

PUBLIC SAFETY COMMITTEE
AGENDA
November 2, 2016

- 1. Approval of Minutes**
 - October 5, 2016
- 2. Barbara Kelley, Public Defender**
 - Monthly Report
- 3. Jeffrey Luckey, Emergency Management and Fire Director**
 - Monthly Report
- 4. Linda Edwards, STOP-DWI Program Coordinator**
 - Monthly Report
- 5. Keith Slep, District Attorney**
 - Monthly Report
- 6. Robert Starks, Probation Director**
 - Monthly Report
- 7. Gilbert Green, Weights & Measures Director**
 - Monthly Report
- 8. Rick Whitney, Sheriff**
 - Monthly Reports
 - Acceptance and Appropriation of funds for the ACT II Batterers Program
 - Request to fill E-911 Dispatch positions
 - Request for funds for E-911 Dispatch positions
 - Acceptance and appropriation of the New York State Division of Criminal Justice Service Narcotics Grant
- 9. Traffic Safety Board Appointments**
- 10. Assigned Counsel Agreement**
- 11. Old Business**
- 12. New Business**
- 13. Good of the Order**
- 14. Adjournment**

PUBLIC DEFENDER'S OFFICE MONTHLY REPORT

OCTOBER 2016

	<u>9/27 – 10/24/2016</u>	<u>Y-T-D</u>	<u>10/2015</u>	<u>2015-Y-T-D</u>
Number of Applications Received—	135	1385	149	1231
Sent to Conflicts—	23	293	38	304
Found Ineligible--	1	24	6	78
New files opened: (1 Sent to Conflicts after opening)	111	1065	105	937
Misdemeanor—	44	477	44	396
Felony—	20	135	18	92
VOP—	4	52	12	58
Parole Violations—	0	14	2	18
Fugitive -	1	12	0	3
SORA -	0	1	0	1
Violation	2	2	-	-
Total Criminal—	71	693	78	651
Custody/Visitation-	18	211	12	153
Abuse/Neglect-	0	14	2	32
Termination of Parental Rights—	1	3	0	3
Family Offense—	6	56	3	37
Support—	14	77	9	50
Paternity -	1	10	0	11
Total Family Court—	40	372	27	286



ALLEGANY COUNTY
OFFICE OF EMERGENCY MANAGEMENT & FIRE

Cross Roads 6087 State Route 19N, Suite 110 Belmont, New York 14813
Telephone 585-268-5290 Fax 585-268-9695

Jeff Luckey
Director

Mike. Barney
Assistant Director

Bonnie VanHousen
Clerk

October 2016 Activity Report

10/3- I attended the last WRECK IT 16 Planning meeting at Jones Memorial

10/4- Mike sent out a notice to the State that the CFR classes scheduled for the fall were cancelled due to low enrollment. Bonnie conducted the annual safety training and orientation for new staff at the ACCORD Corporation.

10/5- I attend the SWREMS meeting in Olean and brought up the concern of the CC program. The NYS DOH CC TAG group will be providing a report of their findings at the March meeting of the SEMAC(State Emergency Medical Advisory Council) in Albany.

10/7- I responded with the Hazmat trailer to a MVA in Almond.

10/9 Bonnie represented this office at Cuba's Fire department annual smoky Sunday.

10/11-Mike attended the Elder Abuse Committee meeting at the EOC in the Public Safety Facility. We reviewed the active cases involving financial and/ or physical abuse along with the phone and mail scams that target the elderly. I responded to a cardiac arrest in Angelica and a 2 car MVA in Oramel.

10/12- I attended the Department Head meeting.

10/13- I met with the Town Highway Superintendent of Bolivar and Asst Fire Chief to discuss alternative plans for an emergency detour while a bridge deck was being replaced. Bonnie attended the Association of Town Highways to work on the completion of Hazard Mitigation worksheets.

10/ 16- Our office along with the Houghton Volunteer Fire Dept hosted the annual Swift Water Tech Rescue class. We had 24 students complete this training with 5 being from Allegany County. The others came from Cattaraugus, Chemung, and Monroe counties.

10/17- Bonnie and Mike sat in on the Final RACES Exercise Planning and Action Items for the WRECKIT / RACES/ Amateur Radio exercise webinar.

10/18- I attended the WNY EM meeting in Batavia. Bonnie and I along with members of the Hazard Mitigation Team sat in on a conference call update with Tetra Tech.

10/19- I provided a fire safety training for the OFA meals on wheels staff.

10/21-Mike took care of getting the EMT and Advanced EMT students signed up for the clinical times they wanted at both Jones Memorial and Olean General Hospital. Mike is also working with the City

of Olean Fire Department and Ambulance Company on setting up a Ride-Along agreement so that our students will be able to do some of their field time with their professional ambulance service. I responded to various flooding events primarily in the Clarksville, Cuba, and Friendship area of the county. Bonnie met with the Town of Andover to work with them on completing worksheets for the Hazard Mitigation Plan.

