. Wheeler replied for those individuals with the Section 211 waiver and who are retired from State service, those are okay. It is more of an issue with the active, non-retired people that we have to careful with. Mr. Baker commented our investigators are not asking for any overtime or pushing for additional money.

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

IV. **OTHER BUSINESS**

A. **Support Resolution to Amend Vehicle & Traffic Law (VTL)** – Mr. Malter asked if anyone had any questions regarding a resolution supporting an amendment to Vehicle & Traffic Law relative to Accessible Parking Requirements. Mr. Maio asked who did this come from? Mr. Wheeler replied NYSAC (New York State Association of

Counties) sent this around. Mr. Maio stated this amendment would allow law enforcement to write tickets if someone is illegally parked in a handicapped or yellow-striped area in a parking lot.

Mr. Ryan asked for an explanation of the person centered language in the letter. Mr. Maio stated the way he understands it, it is just changing the language from handicapped to a person with disabilities. Mr. Brooks replied it is a definitional thing for the traffic law.

Mr. Ryan asked do we really need a State law? Can we just deal with this on a local basis? Mr. Potter stated the local municipalities have not been dealing with it. Mr. Wheeler stated it has been an issue of having the ability to enforce it.

**MOTION: MEMORIALIZING THE GOVERNOR AND THE NEW YORK STATE LEGISLATURE TO AMEND VEHICLE & TRAFFIC LAW (VTL) RELATIVE TO ACCESSIBLE PARKING REQUIREMENTS MADE BY MR. POTTER. SECONDED BY MR. HORTON. MOTION CARRIES 4-1. (MR. RYAN WAS OPPOSED)**

**MOTION: TO ADJOURN MADE BY MR POTTER. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**\*\*NEXT MEETING SCHEDULED FOR\*\***

**Monday, July 6, 2020**

**Legislative Committee Room**

**9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office**

**NO LATER THAN NOON**

**Monday, May 29, 2020**

**STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE**

*Monday, July 6, 2020*

*9:00 a.m.*

*2<sup>nd</sup> Floor Conference Rooms*

*Annex Building*

*Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	John V. Malter, Chair Frederick G. Potter	Steven P. Maio, Vice Chair Thomas J. Ryan	Jeffrey P. Horton
<b>STAFF:</b>	Jack K. Wheeler Jennifer Prossick Tina Goodwin	Christopher Brewer Andy Morse Tim Marshall	Brenda Mori James Allard Cheryl Crocker
<b>LEGISLATORS:</b>	Scott J. Van Etten Hilda T. Lando Gary B. Roush	Carol A. Ferratella Aaron I. Mullen Gary D. Swackhamer	Kelly H. Fitzpatrick Robert V. Nichols
<b>OTHERS:</b>	Mary Perham		

**I. CALL TO ORDER**

Mr. Malter called the meeting to order at 9:00 a.m. and asked Mr. Potter to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE JUNE 1, 2020, MEETING MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. DEPARTMENTAL REQUESTS**

A. E911

1. **Eagleview (Pictometry) Annual License Payment** – Mrs. Goodwin requested authorization to pay the 2<sup>nd</sup> annual license payment for the Pictometry imagery. The cost is \$122,831.13 and is in the budget. They have completed all the imagery. Mr. Wheeler explained back ten years ago, this was not budgeted for annually; every three years we paid \$350,000 for the re-fly. Now we are spreading that cost out on an annual basis.

**MOTION: AUTHORIZING THE DIRECTOR OF THE E911 DEPARTMENT TO MAKE THE SECOND ANNUAL LICENSE PAYMENT OF \$122,831.13 FOR THE PICTOMETRY IMAGERY MADE BY MR. MAIO. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Wilmac Software Maintenance Renewal** – Mrs. Goodwin requested authorization to renew the contract with Wilmac for software maintenance on the recorder. The annual cost is \$32,690 and is in the budget.

**MOTION: AUTHORIZING THE DIRECTOR OF THE E911 DEPARTMENT TO RENEW THE CONTRACT WITH WILMAC FOR SOFTWARE MAINTENANCE ON THE RECORDER FOR AN ANNUAL COST OF \$32,690 MADE BY MR. POTTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

3. **911 Numbering** – Mr. Potter asked have you done any recent renumbering in the County? Mrs. Goodwin replied not since the early 2000's. Mr. Potter stated that he recently went to renew his DOT permit and

when they pulled up his address, it was a quarter mile down the road. He also ran into this with his mother-in-law's address. The numbers are not in sequence and it is causing problems. Mrs. Goodwin stated if you contact me, I will put you in touch with our GIS specialist. Sometimes it depends on the map that is being used, but we can straighten that out if you contact me.

B. Emergency Management Office

1. **Midstate Communications Contract** – Mr. Marshall informed the committee that the tower lighting is out at a couple of our tower sites and needs to be fixed to comply with FAA requirements. This is outside of Motorola's scope. These tower sites are using incandescent lights and will be upgraded to LED. This is a one-time contract with Midstate to do this. The cost is \$36,000 and will be covered with grant funds.

Mr. Malter asked how many towers need to have the lighting replaced? Mr. Marshall replied right now Mt. Washington and Call Hill. Mr. Maio asked are these the only ones with FAA requirements? Mr. Marshall replied any tower over 200 feet requires lighting. We do have a few towers over 200 feet, but these are the two that we are having issues with now. Mr. Maio asked when will the others need to be done? Mr. Marshall replied it is hard to say; it depends on weatherization, etc.

**MOTION: AUTHORIZING THE DIRECTOR OF THE OFFICE OF EMERGENCY SERVICES TO ENTER INTO A CONTRACT WITH MIDSTATE COMMUNICATIONS FOR THE REPLACEMENT OF TOWER LIGHTING AT MT. WASHINGTON AND CALL HILL IN AN AMOUNT NOT TO EXCEED \$36,000, SAID COST TO BE COVERED BY GRANT FUNDS MADE BY MR. MAIO. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Radio System Update** – Mr. Marshall stated the upgrade of Fire and VHS had been slowed down due to COVID. Motorola has sent some technicians in. We are having issues at the Jasper tower site with the combiner and we are working with the engineers who designed it to try to resolve that issue. Once that is resolved, we will be able to move forward with testing and then cut over to the new system. We hope to start testing soon and that by the end of July we should be able to the cut over. We are very close to finalizing this project.

Mr. Malter asked how long has this project taken? Mr. Marshall replied I think we started this project in 2016, so it has been about five years. For a large project like this, that is pretty normal; three to five years.

Mr. Swackhamer stated once you run through the system, what is the next step? Mr. Marshall replied everything will be upgraded to VHF; the Sheriff's Office, fire, law enforcement and ambulance service will all be on the same platform. The final step is looking at what to do with Public Works as they are operating on low band. We are also looking at a redundant prime project where we would share services with Allegany County to backup each system. The next big project will be Public Works.

Mr. Malter asked will the Public Works project be county cost? Mr. Marshall replied I would think it would be covered under the Homeland Security project as it is an enhancement to the radio and will be beneficial. Mr. Potter asked will the Public Works project impact the town highway departments as well? Mr. Marshall replied yes. I would like to build a system where the county and the towns can communicate. That would be my goal, not yet having talked with Mr. Spagnoletti or Mr. Rapalee; one system they can all use together.

3. **COVID Update** – Mr. Marshall stated during COVID we staffed the EOC (Emergency Operations Center) for 91 days starting on March 14, 2020. That is the longest time period the EOC has been consistently staffed, except for the ice storm in 1991 and the snowstorm in 1993 where it was staffed for a week. The majority of our work was logistics; providing supplies to hospitals and other agencies. Mr. Marshall stated we distributed 4,500 face shields, 5,800 vinyl gloves, 20,500 nitro gloves, 5,700 isolation/surgical gowns, 547 gallons of hand sanitizer in 1 gallon jugs, 155 refillable pumps and 8,924 two-ounce spray dispensers. Additionally we distributed 10,500 N-95 and K-95 masks, 41,000 disposable face masks, 58,255 white cloth face masks and 12,000 tests. Logistically, this was a huge operation. We have moved most of our stock to the

Records Center for the summer months and then will figure out what to do in the future with what is left. We want to make sure that we have enough supplies if we get a second wave of this. Mr. Marshall stated we are pretty set on supplies. Kudos to the team of Ken Forenz, Matt Marmor from Public Health, Jack Wheeler, Darlene Smith and Lorelei Wagner for a great job. We worked 11 – 12 hour days for most of those 91 days and things went very well. I appreciate the support of the Legislature, as well as the rest of the staff supporting us, including Eric Rose, Vince Spagnoletti, Andy Morse and Sheriff Allard. It was great working with everyone.

Mr. Malter asked of the supplies distributed, how much did we buy ourselves? Mr. Marshall replied the majority of our supplies are State and Federal. We did purchase some and came to committee to get that authorization for refillable pumps for hand sanitizer, gloves and N-95 masks. Mr. Wheeler stated he received an email Thursday that we will be getting 1,000 gowns through PERMA and they have picked up half the cost. Those will be delivered within the next week or so. Mr. Marshall stated gowns have been the hardest thing to find. With a COVID patient you have to wear a gown and when you leave, the gown goes into a bio bag. They are the hardest supply to find.

Mr. Malter asked with the supplies that you have on hand, do you have an inventory? Mr. Marshall replied yes, Matt Marmor from Public Health has an extensive database of all of our supplies and set up a good system to account for them. Mr. Malter asked if there is another wave, will we have enough supplies? Mr. Marshall replied we have a good supply to start with and the State and Feds are still pushing supplies.

Mr. Wheeler commented we do not have a big space to stockpile so we are using the Records Center and the highway barn. If there is another wave, we will be in good shape, but the time for a victory lap will be far from now.

Mr. Potter stated the Governor has said that anyone who wants a test can get it, and if they go to a State testing site the cost will be covered by the State. Do we have any State testing sites in the County? Mr. Marshall replied no. The closest is Monroe County at Monroe Community College. Mr. Wheeler stated the other site is in Binghamton. We have asked to get a closer site. Mr. Van Etten asked is there one at Cayuga Health? Mr. Wheeler replied yes, you can go to Ithaca, and because of the way the insurance reimbursement was going, they were putting their foot down and were not doing tests unless they were medically necessary.

Mr. Malter asked how many test kits are available? Mr. Marshall replied we have a couple thousand. Mr. Van Etten asked what is the shelf life? Mr. Wheeler replied 7 months. Mr. Marshall stated he wants to give kudos to Matt Marmor as he took the leaky tests kits that we had first received and combined them to make new sets. Mr. Wheeler stated we pushed a lot out for nursing home testing. We are keeping some for employee testing if the need arises as well as if hotspots arise or there is a need for drive-thru testing. The problem is with the labs. We have developed a pretty good relationship and if an employee is tested here, we have a lab in New Jersey that will process it for free.

Mr. Swackhamer asked are the labs caught up? Mr. Wheeler replied they are better, but it is not what it was with a day or two turnaround. There is a lot of testing going on. Ms. Fitzpatrick asked at some point will we be moving to testing for antibodies? Mr. Wheeler replied the PCR is not the same as the antibody test. We do not have a supply of kits for the antibody testing. The only concern is the high rate of false positives; there is a 35 – 50 percent false positive rate.

Mr. Malter asked with staff, how many positive cases have we had? Mr. Wheeler replied zero. Some individuals had mandatory quarantines because of primary contact and a handful were tested.

C. Sheriff's Office

1. **Accept Additional STOP DWI Crackdown Funds** – Sheriff Allard requested authorization to accept additional STOP DWI Crackdown Funds in the amount of \$2,000.

**MOTION: AUTHORIZING THE SHERIFF TO ACCEPT ADDITIONAL STOP DWI CRACKDOWN FUNDS IN THE AMOUNT OF \$2,000 MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mrs. Ferratella commented on the Sheriff's Annual Report he noted DWI's had doubled from 2018 to 2019 and they were recognized for being one of the top units in the State.

2. **Accept Donation of K-9 and Supplies from Sheriff's Foundation** – Sheriff Allard requested authorization to accept the donation of a K-9 and supplies from the Sheriff's Foundation. This will be a nitrate (bomb) sniffing dog sponsored by the McCartney family through the Sheriff's Foundation. This K-9, named Mack, is a Belgian Malinois and will be trained and certified as a Nitrate K-9 to support our SRO program in 10 school districts. We do not have a bomb dog assigned. The Sheriff's Foundation is donating the \$7,800 dog and \$2,200 for supplies to outfit the K-9 officer.

Mr. Malter asked how many dogs do we have? Sheriff Allard replied this will be our fourth. Mr. Maio asked will the dog have training beyond nitrates? Sheriff Allard replied the dog will be used for nitrates, patrol and tracking. The other three dogs are specifically trained for narcotics.

Mr. Maio asked do we need more dogs? Sheriff Allard replied I would like one more dog for arson and accelerant detection as there is no K-9 in the area that does that. If we team up with the volunteer fire departments we could raise enough money to support that.

Mr. Swackhamer asked what is the yearly cost? Sheriff Allard replied the cost is almost all covered through donations. The cost for the County is training. The training itself is free, but the Deputy gets paid for it. Mr. Swackhamer asked what is the cost to maintain the K-9's? Sheriff Allard replied there is food, outfitting the vehicle with a kennel, an alarm system for heat for the vehicle, vet costs and two days per month for training to maintain certification. I cannot give you accurate numbers right now.

Mr. Malter asked are we using our dogs to support other agencies? Sheriff Allard replied we use the dogs to support what we do. Now we are fulfilling our responsibilities in the County. Mr. Maio asked do any other counties have a bomb dog? Sheriff Allard replied Chemung County does. Mr. Potter asked what about the State Police? Sheriff Allard replied they do, but it is based out of Canandaigua. Mr. Marshall commented the closest arson dog is in Binghamton.

Ms. Fitzpatrick asked how much do the dogs increase the efficiency of investigations? Do you do demonstrations and if so, could we see one? Sheriff Allard replied yes, we do demonstrations. Ms. Fitzpatrick asked how much do they increase your efficiency? Sheriff Allard replied the efficiencies of the narcotics K-9's are huge. The K-9's can search vehicles at vehicle stops or when we do search warrants. We have a large number of requests from other agencies to have the K-9's do searches. With the bomb K-9, every time there is a threat at a school, now we will not have to wait for hours and try to find out. We also will use the K-9 at the Wineglass Marathon at the start and finish lines to do a sweep. Additionally, we have taken the dogs to the stockholders meeting at Corning, Inc. to do a sweep. Having the availability of our own K-9's makes it so much easier to do screenings before events.

Mr. Malter asked can we see a demo of all of the K-9's at some point? Sheriff Allard replied, yes we can. We can set demonstrations up at any time. That is where a lot of our fundraising comes in.

Mr. Horton commented a lot of people are more scared of the K-9 than the Deputy. Sheriff Allard stated we have had no bites as a result of a search or detainment. The barking and growling does enough to get compliance.

**MOTION: AUTHORIZING THE SHERIFF TO ACCEPT THE DONATION OF A K-9 AND SUPPLIES FROM THE SHERIFF'S FOUNDATION, TOTALING \$10,000 MADE BY MR. RYAN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

3. **SPCA** – Sheriff Allard stated every year we allocate money to the SPCA. We carried out a warrant in Campbell and the SPCA helped us rescue 65 animals that were in distress in a single wide trailer.

Mr. Mullen stated he followed up with Mr. Baker on the Ag and Markets Law. The Ag and Markets Law has a process if an animal is confiscated because of negligent action, then the District Attorney can file an application to require the owner to post bond for the care of the animal and if they cannot, then the law allows the County to sell, adopt out or euthanize. Mr. Baker indicated to him that we have not had anyone yet that could afford to post the bond. Mr. Mullen stated he responded that we still have a process to have sold the animal and people have the application to make bond so I think you should consider implementing this process.

Mr. Malter asked do we have this process? Ms. Prossick replied my understanding is this is part of the prosecutorial duties and is a State function. The District Attorney may need the animal(s) for evidence down the road. Mr. Malter commented our last encounter cost us a lot of money. Ms. Prossick clarified this Ag and Markets Law does not cover cats and dogs. Mr. Mullen stated that is a different process as you don't sell them.

Sheriff Allard stated 90 percent of the smaller animals that come in are adopted out. The larger animals are the issues. The District Attorney uses those animals as part of his ability to prosecute.

Mr. Horton asked what is the liability on that? Now we have a two-year old bull that is huge and mean. Is the County liable if someone gets hurt at the SPCA taking care of this bull? Ms. Prossick replied I will have to look, but because the bull is part of the prosecution's case, we have to have it and there may be some immunity there. A lot of these are just a matter of communicating with Mr. Baker.

Mr. Maio stated I understand that people don't have cash, but you could get a bond against their property. Ms. Prossick stated that is a complicated process. Mr. Maio stated that's not the County's problem.

Mr. Malter asked Mr. Mullen what would you like to see going forward? Mr. Mullen replied I would like to have a conversation with Mr. Baker at one of our meetings on the policy. Horses and cows are animals that could be sold. If we are following the process in the law, we will not have additional liability. Mr. Malter asked that this be put on the August agenda for discussion.

Mr. Nichols stated several years ago 20 horses were confiscated and the SPCA was charging the County. I asked at AIP to sell them and the SPCA said they can't do that. They don't want to sell because they don't want them reproducing and any animal leaving the SPCA has to be sterile. Then they billed us for the animals. Something needs to be fixed on that part.

#### **IV. OTHER BUSINESS**

A. *Driver Diversion* – Mr. Malter stated that he would like to review the progress of the Driver Diversion Program. Ms. Prossick stated the contract was signed last week and they are ready to get up and running, functionally. Mr. Malter stated that he would like the District Attorney to provide an update at the August meeting.

**MOTION: TO ADJOURN MADE BY MR. POTTER. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by Amanda L. Chapman, Deputy Clerk, Steuben County Legislature

**\*\*NEXT MEETING SCHEDULED FOR\*\***

**Monday, August 3, 2020  
Legislative Committee Room  
9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office  
NO LATER THAN NOON  
Monday, July 27, 2020**

**STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE**

**Special Meeting**

*Monday, July 27, 2020*

*9:45 a.m.*

*2<sup>nd</sup> Floor Conference Rooms, Annex Building  
Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	John V. Malter, Chair Frederick G. Potter	Steven P. Maio, Vice Chair	Jeffrey P. Horton
<b>STAFF:</b>	Jack K. Wheeler James Allard	Christopher Brewer Jennifer Prossick	Brenda Scotchmer
<b>LEGISLATORS:</b>	Scott J. Van Etten Kelly H. Fitzpatrick Gary B. Roush Aaron I. Mullen	Robin K. Lattimer Hilda T. Lando Gary D. Swackhamer	Carol A. Ferratella Robert V. Nichols Brian C. Schu
<b>ABSENT:</b>	Thomas J. Ryan		

**I. CALL TO ORDER**

Mr. Malter called the meeting to order at 9:45 a.m.

**II. GENERAL BUSINESS**

A. Sheriff's Office

1. **Contract Amendment** – Sheriff Allard requested authorization to amend the contract with PrimeCare for the addition of RN services. One of our county-employed RN's resigned and we now have one county-employed RN in the Jail. The plan was, from the start, for any vacancies to be filled through PrimeCare and contracted through them. The cost to add one RN position through PrimeCare will be approximately \$8,400 per month.

Mr. Maio asked what would be the cost to the County if we hired another County RN? Sheriff Allard replied including fringe costs, it would be about an additional \$5,000 per year to the County; if you can find one. Through PrimeCare we are getting people that specialize in correctional medical care.

**MOTION: AUTHORIZING THE SHERIFF TO AMEND THE CONTRACT WITH PRIMECARE FOR ONE ADDITIONAL RN FOR AN ADDITIONAL \$8,400 PER MONTH MADE BY MR. MAIO. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: TO ADJOURN MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**STEUBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE**

*Monday, August 3, 2020*

*9:00 a.m.*

*2<sup>nd</sup> Floor Conference Rooms, Annex Building  
Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	John V. Malter, Chair Frederick G. Potter	Steven P. Maio, Vice Chair Thomas J. Ryan	Jeffrey P. Horton
<b>STAFF:</b>	Jack K. Wheeler Shawn Sauro Tim Marshall Andy Morse Tina Goodwin	Christopher Brewer David Hopkins Nate Alderman Jennifer Prossick Tammy Hurd-Harvey	Brenda Scotchmer James Allard Brooks Baker Jennifer DeMonstoy Vince Spagnoletti
<b>LEGISLATORS:</b>	Scott J. Van Etten Kelly H. Fitzpatrick Aaron I. Mullen Gary D. Swackhamer	Robin K. Lattimer K. Michael Hanna Robert V. Nichols	Carol A. Ferratella Hilda T. Lando Gary B. Roush
<b>OTHERS:</b>	Mary Perham Dawn White, Program Manager, Corporate Development, Corning, Inc.		

**I. CALL TO ORDER**

Mr. Malter called the meeting to order at 9:00 a.m. and asked Mrs. Chapman to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE JULY 6, 2020 AND THE JULY 27, 2020, MEETINGS MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. PRESENTATION**

A. **CAP Electronic Appearance Plan** – Mr. Baker explained when COVID hit, we started doing virtual arraignments, appearances and conferences via Skype. The savings and efficiency was tremendous; and we had zero travel costs and hassle. The Office of Court Administration (OCA) is going back live and the Sheriff and I both recognized efficiencies by doing this virtually. We were providing counsel and providing defendants with the opportunity to speak with their lawyer off-camera first and then we went through the process.

Mr. Baker stated we have pitched to Judge Doran to go back to the virtual arraignments and appearances. The City Court judges are on board, as well as the Sheriff, the Public Defender, Mr. Wheeler and Chairman Van Etten. We have put our proposal back in to OCA and they have agreed to meet with us on Friday, August 7<sup>th</sup>, to discuss this. One thing that happened when we went to a full virtual process is that it did increase the workload for the clerical staff in Rochester. Mr. Baker stated we came up with a pilot proposal where we would pick up the workload by putting the judges back in their courtrooms. We will put together a training program for them and we would be able to do the CAP arraignments virtually and use the same program to do things in the local court. If we can get this up and running, we can do these things where testimony and pleas could be done virtually. This would reduce the overall travel cost and create more efficiencies.

Mr. Malter asked what would happen with CAP? Mr. Baker replied we would continue to do it, but it would be through Skype. Mr. Malter asked so you would use the holding center to bring in the prisoners and everything else would be online? Mr. Baker replied correct. Defendants are more apt to perform in front of a live audience. When we hold live

CAP, we have three Corrections Officers in the room. When we do it through Skype, we only have one Corrections Officer. It reduces the time at CAP and the paperwork is done quickly and is scanned and served. Mr. Malter commented you did a great job on your draft proposal.

Mr. Baker stated Chemung County is in the 6<sup>th</sup> Judicial District and they are doing Skype arraignments so there is no reason why we can't in the 7<sup>th</sup> Judicial District. Sheriff Allard commented there is an inherent risk to inmates when doing transports. To do these virtually really reduces the risk. The other issue is with security of the town courts. We have done everything we can to mitigate that risk also. We see virtual arraignments as a huge cost savings and it is a tremendous benefit to the inmates.

Mr. Malter asked are we paying the judges for CAP court? Mr. Baker replied we do not pay them, OCA does. This proposal will have to happen under OCA auspices and is why we are working with Judge Doran. Mr. Malter asked do we need to do anything at this point? Mr. Wheeler replied no. We will let you know what happens after Friday's meeting.

Mr. Van Etten commented this may be a model for other counties. Mr. Baker stated that is why we chose the term "pilot" program; if it will work here, it will work anywhere.

Mr. Potter asked are the victims able to participate virtually? Mr. Baker replied they can still Skype in. We have very few victims that show up to the arraignments anyway. If there is a hearing, they have to show up and provide testimony. The plea and sentencing stage have to be live and that is where the victims are involved.

Mr. Horton stated my wife is a judge and did the virtual CAP Court. Four judges said it worked good. Some of the judges that are not as computer savvy are nervous. The training piece is huge. There are 21 judges doing CAP court and with that being said, I sat through several of the virtual arraignments and it seemed to work well. Everyone could talk and the Jail was recording. In a normal CAP appearance, if a judge forgets to attend, they have to call and try to get another. Doing it virtually, it happened once and they just called the judge and they were able to log in. One concern is the availability of Wi-Fi at their homes, but they can drive to their local court.

Mr. Baker stated he has been talking with their trainer, Pam Aini, and she will create a checklist. Mr. Horton asked what if a defendant requests that appearance to be held in-person? Mr. Baker replied then they will get an in-person. We will have to have a list of on-call judges. Ms. Fitzpatrick asked why Skype instead of Zoom? Sheriff Allard replied the State mandates that we use Skype.

Mr. Maio commented I think remote appearance is a good idea and it is a good thing to have the local judges and courtrooms going. I am not sure that every courtroom has the ability to do it; some local courts are very rural and they may not have that capability. He stated for subsequent appearances, I think it is much preferred to be in-person. Mr. Baker commented some attorneys don't waive the in-person appearances and some waive them all. Sheriff Allard commented as a matter of fact, if a defendant goes to a status check appearance and leaves the jail for that appearance and then comes back to the jail, they are then in quarantine for 14 days.

#### **IV. DEPARTMENTAL REQUESTS**

##### **A. District Attorney**

1. **Traffic Diversion** – Mr. Baker informed the committee that Traffic Diversion is up and running. We have had 4 people sign up in the last week. There are 225 people asking for a reduction that were pending and of those, 188 are eligible for traffic diversion and 50 of those have signed up. A lot depends on the volume of tickets that are issued.

Mr. Malter asked are the local courts open? Mr. Baker replied they are supposed to be under OCA edict. Mr. Malter asked is the new system working well? Mr. Baker replied this is brand new and at this point, individuals have signed up and that process has gone relatively smoothly. Now those individuals will have to go through and complete the class.

2. **Assistant District Attorney Salary Adjustment** – Mr. Baker stated Tom Bowes is an Assistant District Attorney (ADA). He had left the Public Defender’s Office less than a year before he came to work for us. When he left the Public Defender’s Office, he was making \$41,500 per year. When he came to us, he was started at the mid-point which is \$36,400. Mr. Baker requested authorization to adjust Mr. Bowes salary up to the \$41,500.

Mr. Malter asked is there money in the budget? Mr. Baker replied yes. Mr. Maio asked didn’t he know what the salary was when he switched offices? Mr. Baker replied he had been gone for a period of time and we had to go through this process. He started working for the County in 2011 and that continued through 2019. He has also worked for Chemung County prior to that. He has more than 10 years’ experience and he is making about the same as the other Assistant District Attorneys.

Mr. Van Etten commented we have talked about this ad nauseum about us not getting into an issue of paying different amounts from the staff in the Public Defender’s Office. It is prudent to pay the \$41,500.

**MOTION: APPROVING A SALARY ADJUSTMENT FOR ASSISTANT DISTRICT ATTORNEY TOM BOWES TO \$41,500 MADE BY MR. RYAN. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. E-911

1. **Maintenance Renewal for 911 Phone System** – Mrs. Goodwin requested approval for a one year maintenance renewal for the 911 phone system. This would be year 6 of a 5 year contract. Before COVID hit, we were looking to replace the system, but then we had to put that on hold. This renewal will get us through until next fall. The renewal is with Intrado Life and Safety Solutions and the amount is \$72,859.50.

**MOTION: AUTHORIZING THE DIRECTOR OF THE E-911 DEPARTMENT TO RENEW THE MAINTENANCE CONTRACT WITH INTRADO LIFE AND SAFETY SOLUTIONS FOR THE 911 PHONE SYSTEM FOR ONE YEAR FOR AN ANNUAL COST OF \$72,859.50 MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **CAD and Mobile Maintenance and Software Subscription Renewal** – Mrs. Goodwin requested a renewal of the maintenance and software subscription for the CAD and Mobile with Central Square. She explained the mobile is for the law enforcement program. This would be year 4 of a 5 year contract and the annual amount is \$21,941.37.

**MOTION: AUTHORIZING THE DIRECTOR OF THE E-911 DEPARTMENT TO RENEW THE MAINTENANCE AND SOFTWARE SUBSCRIPTION FOR THE CAD AND LAW ENFORCEMENT PROGRAM WITH CENTRAL SQUARE FOR ONE YEAR FOR AN ANNUAL COST OF \$21,941.37 MADE BY MR. HORTON. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

3. **Rejecting Bids for Wireless Internet Service Provider** – Mr. Wheeler stated Mr. Hopkins has been working with Mr. Morse, Mr. Brewer, Mr. Marshall and I to put out a bid for space on our wireless towers for internet providers. We had two providers that responded and those responses came in at \$300,000 and \$1 million cost to the County to front the capital investment. Our recommendation is to reject the bids. The goal was to offer them use of this space, but both providers wanted the County to front the capital expenses.

**MOTION: REJECTING THE BIDS FOR WIRELESS INTERNET SERVICE PROVIDER MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. Sheriff’s Office

1. **PrimeCare Budget Adjustment – RN Position** – Sheriff Allard requested authorization to transfer \$42,464.75 from the salaries and wages line item to the medical services line item within the Jail budget to pay for the remainder of the year for an RN position through the PrimeCare contract.

**MOTION: AUTHORIZING THE SHERIFF TO TRANSFER \$42,464.75 FROM THE SALARIES AND WAGES LINE ITEM TO THE MEDICAL SERVICES LINE ITEM WITHIN THE JAIL BUDGET TO PAY FOR THE REMAINDER OF 2020 FOR THE RN POSITION CONTRACTED THROUGH PRIMECARE MADE BY MR. HORTON. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Police Traffic Services Grant Renewal** – Sheriff Allard requested authorization to accept the 2020 – 2021 Police Traffic Services Grant in the amount of \$7,200. He explained \$1,800 will be used for seatbelt enforcement and \$5,400 will be used for overtime for traffic enforcement. These funds are from the Governors’ Traffic Safety Committee.

**MOTION: AUTHORIZING THE SHERIFF TO ACCEPT THE 2020 – 2021 POLICE TRAFFIC SERVICES GRANT FROM THE GOVERNORS’ TRAFFIC SAFETY COMMITTEE IN THE AMOUNT OF \$7,200 MADE BY MR. POTTER. SECONDED BY MR. HORTON FOR DISCUSSION.**

Mr. Potter asked will you have a problem getting traffic enforcement done with COVID? Sheriff Allard replied we make sure that our deputies are using the proper PPE through enforcement and our traffic enforcement numbers are up.

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

3. **Bid New Trailer from State Farm Grant** – Sheriff Allard requested authorization to go to bid for the STOP-DWI educational trailer.

**MOTION: AUTHORIZING THE SHERIFF, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO SOLICIT BIDS FOR THE STOP-DWI EDUCATIONAL TRAILER MADE BY MR. HORTON. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

4. **Police Reform Committee Discussion** – Sheriff Allard explained Governor Cuomo signed Executive Order 203 which directs municipalities to reinvent and modernize police strategies and programs. He has reached out to the cities of Hornell and Corning to do this as a countywide team and we will also be sure to include the smaller agencies. We will be presenting our proposal to the Corning City Council tonight and tomorrow we will be holding a press conference. He stated that he would like to move forward to meet the Governor’s requirement and to find out what our County residents feel they need from law enforcement. This will be an opportunity to get feedback from our stakeholders and others. He stated the City of Corning and Corning Incorporated is working with us to create the plan. He introduced Dawn White who is a Program and Change Manager Leader for Corning Incorporated.

Sheriff Allard presented a PowerPoint presentation. He stated in accordance with the Governor’s Executive Order, each police agency’s reform plan must address policies, procedures, practices and deployment, including, but not limited to the use of force and be certified by the local government. The Director of the Division of the Budget has been authorized to condition receipt of future appropriated state or federal funds upon filing of the certification by April 1, 2021. Failure to comply would allow the withholding of funding and it is unknown if this funding is limited to law enforcement funding or all municipal funding. The plan needs to promote community engagement to foster trust, fairness and legitimacy and address any racial bias and disproportionate policing of communities of color. Stakeholder groups must include membership and leadership of the local police force; members of the community with emphasis in areas with high numbers of police and community interactions; interested non-profit and faith-based community groups; the District Attorney; the Public Defender and local elected officials. The plan shall be offered for public comment to all citizens and after consideration of comments, the plan shall be presented to the local legislative body who shall ratify or adopt the plan by local law or resolution no later than April 1, 2021. Following adoption, a certification has to be sent to the Director of the Division of the Budget to affirm the process has been complied with and the local law or resolution has been adopted.

Ms. White stated we have reached out to the cities of Corning and Hornell and will be doing this as a countywide team to be sure that we include the smaller organizations. We are presenting this to Corning City Council tonight and will be holding a press conference tomorrow. We will move forward to meet the requirements and to find out what the County feels it needs from law enforcement. This is an opportunity to get feedback from stakeholders and others. The requirement is that the reform plan is to be adopted by the Legislature, by resolution or local law, no later than April 1, 2021. Should you not complete the plan then the Director of the Division of Budget can withhold municipal funding. Our goal is to make sure that the County is kept whole, as well as the municipalities that have police departments. Each local government entity that has a paid police department, as well as the District Attorney, and Sheriff has to come up with a policy. We want to develop a plan to address the particular needs of the community that is served by a police agency and address racial bias. We are looking at the stakeholder groups so we can gather necessary input to put forth a comprehensive plan. Ms. White stated we are in a good position as most of these things we already to. We have to have mandatory input from the stakeholders which include the municipalities, members of the community, interested not-for-profits, faith-based groups, the District Attorney, Public Defender and local elected officials.

Ms. White stated in reference to the adoption of the plan, it can be done either by resolution or local law. Mr. Wheeler commented we have talked about doing it as a resolution. How many public hearings do we have to have? Sheriff Allard replied there is no minimum number. Corning Inc. decided to invest in this community-wide program and Ms. White is one of their executives and we are fortunate to have her. The Chief Executive has to certify the plan with the Division of Budget prior to the April 1, 2021 deadline. The City of Corning and Corning Inc. are working with us. Ms. White brings in a lot of folks that we normally would have not have access to. We are already setting up the stakeholder groups.

Ms. White stated I am so honored that Corning Inc. selected me to work on this. Initiatives like this have always been near and dear to my heart. Looking at the path forward, we will be passing a police reform that is effective and meaningful. We hope that what we do here will serve as a model for other small communities. She commented New York State is the most progressive state with the right to police reform. Everyone is at the table. Even though the Governor put this mandate forward, this is bigger than that as we have a chance to make real change here. For us, it is about all people. We are not saying the system is broken, but we want to look at it and see if there are any improvements that can make it better. Ms. White went through the process and the roles and responsibilities of the stakeholders and stated we are looking at two public hearings; the first in the beginning and then another once we have a plan put together.

Mr. Malter asked will every municipality that has a police department have to file a plan, or will it be consolidated? Ms. White replied it will be a consolidated plan, but we realize that it may be tweaked. Mr. Van Etten asked is it up to each department to submit? Ms. White replied yes. What we need from you is to provide guidance and feedback as we go through this process. We ask that you join in the process with an open mind. Help us to assess the key risks. Just show public support and encourage the public to participate.

Mrs. Ferratella stated many of the villages and towns do not have paid police departments, but they have magistrates. Are they included? Ms. White replied yes they are.

Mr. Malter commented it sounds like a lot have accepted this and appreciate your support. Mr. Ryan commented every five to ten years we have a brand new program with catch phrases and fancy words and when all is said and done, everything went right back to how it was. Having said that, I am willing to work with you.

5. **K-9 Demonstration** – Mr. Wheeler reminded the committee the Sheriff will be providing a K-9 demonstration on Thursday following the Ad Hoc Reopening and Recovery Committee.

D. Emergency Management Office

1. **Motorola Change Order** – Mr. Marshall requested approval of a change order with Motorola relative to the Jasper Tower site. Motorola is suggesting replacement of the antennae system and cabling connector upgrade. The amount is \$28,185.00 and is covered under grant funding.

**MOTION: APPROVING A CHANGE ORDER FOR MOTOROLA IN THE AMOUNT OF \$28,185.00 RELATIVE TO THE REPLACEMENT OF THE ANTENNAE SYSTEM AND CABLING CONNECTOR UPGRADE AT THE JASPER TOWER SITE MADE BY MR. HORTON. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Contract** – Mr. Marshall requested authorization to enter into a contract with Occustar Workplace Compliance, LLC to provide hazmat physicals. The cost will be \$4,500 for year one, \$4,700 for year two, \$4,900 for year three. We do have money in the budget.

**MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGE OFFICE TO ENTER INTO A CONTRACT WITH OCCUSTAR WORKPLACE COMPLIANCE, LLC TO PROVIDE HAZMAT PHYSICALS AT A RATE OF \$4,500 FOR YEAR ONE, \$4,700 FOR YEAR TWO AND \$4,900 FOR YEAR THREE MADE BY MR. MAIO. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

3. **COVID-19 Supply Purchases** – Mr. Marshall informed the committee that over the past several weeks they have done a complete review of their supply inventory. We sat down with the management team and looked at where we are at and where we need to be. The group has suggested increasing the amount of isolation gowns to 2,000 at an estimated cost of \$8,000. We are looking to purchase 3M N-95 masks; 1,860 small and 1,860 medium for a total cost of \$1,400 (\$1,200 for each size). Additionally, we are looking to purchase 20,000 medium nitrile gloves and 20,000 large nitrile gloves. The cost depends on the market and we estimate that it will be between \$4,000 - \$7,200. Mr. Marshall stated he is working with Purchasing to identify a vendor. He requested authorization to do this as an emergency purchase.

Mr. Wheeler explained the committee had appropriated \$50,000 to Public Health's budget for supplies and we have had a lot of discussion about whether we can get some additional supplies. Mr. Malter asked what is the shelf life for these supplies? Mr. Marshall replied the nitrile gloves can break down in the heat. The N-95 masks have an expiration date, but the guidance has been they are good as long as they have a good fit. Mr. Horton asked do you have a place to store these supplies? Mr. Wheeler replied we were storing the supplies at the highway shop on Mt. Washington, but we moved them to the back side of the Records Storage Building as it is climate controlled.

**MOTION: AUTHORIZING THE EMERGENCY PURCHASE OF COVID-19 SUPPLIES AS DETAILED BY THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

E. Public Defender

1. **Investigator Contract** – Mr. Sauro requested authorization to renew the investigator contract with Heather Barry. It came to my attention last week that this had expired. The investigator has been relatively inactive due to COVID, but business has been picking up. There is no change from last year and the rate remains at \$70.00 per hour. He is looking for a renewal effective from February 15, 2020.

**MOTION: AUTHORIZING THE PUBLIC DEFENDER TO RENEW THE CONTRACT WITH HEATHER BARRY FOR INVESTIGATIVE SERVICES AT A RATE OF \$70.00 PER HOUR EFFECTIVE FROM FEBRUARY 15, 2020 MADE BY MR. HORTON. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

F. Personnel

1. **Tuition Aid Request** – Mr. Alderman informed the committee that a Corrections Officer, Donald Strittmatter has submitted a request for tuition aid relative to four courses that he is taking to obtain an Associate's Degree in Criminal Justice. All four courses are related to his job duties. Pursuant to the *Administrative Code*, the request first needs to come to the standing committee and then to the Human Services, Health & Education

Committee for approval. The tuition aid is reimbursed at \$150.00 per credit hour. He requested approval of this request.

**MOTION: APPROVING A TUITION AID REQUEST FOR DONALD STRITTMATTER, AN EMPLOYEE IN THE SHERIFF'S OFFICE, TO TAKE FOUR COURSES TO OBTAIN AN ASSOCIATE'S DEGREE IN CRIMINAL JUSTICE MADE BY MR. HORTON. SECONDED BY MR. POTTER FOR DISCUSSION.**

Mr. Horton asked is this something we do for all departments? Mr. Alderman replied yes. Mr. Wheeler stated this program does not get a lot of use. When a request is submitted the Department Head has to make sure the courses are work-related.

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**V. OTHER BUSINESS**

**A. Setting Date/Time of September Meeting –**

**SETTING THE DATE AND TIME OF THE SEPTEMBER MEETING OF THE PUBLIC SAFETY & CORRECTIONS COMMITTEE FOR MONDAY, SEPTEMBER 14, 2020, AT 9:00 A.M. MADE BY MR. HORTON. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**B. Agriculture & Markets Law Re: Confiscated Animals** – Mr. Mullen stated he and Mr. Baker just talked this morning about this. In big cases he is planning on bringing a motion to require people to post bond or to dispose of large animals such as cattle. Mr. Baker has indicated that he needs to know what the proper amount of money would be to make it worthwhile to do this. We also talked about the discussion we had about mitigating the annual housing costs as well. He asked do we have those numbers somewhere on the daily housing rate? Mr. Wheeler replied the rate schedule is an attachment to the SPCA contract.

Mr. Malter asked would we be able to sell the animals? Mr. Baker replied Ag and Markets Law allows us to force an owner to post bond and, after 30 – 45 days, we can sell or destroy the animals. This would make sense to mitigate the storage costs in the bigger cases. For smaller cases there would need to be a preponderance of evidence hearing and that would cost us more to bring in experts than it would for the storage of the animals. Mr. Malter commented it is a long time between the confiscation of the animals and the posting of the bond. Mr. Baker replied yes. The owners can also surrender the animals. This Ag and Markets law only applies to livestock.

Mr. Potter commented there was discussion before about the SPCA not releasing any animals that are not sterilized and that applies to cows and horses. Mr. Baker stated it was Mr. Mullen's suggestion to have someone else house the animals. He commented he was unaware of the requirement of sterilization.

Mr. Malter asked how would we go about this? Ms. Prossick stated she discussed that with Mr. Mullen and we could put out a bid, however, one of the issues with an RFP is that it is a pretty formal response and you also have the issue of getting the word out. If you are drafting the RFP, you would be awarding it to more than one person. The SPCA has to keep the animals alive and they are bound to do that. The Farm Sanctuary does the same thing, but they do not charge you. There may be a couple of different options. Mr. Wheeler commented we need to work with what is in the current SPCA contract. Ms. Prossick stated there is a little wiggle room in removing animals from SPCA care. Mr. Malter asked that Ms. Prossick work with Mr. Mullen to put something together.

Mr. Horton asked what happens when a bond expires? Do you post another? Mr. Baker replied there would be a process to institute an additional bond. Ms. Prossick replied there would be a renewal application. Mr. Horton asked when a case is closed, does that amount go to the SPCA or to the County? Mr. Mullen replied it depends on how the case turns out. Mr. Baker stated if we lose, then we have to give the bond back. Sheriff Allard stated the goal is to adopt the animals out to a better place.

Mr. Mullen commented even if we do lose the damage to the County would be capped at the value of the animal, which will be a lot lower than the cost for the care of the animal. Mr. Van Etten asked what court would this process go through? Mr. Baker replied it would go through the local courts. Mr. Sauro commented since this is a civil action we do not have the authority to step in. Ms. Prossick stated they may be assigned counsel.

C. **Radio System** – Mr. Potter asked Mr. Marshall for an update on the VHF. Mr. Marshall replied we have to get the Jasper Tower site repairs done and make sure those repairs work for the issues we are having. After that there will be testing for a week or two and then we can start phasing in departments.

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION; OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. POTTER. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. HORTON. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN MADE BY MR. HORTON. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**\*\*NEXT MEETING SCHEDULED FOR\*\***

**\*\*PLEASE NOTE CHANGE\*\* Monday, September 14, 2020 \*\*PLEASE NOTE CHANGE\*\*  
Legislative Committee Room  
9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office  
NO LATER THAN NOON  
Tuesday, September 8, 2020**

**STEBEN COUNTY PUBLIC SAFETY AND CORRECTIONS COMMITTEE**

*Monday, September 14, 2020*

*9:00 a.m.*

*Legislative Chambers, 3<sup>rd</sup> Floor, Annex Building  
Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	John V. Malter, Chair Frederick G. Potter	Scott J. Van Etten Thomas J. Ryan	Jeffrey P. Horton
<b>STAFF:</b>	Jack K. Wheeler Jennifer Prossick Yvonne Erway James Allard Craig Patrick Shawn Sauro	Christopher Brewer Tim Marshall David Hopkins John McNelis Brooks Baker Rob Wolverton	Tina Goodwin Noel Terwilliger Andy Morse Tammy Hurd-Harvey Cheryl Crocker
<b>LEGISLATORS:</b>	Robin K. Lattimer Hilda T. Lando Gary B. Roush	Carol A. Ferratella Aaron I. Mullen Gary D. Swackhamer	Kelly H. Fitzpatrick Robert V. Nichols
<b>OTHERS:</b>	Mary Perham		

**I. CALL TO ORDER**

Mr. Malter called the meeting to order at 9:00 a.m. and asked Mr. Horton to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE AUGUST 3, 2020, MEETING MADE BY MR. VAN ETTEN. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

*Secretary's Note: Chairman Van Etten sat in as a member of this committee as Legislator Maio has temporarily been removed from this committee assignment.*

**III. DEPARTMENTAL REQUESTS**

**A. Emergency Management**

1. **FY20 State Homeland Security Grant** – Mr. Marshall requested authorization to accept the FY20 State Homeland Security Grant in the amount of \$80,076. These funds will be used to cover the ongoing cost of maintenance for various programs such as GIS software and hardware maintenance, credentialing system upgrades and maintenance and Function Needs Database maintenance. Funds will also be used for Notice and Alert subscription, Mobile Data subscription, Incident Management software subscription. Additionally we will use funds for cyber security software for Information Technology and for the MCI trailer.

**MOTION: AUTHORIZING THE DIRECTOR OF EMERGENCY MANAGEMENT TO ACCEPT THE FY20 STATEMENT HOMELAND SECURITY GRANT IN THE AMOUNT OF \$80,076 MADE BY MR. HORTON. SECONDED BY MR. RYAN FOR DISCUSSION.**

Mr. Van Etten asked how big is the trailer? Mr. Marshall replied it is a 16 foot trailer. These funds will be used for the trailer and equipment. We are looking for new backboards that are more lightweight.

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **FY20 LEMPG Supplemental Grant** – Mr. Marshall requested authorization to accept FY20 LEMPG Supplemental Grant funds in the amount of \$21,641. These funds are supplemental funds from FEMA to be used to prevent, prepare for and response to the COVID-19 public health emergency. We will use these funds to offset salaries during COVID. We are also looking to purchase a commercial grade refrigerator/freezer for public health for vaccines along with N-95 respirator testing kits.

**MOTION: AUTHORIZING THE DIRECTOR OF EMERGENCY MANAGEMENT TO ACCEPT THE FY20 LEMPG SUPPLEMENT GRANT FUNDS IN THE AMOUNT OF \$21,641 MADE BY MR. POTTER. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

3. **Multi-Jurisdictional Hazard Mitigation Plan** – Mr. Marshall stated we have been working with Barton & Loguidice for several years on the multi-jurisdictional hazard mitigation plan. We have been working with the municipalities to complete the plan. We are finally ready for the Legislature to approve and adopt the five-year plan. Ms. Prossick asked will this require a public hearing? Mr. Marshall replied yes. We will set the date of the public hearing at the next Legislative meeting and then present for adoption.

Mr. Potter commented a number of towns in my district did not participate. Mr. Marshall stated there is a 75 – 25 match and it is difficult for many municipalities to come up with the 25 percent match.

Mr. Van Etten asked what does adopting this commit us to do? Mr. Marshall replied adopting the plan allows for FEMA funding for hazard mitigation projects. If we did not adopt this plan, we would not be eligible for the FEMA mitigation funding. Mrs. Ferratella asked do these mitigation projects occur after a disaster? Mr. Marshall replied yes. There are two ways this happens. First, when a disaster happens we can get funding from FEMA for the disaster for any overtime, services or equipment. After the disaster, mitigation money is available from the Federal government for projects.

**MOTION: ACCEPTING THE MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN AS PRESENTED BY THE DIRECTOR OF EMERGENCY MANAGEMENT AND FORWARDING TO THE LEGISLATURE FOR ADOPTION MADE BY MR. HORTON. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

4. **DPS Telecom Maintenance Agreement** – Mr. Marshall requested authorization to enter into a five year maintenance agreement with DPS Telecom. This will cover the maintenance on net monitor which monitors the complete network on the radio side. This is something that we have had in place for several years. The cost per year is \$4,120 for a five-year total of \$20,600.

**MOTION: AUTHORIZING THE DIRECTOR OF EMERGENCY MANAGEMENT TO ENTER INTO A FIVE-YEAR MAINTENANCE AGREEMENT WITH DPS TELECOM FOR MAINTENANCE OF THE NET MONITOR FOR THE RADIO SYSTEM FOR AN ANNUAL COST OF \$4,120 PER YEAR FOR A TOTAL FIVE YEAR COST OF \$20,600 MADE BY MR. POTTER. SECONDED BY MR. RYAN FOR DISCUSSION.**

Mr. Potter asked has the price increased? Mr. Marshall replied no, the price has remained pretty stable. This has been a great company to work with and they are out of Colorado. Mr. Horton asked is there funding already in the budget? Mr. Marshall replied this will be funded out of the Homeland Security Grant.

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

5. **Generator** – Mr. Van Etten asked where do we stand with fixing the issue with the generator? Mr. Marshall replied a new generator and UPS have been installed. We are just waiting on the transfer switch and the pricing on that. Once we receive that, then we will install the new switch. Another add on was that we put an external generator connection on the building. Mr. Van Etten asked what is the timing on getting the switch? Mr. Marshall replied he anticipates receiving the pricing this week or next. Once we get that, we will move forward with the replacement. Mr. Van Etten commented we have been dealing with this since February/March. Mr.

Marshall stated yes, but COVID set us back. We did do a temporary install of some backup equipment that covered us during that downtime.

6. **Radio System** – Mr. Potter asked what is the status of the VHF radios? Mr. Marshall replied we had been waiting on some equipment change overs at the Jasper Tower site and that work was done last week. Today we will be doing some fine tuning of the tower site and then we can start testing. Within a month or so we can do the cutover.

7. **EMS Study** – Mr. Van Etten asked what is the status of the EMS study and where are we with that? Mr. Marshall replied the consultant has been collecting data and did send us a draft version. There was a lot of information missing and I met with the consultant last week and they are looking at doing a virtual town hall meeting with the EMS corps. After that we should be in pretty good shape. They had submitted 40 pages of just data with no input from the corps or other information. I went through the scope of work and highlighted the items they did not include and the consultants will finish that up. I would think that we are looking at the end of this year or beginning of 2021.

B. District Attorney

1. **Reassignment of Verbatim Contract** – Mr. Baker informed the committee that Verbatim has been sold and a former employee, Caitlyn Shaylor has indicated that she would like to do the Grand Jury work for us and for a couple of other counties. He stated he has checked with four other providers in the general area of Steuben and Yates and cannot find anyone who would be able to do this grand jury work. He requested authorization to reassign the Verbatim contract with Caitlyn Shaylor for the remainder of the contract term under the same terms and conditions. We will then need to do a new RFP when this contract expires.

Mr. Horton asked what is the term of the contract? Mr. Baker replied it is a one year contract, however, I do not think it will go past the end of this year.

**MOTION: AUTHORIZING THE DISTRICT ATTORNEY TO REASSIGN THE VERBATIM CONTRACT TO CAITLYN SHAYLOR UNDER THE SAME TERMS AND CONDITIONS FOR THE REMAINDER OF THE CURRENT CONTRACT TERM MADE BY MR. VAN ETTEN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Update on Diversion Program** – Mr. Baker stated Mr. Terwilliger is in attendance to provide an update on the program and they would also like to make some adjustments to the fee schedule. Mr. Terwilliger has put in a ton of work on this. Mr. Terwilliger stated we started with this company on July 28, 2020 and I am happy to report that within the last six weeks we have collected \$151,000 in fees. The projection conservatively was \$350,000 - \$400,000 by the end of the year. We should be able to meet our expenses this year. Mr. Malter stated we budgeted \$400,000 so we will be short as far as revenue. Mr. Baker commented in looking at the numbers, we may be very close.

Mr. Terwilliger stated with regard to the fee schedule, we are looking to lower some of the fees for some of the lower end traffic violations. Some people are being told that if they go through this program, the fine will be less and that is counter-productive and we want to include as many of the V&T (Vehicle and Traffic) violations within the fee schedule. Mr. Baker explained we are talking violations such as equipment violations or a bad left turn, lane violations. Those fall below the speeding charges. It is not productive for people to get into the program at the numbers we have now. One of the big things is the time saving for the courts and our office.

Mr. Malter asked what are the fees now and what do you want to lower them to? Mr. Terwilliger replied speeding tickets range from \$275 - \$350 and those are the vast majority of the tickets that we are receiving. He would ask that we lower the threshold from \$275 down to \$100 with the upper level being kept at \$350. This will give us a broader range for those lower offenses.

Mr. Horton commented there is a \$93 surcharge and a basic fine is \$100. I am hearing from the magistrates that for a lot of people, the cost is \$193 so people are saying why pay the \$275 for the Driver Diversion program. Is that what you are looking at? Mr. Terwilliger stated yes. Mr. Baker stated we are talking about the equipment violation, expired inspections, seatbelts and other two-point moving violations. This reduction will allow us to have more people go through the class and less going through the courts.

Mr. Van Etten asked what is the cost per participant that we are paying? Mr. Terwilliger replied the cost is 10 percent of the fees collected, or a minimum charge of \$20.00. We still will be collecting some sort of fee and that will be spread to the municipality.

Mr. Malter asked what are you lowering the fee to? Mr. Terwilliger replied it will be variable depending on the type of offense. Mr. Baker stated we are just dropping the floor to \$100 for non-speeding tickets.

**MOTION: AUTHORIZING THE DISTRICT ATTORNEY TO SET THE LOWER LIMIT OF THE FEE SCHEDULE FOR THE DRIVER DIVERSION PROGRAM TO \$100.00 UP TO \$350.00 FOR NON-SPEEDING TICKETS MADE BY MR. VAN ETTEN. SECONDED BY MR. HORTON FOR DISCUSSION.**

Mr. Van Etten asked do we know if other counties have lowered their fee schedule? Mr. Baker replied yes. The program in Orleans County is closest to ours. Even within the existing structure, there are different levels of cost based upon the violation. This is just lowering the floor for minor violations. Right now it is already discretionary and we are just creating more room for that discretion.

Ms. Fitzpatrick asked with the 1110A tickets most fines stay within the village or local municipality. If we lower the fine, are we looking at costing the local courts money? Mr. Baker replied yes and no. Very few 1110A tickets are written. We are replacing those with the Driver Diversion Program and the amount of money that we cycle back to the towns and villages is more than what they would get with the 1110A tickets. Overall revenue for local courts will go up for this.

Mr. Van Etten asked if we do this, what is the advantage to the individual? Because that person had a blinker light out, does running through the course really solve anything? Mr. Baker replied it could be a number of things that fall into this. The more folks we send through the program, the safer our highways will be. It is more valuable to the County for the individuals to go through the program. Ms. Prossick commented the key to those tickets is you don't go to the diversion program because of a fix-it ticket.

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

3. **Establish and Accept VOCA Grant Funding** – Mr. Baker explained this grant funding was previously approved, but it just needs to be placed in a new payroll line item for the VOCA Grant. The amount of the funding is \$51,387.24 and is for the payroll of the two child advocates at the Child Advocacy Center. We are contracting for these positions through Pathways and one position is currently vacant. The projected goal for the Child Advocacy Center was to do 10 – 12 interviews and we are close to 50 already. We are also getting requests to work with Yates and Livingston counties.

**MOTION: AUTHORIZING THE DISTRICT ATTORNEY TO ACCEPT A VOCA GRANT IN THE AMOUNT OF \$51,387.24 AND TO ESTABLISH A PAYROLL LINE ITEM WITHIN THE DISTRICT ATTORNEY'S BUDGET TO PAY FOR THE TWO CONTRACTED CHILD ADVOCATE POSITIONS AT THE CHILD ADVOCACY CENTER MADE BY MR. HORTON. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

4. **CAP** – Mr. Potter asked where are we with CAP and the electronic appearance plan? Mr. Baker replied the magistrates have expressed a willingness to do this and Senator O'Mara introduced legislation, along with Assemblyman Palmesano to encourage the State Legislature to allow electronic appearances. He stated he has a training contract with Pam Aini and she will be putting together a training program for the local judges. It

will take her about two and a half weeks or so to put that together. Once the plan is approved by Rochester, we will be able to begin the next steps.

D. Sheriff's Office

1. **Accepting K-9 Donations** – Sheriff Allard requested authorization to accept two donations for the K-9 Program. The first is \$100 from the Town of Wheeler and the second is a donation of \$200 from a private citizen, James Putnam.

**MOTION: AUTHORIZING THE SHERIFF TO ACCEPT THE FOLLOWING DONATIONS FOR THE K-9 PROGRAM: \$100 FROM THE TOWN OF WHEELER AND \$200 FROM JAMES PUTNAM MADE BY MR. HORTON. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **2020 Law Enforcement Terrorism Grant** – Sheriff Allard requested authorization to accept the Law Enforcement portion of the FY20 Homeland Security Grant in the amount of \$44,026.

**MOTION: AUTHORIZING THE SHERIFF TO ACCEPT THE LAW ENFORCEMENT PORTION OF THE FY20 HOMELAND SECURITY GRANT IN THE AMOUNT OF \$44,026 MADE BY MR. POTTER. SECONDED BY MR. HORTON FOR DISCUSSION.**

Mr. Malter asked what will these funds be used for? Undersheriff McNelis replied we will use funds for the CIRT team, a workstation for accident reconstruction and training materials for the nitrate detection K-9. Mr. Marshall commented this is the other half of the grant that I presented earlier.

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

3. **STOP-DWI Education Trailer** – Sheriff Allard reported they received bids for the STOP-DWI Education Trailer. He recommended awarding to the sole bidder, Stephan L. Green Trailers for \$9,543.21.

**MOTION: AWARDING THE BID FOR THE STOP-DWI EDUCATION TRAILER TO THE SOLE BIDDER, STEPHAN L. GREEN TRAILERS FOR \$9,543.21 MADE BY MR. VAN ETTEN. SECONDED BY MR. POTTER FOR DISCUSSION.**

Mr. Van Etten asked this is just for the trailer, not the customization? Sheriff Allard replied correct. Mr. Van Etten asked is it a 24 foot trailer? Sheriff Allard replied yes and it is 8 feet 2 inches wide.

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

4. **COPE Update** – Sheriff Allard stated we were making great progress with the treatment in the Jail program and in 2019 we were able to drive the number of overdoses countywide down. Since bail reform, that number has almost doubled. We had 750 overdoses, 4 of which were fatal. Our inability to treat first-time offenders in Jail has hindered our ability to fight the overdose epidemic. We are seeing multiple arrests for serious felonies. Now we are seeing adjudication on four and five B felonies who, prior to bail reform, would have been adjudicated on one B felony. I believe we will see an increase in incarcerations on the local level. Our numbers are again staggering.

Mr. Ryan asked will these issues be part of the new reform program? Sheriff Allard replied I would like to say it would, but most programs that exist are post-conviction. The treatment program in the Jail was taken away by bail reform. I would like to say it will help, but most likely will not. Mr. Baker stated Drug Court is opening back up and we are starting to see that filling up in our city and county courts.

5. **Executive Order 203 – Police Reform** – Sheriff Allard stated we have met with the five stakeholder groups and have held nine listening groups. This week we will be holding three, three-hour listening sessions with the public. Our program is being copied in five other counties. Last week a survey was sent out to

the Town Supervisors and Highway Superintendents. It is progressing well. For me, the listening sessions have been good as it is good to hear what some of our minority communities have had to say. This has been a very respectful process and it has been very useful for me personally.

Mr. Van Etten stated Corning, Inc. put this on their intranet for all Corning employees to see when they log in. The Steuben County Industrial Development Agency had indicated they could also push the survey link out to Alstom and our other large manufacturing companies and we told them to go ahead and do that.

Sheriff Allard stated initial input from the stakeholders has been very encouraging as 90 percent believe the policing fundamentals are honest and 90 percent believe we are helping people. The Sheriff's Office had an 80 percent approval rating. We are also surveying incoming CAP arraignment individuals and collecting that. The surveying will continue until September 20, 2020.

Mr. Van Etten stated as a Legislature we should appreciate what the Sheriff and his team are doing on this project. There is another Sheriff in a bordering county that does not have any interest in doing this. I approve of what you are doing as well as what Corning Inc. is doing. Sheriff Allard commented we would not be able to do what we are doing without the help of Corning, Inc. Especially right now, this is necessary and moving forward we need transparency. We need to communicate more with the public. As we meet with the groups we are doing a good job with certain segments of population, but not all and we will move forward with that as well.

D. 911

1. **Contract Renewal** – Mrs. Goodwin requested authorization to renew the contract with Priority Dispatch. We use them for the Emergency Medical Dispatch card sets and for our quality assurance program. We asked if they could bundle the two and they were able to, which resulted in a savings of \$200 per year. The price is locked in at \$813.00 per year for the next five years and will be billed annually.

**MOTION: AUTHORIZING THE DIRECTOR OF 911 TO RENEW THE CONTRACT WITH PRIORITY DISPATCH FOR THE EMERGENCY MEDICAL DISPATCH CARD SETS AND FOR THE QUALITY ASSURANCE PROGRAM FOR AN ANNUAL RATE OF \$813.00 PER YEAR FOR THE NEXT FIVE YEARS MADE BY MR. VAN ETTEN. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Subscription Renewal** – Mrs. Goodwin requested authorization to renew the subscription with Priority Dispatch for the online college. This provides continuing education credits and is also how our dispatchers take their renewal examination for certification. The cost is \$90.00 per employee for an annual total of \$2,670. The subscription is for two years with a total cost of \$5,340.00.

**MOTION: AUTHORIZING THE DIRECTOR OF 911 TO RENEW THE SUBSCRIPTION WITH PRIORITY DISPATCH FOR ONLINE COLLEGE FOR TWO YEARS AT AN ANNUAL RATE OF \$2,670.00 FOR A TOTAL AMOUNT OF \$5,340.00 MADE BY MR. VAN ETTEN. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

E. County Manager

1. **911 Director** – Mr. Wheeler announced Mr. Hopkins has tendered his letter of resignation and I would like to thank him for his years of service.

**IV. OTHER BUSINESS**

A. *Large Animal Confiscation* – Mr. Potter asked has there been any progress on the process for large animal confiscations? Mr. Mullen replied they are discussing an RFP for farms. He is not sure what is going on with that individual case. Mr. Malter stated the bidding process will be done through the AIP Committee.

**MOTION: TO ADJOURN MADE BY MR. POTTER. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**\*\*NEXT MEETING SCHEDULED FOR\*\***  
**Monday, October 5, 2020**  
**Legislative Committee Room**  
**9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office**  
**NO LATER THAN NOON**  
**Monday, September 28, 2020**

**STEBEN COUNTY PUBLIC SAFETY AND CORRECTIONS COMMITTEE**

*Monday, October 5, 2020*

*9:00 a.m.*

*Legislative Chambers, 3<sup>rd</sup> Floor, Annex Building  
Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	John V. Malter, Chair Frederick G. Potter	Scott J. Van Etten Thomas J. Ryan	Jeffrey P. Horton
<b>STAFF:</b>	Jack K. Wheeler Tina Goodwin Cheryl Crocker Brenda Scotchmer Rob Wolverton	Christopher Brewer Ken Forenz Jennifer Prossick Yvonne Erway	Shawn Sauro Andy Morse James Allard Brooks Baker
<b>LEGISLATORS:</b>	Carol A. Ferratella Aaron I. Mullen	Kelly H. Fitzpatrick Gary B. Roush	K. Michael Hanna Gary D. Swackhamer
<b>OTHERS:</b>	Mary Perham		

**I. CALL TO ORDER**

Mr. Malter called the meeting to order at 9:00 a.m. and asked Mr. Horton to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE SEPTEMBER 14, 2020, MEETING MADE BY MR. RYAN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

*Secretary’s Note: Chairman Van Etten sat in as a member of this committee as Legislator Maio has temporarily been removed from this committee assignment.*

**III. DEPARTMENTAL REQUESTS**

**A. Public Defender**

**1. Investigative Services Contract** – Mr. Sauro requested a waiver of procurement for investigative services. He explained we mainly use investigative services for criminal matters and my investigator resigned last Monday. By chance he had been talking with John Sandler who is the owner of Sand Investigations. Mr. Sandler is an excellent investigator who does work for the Public Defenders in Monroe, Yates, Wayne, Livingston and Ontario counties. He also gives lectures and is a drug recognition expert (DRE). Mr. Sandler is willing to work for us under the same contract as our previous investigator at a rate of \$70.00 per hour.

**MOTION: WAIVING THE PROCUREMENT PROCESS AND AUTHORIZING THE PUBLIC DEFENDER TO CONTRACT WITH JOHN SANDLER OF SAND INVESTIGATIONS FOR INVESTIGATIVE SERVICES AT A RATE OF \$70.00 PER HOUR MADE BY MR. VAN ETTEN. SECONDED BY MR. HORTON FOR DISCUSSION.**

Mr. Van Etten asked what are the rules regarding waiving procurement? Ms. Prossick asked Mr. Sauro did you get quotes from anyone else? Mr. Sauro replied no. Ms. Prossick explained since Mr. Sauro needs these services right away, we could have done as an emergency procurement, so there are no issues with waiving because there was a need. Mr. Van Etten stated he is fine with doing this at the same rate. Did the prior investigator give a

reason for why she left? Mr. Sauro replied she works full-time as support staff to a local attorney and was overwhelmed. She also had some difficulty getting the paperwork that the County required.

**VOTE ON PREVIOUS MOTION. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Virtual Arraignments** – Mr. Van Etten asked do you have an update on the CAP changes with the State as far as virtual arraignments? Mr. Sauro replied no. Senator O’Mara and a few others were going to push for reform to the criminal process law. The law is set to expire and they were going to try to revise it and change the language so that it was all inclusive.

B. Sheriff’s Office

1. **Donations** – Sheriff Allard requested authorization to receive a \$75.00 K-9 donation from the Pierce family.

**MOTION: AUTHORIZING THE SHERIFF TO ACCEPT A \$75.00 K-9 DONATION FROM THE PIERCE FAMILY MADE BY MR. RYAN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Sheriff Allard requested authorization to accept a \$2,000 Walmart Community Grant. This is a grant that the Undersheriff applied for. These funds will go into the Minor Equipment line to purchase electronic items to support evidence collection.

**MOTION: AUTHORIZING THE SHERIFF TO ACCEPT AND APPROPRIATE \$2,000 FROM THE WALMART COMMUNITY GRANT INTO MINOR EQUIPMENT TO PURCHASE ELECTRONIC ITEMS TO SUPPORT EVIDENCE COLLECTION MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Arrest Warrants** – Mr. Malter stated in the paper there were several arrests made on warrants and all of the individuals were remanded to the Jail. Does this represent a special situation? Sheriff Allard replied no; these were all probation violations. A lot of folks are caught and released and then put on probation and they then struggle not to violate probation and then they end up being remanded to jail.

3. **K-9 Donation** – Sheriff Allard requested authorization to accept a \$500 donation to the K-9 program from the Bath Revitalization Group.

**MOTION: AUTHORIZING THE SHERIFF TO ACCEPT A \$500 DONATION TO THE K-9 PROGRAM FROM THE BATH REVITALIZATION GROUP MADE BY MR. VAN ETTEN. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

4. **Hornell City Fire Department** – Sheriff Allard informed the committee that he received a letter from the Hornell City Fire Department regarding a rollover crash that deputies responded to. When the Hornell Fire Department arrived on scene, the Sheriff’s Deputies were already administering life support. The letter goes on to state “...this is a perfect example of what the program’s inception was created for...” Sheriff Allard stated this is just another example of what the EMT program is doing for the safety of residents.

5. **Executive Order Update** – Sheriff Allard stated all of the surveys are in. We received 1,764 surveys and of those, 480 were specific to the Sheriff’s Office. We are compiling all of that data right now. One of the questions asked individuals to rate the agency from a scale of 1 – 10 on how we are meeting needs. For the Sheriff’s Office, preliminarily, the survey shows that we are rated 8.1 out of 10. We will be meeting twice this week to get the data together so that we can bring it back to you and move forward on the plan. We are on time and on target and we did get a pretty good response. With respect to a question regarding internal arrest numbers, we ran our actual numbers and we are right on or below the demographic for minorities. For 2018 we were at 3 percent overall arrests for African-Americans and 1 percent of those actually lived in the County and accounted

for 1.7 percent of the total population. The same thing with Marijuana – we had 83 arrests in 2018 with 0 being African-American and in 2017 we had 40 arrests with 1 being African-American. It was also encouraging that it is not true that we are disproportionately targeting African-Americans. Sheriff Allard stated he hopes to have the plan before the Legislature at the January Board meeting.

C. Emergency Management Office

1. **Motorola Command Simulcast Proposal** – Mr. Forenz requested approval to do the Motorola Command Simulcast proposal. This is a project to add on a command simulcast channel on the fire services side. The cost is \$418,299.25 and is all grant funded through Homeland Security.

**MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO MOVE FORWARD WITH THE MOTOROLA COMMAND SIMULCAST PROJECT FOR A TOTAL COST OF \$418,299.25, SAID FUNDS TO BE PAID BY HOMELAND SECURITY GRANT FUNDS MADE BY MR. VAN ETTEN. SECONDED BY MR. RYAN FOR DISCUSSION.**

Mrs. Ferratella stated we had put out a bid for an EMS study and I believe we paid \$54,000 for that. Last week the consultants held a town hall meeting and Mr. Marshall had said they had submitted all of the data. At the town hall meeting it was very clear that there had been no interviews with EMS. My question is what was the scope of the project and what is the deadline? I don't feel like we have gone very far with this? Mr. Wheeler replied COVID has been a part of the delay. Interviewing EMS agencies was part of the original scope. The town hall meeting was a means to do that and then the consultants will follow up if they have more detailed questions. The consultants did finish data collection. We had expected the study to be done by now, but COVID did delay it.

Mrs. Ferratella asked when did we initially start this study? Mr. Van Etten replied February. Mr. Malter asked what is the completion date? Mr. Forenz replied the consultants have said it will be done by the end of the year, but I don't have an accurate date right now. That was one of my concerns as well with regard to the feedback from the agencies and that is what the consultants are working on now. The consultants still need to finish other areas of the study and they will be reaching out to the EMS agencies to get feedback.

Mr. Van Etten asked going back to the discussion on the command simulcast proposal, is this a new incremental channel that we are adding? Mr. Forenz replied it is an additional channel and will bring us to where we were on the low-band. This will be a command channel on the VHF platform.

Mr. Van Etten asked will there be any ongoing annual costs? Mr. Forenz replied this project is covered by grant funds. The only ongoing cost would be the maintenance of the equipment.

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mr. Malter asked what are the costs for updating the microwave system? Mr. Forenz replied I will have to get that. The updates to the microwave system will also be covered by grant funds. Mr. Malter asked we are using the microwave system as a backup? Mr. Forenz replied correct. We are upgrading the system that is 20 years old. Mr. Malter stated I would like to see the cost of that.

Mr. Potter asked what is the status of the Jasper tower site project? Mr. Forenz replied we are waiting for the combiner company to come back and work on some of the interfacing issues. We are hopeful that will occur this week. The other vendors on the project are also checking other areas, but we believe that it is something in the combiner. Mr. Potter asked is that why the project is taking longer? Mr. Forenz replied yes. Unfortunately, everything has to be synchronized together. We do not own the Jasper site and that forces us to use a combiner which is basically one antenna for both transmitting and receiving. Mr. Potter asked do you have any idea when this will be resolved? Mr. Forenz replied I would like to say sooner rather than later. We believe once this issue is resolved we should be able to move forward.

D. E-911

1. **Approval to Purchase Additional Connectivity Licenses for MDT's and Android CAD –**

Mrs. Goodwin requested authorization to purchase 100 net mobile licenses for connectivity. This is for our MDT's and the CAD on Android and more fire departments are purchasing the hardware to get on this program. We already purchased the licenses and this is actually the VPN that makes it safe to connect and provides automatic vehicle location information. Agencies can also use the mapping. Mr. Malter asked what is the cost? Mrs. Goodwin replied the cost is \$6,745.75 for one year. We have money budgeted in our software maintenance line item to cover this.

**MOTION: AUTHORIZING THE DEPUTY DIRECTOR OF 911 TO PURCHASE 100 NET MOBILE LICENSES FOR CONNECTIVITY FOR MDT'S AND CAD ON ANDROID FOR A COST OF \$6,745.75 FOR ONE YEAR MADE BY MR. VAN ETEN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

IV. **OTHER BUSINESS**

A. *Diversion Program* – Mr. Malter asked if Mr. Baker could provide an update on the Diversion Program. Mr. Baker stated our numbers are phenomenal. I don't know if the fee reductions made a difference. We are ending in the \$250,000 range for folks who have applied for and been accepted into the program. We need to work on the MOU's to pay the towns and villages.

**MOTION: TO ADJOURN MADE BY MR. RYAN. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**\*\*NEXT MEETING SCHEDULED FOR\*\***

**Monday, November 2, 2020**

**Legislative Chambers**

**9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office**

**NO LATER THAN NOON**

**Monday, October 26, 2020**

**STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE**

*Monday, November 2, 2020*

*9:00 a.m.*

*Legislative Chambers, 3<sup>rd</sup> Floor, Annex Building  
Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	John V. Malter, Chair Frederick G. Potter	Scott J. Van Etten Thomas J. Ryan	Jeffrey P. Horton
<b>STAFF:</b>	Jack K. Wheeler Cheryl Crocker Jennifer Prossick Andy Morse	Christopher Brewer Tim Marshall James Allard	Tina Goodwin Brooks Baker Shawn Sauro
<b>LEGISLATORS:</b>	Robin K. Lattimer Hilda T. Lando Robert V. Nichols	Carol A. Ferratella Steven P. Maio Gary B. Roush	Kelly H. Fitzpatrick Aaron I. Mullen Gary D. Swackhamer
<b>OTHERS:</b>	Mary Perham		

**I. CALL TO ORDER**

Mr. Malter called the meeting to order at 9:00 a.m. and asked Ms. Fitzpatrick to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE OCTOBER 5, 2020, MEETING MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

*Secretary's Note: Chairman Van Etten sat in as a member of this committee as Legislator Maio has temporarily been removed from this committee assignment.*

**III. DEPARTMENTAL REQUESTS**

A. E-911

1. **Request to Amend Number of NetMotion Licenses** – Mrs. Goodwin stated she has a correction to an item that was approved last month regarding the mobile communications licenses for MDT's and the Android CAD for Fire and EMS. The dollar amount remains the same, however, the number of licenses is 62 and that number should be able to help us do what we need to do to connect more of our Fire and EMS agencies.

Mr. Malter asked what was the original number of licenses? Mrs. Goodwin replied last month I presented the request for 100 licenses. The vendor misunderstood and gave us a maintenance number for licenses. Mr. Malter asked will this number be sufficient? Mrs. Goodwin replied yes. The Sheriff's Office is taking some of theirs off and going another route, so we should be fine.

**MOTION: AMENDING THE MOTION FROM THE OCTOBER 5, 2020, MEETING TO SET THE NUMBER OF NETMOTION LICENSES AT 62 INSTEAD OF 100 FOR THE SAME PRICE OF \$6,724.52 MADE BY MR. POTTER. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Renewal of Onsolve Code Red Emergency Notification System** – Mrs. Goodwin requested authorization to renew the Code Red Emergency Notification System for 2021 for an annual amount of \$21,656.25.

**MOTION: AUTHORIZING THE DEPUTY DIRECTOR OF 911 TO RENEW THE CONTRACT FOR THE CODE RED EMERGENCY NOTIFICATION SYSTEM FOR 2021 FOR AN ANNUAL COST OF \$21,656.25 MADE BY MR. HORTON. SECONDED BY MR. RYAN FOR DISCUSSION.**

Mr. Van Etten asked about the second paragraph in the renewal letter which indicates that the letter shall increase the total amount of consideration listed in paragraph 3 and that the County understands it may be required to purchase additional system minutes? Mrs. Goodwin replied we purchase a set amount of minutes per year, however, we have never gotten near to the maximum allotment. This is just an understanding that if we go over our 10,000 minutes, we would have to pay the amount agreed upon in the contract. Mr. Wheeler commented this is something that has been structured from the beginning. It would take a number more than a couple of regional events such as a flood or shelter-in-place event to come close to that.

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. Sheriff's Office

1. **Request to Bid – Law Enforcement Memorial Park** – Sheriff Allard requested authorization to put out a bid for the granite markers for the Law Enforcement Memorial Park. All of the money in this account has been donated specifically for this purpose.

**MOTION: AUTHORIZING THE SHERIFF, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO PUT OUT A BID FOR GRANITE MARKERS FOR THE LAW ENFORCEMENT MEMORIAL PARK MADE BY MR. RYAN. SECONDED BY MR. HORTON FOR DISCUSSION.**

Mr. Malter asked what is the estimated cost for these markers? Sheriff Allard replied we do not know yet. Mr. Malter asked how much money is in the account? Sheriff Allard replied I believe there is \$14,000 in the capital project.

Mr. Ryan asked if there is not enough money in the capital project to cover this, will you be coming back to the Legislature or getting additional donations? Sheriff Allard replied we will try to do it all through donations. Mr. Wheeler commented the capital project has a little over \$16,000 in it.

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **2021 STOP DWI Crackdown Grant** – Sheriff Allard requested authorization to accept the 2021 STOP DWI Crackdown Grant in the amount of \$17,000. He explained \$5,668.00 will go toward Crackdown Enforcement in the Sheriff's Office and \$11,332.00 will be for used with our partner agencies.

**MOTION: AUTHORIZING THE SHERIFF TO ACCEPT THE 2021 STOP DWI CRACKDOWN GRANT IN THE AMOUNT OF \$17,000 MADE BY MR. HORTON. SECONDED BY MR. POTTER FOR DISCUSSION.**

Mr. Van Etten asked how do you determine the distribution to the partner agencies? Sheriff Allard replied that is done strictly through reimbursement. We have six partner agencies and they submit their accounting sheet with the events that they have done with us. Once we receive the verified reimbursement sheets then checks are cut.

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. Emergency Management Office

1. **Coroners' Stretcher Quote** – Mr. Marshall informed the committee that with Purchasing, they issued a formal request for quotes. Two vendors responded; Ferno and Stryker. He would recommend awarding to the low quote, Ferno for \$13,314.85. The quote from Stryker was about \$600 more. We do have money budgeted in Major Equipment.

Mr. Van Etten asked how many stretchers will you get for this? Mr. Marshall replied this is for one stretcher. Our current stretcher is 20 years old and has seen better days. Mr. Van Etten asked is this stretcher different than what ambulances use? Mr. Marshall replied it is the same type, but ambulance stretchers cost more. This stretcher should last a long time.

Mr. Potter asked is this self-powered? Mr. Marshall replied it does have legs that raise and lower with an electric 24 volt battery. This provides easier operation for a one-man operation and will allow the Coroners' Aides to run solo.

**MOTION: AWARDING THE QUOTE FOR ONE CORONERS' STRETCHER TO FERNO FOR A TOTAL COST OF \$13,314.85 MADE BY MR. HORTON. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Televate Contract** – Mr. Marshall explained Televate is the consultant who has been assisting us with our communications project. He requested authorization to enter into a contract for the grant-funded piece of the project which includes procuring the FCC licenses. The total cost of the contract is \$87,600 which represents \$84,000 for the consulting portion and \$3,600 for FCC licensing fees.

**MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO ENTER INTO A CONTRACT WITH TELEVATE FOR THE GRANT-FUNDED PIECE OF THE COMMUNICATIONS PROJECT MADE BY MR. RYAN. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

3. **Alfred Fiber Approval** – Mr. Marshall requested authorization to enter into a contract with STN for the fiber connection to the Alfred Tower site located in Allegany County. This connection will be used to power up our Whitesville tower site. We did a comparison and it would have cost us \$500,000 to run fiber to the Whitesville Tower Site. By partnering with Allegany County, it will cost us \$74,400 to run fiber to the Alfred Tower Site and then use either the Alfred tower microwave or Allegany County microwave system to power the equipment at the Whitesville tower site.

**MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO ENTER INTO AN AGREEMENT WITH SOUTHERN TIER NETWORK (STN) TO RUN DARK FIBER FROM THE ALFRED TOWER SITE TO THE GREENWOOD INTERCONNECT POINT WITH STEUBEN COUNTY RING FOR A TOTAL COST OF \$74,400 MADE BY MR. POTTER. SECONDED BY MR. HORTON FOR DISCUSSION.**

Mr. Potter asked is this grant funded? Mr. Marshall replied yes, this is grant funded through Homeland Security. Ms. Prossick asked do you have an agreement with Allegany County. We would need to have that inter-municipal agreement as well. Mr. Marshall replied I don't recall if we did an agreement, but we would need an inter-municipal agreement. We have one for Whitesville. Ms. Prossick stated we will need to have a second motion for that.

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: APPROVING AN INTER-MUNICIPAL AGREEMENT WITH ALLEGANY COUNTY FOR THE USE OF THE ALFRED TOWER SITE TO RUN FIBER AND TO POWER THE EQUIPMENT AT THE WHITESVILLE TOWER SITE MADE BY MR. HORTON. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

4. **Graybar Change Order** – Mr. Marshall explained this change order is for the final piece of the 911 generator and UPS project. We hired LaBella to look at the electrical system and they recommended a new automatic transfer switch at the 911 Center. Additionally, they also recommend the installation of a quick connect and manual transfer switch to be placed in the building which, in an emergency, would allow for a

temporary generator to be brought in and connect to the building systems to keep the building operational. The price to do this would be \$86,527.78 which includes the equipment and the electrical work. This will be covered under Homeland Security grant funds.

Mr. Wheeler commented we had a discussion about the quotes with LaBella to make sure they were in line with what they would expect and they are. With the additional recommendation for a quick connect and manual transfer switch, we thought that was a good idea and we had extra funds in the grant to cover that.

Mr. Van Etten asked there will be zero County cost to do this? Mr. Marshall replied correct. Mr. Van Etten asked when does that grant money dry up? Mr. Wheeler explained a huge piece of those funds are the 911 surcharge. The State got a lot of heat for keeping 75 percent of those surcharges. There has been no indication from the State that these funds are at risk, but you never know. Mr. Marshall commented it would be difficult for the Governor to keep those funds and not be in trouble with the Federal Government.

Mr. Van Etten asked with both the automatic and manual transfer switch, there are no ongoing maintenance costs? Mr. Marshall replied correct.

**MOTION: APPROVING THE CHANGE ORDER FOR GRAYBAR TO INSTALL A NEW AUTOMATIC TRANSFER SWITCH AT THE 911 BUILDING AND INSTALL A QUICK CONNECT AND MANUAL TRANSFER SWITCH TO BE PLACED IN THE 911 BUILDING FOR A TOTAL COST OF \$86,527.78 TO BE PAID WITH HOMELAND SECURITY GRANT FUNDING MADE BY MR. VAN ETTEN. SECONDED BY MR. HORTON FOR DISCUSSION.**

Mr. Van Etten asked will this fix the issues with the generator? Mr. Marshall replied yes; the last piece is the replacement of the transfer switch. Mr. Van Etten asked and this is all the result of having an engineering firm coming in and upgrading? Mr. Marshall replied yes.

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

5. **Generator Maintenance Bid** – Mr. Marshall stated I sent out an email late last week regarding putting out a bid for generator maintenance. We do not have a regular vendor, so I have been talking with Mr. Morse about putting out a bid for tower generator maintenance. This is also an item that will be covered under grant funding.

**MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO PUT OUT A BID FOR TOWER GENERATOR MAINTENANCE MADE BY MR. VAN ETTEN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

6. **Jasper Tower Site** – Mr. Potter asked what is the status of VHF at the Jasper Tower site? Mr. Marshall replied the engineers are working on the system and trying to determine where the interference is coming from. That is something that they continue to monitor. The vendor of the tower was doing some maintenance work on the tower site and we wanted to make sure their equipment was not causing the problem. Additional testing will be done this week and then they will determine what repairs or changes need to be made to the system to eliminate the problem.

7. **EMS Study** – Mrs. Ferratella stated the EMS Study was awarded one year ago this month. Has there been any progress since the corps interviews? Mr. Marshall commented Mrs. Ferratella was involved with the Town Hall meetings that were held. We have had additional discussions with the vendor and are waiting for additional data from AMR Corning as some of their data was not in our CAD records. The last piece is continuing to have discussions with the corps in terms of what they are seeing and what they would like to see in the future. We have had a couple of conference calls scheduled that had to be rescheduled, but I am hoping this

week to have a final discussion with the consultant and get things wrapped up. Mr. Malter asked how much are we paying for that study? Mrs. Ferratella replied \$58,000.

D. District Attorney

1. **Traffic Diversion Program Update** – Mr. Baker stated with help from Ms. Prossick and Mr. Patrick in the Law Department, we have the inter-municipal agreements drafted and those should be going out to the municipalities this week. My understanding is that as of Friday our revenue goal was surpassed. We are very pleased with the group we are using.

2. **Murder Investigation** – Mr. Baker stated the Sheriff is not here but, with the murder in Pulteney, there was only one NYSP Investigator available in the County who did not have COVID. There was one Trooper in Painted Post and one or two in Bath. The Sheriff's CIRT Team came in and set up the perimeter. The Sheriff's Deputies came through and did a lot of key work that they don't usually do. Investigator Don Lewis was a key part of the process. The Sheriff's Office came up huge for the County and showed how critical they are right now, particularly with the State Police shortage. They did a fantastic job.

**MOTION: TO ADJOURN MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**\*\*NEXT MEETING SCHEDULED FOR\*\***  
**Monday, December 7, 2020**  
**Legislative Chambers**  
**9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office**  
**NO LATER THAN NOON**  
**Monday, November 30, 2020**

**STEUBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE**

*Monday, December 7, 2020*

*9:00 a.m.*

*Legislative Chambers, 3<sup>rd</sup> Floor, Annex Building  
Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	John V Malter, Chair Frederick G. Potter	Scott J Van Etten Thomas J. Ryan	Jeffrey P. Horton
<b>STAFF:</b>	Jack K. Wheeler Tim Marshall Jennifer Prossick Tina Goodwin Brenda Scotchmer	Christopher Brewer Tammy Hurd-Harvey Noel Terwilliger Cheryl Crocker Andy Morse	Shawn Sauro James Allard Rob Wolverton Brooks Baker Cody Ryan
<b>LEGISLATORS:</b>	Robin K. Lattimer K. Michael Hanna Aaron I. Mullen Gary D. Swackhamer	Carol A. Ferratella Hilda T. Lando Robert V. Nichols	Kelly H. Fitzpatrick Steven P. Maio Gary B. Roush
<b>OTHERS:</b>	Dawn White, Corning, Inc. Mary Perham		

**I. CALL TO ORDER**

Mr. Malter called the meeting to order at 9:00 a.m. and asked Sheriff Allard to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE NOVEMBER 2, 2020, MEETING MADE BY MR. VAN ETTEN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR MOTION CARRIES 5-0.**

*Secretary's Note: Chairman Van Etten sat in as a member of this committee as Legislator Maio has temporarily been removed from this committee assignment.*

**III. DEPARTMENTAL REQUESTS**

A. Sheriff's Office

1. **Awarding Bid for Law Enforcement Monument** – Sheriff Allard requested authorization to award the bid for the Law Enforcement Monument to the low bidder, Brown and Powers Monuments for \$16,000. We do have money in the project account.

**MOTION: AWARDING THE BID FOR THE LAW ENFORCEMENT MONUMENT TO THE LOW BIDDER, BROWN AND POWERS MONUMENTS FOR \$16,000 MADE BY MR. RYAN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Update on Sheriff's Police Reform Plan** – Sheriff Allard introduced Dawn White who has been working with him on the Police Reform Plan. Sheriff Allard provided a PowerPoint presentation on the Police Reform Plan. He stated they broke the plan down into areas that are mandated by the Governor and those areas as a result of feedback. The number one item that came back from the feedback, especially from the public survey, is that people want to see our deputies more and they want to see more deputies. He clarified that he is not asking for additional staff.

Every police department in the County is opting into our plan and that was our goal from the start so that our local municipalities do not lose municipal funding. This is also covering three police officers under the District Attorney's Office as well. We have invested more than 300 hours into this process. Without the help of Corning, Inc. and Dawn White and others working with us, we would not have been able to come up with a detailed plan. Sheriff Allard reviewed the process implementation approach and timeline. We held three public forums and nine listening sessions with individuals and special interest groups. We also held five stakeholder sessions. Ms. White stated we have had 110 stakeholders representing 60 organizations across the County. Sheriff Allard stated we have sent surveys specific to each group; stakeholders, the general public, every police officer and to every incoming inmate coming into CAP court. He noted the City of Corning will hold their final comment session and then the plan will go to City Council on December 21<sup>st</sup>. We still have to do a public comment session for our plan. We will hold a two week public comment period by email on the County website. Then we will submit our plan and any changes. That will place us in full compliance with the Governor's Executive Order.

Sheriff Allard reviewed the New York State Mandates. NYS Mandate #3 involves the Attorney General beginning to establish an Office of Investigation. This office will have investigative authority and criminal jurisdiction to investigate any deaths in the Jail and take that responsibility from the District Attorney. This will pertain to a death of any individual in our custody or an overdose that occurs while they are in our custody. We will still conduct our own investigations as we always have and send a report to the Commission of Corrections. In response to this, we will conduct in-service training and establish a communication method with the Attorney General's Office. NYS Mandate #6 requires the courts to compile and publish data concerning arrests and court proceedings involving low-level offenses such as violations and traffic offenses. This bill will require police departments to submit an annual report on arrest-related deaths to the Department of Criminal Justice Services as well as the Governor and the State Legislature. This goes into effect December 12, 2020 and we will cooperate with them by providing data to the Office of Court Administration and the Division of Criminal Justice Services.

NYS Mandate #8 directly affects the Clerk of the Legislature as it provides for public access to personnel records of deputies and correctional officers. Anyone from the public, since June 13, 2020, can FOIL any disciplinary record that we have, as long as it is not part of an active criminal case or if there is any mental health treatment associated with it.

Sheriff Allard reviewed the Equality and Social Justice (ESJ) category. Mr. Swackhamer asked for an explanation of ESJ-2? Sheriff Allard explained this is a requirement to provide Civil Service test training. We will partner with Alfred State College and Corning Community College and provide advice on Civil Service test taking. The colleges will create the course and teach the course. Because of the atmosphere in New York, we are facing a crisis in the recruitment for police jobs. We need to do anything we can to increase the pool of valid candidates. This just helps us increase the number of candidates we have to choose from and takes away the stigma that only white males work in law enforcement.

Mr. Malter asked does this provide financial assistance as well? Sheriff Allard replied no, this just provides information and training on the basics of how to take a Civil Service test. Mr. Horton commented that will help with people who have test taking issues. Sheriff Allard stated the idea is not to give preference or an unfair advantage. This benefits everyone in the County. Ms. White commented we will be partnering with different organizations to target a broader group. Mrs. Ferratella asked will this course be mandatory? Sheriff Allard replied no. This is totally voluntary and they have to sign up through the college. We are not running it, the colleges are.

Sheriff Allard stated ESJ-1 deals with social media advertisement. We will increase our social media to attract diverse candidates and raise awareness of available positions, Civil Service requirements and the availability of pre-employment police academies. We will also conduct outreach with faith-based groups to increase our interaction with youth and potential employees. He stated we are planning to do the outreach with the faith-based groups on a regular basis. The more that we can get out there to show that this is a fair and equitable system, the better we are. Ms. White stated the work we are doing has been a huge step in working with all of these groups.

Sheriff Allard stated ESJ-3 is to expand diversity and bias awareness training. We are looking for better training to give our folks. A lot of these items that we are reviewing, we already do and we are just going to expand what we do. He stated ESJ-4 is an expansion of how we do personnel complaints across the County. We will try to standardize the manner in which all agencies review complaint documents and investigate them. We will use that information to better train our field officers and new officers to avoid these complaints. The goal is to standardize, but also use the information to make our services better. Mr. Van Etten asked how many personnel complaints do you get? Sheriff Allard replied we get 5 – 6 per year in the Sheriff's Office. Mr. Ryan asked does this include the Jail? Sheriff Allard replied no, it includes Road Patrol. Most of the complaints were people that had felt disrespected.

Sheriff Allard stated the next category is Transparency and Accountability (TA). The feedback we received was that the public does not know what we do. People want to understand what we do and why we do what we do. We will start doing monthly reports which will show calls for service, cases, arrests and use of force incidents. These reports will also include arrests by sex and race as well as area patrols and community interactions. We will also request that the local newspapers report on police log activities. He commented the Sheriff's Office has 17,500 followers on Facebook now. TA-3 is the reduction of personnel complaints and the adoption of a County-wide reporting method and tracking. The purpose of this is to identify the behaviors and causes that may drive citizens to complain about officers and incorporate these findings into trainings. Sheriff Allard stated we will leverage field training officers to review complaints and determine needed focus areas and changes in trainings. You will most likely see multi-agency training groups emerge to meet these needs. He stated TA-4 requires the increase of transparency of use of force incidents and personnel complaints. To comply with this, we will add additional fields in our annual report specific to these two items.

Sheriff Allard stated TA-5 requires us to publish job descriptions and the annual performance appraisal process. To comply, we will post the job descriptions for deputy, corporal, sergeant, investigator and lieutenant on the County website, along with the blank annual appraisal evaluation. In the surveys, people wanted to know what these positions are and that is public information.

Sheriff Allard stated under the Community Relations (CR) category; CR-1 we will be enhancing our Citizen's Academy. We will partner with Alfred State College and Corning Community College to develop an online version of the Citizen's academy so that it will reach more people. Alfred is very interested and we are having the initial conversation with Corning Community College. We will also do a video and brochure for what to do when you get pulled over. CR-2 deals with customer service. We have received complaints about how people were treated by dispatchers at the City and County level and a lot of it is because people don't understand the number of questions that have to be asked and people get frustrated. With the city specifically, we will be doing a customer service training for their dispatchers and we could offer that at 911 as well. CR-3 is to strengthen the community safety training programs which include pistol safety, boater safety, driver safety, etc. Our goal is to partner with educators and have them come in and teach with us. CR-4 is to establish and promote community programs to increase law enforcement visibility in the community. Sheriff Allard stated he would like to create three new interactive programs; Deputy on Site, Stop and Talk and Coffee with the Sheriff. Deputy on Site would be a program to ensure that a deputy attends all the town/village board meetings of municipalities that do not have a police department. Then, once every three months, they would provide an update to the municipalities. He stated that he would also rotate through those. Stop and Talk is the result of feedback we received that we need a way where citizens can get a chance to interact with law enforcement without a uniform; specifically schools and community groups. The third program, Coffee with the Sheriff, would be a monthly social hour or gathering for our faith-based groups and community groups where I would go, along with the police chief of whatever area I am in, and invite people to come in and chat. It is a way to get the community to see the Sheriff. Mr. Horton stated with the Deputy on Site, it used to be that the Sheriff or State Police would stop in and drop off their tickets, but now they don't do that. In our town, we used to like that interaction.

Sheriff Allard stated the next category is Operation Policies and Procedures (OPR). OPR-2 is to initiate anonymous quality assurance feedback channels. We will encourage the use of the anonymous tip line and perhaps add another tip line for complaints to allow the public to notify us of unlawful or unsatisfactory behavior.

OPR-3 is relative to pursuing law enforcement accreditation. We currently are accredited for the Jail, Court Security and the Civil Office. Law Enforcement is not and in order to be accredited we would need to create a secondary level of security for firearms, drug cash and high dollar items. This year I did include \$5,000 in the budget to do this and I anticipate having this done before the 2023 completion timeline.

Sheriff Allard stated OPR-5 is to improve collaboration with mental health agencies. This is tough with the mental health budget and staff. In this area there are no beds available for mental health. St. James closed their inpatient unit and Soldiers and Sailors in Penn Yan has one bed. Olean has 4 beds and Rochester is primarily for assessment, not treatment. We have Emergency Rooms where mental health patients are in the Emergency Room for weeks because they cannot find a bed. St. Joseph's is not admitting many people. We will work with Steuben County Mental Health to promote the crisis unit, but when an individual needs inpatient care, we are at a roadblock. We will continue to work with Mental Health to conduct crisis intervention training, and to expand the use of the mobile crisis unit. We will also collaborate with area providers for mental health tele-medicine. Mr. Malter asked is there any indication why the beds have disappeared over the years? Sheriff Allard replied staff cuts, liability and cost. The only thing we can invest in is better coordination with Mental Health to get them into outpatient services quicker before it becomes a crisis. We have two deputies certified and will continue to move forward with that. Mr. Ryan asked can you partner with the VA? Sheriff Allard replied we cannot because they are a federal agency. They no longer have their emergency room and they only treat veterans. If a veteran is in crisis, they would go to a medical facility first and then we would work to get them into the VA. Ms. White commented the VA could not even be a stakeholder in this process.

Sheriff Allard stated people are concerned about the mental health of officers. OPR-6 is to expand the awareness of mental health challenges of deputies and officers. We will be training additional peer counselors and will also establish an annual family training session on how to recognize stress and teach effective strategies for managing stress.

Sheriff Allard stated the final category is Training (T). T-1 and T-2 focus on de-escalation training and use of force training. With de-escalation training we will conduct train the trainer session and officer de-escalation training to county-wide agencies. With use of force training, we will benchmark and gather recommendations for improved use of force trainings and will provide annual defensive tactics training to county-wide agencies.

Mr. Malter stated this plan is very comprehensive and you have done a great job. I would like to thank Ms. White and Corning, Inc. and the rest of the people involved in putting this together. This will now go to the Full Legislature for approval? Sheriff Allard stated that will be in January. We need to do our two weeks of public comment first.

Mr. Van Etten stated since this is a multi-year plan, who is responsible for inputting the data? Sheriff's Allard replied there is nothing in the guidelines to indicate what the State is expecting after a plan. I think we should provide an annual update whether the State requires one or not. That is our plan. We will bring all the information and submit it county-wide. This was the result of the Governor's Executive Order and gives us the opportunity to hold a mirror up and look at what we are doing well. Mr. Van Etten stated the fact that you got all of the agencies to sign up to be part of the plan is huge.

Mr. Ryan asked has any money been invested in this? Sheriff Allard replied no; the only cost has been all of my time, but that is part of being Sheriff.

Mr. Van Etten stated I commend you and appreciate Corning, Inc.'s involvement as it has been huge. The fact that you stepped up and took this and ran with it is important. There are other counties where the Sheriff is not accepting that responsibility. I appreciate that you did this. Sheriff Allard stated thank you for that. I have shared our draft plan with the Sheriff's Association. Ms. White stated you should be proud of your Sheriff's Office. On the survey, one of the questions was on a scale of 1 – 10, how satisfied are you, and the Sheriff's Office received a very high rating. It is evidence and testimony of his programs and the men and women of his department and you should be proud.

Mrs. Lando stated the local police departments and the Sheriff have been doing a great job. I think we are a model and our process is a model for the rest of the State. Good job!

Mrs. Ferratella stated do you need manpower to finish this? How will you finish this? Sheriff Allard replied a lot of this is set up to expand what we are already doing with the resources we have. It will be tight. There will be some overtime associated with it, but I don't see a tremendous amount. Mr. Van Etten commented you could leverage other organizations to help with this. Sheriff Allard stated yes and it is highly important so then it is everyone's issue.

B. Emergency Management Office

1. **2021 NMS Labs Contract Update** – Mr. Marshall stated NMS Labs has made an adjustment to their fee schedule for 2021. The base rate for post-mortem lab work went from \$180 to \$191 and the base rate for post-mortem expanded lab work went from \$250 to \$266. These are very small increases and this should be covered in our 2021 budget.

**MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO RENEW THE CONTRACT WITH NMS LABS FOR 2021 FOR POST-MORTEM TOXICOLOGY TESTING MADE BY MR. VAN ETTEN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Twin Tiers Pathology Contract Update** – Mr. Marshall stated Twin Tiers Pathology has increased their fee for autopsies from \$900 to \$950 and we do have money in the budget.

**MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO RENEW THE CONTRACT WITH TWIN TIERS PATHOLOGY FOR 2021 FOR MEDICAL EXAMINER SERVICES AT A RATE OF \$950.00 PER AUTOPSY MADE BY MR. HORTON. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

3. **Motorola** – Mr. Malter stated at the Fire Advisory Board meeting there was discussion about a problem with Motorola. Could you explain that? Mr. Marshall replied we have had an issue at the Jasper tower site with interference. Our new radio technician monitored and picked up interference from a paging company out of Pottsville, Pennsylvania. We contacted them two weeks ago and they found a bad transmitter just over the border in Pennsylvania. That eliminated one problem. The other problem is that we are on the high band for Fire and EMS at the same time and when dispatching EMS, it stays open. Motorola continues working on this. We are anticipating that there is something in the program that is causing this but we need to find out why the four sites are doing this. It is frustrating and COVID has caused a lot of issues with this. We are able to work through this remotely, but it is just frustrating. We will try to continue to move forward with the process and I am confident that we will figure it out.

C. District Attorney's Office

1. **EMO Contracts** – Mr. Baker commented the two contracts Mr. Marshall has with NMS Labs and Twin Tiers Pathology are both great and he would like to thank Mr. Marshall for pursuing those.

2. **Major Equipment Change** – Mr. Baker requested that this item be held over until next month as they need to continue discussions with the Law Department and Mr. Wheeler.

3. **Driver Diversion Update** – Mr. Terwilliger informed the committee that fees collected since the end of July are \$433,000 and approximately \$200,000 of that will be applied to the general fund next year. We were \$100,000 short of our goal with only five months of the program being implemented. We reduced a lot of unnecessary labor with the new contract and now there is a help desk that we refer to a lot. We have received excellent service from this vendor. Mr. Terwilliger requested authorization to approve the inter-municipal agreements with the municipalities so that we can give them the funds received from the Driver Diversion program.

Mr. Malter asked what is the revenue for 2021? Is it the same as 2020? Mr. Wheeler replied we did not change it; it is \$600,000.

**MOTION: AUTHORIZING INTER-MUNICIPAL AGREEMENTS WITH MUNICIPALITIES FOR THE DISBURSEMENT OF DRIVER DIVERSION FUNDS MADE BY MR. HORTON. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

4. **General Office Update** - Mr. Baker stated with regard to COVID, right now we have three clerical staff quarantined, one ADA has tested positive and one ADA is pending testing. We have put more internal controls in place.

Mr. Baker stated our caseload numbers are not going down. Bail reform is killing us. We are currently running two grand juries two to three days each week and we are close to 400 indictments this year. Our numbers are essentially what they were last year. Last year we had 600 indictments. To put that in context, that matches the total for Ontario, Livingston and Yates combined. Many of these are the result of our highly successful drug unit. Something that we will need to look toward in the future is the addition of a fourth County Judge as it is very necessary.

Mr. Baker stated we are having a hard time closing cases right now as the courts are closed and there are no trials. A lot of folks are not pleading because of that. We can do motions and hearings virtually. The local courts are basically shut down other than arraignments. Our ADA's are going to court when they are asked; otherwise they are doing it virtually. County court is being held virtually.

Mr. Baker stated our Discovery Unit has kept up with the process and law enforcement is getting us information. The Discovery Unit is working remotely and is keeping up and there have been no complaints from the defense bar.

Mr. Terwilliger commented the DA's Drug Initiative Unit is working hard. They are still pressing hard and we are getting people indicted, however, they are being released and coming back through. Mr. Baker commented if there is another round of stimulus checks you can expect another round of drug arrests.

Mr. Van Etten asked what is the status of virtual CAP? Mr. Baker replied Mrs. Aini has met with the judges and put together a model training program. When the courts closed, I petitioned the courts to go to virtual CAP and we are still going back and forth on that. We are moving forward and waiting for the State to approve what they will allow us to do.

Mr. Baker commented the Information Technology Department has been phenomenal in getting us to work virtually.

Mr. Malter asked Mr. Baker to talk about another judge being assigned here. Mr. Baker stated when he started here 26 years ago, there were three full-time attorneys in the District Attorney's Office and no full time attorneys in the Public Defender's Office. Now we have seven full-time ADAs' and the Public Defender is similar and we still have three judges like we did 26 years ago. There will need to be a push from this body at some point.

**MOTION: TO ADJOURN MADE BY MR. RYAN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR.  
MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**\*\*NEXT MEETING SCHEDULED FOR\*\***

**Monday, January 4, 2021**

**Legislative Chambers**

**9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office**

**NO LATER THAN NOON**

**Monday, December 28, 2020**