STEUBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE
Monday, April 3, 2017
9:00 a.m.
Legislative Committee Room
Steuben County Office Building
Bath, New York

****MINUTES****

COMMITTEE:	Dan C. Farrand, Chair Kelly H. Fitzpatrick	Aaron I. Mullen, Vice Chair Steven P. Maio	Eric T. Booth
STAFF:	Jack K. Wheeler Tina Goodwin Phil Roche Andy Morse	Mitchell Alger Tim Marshall Cheryl Crocker	David Hopkins Jim Allard Jennifer Prossick
LEGISLATORS:	Joseph J. Hauryski John V. Malter	Carol A. Ferratella Gary D. Swackhamer	Hilda T. Lando Scott J. Van Etten
OTHERS:	Kristin Klemenz, B & W Towing		

I. CALL TO ORDER

Mr. Farrand 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 MARCH 6, 2017, MEETING MADE BY MR. MULLEN. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MS. FITZPATRICK ABSENT FOR VOTE)

III. DEPARTMENT REQUESTS

A. Public Defender

1. **Review of Office Structure** – Mr. Roche stated at last week's Chairmen's Meeting there were a couple of questions regarding the structure of the Public Defender, Assigned Counsel and Conflict Defender. He distributed a handout showing the organizational chart for the Public Defender, Conflict Office and Assigned Counsel; 2016 case flow, caseloads and costs; and Steuben County Indigent Defense Potential/Projected Staffing. He stated that the three offices of Public Defender, Conflict Office and Assigned Counsel all report to the County Manager. We are looking at possible staffing increases. Some of those may be mandated and some we may decide are a good idea to do.

Mr. Maio asked for an explanation of the 2 ½ full time attorneys under criminal felony? Mr. Roche replied he considers himself the ½. With regard to caseload distribution, all of the cases start with the Public Defender's Office. Felony cases, if they are a conflict, go to the Conflict Office and if there is still a conflict, from there go to Assigned Counsel. This is our first year with a Conflict Office. The same process occurs for misdemeanor cases, except the Conflict Defender does not handle those at this time. Last year we had 200 cases which cost us about $47,000. Under Family Court, we had 750 cases which cost about $400,000. He stated that he is going to make a request to the Steuben County Bar Association to approve the creation of a Family Court Conflict Office. We first need the approval of the Bar Association; then the Legislature can decide if it is a good idea. Mr. Maio commented he is surprised how few conflict cases you have for misdemeanors. Mr. Van Etten asked does the Bar Association meet in July? Mr. Roche replied yes.

Mr. Mullen asked you have three full-time Family Court attorneys? Mr. Roche replied yes. The other thing that comes into play is the caseload cap. With that cap, we will need one to two additional attorneys. Mr. Mullen asked what are we paying a full-time Family Court attorney? Mr. Roche replied it varies, but with benefits, it ranges between $100,000 - $130,000. Mr. Mullen commented that there are an equal number of cases between the Public Defender and Assigned Counsel, it doesn't seem as though there would be any savings in creating a Conflict Office for Family Court. Mr. Roche stated the caseload, in theory, also applies to assigned counsel. Mr. Mullen asked if the caseload is spread out, would the attorneys make more per hour? Mr. Roche replied he expects that is coming. Currently they are making $75.00 per hour and there has been discussion of going to $100.00 per hour. What you will find is we can do things with the Conflict Defender rather than Assigned Counsel and that is also volume driven. If there are no caseload limits, we would be able to do Family Court cases much cheaper with the Conflict Defender.

Mr. Roche stated that he would like to apply for approval from the Bar Association to create a Family Court Conflict Office. He would not expect the Legislature would make a decision until a year from now. By then, we should know about the raise the age proposal, caseload caps, etc. In July or August of 2018, you can decide whether to create a Conflict Office for Family Court.

B. Emergency Management Office

1. **FY 2015 SHSP Grant Budget Adjustment** – Mr. Marshall requested approval to transfer a total of $14,339 among various line items within the FY 2015 SHSP Grant to cover contract labor and equipment costs. This also includes $6,900 in small equipment to purchase video displays for the EOC and portable mobile radios.

MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO TRANSFER A TOTAL OF $14,339 BETWEEN VARIOUS LINE ITEMS WITHIN THE 2015 SHSP GRANT AND TO ADD $6,900 IN SMALL EQUIPMENT TO PURCHASE VIDEO DISPLAYS FOR THE EOC AND PORTABLE MOBILE RADIOS MADE BY MS. MULLEN. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **VHF Fire Radio** – Mr. Marshall informed the committee that they have had engineering struggles with getting the fire service radios switched to VHF. He stated that he would like to bring Televate back in to help us with the engineering issues. The proposal is $46,052 and that would be covered by grant funds. Mr. Wheeler commented it would be a good investment to have another expert in the field look at this.

Mr. Mullen asked what is the problem? Mr. Marshall replied we are having issues with both the new and current frequencies. Mr. Mullen asked the first time we hired Televate, was it for the radio project and office structure? Mr. Wheeler replied yes and we had expanded the scope of that initial project to include Law Enforcement narrowband upgrade. They did not engineer at that time for this current project. Mr. Mullen stated he thought we had paid them $100,000. Mr. Wheeler replied, no, we paid them approximately $55,000. We expanded the original scope and they attended a meeting with Motorola and identified major issues on I390. This is similar to what we need to do this time.

Mr. Marshall stated with the new project we want to bring the fire service from low band to VHF and we need to implement the new VHF channel. Mr. Booth asked are we sure that they will have a solution? Mr. Marshall replied they have indicated that the issues are not insurmountable.

MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO ENTER INTO AN AGREEMENT WITH TELEVATE FOR A TOTAL OF $46,052, TO BE PAID FOR WITH GRANT FUNDS, TO ASSIST WITH THE IMPLEMENTATION OF MOVING THE FIRE SERVICE FROM LOW BAND TO VHF MADE BY MR. MULLEN. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Sheriff's Office

1. **Commendation** – Sheriff Allard presented a letter of commendation to Deputy Steven Ellison. Deputy Ellison was involved in an incident on March 22, 2017, where an officer was in distress and being attacked. Deputy Ellison promptly responded with the proper use of training and technique with the Taser. *Congratulations!*

2. **Bid Award – Water Tank Installation** – Sheriff Allard requested authorization to award the bid for the Water Tank Installation to the low bidder, Monroe Piping for $22,781.

MOTION: AWARDING THE BID FOR THE WATER TANK INSTALLATION AT THE JAIL TO THE LOW BIDDER, MONROE PIPING FOR A TOTAL COST OF $22,781.00 MADE BY MR. MULLEN. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. **Donation** – Sheriff Allard requested authorization to accept a donation of two bicycles and corresponding equipment from the Wineglass Marathon.

MOTION: AUTHORIZING THE SHERIFF TO ACCEPT A DONATION OF TWO BICYCLES AND CORRESPONDING EQUIPMENT FROM THE WINEGLASS MARATHON MADE BY MR. MULLEN. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

4. **Authorization to Bid Uniforms and Inmate Clothing** – Sheriff Allard requested authorization to issue bids for uniforms for Road Patrol and Corrections along with inmate clothing.

MOTION: AUTHORIZING THE SHERIFF, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO SOLICIT BIDS FOR UNIFORMS FOR ROAD PATROL AND CORRECTIONS, ALONG WITH INMATE CLOTHING MADE BY MR. MULLEN. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

5. **Budget Adjustment** – Sheriff Allard informed the committee that the School Resource Officers (SRO's) do not have digital radios which means they are unable to talk to 911 on the main channel. He has talked with the school superintendents and they are willing to reimburse us for the cost of new radios. Sheriff Allard requested authorization to transfer $11,855 from the Minor Equipment line to the Sheriff SRO Fees line to purchase digital radios for the SRO's. The cost will be reimbursed by the schools.

MOTION: AUTHORIZING THE SHERIFF TO PURCHASE NEW DIGITAL RADIOS FOR THE SCHOOL RESOURCE OFFICERS (SRO'S), SAID COST TO BE REIMBURSED BY THE SCHOOLS; AND TRANSFERRING $11,855 FROM THE MINOR EQUIPMENT LINE TO THE SHERIFF SRO FEES REVENUE LINE ITEM MADE BY MR. MULLEN. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

6. **Contract** – Sheriff Allard requested authorization to increase the contract with Johnson Controls by $4,763 to install the controls on the new water tank at the jail. We do have money available in the capital project for this.

MOTION: AUTHORIZING THE SHERIFF TO INCREASE THE CONTRACT AMOUNT FOR JOHNSON CONTROLS BY $4,763 FOR THE INSTALLATION OF THE CONTROLS ON THE NEW WATER TANK AT THE JAIL MADE BY MR. MAIO. SECONDED BY MR. BOOTH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. County Manager

1. **Grant Acceptance** – Mr. Wheeler requested authorization to accept a multi-jurisdictional grant from NYS DCJS for police protective equipment including patrol rifles and vests. The total amount of the grant

is $49,200. He commented that his office will be managing the grant. Funds will be distributed to the Sheriff's Office, and police departments in Addison, Canisteo, Wayland, Hammondsport, Corning and Hornell.

MOTION: AUTHORIZING THE COUNTY MANAGER TO ACCEPT A MULTI-JURISDICTIONAL GRANT FROM NYS DCJS FOR POLICE PROTECTIVE EQUIPMENT IN THE AMOUNT OF $49,200 MADE BY MR. MULLEN. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

IV. OTHER BUSINESS

A. **Dateline** – Mr. Mullen commented that the Dateline special on the Kelly Clayton murder went well. He stated that he liked what the body cameras were able to do.

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

****NEXT MEETING SCHEDULED FOR****
Monday, May 1, 2017
9:00 a.m.

PLEASE PROVIDE AGENDA ITEMS
NO LATER THAN NOON
Monday, April 24, 2017.