

PUBLIC SAFETY COMMITTEE
September 8, 2015

Present: Bill Holgate, Sarah Purdy, Doug Paddock, Gary Montgomery, Bonnie Percy, Jim Multer, Tim Dennis, Dan Banach, Leslie Church, Lee Sackett, Bob Clark, Ron Spike, Brian Winslow, Sharon Dawes, Jack Gleason, Valerie Gardner, Mark Morris, Doug Paddock.

Bill and Bonnie will do the audit this month.

PUBLIC COMMENT:

Art Adams, addressed the Committee after looking at various websites on the high cost of Public Safety.

Chairman Dennis thanked Mr. Adams for his comments. Chairman Dennis stated those figures are per capita, and questioned, what is our true per capita? That is based on the US Census and during peak periods of the year our capita is considerably in excess of the US Census. That could be one aspect as to why things do not look right.

Adam Talley addressed the Committee regarding the safety and moral in the jail. As an example, a Correction Officer was on an 11:00p.m to 7:00a.m shift then was mandated to stay on another 8 hours. This brings up safety issues and health concerns. Mr. Talley asked that the Committee look again at addressing the staffing issues instead of a band aid. How safe is this, what if the person that pulls a double shift goes home and gets in an accident, whose fault is that?

Mr. Banach moved to bring back to the floor the resolution to hire 2 additional correction officers, Bonnie seconded.

DISCUSSION:

Bonnie stated the vacation time for the correction officers that are currently in the jail. There are 125 weeks of vacation that the Sheriff has to cover. If you take that per employee, we are missing an employee of 1.7 each week. If you look at personnel leave, we are missing approximately .36 employees per day. Comp Time, Bonnie used a low estimate and she came up with .4 off per day. You total this up and it is just shy of 2.5 people missing per day. Bonnie agrees with Mr. Talley, in that if you are working long hours it creates health problems. Bonnie explained that if you look at the overtime hours for the jail you will find that if you put on two new correction officers, it only reduces the overtime hours by 320. It's a start but we are not there yet.

Elden stated we addressed this last month. Elden is unsure of the success of getting more part-time CO's on board. Another issue is the abuse of personal time and sick time within the department itself. The Sheriff Road Patrol and the 911 Dispatch, there doesn't seem to be a problem but in the jail they treat the 12 vacation days and the 3 personal days as 15 days a year and it appears that this is treated more or less as vacation time. They create the problem themselves in part that they are now complaining about. What can be done about this is unsure. Another issue we might want to look at, in Schuyler County the dispatchers run the gates. We have a post for that here, and that post is filled 24/7 by 3 shifts a day. There is one person in there a day running the gates. That equates to a head count of 5 people when you factor in vacations and so forth. If the electronics and screens could be moved over to dispatch this would eliminate a head count of 5. This would cut approximately \$375,000 assuming that 2 correction officers were not added. Elden feels this should be looked at before we add additional people.

Bonnie stated that if you look at the overtime report that the Sheriff has given us and take 320 hours a month away from there you are not coming anywhere near what the overtime hours are.

Bill agreed with Bonnie and stated that this is not about reducing overtime. That's why we originally suggested this situation. It doesn't necessarily cure the problem. There may be some other areas that we need to look at that might help cure the problem.

The consensus of the Committee was to bring a resolution forward at Monday's legislative meeting.

Minutes of the August meeting were approved as presented.

Probation – Sharon Dawes

Sharon reviewed the following statistical report:

YATES CO. PROBATION	14-Aug	14-Sep	14-Oct	14-Nov	14-Dec	15-Jan	15-Feb	15-Mar	15-Apr	15-May	15-Jun	15-Jul	15-Aug
Probationers	276	288	275	271	264	255	250	250	247	240	236	241	237
Investigations monthly	7	20	22	25	15	14	15	23	22	19	20	23	22
investigations year to date	136	156	178	203	218	14	29	52	74	93	113	136	158
Violation of Probation	0	9	1	4	5	6	8	8	5	3	13	4	2
VOP year to date	30	39	40	44	49	6	14	22	27	30	43	47	49
Pre-Trial Release	3	2	2	2	2	2	3	2	2	2	2	1	1
Leandra's Law													
Conditional Discharge	39/18	45/24	46/23	50/26	46/26	43/24	43/27	37/27	41/24	44/24	44/25	42/23	38/19
Probation	15/0	15/0	16/0	16/0	17/0	16/1	15/1	13/1	16/1	19/1	18/1	19/1	20/1
waiver cases	5/1	9/3	9/3	9/3	8/3	7/3	6/3	7/5	9/7	9/8	9/8	10/8	9/7
payment plan cases	5/2	6/3	7/2	7/2	7/3	5/2	7/3	7/3	7/3	7/2	6/2	6/2	6/2

Sharon reported there is a Keuka College intern that started in her office.

Sharon reviewed her proposed 2016 proposed budget.

District Attorney – Valerie Gardner

Valerie reviewed the following statistical report:

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	2014				2015			
	NEW	NEW	NEW	CASES	NEW	NEW	NEW	CASES
	CASES	FELONY	VOP & VCD	CLOSED	CASES	FELONY	VOP & VCD	CLOSED
Jan	65	4	8	83	64	16	7	61
Feb	44	4	6	92	63	8	5	48
Mar	68	7	9	62	75	15	8	51
Apr	82	7	5	82	71	5	10	51
May	85	7	6	62	59	12	3	59
Jun	72	9	3	67	80	5	14	47
Jul	65	6	6	71	70	8	4	41

Aug	72	13	1	55		78	10	5	75
Sep	76	15	24	87					
Oct	75	13	14	73					
Nov	60	6	12	70					
Dec	86	15	13	88					
Total	850	106	107	892		560	73	56	433

"New Cases" are the total number of new files opened each month. "New Felony" is the number of new cases where the top charge alleged is a felony (may or may not be maintained at that level after review). "New VOP" is number of Violations of Probation filed. "Cases Closed" is the number of case files that were closed as completed with final dispositions. New Cases less the New Felony & New VOP = All other cases (misdemeanors, violations, vehicle and traffic, etc.). Not shown are many prior years case appeals and post judgment applications for relief which consume a substantial amount of staff time.

Superior Court Information (SCI) / INDICTMENTS

2015: 60 to date 2014: 38 total for year

Valerie reviewed her proposed 2016 budget.

Emergency Management – Brian Winslow

Brian reported he and Diane attended a video conference in Ontario County on Grant Management.

Brian reported the Hazardous Mitigation update grant application has been submitted.

Brian reported he met with Churchville Fire Equipment regarding the pump testing and the 2015 testing schedule has been distributed.

Brian reported on the County Code Enforcement Officer position with Schuyler County. Schuyler County's Officer will do the work this year, but the actual contract will start next year.

Brian reported the Fire and Mutual Aid Plan has gone out to all the municipalities and Brian has started to receive some of them back. Brian will be bringing this forward within the next couple of months.

Brian reported at the Seneca County Farm Days a manure pit training was held. Brian had the individual from that training do a class in Benton which had approximately 70+ fire and EMS volunteers and farmers in attendance.

Brian reviewed his 2016 proposed budget.

Sheriff – Ron Spike

Ron reviewed a vacancy review form for 2 Emergency Services Dispatcher positions. The consensus of the Committee was to refill the vacancies.

Ron reviewed the following resolutions that would be needed. The Committee approved.

- o Approve 2016 Stop-DWI Plan Budget
- o Authorize Sheriff to increase vehicle impoundment fees (Amend 190-96)

- Promote NYS legislation for use of video conferencing for court appearances of inmates
- Calling for the Governor to veto mandatory non restraint bills for those inmates in pregnancy as unnecessary legislation

Ron reviewed his proposed 2016 budgets.

Sarah brought up email discussions regarding the Crime Analyst resolution and whether that resolution should come out of Public Safety or Government Operations. Sarah believes the request is to have it come out of Public Safety. Bill stated that Connie sent out an email stating that it would be coming out of Public Safety.

Elden questioned the IRS decision as to whether the current individual can work under contract for the next three months or whether they have to be made a part-time employee now.

Ron explained that he was under the impression that the contract had to end as of October 1st. Ron also feels that it was not right that the IRS only spoke to the Treasurer’s office as far as a county entity goes. They never talked to Ron and Ron does not feel that was proper on their part. Ron feels the process was not done right and when he spoke to the Chairman about this, they talked about filing the form that was filed. The IRS responded to Ron that they wanted a 1099, Ron submitted that to them and he has not heard a thing.

Elden questioned if the individual who the Sheriff is contracting with now could possibly train the Chief Dispatcher and have the Chief Dispatcher pick up the work being done by the contractor thereby eliminating the a position. Ron explained you can’t work someone outside of their job classification. You are presuming that someone has time on their hands and that is a presumption and you need to be careful about that. Ron stated we would run into a problem with civil service if we did not have a corrections employee doing that type of policy development. Especially for all the medical issues and everything. This individual spends a lot of time researching and keeps the Sheriff up to date, because he does not have people in the jail that have the time to spend on it.

Mark stated that there has to be a way to figure out how to do that. This is what is happening all over in the private sector and because we are government we’re different. We have to figure out ways so this is not a constraint when you are talking part-time additions to work. Is there anyone on this board in your job that you haven’t had to pick up extra stuff? It’s how you get productivity. I understand you have constraints that you have to deal with, why can’t we fight some of these constraints. Ron explained he has correction officers or court security people that would like to work on the marine patrol when he is shorthanded on the weekend but they can’t do it because they would be working out of title.

Ron reviewed the following jail population report.

YC JAIL COMMITMENTS				
SEPT				
County	65	male =	43	female= 22
Feds	6	male =	6	
Total	71			
Boarded				
Out of Co.	1F	Steuben		
	4F	Wayne		
	1F	Marcy		

		H
Housed in other jails	2M	Ontario
	1M	Genesee
	1M	King
Total	10	
IN YC JAIL	61	
<i>Two lock-up cells only ones available</i>		

Ron reviewed the monthly statistical report for July, highlights follow:

Animal related: 90	Criminal arrests: 49	Number of charges: 79
Vehicle & Traffic UTT: 43	Navigation related AT: 11	DWI related arrests: 7
Sex Offender in the County: 88	FOIL requests: 106	FOILS/County Agency: 50
Evictions: 5	Average daily pop. in jail: 57	Meals served: 5,300
Total Law Enforcement/EMS/ Fire Dept. calls for service through E911 for July were 2,043		

Ron reported there are 5 participants in the SWEAP program. There are 3 males and 2 females.

Ron reviewed the revenue report which showed \$138,230 received so far this year.

Ron reported on September 26th there will be another National Take Back Drug Day behind the Court House from 10 a.m. to 2 p.m.

Ron reported there were several serious MVA's in August, several arrests of burglaries involving burglaries at the wineries and businesses. Several cases for possession of heroin.

Ron reported the new Confidential Assistant to the Sheriff will start next Monday, Jena Owen.

Ron reported he applied for the Round 4 State Interoperability Communications Grant (SICG) and was turned down. Ron reported he will apply again.

Ron reported there will be a Victims Impact Panel on September 15th starting at 7:00p.m. in the County Auditorium.

Ron reported he will be attending the Fall NYSAC Conference from September 21st to the 23rd.

Ron reported he continues to work with Tim Groth on IT issues and continues to look for boat storage.

Leslie questioned based on the increase of fraud cases and in light of the article last week in the Chronicle Express regarding the dismissal of a welfare fraud case, does the DA wish to elaborate on that? Since we have been talking about welfare cases frequently in the last year Leslie felt it would be remiss if she did not ask this questions.

Valerie explained she would like to elaborate on that more than ethics will allow her to because that case is still pending. The ethical considerations will prevent her from making comment on any case where there is a possibility of the dissemination of all of the elements of a certain case. In a criminal case when it is pending prior to there being a clear sentence there are 3 entities that you are working with, the prosecution, the defense and the court. All three had a plan that they had consented to and suddenly something happened, and the defense and the DA were equally surprised. There was no change in any element what so ever. It was completely unanticipated.

This case is really fraud that is alleged from as far back as 2008 and wasn't referred for charges until 2012 and an arrest never happen until 2013.

County Administrator – Sarah Purdy

Sarah reported there is not much to report regarding a regional jail. She expects to learn more at the NYSAC conference on the guidelines for the applications for the \$150 million in funding available for local government efficiencies. Sarah reported she had a conference call with the Department of State and it was made clear that there is not going to be additional funding beyond the \$12,500 match per municipality for a feasibility study because the Department of State is interested in actions, not studies. Therefore, if Yates and Schuyler counties wish to pursue the concept of a regional jail, knowing that a decent feasibility study will cost about \$100,000, each county would need to contribute \$37,500. Sarah did speak with Schuyler County Administrator Tim O'Hearn and was told that Schuyler County is not interested in the \$37,500 figure.

Chairman Dennis stated that we heard comments at the start of the meeting that we need to find \$850,000 to get into the middle of the pack as far as comparing other municipalities on Public Safety. We have heard all of these challenges for almost 2 hours. So those who think that we need to find \$850,000 I would be anxious to help them do that but I haven't seen it. Mr. Adams or anyone else, it is easy to point that out but you have heard what we are facing over the last hour and half and I would like at another time, place or privately to figure out where we can find that \$850,000.

Dan stated this is not the first time that we have heard about this. We have looked at it from different aspects in the past. One of the aspects is when you compare Yates County to Ontario County you have two cities involved which probably entails maybe 30 to 35 law enforcement. They are not figuring into that equation, Penn Yan has 9 full time law enforcement. When you go to a county like Monroe or Onondaga, where there are major cities, those law enforcement agencies take over a lot of the responsibilities as far as administration, patrols and everything else away from the county bottom line. Other factors to consider are in some other counties they put their vehicles under highway because it is a maintenance deal they have with highway or for example their investigators are being turned over to the DA's and so on and so forth. There is a lot of different ways they spread these things out, so it is very difficult to really count apples to apples. Dan feels we are providing a good service for what we are paying for the residents of Yates County. You want us to be safe, you want us to be appropriate in arresting the people that are breaking the law and yet some people don't want to pay for or think that we have the golden standard here when it comes to law enforcement and so forth.

Mark stated he's brought this issue up before and was basically told there was stuff that was misclassified. Mark questioned if the 2013 data had information in there that was misclassified.

Bonnie feels that the County needs to go back to the State Comptroller. Bonnie tried before to ascertain how they came up with those figures and she was not able to do it. There is a discrepancy in how the State Comptroller's office is putting the information on Open Book.

Tim stated the point remains, you have heard the issues that we are facing with those issue, where are you going to find \$850,000.

Valerie stated the a factor that has to be consider is quality of life and what we in Yates County expect for Public Safety.

Ron stated he has worked very hard to find efficiencies within the budgets. He has changed a lot of things over the last few years which has amounted to approximately \$100,000 in savings. Ron

stated that he could put a large dent in the \$850,000 that is being mentioned with a different jail. Ron stated that it is ludicrous that he has to have 38 to 40 full time people for a jail that holds 65 people. When the jail was built in 1977 it was the way to build a jail and then 10 years later, the way to go is a "Pod". The current jail is about the most inefficient operation you can get to satisfy the State Commission of Corrections with the minimum staffing when you have to have 11 to 12 people on duty in the jail. If it was set up in a "Pod Cast" the staffing could be cut in half.

Gary stated that we need to deal with data and facts. Last month Mark brought up the Open Book NY and I understand there are issues. At the same session Elden Morrison brought up to have someone do a study just of the jail and those things were basically rejected. Maybe we need to look into this.

Bill stated we have done studies, and we are working off those studies and one of the things that we pretty much know is, Ron has actually gone back to the Commission of Corrections and actually reduced staffing for us. There probably isn't too much more to gain through another study other than the fact that they will probably make us hire more people. We are actually being somewhat proactive by bringing in two more CO's and reducing some of the overtime cost. We are dealing with the situation as it sits right in front of us.

Sarah stated that one of things that we might want to do is have a feasibility study done regardless of whether Schuyler wants to participate in the cost. One of the things that could happen there is in addition to a two county jail, it was mentioned earlier that we could take over their dispatching. The problem with this is it cost money to get the savings.

Gary pointed out that we couldn't figure out how to share a highway superintendent a few months ago, because of liability issues. Gary can't imagine the issues that would come up with trying to share a jail.

Dan moved to enter executive session to discuss the employment history of a particular person with the committee members, legislature and county administrator present, seconded by Elden.
VOTE: Unanimous

Meeting adjourned at 5:12p.m.