

**REGULAR MEETING OF  
PUBLIC SAFETY COMMITTEE  
Ontario County Safety Training Facility  
January 14, 2013 2:00 P.M.**

<b>Committee Members</b>	<b>Others Present</b>
Samuel Casella, Chairman - Necessarily Absent	John Garvey, Philip Povero, Tom Harvey
Mary Luckern	Leanne Lapp, Halle Stevens, Mary Gates,
John Champlin	Dru Malavase, Steve DeChick, Andrea Schoeneman
Norm Teed	
Robert A. Green, Jr.	
Donald Ninestine	

The Public Safety Committee met in the Ontario County Safety Training Facility on Monday, December 10, 2012 at 2 p.m. for a regularly scheduled meeting. The meeting was chaired by Supervisor Ninestine.

**Approval of Minutes:**

**Supervisor Teed moved approval of the Minutes of the Regular Meeting held on December 10, 2012. Supervisor Luckern seconded the motion, carried unanimously.**

**Public Defender:**

Ms. Lapp requested authorization to apply for Grant Funding from the Office of Indigent Legal Services, which is from the same office as last year's grant, but a different grant with a different purpose. The goal of the grant is to obtain counsel arraignment for many individuals as possible. She would like to expand the program beyond where it is right now. It does not require a county match.

**Supervisor Teed moved approval as requested by Ms. Lapp. Supervisor Luckern seconded the motion, carried unanimously.**

Ms. Lapp requested authorization for a contract with James Beagley, Treatment Specialist. He has been working with the department as part of the last grant for which they were approved. The services are for drug/alcohol and mental health treatment.

**Supervisor Champlin moved approval as requested by Ms. Lapp. Supervisor Green seconded the motion, carried unanimously.**

Ms. Gates requested authorization for a Budget Transfer to assist with a salary increase for an Assistant Public Defender. The 2012 resolution that was passed indicated that there were sufficient funds in 2012 for the increase early, and there was. But at the time the 2013 budget was already established and the 2012 resolution did not amend the 2013 Band.

**Supervisor Green moved approval of the Budget Transfer as requested by Ms. Gates. Supervisor Champlin seconded the motion, which was carried. Supervisor Luckern voted no.**

**STOP-DWI:**

Ms. Malavase requested authorization for a Contract with the Canandaigua Police Department for the STOP-DWI program. The contract is for \$20,000 for special patrols.

Ms. Malavase also expressed her thanks to Ms. Schoeneman for assistance with motor cycle safety courses for the department.

**Supervisor Champlin moved approval as requested by Ms. Malavase. Supervisor Luckern seconded the motion, carried unanimously.**

**Planning Department:**

Mr. Harvey requested authorization for a Budget Transfer for Improvements to the Tower Site in the Town of South Bristol Improvements had to be made to the road in order bring equipment to the site.

Mr. Harvey requested authorization for a Budget Transfer and Amendment to Contract with Parsons Brinckerhoff for the new Emergency Communication System.

Mr. Harvey requested authorization for payment of invoices as listed below:

- A. Communications International, Application No. 15, for \$144.60
- B. Castner Communications, Inc. Invoice No. 810125 for \$85,080.00
- C. Harris Corporation PSPC, Invoice No. P000000373 for \$125,027.60
- D. L. R. Kimball, Invoice 517552 for \$16,255.13
- E. L. R. Kimball, Invoice 517754 for \$19,999.20

**Supervisor Champlin moved approval of the above listed items as requested by Mr. Harvey. Supervisor Teed seconded the motion, carried unanimously.**

**911 Communications:**

Mr. DeChick requested authorization for a contract with Sam Asher Computing Services, Inc. for a Emergency Notification Hyper-Reach System. This contract has been in place for several years. The company would like to keep our services and have quadrupled the services for a small increase. This allows the County to send messages to many people at one time. Examples would be a “boil water” advisory or a missing child at the mall. It can also be used to contact the ERT and/or dive teams all at once.

**Supervisor Green moved approval as requested by Mr. DeChick. Supervisor Champlin seconded the motion, carried unanimously.**

Mr. DeChick requested authorization for a contract with Finger Lakes Communication Company, Inc. for service and repair of the County 911 Emergency Radio System. This is a six month contract, assuming the new system is functional. Some of the old equipment still needs to be maintained. The contract is for \$50,000 versus \$100,000 for a full year. The contract had expired 11/01/12. Finger Lakes Communications has continued to provide maintenance past that date. Mr. DeChick and Tom Harvey are looking at other options for maintaining the old equipment. Even though the new radio system will be 700 MHz, some fire departments may remain on the low band system. There are also ambulance services that are planning on staying on VHF high band. Those two systems have outdated equipment that will still need to be maintained for several more years.

**Supervisor Green moved approval as requested by Mr. DeChick. Supervisor Luckern seconded the motion, carried unanimously.**

Mr. DeChick requested authorization to enter into E-911 Service Agreement with Frontier Communications. They maintain the 911 telephone system. The 911 switch for the 911 plan does need

to be replaced as part of the move to the new center. Mr. Harvey is working on this for an upgrade or replacement. This contract calls for a small increase. Frontier provides great service for the county.

**Supervisor Teed moved approval as requested by Mr. DeChick. Supervisor Champlin seconded the motion, carried unanimously.**

**Office of Sheriff:**

Sheriff Povero requested a Budget Transfer for replacement of a totaled patrol car. A B shift deputy was heading west on County Road 4 and was t-boned at the intersection of Freshour Road. The individual in the other vehicle did not stop. The deputy sustained minor injuries. The other driver was ticketed. A brief discussion followed regarding the possibility of utilizing another vehicle rather than requiring a replacement. Supervisor Ninestine asked about reimbursement from the other driver's insurance company. Mr. Garvey stated this will be handled through the Insurance Committee.

**Supervisor Teed moved approval of the Budget Transfer as requested by Sheriff Povero. Supervisor Champlin seconded the motion, carried unanimously.**

Sheriff Povero requested authorization for the donation of equipment from the Suffolk County Sheriff's Office. Last year, New York State offered DWI training. At the last minute, the instructor for this program was not able to fulfill the commitment and our certified instructor filled in at Suffolk County. In appreciation, they would like to donate a new License Plate Reader, valued at \$26,000. Suffolk County also covered the cost for our deputy to instruct there.

**Supervisor Teed moved approval as requested by Sheriff Povero. Supervisor Luckern seconded the motion, carried unanimously.**

Sheriff Povero requested authorization for a Budget Transfer for overtime for Jail Medical. The funds were allocated in the 2012 budget with the .4 line. The transfer is to cover correctional health care by nurses covering extra hours.

**Supervisor Champlin moved approval as requested by Sheriff Povero. Supervisor Luckern seconded the motion, carried unanimously.**

Sheriff Povero reviewed the Jail revenue. December's total was \$2,960.00 for Federal Immigration. The total for 2012 is approximately \$90,000.00 (about 75% of the 2012 revenue budgeted for housing inmates in). They are only housing in adult males and females. The Jail weekend high was 234 inmates. Pod 2 is female and Pod 7 and 8 are males. Those pods are full. There were 58 females over the weekend. Four or five of the inmates are pregnant or have had babies. Additional females had to be placed in with the 16-17 year olds. They are looking at options with the state such as sub pods. At this time the Jail is not able to house Federal prisoners right now as there is not any bed space. Discussion followed.

Sheriff Povero advised the Committee of a meeting with school superintendants, including the city school superintendants, to discuss School Resource Officers. There is a clear interest by the schools to find out what can be done about SRO availability. Mr. Garvey and Sheriff Povero are on a sub-committee to review the financials. Sheriff Povero also met with FLCC last week about emergency response plans. As a follow up, he met with Management Compensation last week about Basic School positions in anticipation of three retirements. Management Comp supported the three positions and this will be discussed Wednesday by the Personnel Committee. Discussion followed. Supervisor Champlin stated would like to see the County consider contributing to the SRO positions. The Committee members feel that the School Resource Officers are necessary and effective in the schools as well as in the community at large.

**Supervisor Green moved approval to endorse the request for three recruits to be sent to Basic School in anticipation of three officers retiring. Supervisor Champlin seconded the motion, carried unanimously.**

**Other Items:**

Mr. Garvey addressed the issue of traffic at County Road 46 and Freshour Road. A local farmer has expressed his concerns with the parked cars on the shoulders of the road, where people are parked to smoke. He advises that the vehicles parked there are blocking visibility of oncoming traffic, which almost caused him to have an accident. This area of land on each corner is actually County owned. Sheriff Povero stated that under the statutes, it would be a parking violation if a vehicle is parked within 30 feet of the approach to a stop sign. A lengthy discussion followed regarding this issue and options for handling it such as posting signs, or governing the area to insure parking restrictions. Mr. Garvey will be following up on this and will bring recommendations back to the Committee.

Mr. Garvey updated the Committee on Assigned Counsel. He has spoken with Andrea Schoeneman, John Park, and Mike Rhinehardt on this. Ms. Schoeneman then addressed the Committee. County Law 722 requires the County to provide legal defense for those that cannot afford it. She mentioned some of the areas required such as Criminal Court, Family Court, and certain Surrogate Court cases. There are four different ways of providing legal defense:

- Public Defender
- Private Legal Aid Bureau or Society
- Bar Association Plan (assigned counsel panel or office of conflict defender)
- Combination of any of above or, if no plan, the judge(s) would make the assignment if a conflict

There are conflicts in criminal cases with a Public Defender's Office. In Family Court, many times are several interested parties such as parents, grandparents, Social Services, involving three or four lawyers. If the County were to go with an RFP for a Legal Aid Society for a per case, or contract price, there will still be conflicts. The County would still need an Assigned Counsel panel or Conflict Office. She and Mr. Garvey believe that analysis and recommendations would require research and possibly a committee made up of someone from the offices of Public Defender, County Attorney, Finance, possibly a Board Supervisor and someone from Administration to review all options.

Discussion followed. Mr. Garvey will ask Chairman Casella to appoint someone willing to serve to set up the next phase of this process. Whatever is decided will have to be court approved. The County has to provide quality defense for defendants. The Board of Supervisors has the right to examine the expenses but the primary responsibility is quality defense. Ms. Schoeneman will speak with other Counties to find out how they handle this. Supervisor Ninestine suggested she speak with Cortland County about their program.

**Supervisor Champlin moved to adjourn the meeting at 3:09 p.m. Supervisor Luckern seconded the motion, carried unanimously.**

Respectfully submitted,

Linda Hudson  
Confidential Secretary