

MINUTES

PUBLIC SAFETY COMMITTEE

Tuesday, February 7, 2023 9:00 a.m.

Present: Supervisors VanLaeken, Bender, Donalty, Miller, Groat and Eygnor, County Administrator Rick House, Fiscal Assistant Brian Sams, Coroner Keith Benjamin, Probation Director Mark Ameele, Public Defender Andy Correia, Sheriff Robert Milby, Undersheriff Tammy Ryndock, District Attorney Mike Calarco, Wayne Pre-Trial Services Director Martha Bailey, Emergency Management Services Director George Bastedo, Deputy Emergency Management Services Director Jeff Fosdick, 911 Project Manager Jim Lee and Fire Coordinator Jeremiah Schufelt. Via conference call Supervisor Verno.

Minutes from the January 3rd Committee meeting were approved as written.

Mr. Sams presented the following transmittals:

--Authorization to amend the Assigned Council Administrator Contract for 2022 with an increase of \$3,800. Mr. Sams noted the contract does not have adequate funds to pay year-end expenses. Approved 5-0.

--Authorization to amend the Wayne Pre-Trial Services contract due to receipt of additional grant funding. Mr. Sams noted the County received \$154,286 from the New York State Division of Criminal Justice Services to offset costs associated with the provision of certified pre-trial services. Ms. Bailey said additional funds would enhance programs and increase the hours of a part-time position to full-time. The County is only a pass thru for these funds. Approved 5-0.

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

--Authorization for the District Attorney and the Chairman of the Board to sign the Annual Federal Equitable Sharing Agreement and Certification Report for the year ending 2022. This action allows the County to continue to receive forfeited illegal narcotics money through the Federal Government. Approved 5-0.

--Authorization to re-appropriate 2022 Division of Criminal Justice Services Discovery Grant funds totaling \$97,899 to support various agencies with expenses related to changes in Discovery and Bail Laws. Funds will be allocated to Wayne County Pre-Trial Services, the Wayne County Probation Department, Village of Newark Police Department, the Sheriff's Office, Village of Palmyra Police Department and the Village of Clyde Police Department. Mr. Calarco said he reviewed funding allocations with the County Attorney, questioning if documentation is needed from these departments/agencies stating what the funds are to be utilized for. He can obtain a signed affirmation from each agency if desired. Mr. Fosdick asked if any funds would be available to fund the 911 Clerk that handles Discovery requests. Mr. Calarco said he would look into this. Approved 5-0.

PAGE 2

The monthly activities report for the District Attorney's Office was included with the agenda. During January, the Office arraigned 19 DWI cases, 18 felony and 58 misdemeanor cases. The Office participated in two jury trials; both resulted in convictions. Mr. Calarco reviewed the burden of trying to file Discovery Certificates of Compliance in a timely manner; apparently, this is a statewide issue. There are cases within Wayne County that have been lost or dismissed because the required Discovery information was not available for trial. He will provide additional statistics on how Discovery Reform is affecting his Office at the next meeting.

Mr. Benjamin updated members on activity in the Coroner's Office during January. There were nine autopsies performed and 17 death investigations referred to the Coroner's Office. There are two backlogged cases, both are held up at the Monroe County's Medical Examiner's Office.

The Annual Report for the Probation Department was received and filed. During 2022 the Department was supervising/monitoring 238 Leandra's Law cases—an ignition interlock device installed in vehicles operated by individuals convicted of DWI. Probation Officers were supervising 553 individuals at the end of the year and overseeing 1,889 cases through Conditional Discharges, Community Service, Money Judgments, and the Ignition Interlock Program. During 2022, 21 Probationers participated in Drug Court; eight successfully completed the program. The Juvenile Unit processed 78 Juvenile Delinquency Appearance Tickets, 24 Persons In Need of Supervision cases, handled 33 Raise the Age cases and completed 20 Family Court ordered investigations. There were 209 non-secure bed days utilized during the year; with the majority of the days being used by four youth. Youth were committed to 4,440 days of electronic monitoring during 2022. The Probation Department received 345 court orders for Pre-Trial Release, pre-sentencing and pre-dispositional investigations. Twenty referrals were made to the Community Service Program for a total of 826 hours. Probation Officers administered approximately 890 drug tests to Probationers; the system is used for drug and alcohol screening to ensure early detection of use, which will assist in selecting appropriate rehabilitative interventions. The Department collected fines, surcharges and fees totaling \$141,043 during the year.

