

**STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE**

*Monday, July 6, 2020*

*9:00 a.m.*

*2<sup>nd</sup> Floor Conference Rooms*

*Annex Building*

*Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	John V. Malter, Chair Frederick G. Potter	Steven P. Maio, Vice Chair Thomas J. Ryan	Jeffrey P. Horton
<b>STAFF:</b>	Jack K. Wheeler Jennifer Prossick Tina Goodwin	Christopher Brewer Andy Morse Tim Marshall	Brenda Mori James Allard Cheryl Crocker
<b>LEGISLATORS:</b>	Scott J. Van Etten Hilda T. Lando Gary B. Roush	Carol A. Ferratella Aaron I. Mullen Gary D. Swackhamer	Kelly H. Fitzpatrick Robert V. Nichols
<b>OTHERS:</b>	Mary Perham		

**I. CALL TO ORDER**

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

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE JUNE 1, 2020, MEETING MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. DEPARTMENTAL REQUESTS**

A. E911

1. **Eagleview (Pictometry) Annual License Payment** – Mrs. Goodwin requested authorization to pay the 2<sup>nd</sup> annual license payment for the Pictometry imagery. The cost is \$122,831.13 and is in the budget. They have completed all the imagery. Mr. Wheeler explained back ten years ago, this was not budgeted for annually; every three years we paid \$350,000 for the re-fly. Now we are spreading that cost out on an annual basis.

**MOTION: AUTHORIZING THE DIRECTOR OF THE E911 DEPARTMENT TO MAKE THE SECOND ANNUAL LICENSE PAYMENT OF \$122,831.13 FOR THE PICTOMETRY IMAGERY MADE BY MR. MAIO. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Wilmac Software Maintenance Renewal** – Mrs. Goodwin requested authorization to renew the contract with Wilmac for software maintenance on the recorder. The annual cost is \$32,690 and is in the budget.

**MOTION: AUTHORIZING THE DIRECTOR OF THE E911 DEPARTMENT TO RENEW THE CONTRACT WITH WILMAC FOR SOFTWARE MAINTENANCE ON THE RECORDER FOR AN ANNUAL COST OF \$32,690 MADE BY MR. POTTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

3. **911 Numbering** – Mr. Potter asked have you done any recent renumbering in the County? Mrs. Goodwin replied not since the early 2000's. Mr. Potter stated that he recently went to renew his DOT permit and

when they pulled up his address, it was a quarter mile down the road. He also ran into this with his mother-in-law's address. The numbers are not in sequence and it is causing problems. Mrs. Goodwin stated if you contact me, I will put you in touch with our GIS specialist. Sometimes it depends on the map that is being used, but we can straighten that out if you contact me.

B. Emergency Management Office

1. **Midstate Communications Contract** – Mr. Marshall informed the committee that the tower lighting is out at a couple of our tower sites and needs to be fixed to comply with FAA requirements. This is outside of Motorola's scope. These tower sites are using incandescent lights and will be upgraded to LED. This is a one-time contract with Midstate to do this. The cost is \$36,000 and will be covered with grant funds.

Mr. Malter asked how many towers need to have the lighting replaced? Mr. Marshall replied right now Mt. Washington and Call Hill. Mr. Maio asked are these the only ones with FAA requirements? Mr. Marshall replied any tower over 200 feet requires lighting. We do have a few towers over 200 feet, but these are the two that we are having issues with now. Mr. Maio asked when will the others need to be done? Mr. Marshall replied it is hard to say; it depends on weatherization, etc.

**MOTION: AUTHORIZING THE DIRECTOR OF THE OFFICE OF EMERGENCY SERVICES TO ENTER INTO A CONTRACT WITH MIDSTATE COMMUNICATIONS FOR THE REPLACEMENT OF TOWER LIGHTING AT MT. WASHINGTON AND CALL HILL IN AN AMOUNT NOT TO EXCEED \$36,000, SAID COST TO BE COVERED BY GRANT FUNDS MADE BY MR. MAIO. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Radio System Update** – Mr. Marshall stated the upgrade of Fire and VHS had been slowed down due to COVID. Motorola has sent some technicians in. We are having issues at the Jasper tower site with the combiner and we are working with the engineers who designed it to try to resolve that issue. Once that is resolved, we will be able to move forward with testing and then cut over to the new system. We hope to start testing soon and that by the end of July we should be able to the cut over. We are very close to finalizing this project.

Mr. Malter asked how long has this project taken? Mr. Marshall replied I think we started this project in 2016, so it has been about five years. For a large project like this, that is pretty normal; three to five years.

Mr. Swackhamer stated once you run through the system, what is the next step? Mr. Marshall replied everything will be upgraded to VHF; the Sheriff's Office, fire, law enforcement and ambulance service will all be on the same platform. The final step is looking at what to do with Public Works as they are operating on low band. We are also looking at a redundant prime project where we would share services with Allegany County to backup each system. The next big project will be Public Works.

Mr. Malter asked will the Public Works project be county cost? Mr. Marshall replied I would think it would be covered under the Homeland Security project as it is an enhancement to the radio and will be beneficial. Mr. Potter asked will the Public Works project impact the town highway departments as well? Mr. Marshall replied yes. I would like to build a system where the county and the towns can communicate. That would be my goal, not yet having talked with Mr. Spagnoletti or Mr. Rapalee; one system they can all use together.

3. **COVID Update** – Mr. Marshall stated during COVID we staffed the EOC (Emergency Operations Center) for 91 days starting on March 14, 2020. That is the longest time period the EOC has been consistently staffed, except for the ice storm in 1991 and the snowstorm in 1993 where it was staffed for a week. The majority of our work was logistics; providing supplies to hospitals and other agencies. Mr. Marshall stated we distributed 4,500 face shields, 5,800 vinyl gloves, 20,500 nitro gloves, 5,700 isolation/surgical gowns, 547 gallons of hand sanitizer in 1 gallon jugs, 155 refillable pumps and 8,924 two-ounce spray dispensers. Additionally we distributed 10,500 N-95 and K-95 masks, 41,000 disposable face masks, 58,255 white cloth face masks and 12,000 tests. Logistically, this was a huge operation. We have moved most of our stock to the

Records Center for the summer months and then will figure out what to do in the future with what is left. We want to make sure that we have enough supplies if we get a second wave of this. Mr. Marshall stated we are pretty set on supplies. Kudos to the team of Ken Forenz, Matt Marmor from Public Health, Jack Wheeler, Darlene Smith and Lorelei Wagner for a great job. We worked 11 – 12 hour days for most of those 91 days and things went very well. I appreciate the support of the Legislature, as well as the rest of the staff supporting us, including Eric Rose, Vince Spagnoletti, Andy Morse and Sheriff Allard. It was great working with everyone.

Mr. Malter asked of the supplies distributed, how much did we buy ourselves? Mr. Marshall replied the majority of our supplies are State and Federal. We did purchase some and came to committee to get that authorization for refillable pumps for hand sanitizer, gloves and N-95 masks. Mr. Wheeler stated he received an email Thursday that we will be getting 1,000 gowns through PERMA and they have picked up half the cost. Those will be delivered within the next week or so. Mr. Marshall stated gowns have been the hardest thing to find. With a COVID patient you have to wear a gown and when you leave, the gown goes into a bio bag. They are the hardest supply to find.

Mr. Malter asked with the supplies that you have on hand, do you have an inventory? Mr. Marshall replied yes, Matt Marmor from Public Health has an extensive database of all of our supplies and set up a good system to account for them. Mr. Malter asked if there is another wave, will we have enough supplies? Mr. Marshall replied we have a good supply to start with and the State and Feds are still pushing supplies.

Mr. Wheeler commented we do not have a big space to stockpile so we are using the Records Center and the highway barn. If there is another wave, we will be in good shape, but the time for a victory lap will be far from now.

Mr. Potter stated the Governor has said that anyone who wants a test can get it, and if they go to a State testing site the cost will be covered by the State. Do we have any State testing sites in the County? Mr. Marshall replied no. The closest is Monroe County at Monroe Community College. Mr. Wheeler stated the other site is in Binghamton. We have asked to get a closer site. Mr. Van Etten asked is there one at Cayuga Health? Mr. Wheeler replied yes, you can go to Ithaca, and because of the way the insurance reimbursement was going, they were putting their foot down and were not doing tests unless they were medically necessary.

Mr. Malter asked how many test kits are available? Mr. Marshall replied we have a couple thousand. Mr. Van Etten asked what is the shelf life? Mr. Wheeler replied 7 months. Mr. Marshall stated he wants to give kudos to Matt Marmor as he took the leaky tests kits that we had first received and combined them to make new sets. Mr. Wheeler stated we pushed a lot out for nursing home testing. We are keeping some for employee testing if the need arises as well as if hotspots arise or there is a need for drive-thru testing. The problem is with the labs. We have developed a pretty good relationship and if an employee is tested here, we have a lab in New Jersey that will process it for free.

Mr. Swackhamer asked are the labs caught up? Mr. Wheeler replied they are better, but it is not what it was with a day or two turnaround. There is a lot of testing going on. Ms. Fitzpatrick asked at some point will we be moving to testing for antibodies? Mr. Wheeler replied the PCR is not the same as the antibody test. We do not have a supply of kits for the antibody testing. The only concern is the high rate of false positives; there is a 35 – 50 percent false positive rate.

Mr. Malter asked with staff, how many positive cases have we had? Mr. Wheeler replied zero. Some individuals had mandatory quarantines because of primary contact and a handful were tested.

### C. Sheriff's Office

1. **Accept Additional STOP DWI Crackdown Funds** – Sheriff Allard requested authorization to accept additional STOP DWI Crackdown Funds in the amount of \$2,000.

**MOTION: AUTHORIZING THE SHERIFF TO ACCEPT ADDITIONAL STOP DWI CRACKDOWN FUNDS IN THE AMOUNT OF \$2,000 MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mrs. Ferratella commented on the Sheriff's Annual Report he noted DWI's had doubled from 2018 to 2019 and they were recognized for being one of the top units in the State.

2. **Accept Donation of K-9 and Supplies from Sheriff's Foundation** – Sheriff Allard requested authorization to accept the donation of a K-9 and supplies from the Sheriff's Foundation. This will be a nitrate (bomb) sniffing dog sponsored by the McCartney family through the Sheriff's Foundation. This K-9, named Mack, is a Belgian Malinois and will be trained and certified as a Nitrate K-9 to support our SRO program in 10 school districts. We do not have a bomb dog assigned. The Sheriff's Foundation is donating the \$7,800 dog and \$2,200 for supplies to outfit the K-9 officer.

Mr. Malter asked how many dogs do we have? Sheriff Allard replied this will be our fourth. Mr. Maio asked will the dog have training beyond nitrates? Sheriff Allard replied the dog will be used for nitrates, patrol and tracking. The other three dogs are specifically trained for narcotics.

Mr. Maio asked do we need more dogs? Sheriff Allard replied I would like one more dog for arson and accelerant detection as there is no K-9 in the area that does that. If we team up with the volunteer fire departments we could raise enough money to support that.

Mr. Swackhamer asked what is the yearly cost? Sheriff Allard replied the cost is almost all covered through donations. The cost for the County is training. The training itself is free, but the Deputy gets paid for it. Mr. Swackhamer asked what is the cost to maintain the K-9's? Sheriff Allard replied there is food, outfitting the vehicle with a kennel, an alarm system for heat for the vehicle, vet costs and two days per month for training to maintain certification. I cannot give you accurate numbers right now.

Mr. Malter asked are we using our dogs to support other agencies? Sheriff Allard replied we use the dogs to support what we do. Now we are fulfilling our responsibilities in the County. Mr. Maio asked do any other counties have a bomb dog? Sheriff Allard replied Chemung County does. Mr. Potter asked what about the State Police? Sheriff Allard replied they do, but it is based out of Canandaigua. Mr. Marshall commented the closest arson dog is in Binghamton.

Ms. Fitzpatrick asked how much do the dogs increase the efficiency of investigations? Do you do demonstrations and if so, could we see one? Sheriff Allard replied yes, we do demonstrations. Ms. Fitzpatrick asked how much do they increase your efficiency? Sheriff Allard replied the efficiencies of the narcotics K-9's are huge. The K-9's can search vehicles at vehicle stops or when we do search warrants. We have a large number of requests from other agencies to have the K-9's do searches. With the bomb K-9, every time there is a threat at a school, now we will not have to wait for hours and try to find out. We also will use the K-9 at the Wineglass Marathon at the start and finish lines to do a sweep. Additionally, we have taken the dogs to the stockholders meeting at Corning, Inc. to do a sweep. Having the availability of our own K-9's makes it so much easier to do screenings before events.

Mr. Malter asked can we see a demo of all of the K-9's at some point? Sheriff Allard replied, yes we can. We can set demonstrations up at any time. That is where a lot of our fundraising comes in.

Mr. Horton commented a lot of people are more scared of the K-9 than the Deputy. Sheriff Allard stated we have had no bites as a result of a search or detainment. The barking and growling does enough to get compliance.

**MOTION: AUTHORIZING THE SHERIFF TO ACCEPT THE DONATION OF A K-9 AND SUPPLIES FROM THE SHERIFF'S FOUNDATION, TOTALING \$10,000 MADE BY MR. RYAN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

3. **SPCA** – Sheriff Allard stated every year we allocate money to the SPCA. We carried out a warrant in Campbell and the SPCA helped us rescue 65 animals that were in distress in a single wide trailer.

Mr. Mullen stated he followed up with Mr. Baker on the Ag and Markets Law. The Ag and Markets Law has a process if an animal is confiscated because of negligent action, then the District Attorney can file an application to require the owner to post bond for the care of the animal and if they cannot, then the law allows the County to sell, adopt out or euthanize. Mr. Baker indicated to him that we have not had anyone yet that could afford to post the bond. Mr. Mullen stated he responded that we still have a process to have sold the animal and people have the application to make bond so I think you should consider implementing this process.

Mr. Malter asked do we have this process? Ms. Prossick replied my understanding is this is part of the prosecutorial duties and is a State function. The District Attorney may need the animal(s) for evidence down the road. Mr. Malter commented our last encounter cost us a lot of money. Ms. Prossick clarified this Ag and Markets Law does not cover cats and dogs. Mr. Mullen stated that is a different process as you don't sell them.

Sheriff Allard stated 90 percent of the smaller animals that come in are adopted out. The larger animals are the issues. The District Attorney uses those animals as part of his ability to prosecute.

Mr. Horton asked what is the liability on that? Now we have a two-year old bull that is huge and mean. Is the County liable if someone gets hurt at the SPCA taking care of this bull? Ms. Prossick replied I will have to look, but because the bull is part of the prosecution's case, we have to have it and there may be some immunity there. A lot of these are just a matter of communicating with Mr. Baker.

Mr. Maio stated I understand that people don't have cash, but you could get a bond against their property. Ms. Prossick stated that is a complicated process. Mr. Maio stated that's not the County's problem.

Mr. Malter asked Mr. Mullen what would you like to see going forward? Mr. Mullen replied I would like to have a conversation with Mr. Baker at one of our meetings on the policy. Horses and cows are animals that could be sold. If we are following the process in the law, we will not have additional liability. Mr. Malter asked that this be put on the August agenda for discussion.

Mr. Nichols stated several years ago 20 horses were confiscated and the SPCA was charging the County. I asked at AIP to sell them and the SPCA said they can't do that. They don't want to sell because they don't want them reproducing and any animal leaving the SPCA has to be sterile. Then they billed us for the animals. Something needs to be fixed on that part.

#### **IV. OTHER BUSINESS**

A. *Driver Diversion* – Mr. Malter stated that he would like to review the progress of the Driver Diversion Program. Ms. Prossick stated the contract was signed last week and they are ready to get up and running, functionally. Mr. Malter stated that he would like the District Attorney to provide an update at the August meeting.

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

Respectfully Submitted by Amanda L. Chapman, Deputy Clerk, Steuben County Legislature

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

**Monday, August 3, 2020  
Legislative Committee Room  
9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office  
NO LATER THAN NOON  
Monday, July 27, 2020**