

**REGULAR MEETING OF
PUBLIC SAFETY COMMITTEE
Ontario County Safety Training Facility
April 8, 2013 2:00 P.M.**

Committee Members	Others Present
Samuel Casella, Chairman	John Garvey, Supervisor Marren, Undersheriff Tillman,
Mary Luckern	Chief Haskins, John Park, Leanne Lapp, Tom Harvey
John Champlin	Steve DeChick, Jeff Rougeux, Jeff Harloff, Dru Malavase,
Norm Teed	Ray DeRuyter, Halle Stevens, Mary Gates, Deb Trickey,
Robert A. Green, Jr.	Sue Cirencione
Donald Ninestine	

The Public Safety Committee met in the Ontario County Safety Training Facility on Monday, April 8, 2013 at 200 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 March 18, 2013. Supervisor Green seconded the motion, carried unanimously.

Presentation:

Mr. Scott Goble, Transportation Supervisor for the Canandaigua City School District gave a presentation on school bus safety. The most troubling school safety and public safety issue in the school transportation industry is that of vehicles passing stopped school buses with lights flashing that are picking up or unloading students. He provided national, state, and local statistics on this issue. Vehicles pass stopped school buses 50,000 times a day in New York State. In Geneva, last November, a child was attempting to cross after getting off the bus, and was struck by a passing motorist and bounced off the vehicle. Fortunately, there were no serious injuries. Mr. Goble also cited two other incidents in recent months in surrounding counties. A survey was completed in March 2013 in Ontario County. For the nine districts, that participated there were 140 incidents of passing stopped school buses. Vehicles pass on both the right and left hand side. It is a serious concern. Twice a year there is an event called Operation Safe Stop Day in conjunction with local law enforcement and the one coming up is Thursday, April 18. Deputies will be shadowing school buses on their routes that day Mr. Goble spoke about the difficult situation in Canandaigua, with the four lane Main Street. There are many incidents downtown. The school transportation industry has lobbied with law makers for stiffer penalties. Discussion followed. Undersheriff Tillman pointed out that when license plate numbers are called in; we still have to prove who was operating the vehicle. It helps to get a description of the driver. Mr. Goble stated that is very difficult for the bus driver to do. He hopes to have cameras installed on the bus stop arms. Chairman Casella asked if there were still issues for buses making a left turn on Airport Road. Mr. Goble stated yes and they will try again to address this problem with the DOT.

Public Defender:

Ms. Lapp requested authorization to apply for funding from the NYS Division of Criminal Justice Services: Indigent Parolee Program. Her office already performs these services and can now be reimbursed for the work.

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

Other:

Chairman Casella mentioned that there was a recent newspaper article in which the Sheriff commented on investigating how we deal with mental health challenges at the Jail and asked for some clarification. Chief Haskins thought that the Sheriff was referring to a request in the CIP budget for a proposal for a formal study. It would piggy back on the work that this Committee does prior to that. In response to Chairman Casella's question as to the need of the subcommittee, Ms. Haskins felt there is still a need. The project would not take place until next year and the more information that can be provided ahead of time, the less it will cost later. We know a lot of the issues. It is just a matter of getting them listed and determining what, if anything, can be done. Supervisor Champlin commented that they are working on putting together the subcommittee.

Planning:

Mr. Harvey addressed the Committee regarding the use of proceeds from spare radio equipment. When the County put the new microwave system out to bid, it was to spec we indicated that there would be additional equipment needed as additional sites would be added. Our contract with Harris contains that language. When Harris signed a contract with Alcatel to replace the microwaves, it contained the same language. In the field, Alcatel went to each site, decommissioned the other equipment and let it sit. Harris says it is not ours, it is yours. If brand new, it is valued at about \$300,000. In our settlement agreement with Nextel, there are also seven 800 megahertz base stations that also have some value. The proposal to the Committee relates to the UHF paging system. One bid was previously rejected as it was far more costly than the funding that was available. Mr. Harloff worked with the state and got their permission to use three years worth of grants totaling a little over \$400,000 to work toward the UHF Overlay System. They have been able to negotiate with the vendor to get the price more in line with the available funding. It is less than \$1 million for a ten-site UHF System. However, there is not any funding for the gap between the \$400,000 and the \$1 million. Mr. Harvey advised there are several parties interested in the microwave equipment. It might be put out to bid through Purchasing His proposal is to close the gap by using proceeds from that sale. Kimball advises that microwave equipment, even wholesale, has a value of about \$100,000. Adding that money will help close the gap. There should also be a market for the base stations. They do not fit our needs. He does not have a value on them, would defer to Purchasing.

Mr. Harvey requested authorization for a contract with Finger Lakes Communication for Radio Network Equipment, Capital Project 6-2012 for the purchase and installation of radio network equipment and software. He provided an amended resolution (\$32.30 cost reduction). They are proposing to buy the first installment, which has to do with all the network control equipment that is needed to add to the radio network to support the UHF Overlay System. They are working on assembling the entire project and breaking into pieces that best corresponds with grant funds that have to be spent by June of this year. All costs are based on the New York State contract. The Committee agreed that the sale of the spare radio equipment is a good idea. Mr. Harvey should bring this to Financial Management for approval as well.

Supervisor Champlin made a motion to endorse and recommend that Mr. Harvey proceed with the proposal for selling the spare equipment and also moved approval of the contract with Finger Lakes Communication as requested by Mr. Harvey. Supervisor Ninestine seconded the motion, carried unanimously.

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

- A. Finger Lakes Regional Telecommunications Development Corporation,
Invoice No. ONT031913 for \$3,500.00
- B. L. R. Kimball, Invoice No. 518931 for \$9,216.96

The first invoice is for the cost of splicing fiber optic cable for communication activity with Monroe County. It is up and running. He is working on an intermunicipal agreement with Monroe County so that there is not duplication of data bases. Systems would be very transparent as far as people migrating from one county to another. Monroe County has asked us to host their data base instead of the other way around. They have renovation projects due and don't want construction going on around the area where their data base server is located. That being said, even if the fiber optic connection were broken, there is a backup so that each system could work independently. Data will be residing in Ontario County. Updates will be made in Ontario County and pushed back to Monroe County. The Kimball invoice is per their existing contract.

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

There was discussion regarding the sale of the property around the Italy Valley Tower. Yates County is interested in a sale/lease back arrangement whereby they could put their infrastructure there in the future and Ontario County would not have to make tax payments on the property. Once they approve, there would be 27-28 acres left that we could put on the market. Mr. Garvey stated that if there were inquiries to Supervisors regarding this acreage to send the contact information to either him or Tom Harvey.

STOP-DWI:

Ms. Malavase advised the Committee that all of the motorcycle equipment purchased with the Safety Grant has been ordered and should be received next week. The first week that signs and banners were available, 25% were given out. She spoke with the Livingston County Traffic Safety Chairperson today. They did not realize they could have applied for the grant, but since Ontario County applied for the nine-county area, Livingston County gets the full benefit. There is a committee meeting tomorrow to work on the next cycle of the grant. Ms. Malavase will follow up with a resolution at the next meeting to apply for additional funds and to take it state wide.

PROBATION:

Mr. Rougeux introduced Probation Officer Sue Cirencione. After attending a STOP-DWI conference, she brought an idea to him that they would now like to implement, which is the use of public service messaging. Ms. Cirencione addressed the Committee and showed a sample clip of public messaging that could be used in the Probation Department lobby. The cost of the wall mounted Television/DVD Player would be appropriated from ATI Bail Reserve. Mr. Rougeux will be responsible for the content of the messages.

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

Mr. Rougeux requested approval to apply for ATI Community Service Funding in the amount of \$15,892.00. The department received notification on March 27 that the County was awarded a renewal grant for this program.

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

Mr. Rougeux gave an update on the replacement of Kim Rossi for Sex Offender treatment. He and some of the administrative staff and sex offender officers have met with some of the area providers. He had been concerned what the cost with a new vendor. However, the frontrunner, Sexual Behaviors Outreach, provide the same type of service to Yates and Schuyler County that Kim Rossi provides to Ontario County. They do charge \$10 more to their clients, which they collect. It does not come through Probation. The only thing the County pays for is the evaluations for those that cannot afford it. Sexual Behaviors Outreach charges \$175 for evaluations as Kim does. Mr. Rougeux is working on final details so a contract can be written Kim Rossi's last official day is April 18 but she will still be available to do evaluations, if scheduled on one day, until a new contract can be established. There will not be any break in coverage. Since people are often self-pay anyway, there are area providers that could do evaluations as well until everything is up and running.

Office of Sheriff:

Chief Haskins requested authorization for a contract with Erie County Public Health for Lab Services.

Supervisor Luckern moved approval of as requested by Chief Haskins. Supervisor Champlin seconded the motion, carried unanimously.

Chief Haskins advised the Committee that the weekend Jail population count was 225. There is a continuation problem with the female population. Three are being housed in Livingston County. She does not see much of a trend down in that area of population. For a brief period of time, a female from Yates County was housed in, which earned three or four days of revenue.

Undersheriff Tillman reviewed the 2014-2015 Proposal for Fleet Purchases. For 2014, the proposal is for one SUV, three unmarked cars, nine patrol cars, and one passenger van. In 2015, the proposed vehicle replacement is for one K-9 SUV, six unmarked cars, and 10 patrol cars. Discussion followed regarding the current fleet. Discussion followed regarding the current vehicles and how they have been received. The Undersheriff advised that vehicles are still being assessed, the Ford, Chevy, and Dodge. The only complaint so far he has heard on the Dodge is the size of the trunk and there is some concern with the Caprice on the rear window visibility. The Ford SUV seems to be well received The Tahoe is good for the specialized units. However, maintenance and fuel use will be important in seeing how these vehicles work out.

Supervisor Ninestine made a motion to support the Proposed Fleet Purchases for 2014-2015 as presented by Undersheriff Tillman. Supervisor Luckern seconded the motion, carried unanimously.

Undersheriff Tillman gave a brief snapshot of this past Saturday night at Eastview Mall. Two officers handled eight calls. There were two averted larcenies. One would have been a grand larceny, involving 30 pair of jeans at Macys. The remaining five calls resulted in ten arrests; four were juveniles, six adults. A total of \$837.75 in merchandise was recovered from 4-5 different stores. Three officers worked on these arrests. Three individual were females out of Buffalo and were arraigned and committed to Jail. Without the two full time officers at the mall, it would really stretch the department's resources.

Supervisor Green stated that he has worked in EMS service in several counties the past few years. That being said, every county he worked in with EMS has a dedicated vehicle for their EMS Coordinator with spare equipment and supplies. There have been a number of mass casualties in this county over the years. He feels it is incumbent on this county as large as it is, and as involved as the EMS Coordinator is, to seriously consider assigning a vehicle to the person involved in the EMS services. EMS has grown substantially. It should be strictly assigned to EM services and should be considered in the 2014 budget. Chairman Casella concurred and asked Mr. Harloff to work on a proposal. Discussion followed. Supervisor

Ninestine asked if mileage were paid to the Coordinator. He asked if these mileage records could be used to support this request as it would show the number of miles driven by the Coordinator. Mr. Harloff will compile this information and include it in the proposal.

Supervisor Champlin commented on his Town's recent Board meeting. A deputy had been requested for security. That officer was able to diffuse a situation within 30 seconds or so and the meeting went on without incident. An officer has been requested for the next Town Board meeting as well. Supervisor Champlin thanked the Sheriff's Office. Their assistance is greatly appreciated. Supervisor Green also appreciates the assistance of the Sheriff's Office with issues the Town of Bristol has encountered.

Undersheriff Tillman advised the Committee that a proposal will be forthcoming that has to do with the 911 Center and new radio system. There is a dire need to break up the radio system on the afternoon shift and have two Sheriff's Dispatchers working. Currently, there is one Dispatcher working afternoons that is responsible for all the law enforcement radio transmissions. At any given time, he estimates there is 15-20 officers that person has to talk with. It is an ongoing safety issue and has been for several years. It has not been address previously because of the radio system. Once the new system is in place, we will have the capability to divide the County. There is a need for at least one additional Dispatcher on the afternoon shift, to get the number down to a manageable number that the Dispatcher can service. The department will be looking for Committee support.

Additional Items:

Mr. Harloff updated the Committee on the vehicle fire on Boughton Park Road. He has been working on this case for the last 24 hours with the State Police and 7 hours with the Arson Bureau. There was a fatality but the fire does not look suspicious at this point. The vehicle went off the road into a wooded area and burst into flames. No ground contamination occurred, however, there was some fire damage to an 8 foot ground area, a 25 foot area of trees, no hazardous materials situation.

Mr. Harloff addressed the Committee regarding the Burn Building. Last year there was a CIP put together for the purchase of panels for the building. The dollar amount was reduced and Buildings and Ground purchased the minimum number of panels (3) needed to be able to burn. They started installing the panels in March and are doing a great job. Due to weather, the project was late in getting started, which has delayed use of the building. That usually starts April 1. This has caused a domino effect. Some fire departments will not be able to use the building and it has also affected some state fire courses in two counties. Weather is biggest factor. Mr. Harloff wanted the Committee to be aware and can direct any comments or questions to him. Mr. Harloff said the building is normally used April 1-December 1. Cold weather and cold water in a concrete building creates a safety issue, which is why the building is not used year round. Usage is up and now there is an even tighter schedule.

Mr. Garvey stated that the Assigned Counsel annual report will be sent out soon to all the Committee members. Mr. Park will give an overview of the Assigned Counsel program and the options that are available. Mr. Garvey further stated that the Public Defender Office can become a much greater asset in this Committee. There are choices to be made as well as a financial analysis of the program. Mr. Park provided a handout "Indigent Representation Background". This started as a Supreme Court case in 1963. He gave the history of the case as it went through the court system. New York State responded to that case in 1965 with Article 18B. Mr. Park gave an overview of the various laws and procedures involved with Article 18B, as well as the poverty guidelines. County Law 722 spells out the options for providing counsel for indigent people: public defender, contract with private legal aid bureau/society, bar association plan, conflict defender, or any combination of the above. Currently, our Public Defender takes all cases except those with conflict. We contract with the Bar Association to administer the plan and vouchers are submitted by the

attorneys for their services, about \$800,000 in 2012. It has been discovered that the term vouchers does not actually mean the number of cases. Ms. Lapp counts the number of cases she has and Assigned Counsel counts the number of vouchers. There can be several vouchers per case. This will have to be reconciled to assist with identifying the problem areas. A large number of those vouchers pertain to Family Court. Mr. Park stated that a task force needs to be put together to find a solution to the financial problem yet provide the necessary services. Mr. Garvey stated that most likely we will end up with a “combination of the above” due to the conflict. Ms. Lapp spoke to the Committee as to why her office cannot handle all cases due to conflicts of interest. An example is three people involved in one case. Mr. Garvey pointed out that one could have a Public Defender, one would be assigned a Conflict Defender, and the third would have to go to Assigned Counsel. The task force will make recommendations with an estimated cost and bring it back to the Committee. Discussion followed. Ms. Lapp clarified that a group of people in one case cannot be assigned individual lawyers in the Public Defender Office. They all report to her and all are presumed to know what is going on with everyone else in the office. Mr. Garvey said that any Committee member is welcome on the task force if they are interested. They will come back to the Committee with their recommendations and best solutions they can offer. Chairman Casella will attend the meetings on behalf of the Committee.

Mr. Garvey stated that the County is doing everything it can to provide proper legal services. There has been great cooperation between the Sheriff’s Office and the Public Defender’s Office.

Supervisor Champlin made a motion to adjourn the meeting at 3:38 p.m., seconded by Supervisor Teed, carried unanimously.

Respectfully submitted,

Linda Hudson
Confidential Secretary