

**STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE**

Monday, June 4, 2018

9:00 a.m.

Legislative Committee Room  
Steuben County Office Building  
Bath, New York

<b>COMMITTEE:</b>	Aaron I. Mullen, Chair Frederick G. Potter	Kelly H. Fitzpatrick, Vice Chair Thomas J. Ryan	Steven P. Maio
<b>STAFF:</b>	Jack K. Wheeler Cheryl Crocker Alan Reed Shawn Sauro	Ken Forenz Jim Allard Nate Alderman Jennifer Prossick	Tim Marshall Tina Goodwin Jennifer DeMonstoy Matt Whitmore
<b>LEGISLATORS:</b>	Joseph J. Hauryski Hilda T. Lando Scott J. Van Etten	Carol A. Ferratella John V. Malter Gary D. Swackhamer	K. Michael Hanna Robert V. Nichols
<b>OTHERS:</b>	Mary Perham James Post, <i>The Leader</i>		

**I. CALL TO ORDER**

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

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE MAY 7, 2018, MEETING MADE BY MR. POTTER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. DEPARTMENTAL REQUESTS**

A. 911

1. **Recorder System Annual Maintenance Renewal** – Ms. Goodwin requested authorization to renew the maintenance agreement on the Recorder System. This is year four of a five-year contract. Last year we had added the backup server to the system. This year we are combining the maintenance for both the recorder system and the backup into one maintenance contract. The total contract is \$31,739 which is about \$2,000 more than last year to incorporate the addition of the backup server. She commented they do have money in their budget for this.

**MOTION: AUTHORIZING THE DIRECTOR OF 911 TO RENEW THE ANNUAL MAINTENANCE AGREEMENT FOR THE RECORDER SYSTEM WHICH WILL ALSO INCLUDE THE BACKUP SERVICER FOR AN ANNUAL COST OF \$31,739 MADE BY MR. MAIO. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. Emergency Management Office

1. **OCV Contract Renewal – Ready Steuben App** – Mr. Marshall requested authorization to renew the annual maintenance agreement for the Ready Steuben App. The annual cost is \$4,995. He stated he is hoping to lock this price in for the next three years. Mr. Mullen asked is this paid for with grant funds? Mr. Marshall replied yes.

**MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO RENEW THE MAINTENANCE AGREEMENT FOR THE READY STEUBEN APP FOR AN ANNUAL COST OF \$4,995 MADE BY MS. FITZPATRICK. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Geopliant, LLC Contract Renewal – Crisis Track** – Mr. Marshall requested authorization to renew the contract for Crisis Track for an annual amount of \$2,400. This price is locked in for three years.

**MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO RENEW THE CONTRACT FOR CRISIS TRACK FOR AN ANNUAL COST OF \$2,400 MADE BY MR. MAIO. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

3. **Dlan Procurement** – Mr. Marshall explained he is looking at crisis management software to help manage incidents during disasters or emergencies. The State has committed to the Buffalo Computer Graphics program. Mr. Marshall stated he would like to purchase the Dlan component which is the disaster management software. This will provide us with the flexibility to monitor and track resources, as well as to print tickets to track requests. It is available with 50 concurrent licenses, so that would allow municipalities to have the rights to utilize this system. If approved, he will utilize fiscal year 2016 State Homeland Security grant funds.

Mr. Mullen asked what is the primary difference between this and Crisis Track? Mr. Marshall replied Crisis Track is for tracking damage assessments. Dlan allows us to manage the actual disaster, track activity and push resource requests to the State.

Mr. Hauryski asked who would have access to view and update information? Mr. Marshall explained it is a permission-based system, so we could determine who would have rights to view and/or update information. Mr. Potter asked will you be able to share information regionally and with the State? Mr. Marshall replied yes.

