

STEUBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE

Monday, April 3, 2023

9:00 a.m.

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

****MINUTES****

COMMITTEE:	John V. Malter, Chair Wendy Lozo	Jeffrey P. Horton, Vice Chair Frederick G. Potter	K. Michael Hanna
STAFF:	Jack K. Wheeler Tim Marshall James Allard Cheryl Crocker	Christopher Brewer Noel Terwilliger Brooks Baker	Jennifer Prossick Shawn Sauro Nate Alderman
LEGISLATORS:	Scott J. Van Etten Hilda T. Lando	Kelly H. Fitzpatrick Robert V. Nichols	Carol A. Ferratella Nicholas D. Pelham
OTHERS:	Jim Neary, Chief Operations Officer, AMR Mary Perham		

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE MARCH 6, 2023, AND MARCH 27, 2023, MEETINGS MADE BY MR. POTTER. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REQUESTS

A. Emergency Services/E-911

1. **CAD System Upgrade** – Mr. Marshall stated the CAD system we currently have was original to when we started 911 operations. The vendor has notified us that our CAD system will be coming to end of life in November. He requested authorization to contract with Tyler Technologies for a one-time cost of \$459,864 for the initial project to start the new CAD system. Mr. Malter asked is there a capital project for this? Mr. Marshall replied yes and this will also be a Sourcewell contract. Mr. Wheeler explained some of the 911 grants have been formula based and we have to show a maintenance of effort. For the last five or six years we have been offsetting that maintenance of effort amount and putting that into this capital project. The capital project currently has about \$1 million.

MOTION: AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO PURCHASE A NEW CAD SYSTEM FROM TYLER TECHNOLOGIES FOR A ONE-TIME COST OF \$459,864 UTILIZING FUNDS FROM THE E-911 DISPATCH IMPROVEMENTS CAPITAL PROJECT MADE BY MR. HORTON. SECONDED BY MRS. LOZO.

Mr. Van Etten asked will there be a change in the amount of the supplemental costs? Mr. Marshall replied those will actually be a little lower as we are currently on a hosted platform. The annual software cost we anticipate will be around \$55,000. Mr. Wheeler stated the first year software maintenance cost is included in the one-time cost and then the annual maintenance cost would drop roughly \$30,000.

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

2. **Motorola Change Order** – Mr. Marshall requested authorization of a change order with Motorola relative to the Higman Hill Tower antennae change. We are taking the antenna from the existing tower over to the 800’ tower. This will require a new antennae, feed line and some changes to the combiner and retuning of the combiner. The total cost of the change order is \$49,492.

MOTION: APPROVING A CHANGE ORDER WITH MOTOROLA IN THE AMOUNT OF \$49,492 RELATIVE TO THE HIGMAN HILL TOWER ANTENNAE CHANGE MADE BY MRS. LOZO. SECONDED BY MR. POTTER.

Mr. Potter asked is this grant funded? Mr. Marshall replied yes. Mr. Malter asked with all of the changes that we have made over the past few years, when will that come to a conclusion? Mr. Marshall replied it will not be. The next project we are funded for is \$5.8 million to upgrade the system and that will really help us. This is a stop-gap measure to help the Corning and Erwin area.

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

3. **Removal of Mt. Washington Tower** – Mr. Marshall informed the committee the tower at Mt. Washington is aging and the engineers have told us that it needs to come down. This is a 150’ tower. We issued an RFP and received five proposals back. He recommends awarding to the low bidder, Swarhout Recycling for \$25,000. We have grant funds available to do this. Mr. Malter asked will you be replacing the tower? Mr. Marshall replied not at this time.

MOTION: AWARDING THE RFP FOR THE REMOVAL OF THE MT. WASHINGTON TOWER TO THE LOW BIDDER, SWARTHOUT RECYCLING FOR A TOTAL COST OF \$25,000 MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

4. **Pinnacle Tower** – Mr. Potter asked for an update on the Pinnacle Tower. Mr. Marshall replied we set the building last week. The tower should be here this week and erection will begin. The last piece will be the installation of the generator. Then we will move all the equipment over and complete the installation. We are hoping to have the project finished in the next month or so.

B. Public Defender

1. **Accept and Appropriate Hurrell-Harring Year 5 Contract Amendment Funds** – Mr. Sauro requested authorization to accept and appropriate the Hurrell-Harring Year 5 contract amendment funds in the amount of \$321,147.56. This is an increase over year 4 and brings our five year total to \$4,817,213.43. This rounds out the development of the Hurrell-Harring settlement budget. The year 6 contract amendment will then allow for budget modifications of what we currently have and we will be able to reallocate funds for the first time. After that, this funding will continue in perpetuity in the three-year fashion. This was not completed prior to doing this year’s budget and we wanted to be able to put in claims.

MOTION: AUTHORIZING THE PUBLIC DEFENDER TO ACCEPT AND APPROPRIATE HURRELL-HARRING YEAR 5 CONTRACT AMENDMENT FUNDS IN THE AMOUNT OF \$321,147.56 MADE BY MR. HORTON. SECONDED BY MR. POTTER.

Mr. Malter asked do you have your budget for 2023-2024? Mr. Sauro replied no, not yet. We had to do year 4 and year 5 prior to our budget cycle. Year 4 had been approved prior to our budget cycle and year 5 was approved after the first of the year.

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

C. Sheriff’s Office

1. **Authorization to Utilize Opioid Settlement Funds to Purchase LifePak 15 AED** – Sheriff Allard requested authorization to utilize opioid settlement funds to purchase a 15-lead AED which will be used by

Deputy Owen who is a road patrol deputy certified as a paramedic. Mr. Malter asked do you have other portable AED units? Sheriff Allard replied we have AED units everywhere we operate. This AED is specifically to be used by a certified paramedic. Mr. Wheeler explained this unit is specific to paramedics and would allow Deputy Owen to potentially help with EMS intercepts. Sheriff Allard stated they also have one other paramedic who is a School Resource Officer.

MOTION: AUTHORIZING THE SHERIFF TO PURCHASE THE LIFEPAK 15 AED AND TO UTILIZE STEUBEN COUNTY'S SHARE OF OPIOID SETTLEMENT FUNDS TO PAY FOR THE UNIT AND AMENDING THE MAJOR EQUIPMENT LIST TO REFLECT SAID PURCHASE MADE BY MRS. LOZO. SECONDED BY MR. HANNA.

Mr. Van Etten asked if we hire an EMS Coordinator, will they need one of these units as well? Mr. Wheeler replied if they are a certified paramedic, then probably. We had talked about this position being used as a "fly car". We would prefer that applicants be certified paramedics, but it is not required. Sheriff Allard explained all of our deputies and EMT's have the regular AED units.

Mr. Malter asked where do we stand with the opioid settlement funds? Mr. Wheeler stated he would recommend using the County's share of the opioid settlement and we have about \$200,000 remaining before the other settlements that were just approved.

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

D. District Attorney's Office

1. **Creation of an Indigent Track for the Traffic Diversion Program** – Mr. Baker stated he would like to request the creation of an indigent track for the Traffic Diversion Program. Since the program was established by local law, he needs to come back for authorization to modify the fee schedule. Feedback from participants in the Traffic Diversion Program is that they like the program. The State has recognized indigency for tickets and fines. If this request is granted, he would ask indigent participants to perform 10 hours of community service and pay the cost of the program which is \$27.50 and to pay for their own safe driving course which costs between \$25.00 - \$50.00.

Mr. Malter asked you mentioned that the courts have a leniency on fines? Mr. Baker replied if a fine is imposed; for example, \$200 and the individual cannot pay, the court can put them on a payment program. The State has given up on collecting traffic fines. They cannot scofflaw them and they are not taking their licenses for non-payment. Our request would be falling in line with the rest of the vehicle traffic programs across the State. With your approval, we would set the indigent fee at no more than \$75.00 and then 10 hours of community service.

Mr. Malter asked how much is the fine and surcharge? Mr. Baker replied the surcharge is \$90 and tickets range from \$100 - \$300. Mr. Malter stated when an individual participates in the Traffic Diversion Program, they are doing that to prevent points from going on their license and now you are also looking at eliminating the fee. Mr. Baker stated the biggest thing is traffic safety and that is why we started the Traffic Diversion Program. My thought is the number of folks that will want to do that and do community service will be very small. This will open the door for those that simply cannot pay the fee. This is a fair way to add to our program and make it available to as many people as possible. This will be cost neutral to the County.

Mr. Horton stated I agree because I hear that all the time in court that they have to pay to sign up for this program. I like the idea that the County will not lose anything.

Mr. Potter asked will there be safety checks in place so that people cannot misuse the program? Mr. Baker replied we will have the same checks that we currently have in place. We will check to make sure that individuals are not doing the program multiple times in a row.

Mr. Malter asked how will you determine indigent eligibility? Mr. Terwilliger replied we will use the federal guidelines for poverty. He stated that they will also conduct random audits. He does not anticipate that they will have more than five people per month at the most.

Mr. Malter asked when will this be put into place? Mr. Baker replied as soon as we can; in about a month. Mr. Wheeler stated this will require a local law for the presentation of the change and that will take two months. Mr. Van Etten stated that he would like the County attorney to review this proposal.

MOTION: TABLING ANY ACTION RELATIVE TO CREATING AN INDIGENT TRACK IN THE TRAFFIC DIVERSION PROGRAM UNTIL AN OPINION HAS BEEN ISSUED BY THE LAW DEPARTMENT MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

E. Personnel

1. **Probation** – Mr. Alderman requested authorization to reclassify one currently filled Senior Typist position, CSEA Grade F to a Senior Account Clerk-Typist position, CSEA Grade I. One of the Senior Account-Clerk Typist positions is leaving shortly and this reclassification will allow another individual to train while the current employee is still here. Our intent is to reclassify that position back to a Senior Typist once training has been completed.

MOTION: AUTHORIZING THE RECLASSIFICATION OF ONE CURRENTLY FILLED SENIOR TYPIST POSITION, CSEA GRADE F TO A SENIOR ACCOUNT CLERK-TYPIST POSITION, CSEA GRADE I IN THE PROBATION DEPARTMENT MADE BY MR. POTTER. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

2. **District Attorney** – Mr. Alderman noted that items A and B listed under the District Attorney require approval of this committee and item C is informational as that only requires approval from the Administration Committee.

a. Reclassification of 80 Percent ADA to 50 Percent ADA - Mr. Baker requested authorization to reclassify an 80 percent ADA position to a 50 percent ADA position. His impression is that nobody in the room likes the 80 percent position and it does not fit in with the needs of our office. My intent is to turn the 80 percent position into a 50 percent position and that will eliminate the issues we have had with the hybrid position. The 50 percent position is currently being held by Joan Merry. If this reclassification is approved, Drinald Bilcari will be moving from his 100 percent position into the 50 percent position and that will result in a reduction in salary. The difference of that will be split between two other Senior ADA's as they will be given those extra duties. Those are the salary adjustments that will be presented for Peter Glanville and Bruce Rosekrans. Mr. Glanville will receive a \$20,000 adjustment and Mr. Rosekrans will receive a \$10,000 adjustment. Mr. Baker explained that will put me below the total cost that I have available. These two attorneys will be picking up additional CAP and discovery duties as that is what we are taking away from Mr. Bilcari.

Mr. Baker stated when Joe Pelych leaves the Deputy position, he will go back to a 100 percent ADA and we will no longer need the 80 percent position. Mr. Bilcari will then go to a 50 percent position. The condition being placed on the salary adjustments for Mr. Glanville and Mr. Rosekrans is that there will be no outside work.

Mr. Malter stated he would like to have a flow chart of the office. He would assume that with having an Office Manager, things will be more stable. That would show us where the positions are. Mr. Baker stated he will send out the flow chart.

MOTION: AUTHORIZING THE RECLASSIFICATION OF THE 80 PERCENT ASSISTANT DISTRICT ATTORNEY TO A 50 PERCENT ASSISTANT DISTRICT ATTORNEY POSITION IN THE DISTRICT ATTORNEY'S OFFICE MADE BY MRS. LOZO. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

b. *Reclassification of One Senior ADA Position to Deputy District Attorney* – Mr. Baker requested authorization to reclassify one Senior ADA position to a Deputy District Attorney position. We currently do not have a Deputy District Attorney and there are different requirements for that position. That position cannot have any outside employment and the individual has to live in Steuben County; the same requirements that he has as District Attorney. Mr. Wheeler explained this position will have the same statutory authority as the District Attorney in his absence. This is a good practice for any department and for anyone designated as Deputy. We have never had the title of Deputy District Attorney and that does create some civil service issues.

Mr. Malter asked who will you be appointing? Mr. Baker replied he will be appointing Joan Merry. Right now she is our 80 percent ADA and is currently making \$84,000. She also is still employed part-time at Allegany County and receives a salary from them. He is requesting authorization to set her salary at \$125,000 at a 100 percent position. She is very qualified and is a County native.

MOTION: AUTHORIZING THE RECLASSIFICATION OF ONE SENIOR ADA POSITION TO DEPUTY DISTRICT ATTORNEY AND SETTING THE SALARY AT \$125,000 PER YEAR MADE BY MR. POTTER. SECONDED BY MR. HANNA.

Mr. Potter asked she currently is an 80 percent employee? Mr. Baker replied yes, she is his part-time ADA for the Hornell area. She will be leaving both of her part-time positions. She will continue to do one day per month with Allegany County as she transitions in. Mr. Potter asked who is currently filling the 50 percent position? Mr. Baker replied right now, nobody. Mr. Malter asked what will happen with Joe Pelych? Mr. Baker replied he will go back to being a full-time ADA; he just did not want to be Deputy.

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

c. *Salary Adjustments* – Mr. Baker stated he will be requesting authorization to correct the salary for part-time investigator, Chris Wilkinson. This is the CAC investigator position that is funded by DSS. We need to adjust his salary so that he is being paid the same as the other part-time investigators, which is \$35,000 per year. When our office completed the paperwork, the wrong number was put in. Mr. Potter asked is this retroactive or going forward? Mr. Wheeler replied it will be going forward.

Mr. Baker stated the other salary adjustments were discussed above and those will also go to Administration for approval.

F. County Manager

1. **Vehicle for Emergency Services** – Mr. Wheeler stated Mr. Marshall saw the opportunity to purchase a vehicle through his list-serve. As we go to hiring an EMS Coordinator, they will need another vehicle at some point. This is something that is available and we would need to add it to their Major Equipment if you are interested in doing this. Mr. Marshall stated the price is still negotiable and he has expressed our interest. Mr. Wheeler commented the blue book value is \$20,000. Mr. Marshall stated the asking price is \$15,000, but then we would have additional costs for cabinetry, lights, etc.

Mr. Malter asked where would the funds for this come from? Mr. Wheeler replied you allocated \$500,000 for EMS and we could use those funds and add the vehicle to the Major Equipment list.

MOTION: AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO UTILIZE EMS FUNDING IN AN AMOUNT NOT TO EXCEED \$15,000 FOR THE PURCHASE OF A 2013 CHEVY TAHOE 4X4 VEHICLE AND ADDING TO THE EMERGENCY SERVICES MAJOR EQUIPMENT LIST MADE BY MR. POTTER. SECONDED BY MR. HORTON.

Mr. Horton asked is this a better option than leasing? Mr. Brewer replied, yes, at the moment it is. Mr. Hanna asked what is the cost for a new Chevy Tahoe? Mr. Marshall replied it is between \$45,000 - \$50,000. Mr. Hanna asked how many miles will be put on this vehicle? Mr. Marshall replied it depends how much field work they do. They may put on 25,000 per year.

Mr. Potter commented my concern with a used vehicle is that we need to have a good mechanic look at it. Is that something we have considered? Mr. Wheeler replied the agency who is selling the vehicle would have to allow us to do that. In the past we have sent a mechanic from Public Works to look at equipment. Mr. Marshall stated the agency has indicated that the vehicle has been regularly maintained. Mr. Van Etten commented this is a good deal even if it had a mechanical issue as we could run it for a couple of years.

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

2. **EMS Coordinator Position** – Mr. Malter asked what is the status of this position? Mr. Wheeler replied the ad is out and we are actively trying to recruit. There are some neighboring counties that are also recruiting. He stated that a little later today they will be having a meeting to discuss the CON and other related topics and that information will be shared with the committee next month.

Mr. Wheeler stated as an informational item, in discussions with the Hornell City Mayor, April 1st was the drop dead date for municipalities that Hornell actively responds to in mutual aid. A number of those towns have signed contracts with the City of Hornell for mutual aid. The municipalities that have not signed contracts are the Town and Village of Canisteo. They were the largest user of the City of Hornell's services outside of the City of Hornell. Many of the other surrounding municipalities have signed contracts. That situation is a little more stabilized right now.

Mr. Malter asked what is the status of being able to provide reimbursement for training? Mr. Wheeler replied we are still working on that. Mr. Marshall commented the State has provided us with some numbers and we are in the vicinity of what we had talked about last month with regard to the number of EMTs taking training. We have approximately 30 – 50 EMTs that are trained per year. The question is whether they are new trainees or recertifications. Mr. Wheeler stated that will be a policy decision going forward; whether you want to reimburse for recertifications or new EMTs. Mr. Malter stated what he was proposing is we would do the reimbursements as long as they are volunteers. Mr. Wheeler stated we can present more information on that next month.

Mr. Potter stated Rick Andrews wants to set up a meeting to discuss creating an ambulance district in their district. They did have the meeting, but unfortunately there was no excitement to get that process started. Mr. Marshall commented several towns have had discussions about this. Most have indicated they thought it was a good idea, but nobody has stepped forward. Cameron, Woodhull and Troupsburg are interested as well as Addison and Tuscarora. Our DFC Mike Wilson came up with the idea and put numbers together and pitched the idea to the local fire chiefs. There is interest, but it will be a process of getting those municipalities together to determine the next steps. Mr. Potter commented that he is surprised that Greenwood did not jump on this.

3. **Telecommunicators Week** – Mr. Marshall informed the committee that April 9th – 15th is Telecommunicators Week (dispatchers). He stated he would like to give their dispatchers kudos for the job they did this weekend. They answered 155 calls in three hours. The primary part of the storm happened between 4pm and 6pm and during that timeframe they answered 109 calls and entered 89 jobs into the CAD system. They did a great job.

MOTION: TO ADJOURN MADE BY MR. HORTON. 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, May 1, 2023

9:00 a.m.

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

NO LATER THAN NOON

Monday, April 24, 2022