

**REGULAR MEETING OF
PUBLIC SAFETY COMMITTEE
Ontario County Safety Training Facility
December 10, 2012 2:00 P.M.**

Committee Members	Others Present
Samuel Casella, Chairman	John Garvey, Philip Povero, Jeff Harloff, Tom Harvey
Mary Luckern	Jeff Rougeux, , Leanne Lapp, Halle Stevens, Mary Gates,
John Champlin	Dru Malavase, Steve DeChick, Ray DeRuyter,
Norm Teed	Andrea Schoeneman
Robert A. Green, Jr.	
Donald Ninestine	

The Public Safety Committee met in the Ontario County Safety Training Facility on Monday, December 10, 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 November 26, 2012. Supervisor Green seconded the motion, carried unanimously.

District Attorney:

Mr. Tantillo requested an authorization for a Budget Transfer to Training and Conference from the DA Federal Crime Proceeds Reserve to allow an ADA to attend the DA Winter Conference in New York City.

Supervisor Champlin moved approval of the Budget Transfer as requested by Mr. Tantillo. Supervisor Luckern seconded the motion, carried unanimously.

Public Defender:

Ms. Lapp requested authorization for the extension of a contract with FLACRA to continue the evaluation of clients at the Ontario County Jail and recommendations for referral services. Supervisor Ninestine noted that there are six different resolutions on the agenda involving FLACA and he requested to move to Item 19 on the agenda, review of FLACRA Payments and Proposed Contracts Summary, before any FLACRA contracts are considered.

Ms. Stevens reviewed the FLACRA Summary spreadsheet for 2012 payments and proposed 2013 contracts. There are eight total FLACRA contracts for the County, of which one is through Mental Health, five through Probation, one through the Jail, and one through the Public Defender. The FLACRA contract with the Public Defender's Office has zero County cost. This contract is fully grant funded.

They are proposing to increase the total County cost of FLACRA contracts for 2013 by \$5,000 from 2012. Of the \$113,895 County cost, 84% of the contract cost is covered by grant or other funding. Discussion followed. Supervisor Ninestine said that there have been concerns about duplication of services. He had thought that the number of contracts would be reduced. Ms. Gates stated that last year Probation had considered one large contract. However, the contracts cover so many different programs and payment for services are measured in different ways i.e. by the hour, by the group, some paid one-on-one. It was difficult to put all of this into one contract that could be tracked and made sense. The purpose for each contract is delineated in the middle column of the FLACRA Summary to show that there is not a lot of overlap. Supervisor Champlin stated it was his understanding that reviewing all contracts at once with a Summary was what the Committee had previously requested. Chairman Casella further stated that at the last quarterly ATI meeting, these contracts are explained in further detail by our staff, which gives a better understanding of the value and benefit of the services and there is not any duplication.

Supervisor Champlin moved approval as requested by Ms. Lapp for the FLACRA contract extension. Supervisor Green seconded the motion, carried unanimously.

Assigned Counsel:

Mr. Garvey advised the Committee that he would be addressing Agenda items 4 and 5 at the same time: Request for authorization for a Budget Transfer and authorization for a contract with the Ontario County Bar Association. The Budget Transfer request is for the amount spent by Assigned Counsel this year, which exceeds the current budget. Ms. Gates advised the amount being requested is \$300,000.00. Currently, they are \$26,000 over budget but expect that it will be at the \$300,000.00 by year end. Mr. Garvey is very concerned about this. He will meet with the Assigned Counsel administrator, however, she does not have a lot of control over what the attorneys submit, that has been approved by the Judge(s). Mr. Garvey spoke about future alternatives. He will set up a panel to advise him of what the alternatives are and the implications of each. As he understands it, the County can set up a Conflict Bureau. For example, if two people were arrested in the same incident, and one or the other provides information on the other, both cannot be represented by the same attorney. The Conflict Bureau is a method where counties set up a separate type of public defender office to handle those cases of which the Public Defender Office is conflicted. In those types of cases, the Public Defender cannot handle all of the clients. A Conflict Bureau does not require Judiciary approval. It is like having a second Public Defender Office but only for those cases that are conflicted.

A second way to handle cases is through a legal aid society. This can be done by a Request for Proposal to pay a flat rate per case, or ways of payments can be negotiated. The County could have both a Conflict Bureau and Legal Aid Services. Family Court is a growing area of mandatory legal defense. There could be several lawyers involved in one case. Mr. Garvey will seek advice from the County Attorney's Office. He will bring back a proposal to the Committee after the first of the year.

Currently, the County has an agreement with the Bar Association and is looking to continue that contract with an ending clause, which has not yet been signed by the Bar Association. Ms. Gates reviewed costs per case by the Public Defender and Assigned Counsel (around \$200 more per case than Public Defender). Supervisor Ninestine asked about Family Court costs. Ms. Gates stated that Family Court cases have increased. In September, the additional funding was put toward criminal case costs. Family Court costs seemed to be on track for year end. But, now many of the invoices coming in have been specifically Family Court, which has accelerated those costs. There was additional discussion regarding invoices not being sent in a timely manner. Mr. Garvey advised that letters have been sent to the attorneys. Supervisor Champlin asked if there has been a cost savings since going to this system. Ms. Gates did not have all the cost information with her but did reiterate that currently the Public Defender cost is \$638 vs. \$812 per case by Assigned Counsel.

Supervisor Ninestine moved approval of the Budget Transfer and Contract with the Ontario County Bar Association as requested by Mr. Garvey. Supervisor Teed seconded the motion, carried unanimously.

Planning Department:

Mr. DeChick requested authorization for a Budget Transfer for FCC License Application Fees. He also requested payment of invoices as listed below:

- A. Forestry Conservation Communications Assoc., Invoice No. F120658, for \$495.00
- B. L.R. Kimball, Invoice #517169 for \$20,065.91
- C. RJ Schickler, Inc., Application No. 11 for 22,295.36
- D. RJ Schickler, Inc., Application No. 12-Final, for \$30,392.65
- E. RJ Schickler, Inc., Application No. 13-Final, for \$25,731.85

Supervisor Green moved approval of the Budget Transfer and Payment of Invoices listed above as requested by Mr. DeChick. Supervisor Champlin seconded the motion, carried unanimously.

Emergency Management Office:

Mr. Harloff requested authorization for a Temporary Advance on the UHF Simulcast Network Project. Resolution 577 created a project for a dispatch system and funding is provided through three different Homeland Security Grants. The advance would make funds available to spend and the County would then be reimbursed according to the terms of the grants, which totals approximately \$437,000.00.

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

Mr. Harloff addressed the Committee regarding two No-Cost Time Extensions, one with Cannon Design, Inc. and one the Rochester Institute of Technology. The Cannon contract extension is for a communication plan for the County. The bulk of the work is done, an after-action report. The communication plan is not yet completed to the County's satisfaction. Some minor work is needed. The RIT contract is for analysis of the County's infrastructure and key resources.

Supervisor Teed moved approval as requested by Mr. Harloff for the No-Cost Time Extension with Cannon Design, Inc. and for a No-Cost Time Extension with Rochester Institute of Technology. Supervisor Luckern seconded the motion, carried unanimously.

Mr. Harloff requested authorization for a Budget Transfer for work related to the new Breathing Air Truck, on the chase and box. The remaining funds are unencumbered until after the first of the year. The best approach to the project is to put it out to bid. Chairman Casella wanted to be sure that everyone was in complete agreement on the process. Mr. DeRuyter and Ms. Schoneman agreed this was the best way to proceed.

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

Mr. Harloff thanked the Committee for their support on his reappointment. This is his 21st year working for the County.

Probation:

Mr. Rougeux requested authorization for a contract with FLACRA for Enhanced Jail Services. This helps pay for the transition group for females in the Jail. The Day Reporting Program provides alcohol evaluations and group counseling. The contract for Cognitive Behavioral Techniques Group remains the same as last year. The Ready, Set, Work contract was not used this year as there has not been a replacement employee as of yet. He anticipates there will be someone in place in 2013.

Supervisor Green moved approval of the following FLACRA contracts as requested by Mr. Rougeux: Supervisor Champlin seconded the motion, approved unanimously.

- A. Enhanced Jail Services
- B. Evaluations and Counseling Services Day Reporting Program
- C. Cognitive Behavioral Techniques Group
- D. Ready, Set, Work Curriculum Day Reporting Program

Mr. Rougeux requested authorization for contracts as follows related to the Youth in Crisis Program.

- A. Boike Marriage, Family and Individual Counseling, Inc.
- B. Family Counseling Services of the Finger Lakes
- C. Finger Lakes Addictions Counseling and Referral Agency
- D. GATE Anger Management

Supervisor Ninestine moved approval of the above listed contracts as requested by Mr. Rougeux. Supervisor Teed seconded the motion, carried unanimously.

Mr. Rougeux requested authorization for ATI Bail Reserve Appropriation for the Center for Dispute Settlement Contract. This is a new contract for mediation services.

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

Mr. Rougeux requested authorization to accept a Grant from Office of Probation and Correctional Alternatives. It is for \$42,000 for ignition interlock.

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

Chairman Casella asked Mr. Rougeux to coordinate an ATI meeting whereby the members of the Public Safety Committee would have opportunity to attend.

Office of Sheriff:

Ms. Haskins requested authorization to enter into contract with FLACRA for a Counseling and Transition Program at the Jail.

Supervisor Teed moved approval as requested by Ms. Haskins. Supervisor Luckern seconded the motion, carried unanimously.

Supervisor Haskins requested authorization for the acceptance of a Contract with Correctional Medical Care, Inc. for mental health services at Jail effective January 1, 2013. Services from Ontario County Mental Health will phase out. Correctional medical Care, Inc. is the only company that submitted a bid.

Mr. Garvey asked about the approval process for this company. He is not comfortable with this organization and the fact there was only one vendor. This is not a local company. Mr. Garvey asked if there was a review of their prior work. A lengthy discussion followed. Ms. Haskins stated this firm is involved in mental health care in several other jails. She also advised this company will assist inmates in transitioning back to the community, not just what happens while the inmate is in jail. This is not a services that she knows of that is provided in many places. Mr. Garvey asked if there was any litigation against them and whether they were approved by the Commission on Corrections. Ms. Haskins was not aware if the Commission required approval. Mr. Garvey did ask that their services be monitored closely. Undersheriff Tillman stated that in the short term the County could look at this cost versus the cost of having the services provided in house.

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

Ms. Haskins requested authorization for signing agreements for the Housing Out of Ontario County Inmates.

Ms. Haskins requested authorization to Establish Rates for the Lodging of Outside Prisoners at the Ontario County Jail.

Ms. Haskins requested authorization for the Housing of Out-of County Prisoners at the Ontario County Jail.

Supervisor Ninestine moved approval of the above three resolutions as requested by Ms. Haskins. Supervisor Champlin seconded the motion, carried unanimously.

Undersheriff Tillman requested authorization for an Intermunicipal Cooperation Agreement for Enhanced Law Enforcement Services with Town of Geneva.

Supervisor Luckern moved approval as requested by Undersheriff Tillman. Supervisor Teed seconded the motion, carried unanimously.

Undersheriff Tillman requested authorization to renew Agreement with Eastview Mall, LLC., to Provide Two Full-Time Deputies on Site at Eastview Mall

Supervisor Green moved approval as requested by Undersheriff Tillman. Supervisor Champlin seconded the motion, carried unanimously.

Undersheriff Tillman updated the Committee on the proposed legislation for Jessica's Law. All bills in the legislature will expire at the end of December. The Sheriff will monitor this proposed law and provide a new resolution of support at such time it is appropriate.

Supervisor Teed moved approval as requested by Undersheriff Tillman. Supervisor Luckern seconded the motion, carried unanimously. The motion was then withdrawn as a resolution had not been presented and was only informational at this time.

Ms. Haskins reviewed Jail Revenue. Housing revenue for Federal Immigration in November was \$4,800.00. That was 4% of the total anticipated budget, bringing us to 72.25% of the anticipated housing revenue. The Jail population is increasing, particularly on weekends, which affects the opportunity for housing in.

Ms. Haskins updated the Committee on Immigration Billing, which had been discussed at previous meetings. The County has been charging \$100 per day and the Federal Government believes it should be \$80 per day. An agreement has been worked out to repay the funds by credit (not charging for housing until the funds are repaid). This could take 18 months.

Ms. Haskins informed the Committee about a contract with FLCC for a Jail Training Initiative. The College received a grant which provides \$4,500 toward this training. Our cost would be \$500.00. The grant will allow correctional staff to receive training to work with the inmate population on various mental health challenges.

Other Items:

Supervisor Teed asked about the Shay Road property. Mr. Garvey stated it could be advertised for sale. Supervisor Teed had a constituent that sent a purchase offer and has not heard back. Mr. Garvey further stated that when a decision is made, a list will be kept of the interested parties.

Supervisor Ninestine has been on the Traffic Safety Board for 19 years. He has appreciated the opportunity but is stepping down at this time. He would like to see a Board member appointed, preferably from Public Safety, Supervisor Green expressed his interest in the position. Ms. Malavase will advise Karen DeMay. The Chairman of the Board can make this appointment.

Supervisor Ninestine made a motion to support Supervisor Green for appointment to the Traffic Safety Board. Supervisor Champlin seconded the motion, carried unanimously.

Chairman Casella reminded everyone of the Sheriff's Christmas Luncheon on Friday, December 21, at noon.

Supervisor Champlin moved to adjourn the meeting at 3:30 p.m. Supervisor Teed seconded the motion, carried unanimously.

Respectfully submitted,

Linda Hudson
Confidential Secretary-