

STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE

Monday, January 6, 2014

9:00 a.m.

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

****MINUTES****

COMMITTEE:	Brian C. Schu, Chair Aaron I. Mullen	Dan C. Farrand, Vice Chair George J. Welch	Eric T. Booth
STAFF:	Mark R. Alger Jim Allard Jim Gleason Nancy Smith Noel Terwilliger	Jack Wheeler David Hopkins Tim Marshall Shawn Corey	David Cole Tina Goodwin Cheryl Crocker Alan Reed
LEGISLATORS:	Joseph J. Hauryski Hilda T. Lando	Carol A. Ferratella William A. Peoples	K. Michael Hanna

I. CALL TO ORDER

Mr. Schu called the meeting to order at 9:00 a.m. and asked Mr. Farrand to Lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE DECEMBER 2, 2013, AND DECEMBER 16, 2013, MEETINGS MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. BOOTH ABSENT FOR VOTE)

III. DEPARTMENTAL REQUESTS

A. Coroners

1. **Monroe County Contract** – Mr. Marshall informed the committee that the Monroe County Medical Examiner’s Office is now going to a fee-based process. Last year our contract was for 120 exams per year and we typically average 75 – 85 cases. There will be a two percent increase, which is typical, and the total contract will be for \$91,688. However, the number of cases will be 45 based upon past history of the number and types of exams they have done for us. If we go over the allotted 45 cases, then we will be paying by the case.

Mr. Alger commented we are looking at employing Dr. Cole as Coroners’ Physician. He will make a determination based upon medical practice to determine which cases need to go to Monroe County. The concern with this new contract is that we will be on a fee-based schedule. For deaths other than what would be considered “routine”, we will require the Medical Examiner’s Office, as we do not have anyone locally to perform that service. We anticipate with this new Monroe County contract that our costs will double or triple. In an effort to try to limit that cost, we will use Dr. Cole as a Coroners’ Physician. He will be paid \$100 per case for those in which he has to act as Coroners’ Physician. At this point, we are not sure if this will be done as a contract or part-time position. Long term, we will need to look at our current Medical Director positions to see if we could expand the duties to include Coroners’ Physician.

MOTION: APPROVING A CONTRACT WITH THE MONROE COUNTY MEDICAL EXAMINER’S FOR 2014 IN THE AMOUNT OF \$91,688 AND AUTHORIZING THE COUNTY MANAGER TO PURSUE A CORONERS’ PHYSICIAN PART-TIME POSITION MADE BY MR. WELCH. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Coroners' Aid Pay Increase** – Mr. Marshall stated our Coroners' Aides are paid \$60.00 per trip. We would like to increase that to \$100.00 per trip. With the Coroners' Physician position, we believe that will limit the number of transports we would need to make to Monroe County and we would be able to increase the Coroners' Aides salaries.

Mr. Alger commented this is cheaper than having the funeral homes do the transport, as they charge a flat rate plus \$2.00 per mile up and back. We are now down to a couple of drivers, and when you are unable to find a driver, then you are paying the funeral home to do that.

MOTION: AUTHORIZING AN INCREASE IN PAY FOR CORONERS' AIDES FROM \$60.00 PER TRIP TO \$100.00 PER TRIP MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Emergency Management Office

1. **Surplus Property Acquisition – Radio Tower Location** – Mr. Marshall informed the committee that there is federal surplus property located in the Town of Wheeler. We have submitted an application to FEMA requesting the property. This property was previously used as a FAA site. If we are able to acquire this property, we will use it for future development.

MOTION: AUTHORIZING THE EMERGENCY MANAGEMENT OFFICE TO ACQUIRE SURPLUS FEDERAL PROPERTY LOCATED IN THE TOWN OF WHEELER, PENDING APPROVAL BY FEMA MADE BY MR. FARRAND. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Donation – Mobile Command Vehicle Body Work** – Mr. Marshall informed the committee that they had acquired a mobile command vehicle from BOCES. There is some body work that needs to be done. We did receive quotes from several vendors, with the lowest being \$11,000. We have been approached by Goodrich's Auto Works and they are willing to donate time and materials to do this work.

MOTION: AUTHORIZING THE EMERGENCY MANAGEMENT OFFICE TO ACCEPT A DONATION FROM GOODRICH AUTO WORKS FOR TIME AND MATERIALS FOR BODY WORK ON THE MOBILE COMMAND VEHICLE MADE BY MR. FARRAND. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. **Contract** – Mr. Marshall informed the committee that he has \$6,500 in grant money that needs to be expended by the end of February 2014 for contracted labor for work in developing a volunteer program. They have been working on the development of a VOAD (Voluntary Organizations Active in Disaster). This group would work on small-scale disasters that do not qualify for FEMA assistance. Mr. Marshall requested authorization to enter into a contract with the Institute for Human Services to hire an individual to write up the policies and procedures for this group.

MOTION: AUTHORIZING THE EMERGENCY MANAGEMENT OFFICE TO CONTRACT WITH THE INSTITUTE FOR HUMAN SERVICES TO HIRE AN INDIVIDUAL TO WRITE THE POLICIES AND PROCEDURES FOR VOAD, IN AN AMOUNT NOT TO EXCEED \$6,500 MADE BY MR. MULLEN. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Sheriff's Department

1. **Commendation** – Sheriff Cole presented a commendation to Deputy Shawn Shutt and Canine Damion for their outstanding abilities in patrol duties during a burglary in process. *Congratulations!*

2. **Body Scanners** – Sheriff Cole requested authorization to purchase two body scanners from the federal surplus property auction for \$6,000. The original price per scanner is \$159,600. He has this money set aside in his 2013 equipment line item.

MOTION: AUTHORIZING THE SHERIFF TO PURCHASE 2 BODY SCANNERS FOR \$6,000 FROM THE FEDERAL SURPLUS AUCTION AND TRANSFERRING \$6,000 FROM MAJOR EQUIPMENT TO MINOR EQUIPMENT IN THE 2013 BUDGET FOR THIS PURPOSE MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. **Budget Adjustment** – Sheriff Cole requested authorization to transfer \$7,781.24 from Machinery and Minor Equipment and the Operation of Vehicles line items to cover shortages in the 2013 budget in the Copying, Heating and Sewer line items.

MOTION: AUTHORIZING THE SHERIFF TO TRANSFER \$6,067.27 FROM MACHINERY & EQUIPMENT – MINOR LINE ITEM AND \$1,713.97 FROM OPERATION OF VEHICLES LINE ITEM AND APPROPRIATING \$950 TO COPYING LINE ITEM, \$5,444.70 TO HEATING LINE ITEM AND \$1,386.54 TO SEWER LINE ITEM TO COVER SHORTAGES IN THE 2013 BUDGET MADE BY MR. FARRAND. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. Personnel

1. **Reclassification – Sheriff’s Department** – Ms. Smith requested authorization to reclassify one Correction Sergeant, Grade XII to a Correction Lieutenant, Management Grade C within the Jail.

MOTION: AUTHORIZING THE RECLASSIFICATION OF ONE CORRECTION SERGEANT, GRADE XII TO A CORRECTION LIEUTENANT, MANAGEMENT GRADE C IN THE STEUBEN COUNTY JAIL MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.
Resolution Required.

IV. OTHER BUSINESS

A. *2014 Goals* – Chairman Hauryski commented that this year we were very close to budget and Mr. Alger and Mr. Wheeler have done an excellent job. He has had several Legislators ask questions about various departments and wanting to know more about the departments. During our monthly Chairmen’s meetings we have brought some of the departments in to provide the Legislature with an overview of their departments. This may be a good time to look at each of the departments in order to educate the Legislators and to look at overall operations within the County. He has asked Mr. Alger to form a committee and put together a flow chart for every department. Mr. Hauryski stated that he wants each committee to look at what their respective departments are doing to make things more efficient with regard to automation and software. Going forward, all departments will be reviewed by their committee. He would like to complete this process before budget time.

Mr. Alger explained his plan is to meet with the departments and to develop an organizational chart. He will bring the charts back to the committee for review. We are trying to move forward with the change in structure so that you have an opportunity to suggest policy issues and feedback as to the direction you wish to go.

Mr. Mullen asked what is the status of the RFP for EMO/911? Mr. Wheeler replied the final report is expected this week or next week, at the latest. We will review the report and make it available to the committee. We anticipate by the February meeting that we can discuss the highlights of the report and the next steps.

B. *Changing Dates of February and March Meetings*

MOTION: CHANGING THE DATE OF THE FEBRUARY MEETING TO MONDAY, FEBRUARY 10, 2014 AT 9:00 A.M. AND CHANGING THE DATE OF THE MARCH MEETING TO MONDAY, MARCH 10, 2014 AT 9:00 A.M. MADE BY MR. MULLEN. SECONDED BY MR. BOOTH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

NEXT MEETING SCHEDULED FOR

*****PLEASE NOTE CHANGE*****Monday, February 10, 2014 @ 9:00 a.m.*****PLEASE NOTE CHANGE*****

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON on Monday, January 27, 2014**

STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE

Monday, February 10, 2014

9:00 a.m.

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

****MINUTES****

COMMITTEE: Brian C. Schu, Chair Aaron I. Mullen Eric T. Booth
George J. Welch

STAFF: Mark R. Alger Jack Wheeler David Hopkins
Tina Goodwin Tim Marshall Cheryl Crocker
Shawn Corey Alan Reed

LEGISLATORS: Joseph J. Hauryski Carol A. Ferratella K. Michael Hanna
Patrick F. McAllister William A. Peoples Gary B. Roush

ABSENT: Dan C. Farrand, Vice Chair

OTHERS: Mary Perham, *The Star-Gazette*

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE JANUARY 6, 2014, MEETING MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. DEPARTMENT REQUESTS

A. County Manager

1. **Emergency Management Office, 911 Center Consolidation Study Update** – Mr. Wheeler stated that we have a number of initiatives going on with 911 and the Emergency Management Office. The first initiative is the radio project. This is getting close to a resolution. Televate and Motorola have had phone conferences and have come up with a resolution to adjust the antennas and power of the frequency and coverage to alleviate coverage problems on the I-390 corridor. They have also been working on the Pinnacle tower site and are in process of helping alleviate coverage issues in Addison and on the future I-99 corridor.

Mr. Wheeler stated the second initiative has been shared services and the use of the Southern Tier Network. We have been working with STN and ECC on a contract regarding the laterals that will be built to the towers. We received \$3.1 million in second round grant funding for communications. We are working to get the electronics on the ends of fiber to make it functional. The entire backbone of the fiber network will be completed shortly. With regard to the Governor's proposal to tie shared services to real property taxes, the 911 Center has the potential to be involved in shared services because we have the infrastructure in place to share services with other counties.

Mr. Alger commented by connecting the 911 centers together, it gives us backup locations. With this system, we can make arrangements to physically have a backup center with the other counties. Mr. Wheeler commented this will provide potential cost savings. We are also procuring radio consoles for the 911 Center to leverage the new narrow banding networking and the IP-based infrastructure through this grant. Mr. Alger stated the consoles are

\$1.5 million, and absent the grant, we would have had to find the money to purchase them. This is a significant component of the grant to be able to upgrade and move to the IP platform.

Mr. Wheeler stated the other initiative has been the consultant study. They have been doing both an organizational analysis and the radio study. We do not yet have a draft report. The radio study is very interesting. They will provide us with a five-year road map of where we are going. They are also looking at how we can connect with other counties and we have involved them in the study.

Mr. Hauryski asked is June 1st a realistic date for completion of the fiber optic and laterals? Mr. Wheeler replied the backbone of the system should be done by then. A good target for the entire project to be done would be the third quarter of the year. Mr. Hauryski asked will be hooking the fiber to the County Building? Mr. Wheeler replied yes. We will also be connecting fiber to the 911 Center.

MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.F. THE EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON MADE BY MR. WELCH. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: CONFIRMING THE APPOINTMENT OF CHERYL CROCKER AS STEUBEN COUNTY PROBATION DIRECTOR MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

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

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

NEXT MEETING SCHEDULED FOR

****PLEASE NOTE CHANGE**Monday, March 10, 2014**PLEASE NOTE CHANGE**
9:00 a.m.**

**Please send your agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Monday, February 24, 2014**

STEBEN COUNTY PUBLIC SAFETY AND CORRECTIONS COMMITTEE

Special Meeting

Monday, February 24, 2014

8:40 a.m.

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

****MINUTES****

COMMITTEE: Brian C. Schu, Chair Dan C. Farrand, Vice Chair Aaron I. Mullen
Eric T. Booth George J. Welch

STAFF: Mark R. Alger Jack Wheeler Tim Marshall
David Cole Jim Gleason

LEGISLATORS: Joseph J. Hauryski Carol A. Ferratella K. Michael Hanna
Hilda T. Lando Robin K. Lattimer William A. Peoples
Gary B. Roush Gary D. Swackhamer Scott J. Van Etten
Randolph J. Weaver

OTHERS: Chief Dan Smith, Hornell City Fire Department

I. CALL TO ORDER

Mr. Schu called the meeting to order at 8:40 a.m.

II. GENERAL BUSINESS

A. Sheriff's Department

1. **Approval to Use Onondaga County Bid for Police Vehicles** – Sheriff Cole requested authorization to use the Onondaga County Bid for police vehicles instead of the State bid, as it is cheaper. By not using the State bid, we will save \$380.00 per vehicle, plus an additional \$400.00 per vehicle if we pick them up ourselves. Mr. Gleason explained that the bid let by Onondaga County Purchasing allows us to piggyback and use their bid. This is the result of relatively new legislation adopted in November 2013 and is a purchasing tool that affords us savings. This bid happens to have the identical equipment as the State bid, but is cheaper.

MOTION: AUTHORIZING THE SHERIFF TO UTILIZE THE ONONDAGA COUNTY BID FOR POLICE VEHICLES MADE BY MR. FARRAND. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: RECOMMENDING THE COUNTY MANAGER APPOINT TIMOTHY MARSHALL AS DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE; RECOMMENDING FILLING THE POSITION OF DEPUTY DIRECTOR WITH THE COUNTY MANAGER ASSISTING IN THE SELECTION PROCESS AND THAT THE COUNTY MANAGER'S OFFICE TAKE A MORE DIRECT ROLE IN THE DAY-TO-DAY MONITORING OF THE ACTIVITES OF THE EMERGENCY MANAGEMENT OFFICE MADE BY MR. MULLEN. SECONDED BY MR. FARRAND. MOTION CARRIES 4-1. (MR. WELCH OPPOSED)

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

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE

Monday, March 10, 2014

9:00 a.m.

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

****MINUTES****

COMMITTEE:	Brian C. Schu, Chair Eric T. Booth	Dan C. Farrand, Vice Chair George J. Welch	Aaron I. Mullen
STAFF:	Mark R. Alger Dave Hopkins Jim Allard Shawn Corey Matthew Whitmore Todd Conrad	Jack Wheeler Jim Gleason Phil Roche Diane Volz Mary Lisi	Tim Marshall David Cole Cheryl Crocker Christopher Hand Bob Scott
LEGISLATORS:	Carol A. Ferratella William A. Peoples	Hilda T. Lando Gary B. Roush	Patrick F. McAllister
OTHERS:	Mark Bullard, TRANE		

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE FEBRUARY 10, 2014, AND FEBRUARY 24, 2014, MEETINGS MADE BY MR. WELCH. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REQUESTS

A. Sheriff's Department

1. **Commendations** – Major Whitmore presented a commendation to Diane Volz for outstanding service to the department. Sheriff Cole presented commendations to Officer Lisi and Officer Scott for their motivation and dedication. *Congratulations!*

2. **Budget Transfer** – Sheriff Cole presented year-end budget transfers for approval.

MOTION: APPROVING YEAR-END BUDGET TRANSFERS FOR THE SHERIFF'S DEPARTMENT AS PRESENTED MADE BY MR. FARRAND. SECONDED BY MR. BOOTH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. **Chiller Purchase** – Mr. Conrad explained that the chiller is the air conditioning unit for the Jail. There are three chillers, two of which are original when the building was constructed, and a third which was installed in 2007 when the addition was built. Mr. Bullard stated that the Sheriff's Department is currently in the second year of a maintenance contract. This contract only covers two of the three chillers. The equipment listed in the contract is usually covered however, we have no record of the third chiller. Two of the chillers, one of which is the newest, are going off on high amperage. It is his opinion that that they should not continue on the

path of replacing the compressors, but rather to purchase a new chiller unit. The replacement cost for the chiller, including a five-year warranty would be \$98,774.00.

Mr. Booth asked what is the current contract cost? Mr. Bullard replied we have a maintenance contract for the County Office Complex and 911 Center for \$33,800 and a contract for the Public Safety Building in the amount of \$19,000. Mr. Mullen asked why would we not bid this out? Mr. Gleason replied we typically do bid out maintenance contracts. Mr. Alger asked is the chiller on State contract? Mr. Bullard replied yes. Mr. Alger commented if it is on State contract, we would look at that first before doing a bid. Mr. Farrand stated that he would like to have Mr. Gleason review this and compare to the State contract before the committee makes a decision. Mr. Alger replied we can do that. Either way, we will need to replace the system. He stated that we do have a \$50,000 capital project in the Jail and we can use those funds toward this. We can also use money from the Contingent Fund. Discussion followed.

Secretary's Note: The committee will hold a Special meeting on Monday, March 24, 2014, at 9:30 a.m. to revisit this issue.

4. **Drug Task Force** – Mr. Mullen stated there was an article in the paper regarding the drug task force. He asked the Sheriff to review his plans with the committee. Sheriff Cole stated that overall the District Attorney runs the drug task force. Mr. Alger explained the District Attorney and the Sheriff are working together to improve drug investigations in the County. The Sheriff is training patrols in routine drug observation. Between the District Attorney and the Sheriff, they will come back to the committee with a comprehensive plan.

Mr. Farrand commented the article in the paper made it sound like you plan to hire a bunch of staff. Sheriff Cole replied he has sent some of his officers to drug interdiction training, so they have increased the number of staff able to do drug interdictions from one to three. Additionally, we also have resources within the State Police and CNET. Mr. Alger stated the paper led you to believe that we are hiring 3 – 4 more people, but we are not. We are utilizing current staff.

B. 911 Enhanced

1. **Infra-Red/Ultrasonic Power Distribution Testing and R56 Grounding Audit** – Mr. Hopkins requested authorization to transfer a total of \$21,500 from the Contingent Fund to pay for two projects. The first is the Infra-red and ultrasonic power distribution testing which is a process whereby the vendor will look at all of the electrical components in the building to determine if there are any issues. The cost is \$2,500.00. The second project is an R56 grounding audit. This was recommended by the consultant. The cost is \$19,000 and will check to make sure that everything is appropriately grounded. Mr. Hopkins stated that he does not have money in the budget to cover these projects. Discussion followed.

MOTION: AUTHORIZING THE TRANSFER OF \$21,500.00 FROM THE CONTINGENT FUND TO THE 911 BUDGET TO PAY FOR INFRA-RED AND ULTRASONIC POWER DISTRIBUTION TESTING AND A R56 GROUNDING AUDIT MADE BY MR. FARRAND. SECONDED BY MR. WELCH. MOTION CARRIES 4-1. (MR. BOOTH OPPOSED) Resolution Required.

C. Public Defender

1. **Memorializing Resolution – Statewide Indigent Defense Legal System** – Mr. Roche informed the committee that indigent legal services are mandated by New York State. The intent was that the counties would provide that service and the State would pay for it. Back in the day, the State did provide money to the counties. In 2010 we received \$300,000 in unrestricted funds. Over that past four years, that money has been disappearing. In place of the previous system, counties can now apply for funding through grants. We have seen an increase in County cost of \$400,000 - \$500,000.

MEMORIALIZING THE GOVERNOR AND THE NEW YORK STATE LEGISLATURE IN SUPPORT OF A STATEWIDE INDIGENT DEFENSE LEGAL SYSTEM AND SETTLEMENT OF HURRELL-HARRING ET AL, V. STATE OF NEW YORK MADE BY MR. FARRAND. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

D. County Manager

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. WELCH. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE COUNTY MANAGER TO MOVE SUPERVISION OF RADIO OPERATIONS FROM THE EMERGENCY MANAGEMENT OFFICE TO THE 911 DEPARTMENT MADE BY MR. WELCH. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: CONFIRMING THE APPOINTMENT OF TIMOTHY MARSHALL AS DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE MADE BY MR. MULLEN. SECONDED BY MR. FARRAND. MOTION CARRIES 4-1. (MR. WELCH OPPOSED)

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

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Monday, April 7, 2014
9:00 a.m.**

**Please send your agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Monday, March 31, 2014**

**STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE
STEBEN COUNTY FINANCE COMMITTEE**

Joint Special Meeting

Monday, March 24, 2014

9:30 a.m.

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

****MINUTES****

COMMITTEE:	Brian C. Schu, Chair Eric T. Booth	Dan C. Farrand, Vice Chair George J. Welch	Aaron I. Mullen
	Gary D. Swackhamer, Vice Chair	Gary B. Roush	Scott J. Van Etten
STAFF:	Mark R. Alger Jim Gleason	Jack Wheeler Alan Reed	David Cole Shawn Corey
LEGISLATORS:	Joseph J. Hauryski William A. Peoples	Hilda T. Lando	Robin K. Lattimer
ABSENT:	Lawrence P. Crossett, Chair	K. Michael Hanna	

I. CALL TO ORDER

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

II. GENERAL BUSINESS

A. Sheriff's Department

1. **Chiller Purchase** – Mr. Alger stated this issue was referred back to Purchasing to see what the actual pricing was based on. The pricing is based on State contract and as such we do not have to bid it out. The rationale for this purchase is that we could repair the two compressors for less money, but then probably in a year the Sheriff will be back in requesting authorization to replace it, based on the history we have had with the York Chiller. Mr. Alger stated we have \$50,000.00 available in a capital project and the balance of \$49,744.00 will be appropriated out of the Contingent Fund. The total cost of the replacement is \$98,774.06.

Mr. Welch asked will the new chiller be under maintenance? Mr. Gleason replied the new chiller comes with a five-year maintenance warranty. Mr. Alger replied after that warranty runs out, we will include it on our regular maintenance contract with Trane. Mr. Van Etten asked are there any other surprises that we need to be aware of? Mr. Alger replied we are not aware of anything. Sheriff Cole commented we did not realize that the Chiller was not under the maintenance contract until Trane advised us of that. Discussion followed.

MOTION: AUTHORIZING THE SHERIFF TO PURCHASE A NEW CHILLER FOR THE JAIL FOR A TOTAL COST OF \$98,774.06 WITH \$50,000 TO COME OUT OF THE JAIL PAVING CAPITAL PROJECT AND THE BALANCE OF \$49,744 TO COME OUT OF THE CONTINGENT FUND MADE BY MR. FARRAND. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0 PUBLIC SAFETY & CORRECTIONS; 3-0 FINANCE.

MOTION: TO ADJOURN MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 8-0.

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

STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE

Monday, April 7, 2014

9:00 a.m.

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

****MINUTES****

COMMITTEE: Brian C. Schu, Chair Dan C. Farrand, Vice Chair Aaron I. Mullen
George J. Welch

STAFF: Mark R. Alger Jack K. Wheeler Noel Terwilliger
Tina Goodwin Tim Marshall Brooks Baker
Cheryl Crocker Phil Roche Alan Reed
Jim Allard Eric Tyner Robert McDaniels
Brian Logsdon

LEGISLATORS: Joseph J. Hauryski Carol A. Ferratella Patrick F. McAllister
William A. Peoples Gary B. Roush Gary D. Swackhamer

ABSENT: Eric T. Booth

OTHERS: Jim Bassage, Prevention Director, Steuben Council on Addictions
Norm McCumiskey, Steuben Council on Addictions
Chief Sal Trentanelli, Corning City Police Department
Chief David Rouse, Bath Village Police Department

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE MARCH 10, 2014, AND MARCH 24, 2014, MEETINGS MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. DEPARTMENTAL REQUESTS

A. Emergency Management Office

1. **Radio System Update** – Mr. Marshall informed the committee that the narrowbanding project is in the final stage. The last component is turning on the EMS paging system. Testing on that component is scheduled for this week. We also have the addition of the Pinnacle site. Once that site is optimized and brought on line, the project will be complete.

2. **Fire Police Training Update** – Mr. Marshall stated that we had issues with our contracts to provide training. At the time that we originally discussed this, the committee had agreed to increase the amount of the contract. Since that discussion, one of the two trainers left the area and we only had one trainer. Two trainers are required to provide the training. Many other counties utilize their Sheriff's Department to provide this training. The Undersheriff and two other deputies have now been trained and are certified to instruct this course. We will be working with the Undersheriff to schedule the courses.

3. **Mobile Command Unit Update** – Mr. Marshall stated that we had purchased the mobile command unit from BOCES using homeland security grant funds. We had received an offer from Goodrich to do

the body work and the Legislature adopted a resolution to accept that donation from Goodrich. In the committee, we had talked about many of the quotes coming in at around \$11,000. Once Goodrich got the vehicle and started doing the work, the cost ended up being \$17,509.00. They installed a new AC compressor, a new starter, new AC lines, a new battery and various other items. Additionally they removed the entrance steps and redid those. He requested authorization to amend the original resolution to reflect the actual cost of \$17,509.00

MOTION: AMENDING RESOLUTION NO. 019-14 TO ACCEPT A DONATION FROM GOODRICH AUTO WORKS IN THE AMOUNT OF \$17,509.00 FOR BODY WORK ON THE MOBILE COMMAND UNIT MADE BY MR. FARRAND. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

4. **FY11 SHSP Grant** – Mr. Marshall requested authorization to transfer money in the FY11 Homeland Security Grant to purchase additional equipment. He requested authorization to transfer \$9,875.67 for a Mercury Vapor Analyzer for the Corning City Haz Mat team and to transfer \$4,512.71 for radios and radio equipment for the mobile command vehicle.

MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO TRANSFER \$9,875.67 OUT OF THE FY11 SHSP GRANT TO PURCHASE A MERCURY VAPOR ANALYZER FOR THE CORNING CITY HAZ MAT TEAM AND TO TRANSFER \$4,512.71 FOR RADIOS AND RADIO EQUIPMENT FOR THE MOBILE COMMAND VEHICLE AND TO AMEND THE MAJOR EQUIPMENT LIST TO REFLECT THIS CHANGE MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

B. Sheriff's Department

1. **Commendations** – Undersheriff Allard presented commendation letters to Investigator Tyner, Investigator McDaniels and Deputy Logsdon for exceptional teamwork during a burglary investigation. ***Congratulations!***

Undersheriff Allard stated that he also has letters of commendation for Officer Kennedy, Sgt. Kastner-Smith and 1st Sgt. Smith at the Jail. These individuals showed exemplary work in preventing a suicide attempt at the Jail. ***Congratulations!***

2. **2014 STOP-DWI Law Enforcement Plan** – Undersheriff Allard presented the 2014 STOP-DWI Law Enforcement Plan with the committee. They will be distributing a total of \$61,236.00 to various police agencies throughout the County and he requested authorization to enter into contracts with those agencies.

MOTION: APPROVING THE SHERIFF'S 2014 STOP-DWI LAW ENFORCEMENT PLAN AND AUTHORIZING THE SHERIFF TO ENTER INTO CONTRACTS FOR THE DISTRIBUTION OF FUNDS TO THE VARIOUS POLICE AGENCIES THROUGHOUT THE COUNTY MADE BY MR. WELCH. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

C. District Attorney

1. **Budget Transfer** – Mr. Baker requested authorization to transfer \$2,498.00 in unexpended 2013 NADDI grant funds to their 2014 NADDI grant. He noted this was previously approved by the Finance Committee.

MOTION: AUTHORIZING THE DISTRICT ATTORNEY TO TRANSFER \$2,498.00 IN UNEXPENDED 2013 NADDI GRANT FUNDS TO THE 2014 NADDI GRANT MADE BY MR. FARRAND. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. **Traffic Diversion Program** – Mr. Baker informed the committee that they have introduced a new Traffic Diversion Program. This program has been in place for approximately 1 month and they have already generated \$24,000 in revenue. He stated the purpose of this program is to reduce the recidivism rate by

sending drivers to class. There are 8 or 9 counties throughout the State that have this program, including Allegany and Livingston. He requested authorization to transfer the \$24,000 in revenue to an expenditure line so that they may allocate money to the courts and also pay the course instructors.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO CREATE AN EXPENDITURE LINE ITEM FOR THE DISTRICT ATTORNEY'S OFFICE RELATIVE TO THE TRAFFIC DIVERSION PROGRAM MADE BY MR. FARRAND. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

3. **Contract** – Mr. Baker informed the committee that last year they had contracted with Nancy Schwartz for stenographic services for both the District Attorney's Office and the Law Department. He requested authorization to renew this contract under the same terms and conditions.

MOTION: AUTHORIZING THE DISTRICT ATTORNEY TO RENEW THEIR CONTRACT WITH NANCY SCHWARTZ FOR STENOGRAPHIC SERVICES FOR BOTH THE DISTRICT ATTORNEY'S OFFICE AND THE LAW DEPARTMENT, UNDER THE SAME TERMS AND CONDITIONS MADE BY MR. WELCH. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

4. **District Attorney's Drug Initiative** – Mr. Baker informed the committee that Steuben County has had a drug task force since the late 1980's. At that time, we had a total of ten officers from five different agencies that were dedicated exclusively to drug enforcement in the County. At that time our primary drug issues involved crack cocaine and marijuana. Since that time, our local police departments have had to reduce personnel by 25 – 30 percent. Additionally each of our three major police departments; Bath, Corning and Hornell, dropped from two investigators down to one and they all dropped from the task force, leaving only the CNET unit to handle drug enforcement. The NYSP reorganized drug enforcement and the CNET unit became based out of Vestal instead of Corning. When the Senior Investigator who headed the Corning unit retired, the CNET base of operations was moved to Elmira and only two investigators held primary assignment in Steuben County. As a result of that, the chiefs of Bath, Corning and Hornell, along with then District Attorney John Tunney and Sheriff Richard Tweddell got together and formed the Steuben County Drug Initiative. The Initiative was formed with the understanding that no single department could handle the investigative load and that sharing of information and resources could greatly maximize our effectiveness as a law enforcement community.

Mr. Baker stated that since 2008, we have had the introduction of methamphetamine and bath salts. Additionally we continue to have problems with marijuana and crack cocaine. The growth in drug crime has resulted in a growth of related crime. With our current law enforcement resources we are able to produce amazing results. When we arrest, we indict. When we indict, we convict by plea or trial and the cases that are produced are so solid that they are rarely tried. When they are, we have had a 100 percent conviction rate since I have taken office. There is a great deal more we could and should do.

Mr. Baker stated the goals of the 2014 Enhanced Enforcement Program is to meet the new needs in a way that enhances law enforcement efforts to stem drug trafficking and reduce ancillary drug related crime. In order to meet those goals, he requested authorization for the Sheriff to have the ability to deputize members of local law enforcement agencies, as required, to allow them to act as countywide members of the District Attorney's Drug Initiative. There is no cost to the County to do this. Secondly, Mr. Baker requested authority and funding to hire a part-time investigator. This position will coordinate the efforts of the multiple agencies involved in the Drug Initiative. We would fill this position with a retired police officer with significant drug enforcement experience, utilizing the Sheriff's school resource officer model. The cost to the County would be \$28,000 per year with no retirement or benefit costs included. He stated that he currently has \$10,000 available in his budget to do this. Lastly, Mr. Baker stated that he would like the County to consider passing four local laws; a misdemeanor forfeiture law, a second-hand dealer law, a pseudoephedrine purchase law and a social hosting law.

Mr. Schu asked these local laws have not yet been drafted, but you are seeking approval to begin that process? Mr. Baker replied yes. He explained the purpose of each of the local laws. He stated that they do have the approval and support of the Steuben County Association of Chiefs of Police.

Mr. Welch asked how many more cases will this add to the Public Defender's caseload? Mr. Baker replied the caseloads will increase, but then should also decrease. The ultimate goal is to reduce crime. Mr. Reed explained indigent representation depends on the initial level of penalty. The initial level of penalty may not be such that it would bring the Public Defender into play.

Mr. Farrand commented that he is in favor of the concept, but he is concerned about the Sheriff being allowed to deputize and what type of liability that puts on the County. Mr. Baker stated that is something that we will need to look into further. Mr. Reed stated we are talking with the Risk Manager and our insurance carrier to see what we can do to minimize our liability. Mr. Baker commented our goal is to protect the officers wherever they are at. Discussion followed.

MOTION: AUTHORIZING THE DISTRICT ATTORNEY TO HIRE A PART-TIME INVESTIGATOR TO FACILITATE THE COORDINATION OF THE DISTRICT ATTORNEY'S DRUG INITIATIVE PROGRAM AT AN ANNUAL SALARY OF \$28,000.00 EXCLUDING BENEFITS OR RETIREMENT MADE BY MR. FARRAND. SECONDED BY MR. WELCH. MOTION CARRIES 3-1. (MR. MULLEN OPPOSED)

Secretary's Note: Due to time constraints, the Undersheriff was asked to postpone his PowerPoint presentation until the May meeting.

D. County Manager

1. **Organizational Charts** – Mr. Wheeler stated that the committee received the organizational charts for 911 and the Emergency Management Office. Please let me know if you have any questions.

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE

Special Meeting

Monday, April 25, 2014

9:30 a.m.

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

****MINUTES****

COMMITTEE:	Brian C. Schu, Chair Eric T. Booth	Dan C. Farrand, Vice Chair George J. Welch	Aaron I. Mullen
STAFF:	Jack K. Wheeler Shawn Corey	David Cole	Jim Gleason
LEGISLATORS:	Joseph J. Hauryski William A. Peoples Scott J. Van Etten	Carol A. Ferratella Gary B. Roush Randolph J. Weaver	K. Michael Hanna Gary D. Swackhamer

I. CALL TO ORDER

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

II. GENERAL BUSINESS

A. Sheriff's Department

1. **Jail Chiller Purchase** – Mr. Wheeler stated last month the committee approved spending \$98,000 for the replacement of the Chiller at the Jail. Since that time, the Sheriff's Department has been working to complete the purchase order and they were informed by Trane that the State contract's material costs and costs for subcontracts increased to \$6,278.12. Included in that amount is \$2,000 that Trane had misquoted as the unit cannot be fully charged prior to shipping so it needs to be done on site. Discussion followed.

MOTION: AUTHORIZING THE SHERIFF TO PAY AN ADDITIONAL \$6,278.12 IN ADDITIONAL COSTS FOR THE PURCHASE OF THE CHILLER UNIT FOR THE JAIL MADE BY MR. WELCH. SECONDED BY MR. FARRAND. MOTION CARRIES 4-1. (MR. BOOTH OPPOSED)

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

STEUBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE

Monday, May 5, 2014

9:00 a.m.

Legislative Committee Room

Bath, New York

****MINUTES****

COMMITTEE:	Brian C. Schu, Chair Eric T. Booth	Dan C. Farrand, Vice Chair George J. Welch	Aaron I. Mullen
STAFF:	Jack K. Wheeler Noel Terwilliger Tim Marshall	David Hopkins Phil Roche Cheryl Crocker	Tina Goodwin Jim Gleason Jim Allard
LEGISLATORS:	Joseph J. Hauryski Hilda T. Lando	Carol A. Ferratella William A. Peoples	K. Michael Hanna

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

Mr. Mullen stated that he would like it stated in the April 7, 2014, minutes that he voted against the investigator position in the District Attorney's Office because he thought it should be under the Sheriff, not the District Attorney.

MOTION: APPROVING THE MINUTES OF THE APRIL 7, 2014, MEETING, AS AMENDED, AND THE APRIL 28, 2014, MEETING MADE BY MR. WELCH. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REQUESTS

A. Probation

1. **Audit Services** – Mrs. Crocker informed the committee that the last time an audit was done of the department was about 14 years ago. She thought it would be a good idea to see where they stand. Mr. Wheeler commented we would look for a firm to conduct that audit. When we have switched administrations in other departments, we have conducted audits. Mrs. Crocker stated that she received a draft proposal from Bonadio and the cost would be \$5,000. Mr. Wheeler commented our policy states that for quotes of \$5,000 or less, it is at the discretion of the department head and the Director of Purchasing.

MOTION: AUTHORIZING THE PROBATION DIRECTOR TO ENTER INTO A CONTRACT WITH BONADIO TO PERFORM AN AUDIT OF THE PROBATION DEPARTMENT FOR A TOTAL COST OF \$5,000 MADE BY MR. MULLEN. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. District Attorney

1. **Contract Renewal** – Mr. Terwilliger requested authorization to renew their contract with Canisteo Valley Consulting. This vendor has been assisting us with the Driver Diversion Program (DDP). Mr. Mullen asked was this contract for an investigator position? Mr. Terwilliger replied the contract was for investigations and one of the things that had been discussed was that they would also coordinate the DDP.

Mr. Wheeler asked are you intending on using this contract for investigations and the DDP or just the DDP? Mr. Terwilliger replied at this point they would just be doing the DDP and some investigations. Mr. Wheeler stated that based on the way the fees are calculated and the volume, we are going to reach the bid threshold quickly. If you want to contract for investigations and the DDP, once you reach \$15,000 you will need to do a request for sealed proposals. Mr. Welch asked what is the contract amount? Mr. Terwilliger replied it is \$25.00 per hour, paid per diem.

Mr. Mullen stated Mr. Baker had stated that the contract cost was \$28,000, but that he only had \$10,000 available in the budget. Isn't this that \$10,000 budget? Mr. Terwilliger replied no. This is a line item out of police services that we used for the contracted position. Mr. Baker was talking about the position that has been vacant in their department. Last year we spent less than \$5,000 on this contract.

Mr. Wheeler stated right now there is no cap on the contract. If the program continues to be successful, we will reach the bid threshold quickly. We will need to do, at a minimum, sealed quotes. The contract renewal is for one year for both investigative services as well as the DDP. Mr. Farrand stated that he would like to see more information about this. If he is doing investigations, we should see what we are getting for the contract.

Mr. Hauryski asked how much does the DDP instructor get paid? Mr. Terwilliger replied he gets paid \$50.00 per individual minus expenses such as the registration fee and book. For the investigative services, he is paid \$25.00 per hour.

Mr. Wheeler stated his understanding was that this contract was for investigative services. If you separate these and continue the investigation contract, you can approve that. We can do an RFP for the DDP. In the meantime, we could still use this contract in the interim. Mr. Welch asked last year this contract cost \$5,000 for investigative work? Mr. Terwilliger replied no, most of the work for the contract was establishing the DDP and doing research and development of the program. The vast majority of the work last year related to the DDP. Mr. Wheeler stated if he is doing mostly DDP, let us do an RFP and get the results of that. We can continue to contract with him in the interim.

MOTION: AUTHORIZING THE DISTRICT ATTORNEY TO RENEW THE CONTRACT WITH CANISTEO VALLEY CONSULTING TO PROVIDE INVESTIGATIVE SERVICES AT A RATE OF \$25.00 PER HOUR, NOT TO EXCEED \$5,000.00 MADE BY MR. FARRAND. SECONDED BY MR. BOOTH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE DISTRICT ATTORNEY AND THE PURCHASING DIRECTOR TO ISSUE BIDS FOR THE INSTRUCTOR OF THE DRIVER DIVERSION PROGRAM MADE BY MR. FARRAND. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Public Defender

1. **Acceptance of ILSF Grant** – Mr. Roche stated that he would like to withdraw his request at this time. We had previously talked before about using grant funds to create a conflicts office. There are a couple of models we could use to structure that program. He had proposed creating a conflicts office with two full-time attorneys that would accept conflicts and help reduce costs for the County. The County Bar Association did not want to do this. He is now looking at other options for how we would structure this. He would like to come back to the committee with some options. Since we have received a grant, he also needs to talk with the State about this.

Mr. Mullen asked would it be beneficial to have a meeting with the Bar Association and talk through this? Mr. Roche replied that had been his suggestion. The Bar Association instead opted to do an email survey. The overwhelming majority were opposed to the establishment of a conflicts office.

C. Emergency Management Office

1. **FY14 LEMPG Grant** – Mr. Marshall requested authorization to accept a Local Emergency Management Performance Grant (LEMPG) in the amount of \$43,358.00. This will help to pay for the operating expenses of the Emergency Management Office program.

MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO ACCEPT A FY14 LOCAL EMERGENCY MANAGEMENT PERFORMANCE GRANT (LEMPG) IN THE AMOUNT OF \$42,358.00 MADE BY MR. WELCH. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **FY14 SHSP/LETTP Grant** – Mr. Marshall requested authorization to accept a State Homeland Security Program grant in the amount of \$125,000. He stated that 75 percent, or \$93,750 will be used to purchase equipment supplies for the hazmat response teams. The remaining 25 percent, or \$31,250 will go to the Sheriff's Office to support terrorism prevention activities.

MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO ACCEPT A FY14 SHSP/LETTP GRANT IN THE AMOUNT OF \$125,000; WITH 25 PERCENT OR \$31,250 GOING TO THE SHERIFF'S OFFICE TO SUPPORT TERROSIM PREVENTION ACTIVITIES AND THE REMAINING 75 PERCENT OR \$93,750 TO BE USED TO PURCHASE EQUIPMENT SUPPLIES FOR THE HAZMAT RESPONSE TEAMS MADE BY MR. FARRAND. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

3. **Contract** – Mr. Marshall requested authorization to enter into a three-year contract with Occustar to provide medical exams to the hazmat teams. The contract term will be 2014, 2015 and 2016. The first year is \$3,400 with each subsequent year increasing \$200.00.

MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO ENTER INTO A THREE-YEAR CONTRACT WITH OCCUSTAR TO PROVIDE MEDICAL EXAMS TO THE HAZMAT TEAMS FOR A COST OF \$3,400 FOR YEAR ONE, AND AN ADDITION \$200 PER YEAR FOR EACH SUBSEQUENT YEAR MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. Sheriff's Office

1. **Inmate Housing Agreements** – Undersheriff Allard requested authorization to enter into contracts with Ontario and Livingston counties for the housing of inmates. The rate for Ontario County is \$75 per day per inmate and Livingston County is \$85 per day per inmate. He stated we charge their rates back to them when we house their prisoners.

MOTION: AUTHORIZING THE SHERIFF TO ENTER INTO CONTRACTS FOR INMATE HOUSING WITH ONTARIO COUNTY AT A RATE OF \$75 PER DAY, PER INMATE; AND LIVINGSTON COUNTY AT A RATE OF \$85 PER DAY, PER INMATE MADE BY MR. FARRAND. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **SRO Agreements** – Undersheriff Allard requested authorization to enter into agreements with Avoca, Bath-Haverling, Campbell-Savona, Corning East & West, Hammondsport and Prattsburgh schools for a School Resource Officer. The rate is the same as last year; \$29,900 with each school to provide uniforms and equipment.

MOTION: AUTHORIZING THE SHERIFF TO ENTER INTO CONTRACTS WITH THE FOLLOWING SCHOOL DISTRICTS: AVOCA, BATH-HAVERLING, CAMPBELL-SAVONA, CORNING EAST AND CORNING WEST, HAMMONDSPORT AND PRATTSBURGH, FOR A SCHOOL RESOURCE OFFICE AT AN ANNUAL COST OF \$29,900, WITH EACH SCHOOL DISTRICT PROVIDING UNIFORMS AND EQUIPMENT MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. **Budget Transfer** – Undersheriff Allard requested authorization to transfer \$22,500 in revenue received from the 2013 Homeland Security Grant to the Machinery and Equipment line item to purchase equipment for the CIRT Team.

MOTION: AUTHORIZING THE SHERIFF TO TRANSFER \$22,500 IN REVENUE RECEIVED FROM THE 2013 HOMELAND SECURITY GRANT TO THE MACHINERY AND EQUIPMENT LINE ITEM TO PURCHASE EQUIPMENT FOR THE CIRT TEAM MADE BY MR. FARRAND. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

4. **Contract** – Undersheriff Allard requested authorization to enter into a contract with Bouille Electric to replace door control switches at the Jail. The total cost is \$4,165 and they do have money in their budget.

MOTION: AUTHORIZING THE SHERIFF TO ENTER INTO A CONTRACT WITH BOUILLE ELECTRIC TO REPLACE DOOR SWITCHES AT THE JAIL FOR A COST OF \$4,165 MADE BY MR. WELCH. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

E. County Manager

1. **Organizational Charts** – Mr. Wheeler presented organizational charts for the Public Defender, Sheriff and the Jail. Mr. Welch asked with regard to the Public Defender, is there an ethical problem with having a non-attorney supervising the Public Defender? Mr. Roche replied that the County Manager provides more administrative oversight than legal oversight.

Mr. Mullen asked for an update with regard to the Deputy Director position for the Emergency Management Office. Mr. Wheeler replied Mr. Marshall went through and did a nice markup of the position description. We expect recruitment to begin shortly.

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Monday, June 2, 2014
9:00 a.m.**

**Please send your agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Tuesday, May 27, 2014**

STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE

Special Meeting

Monday, May 19, 2014

9:45 a.m.

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

****MINUTES****

COMMITTEE:	Brian C. Schu, Chair Eric T. Booth	Dan C. Farrand, Vice Chair George J. Welch	Aaron I. Mullen
STAFF:	Jack K. Wheeler	Cheryl Crocker	Shawn Corey
LEGISLATORS:	K. Michael Hanna	William A. Peoples	Randolph J. Weaver

I. CALL TO ORDER

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

II. DEPARTMENT REQUESTS

A. Probation

1. **Contingent Fund Transfer** – Mr. Wheeler stated last month the committee had authorized the Director of Probation to enter into a contract with Bonadio for a department audit. The cost for the audit is \$5,000. After looking at their budget, they do not have any extra money to use for that contract. He requested authorization to transfer \$5,000 from the Contingent Fund to pay for this.

MOTION: AUTHORIZING A TRANSFER OF \$5,000 FROM THE CONTINGENT FUND TO THE PROBATION DEPARTMENT'S 2014 BUDGET TO PAY FOR AN AUDIT BY BONADIO MADE BY MR. FARRAND. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE

Monday, June 2, 2014

9:00 a.m.

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

****MINUTES****

COMMITTEE:	Brian C. Schu, Chair Eric T. Booth	Dan C. Farrand, Vice Chair George J. Welch	Aaron I. Mullen
STAFF:	Mark R. Alger Jim Allard Alan Reed Officer John Brois Rebecca Chapman	Jack K. Wheeler Tim Marshall Phil Roche Cpl. Richard Locke	David Cole Tina Goodwin Jim Gleason Deputy Brian Logsdon
LEGISLATORS:	Joseph J. Hauryski	K. Michael Hanna	Hilda T. Lando
OTHERS;	Officer Andrew Dubois Justin Randall Mary Perham		

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE MAY 5, 2014, AND MAY 19, 2014, MEETINGS MADE BY MR. MULLEN. SECONDED BY MR. BOOTH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REQUESTS

A. Sheriff's Department

1. **Commendations** – Sheriff Cole presented a commendation to Officer John Brois, Correction Officer, who prevented an inmate suicide. *CONGRATULATIONS!*

Sheriff Cole presented a commendation to Corporal Locke, Deputy Logsdon and Officer Dubois from the Cohocton Police Department, for their outstanding initiative with a drug investigation in Cohocton. *CONGRATULATIONS!*

Sheriff Cole presented a plaque from the STOP-DWI Foundation to Justin Randall. Mr. Randall is a survivor of a drunken driving accident and gives presentations to schools, as well as the Victim Impact Panel about his life and the accident. *CONGRATULATIONS!*

2. **Budget Transfer** – Sheriff Cole requested authorization to transfer \$31,250 received from the 2013 Homeland Security Grant into his major equipment line item to purchase equipment for the CIRT Team including respirators, shields, radios, lights and thermal imaging equipment.

MOTION: AUTHORIZING THE SHERIFF TO TRANSFER \$31,250 IN 2013 HOMELAND SECURITY GRANT FUNDING INTO MACHINERY & EQUIPMENT LINE ITEM TO PURCHASE EQUIPMENT FOR THE CIRT TEAM MADE BY MR. FARRAND. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. County Manager

1. **Organizational Charts** – Mr. Wheeler stated that he sent out the organizational charts for the District Attorney and Probation for the committee’s review.

IV. OTHER

A. *Update on Local Laws for District Attorney* – Mr. Reed stated that he has sent drafts of four Local Laws for the District Attorney to review. He expects that the District Attorney will submit them to the committee for approval in either July or August.

B. *Keuka Lake* – Mr. Hanna stated that he would like to thank the Sheriff’s Department and the Emergency Management Office for the work they did with making the determination to close Keuka Lake Memorial Day Weekend due to the flooding. Mr. Wheeler commented the Sheriff and Mr. Marshall did a good job of working with Yates County.

C. *FEMA Declaration* – Mr. Marshall informed the committee that they are working on doing a preliminary data assessment of the damage done to area roads as a result of the recent storms. Most of the damage has been done to Town roads and Soil & Water is working closely with the Town Supervisors. In order to qualify for FEMA funding, there has to be a total of \$365,000 in damages. In order for the State to qualify for a Federal Disaster Declaration, there has to be \$26 million in damages across the State.

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Monday, July 7, 2014
9:00 a.m.**

**Please send your agenda items to the Clerk of the Legislature’s Office
NO LATER THAN NOON
Monday, June 30, 2014.**

STEUBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE

Monday, July 7, 2014

9:00 a.m.

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

****MINUTES****

Meeting was cancelled.

STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE

Special Meeting

Monday, July 28, 2014

9:45 a.m.

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

****MINUTES****

COMMITTEE:	Brian C. Schu, Chair Eric T. Booth	Dan C. Farrand, Vice Chair George J. Welch	Aaron I. Mullen
STAFF:	Mark R. Alger Nancy Smith	Jack K. Wheeler Shawn Corey	David V. Cole Alan Reed
LEGISLATORS:	Joseph J. Hauryski K. Michael Hanna Patrick F. McAllister Gary D. Swackhamer	Lawrence P. Crossett Hilda T. Lando William A. Peoples Scott J. Van Etten	Carol A. Ferratella Robin K. Lattimer Gary B. Roush Randolph J. Weaver

I. CALL TO ORDER

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

II. DEPARTMENTAL REQUESTS

A. Sheriff's Office

1. **Reclassifications** – Mr. Alger informed the committee that last year we agreed with the Commission of Corrections to add two additional Corrections Officers to the staff in July. They had done a review of our staffing levels and based upon our use of part-time employees within the Jail under the previous administration, determined there was a need for additional staff. We would like to add these two positions and then we will talk with the Commission of Corrections and ask them to take another look at our staffing. The Sheriff has done a good job of reducing the amount of sick leave and has decreased the use of part-time employees, which is what the FTE (full-time equivalent) is based on. Mr. Booth requested a comparison of numbers prior to hiring these individuals.

MOTION: AUTHORIZING THE PERSONNEL OFFICER TO RECLASSIFY A VACANT DISPATCHER, GRADE X POSITION WITHIN THE SHERIFF'S OFFICE TO A CORRECTION OFFICER POSITION, GRADE X AND AUTHORIZING THE TRANSFER AND RECLASSIFICATION OF A VACANT LPN POSITION, GRADE XI FROM THE HEALTH CARE FACILITY TO A CORRECTION OFFICER, GRADE X POSITION IN THE SHERIFF'S OFFICE MADE BY MR. FARRAND. SECONDED BY MR. BOOTH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

STEBEN COUNTY PUBLIC SAFETY AND CORRECTIONS COMMITTEE

Monday, August 4, 2014

9:00 a.m.

**Legislative Committee Conference Room
Bath, New York**

MINUTES

Committee: Brian Schu, Chair Dan C. Farrand, Vice Chair Aaron Mullen Eric Booth

Legislators: Joseph J. Hauryski Carol Ferratella William Peoples Mike Hanna
Gary D. Swackhamer

Staff: Mark R. Alger Jack K. Wheeler Brooks Baker Tina Goodwin
Tim Marshall Ken Forenz James Gleason James Allard
Cheryl Crocker Shawn Corey

Other: Mary Perham Chief Dave Rouse NYSP Lieutenant McDarby

I. CALL TO ORDER

The meeting was called to order by Mr. Schu at 9:00 a.m. Mr. Farrand led the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE JUNE 2, 2014 MEETING MADE BY MR. MULLEN. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. DEPARTMENTAL REQUESTS

A. District Attorney

1. **Budget Adjustment** – Mr. Baker requested authorization to transfer \$5,689.30 from the Traffic Diversion Program Enforcement reimbursement line item to the minor equipment line item

MOTION: AUTHORIZING THE TRANSFER OF \$5,689.30 FROM THE TRAFFIC DIVERSION PROGRAM ENFORCEMENT REIMBURSEMENT LINE TO THE DISTRICT ATTORNEY'S MINOR EQUIPMENT LINE TO PURCHASE TWO MOTOROLA XTS PORTABLE RADIOS AND ONE MOBILE CAR RADIO; AND AMENDING THE MINOR EQUIPMENT LIST TO REFLECT THE SAME MADE BY MR. MULLEN. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

B. E-911 Department

1. **VPI Maintenance** – Ms. Goodwin requested authorization to enter into an agreement with VPI, our recorder manufacturer, for one year of maintenance for \$12,926. She noted that this expense was not budgeted for 2014 as they anticipated receiving round 3 of the grant funding. However, because the round 2 funding took so long, the round 3 funding is not available yet. Discussion followed.

Mr. Wheeler stated this is a key piece of equipment. We looked at E-911's budget and there isn't enough money to cover this expense, so it would need to come from contingency. This agreement will bridge the gap until we get the new recorder in once the round 3 funding becomes available. Considerable discussion followed.

MOTION: AUTHORIZING THE E-911 DEPARTMENT TO ENTER INTO AN AGREEMENT WITH VPI FOR ONE YEAR OF MAINTENANCE ON THE RECORDER AND AUTHORIZING THE TRANSFER OF \$12,926 FROM THE CONTINGENCY FUND TO THE E-911 BUDGET TO COVER THE COST MADE BY MR. FARRAND. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

C. Sheriff's Department

1. **Surveillance Equipment** – Undersheriff Allard requested authorization to transfer \$12,385 from the Sheriff's salaries and wages line item to the law enforcement supplies line item to purchase 2 JOEY recorders and an echo-8 repeater. He noted DA Baker, NYSP Lieutenant McDarby, and Chief Rouse are all here in support of this request. This equipment is for use for narcotics enforcement. Discussion followed.

MOTION: AUTHORIZING THE TRANSFER OF \$12,385 FROM THE SHERIFF'S SALARIES AND WAGES LINE ITEM TO THE LAW ENFORCEMENT SUPPLIES LINE ITEM TO PURCHASE 2 JOEY RECORDERS AND AN ECHO-8 REPEATER; AND AMENDING THE EQUIPMENT LIST TO REFLECT THE SAME MADE BY MR. FARRAND. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. **Uniform Bid** – Undersheriff Allard stated we divided the uniform bid into 2 areas: leather gear and uniform/brass. The lowest bid was Rosen's Uniform for uniforms/brass and United Uniform for the leather gear. He recommended they award the bids to the lowest bidder. Discussion followed.

MOTION: AWARDING THE SHERIFF'S UNIFORMS/BRASS BID TO ROSEN'S UNIFORMS AND THE LEATHER GEAR BID TO UNITED UNIFORM MADE BY MR. MULLEN. SECONDED BY MR. BOOTH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

3. **Commendations** – Undersheriff Allard presented commendation letters to Investigator Donald Lewis, Corporal Richard Lock, Deputy Matthew Notarfonzo and Deputy Coley Lewis-Ellison for their outstanding initiative and teamwork in solving a burglary and having the unknown suspect in custody within only a few hours of the crime being reported.

Major Whitmore presented a commendation letter to Senior Cook Dave Andrezzi and his staff for their dedication and professionalism in the operation of the food service facility.

D. Emergency Management Office

1. **Corning, Inc. Agreement** – Mr. Marshall stated Corning, Inc., runs a CCIC waste management facility. It is a large generator of hazardous waste and they have to have a contingency plan per NYSDEC and the Federal EPA. In conjunction with the plan, they've asked us and the Sheriff's office to be part of their contingency plan. Mr. Wheeler stated because of the nature of the response, we wanted to make the committee aware that we have this agreement in place. Discussion followed.

2. **Deputy Director** – Mr. Marshall introduced his new Deputy Director, Ken Forenz. He noted he's been very happy with what Mr. Forenz has brought to the table, as far as his work experience. He served five years on the floor at E-911, including as Supervising Dispatcher. He's the Town of Pulteney Fire Chief, an EMT and was the head of the Pulteney Water Department.

3. **Narrow Banding Project** – Mr. Marshall stated the last part of the project, EMS paging and simulcast, was completed in June. The EMS side is working phenomenally. It really gives us a good opportunity to see what our capabilities might be in the future.

Mr. Mullen asked are there still coverage gaps? Mr. Marshall stated we have one tower we are trying to acquire in Wheeler from the FAA. We continue to try to work with Televate on those issues. Mr. Wheeler stated it is a lot better, but there is still room for improvement.

Mr. Farrand asked for an update on the FEMA process. Mr. Marshall stated we did get the disaster declaration but the dates are May 13th through May 22nd. This is a problem because some of our areas were hit by storms on June 8th. We had close to \$1 million in damage from that storm. When SEMO asked for our damage assessment numbers we did that from storm to storm. It was \$28.1 million and they put it all together in one package and submitted it to FEMA. We are working to extend the dates out. Cohocton has extensive damage from 2 new storms and we're not sure if the state will ask for new damage assessment numbers or not. Discussion followed.

Mr. Mullen asked does your department do anything with flood mapping? Mr. Marshall stated we work with Planning and GIS on flood mapping. We have extensive documentation proving we need to be remapped, but the engineering firm that the Federal government sent out to review our area has determined that that our flood maps are adequate. Mr. Alger stated there was an issue with the remapping as far as the levies; we actually viewed their determination as a win-win situation when they said our maps were adequate. Discussion followed.

Mr. Marshall stated it is a catch 22. We're not rated as being in the flood zone so the landowners don't have to pay the high insurance fees, but if the levy does fail, then the homeowners aren't covered because they don't have flood insurance. Discussion followed.

Mr. Hauryski asked about the fiber optic connection status. Mr. Wheeler stated we are waiting on the contract with ECC. In short order, in the next week or so, we can move to the next phase which is working with Televate on the actual electronics we need for the tower sites to hook up the fiber that is already there. As far as hooking up with the other counties, we are trying to encourage them but, ultimately, the decision is theirs.

Mrs. Ferratella asked if we should have our Federal representatives help us with the Wheeler tower or should we just hold off on that. Mr. Marshall stated he will check again with his FEMA contact to see where they are in the process and go from there.

IV. OTHER BUSINESS

MOTION MOVING THE SEPTEMBER MEETING TO MONDAY, SEPTEMBER 8TH MADE BY MR. FARRAND. SECONDED BY MR. BOOTH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION TO ADJOURN MADE BY MR. BOOTH. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Respectfully submitted by,

Brenda K. Mori
Clerk of the Legislature

NEXT MEETING SCHEDULED FOR
****PLEASE NOTE CHANGE** Monday, September 8, 2014 **PLEASE NOTE CHANGE****
9:00 a.m.

Please send your agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Monday, September 1, 2014.

STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE

Monday, September 8, 2014

9:00 a.m.

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

****MINUTES****

COMMITTEE:	Brian C. Schu, Chair Eric T. Booth	Dan C. Farrand, Vice Chair George J. Welch	Aaron I. Mullen
STAFF:	Mark R. Alger Dave Hopkins Eric Tyner Brooks Baker	Jack K. Wheeler Alan Reed Noel Terwilliger Shawn Corey	David Cole Tim Marshall Cheryl Crocker
LEGISLATORS:	Joseph J. Hauryski Hilda T. Lando	Carol A. Ferratella William A. Peoples	K. Michael Hanna
OTHERS:	Captain Kevin Reilly, NYSP Kristin Klemenz, B & W Towing Blaine Westervelt, B & W Towing Norm McCumiskey, Steuben Council on Addictions Pam Aini, Steuben Council on Addictions		

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE AUGUST 4, 2014, MEETING MADE BY MR. MULLEN. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REQUESTS

A. Sheriff's Office

1. **Commendations** – Sheriff Cole commented they spend approximately \$150,000 annually to cover sick days that are taken by employees. He has been working diligently to reduce the amount of sick time that is being taken. He stated he has two employees, Investigator Eric Tyner and Corporal Richard Lock who have used no sick leave this year. He presented each with a letter of commendation. *CONGRATULATIONS!*

2. **STOP-DWI In-Car Camera Purchase** – Sheriff Cole informed the committee that during last year's budget process, they included \$7,000 for the purchase of in-car cameras; however, these items were not included on his Minor Equipment list. He requested authorization to purchase the in-car cameras and add them to his equipment list.

MOTION: AUTHORIZING THE SHERIFF TO PURCHASE IN-CAR CAMERAS FOR A TOTAL COST OF \$7,000.00 AND TO ADD THESE ITEMS TO HIS MINOR EQUIPMENT LIST MADE BY MR. FARRAND. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

IV. OTHER BUSINESS

A. *Towing Bid Review* – Mr. Alger stated last year we awarded the bid for towing which was effective May/June of last year. In preparation for reviewing the bid, he has asked for information from 911, the law enforcement agencies and the fire services. As a quick review, the towing bid is an order of last resort for individuals who need a tow. The motorist can make a request. If the motorist does not have a request, the first responders on the scene may make a request or recommendation. If the first responders also do not have a recommendation or a request, then the system that we put in place last year is used. From input we have received from responding agencies, we are recommending extending the RFP for an additional year until next May. The RFP that was originally done is good for five years with annual renewals.

MOTION: AUTHORIZING A ONE-YEAR EXTENSION OF THE TOWING RFP AWARD UNTIL MAY 2015 MADE BY MR. MULLEN. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

V. DEPARTMENT REQUESTS (Continued)

B. Emergency Management Office

1. **Acceptance of HMGP (Hazard Mitigation Grant Program)** – Mr. Marshall informed the committee that we are required to maintain a Hazard Mitigation Plan which is multi-jurisdictional. We wrote our plan four years ago and it is due for an update and rewrite in 2015. The Federal Emergency Management Agency (FEMA) provides planning grant funding and as part of the recent disasters, has made funding available. We have been awarded \$150,000. This is a 75-25 matching grant. FEMA provides \$112,500 and the local share is \$37,500 which can be in-kind services. He requested authorization to accept this grant. This funding will be used for planning, writing and submission of a new five-year plan.

MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO ACCEPT A FEMA HAZARD MITIGATION GRANT AWARD OF \$150,000 FOR THE DRAFTING, WRITING AND SUBMISSION OF A NEW FIVE-YEAR HAZARD MITIGATION PLAN MADE BY MR. FARRAND. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Marshall stated that as part of this grant, he would like to recommend they use the funding to hire a consultant to write the plan. Mr. Mullen asked what if we just found a contract worker who could come in and work on the plan for a year? Mr. Wheeler replied the problem with that is finding an individual with the expertise to hire for the year. Mr. Marshall commented there are firms out there that specifically do these plans.

Mr. Alger explained you are looking for someone who knows the system and can put together a plan that meets all of the criteria that FEMA has. One of the difficulties is getting the municipalities to sign off on the plan. This is their plan too. It is critical that the municipalities understand that participating in this plan is the first step for them to receive funding for a disaster. This really needs to be done right and he believes a consultant is the way to go about it.

MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO PUT OUT A REQUEST FOR PROPOSAL FOR A CONSULTANT TO PREPARE A NEW FIVE-YEAR HAZARD MITIGATION PLAN MADE BY MR. FARRAND. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Budget Adjustment – FY12 SHSP Grant Program** – Mr. Marshall informed the committee that originally this grant funding was to be used to hire a consultant to conduct some exercises. With the most recent exercise of moving Corning Hospital, we are not using all of the funding within the timeframe of the grant. He requested authorization to use that funding to upgrade the emergency operations center. The upgrades would include purchasing a smart board as well as upgrading the video displays and purchasing digital switching equipment. The total amount being transferred is \$34,128.82.

MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO TRANSFER A TOTAL OF \$34,128.82 FROM VARIOUS LINE ITEM ITEMS WITHIN THE FY12 SHSP GRANT AND APPROPRIATING \$9,500 TO MINOR EQUIPMENT, \$24,589.52 TO MAJOR EQUIPMENT AND \$39.30 TO TRAINING AND CONFERENCES MADE BY MR. WELCH. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. District Attorney

1. **“Crime Against Revenue Program” Grant Acceptance** – Mr. Baker informed the committee that they have received \$48,295 from the Crimes Against Revenue Program (CARP). This funding will be used to hire two part-time contract employees who will work 15 – 18 hours per week working on primarily welfare fraud. This is a one-year grant. He expects that they will have to purchase guns, badges and vests for these individuals. There also may be some transportation costs. The Sheriff is in full support of this. Mr Baker requested authorization to accept this funding and to spend up to \$5,000 out of the Traffic Diversion Program to purchase two guns and two budges.

MOTION: AUTHORIZING THE DISTRICT ATTORNEY TO ACCEPT \$48,295.00 IN FUNDING FROM THE CRIME AGAINST REVENUE PROGRAM GRANT AND TO APPROPRIATE \$5,000 FROM THE TRAFFIC DIVERSION PROGRAM FOR THE PURCHASE OF TWO GUNS AND TWO BADGES FOR THE PART-TIME CONTRACT EMPLOYEES THAT WILL BE WORKING UNDER THIS GRANT MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Proposed Local Laws** – Mr. Baker stated that as a follow-up to the April meeting, he has provided for the committee copies of the proposed local laws regarding social hosting, pseudophedrine, secondhand dealers and seizure and forfeiture of property used in connection with misdemeanor criminal acts as defined by Article 220 and 221 of the Penal Law.

Mr. Farrand asked if we pass these local laws, will the funds stay here in the County? Mr. Baker replied yes. Asset forfeitures already do stay in the County. Mr. Mullen asked with regard to the civil standard, what exactly is the burden for keeping and seizing property? Mr. Reed replied it is the preponderance of evidence. With this local law we are establishing a jurisdictional basis for the District Attorney, through agreement, to be able to seize and have property forfeited under an agreement. Mr. Baker explained we currently cannot take property with a conviction. It is mostly done as part of plea-bargaining.

Mr. Baker explained the process is that there is an arrest and evidence is seized. We then begin a forfeiture action and file a lawsuit (a civil complaint). The criminal case proceeds and the civil action is actually stayed. If there is a conviction and no settlement, then the civil case moves forward. Mr. Reed stated the local law has been constructed to protect the due process rights of the property owner.

Mr. Schu suggested that the committee take a month to review the proposed local laws and we can then take action in October.

MOTION: POSTPONING ACTION IN THE DISTRICT ATTORNEY’S PROPOSED LOCAL LAWS UNTIL THE OCTOBER 6, 2014, PUBLIC SAFETY & CORRECTIONS COMMITTEE MEETING MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. **Contract to Lease Office Space** – Mr. Baker informed the committee that CNET (Community Narcotics Enforcement Team) is housed in property donated by Corning, Inc. The State currently pays \$1.00/year for the lease. Mr. Baker requested authorization to enter into a contract with Corning Inc. to lease a portion of the basement office space at no cost to the County.

MOTION: AUTHORIZING THE DISTRICT ATTORNEY TO ENTER INTO AN AGREEMENT WITH CORNING PROPERTY MANAGEMENT CORPORATION FOR A PORTION OF BASEMENT SPACE AT THE BARON STEUBEN BUILDING LOCATED AT ONE WEST MARKET STREET, CORNING, NY AT NO COST TO THE COUNTY MADE BY MR. MULLEN. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. County Manager

1. **911 Phone System** – Mr. Alger informed the committee that the 911 phone system will reach the end of its useful life in March 2015. We are in the process of reviewing proposals from other counties who have replaced their phone systems and anticipate bringing a proposal next month for the committee's consideration. We have received a grant from the State in the amount of \$181,000 and will be using that toward the purchase of a new system. Mr. Wheeler commented it is a non-competitive grant and we anticipate it will pay for more than half of the cost of a new system.

MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICER'S LAW, ARTICLE 7§ 105.1.D. DISCUSSIONS REGARDING PROPOSED, PENDING OR CURRENT LITIGATION MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

MOTION: TO ADJOURN MADE BY MR. FARRAND. SECONDED BY MR. MULLEN. 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 6, 2014
9:00 a.m.**

**Please send your agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Monday, September 29, 2014.**

STEBEN COUNTY PUBIC SAFETY & CORRECTIONS COMMITTEE

Monday, October 6, 2014

9:00 a.m.

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

****MINUTES****

COMMITTEE: Brian C. Schu, Chair Aaron I. Mullen Eric T. Booth
George J. Welch

STAFF: Mark R. Alger Jack K. Wheeler Dave Hopkins
Tina Goodwin David Cole Jim Gleason
Cheryl Crocker Jim Allard Shawn Corey
Brad Pierce Matthew Whitmore Phil Roche
Heather Drake Tim Marshall Noel Terwilliger
Carlton Wetherby

ABSENT: Dan C. Farrand, Vice Chair

OTHERS: Mary Perham

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE SEPTEMBER 8, 2014, MEETING MADE BY MR. MULLEN. SECONDED BY MR. BOOTH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. DEPARTMENTAL REQUESTS

A. Probation

1. **Update on GPS Units** – Mrs. Crocker informed the committee that last year with help from the Public Defender’s Office, they purchased six (6) GPS units in January. After training, the units were put into service at the end of March. For the past six months, these units have been used for a total of 460 days, with a monthly average of 76 days. August saw the highest usage at 87 days. These units are used for pretrial and preconviction. They have also been used for those on violation of probation. To-date there have been no violations with those on the GPS units. Mrs. Crocker stated that they hope to use the units more and have been consistently talking with the judges and encouraging them to use them. This program has been successful and we have saved approximately \$50,000 in jail days.

B. 911

1. **Contract Renewal** – Ms. Goodwin requested approval to renew their contract with Zang Agency for the maintenance of the UPS System. The annual cost is \$7,718.28 and is the same as last year. They do have money in their budget for this.

MOTION: AUTHORIZING THE DIRECTOR OF 911 TO RENEW THEIR CONTRACT WITH ZANG AGENCY FOR THE MAINTENANCE OF THE UPS SYSTEM AT AN ANNUAL COST OF \$7,718.28 MADE BY MR. WELCH. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. **Phone System** – Mr. Hopkins informed the committee that they have received a proposal from Intrado to offer us the IP version of the phone system that we had installed earlier this year. The total cost is \$277,073.13. We have \$150,000 set aside in a capital project and he would request that the balance be appropriated from the Contingent Fund.

Mr. Wheeler explained the current phone system is at its end of life and will no longer be supported after March 1, 2015. We do have \$150,000 in the 2014 budget. The remainder would need to come from the Contingent Fund. They have applied for a non-competitive State grant that, if awarded, would pay a large portion of this cost. We anticipate that it will be awarded, but we do not know when the award will be made. If the same holds true as has been the case with other grants, we anticipate being able to purchase the equipment with local dollars and then being reimbursed by the State.

Mr. Mullen asked can we bid this outright? Mr. Wheeler replied Cayuga County has done a bid and they included piggyback language so we can use their bid to procure the system. He would suggest that we do that. Other counties in the area are currently using this system. Mr. Mullen asked can we do our own bid? Mr. Wheeler replied we feel the pricing from the Cayuga bid is good. If we did a bid, we will be up against the March 1st deadline.

Mr. Alger commented as important a component as anything is that this system is compatible and is a companion to the CAD system we have in place. If we bid, we will have to specify a system that would be compatible. You may end up with a system that is not compatible and that would cause problems.

Mr. Welch asked how much is the grant? Mr. Hopkins replied if we are awarded the full allocation, we would receive \$189,000. Mr. Alger commented the issue with the grant is the timing. We do not know when the State will make the award. We want to make sure that the State will allow us to use the grant funds if we expend them prior to the award. We expect to have an answer by the time we meet with the Finance Committee. If we are not able to use the grant funds for this purpose, then we will use it for another aligning purpose. We will not prejudice the grant by forwarding this to Finance.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO APPROPRIATE \$127,073.13 FROM THE CONTINGENT FUND TO PURCHASE AN IP PHONE SYSTEM FOR 911 MADE BY MR. WELCH. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

B. Emergency Management Office

1. **Approval of Burn Building Study RFP** – Mr. Marshall informed the committee that they have received responses to this RFP, however, he would like to hold this item for one month to enable them time for additional review.

2. **Accepting Funds from County Auction** – Mr. Marshall requested authorization to accept funds received as a result of the sale of items at the Surplus County Auction and appropriate it to the capital project for the Civil Defense Fire Training Center for upgrades and maintenance to the grounds.

Mr. Schu asked how are the proceeds from the Auction typically allocated? Mr. Alger replied that proceeds from Public Works items typically go back to the department. Mr. Marshall's request is for revenue of \$2,000 for the sale of his surplus items.

MOTION: AUTHORIZING THE DIRECTOR OF EMERGENCY MANAGEMENT TO ACCEPT \$2,000 RECEIVED AS REVENUE FOR THE SALE OF SURPLUS ITEMS AND APPROPRIATE IT TO THE CAPITAL PROJECT FOR THE CIVIL DEFENSE FIRE TRAINING CENTER MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

C. Sheriff's Office

1. **Commendation** – Sheriff Cole read a commendation letter for Corrections Officer Carlton Wetherby for his outstanding initiative, quick action and awareness in preventing an inmate suicide. *Congratulations!*

2. **SRO Budget Adjustment** – Sheriff Cole requested authorization to appropriate additional revenue related to the SRO contracts with school districts to coincide with the County's budget year. The amount is \$121,000.

MOTION: AUTHORIZING THE SHERIFF TO APPROPRIATE ANTICIPATED ADDITIONAL REVENUE IN THE AMOUNT OF \$121,000 RELATED TO THE SRO CONTRACTS WITH THE SCHOOL DISTRICTS MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

3. **2015 DWI Crackdown Grant** – Sheriff Cole requested authorization to accept a 2015 DWI Crackdown Grant in the amount of \$27,162.00.

MOTION: AUTHORIZING THE SHERIFF TO ACCEPT A 2015 DWI CRACKDOWN GRANT IN THE AMOUNT OF \$27,162.00 MADE BY MR. WELCH. SECONDED BY MR. BOOTH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

4. **2015 Bike Safety Grant** – Sheriff Cole requested authorization to accept a 2015 Bike Safety Grant in the amount of \$4,000.00.

MOTION: AUTHORIZING THE SHERIFF TO ACCEPT A 2015 BIKE SAFETY GRANT IN THE AMOUNT OF \$4,000.00 MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

5. **LNI Grant** – Sheriff Cole requested authorization to accept an LNI Grant in the amount of \$12,500.00.

MOTION: AUTHORIZING THE SHERIFF TO ACCEPT AN LNI GRANT IN THE AMOUNT OF \$12,500.00 MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

6. **Appriss Program** – Sheriff Cole requested authorization to join the Appriss Program at no County cost. This is a records keeping program. One of the components of the program is they would manage our accident reports. For every accident report that they sell to an insurance company or individual, we would receive \$10.00.

MOTION: AUTHORIZING THE SHERIFF TO JOIN THE APPRISS RECORDS KEEPING PROGRAM AT NO COUNTY COST MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

E. Public Defender

1. **Approve and Allocate Distribution #3 Grant** – Mr. Roche informed the committee that previously they had accepted and allocated this funding for a conflicts office, however, that was not approved. He is requesting they reallocate the \$210,000 grant, which will be \$70,000 for three consecutive years, for operational expenses.

MOTION: AUTHORIZING THE PUBLIC DEFENDER TO ACCEPT A NEW YORK STATE INDIGENT LEGAL SERVICES, DISTRIBUTION #3 GRANT IN THE AMOUNT OF \$70,000 FOR THREE CONSECUTIVE YEARS WITH SAID FUNDING TO BE USED TOWARD OPERATING EXPENSES MADE BY MR. MULLEN. SECONDED BY MR. BOOTH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Resolution Required.

2. **Approve and Allocate Caseload Reduction Grant** – Mr. Roche requested authorization to accept the Caseload Reduction Grant in the amount of \$296,498 which will be distributed over three years. He commented that if we try to comply with the State’s restrictions on caseload, we would need to have 5.5 people, and we currently have 2. This grant will fund most of a third person. We will need to also get permission to create a third full-time Family Court Assistant Public Defender. With this additional position, he anticipates they will be able to move cases through the system more efficiently.

MOTION: AUTHORIZING THE PUBLIC DEFENDER TO ACCEPT A NEW YORK STATE INDIGENT LEGAL SERVICES GRANT AND APPROVING THE ALLOCATION OF A TOTAL OF \$296,498 OVER THREE YEARS FOR THE CASELOAD REDUCTION GRANT MADE BY MR. MULLEN. SECONDED BY MR. WELCH FOR DISCUSSION.

Mr. Alger commented the State’s objective is to have Public Defenders and then conflicts. You will not have the assigned counsel program that you have today. You will only see those that our conflicted out. As a result, you will see a significant increase in caseloads and there will be less assigned counsel work. The State’s objective is to move from assigned counsel to staff in courts.

Mr. Booth asked what is the cost to the County? Mr. Roche replied he believes the salary will be covered and most of the fringe benefits will be covered. The only part that will not be covered will be office space. The maintenance in lieu of rent chargeback will be a cost to his budget. Mr. Alger explained the chargeback is based on cost per square foot per department.

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

3. **Personnel – Reclassification** – Mr. Alger stated they would like to reclassify and transfer a vacant Social Worker position from the Office of Community Services to a Full-Time Assistant Public Defender.

MOTION: AUTHORIZING THE TRANSFER AND RECLASSIFICATION OF A VACANT SOCIAL WORKER POSITION IN THE OFFICE OF COMMUNITY SERVICES TO A FULL-TIME ASSISTANT PUBLIC DEFENDER POSITION IN THE PUBLIC DEFENDER’S OFFICE MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

4. **Update on Hurrell-Harring Lawsuit** – Mr. Roche informed the committee that the New York Civil Liberties Union had filed a suit against the State for failing to provide effective counsel to poor New Yorkers accused of crimes. One County, Ontario, has settled. The Department of Justice has filed a letter of interest. They think there may be a Federal implication to New York’s structure on public defense. The Civil Liberties Union wants the caseloads to be lowered and require the State to provide funding of the public defense system. This ruling will impact our caseloads and how we are funded as a Public Defender’s Office.

Mr. Alger stated a couple of other counties are also looking to settle. Ontario County has agreed to provide additional staffing and to do counselat arraignments. This ruling could have a very broad implication on the judiciary side of our budget, which is very limited. The courts are paid for by the State and the County pays for prosecution and defense. If the Civil Liberties Union is successful in getting the State to participate, it will be interesting to see how they will participate.

Mr. Roche stated if it comes to requiring us to provide counsel at arraignments, we would have to provide an attorney at all courts in the County. If that happens, that will be hundreds of thousands of dollars in additional costs to provide attorneys on-call 24 hours, 7 days a week. We have been talking about various ideas to deal with that.

5. **Contingent Fund Transfer** – Mr. Roche requested authorization to transfer \$12,500 from the Contingent Fund to the Public Defender’s budget for the remainder of the year.

MOTION: AUTHORIZING AND DIRECTING THE COMMISSIONER OF FINANCE TO TRANSFER \$12,500 FROM THE CONTINGENT FUND AND APPROPRIATE TO THE PUBLIC DEFENDER'S 2014 BUDGET MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Resolution Required.

6. **Assigned Counsel** – Mr. Alger stated they are anticipating they will need additional funds in the Assigned Counsel Program by the end of the year. He would recommend appropriating \$50,000 from the Contingent Fund to get the program through October. We will then have to look at what will need to be done for the remainder of the year.

MOTION: AUTHORIZING AND DIRECTING THE COMMISSIONER OF FINANCE TO TRANSFER \$50,000 FROM THE CONTINGENT FUND AND APPROPRIATE TO THE ASSIGNED COUNSEL PROGRAM TO FUND THEM THROUGH OCTOBER 2014 MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 4-0. *Resolution Required.*

F. District Attorney's Office

1. **Proposed Local Laws**

a. *Authorizing the Seizure and Forfeiture of Property Used in Connection with Misdemeanor Criminal Acts as Defined by Article 220 and Article 221 of the Penal Law* – Mr. Mullen asked is there something in this local law to protect an owner who may have let an individual borrow their vehicle, that then was used in the commission of a crime? Mr. Baker replied the innocent owner is defined in CPLR 13A and we can add it to the local law.

MOTION: FORWARDING FOR CONSIDERATION BY THE FULL LEGISLATURE, THE PRESENTATION OF A LOCAL LAW AUTHORIZING THE SEIZURE AND FORFEITURE OF PROPERTY USED IN CONNECTION WITH MISDEMEANOR CRIMINAL ACTS AS DEFINED BY ARTICLE 220 AND ARTICLE 221 OF THE PENAL LAW MADE BY MR. MULLEN. SECONDED BY MR. WELCH FOR DISCUSSION.

Mr. Booth stated that he is concerned that this local law is a fundraising effort. Mr. Baker replied these are economic crimes. One way to combat that is to create an economic disincentive. We are limiting that to Articles 220 and 221. Mr. Booth stated that a misdemeanor implies that it is a crime of less severity. He is concerned that we are taking people's things and holding them and eventually keeping them. He would be more comfortable with us taking inventory and when and if they are found guilty, then going back and seizing the property. Mr. Baker explained you have to have a conviction in order to take the property. With inventorying and releasing property, you have to remember that most of these individuals are criminals. Most of the property is held as evidence and then forfeiture occurs at the end. There is a check and balance system in place.

Mr. Booth commented if someone is selling drugs, then we need to stiffen the penalty so that it is a felony and not a misdemeanor. Mr. Baker stated we cannot stiffen the penalties. We used to have stiffer penalties, but then the State took that away. We are trying to proactively address the problem by hitting everything. The items that we are taking are taken during arrests and then held as evidence. These are items that are part of a criminal action.

Mr. Mullen asked how are the funds budgeted? Mr. Baker replied 50 percent of the proceeds go directly back to law enforcement and 50 percent remain in our office. There are currently 7 or 8 other counties that do this successfully.

VOTE ON PREVIOUS MOTION: MOTION CARRIED 3-1. (MR. BOOTH OPPOSED) *Resolution Required.*

b. *Relative Secondhand Dealers* – Mr. Schu commented a few years ago this issue had come up and was defeated. At that time the committee had held a Public Hearing. Mr. Baker stated at that time we did not have the experience with the law. However, since that time Monroe and Chemung

counties have passed similar laws and have been very successful. The professionals who run the pawn shops and currently work under the State legislation are saying this is the best way to do this and that it protects them.

Mr. Mullen stated under Section 3: Prohibited Purchases, he does not believe that we should have item A – where the seller is less than the age of eighteen (18). Mr. Baker commented a lot of kids utilize these places to get currency for drugs. Someone who is less than 17 cannot enter into a contract. This protects the dealer, the purchaser and the child.

MOTION: FORWARDING FOR CONSIDERATION BY THE FULL LEGISLATURE, THE PRESENTATION OF A LOCAL LAW RELATIVE TO SECONDHAND DEALERS MADE BY MR. WELCH. SECONDED BY MR. BOOTH. MOTION CARRIES 3-1. (MR. MULLEN OPPOSED) Resolution Required.

c. *Prohibiting the Consumption of Alcoholic Beverages and/or Illegal Drugs by Minors on Private Premises in Steuben County* – Mr. Baker stated that as a clarification, they have changed the definition of social gathering to mean a party or gathering at a residence or other private premises of two or more persons, at least one of who is not related by blood or law to the others in attendance and is a minor.

Mr. Mullen stated under Section 4 – Prohibitions, it should state “social gathering” and under Section 5 – Exceptions, C should be religious rather than sacerdotal. Mr. Corey commented they put in sacerdotal as it has the same root word and they felt that religious was a little over broad.

MOTION: FORWARDING FOR CONSIDERATION BY THE FULL LEGISLATURE, THE PRESENTATION OF A LOCAL LAW PROHIBITING THE CONSUMPTION OF ALCOHOLIC BEVERAGES AND/OR ILLEGAL DRUGS BY MINORS ON PRIVATE PREMISES IN STEUBEN COUNTY WITH THE FOLLOWING AMENDMENTS: THE DEFINITION OF SOCIAL GATHERING SHALL BE PEOPLE NOT RELATED BY BLOOD OR LAW; SECTION 4 – PROHIBITIONS TO CHANGE THE WORDING TO “SOCIAL GATHERING” AND SECTION 5 – CHANGING THE WORDING UNDER C FROM SACERDOTAL TO RELIGIOUS MADE BY MR. MULLEN. SECONDED BY MR. WELCH FOR DISCUSSION.

Mr. Welch asked is the first offense a violation? Mr. Baker replied they will pay a nominal fine. The deterrent value is the embarrassment among peers. Mr. Booth commented this is a great idea and is a long time coming.

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

d. *Prohibiting within Steuben County the Possession, Purchase, Attempted Purchase in Excess of the Federal Limits, of Pseudophedrine and Products Containing Pseudophedrine* – Mr. Baker commented this is line for line the same as the current Federal law. Mr. Mullen commented with regard to Section 9, he would like to include a clause that states our Local Law shall remain in effect for current cases if a State or Federal law is passed.

MOTION: FORWARDING FOR CONSIDERATION BY THE FULL LEGISLATURE, THE PRESENTATION OF A LOCAL LAW PROHIBITING WITHIN STEUBEN COUNTY THE POSSESSION, PURCHASE, ATTEMPTED PURCHASE IN EXCESS OF THE FEDERAL LIMITS, OF PSEUDOPHEDRINE AND PRODUCTS CONTAINING PSEUDOPHEDRINE WITH THE AMENDMENT TO SECTION 9 TO INCLUDE A CLAUSE THAT THE COUNTY’S LOCAL LAW SHALL REMAIN IN EFFECT FOR CURRENT CASES, EVEN IF THERE IS PASSAGE OF A STATE OR FEDERAL LAW, MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Monday, November 3, 2014
9:00 a.m.**

**Please send your agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Monday, October 27, 2014.**

STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE

Monday, November 3, 2014

9:00 a.m.

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

****MINUTES****

COMMITTEE:	Brian C. Schu, Chair Eric T. Booth	Dan C. Farrand, Vice Chair George J. Welch	Aaron I. Mullen
STAFF:	Mark R. Alger Jim Allard Cheryl Crocker	Jack K. Wheeler Tina Goodwin Shawn Corey	David Cole Tim Marshall Dave Hopkins
LEGISLATORS:	Joseph J. Hauryski Gary B. Roush	Carol A. Ferratella Randolph J. Weaver	William A. Peoples
OTHERS:	Mary Perham		

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE OCTOBER 6, 2014, MEETING MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. FARRAND ABSENT FOR VOTE)

III. DEPARTMENTAL REQUESTS

A. Emergency Management Office

1. **Burn Building RFP** – Mr. Marshall informed the committee that they put out an RFP for an engineering study of the burn building. They received two proposals. The low proposal was from W.J.E. Engineers for \$13,500. He stated that they have \$12,500 in their capital project and that he will need to go to the Finance Committee to request authorization to transfer an additional \$1,000 to the capital project.

MOTION: AWARDING THE RFP FOR AN ENGINEERING STUDY OF THE BURN BUILDING TO THE LOW PROPOSAL, W.J.E. ENGINEERS FOR \$13,500 MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. FARRAND ABSENT FOR VOTE)

B. Sheriff's Office

1. **Grants** – Sheriff Cole requested authorization to accept and appropriate a Vest Grant in the amount of \$5,920 and a Child Passenger Safety Seat Grant in the amount of \$13,000.

MOTION: AUTHORIZING THE SHERIFF TO ACCEPT AND APPROPRIATE A VEST GRANT IN THE AMOUNT OF \$5,920 AND A CHILD PASSENGER SAFETY SEAT GRANT IN THE AMOUNT OF \$13,000 MADE BY MR. WELCH. SECONDED BY MR. BOOTH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Budget Adjustments** – Sheriff Cole requested authorization to transfer \$64,012.42 from his salaries and wages line item to various line items within his budget to cover expenses.

MOTION: AUTHORIZING THE SHERIFF TO TRANSFER \$64,012.42 OUT OF THE SALARIES AND WAGES LINE ITEM AND APPROPRIATING TO VARIOUS LINE ITEMS WITHIN HIS BUDGET TO COVER EXPENSES MADE BY MR. FARRAND. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Sheriff Cole informed the committee that they found it was less expensive to fuel the navigation boat from the county pumps rather than at the boat launch. He requested authorization to transfer \$2,693 from the Operation of Boats line item to the Vehicle Fuel line item.

MOTION: AUTHORIZING THE SHERIFF TO TRANSFER \$2,693 FROM THE OPERATION OF BOATS LINE ITEM TO THE VEHICLE FUEL LINE ITEM MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Sheriff Cole requested authorization to transfer \$19,000 from his salaries and wages line item and appropriate to his major equipment line item to purchase a pickup truck for the navigation/special detail assignment. He commented that he would also like to remove the boat motor in major equipment and put that \$7,500 toward the purchase of the truck. This truck, in addition to towing the boat, could also be used to transport evidence. Since the truck would be purchased for the navigation unit, half of the cost will be reimbursed by the State. Undersheriff Allard commented they will also be saving approximately \$2,000 by fueling the boat at the county fuel pumps. Discussion followed.

MOTION: AUTHORIZING THE SHERIFF TO TRANSFER \$19,000 FROM HIS SALARIES AND WAGES LINE ITEM AND APPROPRIATE TO MAJOR EQUIPMENT LINE ITEM, ADDITIONALLY REMOVING THE MOTOR FOR THE BOAT FROM THE MAJOR EQUIPMENT AND USING THAT \$7,500 IN CONJUNCTION WITH THE \$19,000 TO PURCHASE A PICKUP TRUCK FOR THE NAVIGATION/SPECIAL DETAIL ASSIGNMENT AND ADDING THE PICKUP TRUCK TO THE MAJOR EQUIPMENT LIST MADE BY MR. FARRAND. SECONDED BY MR. BOOTH. MOTION CARRIES 4-1. (MR. MULLEN OPPOSED)

C. County Manager

1. **911 Phone System** – Mr. Wheeler stated last month the committee approved a contingent fund transfer to pay for a new 911 phone system. He requested authorization to piggyback on the Cayuga County bid and authorize the purchase of the system.

MOTION: AUTHORIZING THE PURCHASE A 911 TELEPHONE SYSTEM AND AUTHORIZING THE COUNTY TO PIGGYBACK ON THE CAYUGA COUNTY BID FOR SAID SYSTEM MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Contract** – Mr. Wheeler informed the committee that 911 applied for and received a grant that will help pay for the phone system. It will cost \$89,036 for an interface with the current Tiburon system. He requested authorization to amend the contract with Tiburon to expand the interface and integration of the new telephone system.

MOTION: AUTHORIZING THE 911 DIRECTOR TO AMEND THE CONTRACT WITH TIBURON TO INCLUDE ADDITIONAL FUNDING IN THE AMOUNT OF \$89,036 WHICH WILL BE USED TO EXPAND THE INTERFACE AND INTEGRATION OF THE NEW TELEPHONE SYSTEM MADE BY MR. MULLEN. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. **Assigned Counsel** – Mr. Alger informed the committee that Assigned Counsel will probably run out of money by the end of the month. We may be able to wait until December to make another transfer and he will come back to the committee when they have a better idea of how much will be needed.

Mr. Farrand asked what is their budget for next year? Mr. Alger replied it is the same as this year's budget. We raised it \$100,000 last year. We really do not know what we will be doing next year. It is likely that we will be adding staff and ultimately reducing assigned counsel, but there will be an increase in personal services.

Mr. Mullen asked Mr. Alger to review that structure. Mr. Alger stated the lawsuit will put a couple of things in place. First, there will be caseload limitations for the Public Defender. Second, there will be a structured program for defense generally and third, we may be required to have counsel at arraignment. We do not know how that will be implemented and that will affect both the Public Defender and the District Attorney. We have proposed a couple of things to the State and to the Office of Indigent Legal Services. In Washington County, they are suggesting doing a centralized court as a solution to the requirement for counsel at arraignment. That will require the State to take some legal action to legally do that.

Mr. Hauryski commented that he has had some Town Supervisors approach him with questions regarding district courts. The towns are being crunched with the expense of their own courts, as well as issues with night security. They are asking us if there is something we can do to become more centralized or group the town courts together. Mr. Schu commented something like that has to come from the State. Mr. Alger stated this is a difficult problem and is something that will not go away. The idea of centralized arraignment makes sense.

IV. OTHER BUSINESS

A. *Changing February Meeting Date Due to NYSAC Conference* – Mr. Schu stated the proposal is to move the February meeting to Monday, February 9th due to the NYSAC Conference.

MOTION: CHANGING THE DATE OF THE FEBRUARY PUBLIC SAFETY & CORRECTIONS COMMITTEE MEETING TO MONDAY, FEBRUARY 9, 2015, AT 9:00 A.M. MADE BY MR. WELCH. SECONDED BY MR. BOOTH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: TO ADJOURN MADE BY MR. WELCH. SECONDED BY MR. BOOTH. 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 1, 2014
9:00 a.m.**

**Please send your agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Monday, November 24, 2014.**

STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE

Monday, December 1, 2014

9:00 a.m.

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

****MINUTES****

COMMITTEE: Brian C. Schu, Chair Dan C. Farrand, Vice Chair Aaron I. Mullen
George J. Welch

STAFF: Jack K. Wheeler Dave Hopkins Cheryl Crocker
Tim Marshall Jim Allard Jim Gleason
Noel Terwilliger Alan Reed

LEGISLATORS: Joseph J. Hauryski K. Michael Hanna William A. Peoples

ABSENT: Eric T. Booth

OTHERS: Mary Perham

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE NOVEMBER 3, 2014, MEETING MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. FARRAND ABSENT FOR VOTE)

III. DEPARTMENTAL REQUESTS

A. 911 Enhanced

1. **Contract Renewals** – Mr. Hopkins requested authorization to renew contracts with Code Red for the emergency notification system and with Pictometry. Mr. Wheeler commented the Pictometry contract is budgeted over three years and every three years they do a refly. This helps our assessors with the ChangeFinder program.

Mr. Welch asked did these contracts increase? Mr. Hopkins replied there was a slight increase for Pictometry. Mr. Wheeler commented it was about 2 percent which equates to a \$10,000 increase spread over three years.

MOTION: AUTHORIZING THE 911 DIRECTOR TO RENEW THE CONTRACT WITH CODE RED FOR A COST OF \$20,656.25 MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

MOTION: AUTHORIZING THE 911 DIRECTOR TO RENEW THE CONTRACT WITH PICTOMETRY FOR A TOTAL COST OF \$251,492.14 OVER THREE YEARS MADE BY MR. WELCH. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

2. **Purchase of Recorder** – Mr. Hopkins requested authorization to purchase a recorder for a total cost of \$149,346. This will also include the Jail. Mr. Wheeler explained they have money for this purchase from the Round II grant. This purchase ties into the plan for the replacement of the consoles.

MOTION: AUTHORIZING THE 911 DIRECTOR TO PURCHASE A NEW RECORDER FOR A TOTAL COST OF \$149,346, TO BE PAID FOR WITH ROUND II GRANT FUNDING MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

B. Sheriff's Office

1. **Commendation** – Undersheriff Allard presented a commendation letter to Cpl. Patricia Clarkson for her self-initiative for developing a field training program for the Court Security Division. *Congratulations!*

2. **STEP Grant** – Undersheriff Allard requested authorization to accept a STEP (Selected Traffic Enforcement Program) Grant in the amount of \$9,000. This is a non-matching grant.

MOTION: AUTHORIZING THE SHERIFF'S OFFICE TO ACCEPT A STEP GRANT IN THE AMOUNT OF \$9,000 MADE BY MR. WELCH. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

3. **CIRT Equipment Bid** – Undersheriff Allard informed the committee that they did put out a bid for the CIRT equipment. Mr. Gleason stated they sent out seven or eight and received two bids back. One bidder only bid on a couple of items. He recommended rejecting the bids and rebidding.

MOTION: REJECTING THE BID FOR CIRT EQUIPMENT AND AUTHORIZING THE PURCHASING DIRECTOR TO REBID MADE BY MR. MULLEN. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

C. District Attorney's Office

1. **Disbursement of Traffic Diversion Funds to Law Enforcement** – Mr. Terwilliger informed the committee that when they first started this program, they had anticipated generating \$100,000 - \$150,000 in revenue. This program has been very successful and has generated over \$400,000. Thirty percent of our share of the funds will go back to the General Fund. A total of \$147,456 will be disbursed to law enforcement. He distributed a handout showing a list of disbursements totaling \$140,950. The remaining \$6,506.40 will go into the General Fund. This list includes disbursements for equipment, a vehicle for the DSS Fraud Task Force, miscellaneous expenses and police department funds.

Mr. Mullen asked for an explanation of the total breakdown? Mr. Terwilliger explained with a \$250 ticket, \$100 goes to the courts, \$50 goes to the instructor and \$100 goes to the District Attorney's Office for the General Fund. Mr. Wheeler stated we have not done a resolution for how to budget this. The committee did establish a line item and we talked generally about how to split this up. This is the next step toward finalizing that.

Mr. Mullen asked how much do we pay for the instructor? Mr. Terwilliger replied we have paid \$26,000 - \$27,000. Mr. Schu commented you are generating \$50,000 per month. Do you expect it to remain at that amount? Mr. Terwilliger replied yes. Mr. Reed stated at this point, the Legislature has not passed a resolution for an agreement that this is the actual ratio to be distributed. Mr. Wheeler stated that we can bring this back again next month. His recommendation would be to support the disbursement of funds in accordance with what the District Attorney has set forth.

Mr. Welch asked other than the witness fees, everything else looks like extras. Mr. Terwilliger explained the video equipment in the South Conference Room and the Civil Defense Center would be upgrades to the existing equipment. With regard to the vehicle, the Department of Social Services is short on vehicles. Mr. Wheeler stated the vehicle is a new request. He agrees with Mr. Terwilliger that the video equipment is an upgrade and will benefit the County. The miscellaneous expenses have already been expended and the money allocated would reduce that cost.

Mr. Mullen asked how many people need their own vehicle? Mr. Terwilliger replied they have two workers and they expect the mileage would be 35,000 – 50,000 annually.

Mr. Hauryski stated that with regard to training equipment, his experience at the Civil Defense Center is that definitely needs improvement. The South Conference Room and our committee room could all use upgrades in technology. Those upgrades would cover everyone, not just the District Attorney's Office.

Mr. Welch stated his concern is that there is a loophole that Albany could fill someday and we are acting as if it is permanent. When that gets shut down, we will have infrastructure that we cannot support. Mr. Wheeler stated if this money goes away, the future replacement of the equipment would not be an easy thing and there is no guarantee of the funding. The District Attorney's Office will have to work with the courts and law enforcement and make them aware that the funding may not be permanent.

Mr. Mullen asked how often have you had a department that needs a vehicle and they do not have access to one? Mr. Wheeler replied it does happen. We have spend approximately \$30,000 in mileage per year. Mileage is only paid after an employee requests a vehicle and there is no vehicle available. Then they have to take their own and are reimbursed mileage. It is a challenge and a balancing process.

Mr. Mullen commented his concern is that we have ten minutes in committee to talk about \$400,000 in revenue. Mr. Schu stated right now we are talking about disbursing these funds and then we will take action in January to adopt a formal resolution.

Mr. Welch asked do you recognize that there is a need for additional vehicles? Mr. Wheeler replied yes. We try to get by with what we have. We are not running a lot of mileage, but there are times when the vehicles are not available.

MOTION: AUTHORIZING THE DISTRICT ATTORNEY TO DISBURSE TRAFFIC DIVERSION PROGRAM FUNDS AS FOLLOWS: A TOTAL OF \$147,456.40 TO BE DISBURSED TO LAW ENFORCEMENT, WITH \$6,506.40 OF THAT TO GO TO THE GENERAL FUND, AND \$69,702.00 TO THE GENERAL FUND MADE BY MR. FARRAND. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. **RFP for Diversion Program** – Mr. Gleason informed the committee that they did issue an RFP for instructor services for the Diversion Program. They received two responses; one from the current vendor and one from an out-of-state vendor. The out-of-state vendor did not meet the terms and conditions of the RFP. He would recommend awarding to Valley Consultants for \$35.00 per student.

Mr. Wheeler stated that one of their concerns going into this was if the program made more than what was projected. We felt that if we gave it a fixed amount, capped at \$25,000 of net proceeds, that that would be reasonable.

MOTION: AWARDING THE RFP FOR INSTRUCTOR SERVICES FOR THE DRIVER DIVERSION PROGRAM TO VALLEY CONSULTANTS AT A RATE OF \$35.00 PER STUDENT, CAPPED AT A MAXIMUM OF \$25,000 PER YEAR MADE BY MR. MULLEN. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

3. **Lease of Night Vision Equipment** – Mr. Terwilliger informed the committee that as part of the disbursement of the Traffic Diversion Program Funds, they will be leasing two night vision equipment. The cost is \$300.00 per year for each. This purchase will be covered by the Traffic Diversion Program Funds.

D. County Manager

1. **Contingent Fund Transfer** – Mr. Wheeler informed the committee that they were notified that the Assigned Counsel Program will need an additional \$50,000 to get through the remainder of the year.

MOTION: AUTHORIZING THE FINANCE COMMISSIONER TO TRANSFER \$50,000 FROM THE CONTINGENT FUND TO THE ASSIGNED COUNSEL PROGRAM MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

IV. OTHER BUSINESS

A. *Counsel at Arraignment* – Mr. Hauryski stated that he would like to put together a committee, chaired by Mr. Schu, to begin looking at the process of having centralized arraignments. He will put together a committee to come up with some ideas as to how to deal with this eventuality. Mr. Schu commented this is something that may require State legislation. Mr. Hauryski stated that he expects by next month to have that committee put together.

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Monday, January 5, 2015
9:00 a.m.**

**Please send your agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Monday, December 29, 2014.**

STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE

Special Meeting

*Monday, December 15, 2014
Legislative Committee Room
Steuben County Office Building
Bath, New York*

****MINUTES****

COMMITTEE: Brian C. Schu, Chair Dan C. Farrand, Vice Chair Aaron I. Mullen
Eric T. Booth George J. Welch

STAFF: Mark R. Alger Jack K. Wheeler David Cole
Jim Allard Brooks Baker Noel Terwilliger
Alan Reed Shawn Corey

LEGISLATORS: Joseph J. Hauryski Carol A. Ferratella K. Michael Hanna
Hilda T. Lando Robin K. Lattimer Patrick F. McAllister
William A. Peoples Gary B. Roush Gary D. Swackhamer
Scott J. Van Etten Randolph J. Weaver

OTHERS: Mary Perham

I. CALL TO ORDER

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

II. GENERAL BUSINESS

A. Sheriff's Office

1. **Purchase of Equipment** – Sheriff Cole requested authorization to transfer \$8,806.30 out of various line items and appropriate to the Small Equipment line item to purchase five Tasers. He commented that these need to be purchased prior to the end of the year. He distributed copies of their policy regarding the use of Tasers and stated that they also have trained instructors.

MOTION: AUTHORIZING THE SHERIFF TO TRANSFER A TOTAL OF \$8,806.30 OUT OF VARIOUS LINE ITEMS WITHIN HIS BUDGET AND APPROPRIATE TO HIS SMALL EQUIPMENT LINE ITEM TO PURCHASE FIVE TASERS, AND AMENDING THE SMALL EQUIPMENT LIST TO REFLECT THIS PURCHASE MADE BY MR. FARRAND. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. District Attorney's Office

1. **Traffic Diversion Program Disbursements** – Mr. Terwilliger informed the committee that since the December 1st meeting, they have received additional revenue from the Traffic Diversion Program. He requested authorization to add \$3,000 to the law enforcement disbursement for the purchase of a radio for the new vehicle. Mr. Farrand commented if there is enough money, he would recommend they also purchase an MDT for officer safety.

MOTION: AUTHORIZING THE DISTRICT ATTORNEY TO ADD \$3,000 TO THE LAW ENFORCEMENT DISBURSEMENT FOR THE PURCHASE OF A RADIO AND MOBILE DATA TERMINAL (MDT) FOR THE NEW VEHICLE MADE BY MR. FARRAND. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature