

**PUBLIC SAFETY COMMITTEE
MARCH 4, 2015**

**** NOT APPROVED ****

Committee Members Present: P. Curran, D. Healy, S. Burt, K. LaForge, A. McGraw, C. Crandall (Absent: T. Hopkins)

Others Present: M. Alger, L. Ballengee, H. Budinger, D. Decker, L. Edwards, K. Graves, S. Grusendorf, D. Hanchett, R. Hollis, C. Ivers, B. Kelley, K. LaForge, J. Luckey, T. Miner, K. Monroe, B. Riehle, T. Ross, C. Santora, K. Slep, R. Starks, R. Swarthout, D. Vespucci

Media Present: B. Quinn, *Wellsville Daily Reporter*

Call to Order: The meeting was called to order at 11:00 a.m. by Public Safety Committee Chairman Phil Curran.

Approval of Minutes

A motion was made by Legislator Healy, seconded by Legislator LaForge, and carried to approve the Public Safety Committee minutes of February 5, 2015.

**Public Defender
Monthly Report**

Public Defender Barbara Kelley entertained questions/comments on her pre-filed monthly report. She indicated that her office remains quite busy. Legislator Healy inquired how the resolution of her space needs was coming along. Ms. Kelley indicated that she had met with the County Administrator and an architect, answering questions regarding what space the Public Defender's Office currently had and how much space it actually needs. She said the biggest "wish list" item is to have all the offices in proximity to each other which is not the current situation.

**Emergency Management and Fire Services
Monthly Report**

Emergency Management and Fire Services Director Jeffrey Luckey wanted to add a couple of items to his pre-filed monthly report. These included information on the fatal fire that had occurred in Friendship. There was some discussion regarding the incident, including fire investigation as well as which agencies had assisted at the fire. Mr. Luckey also wanted to let the Committee know that there had been a couple of brief power outages in the County the previous week; however, there was no need to establish any shelters despite the cold weather. He went on to thank the Committee for its support of his swift water rescue grant. Mr. Luckey added that EOM would be creating IDs for veterans on Saturday at the CrossRoads.

**STOP-DWI
Monthly Report**

STOP-DWI Coordinator Linda Edwards highlighted some areas on her pre-filed report, including that she had met with Karli Kukula, a student intern with Alfred State College University Police (UP) Department, regarding an alcohol-related project she is working on. STOP-DWI will assist with the project by attending a party and providing educational and giveaway information. The intent of the project, which has been approved by both the Alfred State administration as well as the Alfred State University Police, will supervise a group of 21+-year-old college students while they are provided alcoholic beverages. Following each drink, the participant's blood alcohol content will be measured in order for each participant to learn how many drinks it takes him/her to reach the legal BAC level of .08. Once that student reaches that

level, he/she will not be served any additional alcohol. Additionally, she said, there will be a follow-up session where the participating students will view a Victim Impact Panel to learn the devastating impact alcohol-related incidents have on families as well. What the study is hoping to illustrate is that it doesn't take much alcohol to reach the legal limit. Ms. Edwards also noted that STOP-DWI had hosted Jacy Good and her husband Steve Johnson on February 12 and 13 for Distracted Driving presentations in local schools; presentations were held in Scio and Belfast Central Schools; presentations in Bolivar-Richburg and Genesee Valley were cancelled due to schools being closed because of inclement weather. Jacy is now scheduled to present in Cuba-Rushford and Genesee Valley schools on Thursday and at Bolivar-Richburg and Friendship schools on Friday. Ms. Edwards noted that Alexis Cooper, an intern from Alfred State College, who is spearheading the Fine Collection Project had already sent out 35 letters and received the first \$100 money order as a result of the project. Ms. Cooper had worked with Bob Starks and Keith Slep in order to create the list and generate the letters. She will now work with town and village justices to generate a list of people who owe outstanding DWI fines. Finally, Ms. Edwards indicated that the Top Cop dinner is scheduled for March 26 at 6 p.m. at Moonwink's and asked for any RSVPs to be sent her way. She added that the two interns will be the featured speakers.

District Attorney **Monthly Report**

District Attorney Keith Slep indicated that February had been another busy month and that the cold weather had not slowed down the incidents of crime! He added that the District Attorneys' Association will be attending hearings regarding a new push by the state requiring lawyers at all arraignments during the night in every court. "They don't," he said, "comprehend that we (Allegany County) have 29 towns and numerous villages to cover." He added that there are other counties in this same situation.

Probation **Monthly Report**

Probation Director Robert Starks wished to highlight the following on his pre-filed monthly report: he attended the PTSD Seminar at Alfred University on February 13. He noted that Dr. Robert Heineman was involved in this session and that professionals from the Veterans' Administration presented a three-hour program. He added that at least three county Probation Departments had been in attendance as well as AU faculty and students. Mr. Starks also announced that he had received a funding update pursuant to the information he had shared last month regarding the legislation that would raise the age of adult offenders to age 18 which will place the vast majority of 16-17-year-olds who commit crimes and place them in the Family Court system, increasing workloads and costs. He noted that probation offices have been assured by the Governor's office that there will be 100 percent funding for Probation in the budget over the next five years. There being no further discussion of his report, Mr. Starks moved on to his request for acceptance of a contract renewal.

Authorization to Apply for NYS Executive Law Article 13-A Classification/ATI Service Plan Application 2015-16 Contract Renewal

Mr. Starks requested a resolution to renew a contract that will allow for continued partial funding from the NYS Division of Criminal Justice Services for the Department's Community Service and Pre-Trial Programs. This grant provides for partial funding of the Alternative to Incarceration Programs and it allows Allegany County to have continued use of reduced classifications at the County Jail. When the grant expires, the Department will continue to provide Community Service and Pre-Trial Release services, at the direction of the County Legislature, even if DCJS ceases providing partial funding for the programs in the future. (Total

County share of grant \$68,740.) The \$5,998 has already been budgeted for 2015 under the A3142 (Alternatives to Incarceration-Personnel) accounts. Approval was granted on a motion by Legislator Healy, seconded by Legislator McGraw, and carried. **Prepare Resolution**

Weights & Measures

Monthly Report

Weights & Measures Director Gilbert Green was unable to attend the meeting as he will be representing BOCES Board at the Special Ed Winter Carnival held by BOCES each year. His pre-filed report included the following February activities:

- March 1-7 is Weights and Measures Week
- I finished up my State and County reports.
- I started checking pharmacies.
- I calibrated a bulk tank for Saputo Dairies.
- I scheduled several bulk tanks for March.
- I scheduled special meter check at Shorts with Chautauqua County Director for March before he retires.
- I traveled approximately 400 miles in the month.

Sheriff's Office

Monthly Report

Sheriff Rick Whitney was unable to attend the meeting, so Undersheriff Kevin Monroe addressed the Committee. Legislator Graves inquired whether or not there was an overtime report for the month. Legislator Curran indicated that he had not had the opportunity in the past few weeks to meet with Undersheriff Monroe or Jail Administrator Christopher Ivers to determine a format for the report. Legislator Graves then requested that the minutes reflect that there was no overtime report and the reason. Legislator Curran said he hoped to remedy that for next month and would arrange to meet with Undersheriff Monroe and Jail Administrator Ivers. Receiving no questions regarding the Sheriff's report, Undersheriff Monroe went on to the MOEs.

Request to Fill Full-time Cook Position

Undersheriff Monroe requested permission to fill a Full-Time Cook position (the Local 3989 Council 82 bargaining unit, Step Base). This position became vacant due to a retirement. Filling this position keeps the Jail in compliance with NYSCOC Minimum Standards. Approval was granted on a motion by Legislator LaForge, seconded by Legislator McGraw, and carried.

Refer to Ways & Means

Accept & Appropriate \$607 in User Fees from the ACTII Batterers Program

Sheriff Whitney also requested a resolution to accept and appropriate \$607 in user fees from the ACT II Batters Program. The sum of \$607 should be placed in Appropriation Account A3117.449 (Act II Batterers Program-Contractual) with a like sum placed in Revenue Account A.3117.2260.00 (Act II Batterers Program0). Approval was granted on a motion by Legislator LaForge, seconded by Legislator McGraw, and carried. **Refer to Ways & Means**

Old Business

911 Radio Project Update-Sheriff's Office/Emergency Management & Fire

Lt. Dan Hanchett brought the Committee up-to-date on the 911 Grant activities, saying the project is moving ahead, but the weather had caused some delays. He indicated that the County will purchase six WNED towers for \$1 each. He said that they are in conversation with local BOCES which have ceded their first rights to the towers; however, 911 has agreed to provide tower space (if it is doable) when/if BOCES requires it. Additionally, thus far, the

engineering studies have indicated two additional towers, one on England Hill in the Town of Grove and one in Genesee. In response to a question, Lt. Hanchett said that towers are chosen by the following criteria:

- is it in a location that would best suit 911's needs for land mobile coverage,
- is it sustainable (won't cost a fortune for upkeep),
- is it usable by the BB side

He added that next month he hopes to submit an MOU to apply for an additional \$3.5 million as a continuation of the current \$5.9 million dollar grant. He told the Committee that the Question/Answer period had occurred between committee meetings, but he filed his questions so as not to lose an opportunity for additional funding. Legislator Healy inquired about the number of departments availing themselves of the County-funded radio program. Lt. Hanchett said he believed there are more than a dozen doing so. He added that the program is going very well.

Local Law Re: Strengthened Safety Provisions for the Possession & Use of Dangerous Fireworks

Legislator Curran informed Committee members that he had done some research into the issue because, initially, he believed this to be another revenue-generating attempt by the state. He also noted that there had been a wording change to the law, i.e., the use of the word "registration" in lieu of "licensing." Mr. Curran spoke to the lobbying group Mercury and found out that it is lobbying for TNT Fireworks. They very much want these local laws to go through so they can continue to sell in the entire state. A couple of facts that Mr. Curran learned from the Executive Vice President of Mercury are that the registration fee per vendor is set at \$2,500. TNT Fireworks is lobbying for this so it can open all the vendors they have sold to for several decades, and it will pay every outlet's registration fee, no matter what the total amount of sales might be per location. Mercury told Mr. Curran that TNT has 43,000 outlets nation-wide. If other states' fees are the same as the proposed NYS fee of \$2,500, he said, that amounts to \$10 million! Legislator Curran recommended that Allegany County go ahead with the local law to approve the sale of "safe" fireworks. To that end, County Attorney Tom Miner was directed to draw up, based on the model provided by NYSAC, a local law that will start the process for a public hearing, on a motion by Legislator Curran, seconded by Legislator Burt, and carried.

Refer to County Attorney/Prepare Resolution

Good of the Order

Legislator Decker wished to go on record opposing the program outlined by Ms. Edwards (above) whereby college students would be provided with alcoholic beverages in order to learn how much (or how little) alcohol it takes to meet the .08 legal BAC level.

Adjournment

There being no further business to come before the committee, the meeting was adjourned at 11:57 a.m. following a motion by Legislator Healy, seconded by Legislator Burt, and carried.

Respectfully submitted,
Cynthia Santora, Secretary to the Clerk of the Board
Allegany County Board of Legislators