I. CALL TO ORDER

Mr. Malter called the meeting to order at 9:00 a.m. and asked Ms. Fitzpatrick to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE DECEMBER 2, 2019, MEETING MADE BY MS. FITZPATRICK, SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REQUESTS

A. Probation

1. Justice for Families Grant – Mrs. Crocker requested authorization to sign an MOU (Memorandum of Understanding) with LawNY for the Justice for Families Program Grant. There will be numerous agencies involved with this. This award is between $25,000 - $30,000 for three years and will help the Probation Department to help with monitoring of domestic violence offenders as well as assistance with victims and training.

Ms. Fitzpatrick asked is this a new grant? Mrs. Crocker replied yes. This is a three-year grant. Mr. Ryan asked what would the training encompass? Mrs. Crocker replied the training would be specific to domestic violence; working with the victims and supervising the offenders. Mr. Malter asked is the $25,000 - $30,000 per year? Mrs. Crocker replied yes.

Mr. Maio stated the District Attorney has a contract for a victims advocate; is there any interrelationship between the two? Mr. Wheeler replied there may be a little. The District Attorneys contract goes back to the work with the CAC (Child Advocacy Center) and some other things that we are working on.

Mrs. Crocker explained this grant is something new that just came out. The other agencies involved include the court system to provide the training as well as the NET, Arbor Development and LawNY. Mr. Potter asked is this a State grant? Mrs. Crocker replied no, this is a Federal grant.
MOTION: AUTHORIZING THE DIRECTOR OF PROBATION TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH LAWNY FOR THE JUSTICE FOR FAMILIES PROGRAM GRANT IN THE AMOUNT UP TO $30,000 FOR EACH OF THREE YEARS MADE BY MS. FITZPATRICK. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

B. District Attorney
   1. Approval of Contract for Second Victims’ Advocate – Mr. Terwilliger requested authorization to amend and extend the contract with the Institute of Human Services/Department of Social Services to include additional part-time victims’ advocate services. The grant does include funding for two part-time contracts. This second position will give us a few more hours per week. Mr. Wheeler clarified this would be contracting for additional services. Last month the victims’ advocate contract was presented by both the District Attorney and Department of Social Services and are funded with grant funds. We should have approved both positions at the same time.

   Mr. Terwilliger explained this additional contract will help both our discovery unit and the CAC. The goal is for the District Attorney to have a full-time victims’ advocate in our office and our hope is they would work with all of the agencies. Mr. Wheeler stated this is a way to get the process started and is in addition to what was approved last month.

   Mrs. Lando asked is this different than what the Department of Social Services has? Mr. Terwilliger replied we are not doing the counseling side of things. The job of the victims’ advocate is to make sure individuals are pointed in the right direction for the services they may need including counseling, probation, etc.

   Ms. Fitzpatrick asked so this is a new service? Mr. Terwilliger replied yes. Ms. Fitzpatrick asked is this similar to what we agreed to for the Public Defender? Mr. Sauro replied it is the same services, but different side of the coin. Mr. Malter asked in the future, if we were to create the full-time position, would it be grant funded? Mr. Terwilliger replied we would hope so, yes.

   MOTION: AUTHORIZING THE DISTRICT ATTORNEY TO AMEND AND EXTEND THE CONTRACT THROUGH THE DEPARTMENT OF SOCIAL SERVICES AND THE INSTITUTE FOR HUMAN SERVICES FOR ADDITIONAL PART-TIME VICTIMS’ ADVOCATE SERVICES TO BE PAID FOR WITH VOCA GRANT FUNDS MADE BY MS. FITZPATRICK. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

   2. Request to Roll Over 2019 Equipment Funding to Purchase Surveillance Equipment – Mr. Terwilliger explained they were in the process of purchasing covert video surveillance equipment and had three quotes at the end of the year, however, after speaking with Purchasing, it was determined that we needed to bid this because of the cost. He requested authorization to roll over $16,000 from the 2019 equipment line to the 2020 equipment line to purchase the covert surveillance equipment. This equipment is used in the drug enforcement unit as well as in homicide investigations.

   Mr. Maio asked why would this equipment be purchased through your office and not the Sheriff? Mr. Terwilliger replied all of the police agencies within the County are able to use this equipment. Mr. Maio asked is the funding only available for the District Attorney? Mr. Wheeler replied this is equipment funding from 2019 that they did not use. Mr. Maio asked why isn’t the Sheriff’s Office doing this? Sheriff Allard replied the drug investigation unit is housed within the District Attorney’s Office.

   Mr. Potter asked this was not included in the fund balance and is just rolling over? Mr. Wheeler explained excess equipment funding that is not rolled over would then go into the general fund.
MOTION: AUTHORIZING THE DISTRICT ATTORNEY, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO SOLICIT BIDS FOR THE PURCHASE OF COVERT SURVEILLANCE EQUIPMENT AND AUTHORIZING THE COMMISSIONER OF FINANCE TO ROLL OVER $16,000 IN UNEXPENDED MAJOR EQUIPMENT FUNDING TO THE 2020 MAJOR EQUIPMENT LINE; AND AMENDING THE DISTRICT ATTORNEY’S 2020 MAJOR equipment LIST TO INCLUDE COVERT SURVEILLANCE EQUIPMENT MADE BY MS. FITZPATRICK. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Emergency Management Office
   1. Contract Renewals – Mr. Marshall presented contract renewals for 2020 for Motorola, Empire Access, Twin Tier Pathology, Environmental Emergency Services, Inc. and EMSTAR. Mr. Potter asked were there any increases over last year? Mr. Marshall replied the contracts have remained the same with the exception of Motorola, which increased due to the last equipment piece coming into the project.

MOTION: APPROVING THE FOLLOWING 2020 CONTRACTS FOR THE EMERGENCY MANAGEMENT OFFICE: MOTOROLA MAINTENANCE - $141,238.32; EMPIRE ACCESS - $2,400; ENVIRONMENTAL EMERGENCY SERVICES, INC. - $8,400; TWIN TIER PATHOLOGY - $900 PER CASE; AND EMSTAR - $5,625 MADE BY MR. MAIO. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. Sheriff’s Office
   1. Accept 2020 Police Traffic Services Grant – Sheriff Allard requested authorization to accept the 2020 Police Traffic Services Grant from the Governor’s Traffic Safety Committee in the amount of $8,010. This funding will be used for additional traffic enforcement.

MOTION: AUTHORIZING THE SHERIFF TO ACCEPT THE 2020 POLICE TRAFFIC SERVICES GRANT FROM THE GOVERNOR’S TRAFFIC SAFETY COMMITTEE IN THE AMOUNT OF $8,010 MADE BY MR. POTTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

   2. 2020 STOP DWI Law Enforcement Agreements – Sheriff Allard requested authorization to disburse STOP DWI funds to various local law enforcement agencies pursuant to the STOP DWI Plan. Mr. Potter asked what does the fringes line cover? Sheriff Allard replied that is for additional expenses; anything that is not covered in the payroll.

MOTION: AUTHORIZING THE SHERIFF TO ENTER INTO AGREEMENTS WITH LOCAL LAW ENFORCEMENT AGENCIES FOR THE DISBURSEMENT OF STOP DWI FUNDS MADE BY MS. FITZPATRICK. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

   3. Re-Appropriate Funds for UPS with Bypass Switch – Sheriff Allard informed the committee they were unable to get the bids done in 2019 for the replacement of the UPS with Bypass Switch. He requested authorization to re-appropriate $7,700 from the 2019 Major Equipment line item into the 2020 Major Equipment line item to purchase and install the UPS with Bypass Switch.

MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO RE-APPROPRIATE $7,700 FROM THE 2019 MAJOR EQUIPMENT LINE ITEM TO THE 2020 MAJOR EQUIPMENT LINE Item FOR THE PURCHASE AND INSTALLATION OF A UPS WITH BYPASS SWITCH FOR THE CONTROL ROOM IN THE STEUBEN COUNTY JAIL AND AMENDING THE JAIL’S 2020 MAJOR EQUIPMENT LIST TO REFLECT THE SAME MADE BY MS. FITZPATRICK. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

   4. Re-Appropriate Funds for Water Line Capital Project – Sheriff Allard explained they had previously budgeted $37,500 to purchase a dishwasher for the Jail. After some analysis, they determined it would be better to lease the dishwasher for $4,800 per year. That leaves us with $32,700. Sheriff Allard explained they
are currently on year three of the water line replacement project and the prices have increased from the original bid. He requested authorization to re-appropriate the $32,700 from the 2019 Major Equipment line into the capital project entitled “Replace Water Lines in the Jail”.

Mr. Malter asked what is the usable life of the dishwasher? Sheriff Allard replied they have gotten 7 years out of the last two that they have had. Mr. Maio asked that the draft resolution presented be amended to reflect that amount has been increased rather than inflated.

**MOTION: AUTHORIZING THE COMMISSIONER OF FINANCE TO RE-APPROPRIATE $32,700 FROM THE JAIL’S 2019 MAJOR EQUIPMENT LINE TO THE CAPITAL PROJECT ENTITLED “REPLACE WATER LINES IN THE JAIL” AND AMENDING THE DRAFT RESOLUTION TO CHANGE THE WORDING IN THE SECOND RESOLVED FROM “…AS THAT AMOUNT HAS BEEN INFLATED” TO “…AS THAT AMOUNT HAS BEEN INCREASED” MADE BY MR. MAIO. SECONDED BY MR. POTTER FOR DISCUSSION.**

Mr. Van Etten asked if you are in year three of this project, how much longer do you anticipate it taking? Sheriff Allard replied he believes this will be the final year. The original water lines were galvanized and we started getting pinhole leaks and have been replacing with copper lines. He commented the increase is due to the fittings doubling in price.

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

5. **Renew School Resource Deputy Agreements with BOCES** – Sheriff Allard requested authorization to renew the agreements with GST BOCES for two School Resource Officers, which BOCES fully funds. One officer is at the Coopers campus and the other is at the Wildwood campus.

**MOTION: AUTHORIZING THE SHERIFF TO RENEW THE AGREEMENTS WITH GST BOCES FOR TWO SCHOOL RESOURCE OFFICERS MADE BY MR. POTTER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

6. **Renew Other County Inmate Housing Agreements** – Sheriff Allard requested authorization to renew the other county inmate housing agreements in the amount of $100 per inmate per day. This is an increase from the previous amount of $87.00 per inmate per day.

**MOTION: AUTHORIZING THE SHERIFF TO RENEW THE OTHER COUNTY INMATES AGREEMENTS AT A RATE OF $100.00 PER INMATE PER DAY MADE BY MS. FITZPATRICK. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

7. **Jail Report** – Mr. Malter asked what is the population at the Jail? Sheriff Allard reported it is 117 as of this morning. The lowest we reached was 109 last month. He did a quick scan of their warrant arrest report and we are up 30 from 20. The total number of warrants has increased 15 percent from last year. Sheriff Allard also announced that the head of the Majority of the Assembly is willing to re-examine the reform laws and there is a push to give more authority to the judges. Ms. Fitzpatrick asked how does that affect staffing at the Jail? Sheriff Allard replied last year we had 205 inmates. We are still full staffed as if we had full occupancy. We have two units that are temporarily not being used unless we have multiple disciplines. With that staff, we are avoiding overtime for trips and constant watch. We are also utilizing the inmate workers to paint and deep clean those units and then will move onto another. We are rotating through all of the units and doing a deep clean and rehabilitation of the entire facility. We have three vacant full-time positions and five vacant part-time positions. Mr. Wheeler commented we should also see some relief in the temporary hire line item. We should also see less pressure if things stay as they are right now. Sheriff Allard commented once the construction project is done, we can use some of these staff to do security at the new building and that cost would be on us as the State is not utilizing the new building. Mr. Malter asked how many pods do you have? Sheriff Allard replied 7.
E. County Manager  

1. **Contract Renewal – Finger Lakes SPCA** – Mr. Wheeler explained we have partnered with the Finger Lakes SPCA now that the Sheriff has taken over the animal cruelty responsibility. He expects an annual report in the next month or two. The contract amount is $10,000 annually and they work with the Sheriff and the New York State Police on equipment. This amount covers any vet bills and services for staff. Sheriff Allard commented the Finger Lakes SPCA has been fantastic to work with. Almost every arrest we do has the interaction of a veterinarian. They do a really good job.

**MOTION:** AUTHORIZING THE COUNTY MANAGER TO RENEW THE CONTRACT WITH THE FINGER LAKES SPCA FOR ANIMAL CRUELTY IN THE AMOUNT OF $10,000 ANNUALLY MADE BY MR. MAIO. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **RFP Request** – Mr. Wheeler informed the committee that he and Mr. Hopkins had been approached back in December by a group that is looking to potentially use our tower sites to provide rural broadband services and that would require an RFP. There would be no cost to the County, potentially some revenue and additional services to residents.

**MOTION:** AUTHORIZING THE COUNTY MANAGER, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO SOLICIT RFP’S FOR THE LEASE OF TOWER SITES FOR A WIRELESS COMMUNICATIONS PROVIDER MADE BY MS. FITZPATRICK. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

IV. **OTHER BUSINESS**

A. **COPE** - Mrs. Lando asked are we going to get a report on the COPE project? Sheriff Allard replied yes. We did one back in June, but we can do that as part of our annual report. Mr. Wheeler stated we will also be getting a report about the CAP transports.

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

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR**  
Monday, February 3, 2020  
9:00 a.m.

PLEASE PROVIDE AGENDA ITEMS  
NO LATER THAN NOON  
Monday, January 27, 2020
I. CALL TO ORDER

Mr. Malter called the meeting to order at 9:00 a.m. and asked Mr. Horton to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE JANUARY 6, 2020, MEETING MADE BY MR. POTTER, SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REQUESTS

A. Emergency Management Office

1. Graybar Contract Extension – Mr. Marshall requested authorization to extend the contract with Graybar through December 31, 2020. This is for the maintenance of the generator and UPS at the 911 Center.


2. Acceptance of FY19 SICG Grant – Mr. Marshall requested authorization to accept a FY19 Statewide Interoperable Communications Grant in the amount of $796,257. These funds will be used for radio maintenance and ongoing radio projects.

MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO ACCEPT A FY19 STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT IN THE AMOUNT OF $796,257 MADE BY MR. MAIO, SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.
B. Sheriff’s Office

1. **Donation** – Sheriff Allard requested authorization to accept a $50.00 donation from the Hammondsport Women’s Club for the K-9 Fund.

   **MOTION:** AUTHORIZING THE SHERIFF TO ACCEPT A $50.00 DONATION FROM THE HAMMONDSPORT WOMEN’S CLUB FOR THE K-9 FUND MADE BY MR. POTTER. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

   Sheriff Allard commented Mike McCartney’s family has indicated they would be interested in donating another K-9 to the K-9 Unit. We currently have three. Mr. Maio asked do we need more dogs? Sheriff Allard replied yes as we do not have a Nitrate dog and they would be able to perform bomb detection for the schools. Mr. Van Etten asked will this result in additional staff increases? Mr. Wheeler explained there will be some additional costs for training, but they will be using existing deputies.

   2. **State Criminal Alien Assistance Program Grant** – Sheriff Allard requested authorization to accept a 2019 State Criminal Alien Assistance Program Grant in the amount of $2,987. This is a reimbursement for housing non-documented individuals at the Jail.

   **MOTION:** AUTHORIZING THE SHERIFF TO ACCEPT THE 2019 STATE CRIMINAL ALIEN ASSISTANCE PROGRAM GRANT IN THE AMOUNT OF $2,987 MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

   3. **Accept Trinity/Swanson Grant** – Sheriff Allard informed the committee that he had applied for the Trinity/Swanson Grant to purchase safety and security equipment for the Jail, specifically Tasers for the Supervisors in the Jail. He was awarded $13,380 and he requested authorization to accept the non-matching grant.

   **MOTION:** AUTHORIZING THE SHERIFF TO ACCEPT THE TRINITY/SWANSON GRANT IN THE AMOUNT OF $13,380 FOR THE PURCHASE OF TASERS FOR THE SUPERVISORS AT THE JAIL MADE BY MR. RYAN. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

   4. **Bids** – Sheriff Allard requested authorization to go out to bid for milk products for the Jail and uniforms for the Sheriff’s Office and Jail.

   **MOTION:** AUTHORIZING THE SHERIFF, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO SOLICIT BIDS FOR MILK PRODUCTS FOR THE JAIL AND DEPARTMENT UNIFORMS MADE BY MR. MAIO. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

   5. **CAP Court** – Mr. Maio asked the Sheriff if we are taking people to CAP Court for cases they cannot be held on? Sheriff Allard replied no. Anyone going to CAP Court has a valid reason within the constraints of bail reform where they can be arraigned.

C. Public Defender

1. **CAP Court** – Mr. Sauro commented in response to Mr. Maio’s question to the Sheriff, individuals are also brought to CAP Court for arraignments that cannot be completed within the twenty-day requirement. Mr. Maio asked are there some courts that are not doing the twice monthly CAP Court? Mr. Sauro replied yes and that is due to staffing. Mr. Wheeler stated there is some push for limited reform to address that.

   Mr. Malter asked have you seen a reduction in the number going to CAP Court? Mr. Sauro replied no. Their average is two per shift for a total of four per day. The numbers are staying about the same. Sheriff Allard commented the population as of today at the Jail is 125 and we are seeing a steady increase due to warrants.
2. **Update on AmeriCorps Volunteer Program** – Mr. Sauro introduced McKenna Ryan who is their first AmeriCorps volunteer. This is her third week on the jail and she has already done a fantastic job with revamping our website and social media platforms. Ms. Ryan is planning three events for the office; one information session for the public, one session for teenagers and one volunteer opportunity to be held around the holidays. This is working out well and we still have one position open.

3. **Update on Current Staffing Losses** – Mr. Sauro informed the committee that he is currently down one part-time Public Defender and will lose another March 1, 2020. Due to these two vacancies, the western and southern portion of the County, including the City of Corning court, will not have coverage. He stated he does have potential candidates for both positions, but if those do not work out, he will be coming back to committee next month.

Mr. Malter asked why are you losing attorneys? Mr. Sauro replied they are getting other opportunities, better paying opportunities. Mr. Maio asked are full-time Public Defenders getting paid less than full-time Assistant District Attorneys? Mr. Sauro replied yes. Mr. Wheeler stated they are not supposed to and with the new salary grid, the goal is to not have people jumping from department to department as they should be hiring based on experience at the same levels. The Public Defender, District Attorney and Social Services are each facing recruitment issues for attorneys.

D. **District Attorney**

1. **Driver Diversion Status Update** – Mr. Baker stated Noel Terwilliger has been heading up the Driver Diversion Program. We had been trying to find a vendor to automate our system as much as possible. We had one vendor from California that had initially said they would be able to do that, but then they were including additional costs. We went back to Information Technology (IT) to see if they could automate our program. Our IT Department has indicated they can automate our process and that we can roll that out within the near future. Right now we have determined this is our best option.

Mr. Malter asked what about the plan to test this in a large and small court and have it up and running? Has that happened yet? Mr. Terwilliger replied we have had several conferences through December and January with the vendor and have been working with our IT and Finance departments. We will have more of a savings by going with the IT Department and they can get the program up and running within three to four weeks for the pilot for a small court. We still have some MOU issues to work out with the courts. Additionally, getting the RMS (Records Management System) up and running from the ground up is a lengthy process. We anticipate it to be up and running by the end of February.

Mr. Malter stated his concern is that we budgeted money for a program that was going to be up and running at the beginning of this year. Mr. Van Etten asked what was the cost for the California vendor? Mr. Terwilliger replied it was $12,000 for the first phase with the second, third and fourth phase at a cost of between $4,000 to $8,000 depending on number of hours and bells and whistles. Mr. Baker commented the vendor was also going to charge a monthly fee and that was not what they had talked about initially. Mr. Van Etten asked what are other counties using? Mr. Terwilliger replied there is not any RMS currently that is handling a DDP like ours. Broome County would probably be the closest.

Mr. Malter asked from the original program, what do we have to modify? Mr. Terwilliger replied we are working with IT on an online application and that is about 80 percent complete. We also need to make sure that marries to our RMS. After that, we will work with the Finance Office on the auto payment feature. He stated they already have the judge’s portal ready. Mr. Baker explained the on-line application is the critical piece to this. Mr. Malter suggested that the committee should get a report from IT on the status of the project.

Mr. Maio asked doing this internally will make the process quicker and less expensive than using an outside vendor? Mr. Baker replied yes. We will be using the same process as we had previously except it will be automated. Mr. Potter asked with the automated payment, will that create a hardship for some people? Mr. Baker replied those individuals will be able to go and pick up a prepaid VISA card and we will provide instructions for
that. Mr. Potter asked is there a surcharge that the individual will have to pay? Mr. Baker replied that will be included in the fee.

2. Budget Transfer – Mr. Terwilliger requested authorization to transfer $6,000 from the 2019 Fringe line into the 2019 contractual lines to cover expenses, specifically for witness fees and travel reimbursements. He explained they had more grand juries and they also had an extradition to California.

**MOTION:** AUTHORIZING THE DISTRICT ATTORNEY TO TRANSFER $6,000 FROM THE 2019 FRINGE LINE ITEM INTO THE 2019 CONTRACTUAL LINE ITEMS TO COVER EXPENSES, SPECIFICALLY FOR WITNESS FEES AND TRAVEL REIMBURSEMENT MADE BY MR. RYAN. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Terwilliger noted that with respect to last month’s request for video equipment, the actual cost came in at $13,000, not the $16,000 he had originally requested.

E. Personnel

1. 16B Waiver – District Attorney – Mr. Alderman stated the District Attorney is requesting a 16B Waiver to create 1 part-time Assistant District Attorney position, Management Grade H. Mr. Baker explained he had a shared services contract with Schuyler County for a part-time ADA. Schuyler County can no longer fulfill this contract. He requested authorization to create one part-time ADA and the cost would be the same as what they were paying through the contract with Schuyler County.

**MOTION:** WAIVING THE 16B PROCESS AND AUTHORIZING THE CREATION OF ONE PART-TIME ASSISTANT DISTRICT ATTORNEY POSITION, MANAGEMENT GRADE H, IN THE DISTRICT ATTORNEY’S OFFICE MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

Mr. Wheeler stated the Conflict Defender and Public Defender positions have been submitted under the Hurrell-Harring plan and will be offset by State revenues. The Public Defender positions were anticipated in the 2020 budget, however, the Conflict Defender position was not, but this saves us as it helps prevent cases from going to Assigned Counsel.

Mr. Maio asked has there been any attempt to get all the courts together to see if the courts could arrange their schedules so they were not all holding court at the same time? Mr. Baker replied each judge and clerk has a work schedule to work around and there are 52 courts. Ms. Prossick stated on Friday she attended a Regional 7th District meeting and there was discussion about how the court schedules are causing more stress on the Public Defenders and Assigned Counsel regionally. A status meeting is scheduled for June to see if the issue is getting worse and Judge Doran has stated that if necessary, they will adjust the schedules.

Ms. Aston commented they are barely making it and are constantly, unfortunately, late for court. We are reviewing voluminous packages of discovery materials. With this part-time position, they would be handling court in the Hornell area including Arkport and Fremont and would be handling the D and E level felonies to begin with.

**MOTION:** WAIVING THE 16B PROCESS AND AUTHORIZING THE CREATION OF ONE PART-TIME ASSISTANT CONFLICT DEFENDER POSITION, MANAGEMENT GRADE H, IN THE CONFLICT DEFENDER’S OFFICE MADE BY MR. MAIO. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.
3. **16B Waiver – Public Defender** – Mr. Alderman stated the Public Defender is requesting, one Typist, Grade IV; 1 Senior Typist, Grade VI; 1 Paralegal Assistant, Grade XI and 1 Senior Assistant Public Defender, Management Grade I. Mr. Sauro explained these positions are all very important for different reasons. The Senior Typist will have the State mandated duties of Data Control Officer and under the ILS mandate, we need to get that position up and running as training for Data Control Officers is already occurring. This individual will be coordinating communications of data from all three indigent defense departments to ILS to ensure that we are in compliance. Mr. Malter asked is there an annual audit? Mr. Sauro replied yes and they will also be doing quarterly monitoring.

Mr. Sauro explained by 2023 there will be certain benchmarks that we will need to meet to ensure that the quality of services is as high as they can be. Additionally, the caseload caps will become effective and each attorney will be capped at 150 cases. If we hit our cap, then those additional cases go to the Conflict Defender, and when they hit their cap, then the cases go to Assigned Counsel.

Mr. Sauro explained with the Senior Assistant Public Defender position, he will have more flexibility in hiring and will be able to hire an individual with more experience. He explained with the Typist and Paralegal Assistant positions, as we add additional attorneys, support staff is required to assist them. A general rule of thumb is one support staff for every two attorneys. Right now the attorneys are preparing their own motions and doing their own typing.

Mr. Malter asked do you have people in mind for these positions? Mr. Sauro replied he has one potential individual for the Senior Assistant Public Defender positions, and he does not have anyone for the other positions. Mr. Alderman explained these remaining positions are open-competitive positions. Mr. Wheeler commented they are also working with CSS Workforce NY to get paralegals as a demand occupation. Mr. Sauro stated he is also working with the Steuben County Bar Association to put together something where they can begin advertising and recruiting on a perpetual basis. He would like to put some serious energy into that so we can all have a pool of attorney applicants.

**MOTION:** WAVING THE 16B PROCESS AND AUTHORIZING THE CREATION OF ONE TYPIST POSITION, GRADE IV; ONE SENIOR TYPIST POSITION, GRADE VI AND ONE PARALEGAL ASSISTANT POSITION, GRADE XI IN THE PUBLIC DEFENDER’S OFFICE MADE BY MR. MAIO. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

Mr. Potter commented he knows all of these positions are being mandated, but his concern is that no one is giving consideration to the victims in these situations and that is getting worse for them. He understands there is nothing we can do here and that is not right. Mr. Baker stated no, it is not right. Mr. Maio commented he saw that the Police Chief’s Association and State representatives were set to meet and there was some feeling that some things need to be switched up.

Sheriff Allard stated last week at his Sheriff’s Association conference in Albany, our association met with the Chief’s Association and the District Attorney’s Association and we sent a joint letter to the Senate and Assembly requesting a meeting to discuss this. Both the Senate Majority and Minority leaders met with us. The Assembly has refused to meet with us. He stated tomorrow he and Mr. Baker, along with a couple of the police chiefs, will be attending a rally in Albany.

Mr. Ryan asked if the State does reverse this, what will we do with all of these positions? Mr. Wheeler replied you have a few separate issues; bail reform and discovery. The positions we just discussed fall under Hurell-Harring and nothing will change with those. The other requirements we will have to wait and see. Mr. Baker commented no one is predicting that it will change back; it will continue to be what it is. Mr. Wheeler stated the hope is that they listen to the feedback from all of the stakeholders and do things that make sense.
IV. OTHER BUSINESS

A. District Courts – Mr. Maio stated four years ago when Dan Farrand was the head of this committee, one of the goals of the committee was to establish district courts in the County. We have been hearing about staffing for the past four years and about part-time judges who cannot meet as often as they should. What the Constitution of New York State says is that a County may request from the State, legislation and a resolution establishing a district court by referendum. Mr. Maio stated he thinks this committee needs to take a look at, either by a subcommittee or an ad hoc committee, whether that would be efficacious for this County to do and what the structure might look like, how many districts, the costs, cost savings, etc. We are a big county, but we are not the biggest.

Mr. Baker commented we have the most courts in the State. Mr. Maio stated we would be the test case for this and if any County is suited to this, it would be us. We should look at the process to move along and if there is an appetite among the Board, to move it along.

Mr. Malter stated we can look at this as a committee. We will need to get some information about the law. Mr. Wheeler commented OCA (Office of Court Administration) has to be involved. Ms. Prossick stated the regional meeting she attended Friday was the first time they admitted that district courts may be coming. It seems like OCA is setting things up to see if they can consolidate and make it smaller.

Mr. Potter stated he agrees this is something we should look at. With a referendum vote you are taking the vote of the local people away and voters do not like that. Mr. Maio replied the people would get a vote. The people of the district outside of the city have to vote in favor, and the people within the city have to vote in favor. If there is not a majority vote, then it does not happen. Ms. Prossick stated this would be similar to the assessor situation. You will lose judges and clerks that cannot be replaced. Mr. Potter commented it is more difficult to get people to run. Mr. Malter stated we experienced this when we went from a Board of Supervisors to a Legislature. That process has to happen.

Ms. Fitzpatrick stated as the local judges handle more and more CAP cases, they do not like it. You may have a handful of judges doing CAP and getting better at it. There may be judges that will no longer want to run.

Mr. Van Etten stated he thinks it is a good idea and we have talked about this for a number of years. His question is on the district courts and the judges; are they appointed or elected? Mr. Maio replied the judges would be elected by the people who live in the district. Mr. Wheeler stated it would be under OCA. Mr. Ryan asked how is it that OCA has the power to create so much havoc? Ms. Prossick replied they are elected judges. Mr. Wheeler stated under State Law they have this authority. Mr. Malter stated we will need a total overview of this and what the cost savings are at one end and the loss of revenue at the other end.

Mr. Van Etten asked with regard to CAP Court, he has heard that we do not always have a District Attorney present? Mr. Baker replied once we have the additional part-time attorney, we will be able to have attorneys present at CAP court. With our staffing issues, we were calling in to see if it was something that required staff to be present. He commented the Corning City Court is a pretty big lift by itself. Mr. Van Etten stated we changed from giving the attorneys a stipend to increasing the salary and making it permanent, and yet people are not showing up to do their job. Mr. Baker stated we will be able to be present in CAP court with this additional part-time ADA. Now that Mike McCartney’s position is filled, we have been in court more.

Mr. Sauro stated he wanted to mention that due to bail reform, a number of indigent clients who were victims of the system are now at liberty and he has seen positive changes. These are very grateful people and families have been made better. These individuals are able to more fully participate in their defense. Please do not lose sight of that.

MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS’ LAW, ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OF A PARTICULAR PERSON MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.
MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. MAIO. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Drug Court – Mrs. Crocker stated she wanted to let the committee know that she is considering the possibility of withdrawing from the drug court team. Over the next few weeks, another judge will be filling in and will try to get the team on the same track that we were on before. She hopes they will be able to put a more concrete procedure in place so when the original judge returns, hopefully he will continue to follow that. Mrs. Crocker stated she will be participating on some subcommittees over the next few weeks to make changes that we will be more comfortable with pertaining to public safety. She explained one of the issues is that participants that are being allowed in felony drug court have violent offenses or are violent; additionally, if they commit another offense while in the program, some are not being discharged unsuccessfully from the program. The integrity of the program is at issue, as well as the current participants’ attitudes as it is becoming more difficult for her officers that are supervising them. It is slowly getting out of control.

Mr. Maio asked does the team make the decision of who participates? Mrs. Crocker replied not anymore; now it is only the judge. Mr. Maio asked when people are accepted into the program is it the judge or team’s decision? Mrs. Crocker replied if the judge agrees, it is the team. If the judge does not agree, then the judge makes the determination. Mr. Maio asked if you withdraw from the team, who will supervise the people in drug court? Mrs. Crocker replied we would have to supervise them, the difference would be how. Right now, we go by the drug court program and we see them once or twice per week. If we go by regular probation, we would do a risk assessment and supervise based on that; most likely less than weekly. Mr. Maio stated so if you do not participate in drug court, then these people are getting less supervision? Mrs. Crocker replied yes. Our voice is not being heard anyway. Mr. Maio stated so you are saying the public would be better served with less supervision.

Ms. Prossick stated Mrs. Crocker is voluntarily pursuing a program that is not required and it is putting violent people into the community and putting liability on her office. She is participating in the release of these people. What she is doing in drug court is not under State statute.

Ms. Fitzpatrick asked are you concerned about officer safety as well? Mrs. Crocker replied yes. Ms. Fitzpatrick asked if you continue to participate in drug court, does that put your officers at higher risk? Mrs. Crocker replied that is part of it. Mr. Wheeler stated our goal would be to participate, but there needs to be some changes and we cannot force those. With us withdrawing, hopefully it will self-correct.

Mr. Malter asked have we withdrawn at this point? Mrs. Crocker replied to some extent; she is still participating. Mr. Malter asked is it your decision to withdraw? Mrs. Crocker replied yes. Mr. Wheeler explained this is just informational for you. Our goal is to be a partner.

Mr. Baker commented there have been times when the District Attorney’s Office has pulled out in the past. This is not uncommon. Mr. Malter stated if that has worked in the past, why not do it again. Mr. Wheeler stated we hope that it does not come to that and we will see what happens over the next four weeks.

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**
March 2, 2020
Legislative Committee Room
9:00 a.m.

Please send agenda items to the Clerk of the Legislature’s Office
NO LATER THAN NOON
**MINUTES**

COMMITTEE: John V. Malter, Chair
Thomas J. Ryan
Jeffrey P. Horton
Frederick G. Potter

STAFF: Jack K. Wheeler
Tina Goodwin
Tim Marshall
Shawn Sauro
Craig Patrick
Christopher Brewer
Noel Terwilliger
Andy Morse
Nate Alderman
James Allard
David Hopkins
Cheryl Crocker
Jennifer Prossick
Jennifer DeMonstoy
Brenda Aston

LEGISLATORS: Scott J. Van Etten
Aaron I. Mullen
Carol A. Ferratella
Robert V. Nichols
Kelly H. Fitzpatrick
Gary B. Roush

ABSENT: Steven P. Maio, Vice Chair

OTHERS: Mary Perham, The Leader

I. CALL TO ORDER

Mr. Malter called the meeting to order at 9:00 a.m. and asked Mr. Baker to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE FEBRUARY 3, 2020, MEETING MADE BY MR. RYAN. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. DEPARTMENTAL REQUESTS

A. Emergency Management Office

1. RFP for Electrical Engineering – Mr. Marshall stated he is requesting authorization to put out an RFP for electrical engineering. The County does not have any general A & E for engineering. We have been having issues that are causing problems at 911 and need to give an electrical engineer to come in and take a look. We are looking at the cost right now.

   Mr. Ryan asked are you having the same issue as you had in previous years? Mr. Marshall replied yes; we have had ongoing issues for a while. Mr. Wheeler stated we did think we had some of those issues resolved. Previously there was a municipal power issue that was worked out. The recent issues are more of an internal nature. They have stop gap plans, but this needs to be done in a phased way as they will have to take the entire building off power. Mr. Malter asked did we have an electrical firm do the work originally? Mr. Marshall replied yes. Mr. Wheeler commented it has been so long and we would need to do the procurement anyway.

MOTION: AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO ISSUE A REQUEST FOR PROPOSALS FOR ELECTRICAL ENGINEERING SERVICES MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.
2. **Request to Bid Radio Communications Tower Lighting** – Mr. Marshall informed the committee they have had some lighting issues at a couple of the tower sites and they need to upgrade to LED lighting. The cost will be covered by Homeland Security Grant funds.

**MOTION:** AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO ISSUE A BID FOR RADIO COMMUNICATIONS TOWER LIGHTING MADE BY MR. POTTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

3. **Litigation** – Mr. Van Etten stated he received correspondence notifying him of a pending lawsuit. Ms. Prossick replied if the committee would like to discuss this in detail, that would be more appropriate in Executive Session.

**B. 911**

1. **Public Safety Answering Points Operations Grant** – Mrs. Goodwin requested authorization to accept a total of $187,468 from the Public Safety Answering Points (PSAP) Operations Grant. This represents our portion of the cellular surcharges that the State collects annually. This funding is distributed across the State and is based on the number of calls received and CAD records. Mr. Wheeler stated they would like to encumber this funding into the capital project for future upgrades.

**MOTION:** AUTHORIZING THE 911 DIRECTOR TO ACCEPT A PUBLIC SAFETY ANSWERING POINTS (PSAP) OPERATIONS GRANT IN THE AMOUNT OF $187,468 AND APPROPRIATE TO THE 911 COMMUNICATIONS SYSTEM CAPITAL PROJECT TO BE USED FOR FUTURE UPGRADES MADE BY MR. HORTON. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

**C. Sheriff**

1. **Milk Bid Award** – Mr. Morse stated one bid was received from Upstate Niagara for $0.2585 per half pint. Last year the bid from Byrne Dairy was $0.194 per half pint. We did check to see why Byrne Dairy did not bid and they were sold to Upstate Niagara.

**MOTION:** AWARDED THE MILK BID FOR THE JAIL TO THE SOLE BIDDER, UPSTATE NIAGARA FOR $0.2585 PER HALF PINT MADE BY MR. RYAN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

**D. District Attorney**

1. **Traffic Diversion Program** – Mr. Baker provided an overview of where they are with the Traffic Diversion Program. They wanted to use a computer program and received quotes from vendors but that became cost and time prohibitive. We have been working with Information Technology on our existing program and the payment piece needs to be tested. There is a new vendor who is just getting into this field. They can do everything we want done including payment, notifications, scheduling, court notifications. They can also have their program up and running within 7 – 10 days of approval. The cost is 10 percent of the proceeds. We would not need to hire anyone and all of the cost and risk is on them. If at some point the State does not like this program, then we do not have an investment in hardware or staff. Mr. Baker stated Orleans County is using this vendor and have been very pleased with them. They have a help desk that is available Monday – Friday, 9am – 5pm and they can customize the program to fit our needs.

Mr. Malter asked what do we need to do? Mr. Baker replied we would have to evaluate every ticket to determine who would be eligible for the program. That is just an analysis piece. Mr. Malter asked with the staff that was utilized previously for this, what has happened with them? Mr. Baker replied we were just doubling up on functions. A lot has fallen to Mr. Terwilliger, particularly with record keeping. Mr. Malter commented from a cost standpoint this is much less expensive than hiring someone.
Mr. Terwilliger stated Orleans County had a demo and their program is exactly what we want. The help desk component will also alleviate pressure on our staff. Mr. Wheeler stated he would recommend issuing an RFP as they are not the only vendor that offers this type of service.

Mr. Malter stated in the budget for this year you anticipated revenue and the program was supposed to be up and running in the middle of December. What is the status of that? Mr. Terwilliger replied the IT portion was supposed to be turned on this week, but we are still working on the financial piece and that will not be ironed out for another four to six weeks.

**MOTION:** AUTHORIZING THE DISTRICT ATTORNEY, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO ISSUE A REQUEST FOR PROPOSAL FOR A TRAFFIC DIVERSION MANAGEMENT PROGRAM MADE BY MR. HORTON. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

E. **Personnel**

1. **16B Waiver – District Attorney** – Mr. Alderman stated the District Attorney is requesting a 16B Waiver to create one part-time Assistant District Attorney position, Management Grade H. Mr. Malter asked for an explanation of what has transpired with this. This position was here but then a year ago we entered into a contract with Schuyler County and now you are asking to move the position back to the District Attorney’s Office. Mr. Baker explained he had a shared services contract with Schuyler County for a part-time ADA. Schuyler County can no longer fulfill this contract. He requested authorization to create one part-time ADA and the cost would be the same as what they were paying through the contract with Schuyler County. Mr. Malter stated this previously had been approved by Administration and Finance and you are not looking for any additional money or positions. Mr. Wheeler replied that is correct, this is coming back for your review.

Mr. Horton asked with regard to CAP Court, what everyone is saying is that the $5,000 stipend was to cover the attorneys to attend CAP Court, but they are not going to CAP Court? Mr. Baker replied we put a stipend in for the people who wanted to be involved. We are covering CAP and went to an on-call program for sessions that we could attend. Our people are prepared and ready to go. In cases where there is nothing for us to do except to monitor, we have not been going. We are down one part-time position and are going as frequently as we can with the staff that we have. His preference is to be at CAP and once we are at 100 percent staffing, we will be there.

Mr. Mullen stated some of the concerns he has is that he has heard from multiple people that you are not actually going to CAP. One of the reasons you gave for needing more people was Raise the Age, and that work has been light. Basically Mike McCartney’s position was offered at 80 – 90 percent. He thought that was a special scenario just for Mr. McCartney. Mr. Mullen stated he looked over the letter Mr. Baker sent out and he thought most of what was mentioned was what you normally do. One issue was the new discovery demands. I think I saw, and it is a good point, on the letter that you have a backlog of discovery from old cases. I don’t mind a temporary position to help with that, but I would like to see data on what is actually being done at CAP court. Mr. Mullen stated he would also like to see data on Raise the Age and if we give you a temporary position, then in one year he would like data to show what is going on with the new discovery demands. A lot of what you mentioned in the letter is what your job is generally. You mentioned 2,100 hours for CAP per year. Is that what you are doing now?

Mr. Baker replied CAP court takes up to three hours. We are demanding those three hours no matter what. He has the January numbers as that is what we have since bail reform. We are doing a couple of arraignments at a minimum for each and every CAP session. We are also doing orders of protection and bench warrants which are taking a lot of time. The Raise the Age compensation totaled $2,500 back in 2016.

Mr. Malter asked if there are arraignments where you need to be present, do you show up? Mr. Baker replied yes. If there is not an arraignment, we still cannot book anything else for those three hours. Once we get back to full time staff, then we will be covering CAP. He stated he has someone lined up to hire that has 7 – 8 years of experience. Mr. Horton asked after that individual is hired will you still be doing CAP on an on-call basis? Mr.
Baker replied no. We only went to the on-call when we lost Mr. McCartney and the part-time position at the same time. Mr. Potter asked have you filled Mr. McCartney’s position? Mr. Baker replied yes.

Mr. Van Etten stated you have to understand why we are asking these questions. We were told if we paid the stipend, it would cover CAP and then we hear that you are not attending. On the flip side, I do not want someone sitting out there with nothing to do for three hours. He stated he thinks we can arrive at a happy medium. Mr. Baker stated there will be someone there. We are seeing more warrant returns and orders of protection. Mr. Van Etten commented we should be at the one-year anniversary of CAP. Sheriff Allard replied he believes that will be in April. Mr. Van Etten asked if the Legislature could get a full summary of the past year and whether there have been any dramatic changes. Sheriff Allard commented CAP court takes longer now than it did before. Mr. Van Etten commented it will be interesting to see how it has changed. Mr. Malter stated he would like to see the breakdown before January and then January/February.

Mr. Horton commented some of the new judges feel more comfortable having the District Attorney present at CAP. Most of the new judges are on-call on the weekends and the Sheriff Deputies are helping guide them through the process. Mr. Potter stated your letter listed all of the local courts and travel times but you are not having someone at the local courts. Mr. Baker stated our DA nights are covered. We have 62 local courts that we cover every single month.

MOTION: WAIVING THE 16B PROCESS AND AUTHORIZING THE CREATION OF ONE PART-TIME ASSISTANT DISTRICT ATTORNEY POSITION, MANAGEMENT GRADE H, IN THE DISTRICT ATTORNEY’S OFFICE MADE BY MR. POTTER. SECONDED BY MR. MALTER FOR DISCUSSION.

Mr. Mullen asked how does the Traffic Diversion Program account into this? Mr. Baker stated his hope is that the amount of work involved will reduce to some extent and will save some ADA time. The other piece is the discovery requirement on all traffic tickets.

Mr. Malter commented if we do not approve this request, the CAP situation will remain the same or get worse. We will be going from one situation to another.

VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

F. County Manager
   1. Memorializing NYS to Pass S7280/A9107 – Mr. Wheeler stated last month Chairman Van Etten received a copy of a resolution that Fulton County did relative to putting emergency responders on the same footing as law enforcement in terms of what information is shared about them. Right now there is a provision that should the defense request, the prosecution may have to provide the home address for fire and EMS providers that show up on scene. This bill will fix that.

   Mr. Baker stated our policy is doing exactly what the bill calls for; providing the name of the agency and the individuals that have responded on scene. This bill would alleviate the risk of us not doing enough.

MOTION: MEMORIALIZING THE GOVERNOR AND THE NEW YORK STATE LEGISLATURE TO PASS SENATE BILL S7280 AND ASSEMBLY BILL A9107 RELATIVE TO ENSURING PRIVACY PROTECTIONS FOR ALL EMERGENCY PERSONNEL PRESENT AT A CRIME SCENE MADE BY MR. HORTON. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

   2. Bail Reform – Mr. Potter asked do we need to do a memorializing resolution regarding bail reform? Mr. Wheeler replied we did a resolution opposing the bail reform legislation last year. Mr. Malter commented at the last meeting we talked about District Courts and we will discuss that at the April meeting.
MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS’ LAW, ARTICLE 7 § 105.1.D. DISCUSSIONS REGARDING PROPOSED, PENDING OR CURRENT LITIGATION MADE BY MR. HORTON. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. RYAN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: TO ADJOURN MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR**
April 6, 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, March 30, 2020
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 it 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 if this was 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 ELECTRICAL 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. Wheeler 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 it 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 FINGERTPRINT 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 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.

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Public Safety and Corrections Committee
Monday, April 6, 2020
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. Malter asked anything else?

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
I. CALL TO ORDER

Mr. Malter called the meeting to order at 9:45 a.m.

II. DEPARTMENT REQUESTS

A. Sheriff’s Office

1. **Inter-Municipal Agreement with Chemung County** – Undersheriff McNelis stated the request for this inter-municipal agreement was precipitated by Covid. If any of our shifts go down due to the pandemic, we rely on one another to cover that shift and this is completely reimbursable, including mileage. Mr. Malter asked have we had an agreement with Chemung before? Undersheriff McNelis replied no. Mr. Malter asked what other counties do we have agreements with? Undersheriff McNelis replied we have an agreement with Schuyler County for NASCAR at Watkins Glen.

Ms. Prossick stated the agreement with Schuyler County is more voluntary; they can agree to sign up. This is under the collective bargaining agreement and was run by both unions involved. This agreement is just for the pandemic emergency.

**MOTION: AUTHORIZING THE SHERIFF TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT WITH CHEMUNG COUNTY TO PROVIDE COVERAGE, IF NECESSARY, DURING THE COVID PANDEMIC MADE BY MR. VAN CAESEELE. SECONDED BY MR. MAIO FOR DISCUSSION.**

Mr. Maio asked do we have agreements with the other adjoining counties? Undersheriff McNelis replied we are exploring that at this time, but looked at Chemung first considering the size of both of our agencies.

Mr. Mullen asked Undersheriff McNelis to restate the basic crux of this agreement. Undersheriff McNelis stated in the event that both deputies or corrections officers went down in either county and there was a quarantine issue, we could rely on each other for staff without compromising our own road patrol or coverage in the Jail.

Ms. Prossick explained this happened in Wayne County and there was no agreement in place. This is just an agreement to be proactive, just in case. The agreement would be run under the collective bargaining agreement of the home county.
VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required

MOTION: TO ADJOURN MADE BY MR. POTTER. SECONDED BY MR. VAN CAESEELE. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature
**MINUTES**

**COMMITTEE:**  John V. Malter, Chair
Frederick G. Potter

**STAFF:**  Jack K. Wheeler
Jennifer Prossick
David Hopkins
Tammy Hurd-Harvey

**STAFF:**  Christopher Brewer
Noel Terwilliger
Tina Goodwin
Cody Ryan

**STAFF:**  Brenda Mori
James Allard
Shawn Sauro
Andy Morse

**STAFF:**  Jennifer Prossick
Brenda Mori
James Allard
Shawn Sauro

**STAFF:**  Frederick G. Potter
Jeffrey P. Horton

**STAFF:**  Thomas J. Ryan

**STAFF:**  Scott J. Van Etten
Carol A. Ferratella
K Michael Hanna

**STAFF:**  Hilda T. Lando
Aaron I. Mullen
Robert V. Nichols

**STAFF:**  Kelly H. Fitzpatrick

**STAFF:**  James Allard
Shawn Sauro

**STAFF:**  David Hopkins
Tina Goodwin
Cody Ryan

**STAFF:**  Brenda Mori
James Allard
Shawn Sauro

**STAFF:**  Jennifer Prossick
Brenda Mori
James Allard
Shawn Sauro

**STAFF:**  Frederick G. Potter
Jeffrey P. Horton

**STAFF:**  Thomas J. Ryan

**LEGISLATORS:**  Scott J. Van Etten
Carol A. Ferratella
K Michael Hanna

**LEGISLATORS:**  Hilda T. Lando
Aaron I. Mullen
Robert V. Nichols

**LEGISLATORS:**  Kelly H. Fitzpatrick

**LEGISLATORS:**  Mary Perham
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 APRIL 6, 2020, AND APRIL 27, 2020, MEETINGS MADE BY MR. POTTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. **DEPARTMENT REQUESTS**

A. **Sheriff’s Office**

1. **Accept Additional STOP DWI Crackdown Funds** – Sheriff Allard requested authorization to accept $3,600 in additional STOP DWI Crackdown Funds.

MOTION: AUTHORIZING THE SHERIFF TO ACCEPT $3,600 IN ADDITIONAL STOP DWI CRACKDOWN FUNDS MADE BY MR. MAIO. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Approve PO Request for Water Metering Devices** – Sheriff Allard requested authorization to submit a purchase order request for water metering devices in the Jail. These metering devices are budgeted. He commented Mr. Morse did a phenomenal job finding these on State bid and we will be able to do the complete project for the cost of the first year budgeted amount.

Mr. Malter asked are these new meters? Sheriff Allard replied yes. There is one meter for every two cells in the Jail and the water use in each cell is limited by these metering devices. These devices are original to the building and have started leaking. We will be replacing all of them.

Mr. Ryan asked will these be a different brand? Sheriff Allard replied he does not know.
MOTION: AUTHORIZING THE SHERIFF TO SUBMIT A PURCHASE ORDER FOR THE PURCHASE OF THE WATER METERING DEVICES FOR THE JAIL MADE BY MR. POTTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. Approve PO Request for Final Stage of the Variable Speed Drives – Sheriff Allard requested authorization to submit a purchase order for the variable speed drives for the Johnson Control air handlers. This is a three-year capital project which will allow the jail to be more energy efficient. This is the final year of the three-year capital project and will come in under budget.

MOTION: AUTHORIZING THE SHERIFF TO SUBMIT A PURCHASE ORDER FOR THE PURCHASE OF THE VARIABLE SPEED DRIVES FOR THE JOHNSON CONTROL AIR HANDLERS MADE BY MR. RYAN. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

4. Informational – Sheriff Allard announced that about a week and a half ago, deputies took $47,000 in crystal meth off the street during an interdiction arrest. Additionally, last week they captured the individual who was vandalizing cars in Corning.

Mr. Malter asked how are you handling this during the court shutdown. Sheriff Allard replied everything is going through CAP and the time limits are pushed off for follow-up.

Mr. Van Etten asked with regard to the vehicle vandalism, why does someone think this is something worth doing? Sheriff Allard replied in this case the individual was struggling with addiction and had relapsed. The individual was mad at himself and the world and started breaking things because he hated his life. He did not have any issues with the individuals who owned the cars, he was just drunk. The biggest public safety issue we have is addiction.

Mr. Horton asked how is the virtual CAP court going? Sheriff Allard replied it is working out very well. The Correction Officers are running the Skype portion as well as getting the paperwork up to Rochester in a timely manner via email. We are still processing paperwork and delivering it to the courts of jurisdiction. We hope we can continue with this after this current situation is over as it would be a tremendous savings to the Jail. Mr. Horton commented his wife is a judge and agrees; there will be a lot of savings all the way around. Sheriff Allard commented not having to transport inmates to hearings is pretty enormous for us.

B. District Attorney

1. RFP - Diversion Program – Mr. Terwilliger requested authorization to award the RFP for the management of the Diversion Program. One proposal was received from Diversion Management, LLC located in Orchard Park, New York. This proposal falls in line with the costs that we had discussed earlier, which is 10 percent of the diversion fee or $20.00 for each ticket, whichever is higher. This cost also includes help desk services and data entry.

Mr. Malter stated he read the proposal and what he likes is that this is a one-year contract with up to four one-year renewals and we can get out of the contract anytime with ten day notice.

Mr. Horton asked is this company already up and running in other counties? Mr. Terwilliger replied yes, they are currently running in Orleans County and there are another two counties that have indicated interest. Mr. Maio asked are the counties happy with them? Mr. Terwilliger replied Orleans is extremely happy with them. It is looking like it can be a one-stop shop and this could expand down the road as New York opens up more diversion stuff. If that happens, they would be able to do all of our data entry for us.

Mr. Horton stated it sounds great, however, are there any negatives? Mr. Terwilliger replied no. This is what he has been envisioning; an online service and a help desk. With the help desk, they will help someone with logging into the system and putting in their application. In my opinion, they are geared toward customer service.
MOTION: AWARDING THE RFP FOR MANAGEMENT OF THE DIVERSION PROGRAM TO DIVERSION MANAGEMENT, LLC OUT OF ORCHARD PARK, NEW YORK MADE BY MR. POTTER. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

Mrs. Ferratella asked when will this become effective? Mr. Terwilliger replied his understanding was once the committee approved, we could start moving forward. If that’s the case, we can have this up and running within fifteen days. Ms. Prossick stated at the very least it will be by the end of this month. The money was not budgeted and we need to determine if a new resolution is needed. (Secretary’s note: The County Attorney confirmed a resolution is required pursuant to the Administrative Code).

C. 911

1. Inter-Municipal Agreement with Schuyler County for 911 Call Processing System – Mrs. Goodwin requested authorization to enter into an inter-municipal agreement with Schuyler County to explore a joint project of a 911 call handling system between the two counties on the southern tier fiber network. This joint project would provide a backup for one another and would also provide for interoperability. Mr. Malter asked so this is an agreement to explore the costs and options? Mrs. Goodwin replied yes. We would need to come back to committee for any further authorizations.

Mr. Malter asked have you looked at other counties beside Schuyler? Mrs. Goodwin replied yes. We looked at almost everyone around us. Schuyler and Chemung were our first choices with the fiber and phone system. Schuyler needs to replace their system and we are coming due with ours. Chemung County was not interested at this time.

Mr. Ryan asked what would be the advantage of doing this? Mrs. Goodwin replied the cost of one system would be less than each county purchasing their own. Each county would have the ability to back each other. For example; during this pandemic if one of us did not have enough staff, or if you needed extra positions during an emergency. Also, it would provide backup if you were having technical issues at one of the sites.

Mr. Wheeler commented when we started STN (Southern Tier Network) this was the main thing that we pitched. He stated Mr. Hopkins, Mrs. Goodwin and Mr. Marshall have done a lot of work on this.

MOTION: AUTHORIZING AN INTER-MUNICIPAL AGREEMENT WITH SCHUYLER COUNTY FOR A 911 CALL PROCESSING SYSTEM MADE BY MR. MAIO. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

2. Electrical Engineering Study – Mr. Malter asked have we gotten any information on the engineering study on the electrical system? Mrs. Goodwin replied no, not yet. Mr. Wheeler explained the contract just got done and we expect the work to start soon.

Mr. Malter asked at some point we were supposed to get a report on the CAP Court. Is that in progress? Mr. Wheeler replied yes, that was supposed to be done in April. I will contact the Sheriff and get back to you.

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

Respectfully Submitted by Amanda L. Chapman, Deputy Clerk, Steuben County Legislature

**NEXT MEETING SCHEDULED FOR**

Monday, June 1, 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, May 25, 2020

Public Safety & Corrections Committee

Monday, May 4, 2020
**MINUTES**

COMMITTEE:  
John V. Malter, Chair  
Frederick G. Potter  
Steven P. Maio, Vice Chair  
Thomas J. Ryan  
Jeffrey P. Horton

STAFF:  
Jack K. Wheeler  
Shawn Sauro  
Nate Alderman  
Andy Morse  
Christopher Brewer  
Tina Goodwin  
Jennifer Prossick  
Dave Hopkins  
Brenda Mori  
Brooks Baker  
Tim Marshall  

LEGISLATORS:  
Scott J. Van Etten  
Kelly H. Fitzpatrick  
Robert V. Nichols  
Robin K. Lattimer  
K. Michael Hanna  
Gary D. Swackhamer  
Carol A. Ferratella  
Hilda T. Lando  

OTHERS:  
Mary Perham

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 MAY 4, 2020 MEETING MADE BY MR. POTTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REQUESTS

A. Emergency Management Office

1. Contract Renewal – Mr. Marshall requested authorization to renew the IAmResponding contract. This is the software EMS and Fire use to notify dispatch they have received a call via text messaging. We have had this contract for many years; since the early 2000’s. He is requesting a new five-year renewal at a rate of $22,100 per year.

MOTION: AUTHORIZING THE DIRECTOR OF THE OFFICE OF EMERGENCY SERVICES TO RENEW THE IAMRESPONDING CONTRACT FOR FIVE YEARS AT A RATE OF $22,100 ANNUALLY MADE BY MR. POTTER. SECONDED BY MR. HORTON FOR DISCUSSION.

Mr. Potter asked is this cost paid for by the agencies or by the County? Mr. Marshall replied the cost of this contract is covered by Homeland Security Grant funds.

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

2. Functional Needs Database – Mr. Marshall informed the committee they are in the second year of a multi-year contract with Acclaim Systems. He requested authorization to renew the contract for $2,575.

MOTION: AUTHORIZING THE DIRECTOR OF THE OFFICE OF EMERGENCY SERVICES TO RENEW THE CONTRACT WITH ACCLAIM SYSTEMS FOR THE FUNCTIONAL NEEDS DATABASE FOR AN ANNUAL AMOUNT OF $2,575.00 MADE BY MR. MAIO. SECONDED BY MR. HORTON FOR DISCUSSION.
Mr. Potter asked what does this contract pay for? Mr. Marshall replied the functional needs database identifies individuals with special needs; the frail/elderly, handicapped individuals or individuals with disabilities. We can track these individuals during emergencies such as power outages or snow storms, and we can verify where they live in an affected area and can send people out to check on them. Mr. Potter asked how do you reach out to the public to get individuals in the database? Mr. Marshall replied we distribute information through the Human Needs Task Force. We also put an annual article the Second Season newsletter and also in the County newsletter. Additionally we do press releases. We currently have about three thousand individuals enrolled.

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

B. Personnel
   1. **District Attorney Investigator Salary** – Mr. Alderman stated the District Attorney is requesting an increase in his investigator’s salary from $30,000 to $35,000 annually. Mr. Baker explained the law regarding the cap on how much a NYS retiree can make changed to $35,000 in December 2019. He stated he simply missed it. Mr. Mackney is working many more hours than we have asked for and also provides training to law enforcement agencies across the county. Because of Mr. Mackney’s work, we have a 100 percent trial success with our drug cases and we have the best conviction rate in the State.

   Mr. Malter asked is this increase in the budget? Mr. Baker replied this is not in the budget, however, we decided not to hire one position in the fall. We also have money in our personnel and overtime line items available. This will be budget neutral.

   Mr. Potter asked can we make this retroactive? Mr. Wheeler replied very often we do not do that, but that is the call of this committee. Mr. Potter asked when did we increase the SRO salaries? Mr. Wheeler replied that coincided with the change in the law and when the law changed the schools announced that the increases would be reimbursed.

   Mr. Baker stated when we hired our new investigator, we started him at the $35,000. That began January 1, 2020 and we just missed Mr. Mackney in the process.

   Mr. Potter stated I think we need to make it retroactive to the first of the year so that Mr. Mackney is being paid the same as the other investigator. Mr. Maio stated I agree and this was basically an oversight.

   **MOTION: INCREASING DISTRICT ATTORNEY INVESTIGATOR WALT MACKNEY’S ANNUAL SALARY TO $35,000 RETROACTIVE TO JANUARY 1, 2020, PURSUANT TO THE CHANGES MADE TO THE NYS SECTION 211 WAIVER MADE BY MR. POTTER. SECONDED BY MR. MAIO FOR DISCUSSION**

   Mr. Van Etten asked has Mr. Mackney worked a lot year to date given everything that has been going on with the pandemic? Mr. Baker replied Mr. Mackney has been on call and working his tail off. The drug business has not slowed down and he has been working more than 19.5 hours per week.

   Mr. Maio asked do we run into any problems if he is working more than he is supposed to? Mr. Alderman replied no, not in this situation. Mr. Wheeler replied for those individuals with the Section 211 waiver and who are retired from State service, those are okay. It is more of an issue with the active, non-retired people that we have to careful with. Mr. Baker commented our investigators are not asking for any overtime or pushing for additional money.

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

IV. OTHER BUSINESS

A. **Support Resolution to Amend Vehicle & Traffic Law (VTL)** – Mr. Malter asked if anyone had any questions regarding a resolution supporting an amendment to Vehicle & Traffic Law relative to Accessible Parking Requirements. Mr. Maio asked who did this come from? Mr. Wheeler replied NYSAC (New York State Association of
Counties) sent this around. Mr. Maio stated this amendment would allow law enforcement to write tickets if someone is illegally parked in a handicapped or yellow-striped area in a parking lot.

Mr. Ryan asked for an explanation of the person centered language in the letter. Mr. Maio stated the way he understands it, it is just changing the language from handicapped to a person with disabilities. Mr. Brooks replied it is a definitional thing for the traffic law.

Mr. Ryan asked do we really need a State law? Can we just deal with this on a local basis? Mr. Potter stated the local municipalities have not been dealing with it. Mr. Wheeler stated it has been an issue of having the ability to enforce it.

MOTION: MEMORIALIZING THE GOVERNOR AND THE NEW YORK STATE LEGISLATURE TO AMEND VEHICLE & TRAFFIC LAW (VTL) RELATIVE TO ACCESSIBLE PARKING REQUIREMENTS MADE BY MR. POTTER. SECONDED BY MR. HORTON. MOTION CARRIES 4-1. (MR. RYAN WAS OPPOSED)

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR**
Monday, July 6, 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, May 29, 2020
I. CALL TO ORDER

Mr. Malter called the meeting to order at 9:00 a.m. and asked Mr. Potter to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE JUNE 1, 2020, MEETING MADE BY MR. POTTER, SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REQUESTS

A. E911

1. Eagleview (Pictometry) Annual License Payment – Mrs. Goodwin requested authorization to pay the 2nd annual license payment for the Pictometry imagery. The cost is $122,831.13 and is in the budget. They have completed all the imagery. Mr. Wheeler explained back ten years ago, this was not budgeted annually; every three years we paid $350,000 for the re-fly. Now we are spreading that cost out on an annual basis.

MOTION: AUTHORIZING THE DIRECTOR OF THE E911 DEPARTMENT TO MAKE THE SECOND ANNUAL LICENSE PAYMENT OF $122,831.13 FOR THE PICTOMETRY IMAGERY MADE BY MR. MAIO, SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. Wilmac Software Maintenance Renewal – Mrs. Goodwin requested authorization to renew the contract with Wilmac for software maintenance on the recorder. The annual cost is $32,690 and is in the budget.

MOTION: AUTHORIZING THE DIRECTOR OF THE E911 DEPARTMENT TO RENEW THE CONTRACT WITH WILMAC FOR SOFTWARE MAINTENANCE ON THE RECORDER FOR AN ANNUAL COST OF $32,690 MADE BY MR. POTTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. 911 Numbering – Mr. Potter asked have you done any recent renumbering in the County? Mrs. Goodwin replied not since the early 2000’s. Mr. Potter stated that he recently went to renew his DOT permit and
when they pulled up his address, it was a quarter mile down the road. He also ran into this with his mother-in-law’s address. The numbers are not in sequence and it is causing problems. Mrs. Goodwin stated if you contact me, I will put you in touch with our GIS specialist. Sometimes it depends on the map that is being used, but we can straighten that out if you contact me.

B. Emergency Management Office

1. Midstate Communications Contract – Mr. Marshall informed the committee that the tower lighting is out at a couple of our tower sites and needs to be fixed to comply with FAA requirements. This is outside of Motorola’s scope. These tower sites are using incandescent lights and will be upgraded to LED. This is a one-time contract with Midstate to do this. The cost is $36,000 and will be covered with grant funds.

Mr. Malter asked how many towers need to have the lighting replaced? Mr. Marshall replied right now Mt. Washington and Call Hill. Mr. Maio asked are these the only ones with FAA requirements? Mr. Marshall replied any tower over 200 feet requires lighting. We do have a few towers over 200 feet, but these are the two that we are having issues with now. Mr. Maio asked when will the others need to be done? Mr. Marshall replied it is hard to say; it depends on weatherization, etc.

MOTION: AUTHORIZING THE DIRECTOR OF THE OFFICE OF EMERGENCY SERVICES TO ENTER INTO A CONTRACT WITH MIDSTATE COMMUNICATIONS FOR THE REPLACEMENT OF TOWER LIGHTING AT MT. WASHINGTON AND CALL HILL IN AN AMOUNT NOT TO EXCEED $36,000, SAID COST TO BE COVERED BY GRANT FUNDS MADE BY MR. MAIO. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. Radio System Update – Mr. Marshall stated the upgrade of Fire and VHS had been slowed down due to COVID. Motorola has sent some technicians in. We are having issues at the Jasper tower site with the combiner and we are working with the engineers who designed it to try to resolve that issue. Once that is resolved, we will be able to move forward with testing and then cut over to the new system. We hope to start testing soon and that by the end of July we should be able to the cut over. We are very close to finalizing this project.

Mr. Malter asked how long has this project taken? Mr. Marshall replied I think we started this project in 2016, so it has been about five years. For a large project like this, that is pretty normal; three to five years.

Mr. Swackhamer stated once you run through the system, what is the next step? Mr. Marshall replied everything will be upgraded to VHF; the Sheriff’s Office, fire, law enforcement and ambulance service will all be on the same platform. The final step is looking at what to do with Public Works as they are operating on low band. We are also looking at a redundant prime project where we would share services with Allegany County to backup each system. The next big project will be Public Works.

Mr. Malter asked will the Public Works project be county cost? Mr. Marshall replied I would think it would be covered under the Homeland Security project as it is an enhancement to the radio and will be beneficial. Mr. Potter asked will the Public Works project impact the town highway departments as well? Mr. Marshall replied yes. I would like to build a system where the county and the towns can communicate. That would be my goal, not yet having talked with Mr. Spagnoletti or Mr. Rapalee; one system they can all use together.

3. COVID Update – Mr. Marshall stated during COVID we staffed the EOC (Emergency Operations Center) for 91 days starting on March 14, 2020. That is the longest time period the EOC has been consistently staffed, except for the ice storm in 1991 and the snowstorm in 1993 where it was staffed for a week. The majority of our work was logistics; providing supplies to hospitals and other agencies. Mr. Marshall stated we distributed 4,500 face shields, 5,800 vinyl gloves, 20,500 nitro gloves, 5,700 isolation/surgical gowns, 547 gallons of hand sanitizer in 1 gallon jugs, 155 refillable pumps and 8,924 two-ounce spray dispensers. Additionally we distributed 10,500 N-95 and K-95 masks, 41,000 disposable face masks, 58,255 white cloth face masks and 12,000 tests. Logistically, this was a huge operation. We have moved most of our stock to the
Records Center for the summer months and then will figure out what to do in the future with what is left. We want to make sure that we have enough supplies if we get a second wave of this. Mr. Marshall stated we are pretty set on supplies. Kudos to the team of Ken Forenz, Matt Marmor from Public Health, Jack Wheeler, Darlene Smith and Lorelei Wagner for a great job. We worked 11 – 12 hour days for most of those 91 days and things went very well. I appreciate the support of the Legislature, as well as the rest of the staff supporting us, including Eric Rose, Vince Spagnoletti, Andy Morse and Sheriff Allard. It was great working with everyone.

Mr. Malter asked of the supplies distributed, how much did we buy ourselves? Mr. Marshall replied the majority of our supplies are State and Federal. We did purchase some and came to committee to get that authorization for refillable pumps for hand sanitizer, gloves and N-95 masks. Mr. Wheeler stated he received an email Thursday that we will be getting 1,000 gowns through PERMA and they have picked up half the cost. Those will be delivered within the next week or so. Mr. Marshall stated gowns have been the hardest thing to find. With a COVID patient you have to wear a gown and when you leave, the gown goes into a bio bag. They are the hardest supply to find.

Mr. Malter asked with the supplies that you have on hand, do you have an inventory? Mr. Marshall replied yes, Matt Marmor from Public Health has an extensive database of all of our supplies and set up a good system to account for them. Mr. Malter asked if there is another wave, will we have enough supplies? Mr. Marshall replied we have a good supply to start with and the State and Feds are still pushing supplies.

Mr. Wheeler commented we do not have a big space to stockpile so we are using the Records Center and the highway barn. It there is another wave, we will be in good shape, but the time for a victory lap will be far from now.

Mr. Potter stated the Governor has said that anyone who wants a test can get it, and if they go to a State testing site the cost will be covered by the State. Do we have any State testing sites in the County? Mr. Marshall replied no. The closest is Monroe County at Monroe Community College. Mr. Wheeler stated the other site is in Binghamton. We have asked to get a closer site. Mr. Van Etten asked is there one at Cayuga Health? Mr. Wheeler replied yes, you can go to Ithaca, and because of the way the insurance reimbursement was going, they were putting their foot down and were not doing tests unless they were medically necessary.

Mr. Malter asked how many test kits are available? Mr. Marshall replied we have a couple thousand. Mr. Van Etten asked what is the shelf life? Mr. Wheeler replied 7 months. Mr. Marshall stated he wants to give kudos to Matt Marmor as he took the leaky tests kits that we had first received and combined them to make new sets. Mr. Wheeler stated we pushed a lot out for nursing home testing. We are keeping some for employee testing if the need arises as well as if hotspots arise or there is a need for drive-thru testing. The problem is with the labs. We have developed a pretty good relationship and if an employee is tested here, we have a lab in New Jersey that will process it for free.

Mr. Swackhamer asked are the labs caught up? Mr. Wheeler replied they are better, but it is not what it was with a day or two turnaround. There is a lot of testing going on. Ms. Fitzpatrick asked at some point will we be moving to testing for antibodies? Mr. Wheeler replied the PCR is not the same as the antibody test. We do not have a supply of kits for the antibody testing. The only concern is the high rate of false positives; there is a 35 – 50 percent false positive rate.

Mr. Malter asked with staff, how many positive cases have we had? Mr. Wheeler replied zero. Some individuals had mandatory quarantines because of primary contact and a handful were tested.

C. Sheriff’s Office

1. **Accept Additional STOP DWI Crackdown Funds** – Sheriff Allard requested authorization to accept additional STOP DWI Crackdown Funds in the amount of $2,000.
MOTION: AUTHORIZING THE SHERIFF TO ACCEPT ADDITIONAL STOP DWI CRACKDOWN FUNDS IN THE AMOUNT OF $2,000 MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mrs. Ferratella commented on the Sheriff’s Annual Report he noted DWI’s had doubled from 2018 to 2019 and they were recognized for being one of the top units in the State.

2. **Accept Donation of K-9 and Supplies from Sheriff’s Foundation** – Sheriff Allard requested authorization to accept the donation of a K-9 and supplies from the Sheriff’s Foundation. This will be a nitrate (bomb) sniffing dog sponsored by the McCartney family through the Sheriff’s Foundation. This K-9, named Mack, is a Belgian Malinois and will be trained and certified as a Nitrate K-9 to support our SRO program in 10 school districts. We do not have a bomb dog assigned. The Sheriff’s Foundation is donating the $7,800 dog and $2,200 for supplies to outfit the K-9 officer.

Mr. Malter asked how many dogs do we have? Sheriff Allard replied this will be our fourth. Mr. Maio asked will the dog have training beyond nitrates? Sheriff Allard replied the dog will be used for nitrates, patrol and tracking. The other three dogs are specifically trained for narcotics.

Mr. Maio asked do we need more dogs? Sheriff Allard replied I would like one more dog for arson and accelerant detection as there is no K-9 in the area that does that. If we team up with the volunteer fire departments we could raise enough money to support that.

Mr. Swackhamer asked what is the yearly cost? Sheriff Allard replied the cost is almost all covered through donations. The cost for the County is training. The training itself is free, but the Deputy gets paid for it. Mr. Swackhamer asked what is the cost to maintain the K-9’s? Sheriff Allard replied there is food, outfitting the vehicle with a kennel, an alarm system for heat for the vehicle, vet costs and two days per month for training to maintain certification. I cannot give you accurate numbers right now.

Mr. Malter asked are we using our dogs to support other agencies? Sheriff Allard replied we use the dogs to support what we do. Now we are fulfilling our responsibilities in the County. Mr. Maio asked do any other counties have a bomb dog? Sheriff Allard replied Chemung County does. Mr. Potter asked what about the State Police? Sheriff Allard replied they do, but it is based out of Canandaigua. Mr. Marshall commented the closest arson dog is in Binghamton.

Ms. Fitzpatrick asked how much do the dogs increase the efficiency of investigations? Do you do demonstrations and if so, could we see one? Sheriff Allard replied yes, we do demonstrations. Ms. Fitzpatrick asked how much do they increase your efficiency? Sheriff Allard replied the efficiencies of the narcotics K-9’s are huge. The K-9’s can search vehicles at vehicle stops or when we do search warrants. We have a large number of requests from other agencies to have the K-9’s do searches. With the bomb K-9, every time there is a threat at a school, now we will not have to wait for hours and try to find out. We also will use the K-9 at the Wineglass Marathon at the start and finish lines to do a sweep. Additionally, we have taken the dogs to the stockholders meeting at Corning, Inc. to do a sweep. Having the availability of our own K-9’s makes it so much easier to do screenings before events.

Mr. Malter asked can we see a demo of all of the K-9’s at some point? Sheriff Allard replied, yes we can. We can set demonstrations up at any time. That is where a lot of our fundraising comes in.

Mr. Horton commented a lot of people are more scared of the K-9 than the Deputy. Sheriff Allard stated we have had no bites as a result of a search or detainment. The barking and growling does enough to get compliance.

MOTION: AUTHORIZING THE SHERIFF TO ACCEPT THE DONATION OF A K-9 AND SUPPLIES FROM THE SHERIFF’S FOUNDATION, TOTALING $10,000 MADE BY MR. RYAN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.
3. **SPCA** – Sheriff Allard stated every year we allocate money to the SPCA. We carried out a warrant in Campbell and the SPCA helped us rescue 65 animals that were in distress in a single wide trailer.

Mr. Mullen stated he followed up with Mr. Baker on the Ag and Markets Law. The Ag and Markets Law has a process if an animal is confiscated because of negligent action, then the District Attorney can file an application to require the owner to post bond for the care of the animal and if they cannot, then the law allows the County to sell, adopt out or euthanize. Mr. Baker indicated to him that we have not had anyone yet that could afford to post the bond. Mr. Mullen stated he responded that we still have a process to have sold the animal and people have the application to make bond so I think you should consider implementing this process.

Mr. Malter asked do we have this process? Ms. Prossick replied my understanding is this is part of the prosecutorial duties and is a State function. The District Attorney may need the animal(s) for evidence down the road. Mr. Malter commented our last encounter cost us a lot of money. Ms. Prossick clarified this Ag and Markets Law does not cover cats and dogs. Mr. Mullen stated that is a different process as you don’t sell them.

Sheriff Allard stated 90 percent of the smaller animals that come in are adopted out. The larger animals are the issues. The District Attorney uses those animals as part of his ability to prosecute.

Mr. Horton asked what is the liability on that? Now we have a two-year old bull that is huge and mean. Is the County liable if someone gets hurt at the SPCA taking care of this bull? Ms. Prossick replied I will have to look, but because the bull is part of the prosecution’s case, we have to have it and there may be some immunity there. A lot of these are just a matter of communicating with Mr. Baker.

Mr. Maio stated I understand that people don’t have cash, but you could get a bond against their property. Ms. Prossick stated that is a complicated process. Mr. Maio stated that’s not the County’s problem.

Mr. Malter asked Mr. Mullen what would you like to see going forward? Mr. Mullen replied I would like to have a conversation with Mr. Baker at one of our meetings on the policy. Horses and cows are animals that could be sold. If we are following the process in the law, we will not have additional liability. Mr. Malter asked that this be put on the August agenda for discussion.

Mr. Nichols stated several years ago 20 horses were confiscated and the SPCA was charging the County. I asked at AIP to sell them and the SPCA said they can’t do that. They don’t want to sell because they don’t want them reproducing and any animal leaving the SPCA has to be sterile. Then they billed us for the animals. Something needs to be fixed on that part.

IV. **OTHER BUSINESS**

A. **Driver Diversion** – Mr. Malter stated that he would like to review the progress of the Driver Diversion Program. Ms. Prossick stated the contract was signed last week and they are ready to get up and running, functionally. Mr. Malter stated that he would like the District Attorney to provide an update at the August meeting.

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

Respectfully Submitted by Amanda L. Chapman, Deputy Clerk, Steuben County Legislature

**NEXT MEETING SCHEDULED FOR**

**Monday, August 3, 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, July 27, 2020**
I. CALL TO ORDER

Mr. Malter called the meeting to order at 9:45 a.m.

II. GENERAL BUSINESS
A. Sheriff’s Office
   1. Contract Amendment – Sheriff Allard requested authorization to amend the contract with PrimeCare for the addition of RN services. One of our county-employed RN’s resigned and we now have one county-employed RN in the Jail. The plan was, from the start, for any vacancies to be filled through PrimeCare and contracted through them. The cost to add one RN position through PrimeCare will be approximately $8,400 per month.

   Mr. Maio asked what would be the cost to the County if we hired another County RN? Sheriff Allard replied including fringe costs, it would be about an additional $5,000 per year to the County; if you can find one. Through PrimeCare we are getting people that specialize in correctional medical care.

MOTION: AUTHORIZING THE SHERIFF TO AMEND THE CONTRACT WITH PRIMECARE FOR ONE ADDITIONAL RN FOR AN ADDITIONAL $8,400 PER MONTH MADE BY MR. MAIO. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: TO ADJOURN MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature