

PUBLIC SAFETY COMMITTEE
January 3, 2019

APPROVED
February 6, 2019
ALLEGANY COUNTY
BOARD OF LEGISLATORS

Members Present: D. Healy, W. Dibble, D. Decker, S. Havey, J. Hopkins, C. Crandall (Absent: B. Harris)

Others Present: L. Ballengee, G. Barnes, T. Boyde, P. Curran, J. DiPasquale, D. Fanton, K. Graves, G. Green, S. Grusendorf, C. Ivers, C. Jones, B. Kelley, C. Knapp, T. Miller, B. Perkins, J. Ricci, B. Riehle, D. Root, T. Ross, K. Slep, R. Starks, P. Stockin, M. Washer, R. Whitney

Media Present: C. Potter, *The Spectator*

Call to Order: The meeting was called to order at 1:30 p.m. by Public Safety Committee Chairman Dwight "Mike" Healy.

Approval of Minutes

A motion was made by Legislator Dibble, seconded by Legislator Decker, and carried to approve the Public Safety Committee minutes for December 5, 2018.

PUBLIC DEFENDER

Public Defender Barbara Kelley attended the meeting and submitted her monthly report to the committee for review. Ms. Kelley stated that 2018 numbers were consistent with 2017.

Request to Fill Fourth Assistant Public Defender

Ms. Kelley requested permission to fill one full-time Fourth Assistant Public Defender (Section IV Salary Plan) due to a resignation. This position is responsible for off-hour arraignment coverage. The annual salary of this position is \$70,000 with benefits estimated at \$33,229. This position is funded 100 percent with State funds. Legislator Dibble asked if the grant were to go away, does the position as well, and Ms. Kelley stated, yes. Legislator Decker asked if the grant covers benefits and what qualifications are required for the position. Ms. Kelley stated benefits, as well as mileage, which is significant, is covered. The individual must possess a law degree and be admitted to the New York State Bar to practice law. County Administrator Timothy Boyde stated it is a position that is fully funded by a state grant, and he supports the position in order to allow us to come into compliance with Hurrell-Herring vs. NY. Legislator Hopkins indicated there was information that recently came about regarding weekend arraignments and the County not having to comply. Ms. Kelley stated it has been required since 2010; however, it took the state a few years to complete the grant program and funding. Ms. Kelley continued that the problem is that it's very hard to comply with, and by the year 2023, the State wants everyone to cover every arraignment which will make it difficult to find someone to fill the position. Ms. Kelley noted that without this person they are limited with what they can do, and they have put forth an effort to make the position more palatable. This request was approved on a motion made by Legislator Dibble, seconded by Legislator Havey, and carried. **Refer to Ways and Means**

EMERGENCY MANAGEMENT & FIRE

Emergency Management & Fire Director Jeff Luckey attended the meeting and submitted his monthly report to the committee for review. Mr. Luckey acknowledged the water rescue he attended in Friendship, stating *The Spectator* wrote a nice article on it.

Agency Issues

Mr. Luckey stated he along with the NYS Department of Health Bureau of Emergency Medical Service facilitated a meeting with some agencies to work on issues that have been raised, noting there will be some minor changes happening in the future.

Equipment Loan Agreements

Mr. Luckey requested a resolution to enter into equipment loan agreements with fire and EMS departments to loan laptop computers previously purchased with Homeland Security Grants. These computers were purchased in 2015 and 2016 to be given to the fire and EMS departments for the purpose of accessing their information from calls. They were purchased with SHSP12 Grant #T969120. Additionally, Microsoft Office Home and Student is included with each computer which was purchased with SHSP12 Grant Contract #T969120 and SHSP13 Contract #T969130. There was a delay in dispersing the laptops due to compatibility issues with the old CAD system; however, as the new CAD has a web base that the computers can access without obtaining additional licensing, they may now be loaned to the fire and EMS departments for their use. Each department may receive a laptop after they attend training from the 911 department and sign the agreement which has been reviewed by the County Attorney. Mr. Luckey noted that there will be no fiscal impact to the County as the computers have already been purchased. Legislator Hopkins asked if the departments will all have internet access, and Mr. Luckey stated it is not likely. Legislator Graves expressed concern over the 90-day time period being allowed for the return of equipment should the County request it. County Attorney Carissa Knapp stated that time period is similar to other contracts; however, they can change it to something they find more acceptable. The committee did not take action on changing the 90-day timeframe for the return of equipment, and this request was approved on a motion made by Legislator Hopkins, seconded by Legislator Decker, and carried. **Prepare Resolution**

Replacement of Emergency Services Assistant

Legislator Dibble asked for an update on the replacement of the previous Emergency Services Assistant. Mr. Luckey stated they are working out some final details for the position and hope to move forward in the next month or two.

STOP- DWI

STOP-DWI Coordinator Brian Perkins attended the meeting and submitted his monthly report to the committee for review. Mr. Perkins briefly highlighted events he has recently attended noting he has started to build relationships and work on future planning.

Dan Barkley Showcase

Legislator Decker asked when the Dan Barkley Showcase games will be held. Mr. Perkins stated they will be held on Friday, January 11, and Saturday, January 12, at the Orvis Activities Center at Alfred State College.

DISTRICT ATTORNEY

District Attorney Keith Slep attended the meeting and submitted his monthly report to the committee for review. Mr. Slep indicated they had a relatively safe hunting and holiday season. Legislator Dibble stated it's amazing to see the numbers down compared to 2017, and Mr. Slep stated you never know what you're going to get from one year to the next.

Legalization of Marijuana

Legislator Barnes asked Mr. Slep how he and his fellow District Attorneys feel about the legalization of marijuana in New York State. Mr. Slep stated the current president of the District Attorney Association is very progressive and has a very different opinion than Mr. Slep who believes that it will be a complete disaster. Mr. Slep indicated that prosecutors from Colorado will

be attending an upcoming meeting in New York to discuss the problems they are having since its legalization. Mr. Slep continued that when people hear marijuana, they think of the 1960s style; however, what we're getting today is far above that, adding that the incidents of drug driving offenses will also go up because of the relationship THC has to food, candies, waxes, etc. Mr. Slep advised everyone to educate themselves on the issue. Committee Chairman Healy asked if he believes marijuana is a gateway drug. Mr. Slep stated that not everyone who smokes marijuana also does heroin; however, marijuana is certainly where most people start. Committee Chairman Healy stated it has certainly opened their eyes to the opioid problem and reminded everyone that they are working towards a resolution to oppose the legalization of it.

PROBATION DEPARTMENT

Probation Director Robert Starks attended the meeting and submitted his monthly report to the committee for review. Mr. Starks stated that juvenile numbers are up quite a bit compared to last year, and investigations ordered are approximately the same. Mr. Starks noted they had their second 16-year old come in which brings them up to two since the Raise the Age law went into effect in October 2018.

WEIGHTS AND MEASURES

Weights and Measures Director Gilbert Green attended the meeting and submitted his monthly report to the committee for review. Legislator Hopkins asked what the requirements are for sap and syrup. Mr. Green stated most producers sell by the barrel, but some sell by the canister. Committee Chairman Healy asked if they are selling it wholesale, and Mr. Green stated, yes.

SHERIFF'S OFFICE

Sheriff Whitney attended the meeting and submitted his monthly reports to the committee for review. Sheriff Whitney stated that four dispatchers received certificates from the Bolivar Fire Department for a 911 call from a resident who had a heart attack and was saved.

High School Equivalency Exams

Legislator Hopkins stated that it is nice to see that four inmates passed their high school equivalency exams. Committee Chairman Healy asked if they have traveling teachers who are coming to the Jail. Sheriff Whitney stated it is a BOCES teacher. Legislator Dibble asked if they were federal or local inmates. Sheriff Whitney indicated three were federal, and one was local.

Request to Fill E-911 Dispatcher

Sheriff Whitney requested permission to fill one full-time E-911 Dispatcher (AFSCME, Council 66 Bargaining Unit). This position is to fill an open full-time position due to a full-time Dispatcher returning to part-time status. The annual salary of this position is \$36,070.53 with benefits estimated at \$17,122.68. This position is funded 100 percent with County funds. This request was approved on a motion made by Legislator Dibble, seconded by Legislator Havey, and carried. **Refer to Ways and Means**

Request to Fill Part-Time Secretary to the Sheriff

Sheriff Whitney requested permission to fill one part-time Secretary to the Sheriff (Non-Union, \$15.87/hour). This position along with a current part-time Secretary will allow for full coverage. This position is responsible for processing Pistol Permit transactions, bail transactions,

and responding to initial inquiries of customers or other personnel seeking information from the Sheriff's Office. The hourly rate for this position is \$15.87 and is covered 100 percent with County funds. This request was approved on a motion made by Legislator Havey, seconded by Legislator Dibble, and carried. **Refer to Ways and Means**

Radio/Tower Project Update

Lt. Grusendorf stated there hasn't been a lot of progress with the Radio/Tower Project due to the holidays and winter months; however, they hope to have a completed contract for the Fire A project by February and continue to work on grants and new contracts. Lt. Grusendorf noted that they are still waiting on the easement from the Agriculture Foundation to provide power to the Alfred State tower.

911 Enumeration Project Update

Lt. Grusendorf stated they continue to work closely with Deputy County Administrator Jay DiPasquale on a detailed outline of the project and will have it ready to submit next month, adding they will also have some others attending the meeting to speak about the project as well. Sheriff Whitney noted that Dispatcher Russ Hall has finished the Town of Bolivar and is now working on the Village of Bolivar. Committee Chairman Healy thanked all involved in the project for their efforts.

Executive Session

A motion was made by Legislator Decker, seconded by Legislator Hopkins, and carried at 2:01 p.m. to enter into executive session to discuss collective negotiations pursuant to article fourteen of the civil service law. Immediately following discussion at 2:16 p.m., a motion was made by Legislator Hopkins, seconded by Legislator Decker, and carried to end the executive session and return to the regular meeting.

D.I. Jacobs Municipal Management Consulting Service Agreement

County Administrator Timothy Boyde requested a resolution to enter into an agreement with D.I. Jacobs Municipal Management Consulting Service to conduct a correctional facility staffing study. The study will review the staffing patterns, overtime issue, and make recommendations to address any issues identified throughout the process. Mr. Boyde also requested a 2019 Budget transfer as follows to finance the cost of the agreement:

<u>From:</u>	<u>Amount:</u>
A1990.429 (Contingency)	\$24,300

<u>To:</u>	<u>Amount:</u>
A1011.409 (County Administrator Fees)	\$24,300

The associated costs for this study are not to exceed \$24,300. The funds necessary to complete this study will be drawn from 2019 Contingency, and the contract has been reviewed and approved by the County Attorney. Legislator Decker commented that this is an issue that has been thoroughly discussed, and he is glad to see how fast they have been able to address it. This request was approved on a motion made by Legislator Decker, seconded by Legislator Havey, and carried. **Refer to Ways and Means**

Adjournment

There being no further business to come before the committee, the meeting was adjourned at 2:17 p.m. following a motion by Legislator Decker, seconded by Legislator Dibble, and carried.

Respectfully submitted,

Meghan Washer, Confidential Secretary to the Clerk of the Board
Allegany County Board of Legislators