

**STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE**

*Monday, May 7, 2018*

*9:00 a.m.*

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

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

<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 Tim Marshall Andy Morse	Mitchell Alger Alan Reed Craig Pomplas	Tina Goodwin Shawn Sauro John McNelis
<b>LEGISLATORS:</b>	Joseph J. Hauryski John V. Malter	Carol A. Ferratella Gary B. Roush	Hilda T. Lando Gary D. Swackhamer
<b>OTHERS:</b>	Mary Perham Kristin Klemenz, B & W Towing		

**I. CALL TO ORDER**

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

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE APRIL 2, 2018, MEETING MADE BY MR. POTTER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. DEPARTMENTAL REQUESTS**

A. 911

1. **PSAP Grant Award** – Ms. Goodwin requested authorization to accept the 2017/2018 Public Safety Answering Points Operations Grant Program award of \$195,430.00. This funding will be appropriated to the 911 Upgrade Capital Project.

**MOTION: AUTHORIZING THE DIRECTOR OF 911 TO ACCEPT THE 2017/2018 PUBLIC SAFETY ANSWERING POINTS OPERATIONS GRANT PROGRAM AWARD OF \$195,430.00 AND APPROPRIATE TO THE 911 UPGRADE CAPITAL PROJECT MADE BY MR. MAIO. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. Public Defender

1. **ILS Distribution #8 Grant** – Mr. Sauro requested authorization to apply and contract with the NYS Office of Indigent Legal Services for Distribution #8 Grant funding. This is a three-year grant with an annual funding amount of \$140,598. This funding will be used to continue to support the Conflict Office.

**MOTION: AUTHORIZING THE PUBLIC DEFENDER TO APPLY AND CONTRACT WITH THE NYS OFFICE OF INDIGENT LEGAL SERVICES FOR DISTRIBUTION #8 GRANT FUNDING IN THE AMOUNT OF \$140,598.00 ANNUALLY FOR THREE YEARS MADE BY MS. FITZPATRICK. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. Sheriff's Office

1. **Legislative Initiative Grant Funding** – Undersheriff McNelis requested authorization to accept a \$7,500 Legislative Initiative Grant through Senator O'Mara's Office to purchase elevated risk rifle plates for Sheriff's Deputies.

**MOTION: AUTHORIZING THE SHERIFF TO ACCEPT A \$7,500.00 LEGISLATIVE INITIATIVE GRANT THROUGH SENATOR O'MARA'S OFFICE TO PURCHASE ELEVATED RISK RIFLE PLATES FOR SHERIFF'S DEPUTIES AND AMENDING THE SMALL EQUIPMENT LIST TO REFLECT THIS PURCHASE MADE BY MR. POTTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **TruNarc Bid Award** – Undersheriff McNelis requested authorization to reject the bids for TruNarc. We will be looking to rebid this potentially with other counties. This equipment will provide us with the ability to field test drugs without having to open bags. We will share the cost of the equipment with the Jail as they will also be able to utilize this equipment.

**MOTION: REJECTING THE BIDS FOR TRUNARC MADE BY MR. POTTER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

3. **COPE** – Mr. Mullen asked do you have an update on the health care issues at the Jail with regard to the drug initiative? Undersheriff McNelis replied we are waiting to see how the State will allocate the funding. Mr. Wheeler explained we may need to look at a local option, which means local cost. He anticipates they will have more information to discuss with the Legislature within the next month or two.

Mr. Maio asked is this a situation that the plan may not come to fruition due to the funding? Mr. Wheeler replied we are looking at the State allocating less than one quarter of what was requested. The question will be do you want to expend local funds for this program. Mr. Maio commented this was sold as a comprehensive plan and with reduced State funding, we will need to look at whether we do any part of the plan.

D. Emergency Management Office

1. **Monroe County Medical Examiner's Contract** – Mr. Marshall requested authorization to contract with the Monroe County Medical Examiner's Office to conduct autopsies on up to 45 cases for the year at a cost of \$94,500. We have included a thirty-day opt out clause in the agreement so that we can get out if we choose to look at a different direction. They will bill us for the cases that we have done so far this year.

**MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO CONTRACT WITH THE MONROE COUNTY MEDICAL EXAMINER'S OFFICE TO CONDUCT UP TO 45 AUTOPSIES FOR THE YEAR AT A COST OF \$94,500.00 MADE BY MR. MAIO. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Empire Telephone Tower Lease** – Mr. Marshall requested authorization to enter into a five-year agreement with Empire Telephone to lease space on the tower located on County Route 7 in Prattsburgh. The rate is \$2,400 per year.

**MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO ENTER INTO A FIVE-YEAR AGREEMENT WITH EMPIRE TELEPHONE TO LEASE SPACE ON THE TOWER LOCATED ON COUNTY ROUTE 7 IN PRATTSBURGH FOR AN ANNUAL RATE OF \$2,400.00, PENDING LAW DEPARTMENT REVIEW AND APPROVAL MADE BY MS. FITZPATRICK. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

3. **RFP Award – Medical Examiner Services** – Mr. Marshall informed the committee they put out an RFP for Medical Examiner Services. They received one bid from Twin Tier's Pathology Associates out of Vestal, NY. This physician works out of Lourdes Hospital in Binghamton and the cost per case would be

\$1,275.00. We currently pay the Monroe County Medical Examiner's Office \$94,500 for 45 cases, which equates to \$2,100.00 per case. Monroe County recently changed their scope of services and is now charging an additional \$375.00 for toxicology.

Mr. Mullen asked how much is the extra charge? Mr. Marshall replied it will be \$375.00 for toxicology screening. This bid was all-inclusive. We had talked about doing toxicology separate. We are looking at sending out toxicology so that we could do our own blood draws as it would cost a lot less. Mr. Wheeler commented this is still in the preliminary stages of discussion. We have to make sure everything is good from an evidentiary standpoint. He commented his preference would be to contract with a local hospital to do the blood draws. Another option is that Dr. Cole could do it. There will be a contract with formal terms, and this is still an evolving discussion and we are not ready to present it to you today.

Mr. Mullen asked what about transportation costs? Mr. Marshall replied we are paying the Coroners' Aides per run; whether they are going to Rochester or Binghamton. We may need to increase that amount, but we would still see a savings in the per case cost. Mr. Wheeler commented from Corning, the trip to Lourdes Hospital would be quicker than if they were going from Hornell.

Mr. Malter asked what are the surrounding counties doing? Mr. Marshall replied Chemung County recently has gone to Lourdes Hospital. Other counties have indicated they are concerned about the services. Mr. Wheeler stated Erie, Onondaga and Monroe counties have their own medical examiners. The service has been poor. By awarding this RFP you will be saving money and getting better service. Mr. Maio asked the bid did not include toxicology? Mr. Wheeler replied we hope to find a local solution so that we can contract directly for that service.

**MOTION: AWARDING THE RFP FOR MEDICAL EXAMINER SERVICES TO TWIN TIERS PATHOLOGY ASSOCIATES OUT OF VESTAL, NY FOR A COST OF \$1,275.00 PER CASE MADE BY MR. POTTER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mrs. Ferratella asked when will this take effect? Mr. Wheeler replied probably June 1, 2018.

4. **RFP – Toxicology Services** – Mr. Marshall requested authorization to issue an RFP for toxicology services. Mr. Wheeler commented the committee can authorize putting out an RFP and we can come back and tell you if the RFP will be needed.

Mr. Mullen asked will there be an issue with criminal cases? Mr. Reed replied we need the professional service to happen. We will just need to show our chain of custody.

Mr. Maio asked does the contract with Monroe require us to send our toxicology screens out? Mr. Marshall replied they are now sending all of the toxicology screens to a specific lab. Mr. Maio asked are we required to send all of our autopsies to Monroe? Mr. Wheeler replied yes, while we are under contract. Once the contract is severed, you are done.

**MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO ISSUE A REQUEST FOR PROPOSALS FOR TOXICOLOGY SERVICES MADE BY MR. MAIO. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

5. **VHF Fire Simulcast Update** – Mr. Marshall informed the committee this project was started to upgrade the fire service from low-band to VHF. Televate became involved last year due to the technical scope of the work. We are close to being able to have Motorola provide a proposal, hopefully next month, for equipment. We will be purchasing radios for the fire departments out of the grant funding we have. In the grant, there was \$1,049,869.00 to purchase mobile and portable radios. At the time, we were going to provide each department

with four mobiles and four portables. Since that time, it looks like we could potentially receive a little more than that.

Mr. Marshall explained each department will receive about \$22,000 to purchase radios, and we would look to give them options. We are looking at specific models from a specific vendor to get the best discounts that we can. We are looking to purchase Motorola radios off of County bid.

