

## **PUBLIC SAFETY COMMITTEE**

**June 1, 2022**

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

**Other Present:** T. Boyde, B. Budinger, A. Carrow, J. Carter, S. Cicirello, P. Curran, D. Fanton, G. Green, G. Hanchett, J. Henry, K. Hooker, I. Jones, C. Knapp, S. Lamphier, T. Linn, J. Luckey, B. Perkins, J. Ricci, J. Ricketts-Swales, B. Riehle, D. Root, T. Ross, T. Shaw, R. Starks, R. Whitney

**Call to Order:** The meeting was called to order at 1:30 p.m. by Public Safety Committee Chairman Steven Havey.

### **Approval of Minutes**

A motion was made by Legislator Cyr, seconded by Legislator Barnes, and carried to approve the minutes of May 4, 2022.

### **STOP-DWI**

Stop-DWI Coordinator Brian Perkins attended the meeting and submitted his monthly report to the committee for review. Mr. Perkins stated that bicycle safety presentations at local schools are going very well, and the DWI crash drills at Friendship and Andover were well coordinated. Mr. Perkins stated that they have a good model in place and plan to rotate the schools each year going forward. Mr. Perkins stated that Victim Impact Panel attendance is still down from pre-pandemic numbers and the next one is scheduled for August. Legislator Healy asked how many of the VIP attendees are Allegany County residents and how many are from outside Counties. Mr. Perkins stated that the most recent VIP had approximately 17 County residents and 5 residents from other Counties. Legislator Healy asked what the attendees are charged for the VIP. Mr. Perkins stated that out-of-county are charged \$40, and in-county are charged \$25. Legislator Barnes asked when the next State DWI event was planned. Mr. Perkins stated that the next event that could occur would be during the 4<sup>th</sup> of July holiday. Legislator Rumfelt asked for an update on the contracts with the local Police Departments. Mr. Perkins stated that he needs to finalize the numbers for the STOP-DWI Program with the County Treasurer because it is funded with money collected from fines. Mr. Perkins explained that there are fewer arrests; and therefore, less fines, so they will need to look for funding elsewhere.

### **PUBLIC DEFENDER**

Public Defender J. R. Santana Carter attended the meeting and submitted his monthly report to the committee for review. Mr. Carter stated that his office has received Surface Pro laptops to use in the event they would need to close their office for COVID-19 related staffing issues. Mr. Carter stated that their Secretary of 12 years has taken a new position and they will be coming forward with a request to fill in the near future. Legislator Harris asked Mr. Carter if he was familiar with the provider rate increase for assigned council. Mr. Carter stated that there is ongoing litigation based on the needs of certain Counties, and that there are talks regarding how they might solve that issue at the County if it is not resolved by the State. Legislator Harris asked if it may make it more difficult to hire in-house Attorneys if the County increased the rate. Mr. Carter stated that he believes it will and that may present a challenge. County Attorney Allison Carrow stated that she and County Administrator Carissa Knapp have been in discussions with others from the administrative staff on this issue, and that short term and long term solutions need to be addressed. Ms. Carrow stated that she anticipates coming before the Legislators to discuss available options and hopes there will be viable solutions to present. Ms. Knapp reminded everyone that Mr. Carter runs the Public Defender's Office and is not responsible for the rest of the plan of indigent defense, which falls under the administrative staff. Legislator Healy asked if there would be criminal contempt or ramifications for not following a judge or justice's order for indigent defense. Mr. Carter stated that it would probably not be criminal contempt, but it would create issues on all sides. Ms. Knapp stated that she would assume there would be advance notice from local judges, and she does not

feel that we have any Allegany County judges that would take us by surprise. Legislator Harris stated that it sounds like it is worth having on our radar for any County Department that employs attorneys.

## **EMERGENCY MANAGEMENT & FIRE**

Emergency Management & Fire Director Jeffrey Luckey attended the meeting and submitted his monthly report to the committee for review.

