

**PUBLIC SAFETY COMMITTEE**  
**March 7, 2018**

April 4, 2018

ALLEGANY COUNTY  
BOARD OF LEGISLATORS

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

**Others Present:** L. Ballengee, G. Barnes, T. Boyde, L. Edwards, M. Evans, K. Francisco, K. Graves, G. Green, S. Grusendorf, K. Hooker, C. Ivers, B. Kelley, C. Knapp, J. Luckey, J. Ricci, B. Riehle, T. Ross, R. Starks, P. Stockin, R. Swarthout, M. Washer, R. Whitney

**Media Present:** C. Potter – *Wellsville Daily Reporter*

**Call to Order:** The meeting was called to order at 11:08 a.m. by Public Safety Committee Chairman Dwight “Mike” Healy.

**Approval of Minutes**

A motion was made by Legislator Dibble, seconded by Legislator Havey, and carried to approve the Public Safety Committee minutes for February 7, 2018, with the following amendments:

Change: *“Legislator Decker asked if the state has extended the period of time to recertify pistols”*

To: *“Legislator Decker asked if the state has extended the period of time to recertify pistol permits.”*

Change: *“Legislator Stockin stated an attorney getting called out once is going to be roughly \$1,000 alone.”*

To: *“Legislator Stockin stated an attorney getting called out four to five times in one weekend is going to cost roughly \$1,000.”*

**PUBLIC DEFENDER**

Public Defender Barbara Kelley attended the meeting and submitted her monthly report to the committee for review. Ms. Kelley stated they have shown a slight uptick in criminal cases compared to this time last year, and family court cases remain roughly the same. Ms. Kelley stated as of Monday, March 5, 2018, the Counsel at First Appearance Program has had over 100 arraignments, and they are learning that if you're on-call; you will be called out, the only unknown is when and where they have to go. Legislator Harris asked what Courts are seeing the most arraignments. Ms. Kelley stated the local towns and villages that have their own Police Department.

**EMERGENCY MANAGEMENT AND FIRE DIRECTOR**

Emergency Management and Fire Director Jeff Luckey attended the meeting and submitted his monthly report to the committee for review. Mr. Luckey stated that he attended the annual NYS Emergency Managers Conference in Syracuse which included Tier 2 training for their annual certification. Mr. Luckey stated that on February 25 he was notified by RG&E regarding a widespread power outage that would affect approximately 3,100 customers so they could isolate and replace a bad insulator on a transmission line. Mr. Luckey addressed the recent winter storm stating there were approximately 10,000 people without power, 2,500 of which are serviced by the Village of Wellsville. Legislator Harris asked if the 10,000 is people or households. Mr. Luckey stated it is the number of customers. Mr. Luckey stated he and Sheriff Deputy Hand met with the Accord Safety Committee to discuss and begin planning for an active shooter drill they would like to have in the future. Committee Chairman Healy asked if the State Police will be involved as they could very well be the first on scene. Mr. Luckey stated, yes, they will be included. Committee

Chairman Healy asked Mr. Luckey to explain what unattended death is to the new Board members. Mr. Luckey stated an unattended death is anytime someone dies and no one was there to witness it, and they generally happen in homes or outside. Committee Chairman Healy addressed the unattended death Mr. Luckey responded to, and asked if he typically is supposed to respond to them. Mr. Luckey stated that normally he does not; however, there were some unusual circumstances regarding this one, and his assistance was requested by the Belmont Police Department. Legislator Decker asked if the coroner is who decides if an autopsy is needed. Mr. Luckey stated it's a combination of the coroner and law enforcement.

### **Re-appropriation of Homeland Security Grant**

Emergency Management and Fire Director Jeff Luckey requested a resolution re-appropriating unspent funds in the amount of \$38,732 from the 2017 Homeland Security Grant Project # SH15-1001-D00SHSP, Contract # C969150. The funds should be appropriated as follows:

<u>Appropriation:</u>	<u>Amount:</u>
A3656.207 (Homeland Security – Emergency Service Equip.)	\$37,500
A3656.402 (Mileage – Transportation to approved trainings)	\$ 500
A3656.405 (Conference Expenses)	\$ 448
A3656.416 (Homeland Security – Emergency Service Telephone)	<u>\$ 284</u>
Total:	\$38,732
<u>Revenue:</u>	<u>Amount:</u>
A3656.3306EM15 (Homeland Security – State Aid)	\$38,732

Legislator Graves stated this grant money was initially awarded in December 2015 and asked why it has taken almost three years to spend \$38,000, adding with a lot of these grants, if you aren't spending the money, they take it away. Mr. Luckey stated they have done fairly well with not losing any grant funds. Legislator Graves noted that it's also a hassle for the Treasurer's Office to track down these grants. This request was approved on a motion made by Legislator Dibble, seconded by Legislator Decker, and carried. **Refer to Ways and Means**

