

STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE

Monday, May 2, 2016

9:00 a.m.

Legislative Committee Room
Steuben County Office Building
Bath, New York

****MINUTES****

COMMITTEE: Dan C. Farrand, Chair Aaron I. Mullen, Vice Chair Eric T. Booth
Kelly H. Fitzpatrick

STAFF: Jack Wheeler Mitchell Alger Tina Goodwin
Tim Marshall David Cole Brooks Baker
Dave Hopkins Joe Baroody Nancy Smith
Alan Reed Andy Morse Phil Roche
Noel Terwilliger

LEGISLATORS: Joseph J. Hauryski Carol A. Ferratella Hilda T. Lando
John V. Malter Gary B. Roush

ABSENT: Steven P. Maio

OTHERS: Mary Perham
Kristin Klemenz, B & W Towing

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE APRIL 4, 2016, MEETING MADE BY MR. MULLEN. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. DEPARTMENTAL REQUESTS

A. Sheriff's Office

1. **Finger Lakes SPCA Donation** – Sheriff Cole requested authorization to accept a donation of \$5,000 in equipment from the Finger Lakes SPCA. They are transferring the equipment that their previous Animal Cruelty Officer used and this equipment will now be used by Sheriff's Deputy Todd Terwilliger.

MOTION: AUTHORIZING THE SHERIFF TO ACCEPT A DONATION OF EQUIPMENT TOTALING \$5,000 FROM THE FINGER LAKES SPCA TO BE USED BY DEPUTY SHERIFF TODD TERWILLIGER MADE BY MR. MULLEN. SECONDED BY MS. FITZPATRICK. Resolution Required.

Mr. Booth asked how much money are we saving, now that we no longer fund the SPCA? Mr. Wheeler replied we used to give them \$39,000 and now are giving them \$10,000 for a retainer. We kept the \$39,000 in the budget so that in the event additional funding is needed, we would have that funding available. Mr. Booth asked has Deputy Terwilliger started his new role answering animal cruelty calls? Sheriff Cole replied yes. He is also currently going through training through the NYS Department of Agriculture and Markets.

Mr. Wheeler explained the goal, when the Sheriff is back up to full staffing, is to have Deputy Terwilliger handle animal cruelty calls on a full-time basis.

Mrs. Ferratella commented that the Town of Caton recently had some issues and they were very pleased with the Sheriff's Office response.

2. **Wineglass Marathon Donation** – Sheriff Cole requested authorization to accept a donation of two bicycles, two helmets and two uniforms from the Wineglass Marathon. With this donation, we will now be able to have four Road Patrol deputies assigned to the event. Additionally, they will also allow us to use these bicycles for other events in the County.

MOTION: AUTHORIZING THE SHERIFF TO ACCEPT A DONATION OF TWO BICYCLES, TWO HELMETS AND TWO UNIFORMS FROM THE WINEGLASS MARATHON MADE BY MR. MULLEN. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

3. **Awarding Bid for In-Car Cameras** – Sheriff Cole recommended awarding the bid for the in-car cameras to Ten Eight View for a total cost of \$13,455.

MOTION: AWARDING THE BID FOR THE IN-CAR CAMERAS TO TEN EIGHT VIEW FOR A TOTAL COST OF \$13,455 MADE BY MR. MULLEN. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

4. **Maintenance of Vehicles** – Sheriff Cole stated Mr. Mullen had asked him to report on the arrangement with Public Works to do maintenance on their vehicles. He stated the program seems to have saved them approximately \$26,000. He has a summary report of everything and will send that to the committee.

B. Personnel

Mr. Wheeler commented with regard to the reclassifications that Ms. Smith will be presenting, over the past few years we have reduced 250 staff. We have less people doing more work and they are also doing higher level work. For those individuals that remain, we need to review the work they do and in some cases that requires a possible reclassification. This is still a savings to the County. Mr. Booth asked how is this process started? Ms. Smith replied either the employee or the Department Head may ask for a review. A review does not always result in an automatic upgrade.

1. **Reclassification – Probation** – Ms. Smith requested authorization to reclassify a Typist, Grade IV to a Senior Typist, Grade VI.

MOTION: AUTHORIZING THE RECLASSIFICATION OF A TYPIST, GRADE IV POSITION, TO A SENIOR TYPIST, GRADE VI POSITION, IN THE PROBATION DEPARTMENT MADE BY MR. MULLEN. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

2. **Reclassification – Public Defender** – Ms. Smith requested authorization to reclassify a Typist, Grade IV to a Senior Typist, Grade VI.

MOTION: AUTHORIZING THE RECLASSIFICATION OF A TYPIST, GRADE IV POSITION, TO A SENIOR TYPIST, GRADE VI POSITION IN THE PUBLIC DEFENDER'S OFFICE MADE BY MR. MULLEN. SECONDED BY MR. BOOTH. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

3. **Reclassification – Sheriff's Office** – Ms. Smith requested authorization to reclassify a Deputy Sheriff, Corporal position, Grade XII, to a Deputy Sheriff, Sergeant position, Grade XIII.

MOTION: AUTHORIZING THE RECLASSIFICATION OF A DEPUTY SHERIFF, CORPORAL POSITION, GRADE XII TO A DEPUTY SHERIFF, SERGEANT POSITION, GRADE XIII, IN THE SHERIFF'S OFFICE MADE BY MR. MULLEN. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

C. 911 Enhanced

1. **Contract – Recorder Maintenance** – Mr. Hopkins requested authorization to enter into a contract with Wilmac for maintenance of the new 911 Recorder what was just installed. This recorder is coming off warranty and will need to have regular maintenance. Ms. Goodwin explained this system is capable of doing much more than the previous three systems we had in place. The new recorder incorporates the Sheriff’s IP phone system, 911, and the radio channels. The cost for maintenance is very comparable to what we were paying for the old system.

MOTION: AUTHORIZING THE DIRECTOR OF 911 TO ENTER INTO A THREE-YEAR MAINTENANCE CONTRACT WITH WILMAC FOR THE MAINTENANCE OF THE NEW 911 RECORDER AT A YEARLY RATE OF \$27,120; TOTAL COST FOR THREE YEARS NOT TO EXCEED \$81,360 MADE BY MR. MULLEN. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

IV. **OTHER BUSINESS**

A. *District Attorney* – Mr. Baker stated that he is here today to offer an apology to the committee and Mr. Wheeler for his behavior after last month’s committee meeting. He had an outburst after the Executive Session and there is no place for that in a professional setting. He has the utmost respect for Mr. Wheeler and there is no justification for what he did. He is offering his apology to both Mr. Wheeler and the committee. Mr. Wheeler thanked him for his apology.

B. *Reports* – Mr. Mullen asked for an update on both the EMS and arraignment court reports that were sent to the committee. Mr. Farrand stated he had sent information showing the expense and income of all of the Town courts in Steuben County. Since we are discussing the possibility of having arraignment courts, he felt this was good information for the Legislators to have.

Mr. Roche commented there is currently legislation pending at the State about the possibility of allowing for a rotating arraignment court County wide. The County could partner with local magistrates to designate rotating courts, rotating judges, or a combination. If this proposal passes, we could have a central location and then both the District Attorney and the Public Defender could probably be more available for that type of court. Mr. Mullen asked what are the chances of that legislation passing? Mr. Roche replied one of the stumbling blocks for this proposal would be the magistrates. Instead of being available 24/7, 52 weeks a year, they would now only have to be available for a specific period of item.

Mr. Farrand suggested the committee considering a resolution memorializing the Governor and State Legislature in favor of this. Mr. Mullen stated that he would like to look at the mechanics in terms of what and how we would set this up in the County. He would like to explore that more before we do a resolution. Mr. Booth asked would this proposal lock you into something specific, or would it be flexible? Mr. Roche replied we could do whatever would work well in the County. We could have multiple locations and he sees a lot of potential benefits for this. Mr. Booth asked how would you enforce this with the judges? Mr. Roche replied the judges do not have to do this. There would need to be some some discussion with the magistrates, as this would be a voluntary program and not a State law. Mr. Wheeler commented it would be considered more of a partnership. Mr. Farrand stated there are several town justices that will not come out to do an arraignment, and they have that right.

Mr. Mullen commented Mr. Roche has previously stated that we could be looking at potentially \$1 million cost to provide counsel at arraignment. If this legislation passes, would that cost be reduced substantially? Mr. Roche replied yes. We would have better ability to get attorneys and clients to various courts. The proposed legislation has been left particularly vague as to the actual constructs of a plan. We cannot direct a judge to do anything, however, the State could. Mr. Wheeler stated that is why it is more of a partnership to get the justices on board.

Secretary’s Note: The committee asked Mr. Roche to send them the proposed bills for review. A special PS&C Committee meeting has been scheduled for prior to the Legislative meeting on Monday, May 23, 2016, at 9:45 a.m. to consider a resolution memorializing the Governor and the State Legislature to support the proposed bills allowing for flexibility in off-hours arraignment scheduling at local courts.

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

****NEXT MEETING SCHEDULED FOR****

**Monday, June 6, 2016.
Legislative Committee Room
9:00 a.m.**

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

****PLEASE NOTE CHANGE** Tuesday, May 31, 2016. **PLEASE NOTE CHANGE****