

STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE

Monday, January 9, 2006

9:30 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE: DeWitt T. Baker, D.V.M., Chair Lldon E. Jamison, Vice Chair Donald B. Creath
Patrick F. McAllister John Walsh

STAFF: Mark R. Alger Byrum Cooper Frank Justice
John Tunney Richard C. Tweddell David V. Cole
James Gleason William J. Partridge Michael Sprague
Tim Wixom David Hopkins David English
Frederick H. Ahrens, Jr. Gregory P. Heffner

LEGISLATORS: Philip J. Roche, Esq. Dan Farrand Thomas J. McIntyre

OTHER: Mary Perham, *The Leader*
Dave Shoen, WENY

I. CALL TO ORDER

Dr. Baker called the meeting to order at 9:30 a.m. He asked Mr. McAllister to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE DECEMBER 5, 2005 MEETING MADE BY MR. McALLISTER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REPORTS/REQUESTS

A. District Attorney's Office

1. **Vehicle Purchase** – Mr. Tunney stated that he would like to be able to replace one of their vehicles, which has 100,000 miles on it. He requested authorization to purchase a vehicle off state bid. This vehicle is purchased with forfeiture funds and there is no county cost.

MOTION: AUTHORIZING THE DISTRICT ATTORNEY TO PURCHASE ONE NEW VEHICLE OFF STATE BID AND TO AMEND THE MAJOR EQUIPMENT LIST TO REFLECT THIS CHANGE MADE BY MR. WALSH. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Probation

1. **Vehicle Purchase** – Mr. Justice stated he has \$31,000 in his budget to purchase two vehicles. He requested authorization to purchase two new Ford Taurus' as their vehicles are about 9 years old and they have had quite a few repair expenses.

MOTION: AUTHORIZING THE PROBATION DEPARTMENT TO PURCHASE TWO NEW FORD TAURUS VEHICLES OFF STATE BID AND TO AMEND THE MAJOR EQUIPMENT LIST TO REFLECT THIS CHANGE MADE BY MR. McINTYRE. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Sheriff's Department

1. **Vehicle Purchase** – Sheriff Tweddell requested authorization to purchase one new vehicle for the Jail.

MOTION: AUTHORIZING THE SHERIFF TO PURCHASE ONE NEW VEHICLE FOR THE JAIL OFF STATE BID AND TO AMEND THE MAJOR EQUIPMENT LIST TO REFLECT THIS CHANGE MADE BY MR. JAMISON. SECONDED BY MR. CREATH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Civil Report** – Sheriff Tweddell reported civil fees received year-to-date are \$140,901.74.

3. **Jail Report** – Sheriff Tweddell reported money due the Jail year-to-date is \$587,134.71. The population is 161. We have 147 males, 14 females, 2 federals, 0 board ins, 1 State ready, 2 boarded out and 26 parole violators. We have sent 8 of the 26 parole violators to State facilities. Money spent to house out inmates for the year is \$544,165 which does not include medical, transportation and overtime.

Mr. Creath asked what is the nature of the money due the Jail? Sheriff Tweddell replied this includes Federal money to board in inmates which was \$125,000, \$22,060 for the nutrition program, \$9,254.31 for State transports. We also received \$14,400 for Social Security, \$65,129.66 for the inmate phone, \$33,862.74 for State readies and \$316,438 for parole readies.

Mr. Roche asked we don't get paid for the parole violators, but once they are determined to be in violation of parole, then we receive payment? Sheriff Tweddell replied if there is no local charge after ten days, we get \$35.00 per day for them. Mr. McIntyre commented we should go after the State for the difference. Mr. Alger commented we had originally challenged the State and they paid the minimum amount. That is something that would require Legislative action. Sheriff Tweddell stated this is something that the Sheriff's Association is trying to get through. It costs the State \$108.00 per day to house out inmates and they are paying the counties \$35.00 per day. Mr. Roche stated the number of violators is going up dramatically and NYSAC is energizing behind this issue. Sheriff Tweddell explained, with the new reform law, it is letting inmates out on parole, they get violated and then sent back. We are working with the parole officers to get the hearings faster, but they are limited with the amount of people they have. It has helped some. He estimated that they took 15 to State prison last month. Of the 26 parole violators we had, none had any local charges.

4. **Grant** – Sheriff Tweddell requested authorization to accept a STEP grant in the amount of \$10,000 for traffic enforcement. There is no match required.

MOTION: AUTHORIZING THE SHERIFF'S DEPARTMENT TO ACCEPT A \$10,000 STEP GRANT TO BE USED TOWARD TRAFFIC ENFORCEMENT MADE BY MR. McALLISTER. SECONDED BY MR. CREATH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

5. **Personnel** – Sheriff Tweddell informed the committee that they are short four Deputy Sheriff's and are waiting for a new list. Currently, the individuals on the list have not yet attended the academy. They did have to hire two people off the list and they will have to go to the academy which is February 14, 2006 through June 26, 2006. They are attached to Court Security, but they will not pay for training for them. That is something that has to be paid for out of the Sheriff's budget. He commented that he is not in the position to lay off two Deputies in order to transfer them over. We either have to send them to academy, or fire them. Sheriff Tweddell explained the cost for academy is \$2,000, but we also pay them their wages while they are there. This may be a one-time thing. We haven't got a choice. They've already been here four or five months and by law, they have to attend academy within one year of being hired. The total cost will be \$35,000 with benefits, plus the \$2,000 for tuition. He explained the tuition will come out of his training line item. They may be short in court security, but they may be able to cover that with part-time personnel.

Mr. Creath asked when you send them to academy, are they obligated to stay in our employment? Sheriff Tweddell replied no. He commented that he is reluctant to make them sign contracts. Mr. Alger stated you could appropriate the money now to the Sheriff's personal services line item. That would come from the contingent fund or you could wait. At this point, he stated he would wait as you don't know what will happen with personal services generally. You could send them to the academy and look at this further into the year.

Mr. Creath commented part of the problem we have had all along is the low wage scale and we train them and they move on. We have to look further down the road and make the job competitive so we can reduce the amount of turnover.

MOTION: AUTHORIZING THE SHERIFF'S DEPARTMENT TO SEND TWO DEPUTY SHERIFFS TO ACADEMY MADE BY MR. JAMISON. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. 9-1-1 Enhanced Department

1. **Informational** – Mr. Wixom informed the committee that from May 11, 2005 through December 31, 2005 they answered 80,727 calls. We thanked everyone for their support. He announced on December 30, 2005 they delivered their first baby, which actually were twins.

2. **Vehicle Purchase** – Mr. Wixom commented they have a 911 truck which has 100,000 miles and he requested authorization to purchase a replacement vehicle.

MOTION: AUTHORIZING THE 911 ENHANCED DEPARTMENT TO PURCHASE ONE NEW VEHICLE OFF STATE BID AND TO AMEND THE MAJOR EQUIPMENT LIST TO REFLECT THIS CHANGE MADE BY MR. JAMISON. SECONDED BY MR. CREATH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. **MDT's** – Dr. Baker asked how are the MDT's working? Mr. Wixom replied they have gotten most of them out to the law enforcement agencies. The Sheriff, State Police, Corning, Bath, Hornell and Painted Post police departments have theirs. Everyone seems to be quite pleased. Mr. Wixom commented the State Police had questioned whether they need to use the modem that everyone else does or if they could use an air card. They are still discussing which option they would like to use.

4. **Educational Materials** – Mr. Wixom commented they had ordered 5,000 copies of the coloring book that they received ten days ago and they are putting in another order of 5,000. These will be distributed to any school district, fire department or community group that would like them.

5. **Power Outage** – Mr. Wixom stated last Wednesday they had a power issue at the Center. During UPS system maintenance we were told that we had six dead batteries and it was suggested that those be replaced. We went on to the generator and that shut off and tripped several breakers in the building. During that time, Verizon was monitoring our camera trunks. We are working with the electrical contractor to see why the breakers popped. We don't know why that occurred, but O'Connell Electric came out very early to look. There was no service interruption to the residents. The entire building had power except the electronic banks. Mr. Wixom stated at next month's meeting he should have a full explanation of what happened. The normal backup system did work.

Mr. McAllister stated the main system had a problem. Was the backup system something other than what Verizon was monitoring? Mr. Wixom replied anytime Verizon sees an interruption in our banks, they automatically see that and reroute calls the way that we have asked them to. If we had received a call, we would have dispatched it from the Mt. Washington site. Mr. Alger explained when there is a problem at the 911 Center, Verizon would take the calls because if they go to the backup facility, it would take them time to get there. Verizon picks up any calls in the interim and refers the calls to where 911 tells them. In this instance, they never moved, so during that period Verizon monitored traffic. If they would have moved, Verizon would have moved the calls.

Dr. Baker asked do you have a schedule to test the batteries? Mr. Alger replied one of the things we need to do is a regular maintenance schedule for the UPS system. We didn't get it done correctly. We are proposing to get proposals to do routine maintenance. In the meantime, we had to replace the batteries and it was recommended that we replace them all. Under the circumstances, we went forward with that. The cost to replace the batteries was \$11,000. It was an emergency replacement and we do need committee authorization of that action. He stated Mr. Wixom called him and they discussed it with Mr. Gleason and we authorized the purchase.

MOTION: RATIFYING THE DECISION OF THE COUNTY ADMINISTRATOR AND THE PURCHASING DIRECTOR TO APPROVE THE EMERGENCY REPLACEMENT OF BATTERIES FOR THE UPS SYSTEM AT THE 911 CENTER MADE BY MR. McALLISTER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Wixom commented we test this UPS system once a week. We are looking at what was different than what we have been doing. Mr. Alger stated the Center has been in operation since May, but the building has been up longer and the UPS was one of the first things we put in the building which was 2 ½ to 3 years ago. With a maintenance agreement, we would replace one-quarter of the batteries annually. He commented that he would note during the period of the power outage, we did not receive any calls and there never was an issue with the calls. The other piece is the timeframe as there typically is not a lot of traffic at that time anyway. We did find out that the backup system worked.

E. Public Defender

1. **Monthly Report** – Mr. Cooper distributed his monthly report for review. He commented that they have new personnel starting in April. The year-to-date numbers don't cover twelve months. There were 319 cases that would have been assigned prior to the new personnel additions. That equates to \$319,000 of unspent County dollars. We have saved well over \$100,000 for the twelve-month period.

2. **Budget Transfer** – Mr. Cooper informed the committee that with regard to the assigned cases, they are \$40,000 short in paying the rest of the 2005 vouchers. These cases were only assigned because of conflicts of interest. Mr. Alger commented in order to close last year, we need to transfer this money from the Contingent Fund. Comparatively, last year we took out \$250,000. Our estimate wasn't exact, but it was better than prior years.

MOTION: AUTHORIZING THE TRANSFER OF \$40,000 FROM THE CONTINGENT FUND TO COVER PAYMENT OF THE 2005 ASSIGNED COUNSEL VOUCHERS FOR THE PUBLIC DEFENDER'S OFFICE MADE BY MR. McALLISTER. SECONDED BY MR. CREATH. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

Mr. Cooper stated next month he will have a new format for the reports and he will also present his final proposal for a conflicts office and an appeals services office. This would be done either part-time or full-time by our office. Typically, we assign appeals to a firm that does appeals. Mr. Creath asked how do you determine an appeal? Mr. Cooper replied the client determines. If they want an appeal, we do that. They have the right to counsel which includes the right to appeal. We go through the application through Appellate Court in Rochester to redetermine that they are eligible for assigned counsel. There is a small percentage that appeal. The vast majority of cases don't go to trial.

F. Emergency Management Office

1. **2006 Contracts** – Mr. Sprague presented his 2006 contracts for approval. Mr. Ahrens commented that he was under the impression that we would be working things out with the Monroe County Attorney. Mr. Alger stated at this point, we will renew with Monroe County. We have had one or two questions that we were going to let the attorneys work out. Mr. Ahrens commented that he doesn't see those questions as amounting to an item that is going to be litigated. We rely on Monroe County for a wide variety of services. He stated that he is waiting for a response from Monroe County. Mr. Alger stated that he has no qualms about recommending going forward with this contract. Mr. McAllister asked can we get some kind of a clause in the contract before they approve? Mr. Ahrens replied we can do that before we sign off on the final contract. They raised the jurisdictional issue. Mr. Sprague commented this is the annual renewal to the five-year contract. Mr. McAllister stated he would like to see this issue worked out before it is renewed. Mr. Alger stated part of the renewal process is with the attorneys. If there is a problem, it will come back to the committee. We are not going to sign just because we have approval. We will pursue the renewal, but if there is an issue we will bring it back to the committee prior to signing. Mr. McAllister commented that he would approve the Monroe County contract conditionally, subject to the County Attorney's review.

MOTION: APPROVING THE FOLLOWING 2006 CONTRACTS FOR THE EMERGENCY MANAGEMENT OFFICE: EMPIRE TELEPHONE (\$1,580.00), T&K COMMUNICATIONS (\$5,000.00), MOTOROLA (\$89,196.00), EES (\$7,000.00) AND MONROE COUNTY MEDICAL EXAMINERS (\$75,620.00) SUBJECT TO COUNTY ATTORNEY'S REVIEW AND APPROVAL MADE BY MR. JAMISON. SECONDED BY MR. CREATH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Budget Transfer** – Mr. Sprague requested authorization to transfer a total of \$5,100.00 from the Contingent Fund to cover last year's budget. Most of the expenses are emergency related.

MOTION: AUTHORIZING THE TRANSFER OF \$5,100.00 FROM THE CONTINGENT FUND TO COVER 2005 EXPENSES FOR THE EMERGENCY MANAGEMENT OFFICE MADE BY MR. CREATH. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

3. **Communications System Maintenance** – Mr. Sprague informed the committee that in November, we changed the Communication Project over to a Communications Capital Reserve. Originally the Capital Project was used to support the maintenance and adaptation of the Communications System expenses. Usually those were about \$25,000 per year, but with the implementation of 911, those costs went up to \$75,000. Mr. Sprague requested authorization for \$40,000 to be transferred from the Communications Capital Reserve to a Communications System Maintenance line item in the Emergency Communications Budget for the purposes of maintaining the countywide communications system. Any balance remaining at the conclusion of the year (2006) would be transferred back to the Communications Capital Reserve.

