

**REGULAR MEETING OF
PUBLIC SAFETY COMMITTEE
Ontario County Safety Training Facility
November 5, 2012, 2:00 P.M.**

Committee Members	Others Present
Samuel Casella, Chairman	John Garvey, Philip Povero, Steve DeChick, Jeff Harloff,
Mary Luckern	Leanne Lapp, Ray DeRuyter, Judy Bergstresser
John Champlin	Halle Stevens, Mary Gates, Andrea Schoeneman
Norm Teed - Necessarily Absent	
Robert A. Green, Jr.	
Donald Ninestine	

The Public Safety Committee met in the Ontario County Safety Training Facility on Monday, November 5, 2012 at 2 p.m. for a regularly scheduled meeting. The meeting was chaired by Supervisor Casella.

Approval of Minutes:

Supervisor Luckern moved approval of the Minutes of the Regular Meeting held on October 15, 2012. Supervisor Champlin seconded the motion, carried unanimously.

Planning Department:

Mr. Harvey requested authorization for Change Order CO1-002 with Communications International for \$144.60. This is for work to repair the grounding system at the Seneca Tower site.

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

Mr. Harvey requested authorization for Change Order CO4-004 with R. J. Schickler, Inc. for \$4,094.00, for electrical work in the new 911 Center.

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

Mr. Harvey requested authorization for an Agreement with Sprint Spectrum L.P. for Replacement of Existing Equipment at the Cheshire Tower site. Sprint rents space from Ontario County at Cheshire and requires written permission for this work.

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

Mr. Harvey requested authorization for payment of invoices as listed below:

- A. L.R.Kimball, Invoice No. 516684 for \$17,442.05
- B. Parsons Brinckerhoff, Invoice No. AR-498226 for \$1,309.08
- C. R.J. Schickler, App. No. 12, for \$4,079.11
- D. SBA Properties, Invoice No. INVM13003941 for \$77,142.00

Supervisor Ninestine moved approval as requested by Mr. Harvey for payment of all invoices listed above. Supervisor Luckern seconded the motion, carried unanimously

Mr. Harvey advised the Committee that the microwave dish on the County Road 37 tower site is wobbling and the guy wire needs tightening. A change order will be forthcoming in the amount of \$2,501.00 for authorization to bring the tower back into line tension. When the tower was erected, there was a 5-7 year plan to repaint and re-tension it so that it would not blow over. There was a similar situation at the Archer Road tower in Hopewell, whereby a tree was cut down as it had stretched the guy wire. It is Ontario County's responsibility to take care of these things. Mr. Harvey will update the Committee on all the work that has been done on the towers. The new work on the County Road 37 Tower will then be good for 5-7 more years. Mr. Harvey will also send a schedule of the project updates to the Committee. The installation of the new 911 radio system will be completed by the end of this year and testing will be testing done. Service will not be interrupted. He will be speaking with EMS services and the subscriber units have been ordered. There are two meetings this week for user groups.

Miscellaneous Payments:

Ms. Gates requested authorization for payment of invoices as follows, \$96.90 for the UHF Project and \$50.00 for programming of portable radios.

- A. Rotolite Elliott Corporation, Invoice No. 12467 for \$96.90
- B. Finger Lake Communication Co., Inc., Invoice No. 105000337-1 for \$50.00

Supervisor Champlin moved approval as requested by Ms. Gates for both invoices as listed above. Supervisor Luckern seconded the motion, carried unanimously.

STOP-DWI:

Ms. Malavase requested authorization for the acceptance of a Grant from the NYS STOP-DWI Foundation for DWI special patrols/drug recognition expert overtime callouts, for holidays through 2013.

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

Emergency Management Office

Mr. Garvey addressed the Committee concerning a proposal for the Haz-Mat budget. He, Ms. Gates, Mr. Harloff and Ms. Bentzoni met and determined a way to structure and enhance the Haz-Mat budget presentation order to give everyone a clear understanding of the program. Revenue and expenses would be equal, giving the County a net cost of zero. A brochure has been put together explaining the program, along with the fee schedule. This information will be presented to the Financial Management Committee. Discussion followed. Chairman Casella asked how training materials such as haz-mat suits would become revenue neutral. Mr. Harloff advised there are suits in stock right now and with the fee schedule based on a certain number of calls per year, the cost should be zero. If not, there is the Regional Haz-Mat grant that could be utilized for this. Further, the responsible party (the spiller) will be the one to be billed. Mr. Garvey felt that this fee schedule would be acceptable to the Finance Committee.

Mr. Garvey spoke about the DCJS grant. The Finance Committee had questions regarding the best utilization of funds for equipment. That would be for the Public Safety Committee to determine. Chairman Casella has spoken

with Supervisor Huber. She asked if the x-ray machine would be the best use of the grant money. Mr. Harloff stated this is an appropriate use according to the grant and feels it is the best use of the funds.

Supervisor Champlin made a motion to support moving forward with the Haz-Mat Program and fee schedule as presented and the DCJS grant for equipment as originally requested. Supervisor Luckern seconded the motion, carried unanimously.

Chairman Casella spoke about the Fire Advisory Board. He attends those meetings. The groups looks to Public Safety and the Board of Supervisors for direction. They are drafting a set of by laws and guidelines to be sure they are working in the direction the Board desires. Chairman Casella is impressed with their efforts. Further, it is important to have someone available from the Board of Supervisors to answer questions that would only be pertinent for the Board to answer. Mr. Harloff is a liaison between the Fire Advisory Board and the Board of Supervisors.

Mr. Harvey advised that RACES (Radio Amateur Civil Emergency Service) occupied an office in the Safety Training Facility for over 24 hours due to Hurricane Sandy. They were on the air in six different locations monitoring the progression of the storm. Also, on October 30 and 31 they worked Pumpkin Patrol for 80 man hours (they were on overpasses to monitor anyone doing devious acts to people driving on the Thruway). Suspicious activity would be reported to the 911 Center.

Supervisor Ninestine asked why there was not advance notice of the training exercise (controlled burn) at the Chamber of Commerce in Geneva yesterday. He received two criticisms about this. Mr. Harloff was not aware of any requirement for advance notice but it is possible that this is different in each community.

Probation:

Mr. Rougeux requested authorization for the acceptance of a Juvenile Justice Alternatives to Detention and Diversion Grant in the amount of \$30, 855. There is a 10% cash match that can be taken from the Youth in Crisis contract, which is the same population of youth.

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

Office of Sheriff:

Sheriff Povero advised the Committee that at about 3:00 p.m. today there would be a Jail emergency evacuation exercise. Twenty sentenced inmates would be brought to Room 1 at the Safety Training Facility as part of this controlled exercise. EMS, Sherman Manchester, Jeff Harloff, and the Hopewell Fire Department are involved. This is an annual event around this time each year.

Sheriff Povero requested authorization to Utilize Various Hospitals, Physicians, and Dental Care for Housed Inmates at the Ontario County Jail. The resolution authorizes payment of bills for these services.

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

There was discussion regarding the cost of Jail medical care, \$1.5 million. Sheriff Povero advised that since the last meeting the implementation of the short-term contract for mental health services is working out very well. The counselor comes in on Thursday evenings and Saturday mornings. She has freed up a lot of mental health referrals, particularly on the weekends, and this has helped bring down some of the one-on-one medical expenses. We are charged at Medicaid rates. Mr. Garvey advised that there may be a way to recover some of the Medicaid

funds. Rochelle Gray is looking into this. He further stated that there are some counties that have lower costs than ours so they are looking into the reasons why.

Sheriff Povero requested authorization to accept a Grant from the NYS Governor's Traffic Safety Committee for the "Buckle Up New York" campaign from 10/01/12-09/30/13.

Supervisor Ninestine moved approval as requested by Sheriff Povero. Supervisor Luckern seconded the motion, carried unanimously.

Sheriff Povero requested authorization to accept a Grant from NYS DCJS to purchase two License Plate Readers, at a cost not to exceed \$30,000.

Supervisor Ninestine moved approval as requested by Sheriff Povero. Supervisor Luckern seconded the motion, carried unanimously.

Sheriff Povero requested authorization to accept a grant from the Wireless 911 Grant Program for \$51,646.00 which covers costs from 04/01/12-03/31/15. The County meets the basic standards (County Law 331) minimum staffing requirements, educational qualifications and training requirements for 911 call takers and dispatchers, and utilizes a policy of direct dispatch of all emergency services.

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

Sheriff Povero requested authorization to Accept a Donation from the Finger Lakes Triathlon for \$3,153.38 which offsets the costs of overtime charges incurred by the Sheriff's Office. Discussion followed concerning traffic issues with this annual event.

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

Sheriff Povero addressed the Committee regarding a request that was forwarded from Chairman Fafinski's office for the Committee's consideration. The Monroe County Legislature is requesting our Board of Supervisors to support the passage of Jessica's Law, which has to do with increasing mandatory minimum sentences for adults convicted of sexual acts against victims less than 12 years of age.

Supervisor Ninestine moved approval for a resolution to be written to support the passage of Jessica's Law, as presented by Sheriff Povero. Supervisor Champlin seconded the motion, carried unanimously.

Sheriff Povero requested authorization for a Renewal of Bids:

- A. Purchase of Sheriff's Honor Guard Uniforms
- B. Purchase of Uniforms for Office of Sheriff
- C. Purchase of Footwear for Office of Sheriff

Supervisor Green moved approval as requested by Sheriff Povero for renewal of all bids listed above as requested by Sheriff Povero. Supervisor Luckern seconded the motion, carried unanimously.

Sheriff Povero reviewed Jail population and revenue. October revenue is limited to Federal immigration of 66 Federal days of \$5,280, 4.4% of the budget. The total for the year is \$81,900 (68.25% of budget). In Pod 2, there two female Federal immigration inmates. The weekend high was 226, at 215 now. There are 41 inmates in Pod 2 and Pod 4 is full. Most Pods are close to capacity. Pod 3, juveniles age 16-18, is being co-mingled with low-risk

adults. That variance will end in December. Pod 7 has 41 inmates. There is still one in the medical unit and five in the Intake Area. The Sheriff further updated the Committee on some of the complexities involved at the Jail. One female inmate in the Intake Area has pending felony charges. She is wheelchair bound and also has other health issues. She was committed by the Canandaigua City Court. There are three pregnant females that when transported cannot be shackled so these are two-person transports. There other males that are two person transports and one other that is so violent that the transport requires two people specially trained as emergency response officers. When the inmate in the wheelchair needs to be transported, a CATS vehicle is used and there are two officers with her on the CATS vehicle. These are some of the challenges going on. Today, for example, there were three transports to Geneva City Court. Transport officers also went to a male prison in Auburn, and a female prison in Albion.

On a positive note, the Reed Corners Church contacted the Sheriff say they are very happy with the quality and quantity of work done at their cemetery by the people in the pre-trial release program, who are supervised by a Correction Officer. The work done by them was a \$300 savings to the Church.

Sheriff Povero requested authorization for a Budget Transfer for Jail Overtime, in the amount of \$140,000. Currently there are five Correction Officers that are not working right now due to disability or workers comp issues. Most of the vacancies have been filled. Other issues with overtime are with transports, judicial (weekend arraignments) and medical. Another item that incurs overtime costs is training. Some training is mandated. Persons that are armed (Police Officers and Correction Officers) have to be certified initially and then recertified. Correction Officers that are not directly involved in inmate transports are not recertified. There is the cost of ammunition and much of the training has to be scheduled for non-work time. Staff has been looking at ways to reduce costs, including training costs.

Many Issues impact overtime in the Jail facility. Sheriff Povero stated his message is that as an organization we can't operate without overtime but it is the Office of Sheriff's responsibility to control and administer overtime as best we can. Discussion followed. In response to Supervisor Champlin's question, the Sheriff advised that the Criminal Procedure Law states the defendant or his/her attorney has the right to overrule whether or not judiciary video teleconferencing will take place. Because of that, not a lot of video teleconferences are done and it has not been used in Ontario County. One of the public safety priorities of NYSAC is to amend the Criminal Procedure Law, as it is with the NYS Sheriffs' Association. Supervisor Ninestine asked that a memorandum be drafted to the full Board outlining the problems faced by the Sheriff's Office with regard to overtime. Sheriff Povero will write a memorandum and will attend the next Board meeting to address any concerns with the resolution.

Supervisor Green moved approval of the Budget Transfer as requested by Sheriff Povero. Supervisor Champlin seconded the motion, carried unanimously.

Other Items:

Supervisor Ninestine updated the Committee regarding his concerns with having a translator or Spanish speaking person in the Public Defender's Office. There are two employees in that office that are at least partially fluent. These employees are studying the language. The Department also utilizes a translator.

Ms. Malavase announced that the Mother's Against Drunk Driving, in their annual recognition luncheon on November 13th will be honoring the Sheriff's Office and the District Attorney's Office. This is the first time, to her knowledge, that full departments have been recognized. Usually, it is individual members.

Mr. Garvey addressed the Committee regarding the traffic synchronization devices he had previously discussed with the Traffic Safety Board and the Public Safety Committee. He was to meet next with the Public Works Committee about this device which involved the City of Canandaigua, Town of Canandaigua, and the Town of Hopewell. He had sent an email to the director of Canandaigua Emergency Squad to be sure it did not involve

County expense. The response was that they were uncertain but maybe there were grants available. Mr. Garvey then chose not to present this request to Public Works. He will meet again with the Emergency Squad again to make them aware that the County has to know if there is an expense involved before making a commitment. Chairman Casella advised that the City of Canandaigua administration should be at the meeting and he will also try to be there.

Supervisor Green asked if downstate agencies had reached out to us for emergency services or law enforcement services due to Hurricane Sandy. Mr. Harloff stated that Emergency Management had followed procedure and four times has submitted the availability of equipment such as fire trucks and a ladder truck. Today, the office received a request for front loaders, heavy equipment and dump trucks. That request was forwarded to Bill Wright. There was also a request from the NYS Housing Authority asking what pumps were available from various agencies. They were not specifically asking for anything to be sent. As of now, no fire resources have been requested. There have been two requests to go as part of a compliment with Seneca County. One person was available, was to be deployed Sunday but that was cancelled. Reports are received twice a day. Numbers are declining and it appears they are transitioning into recovery. Mr. Garvey stated that Code Enforcement Officer Bob Johnston has been downstate several days. He is helping determine if structures are safe or not to be re-occupied. He is working under the auspice of Emergency Management. There was further discussion. Sheriff Povero advised that DCJS reached out. He responded that the department would be available for reasonable personnel services. No further request has been received. Two requests were sent out state wide looking for patrol vehicles and other equipment. Those requests were quickly taken care of by police agencies in the greater New York City area. As Mr. Harloff indicated they will request assistance if needed. Mr. Garvey said there may be a request later for use of our landfill space for debris accumulating downstate. If the request is received through official channels, the County will respond appropriately. The DEC would probably give a waiver.

Supervisor Champlin moved to adjourn the meeting at 3:13 p.m. Supervisor Green seconded the motion, carried unanimously.

Respectfully submitted,

Linda Hudson
Sr. Typist