

STEUBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE

Monday, August 3, 2020

9:00 a.m.

*2nd Floor Conference Rooms, Annex Building
Bath, New York*

****MINUTES****

COMMITTEE:	John V. Malter, Chair Frederick G. Potter	Steven P. Maio, Vice Chair Thomas J. Ryan	Jeffrey P. Horton
STAFF:	Jack K. Wheeler Shawn Sauro Tim Marshall Andy Morse Tina Goodwin	Christopher Brewer David Hopkins Nate Alderman Jennifer Prossick Tammy Hurd-Harvey	Brenda Scotchmer James Allard Brooks Baker Jennifer DeMonstoy Vince Spagnoletti
LEGISLATORS:	Scott J. Van Etten Kelly H. Fitzpatrick Aaron I. Mullen Gary D. Swackhamer	Robin K. Lattimer K. Michael Hanna Robert V. Nichols	Carol A. Ferratella Hilda T. Lando Gary B. Roush
OTHERS:	Mary Perham Dawn White, Program Manager, Corporate Development, Corning, Inc.		

I. CALL TO ORDER

Mr. Malter called the meeting to order at 9:00 a.m. and asked Mrs. Chapman to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE JULY 6, 2020 AND THE JULY 27, 2020, MEETINGS MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. PRESENTATION

A. **CAP Electronic Appearance Plan** – Mr. Baker explained when COVID hit, we started doing virtual arraignments, appearances and conferences via Skype. The savings and efficiency was tremendous; and we had zero travel costs and hassle. The Office of Court Administration (OCA) is going back live and the Sheriff and I both recognized efficiencies by doing this virtually. We were providing counsel and providing defendants with the opportunity to speak with their lawyer off-camera first and then we went through the process.

Mr. Baker stated we have pitched to Judge Doran to go back to the virtual arraignments and appearances. The City Court judges are on board, as well as the Sheriff, the Public Defender, Mr. Wheeler and Chairman Van Etten. We have put our proposal back in to OCA and they have agreed to meet with us on Friday, August 7th, to discuss this. One thing that happened when we went to a full virtual process is that it did increase the workload for the clerical staff in Rochester. Mr. Baker stated we came up with a pilot proposal where we would pick up the workload by putting the judges back in their courtrooms. We will put together a training program for them and we would be able to do the CAP arraignments virtually and use the same program to do things in the local court. If we can get this up and running, we can do these things where testimony and pleas could be done virtually. This would reduce the overall travel cost and create more efficiencies.

Mr. Malter asked what would happen with CAP? Mr. Baker replied we would continue to do it, but it would be through Skype. Mr. Malter asked so you would use the holding center to bring in the prisoners and everything else would be online? Mr. Baker replied correct. Defendants are more apt to perform in front of a live audience. When we hold live

CAP, we have three Corrections Officers in the room. When we do it through Skype, we only have one Corrections Officer. It reduces the time at CAP and the paperwork is done quickly and is scanned and served. Mr. Malter commented you did a great job on your draft proposal.

Mr. Baker stated Chemung County is in the 6th Judicial District and they are doing Skype arraignments so there is no reason why we can't in the 7th Judicial District. Sheriff Allard commented there is an inherent risk to inmates when doing transports. To do these virtually really reduces the risk. The other issue is with security of the town courts. We have done everything we can to mitigate that risk also. We see virtual arraignments as a huge cost savings and it is a tremendous benefit to the inmates.

Mr. Malter asked are we paying the judges for CAP court? Mr. Baker replied we do not pay them, OCA does. This proposal will have to happen under OCA auspices and is why we are working with Judge Doran. Mr. Malter asked do we need to do anything at this point? Mr. Wheeler replied no. We will let you know what happens after Friday's meeting.

Mr. Van Etten commented this may be a model for other counties. Mr. Baker stated that is why we chose the term "pilot" program; if it will work here, it will work anywhere.

Mr. Potter asked are the victims able to participate virtually? Mr. Baker replied they can still Skype in. We have very few victims that show up to the arraignments anyway. If there is a hearing, they have to show up and provide testimony. The plea and sentencing stage have to be live and that is where the victims are involved.

Mr. Horton stated my wife is a judge and did the virtual CAP Court. Four judges said it worked good. Some of the judges that are not as computer savvy are nervous. The training piece is huge. There are 21 judges doing CAP court and with that being said, I sat through several of the virtual arraignments and it seemed to work well. Everyone could talk and the Jail was recording. In a normal CAP appearance, if a judge forgets to attend, they have to call and try to get another. Doing it virtually, it happened once and they just called the judge and they were able to log in. One concern is the availability of Wi-Fi at their homes, but they can drive to their local court.

Mr. Baker stated he has been talking with their trainer, Pam Aini, and she will create a checklist. Mr. Horton asked what if a defendant requests that appearance to be held in-person? Mr. Baker replied then they will get an in-person. We will have to have a list of on-call judges. Ms. Fitzpatrick asked why Skype instead of Zoom? Sheriff Allard replied the State mandates that we use Skype.

Mr. Maio commented I think remote appearance is a good idea and it is a good thing to have the local judges and courtrooms going. I am not sure that every courtroom has the ability to do it; some local courts are very rural and they may not have that capability. He stated for subsequent appearances, I think it is much preferred to be in-person. Mr. Baker commented some attorneys don't waive the in-person appearances and some waive them all. Sheriff Allard commented as a matter of fact, if a defendant goes to a status check appearance and leaves the jail for that appearance and then comes back to the jail, they are then in quarantine for 14 days.

IV. DEPARTMENTAL REQUESTS

A. District Attorney

1. **Traffic Diversion** – Mr. Baker informed the committee that Traffic Diversion is up and running. We have had 4 people sign up in the last week. There are 225 people asking for a reduction that were pending and of those, 188 are eligible for traffic diversion and 50 of those have signed up. A lot depends on the volume of tickets that are issued.

Mr. Malter asked are the local courts open? Mr. Baker replied they are supposed to be under OCA edict. Mr. Malter asked is the new system working well? Mr. Baker replied this is brand new and at this point, individuals have signed up and that process has gone relatively smoothly. Now those individuals will have to go through and complete the class.

2. **Assistant District Attorney Salary Adjustment** – Mr. Baker stated Tom Bowes is an Assistant District Attorney (ADA). He had left the Public Defender’s Office less than a year before he came to work for us. When he left the Public Defender’s Office, he was making \$41,500 per year. When he came to us, he was started at the mid-point which is \$36,400. Mr. Baker requested authorization to adjust Mr. Bowes salary up to the \$41,500.

Mr. Malter asked is there money in the budget? Mr. Baker replied yes. Mr. Maio asked didn’t he know what the salary was when he switched offices? Mr. Baker replied he had been gone for a period of time and we had to go through this process. He started working for the County in 2011 and that continued through 2019. He has also worked for Chemung County prior to that. He has more than 10 years’ experience and he is making about the same as the other Assistant District Attorneys.

Mr. Van Etten commented we have talked about this ad nauseum about us not getting into an issue of paying different amounts from the staff in the Public Defender’s Office. It is prudent to pay the \$41,500.

MOTION: APPROVING A SALARY ADJUSTMENT FOR ASSISTANT DISTRICT ATTORNEY TOM BOWES TO \$41,500 MADE BY MR. RYAN. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. E-911

1. **Maintenance Renewal for 911 Phone System** – Mrs. Goodwin requested approval for a one year maintenance renewal for the 911 phone system. This would be year 6 of a 5 year contract. Before COVID hit, we were looking to replace the system, but then we had to put that on hold. This renewal will get us through until next fall. The renewal is with Intrado Life and Safety Solutions and the amount is \$72,859.50.

MOTION: AUTHORIZING THE DIRECTOR OF THE E-911 DEPARTMENT TO RENEW THE MAINTENANCE CONTRACT WITH INTRADO LIFE AND SAFETY SOLUTIONS FOR THE 911 PHONE SYSTEM FOR ONE YEAR FOR AN ANNUAL COST OF \$72,859.50 MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **CAD and Mobile Maintenance and Software Subscription Renewal** – Mrs. Goodwin requested a renewal of the maintenance and software subscription for the CAD and Mobile with Central Square. She explained the mobile is for the law enforcement program. This would be year 4 of a 5 year contract and the annual amount is \$21,941.37.

MOTION: AUTHORIZING THE DIRECTOR OF THE E-911 DEPARTMENT TO RENEW THE MAINTENANCE AND SOFTWARE SUBSCRIPTION FOR THE CAD AND LAW ENFORCEMENT PROGRAM WITH CENTRAL SQUARE FOR ONE YEAR FOR AN ANNUAL COST OF \$21,941.37 MADE BY MR. HORTON. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. **Rejecting Bids for Wireless Internet Service Provider** – Mr. Wheeler stated Mr. Hopkins has been working with Mr. Morse, Mr. Brewer, Mr. Marshall and I to put out a bid for space on our wireless towers for internet providers. We had two providers that responded and those responses came in at \$300,000 and \$1 million cost to the County to front the capital investment. Our recommendation is to reject the bids. The goal was to offer them use of this space, but both providers wanted the County to front the capital expenses.

MOTION: REJECTING THE BIDS FOR WIRELESS INTERNET SERVICE PROVIDER MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Sheriff’s Office

1. **PrimeCare Budget Adjustment – RN Position** – Sheriff Allard requested authorization to transfer \$42,464.75 from the salaries and wages line item to the medical services line item within the Jail budget to pay for the remainder of the year for an RN position through the PrimeCare contract.

MOTION: AUTHORIZING THE SHERIFF TO TRANSFER \$42,464.75 FROM THE SALARIES AND WAGES LINE ITEM TO THE MEDICAL SERVICES LINE ITEM WITHIN THE JAIL BUDGET TO PAY FOR THE REMAINDER OF 2020 FOR THE RN POSITION CONTRACTED THROUGH PRIMECARE MADE BY MR. HORTON. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Police Traffic Services Grant Renewal** – Sheriff Allard requested authorization to accept the 2020 – 2021 Police Traffic Services Grant in the amount of \$7,200. He explained \$1,800 will be used for seatbelt enforcement and \$5,400 will be used for overtime for traffic enforcement. These funds are from the Governors’ Traffic Safety Committee.

MOTION: AUTHORIZING THE SHERIFF TO ACCEPT THE 2020 – 2021 POLICE TRAFFIC SERVICES GRANT FROM THE GOVERNORS’ TRAFFIC SAFETY COMMITTEE IN THE AMOUNT OF \$7,200 MADE BY MR. POTTER. SECONDED BY MR. HORTON FOR DISCUSSION.

Mr. Potter asked will you have a problem getting traffic enforcement done with COVID? Sheriff Allard replied we make sure that our deputies are using the proper PPE through enforcement and our traffic enforcement numbers are up.

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

3. **Bid New Trailer from State Farm Grant** – Sheriff Allard requested authorization to go to bid for the STOP-DWI educational trailer.

MOTION: AUTHORIZING THE SHERIFF, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO SOLICIT BIDS FOR THE STOP-DWI EDUCATIONAL TRAILER MADE BY MR. HORTON. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

4. **Police Reform Committee Discussion** – Sheriff Allard explained Governor Cuomo signed Executive Order 203 which directs municipalities to reinvent and modernize police strategies and programs. He has reached out to the cities of Hornell and Corning to do this as a countywide team and we will also be sure to include the smaller agencies. We will be presenting our proposal to the Corning City Council tonight and tomorrow we will be holding a press conference. He stated that he would like to move forward to meet the Governor’s requirement and to find out what our County residents feel they need from law enforcement. This will be an opportunity to get feedback from our stakeholders and others. He stated the City of Corning and Corning Incorporated is working with us to create the plan. He introduced Dawn White who is a Program and Change Manager Leader for Corning Incorporated.

