

MINUTES

PUBLIC SAFETY COMMITTEE

Tuesday, May 7, 2019 9:00 a.m.

Present: Supervisors Verkey, Crane, Verno, Deming, Kolczynski, Jacobs, Groat, Spickerman and LeRoy, County Administrator Rick House, Fiscal Assistant Ken Blake, Coroner Phil Pettine, Probation Director Mark Ameele, Public Defender Andy Correia, Sheriff Barry Virts, Undersheriff Jeff Fosdick, District Attorney Mike Calarco and Emergency Services Representatives George Bastedo, Jim Lee and Dylan Maybee.

Minutes from the April 2nd Committee meeting were approved as written.

Mr. Calarco updated members on the filling of a vacant part-time Assistant District Attorney position. The position was advertised in legal publications; this resulted in only one candidate applying for the job. As this potential candidate did not work out, the position was again be advertised in legal publications that have a larger circulation, two applications have been received, neither from Wayne County. Mr. Calarco said he would be interviewing both candidates next week. He requested additional consideration for the residency requirement of part-time Assistant District Attorneys, as it has become extremely difficult to fill these position with local candidates.

The Committee was updated on activities within the Coroner's Office. During April there were eight cases brought to the Coroner's Office.

A transmittal was presented from the County Attorney's Office to have the Chairman of the Board sign an agreement with the Monroe County Medical Examiner's Office for the performance of autopsy services for a price of \$2,125 per autopsy and \$1,425 for a blood and description exam. Approved 5-0.

Mr. House said other contracts will be forthcoming for services relating to autopsies.

Mr. Correia presented the monthly activities report for the Public Defender's Office. As of April 29th the Office had 582 open cases. Three State Indigent Legal Services grant claims were filed during the month totaling nearly \$66,000.

Hurrell-Harring funding is allowing the Public Defender's Office to add two full-time attorney positions. Mr. Correia noted it has been difficult to find individuals to fill these positions; he thought he had one position filled, but that did not occur. At this time there have been a handful of applicants for the positions, with one interview scheduled. The Office will continue to advertise the positions. Supervisors were informed a summer intern will be working in the Public Defender's Office; this individual will begin next week.

Mr. Correia voiced concern with the broadband coverage allowed through the County's internet system. The Office has the need to download large files and is often unable to do so, or in need to have electronic visual communication and unable to do so. Mr. Deming said he would review concerns with Mr. Correia and the head of the County's IT Department. Sheriff Virts noted difficulty in downloading secure files at the Sodus Point Sub Station.

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Mr. Correia reported on the new Centralized Arraignment process that started April 1st, stating the Sheriff's Office has been instrumental in making the system work. Arraignment sessions are scheduled daily at 7:00 a.m. and 7:00 p.m. To date, 97 arraignments have been held, 90% of these individuals were released immediately or posted bail within one day of their arraignment. Sheriff Virts said he will address staffing issues related to this program in June.

Mr. Correia updated members on the residency requirement for his 1st Assistant position. The position was filled in September 2018 with an individual living in Irondequoit; the individual is making a good faith effort to relocate to Wayne County and has placed unsuccessful purchase offers on two homes.

The monthly activities report for the Probation Office was distributed. During April there were 10 non secure bed days and 14 bed days assigned, 19 felony investigations ordered and 11 misdemeanors. Staff is supervising 332 felony and 256 misdemeanor cases along with 33 individuals who are in County Drug Court. During April, \$18,693 was collected by the Department.

Supervisors were informed the County's fiscal plan for Raise the Age has been approved by all necessary State offices. The State Division of Budget will take a final look at the plan to determine what County Departments will be receiving reimbursement for their tasks. Mr. Ameele said he would keep Administration updated as he receives additional correspondence from the State.

Sheriff Virts addressed the Committee regarding his Open Letter written publically expressing his dissatisfaction with the negotiations process and being barred from an executive session held by the full board last month. He said he did not condone the threatening comments said in person, behind someone's back or via social media to Supervisors and has personally apologized to Supervisors LeRoy, Crane, Miller and Spickerman for any personal attacks they experienced. He requested Supervisors accept his apology for any personal inconveniences his statement caused them; however, as an elected official, Sheriff Virts said he was entitled to express his concerns publicly regarding the Office of Sheriff and as a co-employer.

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

--Authorization to amend the budget to carry over remaining 2018 State Law Enforcement Terrorism Prevention Program grant funds totaling \$42,888. Approved 5-0.

--Authorization for the Chairman of the Board to sign an agreement with Ontario County for the provision of inmate housing at a cost of \$85 a day. Approved 5-0.

--Authorization for the Sheriff to sign an agreement with Oak Park Marina for free boat space rental. The Sheriff noted this has been done in the past; however, informed members his brother is the owner of this marina. Approved 5-0.

--Authorization to rescind Board Resolution No. 241-19 to modify the County budget for the purchase of SUV vehicles. Sheriff Virts stated prices for new vehicles came in higher than budgeted and this request is being made so an additional \$65,260 can be placed in the budget for purchasing of the vehicles in 2019. Approved 5-0.

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

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- Court Security: During March 3,446 individuals entered the Hall of Justice through the magnetometer; this does not include staff working in the building.
- Corrections Division: The Facility served over 7,300 meals. A total of 90 units of transportation were provided to inmates during the month. There were 16 private attorney visits, 19 visits by public defenders and 32 contacts made by Pre-Trail Services. The Facility took in \$113,760 in bail and \$260.91 in fines from 28 inmates. There were 67 males and 10 females committed to the Wayne County Jail in March, the Facility housed 4 State ready prisoners and 16 parole violators and boarded in 5 inmates from area counties. Sheriff Virts said the inmate population has declined since the Centralized Arraignment Process has been in place. He believes the numbers will drop more after the first of the year when the Cashless Bail Program goes into effect. It was noted any change to staffing of a jail must be approved by the State. Sheriff Virts also voiced his displeasure on housing State parolees in the County Jail and not being reimbursed for their medical expenses. Mr. Correia said the State has not paid for public representation of parolees; however, included a reimbursement formula in the 2019-2020 State budget.
- Office Activities: The report included both monthly and quarterly statistics. During March there were four DWI arrests, 88 criminal and 38 vehicle and traffic arrests. There were 79 motor vehicle collisions during March resulting in 16 persons being injured. The Office processed 46 pistol permits and 64 pistol permit amendments. The Civil Office processed 119 papers and served 98 Family Court papers.
- Town/Village Summary: During March there were 2,724 jobs assigned to Sheriff's Deputies. Staff traveled 112,000 miles during the month. There are 335 sex offenders living in the County.
- Tickets by Town: There were 307 tickets issued, the majority in the Towns of Lyons, Ontario and Sodus.
- Overtime: 3,831 hours of overtime were used during March. Supervisors were informed there are 13 recruits in the Academy at this time.

Mr. LeRoy informed the Committee, lakefront Supervisors have been meeting every two weeks with staff from the Emergency Management Office and Sheriff regarding high water levels of Lake Ontario. If a State of Emergency and No Wake restriction should be made was questioned. Mr. LeRoy has heard from local marina owners about the time it will take to travel in the bay area if they have to go slow enough to make no wake. Sheriff Virts said consideration could be given to imposing the No Wake restriction on recreational boating with the exception of certified marine repair shops, or the group could research No Wake to within 1,000 feet of the shore for everyone as some of the marina have suggested. It was agreed this issue would be reviewed in additional detail at the group's next meeting on Friday. Mr. Bastedo stated several meetings have been held with stakeholders regarding Lake Ontario water levels. Equipment and sandbags are in place, should flooding occur.

Mr. Blake reviewed the proposed 2020-2024 Capital Plan as related to the Sheriff's Office. In 2020 there are scheduled improvements to the K Building at a cost of \$175,000. Sheriff Virts said this space has been utilize for inmate overflow in the past; he does not foresee that issue in the future and recommends the building be converted to a vehicle storage facility.

The following transmittals were presented for the Emergency Management Office:

--Authorization to appoint Christopher English of East Williamson to the Technical Decontamination and Hazard Assessment Team. Approved 5-0.

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--Authorization for the Fire Coordinator to sign a regional partnership for participation in the New York State Department of Homeland Security and Emergency Services Hazmat Grant program. If received the three-county region could receive \$110,000 in funding. Approved 5-0.

--Authorization to establish an Incident Command System for Lake Ontario flooding, assign command and amend the County budget for this potential \$150,000 cost. Mr. Bastedo said the Command System would organize a response if there should be lake flooding. Funds would be used to pay for personnel, field supplies and contract expenses. The State has already been involved with potential issues relating to flooding. Approved 5-0.

The monthly activities report for the Emergency Management Office was presented. The Department's application for accreditation has been submitted to the State. The Newark Radio Tower site is up and running, the Wolcott tower is in need of an additional sign-off by an Indian tribe regarding possible artifacts found at the site; once this is received ground will be broke on the project. Sites for Macedon and Ontario towers are still being determined. The Text to 911 System is on; public launch of the site will occur at a later date. 911 Operations were successfully conducted out of the Back-up Center in February. The County's Multi-Purpose Vehicle has responded to several incidents.

Via conference call, members spoke to Fire Coordinator Rick Bond who was at Sodus Point assisting in preparation for potential lakeshore flooding. He informed Supervisors inmates with their supervisors, National Guard staff and members of the Army Corp of Engineers worked together to prepare for the event. Sandbags are in place and 'plugs' the State supplied are being put in place. A chart showing water levels was presented, levels have continuously increased over the past two weeks.

Mr. Maybee updated the Committee on the CAD/MPS/RMS Project. There were 34 service requests on the CAD/MPS system at the beginning of April, 6 requests were resolved during the month; however, 8 more requests were added. There were 46 open service requests on the WebRMS system at the beginning of April, 19 of the requests were resolved and 21 new service requests were added. Mr. Maybee noted a User Experience Team came to the County and held a workshop with end users; this went extremely well. Undersheriff Fosdick said he is seeing good progress on the system.

Mr. Lee came before the Committee to request consideration of decreasing or eliminating the fee ambulance companies pay the County's ALS system when they provide ALS level assist services to individuals on Medicare. The level of activity with the County's ALS system continues to increase and in the first quarter of the year they are exceeding projected revenues. Mr. Lee said he has worked out the financial implications of reducing the Medicare reimbursement from municipal ambulance companies to the County from its current \$175 a call to \$100 and this would still allow the County to meet their revenue goals if service requests remain high. Last year the County had revenue of \$177,000 from this source. Mr. Lee noted many ambulance companies are not in a positive financial situation and he would not want to see any more companies close. Mr. Verno stated the Williamson ambulance company is not doing well financially and the potential revenue would assist this group. He requested the County take this action until the emergency services needs survey is completed and evaluated. Mr. Lee stated Medicare Law allows for this charge back. If the change is to occur, he would like to see it in place by July 1st. It was agreed Mr. Lee would write a transmittal, to be presented as a Rule 14, requesting authorization to

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change the amount municipal ambulance companies reimburse the County for ALS assist services from \$175 a call to \$100 a call from July 1, 2019 through December 31, 2019. Prior to the completion of this six-month contract, the financial implications of this action will be reviewed.

Supervisor Groat left meeting at 10:06 a.m.

Mr. Blake reviewed the capital plan as related to the Emergency Services Office. Construction of the potential Macedon tower site is budgeted to cost \$665,000 in 2020; the majority of this expense will be paid for with grant funds, the remainder with Radio Project monies. Mr. Maybee said he looks into every grant opportunity when considering projects. The Plan also includes an update to the 911 CAD hardware and software systems at a cost of \$595,000; the majority of this cost will come from the County.

Williamson resident Bill Tegtmeyer came into the meeting to address the Committee regarding the unsettled Union contract with Sheriff's Office staff. Mr. Verkey noted the County has committed to a non-disclosure agreement regarding these contract negotiations. Mr. Tegtmeyer said, as a former law enforcement officer, he believes conclusion of this contract has been drawn out too long. He suggested the County bring in others to work on the negotiations if the current team cannot get the contract settled.

Supervisor Crane made a request the Committee enter into executive session with Sheriff Virts and Undersheriff Fosdick to discuss **contract negotiations** at 10:20 a.m., Supervisor Verkey second. The meeting adjourned at 11:22 a.m. The next meeting of the Public Safety Committee is scheduled for Tuesday, June 4th at 8:30 a.m.