

PUBLIC SAFETY MEETING

November 5, 2019

The regular meeting of Public Safety, Probation, Office of Emergency Services, Coroner, and Stop DWI was held in the Legislative Conference Room at the Ronald E. Dougherty Office Building, 56 Main St., on Tuesday, November 5, 2019 at 2:30 PM.

Present:

Edward Hollenbeck	Legislator
Dennis Mullen	Chair, Public Safety
Marte Sauerbrey	Chair, Legislature
William Standinger	Legislator
Dale Weston	Legislator
Joy Bennett	Director, Probation
Sheriff Gary Howard	Sheriff's Office
Mike Simmons	Director, Emergency Services
Bob Williams	Deputy Director, Emergency Services (<i>in at 2:40</i>)

Guests:

Bennett Anderson	Motorola
Chris Meyer	Motorola
Peter DeWind	County Attorney
Rita Hollenbeck	Chief Accountant/Budget Officer, Treasurer's Office

Absent:

APPROVAL OF MINUTES:

Legislator Hollenbeck made a motion to approve the minutes of October 8, 2019; seconded by Legislator Weston, and so carried.

OFFICE of EMERGENCY MANAGEMENT

Mike Simmons, OES Director, presented the following information to the committee. Report is attached.

Budget:

- On track.

Resolutions:

- Award 2019 Emergency Management Planning Grant (EMPG19)
A reso was presented requesting authorization to accept the 2019 Emergency Planning Grant in the amount of \$23,669.
❖ ***Committee agreed to move this reso forward***
- Modify 2019 Budget and Transfer Funds Statewide Interoperable Communications Grant 2017
A reso was presented requesting authorization to modify the 2019 budget and transfer funds in the amount of \$79,440.84.
❖ ***Committee agreed to move this reso forward***

- Authorization to Impose an Additional Surcharge on Landline & Wireless Communications Services within Tioga County

A reso was presented requesting authorization to impose an additional wireless communications surcharge on wireless communications services.

- ❖ **Committee agreed to move this reso forward after discussing the following:**

- Budget Officer Hollenbeck estimated this would generate approximately \$480,000/yr.
- Money will be earmarked for communications upgrade only. Money will be collected by the State; there is a 3% supplier fee which is taken before it is passed on to us.
- Budget Officer Hollenbeck stated the following would need to be done to the 2020 budget:
 - Resolution needs to be done to establish a new reserve account for the \$1 surcharge
 - Modify the 2020 budget to include any revenue we will receive

- Authorize Agreement with Motorola Solutions for A P25 Phase 1 Digital Simulcast Trunked Radio System for the Period 2019-2024

A reso was presented requesting authorization to enter into an agreement with Motorola Solutions for a Trunked Radio System and authorization for the Chair of the Legislature to execute any related documents, once they are approved by the County Attorney.

- ❖ **Committee agreed to move this reso forward to the full legislature after discussing the following:**

- Emergency Director Simmons discussed that approximately \$600,000 from the State Interoperable 17 & 18 Grants would be used as downpayment. This would pay for the technical work from Motorola and the recorder for Communications.
- Anticipating receiving \$6 million from State Interoperable targeted grant money.
 - If grant is not received, the project can be stopped at no penalty. Per Chris Meyer, Motorola, this is correct
 - Legislator Weston asked if the Fire Departments support this project and Director Simmons stated they are on board.
 - Chair Sauerbrey stated this is a two part communication system – Radio and 911 communications center. Motorola will do all of this for us to include hardware and software.
 - Anticipated grant of \$6 million in the spring and another grant of up to \$6 million later in the year.
 - If we do not get the second grant of possible \$6 million, we could use the phone tax to pay for this. We can pay \$6 million and then enter into a lease; The options are up to us.
 - If the State approves the surcharge it could be in effect in January 2020.
 - This resolution is being presented to approve the Legislature moving forward. Again, if we do not get the \$6 million grant, the contract seizes.
 - Legislator Standinger asked if Attorney DeWind has seen the contract. Attorney DeWind stated there is not a contract right now and that he would review the contract before moving forward with the project.

Monthly Meetings Attended:

- Southern Tier East EMO Meeting
- Lakes District EMO Meeting
- Regional Fire Coordinators
- Met with Waverly/Sayre/Athens Group

Grants:

- SI17 expires the end of this year. We will be spending it by the end of the year towards the radio project.