### **STOP- DWI**

STOP-DWI Coordinator Linda Edwards attended the meeting and submitted her monthly report to the committee for review. Ms. Edwards stated she received an invitation from the New York State DMV to participate on a team creating a "Teen Driver Safety Presentation" toolkit to be used by anyone looking to host a teen driver event. Legislator Hopkins asked what type of events the toolkits would be used at. Ms. Edwards stated she is not sure at this point where they are going, as they are in the introductory phase; however, believes it would be events such as pre-prom or pre-graduation. Ms. Edwards stated they are currently working on their Top Cop Dinner, and the program booklets are ready. There were 209 DWI arrests in 2017 which is down 18 percent from 2016. There were no fatalities in 2017, and still remain at one fatality in the last five years. There were 15 personal injury and 31 property damage crashes. The Top Cop Dinner will be held on Thursday, March 29, 2018, and those who plan to attend please RSVP to Ms. Edwards.

### **DISTRICT ATTORNEY**

District Attorney Keith Slep attended the meeting and submitted his monthly report to the committee for review. Mr. Slep stated drug activity is the same with a slight uptick. Legislator Harris asked if there is a violent felony during afterhours and it's definite that bail is going to be

set, do they send an Assistant District Attorney to arraignment, and does he find it concerning that bail is set too low. Mr. Slep stated, no, he does not send someone out to arraignments. He has to be called for every felony and will then make a recommendation over the phone; however, it is up to the judge to set the bail. Legislator Harris then asked if Mr. Slep finds any benefit to having an Assistant District Attorney physically present at arraignment. Mr. Slep stated at this point in time, he does not see a benefit because it hasn't been an issue, and they typically take his recommendation; however, if it does become a problem, they will begin sending someone. Committee Chairman Healy asked if Mr. Slep has anything to add to the unattended deaths. Mr. Slep stated the State Police as well as local police departments know to contact him, adding the main reason being so they can articulate why they don't think it's a suspicious death.

## **PROBATION DEPARTMENT**

Probation Director Robert Starks attended the meeting and submitted his monthly report to the committee for review. Legislator Dibble noted that he appreciates the 2017 yearly totals that Mr. Starks provides on his monthly report because it allows them to keep a track record of what is happening.

### **Acceptance of Alternatives to Incarceration Program Grant Funds**

Probation Director Robert Starks requested permission to accept funds in the amount of \$5,835 for the Alternatives to Incarceration Program. The contract period for this award is July 1, 2018, through June 30, 2019. These funds have already been budgeted for and appropriated in the 2018 Budget. This request was approved on motion made by Legislator Dibble, seconded by Legislator Harris, and carried. **Prepare Resolution**

## **WEIGHTS AND MEASURES**

Weights and Measures Director Gilbert Green attended the meeting and submitted his monthly report to the committee for review. Mr. Green stated they have a group of Western New York Weights & Measures Directors and Inspectors coming next week for a brief meeting, and to meet with a few of the new directors. Legislator Hopkins asked how long the Elm Street Academy intern will be working with Mr. Green, and what all he/she will be doing. Mr. Green stated the intern is from Friendship, NY, and will be with him until the end of the year.

## **SHERIFF'S OFFICE**

Sheriff Rick Whitney attended the meeting and submitted his monthly reports to the committee for review. Sheriff Whitney stated the March 2 winter storm was a very busy day for the 911 Center, having six dispatchers on duty all day. Sheriff Whitney and Mr. Luckey did issue a traffic advisory early in the morning, but without phones, internet, and radio stations, he is not sure it got out to those who needed to see it. Legislator Hopkins asked if they sent out a Code Red, and Sheriff Whitney stated, yes. Legislator Hopkins asked Sheriff Whitney to discuss the PPAC Environmental Strategies Committee meeting that was held on February 15. Sheriff Whitney stated it's the enforcement part of the PPAC committee where they discuss pill drops, trainings, and it's also where they discuss anything related to the Heroin & Opioid issue. Legislator Barnes asked if Sheriff Whitney has any information on the Cattaraugus County suicide. Sheriff Whitney stated he doesn't have any more information than what was released in the paper.

### **Acceptance of F & F Electric's Proposal**

Sheriff Whitney stated that the proposal from F & F Electric is being referred back to the County Attorney's Office for review, and he would like to withdraw it at this time. No action was taken by the committee.

### **Acceptance of Public Safety Answering Points Sustainment (PSAP) Grant**

The Sheriff's Office requested a resolution to accept and appropriate funds in the amount of \$174,590 received for the 2018 NYS Public Safety Answering Points (PSAP) Grant. The Sheriff's Office also requests Capital Account H3030 be established for the appropriation of funds as follows:

<u>Appropriation:</u> H3030.200 (2018 NYS PSAP Grant)	<u>Amount:</u> \$174,590
<u>Revenue:</u> H3030.3097.00 (State Aid)	<u>Amount:</u> \$174,590

These funds will be used to update much needed electronic equipment in the 911 center including a portion (\$140,000) of the Computer Aided Dispatch (CAD) system that was previously approved for purchase by Resolution No. 180-17 as well as continuing education equipment for the center. Legislator Harris asked for an explanation of this grant. Sheriff Whitney stated it is our share of the 911 surcharge on phones. Lt. Grusendorf stated the PSAP money is redistributed in grant form and has to be specifically spent on equipment, wages, updated items or operations in the 911 Center. Chairman Crandall stated these surcharge monies are just a small percentage of the amount that is going into the State and believes there is a lot money that is still be retained by the State. Legislator Harris asked if a prepaid phone bought at a Wal-Mart gets the 911 surcharge. Lt. Grusendorf stated those phones are now receiving the 911 surcharge; however, they are finding that because the County doesn't have a big retail business, individuals are purchasing prepaid phones in neighboring counties, and because the surcharge is based on location of sale rather than what County the phone number is tied to; Allegany County is losing out on receiving those surcharges. County Treasurer Terri Ross stated we should be receiving a few prepaid phone surcharges from the local Rite-Aid and Walgreens stores that sell prepaid phones, and they are continuously monitoring it. Legislator Harris noted that is a big issue when the County doesn't have a big box store. Legislator Hopkins asked if the County is getting credit for individuals who are on a wireless plan but purchase their phone outside the County. Ms. Ross stated those situations are point of service unless your mailing address is outside the County. This request was approved on a motion made by Committee Chairman Healy, seconded by Legislator Hopkins, and carried. **Refer to Ways and Means**

### **Acceptance of Statewide Interoperable Communication (SICG) Grant**

The Sheriff's Office requested a resolution to accept and appropriate funds in the amount of \$958,841 received for the 2017-2018 Statewide Interoperable Communication (SICG) Grant. The Sheriff's Office also requests Capital Account H3027 be established for the appropriation of funds as follows:

<u>Appropriation:</u> H3027.200 (2017- 2018 SICG Grant)	<u>Amount:</u> \$958,841
<u>Revenue:</u> H3027.3097.00 (State Aid - Capital)	<u>Amount:</u> \$958,841

These funds will be used to continue enhancing the 911 Public Safety Radio Communications. The Sheriff's Office anticipates spending these funds on radio equipment for towers, system engineering, and to license additional 911 frequencies. Legislator Graves stated if they have a plan in place for this money. Lt. Grusendorf stated it will be used to purchase equipment for the towers, which will provide us better coverage in the County and connect us to others. Committee Chairman Healy asked if these funds will take care of all our needs. Lt. Grusendorf stated, no, we still have two more towers to go up as soon as the weather cooperates. This request was approved on a motion made by Legislator Harris, seconded by Legislator Havey, and carried. **Refer to Ways and Means**

### **Traffic Safety Board Appointment**

The Traffic Safety Board requested that the Board of Legislators appoint Dean Giopulos of Wellsville, NY, to the Traffic Safety Board for a three-year term commencing immediately and expiring December 31, 2020. This request was approved on a motion made by Committee Chairman Healy, seconded by Legislator Hopkins, and carried. **Prepare Resolution**

### **School Resource Officers**

Committee Chairman Healy addressed a resolution he brought forward in July 2013 requesting that New York State do a study on School Resource Officers for every school in the state. At that point in time, Governor Cuomo, who was in Buffalo, NY, made a statement that he was going to take the initiative himself. In good faith, the Allegany County Board of Legislators tabled their resolution expecting he would move forward. Committee Chairman Healy continued that since then, we have spent millions on the SafeACT Program which is questionable in itself, and asked the committee if because the Governor never moved forward with his initiative, would they like to put forth a new resolution initiating legislation to have a statewide program for School Resource Officers. Legislator Harris stated not having read the resolution, he suggests it read that the decision on whether or not to have a School Resource Officer be left in the hands of individual school districts. Committee Chairman Healy read through a new sample resolution, stating it still needs to be reviewed by the County Attorney and County Administrator. The committee agreed they would like to review the resolution and move forward with discussion. Chairman Crandall stated not only should it be distributed for review; they should look into whether or not there is currently legislation put forward that they should be offering support to. Legislator Graves suggested the schools be invited to discuss this with them as they are just as concerned, if not more, about a school shooting. Sheriff Whitney noted that he has received several phone calls regarding it. Committee Chairman Healy stated this isn't a program they will be initiating themselves. They want to make sure their concern regarding this matter is known. Legislator Decker stated he is fully in support of this and believes it should be put in the form of a formal resolution and sent to InterCounty and NYSA, as well as to all of our representatives.

### **Adjournment**

There being no further business to come before the committee, the meeting was adjourned at 12:07 p.m. following a motion by Legislator Decker, seconded by Legislator Havey, and carried.

Respectfully submitted,

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