

**REGULAR MEETING OF
PUBLIC SAFETY COMMITTEE
Ontario County Safety Training Facility
February 3, 2014 2:00 P.M.**

Committee Members

Theodore Fafinski, Chairman
Gregory Bendzlowicz – Necessarily Absent
Charles Evangelista
Robert Green
Margaret Hilton
Kristine Singer

Others Present

Sheriff Povero, R. Michael Tantillo, Leanne Lapp,
John Sheppard, Darlys McDonough, Julie Hoffman,
Tom Harvey, Jeff Harloff, Dru Malavase
Jeff Rougeux, Steve DeChick,
Mary Gates, Halle Stevens

Approval of Minutes:

The Public Safety Committee met at the Ontario County Safety Training Facility on Monday, February 3, 2014. Supervisor Fafinski called the meeting to order at 2:00 p.m.

Supervisor Singer moved approval of the Minutes of the Regular Meeting held on January 13, 2014. Supervisor Hilton seconded the motion, carried unanimously.

Chairman Fafinski advised the Committee that he spoke with Judge Lew regarding the Champlin Commission presentation. They would like to give an update at the next meeting on February 24. Supervisor Hilton has reached out to Judge McGuire to see if she would be interested in serving on the ATI Board.

Item 2, Language Access Services, was pulled from the agenda and will be addressed at the next meeting.

911 Communications:

Chief DeChick requested privilege of the floor to speak to the Committee. In the last couple of weeks, there have been some calls from some of the town highway supervisors regarding the county's highway radio system. Most of the highway departments are still operating on older equipment on the VHF frequency. That frequency has been brought into the County's new 700 MHz system. However, there are questions as to highway departments being able to communicate as they did prior to the new system, especially long distances. Chief DeChick has already contacted Finger Lake Communications and they ran some radio tests from Auburn, where they are located. They were able to transmit on the VHF frequency and "hit" the repeater from Auburn, which is what runs the old system. However, there is a question about narrow banding, which the FCC required the County have done by January 1, 2014, and there may be an issue with some of the equipment that has not yet been narrow banded. Agencies that have narrow banded have reported a diminished quality of the voice. Chief DeChick has been told by the townships that they cannot communicate at all, especially in storms. He has conferred with Tom Harvey and they will actively pursue this to find out what is going on, to determine if the agency has narrow banded their equipment. If not, that may be what is causing interference and problems. Mr. Harvey stated that if an agency is operating with non-narrow banded equipment and it is hitting the County's narrow band repeater, which will dramatically decrease the audio level. One of the reasons the County moved to 700 MHz and built additional sites was the realization that with the new FCC rules, the County could not put out as much power as before when narrow banding a frequency. There is one site for the highway frequency, which is Gannett Hill. With one transmitter at one site, narrow banding; coverage will be less than before narrow banding. The County looked at all options, and advised everyone that the VHF would be kept up for an interim period but the agencies would need to go to 700 MHz as the old system wouldn't be the same. Under FCC regulations, there is not much the County can do. Chief DeChick stated, as directed by the Sheriff, that highway is part of public safety, and as such, they are to be given due diligence. The County is doing everything it can. Additional planning and testing will be completed with some of the Towns to try and determine the actual cause of the problem

Sheriff Povero stated that he appreciates what Mr. DeChick is doing to be sure the highway departments are up to speed and being as efficient as possible. The Sheriff also advised that he and Chief DeChick attended the Naples FD banquet on Saturday evening. Chief DeChick was recognized by Maxfield Hose Company for his leadership and coordination in bringing the new 911 system on board. The Naples Fire Department is very appreciative of the work as well as the reception and service so far. Supervisor Sheppard advised the Town of Seneca has implemented narrow band but there are issues with monitoring the Sheriff's Office frequency, there is not any capability. Chief DeChick said that once the Towns purchase the 700 MHz frequency radio, they will help program the radio(s) for monitoring. A patch can be created from Dispatch but not for use on a daily basis.