10/25-Mike prepared the new Clinical agreements with Jones Memorial, Olean General, St James and Wyoming Community Hospitals for the 2017 EMS courses requiring clinical and ride-along rotations by the State. Bonnie met with the Town of Bolivar to finish the Hazard Mitigation worksheets at Cross Roads.

10/26 - Bonnie met with Village of Bolivar to work on Hazard Mitigation worksheets in the morning and with Town of Independence in the afternoon to work on the new actions for the Hazard Mitigation Plan. She will then meet with Town of Centerville at 4:30 in Centerville to help them finish their worksheets.

10/27- Mike sat in on the webinar “Incident Safety Officer (ISO) Training and System Development”. I met with Fillmore Central School administration to discuss an alternative safety plan. I attended the WNY Fire Coordinators meeting in Mt Morris. Mike and Bonnie attended the end of the year meeting. Bonnie met with town of Alma to finish the Hazard Mitigation worksheets.

10/28- Bonnie, Mike and myself attended the Joint Preparedness Committee meeting held in the EOC at the Public Safety Facility. The topics included: Ebola Funding or changes; the Zika Virus; EMS Report; Clearinghouse Report; Ridge Walk; Andover Haunted House; Red Cross Updates; and new business including Deer season, the Holiday season, Future Events and Future Agenda Items.

Mileage 1,216

**Public Safety Committee
Resource Management Committee
Youth Bureau and STOP-DWI Monthly Report
October 2016**

On 10/4 attended Workplace Violence Training

On 10/8 participated in the Friendship Cheese Festival with STOP-DWI and Youth Bureau educational and giveaway items

STOP – On 10/13 attended PPAC Environmental Strategies meeting

STOP – From 10/16-19 attended the Highway Safety Symposium (STOP-DWI Conference) in Lake Placid

Youth – On 10/20 attended the monthly Youth Court Board meeting

On 10/21 held Annual SADD Conference on Human Trafficking with over 100 youth and adults attending

Youth – From 10/24-26 attended the Youth Development Conference in Lake Placid

Youth – Continued paying agencies for OCFS programming and seeking reimbursement from the state

Youth - Continued working with Results Based Accountability trainer

Linda Edwards
Youth Bureau Director/STOP-DWI Coordinator
10/31/16

MONTHLY REPORT OF THE DISTRICT ATTORNEY

October, 2016

During the month of October, 2016 the following new files were opened:

	<u>Current</u>	<u>Prior Month</u>	<u>YTD</u>
Felonies:	28	24	252
Misdemeanors:	78	63	812
Violations:	126	146	1364
VOP's:	4	7	65
Miscellaneous:	2	5	37
Special Prosecutor:	1	1	6

Each of these files required the attention of one or more prosecutors, as well as support staff. In many cases there are various or multiple crimes charged against one individual.

Respectfully submitted,

Keith A. Slep
District Attorney

Figures as of 10/26/16

**Allegany County
Department of Probation**

7 Court Street • Belmont, New York 14813

Phone 585-268-9370

Fax 585-268-9486

Robert P. Starks
DIRECTOR OF PROBATION



Scott G. Grantier
Jody Ralyea
PROBATION SUPERVISORS

PUBLIC SAFETY MONTHLY REPORT- OCTOBER 1-31, 2016 STATISTICS

FAMILY WORKLOAD	2016	2016YTD	2015	2015 Totals
JD INTAKES	3	36	4	19
PINS INTAKES	1	19	0	29
OTHER INTAKES	0	0	0	2
ACTIVE SUPERVISION CASES	51	N/A	46	N/A
INVESTIGATIONS ORDERED	5	17	0	7
INVESTIGATIONS COMPLETED	3	14	0	6

CRIMINAL WORKLOAD	2016	2016YTD	2015	2015 Totals
INVESTIGATIONS ORDERED	21	255	19	322
INVESTIGATIONS COMPLETED	15	196	11	245
ACTIVE SUPERVISION CASES	392	N/A	343	N/A

Active RUS cases-50

Active CD II Monitor Cases-57

Active EHM Cases-12

- I attended the Area 1 Council of Probation Administrators meeting on 10/11/16.
- I attended the CAC Multidisciplinary Team meeting in Olean on 10/18/16.
- I chaired the Youth Court Board meeting on 10/20/16.
- I attended the graduation ceremony in Cheektowaga on 10/21/16 for two of our Probation Officers who successfully completed their Fundamentals of Probation Practice, and Peace Officer courses.
- I chaired the quarterly Alternatives to Incarceration Board meeting on 10/26/16.

November 1, 2016

Robert P. Starks

Robert P. Starks
Director of Probation



Gilbert Green, Director
Allegany Co. Dept. of Wts and Meas
5 Court St. Rm #2, Belmont, NY 14813
Phone - 585-268-5002
Fax – 585-268-5933
Cell – (585) 808-3518

October activities:

I checked on 10 more small scales.

I traveled to Batavia for Western Group of State Weights & Measures meeting.

I started working with an Elm Street Academy student one day a week.

I collected 12 fuel samples for testing for octane, ethanol and cetane levels.

I had the bed slide for my truck installed.

I checked the receiving meters at Saputo Dairies.

I scheduled my last vehicle scale for Nov. 1.

I traveled approximately 700 miles in the month.

Please contact me with any questions.

Ride alongs are always welcome, just give me a call.

Boarded Inmate Count
October 2016

Weekends

Date	US Marshal	ICE	FEDERAL TOTAL	Other Counties	TOTAL HOUSED IN	LOCAL INMATES	TOTAL POPULATION
10/01/16	54	11	65	1	66	57	123
10/02/16	54	11	65	1	66	56	122
10/03/16	54	11	65	1	66	54	120
10/04/16	54	11	65	1	66	54	120
10/05/16	54	12	66	1	67	52	119
10/06/16	55	11	66	1	67	50	117
10/07/16	56	10	66	0	66	54	120
10/08/16	60	10	70	0	70	57	127
10/09/16	60	10	70	0	70	59	129
10/10/16	60	10	70	0	70	55	125
10/11/16	60	10	70	0	70	55	125
10/12/16	61	13	74	0	74	53	127
10/13/16	60	13	73	0	73	53	126
10/14/16	59	14	73	0	73	55	128
10/15/16	59	15	74	0	74	58	132
10/16/16	59	15	74	0	74	60	134
10/17/16	59	15	74	0	74	57	131
10/18/16	57	14	71	0	71	57	128
10/19/16	55	14	69	0	69	54	123
10/20/16	57	14	71	0	71	55	126
10/21/16	58	14	72	0	72	54	126
10/22/16	57	14	71	0	71	63	134
10/23/16	57	14	71	0	71	65	136
10/24/16	57	14	71	0	71	62	133
10/25/16	57	10	67	0	67	63	130
10/26/16	57	13	70	0	70	60	130
10/27/16	57	13	70	0	70	57	127
10/28/16	56	13	69	0	69	56	125
10/29/16	56	13	69	0	69	62	131
10/30/16	56	13	69	0	69	62	131
10/31/16	56	13	69	0	69	59	128
Total	1771	388	2159	6	2165	1768	3933
Average	57.13	12.52	69.65	0.19	69.84	57.03	126.87

TOTAL FEDERAL
Average / Day
69.65

54.89%

TOTAL POP.
Average / Day
126.87

100%

TOTAL HOUSED
Average / Day
69.84

55.05%

LOCAL
Average / Day
57.03

44.95%

CIVIL DIVISION MONTHLY REPORT

The figures for **October 2016** report (9/22/2016 through 10/21/2016) are as follows:

Civil Division served **74** civil processes

Temporary Order of Protection	9
Summons & Complaint	41
Divorce	2
Income Executions	11
Order of Protection	3
Order to Show Cause	1
Eviction Proceedings	4
Notice	1
Citation/Will	1
Subpoena	1

Sheriff's office collected Undertaking, Fines, Bail, Fees and Money Judgments in the amount of **\$59,491.45**.



Allegany County 911

4884 State Route 19

Belmont, New York 14813

Phone (585) 268-9600

Fax (585) 268-9715



Ricky L. Whitney, Sheriff

Kevin D. Monroe, Under Sheriff

Shawn W. Grusendorf, Lieutenant

911 Administrator

Randy L. Swarthout,

Head Dispatcher

9/22/2016 - 10/23/2016

AMBULANCE / EMS		FIRE		POLICE	
ALFRED	87	ALFRED	42	ALFRED	249
ALLENTOWN EMS	4	ALFRED STATION	11	ANDOVER	42
ALMA EMS	5	ALLENTOWN	11	ANGELICA	15
ALMOND	17	ALMA	11	AU SECURITY	26
ALS REQUESTS	123	ALMOND	18	BELMONT	81
AMITY RESCUE	58	ANDOVER	12	BOLIVAR	47
ANDOVER	30	ANGELICA	10	CUBA	186
ANGELICA	16	BELFAST	6	ENCON	0
BELFAST	18	BELMONT	13	FOREST RANGERS	2
BIRDSALL EMS	2	BIRDSALL	4	FRIENDSHIP	80
BOLIVAR	40	BOLIVAR	18	INDEPENDENCE	13
CANASERAGA	20	CANASERAGA	11	SHERIFF	303
CENTERVILLE EMS	1	CENTERVILLE	6	STATE POLICE	960
CLARKSVILLE	5	CLARKSVILLE	7	UPD (ALFRED)	15
CUBA	37	CUBA	25	WELLSVILLE	267
FILLMORE	27	FILLMORE	9	WILLING	20
FRIENDSHIP	33	FIRE INVEST. REQUEST	5		
HELICOPTER REQUESTS	24	FRIENDSHIP	29	TOTAL	2306
HOUGHTON	43	HOUGHTON	10		
INDEPENDENCE	8	NEW HUDSON	3		
MEDICAL TRANSPORT	22	ORAMEL	5	HAZ-MAT	2
RICHBURG	31	RICHBURG	15	DPW	1
RUSHFORD	3	RUSHFORD	6	UTILITY REQUESTS	1
SCIO EMS	0	SCIO	17	MISC	16
SHORT TRACT EMS	3	SHORT TRACT	7	FAST TEAM	1
WELLSVILLE	166	WELLSVILLE	37	WRECKER REQ.	7
GENESEE, PA	1	WHITESVILLE	11		
SHINGLEHOUSE, PA	0	WILLING	11		
ARPORT EMS	2	WISCOY-ROSSBURG	12		
TOTAL	826	TOTAL	382	TOTAL	3542

TOTAL PHONE CALLS

MEETINGS ATTENDED

10/04 TOWN OF ALMA BOARD

10/09 - 10-12 911/APCO CONFERENCE ALBANY

10/19 TRIAD

10/20 FINGER LAKES/REGION 55 MEETING CANANDAGUIA



OFFICE OF THE SHERIFF

ALLEGANY COUNTY



RICKY L. WHITNEY
SHERIFF

4884 STATE ROUTE 19 S
BELMONT, NEW YORK
14813-9506

KEVIN D. MONROE
UNDERSHERIFF

Telephone585-268-9204
Jail Division 585-268-9208

Civil Office585-268-9202
Administrative Fax.....585-268-9484

MONTHLY REPORT – PUBLIC SAFETY – November 2, 2016

- Generated approximately \$190,000 in revenue
 - Average daily population was 126
 - Average housed in 70
 - Average local inmates 56
 - 75 inmates were booked into the facility (46M/29F)
 - 64 inmates were released (46M/18F)

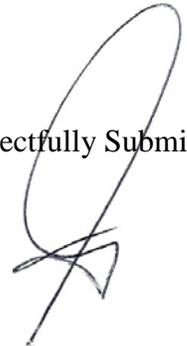
(The above figures are September 27, - October 26, 2016)

- In addition to the regular county committee meetings Sheriff Whitney also attended the following meetings and /or events:
 - Oct 3-7 - On Vacation
 - Oct 11 – Elder Abuse Prevention Committee meeting
 - Oct 14 – Range Qualification
 - Oct 18 – SCOPE (*Shooters Committee on Political Education*) meeting in Angelica
 - Oct 19 - VRT, SART, DART case reviews and TRIAD meeting
(*Victim Response Team, Sexual Assault Response Team, Domestic Assault Response Team*)
 - Oct 20 – Allegany County Suicide Coalition meeting
 - Oct 21 – SADD Conference in Scio
 - Oct 22 – Pill drop at County Office Building
 - Oct 26 – ATI (*Alternatives to Incarceration*) Advisory Board meeting
 - Oct 27 – ACCORD Domestic Violence Training and Awards Dinner in Cuba
- The working inmate garden did well this year with over 16,300 lbs. of produce harvested and turned over to the jail kitchen staff.
- On Saturday October 22nd along with PPAC we held our second pill drops of the year in Bolivar and Belmont. The amount taken in was down, which could be the result of the many drop boxes now available in the county.
- On October 27th our E-911 Division was recognized by ACCORD for their significant contributions to promoting the safety of victims of domestic violence. They are the first point of contact in emergency situations and their ability to immediately safety plan with victims is crucial to minimizing further violence. ACCORD has received feedback from those who have

called 911 that depicts the careful planning that a dispatcher does with the victim to ensure that they are able to make themselves as safe as possible until law enforcement arrives on the scene. This level of safety planning with victims of domestic violence is crucial and can be the determining factor between law enforcement responding to life and death situations.

- The Civil Division served 74 civil processes and collected various undertakings totaling \$59,491.45 September 22, through October 21, 2016. (*see attached report*).
- As of payroll number 21, overtime is down 1,105.50 hours compared to the same time in 2015. About 58% of all overtime for this year is a result of contractual items such as Sunday premium, holiday pay, shift briefing, sick coverage and no part time available. To date the highest areas of overtime are Sunday premium (15.94%), Training (10.54 %), Holiday (9.73%), Sick coverage (9.93%) No Part Time available (9.8%) and Shift Briefing (8.76%). We interviewed several candidates for part time Correction Officer, have hired several individuals who have started their training.
- Administrative overtime is down 221 hours from the same time in 2015 (*not included in the above figures*).

Respectfully Submitted:

A handwritten signature in black ink, appearing to read 'Ricky L. Whitney', written over a large, loopy oval shape.

Ricky L. Whitney
Sheriff

MEMORANDUM OF EXPLANATION

For acceptance and budgeting of GRANTS

INTRODUCTION NO: _____

(Clerk's use only)

Committee of Jurisdiction: **Public Safety**

Date: **November 2, 2016**

Explanation of Grant:

(please attach award letter and/or renewal letter with original resolution # and list any future requirements of the grant after expiration)

Request the acceptance and appropriation of \$4,550.00 from Accord Corporation for the continuation of the ACT II Batterers Program.

FISCAL IMPACT: Total Grant: \$4,550.00

Local county share: \$0.00

State Grant? Revenue # A.3117.2260.00 \$ 4,550.00

Federal Grant Revenue # _____ \$ _____

if Federal, please list Federal Catalog of Federal Domestic Assistance
(CFDA) number _____ - _____

Appropriation breakdown?	# <u>A 3117.4.49</u>	\$ <u>4,550.00</u>
	# _____	\$ _____
	# _____	\$ _____

This grant is a renewal of an existing grant funded program.

This is a new grant fund program.

Please contact County Treasurer for new account numbers for any new grants.

For further information regarding this matter please contact:
Sheriff Rick Whitney (585) 268-9797

Department Head Signature

Request to Fill Position Form

Date: November 2, 2016

Committee of Jurisdiction: Public Safety

Request to Fill: Title of Position: Four (4) E-911 Dispatchers Dept.: Sheriff's Office

Will any positions be eliminated? NO If yes, which position(s): _____

This position is an:

Existing position? _____ Newly Created Position? X Created by Resolution #: _____

This position will be:

Full Time? X Part Time? _____ Permanent? X Temporary? _____

This position will be:

Non Union? _____ Union? X covered by the AFSME Council 66 bargaining unit.

Grade: 13 Step: BASE Hourly pay rate: \$15.7850

Annual salary of position: \$32,832.80 X 4 = 131,331.20

Cost of benefits for position: \$15,457.69 X 4 = \$61,830.76

Does position support a mandated program/grant? YES Name of program: E-911 Dispatch

Source of funding for position: 100 % County _____ % State _____ % Federal _____ % Other

Source of funding for benefits: _____ % County _____ % State _____ % Federal _____ % Other

Amount in current year's budget for this position: \$134,341.92

Rationale justifying the need to fill this position at this time. Please include in your rationale where applicable:

1. This position is needed to fulfill current dispatcher needs of the county.

To fill open dispatcher positions in the current schedule. These positions are being filled by part-time staff when available and full time staff otherwise. This is resulting in considerable overtime being paid.

2. The goals your organization will not be able to accomplish as a result of not filling this position.

Inability to fulfill E-911 Staffing

3. The funding available to fill the position from external sources.

none

4. The benefit to the County generated by this specific position.

Public Safety

Department Head Signature: _____

Date: _____

Approved by the Ways and Means Committee on _____

MEMORANDUM OF EXPLANATION

Intro. No. _____
(Clerk's use Only)

COMMITTEE: Public Safety

Date: November 2, 2016

The Sheriff's Office is requesting funds from contingency for the Four (4) E-911 Dispatcher positions. The annual salary for these four positions is \$131,331.20. We would like to have them filled as soon as possible and we are asking for two months of salary to be funded from contingency. Two months of salary would be \$21,889.00

Fiscal Impact: \$21,889.00

For further information regarding this matter contact:

Sheriff Ricky L. Whitney (585) 268-9204

MEMORANDUM OF EXPLANATION

For acceptance and budgeting of GRANTS

INTRODUCTION NO: _____

(Clerk's use only)

Committee of Jurisdiction: **Public Safety**

Date: **November 2, 2016**

Explanation of Grant:

(please attach award letter and/or renewal letter with original resolution # and list any future requirements of the grant after expiration)

The Sheriff's Office is requesting the acceptance and appropriation of the New York State Division of Criminal Justice Service Narcotics Grant. This grant is filed jointly with the Cattaraugus County Sheriff's Narcotics Unit. The total award for the grant is \$90,000 that will be split equally between Cattaraugus and Allegany County. The Allegany County Narcotics Unit will receive \$45,000.

We anticipate spending these funds on a Drug K-9, License Plate Reader, Drone and licensing and training. These items were submitted pre-acceptance of grant and have been approved by NYSDCJS.

FISCAL IMPACT: Total Grant: \$45,000.00
Local County Share: \$0.00

State Grant? Revenue # A 3111.3324.DCJS \$ 45,000.00

Federal Grant Revenue # _____ \$

if Federal, please list Federal Catalog of Federal Domestic Assistance (CFDA) number _____ - _____

Appropriation breakdown # A 3111.208 (Equipment) \$ 45,000.00

Equipment Breakdown:

K-9: \$20,000.00

License Plate Reader: \$20,000.00

Drone: \$5,000.00

This grant is a renewal of an existing grant funded program.

This is a new grant fund program.

Please contact County Treasurer for new account numbers for any new grants.

For further information regarding this matter please contact:

Sheriff Rick Whitney (585) 268-9797 or Lt. Shawn Grusendorf (585) 268-9792

Department Head Signature

ALLEGANY COUNTY BOARD OF LEGISLATORS

COUNTY OFFICE BUILDING * 7 COURT STREET
BELMONT, NEW YORK 14813-1083
TELEPHONE 585-268-9222 * FAX 585-268-9446



Curtis W. Crandall
Chairman

Brenda Rigby Riehle
Clerk of the Board

Memorandum

TO: Public Safety Committee
FROM: Brenda Rigby Riehle, Clerk of the Board
DATE: October 31, 2016
RE: APPOINTMENTS TO TRAFFIC SAFETY BOARD

The Traffic Safety Board requests the Board of Legislators to appoint Willy Weaver to complete Jay Ballard's unexpired three-year term on the Traffic Safety Board commencing immediately and expiring December 31, 2018.

If the Committee desires to appoint Mr. Weaver to the Traffic Safety Board, please have a motion to that effect included in your minutes, along with a request to the County Attorney to prepare a resolution.

In addition the Chairman should sign the attached pink appointment form, where indicated, and return it to me.

Thank you for your attention to this matter.

/br

Attachments

**REQUEST FOR APPOINTMENT TO A BOARD/COMMITTEE UNDER
JURISDICTION OF ALLEGANY COUNTY BOARD OF LEGISLATORS**

BOARD/COMMITTEE TO WHICH APPOINTMENT IS TO BE MADE:

TRAFFIC SAFETY BOARD

APPOINTING AUTHORITY Board of Legislators Chairman of the Board

Chairman of the Board Confirmed by Board of Legislators

NAME OF PROPOSED MEMBER: Willy Weaver
(Transportation Supervisor for GVCS)

ADDRESS: 84 Railroad Avenue, Angelica, NY 14709

Type of Member _____ (Medical, Sportsman, Farmer, etc.)

Type of Appointment: (check one) New Reappointment of present incumbent
due to expiration of term

Fill Vacancy due to Resignation Fill Vacancy due to Expiration of Term

Effective Date of Appointment: 11/14/16 Expiration Date Of Appointment: 12/31/2018

Name of Member being replaced (if any): Jay Ballard

Effective Date of Resignation: _____

Filed with Clerk of the Board Yes No

Approval by Committee of Jurisdiction: _____
Chairman's signature

Recorded in minutes of _____ Meeting of the Public Safety Committee
Date Committee

FOR BOARD CLERK'S OFFICE USE ONLY:

Resignation received: _____ Filed with County Clerk: _____

Term of Appointment verified: _____

Copy to County Attorney: _____

Remarks:

ALLEGANY COUNTY BOARD OF LEGISLATORS

COUNTY OFFICE BUILDING * 7 COURT STREET
BELMONT, NEW YORK 14813-1083
TELEPHONE 585-268-9222 * FAX 585-268-9446



Curtis W. Crandall
Chairman

Brenda Rigby Riehle
Clerk of the Board

Memorandum

TO: Public Safety Committee
FROM: Brenda Rigby Riehle, Clerk of the Board
DATE: October 31, 2016
RE: APPOINTMENTS TO TRAFFIC SAFETY BOARD

The Traffic Safety Board requests the Board of Legislators to reappoint the following individuals for a three-year term on the Traffic Safety Board commencing January 1, 2017, and expiring December 31, 2019:

Dustin Burch
Linda Edwards
Ray Parlett
Rick Whitney

If the Committee desires to reappoint these individuals to the Traffic Safety Board, please have a motion to that effect included in your minutes, along with a request to the County Attorney to prepare a resolution.

In addition the Chairman should sign the attached pink appointment forms, where indicated, and return them to me.

Thank you for your attention to this matter.

/br

Attachments

REQUEST FOR APPOINTMENT TO A BOARD/COMMITTEE UNDER JURISDICTION OF ALLEGANY COUNTY BOARD OF LEGISLATORS

BOARD/COMMITTEE TO WHICH APPOINTMENT IS TO BE MADE:

TRAFFIC SAFETY BOARD

APPOINTING AUTHORITY Board of Legislators Chairman of the Board
 Chairman of the Board Confirmed by Board of Legislators

NAME OF PROPOSED MEMBER: Dustin Burch
Cuba PD
ADDRESS: 15 Water Street, Cuba, NY 14727

Type of Member _____ (Medical, Sportsman, Farmer, etc.)

Type of Appointment: (check one) New Reappointment of present incumbent due to expiration of term

Fill Vacancy due to Resignation Fill Vacancy due to Expiration of Term

Effective Date of Appointment: 01/01/2017 Expiration Date Of Appointment: 12/31/2019

Name of Member being replaced (if any): _____

Effective Date of Resignation: _____

Filed with Clerk of the Board Yes No

Approval by Committee of Jurisdiction: _____
Chairman's signature

Recorded in minutes of _____ Meeting of the Public Safety Committee
Date Committee

FOR BOARD CLERK'S OFFICE USE ONLY:

Resignation received: _____ Filed with County Clerk: _____

Term of Appointment verified: _____

Copy to County Attorney: _____

Remarks: _____

REQUEST FOR APPOINTMENT TO A BOARD/COMMITTEE UNDER JURISDICTION OF ALLEGANY COUNTY BOARD OF LEGISLATORS

BOARD/COMMITTEE TO WHICH APPOINTMENT IS TO BE MADE:

TRAFFIC SAFETY BOARD

APPOINTING AUTHORITY Board of Legislators Chairman of the Board

Chairman of the Board Confirmed by Board of Legislators

NAME OF PROPOSED MEMBER: Linda Edwards

Allegany County STOP DWI/Youth Bureau

ADDRESS: 5 Court St., Belmont, NY 14813

Type of Member _____ (Medical, Sportsman, Farmer, etc.)

Type of Appointment: (check one) New Reappointment of present incumbent due to expiration of term

Fill Vacancy due to Resignation Fill Vacancy due to Expiration of Term

Effective Date of Appointment: 01/01/2017 Expiration Date Of Appointment: 12/31/2019

Name of Member being replaced (if any): _____

Effective Date of Resignation: _____

Filed with Clerk of the Board Yes No

Approval by Committee of Jurisdiction: _____
Chairman's signature

Recorded in minutes of _____ Meeting of the Public Safety Committee
Date Committee

FOR BOARD CLERK'S OFFICE USE ONLY:

Resignation received: _____ Filed with County Clerk: _____

Term of Appointment verified: _____

Copy to County Attorney: _____

Remarks:

**REQUEST FOR APPOINTMENT TO A BOARD/COMMITTEE UNDER
JURISDICTION OF ALLEGANY COUNTY BOARD OF LEGISLATORS**

BOARD/COMMITTEE TO WHICH APPOINTMENT IS TO BE MADE:

TRAFFIC SAFETY BOARD

APPOINTING AUTHORITY Board of Legislators Chairman of the Board

Chairman of the Board Confirmed by Board of Legislators

NAME OF PROPOSED MEMBER: Ray Parlett

Houghton College Security Office

ADDRESS: PO Box 128, Houghton, NY 14744

Type of Member _____ (Medical, Sportsman, Farmer, etc.)

Type of Appointment: (check one) New Reappointment of present incumbent
due to expiration of term

Fill Vacancy due to Resignation Fill Vacancy due to Expiration of Term

Effective Date of Appointment: 01/01/2017 Expiration Date Of Appointment: 12/31/2019

Name of Member being replaced (if any): _____

Effective Date of Resignation: _____

Filed with Clerk of the Board Yes No

Approval by Committee of Jurisdiction: _____
Chairman's signature

Recorded in minutes of _____ Meeting of the Public Safety Committee
Date Committee

FOR BOARD CLERK'S OFFICE USE ONLY:

Resignation received: _____ Filed with County Clerk: _____

Term of Appointment verified: _____

Copy to County Attorney: _____

Remarks: _____

**REQUEST FOR APPOINTMENT TO A BOARD/COMMITTEE UNDER
JURISDICTION OF ALLEGANY COUNTY BOARD OF LEGISLATORS**

BOARD/COMMITTEE TO WHICH APPOINTMENT IS TO BE MADE:

TRAFFIC SAFETY BOARD

APPOINTING AUTHORITY Board of Legislators Chairman of the Board

Chairman of the Board Confirmed by Board of Legislators

NAME OF PROPOSED MEMBER: Rick Whitney

ADDRESS: 4884 State Route 19S, Belmont, NY 14813

Type of Member _____ (Medical, Sportsman, Farmer, etc.)

Type of Appointment: (check one) New Reappointment of present incumbent
due to expiration of term

Fill Vacancy due to Resignation Fill Vacancy due to Expiration of Term

Effective Date of Appointment: 01/01/2017 Expiration Date Of Appointment: 12/31/2019

Name of Member being replaced (if any): _____

Effective Date of Resignation: _____

Filed with Clerk of the Board Yes No

Approval by Committee of Jurisdiction: _____
Chairman's signature

Recorded in minutes of _____ Meeting of the Public Safety Committee
Date Committee

FOR BOARD CLERK'S OFFICE USE ONLY:

Resignation received: _____ Filed with County Clerk: _____

Term of Appointment verified: _____

Copy to County Attorney: _____

MEMORANDUM OF EXPLANATION

Intro No. _____
(Clerk's Use Only)

COMMITTEE: Public Safety

DATE: November 2, 2016

Seek approval of a one year contract with attorney Edward Pekarek to serve as the Assigned Counsel Administrator. The contract will be in the amount of \$14,400 and run from November 1, 2016 to October 31, 2017. The contract is necessary as the previous Assigned Counsel Administrator died.

In addition to approving the contract for a new Assigned Counsel Administrator, permission is sought to pay attorney Joseph Miller the sum of \$2,666.66 for handling the work of the Assigned Counsel Administrator on an interim basis during the months of September and October. Attorney Miller undertook this work at the request of the County Attorney. The interim period covers the time period from when the late Assigned Counsel Administrator became incapacitated and unable to perform his duties until a new Administrator is appointed. The amount of pay is at the same rate, (\$1,333.33 per month), as was paid the now deceased Assigned Counsel Administrator.

FISCAL IMPACT:

The fiscal impact will be a slight savings of \$266 in 2016 for the cost of the Assigned Counsel Administrator as the former Administrator was making \$16,000 per year and the new contract, commencing November 1st, is at a lesser annual amount of \$14,400. In 2017, the savings would be \$1,333 through October 2017.

For further information regarding this matter, contact:

Tom Miner, County Attorney

A G R E E M E N T

MADE this 1st day of November, 2016, by and between the **COUNTY OF ALLEGANY**, having offices at 7 Court Street, Belmont, New York, hereinafter referred to as "**COUNTY**" and **PEKAREK LAW GROUP, P.C.**, having an office at 218 East Dyke Street, Wellsville, New York 14895, hereinafter referred to as "**ATTORNEY**".

W I T N E S S E T H:

WHEREAS, the "County" has adopted an Assigned Counsel Plan for the representation of indigent persons pursuant to Article 18-B of the County Law, by Resolution No. 68 of 1965 and as amended by Resolution No. 93 of 1965, which plan provides for an administrator, and

WHEREAS, the "County" desires to have the "Attorney" act as such Administrator and the "Attorney" desires to perform the duties of such Administrator, upon the terms and conditions set forth below, and

NOW, THEREFORE, the parties mutually agree as follows:

1. The "Attorney" agrees to perform the duties of Administrator of the Assigned Counsel Plan For Indigent Persons as set forth and approved by the "County" in County Board Resolution No. 68 of 1965, as amended by Resolution No. 93 of 1965.

2. The "County" agrees to pay the "Attorney" the sum of \$14,400, to be paid in twelve equal or near equal installments at the end of each calendar month that this Agreement is in effect, commencing with the calendar month of November.

3. The "Attorney" agrees to track and provide reports of the hours billed by attorneys participating in the Assigned Counsel Plan and meet with officials from the "County" in an effort to assure the fair and reasonable delivery of services.

4. It is understood and agreed that the relationship of the "Attorney" to the "County" is that of independent contractor, and said "Attorney", in accordance with his status as such contractor, covenants and agrees that he will conduct himself consistent with such status, that he will not hold himself out as, nor claim to be, an officer or employee of the County of Allegany by reason hereof, and that he will not, by reason hereof, make any claim, demand or application to or for any right or privilege applicable to an officer or employee of the "County", including but not limited to workers' compensation coverage, social security coverage, or retirement or credit.

5. The "Attorney" agrees to indemnify and hold the "County", its officers and employees harmless from any liability, claim, demand or judgment, whether for personal injury,

damage to property or otherwise, including the cost of defense, arising from the "Attorney's" performance or failure to perform this Agreement.

6. Any changes or modifications to the terms of this Agreement shall be in writing and executed by the parties in the same manner that this Agreement is executed.

7. This Agreement may not be assigned either in whole or in part by the "Attorney" without the express prior written consent of "County".

8. This agreement is subject to revocation during its term by the County on 30 days written notice in the event that the County is notified of a New York State takeover of the Allegany County indigent defense system, or other similar legislative modification of assignment of counsel to indigent residents. Such agreement may be continued on a day to day basis with the agreement of the parties during the interim, to avoid a gap in services.

9. The term of this Agreement shall be effective from November 1, 2016 and shall terminate on October 31, 2017.

10. This Agreement constitutes the entire Agreement between the parties and no statement, promise, position, understanding, inducement, or representation, oral or written, express or implied, which is not contained herein shall be binding or valid.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

COUNTY OF ALLEGANY

PEKAREK LAW GROUP, P.C.,

By: _____
Curtis W. Crandall, Chairman
Board of Legislators

By: _____
Edward Pekarek