Mr. Van Etten asked what is the cost? Mr. Marshall replied the initial cost is \$40,806.05 and the annual maintenance cost is \$10,768.26. Again, these costs will be paid for using grant funds. Mr. Van Etten asked how many disasters do we typically have in a year? Mr. Forenz replied this system will be incorporated into our daily activities, as well as utilized during emergencies/disasters. With the ticket system, we will utilize that to track the radio work that is done. We also plan to incorporate a registry for the fire departments and their training. All of our emergency plans will be loaded into the reference library.

Mr. Wheeler replied in answer to Mr. Van Etten's question this year we could have already used this system at least five times. Sometimes we would only use it once a year. Mr. Van Etten commented this is nice and new technology, but what did we do before? Mr. Marshall replied in the past we have used notebooks and sticky notes.

Ms. Fitzpatrick asked what will the staffing and IT requirements be and do we have sufficient coverage in those areas? Mr. Marshall replied this is a cloud-based system. There will be not additional computer requirements. With regard to staffing, with what we have, it will help us manage events better. There are web apps to access and import information from the field. The municipalities could also enter data into the system. The manpower will be more efficient with this system. Mr. Wheeler commented there will be a training requirement.

Mr. Mullen commented there are a lot of ways to use our network to send information out to people within the County, but this software will make it easier to share information with people outside of the County.

Mr. Potter stated he agrees with Mr. Van Etten, but on the flip side, turning grant money down will not save the taxpayers money. Mr. Marshall explained we already budgeted it into the grant. If we do not do this, then we will need to do something else to utilize that funding.

Mr. Malter asked with regard to data input, who will have the rights to change data? Mr. Marshall explained the system administrator will have the rights to change data. Mr. Wheeler commented Mr. Marshall and Mr. Forenz would be assigned as the system administrators.

Mr. Hauryski commented the Governor has regional representatives around the State and during a disaster, they will call him on a regular basis asking what resources we need and what is happening. This is an important function that I need to have available.

Mr. Mullen commented he feels this is a better use of grant funds than some of the other things we have purchased. He asked to receive a list of recurring maintenance costs for grant funding. Mr. Wheeler replied he had included that in the IT study, but he will resend it. Mr. Mullen also asked for projected grant amounts for the upcoming year.

**MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO PROCURE THE DLAN ADVANCED SYSTEM WITH INCIDENT ACTION PLAN MODULE FROM BUFFALO COMPUTER GRAPHICS FOR A TOTAL COST OF \$40,806.05 WITH A YEARLY SUPPORT FEE OF \$10,768.26 MADE BY MR. RYAN. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

4. **RFP for Burn Building** – Mr. Marshall stated last year we put out an RFP for the burn building and they came back higher than what we had funding for. This year we have increased the capital funding for this and we are changing our approach. We are looking at going with a Conex box design and this would be an add on to the back of the existing building. A Conex box is a cargo shipping container. Mr. Wheeler commented the burn building is something that we need to maintain.

**MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO SOLICIT RFP'S FOR THE BURN BUILDING MADE BY MS. FITZPATRICK. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. Sheriff's Office

1. **STOP DWI Crackdown Funds** – Sheriff Allard requested authorization to accept an additional \$5,500 in STOP DWI Crackdown Funds. He explained \$3,500 will be used for enforcement and \$2,000 will be used for contractual expenses.

**MOTION: AUTHORIZING THE SHERIFF TO ACCEPT AN ADDITIONAL \$5,500 IN STOP DWI CRACKDOWN FUNDS; \$3,500 TO BE USED FOR ENFORCEMENT AND \$2,000 TO BE USED FOR CONTRACTUAL EXPENSES MADE BY MR. POTTER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **GTL Contract Extension** – Sheriff Allard explained this is our contract to provide inmate telephone services. He is requesting authorization for a two-year extension. In addition, he is also requesting two amendments. The first is the inclusion, at no cost to the County, of a scanner system for Booking. This will scan for any metals on individuals coming into booking. The second amendment relates to tablets for the inmates.

