

STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE

Monday, April 6, 2020

9:00 a.m.

Via Teleconference

****MINUTES****

COMMITTEE:	John V. Malter, Chair Aaron I. Mullen	Steven P. Maio, Vice Chair Frederick G. Potter	Jeffrey P. Horton Thomas J. Ryan
STAFF:	Jack K. Wheeler Tina Goodwin Brenda Mori Cheryl Crocker	Christopher Brewer James Allard Tammy Hurd-Harvey Andy Morse	David Hopkins Tim Marshall Shawn Sauro
LEGISLATORS:	Scott J. Van Etten Kelly H. Fitzpatrick Frederick G. Potter	Robin K. Lattimer Hilda T. Lando Thomas J. Ryan	Carol A. Ferratella Robert V. Nichols Gary D. Swackhamer.
OTHERS:	Media		

I. CALL TO ORDER

Mr. Malter called the meeting to order at 9:00 a.m.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE MARCH 2, 2020, MEETING MADE BY MR. MAIO. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. RYAN ABSENT FOR VOTE)

III. DEPARTMENT REQUESTS

A. Emergency Management Office

1. **Change Order** – Mr. Marshall stated he has a change order request for the Motorola project. We had an issue with the UPS at the 911 Center and one of the things we identified was we wanted to do a backup power supply for the radio communications system if we had another power failure. We brought over the UPS from the Whitesville tower site and configured to 911 and now that is the backup system that is a backup to the backup. If we have a power outage like before, the new system will pick up and hold for a number of hours. We have to replace the power supply we had over at the Whitesville tower site and the cost is \$15,750.

Mr. Malter asked is this covered by grant funding? Mr. Marshall replied we have a capital project for the VHF fire upgrade and it is funded with grant money.

MOTION: APPROVING A CHANGE ORDER FOR MOTOROLA TO PURCHASE A BACKUP POWER SUPPLY SYSTEM FOR THE WHITESVILLE TOWER SITE FOR A TOTAL COST OF \$15,750 MADE BY MR. HORTON. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. RYAN ABSENT FOR VOTE)

2. **FY17 SHSP Budget Adjustment** – Mr. Marshall stated the next item is the FY17 SHSP budget adjustment. In order to close out that grant, he is transferring \$14,574.95 to the equipment line item. We need to replace the printer we used for the ID system. We also need to replace the GIS plotter at the 911 Center as it is no longer on a maintenance contract. We also are going to purchase additional equipment for the fire investigator. This is all within the FY17 State Homeland Security program.

MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO TRANSFER A TOTAL OF \$14,574.95 FROM THE FY17 STATE HOMELAND SECURITY GRANT TO THE MAJOR EQUIPMENT LINE TO PURCHASE A PRINTER FOR THE ID SYSTEM, A GIS PLOTTER FOR THE 911 CENTER AND EQUIPMENT FOR THE FIRE INVESTIGATOR AND AMENDING THE MAJOR EQUIPMENT LIST TO INCLUDE THESE ITEMS MADE BY MR. POTTER. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. RYAN ABSENT FOR VOTE)

Mr. Malter asked Mr. Wheeler how are these authorizations being signed? Mr. Wheeler replied Mr. Brewer is in the office and we are scanning documents back and forth. Also, Mr. Brewer is authorized to sign in my place once you authorize these approvals.

3. **Electrical Engineering Contract** – Mr. Marshall stated at the last meeting, we had discussed having an electrical engineer come to the 911 Center to look at the issues with the dips in power. We did formulate a quote through Purchasing and Labella was the vendor that came in with the lowest bid. Actually, their bid was under the costs that we can do as a professional service. The cost was \$5,700. He requested authorization to enter into a contract with Labella for electrical engineering services for a total cost of \$5,700.

MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO ENTER INTO A CONTRACT WITH LABELLA FOR ELETRICAL ENGINEERING SERVICES AT THE 911 CENTER FOR A TOTAL COST OF \$5,700 MADE BY MR. HORTON. SECONDED BY MR. POTTER FOR DISCUSSION.

Mr. Van Etten commented that's a very good rate. Mr. Marshall replied compared to the other vendors it is an excellent rate.

VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.

4. **Declaration of Public Health Emergency** – Mr. Marshall stated he needs to have the committee declare a public health emergency so that we can make emergency purchases. As you know, there is a supply shortage across the nation, across the world. There are critical supplies that we need to provide to the hospitals, EMS agencies and others. We received two pushes from the State; the first was a half pallet of stuff and the second was a little more, but nowhere near what we are burning for supplies. We have identified a vendor in Fulton County and they can provide face masks and face shields that emergency responders need to block droplets. They can provide us with 600 of those for \$3,000 plus shipping through Saratoga Horse Works and we ordered those. We also ordered 1,000 N-95 masks for \$4,500 plus shipping, so a total cost of \$4,600. These are coming from Federal Eastern International.