The monthly activities report for the Probation Department was included with the agenda. During January, there were 10 non-secure bed days and 25 specialized secure detention days served. Staff are monitoring 28 individuals on the electronic monitoring system and handling five juvenile delinquent Raise the Age cases. There are 17 active Persons in Need of Supervision cases and 76 active juvenile delinquent cases. Staff completed 36 of the 38 court ordered investigations during January, oversaw 251 felony, 196 misdemeanor and 12 Drug Court cases. At the end of January, staff were monitoring 2,705 cases and supervising 475 Probationers. Last month the Department collected \$10,131 in various fines and fees from Probationers. Four new referrals were made to the Weekend Work Program. A new Probation Officer will begin on the 17th of this month.

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

PAGE 3

- Corrections Division: 39 males and six females were committed to the County Jail in December, along with two boarded in inmates. The Facility collected a total of \$8,563 in bail and fines during the month. Three inmates met with private attorneys, 16 met with a Public Defender, 10 were interviewed for Pre-Trial Release and four seen by Probation Officers. There were 398 visit to the Medical Unit and two to the emergency room.
- Activities: Road Patrol made 29 DWI arrests in the last quarter of 2022 and responded to 348 motor vehicle collisions, resulting in 44 injuries and one death. During the last quarter of the year eight pistol permits were processed, the Civil Division processed 221 papers, served 221 Family Court papers and performed 29 evictions. Sheriff Milby noted minor crimes are about double from the prior year.
- Tickets by Town: There were 1,996 tickets issued during 2022, the majority in the Towns of Lyons, Ontario, Sodus and Williamson.
- Town/Village Summary: Deputies traveled 126,519 miles during December. There were 361 sex offenders living in Wayne County at the end of 2022. Deputies made 11 DWI arrests during the month, 24 criminal arrests and 12 vehicle and traffic arrests.
- Overtime: Staff worked 2,826 hours of overtime in December.
- Court Security: During December 1,830 individuals entered the Hall of Justice. More contraband has been taken way from individuals entering the Hall of Justice than in past years.

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

--Authorization to apply for public safety grant programs during 2023. A list of seven grants the Office will be applying for were listed in the request. Six of the seven grants require no local funding. Approved 5-0.

--Authorization for the Chairman of the Board to sign a four-year agreement amendment with Global Tel*Link Corporation for the provision of inmate telephone services at the County Jail. This service will also allow for inmates to have access to computer tablets. There is no cost to the County for the contract; inmates pay for phone service and tablets they use. Approved 5-0.

--Authorization for the Chairman of the Board and Sheriff to sign an agreement extension with Black Creek Integrated Systems for Sally Port Jail Management software and security system support, updates and maintenance for an annual cost of \$88,049. Approved 5-0.

--Authorization for the Chairman of the Board to sign an agreement with Collision Forensic Solutions at a cost not to exceed \$13,490 for the purchase of mapper software and onsite training. Sheriff Milby noted this software is utilized when operating Office drones. The cost is 100% covered by a grant. Approved 5-0.

--Authorization to accept the donation of a police K-9 from Public Safety Dogs. A bloodhound retired from the Sheriff's K-9 Unit in 2019 and was not replaced. Approved 5-0.

PAGE 4

--Authorization to create and fill an additional full-time Court Security Officer position and amend the Sheriff's budget. Sheriff Milby noted the State recommended the County's Hall of Justice be manned by nine full-time Court Security Officers, currently there are eight. The cost of \$81,842 is reimbursed through the Unified Court System. At this time, Correction Officers are being reassigned to work at the Hall of Justice during staff shortages. Approved 5-0.

The following out of State travel requests were presented:

--Authorization for one Sergeant to attend a Basic Computer Evidence Recovery Training from February 12th – March 17th in Hoover, Alabama. There is no local cost for attendance at the training that will provide the staff member with accreditation. Approved.

--Authorization for a Deputy to attend Police K-9 Training from February 26th – March 11th in Burlington, North Carolina, for a price of \$700. Approved.

The January activity report for Wayne Pre-Trial Services was included with the agenda. During the month, there were seven new releases into the Pre-Trial Program, resulting in 55 open Release cases. One person was added to the Enhanced Release Program, making the total number of program participants eight. There was one new electronic monitoring case, resulting in five open cases in the Agency.

The Annual report for Wayne Pre-Trial Services Inc. was received and filed. During 2022 staff interviewed 167 defendants, resulting in 157 being released to Pre-Trial. There were 25 individuals sentenced to Enhance Pre-Trial Release due to their treatment recommendations, alcohol/drug evaluations and/or mental health issues. Under State Bail Reform, 16 individuals were sentenced to electronic monitoring through Pre-Trial.

The Public Defender's monthly activities report was submitted with the agenda. The Office has 401 open cases. During January the Department submitted for nearly \$250,000 in New York State Indigent Legal Services reimbursement claims.

An out of state travel request was presented for Assistant Public Defender Scott Turner who drove to Horsham, Pennsylvania, on February 1st to obtain and have specimens tested. There was no cost to the Department for this travel as he drove a County vehicle. Mr. Correia noted the employee already made the trip; he reviewed the request with the County Administrator prior to February 1st, since there was not time for approval through this Committee before the date of travel. Approved.

Mr. Correia noted the loss of his full-time Investigator, who took another position within the County. The part time Investigator in the Office has moved into the full-time position; however, this leaves the part-time Investigator position open. The Office participated in a virtual New York City Career Fair. Eleven candidates were interviewed for the paid summer internship in the Public Defender's Office; four or five are interested in the position.

PAGE 5

Mr. Correia voiced concern with the State set hourly rate for assigned counsel. The price of \$60 an hour for misdemeanor cases and \$75 an hour of all other cases has been in place since 2004. The low pay is making it extremely difficult to obtain attorneys that want to handle these cases. There are currently two lawsuits pending against the State regarding the rates they have in place. There is a proposal in the Governor's 2023-24 budget to increase the rate for 'downstate' legal counsel to \$158 an hour and the rest of the State to \$119 an hour. This proposal has no annual cost of living increase included, and in Mr. Correia's opinion, does not compensate 'upstate' legal counsel adequately. Mr. House reiterated concern for the State mandating programs they do not pay for. Mr. Verno stated the need to make sure our State Senator and Assemblyman are aware of this concern.

Mr. Correia told Supervisors he disagreed with the statement made earlier in the meeting by the District Attorney regarding cases being lost or dismissed due to new Discovery Laws. He questioned the source of the information referred to; noting data on this subject is debatable and incomplete. Both sides on the issue are guilty of this kind of spin. Mr. Correia noted that speedy trial is the enforcement mechanism for discovery timelines. That does generally allow 90 days to provide information on misdemeanors, and six months on felonies prior to dismissal on speedy trial grounds, which seems like it should be doable. He stated the DA should have all the staffing and equipment they need to comply. All the Public Defender's Office wants is the information. The Governor's proposed budget has \$40 million again for Discovery/Bail Reform implementation and a separate \$47 million for District Attorneys, which should help.

New Wayne County Fire Coordinator, Jeremiah Shufelt, was introduced. He has met with the engineering firm regarding necessary modifications to make the training tower usable. The tower has not been utilized since 2021; proposed modifications will make it safe for use. Mr. Shufelt reported there are currently 28 open fire investigations.

Mr. Bastedo reviewed the monthly activities report for Emergency Management Services. Audiovisual upgrades are complete in the EMO Command Room, Training Room, Public Safety Building 1st floor Conference Room and Fire Training Building. The After Action Report prepared by FEMA following the August 30th Ginna Drill Exercise confirmed that everything went smoothly and no Wayne County issues were encountered. The Auto Attendant continues to reduce non-emergency calls from going to 911 Dispatchers. Mr. Bastedo voiced concern with the solar eclipse in 2024 and the number of individuals the event will bring to the County for viewing. His goal is to get travelers in and out of Wayne County safely. Supervisors were informed there are very few COVID supplies remaining in the Department. If the original test kits could detect new variants was questioned.

The following transmittals were presented for Emergency Management Services:

--Authorization for the Chairman of the Board to sign a contract extension with Joe Tavano Electric, Inc. in relation to a contract for the purchase of a generator and its installation for a cost of \$19,999. The cost is reimbursable. Approved 5-0.

PAGE 6

--Authorization to transfer \$500,000 to the Countywide EMS Project; the transfer will come from County fund balance. Mr. Lee stated the need to move ahead with the project, as conditions for medical emergency response are becoming dangerous for County residents. Approved 5-0.

--Authorization to create and classify job titles for Wayne County EMS and amend the budget. The new positions are Paramedic, Paramedic Sub, Emergency Medical Technician, Emergency Medical Technician Sub and Emergency Medical Services Supervisor. Current ALS Technician and ALS Technician Substitute will be given the opportunity to move to the Countywide EMS Program, as those positions will be eliminated when new positions are filled. The new positions and their salaries will be added to the 2023 County budget. Mr. Verno noted the County's Pay Plan Committee reviewed and approved salaries included in the request. Human Resource Director, Chris Kalinski, was asked into the meeting to review hourly rates for the positions and existing grade levels. Approved 5-0.

Mr. Lee asked the Committee to allow the Chief Paramedic based out of the Lincoln Fire Department to bring home the County's emergency response vehicle, he is the only one utilizing the unit. Mr. Lee said this would make response time even faster with the vehicle at his home. Mr. House said an amendment would be needed to the County's travel policy regarding this, but that should not be an issue. Approved.

An out of stated travel request was presented for John O'Toole to attend a National Radiological Emergency Preparedness conference from April 1st – 7th in Indianapolis, Indiana, for a price of \$3,344. Mr. Bastedo noted that John O'Toole has decided to drive his personal vehicle, so the cost of conference attendance should be substantially less than the approved amount. Approved.

The Committee was updated on the Emergency Medical Services Project by Mr. Lee, Chad Premo and Todd Sheridan from Fitch and Associates and Deputy Superintendent of Buildings and Grounds Scott Kolczynski. A map showing the areas covered in a 15-minute response time from the EMS Headquarters in Lyons and Sodus Substation were shown; this is good coverage for the south and north sections of the County. Phase 2 of the project will construct two additional substations, to serve the eastern and western sections of the County. Three work groups report to the EMS Oversight Committee. Mr. Lee noted the Oversight Committee reviews any suggestions made from these work groups. Below is what each group has accomplished or is working on:

Vehicles and Equipment Work Group:

- 2 new ambulances ordered
- Skyler ALS 360 agreement executed
- Working on logistic systems
- Releasing RfP in February for program billing system
- Working on ordering two more ambulances for Phase 2 of the project

PAGE 7

Personnel and Operations Work Group:

- Job descriptions complete and graded
- Phase 1 deployment finalized
- Working to develop organizational structure
- Working on paperwork to obtain Certificate of Need
- Need to develop policies and procedures

Land and Facility Work Group:

- Site for headquarters finalized
- Site for Sodus substation purchased
- Architectural and engineer firm hired to design stations

Mr. Lee said project updates can be provided at any time to this Committee or the full Board.

Renderings of what the EMS headquarters and the Sodus substation will look like were shown. Headquarters is located off Nye Road in Lyons and the substation at the corner of Route 104 and Route 88 in Sodus. Substations to be constructed under the second phase of the project have the same design as the Sodus structure. Headquarters will have six bays to accommodate vehicles and equipment. Mr. Miller questioned if there is a space to land Mercy Flight, Mr. Lee said there is not at the Lyons location, but there is space at the Sodus site.

Mr. VanLaeken made a motion the Committee enter into executive session at 10:34 a.m. with Mr. House, Mr. Bastedo and Mr. Fosdick to discuss a personnel matter, Mrs. Bender second. The meeting adjourned at 11:23 a.m. The next meeting of the Public Safety Committee is scheduled for Tuesday, March 7th at 9:00 a.m.