Sheriff Allard explained the tablets are a new component that we are interested in doing. There is no equipment or additional money on our end. GTL will support the tablets through their secure server. There are hotspots in each of the housing units that go through GTL. All information coming into and out of the system is scrubbed by GTL. There is no cost to the County and will put additional money into the Commissary. In jails that have utilized the tablets, they have noted that disputes have gone down and inmate to inmate assaults and inmate to staff assaults have also decreased. The inmates will only be able to access the tablets if they have the required funds in their Commissary account. If they are watching a movie they can use the tablet in their cell. If they are

messaging or using face time, they have to be in the docking stations in the secure areas of the housing units. GTL will supply everything that is needed. Sheriff Allard noted that he thinks this is a win-win. It will help us as we can use this as a behavior modification tool. Every message, request and purchase made on the tablets will be recorded.

Mr. Mullen asked is this something that we should have a competitive bid on? Sheriff Allard replied there is only one other company and you would have to purchase the tablets. GTL is on State contract.

**MOTION: AUTHORIZING THE SHERIFF TO EXTEND THE CONTRACT WITH GTL FOR TWO YEARS WITH AN AMENDMENT TO INCLUDE A SCANNER FOR THE BOOKING AREA AND PROVIDING TABLETS TO INMATES MADE BY MR. MAIO. SECONDED BY MR. POTTER FOR DISCUSSION.**

Mr. Mullen asked since this is all going through the company's network, is there a problem with privacy issues? How do we access the information that is being recorded? Sheriff Allard explained we have two part-time Corrections Officers and their function is intelligence mining. They log onto the system and monitor all phone and if approved, tablet activity.

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

Mrs. Lando asked the Sheriff to come back and report on the use of the tablets once the program has been up and running.

3. **Reclassification of Court Security Corporal to Corrections Sergeant** – Sheriff Allard explained originally, court security personnel were all classified as Deputy Sheriff or Building Deputy and were registered as police officers with the DCJS. Over time, this transitioned to the classification of Court Security Officer with a stated peace officer designation. However, the accompanying legislation to add Steuben County court security officer to the definition of peace officer in the NYS Criminal Procedure Law did not occur. Therefore, in the eyes of NYS and the DCJS our court officers were civilians, not peace officers. Sheriff Allard stated they had submitted another request which went through the Assembly and Senate, but was vetoed by the Governor. We tried again this past year, however, it never left committee. In the meantime, he has surveyed other counties and most predominantly use Corrections Officers and have changed their scope of duties to include court security. That is what he would like to move toward.

Sheriff Allard requested authorization to reclassify Grade XI Court Security Corporal to a Grade XII Corrections Sergeant. The Corrections Sergeant position is still within the same bargaining unit in the Sheriff's Office. The increase in salary will be covered by reimbursement through the Office of Court Administration.

Mr. Swackhamer asked how will this affect positions down the line? Sheriff Allard explained the individuals who previously were Corrections Officers within the past four years will be reclassified and the others will have to take the test. Doing this will put us in line with what other counties are doing and will give the positions Peace Officer status. Mr. Maio asked how many counties are using this local option? Sheriff Allard replied Wayne, Ontario, Livingston, Yates and Allegany. The majority of counties have gone to OCA (Office of Court Administration), but they will not pick up any more counties due to the cost.

Mr. Maio asked what was the rationale for how we did it originally? Mr. Swackhamer replied at the time it was to provide more control and flexibility.

**MOTION: AUTHORIZING THE RECLASSIFICATION OF A GRADE XI COURT SECURITY CORPORAL POSITION TO A GRADE XII CORRECTIONS SERGEANT WITHIN THE SHERIFF'S OFFICE MADE BY MR. RYAN. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

*Resolution Required.*

4. **Wineglass Marathon Donation** – Sheriff Allard requested authorization to accept a donation of two bicycles worth \$2,500 from the Wineglass Marathon.

**MOTION: AUTHORIZING THE SHERIFF TO ACCEPT A DONATION OF TWO BICYCLES WORTH \$2,500 FROM THE WINEGLASS MARATHON MADE BY MS. FITZPATRICK. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

5. **SRO Contract Renewals** – Sheriff Allard requested authorization to renew all existing School Resource Officer (SRO) contracts with participating school districts. The only change is with the contract with Corning-Painted Post School District as they have requested seven additional officers as they would like an office in each of the buildings. Additionally, they are also requesting two SRO's for summer school. He stated that Arkport and Jasper-Troupsburg are still determining if they will participate. If they do, then all school districts in the County will have SRO's.

Mrs. Ferratella asked do you have enough people in the pool to accommodate Corning-Painted Post's request? Sheriff Allard replied he believes so. They are very selective on who they choose.

Mr. Van Etten asked is this program subject to another Sheriff being elected and coming in and saying they no longer want this program? Mr. Wheeler replied that could happen, but the Legislative body could say that you want to continue the program and continue the funding.

**MOTION: AUTHORIZING THE SHERIFF TO RENEW ALL EXISTING SCHOOL RESOURCE OFFICER (SRO) CONTRACTS WITH PARTICIPATING SCHOOL DISTRICTS AND AMENDING THE CONTRACT WITH THE CORNING-PAINTED POST SCHOOL DISTRICT TO INCLUDE SEVEN ADDITIONAL SRO'S AND TWO SRO'S FOR SUMMER SCHOOL, SUBJECT TO REVIEW BY THE PERSONNEL OFFICER, MADE BY MR. POTTER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

6. **Legislative Initiative Grant Update** – Sheriff Allard stated last month the committee approved a Legislative Initiative Grant in the amount of \$7,500 to be used to purchase License Plate Readers. We recently received notification that the amount is actually \$8,000.

7. **Drug Interdiction** – Sheriff Allard announced last Friday the drug interdiction officers confiscated 93 bags of cocaine and a substantial amount of cash. The deputies assigned to this just started last week in their full-time rolls.

8. **Drug Initiative at the Jail** – Mr. Mullen asked for an update. Sheriff Allard replied we received notification that the state funding is being reduced by two-thirds. He has participated in a number of webinars and they are still discussing how those funds will be disbursed. In the meantime, he is continuing their part-time pilot program. Mr. Wheeler commented we may present a local option and see where it goes. Mr. Maio stated that he has always said that this should be a package deal.

9. **Arraignment Court Issues** – Mr. Mullen asked for an update. Sheriff Allard replied they have not yet seen a bill and no decision has been made as of yet. Mr. Mullen stated he had previously asked to see the proposed plans. Mr. Sauro replied Mary Hope Benedict is still working on that. He has met with Indigent Legal Services (ILS) and they will be coming to meet with us and put forth where they want to see. It is still coming together. Mr. Wheeler suggested seeing if we can get the plan in draft form so that we can email it out to the Legislators. He stated we are trying to determine if the Jail can be designated as a temporary holding/detention area. We have not seen a signed bill. Mr. Maio asked is that something that is being done county by county? Mr. Wheeler replied yes as it requires an amendment to Corrections Law.

D. County Manager

1. **Towing Discussion** – Mr. Wheeler stated he wanted to provide the committee with an update on the towing issue. At the end of 2017 we had discussed renewing the RFP and that decision was tabled. In conjunction with Mr. Reed, they have been reviewing the options we have and it is their opinion that this is an operational issue. We have done an RFP in the past, however, we do not have a contract with any agency. Really, this is a tow of last resort. He is proposing letting the 911 staff handle as there is a process for tow companies to get on the rotating list and for the designation of primary and secondary for limited access highways. Mr. Wheeler stated he is proposing that we develop a more formal plan in conjunction with the Sheriff, Emergency Management, 911 and the Risk Manager. Since we are receiving applications from the tow companies, it makes it an operational issue internally. We just need to codify that process and make it a de facto and formal process. This would not change anything right at this moment.

Mr. Maio commented we have been working without a plan. Mr. Wheeler stated because you have not renewed the RFP, it has not changed. At the end of last year you had voted to table the issue. Mr. Maio stated the committee had a loss of appetite to have a formal plan. It sounds like you are taking the issue out of the committee's hands. There was not much appetite for thinking we needed a plan and to let the market decide.

Mr. Wheeler stated the RFP really is not necessary as it is an operational issue. Mr. Maio commented that he is not saying you cannot do this. He is not convinced of the necessity of a plan of towing of last resort. Mr. Wheeler explained the New York State Police will not make the call on the road for a specific tow company. If we do not have a plan, then Canandaigua will make a plan. Mr. Maio asked why is this an issue for the County? Mr. Wheeler replied the issue of last resort is only an issue because we provide the dispatch.

Mr. Reed explained 911 receives the request on scene from emergency responders or from the individual. The factual issue is that 911 faces that. The question is who do they send. My review was on who has authority. It appears to be an operational decision of default. This is not a matter of the County setting forth policy, as there are no contracts. We have been struggling for so many years; the strange situation that it is. You should be getting requests from agencies on the scene; fire, EMS, law, or the individual.

Mr. Swackhamer stated they reject individual's requests. This happened to me 10 days ago. The New York State Police rejected my request. They followed our code and rejected my request. Mr. Wheeler stated in most cases they probably shouldn't, but incident command on scene ultimately dictates. Mr. Swackhamer stated I did not have a choice. The car was movable. They rejected my request and said it was on a rotating basis. Mr. Wheeler stated we could review that. It is inconsistent with our policy. If you make an election, police and fire can overrule. He asked Mr. Swackhamer to provide the details of the incident and they will look into it.

Mr. Maio commented we have expended so much energy to deal with less than five percent of incidents. I just don't think it's the County's business who tows cars. Mr. Wheeler stated fundamentally, I agree with you but if we didn't have anything in place for a default, chaos would ensue. Mr. Maio stated police and fire already get to pick. When they have reasons to pick, they have the full authority to do that. Mr. Reed stated you still need to deal with that five percent. Mr. Maio stated he disagrees. Mr. Reed asked if no one makes the election, who will? You still need to deal with that.

Mr. Potter stated a letter was recently sent out by Mr. Wheeler or Emergency Management regarding some questions about whether a person can make a request for a specific tow company and the opinion of Mr. Wheeler was that they can. Mr. Wheeler stated we clarified that. We did send out another letter that states if you have AAA or you know a tow company, you should be able to request them. However, police and fire on the scene are incident commanders and have the ultimate say. We are not trying to supersede an individual's request, but the people in the field have the ultimate say.

Sheriff Allard explained if there is a day when there are a lot of accidents, the on scene officer will ask if a tow is on the way, and if not, they will ask for the next available. Typically 911 is getting about five guys saying to send the next available. They get inundated with requests. The people on the scene just want to get it cleared as fast as they can.

Mr. Marshall stated one of the problems we run into is when the owner requests an out of the area tow; then the first responder is still waiting on scene. Mr. Maio stated the first responders have the authority to dictate who you get. When it is not an emergency that is when he says that it is not a problem.

Mrs. Lando asked so where are we at? Mr. Wheeler replied it is our view that this is an operational issue and we will establish and publish a process that we will follow. Mr. Maio stated up until today, it needed to come to committee and now my feeling is that because the committee does not follow, now it has become an operational issue. I find that to be troubling.

Mr Reed stated I submitted my opinion and you can take it at face value. Mr. Maio stated you submitted an opinion because the committee did not get behind this.

**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, July 2, 2018  
9:00 a.m.**

**PLEASE PROVIDE AGENDA ITEMS  
NO LATER THAN NOON  
Monday, June 25, 2018.**