

PUBLIC SAFETY COMMITTEE
November 2, 2022

Call to Order: The meeting was called to order at 1:32 p.m. by Public Safety Committee Chairman Steven Havey.

Roll Call: S. Havey, J. Rumfelt, G. Barnes, A. Cyr, K. Demick, B. Harris, D. Healy, P. Stockin

Other Attendees: A. Bigelow, T. Boyde, R. Budinger, J. Burdick, A. Carrow, J. Carter, S. Cicirello, P. Curran, D. Fanton, S. Grantier, G. Green, L. Greene, G. Hanchett, K. Hooker, C. Jones, I. Jones, C. Knapp, S. Lanphier, T. Linn, J. Luckey, D. Marsh, B. Perkins, J. Ricci, J. Ricketts-Swales, B. Riehle, D. Root, T. Ross

Approval of Minutes

A motion was made by Legislator Demick, seconded by Legislator Barnes, and carried to approve the minutes of October 5, 2022.

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.

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 numbers are steady with a lot of cases and that sometimes their role is damage control. Mr. Carter recalled a serious case from a few weeks ago where a young man was able to get some mental healthcare and then was sent home. Mr. Carter remarked that this is what some of these reforms are meant for, and he is glad that the young man was able to go home and not spend the night in jail. Committee Chairman Havey commented that it is nice to hear that the checks and balances of the justice system are working. Legislator Healy commented that in the past this young man would have likely spent the evening in jail. Mr. Carter responded that he may have spent the night in jail and been released the following morning.

Request to Fill Confidential Secretary

Public Defender J. R. Santana Carter requested permission to fill one full-time Confidential Secretary (Non-unit, Grade: 3, Step: Base to 5) in the Public Defender's Office. The annual salary of this position is estimated to be between \$38,740 and \$44,911, with benefits estimated to be between \$16,907 and \$19,600. This position is mandated by Indigent Legal Services. The annual salary is funded with 100 percent State funds, and benefits are funded with 80 percent County funds and 20 percent State funds. The request was approved on a motion by Legislator Cyr, seconded by Legislator Rumfelt, and carried. **Refer to Ways and Means**

EMERGENCY MANAGEMENT & FIRE

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

FY2022 Emergency Management Performance Grant (EMPG)

Emergency Management and Fire Director Jeff Luckey requested a resolution to accept the contract for the FY2022 Emergency Management Performance Grant in the amount of \$23,456 allowing for the usage of the funds in 2023. This grant is used to offset salary costs of \$15,261 within the Office

of Emergency Management regarding mitigation, preparing, planning, and recovery from man-made and natural disasters and allocates \$2,000 to purchase PPE, \$2,195 for training of the OES staff, and \$4,000 to offset the cost of rent. Resolution #153-22 provided the OES & Fire authorization to apply for the Homeland Security FY22 LEMPG grant. This is a 50/50 grant with a County match of \$ 23,456.

A 3668 Homeland Security - Emergency Management Performance Grant (EMPG) FY 2022

Appropriations (\$ 22,869.) ** new account number for Budget Year 2023

A 3668.101	Salary	\$15,261
A 3668.207	PPE	\$ 2,000
A 3668.405	Conference	\$ 2,195
A 3668.414	Rent	\$ 4,000

Revenues (\$ 23,456) ** new account number for Budget Year 2023

A 3668 4306.EMP22	Fed Aid Homeland Security – EMPG 22	\$23,456
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Total grant: \$46,912

No Budget adjustments are required at this time. The request was approved on a motion by Legislator Rumpfelt, seconded by Legislator Harris, and carried. **Prepare Resolution**

FY2022 Department of Homeland Security and Emergency Services (DHSES) State Homeland Security Program (SHSP) Grant

Mr. Luckey also requested a resolution to accept and appropriate the DHSES SHSP 22 grant. Resolution #154-22 was approved to apply for the grant. The total grant with the SLETPP is \$59,750. The amount of the OES grant is \$32,863. Contract #T190103, DHSES # WM22190103. New grant regulations were to use certain amounts in certain areas. Cyber Security, Soft Targets, and Emerging Threats.

