

STEBEN COUNTY PUBLIC SAFETY AND CORRECTIONS COMMITTEE

Monday, January 5, 2009

9:30 a.m.

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

****MINUTES****

COMMITTEE: Francis L. Gehl, Chair Dan C. Farrand, Vice Chair Patrick F. McAllister
Brian C. Schu John Walsh

STAFF: Mark R. Alger Gregory P. Heffner Jack Wheeler
Joel Ordway Ray Dell Michael Sprague
Tim Marshall David Hopkins Tina Goodwin
Frank Justice John Tunney James Gleason
David English Frederick H. Ahrens, Jr. Carol Whitehead
Byrum Cooper

LEGISLATORS: Philip J. Roche Donald B. Creath Lawrence P. Crossett
Patrick F. Donnelly Joseph J. Hauryski Thomas J. Ryan
Randolph J. Weaver

OTHERS: Mary Perham, *The Leader*

I. CALL TO ORDER

Mr. Gehl called the meeting to order at 9:30 a.m. He asked Sheriff Ordway to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE DECEMBER 1, 2008; DECEMBER 18, 2008 AND DECEMBER 22, 2008 MEETINGS MADE BY MR. FARRAND. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REPORTS/REQUESTS

A. District Attorney's Office

1. **Vehicle Purchase** – Mr. Tunney requested authorization to purchase a vehicle to replace the one he currently drives. This vehicle will be purchased using forfeiture money.

MOTION: AUTHORIZING THE DISTRICT ATTORNEY TO PURCHASE A VEHICLE OUT OF FORFEITURE MONEY TO REPLACE THE VEHICLE HE CURRENTLY IS USING MADE BY MR. McALLISTER. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Emergency Management Office

1. **Grant Acceptance** – Mr. Marshall requested authorization to accept \$19,055.62 in grant funding through Homeland Security for the FFY08 Citizen Corps Grant Program. Mr. Gehl asked what will this grant be used for? Mr. Marshall replied the Citizens Corps Council encourages citizens in becoming disaster volunteers and educates them in preventing, preparing for and responding to all hazards. We will use this grant funding for public education and outreach programs and to assist funding training programs for citizens in emergency preparedness.

Mr. McAllister asked is there any County cost? Mr. Marshall replied no.

Mrs. Whitehead asked are you requesting that you accept and appropriate this funding? Mr. Marshall replied yes. Mrs. Whitehead asked do you have a plan for how you will use this funding? Mr. Marshall replied no, we are waiting for the actual contract document to see if we need to make any modifications.

MOTION: AUTHORIZING THE EMERGENCY MANAGEMENT OFFICE TO ACCEPT \$19,055.22 IN GRANT FUNDING THROUGH HOMELAND SECURITY FOR THE FFY08 CITIZEN CORPS GRANT PROGRAM AND DIRECTING THE EMERGENCY MANAGEMENT OFFICE TO SUBMIT A PLAN FOR THE USE OF THIS FUNDING PRIOR TO THE CONTRACT BEING RECOMMENDED FOR APPROVAL BY THE COMMITTEE MADE BY MR. WALSH. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Budget Transfers** – Mr. Sprague presented two budget transfers to the committee for their approval. The first transfer is in reference to the 2006 Homeland Security Grant - transferring \$5,000.00 from the Consultants Line 364500 421100 to Major Equipment Line 364500 529000 in the 2009 budget. This adjustment will leave us with a balance of \$24,000.00 for the purchase of a decontamination shelter for the Homeland Security Trailer.

The second transfer is in reference to the 2007 Homeland Security Grant - transferring \$35,000.00 from Contracts for Services, \$25,000.00 from Minor Equipment, \$4,000.00 from Consultants and \$4,000.00 from Contracted Labor and appropriating the total of \$68,000.00 to the Major Equipment line item in the 2009 budget. This adjustment will support the purchase of an upgrade to the communications alarm system, an inventory system for response equipment, and a vehicle to the City of Corning designated to move the Homeland Security Trailer and Interoperable communications equipment at the tower sites.

Mrs. Whitehead asked with regard to the vehicle for the City of Corning, will the County be transferring title of that vehicle over to them? Mr. Sprague replied we will have a contract with the City of Corning and pass the vehicle to them with strings attached. We will purchase the vehicle and transfer it to the City. The vehicle is meant to pull the Homeland Security Trailer. It can be used for whatever the City needs, but it has to be available to move the trailer. They will maintain the vehicle.

Mr. Gehl asked how many times has the vehicle and trailer been used? Mr. Sprague replied it is mostly used for training. They have used it a couple of times for small incidents. Discussion followed.

MOTION: AUTHORIZING THE EMERGENCY MANAGEMENT OFFICE TO TRANSFER \$5,000.00 FROM THE 2006 HOMELAND SECURITY GRANT CONSULTANTS LINE ITEM 364500 421100 TO THE 2009 MAJOR EQUIPMENT LINE 364500 529000 MADE BY MR. WALSH. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE EMERGENCY MANAGEMENT OFFICE TO TRANSFER THE FOLLOWING AMOUNTS FROM THE 2007 HOMELAND SECURITY GRANT: \$35,000.00 FROM CONTRACTS FOR SERVICES; \$25,000.00 FROM MINOR EQUIPMENT; \$4,000.00 FROM CONSULTANTS AND \$4,000.00 FROM CONTRACTED LABOR AND APPROPRIATING TO THE 2009 MAJOR EQUIPMENT LINE MADE BY MR. WALSH. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

3. **2009 Contracts** – Mr. Sprague presented his 2009 contracts for approval. He commented that they have had an annual contract with Motorola. Previously they had a five-year contract and if they go with the five-year contract and specify that they will be paid annually in one payment, then they will get 5 percent off and the fixed yearly amount will be \$90,714.00. Last year's amount was \$95,480.00.

Mr. Farrand stated he would like to look at what Motorola is estimating and what you actually spend in a year to see how often you use it and if it is worth it. Mr. Sprague replied it is worth it. We use them on a regular basis. With this contract we have a guarantee that someone will be sent out within a few hours. This year they provided

an engineer who looked at every tower site and did a maintenance check on all of our microwaves. This contract covers the county's equipment.

Mr. McAllister asked if we used to do a five-year contract and then went to the annual contract, had the price been going up? Mr. Sprague replied yes.

Mr. Farrand asked can the local municipalities make an agreement and have Motorola's services too? Mr. Sprague replied no because there is a certain amount of independence with the municipalities. For example, the City of Hornell has their own provider. However, if they are having a problem, we can have Motorola come in and look at it and narrow the problem down.

Mr. Ryan asked isn't it better to have it under one umbrella? Mr. Sprague replied ownership is a question. If it belongs to someone else, how do we do that. It would increase the complexity of the system.

Mr. Donnelly asked the cost of the contract is \$90,714.00 per year? Mr. Sprague replied yes. Part of the issue is that all of the equipment was put in by Motorola's subcontractor, MidState and they have all of the knowledge of our system. If we contracted with someone else, they would have to learn all of that knowledge.

Mr. Alger stated it sounds like a lot of money, but you have millions invested. Without this, if something goes down, you lose that. This is a critical component.

Mr. Creath asked does the contract with Motorola include minor parts? Mr. Sprague replied no.

MOTION: APPROVING THE FOLLOWING 2009 CONTRACTS FOR THE EMERGENCY MANAGEMENT OFFICE: EMPIRE TELEPHONE - \$1,817.00 (2ND YEAR OF 5-YEAR CONTRACT); T & K COMMUNICATIONS - \$4,678.00 (4TH YEAR OF 5-YEAR CONTRACT); MOTOROLA - \$90,714.00 (5-YEAR CONTRACT WITH FIXED PRICE PAID ANNUALLY IN ONE PAYMENT); ENVIRONMENTAL EMERGENCY SERVICES - \$8,000.00 (YEARLY RENEWAL) AND MONROE COUNTY MEDICAL EXAMINERS - \$81,038.00 (2ND YEAR OF 3-YEAR CONTRACT) SUBJECT TO LAW DEPARTMENT APPROVAL MADE BY MR. McALLISTER. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Sheriff's Department

Mr. Gehl congratulated both Sheriff Ordway and Undersheriff Dell. He commented the committee wants to work with you and wants you to work with us. We do not want to be left in the dark. We would appreciate it if you adhere to that as much as possible.

Sheriff Ordway introduced the Undersheriff, Ray Dell.

1. **2009 Major Equipment Requests** – Sheriff Ordway requested authorization to purchase six new vehicles for the Sheriff's Department. They have budgeted \$173,000.00. They are also requesting the purchase of one transfer van for the Jail and have budgeted \$23,000.00. For the STOP-DWI Program they are requesting to purchase two in-car cameras and have budgeted \$8,000.00.

MOTION: AUTHORIZING THE SHERIFF TO APPROPRIATE \$173,000.00 OUT OF THE 2009 MAJOR EQUIPMENT LINE ITEM FOR THE SHERIFF'S DEPARTMENT FOR THE PURCHASE OF SIX VEHICLES; APPROPRIATING \$23,000.00 OUT OF THE 2009 MAJOR EQUIPMENT LINE ITEM FOR THE JAIL TO PURCHASE ONE TRANSPORT VAN AND APPROPRIATING \$8,000.00 OUT OF THE 2009 MAJOR EQUIPMENT LINE ITEM FOR THE STOP-DWI PROGRAM FOR THE PURCHASE OF TWO IN-CAR CAMERAS MADE BY MR. SCHU. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Budget Transfer** – Sheriff Ordway requested authorization to appropriate \$57,897.00 in revenue to cover various line items in the 2008 Jail budget.

MOTION: AUTHORIZING THE TRANSFER OF \$57,897.00 IN REVENUE TO COVER VARIOUS LINE ITEMS WITHIN THE 2008 JAIL BUDGET MADE BY MR. FARRAND. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. **Informational** – Sheriff Ordway informed the committee that today’s population is at 183 inmates, which includes 2 females. They also have 47 federals boarded in. We try to keep our federal inmates at 50.

Mr. Donnelly asked what is our total capacity? Sheriff Ordway replied 262. The State is proposing doing away with the classifications and going back to having males and females.

Mr. Gehl requested Sheriff Ordway provide the committee with a written report.

D. 911

1. **Monthly Report** – Mr. Hopkins distributed his monthly report for the committee’s review. He commented year-to-date they have received 119,658 calls. For the month of December 2008 they received 9, 142 calls. Mr. Hopkins stated that Ms. Goodwin has done a great job bringing him up to speed. The committee thanked Ms. Goodwin for her hard work during the interim.

2. **Informational** – Mr. Wheeler informed the committee that the consultants will be coming back the week of January 19, 2009. Mr. Gehl stated it is great to see them coming in and doing the leg work.

3. **Emergency Notification System** – Mr. Alger stated last month we presented you with a proposed policy and procedure for the Emergency Notification System and he is requesting the committee approve it. Mr. Wheeler explained, this policy and procedure is for the control of who can access and initiate calls. Mr. Alger will be the final authority with reporting of all notifications to be made to the Public Safety & Corrections Committee and the Chairman of the Legislature.

Mr. Alger stated ninety-nine percent of contact with this system will be through 911 or the Emergency Management Office. The Sheriff may also use it. The policy and procedure provides a structure to authorize the use of the system.

MOTION: APPROVING THE POLICY AND PROCEDURE FOR THE USE OF THE EMERGENCY NOTIFICATION SYSTEM MADE BY MR. SCHU. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

E. Probation

1. **Monthly Report** – Mr. Justice distributed his monthly report for the committee’s review. Our numbers are going up as are the numbers for other counties. However, State prison numbers are down and a lot of those cases are coming to probation. With regard to our collection numbers, we met each of our goals and collected \$75,000.00 more than in 2007.

2. **ATI Program** – Mr. Justice informed the committee we submit an application each year for funding for our Alternatives to Incarceration Plan. Normally the State requires us to file our application by the middle of February, however, this year they are requesting that we file no later than January 15, 2009. Mr. Justice requested authorization to submit the annual Alternatives to Incarceration Plan contingent upon the approval of the ATI Board, which will meet this afternoon. The total amount of the application is \$53,200.00 of which \$16,700.00 is for Community Service, \$7,400.00 for Pretrial Release and \$29,100 for the Alcohol/Substance Abuse Program.

MOTION: AUTHORIZING THE STEUBEN COUNTY PROBATION DEPARTMENT TO SUBMIT THEIR ANNUAL APPLICATION FOR FUNDING FOR THE ALTERNATIVES TO INCARCERATION PLAN CONTINGENT UPON APPROVAL BY THE ALTERNATIVES TO INCARCERATION BOARD MADE BY MR. McALLISTER. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.
Resolution Required.

Mr. Justice informed the committee that ATI programs have saved \$2,939,175.00. This is based on the number of people that are released and this is calculated for the year, assuming they would have served a sentence of six months. Mr. Alger stated that ATI programs help avoid overcrowding in the Jail and allow you to earn the \$1.5 million that the Sheriff told you about.

F. Public Defender's Office

1. **Monthly Report** – Mr. Cooper distributed his monthly report for the committee's review.

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

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

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

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Monday, February 2, 2009 @ 9:30 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON on Monday, January 26, 2009.**

STEBEN COUNTY PUBLIC SAFETY AND CORRECTIONS COMMITTEE

Monday, February 2, 2009

9:30 a.m.

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

****MINUTES****

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

STAFF: Mark R. Alger Gregory P. Heffner Jack Wheeler
John Tunney Joel Ordway Frank Justice
Michael Sprague Tim Marshall David Hopkins
Byrum Cooper James Gleason Robert F. Biehl
David English

LEGISLATORS: Philip J. Roche Donald B. Creath Patrick F. Donnelly
Joseph J. Hauryski Thomas J. Ryan John S. Walsh
Randolph J. Weaver

OTHERS: Mary Perham, *The Leader*

I. CALL TO ORDER

Mr. Gehl called the meeting to order at 9:30 a.m. and asked Mr. Tunney to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE JANUARY 5, 2009 MEETING MADE BY MR. FARRAND. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REPORTS/REQUESTS

A. District Attorney's Office

1. **2009 State Budget Impact** – Mr. Tunney distributed a handout depicting proposed 2009 State Budget impacts for the committee's review. After discussion with the Deputy Commissioner of DCJS and other members of the New York State District Attorney's Association, in an attempt to avoid an across the board cut of 14 percent in everything, they selected programs to accomplish the reductions and then applied a 6 percent cut against the remaining programs. The STEPS/RR program has been eliminated from our budget, but the therapeutic part of the program will remain funded through the Office of Community Services. The other program that is being eliminated is the Recruitment/Retention Grant and this will have no impact on the County. The gross amount of the cuts is \$55,651.00 with a net impact to the County of approximately \$42,000.

Mr. Farrand asked have the payments through the Recruitment/Retention Grant already been authorized? Mr. Tunney replied the 2008 – 2009 funds are there and under the program early payments have been authorized for those who remain through August 2009. We may look for an amendment to this grant to accelerate the payments. Historically, we have paid and then have been reimbursed by the State.

B. Probation

1. **Monthly Report** – Mr. Justice reviewed his monthly report with the committee.

2. **2009 State Budget Impact** – Mr. Justice informed the committee that in 2008 they saw a 6 percent reduction in funding. The total impact for 2009 is \$58,811.00. Mr. Farrand asked are you seeing an

increase in your numbers due to the economy? Mr. Justice replied yes. Our average monthly caseload increased 5 percent in 2008 and our collections increased 23 percent. This is 5 percent on top of what the increase was in 2007. He explained 62 percent of their caseload are felons and they typically incur longer sentences.

C. 911 Enhanced Department

1. **2009 State Budget Impact** – Mr. Hopkins informed the committee that he is not aware of any budget impacts at this time. Our grant applications may become an issue down the road, but he will keep the committee posted on any new developments.

2. **DVR and Monitor Replacement** – Mr. Hopkins informed the committee that they have had a digital video recorder at the Center since they opened and they use that for recording video for all communication at the facility, the backup at the Civil Defense Center and Mt. Washington. The system has been out of order for the past couple of months and is no longer manufacturer supported. Ultimately we will need to look at replacing this unit. The vendor, Security Integrations, has suggested a unit that will fit our needs and is \$5,567.64 on State contract.

Mr. Farrand commented that he doesn't think given the economy, that we should be purchasing any extra equipment. If it is within another category in your budget and you can move it over, then we could look at it next month.

Mr. Gehl asked is this system helping to keep track of security at the 911 Center? Mr. Hopkins replied yes. Mr. Gehl stated he would like to get it back on line. Mr. Donnelly asked is the system currently working? Mr. Hopkins replied no. Mr. Alger commented we could take it out of the 911 project.

MOTION: AUTHORIZING THE 911 DEPARTMENT TO PURCHASE A DVR AND MONITOR REPLACEMENT FOR THE 911 CENTER OFF OF STATE BID AT A COST OF \$5,567.64 AND TAKING THAT OUT OF THE 911 PROJECT FUNDS MADE BY MR. SCHU. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. McALLISTER ABSENT FOR VOTE)

3. **Press Release** – Mr. Hopkins distributed a copy of the press release that the Nation Emergency Number Association (NENA) sent out on Friday afternoon. The press release is asking New York State to create a new office, the Office of New York State Coordinator for Enhanced 911 Services. They also would like to see a re-alignment of the State 911 Board. They are proposing that this office work as an independent authority within the Department of State. Mr. Hopkins explained the goal of this office will be to oversee and manage the standardization of operations throughout the State. It will probably cost at least \$1 million to open a new state office. He commented that he doesn't think the State will do it, but he wanted the committee to know what was being proposed.

Mr. Gehl asked how many counties are below what we are currently doing? Mr. Hopkins replied many. The City of Rochester and New York City don't have as integrated a system as we do.

