

**STEBEN COUNTY PUBLIC SAFETY AND CORRECTIONS COMMITTEE**

*Monday, January 4, 2010*

*1:00 p.m.*

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

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

**COMMITTEE:** Dan C. Farrand, Vice Chair      Patrick F. McAllister      Brian C. Schu  
John S. Walsh

**STAFF:** Mark R. Alger      Gregory P. Heffner      Jack Wheeler  
Frank Justice      Joel Ordway      David Hopkins  
Michael Sprague      Tim Marshall      Frederick H. Ahrens, Jr.  
David English

**LEGISLATORS:** Patrick F. Donnelly      Donald B. Creath      Lawrence P. Crossett  
Carol A. Ferratella      Michael Hanna      Joseph J. Hauryski  
Gary B. Roush      Thomas J. Ryan      Randolph J. Weaver

**OTHERS:** Mary Perham, *The Leader*

**I. CALL TO ORDER**

Mr. Farrand called the meeting to order at 1:00 p.m. He asked Mrs. Ferratella to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE DECEMBER 7, 2009 MEETING MADE BY MR. WALSH. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. SCHU ABSENT FOR VOTE)**

**III. DEPARTMENTAL REPORTS/REQUESTS**

- A. Probation
  - 1. **Monthly Report** – Mr. Justice presented his monthly report for review.
- B. Emergency Management Office
  - 1. **Approval of Annual Contracts** – Mr. Sprague requested approval to renew his 2010 contracts. Mr. McAllister asked with the five-year contracts, do we approve those every year? Mr. Sprague replied yes, your approval allows payment of the contract every year.

**MOTION: APPROVING THE FOLLOWING 2010 CONTRACT RENEWALS FOR THE EMERGENCY MANAGEMENT OFFICE: EMPIRE TELEPHONE - \$1,817.00 (3<sup>RD</sup> YEAR OF 5 YEAR CONTRACT); T & K COMMUNICATIONS - \$4,912.00 (5<sup>TH</sup> YEAR OF 5 YEAR CONTRACT); MOTOROLA - \$95,480.00 (CONTINUING RENEWALS); EES – \$8,000.00 (YEARLY RENEWAL); MONROE COUNTY MEDICAL EXAMINERS - \$83,064.00 (3<sup>RD</sup> YEAR OF 3 YEAR CONTRACT); AND EMSTAR - \$5,625.00 (ANNUAL RENEWAL) MADE BY MR. McALLISTER. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

- 2. **Wireless Communications Project** – Mr. Sprague informed the committee that he is expecting to get the engineering back for the wireless links between Hornell and Bath and Bath and Corning. He is hoping to get that so he can bring it to the committee for discussion next month.

3. **Public Safety Interoperable Communications Grant** – Mr. Sprague requested authorization to apply for the Public Safety Interoperable Communications Grant. This grant just came out at the end of December and applications are due back January 21, 2010. There is approximately \$6 million in funding available and would require a 25 percent match. We are looking to do this regionally and will be applying with Chemung and Schuylar counties. We had applied for this grant previously and were denied.

Mr. Farrand commented we are taking a cautious look at next year's budget. Mr. Sprague commented his hope is that we have been looking at linking some of the various tower sites and we also need to start looking at narrow banding. If we can get this funding, it will help with that. We might be able to pay for 75 – 80 percent of that, at the very least.

**MOTION: AUTHORIZING THE EMERGENCY MANAGEMENT OFFICE TO SUBMIT AN APPLICATION IN CONJUNCTION WITH CHEMUNG AND SCHUYLER COUNTIES FOR FUNDING THROUGH THE PUBLIC SAFETY INTEROPERABLE COMMUNICATIONS GRANT MADE BY MR. WALSH. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Mr. Sprague stated once he makes his application, he will notify the committee of what he has applied for.

4. **Regional Exercise Grant** – Mr. Sprague informed the committee that they have officially received their grant notification. They are waiting for the signed contracts and this exercise will be done in conjunction with Chemung and Schuylar counties.

Mr. Weaver asked in your monthly report you talk about regional EMS. Will this be similar to the fire districts? Mr. Sprague replied we are looking at all of the options. When a district goes across multiple towns, it ends up becoming an inter-municipal agreement. With this study, we are looking to have a consultant come in and look at the volume of calls and the options that are available. The final report from the consultant will be the action plan. The fire districts are different from ambulance districts. Our hope is that we come up with something that could be used as a template in other areas of the County.

C. 911 Enhanced Department

1. **Monthly Report** – Mr. Hopkins presented his monthly report for review. Mr. Farrand stated that he has harped on this before, we need to start understanding why we are having resignations from the dispatchers. He really thinks we need and is now formally requesting an exit interview with these people. He understands the hours are not great and the pay is not either, but there has to be other reasons why they are leaving. He would like Personnel to meet with Mr. Hopkins to set these exit interviews up.

2. **Card Access System Upgrade** – Mr. Hopkins informed the committee that the card access system platform will be discontinued at the end of 2010. There is a vendor on State contract who can provide the support and upgrades and they are based out of Buffalo. Currently we have two separate card access systems; the one at 911 and the one at the County Office Building. The proposal that has been submitted by this vendor is to have one partitioned system; which would require one license instead of the two licenses we currently have and there would be two separate databases; one for 911 and one for the County Office Building.

Mr. Farrand asked is this proposal in your budget? Mr. Hopkins replied no, this has not been budgeted for. Mr. Alger explained this would be funded out of the 911 Center Capital Project. How this came up is there was a discussion about looking at installing card access controls at the Civil Defense Fire Training Center and Mr. Sprague had a grant to pay for that. It is reasonable to upgrade the system and install swipes at the Civil Defense Center and the 911 backup center and to go to one system for the County Office Building and 911 generally and in doing that, it would upgrade the County Office Building as well.

Mr. McAllister asked do we need to look at other vendors? Mr. Alger replied there is a State bid vendor and they have a system consistent to what we already have. This will require new software and the addition of hardware at the Civil Defense Center and the 911 backup center.

Mr. Hopkins requested authorization to proceed with this project.

**MOTION: AUTHORIZING THE 911 ENHANCED DEPARTMENT TO PROCEED WITH UPGRADES TO THE 911 CENTER CARD ACCESS SYSTEM MADE BY MR. McALLISTER. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

D. Sheriff's Department

1. **Jail Report** – Sheriff Ordway reviewed the monthly Jail Report with the committee. He commented that today's population is 152 and we can house 262 inmates. Currently we have 43 federal inmates and we can house up to 50. Allegany County houses 10 -15 and Livingston County will start housing federal inmates in the near future. Mr. Farrand asked what is the status of the State ready inmates? Sheriff Ordway replied they are out of our facility in the 10-day window.

2. **Civil Report** – Sheriff Ordway reviewed the monthly Civil Report with the committee.

3. **Major Equipment** – Sheriff Ordway requested authorization to purchase major equipment for the Sheriff's Office, Jail and STOP-DWI. Mr. McAllister asked is it standard for you to purchase six patrol vehicles? Sheriff Ordway replied ye. We try to turn the vehicles around every three years as the road patrol puts a lot of mileage on the vehicles. We are staying with the SUV's.

**MOTION: AUTHORIZING THE SHERIFF'S DEPARTMENT TO PURCHASE THE FOLLOWING MAJOR EQUIPMENT: SIX PATROL VEHICLES (\$168,000.00), CIRT EQUIPMENT (\$3,500.00) AND SCUBA EQUIPMENT (\$4,500.00); AUTHORIZING THE PURCHASE OF AN INMATE TRANSPORT VAN FOR THE JAIL (\$22,000.00) AND AUTHORIZING THE PURCHASE OF THREE IN-CAR CAMERAS FOR STOP-DWI (\$15,000.00) MADE BY MR. McALLISTER. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

4. **2010 Contracts** – Sheriff Ordway requested authorization to renew their contract with Orkin for pest control.

**MOTION: AUTHORIZING THE SHERIFF'S DEPARTMENT TO RENEW THEIR CONTRACT WITH ORKIN FOR PEST CONTROL MADE BY MR. SCHU. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Sheriff Ordway requested authorization to enter into a contract with Black Creek for Corrections Software Maintenance. Last year we did not have a maintenance agreement. Mr. Alger commented this software practically runs the Jail as it opens and closes doors, monitors cameras, etc. This is a critical piece of equipment.

**MOTION: AUTHORIZING THE SHERIFF'S DEPARTMENT TO ENTER INTO AN AGREEMENT WITH BLACK CREEK FOR CORRECTIONS SOFTWARE MAINTENANCE AT A COST OF \$10,497.00 MADE BY MR. SCHU. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

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

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

**NEXT MEETING SCHEDULED FOR**

**Monday, February 1, 2010**

**9:30 a.m.**

**Please send agenda items to the  
Clerk of the Legislature's Office  
NO LATER THAN NOON  
Monday, January 25, 2010.**

**STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE**

**Monday, February 1, 2010**

**9:30 a.m.**

**Legislative Committee Conference Room**

**Steuben County Office Building**

**Bath, New York**

**MINUTES**

Committee: Brian C. Schu, Chair Dan C. Farrand, Vice Chair Thomas J. Ryan  
John Walsh

Legislators: Patrick F. Donnelly Lawrence Crossett Joseph J. Hauryski Carol Ferratella  
Gary B. Roush

Staff: Mark R. Alger Jack Wheeler Gregory P. Heffner David Hopkins  
James Gleason Frank Justice David English Joel Ordway  
Michael Sprague Ken Isaman Tim Marshall Frederick Ahrens

Other: Mary Perham, *Leader*

Absent: Randy Weaver

**I. CALL TO ORDER**

The meeting was called to order by Mr. Schu at 9:30 a.m. Mr. Farrand led the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION APPROVING THE MINUTES OF THE JANUARY 4, 2010, MEETING MADE BY MR. WALSH. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**III. DEPARTMENTAL REPORTS/REQUESTS**

A. Probation Department

1. **Monthly Report** – Mr. Justice asked if there were any questions regarding his monthly report. He reviewed what each category in his report represents for the new Legislators. Discussion followed.

Mr. Justice stated the Pre-Trial Release, Community Service and Alcohol and Substance Abuse Intervention Programs are all outcome based. When filing applications for State reimbursement, goals must be established. All of our goals were met for those two programs with an estimated savings of \$720,000 for the Pretrial Release program and a \$708,750 savings for the Community Service and Alcohol and Substance Abuse Intervention Program. He said the electronic home monitoring isn't outcome based, but it saved them money.

Mr. Alger noted the estimated savings equates to the number of jail days saved. The estimate is based upon the amount of days they would have been in jail if you didn't have these programs.

Mr. Justice stated the unsentenced population at the jail is at 67 percent and the sentenced population is at 33 percent. The reduction in the amount of unsentenced population at the jail is due to the presentence interviews being completed quicker. He noted that the Judges are working very well with us on that. Discussion followed.

B. Sheriff's Department

1. **General Updates** – Sheriff Ordway reviewed the jail statistics for January 2010.

Mr. Ryan asked if we had the digitized fingerprinting and offered it to outside agencies, would the revenue from that pay for the software. Sheriff Ordway stated it would pay for the software. He noted it would be short term revenue because many of these agencies are obtaining the capability to do the digitized fingerprinting.

Mr. Schu complimented Sheriff Ordway on his 2009 report. It explains very clearly everything they do in the Sheriff's Department.

C. 911 Enhanced Department

1. **Monthly Report** – Mr. Hopkins reviewed his monthly report with the Committee.

2. **Grant Funds** – Mr. Hopkins stated they recently learned that they were eligible for \$184,719 in funding from grants in years past. We applied for the funding and received notification of award. He requested authorization to accept those funds and appropriate them to the 911 Capital Project. He noted this money is reimbursement for projects that have already occurred. Discussion followed.

Mr. Hopkins stated 2012 is when the version of operating system for Positron reaches the end of its life and we will lose the warranty on the system. Mr. Alger stated sometime around that time frame we will be looking to purchase a new operating system so we are setting this grant funding aside for that purpose. Discussion followed.

**MOTION: ACCEPTING \$184,179 IN STATE GRANT FUNDING AND APPROPRIATING IT TO THE 911 CAPITAL PROJECT MADE BY MR. FARRAND. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

Mr. Wheeler stated the NYS Department of State awarded us a \$45,000 Local Government Efficiency Grant to look at different areas we can share or consolidate 911 services with Allegany and Schuyler Counties. We hope to have this study completed by the fall.

D. Emergency Services

1. **Monthly Report** – Mr. Sprague stated they have answered a number of questions from the consultants regarding the Regional EMS Request for Proposals. The proposals are scheduled to be opened on Friday, February 5<sup>th</sup>.

2. **Wireless Communication Project Update** – Mr. Sprague stated they should have the final figures for the project by the end of next week. He noted that the outlook is good.

3. **NY Alert System** – Mr. Sprague stated we are in the early stages of training on the NY Alert System. This is a notification system similar to City Watch. The 911 Center has been providing geographic information to them so we will have the ability to use that as well. The 911 Center has been doing text message alerts to law enforcement personnel with dispatching and we are looking to do something similar to that with this system for fire and EMS personnel. He noted they would like to add the town highway superintendents to the text message notification system so they can include them when there is information pertinent to their town.

IV. **OTHER BUSINESS**

A. Monthly Meeting Date and Time – Mr. Schu stated he would like to defer action on this until next month after the other Committees make their decisions. ***Secretary's Note: Following discussion at the AIP Committee meeting, and approval of Chairman Schu, the Public Safety and Corrections Committee's meeting time will now be 10:30 a.m. the first Monday of each month.***

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

Respectfully submitted by,  
Brenda K. Mori, Deputy Clerk  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Monday, March 1, 2010 @ 10:30 a.m.  
Please send agenda items to the Clerk of the Legislature's Office  
NO LATER THAN NOON on Monday, February 22, 2010**

**STEBEN COUNTY PUBLIC SAFETY AND CORRECTIONS COMMITTEE**

*Monday, March 1, 2010*

*10:30 a.m.*

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

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

<b>COMMITTEE:</b>	Brian C. Schu, Chair John S. Walsh	Dan C. Farrand, Vice Chair Randolph J. Weaver	Thomas J. Ryan
<b>STAFF:</b>	Mark R. Alger David Hopkins Joel Ordway David English	Gregory P. Heffner Tim Marshall Frank Justice Frederick H. Ahrens, Jr.	Jack Wheeler Mike Sprague Jim Gleason
<b>LEGISLATORS:</b>	Patrick F. Donnelly Philip A. Palmesano	Lawrence P. Crossett Gary B. Roush	Carol A. Ferratella Gary D. Swackhamer
<b>OTHERS:</b>	Mary Perham, <i>The Leader</i>		

**I. CALL TO ORDER**

Mr. Schu called the meeting to order at 10:30 a.m. and asked Mr. Weaver to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE FEBRUARY 1, 2010 MEETING MADE BY MR. WALSH. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. DEPARTMENTAL REPORTS/REQUESTS**

A. Probation

1. **Monthly Report** – Mr. Justice asked if there were any questions on his monthly report. Mr. Schu asked are the caseloads average or high? Mr. Justice replied the cases are where they should be. Our caseloads can fluctuate and at one time we were at 68 – 70 cases per officer.

Mr. Swackhamer asked for an explanation of how they handle community service. Mr. Justice replied there are two types of community service. The first is where an individual is ordered to do community service and they don't appear to represent any threat to the community. In that case, the agency will provide the supervision and report back to Probation. The second type is the weekend work crew through the Sheriff's Department. This is for individual who are employed five days a week and can only do community service on the weekend, or they are individuals who have been assessed as having assaultive histories. Mr. Swackhamer asked are those number included in your report? Mr. Justice replied yes.

B. Sheriff's Department

1. **Monthly Report** – Sheriff Ordway asked if there were any questions on his monthly report. The population today at the Jail is 156 inmates of which there are 48 federals and 19 females. He reported that they are almost one hundred percent compliant with the Live Scan (fingerprinting) requirement.