**NEW COST CENTER A 3672E – OES HS SHSP FY22 T#190103

Appropriations (\$32,863)

A 3672E.207	Equipment - Portable Radios & Pagers /Damage Assessment Program	\$27,113
A 3672E.405	Conference	\$ 2,500
A 3672E.416.416	Phone Connectivity	\$ 800

Revenues (\$32,863)

A 3672E.4306.FY22	Fed Aid – OES HS SHSP FY22 T#19013	\$32,863
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Total grant: \$32,863

The request was approved on a motion by Legislator Demick, seconded by Legislator Rumpfelt, and carried. **Refer to Ways and Means**

Authorization to Appoint Southwestern Regional Emergency Management Services (SWREMS) Members

Mr. Luckey also requested permission to appoint Dan Marsh and Tom Sampson to the Southwestern Regional Emergency Management Services (SWREMS) Council. The request was approved on a motion by Legislator Rumpfelt, seconded by Legislator Demick, and carried. **Prepare Resolution**

EMT- Paramedic Course

Mr. Luckey also requested a resolution to pay for up to 10 students to take the EMT- Paramedic Course through an alternative site in Allegany County. It will be held at the Public Safety Building @ 4448 State Route 19, Belmont, NY 14813 with the labs to be completed at the Crossroads Building. MTS will be supplying the instructor for the course.

The course will cost as follows:

Basic Course Fee -	\$ 4,500
Book -	\$ 900
Exam -	\$ 152
Total	\$ 5,552 per student.

Total for 10 students \$55,520

The students would sign a contract that after passing the course, they would work in Allegany County for 3 years in at least one of the agencies. This will also keep our ALS (Advanced Life Support) alive as the CC (Critical Care) sunsets in 2028. We will need them to go up to the Paramedic level to keep them practicing at an ALS level.

**BUDGET ADJUSTMENT REQUESTED TO FUND THIS PARAMEDIC PROGRAM:
NEW COST CENTER A 4541 ** – OES Paramedic Program**

From:	A 1990.430	Contingency	\$ 55,520
To:	A 4541.421**	Education	\$ 55,520

The request was approved on a motion by Legislator Rumpfelt, seconded by Legislator Cyr, and carried. **Refer to Ways and Means**

Ms. VanHousen stated that they are very excited that they will be able to hold the EMT Paramedic Course in Allegany County. Ms. VanHousen stated that Critical Care will sunset in 2028 and they will need to get everyone up to Paramedic to continue advanced life-saving efforts in Allegany County. Ms. VanHousen explained that they have teamed up with WCA Services out of Jamestown, New York, to be an alternative course site in Allegany County. She explained that she is working with Undersheriff Cicirello about holding the course at the Public Safety Building, but the cost is quite high for volunteer and commercial agencies to send Critical Care or EMTs there which is why they are asking for funding to pay for the course, a book, and the exam for 10 students. She explained that they believe they can accommodate 14 students but are waiting for the NYSDOH EMS Regional representatives to approve the site and determine the exact number of people that will fit.

Legislator Rumpfelt asked County Administrator Knapp if the site is approved for 14 students and if they would need to amend the transfer request. Ms. Knapp stated that additional students would require committee approval.

Committee Chairman Havey asked if there would be more space available at the Crossroads Center. Ms. VanHousen explained that there is more space, but the internet at the Crossroads Center is not capable of holding the necessary Zoom meetings. She explained that Armstrong would be able to increase bandwidth by hardwiring the internet at a cost of \$150 per month. Legislator Demick asked how many more students could attend at the Crossroads Center. Ms. VanHousen stated that they could have as many as 30 students there.

Legislator Burdick stated that this year the course will be paid out of contingency but asked how it will be funded in the future and if there are any grants available. Ms. VanHousen stated that they will put it into the budget and will look for available grant funds. County Administrator Knapp stated that there

is money available in the 2023 Tentative Budget for training and that they may need to add more to that amount depending on future costs and whether this program continues to grow. Ms. Knapp stated that she and Ms. VanHousen discussed placing a set amount in the budget every year for training, whether it's for paramedics or continuing education.

DISTRICT ATTORNEY

Assistant District Attorney Ian Jones attended the meeting and submitted his monthly report to the committee for review.

Legislator Healy asked if Mr. Jones is satisfied with the direction of their cases and their caseload. Mr. Jones stated that they are satisfied with the direction and number of cases. Mr. Jones stated that he does not have any issues with how cases are being handled and as a matter of fact, he feels that a lot of high-level felony cases that his office has recently handled have turned out nicely. Legislator Healy asked if Mr. Jones felt that there were more repeat offenders under the “no bail, no jail” reform. Mr. Jones stated that there is no question and that people have several active files because they know what they can and cannot do that will get them bail or no bail. Mr. Jones stated that it is one of the tragedies of this law and one of the things that will hopefully be addressed at some point.

Resolution to Transfer Funds to Office Equipment

Mr. Jones requested a resolution to transfer funds from District Attorney Conference Expense to District Attorney Office Equipment to allow the purchase of accessories for ADAs to Utilize Surface Pro Computers outside of the office during local court appearances.

Budget Adjustment requested as follows:

From:	To:	Amount:
A 1165.405	A 1165.201	\$ 1,475
District Attorney Conference Expense	District Attorney Office Equipment	

Mr. Jones explained that this transfer of funds is necessary to upgrade outdated office equipment. He stated that additional demands with respect to discovery requirements have created the need for a lot of paper as well as needing the ability to pull things up electronically. Mr. Jones stated that much of the funds are used for the Microsoft Surface Pros and the required attachments. He stated that this will significantly cut down their expenses in the long run as many misdemeanor files are entirely electronic today. The request was approved on a motion by Legislator Harris, seconded by Legislator Cyr, and carried. **Prepare Resolution**

PROBATION DEPARTMENT

Probation Director Scott Grantier attended the meeting and submitted his monthly report to the committee for review. Mr. Grantier stated that the numbers are increasing quickly and at only 10 months into the year they have exceeded the total for all of last year. Mr. Grantier announced the promotion of Carey Brown to Probation Supervisor effective October 24, 2022.

NYS Office of Children and Family Services (OCFS) Supervision and Treatment Services for Juveniles Program (STSJP) Grant

Probation Director Scott Grantier requested a resolution to accept and appropriate the NYS Office of Children and Family Services Supervision and Treatment Services for Juveniles Program (STSJP) Grant State Fiscal Year 2022- 2023 in the amount of \$202,258.26. This amount includes an approved rollover from 2021-2022 in the amount of \$20,000.

Appropriations A 3147.101 STSJP-DSS Personnel

Revenues (\$202,258.26) A 3147.3310.00 STSJP-DSS

Total grant: \$202,258.26
Revenue # A 3147 3310.00 \$202,258.26

The request was approved on a motion by Legislator Healy, seconded by Legislator Rumfelt, and carried. **Refer to Ways and Means**

Mr. Grantier stated that they had previously applied for certification through New York State and were granted a level 3 certification. He explained that every county in New York State was awarded an amount of money based on population and the quality of their programs. Mr. Grantier stated that this is a brand-new grant, and he cannot speak to its longevity, but they can use this for making an even more robust pretrial release program.

NYS Department of Criminal Justice Services (DCJS) Probation State Aid Block Grant-Fiscal Year 2022 to 2023

Mr. Grantier also requested a resolution to accept and appropriate the NYS Division of Criminal Justice Services Probation State Aid Block Grant for State Fiscal Year 2022-23. The amount of the award is \$151,101. The grant period is July 1, 2022, through June 30, 2023.

Appropriations A 3140.101 Regular Probation Personnel

Revenues (\$151,101.00) A 3140.3310.00 Probation Block Grant

Total grant: \$151,101

The request was approved on a motion by Legislator Rumfelt, seconded by Legislator Harris, and carried. **Refer to Ways and Means**

NYS Department of Criminal Justice Services (DCJS) SFY 2022 to 2023 Grant Funding for County Pretrial Services

Mr. Grantier also requested a resolution to accept and appropriate the NYS Division of Criminal Justice Services funding to offset the costs associated with the provision of certified pretrial services, including but not limited to screening, assessments, supervision, and reporting as provided in the enacted (SFY 2022-2023) New York State budget for the period of April 1, 2022- March 31, 2023.

Appropriations	A 3140.208 Probation-Police equipment	\$30,050.50 (50%)
	A 3140.450 Probation-Public Safety Contracts	\$30,050.50 (50%)

Revenues A 3140.331 PTC State Aid – DCJS (FY 2022/2023) \$60,101

Total grant: \$60,101

The request was approved on a motion by Legislator Harris, seconded by Legislator Rumfelt, and carried. **Refer to Ways and Means**

Request to Create and Fill Account Clerk Typist in the Probation Department

Probation Director Scott Grantier requested a resolution to create and fill one full-time Account Clerk Typist (AFSCME bargaining unit, Grade: 7, Step: Base to 7) in the Probation Department. The annual salary of this position is estimated to be between \$33,433.40 and \$39,148.20, with benefits

estimated to be between \$14,590.34 and \$17,084.27. This position is funded with 100 percent County funds. The request was approved on a motion by Legislator Rumpfelt, seconded by Legislator Demick, and carried. **Prepare Resolution to create and Refer to Ways and Means to fill**

Legislator Harris asked if this position is intended to be filled in 2023. Mr. Grantier explained that he is anticipating a retirement in his department in January of 2023 and would like to create this position as soon as possible to facilitate cross-training.

Request to Create and Fill Senior Probation Officer

Probation Director Scott Grantier requested a resolution to create and fill one full-time Sr. Probation Officer (AFSCME bargaining unit, Grade: 20, Step: 1 to 7) in the Probation Department. The annual salary of this position is estimated to be between \$49,485.07 and \$63,584.79, with benefits estimated to be between \$21,595.28 and \$27,748.40. This position is funded with 100 percent County funds. The request was approved on a motion by Legislator Rumpfelt, seconded by Legislator Cyr, and carried. **Prepare Resolution to create and Refer to Ways and Means to fill**

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 Harris stated that he read somewhere that the recent changes in the gun laws may affect the gun season for hunting and asked if he was familiar with that. Undersheriff Cicirello stated that the changes to the gun laws will affect the storage of firearms while they are being transported. Legislator Burdick commented that the DEC website explains how the new gun laws will affect hunters.

Request to Fill Part-Time Cook

Sheriff Rick Whitney requested permission to fill one part-time Jail Cook (Grade: 33B, Step: Base) in the Sheriff's Office. The hourly salary of this position is estimated to be \$19.903. This position is funded with 100 percent County funds and is included in the 2022 Budget. The request was approved on a motion by Legislator Cyr, seconded by Legislator Rumpfelt, and carried. **Refer to Ways and Means**

NYS Department of Criminal Justice Services (DCJS) Body Worn Camera (BWC) Program

Sheriff Whitney also requested a resolution for permission to apply for the New York State Department of Criminal Justice Services (DCJS) Body Worn Camera (BWC) program grant. Approximately \$10,000,000 is expected to be available to fund Body Worn Cameras and applicable equipment/software for local law enforcement agencies outside of New York City. Funding under this program must supplement, not supplant, non-grant funds that would otherwise be available for expenditure on the programs proposed. The total amount of the grant is unknown until the award is announced. The request was approved on a motion by Legislator Harris, seconded by Legislator Healy, and carried. **Refer to Ways and Means**

COUNTY ADMINISTRATOR

Upgrade to County Software System Add-On and Integration Support Features

County Administrator Carissa Knapp requested a resolution for authorization to upgrade the County's software system add-on and integration support features to include the new EagleView imagery available under the dispatch map in CAD and for the Chairman of the Board to execute the agreement for services with Tyler Technologies. Accurate and quality aerial pictures of the County's geographical area including forests, parks, towns, villages, and residential areas will benefit county residents, departments, and municipalities.

