

PUBLIC SAFETY COMMITTEE
June 5, 2019

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

Others Present: G. Barnes, A. Bigelow, T. Boyde, P. Curran, M. Evans, D. Fanton, K. Francisco, K. Graves, G. Green, C. Ivers, G. James, B. Kelley, C. Knapp, J. Luckey, K. Monroe, B. Perkins, J. Ricci, B. Riehle, D. Root, T. Ross, R. Starks, P. Stockin, R. Swarthout, M. Washer, R. Whitney

Media Present: C. Potter, *The Spectator*

Call to Order: The meeting was called to order at 1:44 p.m. by Public Safety Committee Chairman Dwight "Mike" Healy.

Approval of Minutes

A motion was made by Legislator Havey, seconded by Legislator Decker, and carried to approve the Public Safety Committee minutes for May 1, 2019.

PUBLIC DEFENDER

Public Defender Barbara Kelley attended the meeting and submitted her monthly report to the committee for review.

Conflicts

Legislator Barnes asked for the definition of "sent to conflicts" that is listed on Ms. Kelley's monthly report. Ms. Kelley stated that currently they have a group of attorneys that get sent cases that are a conflict of interest to her office. Ms. Kelley briefly discussed examples of conflicts such as someone who comes in as a defendant; however, may have been a victim in the past. Ms. Kelley noted that most of their conflicts come from Family Court.

Criminal Justice Reform

Legislator Harris referenced the District Attorney's monthly report that included a report on Criminal Justice Reform regarding the demands it will bring to his office. Legislator Harris asked what the Public Defender's position is. Ms. Kelley stated that she and Mr. Slep have worked together very successfully for 30 years, and she respects him as well as his job and believes he feels the same about her. Ms. Kelley indicated with that being said, they disagree on almost everything else including what Mr. Slep included in his monthly report. Ms. Kelley continued that Criminal Justice Reform is great and long overdue, and she is unsure as to what Mr. Slep is referencing in regards to District Attorneys being involved as that is not her understanding. Committee Chairman Healy asked if most judges are reluctant to take a guilty plea without an attorney present. Ms. Kelley stated, yes, there are problems when people are arraigned without representation. Legislator Harris asked for a description of what the current law states for discovery law. Ms. Kelley stated that under the current law, you need to make a discovery demand. The biggest change will be what they are entitled to earlier, adding that discovery law in the future is to be automatic rather than them making a demand.

EMERGENCY MANAGEMENT & FIRE

Emergency Management & Fire Director Jeff Luckey attended the meeting and submitted his monthly report to the committee for review. Mr. Luckey briefly highlighted events he attended in the month of May.

Water Rescue

Legislator Hopkins asked about the May 25 Swift Water Rescue at Transit Bridge. Mr. Luckey stated they got a call out for a couple of kayakers the same time the bad storm came in; however, it was uneventful and everyone was able to walk in to shore.

Homeland Security & Emergency Services LEMPG – FY2019 Grant

Mr. Luckey requested authorization to apply for the Homeland Security and Emergency Services LEMPG FY2019 grant. It is anticipated this grant will be coming out with a short application period; therefore, we are seeking authorization to apply when it is released. The anticipated amount to be received is \$23,215 and will be used as follows:

- Labor cost for the three employees on a 50/50 split for work on the EOP.
- Training used to enhance the capabilities of state and local emergency management personnel.
- Training related costs such as materials, supplies, and equipment.
- Travel and travel costs for attendance at FEMA or approved training courses and allowable programs.
- Conducting all hazards emergency management training, attending EMI training, and delivering train the trainer courses.
- Exercises: funds will be used to design, develop, conduct, and evaluate an exercise that include planning, meeting space, and other facilitation costs.
- Developing and enhancing the Continuity of Operation (COOP) and Continuity of Government (COG).
- Development and enhancement of emergency operations plans, and integrating citizen/volunteer and other non-governmental organization resources and participation.
- Developing and enhancing logistics and resource management plans.
- Develop and enhance evacuation plans including plans for: alerts/warning, crisis communications, pre-positioning of equipment for areas potentially impacted by mass evacuations, sheltering, and re-entry.
- Rent: there will be funds used for rent for the Emergency Services Space. This will help to offset the rent paid for our office.
- Allowable equipment through the EMPG program through categories such as information, cyber security, interoperable communication, detection equipment, power equipment, CBRNE incident response vehicles, and physical Security Enhancement Equipment.
- Any remaining grant money will be used to purchase equipment for the Emergency Management Operations.

Legislator Harris asked if this is an annual grant and if the County's share has been included in the 2019 Budget. Mr. Luckey stated, yes, this is an annual grant, and it will be included in the 2020 Budget. This request was approved on a motion made by Legislator Dibble, seconded by Legislator Harris, and carried. **Refer to Ways and Means**

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 attended in the month of May.

DWI Re-Enactment Drills

Mr. Perkins stated that they have held two DWI re-enactment drills at Genesee Valley Central School and Scio Central School. Both went very well and as a volunteer firefighter, Mr. Perkins found it very interesting to be on the other side of the drills acting as narrator.

Amy Stock Trailer

Mr. Perkins stated the Amy Stock trailer is in the area and expressed his gratitude for the cooperation of the Sheriff's Office for allowing it to be on display at the Jail.

DISTRICT ATTORNEY

District Attorney Keith Slep was unable to attend the meeting but submitted his monthly report to the committee for review.

PROBATION DEPARTMENT

Probation Director Robert Starks attended the meeting and submitted his monthly report to the committee for review. Committee Chairman Healy noted that numbers seem to be down for the year. Mr. Starks stated it's good for the County if crime is down.

Office Highlights

Mr. Starks highlighted the following office accomplishments:

- Probation Officer Sara Mahoney was the guest speaker at the Allegany County Mental Health Association Luncheon where she discussed domestic violence dynamics.
- Senior Probation Officer Carey Brown co-presented a workshop on the department's Chaperone Program at the NYS Alliance of Sexual Abuse Treatment Providers Conference in Albany.

Mr. Starks stated he has great staff who not only know what they're doing, but know how to go out and share it throughout the County and United States.

Raise the Age

Mr. Starks stated they received notice from their oversight agency, Division of Criminal Justice Services, that our County Raise the Age plan has been approved. Legislator Harris asked if this means reimbursements can begin. Mr. Starks stated, yes, although they are still unsure how they will be reimbursed.

Transfer of Funds – Server Warranty

Mr. Starks requested permission to transfer funds in the amount of \$1,520 from A3140.413 (Rentals) to A3140.201 (Equipment) to extend the warranty on their server that will soon expire. County Treasurer Terri Ross asked that this request be tabled or referred to Ways and Means so she can discuss it with Mr. Starks and IT Director Keith Hooker as she believes this is an IT expense and should not come out of Probation's budget. A motion was made by Legislator Havey, seconded by Legislator Decker, and carried to refer the request to Ways and Means. **Refer to Ways and Means**

WEIGHTS AND MEASURES

Weights and Measures Director Gilbert Green attended the meeting and submitted his monthly report to the committee for review.

Airport Fuel Pumps

Legislator Decker asked if all fuel pumps need a state sticker. Mr. Green stated, no, just the airport fuel pumps.

SHERIFF'S OFFICE

Sheriff Rick Whitney attended the meeting and submitted his monthly reports to the committee for review. Legislator Hopkins asked to see more figures included on the Civil Division report so they can compare month to month.

Correction Officer Graduation

Sheriff Whitney stated they had ten new Correction Officers graduate from the Academy, and they have already hired three full-time.

Inmate Count

Legislator Barnes stated that the total number of inmates is down from last year and asked how this is affecting their budget. Sheriff Whitney stated at this point they are even with housing compared to last year; however, if it keeps up, they will be under. Legislator Barnes asked if it affects their bond payments. Sheriff Whitney stated they will have enough to cover bond payments; however, they won't have a lot leftover.

Acceptance and Appropriation of NYS Division Criminal Justice Service Narcotics Grant

Sheriff Whitney requested a resolution to accept and appropriate the 2018-19 New York State Division of Criminal Justice Service Narcotics Grant. This grant is filed jointly with Cattaraugus County's Narcotics Unit. The total award for the grant is \$90,000 split equally between Cattaraugus and Allegany County. Allegany County Narcotics Unit will receive \$45,000, and account numbers are to be determined by the County Treasurer. Sheriff Whitney indicated these funds were used for drone training and radio equipment for an undercover car. Legislator Harris asked how a drone is used to combat narcotics, and Sheriff Whitney briefly discussed its uses. Legislator Harris asked if the training is already done or ongoing. Sheriff Whitney indicated that it is training to become licensed to use the drone. Legislator Harris asked if the drone has gotten a lot of use. Sheriff Whitney stated not until now because they haven't had anyone licensed to use it. This request was approved on a motion made by Legislator Harris, seconded by Legislator Havey, and carried. **Refer to Ways and Means**

Radio/Tower Project Update

Sheriff Whitney stated there are no new updates regarding the Radio/Tower Project at this time. Legislator Decker stated there is a new tower up on Fairview Hill that he noticed only has equipment placed two-thirds to three-quarters of the way up and asked why it wasn't placed at the top. Radio Technician Matt Evans stated the radio equipment has not been installed on that tower yet and what Legislator Decker is seeing is the microwave towers and broadband equipment. Mr. Evans indicated that when the radio equipment goes up, they will install it as high as they are approved for.

911 Enumeration Update

Sheriff Whitney distributed a report detailing the progress of the 911 Enumeration Project. Legislator Decker asked where the sign money is coming from. Sheriff Whitney stated they have not budgeted anything for signs. Legislator Stockin stated the signs done in Caneadea were purchased by the town, and it had nothing to do with the County.

Attorney/Client Session

A motion was made by Legislator Harris, seconded by Legislator Dibble, and carried to enter into an attorney/client session at 2:22 p.m. Immediately following discussion at 2:27 p.m., a motion was made by Legislator Decker, seconded by Legislator Harris, and carried to end the attorney/client session and return to the regular meeting.

Adjournment

There being no further business to come before the committee, the meeting was adjourned at 2:28 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