

# Steuben County Newsletter

July / August 2018



## **FROM THE CHAIRMAN'S DESK....**

July has started on an extremely somber note, with the tragic and senseless death of Trooper Nicholas Clark. As the District Attorney mentions in his updates below, all of Steuben County is in debt to Trooper Clark and his family for the sacrifice he made.

While a fitting tribute to Trooper Clark could consume this entire newsletter, we wanted to provide some important updates from Emergency Services, Public Works, and Planning.

As always, please contact us with any questions or concerns, and I hope you enjoy the remainder of your summer.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joseph Hauryski".

Joseph Hauryski  
Chairman  
Steuben County Legislature

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## **District Attorney**

We begin the month of July mourning the loss of Trooper Nicholas Clark, 29, of Canisteo on July 2, 2018. Trooper Clark was killed in the line of duty, responding to a check the welfare call involving an armed suicidal individual. He gave his life trying to save another from taking his own and is a hero in every sense of the word. All of us here in the DA's Office had the opportunity to know and work with Nick. A thoughtful, dedicated and incredibly personable law enforcement professional – we will all miss him. A very bright future was cut far too short by a senseless act and serves as painful reminder of the risks our law enforcement members take every day to keep us safe. We send our condolences and prayers to the Clark Family and hope all will do the same. Nicholas Clark is a true hero, who will never be forgotten and will always be missed.

The last couple of months have been, as seems to be the norm, busy in the District Attorney's Office. Indictment numbers are up. We are successfully trying cases in courts throughout Steuben County. Through coordination of the District Attorney's Drug Initiative, the Office has noted increases in methamphetamine production, deadly fentanyl and fentanyl laced heroin sales, and the appearance of imported crystal methamphetamine throughout Steuben County.

On the enforcement side, to counter these realities, the office has taken number of measures in recent months to attack the illegal drug trade:

1) In April, we initiated and coordinated with the Hornell Police Department, Steuben County Sheriff's Office, New York State Police, Canisteo and Corning Police Departments *Operation Spring Break* Drug Sweep in the City of Hornell – rounding up 14 indicted drug dealers in the City. Reports from Hornell law enforcement tells us that this effort is still having positive results in the community; suppressing the local drug trade – for now;

2) In June, we initiated and coordinated with the Bath Village Police Department, Steuben County Sheriff's Office, New York State Police, and Corning Police Departments *Operation Safe Summer* drug sweep in the Village of Bath – rounding up 18 indicted drug dealers, including several violent predicate felons in the Village;

3) Working with the New York State Police Investigators and utilizing the Local Law passed by the Steuben County Legislature as part of our Drug Initiative Enhancement Program in 2013, we have begun aggressively prosecuting those who falsely complete pseudoephedrine logs to purchase this primary ingredient for methamphetamine – striving to decrease meth production;

4) Our 2017 change in overdose protocols – treating these as crimes, not just tragic accidents, is beginning to allow us to hold dealers of deadly drugs accountable for their crimes. In June, Matthew Taft of Bath pleaded guilty to Manslaughter in the Second Degree for selling laced heroin which killed a young man in the Village of Bath in late 2017. He faces up to 15 years in prison when he is sentenced in September. The Hornell Police Department has also made a Criminally Negligent homicide arrest under similar circumstances – that case is now pending in Steuben County Court. Other investigations are open and moving forward. We will hold dealers accountable when we can in OD death cases.

Our efforts to forward the COPE program continue: the Hornell City School District along with City Court Judge Dave Coddington have made tremendous progress in implementing a pilot Youth Court in the City, including creation of a required education program for participants. The District Attorney and Julie Haar from the Office of Alcoholism and Substance Abuse Services are putting together a working group to establish the Community Impact Program for drug offenders. Working with County Manager Jack Wheeler and DSS Commission Kathy Muller, we are moving forward with the drafting of local legislation called for under COPE. Also, the County Manager and District Attorney have met with various school district officials throughout the county to create the framework for a youth education competition among our schools. And finally, though the state has provided none of the expected grant funds for a jail based in-patient treatment program, efforts there continue. On the enforcement front, interdiction-oriented efforts by the Sheriff's Office are already paying dividends, with several drug dealers currently sitting in Steuben County jail charged with class B felonies and their drugs being held as evidence against them, not by those suffering addiction on our streets.

Our Crimes Against Revenue Program (CARP) grant-based Steuben County Welfare Fraud Task Force (SWIFT) continues to have tremendous success, so much so that after a recent audit visit, officials from the NYS Division of Criminal Justice Services (DCJS) asked DA Investigator Noel Terwilliger and a member of DSS to present a “how to” lecture at the annual state-wide CARP Seminar in October. DCJS (our grant funder) would like other counties to see how the SWIFT cooperative enforcement program works and to use SWIFT as a model for successful welfare/revenue fraud enforcement in smaller counties throughout the state. We are very proud that our program is being recognized as a role model for others around the state.

Investigator Terwilliger has also been busy in other areas – moving the office agenda forward. He has been accepted into the extremely competitive Federal Covert Surveillance School. This multi-week program sponsored by federal law enforcement agencies, including the DEA and the FBI, is very difficult to qualify for and brings with it state of the art training which Noel will be able to bring back to Steuben County, train other officers in and put to work on drug and domestic violence cases. Tuition and the costs of attendance will be covered by grant and forfeiture funds – meaning we will be able to bring this training asset to Steuben County at no cost to the taxpayer.

Finally, we were pleased to accept to significant grant awards in recent weeks. The first, applied for by Investigator Terwilliger, brings \$58,000 to the county to enhance our ability in multiple law enforcement agencies to video tape confessions and statements in criminal cases, creating better evidence and protecting the rights of the accused. The second, the Aide To Prosecution Grant, awarded by DCJS, recognizes our continuing efforts in the prosecution of targeted felony offenses, and covers significant portions of the salaries of a Senior Assistant District Attorney and two Paralegals.

We close our mix of good, bad, and tragic news on the past couple of months with the knowledge that things likely will not slow down during the dog days of summer – and the promise that we will continue to work to make Steuben County a safer place, protecting our citizens, their rights and their taxpayer dollars.

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## **Office of Emergency Services**

### **Hazard Mitigation Plan**

The Steuben County Hazard Mitigation Plan is now available for public review and comment, and located at [https://www.steubencony.org/Files/Documents/emo/draft\\_hazard\\_mitigation\\_plan\\_update.pdf](https://www.steubencony.org/Files/Documents/emo/draft_hazard_mitigation_plan_update.pdf)

The county's Multi-Jurisdictional Hazard Mitigation Plan update is required every five years by the Federal Emergency Management Agency (FEMA) and allows communities to be eligible for federal pre-disaster mitigation funds.

The FEMA funds help municipalities find ways to reduce losses before a hazard occurs.

The current plan update includes 33 areas within the county and analyzes 14 potential hazards, including flooding, that could occur within Steuben. One technological hazard, Hazardous Materials in Transit, was identified as a hazard of concern as well.

“Part of the mitigation plan requirement is to have citizens participate in the process,” county Office of Emergency Services Director Timothy Marshall said. “We want to know our citizens' concerns about mitigating disasters and what they think about their own preparedness measures.”

Updated plans are required for municipalities to be eligible for future FEMA Hazard Mitigation Grant Program project funds, Marshall said.

People can comment on the plan at the [readysteuben@co.steuben.ny.us](mailto:readysteuben@co.steuben.ny.us) email address.

### **Training Opportunity**

New York State is offering a two-hour training course for residents to have the tools and resources to prepare for any type of disaster, respond accordingly, and recover as quickly as possible. The course will be held at Corning City High School, September 10, 2018 beginning at 7:00 p.m.

A key component to the training is the distribution of free NYS Disaster Preparedness Kits to each family that registers and attends in-person. This session is scheduled to last for approximately two hours.

Click on the following link to register: <http://www.dhSES.ny.gov/aware-prepare/nysprepare/registration/index.cfm#formbegins>

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## **Public Works – Solid Waste & Recycling Division**

The Steuben County Solid Waste & Recycling Division will be hosting a number of important events for residents this summer:

Latex Paint Day - County residents can come to the Bath Landfill and drop off unwanted latex paint. Paint must be latex based, not oil, and there is no need to dry the paint out. There is no fee for the event, and it runs from 8 AM until Noon on Saturday, August 4th.

Shredding Event - County residents can come to the Hornell Transfer Station for the last of our confidential document shredding events this year. In partnership with Swarthout Recycling, residents can observe their documents being shredded onsite during the event. There is no fee for the event, and it runs from 8 AM until Noon on Saturday, July 28th.

Book Week - County residents are welcome to come to the Bath Landfill this week (July 9 - 14th) and drop off any unwanted books, or browse through what has been dropped off and take what they like. There are no fees to drop off or pick up books.

## **Planning Department**

### *239-m Referrals*

The New York State General Municipal Law Article B Section 239-m requires that municipal boards refer certain planning actions to the county for review. The purpose of the law is to encourage local board members to consider the countywide and inter-municipal impacts of their local land use decisions. Neglecting to refer a land use action to the Steuben County Planning Department pursuant to General municipal Law may constitute a “procedural or jurisdictional error” that could legally invalidate the local municipality’s land use decision.

New York State General Municipal Law 239-m requires that local municipalities forward the following actions to a county planning agency for review, comment, and recommendations:

- Area/Use Variance
- Site Plan
- Special Use Permit
- Zoning Amendment (Code/Map)
- Comprehensive Plan
- Other authorizations which the board may issue under zoning provisions

Any of these actions that involve property within 500 feet of any one of the following must be sent to the county for review:

- A municipal boundary
- A county or state existing or proposed road
- A county or state existing or proposed park or recreation area
- A county or state owned property, existing or proposed, on which a public building or institution is located farm operation located in a designated agricultural district (does not apply to area variances)

Please refer any questions to: Matthew Sousa, Senior Planner, Steuben County, [matts@co.steuben.ny.us](mailto:matts@co.steuben.ny.us)

### *Save the Date - Upcoming Solar Workshop*

Learn how adopting the tools and best practices in the NY-Sun Solar Guidebook will help you and your communities prepare for solar energy development, reduce administrative burdens, attract outside investment, and low ether cost of electricity for your residents.

When: Wednesday, August 1st, 2018

Time: 5:30-8:30pm

Where: Steuben County Civil Defense Training Center, 7220 NY-54, Bath, NY 14810

RSVP: by July 30th, 2018 to [Solarhelp@nyscrda.ny.gov](mailto:Solarhelp@nyscrda.ny.gov)

The workshop will cover important aspects and best practices for planning and zoning for solar – including large renewable project review processes and siting solar while protecting farmland – and Payment-In-Lieu-of-Taxes (PILOT) agreements.