H.1680.200

\$5,660 (One Time Cost)

\$1,058 (Recurring Annually Software Maintenance)

The request was approved on a motion by Legislator Cyr, seconded by Legislator Rumpfelt, and carried. **Refer to Ways and Means**

Emergency Medical Services (EMS) Study

County Administrator Carissa Knapp requested permission to request proposals for an Emergency Medical Services (EMS) study.

Allegany County has progressed several EMS initiatives in 2022 including the formation of an EMS Advisory Board, securing an EMS Medical Director, and initializing Paramedic training to begin in January 2023. Recently, the County also began exploring whether it should create or purchase a county-wide Certificate of Need.

As the County looks ahead, it will need to determine what its future role should be in assisting and coordinating volunteer EMS agencies. Additionally, the County will need to determine what is the best use of County resources toward those objectives. The requested study will assist in that analysis and is part of the County's efforts to evaluate existing EMS operations within the County to make recommendations for the long-term success, stability, and improved efficiency and safety for both EMS services and the public. The request was approved on a motion by Legislator Healy, seconded by Legislator Rumpfelt, and carried.

COUNTY ATTORNEY

Local Law and Public Hearing Establishing the Office of Conflict Defender

County Attorney Allison Carrow requested a resolution setting the date of a Public Hearing on a Local Law Establishing the Office of Conflict Defender.

Currently, the County provides indigent defense through a two-tier process that involves the Public Defender's Office and the provision of Assigned Counsel as overseen through the County's contract with an Assigned Counsel Administrator. Assigned Counsel is a panel of private attorneys that are able and willing to take assignments of cases on a rotating and as-needed basis at a rate of pay set forth in state statute.

In most circumstances, the Public Defender's Office is the first mechanism available for the legal representation of an eligible individual. If the Public Defender's Office is unable to represent an individual due to a conflict, the matter is then referred to have Assigned Counsel represent him or her.

Currently, there is a drought of available attorneys to serve as Assigned Counsel. That is a condition experienced throughout New York State and not just limited to Allegany County. It is a serious problem, as without depth within an Assigned Counsel panel, there may not be enough private attorneys

available, and a backlog can develop as eligible individuals wait for attorneys to be added to the panel to be assigned to represent them.

Creating a Conflict Defender's Office will assist in addressing these issues as it will change the two-tier process into a three-tier one. County-employed attorneys in the Public Defender's Office will remain the first mechanism for representation. If there is a conflict there, the next mechanism will be County-employed attorneys in the Conflict Attorney's Office. Finally, after those options are exhausted, Assigned Counsel may be utilized as the last mechanism available to ensure representation for eligible individuals.

The desired outcome is to ensure that attorneys are employed by the County and available to take cases which would help to alleviate the crunch experienced by the limited number of private attorneys on the Assigned Counsel panel compared to the overall need for indigent defense in the County.

Funding for a Conflict Defender's Office above and beyond what the County traditionally spends on retaining attorney services may be available from the New York State Office of Indigent Legal Services.

The request was approved on a motion by Legislator Rumpfelt, seconded by Legislator Cyr, and carried. **Prepare Resolution**

Old Business

Emergency Management and Fire Director Jeff Luckey stated that during the summer they had taken specialized training through National Oceanic and Atmospheric Administration (NOAA) and National Weather Service (NWS) to become recognized as StormReady reporters of weather-related incidents as they occur. Mr. Luckey presented a StormReady sign and explained that they received StormReady recognition.

Adjournment

There being no further business to come before the committee, the meeting was adjourned at 2:22 p.m. following a motion by Legislator Rumpfelt, seconded by Legislator Cyr, and carried.

Respectfully submitted,

Tiffany Linn, Confidential Secretary
Allegany County Board of Legislators