

**REGULAR MEETING OF  
PUBLIC SAFETY COMMITTEE  
Ontario County Safety Training Facility  
September 24, 2012, 2:00 P.M.**

<b>Committee Members</b>	<b>Others Present</b>
Samuel Casella, Chairman	John Garvey, Philip Povero, Tom Harvey,
Mary Luckern	Steve DeChick, Jeff Harloff, Andrea Schoeneman
John Champlin	Dru Malavase, Ray DeRuyter
Norm Teed	Halle Stevens, Mary Gates
Robert A. Green, Jr.	
Donald Ninestine – Necessarily Absent	

The Public Safety Committee met in the Ontario County Safety Training Facility on Tuesday, September 24, 2012 at 2 p.m. for a regularly scheduled meeting. The meeting was chaired by Supervisor Casella.

**Approval of Minutes:**

**Supervisor Champlin moved approval of the Minutes of the Regular Meeting held on September 4 2012. Supervisor Luckern seconded the motion, carried unanimously.**

**Assigned Counsel:**

Mr. Garvey addressed the Committee regarding a budget transfer request (\$300,000) for Assigned Counsel. The program needs significant infusion of cash before the end of the year. It sets the stage for what the Committee discussed at the last meeting. Ms. Gates developed a chart showing expenditures for Assigned Counsel criminal cases, Public Defender criminal cases, and Family Court assignments. The cost per case is expected to reach \$812 per case for Assigned Counsel vs. the Public Defender cost of \$638. Last year, due to start up, the Public Defender's Office did not take cases in the first few months so when they did take cases; the cost later in the year was \$753, significantly above Assigned Counsel for the same year. As time has gone on, the cost per case now is way lower than Assigned Counsel. The backlog of cases from 2008-2009 has diminished but the cost per case has increased. In 2013, the Public Safety Committee must look at other options such as a Conflict Bureau or contract with a firm that takes cases on a per case basis. Mr. Garvey is concerned about the number of Family Court. Chairman Casella stated that the Financial Management Committee has some of the same questions and shares the Committee's concerns.

Discussion followed. Supervisor Teed asked about reasons for these rising costs. Mr. Garvey advised that the Chief Judge in New York State has mandated that all indigent people have access to legal representation. The Public Defenders Office is at all arraignments on Saturday mornings. Before that, lawyers did not always appear at arraignments. Supervisor Teed further commented on cost issues that arise for Family Court when one a lawyers is not present and the case is then delayed. Chairman Casella stated that after the first of the year, the Public Safety Committee members, whoever it is, must make it a priority to explore options for assigned counsel.

**Supervisor Champlin moved approval of the budget transfer as requested by Mr. Garvey. Supervisor Green seconded the motion, carried unanimously.**

**Planning Department:**

Mr. Harvey asked if the Committee had any questions regarding the Capital Project Status Report. Chairman Casella advised that Supervisor Huber had some questions about the agenda items and the Chairman referred her to Mr. Harvey.

Mr. Harvey spoke to the Committee regarding the status of subscriber radios. A few months ago bids were awarded for the purchase of subscriber radios. The resolution directed him to work with all the outstanding agencies and determine their needs. As part of the status report, he did that and is hoping to make those orders

this week. In the Communications line item 2550 of the Capital Project there is an unencumbered balance of \$1,147,675. Tallying up all the portable and mobile radios adds up to about \$935,000, without including the Jail. It may go up or down a bit. That leaves about \$212,000 in that line item. The Ontario County Sheriff's Office, from several grants over three years, has about \$183,452. That plus the \$212,000 comes to approximately \$396,000 still available in the Capital Project, after all the Change Orders and other expenses. There will be Change Orders for the 911 Center. He does not believe it will amount to \$50,000 but is trying to be conservative. That leaves \$346,000 available. Concerning the Jail, a portable radio is issued to each employee in the Jail (118 radios). The cost would be \$264,968. These have not been ordered yet as it is important to get the new system up and running and be sure that the employees can hear in every area of the Jail. This leaves an \$84,000 surplus. The funds could be used for control points or control bases. This is where radios are placed in other counties so that they are a recognized entity on our system and they can patch us through to whomever they are talking to i.e. law enforcement or fire agencies. The funds could also be used to assist village and police department with their radios. Some of this is permitted with the grants the Sheriff's Office has received, some items the Sheriff will have to talk to the State about. The real issue, even though it is great to have the extra money, the way the grants are written Ontario County has to use their money for the radio purchase first because County funds cannot be subtracted from State Funds. Mr. Harvey wanted to be sure that everyone understood how this works. There was a question on the need for individual radios at the Jail. Sheriff Povero advised that the radios, when shared, start to develop battery memory and that is how they evolved into each having their own. This will be reviewed again but there are funds to purchase individual radios at this point. The Sheriff pointed out that when there are emergencies such as a power outage last spring, even with all the radios we have, there were still operational issues. Batteries that had been used up could not charge fast enough. The plan is to get enough radios for the staff. Supervisor Teed asked if there were any funds left for highway departments. Mr. Harvey advised they could be funded from law enforcement grants. Sheriff Povero spoke about New York State's criteria for these grants. The issue for the other counties with the 700 megahertz interoperability, unless something has changed very recently, that would be an acceptable purchase. The grant always stipulates when spending this money, what is out there that you can do in different areas to meet the needs within the counter terrorism zone. We are part of CTZ11. One of the things the State looks at is how do you best communicate with the counties within your zone. That should be an acceptable purchase. He is not sure if we will be able to purchase portable and mobile for cities and villages with grant funds.

Mr. Harvey requested authorization for a contract amendment with Harris Corporation for the Moving of Legacy Radio Equipment at Safety Training. The equipment needs to be moved from the garage and existing tower to the new equipment shelter and tower at the facility.

**Supervisor Green moved approval as requested by Mr. Harvey. Supervisor Luckern seconded the motion, carried unanimously.**

Mr. Harvey requested authorization for approval of Change Order CO4-001 and Budget Transfer. The County Buildings and Grounds department has asked that the emergency generator power hookups at the existing tower sites be standardized to what was being constructed for the new tower sites. The work was done by R.J. Schickler at a cost off \$9,253.00.

**Supervisor Green moved approval as requested by Mr. Harvey. Supervisor Champlin seconded the motion, carried unanimously.**

Mr. Harvey requested authorization for approval of Change Order CO4-002 and Budget Transfer for the extension of the fiber optic network from the Safety Training Facility to the new radio equipment shelter there. This was the most cost effective way to extend network connectivity. The cost was \$5,267.00.

**Supervisor Green moved approval as requested by Mr. Harvey. Supervisor Champlin seconded the motion, carried unanimously.**

Mr. Harvey requested authorization for approval of Change Order CO4-003 and Budget Transfer. This is for the connection of fiber optic cable between the current 911 Center and the new Center and the Information Services equipment room and telephone room. This was the least expensive way to extend the network. With the

transition to the new center, there is the need for a lot of capacity to move all the radios and 911 equipment upstairs and will provide service during that transition. The cost was \$7,493.00.

Discussion followed. Supervisor Green asked about the work with regard to utilizing the least expensive route and it lasting long term. Mr. Harvey and Mr. DeChick stated they have been very pleased with R.J. Schickler. They have standards to meet.

**Supervisor Champlin moved approval as requested by Mr. Harvey. Supervisor Green seconded the motion, carried unanimously.**

Mr. Harvey requested authorization for the payment of invoices as follows:

- A. Communications International, in the amount of \$48,051.48
- B. Communications International, in the amount of \$100,923.17
- C. R.J. Schickler Inc., in the amount of \$3,325.00
- D. R.J. Schickler Inc., in the amount of \$25,696.74
- E. L.R. Kimball, in the amount of \$18,341.24
- F. Rotolite Elliott Corporation, in the amount of \$96.90

**Supervisor Teed moved approval as requested by Mr. Harvey for the above invoices as listed. Supervisor Champlin seconded the motion, carried unanimously.**

**Emergency Management Office:**

Mr. Harloff requested authorization for the Acceptance of FY11 and FY12 State Homeland Grants. There is three year's work of grant money from State Homeland Security Grant Programs FY10, FY11, and FY12 totaling \$437,033. When the Fire Advisory Board and Fire Services met with the County Administrator and Tom Harvey to discuss the new system, it was decided to build a new UHF two-way paging system for Fire and EMS. Discussion followed. Supervisor Green asked about 400 MHz as opposed to 700 MHz. Mr. Harloff advised this is 400 MHz, which is more of the frequency bands the Fire Services already communicate on now as well as Yates County. Mr. Harvey stated this was done to take advantage of the infrastructure already in place, which gives them more time to transition to 700 MHz. The two-way part is relatively inexpensive as compared to putting up the Simulcast broadcast part, which is the paging part of it. The County originally intended to move the paging to VHF but Fire Services wanted to move to UHF. It also provides interoperable communications with base stations all around the network and provides the ability for those Counties that use UHF to come in on mutual aid. Mr. DeChick advised that voice paging does not work on 700 MHz either.

**Supervisor Champlin moved approval as requested by Mr. Harloff and Mr. Harvey. Supervisor Luckern seconded the motion, carried unanimously.**

**STOP-DWI:**

Ms. Malavase requested authorization to apply for a grant from the NYS Association of Traffic Safety Boards. This would supplement our motorcycle safety program. She is not sure of the amount but will provide a list of our programs for them to choose.

**Supervisor Green moved approval as requested by Ms. Malavase. Supervisor Champlin seconded the motion, carried unanimously.**

Ms. Malavase requested authorization for Acceptance of a Grant from the NYS Governor's Traffic Safety Committee. It is for \$41,350 to promote motorcycle safety. Our five neighboring counties will be included in the distribution. Ontario County's share will be more than the others.

**Supervisor Champlin moved approval as requested by Ms. Malavase. Supervisor Luckern seconded the motion, carried unanimously.**

Ms. Malavase requested authorization to apply for a grant from the NYS STOP-DWI Foundation. This supplements funding for DWI crackdown, special patrols, and Drug Recognition Experts (DRE). This is a new program which builds on things the Sheriff's Office has been doing for a number of years. This is for holiday enforcement sections. The \$31,000 was based on responses from the three departments as to what they thought was practical and how many people could come out on these occasions. The holidays are Halloween, Thanksgiving, Christmas, New Years, and St. Patrick's Day. If the person stopped does not appear to have been using alcohol, then a DRE can be called.

**Supervisor Green moved approval as requested by Ms. Malavase. Supervisor Champlin seconded the motion, carried unanimously.**

**Miscellaneous Payments:**

Ms. Gates requested authorization for payment of an invoice for the Public Health portion of the Homeland Security Grant, for emergency planning services, contracted with Human Services Development, in the amount of \$639.20

**Supervisor Teed moved approval as requested by Ms. Gates. Supervisor Green seconded the motion, carried unanimously.**

**Office of Sheriff:**

Chairman Fafinski was notified that Ontario County has been awarded \$133,000 under the FY12 Homeland State Homeland Security Program. Per Federal guidelines 25% (\$33,250.00) of this award is diverted toward law enforcement related homeland security functions. They would like to use these funds toward something that will support the radio system.

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

Sheriff Povero requested approval for acceptance of bid for Night Vision Equipment. This is for a night vision scope that would be used on a sniper rifle. The low bid was \$9,095.00 from the Night Vision Depot, Allentown, PA. The funds are in this year's budget. Discussion followed. This specifically is mounted on an existing sniper rifle and it can be interchanged. The other equipment recently purchased was night vision goggles for employees.

**Supervisor Champlin moved approval as requested by Sheriff Povero. Supervisor Teed seconded the motion, carried unanimously.**

Sheriff Povero reviewed Jail Revenue. Federal Immigration is \$16,320.00 for August, bringing the yearly total to \$57,900.00. The current Jail population is at 210. The weekend high was 212. There are 41 females. Pods 4 and 5 are full, with double cells in Pod 8. Pod 7 has 42 inmates. Sheriff Povero discussed the inmate suicide which occurred on Friday, September 14, 2012 at about 11:03 a.m.

Chairman Casella spoke about the budget modification meeting with Financial Management and the issue of the part-time position in the 911 Center in order to get the new supervisory position. Mr. DeChick stated that supervisor position was approved in last year's budget. It had already been delayed 2-3 years. They need 24 hour supervision in the new center. It is a new set up and a supervisor has to be on the floor. If they did have to lose the part-time position, it would not have any impact on overtime.

Sheriff Povero addressed the Committee regarding the position of Correctional Healthcare Nurse Practitioner. A resume was provided for the Committee to review. He is looking conceptually for the Committee's support to replace the current Nurse Practitioner who is retiring effective January 14, 2013. In looking at the resume, you can see the strength of the individual and he is looking for the Committee to understand the need. He will work with Finance. The salary is there due to a vacancy of a Registered Nurse position. He has spoken with the

County Administrator. It is necessary to go through the Management Compensation Committee and the Personnel Committee. In reviewing the individual's prior work experience in the correctional system as well as being bi-lingual, he is trying to start the process early for a smooth transition in a very important position in correctional healthcare; to bring another NP on for a period of on-the-job training prior to the retirement.

**Supervisor Green moved approval to proceed with the above requested position as requested by Sheriff Povero. Supervisor Luckern seconded the motion, carried unanimously.**

**Other:**

Mr. Garvey noted that there was unfinished business with regard to a vendor payment and moving forward with Triad Synergy Resources Inc. Ms. Schoeneman had authorization to make payment to the company but in the course of further research and their suitability to finish the work, she had extensive conversation with the president of the company. There are 15 employees with four technicians. They do business with fire departments all over western New York and are the 5th largest dealer of this equipment in the country. The owner wanted to get paid for work completed but offered to withhold \$5,000 from the payment and perform the service of installing the equipment on the new vehicle for free, until the work was satisfactorily completed. Mr. Garvey recommended that the County proceed. If the work is not satisfactory, then they can discuss who gets the \$5,000.00. After much discussion and reservations by some Committee members, the Committee agreed that it is financially prudent to proceed in this direction. A concern was to have a different technician(s) complete the work and this has already been requested.

Mr. Harvey updated the Committee on the evaluation of the Johnson portable radios to see how they work. There some applications where they could be used and could be purchased on state contract. The sewer district said they could use between 20 and 35 of them. Purchasing from Johnson will save a few thousand dollars.

Sheriff Povero advised that the Finance Department has produced a document on the cost of jail operations. This was discussed at Financial Management and he wanted the Public Safety Committee to have a copy and if any questions, they can discuss at the next meeting.

**Supervisor Champlin moved to adjourn the meeting at 2:13 p.m. Supervisor Luckern seconded the motion, carried unanimously.**

Respectfully submitted,

Linda Hudson  
Sr. Typist