Mr. McAllister asked why can't the current State 911 Board make changes? Mr. Hopkins replied the members of the Board don't have the credentials necessary to implement technological changes. He stated Massachusetts has one director for all of the counties in the state and they also have one manufacturer for all of their equipment.

Mr. Alger commented right now the statewide wireless money goes to the general fund in the State. There is no accounting of how much anyone is getting. The State capped the program at \$10 million and had authorized up to \$20 million and then reduced it back to \$10 million. It would be good to know where the revenues are and where they are going. This proposal does make sense. He doesn't think they will do it in this fiscal climate. It might prove to be something that will put more accountability with what happens with 911 money. People generally think the surcharge is providing an enhancement in 911 services and they would be surprised to know that it is being used for other activities.

MOTION: MEMORIALIZING THE GOVERNOR AND THE STATE LEGISLATURE TO IMPROVE ACCOUNTABILITY FOR THE USE OF 911 SURCHARGE REVENUES AND CONSIDER HAVING A SINGLE CONTACT POINT FOR HOW THOSE FUNDS ARE DISTRIBUTED MADE BY MR. McALLISTER. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

4. **911 Consultant** – Mr. Farrand asked for an update on the status of the consultant. Mr. Hopkins stated that he and Mr. Wheeler spoke with the consultant last week. Mr. Wheeler stated the consultant has met with Bath, Corning and Hornell and will be sending a survey to us for our review and upon our approval will send that out to all of the fire departments. We should be getting the survey for review sometime this week. Mr. Farrand asked if a copy of that survey could be sent to all of the legislators? Mr. Wheeler replied yes. Mr. Hopkins commented he doesn't know if the survey will be as well received as a face to face meeting with the consultants. It may be beneficial to have the consultant come when the county chief's will be having a meeting. Mr. Farrand suggested getting dates when the consultant will be here and then contacting the departments. Mr. Hopkins informed the committee that the exchange of information is going very well and the consultants have presented us with a lot of questions.

5. **EMD Upgrades** – Mr. Hopkins informed the committee that they have received upgrades for EMD and they are very significant. We are hoping to get all of the CAD changes made this weekend so that staff can start using the new information.

Mr. Farrand asked Mr. Hopkins if he has had contact with the Town Highway Superintendents regarding an issue they presented to him? Mr. Hopkins replied we have residents who have called the center to request treatment of roads. The Town Highway Superintendents have said they feel that this is a misuse of services when the resident can just call them directly. Unfortunately, the highway superintendents don't always have someone in their office to take those calls. When they call us, we contact the highway superintendent and make them aware of the request. Mr. Hopkins stated the question has come up of why we are not querying the caller to see if it is an emergency and the reason is that is not part of the protocol we have.

Mr. Alger commented this is not a new issue. In the past they have called the Sheriff to find out road conditions. All we do is pass the information on to the town or village.

D. **Sheriff's Department**

1. **Department Updates** – Sheriff Ordway distributed his monthly report for the committee's review. We currently have 40 federal inmates and will be trying to get the number back up to 50. There is proposed legislation to eliminate the inmate classification so that we can go back to having males/females. If we take away age and crime classifications, in reality, we could come closer to having a population of 162.

2. **Grant** – Sheriff Ordway informed the committee that he has an opportunity to apply for a \$30,000.00 grant for a fingerprint live scan. This is a no match required grant that is funded through the Byrne Grant. This device will eliminate the need to have print cards and will also do mug sheets among other things.

MOTION: AUTHORIZING THE SHERIFF'S DEPARTMENT TO APPLY FOR A \$30,000.00, NON-MATCHING GRANT TO PROCURE A FINGERPRINT LIVE SCAN MACHINE MADE BY MR. FARRAND. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Sheriff Ordway commented that he will continue to handle the grants for the department.

3. **2009 State Budget Impact** – Sheriff Ordway informed the committee the Governor has proposed the elimination of our reimbursement for parole ready/State ready inmates. Mr. Farrand asked after ten days does the amount stay the same? Sheriff Ordway replied we don't charge for the first ten days and we become liable after that.

4. **Personnel** – Sheriff Ordway requested authorization to reclassify a vacant Grade 12 Deputy Sheriff Corporal to a Grade 13 Criminal Investigator and to also reclassify a vacant Grade 11 Deputy Sheriff to a Grade 10 Account Clerk Typist in the Civil Office.

MOTION: AUTHORIZING THE UPWARD RECLASSIFICATION OF A VACANT GRADE 12 SHERIFF CORPORAL TO A GRADE 13 CRIMINAL INVESTIGATOR AND AUTHORIZING THE DOWNWARD RECLASSIFICATION OF A VACANT GRADE 11 DEPUTY SHERIFF TO A GRADE 10 SENIOR ACCOUNT CLERK TYPIST IN THE CIVIL OFFICE MADE BY MR. SCHU. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

5. **Sex Offender Registry** – Mr. Farrand asked what is the status of the sex offender registry program? Sheriff Ordway informed the committee that right now this is being handled in-house by an Investigator and Sheriff Deputy.

E. Emergency Management Office

1. **Monthly/Annual Report** – Mr. Sprague distributed his monthly and annual reports to the committee for their review. He commented that during 2008 they conducted 17 different fire courses with 155 individuals participating. They did lose three fire instructors which lead to a reduction in training delivered in 2008. With regard to the Coroner's they had 152 cases and 66 of those went to the Monroe County Medical Examiner's Office.

2. **Flood Gauge Funding** – Mr. Sprague informed the committee that the three counties of Chemung, Schuyler and Steuben are looking at the issue of funding for the flood gauges. The U. S. Geological Survey operates the gauges, but are not funded. The funding comes from the National Weather Service and the Army Corps of Engineers. If one has a problem with funding, then the U. S. Geological Survey threatens to shut the gauges off. At the end of 2008, the Army Corps of Engineers indicated they were having problems with funding and the U. S. Geological Survey said they were going to turn off 14 flood gauges located in the Chemung Basin.

Mr. Sprague stated we are looking at a process with all three continues to memorialize the Federal Government that there needs to be dedicated funding for the U. S. Geological Survey for the river gauge system as well as an accounting by the U. S. Geological Survey as to how this funding process would occur. We all depend upon these gauges and for them to turn off the river gauges is crazy.

Chemung County passed a memorializing resolution and would like us to do the same.

MOTION: MEMORIALIZING THE FEDERAL GOVERNMENT TO PROVIDE A DEDICATED FUNDING STREAM TO THE U. S. GEOLOGICAL SURVEY TO FUND THE RIVER GAUGING SYSTEM AND REQUIRING THE U. S. GEOLOGICAL SURVEY TO DEVELOP A STRATEGY FOR PRIORITIZING GAUGING NEEDS AND IMPLEMENTING COST-SAVING MEASURES MADE BY MR. FARRAND. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

Mr. Sprague commented that in 2010, the Army Corps of Engineers will be pushed more toward focusing on State and local levies and certifying them. Mr. Walsh asked how much funding is necessary for the flood gauges? Mr. Sprague replied \$200,000. Mr. Walsh asked are the gauges automated? Mr. Sprague replied yes and there are also some manual gauges.

3. **Citizen Corps Budget** – Mr. Sprague distributed a handout depicting how they will appropriate the \$19,055.00 Citizens Corps Grant allocation.

MOTION: AUTHORIZING THE EMERGENCY MANAGEMENT OFFICE TO ACCEPT A CITIZENS CORPS GRANT IN THE AMOUNT OF \$19,055.00 AND APPROPRIATING TO THE FOLLOWING ACCOUNTS: PUBLIC EDUCATION \$5,000.00; VOLUNTEER SUPPLIES \$2,000.00; TRAINING & CONFERENCES \$3,000.00; VOLUNTEER TRAVEL \$1,500.00; OFFICE SUPPLIES \$555.00; AND \$7,000.00 TO MAJOR EQUIPMENT AND AMENDING THE MAJOR EQUIPMENT LIST TO REFLECT THE PURCHASE OF A BULLEX DIGITAL FIRE SAFETY SYSTEM MADE BY MR. FARRAND. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

4. **2009 State Budget Impact** – Mr. Sprague informed the committee that most of their funding is Federal and comes through the State.

Mr. Farrand asked have you gotten the infrared cameras yet? Mr. Sprague replied no, but they should be coming any time.

F. Public Defender's Office

1. **Monthly Report** – Mr. Cooper distributed and reviewed his monthly report with the committee.

2. **2009 State Budget Impact** – Mr. Cooper informed the committee that the Aid to Defense Grant, which is annual State aid provided to our department, will be reduced by 6 percent and will now be \$10,965.00 annually. Also, the Indigent Legal Services Fund will be increased from \$269,085.00 to \$291,968.00.

Mr. Alger commented the proposal in the Governor's budget is to allow the aid number for the Indigent Legal Services Fund to be tied to a three-year average of expenses rather than the current system year to year maintenance of effort requirement. He suggested the committee pass a resolution supporting the change to a three-year average as opposed to the year to year maintenance of effort.

MOTION: SUPPORTING THE GOVERNOR'S PROPOSAL TO CHANGE THE FUNDING FOR THE INDIGENT LEGAL SERVICES FUND TO A THREE-YEAR WEIGHTED AVERAGE AS OPPOSED TO THE CURRENT YEAR TO YEAR MAINTENANCE OF EFFORT REQUIREMENT MADE BY MR. McALLISTER. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

G. Administrator

1. **Medical Examiner Expenses** – Mr. Alger informed the committee that traditionally the medical examiner expenses have been submitted under Public Health & Nursing Services. They have been informed by the State that since it is not deemed a core service, we will no longer receive reimbursement for this. Typically there was a 36 percent reimbursement rate for medical examiner expenses, and while we never received that much, we did get something.

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

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Monday, March 2, 2009 @ 9:30 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON on Monday, February 23, 2009.**

STEBEN COUNTY PUBLIC SAFETY AND CORRECTIONS COMMITTEE

Special Meeting

Monday, February 23, 2009

9:25 a.m.

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

****MINUTES****

COMMITTEE:	Francis L. Gehl, Chair Brian C. Schu	Dan C. Farrand, Vice Chair John S. Walsh	Patrick F. McAllister
STAFF:	Mark R. Alger David Hopkins Tammy Hurd-Harvey Ken Peaslee	Gregory P. Heffner Michael Sprague Frederick H. Ahrens, Jr.	Jack Wheeler Carol Whitehead David English
LEGISLATORS:	Philip J. Roche Joseph J. Hauryski Scott J. Van Etten	Lawrence P. Crossett Robert V. Nichols Randolph J. Weaver	Patrick F. Donnelly Thomas J. Ryan
OTHERS:	Mary Perham, <i>The Leader</i>		

I. CALL TO ORDER

Mr. Gehl called the meeting to order at 9:25 a.m. and asked Mr. Schu to lead the Pledge of Allegiance.

II. DEPARTMENTAL REPORTS/REQUESTS

A. 911

1. **Matrix Contract Amendment** - Mr. Gehl stated that he had requested that Matrix meet with the State Police. Mr. Hopkins stated that Matrix did meet with the State Police, as well as other police agencies in the County. We feel that we should extend the same treatment to the Fire and EMS agencies and this would increase the effectiveness of the survey if they were afforded the same dialogue.

Mr. Alger explained the proposal we currently have does not allow us to have Matrix meet with all 46 departments. We anticipated having a meeting and inviting those departments to provide them with an opportunity for discussion. This is not exactly what we did with Law Enforcement, but it gives them the opportunity for dialogue. The amendment adds one and one-half days of work in addition to what they are already doing, at an additional cost of \$5,250.00. This is money well worth spending to make the study as good as we can get it to make adjustments to our system. He recommended the committee approve this.

Mr. Farrand asked where will these meetings be held? Mr. Alger replied they would most likely be held at the Civil Defense Fire Training Center or at another facility of like size. Mr. McAllister commented it is important to do this, but back when we first talked about this, wasn't this part of the original agreement? Mr. Alger replied we met with both cities and the Village of Bath, but did not sit down with the entire group of Fire and EMS services as that was not part of the original scope. We did the survey, but if you want a group meeting, then we need to do this amendment to the contract.

Mr. Farrand stated by going to the cities, they are paid organizations and don't have the same problems as the volunteers do. Also not everybody always wants to travel to Bath. You could hold a meeting in the northern and southern parts of the County to help get the rural departments to attend. Mr. Wheeler stated we can factor two different meetings in the County into this. This contract would cover possibly two meetings and allow Matrix to

then follow up on any loose ends. Mr. Farrand asked which departments have responded to the survey? Mr. Wheeler replied he does not know as the surveys were anonymous, but that might be something that Matrix could collect and find out. We have gotten over 50 surveys back.

MOTION: APPROVING AN AMENDMENT TO THE MATRIX CONTRACT TO INCLUDE MEETINGS WITH THE VARIOUS FIRE DEPARTMENTS IN A GROUP SETTING AT A TOTAL ADDITIONAL COST OF \$5,250.00, WHICH WILL BE FUNDED OUT OF THE 911 PROJECT MADE BY MR. FARRAND. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

STEBEN COUNTY PUBLIC SAFETY AND CORRECTIONS COMMITTEE

Monday, March 2, 2009

9:30 a.m.

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

****MINUTES****

COMMITTEE: Francis L. Gehl, Chair Dan C. Farrand, Vice Chair Patrick F. McAllister
Brian C. Schu

STAFF: Mark R. Alger Gregory P. Heffner Jack Wheeler
John Tunney Joel Ordway Ray Dell
David Hopkins Michael Sprague Frank Justice
Carol Whitehead David English Frederick H. Ahrens, Jr.

LEGISLATORS: Philip J. Roche Donald B. Creath Patrick F. Donnelly
Joseph J. Hauryski Thomas J. Ryan Randolph J. Weaver

ABSENT: John S. Walsh

OTHERS: Chief Steven Monroe, Corning City Fire Department
Mary Perham, *The Leader*
Zach Wheeler, WETM

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE FEBRUARY 2, 2009 AND FEBRUARY 23, 2009 MEETINGS MADE BY MR. SCHU. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. DEPARTMENTAL REPORTS/REQUESTS

A. District Attorney's Office

1. **Contract** – Mr. Tunney informed the committee that they have a forfeiture process in their office and there are administrative requirements associated with this such as record keeping, reporting and distributing funds among the individuals/agencies entitled to receive them. Pam Aini previously worked in our department as a paralegal and at that time set up the administrative piece of the forfeiture process. She retired from our office and runs a paralegal service and has contracts with various District Attorney's offices throughout the State.

Mr. Tunney requested authorization to enter into a contract with Ms. Aini to perform the administrative functions of the forfeiture process including the record keeping, reporting and providing the paperwork necessary for the distribution of funds. She would be paid 10 percent of the funds that are realized by the District Attorney's Office and her payment would be from the forfeited funds and no tax dollars would be used. He explained over the past four or five years they have averaged forfeiture payments of approximately \$20,000 per year. If that trend continues, then Ms. Aini would be paid 10 percent of that which would be \$2,000 per year.

Mr. McAllister asked have we increased new forfeitures or are we about to? Mr. Tunney replied we had talked about requesting a local law that would permit forfeiture in certain defined misdemeanor cases. We don't have

that currently. Right now we use the State's forfeiture process rather than the Federal forfeiture process and the downside of that is the forfeiting agencies are receiving a smaller percentage.

Mr. Tunney stated that Ms. Aini would only come to the office as necessary. Mrs. Whitehead asked will she be a contract hire or an employee? Mr. Tunney replied under the terms of our agreement she has the responsibility to create a reports and paperwork for distribution. How, when and where she does it is up to her. We would have no control over her hours. She would be an independent contractor. Mr. Schu commented that he would agree that she would be an independent contractor. Mr. Donnelly stated if you don't require her to be at the office and we don't have control of her hours, he would also agree that she would be considered an independent contractor. Mr. McAllister commented that we should have the county attorney look at this.

Mr. Tunney stated there is no liability. When anything is done, we are doing it. Anything that is filed is filed under my name or the District Attorney's Office. She is providing material to us. Mrs. Whitehead stated she has the IRS questionnaire and one of the questions is risk of profit or loss. There is no risk here, but it may be helpful for Mr. Tunney to fill out the questionnaire. Mr. Donnelly stated it would not be a bad idea to fill out the questionnaire.

MOTION: AUTHORIZING THE DISTRICT ATTORNEY'S OFFICE TO ENTER INTO AN AGREEMENT WITH PAM AINI TO PROVIDE ADMINISTRATIVE SERVICES RELATED TO THE FORFEITURE PROCESS AND HER RATE BEING SET AT 10 PERCENT OF THE FORFEITURE FUNDS REALIZED BY THE DISTRICT ATTORNEY'S OFFICE UPON THE REVIEW OF THE COUNTY ATTORNEY MADE BY MR. SCHU. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

IV. OTHER BUSINESS

A. CDL Requirements for Firefighters – Mr. Gehl stated that last Tuesday he spoke with Chief Monroe regarding the requirement for firefighters to have a CDL. Currently, they are not required to hold a CDL if they are driving to an emergency, however, they could be ticketed upon return to the station.

Chief Monroe stated this is something that has come up over the past couple of months. An amendment was made to the Vehicle and Traffic Law five years ago when they were trying to bring the State Vehicle and Traffic Law into compliance with Federal Department of Transportation regulations. Nobody paid attention and a couple of months ago counsel for a group on Long Island questioned this and asked for an opinion from the State Department of Motor Vehicles. The answer came back that yes, firefighters are exempt from the CDL when responding to an emergency, but otherwise are not exempt. All of the fire organizations in the State are very concerned about this and want to get this fixed. Currently there is a bill in the Senate, S1624 and two bills in the Assembly, A5952 and A05875 regarding this.

Chief Monroe commented to have a CDL requirement for firefighters is a mess. By virtue of the fact that you take the CDL exam once does not make a safer driver. We would like to get legislation through to amend the law so that the exemption holds all of the time for firefighters. This affects the volunteers as well as the paid agencies. He asked the committee for their support. There has been talk in Albany that these bills are attached to the Governor's budget bill, but hopefully this legislation will be handled by itself and put through as quickly as possible.

Mr. Gehl stated we can memorialize the Governor and State Legislature and also we will take this to the March 20, 2009 InterCounty meeting and send it to NYSAC.

MOTION: MEMORIALIZING THE GOVERNOR AND THE STATE LEGISLATURE IN SUPPORT OF SENATE BILL S1625 AND ASSEMBLY BILLS A5952/A05875 TO PROVIDE AN EXEMPTION FROM THE REQUIREMENT FOR FIREFIGHTERS TO HOLD A CDL LICENSE IN ORDER TO OPERATE EMERGENCY EQUIPMENT AT ANY TIME MADE BY MR. McALLISTER. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

DEPARTMENTAL REPORTS/REQUESTS (Continued)

B. Sheriff's Department

1. **Annual Report** – Sheriff Ordway distributed the 2008 Annual Report for the committee's review.

2. **Monthly Report** – Sheriff Ordway distributed his monthly report for the committee's review. He commented that today they have 51 Federal inmates which is up from the 40 they had previously. We are still negotiating with the federal government with regard to how much we are paid for each inmate per day.

Sheriff Ordway commented that constant watch duties in the Jail are a drain on their overtime and is not a number they can project. They have already spent \$9,000.00 in overtime for constant watch. We had four last week. He explained that with a constant watch, a corrections officer is dedicated to watching one inmate 24/7. Today we are back to zero inmates on constant watch.

Sheriff Ordway also distributed a handout showing the various programs that are offered to inmates at the Jail. As of February we had 1,227 males and 170 females participate in programs.

Sheriff Ordway informed the committee that the Governor has included a proposal to not reimburse us for parole ready and state ready inmates.

Mr. Farrand commented that it would be appropriate for the Legislature to recognize Deputy Don Lewis for receiving the Deputy of the Year Award.

C. 911 Enhanced Department

1. **EMD** – Mr. Hopkins informed the committee that they successfully implemented the EMD version 12 protocol in early February. Ms. Goodwin did an excellent job acting as the project manager for this project. We are coordinating a meeting with the Office of Emergency Management to schedule a meeting with all of the EMS providers to educate them on the benefits of this new version and how it will be utilized.

2. **Integrated Solutions Quote** – Mr. Hopkins informed the committee that they have received a quote from Integrated Solutions for additional firewall services. This will allow for a VPN connection into the Positron system and will enable us to text message jobs to fire and EMS agencies. The cost of this is \$1,600.00. This will not replace the radio notification of jobs. Mr. Donnelly asked will you be able to monitor this VPN for attempts to hack into the system from the outside? Mr. Hopkins replied we have been working with Mr. Peaslee on this. We have another vendor that we have a VPN connection with and access to that is restricted. Mr. Peaslee commented that he is comfortable moving ahead with this.

MOTION: AUTHORIZING THE 911 ENHANCED DEPARTMENT TO CONTRACT WITH INTEGRATED SOLUTIONS FOR ADDITIONAL FIREWALL SERVICES TO ALLOW FOR A VPN CONNECTION INTO THE POSITRON SYSTEM FOR A COST OF \$1,600.00 MADE BY MR. FARRAND. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

3. **Floor Replacement** – Mr. Hopkins informed the committee that they have received quotes to replace the flooring in the kitchen area at the 911 Center. The tile floor was installed during construction and is deteriorating and needs to be replaced. Mr. Partridge had Cutlers Flooring from Corning come out and they have quoted a price of \$2,160.00 to replace the tiles. They also indicated that there may be mold growing on the tiles in one area of the floor. We obtained a quote from Paradigm for mold testing in the amount of \$470.00. He commented that Paradigm is on State contract for these services. Mr. Hopkins stated that they have not seen any water in the kitchen. Since the vendor said something, we would like to make sure that we do not have a mold problem.

MOTION: AUTHORIZING THE 911 ENHANCED DEPARTMENT TO CONTRACT WITH PARADIGM TO TEST THE TILE FLOORING IN THE 911 KITCHEN AREA FOR MOLD AT A COST OF \$470.00 AND UPON COMPLETION OF THE TESTING, MOVE FORWARD WITH A CONTRACT WITH CUTLERS FLOORING FOR THE FLOOR REPLACEMENT AT A COST OF \$2,160.00 MADE BY MR. FARRAND. SECONDED BY MR. McALLISTER FOR DISCUSSION.

Mr. Weaver asked how old is the building? Mr. Alger replied the building is eight years old. The building is not so old that the flooring should be worn out and we need to determine what is causing it. If there is a moisture problem, we may need to seal the floor before we put new vinyl flooring down.

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

4. **Pictometry** – Mr. Hopkins requested approval to renew their contract with Pictometry. He stated that this is the renewal of the aerial photographs of the county and would be renewed for three years. They generally like to do the flyovers in the spring or fall. The cost is \$73,463.33 for the first year, \$68,228.33 for the second year and \$68,228.33 for the third year. Every two years they ask us if we are interested in a refly. Mr. Hopkins explained now we have a license for each computer that houses this program. As we approach the license end, they will tell us how many days are left. Our license expired Sunday and they sent us a patch for the MDT's so we can continue to view the images. The license fee is included in the cost and we restrict who we load the application for.

Mr. Alger stated originally we had Pictometry just for 911. Since we did that initially, we have installed the MDT's and all of the police departments also have Pictometry on the MDT's and they have found that to be very helpful. This is an additional benefit. The Real Property Tax Service Agency is using Pictometry and this is available to any assessor in the County. The next step pays the most dividends as it will be available to the assessors to be able to compare the images of the first flyover to the second flyover. Now we have the resources to trigger onsite inspections if there is a discrepancy. The assessors like Pictometry and this has become a more useful tool for them. Mr. Hopkins commented it is also used for tax mapping purposes.

Mr. Alger stated Pictometry is also being used by Public Works and the Planning Department for the GIS program. The cost of \$200,000 is a lot of money, however, as we have this program available, the uses will become even greater. Pictometry allows us to put this program on any computer that is County or municipally related. There are no limitations on how many can use it once we secure the license.

Mr. McAllister asked when we first got this program the cost was covered by grants. Will the cost be covered by grants this time or are we footing the bill? Mr. Hopkins replied he is not aware of any grants that are available for this.

Mr. Weaver asked we have a two-year license, but are paying over three years? Mr. Hopkins stated we have a two-year license and at the end of the second year is the refly. The justification for this is finding out what has changed in the County during that time. Mr. Alger explained when the license begins we do not have the pictures for at least six months after they do the flyover. Your question is if this is a three-year deal, how are we getting three years out of two and the answer is that we are extending the agreement an additional six months and by the time you renew, you are actually getting three years.

Mr. McAllister stated we originally got this program for 911 to enhance services. Has it done that? Mr. Hopkins replied yes. Mr. Farrand commented it becomes a safety issue for responders as with this program they can see exactly where they are going. Sheriff Ordway commented this has been very useful to the Sheriff's Department. Mr. Sprague commented that fire and EMS have used the program for fire investigations and searches and it has been very helpful. Mr. Alger stated we are getting a three-year license and we need to talk to Pictometry and clarify that in the agreement with them.

MOTION: AUTHORIZING THE 911 ENHANCED DEPARTMENT TO RENEW THEIR CONTRACT WITH PICTOMETRY FOR AN ADDITIONAL THREE YEARS WITH THE COST OF THE FIRST YEAR BEING SET AT \$73,463.33, THE COST OF THE SECOND YEAR SET AT \$68,228.33 AND THE COST OF THE THIRD YEAR SET AT \$68,228.33 MADE BY MR. FARRAND. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

D. Probation

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

E. Emergency Management Office

1. **Budget Adjustments** – Mrs. Whitehead stated that with the adopted budget they figured estimates as the balance on the grants. Now they are putting in the actual balances to carry over into the 2009 budget.

MOTION: APPROVING THE TRANSFER OF FUNDS TO RE-ESTABLISH ACTUAL GRANT AMOUNTS FOR 2009 FOR THE EMERGENCY MANAGEMENT OFFICE AS FOLLOWS: 364500.4.44306000 – G10HSG07 - \$25,503.26; 364500.4.4306000 – G10SHL07 - \$97,678.01; AND 364200.4.4389400 – G10PDM07 - \$16,777.99 MADE BY MR. SCHU. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. **Thermal Imaging Cameras** – Mr. Sprague requested an executive session to discuss the thermal imaging cameras.

3. **Matrix Meeting** – Mr. Sprague informed the committee that fire and EMS personnel will be meeting with Matrix on March 16, 2009 at the Civil Defense Center at 7:00 p.m.. We have sent out notices and will doing announcements to make sure everyone knows about the meeting. Mr. Alger stated we are bringing Matrix in for the day.

Mr. Farrand stated that he is discouraged with the consultant because when we authorized the contract they said they would meet with the local departments and they only went to the paid departments and not to the rural areas. He stated that he is quite sure they said they would meet with the rural departments. If in the original contract they said they would do that, then he has to question why it wasn't done. Mr. Schu commented they left it loose as they sent out a survey and there was an opportunity for input. Mr. Farrand stated they should have spent more time in the rural areas.

Mr. Alger stated when we contracted with them, it was for a certain number of days. If they were to meet with all 96 departments they would need at a minimum 20 days. He doesn't believe they misled us. We understood that there would be a combination of meetings and the survey. We asked Mr. Sprague to check with the fire chief's and fire coordinators to see how they felt about having a meeting. The conclusion was that one meeting would get everyone that you need. It would have been nice if we could have afforded for them to meet with everyone in the 911 system. Mr. Farrand commented that he feels that the rural areas were slighted. Mr. Alger stated the intent of the survey and the meeting with the chief's was to get input.

Mr. Sprague commented as you bring a large group together you need to be able to focus the discussion. Mr. Farrand asked will there be a mediator? Mr. Wheeler replied that Travis from Matrix is a very experienced consultant and will be able to keep the group on task. Mr. Sprague stated he would suggest that Travis use the survey as a way to focus the group to general discussion. He thinks it will be a productive meeting. Mr. Wheeler commented we had received 53 surveys back from law enforcement, fire and EMS. Also all of the employees of the Center responded to the survey.

4. **Coroner's Van** – Mr. Sprague informed the committee that the coroner's van interior has been modified and it is now back in service.

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

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

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

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Monday, April 6, 2009 @ 9:30 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON on Monday, March 30, 2009.**

**STEBEN COUNTY PUBLIC SAFETY AND CORRECTIONS COMMITTEE
STEUBEN COUNTY FINANCE COMMITTEE**

Joint Special Meeting

Monday, March 23, 2009

9:35 a.m.

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

****MINUTES****

COMMITTEE:	Francis L. Gehl, Chair Brian C. Schu	Dan C. Farrand, Vice Chair John S. Walsh	Patrick F. McAllister
	Patrick F. Donnelly, Chair Lawrence P. Crossett	Robert V. Nichols, Vice Chair Scott J. Van Etten	Donald B. Creath
STAFF:	Mark R. Alger Joel Ordway David English	Gregory P. Heffner David Hopkins Frederick H. Ahrens, Jr.	Jack Wheeler Carol Whitehead
LEGISLATORS:	Joseph J. Hauryski	Thomas J. Ryan	Randolph J. Weaver

I. CALL TO ORDER

Mr. Donnelly called the meeting to order at 9:35 a.m.

II. DEPARTMENTAL REPORTS/REQUESTS

A. Sheriff's Department

1. **Grant** – Sheriff Ordway requested authorization to accept a \$30,000.00 non-matching grant for the purchase of the LIVESCAN/CARDSCAN and Mug Shot Processing System. Mr. Alger commented this resolution is being added to this morning's agenda as the Sheriff did not receive final notification of the grant award until after the agenda had gone out. There is no match required and no reason not to go forward with this.

MOTION: AUTHORIZING THE SHERIFF TO ACCEPT A \$30,000.00 NON-MATCHING GRANT FOR THE PURCHASE OF THE LIVESCAN/CARDSCAN AND MUG SHOT PROCESSING SYSTEM MADE BY MR. VAN ETTEN. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 10-0.

MOTION: TO ADJOURN MADE BY MR. McALLISTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 10-0.

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

STEBEN COUNTY PUBLIC SAFETY AND CORRECTIONS COMMITTEE

Monday, April 6, 2009

9:30 a.m.

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

****MINUTES****

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

STAFF: Mark R. Alger Gregory P. Heffner Jack Wheeler
Dave Hopkins Michael Sprague Tim Marshall
Frank Justice Byrum Cooper Joel Ordway
Ray Dell Ken Peaslee David English
Frederick H. Ahrens, Jr. Nan Hammes

LEGISLATORS: Philip J. Roche Joseph J. Hauryski Randolph J. Weaver

OTHERS: Art Jones, Coordinator of Network Initiatives, Rural Health Community Systems, Inc.
Mary Perham, *The Leader*

I. CALL TO ORDER

Mr. Gehl called the meeting to order at 9:30 a.m. and asked Mrs. Hammes to lead the Pledge of Allegiance.

Mr. Gehl announced that the May meeting is being moved to Thursday, May 7, 2009 as we anticipate Matrix coming that day to give a presentation of the survey results at a special meeting of the Legislature.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE MARCH 2, 2009 AND MARCH 23, 2009 MEETINGS MADE BY MR. WALSH. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. PRESENTATIONS

A. Rural Health Community Systems, Inc.

1. **EMS Week** – Mr. Jones introduced himself as the Coordinator of Network Initiatives for Rural Health Community Systems. We are a not-for-profit collaborative partnership. Our partners are EMSTAR, Greater Steuben Chapter of the American Red Cross, Ira Davenport Memorial Hospital, New York State Police, Steuben County Emergency Management Office, Steuben County Office for the Aging/RSVP, Steuben County Sheriff's Department, Rural/Metro Medical Services and the Steuben County 911 Center. We are a collaborative partnership promoting quality pre-hospital and emergency medical services care in Steuben County.

Mr. Jones stated that Rural Health Community Systems would like to join the community and the Legislature in recognizing our EMS service providers during National EMS Week which is May 17 – May 23. We have asked the Chairman of the Legislature to issue a proclamation and would really like to make this a special event. We are planning an EMS vehicle procession to the County Courthouse and there we would like to have Chairman Roche read the proclamation proclaiming May 17 – May 23 National EMS Week and have the volunteers standing behind him and after the reading of the proclamation there will be a photo opportunity and a reception at the Bath Ambulance Garage. He asked the committee when they would like to do this? After a date is picked the media will be contacted as well as the New York State Bureau of Emergency Medical Services.

The committee and Chairman Roche picked May 18, 2009 as the day for the festivities with the proclamation being read on the steps of the County Courthouse at 11:00 a.m. In the event of rain, the reading of the proclamation will take place in the Legislative Chambers and the pictures will still be taken at the Courthouse.

IV. DEPARTMENTAL REPORTS/REQUESTS

A. 911 Enhanced Department

1. **Kitchen Floor** – Mr. Hopkins informed the committee that the mold testing of the floor came back negative. The laminate flooring has been scheduled for installation later this week.

2. **Matrix Meeting** – Mr. Hopkins informed the committee that the Fire and EMS meeting with Matrix was very well attended and the feedback was good. We plan to have Matrix discuss the results of the survey with the Full Legislature on May 7, 2009.

Secretary's Note: There will be a Special Legislative Meeting on Wednesday, May 13, 2009 at 10:00 a.m. to discuss the results of the survey conducted by Matrix. The May meeting of the Public Safety & Corrections Committee will be scheduled for Thursday, May 7, 2009 at 9:30 a.m.

3. **Updates to Training System** – Mr. Hopkins informed the committee that they have received a quote for \$1,750.00 to develop updates for the training system. The training system has two positions at the consoles that are dual-purpose for production and dedicated training mode. We are struggling with keeping the training system up with production. This quote from Frontier/Positron will allow us to have a commitment from Information Technology to develop a Standard Operating Procedure for updates for the training system as we require them going forward. There will be no additional costs for the vendor.

Mr. Alger explained because the training positions are not tied into the dispatch system it is unable to get the updates that the dispatch system gets. During the process of putting the original system in, this piece was missed. This would allow us to routinely update the software in the training room. Mr. Hopkins stated it will also allow us to develop a procedure to do the software updates internally. Mr. Alger stated we will use money from the 911 project to do this.

MOTION: AUTHORIZING THE 911 DIRECTOR TO ACCEPT A QUOTE FROM FRONTIER AND POSITRON IN AN AMOUNT NOT TO EXCEED \$1,750.00 TO DEVELOP A PROCESS IN CONJUNCTION WITH THE INFORMATION TECHNOLOGY DEPARTMENT, TO ALLOW FOR SOFTWARE UPDATES TO THE TRAINING SYSTEM MADE BY MR. FARRAND. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

4. **Staffing** – Mr. Hopkins informed the committee that Personnel had scheduled a promotional Supervising Dispatcher test for March 21st and there was only one applicant, who did not show for the test. We have been conducting interviews from the existing dispatcher list. A new class will start April 20, 2009 for two employees.

Mr. Farrand asked how many vacancies do you have? Mr. Hopkins replied we have two. Mr. Farrand asked what is the status of your part-time employees? Mr. Hopkins replied we have two individuals that we recently interviewed that would be interested in part-time work.

5. **Grant** – Mr. Hopkins announced that they have received a grant award of \$57,807.00 from the Office of Fire Prevention and Control.

6. **Pictometry** – Mr. Hopkins stated as a result of last month's meeting, they have confirmed with Pictometry that the proposal we have is for three years. We also will be able to have them fly this year's images at a better resolution than previous sets and this will result in a higher quality image library. We are currently working with Pictometry to set our flight schedule for this spring.

B. Emergency Management Office

1. **Adoption of County Hazard Mitigation Plan** – Mr. Marshall stated several years ago our office, along with the Planning Department began the development of a countywide multi-jurisdictional Hazard Mitigation Plan. We left it open-ended so that municipalities can join in the plan. Each municipality has to have a mitigation plan in place in order to apply for mitigation funding. Once our Hazard Mitigation Plan is approved by the Federal Emergency Management Agency (FEMA) then it will become a formal plan. He requested that the committee formally adopt the Steuben County Multi-Jurisdictional Hazard Mitigation Plan.

MOTION: ADOPTING THE STEUBEN COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN AS PRESENTED MADE BY MR. SCHU. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Flood Gauging Update** – Mr. Sprague provided the committee with a list of flood gauges that are in danger of being discontinued by the end the September 2009. The federal budget is coming together and the Corps of Engineers funding is very questionable. If they do not receive funding, there will be an impact on the flood gauges.

Mr. Farrand asked has the cost of maintaining the gauges been resolved? Mr. Sprague replied we do maintain gauges in a lot of locations. Where the United States Geological Service (USGS) has gauges they monitor the flow and make forecasts. With regard to the funding, the USGS receives \$15,000 per year for monitoring and the funding for that can be split in a number of ways. They received 23 – 29 percent in their budget to support the gauges and the remainder comes from the National Weather Service, the Corps of Engineers, etc. If any of the other parties lose their funding, the USGS says that they will turn those gauges off.

3. **Thermal Imaging Cameras** – Mr. Sprague informed the committee that they are working with the vendor and the cameras are further down the list for backorder. We are still looking for funding and we did receive a letter from Senator Winner that some funding for these may have been restored.

4. **Emergency Services Banquet** – Mr. Gehl stated Saturday night was the annual Banquet which was very well attended. He thanked Mr. Sprague for the opportunity to attend. Mr. Sprague stated that he appreciates Mr. Gehl, Mr. Farrand and Mr. Walsh attending the Banquet and that it really means a lot to our volunteers.

5. **CDL Update** – Mr. Sprague informed the committee that on April 3, 2009 Assembly Bill A159-B which expands the exceptions to the fire service requiring a CDL to include returning from emergencies, was passed. This still does not cover parades, fire prevention functions or training for driving the vehicles.

6. **EMS Week** – Mr. Sprague stated EMS week is May 17th – May 23rd and he has asked Chairman Roche to issue a proclamation to that effect.

7. **Coroners' Van** – Mr. Sprague informed the committee that the new van went into service yesterday.

C. Sheriff's Department

1. **Monthly Report** – Sheriff Ordway distributed and reviewed his monthly report with the committee.

2. **Resolution – Parole Violators** – Sheriff Ordway requested the committee adopt a resolution requesting the State to house New York State Parole violators in the New York State Department of Corrections.

MOTION: REQUESTING THE STATE OF NEW YORK TO HOUSE NEW YORK STATE PAROLE VIOLATORS IN THE NEW YORK STATE DEPARTMENT OF CORRECTIONS MADE BY MR. McALLISTER. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

3. **Informational** – Sheriff Ordway reported the population at the Jail this morning is 188 inmates including 46 federal and 9 parole violators. During the first three months of the year, they have spent \$10,000.00 on overtime for constant watch.

4. **Pistol Permits** – Sheriff Ordway informed the committee that they have had an increase in the number of pistol permit investigations and have already done 96 this year. Applications sold this year total 293 and all of last year they sold 619. This year we have had 47 pistol permit licenses and last year there were 152 issued.

5. **Lights** – Sheriff Ordway stated that they have had 9 of their outside security lights out for the past nine to ten months. These lights are located on the back perimeter of the Jail. Normally we would use 211 watt bulbs which cost \$104.00 each. We went to a 42 watt bulb at a cost of \$15.00 each.

D. Probation

1. **Monthly Report** – Mr. Justice stated he is here to review his monthly report if anyone has any questions.

Mr. Roche asked what are the impacts of the State budget on your department? Mr. Justice replied this year we budgeted for any potential cuts. There are still some issues pending that we are concerned about. One issues is the Rockefeller Drug Laws. There is also a proposal to have lifetime probation for certain types of offenders. Our workload may increase without any increase in funding.

Mr. Alger commented the reform to the Rockefeller Drug Law will impact both Probation and the Jail. Probation aid is at an all-time low, however the caseloads are anticipated to go up and the State is shifting the burden to the counties.

E. Public Defender

1. **Monthly Report** – Mr. Cooper stated he is here to review his monthly report if anyone has any questions.

MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. WALSH. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

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

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

NEXT MEETING SCHEDULED FOR

****PLEASE NOTE CHANGE** Thursday, May 7, 2009 @ 9:30 a.m. **PLEASE NOTE CHANGE****

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON on Monday, April 27, 2009.**

STEBEN COUNTY PUBLIC SAFETY AND CORRECTIONS COMMITTEE

Thursday, May 7, 2009

9:30 a.m.

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

****MINUTES****

- COMMITTEE:** Francis L. Gehl, Chair Patrick F. McAllister Brian C. Schu
John Walsh
- STAFF:** Mark R. Alger Gregory P. Heffner Jack Wheeler
Frank Justice Joel Ordway Mike Sprague
David Hopkins David English Frederick H. Ahrens, Jr.
- LEGISLATORS:** Patrick F. Donnelly
- ABSENT:** Dan C. Farrand, Vice Chair
- OTHERS:** Cathy Rouse-Nicholson, Wheeler Town Justice
Mary Perham, *The Leader*

I. CALL TO ORDER

Mr. Gehl called the meeting to order and asked Mr. Heffner to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE APRIL 6, 2009 MEETING MADE BY MR. WALSH. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. PRESENTATIONS

A. **Assembly Bill A05899/Senate Bill S4091** – Justice Rouse-Nicholson introduced herself as the Treasurer of the Steuben County Magistrate’s Association. The New York State Magistrate’s Association represents 3,000 retired and active justices and approximately 1,500 are non-attorney justices. These justices handle two million cases annually which generates \$210 million in fines and fees collected. We are also part-time, but can be called upon at any hour. By law, there can be two justices per town. In Steuben County we have five justices who are attorneys and they are located in Bath Town and Village, Avoca Town, Erwin Town and Urbana Town.

The proposed Assembly and Senate bills would provide an election by a defendant in a criminal matter to have their case appear before a judge who is also a member of the New York State Bar Association. The Steuben County Magistrates Association and the New York State Magistrates Association are opposed to these bills. These bills would allow defendants to “opt out” of using a non-attorney justice and would mean that cases would be transferred to courts that have sitting attorney justices. If this becomes law, our taxes will increase considerably as there is currently no money or resources in place to do this. This would be the next step to having district courts. Justice Rouse-Nicholson urged the committee to oppose these bills.

Mr. McAllister commented he agrees with Justice Rouse-Nicholson. Most lawyers will tell you that 99 percent of the cases are settled with a plea bargain and how will you improve that by changing the system? The current system is working. Mr. Schu commented this is the first step to having a district court system statewide.

MOTION: OPPOSING ASSEMBLY BILL A05899 AND SENATE BILL S4091, PROVIDING AN ELECTION BY A DEFENDANT IN A CRIMINAL MATTER TO HAVE THEIR CASE APPEAR BEFORE A JUDGE WHO IS ALSO A MEMBER OF THE NEW YORK STATE BAR ASSOCIATION MADE BY MR. McALLISTER. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required

IV. DEPARTMENTAL REPORTS/REQUESTS

A. 911 Enhanced Department

1. **Sewage Pump** – Mr. Hopkins informed the committee that they have had recent problems with the sewage pump at the 911 Center and they have been working with Buildings & Grounds to resolve the issue. The alarm system had failed. We want to fix the primary alarm and then utilize the network capabilities to be a backup.

2. **Water Softener** – Mr. Hopkins informed the committee that they have hard water at the facility. We requested quotes to lease and/or purchase a water softener system. We would like to resize the system that Mr. Partridge had recommended down to a residential system as we don't believe the facility warrants needing a commercial system. Mr. Alger commented they have village water. Our conclusion is that the water is being used mostly for the restroom facilities and based on our usage, we should be able to get by on a residential system. Mr. Hopkins stated he will come back next month with a proposal for the committee's review and approval.

3. **Text Message Notification** – Mr. Hopkins informed the committee that last week they began testing the text messaging notification of Fire and EMS. To-date the results have been very positive. Next month we will be able to do a presentation for you so you can see how the process works and we will work with Mr. Sprague to roll out this program to all of the Fire and EMS agencies.

Mr. Gehl asked have you received anything from Matrix? Mr. Alger replied we have not seen the draft report, but are hoping to have it today. They will be meeting with the Legislature next Wednesday to present the results of their study.

B. Emergency Management Office

1. **Thermal Imaging Cameras** – Mr. Sprague informed the committee that they have been informed that the 2009 State Budget restored everything that was removed from the 2008 State Budget. This means that our grant for the thermal imaging cameras is in and he is requesting permission to move forward with the Legislative Initiative for the thermal imaging cameras. The cameras have arrived at the supplier and will be distributed to Cohocton, North Hornell, Bath, Woodhull and Painted Post. Mr. Alger commented you will be authorizing the reinstatement of the appropriation for the thermal imaging cameras.

MOTION: REINSTATING THE APPROPRIATION OF A \$35,000.00 LEGISLATIVE INITIATIVE FOR THE PURCHASE OF FIVE THERMAL IMAGING CAMERAS MADE BY MR. WALSH. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. **Homeland Security Grants** – Mr. Sprague requested approval to accept Homeland Security Grants for his department and the Sheriff's Department. The grant award for Emergency Management is \$123,750.00 and the grant award for the Sheriff's Department is \$41,250.00.

MOTION: AUTHORIZING THE EMERGENCY MANAGEMENT OFFICE TO ACCEPT A GRANT IN THE AMOUNT OF \$123,750.00 FROM THE OFFICE OF HOMELAND SECURITY AND ALSO ACCEPTING A GRANT IN THE AMOUNT OF \$41,250.00 FOR THE SHERIFF'S DEPARTMENT FROM THE OFFICE OF HOMELAND SECURITY MADE BY MR. WALSH. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

3. **Alarm System** – Mr. Sprague informed the committee that they did an upgrade to their alarm system and now know when someone is at the tower site, if there is a power failure, etc. We can also add a

number of different components to it. This was part of the Homeland Security Grant we received in 2006. Mr. Gehl asked how many towers do we have? Mr. Sprague replied we have 9 towers.

4. **EMS Week** – Mr. Sprague announced EMS Recognition Day will be May 18, 2009. At that time we will also recognize the EMS agency that received the EMS Agency of the Year Award. The certificates from the State have come in and we are looking forward to a good day.

5. **Burn Ban** – Mr. Sprague informed the committee that we had some 90-degree days in April and we did institute a burn ban for five days as we had a red flag warning issued by the Department of Environmental Conservation and the National Weather Service. At that time we had a rash of fires that were happening and the burn ban did help with that. These types of things take up huge amounts of resources and this year we did lose a number of structures as part of that.

C. Sheriff's Department

1. **Monthly Update** – Sheriff Ordway informed the committee that they were the keynote speaker at the NYS VINE Conference and that was an honor. As of May 1st we have gone to black shirts. This morning there is a drill taking place at the Health Care Facility and our CIRT team has been participating as well as other law enforcement agencies. We expect the drill to conclude at noon.

Sheriff Ordway informed the committee that revenues received year-to-date for boarding in federal prisoners are \$417,975.00. As of April 1st, we no longer receive reimbursement for State parolees.

2. **Personnel** – Sheriff Ordway informed the committee that they have a vacant part-time bailiff position and he requested authorization to activate the part-time zero based position for court security. There is money available in the budget.

MOTION: ACTIVATING A ZERO-BASED PART-TIME COURT SECURITY POSITION IN THE SHERIFF'S DEPARTMENT MADE BY MR. McALLISTER. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

D. Probation

1. **Monthly Report** – Mr. Justice briefly reviewed his monthly report. He commented that collections have remained relatively stable and they brought in \$164,000 during the first quarter. Mr. Donnelly asked are your collections computerized? Mr. Justice replied yes, however, we do not have the capability to send out bills, but they have the Probation Officers keep track. They do monitor the accounts and if there has been no payment for a certain period of time, that generates a letter that goes to the probationer and the Probation Officer.

2. **ATI Program** – Mr. Justice informed the committee that jail days saved through pretrial release were: 1,050, community services 1,155, ISP 7,560, alcohol/substance abuse 1,260 and EHM – criminal 1,237 EHM – family court 260. During the first quarter jail days saved resulted in a savings of \$919,000.

3. **DEA Training** – Mr. Justice stated at the end of April they sponsored a training put on by a DEA Special Agent out of Albany. The training was held at the Civil Defense Center and was attended by 85 – 90 individuals. Many of the attendees came from Public Health Nursing, District Attorney's Office, Department of Social Services, Law Enforcement and Fire and EMS. The training was intended for individuals who go into homes to be able to spot signs of methamphetamine production. The training was very well received.

4. **Rockefeller Drug Law** – Mr. Justice informed the committee that the Governor signed the changes to the Rockefeller Drug Law and we do not yet know the impact this will have. Last year, of the 28 people sentenced in Steuben County to State prison, 21 were Steuben County residents. Under the new Rockefeller Drug Law, those 21 Steuben County residents will no longer be mandated to go to State prison.

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

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Monday, June 1, 2009 @ 9:30 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON on Tuesday, May 26, 2009.**

STEBEN COUNTY PUBLIC SAFETY AND CORRECTIONS COMMITTEE

Monday, June 1, 2009

9:30 a.m.

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

****MINUTES****

- COMMITTEE:** Francis L. Gehl, Chair Dan C. Farrand, Vice Chair Patrick F. McAllister
 Brian C. Schu John S. Walsh
- STAFF:** Mark R. Alger Jack Wheeler Joel Ordway
 Christopher Lian Tina Goodwin Michael Sprague
 Tim Marshall Frank Justice James Gleason
 Frederick H. Ahrens, Jr. David English Chris Kane
- LEGISLATORS:** Philip J. Roche Lawrence P. Crossett Patrick F. Donnelly
 Joseph J. Hauryski Thomas J. Ryan Randolph J. Weaver
- OTHERS:** Shelly Bierwiler, American Red Cross, Steuben County Chapter
 Arlene Heffner, American Red Cross, Steuben County Chapter
 Mary Perham, *The Leader*

I. CALL TO ORDER

Mr. Gehl called the meeting to order at 9:30 a.m. He asked Mrs. Heffner to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE MAY 7, 2009 MEETING MADE BY MR. WALSH. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. PRESENTATIONS

A. American Red Cross

1. **NYS Disaster Leave Law** – Ms. Bierwiler informed the committee that the American Red Cross disaster leave proposal was signed into law on September 25, 2001. The New York State Disaster Leave Law provides that State government employees may be released from their jobs to volunteer for Red Cross disaster relief assignments for up to 20 days in any calendar year. Such leave must be approved by the employee’s agency and is available for trained Red Cross volunteers only. The law also authorizes local governments and State public authorities to offer disaster leave. She commented that the American Red Cross is congressionally mandated to respond to disasters and currently 46 states have enacted disaster leave laws.

Mr. McAllister asked who determines or declares disasters? Ms. Bierwiler replied there are different levels. A disaster could be declared by a fire department if an individual loses their home to a fire and then our local chapter volunteers would step in to assist. Then there can be a disaster declared regionally, statewide and nationally. Who declares a disaster depends upon the level of the disaster. She commented that with regard to volunteers, it is very infrequent that we call out volunteers for 20 days. Mrs. Heffner stated that we have disaster action teams in Bath, Corning and Hornell that primarily consist of retired individuals. When there is a larger scale disaster, then we would call upon more volunteers to work.

Mr. Gehl asked what does this law do, if anything, with the union contract? Mr. Alger replied it does not affect it. Mr. Farrand asked how many volunteers do you have that are county employees? Ms. Bierwiler replied it is very

small, maybe 10. This law also includes school district employees. Mrs. Heffner commented everything we have done is for preparedness and we would like to be able to get more volunteers trained before there is a disaster.

Mr. Ahrens asked should we be establishing an internal approval process for this leave? Mr. Alger replied we will need to look at the law. Discussion followed.

IV. DEPARTMENTAL REPORTS/REQUESTS

A. Sheriff's Department

1. **Monthly Report** – Sheriff Ordway reviewed his monthly report with the committee. Mr. Farrand asked do you do a work program with your prisoners? Sheriff Ordway replied the Probation Department does a community services program on the weekends. The State limits us with what we can do with the inmates at this point. In order for us to do a work program, it would have to be a training opportunity to teach the inmates a trade that they could use upon their release. Mr. Justice replied we have multiple areas that we serve with our program. Any not-for-profit organization can call and be put on our service list.

Mr. McAllister commented some counties use a weekend program to divert individuals from being in Jail. Do we do anything like that? Mr. Alger replied we discourage having a program where individuals come to Jail on Friday and leave Sunday as it costs more money. We would have to hold a cell for a week and then they are only here for two days. In addition every weekend they would have to go through the processing. With weekend sentencing the individual goes to Jail for the weekend as opposed to the reporting system where they would report to the Jail, work and then go home. The reporting program would be fine. Mr. Justice commented by and large, the people serving community service are people who are assessed at a higher risk and without this program would be spending weekends in Jail.