Mr. Wheeler stated we also ordered and we will get you a detailed list for the Finance Committee meeting, test kits which include swabs and vials for testing because the hospitals in the County have less than 100 each. We ordered 1,000 kits and that cost \$6,000. All of the purchases eventually will be covered by FEMA. We don't have the specific vendor details right now.

Mr. Marshall stated the last piece we purchased were some spray bottles. We have gallons of hand sanitizer from the Governor, however we were not able to get the bottle sizes we needed, so we had to purchase those. These bottles will come from US Plastic Corporation for a total price of \$1,171. These are all the purchases we have made so far under this emergency situation.

Mr. Malter commented it's amazing these companies even have a supply. Mr. Marshall stated it is. We were lucky to get some of these supplies ordered before other agencies wanted them. Other corporation and vendors are getting into the game and are retooling to make these supplies.

Mr. Wheeler stated Tim (Mr. Marshall), Ken (Mr. Forenz) and Matt (Mr. Marmour) have done a great job in identifying these things. We are all competing against each other to try to find PPE and testing kits. He is surprised to have found some. The *Administrative Code* process allows the three of us (County Manager,

Purchasing Director and County Attorney) to make these emergency purchases. We will bring back a detailed list for the Finance Committee.

Mrs. Lando asked when will you get them? Mr. Marshall replied we should get the face shields and face masks next week. We have received some of the bottles, but not the pumps. We are trying to stay with vendors that we know are New York based or that other counties are using. We are getting tons of emails from fly-by-night businesses. We are sticking with vendors that we have done work with before.

Mr. Malter asked so you need us to declare an emergency? (*Secretary's Note: This is where audio started recording*) Mr. Wheeler replied we need a ratification of the actions for these specific purchases and if we have more, we will bring it back again. So it's just those purchases that were noted and again we will get you a detailed list, but essentially the ones we just spoke of; to just ratify our actions and then Finance will have to approve it as well. Mr. Malter stated so we are just ratifying the actions of the items you just purchased? Mr. Wheeler replied right.

Mr. Ryan stated I have a question. Is there a dollar limit on these requests or a minimum or maximum? Mr. Wheeler replied no. We are using our best judgement. So the most expensive thing we bought were the N-95's for about \$4,500 and those vials and swabs for about \$5,000 to \$6,000. So obviously we are using discretion. We wouldn't be purchasing you know a box truck or anything for \$30,000 or \$40,000. We are just, certainly I think the high end of these supplies that we would buy are probably in that \$5,000 - \$6,000 range. Mr. Ryan stated so the Finance Committee makes the final decision.

Mr. Mullen asked can I ask a question? It's unrelated to the purchases, but who, what is the plan for how they are going to be billed? Is that going to be (*Secretary's Note: Audio cut out*)...realize that people aren't going to be able to work as much in the office now, are you going to have a bunch of people together; hopefully not. What's the plan? Mr. Marshall asked as far as distributing these supplies? Mr. Mullen stated I thought you are purchasing smaller bottles to fill with the larger hand sanitizer? Mr. Marshall stated right, and requests come in for hand sanitizer, like a local fire department; if a local fire departments says you know well I need hand sanitizer, we can fill six or eight bottles and then give them some one gallon bottles and then they can go off and do what they need to do. It's not going to be where we are going to have a bunch of people filling these bottles up and distributing all these small bottles. We will give them the small bottles, we will give them the gallon jugs and say here you go, go do what you have to do. Mr. Wheeler stated yea and also, Tim utilizes, we have utilized his radio technicians. These are still working on radio stuff, but they also help with, kind of the, and the deputy fire coordinators for supply pick up and in some cases, delivery as well.

Mr. Malter stated okay. So can I get a motion getting this on the table?

MOTION: DECLARING A PUBLIC HEALTH EMERGENCY AND RATIFYING THE PURCHASES MADE TO-DATE BY THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE IN RESPONSE TO THE COVID-19 OUTBREAK MADE BY MR. POTTER. SECONDED BY MR. RYAN FOR DISCUSSION.

Mr. Potter stated okay quick question. Have you found the prices you've had to pay for these items are escalated significantly over what they normally would be? Mr. Wheeler replied absolutely, and because its counties bidding against each other, bidding against with the State and bidding against the Federal government too. Yes, it's more than we would pay under normal circumstances and all the other counties that we have talked to are in the same boat and if they can get their hands on them they are paying the premium too just because eventually it will be reimbursed by FEMA. We need these supplies on hand if we can get them. Mr. Marshall stated one of the things we are finding is going to our normal suppliers that we would regularly deal with, and they don't have them and they don't know when they are going to get them and uh, so then we really end up having to pay what the market price is at the time. Mr. Malter asked this is all reimbursed by FEMA? Mr. Marshall replied yes it should all be reimbursed by FEMA, yes because it is listed as an emergency purchase as part of the Covid-19. Mr. Wheeler stated and they are, we are doing all the things that FEMA required. So Kenny is tracking down

three quotes even though some of them are going to be astronomical, just so that we have all of our, all of the information backup so that when it is submitted to FEMA, we won't have, or run into any of those roadblocks.