Sheriff Allard presented a PowerPoint presentation. He stated in accordance with the Governor’s Executive Order, each police agency’s reform plan must address policies, procedures, practices and deployment, including, but not limited to the use of force and be certified by the local government. The Director of the Division of the Budget has been authorized to condition receipt of future appropriated state or federal funds upon filing of the certification by April 1, 2021. Failure to comply would allow the withholding of funding and it is unknown if this funding is limited to law enforcement funding or all municipal funding. The plan needs to promote community engagement to foster trust, fairness and legitimacy and address any racial bias and disproportionate policing of communities of color. Stakeholder groups must include membership and leadership of the local police force; members of the community with emphasis in areas with high numbers of police and community interactions; interested non-profit and faith-based community groups; the District Attorney; the Public Defender and local elected officials. The plan shall be offered for public comment to all citizens and after consideration of comments, the plan shall be presented to the local legislative body who shall ratify or adopt the plan by local law or resolution no later than April 1, 2021. Following adoption, a certification has to be sent to the Director of the Division of the Budget to affirm the process has been complied with and the local law or resolution has been adopted.

Ms. White stated we have reached out to the cities of Corning and Hornell and will be doing this as a countywide team to be sure that we include the smaller organizations. We are presenting this to Corning City Council tonight and will be holding a press conference tomorrow. We will move forward to meet the requirements and to find out what the County feels it needs from law enforcement. This is an opportunity to get feedback from stakeholders and others. The requirement is that the reform plan is to be adopted by the Legislature, by resolution or local law, no later than April 1, 2021. Should you not complete the plan then the Director of the Division of Budget can withhold municipal funding. Our goal is to make sure that the County is kept whole, as well as the municipalities that have police departments. Each local government entity that has a paid police department, as well as the District Attorney, and Sheriff has to come up with a policy. We want to develop a plan to address the particular needs of the community that is served by a police agency and address racial bias. We are looking at the stakeholder groups so we can gather necessary input to put forth a comprehensive plan. Ms. White stated we are in a good position as most of these things we already to. We have to have mandatory input from the stakeholders which include the municipalities, members of the community, interested not-for-profits, faith-based groups, the District Attorney, Public Defender and local elected officials.

Ms. White stated in reference to the adoption of the plan, it can be done either by resolution or local law. Mr. Wheeler commented we have talked about doing it as a resolution. How many public hearings do we have to have? Sheriff Allard replied there is no minimum number. Corning Inc. decided to invest in this community-wide program and Ms. White is one of their executives and we are fortunate to have her. The Chief Executive has to certify the plan with the Division of Budget prior to the April 1, 2021 deadline. The City of Corning and Corning Inc. are working with us. Ms. White brings in a lot of folks that we normally would have not have access to. We are already setting up the stakeholder groups.

Ms. White stated I am so honored that Corning Inc. selected me to work on this. Initiatives like this have always been near and dear to my heart. Looking at the path forward, we will be passing a police reform that is effective and meaningful. We hope that what we do here will serve as a model for other small communities. She commented New York State is the most progressive state with the right to police reform. Everyone is at the table. Even though the Governor put this mandate forward, this is bigger than that as we have a chance to make real change here. For us, it is about all people. We are not saying the system is broken, but we want to look at it and see if there are any improvements that can make it better. Ms. White went through the process and the roles and responsibilities of the stakeholders and stated we are looking at two public hearings; the first in the beginning and then another once we have a plan put together.

Mr. Malter asked will every municipality that has a police department have to file a plan, or will it be consolidated? Ms. White replied it will be a consolidated plan, but we realize that it may be tweaked. Mr. Van Etten asked is it up to each department to submit? Ms. White replied yes. What we need from you is to provide guidance and feedback as we go through this process. We ask that you join in the process with an open mind. Help us to assess the key risks. Just show public support and encourage the public to participate.

Mrs. Ferratella stated many of the villages and towns do not have paid police departments, but they have magistrates. Are they included? Ms. White replied yes they are.

Mr. Malter commented it sounds like a lot have accepted this and appreciate your support. Mr. Ryan commented every five to ten years we have a brand new program with catch phrases and fancy words and when all is said and done, everything went right back to how it was. Having said that, I am willing to work with you.

5. **K-9 Demonstration** – Mr. Wheeler reminded the committee the Sheriff will be providing a K-9 demonstration on Thursday following the Ad Hoc Reopening and Recovery Committee.

D. Emergency Management Office

1. **Motorola Change Order** – Mr. Marshall requested approval of a change order with Motorola relative to the Jasper Tower site. Motorola is suggesting replacement of the antennae system and cabling connector upgrade. The amount is \$28,185.00 and is covered under grant funding.

MOTION: APPROVING A CHANGE ORDER FOR MOTOROLA IN THE AMOUNT OF \$28,185.00 RELATIVE TO THE REPLACEMENT OF THE ANTENNAE SYSTEM AND CABLING CONNECTOR UPGRADE AT THE JASPER TOWER SITE MADE BY MR. HORTON. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Contract** – Mr. Marshall requested authorization to enter into a contract with Occustar Workplace Compliance, LLC to provide hazmat physicals. The cost will be \$4,500 for year one, \$4,700 for year two, \$4,900 for year three. We do have money in the budget.

MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGE OFFICE TO ENTER INTO A CONTRACT WITH OCCUSTAR WORKPLACE COMPLIANCE, LLC TO PROVIDE HAZMAT PHYSICALS AT A RATE OF \$4,500 FOR YEAR ONE, \$4,700 FOR YEAR TWO AND \$4,900 FOR YEAR THREE MADE BY MR. MAIO. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. **COVID-19 Supply Purchases** – Mr. Marshall informed the committee that over the past several weeks they have done a complete review of their supply inventory. We sat down with the management team and looked at where we are at and where we need to be. The group has suggested increasing the amount of isolation gowns to 2,000 at an estimated cost of \$8,000. We are looking to purchase 3M N-95 masks; 1,860 small and 1,860 medium for a total cost of \$1,400 (\$1,200 for each size). Additionally, we are looking to purchase 20,000 medium nitrile gloves and 20,000 large nitrile gloves. The cost depends on the market and we estimate that it will be between \$4,000 - \$7,200. Mr. Marshall stated he is working with Purchasing to identify a vendor. He requested authorization to do this as an emergency purchase.

Mr. Wheeler explained the committee had appropriated \$50,000 to Public Health's budget for supplies and we have had a lot of discussion about whether we can get some additional supplies. Mr. Malter asked what is the shelf life for these supplies? Mr. Marshall replied the nitrile gloves can break down in the heat. The N-95 masks have an expiration date, but the guidance has been they are good as long as they have a good fit. Mr. Horton asked do you have a place to store these supplies? Mr. Wheeler replied we were storing the supplies at the highway shop on Mt. Washington, but we moved them to the back side of the Records Storage Building as it is climate controlled.

MOTION: AUTHORIZING THE EMERGENCY PURCHASE OF COVID-19 SUPPLIES AS DETAILED BY THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

E. Public Defender

1. **Investigator Contract** – Mr. Sauro requested authorization to renew the investigator contract with Heather Barry. It came to my attention last week that this had expired. The investigator has been relatively inactive due to COVID, but business has been picking up. There is no change from last year and the rate remains at \$70.00 per hour. He is looking for a renewal effective from February 15, 2020.

MOTION: AUTHORIZING THE PUBLIC DEFENDER TO RENEW THE CONTRACT WITH HEATHER BARRY FOR INVESTIGATIVE SERVICES AT A RATE OF \$70.00 PER HOUR EFFECTIVE FROM FEBRUARY 15, 2020 MADE BY MR. HORTON. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

F. Personnel

1. **Tuition Aid Request** – Mr. Alderman informed the committee that a Corrections Officer, Donald Strittmatter has submitted a request for tuition aid relative to four courses that he is taking to obtain an Associate's Degree in Criminal Justice. All four courses are related to his job duties. Pursuant to the *Administrative Code*, the request first needs to come to the standing committee and then to the Human Services, Health & Education

Committee for approval. The tuition aid is reimbursed at \$150.00 per credit hour. He requested approval of this request.

MOTION: APPROVING A TUITION AID REQUEST FOR DONALD STRITTMATTER, AN EMPLOYEE IN THE SHERIFF'S OFFICE, TO TAKE FOUR COURSES TO OBTAIN AN ASSOCIATE'S DEGREE IN CRIMINAL JUSTICE MADE BY MR. HORTON. SECONDED BY MR. POTTER FOR DISCUSSION.

Mr. Horton asked is this something we do for all departments? Mr. Alderman replied yes. Mr. Wheeler stated this program does not get a lot of use. When a request is submitted the Department Head has to make sure the courses are work-related.

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

V. OTHER BUSINESS

A. Setting Date/Time of September Meeting –

SETTING THE DATE AND TIME OF THE SEPTEMBER MEETING OF THE PUBLIC SAFETY & CORRECTIONS COMMITTEE FOR MONDAY, SEPTEMBER 14, 2020, AT 9:00 A.M. MADE BY MR. HORTON. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Agriculture & Markets Law Re: Confiscated Animals – Mr. Mullen stated he and Mr. Baker just talked this morning about this. In big cases he is planning on bringing a motion to require people to post bond or to dispose of large animals such as cattle. Mr. Baker has indicated that he needs to know what the proper amount of money would be to make it worthwhile to do this. We also talked about the discussion we had about mitigating the annual housing costs as well. He asked do we have those numbers somewhere on the daily housing rate? Mr. Wheeler replied the rate schedule is an attachment to the SPCA contract.

Mr. Malter asked would we be able to sell the animals? Mr. Baker replied Ag and Markets Law allows us to force an owner to post bond and, after 30 – 45 days, we can sell or destroy the animals. This would make sense to mitigate the storage costs in the bigger cases. For smaller cases there would need to be a preponderance of evidence hearing and that would cost us more to bring in experts than it would for the storage of the animals. Mr. Malter commented it is a long time between the confiscation of the animals and the posting of the bond. Mr. Baker replied yes. The owners can also surrender the animals. This Ag and Markets law only applies to livestock.

Mr. Potter commented there was discussion before about the SPCA not releasing any animals that are not sterilized and that applies to cows and horses. Mr. Baker stated it was Mr. Mullen's suggestion to have someone else house the animals. He commented he was unaware of the requirement of sterilization.

Mr. Malter asked how would we go about this? Ms. Prossick stated she discussed that with Mr. Mullen and we could put out a bid, however, one of the issues with an RFP is that it is a pretty formal response and you also have the issue of getting the word out. If you are drafting the RFP, you would be awarding it to more than one person. The SPCA has to keep the animals alive and they are bound to do that. The Farm Sanctuary does the same thing, but they do not charge you. There may be a couple of different options. Mr. Wheeler commented we need to work with what is in the current SPCA contract. Ms. Prossick stated there is a little wiggle room in removing animals from SPCA care. Mr. Malter asked that Ms. Prossick work with Mr. Mullen to put something together.

Mr. Horton asked what happens when a bond expires? Do you post another? Mr. Baker replied there would be a process to institute an additional bond. Ms. Prossick replied there would be a renewal application. Mr. Horton asked when a case is closed, does that amount go to the SPCA or to the County? Mr. Mullen replied it depends on how the case turns out. Mr. Baker stated if we lose, then we have to give the bond back. Sheriff Allard stated the goal is to adopt the animals out to a better place.

Mr. Mullen commented even if we do lose the damage to the County would be capped at the value of the animal, which will be a lot lower than the cost for the care of the animal. Mr. Van Etten asked what court would this process go through? Mr. Baker replied it would go through the local courts. Mr. Sauro commented since this is a civil action we do not have the authority to step in. Ms. Prossick stated they may be assigned counsel.

C. **Radio System** – Mr. Potter asked Mr. Marshall for an update on the VHF. Mr. Marshall replied we have to get the Jasper Tower site repairs done and make sure those repairs work for the issues we are having. After that there will be testing for a week or two and then we can start phasing in departments.

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. POTTER. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

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

****PLEASE NOTE CHANGE** Monday, September 14, 2020 **PLEASE NOTE CHANGE**
Legislative Committee Room
9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Tuesday, September 8, 2020**