Mr. McAllister stated some counties are sentencing people to weekends in Jail and then they show up each day, work and go home. Mr. Roche commented the problem with being in the custody of the Sheriff and not in Jail is that is a liability. Mr. Alger stated with the community service program they report, work and then leave and they are not processed in each time.

Mr. Alger asked how much money from our parole violators will we lose? Sheriff Ordway replied we will get our first quarter payment. We will lose \$200,000. The revenue we projected for parole violators was \$300,000. Our first quarter check will be between \$50,000 - \$60,000. We are looking at various ideas to make up that loss in revenue. It was suggested the Sheriff investigate housing more federal inmates to make up the revenue.

2 **Tactical Response Vehicle** – Sheriff Ordway informed the committee that in 2008 the Department received a grant for \$80,000 through the Weapons of Mass Destruction Program. All of the items were purchased with the exception of the tactical response vehicle. We recently received sealed bids for a vehicle. Mr. Gleason informed the committee that our specifications were for a 2008 or newer ¾-ton high roof cargo van. We received one bid from Simmons-Rockwell for \$29,999.00 for a 2008 vehicle that meets our specifications. Sheriff Ordway stated they have \$30,000.00 budgeted.

MOTION: AUTHORIZING THE SHERIFF'S DEPARTMENT TO ACCEPT THE BID FOR A ¾-TON HIGH ROOF CARGO VAN FROM SIMMONS-ROCKWELL AT A COST OF \$29,999.00 TO BE PURCHASED WITH 2008 WMD GRANT FUNDING AND AMENDING THE MAJOR EQUIPMENT LIST TO REFLECT THIS PURCHASE MADE BY MR. FARRAND. SECONDED BY MR. McALLISTER FOR DISCUSSION.

Mr. McAllister asked how much will it cost to outfit it? Sheriff Ordway replied the cost should be very minimal. We have a company that will be fabricating the seats inside. This vehicle is for our 12-member CIRT team and this will be an unmarked vehicle. The only other thing will be to have the radio equipment installed by Fred Marvin.

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

3. **Accreditation** – Sheriff Ordway informed the committee currently our Corrections and Civil Division are accredited. The Court Security is 60 – 70 percent and the only other division to be accredited is the Road Patrol. Our accreditation for Corrections and the Civil Division ran out May 27th. We have been reaccredited for another five years and he wanted to commend Major Lian on Jail Accreditation.

B. 911 Enhanced

1. **Monthly Report** – Ms. Goodwin distributed her monthly report for review. Mr. Roche asked with regard to the decline in calls, is that due to the weather, the public being better educated, etc.? Ms. Goodwin replied that they think that it may have to do with everyone being better educated.

Mr. Farrand commented that he you are now staffing one less person. How is that working? Ms. Goodwin replied that is going very well. Mr. Farrand asked have you developed a Standard Operating Procedure for the small ambulance departments with regard to calling in their status to the 911 Center? Ms. Goodwin replied that is something that they are coordinating with the Emergency Management Office.

2. **Transformer Replacement** – Mr. Alger informed the committee that tomorrow Blackmon-Farrell will be replacing the transformer and the 911 Center will be running on the generator during that time.

3. **Personnel** - Mr. Farrand asked are you down three people? Ms. Goodwin replied we have a part-time dispatcher entering the Fire/EMS training and another part-time dispatcher starting and then we will have two full-time dispatchers starting at the end of June, beginning of July. Mr. Alger commented we give the test for dispatchers every six months.

C. Emergency Management Office

1. **CDL Initiative** – Mr. Sprague distributed a copy of the final approved version of the CDL initiative. They have changed it to include the following: “or in the performance of official duties, or activities related to the execution of emergency governmental functions pursuant to section 383.3 (d) (2) of title 49 of the code of federal regulations...”

2. **Consolidation Bill** – Mr. Sprague informed the committee that recently Attorney General Andrew Cuomo proposed a wide-ranging plan of local government consolidation, including special districts. Assembly Bill 8051 and Senate Bill 5661 have been introduced and dilute the existing petition process whereby a fire district can be merged or dissolved, which can be initiated by 10 percent of the voters of the local government entity. Currently it requires 25 percent of the voters. Mr. Sprague commented that FASNY believes that the unique circumstances under which volunteers should serve be studied separately and not be included in legislation seeking greater efficiency at various levels of government.

Sheriff Ordway asked with regard to official duties in the fire departments, does each department determine what their official duties are or does your office? Mr. Sprague replied that decision of official duties is made within the departments. If it is authorized by the Chief, then it is an official duty.

3. **Coroner’s Van** – Mr. Sprague informed the committee that the new coroner’s van is now in service.

D. Probation

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

2. **Community Service** – Mr. Justice stated that with regard to the earlier conversation about community service, we only provide this service to not-for-profit agencies, it cannot displace workers or interfere with union work. The weekend community services is the work crew concept. Our department does individual community service and we place individuals and they are unsupervised. The county does assume liability for those individuals.

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

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
July 6, 2009 @ 9:30 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON on Monday, June 29, 2009.**

STEBEN COUNTY PUBLIC SAFETY AND CORRECTIONS COMMITTEE

Monday, July 6, 2009

9:30 a.m.

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

****MINUTES****

COMMITTEE: Francis L. Gehl, Chair Dan C. Farrand, Vice Chair Brian C. Schu
John S. Walsh

STAFF: Mark R. Alger Gregory P. Heffner Jack Wheeler
Joel Ordway Michael Sprague David Hopkins
James Gleason Andy Greeley Robert F. Biehl
John C. Tunney David English

LEGISLATORS: Patrick F. Donnelly Thomas J. Ryan Randolph J. Weaver

ABSENT: Patrick F. McAllister

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

I. CALL TO ORDER

Mr. Gehl called the meeting to order at 9:30 a.m. and he asked Mr. Walsh to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE JUNE 1, 2009 MEETING MADE BY MR. SCHU. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. DEPARTMENTAL REPORTS/REQUESTS

A. District Attorney's Office

1. **Reclassification** – Mr. Tunney requested a reclassification of a Grade IV Typist, to a Grade VI Senior Typist. Mr. Biehl stated they performed a desk audit and the duties are appropriate for the reclassification.

MOTION: AUTHORIZING THE RECLASSIFICATION OF A GRADE IV TYPIST TO A GRADE VI SENIOR TYPIST IN THE DISTRICT ATTORNEY'S OFFICE MADE BY MR. FARRAND. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

B. Emergency Management Office

1. **Equipment List Amendment – 2008 WMD Grant** – Mr. Sprague requested authorization to amend his major equipment to include an Access Control System (\$7,000.00), Vehicle Purchase/Modifications (\$40,000.00) and Communications Network – Equipment/Engineering (\$20,000). Also he requested authorization to amend his minor equipment to include Two Computers for GIS (\$9,000.00) and Radio/Network Equipment – Interface (\$10,000.00).

MOTION: AUTHORIZING THE EMERGENCY MANAGEMENT OFFICE TO AMEND THEIR MAJOR EQUIPMENT LIST TO INCLUDE THE FOLLOWING: ACCESS CONTROL SYSTEM (\$7,000.00), VEHICLE PURCHASE/MODIFICATIONS (\$40,000.00) AND COMMUNICATIONS NETWORK – EQUIPMENT/ENGINEERING (\$20,000.00) AND TO AMEND THEIR MINOR EQUIPMENT LIST TO INCLUDE THE FOLLOWING: TWO COMPUTERS FOR GIS (\$9,000.00) AND RADIO/NETWORK EQUIPMENT – INTERFACE (\$10,000.00) MADE BY MR. WALSH. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. **Regional Exercise Grant** – Mr. Sprague stated last year we applied for the Regional Exercise Grant. It was awarded to one applicant, and we were next in line. There is now a 2nd round to the Regional Exercise Grant and he requested authorization to apply for funding in the amount of \$45,000.00. The application will be due in August.

Mr. Farrand asked what exactly happens with a regional exercise? Mr. Sprague explained there are specific criteria and it has to be homeland security related. The two scenarios to choose from were an earthquake or a hurricane and we went with a hurricane as that is the most realistic hazard we would encounter.

MOTION: AUTHORIZING THE EMERGENCY MANAGEMENT OFFICE TO APPLY FOR THE SECOND ROUND OF FUNDING FOR THE REGIONAL EXERCISE GRANT IN THE AMOUNT OF \$45,000.00 MADE BY MR. FARRAND. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

3. **Fire & EMS Response** – Mr. Sprague informed the committee that he and Mr. Hopkins have been talking at length about the consultant's report with regard to fire and EMS response. He distributed a handout that outlines the process they will be using.

Mr. Hopkins stated that we would like to work with the departments to develop and utilize box alarm systems. Mr. Sprague stated some of the agencies are doing that informally, but neighboring departments are unaware of that. We also would like to establish automatic mutual aid response patterns for daytime and other times as required. Mr. Sprague stated there is an electronic system that allows everyone to see what individuals in a department are available for calls. The Bath Ambulance has been using that system for the past six months. Also 911 has recently been using text messages to inform agencies of calls to help quicken response times. At the last Fire Advisory Board meeting we did show a presentation of the electronic system and the members were impressed. If we did this, it would be a countywide system.

Mr. Hopkins stated with regard to the text messaging, we have 41 departments who are text messaging. Many are using their personal cell phones to receive text messages. The County has not paid for this other than to set up the capability in the 911 Center. Mr. Sprague stated we could schedule a presentation for next month of the electronic system and also invite a couple of the departments currently using it to come in as well.

Mr. Walsh stated he saw the presentation and this is something we really need. This will shorten response times.

Mr. Gehl stated we will have a presentation at the August meeting.

C. 911 Enhanced Department

1. **Monthly Report** – Mr. Hopkins distributed his monthly report for review. They are in the process of implementing the suggestions made by the consultant. They are staffing one less dispatcher 6 – 8 hours a night on midnights and making the entire team more efficient. From May 22nd through June 21st we saved 236 hours in overtime.

Mr. Farrand asked could you get dates from your part-timers when they would be available and then set up your shift schedule around them? Mr. Hopkins replied we publish the work schedule with vacancies three weeks out and make it available to our part-timers first. When we need to fill weekends and evenings, we do use our part-timers. We do have one part-timer who only wants to work 8 a.m. – 4 p.m. If a part-timer is not available, then we schedule a full-time individual who has indicated they are willing to do overtime.

Mr. Hopkins stated their goal is to continue rotating the full-time and part-time classes. We would like to get up to 10 part-timers in order to have a larger pool to pull from. In talking with other 911 directors, we are a lot better off than other counties in juggling vacancies.

Mr. Farrand asked how does your overtime compare to last year? Mr. Hopkins replied we are trending lower.

Mr. Farrand asked have you seen a difference in morale with the change in Supervisor duties? Mr. Hopkins replied they are still transitioning.

Mr. Gehl asked where do you think we are at now with the changes that were recommended? Mr. Hopkins replied we made a reduction on the first platoon and we think we can go down a second person. When we do that, it will include having someone stay a little later or coming in a little earlier. With regard to that change, we are 50 percent complete. With regard to getting the Supervisors more into supervisory roles rather than acting as fill in dispatchers, we are 25 – 30 percent complete. We anticipate this will be accomplished by year's end.

Mr. Gehl asked has morale changed? Mr. Hopkins replied when we implemented the text messaging, our staff and responders see that we are doing things differently. It takes times. He thinks it has had a positive effect internally. There also has been an improvement with the responding agencies.

Mr. Farrand stated the only complaint that he has is he still would like to include asking what hospital the patient wants to go to. Mr. Hopkins stated that will not happen. He has met with the EMD medical director who is fully against doing that. That is not part of the protocol that we agreed to use.

Mr. Weaver commented you should be taken to the closest hospital. Mr. Hopkins replied that decision is made by the people on the scene.

Mr. Farrand stated there are some areas in the county that can choose from five different hospitals.

Mr. Sprague stated the biggest issue is that Hornell ALS does not want to be committed to a response that is not going to Hornell. None of this can be one hundred percent cast in stone. If you have five hospitals and the patient has a trauma injury, they are not going to go to Hornell because that hospital is not a trauma hospital.

Mr. Hopkins stated that is why that is not included in the protocol. When you tell someone that you want to go to a certain hospital, that is an implied contract. This has been a continuing topic of discussion and the EMD medical director is happy to meet with any agencies that would like to discuss this. If the only issue is with Hornell, then you need to talk to Mayor Hogan. If the patient requires services beyond what the hospital they prefer can give them, it makes no sense to take them to that hospital.

Mr. Farrand stated a lot of injuries are not at the trauma level, and the patient could go to the hospital they want.

Mr. Alger explained we have a license with EMD and we are protected from liability. If we vary from the protocol, and you are sued, then EMD will not back you with regard to the liability. Discussion followed.

D. Probation

1. **Monthly Report** – Mr. Greeley distributed the monthly report for review. He commented that Cheryl Crocker, Probation Supervisor for Family Court, will be honored for her collaboration with the Department of Social Services and will set an example for the rest of the State.

E. Sheriff's Department

1. **Monthly Report** – Sheriff Ordway distributed his monthly report for review. Today's population is 188 and includes 8 parole violators, who we are no longer being paid for, and 44 Federal's.

2. **Reclassification** – Sheriff Ordway requested authorization to downgrade a Grade 11 Deputy Sheriff/Building Security to a Grade 10 Court Security Officer who will be located in the County Office Building. The Grade 10 will be a Court Security Officer with a firearm.

MOTION: APPROVING THE DOWNWARD RECLASSIFICATION OF A GRADE 11 DEPUTY SHERIFF/BUILDING SECURITY TO A GRADE 10 COURT SECURITY OFFICER IN THE COUNTY OFFICE BUILDING MADE BY MR. SCHU. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

3. **Inmate Clothing Bid** – Mr. Gleason informed the committee that they received 10 total bids, however, most of those were incomplete. He recommended awarding the bid to O.D. Tarragin Brothers for \$11,346.56.

MOTION: AWARDING THE INMATE CLOTHING BID TO O.D. TARRAGIN BROTHERS FOR \$11,346.56 MADE BY MR. WALSH. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

4. **Lock Replacement Program** – Sheriff Ordway distributed a lock replacement proposal for the committee's consideration. We have had concerns in the past regarding our key system. Mr. Gleason informed the committee they received one bid off State Contract from Oak Security Group, LLC for \$45,788.44 plus an additional \$800.00 for software. Sheriff Ordway commented this system will include a box where officers will have to put in a PIN number to take out and return keys and it will automatically send an email out if keys are not returned in a specified period of time.

Mr. Alger stated there is money in the Jail Expansion or in the Jail Repairs & Renovations account.

Mr. Donnelly commented it is imperative that you do it.

Mr. Alger stated it has been proposed to have a control system separate and apart from the keys. The software will allow you to track who has what key, when. If the key has not been returned, you will know who took it. There also will be a camera on the key box. This is more sophisticated than just having a box with lettered key numbers. The keying itself will be inside the Administrative area and they will also replace the cores in the cell blocks. Officers will now be able to use one key for all of the cell doors in their block. These cores are wearing out and there have been issues with finding replacement parts. These new keys will not be reproducible and you will have to call the company to get a key made. There is money we can use to do this. It is important to get it done and it is a security issue.

Mr. Gehl asked once this is approved, how long will it take to get the system in place? Sheriff Ordway replied we will be able to start immediately. Mr. Gleason stated we will be entering into a contract with them as it includes certain language that the Sheriff thought would be important to have.

MOTION: AUTHORIZING THE SHERIFF TO ENTER INTO A CONTRACT WITH OAK SECURITY GROUP, L.L.C. FOR \$45,788.44 PLUS AN ADDITIONAL \$800.00 FOR SOFTWARE FOR A LOCK REPLACEMENT SYSTEM FOR THE JAIL MADE BY MR. FARRAND. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

5. **Pharmaceutical Collection** – Sheriff Ordway informed the committee that today they are announcing a pharmaceutical collection day on Saturday, July 11, 2009 in Bath. This is something that Monroe and Niagara counties currently do. This will be a no questions asked, drive-thru where individuals can hand us any pharmaceuticals they have and leave. They will be required to redact their names from the bottles, but all other information will need to remain. We will have pharmacists who will help us sort the pill and then they will be transferred to a company in Niagara Falls who will incinerate them for us. This program will help keep people from flushing unused prescriptions and having those medications contaminate the water system. Staff from RSVP will be assisting us and the CIRT team will also be available.

IV. OTHER BUSINESS

A. **September Meeting** – Due to the Labor Day Holiday, the September meeting will be held on Friday, September 4, 2009 at 9:30 a.m.

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

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Monday, August 3, 2009 @ 9:30 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON on Monday, July 27, 2009.**

STEBEN COUNTY PUBLIC SAFETY AND CORRECTIONS COMMITTEE

Monday, August 3, 2009

9:30 a.m.

Legislative Conference Room
Steuben County Office Building
Bath, New York

****MINUTES****

- COMMITTEE:** Francis L. Gehl, Chair Dan C. Farrand, Vice Chair Patrick F. McAllister
Brian C. Schu John S. Walsh
- STAFF:** Mark R. Alger Jack Wheeler Mike Sprague
Tim Marshall Dave Hopkins Tina Goodwin
Frank Justice James Gleason David English
Frederick H. Ahrens, Jr. Ray Dell Noel Terwilliger
- LEGISLATORS:** Lawrence P. Crossett Patrick F. Donnelly Joseph J. Hauryski
Thomas J. Ryan Randolph J. Weaver
- OTHERS:** Mary Perham, *The Leader*
Dan Seidberg, IAmResponding, Emergency Responder Reply System
Jean Marie Skinner
Don Duvall, Addison Volunteer Fire Department
Brian McCarthy, Painted Post Fire Department
Judy Thayer, Bath Ambulance

I. CALL TO ORDER

Mr. Gehl called the meeting to order at 9:30 a.m. and asked Mr. Donnelly to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE JULY 6, 2009 MEETING MADE BY MR. FARRAND. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. PRESENTATIONS

A. **IamResponding** – Mr. Sprague introduced Dan Seidberg of IamResponding.com, an emergency responder reply system. The consultant’s report came back with some requirements for contacting departments. Since the report, Mr. Hopkins has implemented text paging. The IamResponding system will allow responders to notify us back using their cell phones as to what their status is.

Mr. Seidberg stated the biggest issue we struggle against everywhere is response times. When the tones go off you are still in a waiting game and you do not know who is coming, when and if they got out timely. Your dispatch center gives three, three-minute time frames for departments to respond to a call and that is similar to the rest of the country.

Our system allows for stations, chief, dispatchers and others to view the entire list of what is responding and where they are responding to. You will know within 30 seconds if a full crew is going out. The second dispatch occurs at 60 seconds and the third dispatch is at 2 minutes. You will see a dramatic reduction in response times. This is a web-based system. There is no software to install, maintain or update. The only requirement is a computer with internet access. We maintain everything on our own infrastructure. The departments will need to have one computer that is set up 24/7 and usually they place it in the truck bay so everyone can see the screen when they are pulling into the station. This system does not require any integration with your 9-1-1 system. Responders are given a number to call in and use speed dial. They are

given nine options and all they have to do is press one key, hang up and you will know their status. This allows for your responders to customize where they will be responding to; for example to the station or to the scene. Within 30 – 45 seconds you will have a list on your screen showing who is coming.

Mr. Seidberg stated another advantage of this system is that you can do web-based scheduling. Members can log in from home or work and the system will automatically display who is on duty. Another feature of this system is instant mass messaging. You can create up to 50 message groups of responders/members. You will be able to send instate notification by email, text or paging. Dispatchers can also use the messaging and this provides another layer of redundancy. The departments will also be able to see a list of their vehicles and which ones are in or out of service.

This system is very user friendly. We own 100 percent of our own hardware and have multiple redundant automatic fail overs. Our system went live in the beginning of 2007 and in that time we have had one outage. We have 27,000 users across the country.

One of the questions we get asked is what will happen if the system goes down? The worst case scenario is you will have what you have today; over dispatch for a particular call and that is not necessarily a bad thing.

Mr. Donnelly asked do you have a redundant backup of your server? Mr. Seidberg replied yes. Our phone and our server system are geographically co-located. We handle thousands and thousands of calls into our system simultaneously. Another question we are frequently asked is why are we calling into the system? We do that because text messaging is a nice supplement, but no text messaging system is reliable enough. With our system, when you hear the voice, you know for certain you got through.

Mr. Farrand asked will this work for rural communities that have dead zones for cell phones? Mr. Seidberg replied this is an issue throughout the country. The people in those regions know that and will either call from home before they leave or when they get to a point where they know they get a signal.

Mr. Farrand asked what is the cost for the departments? Mr. Seidberg replied there are two separate costs. There is an individual per department cost and a county-wide cost. A county-wide system would provide the system to every department and dispatch center.

Mr. Sprague commented we recognize that everyone isn't carrying a cell phone. There are also a lot of people who do not do text messaging. We are not excluding those people, however, we are recognizing the greater population that carry cell phones. We are following the trend. Mr. Seidberg stated every member will be able to enter up to six different phone numbers into their profile and the system will know who they are if they are calling from any of those six numbers.

Mr. Farrand asked how many departments in Steuben County are already using this system? Mr. Seidberg replied Pulteney, Bath and Addison are currently using the system. Broome, Putnam and Chautauqua counties are also using the system and there are a few other counties that are looking to use the system.

Mr. Crossett asked what is your definition of a user? Mr. Seidberg replied a user is a member. We have 550 departments across the country.

Mr. Ryan asked is this something that could expand into reverse 911? Mr. Seidberg replied not by design. In order to make that work you would have to have every household entering information. Our system is not currently configured to do that, but it could be.

Mr. Gehl asked the representatives of the Ambulance and Fire departments to comment.

Ms. Thayer, Bath Ambulance, commented they are having good luck with the system. We did have a slow start due to our computer errors. It has been a work in progress to get everyone to use it. We do have the web-based scheduling.

Mr. Duvall, Addison Fire Department, commented we are in our second year with the system. It gives us the ability to post our availability during the day between Addison and Tuscarora as we do simultaneous dispatch. It takes time for

people to buy into a new system, but we are getting more and more people scheduling themselves. A nine-minute window seems like a long time to wait to decide to go to mutual aide.

Mr. McAllister asked what percentage of your membership is using the system? Ms. Thayer replied they have 80 members in their Corps and 10 members who are second call people. Of our second call people we have 100 percent participation. Mr. Duvall replied they are approaching 50 percent in their department.

Mr. McAllister asked would the present protocol need to be changed? Mr. Hopkins replied currently we are using agreed upon standards and it would be up to the committee of EMS providers in the County.

Mr. Seidberg commented the system can work either by being monitored by 911, or standing alone in each individual department.

IV. DEPARTMENTAL REPORTS/REQUESTS

A. Sheriff's Department

1. **Monthly Reports** – Undersheriff Dell distributed the monthly report for the committee's review.

2. **General Updates** – Undersheriff Dell reported that they have been meeting with maintenance staff to discuss suggestions for improvement. One recommendation was that we were under utilizing our UPS's throughout the building. We have focused on getting the computer systems into the UPS. Also our main UPS system was only at 14 percent capacity. We have added the PSAP's and the administrative office computers and are now at 50 percent capacity. The refrigerators and paper shredders have been taken off of the UPS system.

Undersheriff Dell informed the committee that our current AED's are not upgradable. We will be trying to purchase additional AED's later this month and they are on State bid.

Undersheriff Dell reported the lock key project is moving along. They are finalizing an agreement with a non-disclosure clause. They will be meeting with the vendor to start the key hierarchy.

Undersheriff Dell stated they have been holding monthly meetings with Mr. Peaslee to discuss IT concerns and there has been good interaction with staff.

Undersheriff Dell informed the committee they are getting ready for the fair and some of the inmates have been painting. Mr. Gehl stated we all received an email from the Sheriff regarding a work program. He asked Undersheriff Dell if he could provide an update to that. Undersheriff Dell replied the Sheriff will be following up with the committee next month.

Undersheriff Dell stated the Sheriff did start a pharmaceutical collection project and the DEC had approved our final report and we will be scheduling more collection days throughout the County. This is a great program and our first collection day took in 87 pounds of pharmaceuticals in Bath.

B. Emergency Management Office

1. **Hazard Mitigation Plan** – Mr. Marshall distributed a handout showing the municipalities that have adopted the plan. We would like to have this completed by the end of August. Mr. Sprague informed the committee that the County Hazard Mitigation Plan can be found on the County web site.

2. **Monthly Reports** – Mr. Sprague distributed copies of his monthly report for review.

C. 9-1-1 Enhanced

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

2. **Next Generation Safety Consortium** – Mr. Hopkins informed the committee that he is an active member of NENA (National Emergency Number Association) and the Next Generation Safety Consortium is something our association has been working toward and is now becoming a reality. This will allow 911 Centers

to do text messaging and also would allow a caller to turn on their camera phone point it to an accident and for the dispatcher to be able to relay that to first responders. He asked for the committee's approval to send a letter of support of the Next Generation Safety Consortium to NENA.

MOTION: AUTHORIZING THE 911 DIRECTOR TO DRAFT AND SEND A LETTER OF SUPPORT FROM STEUBEN COUNTY TO THE NATIONAL EMERGENCY NUMBER ASSOCIATION FOR THE NEXT GENERATION SAFETY CONSORTIUM MADE BY MR. SCHU. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. Probation

1. **Monthly Report** – Mr. Justice distributed his monthly report for review.
2. **Rockefeller Drug Law** – Mr. Justice distributed information regarding the most recent changes to the Rockefeller Drug Law. These changes will put a burden on Mental Health, Department of Social Services and the Jail.

E. Administrator

1. **Grant Application** – Mr. Alger informed the committee that there is the potential to do a planning grant for shared services for 911 for next year. We don't have all the details yet, but the grant application is due September 23, 2009. He requested authorization to apply for the grant. Mr. Alger noted this item will be placed on the August Legislative Agenda.

MOTION: AUTHORIZING THE COUNTY ADMINISTRATOR TO SUBMIT A GRANT APPLICATION FOR SHARED SERVICES FOR 911 FOR NEXT YEAR MADE BY MR. SCHU. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

VI. OTHER BUSINESS

A. *Sex Offender Local Law* – Mr. McAllister informed the committee that he received a letter from the Mayor of the Village of Wayland stating that the Village Board was starting the process of adopting a Local Law on where sex offenders could live within the village. Does the County have such a local law? He requested permission to place this on next month's agenda for consideration.

Mr. Farrand stated that he would want to have Mr. Ahrens and Mr. English check with other counties to see what they have done.

Mr. Ahrens commented this is a difficult issue. At one point the City of Corning wanted to adopt a local law to this effect. We have looked at it in passing and came to the conclusion that it is not enforceable. You have to start defining where they can and cannot reside because of playgrounds, schools, etc.

Mr. McAllister stated that he can see Mr. Ahrens' point. This may be something better left to the small municipalities.

Mr. Gehl asked that this issue be placed on the September meeting agenda along with discussion on the IamResponding System.

Mr. Gehl opened the floor for comments by Mrs. Skinner. Mrs. Skinner informed the committee that she belongs to the Central New York Fireman's Association and there are nine sectional in the State. Each sectional represents FASNY which is the State Volunteer Fireman's Association and our proposals to the Legislature come out of that group. The Central New York Fireman's Association meeting will be held on September 26, 2009 at 10:00 a.m. at the Hammondsport Fire Hall. She invited the committee as well as any of their constituents who have concerns to attend this meeting. FASNY will be meeting in October to discuss proposed legislation that they will present to the State for the upcoming year.

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

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

NEXT MEETING SCHEDULED FOR
****PLEASE NOTE CHANGE** Friday, September 4, 2009 **PLEASE NOTE CHANGE****
@ 9:30 a.m.

Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Monday, August 24, 2009

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

Joint Special Meeting

9:30 a.m.

Monday, August 24, 2009

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE: Patrick F. Donnelly, Chair Robert V. Nichols, Vice Chair Lawrence P. Crossett
Scott J. Van Etten

Francis L. Gehl, Chair Dan C. Farrand, Vice Chair Brian C. Schu
John S. Walsh

STAFF: Mark R. Alger Jack Wheeler Joel Ordway
James Gleason Michael Sprague Carol Whitehead
Frederick H. Ahrens, Jr. David English

ABSENT: Donald B. Creath Patrick F. McAllister

I. CALL TO ORDER

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

II. DEPARTMENT REQUESTS

A. Sheriff's Department

1. **Emergency Fire Alarm System Panel Replacement** – Sheriff Ordway informed the committee this was an issue that came up a year ago. We had received a bid last year but opted not to do anything with it. Our system failed during the storm last week. There are no parts to fix it and it is obsolete as the system is DOS operated. We have a quote for \$31,050.00 to replace the old panel and reconnect the existing wiring. He requested authorization to declare this an emergency purchase.

Mr. Alger commented they are proposing taking the money out of the Jail project.

Sheriff Ordway stated the sprinklers work, but we will not know where the fire is as nothing activates the panel. We are currently boarding 50 federal inmates and reported this to the Commission of Corrections and they gave us due time to fix this or they will revoke our boarding occupancy. We can receive the new panel next week.

MOTION: DECLARING THE PURCHASE OF A NEW FIRE ALARM PANEL FOR THE JAIL AN EMERGENCY AND AUTHORIZING THE SHERIFF TO PROCEED TO CONTRACT WITH BLACKMON FARRELL FOR A NEW FIRE PANEL FOR A COST OF \$31,050.00 SAID COST TO BE FUNDED BY THE JAIL PROJECT MADE BY MR. FARRAND. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 8-0.

Mr. Gehl asked is there anything else the committee should be aware of with regard to this? Sheriff Ordway commented for an additional \$28,000.00 we could have tied the new fire panel into units six and seven, but we did not feel that would fit into the emergency declaration criteria. Mr. Alger commented the proposal to expand would require us to switch out all of the devices within the facility. Every smoke detector would be replaced with a smart detector which would give you a read out of the exact detector that is going off. This would replace the panel and the new and old would be tied together and displayed on the panel. You may want to upgrade at some point, but you are not required to. Under an emergency we were not comfortable coming to you for \$60,000

when we can fix the panel for \$30,000. You wouldn't have detectors in every office, you would still have zones. The advantage of the upgraded system is that it tells you specifically which device. He doesn't know if at this point it is worth the additional money.

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

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

STEBEN COUNTY PUBLIC SAFETY AND CORRECTIONS COMMITTEE

Friday, September 4, 2009

9:30 a.m.

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

MINUTES

Committee: Francis L. Gehl, Chair Dan C. Farrand, Vice Chair Patrick F. McAllister
 Brian Schu

Legislators: Philip J. Roche Lawrence P. Crossett Randy Weaver
 Thomas J. Ryan John Walsh Patrick F. Donnelly

Staff: Mark R. Alger Jack Wheeler Gregory Heffner Frank Justice
 Joel Ordway Frederick Ahrens Robert Biehl James Gleason
 Michael Sprague Carol Whitehead John Tunney Kathryn Muller
 David Hopkins

Other: Mary Perham, *Leader* Chris Weinman, GST BOCES

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE AUGUST 3 AND AUGUST 24, 2009, MEETINGS MADE BY MR. MCALLISTER. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REPORTS/REQUESTS

A. District Attorney

1. **Contract** – Mr. Tunney stated the cost for the court reporting contract has increased. Mr. Ahrens stated the District Attorney and the Law Department both utilize the Verbatim Court Reporting contract. To date, the District Attorney has expended \$13,500 and the Law Department has expended \$2,500 for this service. They requested authorization to amend the contract to reflect an increase to \$4.25/page and \$60 for a half-day appearance and \$120 for a full-day appearance. Discussion followed.

MOTION: AMENDING THE CONTRACT WITH VERBATIM COURT REPORTING TO REFLECT AN INCREASE TO \$4.25/PAGE WITH \$60 FOR A HALF-DAY APPEARANCE AND \$120 FOR A FULL-DAY APPEARANCE MADE BY MR. SCHU. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Probation Department

1. **Monthly Report** – Mr. Justice asked if there were any questions regarding his report. The Committee had no questions.

C. Sheriff's Department

1. **Monthly Report** – Sheriff Ordway asked if there were any questions regarding his monthly report. Mr. Weaver asked is the jail revenue in line? Sheriff Ordway stated yes and we are in negotiations to increase our rates for housing inmates. We just completed our third "Toastmasters" which is a class that teaches

public speaking to inmates. It teaches them to properly present themselves for interviews when they are released from jail.

2. **School Resource Officer Proposal** – Sheriff Ordway introduced Chris Weinman, GST BOCES and Kathryn Muller, Commissioner of Social Services. He requested authorization to enter into a contract to provide a School Resource Officer to the GST BOCES Wildwood campus. Mr. Weinman stated this request stems from the fact that when we were putting together the 09/10 budget this year, all 21 Superintendents gave me a directive to have a School Resource Officer (SRO) on all three of our campuses. Currently we have a SRO at the Bush campus in Elmira in conjunction with the Chemung County Sheriff's Office. We have a SRO on the Coopers campus in conjunction with the State Police. The Wildwood campus does not have a SRO and we are looking to work with the Sheriff's Department to provide that position. The Wildwood campus has 482 registered high school students. It is a 90 plus acre facility with 11 buildings. We have students from 9 different school districts. We're looking for a security presence on this campus. We would like this individual to assist with the Emergency Action Plan and support the discipline process with Administrators. Most of all, this individual would play a huge role in preventative education. In addition, we have a Criminal Justice Program on campus. The SRO could support that effort of getting the students through a two year introduction to criminal justice. The mutual benefit is that we can do this at no cost to the County. BOCES will make whatever commitment it needs to, as well as a partnership with the Department of Social Services. Ms. Muller stated we can fund a portion of the position through the PINS prevention program. The prevention programs have shown their benefits and I think it would be a good match for the school and County. She noted that BOCES has committed whatever reimbursement we can't draw down from the State. Discussion followed.

MOTION: RECLASSIFYING A VACANT GRADE XI BUILDING SECURITY DEPUTY TO A GRADE XI DEPUTY SHERIFF POSITION AND AUTHORIZING THE SHERIFF TO ENTER INTO AN AGREEMENT WITH THE DEPARTMENT OF SOCIAL SERVICES AND GST BOCES TO PROVIDE A DEPUTY SHERIFF/SCHOOL RESOURCE OFFICER AT THE BOCES WILDWOOD CAMPUS; SAID POSITION TO BE FUNDED THROUGH THE PINS PREVENTION PROGRAM AND GST BOCES WITH THE STIPULATION THAT IF THE FUNDING CEASES THE POSITION WILL BE ELIMINATED MADE BY MR. FARRAND. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. 911 Enhanced Department

1. **Monthly Report** – Mr. Hopkins asked if there were any questions concerning his report. Mr. McAllister asked how does the text messaging feature dovetail with the I Am Responding program. Do you need both of them to be effective? Mr. Hopkins stated they are two separate elements of the technology we are using. It isn't meant to replace the pager, it is meant to supplement coverage. I Am Responding is a completely different program. Considerable discussion followed.

Mr. Farrand asked what feedback are you getting on the text messaging? Mr. Hopkins stated because it isn't on a dedicated network, sometimes the text messages don't come in before they are paged. That is the only complaint they have on the text messaging. I haven't heard any negatives about the I Am Responding program.

Mr. Sprague stated that the people who have seen the I Am Responding program are 100 percent in favor of it. The ones who haven't seen it, it is difficult to explain it to them. Mr. Hopkins stated it is an exceptional improvement to the system.

Mr. Walsh asked would they have to solicit bids for this program in order to purchase it? Are there any other vendors who sell this type of system? Mr. Hopkins stated I'm sure there has to be others out there with this service. I think we should do our diligence to investigate a better product. Mr. Ahrens stated they would have to solicit requests for proposals rather than solicit bids. Discussion followed.

Mr. Weaver asked what if you don't get everybody on board with this program? If you don't mandate that all fire departments get on board, I think it is a waste of time and effort. Mr. Schu agreed that there is no sense of buying this product if not everybody is going to use it.

Mr. Alger stated that might be a consideration to include in the request for proposal so they don't have to pay for all of the agencies. Mr. Weaver stated wouldn't you also have to change your protocols? Mr. Alger stated they wouldn't have to change the protocols because the dispatchers will have that information at their fingertips. They will know which agencies are utilizing the program and which ones are not. Discussion followed.

MOTION: AUTHORIZING THE ENHANCED 911 DEPARTMENT AND OFFICE OF EMERGENCY MANAGEMENT TO PURSUE SOLICITING REQUESTS FOR PROPOSALS TO SECURE A SYSTEM SIMILAR TO THE I AM RESPONDING PROGRAM MADE BY MR. MCALLISTER. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Contract Renewal** – Mr. Hopkins stated they have a contract with Integrated Solutions for maintenance of the microwave link. The agreement expired August 28th and they wanted the County to renew with a maintenance fee of \$9,000 per year. He discussed it with Mr. Sprague and they both agreed that they could maintain the link in-house so he told Integrated Solutions that they weren't going to renew the contract. As luck would have it, the link to Hornell went down on September 1st. He discussed the situation with Hornell and they are fine with using the backup while we take care of fixing the link. If push comes to shove, we'll engage the vendor to come back to fix it. He stated they are capable of fixing it in-house, they just didn't think they would have to do it so soon. He just wanted the Committee to know that if needed, they will use Integrated Solutions on an as needed time and materials basis for \$75/hour straight time.

E. Emergency Management Office

1. **Communications System IP** – Mr. Sprague stated he is looking to install an IP (Internet Protocol) network throughout the radio system. Each of the tower sites would be on a network interface and then we could connect the alarm system to speed up the process of polling the tower sites. We can also program and access each microwave radio. This would allow us to check alarms and clear alarms remotely. At some point we can install cameras at each site and access those remotely as well. This is the wave of the future for radio. Midstate Communications is the vendor that Motorola used to install our radio system. They also hold our maintenance contract and are the sole source vendor for the alarm system. He received quotes for this project and they are comparable. The project would be paid for utilizing Homeland Security funding. Discussion followed.

Mr. Donnelly stated at what physical point would you access this system? Mr. Sprague stated at the 911 Center; it requires special software. Mr. Alger stated this will expand our capability and flexibility on managing the radio system in the future. He noted that security is an issue and they will be working that out.

MOTION: ACCEPTING THE PROPOSAL FROM MIDSTATE COMMUNICATIONS TO INSTALL AN IP NETWORK THROUGHOUT ALL NINE COMMUNICATIONS TOWERS IN THE COUNTY FOR \$15,350 TO BE PAID FOR THROUGH HOMELAND SECURITY FUNDING MADE BY MR. SCHU. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Mitigation Plan Status** – Mr. Sprague stated they still have six municipalities that have not adopted a Hazard Mitigation Plan and some have not completed the STAPLEE evaluation. Mr. Alger asked what does it mean if they fail to complete the STAPLEE? Mr. Sprague stated they will be out of the plan. Mr. Alger asked does that mean that they are no longer eligible for flood assistance? Mr. Sprague stated no, they would just be ineligible for mitigation assistance and grants. They have to complete this process before FEMA will approve our plan. Mr. McAllister stated is there a deadline for the municipalities to complete this process? Mr. Sprague stated not at this time. Mr. Farrand suggested they set a deadline of November 1st. Mr. Sprague stated he will notify the municipalities who need to complete the process. Discussion followed.

MOTION TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. SCHU. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE DISTRICT ATTORNEY TO HIRE AN ASSISTANT DISTRICT ATTORNEY ABOVE THE MID-POINT AT \$70,000 MADE BY MR. MCALLISTER. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

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

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Monday, October 5, 2009
9:30 a.m.**

**Please send agenda items to the
Clerk of the Legislature's Office
NO LATER THAN NOON
Monday, September 28, 2009**

STEBEN COUNTY PUBLIC SAFETY AND CORRECTIONS COMMITTEE

Monday, October 5, 2009

9:30 a.m.

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

****MINUTES****

- COMMITTEE:** Francis L. Gehl, Chair Dan C. Farrand, Vice Chair Patrick F. McAllister
 Brian C. Schu John S. Walsh
- STAFF:** Mark R. Alger Gregory P. Heffner Jack Wheeler
 Frank Justice Joel Ordway Michael Sprague
 David Hopkins Tina Goodwin Tim Marshall
 James Gleason David English Carol Whitehead
 Frederick H. Ahrens, Jr.
- LEGISLATORS:** Patrick F. Donnelly Thomas J. Ryan Randolph J. Weaver
- OTHERS:** Mary Perham, *The Leader*

I. CALL TO ORDER

Mr. Gehl called the meeting to order at 9:30 a.m. and he asked Mr. Ahrens to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE SEPTEMBER 4, 2009 MEETING MADE BY MR. SCHU. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (Mr. McAllister absent for vote)

III. DEPARTMENTAL REPORTS/REQUESTS

- A. Probation
1. **Monthly Report** – Mr. Justice distributed his report for the committee’s review.
 2. **Update** – Mr. Justice stated in response to Mr. Roche’s question with regard to where our caseloads compare to four or five years ago, he did an analysis and we have seen an increase in our supervision program. The numbers reflect individuals, not cases. During 2005 – 2006 we had an increase of 27 individuals; 2006 – 2007 47 individuals; 2007 – 2008 29 individuals and 2008 – 2009 12 individuals. The total increase of 115, equals two caseloads. The average caseload per officer is 65 individuals.

Mr. Justice stated investigations are down slightly, however, he does have concerns for the remainder of this year as he feels we may get a group of investigations all at once due to the backlog in the criminal justice system. We have been averaging 94 per month which is a little low. During this same period, Probation became a key agency in the collection of DNA samples and we have a 97 percent rate which is very good. The DNA samples that are collected go into the statewide database.

Mr. Gehl asked is your 97 percent completion high compared to other counties? Mr. Justice replied yes. Some counties only have a 57 percent collection and others have 85 percent. New York City operates at 98 percent, although they have a department specifically for DNA collections. Compared to that, 97 percent is very good. Mr. McAllister asked what does the 97 percent reflect? Mr. Justice replied of the people sentenced at a given time, we have pulled a DNA sample from 97 percent of them. Anyone convicted of a penal law felony or 36 of the 42 misdemeanors have to have their DNA collected. Mr. Farrand asked when did this DNA requirement first

come about? Mr. Justice replied it first came out about three years ago and then more recently the requirement for DNA collection for misdemeanors was added. Mr. Gehl asked does the 97 percent include the Sheriff's numbers? Mr. Justice replied no.

Mr. Justice stated with regard to their Alternatives to Incarceration, they are at 93 percent of their target pretrial release.

We had Dave Rittenhouse retire at the end of September and Diane Argentieri will be retiring at the end of October. We also anticipate another senior officer to retire by the end of the year.

Mr. McAllister stated you compared individuals, however, did you compare numbers of cases? Mr. Justice replied the cases will give you an inflated number. He did not do an analysis of the numbers of cases. Historically we run 62 percent felonies over misdemeanors. Felons are on probation for five years sex offenders are on probation for ten years. Discussion followed.

B. Sheriff's Department

1. **Monthly Report** – Sheriff Ordway reviewed his monthly report with the committee. As of this morning we have 174 inmates and of those 45 are Federal's. During the month of September we booked 100 inmates which averaged out to 25 per week. During that same month we also released 120 inmates. Year-to-date credit card bail has generated \$68,000. Mr. Gehl asked of the \$68,000 credit card bail, how many of them are not able to pay their credit card? Sheriff Ordway replied we don't know as that is a credit card issue. That doesn't come back to us.

Mr. Ryan asked did you resolve your issue with the dentist? Sheriff Ordway replied we have our medical staff evaluate any dental complaints and if there are issues that need to be taken care of, we have a dentist in Bath that we use.

Sheriff Ordway informed the committee that they have a one-year grant with the Office of Community Services and the Department of Social Services for an inmate discharge planning program. Representatives from Mental Health and Social Services interview new inmates that may meet the criteria for substance and/or alcohol abuse.

Sheriff Ordway stated our revenues for parole readies are \$44,000. We have seen an increase in the number of papers served through our Civil Division. To-date we have served 2,575 papers.

2. **Utility Cost Increase** – Sheriff Ordway informed the committee that for 2009 they budgeted \$11,000 for gas to heat the Jail. We have been informed by the gas company that next year the cost will be \$102,000. He had a meeting with the gas company and they are saying that for the last fifteen years since we moved from the old Jail, we had been paying the same rate and the gas company had not caught that. What brought it to their attention was the amount that the Health Care Facility is paying. Our bill for August was \$2,000 and that used up our budget. He is requesting money to get them through the remainder of the year.

Mr. Alger commented we have to pay the gas bill. By law we are required to provide the inmates with one blanket. As we are required to keep the temperature at 68 degrees, we also will purchase an additional blanket for each inmate. Mr. Alger commented they will have to take money out of the Contingent Fund. We should look at doing a projection for year end, but he will guess they will need \$40,000 to get through the remainder of the year.

MOTION: AUTHORIZING THE TRANSFER OF \$40,000.00 FROM THE CONTINGENT FUND TO PAY HEATING BILLS FOR THE SHERIFF'S DEPARTMENT/JAIL FOR THE REMAINDER OF 2009 MADE BY MR. FARRAND. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.
Resolution Required.

3. **Homeland Security Grant** – Sheriff Ordway informed the committee that they have received notification that they have received \$60,000. He commented that Public Health Nursing and Emergency Management also received grant notifications. There is a zero-match and he requested authorization to move

forward. These grants typically are for three years. We do have to put 25 percent toward training and personal services; which amounts to \$20,000. The remaining \$40,000 they would like to use to get another LiveScan machine. As of January 1, 2010, we will no longer be able to send inked prints to the State. We would like to get a second machine for the squad room so that we can accommodate other law enforcement agencies.

MOTION: AUTHORIZING THE SHERIFF'S DEPARTMENT TO ACCEPT THE HOMELAND SECURITY GRANT IN THE AMOUNT OF \$60,000 WITH \$20,000 TO BE USED FOR TRAINING AND EXERCISES AND THE REMAINING \$40,000 TO BE USED TO PURCHASE ANOTHER LIVESCAN MACHINE MADE BY MR. SCHU. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. 911 Enhanced

1. **Monthly Report** – Mr. Hopkins distributed the monthly report for the committee's review. Mr. Gehl asked what in August caused your average number of calls to increase? Mr. Hopkins replied numbers typically increase during the summer months. Weather is the biggest variable that affects our numbers day to day.

Mr. Weaver commented your numbers seem to be trending down. Is that an indication of the public education of not having people call 911 for non-emergencies? Mr. Hopkins replied that may be a factor. Also, the non-emergency numbers are more readily available to the community.

2. **Positron – Replacement Platform** – Mr. McAllister commented in your monthly report you indicate that our current system will no longer support enhancements or upgrades effective 2015. Does that mean we have to purchase a new system? Mr. Hopkins replied we don't know that we will have to purchase a new system, but it would behoove us to move forward with technology. As an example, the MDTs that the Sheriff uses have been down for a period of days now. Mr. McAllister commented that he wouldn't think Positron would charge as much for a replacement system as we already have their system. Mr. Hopkins stated we currently pay \$180,000 per year for maintenance of the system. Mr. McAllister asked what would be the cost for the upgraded system? Mr. Hopkins replied the cost right now would be just under \$1 million to upgrade our system to voice-over IP. The maintenance for that would be a separate cost.

Mr. Hopkins commented as part of this, we are also requesting the reclassification of a Senior Typist position to a CAD Administrator and we would look to that position to start performing maintenance on the system in-house. We are very limited because of the contract we have with regard to what we can do without violating the terms of that contract.

Mr. McAllister commented that it seems like we shouldn't have to purchase an entirely new system as we already have our system through Positron. Mr. Hopkins commented you have to look at the in-service life of the equipment. A regular desktop computer in the administrative office only has a life span of five years. Mr. Donnelly commented computer equipment becomes dinosaur after a couple of years. Mr. Hopkins commented our system has been in place since 2005 and its end of life is 2015. It is not unreasonable to expect to pay to replace equipment as technology changes. The platform we would go to would be significantly different and the software would also need to be different as we would be going to voice-over IP and we would derive a significant benefit from doing that. Mr. Hopkins stated that he wanted to make the committee aware of this and his recommendation would be that we consider putting money away for this new equipment.

Mr. Schu asked would it be realistic to have in-house maintenance? Mr. Hopkins replied yes. We would continue with the vendor, but would rely on them significantly less. We have a position on our staff that we can reclassify and other counties in the state are doing this and it has reduced their costs and improved service. He would ask that the committee consider the replacement platform. We have a scenario that we are currently working on with Allegany and Schuyler counties with the potential of becoming a regional 911 Center and that would also help to reduce costs.

3. **Reclassification** – Mr. Hopkins requested authorization to reclassify a Senior Typist to a CAD Administrator. He stated that they hope to have the MDT situation resolved by later today and along with that, they also have had issues with the backup site. These two issues are justification for the need to have a CAD

Administrator. Mr. McAllister asked has Personnel made a recommendation? Mr. Hopkins replied they have recommended the reclassification. Mr. Alger commented this is a position that would be beneficial. The grade will be established by Personnel. He would recommend approval of this request.

MOTION: AUTHORIZING THE RECLASSIFICATION OF A SENIOR TYPIST POSITION TO A CAD ADMINISTRATOR POSITION IN THE 911 ENHANCED DEPARTMENT AND FORWARDING THIS REQUEST TO THE ADMINISTRATION COMMITTEE FOR APPROVAL AND GRADING MADE BY MR. SCHU. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

Mr. Hopkins commented that in light of the problems with the MDTs and the backup site at the Civil Defense Center he would feel that it would be appropriate to have a conversation with the vendor about breach of contract. It is inappropriate to have the MDTs down for six days. The vendor has made an effort but it is clear to him that this problem was out of their league. We are not getting billed for the service, but the service is also not being restored.

4. **Staffing** – Mr. Hopkins informed the committee that they are currently running with four staff members as the minimum on the first platoon. They are also working to achieve the goal of having the supervising dispatchers on second and third platoons to manage their respective operations and supervise their staff. We have received forty dispatcher and two supervising dispatcher applications for the October 31st civil service test.

Mr. Farrand asked how are you doing with your overtime? Mr. Hopkins replied we are trending down and we continue to keep our staffing level at a better level. Mr. Farrand asked are we conducting exit interviews when staff leave? Mr. Hopkins replied no. Mr. Farrand stated we need to look at doing exit interviews. We need to know why there is so much turnover. Ms. Goodwin commented we had two dispatchers leave in October as they took other positions in the County. Mr. Hopkins stated during the interview process we are very up front with the applicants about what the job entails.

Mr. Hopkins commented that he and Mr. Sprague have been trying to propose an offer to the Office of Fire Prevention to hold a training class at the 911 Center instead of at Montour Falls. We have not heard back from them. Our technology would allow them to train people on equipment that they would actually see at a 911 center.

Mr. Hopkins commented they remain optimistic about their staffing. Things are better than they were.

5. **Rural/Metro Dispatch** – Mr. Hopkins informed the committee that one of the issues that has been highlighted is the lack of knowledge of the paid services that provide ambulance coverage. We had a meeting with Rural/Metro and have agreed that beginning November 1st we will change the process we use. Now we notify their dispatcher of a request for service and they respond. We would like to see that they communicate with us on low-band or high-band so that we can monitor and if they cannot get an ambulance out in a specified amount of time, then we can initiate mutual aid. Rural/Metro is very receptive to this and we will be meeting after October 15th to develop a transitional plan.

Mr. Farrand asked would this eliminate Rural/Metro dispatch? Mr. Hopkins replied no. We will dispatch on 4640 that we need them to respond to an event. Their closest ambulance would respond and identify themselves and we would put them on the card. This will be a work in progress as this is something that will be a little different than what we normally do. They also pick up non-emergency transports and we will not be able to keep track of all of their ambulances. They are a private business, however, when we need them, they need to be able to respond in a timely fashion.

Mr. Ahrens asked will you have a contract relationship with them? Mr. Hopkins replied we will if that is what you would like. Mr. Ahrens commented that he would like to see a scope of work well defined, along with appropriate insurance. Mr. Alger stated that is something that we can talk about.

6. **NY Alert Trial** – Mr. Hopkins informed the committee that currently we are utilizing the City Watch emergency notification system. The New York State Emergency Management Office demonstrated NY Alert, another emergency notification system that in September released their new product. Other counties are using NY Alert. With the enhanced version we believe that NY Alert will be a vehicle for the text messaging dispatches that we have already initiated for the fire departments and would be at no cost.

Mr. Gehl asked what is the status of the I am Responding program? Mr. Hopkins replied they have not yet put out an RFP. They have been attending area Chief's meetings and will be setting up demonstrations at this meeting so that the Fire Chiefs will be able to see the program, ask questions and talk further about how it could benefit them. There has been great interest.

7. **Cellular Surcharge** – Mr. Hopkins stated New York State collects millions in cellular surcharges and the counties only see a very small percentage of that. Madison County has developed a resolution petitioning New York State to allocate some of the \$200 million in surcharges to 911 Centers.

MOTION: URGING THE GOVERNOR AND THE NEW YORK STATE LEGISLATURE TO ALLOCATE A HIGHER PERCENTAGE OF THE \$200 MILLION COLLECTED IN CELLULAR SURCHARGES TO THE COUNTIES MADE BY MR. SCHU. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

D. Emergency Management Office

1. **Homeland Security Grant** – Mr. Sprague informed the committee that they have been notified that they have been awarded \$130,207.00. We had to put together a plan for how this funding would be used by September 30th. The grant was split between us, the Sheriff's Department and Public Health Nursing. The total grant must have a minimum of 25 percent allocated to training/exercises. We have \$103,207 allocated for equipment and the remaining \$27,000 has been allocated for training and exercises. Mr. Sprague requested authorization to accept the funding and submit the plan for the allocation of funds.

MOTION: AUTHORIZING THE EMERGENCY MANAGEMENT OFFICE TO ACCEPT THE HOMELAND SECURITY GRANT IN THE AMOUNT OF \$130,207 WITH \$27,000 TO BE ALLOCATED FOR TRAINING AND EXERCISES AND THE REMAINING \$103,207 TO BE ALLOCATED FOR THE PURCHASE OF EQUIPMENT AS OUTLINED IN THE PLAN SUBMITTED TO THE OFFICE OF HOMELAND SECURITY MADE BY MR. McALLISTER. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Intranet Connections to Corning and Hornell** – Mr. Sprague informed the committee that they would like to investigate the possibility of providing Intranet connections to Corning and Hornell from Mt. Washington using existing county infrastructure. The purpose of this is to provide county owned connectivity for Mental Health and other departments with remote offices to connect to the county intranet. Currently this is done using the VPN through private carriers. We are looking to use the existing money in the Communications Capital Reserve to put the links up and then have the departments pay the county back. We expect the links to pay for themselves in five years.

Mr. Sprague stated the cost would be between \$60,000 - \$100,000. The equipment is on State contract with regard to radios and we would have to put in the cabling, antennae, etc. He requested permission to investigate this further and to get a full contract pricing cost or look at the potential of a RFP. Mr. Sprague stated that he has talked with three companies and they will do a preliminary path study, but are reluctant to do any hard numbers unless they do a site visit. The low estimate of \$60,000 does not include installation.

Mr. McAllister commented that he thinks we should authorize further investigation of this. He would like to see an analysis of the payback from the county departments and what we would save by doing this versus the way it is currently being done. Mr. Sprague stated Mental Health is currently paying \$390.00 per month, which equates to \$4,800 for the year and that is just one department. We have the potential of having four departments that could use this.

Mr. McAllister asked who will run this system? Mr. Sprague replied we do our own maintenance and provide the links and the Information Technology Department would plug the departments in. This also provides us with some backup. If we had a problem with a link that supports Hornell and Corning, we would have an alternative until we could get them fixed.

Mr. Weaver asked will this mean that we will have more equipment that will need to be replaced in five years? Mr. Sprague replied anything in our system has an end of life. It's just a matter of how far out we can extend it.

MOTION: AUTHORIZING THE EMERGENCY MANAGEMENT OFFICE TO MOVE FORWARD AND CONDUCT A DETAILED INVESTIGATION INTO A POINT TO POINT WIRELESS INTRANET CONNECTION TO HORNELL AND CORNING TOWERS TO PROVIDE COUNTY-OWNED CONNECTIVE FOR DEPARTMENTS WITH REMOTE OFFICES TO CONNECT TO THE COUNTY INTRANET MADE BY MR. McALLISTER. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. **Mitigation Grant Overview** – Mr. Sprague informed the committee that we still have five municipalities that are in the process of adopting the Steuben County Mitigation Plan. We have enough municipalities that have adopted the plan that we can move forward and submit our plan to the Federal Government.

E. Public Defender's Office

1. **Monthly Report** – Mr. Alger distributed the monthly report for the committee's review.

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

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

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

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
November 2, 2009
9:30 a.m.**

**Please send agenda items to the
Clerk of the Legislature's Office
NO LATER THAN NOON
Monday, October 26, 2009**

STEBEN COUNTY PUBLIC SAFETY AND CORRECTIONS COMMITTEE

Monday, November 2, 2009

9:30 a.m.

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

****MINUTES****

COMMITTEE:	Francis L. Gehl, Chair Brian C. Schu	Dan C. Farrand, Vice Chair John S. Walsh	Patrick F. McAllister
STAFF:	Mark R. Alger Joel Ordway Frank Justice	Gregory P. Heffner Michael Sprague Frederick H. Ahrens, Jr.	Jack Wheeler Tina Goodwin John Tunney
LEGISLATORS:	Philip J. Roche Thomas J. Ryan	Patrick F. Donnelly Randolph J. Weaver	Joseph J. Hauryski
OTHERS:	Jean Marie Styker Mary Perham, <i>The Leader</i>		

I. CALL TO ORDER

Mr. Gehl called the meeting to order at 9:30 a.m. and asked Ms. Goodwin to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE OCTOBER 5, 2009 MEETING MADE BY MR. SCHU. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REPORTS/REQUESTS

A. Probation

1. **Monthly Report** - Mr. Justice presented his monthly report for review.

B. Sheriff's Department

1. **Monthly Report** – Sheriff Ordway presented his monthly report for review. Currently they have 187 inmates and their Federal population is constant and they are trying to increase that.

2. **Work Release Program** – Sheriff Ordway informed the committee that there is a proposition on the Ballot to allow counties throughout the State to offer voluntary inmate work programs for not-for-profit agencies. This will be a huge benefit and if it is passed, he assumes that it would become effective January 1, 2010. Sheriff Ordway stated if this program is approved, we will be hand picking low-risk inmates to participate.

3. **Informational** – Sheriff Ordway informed the committee they have a pregnant female inmate in their custody. She is due in December and her sentence runs through April. There is a form that she can complete for a conditional release so that she could be released to have her baby, but she needs to fill out and submit that form and would be responsible for a \$30.00 per month fee. If she stays in our facility, it could cost us \$200,000 because by law, she would be entitled to have her infant in the facility with her for up to a year.

C. 911 Enhanced

1. **Monthly Report** – Ms. Goodwin presented her monthly report for review. During the month of October we received 9,646 calls.

Mr. Farrand asked do you currently have 5 vacancies? Ms. Goodwin replied we currently have four vacancies. Mr. Farrand asked what is going on out there and have you conducted any exit interviews as he had suggested? Ms. Goodwin replied these are vacancies that we have had. We are hiring two full-time employees this month and two more full-time employees in January. Mr. Weaver asked how many people showed up to take the test? Ms. Goodwin replied over 30. There were another five or six that took the Supervisor's exam. That is a good number and the test has not been given since last year. Mr. Hopkins has also been talking with Personnel regarding conducting exit interviews. Mr. Farrand commented the turnover has been steady. Mr. Alger stated it is no different than the turnover at the Health Care Facility, Jail or any other department that has shift work. Mr. Donnelly asked when the employees leave, do they take another job in the County? Mr. Alger replied yes. Mr. Farrand commented that information would be nice to know when you do an exit interview.

Mr. McAllister asked for an explanation of E-Justice. Ms. Goodwin replied E-Justice is what NYSPIN is transitioning to. This program is used for the daily population count at the Jail as well as for running criminal histories. They are going to an internet based program and that will update the system. We have been chosen as one of the fourteen agencies in the State to try this out. We will begin using the new program next week. We have been given three portlets and its use will be limited to a couple of users. The State wants to have this up and going within the next six months.

Ms. Goodwin informed the committee that they started Rural/Metro dispatching yesterday.

D. Emergency Management Office

1. **Regional Exercise Grant from Homeland Security** – Mr. Sprague informed the committee that they have not yet received official notification of the grant as of yet. Last year they applied for the Regional Exercise Grant. We have been told unofficially that we received it. This also covers Chemung and Schuyler counties. We were given the option of choosing from WMD, terrorism, earthquake or hurricane and we chose the hurricane scenario. We hope to test all three county EOC flood response capabilities and also will try to tie in the hospitals and the cities at some level. There will be three consultants who have been selected by FEMA and they will work with us to set up the exercise. We project the cost of the exercise to be approximately \$100,000 and another \$50,000 for the consultants. The remainder will be used to correct issues that come out as a result of the exercise.

Mr. Gehl asked had this been done before. Mr. Sprague replied last fall they gave out two grants but they have not yet conducted their exercises. They have set a deadline of June 2010 for the completion of the exercise and that is unrealistic. He has been told that deadline will be extended. At some point we will receive the official notification.

2. **Communication Project** – Mr. Sprague informed the committee that he expects to get more information within the next couple of weeks and will keep the committee informed. The Motorola equipment is on State Contract, but the question is the installation.

3. **Mitigation Grant** – Mr. Sprague informed the committee that all of the municipalities, with the exception of the Village of Riverside, have completed their plans.

4. **Fire Bill** – Mr. Sprague introduced Mrs. Skinner who is here to give an update on pending Legislation. Mrs. Skinner reported the State has established a Volunteer Firefighter Fund and have authorized gifts to the fund through a checkbox on the State Income Tax return. This fund will hopefully help the volunteer fire departments and departments may also be able to use some of the money for training. Mr. Sprague commented the real challenge is how to monitor the implementation of this fund and where the money goes. Discussion followed.

E. Administrator

1. **Municipal Broadband** – Mr. Wheeler informed the committee that they have been working with ECC Technology, Southern Tier Central, Southern Tier East and neighboring counties on an application for the

second round of stimulus funding as well as working on a long-range plan. A representative from ECC Technology may come at some point to give the committee a brief presentation.

- F. District Attorney
 - 1. **Personnel**

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 CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. SCHU. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: APPOINTING ALAN REED AS ASSISTANT DISTRICT ATTORNEY AT A SALARY OF \$68,000.00 WITH THE REQUIREMENT THAT HE MOVE TO THE COUNTY WITHIN THE NEXT SIX MONTHS MADE BY MR. SCHU. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

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

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
December 7, 2009
9:30 a.m.**

**Please send agenda items to the
Clerk of the Legislature's Office
NO LATER THAN NOON
Monday, November 30, 2009**

STEBEN COUNTY PUBLIC SAFETY AND CORRECTIONS COMMITTEE

Monday, December 7, 2009

9:30 a.m.

Legislative Conference Room
Steuben County Office Building
Bath, New York

****MINUTES****

COMMITTEE:	Francis L. Gehl, Chair Brian C. Schu	Dan C. Farrand, Vice Chair John S. Walsh	Patrick F. McAllister
STAFF:	Mark R. Alger Frank Justice Joel Ordway Frederick H. Ahrens, Jr.	Gregory P. Heffner David Hopkins James Gleason	Jack Wheeler Tim Marshall David English
LEGISLATORS:	Philip J. Roche Thomas J. Ryan	Lawrence P. Crossett Randolph J. Weaver	Joseph J. Hauryski
OTHERS:	Michael Hanna, Legislator-Elect Jean Marie Styker		

I. CALL TO ORDER

Mr. Gehl called the meeting to order at 9:30 a.m. and asked Mrs. Chapman to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE NOVEMBER 2, 2009 MEETING MADE BY MR. WALSH. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REPORTS/REQUESTS

A. Probation

Mr. Justice stated he has appreciated everything Mr. Gehl has done as chairman of this committee. Mr. Gehl has shown leadership and has been very understanding.

1. **Monthly Report** – Mr. Justice presented his monthly report to the committee for their review.
2. **ATI Board Appointments** – Mr. Justice presented the names for appointment to the Steuben County Alternatives to Incarceration Advisory Board.

MOTION: APPOINTING MEMBERS TO THE STEUBEN COUNTY ALTERNATIVES TO INCARCERATION ADVISORY BOARD MADE BY MR. FARRAND. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

3. **Annual ATI Plan** – Mr. Justice requested a resolution approving the submission of the annual Alternatives to Incarceration Plan.

MOTION: APPROVING THE SUBMISSION OF THE ANNUAL ALTERNATIVE TO INCARCERATION PLAN MADE BY MR. McALLISTER. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

B. Sheriff's Department

1. **Monthly Report** – Sheriff Ordway informed the committee that as of this morning they have 167 inmates of which 42 are Federal's. Jail revenue to-date, not including November, is \$1.4 million. We are also working on trying to get a 30-day turnaround on our long-term parolees.

2. **Grants** – Sheriff Ordway requested approval of two grants from the Governor's Traffic Safety Committee. The first is the Bicycle Rodeo Safety Program in the amount of \$2,448.00 and the second is the Child Passenger Safety Program in the amount of \$9,800.00.

MOTION: ACCEPTING THE FOLLOWING GRANTS FROM THE GOVERNOR'S TRAFFIC SAFETY COMMITTEE: BICYCLE RODEO SAFETY PROGRAM (\$2,448.00) AND CHILD PASSENGER SAFETY PROGRAM (\$9,800.00) MADE BY MR. McALLISTER. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. 9-1-1 Enhanced

1. **Monthly Report** – Mr. Hopkins presented his monthly report for review.

Mr. McAllister asked with regard to the flooring project proposal, how did this happen? Is it because there was not enough gravel under the slab? Mr. Hopkins replied he doesn't really know the answer to that. Right now when you walk across the floor the carpet buckles up. The proposal is to have the carpet removed and treat the concrete slab and install new carpet.

Mr. McAllister asked will this be a permanent fix? Mr. Alger replied we think it will be permanent as we are sealing the concrete. With all the gravel under the slab, it is not an issue of drainage, but rather an issue of the moisture content in the concrete. We have the pond out in front of the building that is dry. It is baffling why there is so much moisture. If we seal the concrete it should take care of the problem.

Mr. McAllister asked with regard to the quotes for the moving of furniture, is that something we can do in-house? Mr. Alger replied they have to move everything including tearing down, moving and installing the cubicles. Mr. Hopkins commented that during this project they plan on using the backup site. This will be a good opportunity for training the staff. Mr. Gehl asked how long do you anticipate being out there? Mr. Hopkins replied we believe it will be one week. Mr. Gehl asked what about security at the backup site? Mr. Hopkins replied it is not quite as good as what is at our current facility. We will be going between the backup site and the Civil Defense Center and both buildings can be secured. We also could ask the Sheriff, State Police and Bath Police to check in more frequently.

MOTION: APPROVING THE QUOTES FOR THE CARPET REPLACEMENT AT THE 911 CENTER AT A COST OF \$16,497.40 AND FOR MOVING THE FURNITURE AT A COST OF \$7,930.40 MADE BY MR. SCHU. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Emergency Management Office

1. **Update on Wireless Communications** – Mr. Marshall informed the committee that they are awaiting the engineering from Motorola.

D. Administrator

1. **Assigned Counsel Program** – Mr. Alger informed the committee the Assigned Counsel Program is currently being administered by David Wallace as an independent agent and we are out of money. Since January we have seen an increase of 20 percent in the caseload. We do have \$21,223 in the Indigent Legal Aid account and he recommended transferring that amount to the Assigned Counsel Program to pay the pending bill. Mr. Alger stated that he is calculating they will need another \$100,000 - \$200,000 to close the year. We will want to work on those numbers. The one thing we don't want to do is spend less than or significantly more than that as it will impact our Maintenance of Effort.

Mr. Farrand asked are the conflicts the result of attorney's having prior contact? Mr. Alger replied the only cases this office handles are those cases that the Public Defender refers directly to conflicts. Half of the Family Court cases are conflicts and with criminal matters traditionally the reasons for conflicts is multiple defendants or they have already represented another party. This is why we wanted to look at a Conflicts Office, particularly for Family Court as it could save us money on operations as we wouldn't have to assign cases.

Mr. Weaver asked is this paying the lawyer fees? Mr. Alger replied yes. This is the fee for the cases. The cost is more as there was an increase in the caseload. Mr. Schu commented you can't control that number. Mr. Alger stated we have tried to be conservative with this budget. We may want to look ahead at 2011 and bump up their budget to make it more realistic with the costs.

MOTION: AUTHORIZING THE TRANSFER OF ADDITIONAL REVENUE FROM THE INDIGENT LEGAL AID ACCOUNT IN THE AMOUNT OF \$21,223.00 TO THE ASSIGNED COUNSEL LINE ITEM AND ALSO AUTHORIZING THE TRANSFER OF \$100,000.00 FROM THE CONTINGENT FUND TO COVER EXPENSES THROUGH THE END OF THE YEAR MADE BY MR. McALLISTER. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

Mr. Farrand asked what is the Contingent Fund at? Mr. Alger replied we had budgeted \$1.4 million in the Contingent Fund. Last month you approved a transfer of approximately \$550,000.00 to community colleges and we will have this additional \$100,000.00. It is still okay.

IV. OTHER BUSINESS

A. **January Meeting** – The January meeting will be held on Monday, January 4, 2010 at 1:00 p.m.

Mr. Gehl thanked everyone on the committee. It has been enjoyable and even though we have had differences, we have always walked out as friends. Thank you for making this job easier than what it could have been.

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

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Monday, January 4, 2010
1:00 p.m.**

**Please send agenda items to the
Clerk of the Legislature's Office
NO LATER THAN NOON
Monday, December 28, 2009.**