

MINUTES

PUBLIC SAFETY COMMITTEE

Tuesday, March 5, 2019 8:30 a.m.

Present: Supervisors Verkey, Verno, Deming, Kolczynski and Groat, County Administrator Rick House, Fiscal Assistant Ken Blake, Coroner Phil Pettine, Probation Director Mark Ameele, Public Defender Andy Correia, Assigned Counsel Administrator Bruce Chambers, Undersheriff Jeff Fosdick, Corrections Lieutenant David Ambeau, District Attorney Mike Calarco, Victim Witness Coordinator Sarah Williams, County Attorney Dan Connors, Treasurer Patrick Schmitt, and Emergency Services Office Representatives George Bastedo and Dylan Maybee. Supervisor Crane was not present for the meeting.

Minutes from the February 5th Committee meeting were approved as written.

The monthly report for the Public Defender's Office was distributed with the agenda. At the end of February there were 587 open cases in the Office.

The Annual Report for the Public Defender's Office was received and filed. A copy of the report was distributed prior to the meeting with the agenda. The Office has one full-time Public Defender, 4 full-time Assistant Public Defenders, 5 part-time Assistant Public Defenders, 1 Criminal Investigator, 1 Sentencing Specialist and 4 clerical staff members. Seventy-seven parole violators were represented in 2018 by staff attorneys. The Office concluded 5 appellate matters and 17 appeals remain open. The Office Investigator worked on 142 cases and the Sentencing Specialist fielded 72 attorney requests for client assistance. In 2018 the Office opened 2,122 cases of which 356 were handled by privately retained lawyers or assigned out of the Office. The Office began a pilot program in 2018 for Counsel at First Appearance that will be expanded once Hurrell-Harring funds are received in 2019; this program will provide defense counsel at all criminal arraignments in Wayne County.

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

--Authorization to renew and pay \$2,500 for the Annual Public Defense Case Management Maintenance and Support Agreement with the State Defender's Association. Approved 4-0.

--Authorization to accept \$264,616 from the State Office of Indigent Legal Services for expansion of Hurrell-Harring Reform. Funds will be used to create a new full-time Assistant Public Defender position, increase an existing part-time Assistant Public Defender position to full-time, and increase the budget for appellate work, expert services, staff training, legal research, membership in various professional organizations and support the plan to provide Counsel at First Appearance. These funds will also be utilize to support clerical services to the Assigned Council Administrator's Office. Mr. Correia informed Supervisors Wayne County is one of ten counties in the State that has received this funding. The amount received in this request is for 2019; over five years the Public Defender's Office and Assigned Counsel Program will receive \$4.9 million. Expenditures through this grant are more flexible than other grants the Department has administered. This grant will cover all personnel cost of new positions; there is no local match required for grant expenditures. Mr. Correia said he was informed by the Human Resource Director that the Office is approaching the Civil Service cap for the number of attorneys the Public Defender's Office can have. This number can be changed through public hearing/local law. Mr.

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Verno questioned if all new positions requested today were included in the Office's application for funding; Mr. Correia said they were. Mr. Verno questioned if this request should include a sunset clause stating if grant funding is eliminated the positions created with its funds will also be eliminated; it was agreed this language would be added to the resolution. Mr. House questioned if there is room in the Public Defender's current Office space to accommodate new staff; Mr. Correia said arrangements are being made to utilize existing space for the next few years. Personnel growth after that time would create the need for additional space. Approved 4-0.

The 2018 Annual Report for the Probation Office was received and filed. The report was distributed prior to the meeting with the agenda. The Department consist of one Director, a Deputy Director, 3 Probation Supervisors, 7 Senior Probation Officers, 14 Probation Officers, 4 Probation Assistants and 2 clerical staff members. The Office added one Probation Officer to assist with efforts of Raise the Age Legislation that went into effect in 2018. During the year the Probation Office monitored 392 ignition interlock devices; the State reduced their reimbursement for the cost of this program. Probation Supervisors had a caseload of 722 in 2018, with 2,497 cases under Department supervision. One full-time Probation Officer works with the County's Drug Court; the program had 48 participants in 2018, with 9 successfully completing the program. Staff processed 70 Juvenile Delinquency appearance tickets and 39 Persons in Need of Supervision referrals. The Office received 456 orders for pre-plea, pre-sentence or pre-dispositional investigations. There were 143 referrals made to the Community Service Program that is operated through the Probation Department; individuals involved in the program worked over 5,000 hours in 2018. The Department's Electronic Monitoring Program saved over 6,000 jail days. Staff was in 100% compliance for training at the end of the year. Mr. Verno questioned the need for an audit to be done on the Office's finances; Mr. Ameele said he has already asked the County's Internal Auditor to do an audit as time allows.

Mr. Ameele said the 11 county consortium for Raise the Age hired a consultant to obtain updated numbers on the amount of youth that could be utilizing this program in the region. The numbers they came up with were higher than numbers the State has. The State was sent a copy of the revised County plan for this program; however, have yet to respond to it. Mr. Correia questioned if his Office should hold off on paying expenses relating to Raise the Age Legislation, since State funding is supposed to pay all related expenses. Mr. Blake noted the County's 2019 budget does not include any Raise the Age funding. It was agreed Mr. Correia should hold off on paying these expense, as passage of the County's plan is anticipated in the very near future.

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

--Authorization for the Coordinator of Victim/Witness Services to sign a memorandum of understanding with Wayne County Action Program for utilization of an individual through the Senior Volunteers Program. Approved 4-0.

--Authorization for the Chairman of the Board to sign a Victim and Witness Assistance Grant application. The grant requires a 20% local match and has been utilized in the past to offset the cost of the Victim//Witness Coordinator in the DA's Office. Ms. Williams noted the State has increased funding to this program; the exact amount Wayne County will be receiving is based on the application received. She would like to include the salary and fringe benefits of a clerical person for her Office. Mr. Calarco reviewed the need for someone to assist Mrs. Williams due to the large number of clients she has. Approved 4-0 to submit the grant application.

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Mr. Calarco informed member's applications were accepted and the position of 4th full-time District Attorney has been filled. The selected attorney will be relocating to Wayne County; all applicants for the position resided outside of Wayne County. There remains a vacant part-time position in the Office; this position is currently being advertised.

The Annual Report for the District Attorney's Office was received and filed. The report was distributed with the agenda prior to the meeting. The Office is staffed by the District Attorney, 3 full-time Assistant Attorneys, four part-time Assistant Attorneys, three clerical staff members, a Victim-Witness Coordinator and part-time Criminal Investigator. Staff prosecuted 1,129 misdemeanor crimes in justice court, as well as traffic and petty offenses, and reviewed 540 felony arrests; 194 of these cases went before the Grand Jury. The Office disposed of 394 felony cases, with an 89% overall favorable resolution of those cases. In 2018 the Victims Witness Office worked with 300 crime victims.

Mr. Pettine reported there were 22 deaths in Wayne County that the Coroner's Office was asked to review in February with 10 autopsies performed. Through the first two months of the year there have been 47 deaths in Wayne County, none of these were opioid related.

Mr. Verkey made a motion the Committee enter into executive session at 9:22 a.m. to discuss contract negotiations with Mr. Connors present, Mr. Verno second. The regular meeting resumed at 9:58 a.m.

The monthly report for Emergency Management was distributed with the agenda. Mr. Bastedo reviewed how the Office prepared for last week's wind storm. The Office is working to obtain their accreditation in 2019. Staff participated in two meetings regarding the Lake Ontario water level. The Text to 911 System is operational and has been successfully tested by Verizon and T-Mobile. Sprint and AT&T have until May 20th to be activated. A public launch of Text to 911 will be done once all major carriers are successfully on the system.

Mr. Maybee updated members on the CAD/MDT/RMS project. There are 36 outstanding service requests on the CAD side and 42 on the RMS. The Sheriff's Records Division is still working with IT on entering the backlog from August into the system. Hexagon has agreed to upgrade the system and correct a significant amount of problems. They have quoted a price of \$380,000 for the upgrade. Mr. Maybee said there are \$170,000 in grant funds that could be utilized to offset this price. A meeting is scheduled with Hexagon later this week, at that meeting the County is to be provided with an updated project timeline. Undersheriff Fosdick said the Sheriff remains concerned that the project is two years behind schedule. The Division of Criminal Justice Services will not allow testing of the system until records in the system are up to date; in order to do this staff have been working overtime. The cost of County man hours that have gone into this project were noted; the Undersheriff believes there should be some form of compensation from Hexagon. He stated the Sheriff is very frustrated with the system. If the County will remain with Hexagon to see out this project was discussed. As the RMS package is not working, Supervisors questioned if any additional time/funding should be put into Hexagon. Mr. Verkey questioned if other county systems should be looked at. Mr. Bastedo questioned what the County would do with the Hexagon CAD and Mobile systems they now have in place. Mr. Verno stated the contract the County has with Hexagon is not a good one and this project will end up being costly. He questioned if any of the County's losses can be recouped before making any additional payment to Hexagon. Mr. Deming said he does not believe Hexagon has the technical expertise to do the

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RMS project and this portion should be pulled out of their contract. Mr. Verkey said he would wait and see what information is delivered by Hexagon later this week and then support whatever decision the Sheriff makes regarding continuance of this project.

In other business, Mr. Bastedo noted the cost of Ford Explorers has increased greatly and the amount in his budget will not cover the expense. Undersheriff Fosdick said the Sheriff's Office is in the process of reviewing quotes for this vehicle.

Supervisors were informed the multi service vehicle is in operation and has been utilized twice. Mr. Bastedo said his Office is working with the vendor of the unit on installation of roof antennas.

Mr. Kolczynski questioned if the Emergency Services Office keeps track of all weather related expenses they incur in case funding becomes available to pay these costs.

The following transmittals were presented for the Emergency Management Office:

--Authorization to appoint Doug Hares from Arcadia to the Fire Advisory Board. Approved 4-0.

--Authorization to appoint Gary VerStraete to the County's Technical Decontamination and Hazard Assessment Team. Approved 4-0.

--Authorization to appoint Gary VerStraete and Timothy Brower to the Emergency Medical Services Advisory Board. Approved 4-0.

The Annual Report for Emergency Management was received and filed. A copy of the report was distributed with the agenda. The Department is composed of the 911 Center, Advanced Life Support, Emergency Management Services, Emergency Medical Services, Mutual Aid and Public Safety Communications. The 911 Center is the central dispatch point for all 54 emergency services in the County, last year the Center received nearly 120,000 calls for assistance. A total of 98.3% of these calls were responded to within 10 seconds and 99.9% of the calls responded to within 20 seconds. The 911 Center has 33 employees, two of the positions are part-time. There are 31 employees in the Advanced Life Support Unit, one is part-time. In 2018 the Unit responded to 3,562 calls, an increase from the prior year. Medic 82, stationed in Marion, had the highest number of in-service hours at 108, responding to 1,131 calls. During the year ALS responded to a scene within 14 minutes 71% of the time. The County's Emergency Operations Center was activated for one major exercise during 2018; the State evaluated exercised in August. There are five full-time and two part-time staff members in the Emergency Services Office. Staff dedicated much time to seeing that FEMA reimburse the County for expenses relating to 2017 flooding of Lake Ontario. The County's Comprehensive Emergency Management Plan was re-written during 2018. The County's Emergency Medical Services Office has one part-time employee who continues to assist agencies and EMS providers in meeting certification requirements, training requirements and updates. The Program Coordinator worked on the revision of the EMS Mutual Aid Plan in 2018 and updating the EMS Dispatch Procedures Manual. The Mutual Aid Office has a part-time Fire Coordinator, full-time clerical staff member and eight Deputy Fire Coordinators. The County's mobile cascade unit was called out 44 times during the year filling 500 individual tanks. The County's Fire Training Facility was utilized 98 days during 2018 and the Fire Training Facility 53 days. There were 47 fire investigations conducted during the year.

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

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- Court Security: During January, 3,819 individuals entered the Hall of Justice; this number does not include building personnel.
- Corrections Division: During January there were 68 males and 18 females committed to the Wayne County Jail. Bail of \$62,595 and fines of \$140 were collected during the month. Eleven inmates were seen by the Jail Doctor during January, eight inmates participated in a narcan program, 6 inmates were visited by a private attorney, 23 by a Public Defender, 3 by a Probation Officer and 21 by Wayne Pre-Trial. The Jail boarded in 7 inmates during the month and served 7,200 meals. There were 40 pistol permits processed and 48 amendments. 91 papers were served by the Civil Division and 88 court papers served. 11 inmates attend parenting class during January and 7 inmates were boarded in to the Facility.
- Town/Village Summary: There were 2,864 incidents reported to the Sheriff's Office during January, 8 DWI arrests made, 51 criminal and 62 vehicle and traffic arrests. The Office processed 40 pistol permits and 48 amendments, performed 87 record checks and responded to 10 FOIL requests. There were 89 motor vehicle accidents during January resulting in 8 injuries. There are 334 sex offenders living in Wayne County.
- Tickets by Town: There were 321 tickets issued during January, the majority in the Town of Lyons.
- Overtime: Staff worked 3,063 hours of overtime during January; the majority of time for staff shortages and constant watch detail.

The 2018 Annual Report for the Sheriff's Office was received and filed. A copy of the report was distributed with the agenda prior to the meeting. It was noted Lt. Ambeau put together this year's report. The Office operated on a budget of \$18 million in 2018. There were 1,057 admissions in to the County Jail. Road Patrol members traveled over 1.3 million miles, responding to over 11,000 miscellaneous and major crime complaints, 1,192 motor vehicle accidents and 11,251 other complaints. They made 99 DWI arrests, 957 criminal, 711 vehicle and traffic and 154 miscellaneous arrests during the year. The Juvenile Division conducted 513 criminal investigations on juveniles between the ages of 7 and 16. During the 2017-18 school year there were School Resource Officers in five school districts. The Criminal Investigation Division was involved in 12 Wayne Net arrests, performed 54 investigations relating to offenses against children and 58 Welfare investigations. The Civil Division collected over \$1.6 million in civil actions, processed 501 summons and complaints, served 1,396 papers and 990 papers for Family Court. In 2018, the Pistol Permit Unit processed 472 new applications, processed 764 Brady Background checks and ran 1,507 mental health background checks. Criminal Records performed 1,228 record checks, 900 sex offender reports and 1,354 other reports. Over 38,900 individuals passed through the magnetometer at the Hall of Justice. The seven Security Officers assigned to the Hall of Justice were utilized to cover 321 court security post assignments. The Recreational Safety Unit patrolled 178 miles of snowmobile trails, the Marine Patrol worked nearly 2,900 hours in 2018 and the Dive Team worked 56 hours. The Sheriff's Office also has specialized teams for Emergency Response, Honor Guard, Reconstruction Unit, K-9 Unit and the Stop DWI Program. In the past year there were 223 DWI arrests in Wayne County, which resulted in 16 motor vehicle accidents. The snowmobile unit traveled over 200 miles.

An out of state travel request was presented for Sheriff Virts to attend the National Sheriff's Conference in Louisville, KY, from June 15th-19th. There is no local cost for attendance. Approved.

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

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--Authorization for the Sheriff to sign an affiliation renewal agreement with the Seneca Waterways Council for the Wayne County's Sheriff's Office Explorer Post. The Explorer program provides youth with career activities and mentoring to get youth interested in pursuing careers in law enforcement. Approved 4-0.

--Authorization for the Sheriff to sign a use and dissemination agreement with the New York State Division of Criminal Justice Services. This would allow the Office to access the criminal history and wanted and/or missing personal data as contained in Division of Criminal Justice Service records. Approved 4-0.

Mr. Blake reviewed with the Committee end of year transfers that occurred to make various budgets balance. At that time it was thought a transfer of \$337,000 was needed from the General Fund into the Sheriff's Office to cover personnel budget lines that were reduced reflecting an anticipated vacancy factor. The figure actually ended up being \$226,000. Mr. Blake said he would also make the Finance Committee aware of this.

Mr. Schmitt came into the meeting to review a request to have an Account Clerk position now budgeted in the Sheriff's Office, but not filled, placed into his Office. This individual in the position would perform financial functions for the Sheriff; however, it is thought the position would be better placed centralized financing in the Treasurer's Office. Both Mr. House and Undersheriff Fosdick spoke in favor of the request. Mr. Schmitt said the re-location of the position would allow for more oversight into the financial operations of the Sheriff's Office. The individual in the Account Clerk position would work on financial issues relating to the Sheriff's Office, however also on other issues in the Treasurer's Office. Mr. Schmitt said he was making the presentation of this idea at today's meeting and would review it next week with the Finance Committee. If both Committees agreed he will present a transmittal through the April Committee process.

Mr. Deming made a motion the Committee enter into executive session at 11:01 a.m. to discuss Union negotiations with Mr. Connors present, Mr. Verno second. The meeting adjourned at 11:20 a.m. The next meeting of the Public Safety Committee is scheduled for Tuesday, April 2nd at 8:30 a.m.