2. **Budget Transfer** – Sheriff Ordway informed the committee that they contract with the Office of Community Services to provide mental health services to inmates, which includes psychotropic medications. They are \$196,000 over their anticipated contract amount for 2009. He requested authorization to transfer a total

of \$196,000 from various line items in the 2009 budget to cover this. Mr. Weaver commented that we may want to look at a closed formulary while inmates are in custody, which would reduce our costs.

**MOTION: AUTHORIZING THE SHERIFF'S DEPARTMENT TO TRANSFER A TOTAL OF \$196,000 FROM VARIOUS LINE ITEMS IN THE 2009 BUDGET TO COVER THE COSTS OF THEIR CONTRACT WITH THE OFFICE OF COMMUNITY SERVICES MADE BY MR. WEAVER. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

3. **Recognition** – Sheriff Ordway informed the committee that last week the department was recognized at the Winter Sheriff's Conference for Innovative Program of the Year for our pharmaceutical collection. **CONGRATULATIONS!**

C. 9-1-1 Enhanced

1. **Monthly Report** – Mr. Hopkins asked if there were any questions on his monthly report. Due to the rug project, we are currently working out of the backup facility at the Civil Defense Fire Training Center.

Mr. Weaver asked for an explanation of the access control system. Mr. Hopkins stated this is a badge identification system that identifies who you are and what door you are accessing. Our system has six versions of software that are out of support. If there is a failure, we would have to do updates. We are working with the vendor and the Information Technology Department to get the appropriate hardware and software and hope to have that completed in April.

2. **CityWatch** – Mr. Hopkins informed the committee that we are looking to do a press release today with regard to the emergency notification system. So many of our residents use cellular phones, so now when people sign up to receive the emergency notification, they will be able to include up to two cellular numbers. We are working to include up to six cellular numbers per residence and common places will be unlimited.

D. Emergency Management Office

1. **Wireless Communication Project** – Mr. Sprague informed the committee that we are using our current communication system to support services that we are paying other utility companies to provide. The offices of Mental Health, Probation, Social Services and Public Health Nursing operate satellite offices in Corning and Hornell are using Road Runner Internet to connect to our system and the cost of doing that is approximately \$5,000.00 per year.

Mr. Sprague stated that he is looking at extending our system from Mt. Washington to provide connectivity to Corning and Hornell and would be able to do that via fiber. The Communications Capital Project has \$750,000.00 in it and we would propose using not more than \$130,000.00 for this new project.

Mr. Sprague commented one advantage of our system is that we put in our own fiber and we do not pay the telephone company anything for that. We have saved the County a lot of money by doing that. This new system will enhance our ability to support internet-based services. We already have a lease on the tower sites, so the cost would be for equipment and installation. If there is any money left over from the new project that would be returned back to the Communications Capital Project.

Mr. Ryan asked in 2009 do you have examples where situations arose that you were unable to do what you needed to do? Mr. Sprague replied before we started the Communications Project we talked with IT about providing a virtual provider network (VPN) and having a physical connection through the internet to the County Office Building. That connection is not providing enough to do what they need it to do. Mr. Ryan asked is this a life of death situation? Mr. Sprague replied no. This is a way for us to pay ourselves back.

Mr. Farrand asked Mr. Sprague to get a list of what each department pays separately for their cost and then we could look at that. He thinks that in the long term this will be beneficial.

Mr. Donnelly asked will there be other equipment costs with the departments? Mr. Sprague replied no. We would provide them with a place to plug into our network. Mr. Weaver asked would this all be wireless? Mr. Sprague replied yes. Mr. Crossett asked would you be doing a chargeback to each department of what they are already paying for internet service? Mr. Sprague replied yes. Mrs. Ferratella asked are there other counties using this type of system? Mr. Sprague replied yes, this is the newest version of what other counties are using.

Mr. Weaver asked did we secure other quotes? Mr. Sprague replied no because this was available on State bid. Also, they are the same vendor that handles all of our communication components now.

Mr. Farrand asked that Mr. Sprague come back in April with more information with regard to the cost savings.

2. **Annual Report** – Mr. Sprague reviewed the highlights of his report with the committee and asked if there were any questions.

3. **Mitigation Plan Update** – Mr. Marshall informed the committee that we have resolutions from all but two municipalities; Hartsville and Riverside. Based upon that, we listed those two municipalities as pending and sent the plan to the State Emergency Management Office (SEMO) and then it was sent to the Federal Emergency Management Agency (FEMA). As of February 8, 2010, we have received notification that our plan was accepted by FEMA and that now allows us to move forward with mitigation projects and to accept FEMA funding to do those. We have been unable to do mitigation projects since 2003. This is very important for the highway departments as well as the Soil & Water Conservation District.

Mr. Farrand stated that he would like to thank Mr. Marshall for his hard work and dedication as he had gone out to all of the towns.

Mr. Marshall commented that if Hartsville and Riverside had an incident and needed work done, we would send Soil & Water or Public Works and the County would be the recipient of funding for that project.

Mr. Walsh asked will the towns receive a copy of the Hazard Mitigation Plan? Mr. Marshall replied that our plan is to burn a copy onto CD's. Also, the plan is available on the County website. We should have copies of the CD's out within the next couple of months.

4. **Vehicle Bids** – Mr. Sprague informed the committee that he has been working with Mr. Gleason on truck bids as we need to replace our ¾-ton and 1-ton pickups. There is currently no State contract for these vehicles. He requested permission for Mr. Gleason to bid for these vehicles unless the State contract shows up.

Mr. Ryan asked what is your justification for these purchases? Mr. Sprague replied we have a 2002 Dodge ¾-ton pickup with 160,000 miles. We have already replaced the transmission once and if we do not replace this vehicle, we will need to spend another \$600.00 for front end work. The other truck is a 1-ton crew cab pickup that was originally purchased by Homeland Security so we can pull the Homeland Security trailer that is located in Corning. He would like to order the trucks now so that he won't have to extend the Homeland Security grant in June.

**MOTION: AUTHORIZING THE PURCHASING DEPARTMENT TO SOLICIT BIDS FOR A ¾-TON PICKUP AND 1-TON CREW CAB PICKUP FOR THE EMERGENCY MANAGEMENT OFFICE MADE BY MR. FARRAND. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

5. **Emergency Services Banquet** – Mr. Sprague distributed a flyer regarding the 2010 Steuben County Emergency Services Banquet that will be held on April 3, 2010 at the Hammondsport Fire Station.

6. **Fire Investigations** – Mr. Swackhamer stated most of the time when you are investigating a fire, you are there as well as the State Police. If we didn't have a fire investigation team, who would investigate the fires? Mr. Sprague replied that would fall back on the fire chief. The New York State Police does not have a team. Mr. Swackhamer stated a State Trooper is always there; who is supporting that? Mr. Sprague replied the

State is paying them. They have allowed them to work with our team because we do not have a Law Enforcement fire team. About twelve years ago, the Sheriff pulled out of fire investigation and since that time we have had a Trooper on our team. The State has supported them going to training and participating in fire investigations. Mr. Swackhamer asked if we can no longer afford a team, where would the investigation go to? Mr. Sprague replied they would be the responsibility of the fire chief. The insurance companies would investigate, but they would not do the criminal investigation. We currently budget \$3,000.00 per year to support the fire investigation team.

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

Respectfully Submitted by:

Amanda L. Chapman  
Senior Stenographer  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Monday, April 5, 2010 @ 10:30 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office  
NO LATER THAN NOON on Monday, March 29, 2010**

**STEBEN COUNTY PUBLIC SAFETY AND CORRECTIONS COMMITTEE**

*Monday, April 5, 2010*

*10:30 a.m.*

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

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

**COMMITTEE:** Brian C. Schu, Chair Dan C. Farrand, Vice Chair John S. Walsh  
Randolph J. Weaver

**STAFF:** Mark R. Alger Gregory P. Heffner Jack Wheeler  
Frank Justice David Hopkins Michael Sprague  
Joel Ordway Frederick H. Ahrens, Jr. David English  
James Gleason John Tunney Eric Tyner

**LEGISLATORS:** Patrick F. Donnelly Carol A. Ferratella Michael Hanna  
Joseph J. Hauryski Philip A. Palmesano

**ABSENT:** Thomas J. Ryan

**OTHERS:** Senior Investigator Rick Kemp, NYSP  
Lt. Rick Oyer, Acting Zone Commander, NYSP  
Jeanne Marie Skinner  
Mary Perham, *The Leader*

**I. CALL TO ORDER**

Mr. Schu called the meeting to order at 10:30 a.m. and asked Mr. Farrand to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE MARCH 1, 2010 MEETING MADE BY MR. FARRAND. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**III. DEPARTMENTAL REPORTS/REQUESTS**

A. Probation

1. **Monthly Report** – Mr. Justice asked if there were any questions regarding his monthly report.

2. **Leandra’s Law** – Mr. Justice distributed copies of a resolution from Madison County requesting the State delay the implementation of the ignition interlock provisions of Leandra’s Law. This law was passed in 2009 and was the result of a tragic accident in Westchester County. The second section of this law was added on regarding the interlock system to be installed for all DWI offenders. The ignition interlock devices are already mandatory for felons for aggravated DWI status. This extends that to everyone. The New York State Office of Probation has created a rough draft of the regulations. This law goes into effect August 15, 2010. The State will require all counties to submit a DWI plan. The payment by indigents also is not clear; it is not clear who will bear the burden. Madison County is asking for the implementation of this law to be pushed back.

Mr. Schu asked what will be the cost for the systems? Mr. Justice replied it depends on the system that is issued. The Intoxi-Lock has a \$75.00 installation fee and a monthly monitoring fee of \$65.00. Another system, the Interceptor has a \$125.00 installation fee and a monthly monitoring fee of \$95.00. There is currently no service provider in Steuben County for the Interceptor system.

Mr. Schu asked in the case of indigents, we would most likely bear that cost? Mr. Alger replied that is unclear. The State's assumption is that we would bear the cost and they are looking at the DWI fines to pay for this. He stated that he doesn't necessarily agree with that. If they are indigent, they shouldn't drive. He doesn't know why the taxpayers should have to pay for this. This has caused quite a stir across the State. The intent is fine, but the implementation is rocky. The State is expecting us to pay for the indigents. I think we should object to that. The County or the taxpayers should not pay for this. He would recommend doing a resolution similar to Madison County and forwarding to the State. The timeframes are reasonably short for us to react to this. We have not budgeted any funding for this. Mr. Alger commented New Mexico put this system in place and expected the DWI fines to support it and it bankrupted the system. I don't think this is a good model to use going forward.

**MOTION: REQUESTING THAT THE STATE OF NEW YORK DELAY THE IMPLEMENTATION OF THE IGNITION INTERLOCK PROVISIONS OF LEANDRA'S LAW MADE BY MR. FARRAND. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

B. Sheriff's Department

1. **General Updates** – Sheriff Ordway informed the committee that they currently have 174 inmates and of those 20 are females. They had been down to 150 for the last month or so and used that opportunity to do some minor renovations in a couple of the pods. They have painted two pods and also installed some new lights. The total cost was \$4,000.00 which we had budgeted.

2. **STOP-DWI Reserve Fund Transfer** – Sheriff Ordway informed the committee that he had submitted a request to the Governor's Traffic Safety Board to increase his equipment line item by \$75,000.00 and he received notification that the Governor's Traffic Safety Committee approved his request in order to pay to upgrade and replace MDT's for municipal police departments within the County. He stated that this is STOP-DWI funding that we already have and he requested authorization to transfer \$75,000.00 to Major Equipment to purchase MDT's. He stated this of course would be contingent upon finding the balance as he can only use 30 percent of the DWI funds for this purchase. He commented that he would like to purchase one MDT for each police agency in the County.

Mr. Weaver asked are we purchasing the MDT's and giving them to the police departments? Sheriff Ordway replied yes.

Mr. Farrand commented that part of this is for officer safety and the municipalities should be coming forward to pay. Something needs to be said to the municipalities to have them provide the funding. Mr. Alger stated originally we used the DWI funds to purchase the MDT's. In the long-term, they will have to come up with either physical money or service they will do to come up with the equivalent dollars. Mr. Farrand asked is there a way to suggest a formula for each municipality based on the number of DWI's they had? Sheriff Ordway replied we do that with personal services money for overtime for each agency. Mr. Alger stated we want to maintain oversight of the MDT's because of the interaction between the MDT's, 911 and Sheriff's Department and we need to have a uniform system and equipment in the field. At this point we have come up with a model we want to use going forward and we need to look at how to fund it. Chances are you will do these replacements over a period of time.

Sheriff Ordway stated we will do this on an as-need basis. Mr. Farrand asked do all the Troopers have MDT's? Sheriff Ordway replied no. The cars that are just dedicated to traffic enforcement do not have MDT's. He commented that Hammondspport now would like to participate and have an MDT.

**MOTION: AUTHORIZING THE SHERIFF TO TRANSFER \$22,500.00 FROM THE STOP-DWI RESERVE FUND TO MAJOR EQUIPMENT TO PURCHASE MDT'S CONTINGENT UPON FINDING THE BALANCE OF THE \$75,000.00 IN FUNDING MADE BY MR. FARRAND. SECONDED BY MR. WEAVER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

3. **OASAS Sub-Grant Approval** – Sheriff Ordway informed the committee that this OASAS sub-grant is in the amount of \$11,500.00 to be used for the law enforcement component of the underage drinking task force. There are no matching funds required.

**MOTION: APPROVING THE OASAS SUB-GRANT IN THE AMOUNT OF \$11,500.00 FOR THE SHERIFF'S DEPARTMENT FOR THE LAW ENFORCEMENT COMPONENT OF THE UNDERAGE DRINKING TASK FORCE MADE BY MR. WEAVER. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Mr. Farrand asked have you established an underage drinking program with the school districts? Sheriff Ordway replied yes, that they have a program with the school districts as well as with Bath Hope for Youth.

4. **Maintenance Agreement** – Sheriff Ordway requested authorization to renew his contract with Cummings Northeast to provide maintenance on their generator semi-annually. The cost is \$2,000.00. He also requested authorization to renew his contract with Davis-Ulmer for sprinkler maintenance/testing semi-annually at a cost of \$1,700.00.

**MOTION: APPROVING THE FOLLOWING CONTRACT RENEWALS FOR THE SHERIFF'S DEPARTMENT: CUMMINGS NORTHEAST FOR GENERATOR MAINTENANCE; SEMI-ANNUALLY AT A COST OF \$2,000.00 AND DAVIS-ULMER FOR SPRINKLER MAINTENANCE/TESTING; SEMI-ANNUALLY AT A COST OF \$1,700.00 MADE BY MR. FARRAND. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

C. 911 Enhanced Department

1. **Monthly Report** – Mr. Hopkins asked if there were any questions on his monthly report. Mr. Weaver asked with the call volume trending down, will that affect your staffing? Mr. Hopkins replied we only have additional staff on relative to the staffing study that was done. It would be possible to look at reductions to the shifts, but that would put us back to where we were prior to the study.

2. **911 Goes to Washington** – Mr. Hopkins informed the committee that statewide, they have been lobbying for additional support for misappropriation of money. The 911 surcharge that you previously saw on your cell phone bills has been changed to an interoperability surcharge. New York was one of nine states in the country that misappropriated funds. There was \$230 million to be collected this year and that would go a long way for counties to have access to funds to upgrade 911 systems.

3. **National Telecommunicators Week** – Mr. Hopkins announced that the week of April 11<sup>th</sup> is National Telecommunicators Week and we will be holding an open house on April 13<sup>th</sup> from 11:00 a.m. – 2:00 p.m. to recognize our staff. Also on that day, the Hornell Air Medical Transport will be sending their staff over and possibly will bring the helicopter. The Hornell Airport will house the Medical Transport Helicopter.

4. **Next Generation 911** – Mr. Hopkins stated that they are encouraging the senators and congressmen to join a bipartisan 911 caucus. With new legislation regarding the broadband bill and Next Generation 911, it is crucial that New York is representing our needs and keeping current. If you send a text to 911, it doesn't go anywhere and it is very expensive to modify the system to accept text messaging. We are looking collectively at the cost to route those calls to Monroe County and have them disseminate them. That is something that Monroe County is looking at. The issue of being able to accept text messages is something that will be addressed long-term.

5. **Replacement Vehicle** – Mr. Alger stated that they are requesting that they do the bid for the replacement vehicle locally as the State has not put out their contract. Mr. Gleason commented that the State finally did award the 1-ton trucks and their other bids are starting to come in. He commented that he has the bid specifications compiled for Mr. Hopkins review. We cannot guarantee when the State contract will become available. He requested authorization to do a local bid.

**MOTION: AUTHORIZING THE PURCHASING DIRECTOR TO DO A LOCAL BID FOR THE REPLACEMENT VEHICLE FOR THE 911 DEPARTMENT MADE BY MR. WEAVER. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

6. **First Response Notification System** – Mr. Hopkins informed the committee that we currently rely upon pagers and cell phone text messages from the volunteers responding to events. For the general membership they have no way to notify 911 as to their availability to respond. The Emergency Management Office has grant money available and they have met with the Fire and EMS agencies to confirm their interest in participating in this type of program. The brand name is IAmResponding and we are working with Purchasing to issue RFP's. This company is out of Syracuse and Monroe County currently utilizes them.

**MOTION: AUTHORIZING THE 911 DEPARTMENT TO PURSUE, WITH THE PURCHASING DEPARTMENT, ISSUING RFP'S FOR A FIRST RESPONSE NOTIFICATION SYSTEM CONTINGENT UPON RECEIVING GRANT FUNDING THROUGH THE EMERGENCY MANAGEMENT OFFICE MADE BY MR. WALSH. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

D. Emergency Management Office

1. **Monthly Report** – Mr. Sprague distributed his monthly report for review. He apologized for not sending it via email and asked if there were any questions.

Mr. Farrand stated that he received a phone call from a constituent who had pulled off the side of the highway in order to answer his cell phone. Someone reported his vehicle as having been in an accident and an ambulance showed up. He had to sign a paper denying services. Why? Mr. Sprague replied technically with the Department of Health, if someone is called out to assist at an incident and they do not make a transport, then they have to have a sign-off. Once they have entered into their system that they have a run technically they cannot abandon the patient.

Mr. Farrand stated that the Troupsburg fire chief informed him that when there is an accident and the fire chief calls and says no ambulance is needed, but they have already dispatched an ambulance they cannot send the ambulance back because they have to sign a paper. Mr. Sprague explained that is an interdepartmental policy. They will need to address that internally.

Mr. Farrand stated this is a waste of manpower and equipment. Mr. Schu commented that this is not a county issue. Mr. Farrand stated that he thinks it is. Mr. Sprague explained this is a procedure issue for the EMS system and in this particular case is an interdepartmental problem. The whole idea behind it is the mechanism of injury.

Mr. Weaver asked where are you with the EMS study? Mr. Sprague replied next Tuesday they will settling, as a committee, on a consultant for the RFP. We did get ten responses and have narrowed it down to two. We will need to check references and when we make a decision, we will pass that along to the Town of Cohocton for their decision. We are looking at a timeframe of approximately six months.

2. **Annual Banquet** – Mr. Sprague informed the committee that typically the annual banquet is held the first Saturday in April, however, that was Easter weekend and they would not have had a good turnout, so they have postponed until the fall.

3. **Wireless Update** – Mr. Sprague stated that he is continuing to compile numbers and will do a report at the May meeting.

4. **Grant** – Mr. Sprague informed the committee that they expect to get the paperwork for the regional exercise grant between Chemung, Schuyler and Steuben counties and hope to start that pretty soon.

E. Administrator

1. **Amendment to Assigned Counsel Contract** – Mr. Alger informed the committee that the assigned counsel conflicts program is administered by David Wallace and we renewed our contract with him late

last fall. He is asking if we could help him with some of the overhead costs. In particular, one cost that would benefit both parties would be to allow them to use our postage system as they do a lot of mailings. That would save money. Mr. Alger recommended amending the contract to include that and we will establish a line item in the conflicts office budget and bill that amount back to them.

**MOTION: AUTHORIZING THE COUNTY ADMINISTRATOR TO AMEND THE CONTRACT WITH DAVID WALLACE FOR THE ADMINISTRATION OF THE ASSIGNED COUNSEL PROGRAM TO INCLUDE USE OF THE COUNTY POSTAGE SYSTEM WITH THE COST TO BE BILLED BACK TO A LINE ITEM IN THE CONFLICTS OFFICE BUDGET MADE BY MR. WEAVER. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

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

A. **Good Friday Alcohol Sales** – Mr. Weaver stated we need to look at the sale of alcohol in the County on Good Friday. He is not sure if this is appropriate for this committee to discuss. Mr. Alger commented that the AIP Committee has referred the issue to the Administration Committee for their review.

**MOTION: REFERRING THE SALE OF ALCOHOL ON GOOD FRIDAY ISSUE TO THE ADMINISTRATION COMMITTEE FOR DISCUSSION MADE BY MR. WEAVER. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

B. **Pawn Shops** – Mr. Tunney introduced Senior Investigator Eric Tyner from the Sheriff's Department, Senior Investigator Rick Kemp from the New York State Police and Lieut. Rick Oyer, Acting Zone Commander, New York State Police.

The issue of a pawn shop law arose during a meeting in February. Investigator Kemp stated that we were aware that the City of Rochester has local legislation regarding dealers in used items and the requirement that they keep a record of who pawns an item or purchases an item, etc. There are certain reporting requirements as well as certain holding requirements of items being pawned. Mr. Tunney commented the investigators all agreed that having this kind of legislation would be very helpful, particularly in identifying individuals who deal in stolen items. In the past year or two we have seen incidences of theft and resale of items increase. He wrote to County Attorney, Fred Ahrens, and inquired as to the process, etc. of trying to put something in place. In response to my request, Mr. Ahrens indicated that we should come to today's meeting to discuss this.

Mr. Tunney stated that from his point of view, he sees folks where there is a burglary, theft, etc. and occasionally we get information that a particular person was probably responsible and after the theft we went to the swap shop and investigated. This proposal is designed to assist law enforcement in identifying those who both steal and traffic in stolen goods.

Mr. Schu asked how many swap shops are in the County? Investigator Kemp replied there are four pawn shops and two or three second-hand stores. With a pawn shop, you come in with an item and have the option of selling the item or having the property held for a certain period of time before you repurchase it. With the second-hand shops you are bringing in something to sell and in turn the shop sells it to another party.

Mr. Ahrens asked would this include consignments as well? Investigator Kemp replied we had talked about that. It is up to you if you want to go that far. Mr. Tunney commented we have pawn shops, second-hand stores, consignment and auction houses. He asked Investigator Kemp, in your experience, is criminal activity associated more with one particular type of establishment? Investigator Kemp replied pawn shops are the number one problem. They will take anything; jewelry, weapons, etc.

Mr. Farrand asked who would oversee this? Investigator Tyner replied we would like to have them make their books available upon request. Mr. Schu commented that you are looking for a County law to hold records. This is more of a local issue and we need to get the municipalities dealing with this or the local police departments. That would remove the administrative burden from the Sheriff's Department.

Mr. Tunney stated you would have to design it, but at this stage the issue is how do you feel about the concept? If the concept is acceptable, then the people who have an interest in this can meet and try to put together something that would be effective.

Investigator Kemp stated that Law Enforcement would like to see something that would have the owners take picture id and document the facts we would like and then provide that information to us anytime we walk in and to hold the property for certain time periods. Mr. Farrand asked have you talked with the local pawn shops to see if they would volunteer to do this? Investigator Kemp replied the former owner of the Bath pawn shop did make copies of information for us. Mr. Weaver asked would there be any type of program available to the owners where they could type the information you want into a database?

Investigator Tyner commented in addition to these requirements, there would also need to be repercussions for not following the protocol. Mr. Farrand stated that this is a good idea, but how do we implement it in the County? He would like to see some kind of a plan and have an opportunity to look at it. Mr. Tunney stated if we are talking about having a licensing requirement, then that is an issue. If there is no licensing requirement, but only a record keeping requirement, then that is different.

Mr. Weaver asked are you looking for us to be in favor of the theory and then pursue it further? Mr. Tunney replied yes. Mr. Farrand stated that he would like Mr. Tunney and Mr. Ahrens to look at this and bring it to law enforcement for their input.

Mrs. Ferratella commented that she represents the Village of Riverside which is very concerned about this. She thinks they would be happy to be the collection agency for lists of items and then law enforcement could check that through the municipality. Mr. Schu commented that he doesn't know if we want to impose that on the municipalities. The Village of Riverside could pass a law with or without the County.

**MOTION: DIRECTING THE DISTRICT ATTORNEY AND COUNTY ATTORNEY TO MEET AND DISCUSS THE ISSUE REGARDING PAWN SHOPS AND TO DRAFT UP A PROPOSAL FOR PRESENTATION AT THE JULY PUBLIC SAFETY & CORRECTIONS COMMITTEE MEETING MADE BY MR. FARRAND. SECONDED BY MR. WEAVER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**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. FARRAND. SECONDED BY MR. WEAVER. 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. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

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

Respectfully Submitted by:

Amanda L. Chapman  
Senior Stenographer  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Monday, May 3, 2010 @ 10:30 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office  
NO LATER THAN NOON on Monday, April 26, 2010.**

**STEBEN COUNTY PUBLIC SAFETY AND CORRECTIONS COMMITTEE**

Monday, May 3, 2010

9:30 a.m.

Legislative Conference Room  
Steuben County Office Building  
Bath, New York

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

**COMMITTEE:** Brian C. Schu, Chair Dan C. Farrand, Vice Chair Thomas J. Ryan  
John S. Walsh Randolph J. Weaver

**STAFF:** Mark R. Alger Gregory P. Heffner Jack Wheeler  
Joel Ordway James Gleason David Hopkins  
Michael Sprague Ken Isaman Frederick Ahrens, Jr.

**LEGISLATORS:** Patrick F. Donnelly Donald B. Creath Carol A. Ferratella  
Philip A. Palmesano Gary B. Roush

**OTHERS:** Mary Perham, *The Leader*

**I. CALL TO ORDER**

Mr. Schu called the meeting to order and asked Mr. Farrand to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE APRIL 5, 2010 MEETING MADE BY MR. WEAVER. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. DEPARTMENTAL REPORTS/REQUESTS**

A. Sheriff's Department

1. **General Updates** – Sheriff Ordway reported that as of this morning they have 172 inmates. One pod is shut down for cleaning. He reviewed the Jail and Civil reports with the committee.

2. **Grant Award** – Sheriff Ordway requested authorization to accept a grant in the amount of \$60,000. He stated that \$15,000 will be used for overtime and backfill, \$30,000 will be used for LiveScan and related equipment and the remaining \$15,000 will be used for Mobile Data Terminals. There are no matching funds.

**MOTION: AUTHORIZING THE SHERIFF'S DEPARTMENT TO ACCEPT A \$60,000 GRANT TO BE USED FOR OVERTIME, LIVESCAN AND RELATED EQUIPMENT AND MOBILE DATA TERMINALS MADE BY MR. FARRAND. SECONDED BY MR. WEAVER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. 911 Enhanced

1. **Monthly Report** – Mr. Hopkins asked the committee if they had any questions regarding his monthly report.

2. **Tow Trucks** – Mr. Isaman stated that he had a discussion with Mr. Hopkins related to the 911 Center calling out tow trucks. He commented that he did not know we did that and questioned whether we should. Mr. Hopkins had informed him that it should be an option because of the limited number of places that do towing. Mr. Isaman asked can't a person just call the towing company themselves? Sheriff Ordway replied that if there is any property damage or personal injury, then the tow company will be charged with a misdemeanor if they hookup before law enforcement gets there. Mr. Isaman stated if we are going to do that through the 911

Center, then we should put insurance requirements in place. Do we know what their insurance coverage is? Mr. Alger asked do we call out who we are told to call? Mr. Hopkins replied we do if they request a tow company by name, otherwise we do the closest available tow.

Mr. Ryan asked if the State Police is on scene, are they authorized to call for a tow? Sheriff Ordway replied the officer on the scene should be requesting the tow. Mr. Hopkins stated if the motorist says that they have AAA or a personal mechanic, then the officer on the scene can request that through 911 and we will dispatch.

Mr. Farrand stated he brought this issue up a couple of years ago and checked to see what other counties were doing. In other counties, those companies that wanted to be providers had to bring in a copy of their insurance showing property coverage and had the county listed as the additional insured. When we had talked about that, the committee did not like that idea. Mr. Farrand stated that he had suggested that we establish a policy that if the motorist does not have a specific request, they should call 911 dispatch and then they could follow a list to find the nearest available tow company. Mr. Schu stated that is what we do now. Mr. Farrand stated, no, I don't believe we do. Mr. Hopkins stated we have a rotation that we have followed since he has been back based on a list that we have available.

Mr. Donnelly asked is there liability from dispatching from a rotational list? Mr. Alger replied if we haven't vetted the list, then certainly. His position has been that we do not maintain a list and call who we are asked to call. Mr. Ahrens commented the tow companies would have to be co-insured with us. Mr. Isaman stated right now we have 25 tow companies and we don't know what kind of insurance they have. Mr. Weaver stated we need to set a policy and we need to be covered and know that they will be responsible for any damages incurred. Mr. Alger commented the next call will be from the motorist complaining about the price of the tow. Mr. Weaver stated if the tow companies want to be on the County list, then they should have to provide insurance. Mr. Isaman stated if they have one truck, it will cost them more per unit than a company that has ten trucks. We are asking for liability coverage as well as on-hook coverage.

Mr. Nichols asked why don't we just have a list that law enforcement can hand to the motorist and then the motorist can pick who they want? Mr. Ahrens replied we don't have to be generating a list. Mr. Hopkins stated that he polled other agencies and there are a variety of methods that are implemented. There is not a solution that will adequately satisfy everyone.

Mr. Schu asked how important is it to have us named additional insured? Mr. Ahrens replied very. If we lend credence to any project, they need to be vetted and adequately insured. Mr. Alger commented even beyond that, once you get a list if an officer is on the scene and someone does not show up, then the officer may call somebody else. Mr. Farrand stated the problem is when an officer doesn't have anyone to call they pick who they worked with in the past. Sheriff Ordway stated or they may ask for the nearest available tow.

Mr. Schu asked would we have to send a notice out? Sheriff Ordway replied you would have to solicit putting them on as a vendor. Mr. Gleason stated you are arbitrarily picking people. Mr. Alger stated the other option is to do an RFP that meets the requirements for towing for different regions.

Mr. Weaver commented that he would like to table this for two months in order to have a chance to look at the options.

**MOTION: TO TABLE DISCUSSION PERTAINING TO THE DISPATCHING OF TOWING COMPANIES BY THE 911 CENTER FOR TWO MONTHS MADE BY MR. WEAVER. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. Public Defender

1. **Monthly Report** – Mr. Weaver stated that he has a question regarding why the public defender caseloads are going down, but the conflicts are going up. Mr. Schu asked who makes the determination that there is a conflict? Mr. Ahrens replied with a lot of these you are dealing with Family Court so every family court case would necessitate a conflict for the Public Defender.

Mr. Alger stated that he had asked the Public Defender to review this a couple of months ago. There are ethical considerations for attorneys involved in any case. It has been suggested that the Public Defender needs to evaluate more closely those cases before being referred to the Conflicts Office. Dave Wallace had indicated last year that the caseloads rose substantially from the previous year as there were more referrals to Assigned Counsel. We are looking at that. The Public Defender's Office needs to carry their own weight. The Public Defender is on our payroll and the Conflicts Office is billed according to statute, \$75.00 per hour based on the case.

Mr. Donnelly asked would there be an incentive to represent that you have a conflict? Mr. Alger replied for the Public Defender the advantage would be that is one less case that they would have to deal with. That is a management issue.

**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. WEAVER. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: RECOMMENDING THE APPOINTMENT OF ANDREW GREELEY OF HORSELL, NEW YORK AS THE STEUBEN COUNTY PROBATION DIRECTOR AT A SALARY OF \$65,000.00 PER YEAR MADE BY MR. WEAVER. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

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

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

Respectfully Submitted by:

Amanda L. Chapman  
Senior Stenographer  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Monday, June 7, 2010 @ 10:30 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office  
NO LATER THAN NOON on Tuesday, June 1, 2010.**

**STEBEN COUNTY PUBLIC SAFETY AND CORRECTIONS COMMITTEE  
STEBEN COUNTY FINANCE COMMITTEE  
JOINT SPECIAL MEETING**

*Monday, May 24, 2010*

*9:30 a.m.*

*Legislative Conference Room  
Steben County Office Building  
Bath, New York*

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

<b>COMMITTEE:</b>	Brian C. Schu, Chair John S. Walsh	Dan C. Farrand, Vice Chair Randolph J. Weaver	Thomas J. Ryan
	Lawrence P. Crossett, Chair	Gary D. Swackhamer, Vice Chair	Scott J. Van Etten
<b>STAFF:</b>	Mark R. Alger James Gleason	Jack Wheeler Frederick H. Ahrens, Jr.	Michael Sprague David English
<b>LEGISLATORS:</b>	Patrick F. Donnelly Joseph J. Hauryski Philip A. Palmesano	Carol A. Ferratella Patrick F. McAllister	Michael Hanna Robert V. Nichols
<b>ABSENT:</b>	Donald B. Creath	Gary B. Roush	

**I. CALL TO ORDER**

Mr. Schu called the meeting to order at 9:30 a.m.

**II. GENERAL BUSINESS**

A. Emergency Management Office

1. **EMS Regional Exercise Grant** – Mr. Sprague requested authorization to accept Regional Exercise Project Grant funding from New York State Homeland Security in the amount of a \$39,160.00 for a three-county exercise. He explained that the grant is a total of \$100,000 of which \$50,000 will be paid for a consultant to do planning, conduct the actual exercise and then do an after-action report. Counties may request the remaining \$50,000 for overtime and backfill of positions and that is what the \$39,160.00 represents. This is a zero-match grant and we will be participating with Chemung and Schuyler counties.

**MOTION: AUTHORIZING THE EMERGENCY MANAGEMENT OFFICE TO ACCEPT NON-MATCHING REGIONAL EXERCISE PROJECT GRANT FUNDING FROM NEW YORK STATE HOMELAND SECURITY IN THE AMOUNT OF \$39,160.00 MADE BY MR. WALSH. SECONDED BY MR. WEAVER. ALL BEING IN FAVOR. MOTION CARRIES 5-0 (PS&C) AND 3-0 (FINANCE).**

2. **Wireless Connectivity Capital Project** – Mr. Sprague informed the committee that we have enhanced wireless networks in Corning and Hornell, however, we are having interference issues with the Hornell system. That network is on a 5.8 MHz open band. If we replaced the entire hub and still had interference, we would be no further ahead. He suggested replacing the entire Hornell setup; the control hub and the two ends, and moving to a 4.9 MHz band which is licensed solely for public safety. The cost to do this would be \$10,000.

**MOTION: AUTHORIZING THE ACTIVATION OF THE WIRELESS CONNECTIVITY CAPITAL PROJECT IN THE AMOUNT OF \$10,000 FOR THE REPLACEMENT OF THE HORNELL WIRELESS SYSTEM MADE BY MR. FARRAND. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 5-0 (PS&C) AND 3-0 (FINANCE).**

**MOTION: TO ADJOURN MADE BY MR. CROSSETT. SECONDED BY MR. WEAVER. ALL BEING IN FAVOR. MOTION CARRIES 8-0.**

Respectfully Submitted by:

Amanda L. Chapman  
Senior Stenographer  
Steuben County Legislature

**STEBEN COUNTY PUBLIC SAFETY AND CORRECTIONS COMMITTEE**

*Monday, June 7, 2010*

*10:30 a.m.*

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

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

**COMMITTEE:** Brian C. Schu, Chair Dan C. Farrand, Vice Chair Thomas J. Ryan  
John S. Walsh

**STAFF:** Mark R. Alger Gregory P. Heffner Jack Wheeler  
Andy Greeley Byrum Cooper Michael Sprague  
Tim Marshall David Hopkins James Gleason  
Joel Ordway David English Frederick H. Ahrens, Jr.

**LEGISLATORS:** Lawrence P. Crossett Carol A. Ferratella Michael Hanna  
Joseph J. Hauryski Gary B. Roush

**ABSENT:** Randolph J. Weaver

**OTHERS:** Mary Perham, *The Leader*  
Jean Marie Styer

**I. CALL TO ORDER**

Mr. Schu called the meeting to order at 10:30 a.m. and asked Mr. Walsh to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE MAY 3, 2010 MEETING MADE BY MR. WALSH. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. FARRAND ABSENT FOR VOTE)**

**III. DEPARTMENTAL REPORTS/REQUESTS**

- A. Sheriff's Department
1. **General Updates** – Sheriff Ordway asked if there were any questions on his monthly report.
  2. **Reclassification** – Sheriff Ordway requested authorization to reclassify a Principal Clerk, Grade VIII to an Account Clerk-Typist, Grade VI in the Civil Division. This is due to a retirement. He commented that there is a Deputy Sheriff assigned to the Civil Division who will act as office supervisor.

**MOTION: APPROVING THE RECLASSIFICATION OF A PRINCIPAL CLERK, GRADE VIII TO AN ACCOUNT CLERK-TYPIST, GRADE VI IN THE SHERIFF'S CIVIL OFFICE MADE BY MR. RYAN. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. FARRAND ABSENT FOR VOTE)**

Mr. Walsh asked how many inmates do you have currently? Sheriff Ordway reported as of this morning they have 190 inmates. There are 12 Parole violators, 39 Federal and 18 females. We had a pod closed for repairs and now that repairs have been completed all pods are open. We need to get our Federal inmate numbers back up to 50. We are seventh in the State for the number of Federal inmates we house and we have been very proactive.

B. Emergency Management Office

1. **Monthly Report** – Mr. Sprague distributed his monthly report for review.

2. **Homeland Security Grant Budget Transfer** – Mr. Sprague informed the committee that the 2007 Homeland Security Grant expires the end of June. We have some money left in general line items that we have been told we could transfer and use for equipment purchases. He requested authorization to transfer \$5,010.00 from the Consultants line item and \$605.95 from the Contracted Labor line item to Major Equipment to purchase interoperable communications equipment to support communication for on-scene operations. Mr. Ryan asked what is interoperable communications equipment? Mr. Sprague replied it is communications equipment that can be used with various types of equipment such as between low-band and high-band.

**MOTION: AUTHORIZING THE EMERGENCY MANAGEMENT OFFICE TO TRANSFER \$5,010.00 FROM THE CONSULTANTS – PROFESSIONAL LINE ITEM IN THE 2007 HOMELAND SECURITY GRANT AND \$605.95 FROM THE CONTRACTED LABOR LINE ITEM IN THE 2007 HOMELAND SECURITY AND APPROPRIATING A TOTAL OF \$5,615.95 TO MAJOR EQUIPMENT AND AMENDING THE MAJOR EQUIPMENT LIST TO INCLUDE THE PURCHASE OF INTEROPERABLE COMMUNICATIONS EQUIPMENT FOR ON-SCENE OPERATIONS MADE BY MR. WALSH. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. FARRAND ABSENT FOR VOTE) Resolution Required.**

Mr. Ryan asked do you keep a list of all of the equipment and where it is stored? Mr. Sprague replied yes. For example, we have generators that are housed in the fire departments. Mr. Ryan asked do those generators belong to you? Mr. Sprague replied three generators belong to us. Most of the generators are out in the field with the various fire departments and some are also located at agricultural farms. Mr. Ryan asked why would the farms need them? Mr. Sprague replied in order to keep the dairy farms operating during power outages.

3. **EMS Week** – Mr. Sprague reported that EMS Week went very well and he appreciated the Chairman's efforts. We had good press coverage and as a result that generated requests for CPR training. By the way this is the 50<sup>th</sup> Anniversary of CPR.

4. **2009 Homeland Security Grant** – Mr. Sprague informed the committee that he has just received electronic confirmation that the 2009 Homeland Security Grant has been approved. We expect to receive the contracts within the next two to three weeks.

C. Public Defender

1. **Monthly Report** – Mr. Cooper asked if there were any questions regarding his monthly report.

2. **Conflict's Office Issues** – Mr. Cooper distributed a handout showing the Conflict percentages comparisons from 2007 through 2010. He noted that the 2010 figures are through April. Mr. Schu asked if he was correct in thinking, according to the handout, that so far in 2010 you have sent 45.4 percent of your Family Court cases to the Conflict's Office? Mr. Cooper replied that is correct. Mr. Schu asked why such a large percentage? Mr. Cooper replied we have three full-time criminal attorneys, including myself, two full-time family court attorneys and six part-time criminal attorneys. Of the six part-time criminal attorneys, two of those handle the Class A and Class B felonies. He spoke with the attorneys on his staff and basically the numbers have gone up because we have become better at identifying those cases that have conflicts of interest. The six part-time attorneys are spread all over and since he has been here, the communications between all of our offices is much better. The other factor, in the case of Family Court, is that over the past six months we have had several cases with multiple defendants and we can only represent one party. Also, we send out our criminal cases if there are co-defendants as we can only represent one party. Mr. Cooper stated in last month's meeting a comment was made regarding the fact that there would be an incentive for us to represent that we have conflicts of interest. Theoretically, that is true, but that doesn't happen. All of the staff is aware of the ramifications of sending cases to the Conflicts Office.

D. Probation

1. **Monthly Report** - Mr. Greeley thanked the committee for selecting him as the Probation Director. He asked if there were any questions on his monthly report. This month some categories are zeroed out as we did not have April statistics, but we will have new baselines for the next meeting.

IV. **OTHER BUSINESS**

1. **Setting the Date of the July Meeting** – Mr. Alger stated the July meeting falls on the 4<sup>th</sup> of July Holiday. The AIP Committee has moved their meeting to Monday, July 12, 2010 and he recommended this committee do the same.

**MOTION: SETTING THE DATE OF THE JULY MEETING FOR MONDAY, JULY 12, 2010 AT 10:30 A.M. MADE BY MR. FARRAND. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**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. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

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

Respectfully Submitted by:

Amanda L. Chapman  
Senior Stenographer  
Steuben County Legislature

**\*\*PLEASE NOTE CHANGE\*\* NEXT MEETING SCHEDULED FOR **\*\*PLEASE NOTE CHANGE\*\***  
Monday, July 12, 2010  
10:30 a.m.  
Bath, NY**

**Please send agenda items to the  
Clerk of the Legislature's Office  
NO LATER THAN NOON  
Monday, July 5, 2010.**

**STEBEN COUNTY PUBLIC SAFETY AND CORRECTIONS COMMITTEE**

Monday, July 12, 2010

10:30 a.m.

Legislative Conference Room  
Steuben County Office Building  
Bath, New York

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

<b>COMMITTEE:</b>	Brian C. Schu, Chair John S. Walsh	Dan C. Farrand, Vice Chair Randolph J. Weaver	Thomas J. Ryan
<b>STAFF:</b>	Mark R. Alger James Gleason Eric Tyner	Jack Wheeler Frederick H. Ahrens, Jr. Michael Sprague	Dave Hopkins Mike McCartney David English
<b>LEGISLATORS:</b>	Patrick F. Donnelly Joseph J. Hauryski	Carol A. Ferratella Gary B. Roush	Michael Hanna Thomas J. Ryan
<b>OTHERS:</b>	Jean Marie Styker Mary Perham, <i>The Leader</i>		

**I. CALL TO ORDER**

Mr. Schu called the meeting to order at 10:40 a.m. and asked Mr. Weaver to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE JUNE 7, 2010 MEETING MADE BY MR. WALSH. SECONDED BY MR. WEAVER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. DEPARTMENTAL REPORTS/REQUESTS**

A. Emergency Management Office

1. **2009 SHSP Homeland Security Grant** – Mr. Sprague requested authorization to accept the 2009 SHSP Homeland Security Grant in the amount of \$130,207.00. He stated that \$19,000 will be used for overtime and backfill for training and exercises. The remaining will be used for equipment; Decon Shelter replacement, Credentialing System, Incident Tracking Software and Interoperable Communications. He explained that with the credentialing system they are looking to have one uniform ID for all responders.

Mr. Weaver asked will the GIS software interface with what the Planning Department has? Mr. Alger replied yes.

Mr. Weaver asked with regard to the credentialing system, with the volunteer organizations, are we going to be able to track who is a member and who is not? Mr. Alger replied we will want to maintain an active database. Mr. Schu asked will you have the departments require that their ID be turned in? Mr. Sprague replied there is a lot to this system and we already have a committee set up to look at this. We are looking at the frequency of issuing cards. Also, we are looking into sharing the system with a couple of locations throughout the County. The Erwin area fire department is already using this system, but they do not have a bar code on their cards. He would like to have a location in the Corning area and a location in the Hornell area. If we are notified that someone has left a department, we can change the information in the database. Mr. Sprague stated that he would like to see what other counties are doing.

Mr. Ryan asked once you fund this, what are the future costs to the County? Mr. Sprague replied the only cost to the County with the swipecard system would be the actual cost of the cards. There would also be an annual maintenance fee to keep the system current. Mr. Sprague stated that his plan would be to include the cost of the

maintenance in next year's Homeland Security Grant. Mr. Ryan asked if you are unable to do that, do you have an idea of what the cost would be? Mr. Sprague replied if that happens, we would look at fund raising and look to individual departments for funding.

Mr. Alger commented that if you were looking at doing an annual issuance of cards, you would want to look at \$.50 cards rather than \$5.00 cards. He really thinks that Mr. Sprague will need to have a good policy and figure out how to get the cards back when people leave. There needs to be really strict controls to get the cards back, and you'll have to consider how you will do that.

**MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO ACCEPT THE 2009 SHSP HOMELAND SECURITY GRANT IN THE AMOUNT OF \$130,207.00 AND ESTABLISHING THE BUDGET AND CAPITAL EQUIPMENT LIST IN ACCORDANCE WITH THE GRANT CONTRACT MADE BY MR. WEAVER. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Contracts** – Mr. Sprague requested authorization to enter into contracts with Eric Dale and Mark Chapman to provide fire training at a cost not to exceed \$900.00 per course.

**MOTION: AUTHORIZING THE EMERGENCY MANAGEMENT OFFICE TO ENTER INTO CONTRACTS WITH ERIC DALE AND MARK CHAPMAN TO PROVIDE FIRE TRAINING AT A COST NOT TO EXCEED \$900.00 PER COURSE, PER INSTRUCTOR MADE BY MR. WALSH. SECONDED BY MR. WEAVER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

3. **Regional Exercise Grant Update** – Mr. Sprague informed the committee that they held the initial planning meeting for the Regional Exercise Grant on June 25, 2010. They anticipate conducting the three-county exercise on September 8, 2010 at a location to be determined. The incident will be a Category I hurricane. This will be a tabletop exercise.

4. **Reorganization of NYS Emergency Services Agencies** – Mr. Sprague reported that effective July 1, 2010, the State Offices of Emergency Management, Homeland Security and the Office of Fire Prevention and Control have been reorganized into the Division of Homeland Security and Emergency Services. Mr. Ryan asked will there be any negative ramifications? Mr. Sprague replied a lot of staff are retiring and with the consolidation there will be fewer people to operate and respond during emergencies.

