

**REGULAR AND BUDGET MEETING  
PUBLIC SAFETY COMMITTEE  
Ontario County Safety Training Facility  
August 11, 2014 12:30 P.M.**

**Committee Members**

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

**Others Present**

John Garvey, Sheriff Povero, R. Michael Tantillo,  
John Sheppard, Cathy Bentzoni, Tom Harvey,  
Leanne Lapp, Andrea Schoeneman, Steve DeChick,  
Jeff Rougeux, Jeff Harloff, Judy Bergstresser,  
Mary Gates, Halle Stevens,

**REGULAR MEETING**

**Approval of Minutes:**

The Public Safety Committee met at the Ontario County Safety Training Facility on Monday, August 11, 2014. Supervisor Fafinski called the meeting to order at 12:30 p.m.

**Supervisor Hilton moved approval of the Minutes of the Regular Meeting held on July 21, 2014. Supervisor Singer seconded the motion, approved unanimously.**

**District Attorney:**

Mr. Tantillo requested authorization to accept a Victim and Witness Assistance Program Grant. He gave background on the grant and the one Victims Advocate position it has funded for 22 years (80% of cost). This past year, they were given permission to apply for a second position and also received a grant from the state. The grant allocation went from \$77,000 to \$147,000. The state realizes the need for another position as well as Ms. Utter meeting and exceeding the contractual goals over the years. They would like to provide services to misdemeanor victims as well as felony victims and have worked with Probation on the grant to allow services to be provided through Probation as well. The worst case scenario would be a county match of \$41,000. However, he would be able to reduce that by \$5,000 by utilizing some of the current budget resources. Management Compensation has approved. The second position is a sunset position.

**Supervisor Green moved approval of the grant as requested by Mr. Tantillo. Supervisor Bendzlowicz seconded the motion, carried unanimously.**

**Planning:**

Mr. Harvey requested authorization for approval of Contract Amendment 5 with Parsons Brinckerhoff Inc. for a No Cost Time Extension – Ontario County Emergency Management/Radio Communications System Project (CP7-2006). This is a one-year extension so they can be paid for work done under the contract.

**Supervisor Hilton moved approval of the contract amendment as requested by Mr. Harvey. Supervisor Singer seconded the motion, carried unanimously.**

Mr. Harvey requested authorization for payment of the following invoices:

- A. Parsons Brinckerhoff, Invoice No. 23 for \$408.94
- B. Parsons Brinckerhoff, Invoice NO. 24 for \$4,156.00

**Supervisor Hilton moved approval of the above invoices requested by Mr. Harvey. Supervisor Bendzlowicz seconded the motion, carried unanimously.**

**Probation:**

Mr. Rougeux requested authorization for the extension of a contract with Safe Harbors of the Finger Lakes, Inc.

Mr. Rougeux requested authorization for the extension of a contract with the Center for Dispute Settlement.

Both of these contracts are related to a Juvenile Justice grant effective January 1, 2013. DCJS has offered an opportunity to spend down more of the funds, with a 6 month extension of the grant period. Mr. Rougeux reviewed the criteria for each of the contracts.

**Supervisor Singer moved approval of both of the above contract extensions as requested by Mr. Rougeux. Supervisor Hilton seconded the motion, carried unanimously.**

**Emergency Management:**

Mr. Harloff requested authorization to apply for a Hazardous Materials Emergency Preparedness (HMEP) Grant. This is a perpetual grant that started about 20 years ago. The funds are passed from the state to counties to local emergency planning committees.

**Supervisor Bendzlowicz moved approval of the grant application as requested by Mr. Harloff. Supervisor Green seconded the motion, carried unanimously.**

Mr. Harloff updated the Committee on a special team response, the Ontario County High Angle Rope in Naples at Grimes Glen on August 6. A man fell 40 feet from a stone ledge into three feet of water and floated down stream. Witnesses were able to get him out of the water until a team was able to get him to Strong. He sustained serious injury.

**Office of Sheriff:**

Sheriff Povero requested authorization to accept the of FY13 Law Enforcement Terrorism Prevention Program (LETPP) Grant for \$40,000. The resolution lists general topics for revenue. Sheriff Povero suggested that specific discussion be held in Executive Session.

**Supervisor Green made a motion to adjourn the Regular Meeting and enter into Executive Session at 12:48 p.m. based on Item A of the Public Meetings Law, "matters which will imperil the public safety if disclosed". Supervisor Bendzlowicz seconded the motion carried unanimously.**

**At 12:50 p.m. Supervisor Green made a motion to adjourn Executive Session and return to the Regular Meeting. Supervisor Singer seconded the motion, carried unanimously.**

**Supervisor Green moved approval of the grant acceptance as requested by Sheriff Povero. Supervisor Bendzlowicz seconded the motion, carried unanimously.**

Sheriff Povero requested authorization to apply for Bulletproof Vest Reimbursement funds from NYS Office of the Attorney General in VEST Partnership. They will provide for up to 50% matching funds. The vests are on a replacement schedule.

**Supervisor Bendzlowicz moved approval of the grant application as requested by Sheriff Povero. Supervisor Singer seconded the motion, carried unanimously.**

Sheriff Povero requested authorization for acceptance of a Community Overdose Prevention Program Grant. This would provide funds up to \$5,640 for 94 Naloxone Kits. There is not any county cost.

**Supervisor Hilton moved approval to accept the grant as requested by Sheriff Povero. Supervisor Bendzlowicz seconded the motion, carried unanimously.**

Sheriff Povero requested authorization for acceptance of an Intermunicipal Cooperation Agreement for Enhanced Court Security Services with the Town of Canandaigua at a cost not to exceed \$3,850. The term of the agreement is from August 1 through December 31, 2014.

**Supervisor Bendzlowicz moved approval of the agreement as requested by Sheriff Povero. Supervisor Hilton seconded the motion, carried unanimously.**

Sheriff Povero requested authorization to enter in to agreement with Town of Canandaigua and the DEC, Region 8 in order to maintain a navigation unit at Onanda Park. The cost is \$950 per year, paid to the Town. The DEC also maintains a boat there.

**Supervisor Green moved approval of the agreement as requested by Sheriff Povero. Supervisor Bendzlowicz seconded the motion, carried unanimously.**

Sheriff Povero updated the Committee on the Jail population. The count today is 205 and the weekend high was 206. Six females are housed in by Immigration, awaiting deportation.

#### **Other Items:**

At Mr. Garvey's request, Ms. Schoeneman updated the Committee regarding the Conflict Defender office. She has been in the job about 6 weeks. Today, she is sending applications to Ontario County attorneys to reapply for membership on the Assigned Counsel panel. This is a requirement. It will be a while before the Assigned Counsel plan can be rewritten – it is actually due June 2015. In the meantime, her office will be documenting the qualifications of the panel, working on updating the vouchering system so that they can take that over by October 1. Ms. Schoeneman has met with several judges, the Bar Association president and others to discuss the plan revision and panel. They are also working on an attorney handbook and training. Mr. Garvey advised that he and Ms. Schoeneman will attend the next meeting of the Ontario Yates Magistrates Association to bring them up to date.

### **BUDGET REVIEW**

#### **District Attorney:**

Mr. Tantillo presented Budgets A1165, A1167, and A1168. Budget A1165 is the main departmental budget. It is essentially unchanged from the current year's budget with one exception. One attorney is moving from Associate to Senior status, which was approved by the Board earlier this year. The only significant increase is in health insurance. The largest contract expenditure is the Monroe County Crime Laboratory Service, with close to a 3% increase. Brief discussion followed.

**Supervisor Green moved approval of Budget A1168 as presented by Mr. Tantillo. Supervisor Bendzlowicz seconded the motion, carried unanimously.**

Budget A1167, Aid to Prosecution breaks out two positions from the main office in a separate line item that allows for receiving the grant of \$39,700.

**Supervisor Singer moved approval of Budget A1167 as presented by Mr. Tantillo. Supervisor Hilton seconded the motion, carried unanimously.**

Budget A1168, Victims Assistance: Mr. Tantillo is looking at a county contribution of \$18,000 this year and \$19,000 next year, except for new grant funding. Ms. Gates stated that the new grant and position can be added as a Standing Committee change so that it is in the budget as it goes forward. If it were added at Standing Committee level, it would be a separate item in the budget. Discussion followed on whether to add it at Standing Committee or at Personnel or Financial Management.

**Supervisor Singer moved approval of Budget A1168 as presented by Mr. Tantillo, with the new position and grant included in the proposed budget as it moves forward through Committees. Supervisor Green seconded the motion, carried unanimously.**

**STOP-DWI:**

On behalf of Ms. Cirencione, Mr. Tantillo presented Budget A3315. This is a zero county cost budget funded by fine revenue. Allocations are higher for next year as the Board upgraded the qualifications and salary commensurately. There are also some new programs.

**Supervisor Singer moved approval of Budget A3315 as requested by Mr. Tantillo. Supervisor Bendzlowicz seconded the motion, carried unanimously.**

**Public Defender:**

Ms. Lapp presented Budget A1171. Since this is a relatively new department, employees are new and still receiving step increases, which accounts for some of the payroll increases. Other than that, the budget has stayed the same this year and next. She met with Halle and Mary and was able to reduce some areas, such as overtime. Discussion followed regarding consulting/professional services and telephone charges. One or two large cases can quickly diminish the consulting budget. Ms. Lapp has tried to seek grant funding for this.

**Supervisor Singer moved approval of Budget A1171 as presented by Ms. Lapp. Supervisor Green seconded the motion, carried unanimously.**

**Conflict Defender:**

Ms. Schoeneman presented Budget A1170, A1176, and A1177.

Budget A1170, Assigned Counsel: This involves three components – Family Court, which is the largest part; Criminal Court – this was projected higher due to the Hurrell-Harring settlement; Training costs for the panel attorneys is expected to be \$20,000 (\$12,500 and \$7,500).

Budget A1176, Conflict Defender (departmental costs): The total 2015 projected budget expenses are \$1,634,820. Of that, \$289,820 is for salary and benefits, \$20,000 for office expenses.

Budget A1177, Panel Attorney: Ms. Schoeneman reviewed expenditures.

Discussion followed. Ms. Gates advised that the 2015-2015 information shown for Assigned Counsel was for historical purposes. The \$ amounts have been moved into the Panel Attorney columns.

**Supervisor Hilton moved approval of Budgets A1170, A1176, and A1177 as presented by Ms. Schoeneman. Supervisor Singer seconded the motion, carried unanimously.**

**Probation:**

Mr. Rougeux presented Budgets A3140, Probation and A3146, Day Reporting.

Budget A3140, Probation: There is a small drop in revenue, partly due to funding for ignition interlock devices are going to the STOP-DWI budget. The biggest change is the elimination of an Office Specialist I position and the creation of a Probation Officer. This is a reallocation of resources to the area where they are best needed. The Probation Officer position is a little more expensive than an OSI. This position will be in the investigative unit to complete presentencing and pre-plea reports for unsentenced inmates. The goal is to try and reduce that process to four weeks. The electric home monitoring budget is reduced by \$20,000. In January the Department contracted with a provider that bills directly to the client so the County does not have to be the collecting agent. There are still some fees to collect from equipment issued prior to the new contract, which is why it is shown as revenue.

Mr. Garvey stated he is strongly supportive of the efforts to add a Probation Officer. There will be additional expense but they trying to eliminate jail days, transports, overtime. He thinks it is a very good proposal. The goal to reduce funding in areas beyond probation. Discussion followed regarding the Training and Conference for 2013 versus 2014. Supervisor Sheppard commended Mr. Rougeux on reducing the original 2013 budget.

**Supervisor Bendzlowicz moved approval of Budget A3140 as presented by Mr. Rougeux. Supervisor Hilton seconded the motion, carried unanimously.**

Budget A3146, Day Reporting: This is a zero net county cost. The only change includes mileage. Two Probation Officers go to Geneva once a week for the Ready Set Go Program.

**Supervisor Green moved approval of Budget A3146 as presented by Mr. Rougeux. Supervisor Singer seconded the motion, carried unanimously.**

**Emergency Management:**

Mr. Harloff presented Budgets A3410, A3640, and A3643. He thanked Ms. Gates and PSFO staff for their work.

Budget A3410, Firefighters: In Personal Services there is a decrease in the 2015 request due to the promotion of a full-time employee to another budget area and the hiring of a new employee at a lower step, as well as a reduction in the estimated amount necessary to pay for part-time hourly positions within the department due to less expected work hours. In the .2s, there is an increase in safety equipment from what was approved for 2015 due to scheduled replacement of air pack and coats for those working in the burn building. Gas and electric is increasing and they have given their best estimate for 2015. Technical manuals cost have increased. Service contracts (trash) have increased. Instructional expenses have decreased. In the .8s, there is a decrease in fringe benefits due to the full-time employee retirement. Discussion followed.

Budget A3640, Emergency Management: Mr. Harloff reviewed an accounting change to reflect revenue from a training program (Hazwopper). Instructor fees show an increase. 8010, Retirement Expense, reflects changes related to the retirement of one employee and the promotion of another employee. Mr. Harloff advised that Mr. Wright had

asked Emergency Management to estimate a replacement schedule for vehicles for the purpose of establishing a reserve. Mr. Harloff stated his office took this one step further and included items with a \$2,000-\$3,000 or more value and listed those on a spreadsheet. A replacement schedule was established which includes vehicles and other equipment and shows the original funding source, original cost, and approximate replacement schedule and cost. Ms. Gates gave additional details on this replacement schedule and how funds would be available via tax levy or grant funds as replacement of items became necessary. A lengthy discussion followed. Supervisor Sheppard expressed concern over creating reserves for replacement of equipment. Ms. Bentzoni felt that this replacement schedule was excellent for use with the CIP. The CIP has built in reserves to cover replacement of certain equipment items. Funds do not have to be built in the budget for this. Supervisor Singer agreed the spreadsheet was a good tool but not to put money in separate reserves for this. The budget should be amended to exclude the reserve replacement funds. Ms. Gates stated there is a typographical error in 2016. Instructor Fees should be \$4,500 rather than \$4,000. Vehicle expenses were not updated for 2016 to be equal to the 2015 numbers, which will be a \$320 increase. They would like to make these corrections at this Committee so that it is accurate at Financial Management.

Budget A3643, Hazardous Materials Team: Mr. Harloff reviewed changes to line items 4613 and 4756.

**Supervisor Singer moved approval of Budgets A3410, A3640, and A3643 as presented by Mr. Harloff, amended to reflect changes in Budget A3640 (elimination of \$20,000 reserve for replacement items; 2015 Instructor Fees to be \$4,500; \$320 increase in 2016 Vehicle Expense). Supervisor Hilton seconded the motion, carried unanimously.**

#### **Office of Sheriff:**

Sheriff Povero presented Budgets A1162, A3020, A3022, A3110, A3150, and A3156. For the combined budgets, excluding the reserve budgets, the total net county cost is up 1.49% overall. He thanked Ms. Gates, Ms. Stevens, and staff for their hard work.

Budget A1162, Unified Court: There is a decrease, partly due to reduction in personal services due to an adjusted for holiday pay for the unrepresented staff and also a change in dental insurance. Revenue is up slightly, with an increase of \$84,375. Total expenses are \$1, 173,029, a 1.13% decrease from 2015.

Budget A3020, Public Safety Communication System: Total revenue increased due to anticipated return on local enhanced 911 wireless grant funds and includes a new full-time Sr. Dispatcher. That position would be effective May 1, 2015, with an associated salary adjustment, and dental, as it is part of the unrepresented group. There is an additional \$50,000 in reserve rather than enter into costly maintenance program. Mr. DeChick addressed the Committee regarding this. The maintenance contract for the old radio system was less than \$100,000 per year. With the new system, parts could be very expensive. A maintenance contract, after the warranty period, on the new system could cost \$350,00 to \$500,000 per year. Mr. DeChick wanted the Committee and the County to be aware. The server itself could be \$50,000 to \$75,000. A reserve would be another way to set aside funds for parts and repair. Discussion followed.

Budget 3022, Communication Towers: There is a substantial decrease due to the pending sale of the Shay Road property. This is a contractual expense budget to maintain the tower sites. Mr. Garvey advised that Yates County is very interested in the tower but have contract obligations into 2014. He hopes to see the ownership transferred, with Ontario County to have lifetime use.

Budget A3110, Office of the Sheriff: Personal service expenses are up 3.64%. Equipment, contractual expenses and interdepartmental chargebacks are down. Vehicle maintenance is reduced by \$56,000. There is a 1.31% change from 2014 to 2015.

Budget, A3150, Jail: The Sheriff anticipates reduction in the commission received for inmate telephone services. The FCC is expected to make notifications what can be charged on outgoing calls by inmates. There has been a national discussion. Sheriffs and municipalities have been requesting no change. Personal services include the addition of dental insurance for unrepresented employees. The Black Creek debt was paid in full in 2014. The total change to the 2015 budget from 2014 is 2.94%. Ms. Gates advised there is a significant increase in the overtime budget. They are hoping to hire additional staff, but there is no way of knowing how that will work out, so it is better to budget for overtime. Sheriff Povero stated the eligible list has been received from Human Resources and background checks are being done. There are six vacant full-time Correction Officer positions and several part-time vacant positions.

Budget A3156, Correctional Health Care: It is anticipated there will be a new prescription/non-prescription drug contract, which should result in a savings of approximately \$20,000.. This budget has a .73% increase.

Ms. Gates stated the overall increase for the combined budgets is \$432,000, a 1.49% increase. Chairman Fafinski commented that is very good, coordinating this with four or five budgets is a big plus. Sheriff Povero thanked Ms. Gates and Ms. Stevens, as well as Sheriff's Office staff and supervisors. Further, they appreciate the new 911 position. There are currently two Dispatcher vacancies and now two will retire by the end of the year. In October, the Dispatcher examination should be given again, as there is not a current list. The department is also looking to schedule telecommunicator's training in early 2015.

**Supervisor Bendzlowicz moved approval of Budgets A1162, A3020, A3022, A3110, A3150, and A3156 as presented by Sheriff Povero. Supervisor Green seconded the motion, carried unanimously.**

Sheriff Povero briefly updated the Committee on the Canandaigua Motorsports investigation.

**At 2:38 p.m. Supervisor Singer moved to adjourn the meeting. Supervisor Green seconded the motion, carried unanimously.**

Respectfully Submitted,

Linda A. Hudson  
Confidential Secretary