

PUBLIC SAFETY & CORRECTIONS COMMITTEE

Monday, August 7, 2017

9:00 a.m.

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

****MINUTES****

- COMMITTEE:** Aaron I. Mullen, Vice Chair Eric T. Booth Kelly H. Fitzpatrick
Steven P. Maio
- STAFF:** Jack K. Wheeler Mitchell Alger Jim Allard
Tim Marshall David Hopkins Andy Morse
Jennifer Prossick Noel Terwilliger Cheryl Crocker
Nate Alderman Phil Roche
- LEGISLATORS:** Joe Hauryski Carol A. Ferratella Hilda T. Lando
John V. Malter Robert V. Nichols Gary B. Roush
- ABSENT:** Dan C. Farrand, Chair
- OTHERS:** Kristin Klemenz, B & W Towing
Mary Perham

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE JULY 10, 2017, MEETING MADE BY MS. FITZPATRICK. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. DEPARTMENTAL REQUESTS

- A. District Attorney
 - 1. **Grant Award** – Mr. Terwilliger requested authorization to appropriate \$5,000 in Legislative Initiative Grant funds into their Minor Equipment line item to update local law enforcement cameras and video cameras.

MOTION: AUTHORIZING THE DISTRICT ATTORNEY TO ACCEPT LEGISLATIVE INITIATIVE GRANT FUNDING IN THE AMOUNT OF \$5,000.00 AND APPROPRIATING TO THE SMALL EQUIPMENT LINE ITEM TO UPDATE LOCAL LAW ENFORCEMENT CAMERAS AND VIDEO CAMERAS MADE BY MR. MAIO. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

- B. Sheriff's Office
 - 1. **Wineglass Marathon Donation** – Sheriff Allard requested authorization to accept a donation of two law enforcement bicycles, related equipment and uniforms from the Wineglass Marathon. The estimated value is \$3,000.

MOTION: AUTHORIZING THE SHERIFF TO ACCEPT A DONATION OF TWO LAW ENFORCEMENT BICYCLES, RELATED EQUIPMENT AND UNIFORMS, VALUED AT \$3,000.00, FROM THE WINEGLASS MARATHON MADE BY MS. FITZPATRICK. SECONDED BY MR. BOOTH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. **STOP-DWI Grant** – Sheriff Allard informed the committee that the STOP-DWI Grant has been extended and an additional \$2,300.00 has been made available to the County. He requested authorization to accept the additional \$2,300.00. This money will be used toward personnel and overtime costs related to DWI enforcement activities.

MOTION: AUTHORIZING THE SHERIFF TO ACCEPT AN ADDITIONAL \$2,300.00 IN STOP-DWI CRACKDOWN FUNDS TO BE USED FOR DWI ENFORCEMENT ACTIVITIES MADE BY MS. FITZPATRICK. SECONDED BY MR. BOOTH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

3. **Kiwanis Donation** – Sheriff Allard requested authorization to accept a donation of \$500 from the Bath Kiwanis to be used for the bicycle helmet giveaway at the Steuben County Fair.

MOTION: AUTHORIZING THE SHERIFF TO ACCEPT A \$500.00 DONATION FROM THE BATH KIWANIS TO BE USED FOR THE BICYCLE HELMET GIVEAWAY AT THE STEUBEN COUNTY FAIR MADE BY MR. MAIO. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

4. **Leather Goods Bid** – Sheriff Allard recommended awarding the bid to United Uniform Company.

MOTION: AWARDING THE BID FOR LEATHER GOODS TO UNITED UNIFORM COMPANY, INC. MADE BY MR. MAIO. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

5. **Personnel – RN Position** – Sheriff Allard stated in the Jail we are required by the NYS Commission of Corrections standards to have three full-time Registered Nurses. We are currently operating with two and have not been able to hire a third. Salary has been an issue. Our starting salary of \$51,000, is \$15,000 below the industry standard. Our physician in the Jail has indicated that this is critical. If we do not have nurses, we cannot house or board in inmates. Sheriff Allard stated that he has discussed this with Mr. Alderman and we would be able to increase the salary some, but need committee approval.

Mr. Booth asked can you use LPN's? Sheriff Allard replied yes we can, but they need to be supervised by an RN or the Jail Physician. Additionally, we have to cover 16 hours per day, 7 days per week. The staffing standards require that we have 3 full-time and 2 part-time RN's. The two 2 RN's we have are working a lot of overtime. He asked for support in raising the starting salary up into the \$60,000 range.

Mr. Mullen asked what is the current salary? Sheriff Allard replied the 2 RN's on staff are currently making in the \$60,000 range, however, they have 20 years of service with the County. Mr. Alderman commented this is something that we need to look at as a whole when these 2 RN's retire. Mr. Hauryski asked what is the anticipated time for the current RN's? Sheriff Allard replied one individual is four years out from retiring.

Mr. Maio asked can we sell the position better? Are there any advantages to working in the Jail? Mr. Allard replied a nurse can go to the VA and get a federal retirement for \$15,000 more right out of the box. Mr. Mullen asked why was it working for the Health Care Facility and not the Jail? Mr. Wheeler replied it was not as difficult to recruit for nurses at the Health Care Facility, although we still had difficulty finding them. Once people are vested in the retirement system, they will generally stay. We have been having issues filling the vacant position. With current staff becoming eligible to retire, we are reaching critical mass.

Mr. Mullen asked what salary are you looking at? Sheriff Allard replied at least up to \$60,000. Mr. Alderman commented these positions are bound by the Union Contract. We will need to look at the grade and talk with the Union to bump that up. Mr. Malter asked what about the LPN's? Sheriff Allard stated we do not have any LPN's at this time. Mr. Wheeler stated they do not have the RN coverage to support the LPN's. Mr. Mullen commented it would be good to have LPN's to fill in. Sheriff Allard explained that does not extend the coverage. We have budgeted for 3 RN's, but not for LPN's. Mr. Roche commented this is a statewide and national problem. He cautioned the committee to remember that the County has liability when it comes to the medical care of inmates. The LPN's are differently trained than RN's.

Mr. Wheeler stated the high end of the salary range for a Grade XII RN is \$50,000. If you upgraded to a Grade XVII, start would be \$46,000 and a Step 3 would be right around \$60,000. For the existing positions, they would go to the next highest step on the new grade.

Mr. Hauryski recommended the committee look at a more permanent solution to this. Mr. Booth stated this would be permanent. Mr. Hauryski stated we need to get the 3 RN positions at a salary that is commensurate with the current marketplace. Mr. Wheeler stated a Grade XVIII start would be \$55,000 and Step 3 would be \$72,000. He would recommend upgrading to a Grade XVII.

Mr. Maio stated if we upgrade to a Grade XVII, then you hopefully can fill the existing RN vacancy and continue to fill. Would you also be filling the part-time positions? Sheriff Allard replied we are doing continuous recruitment for the part-time positions. We have been unable to do that due to the salary issue and those positions have been vacant for about one and a half years.

MOTION: AUTHORIZING THE UPGRADE OF THREE RN POSITIONS IN THE JAIL FROM GRADE XII TO GRADE XVII SUBJECT TO THE APPROVAL OF A MEMORANDUM OF UNDERSTANDING WITH THE UNION MADE BY MR. MAIO. SECONDED BY MR. BOOTH. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

6. **Personnel – Reclassifying 3 Positions to Lieutenant** – Sheriff Allard asked if everyone received his memo outlining the request. Ms. Fitzpatrick asked how does this change? Sheriff Allard replied currently the chain of command is the Undersheriff, 3 Lieutenants, 4 Sergeants, 2 Captains and 5 Investigators. The proposed span of control would make it more manageable for each supervisor. Mr. Hauryski stated this is long overdue. With the current structure, communication gets delayed, it creates overtime to cover all responsibilities and is not cost effective.

Sheriff Allard explained the new proposal will reclassify one non-commissioned officer in the Road Patrol Unit, one Senior Investigator in the Criminal Investigations Unit and one Court Security Deputy Sergeant to Lieutenants. All three Lieutenants will report directly to the Undersheriff. In the future, he would also like to look at the reinstatement of a Captain or Chief Deputy to complete the three-tier system and then it will mirror what they have in the Jail. Mr. Mullen asked the increase to the County for this change is \$1,500 - \$3,000? Sheriff Allard replied it will be \$2,200. Mr. Malter asked how many staff are below the rank of Sergeant? Sheriff Allard replied there are 17 in the department.

MOTION: AUTHORIZING THE RECLASSIFICATION OF ONE NON-COMMISSIONED OFFICER IN THE ROAD PATROL UNIT TO A LIEUTENANT; ONE SENIOR INVESTIGATOR IN THE CRIMINAL INVESTIGATIONS UNIT TO A LIEUTENANT AND ONE COURT SECURITY DEPUTY SERGEANT TO A LIEUTENANT IN THE SHERIFF'S OFFICE MADE BY MS. FITZPATRICK. SECONDED BY MR. BOOTH. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

7. **RFP for Cell Phone Tracking Software** – Sheriff Allard explained this is a computer program which will coordinate information on cell phones and provide a tracking chart of movement. He requested authorization to award the RFP to the sole responder, ZetX. This will allow us to use technology to its fullest in

investigations. Mr. Booth asked what is the cost? Sheriff Allard replied there is an annual subscription rate of \$2,025.00 for unlimited users. He stated that he would like to get two Investigators trained to use this software.

