

TRAFFIC SAFETY BOARD

Friday, September 25, 2020

10:10 a.m.

*Legislative Chambers, 3rd Floor Annex Building
Bath, New York*

PRESENT: Chief Chad Mullen, Bath Village Police Department
Sheriff James Allard, Steuben County Sheriff's Office
Amy Dlugos, Director, Steuben County Planning Department
Carol A. Ferratella, Steuben County Legislator, District 13
Christopher Brewer, Deputy County Manager
Martin Butler, New York State Department of Transportation
Sgt. James Feeley, New York State Police
Tim Marshall, Director, Office of Emergency Management
Brooks Baker, Steuben County District Attorney
Maureen Kozakiewicz, Highway Safety Rep., Governor's Traffic Safety Committee
Honorable Chris Brothers, Steuben County Magistrate's Association

I. CALL TO ORDER

Chief Mullen called the meeting to order at 10:10 a.m.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE JUNE 26, 2020, MEETING MADE BY SHERIFF. ALLARD. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES.

III. NEXT MEETING

The next regularly scheduled meeting will be held on Friday, December 18, 2020, at 10:30 a.m. with the location to be determined.

IV. CORRESPONDENCE

No correspondence was received.

V. DEPARTMENT/AGENCY/MEMBERSHIP REPORTS

A. Sheriff's Office

- Sheriff Allard stated he had sent out the reports from the traffic trailer. One of the locations that he is considering is at the Hammondsport end of CR76. This is the area of concern that Mr. Grimsman has complained about and spoke to the Traffic Safety Board about. He asked for the committee's thoughts. The trailer is currently, or will be next week, located on Goff Road. This is a pretty good report that is generated from the traffic trailer. If an agency has an area that needs to be addressed, let me know as this trailer is open for any agency to use.

Mr. Catherman commented that with regard to putting the traffic trailer at the Hammondsport end of CR76, it will not hurt to put it there. Sheriff Allard stated we continued to have enhanced enforcement in that area and we will continue that for the length of the construction. The NYSP has also been giving this area extra attention. Sgt. Feeley commented we do send vehicles out there periodically. That is a tough area to enforce, but we have been out there to address the concerns. Sheriff Allard stated he just does not want Mr. Grimsman to think that we have forgotten about his concerns and if we put the traffic trailer out there he will know that we are continuing to address his concerns.

- Sheriff Allard discussed the 2021 STOP DWI Plan. He stated he did not include a vehicle for the Sheriff's Office and there is also an increase of \$1,000 for allowable reimbursements for the Town of Cohocton as they have been doing some enforcement.

MOTION: APPROVING THE 2021 STOP DWI PLAN AS PRESENTED BY SHERIFF ALLARD MADE BY MRS. DLUGOS. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES.

- Sheriff Allard stated they are continuing with all of the COVID checks in addition to their normal duties. With the recent 32 cases at Centers in Corning, that has increased the load on the department. There will be a drive-thru COVID test site set up today from Noon to 6pm and tomorrow from 10am to 6pm at the Victory Highway Church and the deputies will be transporting the tests.
- Sheriff Allard stated the STOP DWI Education Trailer arrived yesterday and we have a meeting on Monday to start the design of the contents and the media associated with that.
- Sheriff Allard stated we are working with NYSDOT Operation Hard Hat. We have been patrolling SR 36 this week and will continue next week.

B. Planning

- Mrs. Dlugos stated she has nothing to report other than the fact that this will be her last meeting as she will be retiring at the end of October. She stated that she would imagine that Matt Sousa would be the representative from the Planning Department. The Board congratulated Mrs. Dlugos on her retirement.

C. New York State Department of Transportation

- Mr. Butler informed the Board that there has been construction activity throughout the region and much of it is coming to an end. The paving project on I-86 in Corning is done except for pavement markings which are being completed.
- I-86 Triple Pipe Bridge replacement near Kanona should be done next week.
- The project in Urbana on State Route 54 and State Route 54A had been put on hold while we worked on a few design details. The detour is being prepped now and there will be some work over the winter. Sheriff Allard asked will that be an onsite detour? Mr. Butler replied yes. This will be a temporary one lane bridge.
- Culvert pipe replacements north of 417; the culvert pipe replacement on I-86 north of 417 will be done in late November.
- Sidewalk Project in Bath – Mr. Butler stated progress is slow and there are some issues going on. We also have PSAP (Pedestrian Safety Action Plan) work being done in Bath and around the County in various places and we have also had difficulty with that. The contract is due at the end of October and the contractor will not be able to complete the work. This seldom happens, however, we set up a penalty within the contract if the completion date is not met. We are still in negotiations with respect to this and I cannot report anything further. He stated I can say that we are trying to the contractor to complete what they have started by the end of October.