Mr. Potter commented some of the departments, like Troupsburg, have already gotten notices. Have they already replaced their radios? Mr. Marshall replied we are waiting for FCC's final approval for licensing. We have everything in place to submit the final paperwork. He is hesitant to give the fire departments the frequencies, only to find out that FCC has not approved them. Several departments have gone out and gotten individual grants. We sent letters out to all of the fire departments and municipalities to let them know the process is happening. We will phase the low-band out over a period of time. The VHF system will put Law Enforcement, EMS and Fire services on the same platform.

Ms. Fitzpatrick asked will they be able to use the same pagers? Mr. Marshall replied the current pagers are non-P25, so under our grant, non-P25 equipment is not eligible for grant funding. Each department will have to use their own funding to purchase pagers which cost approximately \$382.00. Ms. Fitzpatrick asked are there other ways to reach the volunteer firefighters? Mr. Marshall replied we do have the IAmResponding program, however, they are a third party vendor. The pager is the only way that we can ensure that they get the notifications.

Ms. Fitzpatrick asked what is the timeframe for phasing out the low-band? Mr. Marshall replied he would like to try to get the project done by the end of this year. In the original letter that we sent out, we had indicated that it would be turned over by 2020. He would like to give them a drop-dead date. Mr. Wheeler agreed that we do need to have a cut off date.

Mr. Mullen stated that he would like to look at cost sharing with the departments; when they purchase the equipment, part of the cost they will need to pay is installation. Are the departments going to have a plan in place for this when they are purchasing the equipment? Mr. Marshall replied our goal would be to have each department tell us the equipment they want to purchase, up to the \$22,000. We would purchase the equipment, have it shipped to us, have the programming done by the contractor. Then the departments would have to come and pick up their equipment, once they sign an agreement. The agreement would state that the equipment was purchased with grant funds and would include maintenance, service and warranty requirements. Once the department signs the agreement, they would be given the equipment and then it would be up to them to install it.

Mr. Mullen commented it would help the municipalities if we could get a bid for the installation. Mr. Marshall explained each agency likes their own shop and there are four shops that service our area. Between those four shops, they would get the majority of the work. He does not know if we could do a bid for that type of service. Most shops charge the same amount. Mr. Potter commented if you did bid, it would be more expeditious. Mr. Mullen commented it seems like it would save money. Mr. Marshall stated we have 45 departments in the County and that would overwhelm one shop. Mr. Wheeler stated we can look at doing a bid and see what the prices are.

Mr. Malter stated earlier you alluded that some departments had applied for grants. Are those grants still available? Mr. Marshall replied the departments applied for Fire Act Grant funds. Cohocton and Perkinsville applied and Corning is still waiting to hear. The grant awards are just starting to be released. He commented that he tried to get five or six departments to go in on a grant together. Mr. Malter asked would those grants cover the pagers? Mr. Marshall replied yes.

Ms. Fitzpatrick asked when you determined the grant amounts for the departments, did you consider the size of the department, number of calls, etc.? Mr. Marshall replied we discussed it, but decided upon this method, just

dividing the funds equally among all the departments. Mr. Maio asked why did you not take the size of the department, call volume, etc. into consideration? Mr. Marshall replied it was the easiest way for us to try to do it. Mr. Wheeler explained you also have the differences between fire departments and fire districts and there are small departments versus large departments, with different levels of resources. Mr. Mullen commented all of the departments will need something.

Mr. Potter asked does this change to VHF include fire and ambulance? Mr. Marshall replied yes. The fire based ambulances would have to be included in this. The Hammondsport, Bath, Tuscarora, Wayland and Cohocton ambulance services have already switched over to high-band.

E. District Attorney

1. **Crimes Against Revenue Program Grant** – Mr. Wheeler requested reauthorization of the Crimes Against Revenue Program Grant in the amount of \$40,400. Mr. Maio asked how much money do we get back in restitution? Mr. Wheeler replied he would have to get the figure from the Department of Social Services. There is a line item for restitution and it goes back into the program categories.

**MOTION: AUTHORIZING THE DISTRICT ATTORNEY TO APPLY FOR \$40,400.00 FOR THE CRIMES AGAINST REVENUE PROGRAM GRANT MADE BY MR. RYAN. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Arrestment Courts** – Mr. Mullen asked for an update. Mr. Wheeler replied this is still in flux. He will put this on the agenda for a future month for discussion. Mr. Sauro commented he can provide a draft arraignment plan. We are waiting for a final answer on whether the Jail can be designated as a holding facility.

**MOTION: TO ADJOURN MADE BY MR. RYAN. 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, June 4, 2018  
9:00 a.m.**

**PLEASE PROVIDE AGENDA ITEMS  
NO LATER THAN NOON  
Monday, May 28, 2018.**