

## **PUBLIC SAFETY COMMITTEE**

**January 6, 2016**

**NOT APPROVED**

**Committee Members Present:** P. Curran, D. Healy, S. Burt, J. Hopkins, K. LaForge, A. McGraw, C. Crandall

**Others Present:** H. Budinger, D. Decker, L. Edwards, D. Fanton, K. Graves, G. Green, S. Grusendorf, D. Hanchett, R. Hollis, K. Hooker, C. Ivers, B. Kelley, J. Luckey, J. Margeson, T. Miner, K. Monroe, B. Riehle, T. Ross, R. Scott, R. Starks, R. Whitney

**Media Present:** No media present.

**Call to Order:** The meeting was called to order at 11:01 a.m. by Public Safety Committee Chairman Phil Curran.

### **Approval of Minutes**

A motion was made by Legislator Burt, seconded by Legislator Hopkins, and carried to approve the Public Safety Committee minutes of December 2, 2015.

### **Public Defender**

#### **Monthly Report**

Public Defender Barbara Kelley pre-filed her monthly report. She said she compared this year's end-of-year report with last year's report, and the numbers are very close. She noted things are pretty stable. She reported they receive a fixed amount of money from the State through distributions, and one of them was expiring. They applied for an extension, and she doesn't anticipate any issues. Legislator Curran asked if anything was coming up. Ms. Kelley replied no. Legislator Healy asked about the progress on the Public Defender's office space needs. Ms. Kelley stated she has not heard anything, and would appreciate any input. She noted they are on top of each other in their current space, and it is bad. She was hoping to get answers at the Facilities and Communications Committee meeting today.

### **Emergency Management and Fire**

#### **Monthly Report**

Director Jeff Luckey pre-filed his monthly report. He said they had an audit of five random courses from the New York State Department of Health Bureau of the EMS. It was a good review with some minor recommendations. He reported the untimely death of Dave Wallace from District 4. He reported he will be attending the District 4 monthly meeting tonight. They sent out letters for a replacement for Mr. Wallace, and have received two applications. Mr. Luckey said he met with representatives from the New York Power Authority, and reviewed critical infrastructures where power should be returned first during a power outage. Mr. Luckey stated he will request more acceptance and re-appropriation of funds at the next committee meeting.

### **Accept and Re-Appropriate Homeland Security Funds Contract # C969149**

Mr. Luckey requested a resolution to accept and re-appropriate Technical Rescue Grant Program money that was not spent in 2015 for project number TR14-1013-D00 SHSP, contract number C969149.

## Appropriations

A3653.207	Homeland Security – Type 3 Personal Protective Equipment	\$26,699
A3653.207	Homeland Security – Thermal Imaging Camera	\$ 4,500
A3653.207	Homeland Security – Generators, Portable	\$ 4,200
A3653.207	Homeland Security – Hand and Gas Powered Tools	\$ 1,273
A3653.207	Homeland Security – Rescue Litter and Accessories	\$ 1,089
A3653.207	Homeland Security – SCBA Air Cylinders	\$ 5,000
A3653.207	Homeland Security – Line Thrower	\$ 2,000
A3653.207	Homeland Security – Personal Flotation Device Throw Able Type	\$ 716
A3653.207	Homeland Security – Binoculars	\$ 880
A3653.207	Homeland Security – River Rescue Boards	\$ 990
A3653.207	Homeland Security – Water Rescue Throw Bags & Related Equip	\$ 400
A3653.207	Homeland Security – Response/Equipment Trailer	\$27,000
A3653.207	Homeland Security – Non-motorized Inflatable Rapid Deployment Craft	\$ 6,026
A3653.207	Homeland Security – Inflatable Motorized Watercraft	\$12,968
A3653.207	Homeland Security – Rope Rescue Rigging Equipment to Include Plates	\$ 5,205
	Total:	\$98,946
Revenue		
A3653.3306.EMW14	Homeland Security Fed Aid (Emergency Services)	\$98,946

Approval was granted on a motion by Legislator Healy, seconded by Legislator McGraw, and carried. **Refer to Ways & Means**

**Accept and Re-Appropriate Homeland Security Funds Contract # C969150**

Mr. Luckey requested a resolution to accept and re-appropriate grant money that was not spent in 2015 for project number SH15-1001-D00-SHSP, contract number C969150.

## Appropriations

A3656.207	2015 Homeland Security – PPE and Related Equipment	\$10,000
A3656.207	2015 Homeland Security – GIS Software	\$14,000
A3656.207	2015 Homeland Security – Generators, Portable	\$26,000
A3656.207	2015 Homeland Security – Tactical Medical Gear Bags	\$ 1,500
A3656.416	2015 Homeland Security – Connectivity for Director's Cell Phone	\$ 1,000
	Total:	\$52,500
Revenue		
A3653.3306.EM15	2015 Homeland Security Fed Aid (Emergency Services)	\$52,500

Approval was granted on a motion by Legislator Healy, seconded by Legislator McGraw, and carried. **Refer to Ways & Means**

**STOP-DWI****Monthly Report**

Coordinator Linda Edwards pre-filed her monthly report, and asked if anyone had questions. She reported the 2016 STOP-DWI Plan has been approved by the State. She said the STOP-DWI New York has re-instituted a newsletter, and she submitted a couple of articles. Ms. Edwards distributed a copy of the newsletter to members of the Committee. Legislator Burt asked where the newsletter is distributed. Ms. Edwards replied through email and on the STOP-DWI website. She added if anyone would like a copy, please let her know.

The Dan Barkley Basketball Showcase will be next week on Friday, January 15, at 6:30 p.m. and Saturday, January 16, at 12:00 p.m. at the Alfred University McLane Center. She noted it is a collaboration between Allegany and Steuben County. Anyone is welcome to attend. She said she will be there both days representing the Youth Bureau and STOP-DWI with the

prescription drug abuse display, giveaways, and educational information. Ms. Edwards will be promoting educational activities for students as well. She added Steuben County STOP-DWI will not be attending, but the Steuben Youth Bureau will be there. Legislator Healy asked if they had a DWI patrol on Christmas Eve. Ms. Edwards said they had one on December 19, but she doesn't have the results yet. She reported the DWI numbers for 2015 will be up.

### **District Attorney**

#### **Monthly Report**

District Attorney Keith Slep was not in attendance, but pre-filed his report.

### **Probation**

#### **Monthly Report**

Director Bob Starks pre-filed his monthly report. He said some of the 2015 statistics line up with last year and some differ. Legislator Curran asked if they consistently differ or are there ups and downs all the time. Mr. Starks reported he would know more once he did his annual report, but he is certain the juvenile intakes have been decreasing over the past few years. He noted the Juvenile Delinquent intakes are down by 15 and PINS intakes are about the same. He said hopefully kids are getting the messages, and are not committing crimes. Legislator Healy noted the segment of this population is down, and schools are having problems with enrollment because of the decrease.

#### **Accept and Approve Agreement with ARA for Provision of Forensic Evaluator**

Mr. Starks requested a resolution to accept and approve an agreement with ARA – The Counseling Center for the provision of a Forensic Evaluator to conduct sex offender evaluations. Mr. Starks reported an individual who has completed all sex offender assessments for the last 20 years has been paid directly by Probation. The defendants pay for the assessment, but it goes through Probation. He said this impacts this individual during tax time. Mr. Starks said she is an employee of ARA, and they have worked out an agreement with ARA to bill Probation for her services. He said County Attorney Tom Miner has reviewed the agreement, and has no objection. Mr. Curran asked if this agreement will carry over to the next person if the current person doesn't do it anymore. Mr. Starks said if for some reason she no longer does it, the agreement can be terminated or ARA can find another employee to provide the service. Legislator Hopkins asked what services this person provides and if the services are requested by the defendants or mandated. Mr. Starks said the defendants are under probation supervision and court ordered to have an evaluation. She does the evaluation, and makes a determination if they need treatment and to what extent. The request was approved on a motion by Legislator McGraw, seconded by Legislator Burt, and carried. **Prepare Resolution**

### **Weights & Measures**

#### **Monthly Report**

Director Gilbert Green pre-filed his monthly report. He welcomed Legislator Hopkins to the Committee. He reported he finished everything. He had three scales and two gas pumps that failed this past year. Legislator Graves asked if the ones that fail are subject to fines. Mr. Green said he gives them a certain amount of time to correct the issue. He noted most of the time the scales fail because they are worn not, not because they are tampered with. He also said he didn't find any credit card skimmers. He stated they found about 6-7 of them statewide including one in Monroe County. The rest were mostly downstate. Mr. Green said businesses

are starting to get new scales because of the chip reader for the new credit cards. He noted sometimes it is cheaper to buy the whole system than just the readers. Legislator Decker asked if the new scales are already pre-calibrated. Mr. Green said they are pre-calibrated. He goes out to certify they are correct and puts his seal of approval on them.

Mr. Green said if they sell the Cornell Cooperative Extension Building with the garage, he is going to need a storage shed. Legislator Healy asked what he will need for space. Mr. Green replied 500 square feet with an 8 x 8 door in order to get the carts in and out. He said he spoke with Public Works Superintendent Guy James this morning about it.

## **Sheriff's Office**

### **Monthly Report**

Sheriff Rick Whitney pre-filed his monthly report, and was willing to entertain any questions. He said he did Shop-with-a-Cop again, and it was fun. Legislator Burt asked if there was anything interesting at the event this year. Sheriff Whitney replied a little girl said she wanted to be a police officer when she grew up, but she was never going to make it. He asked her why. She said not with her family history. He explained to her it didn't matter what her family did, but if she behaved herself and went to school she could make it. Legislator Hopkins asked what about the value for Shop-with-a-Cop. Sheriff Whitney said about \$8,000 to \$10,000. He reported the Sheriff's Office and Triad donated \$1,300. He said 94 kids participated, and each one had \$40 to shop. They were also given gift cards to use with the kids.

### **Accept and Appropriate Funds for ACT II Batterers Program**

Sheriff Whitney requested a resolution to accept and appropriate \$9,100 from Accord Corporation for the continuation of the ACT II Batterers Program. The funds should be appropriated as follows:

Appropriation #	A3117.449	\$9,100
Revenue #	A3117.2260.00	\$9,100

The request was approved on a motion by Legislator Healy, seconded by Legislator Burt, and carried. **Refer to Ways & Means**

### **Accept and Appropriate New York State Division of Criminal Justice Service Narcotics Grant**

Sheriff Whitney requested a resolution to accept and appropriate 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 \$75,000 that will be split equally between Cattaraugus and Allegany Counties. The Allegany County Narcotics Unit will receive grant funds in the amount of \$37,500. Sheriff Whitney stated there is no County match. Legislator Burt asked if they know what equipment they are buying. Sheriff Whitney replied yes, and said Lieutenant Shawn Grusendorf has a copy. Legislator Healy asked about the requirements of the grant. Mr. Grusendorf said 20 percent has to be spent using a Minority or Women Owned Business. They submitted a list of certified businesses they will use, and it has already been approved by the State. Legislator Healy asked about the overtime. Mr. Grusendorf said they can use about \$4,000 towards overtime.

Appropriation #		
A3111.103	Sheriff – Drug Program Overtime	\$ 3,995
A3111.201	Sheriff – Drug Program Equip-Office	\$10,450
A3111.208	Sheriff – Drug Program Equip-Police	\$21,800
A3111.408	Sheriff – Drug Program Gen Supplies	<u>\$ 1,255</u>
	Total:	\$37,500
Revenue #		
A3111.3324.DCJS	Sheriff – Drug Program	\$37,500

The request was approved on a motion by Legislator McGraw, seconded by Legislator LaForge, and carried. **Refer to Ways & Means**

### **Request Permission to Amend Resolutions 209-09 and 65-14**

Sheriff Whitney requested a resolution to amend Resolutions 209-09 and 65-14 to include any employee of the Sheriff's Office who performs duties of a Field Training Officer. Each Field Training Officer received a stipend of \$500 at the end of the year that reflects the additional duties performed by the Field Training Officers. This Memorandum of Understanding is to ensure the stipend is available to all Sheriff's Office employees, not a request to increase the number of Field Training Officers eligible for the stipend. Sheriff Whitney said the resolution refers to a Sheriff's Office employee, but the minutes said Corrections Officer. There was discussion about clarification on who can act as a Field Training Officer. County Attorney Tom Miner commented it references Field Training Officers. At the time it was discussed, it was a requirement of Corrections Officers to have a certain amount of training. Therefore, it was their belief that it was only Corrections Officers. He stated he was unsure if the State required 911 Dispatchers to have supervised training. Sheriff Whitney stated they do. He noted Deputies, Corrections Officers, and Dispatchers all have to have field training. County Treasurer Terri Ross commented the resolution is very vague. She noted there are a lot of employees in the Sheriff's office, including office staff. She stated it needs to be clearer, including who is eligible for the field training. Legislator Graves asked about the fiscal impact. Sheriff Whitney said they can pay up to 21 Field Training Officers, and they will not go over that amount. He noted they only had 16 this year. A motion to refer this to the County Attorney to make clarifications was made by Legislator Curran, seconded by Legislator LaForge, and carried. **Refer to County Attorney**

### **Permission to Promote a Corrections Officer to Deputy Sheriff**

Sheriff Whitney requested approval to fill a Deputy Sheriff Position (Council 82 Local 3989, Step 0) by promoting a Corrections Officer to Deputy Sheriff, and fill all subsequent positions that will become vacant as listed, such as a part-time Corrections Officer to a full-time Corrections Officer Position (Council 82 Local 3989, Step 0). The Deputy position became vacant due to a retirement of a Deputy Sheriff. Approval was granted on a motion by Legislator LaForge, seconded by Legislator McGraw, and carried. **Refer to Ways & Means**

### **Old Business**

Legislator Decker spoke about security at the County Office Building. He said they have some additions, and distributed the changes to a proposed resolution. He would like to move his proposed resolution to the County Attorney's office to write a formal resolution. Then, he would like to meet with Lieutenant Shawn Grusendorf to see what the costs will be. He proposed the following resolution:

**POLICY REGARDING COUNTY EMPLOYEES AND VISITORS ENTERING THE ALLEGANY COUNTY OFFICE BUILDING**

Offered by Public Safety Committee

**WHEREAS**, the County has in place security checkpoints with scanners at both entryways into the County Courthouse and County Office Building, and

**WHEREAS**, security checkpoints were put in place to ensure the safety of County employees and visitors to the County Courthouse and County Office Building, and

**WHEREAS**, recent news events describing workplace violence and school violence highlight a growing threat of random and violent behavior, and

**WHEREAS**, the threat of a terrorist attack against so called "soft targets" cannot be discounted, and

**WHEREAS**, the resort to violence reflects in some part a loss of common values and a growing sense of alienation amongst certain members of society, and

**WHEREAS**, various mandated undertakings of County government are extremely stressful and can be perceived as threatening to certain members of the general public, and

**WHEREAS**, a breakdown in the traditional family structure encompasses both County employees and the general public, and

**WHEREAS**, incidents of workplace violence can occur as a result of disgruntled and mentally unstable visitors as well as disgruntled and mentally unstable employees, and

**WHEREAS**, weapons can be secreted on an individual's body or amongst items being carried into a building, and

**WHEREAS**, certain readily available weapons have the ability to quickly injure and kill multiple individuals, and

**WHEREAS**, some employees enter the County Courthouse and County Office Building prior to and after normal business hours, and

**WHEREAS**, the best way to protect County employees and the general public while visiting the County Courthouse and County Office Building is to prevent anyone from bringing weapons into these building, and

**WHEREAS**, the best way to prevent weapons coming into these buildings is to require everyone entering the building to have their person and personal items scanned, now therefore, be it

**RESOLVED:**

1. That effective immediately, everyone entering the County Courthouse and County Office Building must have their person and personal items pass through the scanners at the security checkpoints every time they enter the building.

2. That the Allegany County Sheriff is directed to make sure that all personnel under his control ensure that everyone entering the buildings have both their person and personal items scanned.
3. That one entrance be designated for early and late entry by the use of pass cards and monitored by video cameras for County employees.
4. That all exterior door locks be changed immediately and keys only issued to security personnel.
5. That the security checkpoints be remodeled directing everyone through the scanners, and making these checkpoints the first line of defense against someone attempting to harm at the County Courthouse and County Office Building.

Legislator Healy asked who worked on this resolution. Legislator Decker said mostly himself and Legislator Curran. Legislator Healy suggested forming a subcommittee, and include the County Attorney, County Administrator, and other persons they deem necessary. He believes it is a good start, but it should be an open process with more input. Legislator LaForge commented he would like to have Department of Social Services (DSS) staff at the meeting because they have the biggest security concerns. Legislator Curran asked what the subcommittee would be charged to do. Legislator Healy said they would address the issue and set policy. He believes it needs to be comprehensive, and should have input from others. Legislator Fanton stated he believes department heads should be involved if they want to. Legislator Healy added they know what is unique to their department, and they can express their concerns. The Subcommittee will consist of Legislator Decker as Chairman, Legislator Hopkins, Legislator Healy, Sergeant Andy Bigelow, Lieutenant Shawn Grusendorf, Interim County Administrator John Margeson, a representative from DSS, and Public Works Deputy Superintendent Dean Scholes. Personnel Bobby Budinger would like the opportunity to comment of it when it is the final form because he would be in charge of enforcing it.

County Attorney Tom Miner discussed the issue of Judges and the Office of Court Administration (OCA). Lieutenant Shawn Grusendorf noted he did some research and they can't have any restrictions or be designated to a certain entry way. Legislator Healy asked if they have looked at other Counties' policies regarding building security. Legislator Fanton suggested looking at Steuben and Cattaraugus Counties' policies. Mr. Grusendorf said they have not, but he will be glad to assist. Sheriff Whitney stated he will contact other counties to see if he can get copies of their policies, and send them to the Committee. Legislator Decker said he would like to do the best they can to protect County employees and visitors, and it needs to be moved forward. County Treasurer Terri Ross said if they are talking about money, the Department of Public Works needs to be involved because they are in charge of building and grounds. Legislator Burt appreciates the work Legislator Decker has put into this issue, and he is in favor of this resolution. Legislator Hopkins stated she appreciates the work put into this and the urgency. But, she feels it is important to do the homework before a final resolution is proposed. She doesn't want them to have to change it down the road, so she thinks involving other people is important. A motion was made to form a subcommittee to work within a certain time frame to address building security by Legislator Healy, second by Legislator LaForge, and carried. (Voting no: P. Curran, and S. Burt)

There being no further business to come before the committee, the meeting was adjourned at 12:03 p.m. following a motion by Legislator LaForge, seconded by Legislator Burt, and carried.

Respectfully submitted,  
Rebecca Scott, Secretary to the Clerk of the Board  
Allegany County Board of Legislators