

**STEBEN COUNTY PUBLIC SAFETY AND CORRECTIONS COMMITTEE**

*Monday, October 5, 2020*

*9:00 a.m.*

*Legislative Chambers, 3<sup>rd</sup> Floor, Annex Building  
Bath, New York*

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

<b>COMMITTEE:</b>	John V. Malter, Chair Frederick G. Potter	Scott J. Van Etten Thomas J. Ryan	Jeffrey P. Horton
<b>STAFF:</b>	Jack K. Wheeler Tina Goodwin Cheryl Crocker Brenda Scotchmer Rob Wolverton	Christopher Brewer Ken Forenz Jennifer Prossick Yvonne Erway	Shawn Sauro Andy Morse James Allard Brooks Baker
<b>LEGISLATORS:</b>	Carol A. Ferratella Aaron I. Mullen	Kelly H. Fitzpatrick Gary B. Roush	K. Michael Hanna Gary D. Swackhamer
<b>OTHERS:</b>	Mary Perham		

**I. CALL TO ORDER**

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

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE SEPTEMBER 14, 2020, MEETING MADE BY MR. RYAN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

*Secretary’s Note: Chairman Van Etten sat in as a member of this committee as Legislator Maio has temporarily been removed from this committee assignment.*

**III. DEPARTMENTAL REQUESTS**

A. Public Defender

1. **Investigative Services Contract** – Mr. Sauro requested a waiver of procurement for investigative services. He explained we mainly use investigative services for criminal matters and my investigator resigned last Monday. By chance he had been talking with John Sandler who is the owner of Sand Investigations. Mr. Sandler is an excellent investigator who does work for the Public Defenders in Monroe, Yates, Wayne, Livingston and Ontario counties. He also gives lectures and is a drug recognition expert (DRE). Mr. Sandler is willing to work for us under the same contract as our previous investigator at a rate of \$70.00 per hour.

**MOTION: WAIVING THE PROCUREMENT PROCESS AND AUTHORIZING THE PUBLIC DEFENDER TO CONTRACT WITH JOHN SANDLER OF SAND INVESTIGATIONS FOR INVESTIGATIVE SERVICES AT A RATE OF \$70.00 PER HOUR MADE BY MR. VAN ETTEN. SECONDED BY MR. HORTON FOR DISCUSSION.**

Mr. Van Etten asked what are the rules regarding waiving procurement? Ms. Prossick asked Mr. Sauro did you get quotes from anyone else? Mr. Sauro replied no. Ms. Prossick explained since Mr. Sauro needs these services right away, we could have done as an emergency procurement, so there are no issues with waiving because there was a need. Mr. Van Etten stated he is fine with doing this at the same rate. Did the prior investigator give a

reason for why she left? Mr. Sauro replied she works full-time as support staff to a local attorney and was overwhelmed. She also had some difficulty getting the paperwork that the County required.

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

2. **Virtual Arraignments** – Mr. Van Etten asked do you have an update on the CAP changes with the State as far as virtual arraignments? Mr. Sauro replied no. Senator O’Mara and a few others were going to push for reform to the criminal process law. The law is set to expire and they were going to try to revise it and change the language so that it was all inclusive.

B. Sheriff’s Office

1. **Donations** – Sheriff Allard requested authorization to receive a \$75.00 K-9 donation from the Pierce family.

**MOTION: AUTHORIZING THE SHERIFF TO ACCEPT A \$75.00 K-9 DONATION FROM THE PIERCE FAMILY MADE BY MR. RYAN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Sheriff Allard requested authorization to accept a \$2,000 Walmart Community Grant. This is a grant that the Undersheriff applied for. These funds will go into the Minor Equipment line to purchase electronic items to support evidence collection.

**MOTION: AUTHORIZING THE SHERIFF TO ACCEPT AND APPROPRIATE \$2,000 FROM THE WALMART COMMUNITY GRANT INTO MINOR EQUIPMENT TO PURCHASE ELECTRONIC ITEMS TO SUPPORT EVIDENCE COLLECTION MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Arrest Warrants** – Mr. Malter stated in the paper there were several arrests made on warrants and all of the individuals were remanded to the Jail. Does this represent a special situation? Sheriff Allard replied no; these were all probation violations. A lot of folks are caught and released and then put on probation and they then struggle not to violate probation and then they end up being remanded to jail.

3. **K-9 Donation** – Sheriff Allard requested authorization to accept a \$500 donation to the K-9 program from the Bath Revitalization Group.

**MOTION: AUTHORIZING THE SHERIFF TO ACCEPT A \$500 DONATION TO THE K-9 PROGRAM FROM THE BATH REVITALIZATION GROUP MADE BY MR. VAN ETTEN. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

4. **Hornell City Fire Department** – Sheriff Allard informed the committee that he received a letter from the Hornell City Fire Department regarding a rollover crash that deputies responded to. When the Hornell Fire Department arrived on scene, the Sheriff’s Deputies were already administering life support. The letter goes on to state “...this is a perfect example of what the program’s inception was created for...” Sheriff Allard stated this is just another example of what the EMT program is doing for the safety of residents.

5. **Executive Order Update** – Sheriff Allard stated all of the surveys are in. We received 1,764 surveys and of those, 480 were specific to the Sheriff’s Office. We are compiling all of that data right now. One of the questions asked individuals to rate the agency from a scale of 1 – 10 on how we are meeting needs. For the Sheriff’s Office, preliminarily, the survey shows that we are rated 8.1 out of 10. We will be meeting twice this week to get the data together so that we can bring it back to you and move forward on the plan. We are on time and on target and we did get a pretty good response. With respect to a question regarding internal arrest numbers, we ran our actual numbers and we are right on or below the demographic for minorities. For 2018 we were at 3 percent overall arrests for African-Americans and 1 percent of those actually lived in the County and accounted

for 1.7 percent of the total population. The same thing with Marijuana – we had 83 arrests in 2018 with 0 being African-American and in 2017 we had 40 arrests with 1 being African-American. It was also encouraging that it is not true that we are disproportionately targeting African-Americans. Sheriff Allard stated he hopes to have the plan before the Legislature at the January Board meeting.

C. Emergency Management Office

1. **Motorola Command Simulcast Proposal** – Mr. Forenz requested approval to do the Motorola Command Simulcast proposal. This is a project to add on a command simulcast channel on the fire services side. The cost is \$418,299.25 and is all grant funded through Homeland Security.

**MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO MOVE FORWARD WITH THE MOTOROLA COMMAND SIMULCAST PROJECT FOR A TOTAL COST OF \$418,299.25, SAID FUNDS TO BE PAID BY HOMELAND SECURITY GRANT FUNDS MADE BY MR. VAN ETTEN. SECONDED BY MR. RYAN FOR DISCUSSION.**

Mrs. Ferratella stated we had put out a bid for an EMS study and I believe we paid \$54,000 for that. Last week the consultants held a town hall meeting and Mr. Marshall had said they had submitted all of the data. At the town hall meeting it was very clear that there had been no interviews with EMS. My question is what was the scope of the project and what is the deadline? I don't feel like we have gone very far with this? Mr. Wheeler replied COVID has been a part of the delay. Interviewing EMS agencies was part of the original scope. The town hall meeting was a means to do that and then the consultants will follow up if they have more detailed questions. The consultants did finish data collection. We had expected the study to be done by now, but COVID did delay it.

Mrs. Ferratella asked when did we initially start this study? Mr. Van Etten replied February. Mr. Malter asked what is the completion date? Mr. Forenz replied the consultants have said it will be done by the end of the year, but I don't have an accurate date right now. That was one of my concerns as well with regard to the feedback from the agencies and that is what the consultants are working on now. The consultants still need to finish other areas of the study and they will be reaching out to the EMS agencies to get feedback.

Mr. Van Etten asked going back to the discussion on the command simulcast proposal, is this a new incremental channel that we are adding? Mr. Forenz replied it is an additional channel and will bring us to where we were on the low-band. This will be a command channel on the VHF platform.

Mr. Van Etten asked will there be any ongoing annual costs? Mr. Forenz replied this project is covered by grant funds. The only ongoing cost would be the maintenance of the equipment.

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

Mr. Malter asked what are the costs for updating the microwave system? Mr. Forenz replied I will have to get that. The updates to the microwave system will also be covered by grant funds. Mr. Malter asked we are using the microwave system as a backup? Mr. Forenz replied correct. We are upgrading the system that is 20 years old. Mr. Malter stated I would like to see the cost of that.

Mr. Potter asked what is the status of the Jasper tower site project? Mr. Forenz replied we are waiting for the combiner company to come back and work on some of the interfacing issues. We are hopeful that will occur this week. The other vendors on the project are also checking other areas, but we believe that it is something in the combiner. Mr. Potter asked is that why the project is taking longer? Mr. Forenz replied yes. Unfortunately, everything has to be synchronized together. We do not own the Jasper site and that forces us to use a combiner which is basically one antenna for both transmitting and receiving. Mr. Potter asked do you have any idea when this will be resolved? Mr. Forenz replied I would like to say sooner rather than later. We believe once this issue is resolved we should be able to move forward.

D. E-911

1. **Approval to Purchase Additional Connectivity Licenses for MDT's and Android CAD –**

Mrs. Goodwin requested authorization to purchase 100 net mobile licenses for connectivity. This is for our MDT's and the CAD on Android and more fire departments are purchasing the hardware to get on this program. We already purchased the licenses and this is actually the VPN that makes it safe to connect and provides automatic vehicle location information. Agencies can also use the mapping. Mr. Malter asked what is the cost? Mrs. Goodwin replied the cost is \$6,745.75 for one year. We have money budgeted in our software maintenance line item to cover this.

**MOTION: AUTHORIZING THE DEPUTY DIRECTOR OF 911 TO PURCHASE 100 NET MOBILE LICENSES FOR CONNECTIVITY FOR MDT'S AND CAD ON ANDROID FOR A COST OF \$6,745.75 FOR ONE YEAR MADE BY MR. VAN ETEN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

IV. **OTHER BUSINESS**

A. *Diversion Program* – Mr. Malter asked if Mr. Baker could provide an update on the Diversion Program. Mr. Baker stated our numbers are phenomenal. I don't know if the fee reductions made a difference. We are ending in the \$250,000 range for folks who have applied for and been accepted into the program. We need to work on the MOU's to pay the towns and villages.

**MOTION: TO ADJOURN MADE BY MR. RYAN. 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\*\***

**Monday, November 2, 2020**

**Legislative Chambers**

**9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office**

**NO LATER THAN NOON**

**Monday, October 26, 2020**