MOTION: AWARDING THE REQUEST FOR PROPOSAL FOR CELL PHONE TRACKING SOFTWARE TO THE SOLE BIDDER, ZETX FOR A TOTAL ANNUAL SUBSCRIPTION RATE OF \$2,025.00 FOR UNLIMITED USERS MADE BY MR. MAIO. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

C. District Attorney (Cont.)

1. **Contract Renewal** – Mr. Terwilliger requested authorization to renew their contract with Fingerlakes Paralegal Services to provide training for DWI forfeiture collections. They did not anticipate needing to renew. The rate will remain the same at a rate not to exceed \$7,500.00 at a billing rate of \$75.00 per hour. They have been doing some training with the two paralegals, but due to staffing and numerous homicide trials, they have not been trained fully. We anticipate setting up a training schedule for the paralegals. Mr. Mullen asked that Mr. Terwilliger follow-up and let the committee know about the schedule for training.

MOTION: AUTHORIZING THE DISTRICT ATTORNEY TO RENEW THE CONTRACT WITH FINGERLAKES PARALEGAL SERVICES FOR AN ANNUAL COST OF \$7,500.00 MADE BY MR. BOOTH. SECONDED BY MS. FITZPATRICK. MOTION CARRIES 3-1. (MR. MAIO OPPOSED)

D. Emergency Management Office

1. **FY17 SHSP Grant** – Mr. Marshall requested authorization to accept the 2017 Homeland Security Program Grant in the amount of \$129,963. Of this, 25 percent, or \$32,491 will be appropriated to the Sheriff's Office for their local counter terrorism program. The remaining \$97,472 will go toward Emergency Management Office programs. We will be using funds to pay for CAD software for mobile devices, Incident Management Software, I Am Responding Notification System, etc.

Mr. Mullen asked how does the allocation for the Sheriff work? Mr. Marshall replied the Sheriff's Office will bring forward their own request for their allocation of funds. Sheriff Allard replied before he can do that, he needs to submit his request to Homeland Security to ensure they approve of them.

MOTION: AUTHORIZING THE EMERGENCY MANAGEMENT OFFICE TO ACCEPT A 2017 STATE HOMELAND SECURITY PROGRAM GRANT IN THE AMOUNT OF \$129,963, WITH \$32,500 TO BE ALLOCATED TO THE SHERIFF'S OFFICE FOR THE LOCAL COUNTER TERRORISM PROGRAM AND THE REMAINING \$97,472 TO BE APPROPRIATED TO VARIOUS LINE ITEMS WITHIN THE EMERGENCY MANAGEMENT OFFICE BUDGET MADE BY MR. MAIO. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

2. **Radio Bid** – Mr. Marshall informed the committee that they put out a bid for subscriber units for portable and mobile radios. This will be used as part of the fire service upgrade. We asked the vendors to provide a discount off the list price. There is the option to purchase from different vendors and that gives the agencies the opportunity to order from different manufacturers. He recommended awarding on a line item basis.

Mr. Maio asked why would we want to purchase from different manufacturers? Mr. Marshall replied the fire service indicated they wanted to purchase from different vendors that they have used in the past. We would like to open this up to municipalities to purchase radios off this bid as well. Mr. Booth asked are all these radios compatible with our system? Mr. Marshall replied yes.

MOTION: AWARDING THE RADIO BID TO MIDSTATE, PMC, MOTOROLA SOLUTIONS, BRICO AND RELM WIRELESS ON A LINE ITEM BASIS MADE BY MR. BOOTH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

3. **Fire Training Burn Building** – Mr. Marshall informed the committee they had put out a bid for a vendor that could install a product to help protect the building from live fires during training. We received one bid, however, the cost is significantly higher than what we have budgeted. He recommended rejecting the bid for now and letting it out again at a future date.

MOTION: REJECTING THE BID FOR WORK ON THE FIRE TRAINING BURN BUILDING MADE BY MR. MAIO. SECONDED BY MR. BOOTH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

IV. OTHER BUSINESS

A. **Changing Date of September Meeting** – Due to the Labor Day Holiday, it was suggested to move the date of the September meeting to Monday, September 11, 2017, at 9:00 a.m.

MOTION: CHANGING THE DATE OF THE SEPTEMBER PUBLIC SAFETY & CORRECTIONS COMMITTEE MEETING TO MONDAY, SEPTEMBER 11, 2017, AT 9:00 A.M. MADE BY MS. FITZPATRICK. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: TO ADJOURN MADE BY MR. BOOTH. SECONDED BY MR. MAIO. 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, September 11, 2017**PLEASE NOTE CHANGE**
9:00 a.m.**

**PLEASE PROVIDE AGENDA ITEMS
NO LATER THAN NOON
Monday, August 28, 2017.**