Public Defender:

Ms. Lapp updated the Committee on Counsel at First Appearance. Last year, she applied for grant funding that would provide for attorneys to represent individuals making their first appearance before a judge on criminal charges. The defendant would be advised of the charges against them and the bail amount. The grant was awarded at the end of 2013. Positions were filled and steps taken to put together a plan. Ms. Lapp said she had considered using the same procedure as in Geneva, by having the court contact her office about the arraignment. But there were concerns about having police officers have to wait around, which is time and money. She worked with the Sheriff to put into place a plan whereby the 911 Center will notify the Public Defender's Office of an arraignment when a judge is located. There will be a minimum waiting time. Discussion followed. The program is being phased in right now. There is one person in Geneva on weekends, one in Canandaigua on weekends, and during the week a set schedule of 8:30 a.m. - 5:00 p.m. on weekdays. The next phase is to work in one person to be on night duty. That person would probably work until 10:00 p.m. Ms. Lapp also explained that currently, there is not a way to determine ahead of time whether someone can afford to pay for an attorney. She asks her staff to do their best when they are on sight to try and determine eligibility. A Public Defender appears for everyone who is taken into custody. They can advise the court that the person does not appear to be financially eligible. So far, that has happened only once. The court can also sign an order to charge the person back. This can be done with 722D process, which is already used for people that are on the line between eligible and ineligible.

Planning:

Mr. Harvey requested authorization for payment of the following invoices. Item A is part of the UHF Capital Project per the contract and Item B pertains to the 911 System.

- A. L. R. Kimball, Invoice No. 523074 for \$7,669.50
- B. NEWEGG.COM, Invoice for \$345.97

Supervisor Green moved approval of the above two invoices as requested by Mr. Harvey. Supervisor Hilton seconded the motion, carried unanimously.

STOP-DWI:

Ms. Malavase equated authorization for the 2014 appointments and reappointments to the Traffic Safety Board. Some of the appointments rotate and some are for two years. Greg Bendzlowicz has been added this year.

Supervisor Evangelista moved approval as requested by Ms. Malavase. Supervisor Hilton seconded the motion, carried unanimously.

Chairman Fafinski declared Supervisor Bendzlowicz necessarily absent at 2:18 p.m. He is attending NYSAC today.

Probation:

Mr. Rougeux requested authorization for the renewal of bid for Electronic Home Monitoring Global Position Equipment. This is for the Juvenile unit. The contract states not to spend more than \$5,000 annually for the equipment. Mr. Rougeux advised that in 2010 they spent approximately \$6,400; in 2011 it was \$4,500, and \$3,000 in 2012. The cost was about \$1,000 in 2013, however, he does see an increase in the future, especially if the age of juvenile responsibility is raised and 16-17 year olds then be considered juveniles. It depends on how many juveniles there are and how many monitors are used.

Supervisor Green moved approval as requested by Mr. Rougeux. Supervisor Singer seconded the motion, carried unanimously.

Emergency Management:

Mr. Harloff requested authorization for a budget transfer to adjust grant funding for the Emergency Radio Communications Capital Project. The County was awarded grants through the State Homeland Security Program and State Local Health Department Program. Public Health utilized all but \$4,498 of the funds allotted to them and will not be using these unspent funds. The State representative from Homeland Security and Emergency Services has agreed to convert these unspent funds into the Homeland Security balance and has approved the expenditures that Mr. Harloff has proposed with this budget transfer. A brief discussion followed regarding the items requested to be purchased with this money.

Supervisor Green moved approval as requested by Mr. Harloff. Supervisor Singer seconded the motion, carried unanimously.

Mr. Harloff requested authorization for payment of the following invoices from Finger Lakes Communication related to Capital Project 6-2012. Ms. Gates clarified that Mr. Harloff is Project Manager for the UHF Radio System (paging) and that is why the invoices listed below appear for payment under Emergency Management and not under Planning. Mr. Harvey is the Project Manager for the Emergency Communications Project,

- A. Invoice 102001510-1 for \$41,210.00
- B. Invoice 102001514-1 for \$39,900.00
- C. Invoice 102001515-1 for \$23,220.00
- D. Invoice 102001723-1 for \$32,205.70
- E. Invoice 102001724-2 for \$5,725.38
- F. Invoice 102001725-1 for \$18,292.00

Supervisor Green moved approval of the above listed invoices as requested by Mr. Harloff. Supervisor Singer seconded the motion, carried unanimously.

Mr. Harloff updated the Committee on a recent hazmat incident on January 29 at the former Infotonics, now Smart System Technologies. A purple liquid leaked out of an old solvent storage room. Mr. Harloff explained the process for responding to the incident and provided a visual of the facility showing the storage room location, and path of the HazMat Team. At first the liquid was thought to be a residual dye from the walls or floor. A sprinkler was also going off at the same time. It was determined that the liquid was actually water. As the responsible party, SST will be billed back for \$1,480.69 (cost of a damaged pair of boots, mileage and total operational time of 4-1/2 hours).

Mr. Harloff also gave an update on pending weather conditions.

Office of Sheriff:

Sheriff Povero requested authorization to accept a donation from Wegmans in the amount of \$150 to support the D.A.R.E. Program.

Supervisor Green moved approval as requested by Sheriff Povero. Supervisor Hilton seconded the motion, carried unanimously.

Sheriff Povero stated that the first Medication Drop-Off for 2014 will be at Wegmans on April 26 in the morning. Ontario County is sponsoring it in conjunction with the Partnership for Ontario County and the Drug Enforcement Administration.

Sheriff Povero requested authorization for the renewal of a contract for Inmate Dental Services with Finger Lakes Migrant Health Care Project, Penn Yan, NY. He explained that medical treatment is not administered in the Jail without authorization by medical staff. If there is dental treatment, it is because the medical team has determined that there is a medical issue or ill health. Rates have stayed the same.

Supervisor Singer moved approval as requested by Sheriff Povero. Supervisor Evangelista seconded the motion, carried unanimously.

Sheriff Povero requested authorization for a budget transfer for overtime – 911 Communications Center in the amount of \$5,386. This would come from the part-time line item to the overtime line item in the same budget. This is due to an underestimation of the total training hours staff needed to transition to the new 911 system.

Supervisor Evangelista moved approval as requested by Sheriff Povero. Supervisor Green seconded the motion, carried unanimously.

Sheriff Povero stated the weekend total of inmates was 232. Today, the number has dropped to 217. Some left for state prison. Eight are housed in Wayne County and hopefully they will be back here later today or tomorrow. There are 39 females; three are boarded in from another municipality.

Sheriff Povero updated the Committee on a recent incident at the Jail. In a direct supervision facility, one of the operational goals is for staff to develop a relationship as best as possible with the inmates. There are not any walls or bars between the officer work station and the public area where inmates gather. Since the last Committee meeting, an inmate relayed information to an officer, that another inmate had removed a piece of electrical molding from the wall and fashioned a shank. The facility was searched. A second shank was found. Discussion followed. Sheriff Povero advised that particular inmate has since been transferred to a state facility due to safety concerns for inmates and staff here. He will return for court on this matter at a later date.

Other Items:

Ms. Malavase thanked Sheriff Povero for the media releases and news interviews on the DWI Super Bowl crackdown efforts.

Ms. McDonough presented two items of information from Mr. Garvey. The Committee for the selection of the Conflict Defender is in the process of being formed. Mr. Garvey is also working on the Stop-DWI Coordinator position and will have a detailed report at the next meeting.

At 2:47 p.m. Supervisor Green moved to adjourn the meeting. Supervisor Hilton seconded the motion, carried unanimously.

Respectfully Submitted,

Linda A. Hudson
Confidential Secretary