

PUBLIC SAFETY COMMITTEE
February 2, 2022

Members Present: S. Havey, J. Rumfelt, G. Barnes, K. Demick, B. Harris, D. Healy, P. Stockin
(Absent: A. Cyr)

Other Present: A. Bigelow, T. Boyde, B. Budinger, J. Burdick, A. Carrow, J. Carter, S. Cicirello, S. Grantier, G. Green, G. Hanchett, N. Hatch, J. Henry, K. Hooker, C. Ivers, I. Jones, C. Knapp, S. Lamphier, T. Linn, J. Luckey, J. McKnight, B. Perkins, S. Pullen, B. Reynolds, J. Ricci, J. Ricketts-Swales, B. Riehle, D. Root, T. Ross, T. Shaw, K. Slep, R. Starks, R. Whitney

Call to Order: The meeting was called to order at 1:34 p.m. by Public Safety Committee Chairman Steven A. Havey.

Approval of Minutes

A motion was made by Legislator Rumfelt, seconded by Legislator Harris, and carried to approve the minutes of January 5, 2022.

PUBLIC DEFENDER

Public Defender J. R. Santana Carter attended the meeting and submitted his monthly report to the committee for review. Committee Chairman Havey commented that Misdemeanors and Violations were up from last year. Legislator Barnes commented that he saw on the news that morning that New York City Mayor Eric Adams is in strong support of changes to New York State Bail reform. Mr. Carter stated that New York City is a whole different animal, and what happens in New York City is a lot different than what happens in Allegany County. Legislator Barnes asked if what is happening in New York City with catch and release is also happening in Allegany County. Mr. Carter stated, "in some cases, yes." Legislator Barnes asked if corrections should be made to make things better as far as law enforcement. Mr. Carter stated that corrections could be made, but the way the law is structured with catch and release, the courts have adapted to use the pre-trial release program as another way of monitoring individuals who are re-arrested to try and avoid them getting into further trouble, and when they do step out of line, probation is quick to file violations, and judges are very quick in responding by signing warrants to have them picked up, then we step in and try to argue for their re-release, and they have not always been successful. Mr. Carter explained that many of them end up sitting back in jail with no bail or high bail, but that is built into the law.

EMERGENCY MANAGEMENT & FIRE

Emergency Management & Fire Director Jeff Luckey attended the meeting and submitted his monthly report to the committee for review. Mr. Luckey highlighted a few items from his monthly report.

Emergency Medical Services Classes

Mr. Luckey stated that Spring EMS Classes have started with 8 people in the Certified First Responder (CFR) class, 21 people in the Emergency Medical Technician (EMT) class, and 16 advanced EMT's testing out from completing their EMT class this past Fall.

EMS Captain's Meeting

Mr. Luckey stated that they held their EMS Captains meeting on January 20, 2022, with 3 Legislators present.

AGWAY Fire

Mr. Luckey stated that they responded to a very large fire at the old AGWAY in the Town of Rushford on Sunday, January 23, 2022. Mr. Luckey explained that security cameras revealed the fire burned for 20 minutes before anyone noticed. Mr. Luckey explained that it was a very old structure that burned very quickly, and that everything is pointing to an accidental cause. Mr. Luckey stated there was a great response, and dispatch did a great job coordinating the efforts from three different counties, and no one was injured. Legislator Healy stated that the building is in close proximity to the DPW shop, and it was his understanding that the facility was made available as a warming spot for Fire and Emergency Services, and thanked them all for the good coordination of efforts, as well as appreciation of DPW and all of the volunteers that responded to the scene.

Recruitment and Retention Meeting

Mr. Luckey stated that they have been holding a recruitment and retention meeting before their Fire Advisory Board meetings, and they have a Committee through the Fire Chiefs Association looking at how to improve. Mr. Luckey stated that they have come up with a couple of ideas and hope to be able to relay some of these ideas soon.

Home Test Kits and Masks

There were two pushes out to County Libraries and Town Clerks to distribute Take Home Test Kits and Masks. Mr. Luckey stated that these distributions have been well received, and they will continue to evaluate this as they go forward. Committee Chairman Havey stated that the Committee appreciates the effort that Mr. Luckey and his staff have done to provide the community with masks and test kits. Mr. Havey stated that he saw the shipment was only enough to supply 4 percent of our total population, but thanked them for their efforts. Mr. Luckey stated that this distribution was a special shipment from Governor Hochul that went to Emergency Management Services.

DISTRICT ATTORNEY

Allegany County Assistant District Attorney Ian Jones attended the meeting, and submitted his monthly report to the committee for review. Mr. Jones stated that felonies are down, and misdemeanors are up from the previous month, and explained that the four miscellaneous items were fugitive from justice cases, but apart from that there was nothing out of the ordinary.

STOP-DWI

Stop-DWI Coordinator Brian Perkins attended the meeting and submitted his monthly report to the committee for review. Mr. Perkins briefly highlighted items from his report. Legislator Rumfelt asked how the Traffic Safety Board appointments are determined. Mr. Perkins explained that the appointments are mostly done through discussions, but they do have bi-laws they follow to make sure all of the Legislative Districts are covered, people in Highway departments, and members of law enforcement, to name a few. Mr. Perkins stated that there is a representative from Ardent Solutions because they do so much with the child passenger safety end with bus routes. Mr. Perkins stated that they do spread the representation around, and try to keep it up and fill any openings. Legislator Rumfelt stated that all of the appointments look really good, and that he is familiar with all of them. Legislator Rumfelt asked if STOP-DWI discusses County Route 12. Mr. Perkins stated that they have had some discussions, and that they have a representative on the Traffic Safety Board from Alfred State College. Mr. Perkins explained that there is a limit to what can be done. Mr. Perkins stated they recognize that law enforcement does everything they can, and that Wellsville Police Department also does what they can. Mr. Perkins stated that the College tries to do everything they can to encourage their students to drive responsibly.

Legislator Rumpfelt stated that they do have a game plan with Zone Sergeant Giardini, as well as the Chiefs from Alfred and Andover, but his phone has been “blowing up” this past week with people asking if there is anything that can be done. Legislator Rumpfelt asked if the Traffic Safety Board was aware of any grants available that might be able to help. Mr. Perkins stated that they are not aware of any but can keep an eye out. Mr. Perkins explained that they have looked into possibly using someone to give a speech to the students, but that has not worked well in the past. Mr. Perkins stated that this is not a new challenge, but that everyone is doing whatever they can to try and help with the situation.

Request for 2022 STOP-DWI Plan

Mr. Perkins stated that there are some changes that are required with this request and that he will hold off on this until a later time.

PROBATION DEPARTMENT

Probation Director Robert Starks attended the meeting and submitted his monthly report to the committee for review. Mr. Starks stated that last month they received a letter from the Office of Court Administration (OCA) that went out to all pre-trial release programs in New York State. Mr. Starks explained that under bail reform in 2020, all pre-trial service programs had to be certified by OCA, and that most programs received provisional certification, which is what they received. Mr. Starks stated that for 2022, every pre-trial service program will be required to complete a survey with points attached to each question that will have a rating of 1, 2, or 3. Mr. Starks explained that total points of 1 will receive provisional certification for one year, total points of 2 will receive 2 years, and total points of 3 will receive 3 years, and the survey must be submitted by March 18. Mr. Starks stated that he will be going to a meeting in early March with other Probation Directors around the State to have many of his questions answered. Mr. Starks stated that their Oversight Agency for the Office of Probation Correction Alternative does not really have a say in the matter because the OCA oversees pre-trial service programs. Mr. Starks stated that in looking at the survey, he believes Allegany County is in better shape than some counties because we have had our pre-trial services program for many years. Mr. Starks explained that they do quite a bit more than just monitoring individuals such-as: referrals to service agencies to try and get individuals help, or if they do not show up for court they make reports to the court where warrants are issued and they go back to jail. Mr. Starks stated that they anticipate at least a level 2 certification, and possibly level 3. Mr. Starks stated Governor Hochul’s Budget of \$10 million for pre-trial service programs will be doled out based on the levels received from this survey.

Request for Agreement with AutoMon for Microsoft Azure Government Hosting Services

Mr. Starks requested a resolution approving an agreement with AutoMon, Inc. to allow AutoMon to assume the responsibility of hosting all of the products our Department currently uses on an annual basis. AutoMon, Inc. will host these products through their “Microsoft Azure Government Hosting Services & System Administration.” The cost of this service for the first year is \$7,500. Subsequent year subscriptions are subject to an annual 5 percent price escalation. The attached documents provided by AutoMon provides further information. The primary benefit to Allegany County is alleviating the responsibility of hosting our AutoMon products which also erases the County’s liability if there is a data breach or other less serious issues with the software. The Allegany County IT Department has endorsed this change in hosting responsibilities. The funds for the first year’s expense have been approved and are already in our 2022 Budget under account A3140.403. Legislator Harris asked if this is basically utilizing their storage for case management documents. Information Technology Director Keith Hooker stated that case management documents are currently residing on the County servers. Legislator Harris asked if that is different than where other department’s sensitive documents reside. Mr. Hooker stated that the way this program has morphed, that it makes sense to put it out into the Cloud where the

program itself will be running along with all of the documents. Mr. Hooker explained that Mr. Starks' office is meeting with Probationers in several Towns, and instead of putting holes through our firewall, this will become the Cloud's responsibility if approved. Legislator Harris stated that it seems expensive with all of the different contracts required. Mr. Hooker stated, "yes and no," that the cost is \$10,000 per server plus licensing and program maintenance. Mr. Hooker stated that it is slightly more expensive to put things in the Cloud, but the security is better. Mr. Hooker explained that in this situation, a lot of access is external. Legislator Harris asked how many similar contracts existed across the County. Mr. Hooker stated that he did not have the exact number available, but believes it is less than ten, but that is probably going to change. Mr. Hooker stated that IT as a whole has been holding off on the Cloud, but things are going that way. County Administrator Carissa Knapp stated that it is fair to say the County's current practice with the servers we have will change in the near future. Ms. Knapp explained that the DA's office has a similar arrangement with the Cloud for their discovery documents, and feels this is a smart move. Legislator Healy asked if the IT Director and County Administrator are recommending that the Committee approve this. Ms. Knapp confirmed that the purchase of software cannot be made until the IT Director and the County Administrator have signed off, and they both have signed off. The request was approved on a motion made by Legislator Healy, seconded by Legislator Harris, and carried. **Prepare Resolution**

Employee Introductions

Legislator Healy asked Mr. Starks to introduced the employees he brought with him. Mr. Starks introduced Supervisor Scott Grantier, Supervisor Jessica McKnight, and Probation Intern Nathan Hatch.

WEIGHTS & MEASURES

Weights & Measures Director Gilbert Green attended the meeting and submitted his monthly report to the committee for review. Mr. Green stated that Chairman Stockin asked what he had found out about Harrington's tank. Mr. Green explained that Sunoco owned the equipment, and the pressure test failed. Mr. Green stated that they could not justify putting the money into replacing the tank, and they took everything and went home. Mr. Green stated that he had just finished his State report and had better than 99 percent compliance with all equipment in Allegany County for the year.

Mr. Green referenced a portion of an article from the *Olean Times Herald State and Union* dated January 18, 2022, regarding the rising cost of living observed on January 17, 1947.

Mr. Green read the following from the article:

Allen Corwin, the Allegany County sealer of weights and measures, made an interesting observation: "The tragic rise in prices, which now sees many necessary food items reaching well toward the dollar-a-pound mark, and which brought a new high in the cost of living, has placed a new and more important meaning on any shortage in weight or measure." Responsible for making sure everything from grocery store scales to gas pumps are giving consumers a fair shake, Corwin urged officials, the public and shop keepers to be diligent and fair. "Full weight and measure is of vital importance to everyone, but it is now of tragic importance to those whose incomes has shown little or no increase since prewar levels."

Mr. Green commented, "It's even more important today." Committee Chairman Steven Havey commented, "The more things change, the more they stay the same."

SHERIFF'S OFFICE

Sheriff Rick Whitney attended the meeting and submitted his monthly reports to the committee for review. Sheriff Whitney began by stating that they did assign a few Allegany County Deputies to County Route 12 last summer, as well as set up their speed trap trailer a couple of times to try and help. Committee Chairman Havey and Legislator Harris congratulated and thanked Sherriff Whitney for his reappointment as a Trustee for the New York State Sherriff's Association. Legislator Harris stated that they appreciate the strong representation of Allegany County in Albany. Legislator Rumfelt thanked Sherriff Whitney for County Route 12. Sheriff Whitney explained that kids do not care if they receive a ticket, and that it is difficult to get them to slow down.

Palmer Opera House in Cuba

Sheriff Whitney updated the committee members with a recent incident in the Town of Cuba. Sheriff Whitney explained that Cuba Police spotted an individual wandering around in the middle of the night and discovered that he had been throwing bricks through the windows at the Palmer Opera House. Sheriff Whitney explained that this individual had poured gasoline through the broken windows with the purpose of burning it down. Sherriff Whitney stated that this individual had intended to stop an upcoming COVID-19 vaccination clinic. Sheriff Whitney stated that the individual was arrested and, and if anyone thinks that purports safety in Cuba, he does not know what to tell them because, "that's ridiculous, that could have been terrible, you probably would have lost the whole block." Committee Chairman Havey stated that violence is never the answer, but unfortunately they are released pending a court date. Legislator Ricci stated that this behavior is irrational and wondered if that is enough to request a psychiatric evaluation. Sheriff Whitney stated that he believes that would be a possibility, but noted they have taken several individuals to the hospital over the years for psychiatric evaluations only to be sent home. Committee Chairman Havey stated that it is almost considered terrorism. Legislator Rumfelt explained that one of the problems with psychiatric evaluations is a lot of the psychiatric wards were closed with bail reform, and now there is really nowhere to put them.

Requesting Authorization to Apply for NYS DHSES 2021 SICG Grant

Sheriff Whitney requested permission to apply for the New York State Department of Homeland Security and Emergency Services 2021 Statewide Interoperable Communications Formula-Based Grant Program (2021 SICG-Formula Program). This grant is awarded yearly in the amount of \$45 million dollars shared throughout the 57 Counties and the City of New York. These monies shall be used to continue enhancing our 911 Public Safety Radio Communications.

Important Note: for FY2021 SICG-Formula RFA: DHSES-OIEC is combining 2 years of New York State budget appropriations for this program, FY2020-21 and FY2021-22, for the 2021 SICG-Formula RFA. Due to the pandemic and delays beyond our control, the agency is aggregating all available appropriated funding in to one RFA: FY2020-21 appropriation of \$45 million and FY2021-22 appropriation of \$45 million, totaling \$90 million. Combining two years of appropriations will allow us to bring this program up to date and provide much needed funding for counties to continue support of public safety communications. The total grant exact amount is unknown until the award is announced. Last year's grant was awarded in the amount of \$723,865. The request was approved on a motion made by Legislator Harris, seconded by Legislator Rumfelt, and carried. **Refer to Ways and Means**

Requesting Authorization to Apply for NYS DHSES 2021 PSAP Operations Grant

Sheriff Whitney requested permission to apply for the New York State Department of Homeland Securities 2021 PSAP Operations Grant. This grant is awarded yearly in the amount of \$10 million dollars shared throughout the 57 Counties and the City of New York. These monies

shall be used to update electronic equipment in the County's 911 Center. The total grant exact amount is unknown until the award is announced. Last year's grant was awarded in the amount of \$135,050. The request was approved on a motion made by Legislator Harris, seconded by Legislator Healy, and carried. **Refer to Ways and Means**

Requesting Permission for Contract with Dietician Leslie L. Elliott, RDN, CDN

Sheriff Whitney requested permission to enter into a contract with Leslie L Elliott, RDN, CDN, to ensure that the Allegany County Sheriff's Office Nutritional Program provides adequate meals for those incarcerated individuals housed at the jail and to be compliant with New York State Commission of Correction Minimum standards. The retainer rate is \$175.00 per year and Services will be paid at the rate of \$65.00 per hour on site and \$55.00 per hour off site. Committee Chairman Havey asked if this is a mandated item. Sheriff Whitney explained that it is mandated to have someone that can verify they are meeting caloric and nutritional guidelines. The request was approved on a motion made by Legislator Rumfelt, seconded by Legislator Harris, and carried. **Prepare Resolution**

Appointments to Traffic Safety Board

The Traffic Safety Board requests the Board of Legislators to reappoint the following individuals for a three-year term on the Traffic Safety Board commencing January 1, 2022, and expiring December 31, 2024:

Re-Appointments:

Dean Arnold
Guy James
Brian Perkins
William Weaver

Appointment:

Chad Green

Legislator Healy stated that he is familiar with all of these individuals and felt they will all continue to do a fine job. The request was approved on a motion made by Legislator Healy, seconded by Legislator Rumfelt, and carried. **Prepare Resolution**

Old Business

Legislator Rumfelt stated that three legislators had attended the recent EMS Chief's and Captain's meeting where many good ideas were presented. Legislator Rumfelt stated that they will be going to the next meeting where they will be provided with numbers and figures, and they will continue to work together.

Adjournment

There being no further business to come before the committee, the meeting was adjourned at 2:10 p.m. following a motion by Legislator Rumfelt, seconded by Legislator Harris, and carried.

Respectfully submitted,

Tiffany Linn, Confidential Secretary
Allegany County Board of Legislators