Other:

- Waverly Radio Project – fire radios were installed. Project is at a standstill due to the sale of Finger Lakes and lack of connection with Plexicomm.
- HazMat Team had no calls; Fire Investigation had 1; and Search and Rescue had none.
 - State Fire got involved due to the call coming in with entrapment. Was a simple investigation, nothing suspicious. It was not necessary for the State to be involved.
- EMS held their first leaders' meeting.
- Working with Kevin Karn, NYSTEC, for consulting.
- I am Responding problem. Program was not working due to IT issues.
- Halloween rainstorm – almost 2” of rain fell. Main St. in Newark Valley was flooded; Long Creek Rd. in Owego had a temporary bridge wash out.

SHERIFF:

Sheriff Howard presented the following information to the committee. Reports are attached.

Budget:

- On track except Jail Medical expenses continue to be a concern. An inmate in our custody requires \$13,000 every month. May need to request additional money to cover this.
- Revenue is over \$700,000 which has surpassed our yearly projections. Currently we have 6 Federal board ins. Cortland County board-ins helped boost this revenue.

Personnel Items:

- Civil – all positions are filled.
- Corrections – all positions have been filled with the exception of one part-time cook position. Two Corrections Officers have completed the Broome Corrections Academy.
- Road Patrol:
 - Currently have one vacant Deputy position. It is anticipated to be filled from the current certified civil service list.
 - Deputy Sam Warner graduated from the Broome Co. Police Academy 11/1/19.
- E911 Communications – all positions are filled.

Resolutions:

- None

Labor Issues:

- TCCA negotiations have begun.

Litigation Issues:

Trial has begun on October 29th in Syracuse at the US District Court.

Other:

- ATI – did yard work at Carmichael Tower, Draper Park, and other areas in the county. Also painted at the Sheriff's Office; washed trucks at the County Highway and Newark Valley Fire Station and cleaned Corporate Drive with a magnet to remove road debris.
- Average daily population of Jail was 60 inmates.
- We had to give verbal notice last week to the car dealer to order Dodge Chargers for next year as the plant is going to be shutting down for 18 months.

PROBATION:

Joy Bennett, Probation Director, presented the following information to the committee. Reports are attached.

Budget:

- On Track

Issues:

- New Ford Escape is still at the dealers.
- Second voucher was submitted for Raise the Age (RTA).
- Approved for funding to pay for specialized secure detention programming.
- Bail Reform – law mandates that almost all misdemeanors and most felony arraignments will result in ROR status. The Sheriff mentioned that the District Attorney will be doing a presentation for law enforcement.
- Juvenile sex crimes have increased.
- 4 JD tickets were issued in October.
- Alternative to Detention Programming – have been working with Cayuga Counseling which has been working well.
- Decision Points – have been running an evidence based program for juveniles after school. Pizza and other snacks are purchased for them and there has been a positive response so far.
- CAP court – waiting on start date.
- ATI –awaiting guidelines issued by OCA for Pre-Trial Release program.
- Fax has not been in operation since the IT upgrade.

Personnel Items:

- Still have one unfunded Probation Officer position.

Resolutions: None

Executive Session:

Legislator Mullen made a motion to go into Executive Session; seconded by Legislator Standing, from 3:35 PM until 3:45 PM to discuss personnel matters.

Respectfully Submitted,

Diane Rockwell

Diane Rockwell

Secretary to the Sheriff 11/5/19

ATTACHMENTS:

OFFICE of EMERGENCY SERVICES

Budget: Within Budget - See attached spreadsheets

Resolutions: Resolution to Raise Surcharge on Cellular Telephones
Resolution to Sign Contract with Motorola Solutions
Award 2019 Emergency Management Performance Grant (EMPG19)
Modify 2019 Budget and Transfer Funds for Statewide Interoperable Communications Grant 2017

Monthly Activity:

1. Monthly Meetings Attended
 - a. Southern Tier East EMO Meeting
 - b. Lakes District EMO Meeting
 - c. Regional Fire Coordinator's Meeting
 - d. Meeting with Waverly/Sayre/Athens Group

2. Grants
 - a. SHSP18 – I am Responding Program
 - b. SICG17 – Interop. Grant – Approved – started using for Waverly Upgrade
Needs an extension prior to the end of the year unless we utilize it for a down payment to Motorola
 - c. HMEP18 – Approved
 - d. SICG18 – Formula Grant – Approved - nothing spent
 - e. SIGC-18 – Targeted Grant – Denied
 - f. SHSP19 – Received
 - g. EMPG19- Received
 - h. SICG19 – Formula - Applied

3. Other Emergency Services Activities
 - a. Waverly Radio Project – Fire Radios installed. Need to determine how to connect to dispatch. Microwave won't work – Hills will block the signal. Job is at a standstill at the present time due to the sale of Finger Lakes.
 - b. HazMat Team – 0 Calls
 - c. Fire Investigation Team – 1
 - d. Search and Rescue – 0

4. EMS
 - a. EMS Coordinator held first EMS Leaders meeting.

5. Interoperable Fire Radio System

- a. Our office has also been working with Mr. Kevin Karn, a consultant from the New York State Technology Enterprise Corporation who we have a resolution to contract with his firm to assist us in procuring SICG funding and system development.
6. Fire
 - a. Preparing job descriptions for Deputy Coordinator positions to be in charge of the Hazardous Materials Team and the Technical Rescue Team
 - b. I am responding system to alert firefighters was not working for approximately one month. County IT had installed a new firewall that prevented messages from going from dispatch out to emergency personnel when they had calls. Campville is still reporting that they are not receiving all their calls. This has created extreme concern from fire department officials since the system that they rely upon to receive their emergency calls is not working correctly.
7. EMO
 - a. Storm on 10/31/19. Heavy rain, followed by strong winds effected the majority of Tioga County. Flooding was worse in the Village of Newark Valley. Minor damage to roadways, ditches, and culverts throughout the county. The temporary bridge on Long Creek Road in the Town of Owego was washed out. Town of Owego has a request for a temporary bridge from State DOT. State DOT will be coming to Owego to determine if they can assist.

REFERRED TO:

PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -19

AWARD 2019 EMERGENCY MANAGEMENT
PLANNING GRANT (EMPG19)
EMERGENCY SERVICES

WHEREAS: The Tioga County Office of Emergency Services has been awarded a matching grant of \$23,669 by the New York State Division of Homeland Security and Emergency Services (NYSDHSES); and

WHEREAS: The matching grant will be used to offset \$23,669 of budgeted salary costs; therefore be it

RESOLVED: That the Emergency Services Office be allowed to accept the awarded 2019 Emergency Management Planning Grant in the amount of \$23,669.

REFERRED TO:

PUBLIC SAFETY COMMITTEE

FINANCE COMMITTEE

RESOLUTION NO. -19

MODIFY 2019 BUDGET AND TRANSFER FUNDS
STATEWIDE INTEROPERABLE COMMUNICATIONS
GRANT 2017
OFFICE OF EMERGENCY SERVICES

WHEREAS: Resolution # 92-18 awarded the Office of Emergency Services a 2017 Statewide Interoperable Communications Grant in the amount of \$453,399; and

WHEREAS: The grant budget has been amended, therefore be it

RESOLVED: That the 2019 budget be modified and transfer of funds be made as below:

FROM:

A3415.540140 IO17 Contracting Services \$79,440.84

TO:

A3415.520230 IO17 Radio & Equipment \$79,440.84

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -19

AUTHORIZATION TO IMPOSE AN ADDITIONAL
SURCHARGE ON WIRELESS COMMUNICATIONS
SERVICE WITHIN TIOGA COUNTY
EMERGENCY SERVICES

WHEREAS: Tioga County currently imposes surcharges on wireless communications and landline services pursuant to Tax Law § 186-g and County Law § 303; and

WHEREAS: Tioga County requests authorization from the New York State Legislature to impose additional surcharges to wireless communication services above the fees authorized by Tax Law § 186-g; and

WHEREAS: These additional surcharges have been requested by the Director of the Office of Emergency Services and shall be used to fund the County's Public Safety Radio Capital project; therefore be it

RESOLVED: That the Tioga County Legislature requests that the New York State Legislature authorize Tioga County to impose an additional wireless communications surcharge in addition to the surcharge imposed pursuant to Tax Law § 186-g (b) in the amount of \$1.00 per month on all wireless communications services and prepaid wireless communications services and \$1.00 per retail sale of prepaid wireless communications service sold within the County of Tioga pursuant to Tax Law § 186-g (c); and be it further

RESOLVED: That said additional surcharges shall expire ten years after the effective date of the State Legislation; and be it further

RESOLVED: That a certified copy of this resolution be forwarded to Senator Fred Akshar and Assemblyman Christopher Friend.

REFERRED TO:

PUBLIC SAFETY COMMITTEE

LEGAL COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -19

AUTHORIZE AGREEMENT WITH MOTOROLA
SOLUTIONS FOR A P25 PHASE 1 DIGITAL
SIMULCAST TRUNKED RADIO SYSTEM FOR THE
PERIOD 2019-2024
EMERGENCY MANAGEMENT

WHEREAS: the Director of Emergency Services requests authorization for an agreement with Motorola Solutions for a P25 Phase 1 Digital Simulcast Trunked Radio System and other emergency services solutions for the Office of Emergency Services at an amount not to exceed \$9,620,000 for the period December 20, 2019 through December 20, 2024; and

WHEREAS: said services are necessary for the emergency communications systems upgrade project; therefore, be it

RESOLVED: that the County Legislature hereby authorizes an agreement with Motorola Solutions, 500 West Monroe Street, 44th Floor, Chicago, IL 60661 for a P25 Phase 1 Digital Simulcast Trunked Radio System for the Office of Emergency Services for a period December 20, 2019 through December 20, 2024; and be it further

RESOLVED: that the County will utilize available grant funding as the initial payment under the terms and conditions of the contract and will continue to seek and use grant funding for the project and that the County will bond or lease for the balance of the project cost. In the event that the funding for the entire project is not appropriated, the contract may be terminated as per the terms and conditions of the contract; and be it further

RESOLVED: that the Chairwoman of the Legislature is authorized to execute any such agreements, documents, or papers, approved as to form by the County Attorney, as may be necessary to implement the intent and purpose of this resolution.

SHERIFF

Personnel Issues:

1. ***Civil Office***
 - a) All positions are filled. Civil Department completed their refresher training. \$6926 was collected in October.

2. ***Corrections Division***
 - a) Currently have one (1) position to fill. One (1) part-time cook position remains vacant.
 - b) Three (2) Corrections Officers completed the Broome Corrections Academy Monday (11/04/19) that they started on August 28th.

3. ***Road Patrol***
 - a) Currently have one (1) Road Patrol Deputy position vacant. It is expected we will fill this off the certified civil service list.
 - b) The Deputy Sheriff (Sam Warner) that attended the Broome Co. Police Academy graduated last Friday (11/01/19).

4. ***E911 Emergency Communications Center***

Currently all positions are filled.

Labor Issues:

T.C.C.A. negotiations have begun.

Litigation Issues:

1. Trial has begun in Syracuse at the U.S. Northern District Court October 29th.

Budget:

1. Budget is on track with the exception of Medical Expenses. Money has been moved to the best of our abilities but it is of concern. We currently have an individual Inmate that costs \$6,426.44 every month.

2. We have surpassed our yearly inmate boarder revenue projection. We currently have 6 Feds.

Current Projects:

Miscellaneous:

1. Average daily inmate population for the month of October was 60.

2. ATI worked 8 days during the month of October. Work included:
Yard work:
 - Carmichael Tower
 - Draper Park
 - County Court House
 - Tioga County Rural Ministry
 - Public Safety Building
 - Tioga County Fair Grounds
 - a. Painted at PSB

- b. Washed trucks at County Highway and NV Fire Station
- c. Magnetically rolled Corp. Dr.

Resolutions:

None

PROBATION

Budget Status:

2019 budget

Issues:

County Cars- The “new” Ford Escape is still at the dealer. Ford Escape – “blown engine” Vehicle is under warranty and has been at the dealership since August 29th.

RTA plan – Second voucher was submitted for \$5K in Raise the Age funds. Subsequent vouchers will be submitted for State Fiscal year Quarters 3 and 4 for only small amounts for i-pad services. DCJS has advised that a new mechanism will be offered for RTA funding for State Fiscal year 2020-2021 and promises it will be “simpler”. Tioga has been approved for funding for specialized secure detention programming in conjunction with other counties in the southern tier but we have not been advised of the mechanism to claim the funding. We need to submit progress reports via the GMS system next.

Quarterly data reports were submitted to OCFS for four quarters for youth involved in services paid for by RTA funding.

E- Connect: we have been using this system for approximately 90 days. We have screened 9 youth, 4 youth screened out as needing mental health referral, 5 screened out as not needing that service. Juvenile PO have an additional amount of data that needs to be entered for each youth for this grant program with Columbia University.

Bail Reform- Law mandates that almost all misdemeanors and most felony arraignments will result in release of defendant –ROR status. Judge Keene advised that Probation would send court a list of felony level defendants currently on PreTrial in December 2019 for Court to review for release. A similar list will be sent to every Justice Court that has a defendant on PreTrial in December as well.

Tioga Criminal Justice meeting- met with other county departments that will be effected by Bail Reform and Discovery. DA Martin advised he expects to recommend more probation sentences next year as a way to get plea agreements. He has directed his ADAs to clear all pending cases prior to January 1, 2020, so plea deals are being made.

Probation is continuing to work with both COTI programs in completing substance abuse evaluations at the Probation Department as well as remaining in contact with the Trinity program in the Jail. ACBC comes to the Department on Mondays, Wednesdays and Fridays. Trinity comes on Tuesdays and Thursdays. They are available to talk to probationers or to complete Drug/Alcohol evaluations, helped to arrange for insurance coverage and meet with a peer. Defendants are also referred to ADS.

Keeping apprised of CAP court start date as it will impact Pre-Trial Release program.

Submitted “New York State Pretrial Services Checklist” questionnaire for the county after reviewing it with the Chair of the Leg. Public Safety Chair was cc-ed on the email that submitted the document to the Office of Court Administration. OCA was advised that Tioga County does not have sufficient staff, software or funding to fulfill the statute requirements. OCA was further advised that the county will provide no judicial decision aid to courts effective 1/1/20, as the assessment tool and questionnaire used by PTR is not empirically validated and regularly re-validated and the state has not provided one that is. Finally, OCA was advised that Tioga County will not be providing Electronic Monitoring services to the Courts for PTR defendant effective 1/1/20 as there are no companies in NYS that meet the

statutory requirements. (We will still use EM as a condition of probation for adults or as an alternative to detention for youth)

ATI - we are awaiting guidelines being issued by OCA for Pre-Trial Release programing.

Updated the Probation Officer training for CPR and

ATI Programs: ATI Board meeting held on October 17, 2019

Electronic Monitoring – 2 units in use as a condition of probation.

Community Service –Full Crews scheduled for Saturdays and Sundays. At ATI Board meeting, the Coordinator advised of concerns with local justice Court that is not responding to violations of community service hours filed with the Court.

Pre-Trial Release – Pre-Trial Release –currently have 26 defendants released from Tioga Co. Jail by a Justice Court or the County Court:

10 are released RUS meaning they report in person weekly to the Department and follow court orders for urine testing, alcohol/drug evaluations, etc.

16 are released PTR meaning they telephone in weekly to the Probation Department to report any changes in their address or status.

Juvenile Delinquency Services:

4 Juvenile Delinquency Appearance Tickets were received in October 2019 as follows: 1 Criminal Mischief at the felony level, one Criminal Mischief at the misdemeanor level, one Attempted Assault at the misdemeanor level and one sexual offense charge at the misdemeanor level. Two youth were opened for Diversion services and two youth were referred to the County Attorney for petition. The youths scored on e-Connect: One Class II, two Class III and one did not meet the threshold.

YTD: 25 JDAT received during 2019 plus 4 cases of direct file with the court for a total of 29 cases to date. (23 in 2018)

Alternative to Detention Programing: Cayuga Counseling program for juvenile is operating and working with Tioga County youth. Two part time employees have been hired and are working out of the Probation Department. They currently have 8 open cases, the contract limit.

Decision Points- two Probation Officers have been trained to run this evidence based program for juveniles. Have been running the short term group since the beginning of September. Youth are taught a system to help them think through a problem and a successful solution. Program meets after school, 4-5 pm at the Probation Department. Youth have responded positively to the program. Cayuga Counseling is assisting with transporting youth to the program.

Court Ordered Investigations: 62 investigations for Tioga County courts (Criminal, Family and Surrogate) are due in the next 60 days.

Supervision: 304 cases ordered by Tioga County courts & Family Court

Violation of Probation petitions: 26 defendants have violation petitions pending against them in criminal & family court. This equates to 8.5% of the total caseload are in violation status.

Personnel:

Still have an unfunded PO position

Resolutions:

None