D. New York State Police

- Sgt. Feeley reported that the DRE they had in training is now in the zone. Other training got pre-empted by COVID, but we did get two officers trained in ARIDE this past year. Our goal is to get everyone trained in that, but that is difficult as troopers transfer into the zone without it and transfer out of the zone with it.
- Sgt. Feeley stated October 1st is the start of our grant year for traffic safety plan initiatives and Sgt. Bernard believes we will be funded at comparable levels to last year. Hopefully this next fiscal year we will be able to complete. The trend with pursuits is that they seem to be more complex than ever. That is a concern. He stated we have an individual of Avoca who was involved in a fatal accident, and now, not more than six months later, he just led us on a pursuit this past Sunday and he is not

remorseful about any of it. I see tragedy on the horizon if this individual does not change his behavior and outlook. Hopefully we can put some more attention on the Avoca community.

Sgt. Feeley stated with the grants, Sgt. Bernard has put in for a grant that funds Victim Impact speakers, and this will also include those that participate by Zoom and that may be something that we can look into. This is something that may also be helpful for the schools.

- Sgt. Feeley stated I am also retiring. I have enjoyed my time on the Board and it is very beneficial to have this network of people with the skill set, knowledge, and passion for this topic. It has been helpful to me as a member of the New York State Police. Thank you for allowing me to participate. The Board congratulated Sgt. Feeley on his retirement.

E. District Attorney

- Mr. Baker stated they are now up to full staff with Assistant District Attorneys with the addition of Tom Bowes.
- Mr. Baker stated we have been moving ahead with the Traffic Diversion Program and the next step will be to do Memorandums of Understanding with the municipalities.
- Mr. Baker stated there has been a change in Article 245 with relation to Discovery which is good for us in the context of traffic cases. Now we are to provide discovery as soon as practicable, but not later than fifteen days before trial.

G. Public Works

- Mr. Catherman stated we are winding down our construction schedule. CR 66 just opened and that temporary signal worked very well and we only had one mishap during the course of construction. The bridge is open to traffic now.
- Mr. Catherman stated with regard to the CR 119 bridge replacement in Cameron, we will be very busy this coming month. We will be setting the bridge beams, painting the deck, the Railroad crossing will be moved and the gas company will also be coming in. This bridge is scheduled to open by the third week in November and the old bridge will be taken out in December.
- Mr. Catherman stated he has received two speed requests. The first is from the Town of Hornellsville relative to CR 64. He stated he has not yet received the resolution from the town. The second request is from the Town of Caton. They are requesting a lower limit on all roads and we told them that is not the way to do it and that they have to submit a form for one of the roads. We are waiting for the resolution from the Town of Caton.
- Mr. Catherman stated I also am retiring and will be leaving by mid-November. He stated he is not sure who will be his successor. He stated that he has enjoyed his time working with everybody. The Board congratulated Mr. Catherman on his retirement.

H. Legislature

- Mrs. Ferratella asked with regard to pavement markings, have you found a solution for the area on SR 417 between the bridge and WalMart? Mr. Butler replied I am sorry to stay this, but my office has been devastated by the loss of staff and we have not had a chance to go look at it. He stated as a matter of fact, I will go out today and look at it. We have a three-year cycle for epoxy painting. I don't think we will get it done this year unfortunately. Mrs. Ferratella stated my concern is when the weather gets bad and when it is raining/snowing it is very difficult. Mr. Butler commented some of that has to do with the new concrete. I will go out and take a look at it today.

I. Bath Police Department

- Chief Mullen stated I do not really have much to report other than traffic for the fire yesterday was tremendous and everyone did an amazing job. During this event, the highway was down to one lane which was difficult. There was a good collaboration of every agency.

- Chief Mullen stated as a point of interest, my agency is down on staff and we have already gone through our budgeted overtime in the last three to four months.

