

**PUBLIC SAFETY COMMITTEE**  
**November 2, 2016**  
**NOT APPROVED**

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

**Others Present:** T. Boyde, B. Budinger, D. Decker, L. Edwards, M. Evans, D. Fanton, K. Graves, G. Green, K. Hollis, R. Hollis, C. Ivers, C. Jessup, B. Kelley, S. Mahoney, T. Miner, K. Monroe, B. Riehle, T. Ross, K. Slep, R. Starks, B. VanHousen, M. Washer, R. Whitney

**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 LaForge, seconded by Legislator Burt, and carried to approve the Public Safety Committee minutes of October 5, 2016.

**PUBLIC DEFENDER**

Public Defender Barbara Kelley attended the meeting and submitted her monthly report to the committee for review.

**EMERGENCY MANAGEMENT AND FIRE DIRECTOR**

Emergency Management and Fire Director Jeff Luckey submitted his monthly report to the committee for review.

**STOP- DWI**

STOP-DWI Coordinator Linda Edwards submitted her monthly report for review and noted to the committee the SADD (Students Against Drunk Driving) conference held October 21, 2016, went very well and there was a total of 108 in attendance. Ms. Edwards also stated they will be receiving grant money next year that will allow them to purchase helmets and child safety seats, and she is getting ready to survey the County for wants and needs for them.

**DISTRICT ATTORNEY**

District Attorney Keith Slep attended the meeting and submitted his monthly report for review. Mr. Slep noted with the holidays coming up everyone should take extra caution with safeguarding their credit cards as there are now people reading the numbers off credit cards and purchasing gift cards with them. Legislator Decker asked if the new chip cards are helping to cut down on the theft. Mr. Slep stated as long as you the owner of the card are standing there inserting the chip card, it will help, but not as much as we'd like as people are now just reading your numbers off your card.

## **PROBATION DEPARTMENT**

Probation Director Robert Starks attended the meeting and submitted his monthly report for review. Mr. Starks noted his two new Probation Officers completed their fundamentals and Police Officer training, and they were able to have it completed in Erie County, which saved a significant amount of money. Public Safety Committee Chairman Phil Curran questioned why there was such a difference in price from where it was previously done in Monroe County. Mr. Starks stated in Monroe County, it was held at Monroe Community College which forced them to pay a tuition cost of \$700 per Officer, versus Erie County which was \$150 per Officer.

## **WEIGHTS AND MEASURES DIRECTOR, GILBERT GREEN**

Director Gilbert Green attended the meeting and submitted his monthly report to the committee for review.

## **SHERIFF'S OFFICE**

Sheriff Rick Whitney attended the meeting and submitted his monthly reports to the committee for review. Legislator Graves questioned with over 16,300 pounds of produce harvested at the Jail, how do they store it and not lose it. Sheriff Whitney stated a lot of they can freeze, which they do, and the remaining produce they use up the best they can.

### **ACT II Batterers Program Grant Renewal**

Sheriff Whitney requested a resolution to accept and appropriate \$4,550 from Accord Corporation for the continuation of the ACT II Batterers Program. The funds should be appropriated as follows:

A3117.449 (ACT II Batterers Program – Contractual Expenses)	\$4,550
Revenue: A3117.2260.00	\$4,550

This request was approved on a motion made by Legislator Healy, seconded by Legislator Hopkins, and carried. **Refer to Ways and Means**

### **E-911 Dispatch Positions**

Sheriff Whitney requested approval to fill four E-911 Dispatch positions (AFSME Council 66 Bargaining Unit, Grade 13, Step: Base). Legislator Burt stated in order to hire four new Dispatchers it will cost a little under \$200,000 for salaries and benefits, and asked if this will be saving that same amount or more in the overtime currently being paid. Sheriff Whitney stated he doesn't believe that big of an amount would be saved in just overtime, but that hiring these positions will certainly help cut down on the overtime, as they currently don't have enough employees to fill the schedule. Sheriff Whitney went to explain that right now they have dispatchers working two to three double shifts in a row, and with this line of work, you need someone who is alert and after working three doubles you run the risk of something happening that could jeopardize public safety. Legislator Burt referred to County Administrator Tim Boyde for his thought on the cost of adding four new Dispatchers. Mr. Boyde stated by doing this we have a stable workforce in the 911 Center and no more talk of these guys working three double shifts in a row which will help balance the community safety. Legislator Burt then asked

Legislator Graves and Legislator Healy for their thoughts on adding additional employees. Legislator Healy stated if the County Administrator and County Treasurer are satisfied, he feels okay moving forward. Legislator Graves stated they needed to listen to the Sheriff on this one, and while he's not in favor of hiring more people, you have to look at the safety of the public, and make sure who we have in there is alert. Legislator Graves went on to say you never know what kind of phone calls these Dispatchers are going to get, and you need to have a full staff available in the event you lose a Dispatcher due to taking a traumatic call. This request was approved on a motion made by Legislator Hopkins, seconded by Legislator LaForge, and carried. **Refer to Ways and Means**

### **Request to Transfer Funds**

Sheriff Whitney requested approval to transfer funds from contingency for the four E-911 Dispatcher positions. The annual salary for these four positions is \$131,331.20 and Sheriff Whitney would like them filled before the end of 2016 and asked for two months of salary totaling \$21,889 to be funded from contingency. This request was approved on a motion made by Legislator Healy, seconded by Legislator McGraw, and carried. **Refer to Ways and Means**

### **New York State Division of Criminal Justice 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 \$90,000 that will be split equally between Cattaraugus and Allegany County. The Allegany County Narcotics Unit will receive \$45,000. Sheriff Whitney stated they 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 NYS DCJS. The \$45,000 should be appropriated to A3111.208 (Sheriff Drug Program – Equipment) with a like sum credited to revenue account A3111.3324.DCJS. The equipment breakdown is as follows:

Drug K-9	\$20,000
License Plate Reader	\$20,000
Drone	<u>\$ 5,000</u>
Total:	\$45,000

Legislator Hopkins asked for confirmation they are getting a Drug K-9 dog. Sheriff Whitney stated when this grant came out he went to the Narcotics Unit for recommendations on what to spend the money on. Sheriff Whitney went on to further explain the County recently went down to one K-9, which belongs to the State Police, and not ever knowing where he's going, they suggested we get another one. Legislator Hopkins questioned who is going to be working with the K-9. Sheriff Whitney stated Sergeant Mahoney, who oversees the Narcotics Unit, will be handling the dog. Legislator Hopkins questioned Sgt. Mahoney if he has discussed with his family, having this dog in their home. Sgt. Mahoney stated he has discussed it with his wife, who is in full support; however, due to the fact that it hasn't gone through approval, there have been limitations to how far they can pursue all of the details with agencies. Legislator Healy asked if the \$20,000 will cover all of the costs. Sgt. Mahoney stated they have researched the cost of the dog, equipment used for training as well as training the dog. Sgt. Mahoney went to say Veterinary care is an unforeseen cost; however, there are different avenues to handle

that, and noted some Counties budget for it, some receive donations from Veterinary practices, but to say all of the costs are covered, we can't do that. Legislator Burt asked if Sgt. Mahoney is moving to being in charge of the K-9, do they then have to hire someone to fill Sgt. Mahoney's previous position. Sheriff Whitney stated no, handling the K-9 will be in addition to his current job duties. Legislator Healy stated that is going to then put them in the position of having overtime incurred. Sheriff Whitney stated he has discussed the overtime with Sgt. Mahoney and they have agreed that if he has to be called in with the K-9, he will adjust his schedule to avoid a lot of overtime, but unfortunately there will probably be some. Sgt. Mahoney stated he has reached out to different agencies to see how many hours they budget for, and stated unfortunately police work is unforeseen; however, DCJS Certification requires eight hours of training per month to hold the Narcotics Detection Certification. Legislator Healy asked if he would be responding to other agency requests. Sgt. Mahoney stated yes, they would like to not just keep this in house and have it only benefit the Sheriff's Office. Sgt. Mahoney went to say he has had schools call and ask for a K-9 unit to come and sweep the school for drugs, but he has had to steer them away; therefore, getting this K-9 will hopefully help us crack down on the drug problem that is hitting our youth. Legislator Healy asked if the State Police have a K-9. Sgt. Mahoney stated yes, but he isn't available to us for use. Legislator Graves expressed concern that we already have a service paid by our taxpayers, and if the K-9 isn't available for use to our Sheriff's Office, then that is an issue that needs to be handled. Public Safety Committee Chairman Phil Curran stated, he understands Legislator Graves' concern; however, given the drug problem sweeping our County and youth, he doesn't see where an additional K-9 will do anything but help. This request was approved on a motion made by Legislator LaForge, seconded by Legislator Hopkins, and carried. **Refer to Ways and Means**

#### **Traffic Safety Board Appointments**

The Traffic Safety Board requested a resolution from 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. This request was approved on a motion made by Legislator Curran, seconded by Legislator McGraw, and carried. **Prepare Resolution**

The Traffic Safety Board requested a resolution from the Board of Legislators to re-appoint Dustin Burch to the Traffic Safety Board for a three-year term commencing January 1, 2017, and expiring December 31, 2019. This request was approved on a motion made by Legislator Healy, seconded by Legislator Burt, and carried. **Prepare Resolution**

The Traffic Safety Board requested a resolution from the Board of Legislators to re-appoint Linda Edwards to the Traffic Safety Board for a three-year term commencing January 1, 2017, and expiring December 31, 2019. This request was approved on a motion made by Legislator Healy, seconded by Legislator Burt, and carried. **Prepare Resolution**

The Traffic Safety Board requested a resolution from the Board of Legislators to re-appoint Ray Parlett to the Traffic Safety Board for a three-year term commencing January 1, 2017, and expiring December 31, 2019. This request was approved on a motion made by Legislator Healy, seconded by Legislator Burt, and carried. **Prepare Resolution**

The Traffic Safety Board requested a resolution from the Board of Legislators to re-appoint Rick Whitney to the Traffic Safety Board for a three-year term commencing January 1,

2017, and expiring December 31, 2019. This request was approved on a motion made by Legislator Healy, seconded by Legislator Burt, and carried. **Prepare Resolution**

### **Attorney/Client Session**

A motion was made by Legislator Curran, seconded by Legislator Healy, and carried to enter into attorney/client session at 11:57 a.m. Immediately following discussion at 12:07 p.m., a motion was made by Legislator Burt, seconded by Legislator McGraw, and carried to end the attorney/client session and return to the regular meeting.

### **Assigned Counsel**

County Attorney Tom Miner requested a resolution to approve 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 passed away. In addition to approving the contract for a new Assigned Counsel Administrator, County Attorney Tom Miner requested approval 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 County Attorney Tom Miner. The interim period covers the time period from when the late Assigned Counsel Administrator became incapacitated and unable to perform the 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. This request was approved on a motion made by Legislator Burt, seconded by Legislator McGraw, and carried. **Refer to Ways and Means**

### **Adjournment**

There being no further business to come before the committee, the meeting was adjourned at 12:09 p.m. following a motion by Legislator Burt, seconded by Legislator McGraw, and carried.

Respectfully submitted,

Meghan Washer, Secretary to the Clerk of the Board  
Allegany County Board of Legislators