B. Law Department

1. **Local Law Relative to Secondhand Dealers** – Mr. Ahrens distributed copies of a proposed local law relative to secondhand dealers. The purpose of this proposed local law is to make it more difficult to sell stolen goods. There would be requirements for the secondhand dealers to keep a register of all items bought and sold as well as to obtain ID from individuals conducting business including their legal name, address, age, and description. In addition, there would be a provision that the secondhand dealer would have to hold any items brought in for sale for a minimum of seven days. Garage Sale, antique dealers and licensed firearms dealers would be exempt as would be sales conducted by government, civic, education, religious organizations and those businesses that are already regulated by the licensing laws of the State. If this law were to be adopted, the District Attorney would prepare the necessary forms with the tracking information they would require. These records would be required to be open to inspection by the police. There would be a \$500.00 fine per occurrence.

Mr. Ahrens stated that he would like to hold a public hearing sometime in September and send the proposal to all of the secondhand dealers allowing them to tell us their thoughts about this. We would request that they submit a written statement, but present that statement in person at the time of the public hearing.

Mr. Walsh asked how many secondhand dealers are in the County? Mr. Ahrens replied he knows of four in the Bath/Corning area and there are a few in the Hornell area. Mr. Walsh commented that this law makes it sound as though anything that is used would be subjected to this. Considerable discussion followed.

**MOTION: SETTING THE DATE FOR A SPECIAL PUBLIC SAFETY & CORRECTIONS COMMITTEE MEETING TO BE HELD ON MONDAY, SEPTEMBER 27, 2010 AT 1:30 P.M. FOR THE PURPOSE OF HEARING COMMENTS RELATIVE TO A PROPOSAL TO ENACT A LOCAL LAW RELATIVE TO SECONDHAND DEALERS MADE BY MR. FARRAND. SECONDED BY MR. RYAN FOR DISCUSSION.**

Mr. McCartney stated that they have had incidences of people stealing video games and then trying to sell those back to GameStop. This proposal is designed to give the police the reasonable expectation that a business will be able to identify the individual who sold an item to them.

Mr. Ryan asked if we approve holding a special meeting to obtain public comment and to gather more information, then this doesn't have to be the final draft? Mr. Ahrens replied this proposal is just a vehicle for discussion. Mr. Schu commented the County could encourage the local municipalities to pass a local law if the county did not want to.

**VOTE ON PREVIOUS MOTION: MOTION CARRIES 4-1. (MR. WALSH OPPOSED)**

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

Respectfully Submitted by:

Amanda L. Chapman  
Senior Stenographer  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Monday, August 2, 2010  
10:30 a.m.  
Bath, NY**

**Please send agenda items to the  
Clerk of the Legislature's Office  
NO LATER THAN NOON  
Monday, July 26, 2010.**

**STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE**

*Monday, August 2, 2010*

*10:30 a.m.*

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

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

<b>COMMITTEE:</b>	Brian C. Schu, Chair John S. Walsh	Dan C. Farrand, Vice Chair Randolph J. Weaver	Thomas J. Ryan
<b>STAFF:</b>	Mark R. Alger Dave Hopkins Michael Sprague	Jack Wheeler Tina Goodwin James Gleason	Andrew Greeley David English
<b>LEGISLATORS:</b>	Patrick F. Donnelly Michael Hanna	Lawrence P. Crossett Joseph J. Hauryski	Carol A. Ferratella Gary B. Roush
<b>OTHERS:</b>	Mary Perham, <i>The Leader</i>		

**I. CALL TO ORDER**

Mr. Schu called the meeting to order at 10:30 a.m. He asked Mr. Weaver to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE JULY 12, 2010 MEETING MADE BY MR. FARRAND. SECONDED BY MR. WEAVER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. DEPARTMENTAL REPORTS/REQUESTS**

A. Emergency Management Office

1. **Award of Responder Notification RFP** – Mr. Sprague requested authorization to accept the RFP for the I Am Responding Notification System. Originally the quote was good through the end of April, but the vendor agreed to extend the price through September 1, 2010. He recommended accepting Cost Option 2 which would be a \$21,100.00 base year subscription fee plus \$1,820.00 for set up. Each subsequent renewal would cost \$21,100.00. Our intent is to renew for five years.

Mr. Farrand asked does the Homeland Security Grant cover this? Mr. Sprague replied yes. Mr. Farrand asked would it make sense to set up an initial cost for each user department now to help reduce the cost in future years? If we don't get grant funding you will have to charge them for the entire year. Mr. Sprague replied we have been notified that Homeland Security Grant funding will stay the same or go slightly higher. Mr. Farrand commented we should charge something just to get it started. At least then you would have something to fall back on if grant funding did not come through. Mr. Sprague stated once the departments see the value of the program, they will buy into it. The other part is we don't know how many departments will sign on and, therefore, we wouldn't know how to divide the cost.

Mr. Donnelly suggested a letter could be sent to the agencies with an anticipated cost. Mr. Schu commented you would know that cost better after the first year.

Mr. Alger stated if you want this to work, you have to run it the first year with the grant, then when you get the buy-in from the agencies, you could start charging the agencies. If there are any agencies that choose not to participate, they will not be called for mutual aid; they will only receive their own calls. He commented that his

feeling is to try it the first year and begin talking with the agencies about how to maintain this system for the long-term. With the first year, the drive is to get the agencies to participate.

Mr. Crossett asked what would be the cost if an agency purchased the system on their own? Mr. Sprague replied it would cost approximately \$800.00.

**MOTION: AWARDING THE RFP FOR RESPONDER NOTIFICATION SYSTEM TO EMERGENCY SERVICES MARKETING CORP., INC., COST OPTION #2 FOR A TOTAL COST OF \$22,920.00 INCLUSIVE OF THE SET-UP FEES WITH THE INTENT TO RENEW MADE BY MR. FARRAND. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Regional Exercise** – Mr. Sprague informed the committee that the regional exercise will take place on September 8, 2010 at the Corning Country Club. We are hoping for at least 100 participants and are in the process of sending out invitation letters.

B. Probation

1. **Ignition Interlock Devices** – Mr. Schu asked Mr. Greeley to discuss the correspondence regarding the different classifications of interlock devices. Mr. Greeley stated the new law will go into effect August 15, 2010 and basically anyone convicted of a misdemeanor or felony DWI has to have an ignition interlock device on their car. These individuals can be placed on conditional discharge or probation. The second part of this law is that if a person cannot afford to make payments, the judge can give them a certification to do a payment plan or to not make payments. The Division of Probation has set up a regulation that we will have five or six vendors in our County.

Mr. Greeley stated the Probation Department determines which level of device to use. The offender chooses the vendor, except in those cases where they cannot afford to pay and then we can choose the vendor. This has the potential to be a big cost, but we don't know. In about six months we will have a better idea of what will happen. We had anticipated getting more pre-sentence reports as a result of the change, but that has not happened. Mr. Greeley stated the Sheriff's Department is doing the conditional discharges and they will monitor those individuals who are not on probation.

Mr. Donnelly asked are there any criteria used to determine if an individual can afford to purchase the system? Mr. Greeley replied there is a five-page form that the defendant has to submit to the court. It is used to determine affordability. It is strictly up to the defendant to get the form and submit it to the judge. Mr. Greeley stated that he has met with the local justices and they are all on board.

Mr. Hanna asked how long do they have to have the system? Mr. Greeley replied a minimum of six months. Mr. Hanna asked do you think you will see more people going to rehab as a result of this? Mr. Greeley replied those individuals who have a criminal history will be placed on probation and a condition of that is treatment and rehabilitation. The first time offenders more than likely will just go through the process.

Mr. Crossett asked what happens if they have more than one vehicle? Mr. Greeley replied they have to have the device on all vehicles in the household. Mrs. Ferratella asked is there a training program for the judges? Mr. Greeley replied yes, there are webinars and a booklet was distributed by the Office of Court Administration.

C. Administrator

1. **Shared Services RFP** – Mr. Wheeler stated that there is a shared services grant through the Department of State. He requested authorization to issue an RFP for a consultant based study of the 911 system to see what services could be shared between Allegany, Schuyler and Steuben counties.

**MOTION: AUTHORIZING THE ISSUANCE OF AN RFP FOR A CONSULTANT BASED STUDY OF THE 911 SYSTEM TO SEE WHAT SERVICES COULD BE SHARED BETWEEN ALLEGANY, SCHUYLER AND STEUBEN COUNTIES MADE BY MR. WEAVER. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**IV. OTHER BUSINESS**

A. September Meeting Date – Due to the Labor Day Holiday, the September meeting will be held on Monday, September 13, 2010 at 10:30 a.m. The committee was in agreement.

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

Respectfully Submitted by:

Amanda L. Chapman  
Senior Stenographer  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR**

**\*\*PLEASE NOTE CHANGE\*\*Monday, September 13, 2010\*\*PLEASE NOTE CHANGE\*\*  
10:30 a.m.  
Bath, NY**

**Please send agenda items to the  
Clerk of the Legislature's Office  
NO LATER THAN NOON  
Monday, September 6, 2010.**

**STEBEN COUNTY PUBLIC SAFETY AND CORRECTIONS COMMITTEE**

*Monday, September 13, 2010  
10:30 a.m.  
Legislative Conference Room  
Steuben County Office Building  
Bath, New York*

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

**COMMITTEE:** Brian C. Schu, Chair Dan C. Farrand, Vice Chair Thomas J. Ryan  
John S. Walsh Randolph J. Weaver

**STAFF:** Mark R. Alger Eugene Greeley David Hopkins  
Mike Sprague Joel Ordway David English

**LEGISLATORS:** Patrick F. Donnelly Carol A. Ferratella Michael Hanna  
Gary B. Roush

**OTHERS:** Mary Perham, *The Leader*

**I. CALL TO ORDER**

Mr. Schu called the meeting to order at 10:30 a.m. and asked Mr. Ryan to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE AUGUST 2, 2010 MEETING MADE BY MR. FARRAND. SECONDED BY MR. WEAVER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. DEPARTMENTAL REPORTS/REQUESTS**

A. Sheriff

1. **General Updates** – Sheriff Ordway asked if there were any questions on his monthly reports. He stated that revenues are down due to the loss of parolees and that amounts to approximately \$300,000. Currently we have 10 parolees with average stays of 17 – 18 days at a cost of \$75.00 per day. We also have seen a decrease in our Federal inmates due to more competition with the county jails. Currently our Federal population is at 42. We are hoping to keep 42 – 45 for as long as we can.

2. **Grant** – Sheriff Ordway requested authorization to accept a grant award in the amount of \$3,000.00 from the Governor’s Traffic Safety Committee for the bicycle safety program. We provide helmets free of cost and also do a couple of bicycle rodeos at various schools and organizations. This is a non-matching grant.

**MOTION: AUTHORIZING THE SHERIFF TO ACCEPT A GRANT AWARD IN THE AMOUNT OF \$3,000 FROM THE GOVERNOR’S TRAFFIC SAFETY COMMITTEE FOR BICYCLE SAFETY MADE BY MR. WEAVER. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0. *Resolution Required.***

3. **School Resource Officer** – Sheriff Ordway requested authorization to contract with the Department of Social Services to provide a School Resource Officer for the Coopers Plains BOCES campus. This position is funded 62 percent by the Department of Social Services and 38 percent by BOCES.

**MOTION: AUTHORIZING THE SHERIFF TO CONTRACT WITH THE DEPARTMENT OF SOCIAL SERVICES FOR A SCHOOL RESOURCE OFFICER FOR THE COOPERS PLAINS BOCES CAMPUS MADE BY MR. FARRAND FOR DISCUSSION. SECONDED BY MR. RYAN.**

Mr. Ryan asked we provide the officer? Sheriff Ordway replied previously the School Resource Officer at the Coopers Plains campus was a State Trooper; however, that individual is no longer there. This is the same thing that we do at the BOCES Wildwood campus in Hornell. We are reimbursed 100 percent for this position. We have the manpower to do this and we are not creating a new position. We may need to purchase a vehicle for this officer. Mr. Farrand asked would you replace one of the road patrol vehicles and give that to the School Resource Officer? Sheriff Ordway replied we may do that, but the School Resource Officer may need to do home visits and that could require a fair amount of travel.

Mr. Weaver asked when school is not in session, what will the School Resource Officer do? Sheriff Ordway replied this is a full-year position. The officer would still conduct home visits throughout the summer months. Discussion followed.

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

B. 911

1. **Letter to NYS Comptroller Re: Wireless 911 Surcharge** – Mr. Hopkins informed the committee that he wanted to make them aware of the letter that was sent to the New York State Comptroller by the New York State 911 Coordinators regarding the wireless 911 surcharge funds. There are six other states that are watching this very closely. The President of the NYS 911 Coordinators Association has asked the Attorney General to investigate whether New York's actions are illegal based on the Federal Enhanced 911 Act and the New and Emerging Technologies 911 Improvement Act. The Tennessee State Attorney General has concluded that the raiding of the 911 funds in their state was illegal based on these two Federal Acts.

Mr. Ryan asked was a copy of this letter sent to the New York State Attorney General? Mr. Hopkins replied no. This is a topic that is more and more of a focus. That money was not a tremendous amount of revenue, but anything we lose is noticed in the long run. It would be nice to get at least one-half of what is collected.

Mr. Schu asked the letter references that a previous audit was conducted, but there was no follow up? Mr. Hopkins replied that he doesn't know that it was ever determined that the State Comptroller saw anything inappropriate. The fact that the State changed the name from 911 Surcharge to the Interoperable Surcharge after they were cited for not having appropriate accounting. These surcharge funds amount to over \$1 billion in revenue. Mr. Hopkins stated that he will continue to provide the committee with updates on what is happening in Tennessee and the other states.

2. **Informational** – Mr. Hopkins informed the committee that they have seen an increase in registrations for the Emergency Notification System (ENS). We have worked with the utilities, credit unions, large employers, etc. in the County to make sure that people are aware of this service.

Mr. Donnelly asked what happened to your call volume during August? Mr. Hopkins replied those numbers only reflect part of the month. We have had issues with our database due to routine maintenance. When those issues are resolved, he will send out the August totals.

C. Emergency Management Office

1. **Review of Regional Exercise** – Mr. Sprague informed the committee that the three-county regional exercise was held on Wednesday, September 8, 2010, at the Corning Country Club. We were expecting 130 people, but had 150 people attend. This was a learning experience and the idea was to talk through a major flooding event. We role-played the conference call that would take place between the National Weather Service and the EMO Directors so that people would understand what kind of information is being exchanged. We had great participation from all three counties. There were also representatives from the New York State Police, New York State Department of Environmental Conservation, New York State Department of Transportation and the New York State Department of Health. In addition, we had a number of observers including the U.S. Army Corps of Engineers. We also had representatives from the Human Needs Task Force including the Department of Social Services, Mental Health and Public Health Nursing.

Mr. Alger commented that overall, obviously the unknown is the most difficult to plan for and forecasting becomes critical, and unfortunately, it is still not perfect. Mr. Donnelly commented that in pulling people together in the same place, now you are able to place names with faces. That is not something that you can do every five years and is something that should probably be done every year.

Mr. Sprague stated that every time we have a flood, we go to our historical information and then compare and make adjustments. The consultants put together the meeting, materials, etc. That was a part of the whole grant process and the cost for that was \$50,000. Having that kind of funding is not a regular occurrence. The second part of this is the after action information that will go back to be compiled into a report. We expect to see a draft of that next Monday and will be given an opportunity to make comments. Then the finalized report will go to the Office of Homeland Security by the end of the month. The balance of the grant funding should be available to address any concerns that come out of the after action report. Mr. Sprague stated that he is going to request the balance of the grant funding that was not used. We may get up to \$50,000 to make improvements. Right now, we are guaranteed to receive \$10,000.

Mr. Ryan asked did you see any shortfalls with the communications equipment during this exercise? Mr. Sprague replied we are pretty resilient in this County with our communications. The real challenge is coming up with a method of getting information between the counties. We are looking at a web sharing website that the FBI currently has now. With our radio communications we have a lot of redundancy, but a lot of other counties do not. The other two counties have one communications site. Steuben County has nine sites.