### **BOCES Hazards of the Job Demonstrations**

Mr. Luckey stated that their May 14 exercise at BOCES for students and parents on job hazards was well received. Mr. Luckey explained that EMS Departments from Belmont, Wellsville, Amity Rescue and MTS participated with demonstrations for safely removing people from emergency scenarios.

### **EMS Captains Meeting**

Mr. Luckey stated that he and Emergency Management & Fire Assistant Director Bonnie VanHousen facilitated the May 19 EMS Captains meeting where the new 209B law was presented allowing Fire Departments to bill EMS.

### **BOCES EMT Program**

Mr. Luckey stated that on May 25 they met with BOCES to discuss starting an EMT program. Mr. Luckey stated that they are moving forward with regular meetings. Mr. Luckey stated that they would like to have a program in place for the 2023 year. Legislator Healy asked if this is just for EMS and not Fire. Mr. Luckey stated that this is a "stepping stone," and that eventually they will extend the program to include Fire.

### **Tactical EMS Training**

Mr. Luckey stated that on June 8 they will have Tactical EMS training with Chris Baker from Cattaraugus County and Dr. Walters to demonstrate how EMS should tactically respond to a mass shooting.

### **Grant Notices**

Mr. Luckey stated that they received notice of the State Homeland Security Program (SHSP) grant amount of \$59,750 due June 6, as well as the Emergency Management Performance Grant (EMPG) amount of \$23,456 due June 7. Mr. Luckey stated that they will be working diligently to get those applications turned in by the due dates.

### **Request for Resolution Approving Agreement with the Volunteer Firemen's Association of Allegany County**

Emergency Management and Fire Director Jeffrey Luckey requested a resolution approving an agreement with the Volunteer Firemen's Association of Allegany County in the amount of \$2,000 to be used for the purpose of expenses incurred for fire training of fire fighters in accordance with the provisions of Section 224 of the County Law. The fiscal impact to the County will be \$2,000 from Account #

A3410.449. The request was approved on a motion made by Legislator Rumpfelt, seconded by Legislator Harris, and carried. **Prepare Resolution**

### **Allegheny County Firemen's Convention**

Mr. Luckey stated that Ms. VanHousen is the President of the Allegheny County Fireman's Convention being hosted in Rushford at the Rushford Legion Park on July 13 through July 17.

### **DISTRICT ATTORNEY**

Allegheny County Assistant District Attorney Ian Jones attended the meeting and submitted his monthly report to the committee for review. Mr. Jones stated that the office is missing their secretary and everyone is trying to get up to speed with cross-training so that there is no overlap in resources. Mr. Jones stated that their goal is to make sure everyone in the office is aware and capable to do everything. Mr. Jones stated that today is the first day that the new full-time 3<sup>rd</sup> Assistant District Attorney is in the office, and that he will be a valuable addition.

### **PROBATION DEPARTMENT**

Probation Director Robert Starks attended the meeting and submitted his monthly report to the committee for review. Mr. Starks stated that they had more juvenile delinquent and Persons in Need of Supervision (PINS) cases come in after he submitted his report. Mr. Starks explained that they have averaged approximately one per business day for the month of May which is quite high for them, even higher than pre-pandemic numbers. Mr. Starks stated that the first 5 months of 2022 numbers are up almost half of what they were for all of 2021 for juvenile cases. Legislator Healy asked if there were known contributing factors for the increase. Mr. Starks explained that schools going back into session for an entire school year has led to an increase in problems such as: attendance issues, hybrid and at-home learning issues, and parents that are not as equipped to handle certain issues. The Probation Department does it's best to resolve the issues, but the State of New York has made it difficult to charge PINS on the youth. Mr. Starks explained that this places a great burden on the community and the schools as they try to do what they can to help. Mr. Starks stated that hopefully with summer vacation coming, things will slow down.

### **Request for Resolution Approving a Memorandum of Understanding between Healthy Families Allegheny/Cattaraugus**

Probation Director Robert Starks requested a resolution approving a Memorandum of Understanding between Healthy Families Allegheny/Cattaraugus, 234 North Union Street, Olean, NY 14760, and the Allegheny County Probation Department. This MOU will allow the Probation Department to provide referrals for qualified individuals/families to the Healthy Families Allegheny/Cattaraugus Program. The agreement shall be from July 1, 2022, to June 30, 2023. There is no cost incurred by the Allegheny County Probation Department by the approval of the MOU. The request was approved on a motion made by Legislator Harris, seconded by Legislator Cyr, and carried. **Prepare Resolution**

### **Request to Transfer Funds to Purchase Office Desk**

Probation Director Robert Starks requested a resolution to purchase a desk for the Office. The quote for the desk is \$920. Mr. Starks requested that \$1,000 be transferred to cover the cost of the desk as follows:

From Appropriation Account: A3140.413 (Rentals) \$1,000

To Appropriation Account: A3140.201 (Equipment) \$1,000

The request was approved on a motion made by Legislator Healy, seconded by Legislator Harris, and carried. **Prepare Resolution**

## **WEIGHTS & MEASURES**

Weights & Measures Director Gilbert Green attended the meeting and submitted his monthly report to the committee for review.

## **SHERIFF'S OFFICE**

Sheriff Rick Whitney attended the meeting and submitted his monthly reports to the committee for review. Legislator Barnes asked for the average number of current Federal prisoners. Sheriff Whitney stated that Federal prisoners have been averaging approximately 13 or 14. Legislator Barnes asked if that is a considerable decrease from the previous year. Sheriff Whitney explained that the average had been 15 Federal prisoners the previous year. Legislator Barnes asked how that affects their Budget. Sheriff Whitney explained that they had anticipated those numbers with their Budget. Legislator Healy asked what the average peak number of Federal inmates would be. Sheriff Whitney stated that they averaged 80 to 85 Federal inmates. Legislator Healy asked how many officers had graduated recently from the Corrections Academy. Sheriff Whitney stated that there were 4 Allegany County graduates, 2 Cattaraugus County graduates, and 1 Wyoming County graduate. Legislator Harris asked if current inflation was causing Counties to reevaluate the rates for housing Federal inmates. Sheriff Whitney stated that they have not looked into it yet, but with the population going down and other Counties closer to the courts in and around Buffalo and Rochester housing Federal inmates, we do not want to raise it too much or we may lose everything.

### **Request to Fill Part-Time Cook**

Sheriff Rick Whitney requested permission to fill one part-time Cook (Non-Unit, Grade: 33B, Step: Base) in the Jail Kitchen. The hourly rate of pay will be \$19.903, and funding for this position will be 100 percent County funds. The request was approved on a motion made by Legislator Harris, seconded by Legislator Cyr, and carried. **Refer to Ways and Means**

### **Court Security Accreditation**

Sheriff Whitney stated that they had an accreditation team come down from the State's Sheriff Association to look over our court security. Sheriff Whitney stated that it is his understanding that they are going to be accredited by the State for their Court Security Program and should be hearing about that soon. Committee Chairman Havey congratulated them on a job well done.

### **Attorney Client Session**

A motion was made by Legislator Harris, seconded by Legislator Rumfelt, and carried to enter into attorney client session at 2:07 p.m. Immediately following discussion at 2:26 p.m., a motion was made by Legislator Cyr, seconded by Legislator Rumfelt, and carried to end the attorney client session and return to the regular meeting.

**Adjournment**

There being no further business to come before the committee, the meeting was adjourned at 2:26 p.m. following a motion by Legislator Rumfelt, seconded by Legislator Cyr, and carried.

Respectfully submitted,

Tiffany Linn, Confidential Secretary  
Allegany County Board of Legislators