Mr. Marshall stated a lot of the issues that we find is when we go looking for quotes on this stuff, the suppliers just don't have it. So our quote is not available, so we have to buy it from the vendor we can buy it from. Mr. Malter stated well it's important that we get this stuff in supply so that we can distribute it. Mr. Marshall stated absolutely. We have a very robust distribution plan that both Ken Forenz, from my office, and Matthew Marmour, from the Public Health Department, have worked on and they have done a tremendous job on identifying what resources are coming in, what requests are being made, what the burn rates are for the hospitals, the nursing homes, the EMS, law enforcement and fire agencies, what they are burning at a rate so that we can give them to the people that need them the most at the moment.

Mr. Malter stated okay. Anything else?

Mrs. Lando asked can I ask a question? So did that include, I can't remember Tim, did you include gowns in the order as well? Mr. Marshall replied we have some gowns right now but we are looking for new gowns. One of the things we have done with gowns is the State has identified the fact that we can't get specific isolation gowns and that they can use fabric gowns. We are working right now between the Office for the Aging, RSVP Program, they have identified some volunteers that are willing to sew gowns. They have a pattern that they have identified and they are actually making; having folks make gowns. They are going to distribute them through the Office for the Aging and bring them to us and then we can distribute them from here out of the stockpile. Mrs. Lando stated awesome, thanks. Mr. Marshall stated but we are still looking for the specific isolation gowns. That is one of our high priority levels right now, is gowns. We don't have enough.

Mr. Malter asked has any of this...*(Secretary's Note: Audio cut out)*...? Mr. Marshall stated yeah, we did receive two pushes from the Strategic National Stockpile that came through the State and the materials we got here in Steuben County were very miniscule. You know certainly, New York City, Long Island, has a much harder fight than we do right now and I think a lot of the supplies are still getting pushed down there, rightfully so. For us right now, I am on a supply call with the State every single day at 2:30 p.m. and they have no information on when we are going to get another push from the Strategic National Stockpile. So right now, what we have is what we have. So we have to go to battle and win the rest of this war on the materials that we have right now or what we can acquire. That's why this emergency purchases is so important right now, because if we identify items that we need, we need to be able to buy them and get them here so that we, you know, can go into the next battle, you know, equipped.

Mr. Malter stated all right. Anything else?

VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Malter stated Tim? Mr. Marshall stated that's all for me folks. Thanks so much for your support. We appreciate you guys thinking of us and you know, we are here getting it done. Mr. Malter stated thank you.

B. Sheriff's Office

Sheriff Allard commented this is probably the most quiet you've ever had me in a meeting I think, today. I had you on mute for most of it (laughing).

1. **Uniform Bids** – Sheriff Allard stated I have the uniform bid and I hope Andy (Mr. Morse) is on the call because I don't have the information. We did our normal every other year uniform bid and I think it went to four different vendors. Andy, are you out there? Apparently not. Mr. Malter asked so you don't know what the bids are? Sheriff Allard replied no, I haven't seen them. I just know that they are in. Ms. Mori stated I will try to get Mr. Morse on the call, if you just want to continue on with the rest.

Mr. Malter asked how about the milk bid? Sheriff Allard stated that we did last month, we don't need to redo it.

2. **State Farm Grant** – Sheriff Allard stated the Undersheriff wrote a grant with State Farm in order to create; there is a, it's called the Amy Stock trailer out of Albany, where a young lady that was involved in a fatal crash due to an intoxicated driver. They made an education platform with a trailer that houses the vehicle that was crashed, along with the 911 calls and everything involved with that. John (Undersheriff McNelis) wrote a grant with State Farm to try to duplicate that here with the rise in fatal crashes we have had over the last two years, to try to use that as an education material in the high schools. State Farm is going to send us a check for \$24,750 to start us on that path to buy a trailer in order to use one of the vehicles from one of our own crashes and develop a similar trailer to the Amy Stock trailer. So I am looking for permission to receive that \$24,750.

Mr. Malter asked is this a trailer that we are going to sit out and haul a crash vehicle on for education? Sheriff Allard replied yes. Well, it's just not hauling on, it sets it up so that it is an interactive, educational trailer for when we do the prom training and all of that to try and stop our high school kids from driving intoxicated, crashing and dying. That's the purpose of it. It won't just have a car sitting on the back of it. It will be the full production.

Mr. Potter stated the budget request is \$25,000 instead of the \$24,705. Is there an additional \$250 of equipment that you will be getting? Sheriff Allard replied no, we were told that we were getting \$25,000, so that's what we did and then the last email we got from State Farm said it's going to be \$24,750. So we are looking to change it to \$24,750. Mr. Potter stated okay.

Mr. Malter stated I'm assuming there's got to be some insurance costs putting this vehicle on the road, so I'm assuming we have enough in your budget to cover that? Sheriff Allard replied yes. As we go forward, we won't be negatively affecting the budget and we will continue to look for other grants as we put this together.

MOTION: AUTHORIZING THE SHERIFF TO ACCEPT A \$24,750 GRANT FROM STATE FARM TO BE USED TO REPLICATE THE AMY STOCK EDUCATIONAL TRAILER MADE BY MR. HORTON. SECONDED BY MR. POTTER FOR DISCUSSION.

Mrs. Lando asked can I ask a question? Mr. Malter stated go ahead Hilda (Mrs. Lando). So for Jim, we have been talking, we have talked about this at the Prevention Coalition and I know we have talked about trying to get that trailer to come here and how expensive it was and we didn't do it, but I would suggest or I would ask to make sure when you do this to work with the Prevention Coalition because I think we've got a lot of contacts that might be able to help to get this thing going. Sheriff Allard stated absolutely, thank you.

Mrs. Ferratella asked will we be able to let other counties utilize this trailer and car as well? Sheriff Allard replied yeah, the plan would be to use it exactly like the Amy Stock trailer where it goes out through the STOP DWI Coordinator network, and any county can request it through STOP DWI and we would absolutely share it with anyone that needed it. Mrs. Ferratella stated thank you. Mrs. Lando stated I have another question please. So Jim, that's not enough; I'm trying to remember what the cost was when we were going to do it ourselves back last year, and it seems like it was a lot more money than that. Sheriff Allard stated it could be. Again, as we do this we will continue to ask for grants and other funding sources to make sure we are not negatively affecting the budget.

Mr. Van Etten asked so is this an enclosed trailer or an open trailer? Sheriff Allard stated we haven't bought it yet, so I assume it will be an enclosed trailer; that's the way the Amy Stock trailer is. That's actually a custom trailer, the way that one works. Mr. Van Etten stated and so the sides open up in order to see the vehicle. Sheriff Allard replied yes and it has speakers and lights and everything else in it. Mr. Van Etten asked what are you going to tow it with? Sheriff Allard replied we've got our Boat Patrol pickup truck which is an F-250. Mr. Van Etten stated okay. Mrs. Lando stated I think you can go online too. Mr. Van Etten stated an enclosed trailer, a 22 foot HaulMark, is about \$7,000 so this would have to be a custom one in order to spend that much money.

Mr. Malter stated basically all we are doing here is accepting the money. I'm assuming that if we go out and buy a trailer, we are going to have to sit out there and bid that out? Sheriff Allard replied yes. Mr. Malter stated so we will have more information when that happens. So this is just to accept the \$25,000.

VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. **Uniform Bids (Cont.)** – Mr. Malter asked if Andy was here yet? Mr. Morse stated yes I am. Mr. Malter stated so you have the information on the bid? Mr. Morse stated there are like 30 line items on this bid. We are recommending awarding to four separate vendors, based on a line item basis. So whoever the low was would be awarded.

Secretary's Note: Following the meeting, Mrs. Chapman contacted Mr. Morse to obtain the names of the four vendors. The vendors are Bob Barker Company, Galls, Inc., Ranger Outfitters and United Uniform Distributors, LLC.

MOTION: AWARDING THE UNIFORM BIDS AS RECOMMENDED BY THE PURCHASING DIRECTOR, TO THE LOW BIDDER ON A LINE ITEM BASIS MADE BY MR. RYAN. SECONDED BY MR. MAIO FOR DISCUSSION.

Mr. Potter asked was there an increase in cost over last year? Mr. Morse replied they were fairly comparable, I would say within five percent. Mr. Malter stated okay, so anything else?

VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.

4. **SRO (School Resource Officer) Contract Renewals** – Sheriff Allard stated renewal of the SRO contracts; the SRO contracts, I'm not sure if we need any action on this as I look at the original resolution but I wanted to make sure the committee, that everybody was aware. There was a change in the Education Law last year which made it necessary for us to now include language in the SRO contract outlining the SRO's role in a disciplinary hearing or in doing discipline. The language that we have added has gone through Jen (Ms. Prossick) and she has approved it. Basically discipline is under the purview of the school district and the SRO's will continue to engage in criminal investigations and only act within that scope. The other change is that before, the salary for the SRO's was capped at \$30,000 because that was the limit under the retirement system. Last year they passed a bill to raise that and it was signed by the Governor to raise that ceiling to \$35,000. So the schools have all agreed to that increase and will reimburse accordingly. So the pay will go up for the SRO's slightly so they can max out at \$35,000 a year rather than \$30,000 a year. Again, I don't see where that does anything to the original resolution, but I wanted to make sure that everybody was aware of it and that if in fact Jen (Ms. Prossick) thinks a resolution, or any action that needs to be taken, then we did so.

Mr. Potter asked all the schools have been closed all these weeks, are the SRO's continuing to be paid? Sheriff Allard replied yes. They are being paid, again, being reimbursed. Some school districts have their SRO's coming in and helping with food distribution and home visits. Others have the SRO's coming in part-time and some want to pay them to stay home so that they secure those SRO's return after this is done. Mr. Potter stated okay that brings me to my second question. With the Governor's budget, school aid, aid to the school districts has been frozen to what it was during this current fiscal year. Was the agreement to increase the salary made before the Governor's budget released or before the budget was passed or after? Sheriff Allard replied before. Mr. Potter stated I'm thinking the districts will be looking at ways to conserve and save money anywhere they can, so before I would vote for the increase, I would want to make sure that the schools were okay with it. Sheriff Allard stated we reached out to every superintendent and all have approved it. So, when we originally put this together, I haven't contacted them since Covid, but they were all on board a month ago when this was first looked at.

Mr. Maio stated okay, I've got a question. So I understand there was a law that authorized the salaries to \$35,000, but who sets the salary? Sheriff Allard replied we set the salary. So what the law did was it raised the ceiling that a person who is retired can still earn within the system without penalty. Mr. Maio stated yeah I understand that those raises are authorized, are allowed so they don't have a retirement issue, but who decides how much they

actually get paid? Sheriff Allard explained so that is a number that is derived from \$30,000 minus their Workers' Comp and any other money that the County would have to take, it reduces it by that amount and then that breaks down to an hourly wage for the ten-month school district. Mr. Wheeler stated you folks set it, the County sets it. Mr. Maio stated so that's what I'm getting at. So just because they are allowed to earn \$35,000, by what mechanism are we now increasing their salary to \$35,000? Is this what this vote is doing? Sheriff Allard replied that and through contracts with the school districts where they agree to pay that amount. Mr. Maio stated okay, so are we approving a contract raising salaries to \$35,000 from \$30,000?

Ms. Prossick stated if I can, so it's a contractual obligation Steve (Mr. Maio). The school districts are paying a set amount via the contract that they, as the Sheriff just described, approved, along with the new language that is required from Education Law. So it's not money coming out of the County, it's coming into the County from the schools. Mr. Maio stated so the schools have agreed that the \$35,000 is the right salary and we are just the mechanism by which that is accomplished. Is that correct? Ms. Prossick stated correct.

Mr. Van Etten asked did we lose Mr. Malter? Oh, he's on mute. Mr. Malter asked am I there now? Mr. Van Etten stated yes, you are now. Mr. Malter stated so based on what you are saying the State only allows retired people to make \$30,000 a year and this allows them to make up to \$35,000; it just increases the amount they can make without affecting their pension. Is that correct? Sheriff Allard stated that is correct. Mr. Malter stated we really are not changing anyone's salary at this point, we are just sitting out there and the State is the one doing this. Are we just sitting out there ratifying that the schools can pay the people up to \$35,000 a year? Ms. Prossick stated well it is contract renewal time, so we are putting that into these contracts, so it is just a renewal of all of the SRO contracts at the new amount that the State has increased, with the new language that is required under the Education Law.

Mr. Malter stated so I guess it is up to the schools whether they want to pay these people this additional money. Ms. Prossick stated correct. Based on where this State budget is at this point, I don't know why anybody would be increasing anything. Mr. Potter stated agreed. Mr. Van Etten stated I would rather pay an SRO than another administrator in a school district, so maybe they will smarten up. Mr. Potter stated agreed. Sheriff Allard commented the feedback that I have gotten back from every administrator is they are more than happy to pay this and it is still half of what they would pay otherwise, so they are more than willing to do what they need to do to keep that protection in their district.

Mr. Malter asked so each of these contracts we now have needs to be modified; is that what we are dealing with Jen (Ms. Prossick)? Ms. Prossick replied yes. He and Terri (Ms. Moir) at the Sheriff's Office, and myself have come up with a new template. The Sheriff and Undersheriff have seen the language and everyone is in agreement with it. It basically increases the scope of duties of the SRO's significantly, just because we have to spell out what they can and can't do. So we already have the first two done of the templates, so we should be good as long as you guys are okay with this. Mr. Malter asked are we doing this as of the next fiscal school year, in other words, in September? Ms. Prossick replied yeah, I think, and Sheriff you can correct me, I think it is July; they are up for renewal here this summer. It's a different schedule. Sheriff Allard stated yeah they get renewed in the summer for implementation in September.

MOTION: AUTHORIZING THE SHERIFF TO RENEW THE SRO (SCHOOL RESOURCE OFFICER) CONTRACTS WITH PARTICIPATING SCHOOL DISTRICTS INCORPORATING THE NEW EDUCATION LAW LANGUAGE AND THE NEW SALARY OF UP TO \$35,000 MADE BY MR. RYAN. SECONDED BY MR. HORTON FOR DISCUSSION.

Mr. Malter stated this is really not any additional money that's going to cost the County, so it is up to the schools whether they want to pay it or not.

VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.

5. **LiveScan Grant** – Sheriff Allard stated one more, the LiveScan Grant. The LiveScan is the digital fingerprint system that is in the Jail, in the Deputies Room and the County Office Building. It's aging. We got a grant, but it is a matching grant for \$30,000 to replace it. My plan would be if you're okay with accepting it, I will put that in the budget for next year, the matching part, and there would be no purchase unless it makes it through next year's budget. We have to let them know if we are willing to accept it at this point. It is through the State, through DCJS. Mr. Malter stated I don't have a problem with that.

MOTION: AUTHORIZING THE SHERIFF TO ACCEPT A MATCHING \$30,000 GRANT FROM THE NYS DCJS FOR THE REPLACEMENT OF THE LIVESCAN DIGITAL FINGERPRINT SYSTEM MADE BY MR. POTTER. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Mr. Swackhamer stated I have two questions for the Sheriff. One is, are we having the officers in the Jail wear masks or anything at this point? Sheriff Allard replied some do and some don't. So if you want me to take ten minutes to explain everything we are doing in the Jail, I can. Or if you would rather contact me one on one, I can do that. Mr. Swackhamer stated let's go to my second question; what's the road patrol doing these days? Sheriff Allard replied well a lot of what they are doing is helping Public Health out right now. They are doing all the checks on the quarantine folks in order to help Public Health. Last weekend we were at both Wal-Marts making sure there were no issues there with the scaling back and they are continuing to run calls and continuing to provide public safety throughout the County. We are still making arrests. They are still doing everything that they have to do. Obviously they can't do that with social distancing, so we are trying to do it as safely as we possibly can. I just heard today that Wayne County has an entire shift on quarantine because they had an infected Deputy. We are trying to avoid that.

Mr. Ryan asked what will be the protocol if we have a case in the Jail of Covid-19? Are we going to keep them housed, let them go? Sheriff Allard replied all of that depends on whether they are sentenced or pre-sentenced. If they are sentenced we can't let them go. If they are pre-sentence, and it makes sense, we could work something out through the DA's Office and the judges and the Public Defender. Currently we are extremely fortunate that we have PrimeCare in place now. I can't tell you what a, what a deal changer that is. They went through H1N1 and their protocols are set. The guidance they have given us is directly in line with CDC. The protocols they are using are right now we have two units set up as intake units. Any new person that is remanded to the Jail goes into one of those units, in a semi-isolated state and they remain in that state until PrimeCare clears them as asymptomatic and then they are moved into a housing unit. Those people are screened twice a day and checked twice a day for symptoms. If they do show any symptoms, they will stay in isolation. Once they meet that ten day mark with no symptoms, and PrimeCare feels confident that they are not a carrier or are completely asymptomatic, then they are moved into population. Should we have a person who does exhibit signs and then tests positive, that entire housing unit will go into isolation and quarantine until we are through that. The deputies that work the intake; some wear masks and some do not. Depending on whether someone is showing symptoms or any issues that they bring in with them, we have masks available to all of them should they decide that personally they want to wear them. We have hand sanitizer, wipes and every other PPE available to them at the time they are in there. Every employee of the Sheriff's Office, for the past two, two and a half weeks has their temperature taken when they arrive at work. Every inmate has their temperature taken daily; the ones in intake have it done twice daily. For the folks that come in for CAP, they are isolated in booking and stay in isolation until we know whether they are going to be remanded or released and those folks are masked and gloved at all times as they deal with those people. So, even the Road Patrol gets their temperatures taken daily when they arrive at work for call-in service. I get my temperature taken daily. I kid with them and tell them we only bought thermometers that only go to 99, but they are on to me with that. So, we continue to do everything we can to be as safe as possible. Cider Creek delivered two cases of their homemade hand sanitizer and the deputies have been using that. It works well, but it makes you smell like last night's hangover. Mr. Ryan asked (laughing) do they drink it or put it on their hands? Sheriff Allard stated that's why we give it to the deputies and don't put it in the Jail. We are working with Tim (Mr. Marshall) and Darlene (Ms. Smith) and doing everything we can to help on that end. Right now, knock on wood, we haven't had a fever higher than 99 in our facility. Mr. Ryan stated sounds like you have it covered; good job. Sheriff Allard stated the Sheriff's Association has been a big help in

giving us guidance, long before; we got zero guidance from the State or the Commission of Corrections. So as a group, we all arrived at a best practices and put those into place over two weeks ago.

C. Personnel

1. **Reclassifications – Sheriff’s Office** – Mr. Alderman stated we have some reclassifications. I believe you all got the write-up from the Sheriff on this. So if you have any questions you can certainly feel free to ask him or I during this. First we have, we want to reclassify a vacant Senior Criminal Investigator position, it’s a downgrade, to a Criminal Investigator position. Mr. Malter asked can I ask why the downgrade? Sheriff Allard explained certainly; that position was used to get, the last person held it is now retired and we no longer utilize that position. That came from a Sergeant’s position before it was upgraded to a Senior Investigator. That’s the whole purpose of the shift is for the same amount of money, or close to the same amount of money, we can have that Supervisor back, but also get an additional Investigator which we never created with the COPE Program, which we said we would.

Mr. Malter asked does anybody want to make a motion to bring it on the table?

MOTION: AUTHORIZING THE RECLASSIFICATION OF A SENIOR CRIMINAL INVESTIGATOR POSITION, GRADE XIV, TO A CRIMINAL INVESTIGATOR POSITION, GRADE XIII WITHIN THE SHERIFF’S OFFICE MADE BY MR. HORTON. SECONDED BY MR. RYAN FOR DISCUSSION.

Mr. Maio stated yeah Sheriff? Sheriff Allard stated yep. Mr. Maio stated in the email and everything and the presentation it’s talked about to bring this, that these are all things to bring us into the COPE program. How is the other (*Secretary’s Note: Audio a little garbled*) doing as far as the treatment end of it? Sheriff Allard asked can you restate that? You broke up halfway through. Mr. Maio stated I’m sorry. How has the other part of the COPE program, that is to say, the treatment half, been working? Sheriff Allard replied up until two weeks ago, it was working fantastic. We have Julie Haar who comes in and classifies. We had another treatment provider that was in so that we had a full-time equivalent. About a month and a half ago we had a meeting with OASAS to take on our unit that was vacant and set it up as an actual inpatient treatment facility for those in custody. So, for example, the folks that are in drug court, they get sent away. We would be able to do those here between PrimeCare and our addiction specialists. OASAS has since backed out on that obviously with the State budget how it is, and they have no money for that. My hope was to get some money through OASAS for the treatment end of that. So we are going to have to re-attack it and look at it from a different perspective. The treatment continues and it continues on. Right now all of our mental health is being done telemedicine wise with the teleconferencing so that we don’t have, so that we limit the amount of exposure we have to the virus coming in. Mr. Maio asked do you know about how many inmates are in the program? Sheriff Allard replied typically it is around 30. Mr. Maio stated thanks.

Mr. Malter asked is there anything else that we need to bring up on this?

VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Alderman stated okay next, we are asking for authorization to reclassify a currently encumbered Deputy Sheriff position to a Deputy Sheriff Corporal position and this obviously is for more supervision. I believe, and the Sheriff can elaborate, but I believe the Sheriff was missing supervision on one shift. Mr. Malter stated that was all stated in the paperwork you sent out. Sheriff Allard asked does anybody have questions?

Mr. Ryan stated I was looking at your information and when you know, what’s the criteria besides time and grade moving on steps? Is there anything other than time and grade when you go from one step to the next? Sheriff Allard replied no that’s completely contractual with time and service. Mr. Ryan stated okay, thank you. Sheriff Allard stated within that grade.

Mr. Mullen stated I have read through the letters and I am a little confused on some of it still. Basically my understanding is that these positions that are being added, that are being reclassified; I know that there are two

vacant positions that are being filled and my understanding is that those are basically between the two part-time people and the Senior Investigator position being filled in order to make up for not having the two investigators that were part of the COPE program. Those investigators were used as deputies before and I am just wondering if this is consistent with whatever was said when the deputies were added; if when they were added, if it was well we are going to fill these two other positions and we are not going to be adding any more money right now that's basically, if the two, if the two presentations are consistent, is my question.

Mr. Malter stated right now we are dealing with A and B and your agenda and I think Aaron what you are referring to is C. Mr. Mullen stated well I am referring to A and C because that is how we get to the filling of the COPE Investigator position; through the A and the C. It is kind of difficult to separate them out from the whole memo and everything. Mr. Malter stated let's just take care of B first, that's the upgrade to Corporal Deputy Sheriff. Is there any additional discussion?

MOTION: AUTHORIZING THE RECLASSIFICATION OF ONE DEPUTY SHERIFF POSITION, GRADE XI TO A DEPUTY SHERIFF CORPORAL POSITION, GRADE XII WITHIN THE SHERIFF'S OFFICE MADE BY MR. POTTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.
Resolution Required.

Mr. Malter stated so now we will deal with your question Aaron, (Mr. Mullen) now with C. Mr. Alderman stated we are looking to reclassify a vacant full-time Correction Officer position to two part-time Criminal Investigator positions. Mr. Malter stated okay, I've got a couple of things. Number one is that in your statements you sat out there James (Sheriff Allard) and you are talking about losing one Investigator in a police department. So where is that Investigator; is it in Corning or Hornell? Sheriff Allard replied Corning. Mr. Malter stated okay. So are we sitting out there, are these people, is the Corning Police Department going to hire another Investigator? Sheriff Allard replied that would be my understanding, but I don't have any say in that. This would be their current Investigator is looking to retire. Mr. Malter stated so one of my problems here is are we sitting out here now supplementing by increasing the number of Investigators, are we sitting out there supplementing the Corning Police Department? I think we need to sit out there and make sure they hire an Investigator back. Sheriff Allard stated I know that's their plans. I have had several discussions with Chief Spaulding regarding that and he has no intention of not filling that position. This Investigator has worked on the drug initiative for I'm going to say fifteen plus years and has traveled all around the County. Now in his role as a Corning Police Department Investigator with one of our Investigators and Corning has allowed him, they have made arrests and search warrants in Cohocton, Wayland, Canisteo, Hornell, Pulteney, you name it, and they have let him do that. So I think we are ahead of the curve on it already.

Mr. Alderman commented I have had multiple conversations with Chief Spaulding as well and all indications would point to that he is looking at hiring an Investigator. You know we are up in the air now with testing. Those tests are usually held in June, but I believe from my conversations with him, that he is looking to hire one.

Mr. Malter stated you are looking at using a CO position to create these other part-time positions. Is this a position that is now vacant because of a lack of people in the Jail, or is this one that has been in the budget and funded, but zero-based? Sheriff Allard replied this is one that is in the budget and funded and the person is leaving it next Thursday.

Mr. Malter stated my other problem is that with the change in this whole criminal reform act, we are getting more people in the Jail; is this going to create a problem in next years' budget, will we then have to put this position back in and fund it? Sheriff Allard stated I don't foresee that. The only thing I have seen in the budget, the breakdown on what the Governor has proposed in the budget, the only changes to the bail reform that I have seen is to add a few more crimes in which would constitute being eligible for bail; vehicular homicide, hate crimes, any assault or any other manslaughter. It doesn't give the power back to the judges. It doesn't give discretion back to the judges. That's the only thing that has been in his budget proposal so far, to add a few more crimes to the list of those that are possible for bail; nothing on Discovery.

Mr. Malter stated my other question is, how many Investigators do we now have that are working and how many, if we ratify these changes, are you going to have? Sheriff Allard replied so currently we have a Lieutenant in charge of investigations and then we have four working Investigators. We have one Investigator who is assigned to DSS, who has been out on 207-c for quite some time. Mr. Malter stated so that gives us five at this point. Are we looking at putting three more, a full-time and another two part-time people? So that would bring you up to eight. Sheriff Allard stated well you can't count the two part-time; we also have two part-time Investigators in DSS that are grant funded. The DSS position is also funded by DSS. So this would give us one additional full-time and the two additional part-time.

Mr. Maio asked Sheriff, how much of the request for the part-time Investigators is occasioned by Corning losing theirs? Sheriff Allard replied it really doesn't affect that. What this does is make it so that we can deploy a team to do a narcotics investigation, whether we have someone from Bath or someone from Hornell or someone from Corning available, or the DA's Office. Right now we can't do that, we don't have enough people.

Mr. Malter asked Mr. Wheeler what do you think about this? Mr. Wheeler stated so the Sheriff and Chris (Mr. Brewer) and Nate (Mr. Alderman) and I talked after the budget was adopted, right around the first of the year. My opinion was utilizing a funded to be vacant position essentially makes this cost neutral. So that's why I personally would be in favor of it. I think, you know, the other things that came along with this, the kind of three-pronged approach that the Sheriff presented, I think makes a lot of sense and because it is essentially budget neutral, I certainly support it.

Mr. Maio asked Sheriff, are these going to be solely for narcotics investigations, or are they going to be doing other stuff too? Sheriff Allard replied the two part-time would be solely for narcotics. The additional Investigator is going to be a general purpose Investigator.

Mr. Malter asked anything else?

Mr. Van Etten stated my comment is that I agree that the combination of these three, as long as they are all basically budget neutral, it allows the Sheriff to put people where he needs them, especially when we had a shift that didn't have a Supervisor on, that was a concern. So I think all three of these are worth adopting.

MOTION: AUTHORIZING THE RECLASSIFICATION OF ONE VACANT FULL-TIME CORRECTIONS OFFICER POSITION, GRADE X, TO TWO PART-TIME INVESTIGATOR POSITIONS MADE BY MR. RYAN. SECONDED BY MR. HORTON FOR DISCUSSION.

Mr. Malter asked is there any further discussion?

Mrs. Ferratella stated I have a question for the Sheriff if I could take a minute. Referring back to your CAP report dated January 15th, and you emailed it on the 25th, and I am looking at the number of transports that you are showing. You said 135 for the City of Corning, 73 for the City of Hornell and then 869 returns. So my question is are these returns linked to the City of Corning and the City of Hornell, or are they above and beyond those agreements? Sheriff Allard replied above and beyond those agreements. The returns are to every court in the County, every local court in the County. When a CAP arraignment happens, the original paperwork has to return to that court of jurisdiction for the next court date. And also there are several orders of protection and things of that nature that our folks are going out and serving, that were issued in CAP court. Mrs. Ferratella stated okay, so the returns associated with Corning and Hornell, they are not included in the 135 and 73 transports, correct? Sheriff Allard replied correct. Those transports are, we physically went to Corning PD or Hornell PD, brought a person from there, that was under arrest, to CAP for arraignment. Mrs. Ferratella stated okay, thank you.

Mr. Maio stated Sheriff I have one more question for you. With the additions of these investigators that you are asking for today, does that bring you up to where the plan was for the COPE? Sheriff Allard replied yes, I believe it does. Mr. Maio stated okay.

Mr. Malter asked anything else?

Sheriff Allard stated I just want, thank you for listening to me, but the two part-timers, you can't overstate the importance of not losing that experience, of 40 years of investigation between the two of them.

VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Malter asked Mr. Wheeler do you have anything else? Mr. Wheeler replied no.

MOTION: TO ADJOURN MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

****NEXT MEETING SCHEDULED FOR****

**May 4, 2020
Legislative Committee Room
9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Monday, April 27, 2020**