Mr. Alger explained the real issue becomes one of whether some of those things should be paid out of operations or out of reserves. What we need to do in the future is set aside in the budget a line item for the maintenance of the Communications System. We can't fund maintenance expenses out of a Capital Reserve.

MOTION: REFERRING THE REQUEST OF THE EMERGENCY MANAGEMENT OFFICE TO TRANSFER \$40,000.00 FROM THE COMMUNICATIONS RESERVE TO A COMMUNICATIONS SYSTEM MAINTENANCE LINE ITEM IN THE EMERGENCY COMMUNICATIONS BUDGET FOR THE PURPOSE OF MAINTAINING THE COUNTY WIDE COMMUNICATIONS SYSTEM TO THE FINANCE COMMITTEE FOR THEIR REVIEW AND RECOMMENDATION MADE BY DR. BAKER. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

4. **Firefighter Training** – Mr. McAllister asked did we set up the firefighter training schedule? Mr. Sprague replied we did receive \$10,000 from Senator Winner and Assemblyman Bacalles so we didn't have to fund the remainder of that. We did as much as we could. We have three new instructors who will be certified in October. Now we are up to full strength. We are pushing to get one more instructor so that we will have four full-time instructors. Currently we have three and one-half.

G. Administrator

1. **Jail Update** – Mr. Alger informed the committee that they are moving along on design development. We meet fairly frequently to look at the overall project. Currently we are looking at the kitchen operations, security system and layout. At this point we are exploring the possibility of two different bid lettings. The earlier bid in March would be for the site work, steel and perhaps the security system. The later bid, in April would be for the balance of the contracts. This allows us, as soon as the weather is decent, to start the site work and get the steel ordered. Then you can get the balance of the contractors started as soon as the building is out of the ground.

2. **CGR Study** – Mr. Alger commented the study from CGR is back and he will distribute that for review. They will be here at the February meeting to give a presentation. He stated his expectation is that we will need to establish a workgroup to review that. He would anticipate that would include our staff and judicial staff overall. The recommendations from the study are what we will need to have the workgroup work on. We will need to look at things we can do and other things that are more difficult. They have given us an agenda to follow.

IV. OTHER BUSINESS

A. *Corning Community College* – Mr. Creath stated that he is on the Corning Community College Board of Trustees. He stated that they have a public safety issue at the college as they have a public safety department with peace officers. They have two patrol cars and his question is can they be dispatched? Can we be considered a reserve and how can we interact with 911 and the Sheriff’s Department? We patrol Spencer Hill and we issue traffic citations. We also patrol the police academy, airport corporate park, etc. The drivers of those cars are not always peace officers and they are not armed. There may be an emergency that our car could respond to. If that is the case, we need to be tied into 911 with laptops. He commented this is something that he would like to explore.

Mr. Jamison stated he doesn’t believe it is legal for a non police officer to use a police radio. Dr. Baker asked Mr. Alger, Mr. Ahrens and Sheriff Tweddell to look into this. He asked that they give a report at the February meeting.

MOTION: TO ADJOURN MADE BY MR. McALLISTER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Monday, February 6, 2006
9:30 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON on Monday, January 30, 2006.**

STEUBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE

Monday, February 6, 2006

9:30 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE: DeWitt T. Baker, D.V.M., Chair Dan C. Farrand John Walsh

STAFF: Mark R. Alger Gregory P. Heffner James Gleason
Frank Justice Byrum Cooper Tim Wixom
David Hopkins Richard C. Tweddell David Cole
Michael Sprague David English Robert F. Biehl
Lawrence Crossett William Deninger Pam Gardner
Honorable Marianne Furfure John Tunney

LEGISLATORS: Philip J. Roche, Esq.

ABSENT: Lldon E. Jamison, Vice Chair Francis L. Gehl

OTHER: Kyle Tuttle, LP Ciminelli
Mary Perham, *The Leader*
Dave Shoen, WENY

I. CALL TO ORDER

Dr. Baker called the meeting to order at 9:30 a.m. He asked Mr. Walsh to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE JANUARY 9, 2006 MEETING MADE BY MR. WALSH. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

III. DEPARTMENTAL REPORTS/REQUESTS

A. Sheriff

1. **Jail Expansion Project Update** – Mr. Kyle Tuttle, LP Ciminelli, informed the committee that the architect, Labella, has completed the second phase of the project which is the design development. The cost estimate was reconciled with the architect and we are under budget, which includes the award of the precast cell package. We have asked Tindall, to provide us with alternative pricing.

Mr. Tuttle stated they would like to bid the first week of March for the structural steel as well as the site work. We will have three weeks to prepare the bids, evaluate and meet with the contractors during the first two weeks in April. This will work well for construction to start after the weather breaks, which should be mid-April. We will advertise the balance of the bids in the beginning of April for the concrete foundation, masonry, roof, plumbing, electrical and HVAC. Right now we are on budget and on schedule.

Mr. Walsh asked has the price of steel been jumping? Mr. Tuttle replied not that bad. What has been jumping a lot is the cost of diesel fuel. The good news is China has opened their steel plants this year. The forecast is that their plants will be able to meet their demands and that should help minimize the sharp price in steel. He stated he is more concerned about the cost of copper. It has gone up 40 percent since the beginning of the year. When we get to the electrical work, we would be using a lot of copper. We can evaluate the use of aluminum for conduit. We will take that into consideration once we get to that point.

Mr. Alger commented we are at design and development. We are now moving into the construction drawings. The next cost estimates the committee will see will be the construction estimates. He stated they are now looking for authorization to get the bid packages out in early March and follow up in early April with the second bid package. On March 21, 2006 we will meet with the Commissioner of Corrections for a final review of the project.

Mr. Tuttle commented they are meeting with the Sheriff to look at the current renovation work to see what we can do along with the new addition. Mr. Alger stated the renovation will be a challenge operationally, as they will need to keep the kitchen and laundry open as well as maintain security.

MOTION: AUTHORIZING THE SHERIFF TO LET BIDS IN EARLY MARCH FOR THE JAIL EXPANSION PROJECT FOR THE STRUCTURAL STEEL AND SITE WORK AND TO LET BIDS IN EARLY APRIL FOR THE REMAINDER OF THE CONSTRUCTION WORK MADE BY MR. WALSH. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

2. **Civil Report** – Sheriff Tweddell reported civil fees paid to the County year-to-date are \$17,101.90. This is very good as typically the fees coming in are between \$10,000 - \$12,000 per month.

3. **Jail Report** – Sheriff Tweddell reported monies due the Jail year-to-date are \$11,554.70. The population this morning is 153. There are 140 males, 11 females, 2 federal's, 0 board-ins, 0 boarded out, 0 State readies and 21 parole violators with non-county charges. He stated he met with the Director of DCJS and relayed this information to him and the Director acknowledged the number of parole violators was high. They will be looking into this further. He commented year-to-date they housed out inmates for 85 days last month. For the year 2005, they housed out inmates 7,306 days. Money spent to house out inmates for January was \$5,865. During 2005 they housed out 494 inmates for 7,306 days.

4. **Radios** – Sheriff Tweddell stated before we went to the Black Creek System, we had had the same security system as Tioga County and when we had problems with the system, they had let us borrow some of their equipment. When we switched to Black Creek, we had agreed to send Tioga County all of our old equipment at no charge. Sheriff Tweddell stated recently he received a call from the Tioga County Sheriff stating that they were changing their radio system and had radio equipment for sale. The equipment for sale included 16 radios with microphones (MT 1000), 6 radios with microphones (MT 2000) and various accessories including batteries and chargers. Tioga County was offering this package for \$2,000. Sheriff Tweddell commented the cost for portable radios is approximately \$1,000 each. He did purchase this equipment and now they should be in great shape for radios.

5. **CIRT Vehicle** – Sheriff Tweddell informed the committee that on January 14, 2006, they had an incident in Cameron in which the CIRT team was able to take an armed individual into custody with no injury to anyone. This is an example of how the amount of training the CIRT team receives, comes in handy. This was a great thing and he is really proud of the job they did.

Sheriff Tweddell requested authorization to pursue an application for a shared municipal services grant for \$100,000 with a \$10,000 match. He would like to use this grant to purchase another CIRT vehicle. Mr. Farrand commented the State has authorized \$2.5 million for grants up to \$100,000. Dr. Baker asked our share would be \$10,000? Sheriff Tweddell replied yes. We would use the vehicle exclusively, but we take it out when we do search warrants with other agencies in the County. The CIRT vehicle is a command vehicle which has specialized equipment in it. We also use it for DWI road checks.

MOTION: AUTHORIZING THE SHERIFF TO PURSUE AN APPLICATION FOR A SHARED MUNICIPAL SERVICES GRANT IN THE AMOUNT OF \$100,000 WITH A \$10,000 MATCH TO PURCHASE CIRT VEHICLE MADE BY MR. FARRAND. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

B. Enhanced 911

1. **Update** – Mr. Wixom informed the committee that in January they received 10,046 calls.

2. **Personnel** – Mr. Wixom commented there is a new civil service list out for Dispatchers and he will be able to fill vacancies in his department. He commented that one of his provisional employees did not pass the test. Mr. Farrand asked how many vacancies do you have? Mr. Wixom replied now with the loss of one of the provisional employees, they have three vacancies.

3. **Conference** – Mr. Wixom informed the committee that the 911 Coordinators have a conference in the Spring and the Fall to look at new legislation. This fall Steuben County will be hosting the conference.

4. **MDT's** – Mr. Wixom announced there are eight police agencies in the County that have the MDT's. They are the Sheriff, State Police, Bath, Corning, Hornell, Painted Post, Wayland and most recently, Addison.

5. **Power Test** – Mr. Wixom informed the committee that recently they had O'Connell Electric, MGE, Emergency Power and Bath Electric come and do a forced power shut down. The UPS did hold the building and the generator turned on. O'Connell has left their testing equipment in the building for a week for monitoring purposes. The next step is to go to the generator for more than twenty-four hours to make sure everything works properly. Mr. Farrand asked did they have a reason as to why it had gone down? Mr. Wixom replied they believe that perhaps the 600 amp breaker or the generator was not set properly. O'Connell Electric has checked all of the loads on the breaker boxes. The batteries have also been replaced in the UPS.

6. **Magnets** – Mr. Hopkins commented they have been discussing the possibility of distributing magnets to all households in the county. A company by the name of City Magnet had used Bath, NY as a promotional tool. Mr. Hopkins distributed a magnet to the committee members. In the center area of the magnet, we could put our information with a message. We have a desire to want to get information out to the public about May 11th and the seven-digit numbers. Mr. Hopkins explained, this company would send out their employees to solicit area businesses to sponsor the magnet by placing an advertisement on it. The company will also pay the post office what it would have cost to mail this if they will place one in all of the mailboxes and deliver it to all individuals. In addition, they will also allow us to include with the magnet a letter regarding 911. They will facilitate having a magnet sent to each home in the County. We will get to design the center section of the magnet. The company is looking for our approval to start. We really will have no cost to have this done.

Mr. Alger commented he thinks this is a great idea. If the businesses are unable to sponsor this, then we should do it anyway. We should do this for public awareness. Mr. Hopkins commented that City Magnet will solicit the businesses within the County. They feel confident that they can get them to buy in. Dr. Baker asked we will develop the center section of the magnet and will the addition of a pamphlet be included? Mr. Hopkins replied City Magnet would cover the printing costs and they will pay each post office to guarantee that each individual will get one of these delivered. They will also be able to confirm for us who many households received this.

MOTION: AUTHORIZING 911 TO PURSUE AN AGREEMENT WITH CITY MAGNET FOR THE PRODUCTION AND DISTRIBUTION OF MAGNETS WITH 911 INFORMATION TO ALL HOUSEHOLDS WITHIN STEUBEN COUNTY MADE BY DR. BAKER. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

IV. PRESENTATION

A. **Center for Governmental Research** – Mr. Alger introduced Don Pryor from the Center for Governmental Research. They did a review of ATI (Alternatives to Incarceration) and the system that is being used currently. There are a number of recommendations and he would suggest that over the next month that we formulate a plan to address the recommendations and organize a workgroup of individuals to look at this.

Mr. Pryor stated he is here today to outline the core findings and recommendations from this report. This project was started a year ago and we were asked by the County to look at a couple of issues. The first, in light of the decision to go forward with the jail renovation, to look at ways over and above what has already been done, to reduce the number of people who need to be in jail. We needed to look at ways to safely reduce the numbers while freeing up options to board in inmates in the future at a cost saving to the County. We were also asked to look at the larger issue of how the criminal

justice system is functioning. He stated that they interviewed over 50 key officials in the County and analyzed a wide array of data. We tried to look at how the County compares to others in the State.

Mr. Pryor stated that he was glad to hear the Sheriff report there has been a decline in the population. There had been significant increases in the population even at a time when arrests had been going down. We looked at the time period between 2000 and 2005 when the County suffered a net loss in revenues of \$1.25 million from essentially revenue of \$850,000 to a net outflow of \$585,000. That is very significant. We need to look at ways to reverse that shift. The greatest increase was in the non-sentenced population in the jail. Between the early part of the decade and the middle of last year, the non-sentenced population increased 37 percent on an average daily population basis. We looked at how that compared to others in the State, and consistently, the County was in the upper ten percent of the counties in the State.

Mr. Pryor stated with regard to felony cases they represent a small percentage of the total number of cases in the County. We looked at how long it takes to process those cases through the system. During a four-month period, the average County court case required seven months until final disposition. Some cases took much longer than that. Four months of that time was spent at the local court level. There are significant delays there. It took another three months for those cases to be active at the County court level until the resolution of the cases. A good part of this time was spent waiting for the pre-sentencing investigations. There are significant delays as it takes eight weeks to complete an average PSI (pre-sentence investigation). Even those cases in jail on a pretrial basis, took forty days to be processed. Combined with the fact that there were significant issues related to scheduling in the County courts. Each judge sets their own schedule. They haven't always been able to do scheduling between the three justices. As a result, there are overlapping court cases involving the same attorney. There is the absence of a unified court calendar.

Mr. Pryor stated the sheer number of courts and the size of the County contribute to inefficiencies in the court system. During the course of this study, we also detected significant delays at the drug court level with regard to accessing information on drug evaluations. They spent an average of 30 – 32 days waiting for the assessment to be completed because of lack of adequate staff at the County level. In comparison to similar counties around the State, Steuben County has a very strong array of alternative programs. Each of those programs has the potential to work more efficiently.

Mr. Pryor stated that their best estimates are that as many as about three dozen fewer people may be in jail each day as a result of the pre-trial release program. Changes that have been recommended could result in at least a half dozen fewer inmates in the jail per day. There are significant issues related to the pre-trial release program that are limiting its impact. There is a question in terms of the use of this program by judges and the recommendations. The actual recommendations are accepted by the judges in fewer than half of the issues. There currently is a new screening tool in place that has both advantages and disadvantages. There are issues with this tool that need to be addressed. There is a potential to safely result in another half dozen additional inmates that could be released from jail. At this point, community service programs are not highly used. The Center for Governmental Research estimates that the community service program currently reduces the County jail population by 1 – 2 inmates per day, with an additional 1 – 2 possible with the changes we have recommended.

Mr. Pryor stated with regard to the Intensive Supervision Program (ISP), the judges have expressed a desire to make better use of this. With recommended changes, an estimated three additional inmates could be released from jail each day if this program was expanded. The Electronic Home Monitoring program is very effective in the community. This program is already reducing the jail population by fifteen inmates per day, but it is not being used at full capacity. A more effective use could result in another seven inmates that could be safely released into the community. This recommendation does not include the possibility of purchasing additional units. The County drug court is an alternative to prison, rather than to jail. This does not have a major impact on the County. However, the program does impact the jail, in part due to the fact that it takes an average of 32 days from request for substance abuse assessment to completion. Delays are due to understaffing at Alcoholism and Substance Abuse Services office. With changes, this could reduce the jail population by another two to three individuals per day.

Mr. Pryor stated that they recommend a variety of steps be taken by Steuben County, which they conservatively estimate should cumulatively reduce the jail population by at least 30 jail inmates per day. If those changes were adopted, their full impact would be felt within one year of implementation, with initial impact apparent within months. If there were 30 fewer inmates a day there would be 10,950 fewer inmate days per year at County expense. This would translate to an annual estimated reduction of \$876,000 in jail related costs for County taxpayers. Reducing the jail census in this manner

would also have the added effect of making it possible to do one of two things with the expanded jail facility. The first would be that it would eliminate the need to open the second wing of the jail, which would save more than \$200,000 annually. The second is that you could open the second wing and use it to board in inmates from other counties and/or the federal government. If you boarded in 20 inmates per day that could potentially generate about \$350,000 in net revenues for the County annually, after factoring in staffing costs.

Mr. Pryor stated that CGR believes that specific changes recommended in each of the ATI programs would lead to reductions in the daily jail population. Other changes would improve the functioning of the criminal justice system, even if no direct jail inmate reduction would result. Some of the major recommendations include some additional staff, either shifts or new positions, which we believe would be justified.

The major recommendations are as follows:

The County should hire, within the Probation Department, a Jail Inmate Reduction Coordinator. This individual would be full-time and would be focused on expediting pre-sentencing investigations in the Jail now. They would also be responsible for developing a more effective relationship with the justices. We believe it would be possible to shift one current Probation Supervisor into this position. This can be done without adding to the current staff.

One new position should be created in Probation, split between Intensive Supervision and Community Service, to enhance the impact of both of these programs. With this change, you could realize an additional five jail days that would be saved.

The Senior Probation Officer position currently responsible for both Electronic Home Monitoring and Community Service should shift focus to half-time EHM and half-time Drug Court support, with an additional half-time Probation Assistant position created to handle the clerical/support aspects of the EHM program.

Additional EHM equipment should be purchased to enable further expanded use of the EHM program, which would result in additional reduction of the daily jail population at additional savings to taxpayers. The cost would be \$20,000 - \$30,000 for the units, but you would get 10 – 20 additional units.

Responsibility for ATI programs should be shifted from the current split of three separate Probation Supervisors to one Supervisor to oversee all ATI programs.

A pilot project should be implemented for three to six months with one County Court judge to test whether involving Probation in Superior Court Information plea conferences will help expedite cases and further streamline Pre-Sentence Investigation requests. With recommended improvements in the ATI programs, Pre-Sentence Investigation reports should more frequently recommend use of alternatives to jail sentences.

The County should hire at least one additional CIRTified Alcohol/Substance Abuse Counselor (CASAC) to address evaluation and treatment delays now impacting the jail.

Both the District Attorney and the Public Defender should place particular emphasis on attempting to move felony cases as expeditiously as possible from lower courts to County Court, as well as expediting misdemeanor cases which remain in the lower courts, and to build in procedures, along with the new Jail Inmate Reduction Coordinator, to monitor cases routinely to make sure they are not lagging. Improved case-tracking mechanisms are also recommended.

County Court judges should commit to developing and implementing a unified court schedule and calendar designed to eliminate significant inefficiencies and case delays. This has been tried in the past, but someone needs to be on top of that.

The Court should build on its recent efforts to shift as many defense attorney cases as possible from Assigned Counsel to County Public Defender and/or Conflicts Office staff, at reduced cost to County taxpayers.

Town supervisors, village mayors and town/village justices in nearby jurisdictions should be encouraged to undertake discussions to consider a pilot project tied to better use of resources between neighboring justice courts. There may be an opportunity for a shared municipality grant.

The County should consider designating a person for the next one to two years who is specifically charged with overseeing the improvements to the criminal justice system that are outlined in the report. This position would report to the County Administrator. This individual would monitor changes, implement and monitor the impact of these changes. CGR believes the County would get a good return.

Mr. Farrand asked did Tompkins County do something similar to this? Mr. Alger replied Tompkins County is a little different. Their process focused on their decision not to go forward with a jail. They focused all of their efforts on alternatives, which worked fairly well for about a year. They have had some real problems over the recent months trying to keep the jail population down. Mr. Alger stated in viewing that, he thinks we have an opportunity to impact the jail population, but you do need a place to house these folks. The \$385,000 spent for out of county housing has a significant impact on the budget. Being able to turn that around, we can have a very positive impact on the County. While we may or may not agree with everything, let's put together a group of folks to look at this.

Judge Furfure commented we look at potential inmate's qualifications for entering into programs as the Electronic Home Monitoring. We are frequently told they would be great for that program, however, they don't have phones. Do you have facts to support this? Mr. Pryor replied we did look at that to the extent possible. We look at the characteristics of individuals in jail. We believe there is potential for expansion. Several judges at both the County and city level identified cases that they could have used that program. We only looked at individuals who resided in the County. This is the kind of thing that a Jail Coordinator could look at and identify opportunities.

Mr. Roche asked is a day reporting system something that we can consider? Mr. Pryor replied we looked at that and did not recommend it. Our belief is that it would cost more than it would be worth. A day reporting service implies there is access to other types of services. It would require added staff and support services that we didn't think were available. Instead, we opted for expanding the Intensive Supervision Program and Electronic Home Monitoring as it could be done with less staffing impact. This is something that you may want to come back and take another look at, but for a county this size, it is not cost effective to do.

Mr. Tunney stated that he would like to commend CGR. This study provides us with some hard information that permits us to think about the situation and make decisions. He stated that he is impressed with the quality and quantity of information. There are things that can be done by flipping a switch that can make some improvements, but he stated the core question that arises for him is infrastructure. This is a huge County, geographically, and the numbers of cases are large. In spite of national and state trends where crime is down, he doesn't know if we are an anomaly or if we take more seriously some things. This is an interesting issue to think about. In the big context of falling crime rates, we have increases in serious cases. The infrastructure that exists in the County has the capacity to deal with a CIRTain level, a CIRTain flow. While it is hardly perfect, he can tell you that most of the systems are working to, or beyond their capacities. Many of the recommendations bring directly into play the infrastructure. That's going to be a hard issue to deal with as we try to do something with the information you have given us. Mr. Tunney stated that he is grateful for the information because it puts all of us in a much better position.

Mr. Pryor commented that Mr. Tunney is absolutely correct. There are more detailed recommendations in the report. We clearly do recommend expansion in probation. We did not recommend specific increases in the District Attorney's Office or the Public Defender's Office, maybe we should have, but we said to look at the potential for a shift from part-time to full-time which gives you more resources. We do talk about continued expansion of moving away from assigned counsel to a staffed position. As you look at this, it may be that you may have to look at issues of staffing. Even if you expand in those areas, you could add a lot of positions and still be saving a lot more money than you are now. You will get more than a multiplier effect in terms of your return on the investment.

Mr. Alger commented Mr. Tunney's point is on target. We have a capacity issue. The question is how to best add capacity. The study is giving us a lot of information. The charge to the workgroup will be to see what makes the most sense and try to address the capacity issue. We need to focus on what we can do to positively impact the system as a whole to try to have a longer term impact on the jail in the future. This will be the next step in the process. He stated that he appreciates the study and it will prove to be challenging to work through the recommendations.

Mr. Pryor commented they had huge cooperation and great people to work with. He wished the County luck as they go forward.

DEPARTMENTAL REPORTS/REQUESTS (Continued)

C. Emergency Management Office

1. **Volunteer Incentives** – Mr. Sprague informed the committee this all started a couple of years ago with the three-year real property tax exemption for volunteers with at least five years of service. The first year this was done was 2004 and we have 524 people in 35 departments who were eligible. In the second year the numbers declined somewhat. He stated that when they started this process, they needed a form that could be signed by him for each individual that wanted the exemption. During the second year, there was the interpretation by some of the assessor that that was something that didn't need to happen. There has been confusion with the assessors. Mr. Sprague stated that he has tried to meet with Mrs. Hatch to get a report of how many exemptions are being done through the Tax Service Office. He would like to see this process streamlined. If the committee were interested, he would meet with Mrs. Hatch to pursue this.

Mr. Sprague stated that currently he, the fire chief and the administrative officer signs the paper for every individual. He would like to have one piece of paper attached to a list of individuals eligible for the exemption for each department. They had elected to do the portion of the law that does an exemption for everyone in the department. There was a portion for individuals with 20 years of services. He stated that he doesn't want those individuals to have to sign up again. The firefighters are receiving a \$12.00 - \$18.00 exemption on their property taxes and to require all this paper is defeating our purpose. There are 1,500 volunteers active in the County and only one-third that can take advantage of this exemption.

Mr. Farrand commented the problem is because of the disconnect between the assessors and the Real Property Tax Agency and who should be signing. Let the chief sign off rather than Mr. Sprague taking that responsibility. Mr. Sprague stated that we need to streamline this process and he would like to do that with a single form. First though, he wants to see what the Real Property Tax Agency report says. We want to monitor this process to see if we are being effective.

Dr. Baker asked would it be better if the fire chief were to approve a list and forward that to Mr. Sprague? Mr. Farrand replied not all of the chief's are doing that and it is just going to the assessor rather than to Mr. Sprague. Mr. Sprague commented that he would still like to see the papers. Otherwise, he has no way of monitoring this. Mr. Alger asked what does the legislation say? Mr. Sprague replied the legislation says they need to be CIRTified members of the department. We invented this process and would like it to be streamlined.

MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO WORK WITH THE DIRECTOR OF THE REAL PROPERTY TAX SERVICE AGENCY TO STREAMLINE THE PROCESS FOR GIVING REAL PROPERTY TAX EXEMPTIONS TO THOSE ELIGIBLE FIRE SERVICE VOLUNTEERS MADE BY MR. FARRAND. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

There was a discussion at the Fire Advisory Board about looking at additional incentives. Senator Winner has a number of incentives. There is a survey going around to the various departments regarding health insurance. He thinks this is something we need to do, but the consensus of the Fire Advisory Board was to look beyond this initial incentive to see what else we can do. We are looking at doing recruitment and retention, but the incentive does not take effect until individuals have been a member of a department for five years. He would like to look at making them eligible after two years. The question is what incentive can we put out there that will bring new people in. Dr. Baker asked that the Fire Chief's Association bring back recommendations for consideration.

D. Public Defender's Office

1. **Monthly Report** – Mr. Alger distributed the monthly report for the committee's review. Next month Mr. Cooper will be doing presentations on a Conflicts Office and Appeals Bureau.

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. WALSH. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

MOTION: AUTHORIZING CHANGING ONE FULL-TIME DEPUTY SHERIFF POSITION IN THE SHERIFF'S DEPARTMENT TO FOUR, PART-TIME (10 HOUR) DEPUTY SHERIFF POSITIONS MADE BY DR. BAKER. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

MOTION: AUTHORIZING THE CREATION OF THREE ADDITIONAL FULL-TIME COURT SECURITY POSITIONS, SAID POSITIONS TO BE FUNDED BY AND AT THE REQUEST OF THE COURT SYSTEM MADE BY MR. FARRAND. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. FARRAND. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

MOTION: TO ADJOURN MADE BY MR. WALSH. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

NEXT MEETING SCHEDULED FOR

Monday, March 6, 2006

9:30 a.m.

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON on Monday, February 27, 2006.**

STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE

Monday, March 6, 2006

9:30 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE: DeWitt T. Baker, D.V.M., Chair Francis L. Gehl John Walsh

STAFF: Mark R. Alger Gregory P. Heffner Tim Wixom
Frank Justice Richard C. Tweddell Joel Ordway
Ken Peaslee James Gleason Byrum Cooper
Michael Sprague Tim Marshall Frederick H. Ahrens, Jr.
David English

LEGISLATORS: Philip J. Roche, Esq. Thomas J. McIntyre

ABSENT: Lldon E. Jamison, Vice Chair Dan C. Farrand

OTHER: Mary Perham, *The Leader*
Dave Shoen, WENY

I. CALL TO ORDER

Dr. Baker called the meeting to order at 9:30 a.m. He asked Mr. Walsh to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE FEBRUARY 6, 2006 MINUTES MADE BY MR. WALSH. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

Mr. Gehl asked, why are we purchasing steel from China and not here? Mr. Alger replied that we are not. The discussion was about how the demand in China has driven up the cost of steel.

III. DEPARTMENTAL REPORTS/REQUESTS

A. Probation

1. **Grant** – Mr. Justice informed the committee that they have been notified by the State of the availability of a grant to Prober-Web software, which is a comprehensive probation case management system. The amount of the grant is \$19,428 with a 10 percent county match. The State is moving in this direction and once they have 45 counties on board, they will make it mandatory to purchase this software and then the grant money will no longer be available. There are hidden costs for the technology aspect that will go above the 10 percent county match.

Mr. Peaslee stated the requirement for the hardware is two servers, one of which is fairly good size. We also will have to purchase Microsoft SQL as well as upgrade Microsoft Office. We have a conversion fee to convert the current database in the system to the new system. The cost is roughly \$47,000. Dr. Baker asked do we have a choice? Mr. Peaslee replied this is the recommended equipment this company has put together for this software package.

Mr. Justice commented this is the direction that we will be forced into going. When Prober-Web first came out, we didn't go that way. The operating cost of the old system would have been \$40,000 per year. This new system is cheaper. Dr. Baker asked if this request is approved how soon is the County obligated to come up with the \$47,000? Mr. Alger replied he doesn't know the timeframe for delivery, but the issue boils down to the fact that

right now the State is providing us with grant money to purchase the software. We are upgrading the hardware and the software, some of which we would have had to do anyway.

Mr. Peaslee stated that he asked if we could put other applications on this server and we will be able to do that. This will allow us to help other departments with their needs. He stated that he had already budgeted \$6,000 - \$7,000 this year for a new server, which will take care of the cost of the smaller server that is required for this software. The other service for SQL will cost \$20,000.

Mr. Gehl asked what will this software do? Mr. Justice replied this will provide more information to DCJS and will be a storehouse for all fingerprints, DNA, etc. It will allow the pre-sentencing investigations to be transferred electronically, etc. Dr. Baker asked will it help us be able to move the inmates through the Jail more quickly? Mr. Justice replied that is a local issue. Mr. Walsh asked between the grant and money in your budget, will you need more money? Mr. Justice replied the cost for the equipment will come out of the Information Technology Department budget. Mr. Peaslee informed the committee that last year money was transferred from the emergency fund of Purchasing and he would use the money from there. He will not need to request additional funds.

MOTION: AUTHORIZING THE PROBATION DEPARTMENT TO APPLY FOR GRANT FUNDING IN THE AMOUNT OF \$19,428.00 WITH A 10 PERCENT COUNTY MATCH FOR THE PROBER-WEB PROBATION CASE MANAGEMENT SYSTEM SOFTWARE AND AUTHORIZING THE PURCHASE OF TWO NEW SERVERS MADE BY MR. GEHL. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

2. **Budget Transfer** – Mr. Justice informed the committee that he had budgeted \$31,000 in Major Equipment to purchase cars and he will be spending \$25,395. He requested authorization to transfer the balance of \$5,605 into Small Equipment to purchase new file cabinets. Some of their file cabinets are broken and are causing a safety concern.

MOTION: AUTHORIZING THE PROBATION DEPARTMENT TO TRANSFER \$5,605 FROM MAJOR EQUIPMENT INTO SMALL EQUIPMENT FOR THE PURCHASE OF NEW FILE CABINETS MADE BY MR. WALSH. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

3. **Year-end Report** – Mr. Justice reported that for the Pre-Trial Release program, they screened 888. From the screening process, they separate the cases where we are unable to make recommendations to the court. They conducted 470 interviews and of those there were 323 eligible for release, 185 were released and there were 15 failures. They had 929 cases eligible for investigation, of which 473 were felonies and 456 were misdemeanors. Of those cases they completed 412 felony investigations and 368 misdemeanor investigations for a total of 780 completed. The supervision caseload was 808, of which 448 were felonies and 320 were misdemeanors. Probationers logged 9,033 hours of community services and 61 cases were successful and 17 cases went back to court. Mr. Justice stated they had 72 people enrolled in the Electronic Home Monitoring program for a total of 7,659 days. They had 56 successful cases, 4 did not serve and 19 were retained into 2005. They collected over \$339,479.19 in fees. They also collected \$85,659.68 in DWI fines. Mr. Justice stated with regard to Family Court, they did 269 PINS screenings and 397 JD. With 307 of those cases, they talked with the parents via the telephone. Approximately 88 percent of the PINS cases never saw court and 80 percent of the JD cases never saw court.

Mr. Justice stated that currently, for the month of February, they have had 75 felony investigations and have completed 27. They are working on 85 misdemeanor investigations and have completed 41. The caseload in February was 831 plus an additional 19 that are in Drug Court. The caseload is broken down into 483 felonies and 340 misdemeanors. Mr. Gehl asked do you give this report every month? Mr. Justice replied no. There is a report that we send to the State every month. Mr. Gehl asked could we get a copy of that? Mr. Alger stated we could get you a copy of the summary annual report. Mr. Gehl stated that he would like to see the monthly report as well.

B. 911 Enhanced Department

1. **Update** – Mr. Wixom informed the committee that during the month of February they received 9,073 calls. That has been their slowest month. On March 2, 2006 they answered their 100,000 call. They are averaging approximately 334 calls per day. During the snowstorm on March 2, 2006 they received 311 calls on second shift. Mr. Wixom informed the committee that they have a new class of dispatchers who are currently in training. Those dispatchers should be on the radio toward the end of the month.

C. Sheriff's Department

Sheriff Tweddell commented the last couple of weeks have been bad for Law Enforcement. The Sheriff's Department lost Pete Knapp after a long and courageous battle with cancer and two State Troopers were shot.

1. **Civil Report** – Sheriff Tweddell reported civil fees paid year-to-date were \$28,678.42.

2. **Jail Report** – Sheriff Tweddell reported fees due the Jail year-to-date are \$22,723.70. The population this morning is 151. Of those they have 136 males, 15 females, 1 Federal, 1 juvenile female boarded out and 20 parole violators within non-county charges. During the month of February we housed out inmates 40 days. Year-to-date we have housed out inmates 125 days. Year-to-date they have paid \$9,740 to house out inmates, not including medical transportation or overtime costs.

3. **Radar Sign Trailer Bid** – Mr. Gleason informed the committee they received bids for the speed monitoring trailers from Decatur Electronics and Kustom Signs. Decatur Electronics did not meet the specifications in four areas. Chief Trentanelli, Chairman of the Traffic Safety Board, pointed out important items that have a significant difference in price. Chief Deputy Ordway commented we had specified a trailer with 50 cubic feet and Decatur Electronics offered 5 cubic feet. We need the toolbox to apply the different things that the trailer can do. Space is a very important item. The signs that they offer don't meet State code. They could only offer us a pneumatic air hose for traffic count, which isn't feasible during the winter months. Kustom Signs also uses radar in addition to the pneumatic hose. Chief Deputy Ordway stated with regard to the construction of the trailer, we had requested that it have an aluminum frame. Decatur did not offer an aluminum frame. With the specifications we requested, the durability of the trailer would last longer. There is more than enough money in the grant to purchase the trailers from Kustom Signals. Chief Deputy Ordway commented the Traffic Safety Board applied for a member item grant to purchase these trailers. These trailers would help slow people down. We have requested three trailers, which we can place throughout the County. These trailers will provide us with real time data.

Mr. Ahrens commented this is material non-compliance with the bid specifications. Mr. Gehl asked to get the data from the trailers, do you have to do it from the trailer or can you do it from your office? Chief Deputy Ordway replied we would have to get the information from the trailers.

MOTION: REJECTING DECATUR ELECTRONICS BID FOR THE SPEED MONITORING TRAILERS DUE TO MATERIAL NON-COMPLIANCE AND AWARDED THE BID FOR THE SPEED MONITORING TRAILERS TO KUSTOM SIGNALS AT \$38,520.00 FOR THREE TRAILERS MADE BY MR. GEHL. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

4. **Jail Expansion** – Mr. Alger informed the committee that the security system in the Jail is the second one that they have had. The current system is through Black Creek. To get a comparable proposal, we asked Stanley Security Solutions (Integrator) to do a proposal as well. As we already have Black Creek, we are trying to determine if they have a good proposal. Integrator's proposal is \$581,000, which includes putting in the security system for the new pod and doing a complete replacement of the security system in the existing Jail. The base bid from Black Creek is \$467,000 for the security system in the new pod. This is not inexpensive. Our recommendation is because the proposal from Black Creek is \$115,000 less, that we stay with the system that we currently have. We need to talk about whether this is sole source or standardization.

Mr. Walsh asked is Black Creek the better system? Mr. Alger replied he thinks it is good, but that is a question for the Sheriff. Sheriff Tweddell replied Black Creek is a proven system. Integrator is slowly moving into the

eastern part of the County. Warren County and Chenango County went with Integrator because they were cheaper. Chautauqua County and Niagara County are looking at going with Integrator as well. He's talked with those counties and they don't have any real problems with them now. Mr. Alger stated we feel that both of them would work. We are taking the position that Black Creek is \$115,000 less. We asked both companies to do special alternates if we were to decide to do them. We will decide that at a later date. Mr. Ahrens commented we treated this as a professional service last time. Mr. Gleason stated we had issued an RFP. Mr. Alger stated this proposal is primarily for the software package. He would recommend accepting the proposal from Black Creek.

MOTION: ACCEPTING THE PROPOSAL FROM BLACK CREEK FOR THE POD ADDITION AND SECURITY RENOVATIONS AT THE STEUBEN COUNTY JAIL FOR A TOTAL PRICE OF \$467,300.00 MADE BY MR. GEHL. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

Mr. Alger informed the committee that with regard to the Jail expansion, they do have the steel and site work out for bid. We will open the bids later this month and we anticipate an award to come at the end of the month. He would anticipate holding a special meeting prior to the Board meeting on March 27, 2006.

Mr. Alger stated they will bid the balance of the project at the end of the month or early April with an award at the end of April or early May. Mr. Gehl asked what is the timeframe for completion? Mr. Alger replied 18 months from the start of construction. By next fall we should be in the process of occupying the new pod. Sheriff Tweddell commented they expect to have final completion by October 2007. Mr. Alger stated the cells will be here at the end of June. Once the site work is done, they can set the cells and start construction. The plan is to have the site work and foundation/footings in so when the cells arrive they can set them.

Mr. Alger stated the new section of the Jail is the easy part because it is cells. There are not a lot of hard decisions to make. The hard part is going to be internal remodel in the current facility. We will be changing the booking area, kitchen, visitors' area, laundry and the attorney/client interview rooms. The staging of these projects and the actual construction will be challenging. With the laundry and kitchen renovations, we may have to bid or secure meals from another location. He has stated that he talked with the Health Care Facility about providing support in case the Health Department will not allow us to use the kitchen. We also will include an option in the Health Care Facility's laundry bid for laundry services for the Jail as well.

Dr. Baker asked how will they be transporting the cells? Mr. Alger replied all indications are they are intending to try to use the rail. The actual unloading point will depend on their review of the line and if they feel the tracks are sturdy enough to handle that load.

C. Public Defender

1. **Monthly Report** – Mr. Cooper reviewed the monthly report with the committee. He commented that in section three, they are paying \$75.00 per hour for assigned counsel. When you compare the number of felony cases that were done by the Public Defender's Office in 2004 there were 6 and in 2006 there are 38. Because of the staffing changes we have made, the vast majority of cases are being done in-house and not being assigned out at \$75.00 per hour. In 2006 we assigned out 5 cases and in 2004 we assigned out 32 cases. We have done 6 appeals cases year-to-date.

2. **Conflicts Office Proposal** – Mr. Cooper distributed a proposal for the basic structure of a conflicts office. In his proposal, he includes three attorneys, one of which would be the department head, and two secretarial positions. With those positions he included the wage range with fringe. The total personnel cost for this proposal is \$273,000 - \$365,400. The total cost for assigned counsel in 2005 for 553 cases was \$574,432.06. That equates to slightly over \$1,000 per case.

Dr. Baker asked what is the basic need for this office? Mr. Cooper replied the reason for this proposal is what it is going to cost if we leave it the same, based on conflicts of interest. The conflicts of interest cases are the ones that we are assigning out. If we do nothing, we can expect that line item in the budget to approach \$600,000. Mr. Cooper stated that he has been here for 5 ½ - 6 years and we have not decreased our caseload. This year, we had a slight decrease in Family Court. The trend here has been an increase in caseload. His view is that if we continue to do nothing, those cases will continue to increase. Having a conflicts office will bring the cost per case to

\$50.00 per hour, rather than the current \$75.00 per hour. He believes they will spend less money. Mr. Ahrens asked of the 553 cases that were assigned last year, how many would be assigned to a conflicts office? Mr. Cooper replied approximately 14 percent of the total cases that come to our office. The number that the conflicts office would have to assign out would be below 10 percent.

Mr. Ahrens commented there are instances when you will have multiple defendants. If you had three defendants in a particular case, one would go to the Public Defender, one would go to the conflicts office and the third would be assigned out. Mr. Ahrens stated his office is the prosecutor of cases in Family Court. We handle 3,500 cases per year and we play the role of the District Attorney.

Mr. Gehl asked Mr. Cooper, would this be an office within your office? Mr. Cooper replied no. They can't be a part of our office. The conflict causes us to have to give the case to someone else. He commented that he did not include entry level attorneys as the attorneys who would work in that office would need to be experienced as they would be handling many different types of cases. Mr. Ahrens asked what has been the experience in Chemung County and Monroe County? Mr. Cooper replied they have been very pleased. Mr. Ahrens commented that the attorney rate in his office is \$51.00 per hour. The rate in the District Attorney's Office is between \$50.00 - \$52.00 per hour. This is one of a few services that you can do less expensively in-house.

Mr. Gehl commented when you look at the figures of what it costs compared to what you are saving, the \$200,000 outweighs the cost of the office. Once the office was started, how long would it take to find people to handle the cases? Mr. Cooper replied that is somewhat unpredictable. If the office is going to happen, it probably wouldn't be until 2007. If we have a date of January 2007, we can start advertising for the positions. Mr. Ahrens stated since you are dealing with 16B positions, you won't know if they are in place until the budget process.

Dr. Baker asked are we creating another department in the County? Mr. Alger replied yes. Dr. Baker asked what would the department head do? Mr. Cooper replied all of the attorneys would have a caseload. The department head would also have the administrative duties that come with the office. Dr. Baker commented we should look at this for another month. We don't need to rush into this. Mr. Ahrens stated with the 16B positions, they would have to be submitted to the County Administrator and the Personnel Officer in May. Mr. McIntyre asked why do you need another department head? Why can't Mr. Cooper serve as the department head? Mr. Ahrens replied the conflicts run department wide. Mr. Alger explained the conflicts are with the office, not the individuals. If a situation occurs where there are multiple defendants, that office could only represent one.

Secretary's Note: Committee was in agreement to discuss again at the April Meeting.

3. **Appeals Attorney Proposal** – Mr. Cooper distributed a handout outlining his proposal for an Appeals attorney. He stated they have had 6 appeals cases during January and February. Appeals cases are all assigned. We pay an average of \$46,000 per year in costs to pay assigned counsel \$75.00 per hour. The number of appeals cases we have had thus far in 2006 is high. However, that doesn't mean that the year will be high. He commented that he didn't feel that his proposal warranted a full-time position. This would be a part-time position with a total salary of \$43,000, which includes benefits and \$1,000 stipend. Based on the average cost per year to assign these cases out, it will cost less to handle the appeals in-house.

Mr. Gehl asked how many attorney's do you have in your department? Mr. Cooper replied there are 3 full-time criminal attorneys, 2 full time Family Court attorney and 6 part-time attorneys. Mr. Gehl asked is there anyone on staff that could take over these cases? Mr. Cooper replied no, each of the attorneys has a full caseload. The other benefit for him, is if in fact there is not a lot of appeals work coming in, he would be able to use this attorney to do other work. You reach a point that to add additional cases, it becomes unethical. Mr. Ahrens commented the total cost is probably close. He doesn't know that you would realize the savings that you would with the conflicts office. Mr. Cooper stated that he can track the number of appeals that are coming in and at some point you can decide. Mr. Roche requested if for 2005, for both appeals and conflicts, could Mr. Cooper break out the number into felony, misdemeanor, family court, and also show if the conflicts office were available, that x number of cases were assigned?

Secretary's Note: Committee was in agreement to discuss again at the April Meeting.

D. Emergency Management Office

1. **Citizen Corp Grant Update** – Mr. Marshall reviewed a handout showing a breakdown of the different categories from 2004 through 2005. Over this year period they have had 330 new volunteers. This program has been very successful for them. We sent a summary report to the State and they were very impressed. We have one more year in this grant cycle.

2. **National Incident Management System (NIMS)** – Mr. Sprague informed the committee that NIMS is the result of a directive from Homeland Security. The State has come up with an implementation strategy and will need to certify to FEMA and Homeland Security that the State is NIMS compliant prior to September 30, 2006. There are three review dates; March 31, 2006, June 30, 2006 and September 15, 2006. By March 31, 2006, we will need to make a determination of point of contact for the County.

3. **Simulator Board** – Mr. Sprague requested a special meeting to hire the contractor to manage the simulator board.

4. **Banquet** – Mr. Sprague informed the committee that on April 1, 2006 they will be holding a banquet at the Hammondsport Fire Station for Fire, EMS and 911 staff.

MOTION: 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. GEHL. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. WALSH. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

MOTION: TO ADJOURN MADE BY MR. GEHL. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Monday, April 3, 2006
9:30 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON on Monday, March 27, 2006.**

STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE

Monday, April 3, 2006

9:30 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE: DeWitt T. Baker, D.V.M., Chair Dan C. Farrand John Walsh

STAFF: Mark R. Alger Gregory P. Heffner Richard C. Tweddell
David V. Cole Frank Justice Byrum Cooper
Michael Sprague Tim Wixom James Gleason
David English Frederick H. Ahrens, Jr.

ABSENT: Lldon E. Jamison, Vice Chair Francis L. Gehl

OTHER: Mary Perham, *The Leader*
Kyle Tuttle, Ciminelli
Keith Eckert, Ciminelli
Charles Skinner
Janetmarie Skinner

I. CALL TO ORDER

Dr. Baker called the meeting to order at 9:30 a.m. He asked Mr. Walsh to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE MARCH 6, 2006 MEETING MADE BY MR. WALSH. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

III. DEPARTMENTAL REPORTS/REQUESTS

A. Administrator

1. **Jail Expansion Project** – Mr. Tuttle informed the committee that they put out bids for structural steel and site work on March 23, 2006. The bids came in as we had expected them to. He recommended awarding the bid for structural steel to **Raulli** & Sons and the site work to Edger Enterprises.

Mr. Tuttle informed the committee that they are on schedule and on budget. They will advertise the balance of the project, which includes the roofing, mechanical, electrical, plumbing, concrete, masonry and interiors, with the bid to be April 6, 2006 and they will open the bids during the first week of May. They did complete the final cost estimates of the construction documents and reconciled those with the architect, Labella.

Mr. Walsh asked when will they break ground? Mr. Tuttle replied two weeks from today.

MOTION: AWARDING THE FOLLOWING BIDS FOR THE JAIL EXPANSION PROJECT: STRUCTURAL STEEL TO **RAULLI & SONS FOR \$580,000 AND SITE WORK TO EDGER ENTERPRISES FOR \$569,000 MADE BY MR. FARRAND. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

Dr. Baker asked the next bid will cover general contracting, etc.? Mr. Tuttle replied yes. The roofing will be separate as will the concrete, foundation and masonry. Mr. Alger commented bid package three encompasses everything else. He stated that on March 21, 2006 they met with the Commission of **Correction** to review the 95 percent drawings, the expansion and interior renovations. They approved the project going forward. We have

had very good communication. Mr. Alger explained the new construction on the existing facility is toward the rear of the building and access will be from the County Road through what used to be the old jail site which makes most sense. The Health Care Facility construction will be out on the corner of Rumsey and County Route 113. Dr. Baker asked will they be using the railroad to bring in the cells. Mr. Tuttle replied yes.

B. 911 Enhanced

1. **Power Interruption** – Mr. Wixom informed the committee that they have gotten the final results from O’Connell Electric regarding the power interruption. O’Connell Electric wanted to do another test with a new 600-amp breaker. It is cheaper for them to get the new breaker and do the testing in their lab and then come down and replace it.

2. **Telephone Books** – Mr. Wixom informed the committee that the new phone books are out. There are several that still show the seven-digit numbers for several agencies. He stated that he has contacted Verizon and they told him that it was none of his business. He has contacted the New York State Public Service Commission and they are very irritated. Their standpoint is that it is Verizon’s responsibility and they have given them options. One option is that they can put out an addendum to the phone books and they can send out stickers to be put on the front of the new books. Also, any agency that wishes to disconnect their seven-digit number will get the recording free of charge until the new books are released next year. Mr. Wixom commented that other phone companies policy is that anytime an agency disconnects their seven-digit number, they put the recording on free of charge.

Mr. Farrand asked have you done public service announcements on the radio regarding this? Mr. Wixom replied they are making sure that they know what is going on with Verizon before they do that as they are going to get questions. Mr. Farrand suggested that they contact the local radio stations. Mr. Wixom stated he would do that and would also be contacting the newspapers.

3. **Visitors** – Mr. Wixom informed the committee that they have been getting numerous visitors to the Center. Genesee County has visited three times and Seneca County has visited twice. These two counties are in the process of building new centers. They also will be hosting the Hillsborough Sheriff’s Department from Tampa, Florida and Madison County will be making a visit within the next two weeks.

C. Probation

1. **Grant** – Mr. Justice informed the committee that the grant for the Prober Web system has been signed. He requested the committee accept the grant in the amount of \$19,428.

MOTION: AUTHORIZING THE PROBATION DEPARTMENT TO ACCEPT A GRANT IN THE AMOUNT OF \$19,428.00 FOR THE PROBER WEB SOFTWARE SYSTEM MADE BY MR. WALSH. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

2. **Update** – Mr. Justice distributed and reviewed his monthly report with the committee.

Mr. Farrand asked how are you doing with the recommendations from the study? Mr. Justice replied the study was wrong in the sense that they indicated we took too long to do presentence investigations. They took statistics from our system and had Mr. Peaslee draw up a program. The computer showed the date that the order is received, due back to court, etc. We don’t set the court dates, the courts do. In CGR’s defense, there are a percentage of those known as interim probation cases which are for six months and can extend to one year. They have a co-existing order for investigation. Mr. Justice commented that he had sent a letter to the judges when staffing wasn’t an issue and we asked the judges to set the court dates for five weeks. Several years ago we lost some positions. Mr. Justice explained the criminal court population has peaked and is constantly going up, but the infrastructure has not kept up. We are able to do the investigations within six weeks and that’s fairly quick. As part of the investigation, we have to do victim notification and get the information to and from the victims and have to wait for those forms to come back. He stated that overall the six-month period is being met. We will be dealing with some of the other recommendations.

Mr. Alger commented that with regard to the CGR study, the Chairman of the Legislature has requested a work session with a group consisting of the judges, Public Defender, Probation, District Attorney and the Sheriff. This group will go through and identify anything that may be inaccurate and develop recommendations for the committee for action.

3. **DNA Testing** – Mr. Justice informed the committee that the Governor has proposed two years running, that all individuals convicted in criminal courts should get DNA testing. A joint commission of the Senate and the Assembly have come back and agreed with the Governor. There will be no cost to the County, but the minute that law is passed, we will have to collect 625 DNA tests and that will put a burden on the staff. There are also a number of cases that we don't see through Probation that are conditional discharges, but there is a good chance they will be sent to us for testing. This may also affect the Sheriff. Right now there are qualifying offenses, but he thinks that it may go to everyone.

D. Sheriff's Department

1. **DNA Testing** – Sheriff Tweddell commented that for the past year, the Jail has already been required to do DNA testing.

2. **Civil Report** – Sheriff Tweddell reported civil fees paid to the County year to date are \$42,205.41.

3. **Jail Report** – Sheriff Tweddell reported total monies due the facility year to date are \$127,057.53. Today's population is 162 with 149 males and 13 females. There are 5 federal inmates, 0 boarded in, 3 state readies, 4 boarded out, which are juveniles, and 19 parole violators with non-County charges. He commented that last Thursday parole was here and conducted hearings on all 19 parole violators. We should have the results this week. They housed out inmates 40 days. Year to-date they have housed out 125 days and during 2005 they housed out a total of 7,306 days. Sheriff Tweddell stated that monies to house out inmates during March were \$1,040 and year to-date is \$10,780, not including medical, transports or overtime.

Sheriff Tweddell stated that Mr. Alger, Labella and Ciminelli who are working on the Jail Expansion Project have been outstanding. They went to the Commission and went right through everything. We have two firms on board that are well respected by the Commission and that is making things a lot easier. Dr. Baker commented that he is pleased with the way things are going.

Mr. Walsh stated so far this year you have spent \$10,000 to board out inmates. How much would you have spent this time last year? Sheriff Tweddell replied that he didn't have those figures with him, but that the total spent last year was \$500,000. Mr. Alger stated last year they would have been around \$200,000. We are doing well at this point.

E. Emergency Management Office

1. **Incentive Legislation** – Mr. Sprague stated that they have been doing research to find out what other kinds of legislation are out there concerning tax breaks for fire and EMS volunteers. The Fire Advisory Board made a proposal to change the five-year term to a two-year term with the theory that if they stay on for two years, they aren't doing it for the incentive. The second part is they have proposed that any individuals with twenty-year membership be allowed to not have to file the real property tax incentive exemption annually. Mr. Sprague stated that they can streamline the process. We can do one form with a cover sheet and certify the entire roster. The assessors don't want all the paperwork. With the streamlined process, the assessors would get one roster that they could match up with the list and they would be done. Mr. Sprague informed the committee that he, the chief of the department and the administrative officer sign the certifications.

Dr. Baker commented the two-year term would be better than the five-year term. Mr. Farrand stated that the State passed a resolution allowing for a \$200 tax credit, which is great for the non-landowners.

MOTION: REQUESTING AN AMENDMENT TO THE FIREFIGHTER INCENTIVE LEGISLATION TO REQUIRE THE ELIGIBILITY FOR THE REAL PROPERTY TAX INCENTIVE BE A TWO-YEAR TERM OF MEMBERSHIP AND ALSO ALLOWING FOR INDIVIDUALS WITH TWENTY-YEAR TERMS OF MEMBERSHIP TO NOT BE REQUIRED TO RENEW THE EXEMPTION ANNUALLY AND THAT SAID EXEMPTION SHALL REMAIN IN EFFECT AFTER RETIREMENT FROM THE DEPARTMENT MADE BY MR. FARRAND. SECONDED BY MR. WALSH FOR DISCUSSION.

Dr. Baker opened the floor for comments by the public.

Mr. Charles Skinner, Bath, stated that he continues to have the same problem with the twenty-year membership. He belonged to the Addison Fire Department for twenty years and then moved to Bath and now has been a member for almost five years. He stated that he is on the Board of Directors for Central New York. They had a meeting and went to the State and were told that the County was proposing something. The County did and then it was handed to the towns and the towns said that you had to be in the department. He has served as a volunteer firefighter for thirty-two years for the County and now he has to start over because he moved.

Mrs. Janetmarie Skinner, Bath, stated there are several people who have the same problem. It would be nice if the County could make it for everyone. A lot of young people are mobile and the fact is they still want to be here and helping in the fire department or ambulance corps. We are looking at second and third generation firefighters and we need to keep them.

Mr. Farrand stated that he would propose amending his previous motion to state that as long as they are a member of any fire department in the County, their eligibility can transfer. Mr. Alger suggested that we go back and look at the legislation. We probably will have to think of some system for verifying eligibility. Mr. Ahrens commented this may have been a local law. Mr. Sprague stated it was Local Law No. One of 2003. Mr. Ahrens asked that this be brought back to the committee next month so that it could be reviewed. *Secretary's Note: This item to be placed on May Agenda.*

VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 3-0.

2. **Banquet** – Mr. Sprague informed the committee that they held the EMS Banquet, Saturday, April 1st in Hammondspport. They had 105 people in attendance. This used to be a banquet for the fire services, but we have tried to bring in EMS services as well. We hope to make this an annual event.

F. **Public Defender's Office**

1. **Monthly Report** – Mr. Cooper distributed his monthly report for the committee's review. He commented that compared to this time in 2005, the number of felony cases is down. Last month they had talked about an Appeals Bureau. To-date they have 9 appeals. He has seen appeals where they have been \$15,000 per case. He would anticipate that their current appeals cases would be approximately \$4,000 each, for a total of \$36,000. If we were to follow the proposal presented last month, it is clear that we would spend less money this year. This year looks like it is going to run well above average. Mr. Cooper commented that they had also discussed the Conflicts Office proposal last month as well.

Mr. Alger stated both issues need to be looked at through the course of the year. For both the Conflicts Office and the Appeals Bureau, we will need to make sure that we send a letter to the Personnel Office indicating that this is an issue that may come forward in 2007 and we need to contemplate staffing.

MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.A. MATTERS WHICH WILL IMPERIL THE PUBLIC SAFETY IS DISCLOSED AND 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. FARRAND. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. WALSH. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

MOTION: TO ADJOURN MADE BY MR. FARRAND. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Monday, May 1, 2006
9:30 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON on Monday, April 24, 2006.**

STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE

Special Meeting

Monday, April 24, 2006

9:40 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE: DeWitt T. Baker, D.V.M., Chair Lldon E. Jamison, Vice Chair Francis L. Gehl
John Walsh

STAFF: Mark R. Alger Michael Sprague David English
Frederick H. Ahrens, Jr.

LEGISLATORS: Kenneth E. Isaman Patrick F. McAllister Thomas J. McIntyre
Robert V. Nichols David R. Stachnik Gary D. Swackhamer

ABSENT: Dan C. Farrand

I. CALL TO ORDER

Dr. Baker called the meeting to order at 9:40 a.m.

II. DEPARTMENTAL REPORTS/REQUESTS

A. Emergency Management Office

1. **WMD Grant Appropriation** – Mr. Sprague requested authorization to appropriate revenue allocations from 2005 to expenditure line items in the 2006 WMD budget.

MOTION: APPROPRIATING REVENUE ALLOCATIONS FROM 2005 INTO THE FOLLOWING LINE ITEMS UNDER THE 2006 WMD BUDGET: \$43,195.13 INTO EQUIPMENT; \$4,949.05 INTO OPERATING SUPPLIES, \$700.00 INTO POSTAGE, \$11,065.43 INTO TRAINING/CONFERENCES, \$14,000.00 INTO CONTRACTED LABOR, \$5,523.35 INTO VOLUNTEER TRAINING AND \$2,890.91 INTO OTHER EXPENSES MADE BY MR. GEHL. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. **Communications System** – Mr. Swackhamer asked how is our communications capability? Mr. Sprague replied we are in good shape. We routinely have the State Police using the Sheriff's frequency. The communication with the mobiles is in good shape. We also have frequencies with other counties. There are several channels we can use for fire. Mr. Sprague commented there are several options if the microwave goes down. Mr. Swackhamer asked are there procedures in place in case of a failure for the Chairman and Vice-Chairman to follow? Mr. Sprague replied yes. We can configure the system different ways depending upon the problem.

Mr. Alger commented there is the inability of fire services to talk with law enforcement and to some extent you will have that. We need to coordinate between them. With the 911 setup, you don't have such a separation with division. Mr. Sprague commented we do need the coordination piece. He stated that the consultant from National Law Enforcement Technology Consultants out of Rome, NY had come down. Now they have a good idea of the system we have and they will return to have a meeting at some point. We are looking at IP radios which could do a lot.

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

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE

Monday, May 1, 2006

9:30 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE: Lldon E. Jamison, Vice Chair Dan Farrand Francis L. Gehl
John Walsh

STAFF: Mark R. Alger Gregory P. Heffner Tim Wixom
Richard C. Tweddell David V. Cole Michael Sprague
Frank Justice Byrum Cooper David English
Frederick H. Ahrens, Jr.

LEGISLATORS: Philip J. Roche, Esq. Thomas J. McIntyre

ABSENT: DeWitt T. Baker, D.V.M., Chair

OTHER: Charles Skinner
Janetmarie Skinner
Mary Perham, *The Leader*
Dave Shoen, WENY

I. CALL TO ORDER

Mr. Jamison called the meeting to order at 9:30 a.m. He asked Mr. Farrand to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE APRIL 3, 2006 AND APRIL 24, 2006 MEETINGS MADE BY MR. FARRAND. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

III. DEPARTMENTAL REPORTS/REQUESTS

A. Probation

1. **Monthly Report** – Mr. Justice informed the committee that at the beginning of the month they had 94 investigations consisting of 52 felonies and 42 misdemeanors. During the course of the month, they received an additional 56 investigations consisting of 33 felonies and 23 misdemeanors. The total investigations for the month were 150 with 85 of those felonies and 65 misdemeanors. They completed 65 investigations of which 34 were felonies and 24 were misdemeanors and that left them with 85 investigations consisting of 51 felonies and 44 misdemeanors.

Mr. Justice stated that with regard to supervision, they have 826 total that are on probation. There are 493 felonies and 333 misdemeanors. They ended the month with 831 of which 504 were felonies and 327 were misdemeanors. That equates to a total of 850 cases. With the pre-trial release program they ended the month with 100 which consisted of 68 felonies and 32 misdemeanors.

The Alternatives to Incarceration Program had 26 individuals with 16 involved in drug court. These cases were all felonies. The average caseload per probation officer is 72. Approximately 60 percent of the cases are felonies and 40 percent are misdemeanors. We have the felony cases longer, particularly when we are dealing with sex offenders. Currently we have 55 convicted sex offenders. Those sentences are doubled, so for a felony charge it is 10 years and a misdemeanor charge 6 years.

Mr. Justice explained with Family Court, they have 194 youth cases and their families. Youth are defined as being under the age of 16. Of those, we have 148 PINS and 46 JD's. When someone under the age of 16 is "arrested", they come directly to probation. We evaluate and try to divert them from Family Court. This also applies with the PINS cases. Approximately 85 percent of these cases never see court. This equates to huge savings to the County. We have been very good at keeping kids out of the detention center.

Mr. Justice distributed a summary of their 2006 collection of monies. As of the end of April they had collected a total of \$94,111.04. Mr. Jamison asked does this represent an average month? Mr. Justice replied it is extremely high. Year-to-date total is \$210,000 and we are at \$115,000 of the average and that's just the first quarter of the year. He commented that in 1998 when they had a staff of 32, they did 750 investigations for the year. Now, they are doing 900 investigations per year and they have a staff of 29. The work increases each year and the timeframes are of a concern. The overall averages for supervision and investigations have gone up over the years.

B. 911 Enhanced

1. **7-digit Emergency Numbers** – Mr. Wixom informed the committee that when we turned on the system a year ago, we had asked the Public Service Commission how long the 7-digit numbers needed to be left on. They told us the numbers should be left on for 12 months. In October, we had sent a letter to all police, fire and EMS agencies reminding them that they would be responsible to change their number in the phone book. When the new phone books came out, most agencies still showed their 7-digit number. Mr. Wixom stated at that point he contacted Verizon, the largest phone carrier, and asked why those numbers were showing instead of 911. Verizon informed him that they were unable to discuss that with him, as he was not the paying customer. Mr. Wixom stated that he then contacted the Public Service Commission who further looked into this. It was determined that most of the agencies did not contact the phone companies to make that change. In March we went from 52 percent of our calls coming through via 911 to 71 percent, which is very good. As of May 12, 2006, all agencies have the right to discontinue their 7-digit numbers, however, they will need to provide a pre-recorded message for minimum of six months indicating that they will no longer be providing that number. We are not forcing anyone to shut off their 7-digit numbers. Our preference is that people call 911, as that is how the system is able to locate you and it shortens the length of time they spend on the phone with the dispatcher. Mr. Wixom commented that they are willing to help any agency that needs help with transitioning from the 7-digit numbers.

2. **Pictometry** – Mr. Wixom informed the committee that the renewal of their contract with Pictometry is coming up. The original contract for two years was \$162,840. They have offered us a discount of \$2,700 per year for two years, bringing the cost to \$157,392. This includes a new fly-over of the County. We do have money available through a grant that needs to be used prior to November. Mr. Gehl asked is there that much change that we need to have the fly-over done again? Mr. Wixom replied one example of a change is in Corning with the road construction. When we have a second set of images, we will be able to offer those to the assessors to compare with the images that were taken two years ago. Mr. Walsh asked how is Pictometry working out? Mr. Wixom replied it is flawless.

MOTION: AUTHORIZING THE 911 ENHANCED DEPARTMENT TO RENEW THEIR CONTRACT WITH PICTOMETRY TO DO ANOTHER FLY-OVER OF THE ENTIRE COUNTY, NEW AMOUNT OF CONTRACT TO BE \$157,392 MADE BY MR. WALSH. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

3. **Console Furniture** – Mr. Wixom commented the other part of the grant that they have received is to purchase two additional console/workstations. The two workstations are \$20,000. The money is available through the grant. Do we want to purchase \$20,000 of equipment that would only cost the county \$2,000 for future expansion. Mr. Wixom stated that he would say yes, but when we need it, we wouldn't have to spend the \$20,000. Mr. Farrand asked if we purchase the equipment now, will the technology change so that it won't be any good? Mr. Wixom replied that he would say no. The technology can change, but these workstations are ergonomically designed.

MOTION: AUTHORIZING THE 911 ENHANCED DEPARTMENT TO PURCHASE TWO CONSOLE WORKSTATIONS FOR A COST OF \$20,000, SAID COST TO BE PAID WITH GRANT FUNDING MADE BY MR. GEHL. SECONDED BY MR. FARRAND.

Mr. Walsh asked with regard to the grant is it spend it or loose it? Mr. Wixom replied if we didn't purchase the equipment, then we wouldn't ask the State for the grant funding. Mr. Jamison asked do you feel that eventually you will need this? How soon do you anticipate the need? Mr. Wixom replied yes, he does anticipate the need for the additional equipment. This is something that we may need in the next two to three years. We've only been in operation for one year, so it is still tough to predict. Mr. Walsh asked do you have the room for this equipment? Mr. Wixom replied yes.

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

Mr. Farrand stated that he has some questions concerning the format of a 911 call. Living in the southern part of the County, the departments are complaining that they feel there is a waste of time for ALS. The last question that they ask is what hospital they want to go to. He requested a copy of the format that the dispatchers use. One of the questions is to request that the dispatchers ask what hospital the patient would prefer to go to prior to dispatching the ALS unit. As an example, Woodhull has three different choices. The main complaint is the timing. Not all parts of the County are the same. The townships in the southern part of the County are saying that since they have multiple choices of hospitals, that they need to have the format changed. Can we contact the provider to see if they can change the system to include the hospital request?

Mr. Wixom replied that he could bring in the flip cards from Medical Priorities. We cannot interject a question in the process, but we can add questions to the end. The questions are your address, nearest cross street, the problem, is the individual conscious and is the individual breathing. If the answers to the last two questions are no, then the world is sent. Medical Priorities has made this clear. If you interject questions, you void your contract with them. Mr. Farrand commented we need to write to them and ask if we can be allowed to interject the question of which hospital the patient wants to go to.

Mr. Wixom commented he would be more than happy to put in the request. This system is used worldwide in both metropolitan and rural areas. The protocol is that if you are a trauma patient, you are going to a trauma center. Part of this process is if we ask that question and the patient says they want to go to a certain hospital, the system and the paramedics say no because of the protocols that are in place. Mr. Wixom stated that he is more than willing to work on this and get a response. It is a wonderful area that you have a choice of four hospitals. If the person is critically injured or has a serious health problem, the person does not have the choice, the paramedic will determine the appropriate hospital based on what their condition is.

Mr. Jamison asked do you ask the patient which hospital they would prefer to go to? Mr. Wixom replied no. It is not in the card set. Medical Priorities is made up of a board of physicians who have developed and tweaked this system. Mr. Farrand stated what his towns are saying to him is that when the ambulance picks up the patient the ambulance is asking them what hospital they want to go to. Mr. Wixom commented his dispatchers never ask that question.

Mr. Alger commented this is an issue that the towns and ambulance corps need to address. The 911 system is built on a map and that's why they ask for the caller's location. You are going where the ambulance is going to take you. The system is driven by Medical Priorities and the protocols. They will determine where based on the patient's condition and what is the most appropriate location. Considerable discussion followed.

C. Sheriff's Department

1. **Civil Report** – Sheriff Tweddell reported civil fees paid to the County year-to-date are \$52,334.51. We have served 995 papers. He explained that with some of the papers they make three attempts to serve them.

2. **Jail Report** – Sheriff Tweddell informed the committee that total monies due the Jail year-to-date are \$148,014.75. Today's population is 149 inmates, 135 males and 14 females. They have 5 federal inmates, 0 board in's and 5 state readies. They have 1 inmate boarded in at no charge to the County, 16 parole violators with non-County charges. They have had 34 housed out days with the year-to-date total being 172. In 2005, they had 7,306 housed out days. Monies expended to house out inmates year-to-date are \$13,670 and last year the total cost was \$545,210. This does not include medical and transport fees.

3. **Jail Expansion Project** – Sheriff Tweddell reported that the fencing company has arrived and is starting to redo the fence which will divide the impound area.

4. **Sheriff's Department Fundraiser** – Sheriff Tweddell announced that on May 27th, they are hosting a concert at the Steuben County Fairgrounds. There will be a country/western band from Rochester and a band called White Mustache who plays 50' and 60's music. The concert will be from 5pm – 8pm. All money raised will be donated to the 18 food pantries in the County. The first annual flea market will also be held that day. Tickets are \$8 advance sale and \$10 at the door.

D. Emergency Management Office

1. **Revenue Transfer** – Mr. Sprague requested authorization to allocate revenue from 2005 to the expenditure line items in the 2006 WMD budget. He explained that last month when they approved the allocation, they were informed that they were allowed to transfer \$25,000 into equipment without a board resolution. That left \$18,195.13 that we would like to allocate to the Equipment, Operating Supplies and Other Expenses line items.

MOTION: AUTHORIZING THE EMERGENCY MANAGEMENT OFFICE TO ALLOCATE \$18,195.13 IN REVENUE FROM 2005 TO THE FOLLOWING LINE ITEMS IN THE 2006 WMD BUDGET: EQUIPMENT \$3,195.13, OPERATING SUPPLIES \$10,000.00 AND OTHER EXPENSES \$5,000.00 MADE BY MR. GEHL. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. **Volunteer Incentives** – Mr. Sprague informed the committee that after last month's meeting, he met with Mr. Ahrens to discuss the details of the incentives. We are looking at dropping to a two-year service credit instead of five years and that will require a change in the enabling legislation.

Mr. Ahrens stated that applicants must be members of a fire or ambulance corps for five years and members with more than twenty years are granted an exemption for life. This legislation provides for a real property tax exemption for volunteer fire fighters. The five-year portion is for being a volunteer within a department. The twenty-year does not have to be in a department, but would appear to be countywide. With the passage of Local Law No. 1 for the year 2003, we chose not to avail ourselves of the twenty-year portability piece. If you want to reduce the five years to two years, we need to ask Albany to amend the enabling legislation to permit that. If you want the twenty-year portability piece in under the County, you can do that now on it's own. None of these exemptions would be in effect until March 1, 2007.

Mr. Ahrens stated that his recommendation would be rather than doing the twenty year portability piece now, that we make the request to reduce the five years to two years and if that is favorable, then we will have one Local Law that will contain both pieces.

Mr. Farrand asked can this be done under Home Rule? Mr. Ahrens replied it could be done one of two ways. We could ask for Home Rule applicable to Steuben County. When it went in originally, there were enough counties that asked for home rule, that it ended up being generic legislation. This legislation is not special or unique to us. The other way is for all counties to do this uniformly throughout the State. Mr. Ahrens stated that he would urge InterCounty to get on board with this and perhaps Chairman Roche and Mr. Alger could speak to their groups at NYSAC.

Mr. Farrand asked are there a couple of counties doing this? Mr. Sprague replied Steuben and Westchester. Mr. Gehl asked how will we know if individuals saying they are volunteers are actually participating? Mr. Farrand replied they have to be certified by the fire chiefs every year. Mr. Sprague explained the fire chiefs certify to him that they are active members. Every department has different by-laws that dictate what the requirements are for being a certified volunteer. For example, the Bath Fire Department requires that you attend 1/3 of the meetings, 1/3 of the drills and 1/3 of the fires. Other departments have minimum training requirements. Mr. Gehl commented that he has been in a lot of volunteer things and some people say that they are volunteers and they are not active. Mr. Farrand stated the firemen have to finish 26 weeks of training. He requested that they increase the tax exemption from \$3,000 to \$5,000.

Mr. Ahrens commented that is something they could have amended as well. He asked is there a crossover with Worker's Compensation? Mr. Sprague replied yes. Mr. Ahrens stated we know the people that are covered by Worker's Compensation by virtue of being a responder to fire emergencies.

MOTION: REQUESTING HOME RULE LEGISLATION AMENDING THE VOLUNTEER INCENTIVE LEGISLATION TO INCREASE THE REAL PROPERTY TAX EXEMPTION FROM \$3,000 TO \$5,000 AND TO DECREASE THE ELIGIBILITY TIME FROM FIVE YEARS SERVICE TO TWO YEARS SERVICE MADE BY MR. FARRAND. SECONDED BY MR. GEHL.

Mr. Farrand asked could you put the portability on the two-year eligibility requirement? Mr. Ahrens replied as the legislation reads it is five years within a department. We could change that to two years within a fire department within Steuben County. Mr. Roche commented the portability issue goes away. If you certify on a yearly basis, do you think you need the portability? Mr. English replied you do. Someone could work ten years for one department, goes somewhere else and then has to start over. Mr. Ahrens commented you don't need to do the twenty-year right now as that would not go into effect until March. .

Mr. Alger stated the general law is in place. We are suggesting a special law just for us. Mr. Ahrens stated we are asking for a special home rule request to make us special and he doesn't know that Albany would be likely to go along with that. In effect, the statute does make a home rule request. We are asking that they change the parameters of the legislation. Mr. Alger stated we can talk with Senator Winner and Assemblyman Bacalles about which direction would be the best to go in. Mr. Ahrens stated right now we can make a request that the legislation being adopted amend the statute to allow two year portability.

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

3. **Radio Consulting Services** – Mr. Sprague informed the committee that he has been in contact with the contact person for the radio consulting services through NLECTC and that project is moving ahead.

E. Public Defender

1. **Monthly Report** – Mr. Cooper distributed his monthly report for the committee's review. He commented that they have already assigned out ten appeals this year. Last month he stated that Dr. Baker had requested that he review the proposals he made regarding a Conflicts Office and an Appeals Bureau. He has done that.

Mr. Cooper reported the have 176 cases assigned out of Family Court, both misdemeanors and felonies. If that trend continues, he will have underestimated the number for 2006, as it will come up to 528 total cases assigned. He believes that we, the County, can do the assigned work at much less than what we are paying out. If we have 528 cases assigned out this year, that equates to \$528,000 paid out. He believes that they can do that work for under \$400,000. The 10 appeals could be close to \$30,000 in cost. If that trend continues, we may have 30 appeals by the end of this year. A part-time appeals attorney could do the work more cheaply.

Mr. Ahrens asked do you have a breakdown of the appeals? Mr. Cooper replied that he does not, but he could report on that at next month's meeting. Mr. Farrand asked what would be the salary for the part-time appeals attorney? Mr. Cooper replied the total cost including fringe benefits and stipend is \$46,000. Mr. Alger stated that we have received the Public Defender's requests for next year and will review them for next year's budget.

Mr. Farrand asked how much was paid to the Public Defender before the position became full-time? Mr. Alger replied it was the same or a little less. The assigned fees roughly are the same. We have definitely saved money. We didn't actually save costs, but we saved expenses. Mr. Ahrens commented that every year he looks at his budget and calculates the cost to deliver services and also does a rough calculation for the District Attorney's Office. We bring in legal services for everyone at \$51.00 per hour. We are currently paying assigned counsel \$75.00 per hour.

2. **Indigent Legal Services** – Mr. Cooper reported last year the State Comptroller’s Office sent money to the counties to help with general indigent legal services. Last year we received \$192,000 and this year we will be receiving \$228,000.

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 MATERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. FARRAND. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

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

MOTION: TO ADJOURN MADE BY MR. GEHL. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Monday, June 5, 2006
9:30 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON on Tuesday, May 30, 2006.**

STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE

Special Meeting

Monday, May 22, 2006

11:30 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE: DeWitt T. Baker, D.V.M., Chair Lldon E. Jamison, Vice Chair Dan Farrand
Francis L. Gehl

STAFF: Mark R. Alger Richard C. Tweddell Chris Lian
Emmett Graham Frederick H. Ahrens, Jr. David English
Andrew Roby Capt. Keith Barrett Amy Bouck
Rosemary Randall Lt. Christopher Hand Diane Volz

LEGISLATORS: Philip J. Roche, Esq.

ABSENT: John Walsh

OTHER: Terry Moran, NYS Commission of Correction
Rich Kinney, NYS Commission of Correction
Kyle Tuttle, LPCiminelli
Karl Slentz, LPCiminelli

I. CALL TO ORDER

Dr. Baker called the meeting to order at 11:30 a.m.

II. DEPARTMENTAL REPORTS/REQUESTS

A. Sheriff's Department

1. **Jail Bids** – Mr. Alger informed the committee that they have received the bids for the Jail Expansion project. He recommended awarding the foundations bid to Edger Enterprises of Elmira, Inc.; masonry to Ace Masonry, Inc., roofing to SSM&RC, Inc., general trades to Streeter Associates, Inc., HVAC to HMI Mechanical Systems, Inc., plumbing and fire protection to Frey & Campbell, Inc. and electrical to Blackmon – Farrell, Inc. The bids came in at \$6,423,100 and the alternates came in at \$439,204. Mr. Alger recommended to the committee that they do the alternates since the bids came in below the original anticipated threshold. The total bid package is \$6,862,304.

MOTION: AWARDING THE FOLLOWING BIDS FOR THE JAIL EXPANSION PROJECT: FOUNDATIONS AND FLATWORK - EDGER ENTERPRISES OF ELMIRA, NY \$550,000.00 WHICH INCLUDES \$15,000.00 CONTRACTOR CONTINGENCY, PLUS ALTERNATES FOR MASONRY SCREEN WALL (\$5,858.00) AND YARD MASONRY WALL (\$5,475.00); MASONRY – ACE MASONRY, INC. \$1,081,000.00 WHICH INCLUDES \$15,000.00 CONTRACTOR CONTINGENCY, PLUS ALTERNATES FOR MASONRY SCREEN WALL (\$4,500.00) AND YARD MASONRY WALL (\$18,000.00); ROOFING – SSM&RC, INC. D/B/A SPRING SHEET METAL & ROOFING \$257,200.00 WHICH INCLUDES \$10,000.00 CONTRACTOR CONTINGENCY; GENERAL TRADES – STREETER ASSOCIATES, INC. \$2,139,000.00 WHICH INCLUDES \$15,000.00 CONTRACTOR CONTINGENCY, PLUS ALTERNATES FOR LAUNDRY EQUIPMENT (\$61,000.00) AND YARD MASONRY WALL (\$15,000.00); HVAC – HMI MECHANICAL SYSTEMS, INC. \$916,000.00 WHICH INCLUDES \$15,000.00 CONTRACTOR CONTINGENCY, PLUS ALTERNATE FOR JOHNSON CONTROLS (\$129,000.00); PLUMBING/FIRE PROTECTION – FREY & CAMPBELL, INC. \$739,000.00 WHICH INCLUDES \$10,000.00 CONTRACTOR CONTINGENCY AND ALLOWANCES OF \$10,000.00 FOR TEMPORARY WATER TO CONSTRUCTION SITE; AND ELECTRICAL – BLACKMON – FARRELL, INC.

\$869,900.00 WHICH INCLUDES \$20,000.00 CONTRACTOR CONTINGENCY AND \$30,000.00 TEMPORARY ELECTRIC & TELEPHONE TO CONSTRUCTION SITE, PLUS ALTERNATES FOR LAUNDRY EQUIPMENT, DEDUCT OF \$2,900.00 AND UPGRADE TO DIGITAL VIDEO (\$12,000.00) PLUS ADDITIONAL ALTERNATES FOR PARKING (\$30,00) FOR EDGER ENTERPRISES, ELMIRA, NY AND BER NATIONAL FOR SECURITY CARD ACCESS (\$112,000) MADE BY MR. GEHL. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Mr. Tuttle introduced Karl Slentz who is the project manager. We are very excited about the project and very happy about the bids that we received.

Mr. Alger commented each of the contracts have some allowance and he requested authorization to allow Dr. Baker, Sheriff Tweddell and himself to use those allowances as necessary. Those allowances are there for small things that may come up.

MOTION: AUTHORIZING THE CHAIRMAN OF THE PUBLIC SAFETY & CORRECTIONS COMMITTEE, THE SHERIFF AND THE COUNTY ADMINISTRATOR TO AUTHORIZE THE USE OF CONTINGENCIES AS REQUIRED MADE BY MR. JAMISON. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Mr. Alger requested authorization to allow Dr. Baker and himself to authorize change orders up to \$25,000.00. Any change orders exceeding that amount would be brought to the committee. This will help to keep the project moving along.

MOTION: AUTHORIZING THE CHAIRMAN OF THE PUBLIC SAFETY & CORRECTIONS COMMITTEE AND THE COUNTY ADMINISTRATOR TO APPROVE CHANGE ORDERS UP TO \$25,000.00 MADE BY MR. FARRAND. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Mr. Alger informed the committee that last week they had to issue a purchase order for the soil testing services as that crew was already on site. He recommended awarding the bid for inspection and testing services to the low bidder, SJB Drilling & Testing Services, Inc., not to exceed \$50,000.00.

MOTION: AWARDING THE BID FOR INSPECTION AND TESTING SERVICES FOR THE JAIL EXPANSION PROJECT TO SJB DRILLING & TESTING SERVICES, INC. NOT TO EXCEED \$50,000.00 MADE BY MR. GEHL. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Mr. Alger informed the committee that work has already begun as the storm water is done and they are beginning work on the sewer. Mr. Tuttle stated the outdoors recreational area has already been built. Things are moving right along. Mr. Gehl asked since we came under bid by almost \$2.5 million, with all of the changes, what will that put us at? Mr. Alger replied some of that is in the contingencies. When we are finished, we should be under \$1 million. Anything that is left at the end of the project, given the way we funded it through tobacco securitization funds and bonds, will go into a reserve to pay the bonds. That's good as it will earn interest and will help pay back the debt for awhile.

III. PRESENTATION

Terry Moran and Rich Kinney from the New York State Commission of Correction gave a presentation regarding the jail transition.

MOTION: TO ADJOURN MADE BY MR. GEHL. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Respectfully Submitted by: Amanda L. Chapman, Senior Stenographer, Steuben County Legislature

STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE

Monday, June 5, 2006

9:30 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE: DeWitt T. Baker, D.V.M., Chair Lldon E. Jamison, Vice Chair Dan Farrand
Francis L. Gehl John Walsh

STAFF: Mark R. Alger Frank Justice Tim Wixom
David Hopkins Richard C. Tweddell David Cole
Mike Sprague Tim Marshall Jim Gleason
David English Frederick H. Ahrens, Jr.

LEGISLATORS: Philip J. Roche, Esq. Thomas J. McIntyre John Walsh

OTHER: Mike Powers, Coroner
Charles Skinner
Janetmarie Skinner
Andrew Roby, Law Department Intern
Mary Perham, *The Leader*

I. CALL TO ORDER

Dr. Baker called the meeting to order at 9:30 a.m.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE MAY 1, 2006 AND MAY 22, 2006 MEETINGS MADE BY MR. GEHL. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. PUBLIC COMMENT

Dr. Baker opened the floor for public comment. There being none, he declared the opportunity for public comment closed.

IV. DEPARTMENTAL REPORTS/REQUESTS

A. Probation

1. **Monthly Update** – Mr. Justice informed the committee that for the month of May they have done 95 investigations, 51 felony and 44 misdemeanors. They had 73 new orders, which consisted of 43 felony and 30 misdemeanor. The total investigations for May were 168 investigations, which breaks down to 94 felony and 74 misdemeanor. They completed 59 investigations, 40 of which were felony and 19 misdemeanor.

Mr. Justice informed the committee that in the Supervision Program they started the month with 836 cases which breaks down to 504 felony and 333 misdemeanor. They ended the month with 518 felony and 321 misdemeanor for a total of 839 individuals on Probation. For the Alternatives to Incarceration Program they started the month with 100 pretrial release cases, 68 felony and 32 misdemeanor. They ended the month with 96 pretrial release cases, 58 felony and 32 misdemeanor.

The Intensive Supervision Program is full with a caseload of 27 cases, which are all felony convictions. The Alcohol/Substance Abuse Program is full with 28 cases and 15 of those cases are drug court. The average caseload per probation officer is 72.5. In Family Court they are dealing with 89 PINS cases and 50 JD cases.

Mr. Justice informed the committee that total collections for the month of May were \$47,385.13. He commented that at the end of May they are \$40,000 short of the total they collected last year. Mr. Gehl asked Mr. Justice if next month they could have his report in written form? Mr. Justice replied yes.

MOTION: ACCEPTING THE PROBATION DEPARTMENT'S MONTHLY REPORT MADE BY MR. GEHL. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Sex Offenders** – Mr. Justice stated recently there has been a lot of discussion regarding sex offenders. He distributed a sheet depicting the general areas in the County where sex offenders live. He commented that the committee should pay attention to how many offenders, the level of the offender and whether they are being supervised by Probation. Dr. Baker asked if a sex offender moves into the area, how is your office notified? Mr. Justice replied the case is transferred to us and we have the obligation to send a change of address form to the Department of Criminal Justice Services and we insure they have checked in with the local police department and registered as a sex offender. Mr. Gehl asked which level is the worst? Mr. Justice replied level 3 are defined as sexual predators. Sex offenders are prohibited from living 1,000 feet within the real property line of a school for three years. Offenders use the Internet because they can find State certified day care centers within the County. If the offenders are not under Probation supervision, we can't do anything with them. The offenders that are supervised by our office are assigned to various members of the staff. Dr. Baker commented there are 109 sex offenders in the County. Mr. Justice stated we are third on the list in relation to counties of our size.

B. 911 Enhanced Department

1. **General Update** – Mr. Wixom informed the committee that May has been their busiest month with 11,075 incoming calls. They have been working with BOCES to produce a flyer that will be sent to all school districts for distribution. Mr. Wixom stated with regard to personnel, they had a new class that would have brought them up to full staff, but one individual quit. When we are short-staffed that creates overtime issues. Dr. Baker asked from the original staff, how many remain? Mr. Wixom replied less than 50 percent. Some people have gotten offered other jobs. The crew we have is great. Mr. Gehl asked when you were in Monroe County, what was the average time that a dispatcher stayed? Mr. Wixom replied if you kept the same folks for three or four years, then they were there for their entire career.

Mr. Wixom informed the committee that last month there was a question regarding whether we could interject the question of which hospital the patient would like to go to into the EMD protocol. He has sent this request to Medical Priorities and is waiting for a response. Under our contract, we cannot change the format of the cards, as that would be a breach. We are now going through the formal process. If they say that yes we could interject that question, then we would interject that for every ambulance call that is received.

Dr. Baker asked is the equipment functioning? Mr. Wixom replied the equipment is functioning appropriately. There are a couple of issues with Positron. We continue to answer calls. A year into the system and we are still having issues with Frontier and Positron and they will continue to work with us. Mr. Alger commented we have issues with Positron and at this point we have a formal maintenance agreement that includes Frontier. Right now, we are working on issues that have lingered, but the system is operational day-to-day. Dr. Baker asked can calls go to the hill? Mr. Wixom replied calls can go to both the Civil Defense Center and to Mt. Washington if need be.

MOTION: ACCEPTING THE 911 DEPARTMENT'S MONTHLY REPORT MADE BY MR. GEHL. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Sheriff's Department

1. **Civil Report** – Sheriff Tweddell reported that civil fees paid the County to date are \$68,037.89. They have served 1,192 papers.

2. **Jail Report** – Sheriff Tweddell informed the committee that total monies due the facility year-to-date are \$171,574.14. Today's population is 151 with 136 males and 15 females. There are 4 federal inmates, 2 juveniles from Yates County, 0 state readies, 0 boarded out. We have 21 parole violators with non-county

charges and to-date have housed out 0 inmates. Year-to-date they have housed out 172 inmates and monies expended to house out inmates have been \$14,015 not including medical and transportation costs. Sheriff Tweddell reported that the Governor signed a bill raising civil mileage fees from \$.23 to \$.445 and that will go into effect June 1, 2006.

Dr. Baker asked how is the construction project going? Sheriff Tweddell replied that it is going very well.

MOTION: ACCEPTING THE SHERIFF'S MONTHLY REPORT MADE BY MR. FARRAND. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. Emergency Management Office

1. **Office Staffing** – Mr. Sprague stated he would like to discuss this topic at the end of the meeting in Executive Session.

2. **General Update** – Mr. Sprague informed the committee that with regard to volunteer incentives, the personal increase in the tax credit was vetoed by the Governor and then overridden by the Legislature. At this time, we are still unclear as to the format of this legislation. Mr. Sprague stated that he would like to thank this committee and the Legislature for your swift work from last month's meeting. At last month's Legislative Meeting, Mr. Swackhamer had made the comment about volunteer incentives for individuals who do not own property. There are two options available; waive the county portion of the driver registration fees or waive/reduce the tipping fees at the landfill. The impact of these two mechanisms would have to be looked into. These are the suggestions that he has heard so far and this has also been discussed at the Fire Advisory Meeting.

Mr. Farrand suggested that Mike Sprague and Judy Hunter look at what this would cost the county to waive the \$10.00 registration fee for volunteers. He commented that he is not sure about the tipping fees, but perhaps Mr. Sprague could also meet with Mr. Spagnoletti to discuss tipping fees and then come back to this committee with recommendations.

Mr. Sprague stated that he would like to talk with Mr. Ahrens about what the legislation provides and if the waiver of the \$10.00 registration fee is an option. The tipping fee is an issue of local control. He will pursue these and see what develops and report to the committee at their July meeting.

Mr. Farrand commented that with regard to the tipping fees, you could issue tickets to the fire departments and then the chief's could issue the tickets out and have the volunteers' sign for them. With regard to the waiving of the registration fee, we could provide a list of volunteers to the Department of Motor Vehicles. The county imposed a \$10.00 fee for county residents and got State approval to exempt farm vehicles. Mr. Ahrens commented the statute authorized a special tax and did not say except for volunteers. His hunch is that we would have to amend that statute. The question is how can the Department of Motor Vehicles set up a program that would catch those individuals? We didn't include antique car owners in the exemption because it would have delayed the collection of the additional fee by six to nine months. Mr. Alger stated both classes; antique and agricultural vehicles have unique registrations and they exempt the vehicle group. We do need to talk about the mechanics.

3. **Rain** – Mr. Sprague stated the county turned from being very dry to very wet. We had rain up to 3 ½" inches in some places in the county last week.

E. Coroners'

1. **Coroners' Compensation** – Mr. Sprague introduced Mike Powers one of the four elected coroners. The coroners' really haven't had a change in their compensation in eight years or more. Currently, they receive \$100.00 per call, flat fee that includes gas, operation of their vehicle and all the expenses related to cases.

Mr. Powers stated the coroners' are more interested in the fact that we are elected, part-time, but we are looking for retirement and medical benefits. We have looked at other counties and they range from paying their coroners' \$25,000 per year plus benefits down to \$65.00 per call with no benefits. Allegany County pays \$100.00 per call with no benefits, Chautauqua County pays \$65.00 per day including pension and medical, Cattaraugus County

pays \$10,000 per year, pension, mileage no medical, Niagara County pays \$16,000 per year, pension, medical and mileage, Livingston County pays \$100.00 flat rate with mileage and they can get medical, Yates County pays \$75.00 with mileage no pension, Broome County pays \$25,000 per year, pension and mileage and Wyoming County pays \$60.00 per call and do include mileage.

Mr. Gehl asked how many hours per year do you put in? Mr. Powers replied it is hard to say because its not just when the phone rings and you go out. There are also phone calls that you make, calls that you receive and make to the family, etc. He doesn't think any of the coroners' are saying that they expect more money, but they would like a pension and benefits. Everyone knows that we exist, but they don't know what we do.

Dr. Baker commented the coroners' haven't had an increase since 1994. They are due for an adjustment, but he would like to refer this to the Administration Committee for their review. Mr. Farrand asked isn't there a minimum salary requirement to be eligible for State benefits? Mr. Ahrens replied we had a salary established at one time and some of the coroners' were putting in more hours than others. We then changed the compensation to per diem. Mr. Farrand commented if the State has a minimum amount in order to be part of the retirement system, then we could see what that is and then adjust their compensation from there. Mr. Alger commented he believes the retirement is based on the number of hours worked. He doesn't know if there is a minimum threshold.

Mr. Powers commented that he does approximately 85 – 100 calls per year. Mr. Alger stated we can pursue this. We will take a look at what other counties are doing.

MOTION: RECOMMENDING THAT THE ADMINISTRATION COMMITTEE REVIEW THE CORONERS' COMPENSATION TO SEE WHAT ADJUSTMENTS ARE WARRANTED MADE BY MR. FARRAND. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Dr. Baker stated that Mr. & Mrs. Skinner wanted to address the committee. Mrs. Skinner stated that she and her husband wanted to thank the Legislators for all of the work you did on the volunteer legislation for the real property tax exemption. We are so pleased. Dr. Baker thanked the Skinners for their comments.

F. Public Defender's Office

1. **Monthly Report** – Mr. Cooper distributed his monthly report for review. He pointed out the assigned counsel is down to 11. This is something that we have been trying to reduce and it seems to be working. Currently we are doing a quarter of the assigned counsel cases that we were doing in May of 2004.

Mr. Cooper stated that he had a comment regarding the discussion held early about sex offenders. Our office handles both violations of parole and violations of probation. The percent of sex offenders is higher in Steuben County than in Schuyler, Yates and Chemung. Dr. Baker stated that he would be interested to know the reason behind that.

MOTION: ACCEPTING THE PUBLIC DEFENDER'S MONTHLY REPORT MADE BY MR. GEHL. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

G. Administrator

1. **CGR Study** – Mr. Alger informed the committee that they held a meeting with the stakeholders of the criminal justice system. This meeting was held as a result of the report issued by the Center for Governmental Research (CGR) and this group will begin the development of priorities for recommendations to the County. We are working with Probation, the Sheriff and the courts to develop these priorities. Mr. Alger stated that he would point out that some of these priorities will involve additional people. The departments individually have already made those personnel requests and submitted them through the 16B process. The study suggested that Probation needs additional help. The priorities will show what benefits there may be, but we are currently not ready to pursue that any further.

The meeting went very well and was attended by the Sheriff, the District Attorney, the Public Defender, the Probation Department as well as the three County Judges. They are coming up with good priorities to look at.

These priorities will help us maintain a level within the framework that is permitted for the Jail and the new addition.

2. **Jail Project** – Mr. Alger informed the committee that one of the things approved at the special meeting was the card control access software and expansion from a company named Ber National. When we presented it to the committee, we were under the impression that it was an alternate, and it isn't. He requested that the committee rescind its prior motion awarding that component as an alternate and authorize a change order to the electrical contract. He explained this gives us the ability to expand the system without having another vendor. He stated the committee needs to authorize negotiating a final change order with Blackman Farrell for the electrical contract and we anticipate Ber National would be doing the work. The total is approximately \$120,000. Mr. Alger explained we are staying with Blackcreek as they don't support and install this system. This is not a component of their system, but they can talk to the system. When we look at the pricing, Blackcreek was still cheaper, including this change.

MOTION: RESCINDING THE PRIOR MOTION AWARDING THE CARD ACCESS CONTROL SYSTEM TO BER NATIONAL AS AN ALTERNATE AND AUTHORIZING THE COUNTY ADMINISTRATOR TO NEGOTIATE A FINAL CHANGE ORDER WITH BLACKMAN FARRELL FOR THE ELECTRICAL CONTRACT TO INCLUDE THE CARD ACCESS CONTROL SYSTEM AT A COST OF \$120,000.00, SAID SYSTEM TO BE INSTALLED BY BER NATIONAL MADE BY MR. FARRAND. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Alger informed the committee that with regard to this project we are in pretty good shape. The remainder of the changes have been relatively small. One of those changes includes additional stone for the recreational area.

MOTION: ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1 D. DISCUSSION REGARDING PROPOSED, PENDING OR CURRENT LITIGATION AND 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. GEHL. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

MOTION: TO ADJOURN MADE BY MR. WALSH. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Monday, July 3, 2006
9:30 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON on Monday, June 26, 2006.**