Mr. Alger stated a critical thing is your internal communications. During the 1972 Flood, the biggest difficulty was to coordinate services internally because the communications were down. Mr. Sprague commented that once we reach a certain point in a flood disaster, the communications will go down. Our system makes us non-dependent on telephone. Unless we lose our fiber optic, we will not lose our radio communications system.

Mr. Sprague stated that Winnie Romeril, an international volunteer for the American Red Cross, has a lot of experience doing communications for large disasters. She did a press release for us on this event. Discussion followed.

2. **I Am Responding** – Mr. Sprague informed the committee that he met with representatives from I Am Responding and we are moving ahead with this program. The response to the implementation of this program has been very positive.

3. **Homeland Security Briefing** – Mr. Sprague informed the committee that there will be a Homeland Security Briefing on September 23, 2010. We should find out what we will receive for the next grant. Also, there will be an introduction to the changes in the Department of Homeland Security and Emergency Services.

D. Administrator

1. **Cell Phone Request** – Mr. Alger stated that Probation is requesting six cell phones for their field officers. Mr. Greeley stated that they have ten phones, which have worked really well. He would like to have these additional phones for safety reasons, officer accountability and to allow the officers to contact their Supervisors if there is a question out in the field.

Mr. Farrand asked what is the total cost? Mr. Alger replied the cost is \$324.00 per year, per phone. The total cost would be \$2,000. Mr. Greeley stated we have sixteen field officers. Ten of them have cell phones and the remaining six do not.

**MOTION: APPROVING THE CELL PHONE REQUESTS FOR THE PROBATION DEPARTMENT FOR THE FOLLOWING PROBATION OFFICERS: SHAWN REYNOLDS, SIENNA EVINGHAM, JOSEPH BAROODY, DIANE COLE, BRANDACE RIDLEY AND CINDY SPALLONE MADE BY MR. FARRAND. SECONDED BY MR. WEAVER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**IV. OTHER BUSINESS**

A. Special Meeting – Mr. Schu stated that after the September 27, 2010, Legislative Meeting, the Public Safety & Corrections Committee will have a special meeting relative to the proposal to enact a Local Law relative to Secondhand Dealers.

Mr. Walsh commented that one of the issues he has is with the waiting period. The waiting period is seven to ten days. He commented that he sees this going on a slippery slope. Mr. Weaver stated they are asking the retailers to keep track of what they are bringing in and sending out. Mr. Farrand stated 90 percent of the business owners know who they are selling to or buying from. Mr. Walsh stated that he talked to a couple of attorneys who have said that if this proposed local law was challenged, it would not hold up in court. Discussion followed.

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

Respectfully Submitted by:

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Monday, October 4, 2010  
10:30 a.m.  
Bath, NY**

**Please send agenda items to the  
Clerk of the Legislature's Office  
NO LATER THAN NOON  
Monday, September 27, 2010.**

**STEUBEN COUNTY PUBLIC SAFETY AND CORRECTIONS COMMITTEE**

**Special Meeting**

*Monday, September 27, 2010*

*1:30 p.m.*

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

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

**COMMITTEE:** Brian C. Schu, Chair Dan C. Farrand, Vice Chair Thomas J. Ryan  
John S. Walsh Randolph J. Weaver

**STAFF:** Mark R. Alger Jack Wheeler John Tunney

**LEGISLATORS:** Patrick F. Donnelly Carol A. Ferratella

**OTHERS:** Scott Milone, A Treasure Chest Swap Shop, Corning, NY  
Ben Wistuk, Woody's Instant Cash, Hornell, NY  
Michael Horton, Horton Auctioneering, Campbell, NY  
Dennis Merrill, A Treasure Chest Swap Shop/Video Games, Corning  
Steve Muller, Muller's Auctions  
Chief David Rouse, Bath Police Department  
Chief Salvatore Trentanelli, Corning Police Department/President, County Chief's Association  
Eric Tyner, Sheriff's Department  
Brooks Baker, Reed Law Firm

**I. CALL TO ORDER**

Mr. Schu called the meeting to order at 1:30 p.m. The purpose of today's meeting is to take public comment on the proposed local law regarding secondhand dealers. There will be no dialogue between the public and the committee; we are just asking for comments so the committee can have more information for consideration.

**II. PUBLIC COMMENT**

Mr. Schu opened the floor for comments by members of the public.

Scott Milone, A Treasure Chest Swap Shop, Corning, NY, stated that one of his concerns is the requirement that individuals provide two forms of identification. We make sure that everyone has a driver's license or a school ID card. The second concern is with the seven-day waiting period. Our store is not big and we are not rich. He stated that he could do 100 buys on a Friday night and if he had to hold those purchases for seven days, he wouldn't have the room. He won't take anything that he thinks may be stolen. If the police are in my store every night, customers will be shy about coming in. What is to stop people from coming in, writing the serial number from an item on the shelf, and then going to the police and saying it was stolen? That is something that will be difficult to control. Mr. Milone stated with regard to DVD's, CD's, etc., there are millions of copies. How can the police come in and say that a particular video game was stolen? He explained that when a customer comes in, they write down the serial number of the item, the driver's license ID, get the customer's signature, etc. How will you prove that if someone is bringing in a DVD? Items that are made in China do not have serial numbers. Gold, how do you prove that? This is something we already are doing and with this proposal, now we will get fined if we don't. Law enforcement comes in now and goes through our files and we have no problems with that. We also have bully officers that have come in. Mr. Milone stated that he does not want to get bullied by officers. If they have full reign, will they be coming in opening registers and closing our store, etc.? He stated that he also goes to yard sales and, according to this proposal, now he will have to have proof of everything that he purchased.

It is tough to prove those purchases. This will really hurt my business. If the law does pass, will there be guidelines that will come out and be sent to all of the stores?

Ben Wistuk, Woody's Instant Cash, Hornell, NY, stated allowing law enforcement to come in anytime in any part of the building sounds like an open warrant. Would you like an open warrant on your house? The police have come into my store and asked for records and I have been more than willing to provide those. I'm not in business to get stolen items; I have a legitimate business. He stated that he does not agree with having law enforcement coming into his store anytime they want. The other concern is that it is difficult to have a record of all purchases. He purchases CD's for \$.25 each, DVD's for \$.50 each, etc. It is ridiculous if he has to keep a record of all of those purchases. Anyone that comes into his store and makes a purchase of \$25.00 or more is asked to sign a paper, provide their identification and their information is entered into my computer. Additionally, their photo is taken. Mr. Wistuk stated that when he does a purchase item, it is logged into the computer, and a buy ticket is printed. He has a seven-day holding period as he doesn't want to sell stolen items. The buy ticket has an ID number. After seven days, we write a sell ticket and we affix that to the item. He provided a copy of the "Seller's Bill of Sale" as well as a copy of the form he uses on his computer. *Secretary's Note: These are filed with the official minutes in the Clerk of the Legislature's Office.* Mr. Wistuk stated that the computer program he uses cost \$4,000 to purchase and he pays \$900 a year to maintain it. This is something you may want to think about adopting. To go through that process with items less than \$25.00 is ridiculous, as there is no way to keep track of it. He stated that he does have a concern with the requirement to have customers provide two forms of identification. One picture identification is enough to go on a plane or travel out of the country. He does agree that buyers should be 18 years or older. The seven-day waiting period is good because he believes that you should be able to get your possessions back if you had them stolen. Mr. Wistuk stated that he's adopted these rules on his own and he has a good rapport with the police department. You are going in the right direction, it just needs to be tweaked. What will you do about the out-of-town shows that come in without any regulation? They come in, buy things, such as gold on Monday and Tuesday and then are gone on Wednesday. If you adopt this proposal, those out-of-town shows should have to follow some guidelines as well.

Michael Horton, Horton Auctioneering, Campbell, NY, stated that he is a used furniture dealer. They purchase furniture from estates, auctions, etc. We deal with family members and executors of wills. These folks are not looking to pawn, they are looking to sell old furniture sets before they purchase a new set. We sell modern furniture. Antiques are considered to be 50 years and older. Most of the things we sell are newer. Your proposal is looking at items with serial numbers. If that is the case, we are selling used furniture. We need to pinpoint what exactly you are looking to do. You are comparing a recliner to a flat screen television. As an auctioneer, how is that going to work with regard to the seven-day waiting period? He didn't see any form of explanation in the proposal. How does farm equipment fall into this? There are no provisions in your proposal with regard to used farm equipment. What about horse and livestock auctions? Are you going to hold the animals for seven-days? The proposal is very vague with regard to what will be auctioned. Mr. Horton commented that Allegany and Yates counties do not have a seven-day waiting period. You are bringing in folks that sell modern furniture under this proposal. It is not a matter of record keeping, but having to ask customers for identification and information.

Dennis Merrill, Corning, NY, stated that he has a video game store and shares space with A Treasure Chest. I don't want to lose my business because customers can go to GameStop and sell their games much easier. When you go to GameStop you are not required to do this. If the police call me and say that something was stolen, I watch for it. I don't want it to be difficult for his customers to come in and sell their games.

Chief David Rouse, Bath Police Department, stated that my intent for speaking here is not to drive businesses out of the County, however, this is a problem. We live in a much more mobile society where mass transit is available. We have individuals that come into the area and commit crimes. Some tracking needs to be done and the intent behind this is good. A lot of businesses are taking steps, but there are many who are not. Chief Rouse commented that he could understand that it would be laborious to ask you to go through and inventory every item, especially CD's and DVD's, but with technology, a digital image could be taken of a number of items. Perhaps the waiting period requirement could be tweaked. He stated that he thinks we could take this a step further. With regard to comments about only needing one form of identification to go out of the country; you have to show

multiple forms of identification in order to get a passport. In Bath we had a problem with landlords not knowing who they were renting to. Getting a couple of forms of identification can be done. For those who cannot take the time to produce two forms of identification, they have something to hide. Chief Rouse suggested that this local law would require all secondhand dealers to make application to be licensed as secondhand dealers. In order to obtain this license, they would have to complete a successful background check and perhaps submit fingerprints to be checked against DCJS and FBI databases to ensure they are not a convicted felon. There could also be a requirement that the licensee post a bond with the County and that may be forfeited for violations of the local law. Lastly, we would want to prohibit any convicted felon from being a secondhand dealer or employee of a secondhand dealer. It makes sense to protect the community and the public. This is a step in the right direction and it is important.

Steve Muller, Bath, NY, stated that he has not read the proposed law. He has been robbed many times himself, and has unknowingly purchased stolen property, and worked with law enforcement as much as he could. If you are going to make secondhand dealers keep track of items, it should only be items with serial numbers. On Thursdays you have the livestock markets and Sundays is the Addison Flea Market; how will you regulate that? You are putting us in a bad position. He stated that he is opposed to this law and he is hopeful that the Board does not pass it.

Chief Salvatore Trentanelli, Corning Police Department, stated that he is also the President of the Steuben County Chief's Association. He agrees with what everyone has had to say. He doesn't think that law enforcement wants to punish any of the dealers. It is clear that many dealers do work with law enforcement and keep records. We are trying to bring into the fold those that don't keep records and that don't want to comply. Chief Trentanelli stated that he doesn't see an issue with requiring two forms of identification. With regard to keep track of CD's, DVD's, games, etc. you can lay them out on a table and take a picture. The purpose of this is to protect people who are purchasing, selling and running the secondhand businesses. The Corning, Bath and Hornell police departments are not planning on going and harassing secondhand dealers. It sounds like we have a group of entrepreneurs that are willing to work with the County. There are exceptions and we would need to do an educational campaign. The Steuben County Chief's Association is in favor of this legislation at some point, in some form.

Mr. Schu thanked everyone for their comments. There being no further comment, the opportunity for public comment was closed.

**MOTION: TO ADJOURN MADE BY MR. RYAN, SECONDED BY MR. WEAVER AND DULY CARRIED.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE

Monday, October 4, 2010

10:30 a.m.

Legislative Chambers  
Steuben County Office Building  
Bath, New York

MINUTES

Committee: Brian C. Schu, Chair Dan C. Farrand, Vice Chair Randolph J. Weaver  
John S. Walsh Thomas J. Ryan

Legislators: Patrick F. Donnelly Lawrence P. Crossett Joseph J. Hauryski  
Mike Hanna

Staff: Jack Wheeler Joel Ordway Tina Goodwin Eugene Greeley

Other: Mary Perham, *Leader*

**I. CALL TO ORDER**

The meeting was called to order by Mr. Schu at 10:45 a.m.

**II. APPROVAL OF MINUTES**

**MOTION APPROVING THE MINUTES OF THE SEPTEMBER 13, 2010, MEETING MADE BY MR. WALSH. SECONDED BY MR. WEAVER. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Ryan and Mr. Farrand not present for the vote.**

**III. DEPARTMENTAL REPORTS/REQUESTS**

A. Sheriff

1. **General Update** – Sheriff Ordway asked if there were any questions regarding the reports he sent to the Committee last week. There were no questions.

2. **GTSC Grant Award** – Sheriff Ordway requested authorization to accept a grant from the Governor’s Traffic Safety Committee in the amount of \$9,800 to participate in the statewide “Child Passenger Safety” program. He noted the grant does not require matching funds.

**MOTION: ACCEPTING AND APPROPRIATING \$9,800 IN GRANT FUNDS FROM THE GOVERNOR’S TRAFFIC SAFETY COMMITTEE FOR THE CHILD PASSENGER SAFETY PROGRAM MADE BY MR. WALSH. SECONDED BY MR. WEAVER. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Ryan and Mr. Farrand not present for the vote.**

3. **NYS Sheriffs’ Association Grant Award** – Sheriff Ordway requested authorization to accept a grant from the New York State Sheriffs’ Association’s Rural Traffic Enforcement Initiative in the amount of \$18,364. He noted \$15,500 is for personal services for dedicated selective traffic enforcement and \$2,864 is being provided to purchase a Stalker radar unit. He noted the grant does not require matching funds.

**MOTION: ACCEPTING AND APPROPRIATING \$18,364 IN GRANT FUNDS FROM THE NEW YORK STATE SHERIFF’S ASSOCIATION’S RURAL TRAFFIC ENFORCEMENT INITIATIVE FOR DEDICATED SELECTIVE TRAFFIC ENFORCEMENT MADE BY MR. WEAVER. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Ryan and Mr. Farrand not present for the vote.**

4. **Housing Update** – Sheriff Ordway informed the Committee that he met with the U.S. Marshal Service and is in the process of negotiating the fee for the housing of Federal inmates. He noted neighboring counties have contracts with the U.S. Marshals and are receiving \$90 per day per inmate. We currently receive \$75 per day and have no contract. With a contract, the Marshal Service is looking for a 30 bed guarantee. Initially he was leery of doing that because the local population was too high, but now that the population is down so he would like to negotiate with them. Discussion followed.

#### IV. **OLD BUSINESS**

A. **Proposed Local Law** – Mr. Ryan stated I am sure that the intent of this local law is well-founded, but I think we are at the wrong end of this issue. The issue is stealing and we have been dealing with that issue for years. We haven't solved that problem yet, and I don't see how this local law will resolve it either. I think the sentiment of walking into someone's business without of warrant is that it shouldn't be done.

Sheriff Ordway stated he hasn't taken a stance on this issue other than it would be a great tool for an investigator. Is it going to stop thievery? No.

Mr. Ryan stated I think people should take personal responsibility; it isn't the government's job. I can't support this. Discussion followed.

Mr. Walsh stated some of the items they are talking about, i.e. video games, jewelry, baseball cards, stamps; there are no serial numbers on those items. How can you ask dealers to hold items for seven days when there are no serial numbers on them?

Mr. Weaver stated if we say no, people are going to say we are soft on crime. If we say yes, we are against small business. He stated one concern he has is that they haven't heard definitively from the District Attorney as far as "we need to do this". The other side to this is that there are a lot of people in this business who are good and do what they are supposed to do. They aren't the ones we are worried about.

Mr. Walsh stated he thinks this local law makes it hard on the honest dealers. The illegal dealers will just change their tactics if you implement this law. The seven day waiting period could really hurt these businesses.

Mr. Donnelly stated the comments made last week were regarding the law as it was proposed. Maybe you can take it back and tinker with it to find common ground. Discussion followed.

**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. WEAVER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. Farrand not present for vote.**

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

Mr. Schu explained that Mr. Ryan and Mr. Walsh have expressed their opinions regarding the proposed local law. We can either vote on it as it is, or send it back to the Law Department with recommended changes.

Mr. Farrand stated he likes the law, but wants to tweak it more. He doesn't think it will hurt the businesses to institute a waiting period, but he recommends they change the requirement to one form of identification rather than two. He noted it isn't going to stop people from stealing, but at least with this, law enforcement will know where the item came from. Discussion followed.

Mr. Weaver stated he doesn't know if it is going to curtail crime. In theory it sounds good, but he doesn't know if it will make the unscrupulous dealers more scrupulous.

**MOTION: REFERRING THE PROPOSED LOCAL LAW RELATIVE TO SECONDHAND DEALERS TO THE LAW DEPARTMENT TO CHANGE THE LANGUAGE BY CHANGING THE FORM OF IDENTIFICATION REQUIRED TO ONE PHOTO AND SHORTENING THE WAITING PERIOD MADE BY MR. FARRAND. SECONDED BY MR. WEAVER. ALL BEING IN FAVOR. MOTION CARRIES 3-2. *Mr. Ryan and Mr. Walsh opposed.***

**MOTION TO ADJOURN MADE BY MR. FARRAND. SECONDED BY MR. WEAVER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully submitted by,

Brenda K. Mori  
Clerk of the Legislature

**NEXT MEETING SCHEDULED FOR  
Monday, November 1, 2010  
10:30 a.m.**

**Please send agenda items to the  
Clerk of the Legislature's Office  
NO LATER THAN NOON  
October 25, 2010**

**STEBEN COUNTY PUBLIC SAFETY AND CORRECTIONS COMMITTEE**

*Monday, November 1, 2010*

*9:30 a.m.*

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

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

<b>COMMITTEE:</b>	Brian C. Schu, Chair John S. Walsh	Dan C. Farrand, Vice Chair Randolph J. Weaver	Thomas J. Ryan
<b>STAFF:</b>	Mark R. Alger Michael Sprague Ray Dell	David Hopkins Tim Marshall John Tunney	Tina Goodwin Byrum Cooper
<b>LEGISLATORS:</b>	Patrick F. Donnelly Gary B. Roush	Carol A. Ferratella	Joseph J. Hauryski
<b>OTHERS:</b>	Jean Marie Skinner		

**I. CALL TO ORDER**

Mr. Schu called the meeting to order at 10:30 a.m. and asked Mr. Weaver to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE OCTOBER 4, 2010 MEETING MADE BY MR. FARRAND. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. DEPARTMENTAL REPORTS/REQUESTS**

A. Emergency Management Office

1. **Monthly Report** – Mr. Sprague distributed his monthly report for review. He commented that they have been working with the Bradford Ambulance Corps to make sure they have coverage as they no longer have any EMT’s. They are currently training four individuals and they will be available to work in the spring. They are doing mutual aid with the Tyrone and Bath ambulance corps.

Mr. Hauryski commented this is also an issue with the Bradford Fire District. He, in the past, has suggested that they dissolve. Mr. Weaver stated we may need to look at doing regional EMS. Mr. Farrand stated it would be a good idea to look into that. Mr. Alger stated it will come down to costs.

Mr. Farrand stated we need to put the towns together that are interested and hire a full-time individual for a particular area. Mr. Sprague stated we have been conducting a study for regional EMS services in the northern end of the County. The fire services have the same problem. Every place where there is a lack of volunteers for EMS, there are just as many issues for fire service. The ambulance agencies in the northern part of the County have actually sat down to discuss this, and that is the hardest part of the process. He stated that in previous discussions with Bath, Bradford and Tyrone, the issue has been the loss of their individual identities. This is not anything that we can tell them they have to do. We have no say in this process. We try to propose that every chance we get. Discussion followed.

2. **Mitigation Plan Update** – Mr. Marshall informed the committee that they received a letter from FEMA indicating final approval of Steuben County’s Hazard Mitigation Plan and that plan was officially accepted on March 23, 2010. This is a five-year plan and at the end of five years we will need to conduct another review. All of the communities with the exception of Erwin, who adopted their own plan, and Hartsville are

approved on our plan. If the Town of Hartsville wants to participate in our plan, they can send a resolution to FEMA and they will include them. If there were any issues in the Town of Hartsville, we could go in with Public Works and Soil & Water and do work under the auspice of the County. However, if there was any mitigation funding that they wanted to apply for, they would not be eligible as they are not a member of the plan.

3. **FCC Narrow-Band Mandate** – Mr. Sprague informed the committee that there is a new narrow-banding requirement that we need to meet by January 1, 2013. The FCC is requiring narrow-banding for VHF channels up to 512 MHz. This will primarily affect law enforcement and EMS. This requirement will affect how radios perform, affect the process by which they transmit and generate more available spectrums for the FCC to allocate out more space. This requirement will double the amount of frequencies that will be available for use. Once we cut down, we will lose a little coverage and the audio level will be reduced. The P25 is a radio standard that is now in effect to make all radios work with all radios. This means that wide band and narrow as well as analog and digital. If we take all of our towers and moved them to narrow-band, we would lose some of our analog coverage. Another option is to go digital. Currently, all cellular phones are digital and we are talking with Motorola on working toward solutions; one analog and one digital. We are also looking at doing a simulcast solution. Right now we use one transmitter at a time. If we go to simulcast, all nine towers will be working at the same time. Other counties have found that their coverage increased with simulcast. If we go digital, it will extend our range further.

Mr. Sprague stated that Motorola has done some initial quotes. It is cheaper to go for simulcast digital rather than simulcast analog. Through the Homeland Security grants, we have been building out our network. The new equipment would operate directly on that. The cost to upgrade would be approximately \$1.1 million. It would cost \$1.2 million to purchase a system using the old analog equipment. He stated that he has talked with Mr. Alger about this and Motorola is developing the numbers. Mr. Sprague stated that he wanted to bring the committee up to speed with what is going on and he would like to have Motorola come and do a presentation so you have a better understanding of what will be taking place.

Mr. Farrand stated that he would like an actual trial with the next system in his area. We have dead spots in Woodhull and West Union and he won't agree to funding this until we have actually tried the system. Mr. Ryan asked with the way technology is changing, what is to say that we upgrade now and then the system needs to be upgraded again in another year? Mr. Sprague replied that is why we have been waiting to do this. This FCC requirement has been out for quite a few years. Chemung County is using this new system now.

Mr. Farrand asked the new system will not work with the old system? Mr. Sprague replied that is correct. Mr. Farrand commented that poses safety issues for law enforcement. Mr. Sprague explained the dispatchers have eight tower sites to keep track of and switch between. The cars all have to have programming for the eight towers. We would like to change to one transmitter for all towers. The new system will simplify the process for both the cars and the dispatchers as they won't have to keep track of what tower they are closest to in order to receive a dispatch.

Mr. Donnelly asked with this new system is this proprietary to Motorola or would it be open to other vendors? Mr. Sprague replied the P25 requires that all radios be able to talk to all other radios. There are other vendors and this is available on State contract. We do have \$750,000 in the Communications Capital Project that could be used toward this project. Mr. Sprague stated that he has heard, but has not seen anything, that there may be some grants available for narrow-banding, but you really can't wait for that.

Mr. Ryan asked what happens if we don't make the deadline? Mr. Sprague replied we will be required to give them low-band and they may fine us.

Mr. Donnelly asked are there a lot of departments that would have to upgrade if we change the system? Mr. Sprague replied law enforcement is in pretty good shape. They have been purchasing the radios we have recommended, which are radios which will do this. The biggest cost is the actual system. Discussion followed.

4. **Homeland Security Grant** – Mr. Sprague informed the committee that they expect the grant amount to stay the same as last year, although they haven't received notification of what that amount will be.

B. 911 Enhanced

1. **I Am Responding Platform** – Mr. Hopkins and Ms. Goodwin presented a brief overview of the I Am Responding Program. Ms. Goodwin stated that we currently have twelve departments receiving text messages and who have the capability of calling in through this system. There are nineteen other departments that we are inputting data for and have begun training. Mr. Hopkins stated that with this program, we will know within seconds of dispatching a job who will be responding. This is an internet-based application. Using this technology will give us the opportunity to significantly reduce the time between the actual dispatch of the agencies and the window of time for mutual aid if there is no initial response. Mr. Hopkins stated this technology would be a tool that would allow for the regionalization conversations to be qualified. We can also pull statistics from the system for individual departments. With the ability for scheduling, this program will allow agencies and/or regions to talk about scheduling. Through the months of November and December we will continue to work with the agencies. By the end of the year we hope to have all of the departments participating with this system.

Mr. Weaver asked how many departments are there? Ms. Goodwin replied we have 45 departments. Mr. Hopkins commented that thus far they have received positive feedback.

2. **911 Surcharge Funds** – Mr. Hopkins stated that along with the monthly report, he attached a copy of a letter that he received from the State Attorney General's Office with regard to our complaint about what we perceive to be the embezzlement of the 911 surcharge funds. The letter acknowledges receipt of our complaint.

C. Public Defender

1. **Contingency Fund Request** – Mr. Cooper informed the committee that due to two murder cases their office has been involved with, they need funds to cover investigative services. They also have received an unusually high number of requests for transcripts, which has depleted that budget. They have transferred funds from other areas to accommodate these expenses, however, are now faced with shortfalls for law books and other research services. Mr. Cooper requested a total of \$15,000 from the Contingency Fund. Approximately \$9,000 of that will be used to cover the expenses for investigative services. The remaining amount will cover travel, books and research services.

Mr. Alger commented ultimately these are costs we bear because they are mandated by the State.

**MOTION: AUTHORIZING THE TRANSFER OF \$15,000.00 FROM THE CONTINGENCY FUND TO THE PUBLIC DEFENDERS OFFICE TO COVER EXPENSES FOR INVESTIGATIVE SERVICES, TRAVEL, BOOKS AND RESEARCH SERVICES MADE BY MR. FARRAND. SECONDED BY MR. WEAVER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

D. Administrator

1. **Regional E-911 Planning Project RFP** – Mr. Alger informed the committee that they have received twelve responses for their Request for Proposal for a Regional 911 Study. We have budgeted \$50,000.00 of grant funding for this. He recommended awarding the RFP to Blue Wing Services, Inc. for \$44,822.00.

**MOTION: AWARDING THE RFP FOR THE REGIONAL E-911 PLANNING PROJECT TO BLUE WING SERVICES, INC. FOR \$44,822.00 MADE BY MR. WEAVER. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**VI. OLD BUSINESS**

A. *Proposed Local Law Re: Secondhand Dealers* – Mr. Schu stated that the proposed Local Law was sent back to the Law Department for modification. Up to this point we have had input from members of the public, Law Enforcement and others.

**MOTION: TO FORWARD THE PROPOSED LOCAL LAW RELATIVE TO SECONDHAND DEALERS TO THE FULL LEGISLATURE FOR CONSIDERATION MADE BY MR. FARRAND. MOTION FAILS DUE TO THE LACK OF A SECOND.**

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

Respectfully Submitted by:

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Monday, December 6, 2010  
10:30 a.m.**

**Please send agenda items to the  
Clerk of the Legislature's Office  
NO LATER THAN NOON  
Monday, November 29, 2010**

**STEBEN COUNTY PUBLIC SAFETY AND CORRECTIONS COMMITTEE**

*Monday, December 6, 2010*

*10:45 a.m.*

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

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

<b>COMMITTEE:</b>	Brian C. Schu, Chair John S. Walsh	Dan C. Farrand, Vice Chair Randolph J. Weaver	Thomas J. Ryan
<b>STAFF:</b>	Mark R. Alger Tina Goodwin Eugene Greeley Raymond Dell	Jack Wheeler Michael Sprague Ken Peaslee	Dave Hopkins Tim Marshall Joel Ordway
<b>LEGISLATORS:</b>	Lawrence P. Crossett Joseph J. Hauryski	Carol A. Ferratella Gary B. Roush	Michael Hanna
<b>OTHERS:</b>	Dan Cugno, Tiburon Mary Perham, <i>The Leader</i>		

**I. CALL TO ORDER**

Mr. Schu called the meeting to order at 10:45 a.m. and asked Mr. Weaver to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE NOVEMBER 1, 2010, MEETING MADE BY MR. FARRAND. SECONDED BY MR. WEAVER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. DEPARTMENTAL REPORTS/REQUESTS**

A. Sheriff's Department

1. **Monthly Reports** – Sheriff Ordway reported that two weeks ago they had 70 federal inmates and now are back to 66. Our population was close to 200 inmates, including the federal inmates. The State has been very responsive and we anticipate getting reimbursed \$90.00 per inmate instead of the \$75.00 per inmate.

2. **Grant Approvals** – Sheriff Ordway informed the committee that they received an award letter from the Office of Homeland Security, awarding them a grant in the amount of \$49,401 for the State Law Enforcement Terrorism Prevention Program. He requested authorization to accept this funding.

**MOTION: AUTHORIZING THE SHERIFF'S DEPARTMENT TO ACCEPT A GRANT IN THE AMOUNT OF \$49,401.00 FROM THE OFFICE OF HOMELAND SECURITY FOR THE STATE LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM MADE BY MR. WEAVER. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

3. **Recorder Purchase** – Sheriff Ordway requested authorization to purchase a new recorder for the Sheriff's Department. The one they have now is obsolete and the company is no longer in business. In addition, this is an analog only recorder and now everything is digital. If we were to put in a T1 line for digital, we would save between \$1,200 - \$1,500 per month in phone bills. Sheriff Ordway stated we did obtain three State contract bids. We could purchase a recorder for \$43,000 including a one-year maintenance fee. We would need to spend \$6,000 for a server for Information Technology and we are hoping to get a quote from Ronco to do the

installation. He requested a total of \$60,000 for this and the Sheriff's Department would be able to contribute \$12,000 from their Major Equipment. It is imperative that we be able to record that calls that come in.

Mr. Weaver asked are we purchasing a new phone system? Sheriff Ordway replied no, this is just the recorder that would enable us to record digitally.

Mr. Alger explained the Sheriff actually needs, and requires the ability, to record voice and radio incoming traffic. They may need to go back to the recording and provide evidence. There is no question that he needs to be able to do that. Part of what we have been doing to date is finding places to save money on phones. Going to a T1 will be a significant savings. One problem is that the analog system will not record digital phone lines and we need to replace the recorder, which is analog anyway. With a new recorder they will be able to record digital calls and store them on the hard drive of their computer and that will be a much more reliable system.

Sheriff Ordway commented after one year, we will look at a plan for maintenance of the recorder. Mr. Alger stated he is requesting a transfer of \$30,000 from the Contingency Fund.

**MOTION: THE SHERIFF TO PURCHASE A DIGITAL RECORDER OFF STATE CONTRACT FOR \$43,000.00, INCLUDING A ONE-YEAR MAINTENANCE PLAN; AUTHORIZING A TRANSFER OF \$12,000 FROM THE SHERIFF'S MAJOR EQUIPMENT AND AMENDING THE MAJOR EQUIPMENT LIST TO REFLECT THIS PURCHASE AND AUTHORIZING THE TRANSFER OF \$30,000.00 FROM THE CONTINGENCY FUND TO COVER THE REMAINING COST MADE BY MR. FARRAND. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. Emergency Management Office

1. **Grant Approvals**

a. *State Homeland Security Program* – Mr. Sprague informed the committee that they received an award letter from the NYS Division of Homeland Security and Emergency Services notifying them that they have been awarded \$102,055.00 for the State Homeland Security Program. He requested authorization to submit an application to accept this award. Mr. Sprague stated this funding will be used to support the I Am Responding Program.

**MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO SUBMIT AN APPLICATION TO ACCEPT THE GRANT AWARD OF \$102,055.00 FOR THE STATE HOMELAND SECURITY PROGRAM MADE BY MR. WALSH. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

b. *2010 Companion Animal Sheltering Equipment Grant Program* – Mr. Sprague requested authorization to accept a Regional Companion Animal Sheltering Grant in the amount of \$59,795.00 which will be shared with Chemung and Schuyler counties.

Mr. Marshall explained a few years ago the Federal and State governments passed regulations that required counties to pass plans for animals during an emergency and we did write a plan. This regional grant is an opportunity to purchase the equipment to establish a temporary animal shelter. We worked closely with the SPCA and the Humane Society in the three-county area. We will establish three trailers, one for each county that will be fully equipped in the event of a disaster. This grant will also allow us to do training. This is a zero-match grant. Discussion followed.

**MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO ACCEPT THE FY2010 REGIONAL COMPANION ANIMAL SHELTERING EQUIPMENT GRANT IN THE AMOUNT OF \$59,795.00 TO BE SHARED WITH CHEMUNG AND SCHUYLER COUNTIES MADE BY MR. WEAVER. SECONDED BY MR. WALSH. MOTION CARRIES 3-2. (MR. FARRAND AND MR. RYAN OPPOSED)**

C. 9-1-1 Enhanced

1. **Monthly Reports** – Mr. Hopkins informed the committee that we currently have 30 departments actively participating in the I Am Responding Program. Mrs. Ferratella commented you had said previously that there were a total of 45 – 46 departments? Mr. Hopkins stated we need to gather the information from those remaining departments and put them into the system. Ms. Goodwin stated we are following up with the departments that we don't have any information for yet. We would like to have that all in the system by the end of the month.

2. **CAD System Replacement Proposal** – Mr. Hopkins stated that previously he had spoken of a need to upgrade the current platform we operate on and have, since 2005. We purchased all of our equipment from Positron in 2004 and it was installed in 2005 and has served us very well. Positron sold off parts of their company to Tiburon. When we had talked to Positron six to eight months ago about a solution, the cost was \$1.3 million. We asked to investigate solutions and Tiburon offered us a promotional proposal for a total monthly cost of \$20,565 inclusive of maintenance. Currently we pay \$15,000 monthly for the system and maintenance. This would give us an improved platform. Our system has not been upgraded since its inception in 2005. We chose not to participate in upgrades due to costs. The end of life for our current system is 2015 and this proposal gives us the opportunity to look at alternatives to give us the ability to stay in the user interface we are accustomed to. This would also allow us to go IP and takes the burden for maintenance off from us. Mr. Hopkins explained this service resides in-house in Colorado and we would have a point-to-point T1 connection to their facility. If there was an interruption in our system, we could still run independent of those servers in Colorado.

Mr. Roush asked how long could you run on backup? Mr. Cugno replied there is no limitation. The only limitation is the unavailability of historical information. Mr. Hopkins commented their system will give us updates as they develop. There is a real benefit to staying current with upgrades for performance reasons. Mr. Roush stated upgrades are also done for security reasons.

Mr. Hopkins explained Tiburon purchased the CAD, mapping, AVL and MDT components, however, the phone element will still stand alone. There will need to be an integration of the Positron phone system with Tiburon. With the new system, it will give us the ability see where our calls are coming from on the map and be better able to manage those calls. We have requested a quote for that ability.

Mr. Schu asked we are paying \$15,000 per month for the phone and CAD and with this proposal we would be paying \$20,000 plus an additional fee for the phone? Mr. Hopkins replied the start-up cost of \$20,000 is rolled into the proposal and is included with the monthly fee. Without that, the cost would be \$16,330.00 as a five-year, monthly fee. We had the option of paying \$20,000 up front or rolling all the costs in and paying over the course of time.

Mr. Hopkins stated if we consider doing this, we would need to replace the computers at the 911 Center. The computers are five-years old and the in-service life is typically three to four years. The maintenance contract expires May 2011. In my opinion, it would behoove us to consider the replacement system prior to the maintenance contract expiring. He stated that he asked Mr. Peaslee to help us with the quotes for replacement hardware. It would cost \$27,000 to replace all of the workstations and to purchase one server that cannot be hosted out-of-state.

Mr. Hopkins stated that with regard to the MDT's, the new solution requires hardware that has improved performance over what we currently have in the field. We have a request in with Verizon to work with us on that. He doesn't see it as being too much of a stretch to have an agreement with Verizon Wireless. Mr. Peaslee quoted us a price of \$226,000 to replace the Toughbooks. A non-hardened computer would work as well. Livingston County have been using the non-hardened computers for a year and have been very satisfied. The estimated cost is \$2,000 per computer compared to \$6,000 for 40 new computers. Mr. Hopkins stated we talked with the State Police and they have the funds available and are willing to upgrade their patrol vehicles whenever we say we are ready to do that.

Mr. Ryan asked what do we need to do right now? Mr. Hopkins replied he would like the committee to consider approval of an agreement with Tiburon to proceed with purchasing their CAD solution for either \$16,000 for five years or a rolled-in cost of \$20,000 for five-years. In January he will bring the committee the quote from Positron to upgrade the phone system. We could continue to use the phone system we have today, however, we would not see the orientation of the calls on the mapping.

Mr. Ryan asked could the committee table this in order to do more review? Mr. Farrand commented we are spending way too much money. Mr. Ryan stated that he would like see a presentation. Mr. Weaver commented that he would like a monthly figure for the cost for Positron for the phone system.

Mr. Schu stated that we want to look at the whole thing together, as a package. If you could get us some additional information between now and the next meeting so we can ask educated questions.

Mrs. Ferratella asked is this budgeted for? Mr. Hopkins replied no. We have talked about this for quite awhile. Mr. Alger explained the motivation for doing this came as we compared the cost of what you are currently paying, \$15,000 per month, to the cost of what you would be paying for the replacement, \$16,000 per month. You could implement a new system for what you are paying now. We will do a chart showing the other contingencies. We need to talk about what we need to do to purchase this. There is more work to be done on this.

**MOTION: TABLING FURTHER DISCUSSION ON THE CAD SYSTEM REPLACEMENT PROPOSAL UNTIL THE JANUARY 3, 2011, MEETING MADE BY MR. FARRAND. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mr. Cugno explained the entire concept is that this would be a SAS model which is similar to Facebook applications, and could be accessed via the web. This is new to the market and the price has been discounted over the normal pricing so we could get additional users on-line. The cost is \$20,000 per month, but with the discount, which is 40 percent, the cost is \$16,000 per month. The promotion is good through the end of 2010.

Mr. Alger stated we will look at this and see if we can get information to the committee prior to the end of the year. Mr. Hopkins stated our goal is to try to minimize any capital expenditure. Mr. Alger commented that with this solution it is a lease, but all of the upgrades come with it. This is really a system that you don't want to own in the future. You are better off with this type of lease solution.

Mr. Roush stated that it would also be helpful to know what the cost will be after five years. Mr. Hopkins replied the maintenance is included in the cost and it is a much more manageable solution. We will put information together and send it out. Mr. Alger stated we will get the information out to you for a decision by the end of the year.

**IV. OLD BUSINESS**

A. Towing Policy/Procedure – Mr. Schu stated he obtained copies of the policies from Livingston and Yates counties with regard to towing. He asked that the committee review these policies between now and the next meeting. Decide if this is something you want and if so, what the terms and provisions should be. Mr. Weaver asked do we have an official written policy? Mr. Hopkins replied we have a protocol and policy that we use for responding to requests and we have a list of towing companies that we rotate through. Mr. Alger commented we will have the department come back with a recommendation.

Mr. Ryan stated that he would like to recognize the efforts of Andy Greeley and the Probation Department with regard to the work they have done on the County roads.

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

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Monday, January 3, 2011  
10:30 a.m.**

**Please send agenda items to the  
Clerk of the Legislature's Office  
NO LATER THAN NOON  
Monday, December 27, 2010**

**STEUBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE  
STEUBEN COUNTY FINANCE COMMITTEE  
SPECIAL JOINT MEETING**

*Monday, December 20, 2010*

*9:00 a.m.*

*Legislative Committee Conference Room*

*Steuben County Office Building*

*Bath, New York*

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

<b>COMMITTEE:</b>	Brian C. Schu, Chair John S. Walsh	Dan C. Farrand, Vice Chair Randolph J. Weaver	Thomas J. Ryan
	Lawrence P. Crossett, Chair Gary B. Roush	Gary D. Swackhamer, Vice Chair Scott J. Van Etten	Donald B. Creath
<b>STAFF:</b>	Mark R. Alger James Gleason Ray Dell	Jack Wheeler Tammy Hurd-Harvey Mike Sprague	David Hopkins Joel Ordway
<b>LEGISLATORS:</b>	Joseph J. Hauryski Michael Hanna	Patrick F. Donnelly Patrick F. McAllister	Carol A. Ferratella Robert V. Nichols

**I. CALL TO ORDER**

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

**II. GENERAL BUSINESS**

A. 911

1. **CAD Replacement Proposal** – Mr. Alger stated you all should have a received the memo and chart outlining the options and associated costs. This is not a simple process and we tried to make it so the options were fairly clear. Essentially, today, if we decided to do this, you would be approving a lease with Tiburon for a new CAD system. The other components of the phone and MDT's would follow. We would need to do an RFP for the phone service and we would expect that Positron, the current provider, would be the low quote anyway. With regard to the MDT options, Mr. Hopkins has identified a low-cost solution which would allow us to use Netbooks, purchased from Verizon, for less than what we currently pay for the air cards and MDT's. We would also need to purchase touchscreens for the cars, and that would be the only capital involved with that. The MDT lease price from Verizon is \$39.00 per month and we currently pay \$49.00 per month for air cards.

Mr. Alger explained with Tiburon, you are committing to a five-year lease initially with them. The cost is more than what you are currently paying for maintenance, but you are purchasing upgrades for the system as it goes forward. Tiburon will extend the lease to ten years if we wanted to. If we did the ten-year lease, the cost would be \$800.00 per month less if we committed upfront. They are providing you with additional options to look at.

Mr. Alger stated that he really doesn't think you want to own this system. We have already paid \$900,000 for the existing CAD system and you will pay that much and more in maintenance with ownership and you will not get any of the improvements. There is a \$20,000 up front fee.

Mr. Ryan commented if you commit to the first step, then you have committed to the entire process. What is the timeline if we proceed? Mr. Hopkins replied with Tiburon they can have a little as a 45 day turnaround from the time we sign an agreement, however, he would not recommend that. We would want to take a little more time to

get everything set up and in place. Mr. Alger stated you will need to do an RFP for the phone system and that will take at least two to three months.

Mr. Swackhamer asked is this new system proven? Mr. Hopkins replied there are four other counties in New York that are running on this platform.

Mr. Schu commented the reason for this meeting is that the pricing expires at the end of the month. Mr. Weaver stated in the packet they distributed, the pricing is good through the middle of February and October 14<sup>th</sup> was the date of the proposal. Mr. Alger stated he can only speak to what the gentleman said at the meeting.

Mr. Weaver stated we had the first heads up to this two weeks ago about spending \$190,000 and according to what I'm reading, we have another month before we have to act. He is not comfortable rushing into this at this point.

Mr. Weaver stated another concern he has is that it states we are purchasing 70 mobile licenses. Mr. Hopkins replied we have paid for the mobile licenses for the towns and villages. Mr. Weaver asked what is the State interface? Mr. Hopkins replied it is the equivalent to NYSPIN; it provides background information.

Mr. Swackhamer asked are we improving or replacing the system? Mr. Alger replied you will be upgrading the system you have to its current system equivalent. Mr. Roush asked are we going with a five-year or ten-year lease? Mr. Schu asked what is the downside of going with the ten-year lease? Mr. Alger replied you would be tied with the company. At the end of five years, you still would have the most current version of their software.

Mr. Weaver asked will it be locked pricing? Mr. Alger replied they will lock in the price for the term. If we go with the ten-year lease, they will lock the price at the reduced rate. He commented that he is antsy about locking in for ten years. We would have the option of five years to renew.

Mr. Van Etten commented if you lock in for ten years, you lose the opportunity to negotiate for a better price. The advantage of this is that you are already familiar with the equipment and there would be very little training. Mr. Alger stated in order to do this, you have to find that it is in the County's best interest to continue a relationship with Tiburon and the current system. We are asking you to find that it is in the best interest of the County to continue our relationship with Tiburon. He stated that he has put that in the resolution so that it is clear, that you are actually experiencing a savings. If you go with a new company, there would be training costs that would be on top of this cost.

**MOTION: AUTHORIZING THE 911 DEPARTMENT TO ENTER INTO A FIVE-YEAR LEASE AGREEMENT WITH TIBURON TO PROVIDE A HOSTED CAD SOLUTION, ALONG WITH THE POSITRON VIPER PHONE SYSTEM UPGRADE, INCLUDING ALL MAINTENANCE, FOR A \$20,000 INITIAL SET-UP FEE, \$16,800 MONTHLY MAINTENANCE FEE, \$35,000 PURCHASE OF VENDOR-SPECIFIED COMPUTERS FOR THE 911 CENTER AND PREPARE AN RFP FOR THE PHONE UPGRADE MADE BY MR. ROUSH. SECONDED BY MR. FARRAND FOR DISCUSSION.**

Mr. Roush asked is the equipment in the police cars compatible with this? Mr. Hopkins replied the system will require an upgrade for the terminals in the cars. We have negotiated an agreement to give us a computer for each car that will have a replacement provided every ten months. That does not include the docking stations.

Sheriff Ordway stated that he is concerned with the MDT portion of this. The quantity is based on the original number we purchased five or six years ago. Have you taken a new inventory? Mr. Hopkins replied we have purchased 40 licenses. The new system allows web access and anyone with the credentials and a password can create a VPN connection and look at the CAD system.

Sheriff Ordway asked are we leasing the modems? Are we going to be relieved of the \$49.00 monthly fee? Mr. Hopkins replied each agency will pay a \$39.00 monthly fee. You will save \$10.00 per month and get free computers every ten months.

Sheriff Ordway stated his only concern is about the docking stations. Mr. Hopkins explained the docking stations can be mounted anywhere in the car.

Mr. Roush asked do the computers in the cars have 10-inch screens? Mr. Hopkins replied they are actually 11-inch monitors.

Sheriff Ordway stated that if we could, he would like to have a user committee to select the MDT's that are going to be used in the cars. He stated that there are officer safety issues with regard to the officers using the MDT's while they are on a call. Mr. Hopkins stated each user has agreed not to use the MDT's while in motion.

Mr. Van Etten asked why weren't all of these issues discussed prior to this? Mr. Hopkins replied he has had extensive conversations with the Police Chief's Association, but has not received a lot of input from the Sheriff's Department. Sheriff Ordway stated we need to be a part of this decision.

Mr. Alger commented the MDT's are all obsolete and we are faced with having to replace them one way or another. This solution offers you a no-cost option, from a practical standpoint, for the hardware. Anything else you do, you will have to purchase the laptops. We can work with the Sheriff on the best setup for the cars. Mr. Alger stated this decision impacts that and we will have to make that sooner, perhaps, but the decision was coming anyway.

Mr. Van Etten commented it seems like the two major organizations are not talking with each other as they should.

**VOTE ON PREVIOUS MOTION: PUBLIC SAFETY COMMITTEE MOTION CARRIES 4 – 1 (MR. WEAVER OPPOSED). FINANCE COMMITTEE MOTION CARRIES 5 – 0.**

**MOTION: TO ADJOURN MADE BY MR. ROUSH. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. PUBLIC SAFETY COMMITTEE MOTION CARRIES 5 – 0. FINANCE COMMITTEE MOTION CARRIES 5 - 0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature