

MINUTES

PUBLIC SAFETY COMMITTEE

Tuesday, February 1, 2022 9:00 a.m.

Present: Supervisors Eygnor, Verno, Bender, Donalty, VanLaeken, Chatfield, Leonard, Groat and Miller, County Administrator Rick House, Fiscal Assistants Ken Blake and Brian Sams, Wayne Pre-Trial Services Director Martha Bailey, Coroner Keith Benjamin, Probation Director Mark Ameele, Public Defender Andy Correia, Assigned Council Administrator Bruce Chambers, District Attorney Mark Calarco, Sheriff Robert Milby, Undersheriff Jeff Fosdick, Emergency Services Director George Bastedo, 911 Project Manager Jim Lee, County Grant Finance Coordinator Stephanie Wilson and Youth Advocacy Center Deputy Director James Schuler.

Minutes from the January 4th Committee meeting were approved as written.

The following transmittals were presented for the District Attorney's Office:

--Authorization for the Chairman of the Board to sign the Annual Federal Equitable Sharing Agreement and Certification Report for the year ending 12/31/21. This action is taken so the County may continue to receive forfeited funds through the Federal Government. Approved 5-0.

--Authorization to amend the 2022 budget to carryover unspent Division of Criminal Justice Services (DCJS) Discovery Grant funding and pay for contracted services and equipment. A total of \$58,899 will be carried over and a portion appropriated to Wayne Pre-Trial Services, the Village of Newark Police Department, the Macedon Police Department, and Village of Clyde Police Department. Mr. Blake stated remaining funds will be utilizing in the near future. Approved 5-0.

--Authorization to pay mileage to Forbes Court Reporting Services for Grand Jury stenographic services. Mr. Calarco stated an agreement with Forbes Court Reporting was put into place at the beginning of 2020 due to the need for the Office to meet new State Discovery Laws. Since then a formal contract was signed; however, it did not have a stipulation to pay the stenographer mileage. The \$476 requested is within the District Attorney's budget. Mr. House stated IRS regulations do not allow municipalities to pay vendors mileage; this cost should be built into the contracted price. Since this is a vital service the County will not oppose the payment in this instance. Approved 5-0.

--Authorization for the Chairman of the Board to sign a short-term contract with Forbes Court Reporting Services for Grand Jury stenographic services at a daily rate of \$150 and \$4.25 per page. Mr. Calarco stated his Office is responsible to conduct Grand Jury proceedings and to fulfill new Discovery Law obligations. A description of services needed was reviewed by the County's Purchasing Agent and will be put out to bid, with a contract awarded no later than the end of June 2022. Approved 5-0.

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The monthly report from the Coroner's Office was presented, Mr. Benjamin noted additional information he is including in the report. During January there were 18 death calls investigated through the Coroner's Office, seven of this number required autopsies.

Mr. Benjamin will be conducting the software update for the Electronic Death Registration System through the New York State Department of Health later today.

A transmittal was presented requesting authorization for the County to adopt a new Coroner's Fee Schedule for body removal and transportation services and authorization for the Chairman of the Board to sign a contract with Wayne County funeral homes. Mr. House said this number was negotiated with area funeral directors. The change sets the reimbursement for removal and transportation of a body at \$400, no additional mileage will be paid for transport. Approved 5-0.

Mr. Benjamin stated, at this time, there is no issue with morgue space at Newark-Wayne or Clifton Springs. Unfortunately, the number of open spaces fluxgates.

The monthly activities report for the Probation Department was submitted with the agenda. During January there were 39 non-secure bed days served by two youths and three Raise the Age cases handled. The Department is now handling 11 PINS (Persons In Need of Supervision) and 80 Diversion cases. During the month 14 investigations were requested and 11 completed. Staff are supervising 289 felons, 213 individuals with misdemeanor crimes, 15 individuals involved in Drug Court, and 22 Family Court ordered cases. In January the Electronic Home Monitoring System averaged 16 participants a day. Through January 21st the Department collected \$12,883 in restitution, fines, and fees. Mr. Ameele stated the number of supervised cases continues to increase.

The monthly activities report for Wayne Pre-Trial Services was reviewed. During January there were seven new releases to the Pre-Trial Release Program, one to the Enhanced Release Program and three new Electronic Home Monitoring cases. Mrs. Bailey stated the fiscal year for the Pre-Trial Program is June 30th-July 1st. The 2021-22 contract is to serve 115 individuals, to date 93 have been served.

The Annual Report for Wayne Pre-Trial Services was received and filed. A copy was e-mailed to Supervisors prior to the meeting. In 2021 staff interviewed 170 defendants, of this number 163 were placed on the Pre-Trial Release Program, and of this number 12 were placed on Enhanced Release. The Agency monitored 26 electronic home monitoring cases in 2021. Through Pre-Trial Programs it is estimated 3,284 jail days were saved, resulting in an incarceration savings of over \$500,000. The report included information of the Agency's Pre-Trial Diversion Program. A counseling program designed to give defendants the opportunity to engage in intensive counseling and to address issues that may be influencing their poor decisions.

The following reports were presented for the Sheriff's Office:

- **Activities:** Both monthly and quarterly numbers were presented. During December the Office investigated 62 vehicle crashes, five missing persons, 18 animal complaints, 7 major crimes, and 295 minor crimes. A total of 1,809 complaints were responded to by the Sheriff's Office. Road Patrol made five DWI arrests, 52 criminal and 26 vehicle and traffic arrests. Of the 85 motor vehicle collisions during December, five individuals were injured. The Records Division processed 33 pistol permits and 58 amendments. Sheriff Milby noted the number of no-shows for pistol processing appointments and the number of individuals who reschedule due to COVID. The Civil Division processed 70 papers and served 58 Family Court papers. There were 38 males and six female prisoners admitted to the County Jail in December.
- **Tickets by Town:** A total of 152 tickets were issued, the majority in the Towns of Sodus and Ontario. A total of 3,210 tickets were issued during 2021.
- **Overtime:** Staff worked 2,962 hours of overtime during December; over 1,200 hours were for staff shortages.
- **Court Security:** 1,422 individuals entered the Hall of Justice during December.

The following transmittals were presented for the Sheriff's Office:

--Authorization for the Chairman of the Board to sign an agreement extension with Black Creek Integrated System for annual maintenance of the Sally Port Jail Management Software System and Security System at the County Jail for a price of \$75,103. Approved 5-0.

--Authorization for the Chairman of the Board to sign a three-year lease agreement to obtain an interview recording platform for the breathalyzer room for a price not to exceed \$33,599. Sheriff Milby stated the Sheriff's Office already has a contract with this firm for other electronic control devices. This is needed as a result of new Discovery Laws. The first year of the contract is covered by grant funds. Approved 5-0.

--Authorization to re-approve two part-time Community School Safety Liaison positions. The \$88,557 cost is covered by grant funds. Approved 5-0.

--Authorization for the Sheriff to sign a memorandum of understanding with the Wayne County Youth Advocate Center, Inc. for the provision of problem solving and counseling services at the County Jail for a cost not to exceed \$10,000. Approved 5-0.

--Authorization for the Sheriff to sign an agreement with Oak Park Marina for free boat space rental for the Sheriff's Marine Patrol vessels. Approved 5-0.

--Authorization for the Chairman of the Board to sign an agreement amendment with New York State Public Safety Emergency Lighting. The agreement to supply emergency vehicle equipment, accessories, maintenance, repair, and installation did not include new vehicles in the Sheriff's fleet. The amendment will allow for the additional vehicles. Approved 5-0.

--Authorization for the Chairman of the Board to sign a three-year contract for pharmaceutical and prescription service at the County Jail with HealthDirect Pharmacy for a price not to exceed \$300,000 annually. This service was bid. Approved 5-0.

Sheriff Milby informed the Committee he would be seeking to fill the vacant position of Major to oversee the County Jail; this position was vacated when he became Sheriff. The position and salary are included in the 2022 budget.

Mr. Lee came before the Committee to report on what he is hearing from local emergency medical services regarding the proposal for a Countywide Emergency Medical Services Transportation Agency. He worked with Mr. House to put an article in the newspaper about the proposal. Mr. Miller noted this will be a regular agenda item for both this Committee and the Board; he will send a reminder out to Supervisors ahead of time so if they have questions they may ask them at either of these platforms. Mr. Lee said it would require extensive lead time for such a system to be put in place. Some response agencies have stated they would prefer the County give funds directly to the agencies so they can provide additional services, others said the County should purchase ambulances for all agencies and not start a countywide transportation system, while others were in favor of the proposal. Mr. Eygnor said some constituents have voiced concern that the County will not be able to adequately staff a transportation agency. Mr. Lee noted the competitiveness of hiring, training, and retaining competent EMS personnel. In the proposal submitted to the Board, the need for ongoing training and competitive wages is addressed. He could see the County training individuals to fill the positions of EMTs and those interested in advancement to be paramedics. Mr. Groat questioned how the proposed service would be administered. Mr. Lee said that would be up to the Board of Supervisors.

Supervisors were updated on the RMS (Records Management System). Mr. Bastedo noted the Sheriffs' Office is interested in looking at a product from Black Creek which is currently being installed in Columbia County. Sheriff Milby said he is looking forward to a local demonstration.

Emergency Management's monthly activities report was distributed with the agenda. Supervisors were informed the full scale Ginna FEMA (Federal Emergency Management Agency) review exercise is scheduled for July 13th. Mr. Bastedo informed Supervisors Exelon is interested in discontinuing their sirens. Other nuclear power plants have received permission to do this. Mr. Bastedo said the action maybe slightly delayed, but he does not see a continuation of the siren system. Efforts continue to fill the vacancy of Emergency Management Training Coordinator and vacant 911 Dispatcher positions. Jeremiah Shufelt was hired as the new Fire Coordinator. The Department continues to distribute PPE supplies as requested, and available. Lake Ontario is 12 inches higher than the same time last year and is expected to rise two inches over the next 30 days. The County is much better prepared for flooding if it should occur. The County's Continuity of Operations Plan (COOP) Document master data area has been updated with new information, individual departments will now be responsible to update their sections. The vendor that prepared the County's Hazard Mitigation Plan Update has been made aware of several changes required by the State. All Discovery Law requests to the Department are up to date. Mr. Bastedo said he is working with the Information Technology Department on a way to

automate non-emergency 911 calls. There are more non-emergency calls received into 911 than emergency calls.

Test kits ordered through Ontario County were received and distribution took place throughout the County over the weekend. Each Town Supervisors will be given additional test kits to distribute from those that remain. Current test kits the County has have an expiration date of June 2022. Mr. House said another community distribution of test kits will be scheduled in the near future. Mr. Bastedo reported Wayne-Finger Lakes BOCES received 21,000 test kits they will distribute to schools. Nursing Homes, day care facilities and child care facilities should be receiving test kits directly from the government.

Mr. Bastedo presented a transmittal requesting authorization to transfer funds and amend the 2022 budget to pay for the purchase of a Windows upgrade for MDTs (Mobile Data Terminals) and 911 for a price of \$37,372. This is an unbudgeted, but needed, purchase. A transfer of funds is needed from the County's General Fund. Approved 5-0.

Mr. Correia gave a PowerPoint presentation on State funding received by the Public Defender's Office, as it is complicated. Prior to 2010 each county in the State received a set amount of State funding; it was determined these funds were not always used properly. The State Office of Indigent Legal Services (ILS) now administers funding to county public defender offices; in return for this funding an increased amount of data is required. ILS funds support not only public defender offices, but assigned counsel programs, pre-trial programs and Legal Assistance of Western NY. Distribution #1 of ILS funding was received by the local Public Defender's Office in 2011; the Office is now operating with funds under Distributions #8 - #12. Through ILS the local Public Defender's Office is in the second of a five-year appropriation of Hurrell-Harring funding of nearly \$5 million. These funds must be placed annually into the State's budget. Mr. Correia reviewed the reliability of these revenues. New State legislation requires a lawyer be present at every arraignment, after years of preparation, the County now has a Centralized Arraignment system in place. ILS funding also supports this program.

The monthly activities report for the Public Defender's Office was distributed with the agenda. At the end of January the Office had 420 open cases. Submissions were made for payments under ILS #8 and #9 for over \$21,000. Mr. Correia noted the number of open cases remains lower than in past years; however, the Office remains very busy.

An out of State travel request was presented for the Public Defender's Investigator to attend a Cellebrite Certified Operator/Cellebrite Certified Physical Analyst Training in Ohio from March 20th-26th for a cost of \$1,210. Mr. Correia stated the conference registration fee of \$3,850 was paid for in 2021, but the conference was not attended that year; the requested funding is for other related conference costs. Approved.

The following transmittals were presented for the Public Defender's Office:

--Authorization for the Chairman of the Board to sign an extension agreement to ILS Distribution #8 that will allow for expenditure of funds through 2022. Approved 5-0.

--Authorization to accept New York State Office of Indigent Legal Services Grant Distribution #12 in the amount of \$247,713. Funds must be expended by the end of 2024. They will be used to continue funding the salary and benefits of the full-time Sentence Mitigation Specialist. Mr. Correia said these grant funds were included in the 2022 budget. Approved 5-0.

--Authorization for the Chairman of the Board to sign a contract amendment with Aguirre Language Services to allow for an expanded scope of services. The price of this contract will not change; however, does include a mileage stipulation. This contract will be renewed in July and will be addressed at that time for mileage payments. Approved 5-0.

Mr. Correia noted he originally put on today's agenda a request to sign a contract with Classy Coach Transportation for necessary client transportation. This service would be made available for clients to be transported to residential treatment services and to take clients from the Jail to home, when needed. He reviewed how difficult it is to obtain transportation services in Wayne County. Grant funding would pay the cost of the contract. The request was pulled from the agenda, as there is concern over the contractor being able to meet County insurance requirements. Mr. Correia is working with the County Attorney's Office on this.

Mr. Miller informed the Committee of an e-mail he sent out earlier today regarding the establishment of an oversight formation committee for the Wayne County Independent Advisory Committee and Minority Community Advocacy Committee. Members include Supervisors Johnson, Brady, and Robusto and Mental Health Director Jim Hartz and Public Defender Andy Correia. This issue will be regularly updated at the Public Safety Committee.

The meeting adjourned at 10:33 a.m. The next meeting of the Public Safety Committee is scheduled for Tuesday, March 1st at 9:00 a.m.