J. Emergency Management Office

- Mr. Marshall, via text, informed the Board that he has nothing to report.

K. Governor's Traffic Safety Committee

- Ms. Kozakiewicz stated that she would like to congratulate all those that will be retiring. Having said that, it is so disheartening to see so many good folks leaving. I am concerned with how you will proceed and how you will be replacing those that are retiring.
- Ms. Kozakiewicz stated I would like to thank Sgt. Bernard for giving you the information about the Victim Impact zoom. We will also be adding drowsy driving. You can contact our website or contact me and we can get you speakers for both drowsy driving and Victim Impact.
- DRE and ARIDE training information is available on our website. We are seeing a huge turnover in every aspect.
- Ms. Kozakiewicz stated I am so happy to hear that the Sheriff is ready to do the design work on the STOP-DWI Education trailer. Please contact me if I could help you get some funds for that; I can work with you on that.
- Ms. Kozakiewicz stated road safety is a huge issue for us and we are seeing more fatalities than ever. With pursuits, we are talking about high speed crashes all over. We are also looking at how to change driver behavior.
- Grants are due May 2021. There are opportunities for funding on multiple fronts. The PSAP grant is a prime opportunity to get funding for education and enforcement. If you have construction, then there are funds after the fact that you can use to do an education and enforcement component. With regard to federal funds, your guess is as good as mine going forward. For 2021 we have funded many agencies that put in pretty much at the normal funding levels. A number of agencies did not submit this year and I am contributing that to COVID.

Chief Mullen asked how does your budget look for next year? Do you think the State will cut it? Ms. Kozakiewicz replied my personal opinion is I would think we would see some cuts, but I don't know what this is going to impact. We are telling grantees because in face-to-face engagement for HSP grant, to go virtual and do a hybrid approach; that will sustain the grant.

- Ms. Kozakiewicz stated I would love to know what is happening in Steuben as you have been seeing more fatalities. Sheriff Allard commented we are seeing more overdoses and traffic fatalities are up. Chief Mullen commented there are no consequences for drivers and no consequences for criminals. Some of these laws need to be changed to give us more teeth. With licenses and registrations, our officers are confused about what they can write a ticket for. Sheriff Allard commented expired licenses and registrations are still good. Ms. Kozakiewicz commented everything is in flux and there is no solid ground to stand on.

Chief Mullen stated when COVID started, a lot of agencies, including mine, shut down traffic enforcement a little bit. The courts are saying more traffic tickets are coming in again, but this was a band aid kind of situation. Ms. Kozakiewicz stated we saw that across the board. Certain agencies were only down for two weeks and others were just getting back up and running in June and July. Chief Mullen stated people feel invincible now because there are no consequences. It is not safe for the communities.

L. Magistrate's Association

- Justice Brothers stated I am filling in for Justice Rouse-Nichols. She stated the judges would like more information about the diversion program. Some town supervisors do not even know that this program is going on. The Wayland Town Supervisor knew about the program, but most of the judges

do not know anything. She stated that she disseminates information to magistrates as she is the Treasurer of the Magistrate's Association. We are a little frustrated that we were not informed. This was pitched to us at our February meeting and all of a sudden we are getting an email. We would like to be included on this and would like to know more about the program.

Chief Mullen asked Mr. Baker to address this. Mr. Baker explained some communication was sent out. Essentially this is the same program as before. We are looking to do an MOU with the town and village supervisors. I will resend the process and program memo to the Magistrate's Association and I am also available for questions. This should be far better as we are now using a service and the process is much more transparent. Justice Brothers asked how much money are the towns getting from this? Mr. Baker replied that is a conversation we will have with the town and village supervisors. Justice Brothers stated Woodhull knew nothing about this. Mr. Baker stated the MOU's have not been drafted yet. Justice Brother stated we were clueless that the program was even going on. Mr. Baker stated we are working with the County Attorney to draft the MOU's to make them proper, legal and lawful. The revenue will be very similar to what it was last time. The program has only been up and running for thirty days. We will get everything together before the first of the year. He stated that he thinks the new program will be easier.

MOTION: TO ADJOURN MADE BY MRS. DLUGOS, SECONDED BY MRS. FERRATELLA AND DULY CARRIED.

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature