

PUBLIC SAFETY COMMITTEE MEETING MINUTES
JANUARY 26, 2016

PUBLIC SAFETY COMMITTEE MEMBERS PRESENT: Suprenant, LaPointe, Shay, Idleman, Haff, O'Brien, Hogan

PUBLIC SAFETY COMMITTEE MEMBERS ABSENT: None

SUPERVISORS: Henke, Hicks, Gang, Shaw, Moore, Campbell, Armstrong

Debra Prehoda, Clerk	Roger Wickes, County Attorney
Chris DeBolt, Assistant County Administrator	Al Nolette, County Treasurer
Tony Jordan, District Attorney	Glen Gosnell, Director, Public Safety
Tim Hardy, Deputy Director Communications, Public Safety	
Bruce Mason, EMS Coordinator	Anthony White, Probation Director
Mike Gray, Alternative Sentencing/Youth	Bill Adamson, Sealer Weights & Measures
Ray Rathbun, Fire Coordinator	Marie DeCarlo-Drost, Assign Counsel
Mike Mercure, Public Defender	Public

AGENDA AS PRESENTED IN COMMITTEE NOTICE:

- 1) Call to Order
- 2) Accept Minutes – December 1, 2015
- 3) Department Reports/Requests:
 - A. Weights & Measures
 - 1) 2016 Goals
 - B. Fire Bureau
 - 1) Annual Fire Reporting
 - 2) Fire Department Inventory
 - C. Alternative Sentencing
 - 1) Program Updates
 - D. District Attorney
 - 1) 2015 Overview
 - 2) CARP Grant Update
 - 3) Crime Victim Specialist Grant/Year-end Report
 - 4) Termination of STARTS Contract Update
 - 5) Discuss Personnel/Staffing Needs
 - 6) Request for Resolution – Support of Holding Cell Legislation
 - E. Public Safety
 - 1) Grant Updates – Receipt of FY15 PSAP Operations Grant
 - 2) Radio System Updates/Projects
 - 3) Discuss Personnel/Staffing Changes
 - F. Public Defender
 - 1) Request for Budget Amendments – 2015
 - 2) Discuss Personnel/Staffing Needs
 - 3) Discuss Commence Counsel at 1st Appearance Program
 - G. Assigned Counsel
 - 1) Department Update
- 4) Other Business
- 5) Adjournment

Chairman Suprenant called the meeting to order at 1:03 P.M.

A motion to accept the minutes of the December 1, 2015 meeting was moved by Ms. Idleman, seconded by Mr. Shay and adopted.

WEIGHTS & MEASURES – Bill Adamson, Director, addressed the following item with the committee:

- 2016 Goals – Presented attached handout listing mission statement and goals.

FIRE BUREAU – Ray Rathbun, Fire Coordinator, addressed the following items with the committee:

- Annual Fire Reporting – For the first time since he has been Fire Coordinator, all fire departments have complied with State reporting requirements.
- Fire Department Inventory- Reported excellent compliance with fire departments providing an inventory of their equipment so now he has a comprehensive list of equipment countywide.
- J-Fire (Juvenile Fire Program) – will report out on this program in March or April.
- Donated Module Units for Fire Training Center remain at the old Ciba Geigy property and BOCES are supposed to move them but have yet to sign the contract.

ALTERNATIVE SENTENCING – Mike Gray, Director, addressed the following items with the committee:

- Program Updates:
 - Alive at 25 Program – The instructor is leaving the area and Mike and his staff will assume those responsibilities in 2016.
 - Skype for the Clients – Plans to work with IT on the use of skype for their clients. This will cut down on travel and he will keep the committee updated.
 - Community Service for 2016 – Will be involved in the Strand Theater (Kingsbury Town Hall) demo work.
 - 2016 Goals – Pre-arrest diversion – Looking at the local need for a pre-arrest diversion program working with law enforcement agencies and the District Attorney. Working with young offenders with drug addiction/substance abuse issues in a different way – hold ticket if they report to Alternative Sentencing and getting them into programs/treatment addressing their issues.
 - Veterans – Plans to work with DA, Veterans Services and Probation on how to deal with the veterans/related issues that we are getting in the system.

DISTRICT ATTORNEY – Tony Jordan, District Attorney, addressed the following items with the committee:

- 2015 Overview – Preliminary numbers based on initial review: 920 misdemeanor arrests (basically even with prior year), and 406 felonies up about 20% over prior year and increases are up due to 261 DWI arrests(up 20%) and over 200 drug arrests(up 30%). High number of DWI arrests with children in the vehicle. Discussed the lack of available behavioral health professionals.
- CARP Grant Update (Crimes against Revenue Program) – CARP grant was renewed but at a slightly lower amount. They continue to work with DSS to pursue collection on people who have stolen monies from the county in terms of benefits. The State recognizes there is value in them going after people who falsely take homeless benefits, food stamps, unemployment and Medicaid fraud. The grant funds a part time person to spearhead the paperwork and part of an Assistant District Attorney's salary. A motion to amend 2016 DA budget to recognize CARP grant funding was moved by Mr. O'Brien, seconded by Mr. Shay and Ms. Idleman and adopted.
- Crime Victim Specialist Grant/Year-end Report – The grant period is from October 1 to September 30 and the two Crime Victim Advocates have provided services to 1500 victims with over 12,600 services provided. They are very busy.
- Termination of STARS (rape crisis services) Contract Update – STARS was the provider of rape crisis services in Washington County and they have dissolved. Hot line calls are being

covered by an entity in Saratoga and an entity in Warren County but as victims if they choose to engage the criminal justice system, the two Crime Victim Specialists are available to provide assistance and the hospital and law enforcement are aware they are available.

- Request for Resolution – Support of Holding Cell Legislation – Sen. Little has drafted legislation to authorize our booking area in the Jail to also serve as a holding cell area and she has indicated a resolution in support would be helpful to the legislative process. A holding cell would provide another option to the county; five potential holding cells. A motion to support resolution request regarding creating holding cells was moved by Mr. Shay, seconded by Ms. Idleman and adopted.
- Grant Award – For a couple of years, they have received a \$10,000 legislative initiative that they have used to support a part time investigator. A motion to accept grant and amend budget to use \$7,000 toward personal services and \$3,000 towards fringe benefits and forward to the Finance Committee was moved by Mr. O'Brien, seconded by Ms. Idleman and adopted.
- Body Worn Cameras – Asked if there should be a working group to consider matters relating to the use of body worn cameras; i.e. foil and discovery issues. IT will need to be involved regarding storage. The County Attorney stated he will work with the District Attorney and Sheriff on this matter. Mr. Hicks mentioned this is scheduled to be covered at the NYSAC conference. The County Attorney stated the committee's roll will be whether to fund the purchase of body worn cameras and then the operation and usage of them will be the Sheriff's policy.
- Discuss Personnel/Staffing Needs – Counsel at first appearance is part of the Hurrell-Herring lawsuit and that presents challenges for their current staffing level. Additional legal staff is needed and he does not have any funds in his budget to cover this expense. Working with the IT Department to try to be able to do this remotely. Mr. O'Brien would like to see a plan put together and have all parties come up with a cost. The need for an additional attorney is current and the Hurrell-Herring lawsuit exasperates that need. An additional attorney would cost about \$100,000, salary and benefits but the District Attorney would like to explore a graduated salary model increasing incrementally as they gain experience. Chairman Suprenant suggested looking at on-call rotation coverage. The County Administrator stated there are still questions about how this will all be handled and does not want to institute counsel at first appearance until Indigent Legal Services (ILS) money is in hand and probably not until at least April. The County Attorney stated these issues need to be addressed not just because of the lawsuit. A motion to move request for additional staff and the justification to the Personnel Committee was moved by Mr. O'Brien, seconded by Ms. Idleman and Mr. Shay and adopted.

PUBLIC SAFETY – Glen Gosnell, Director, addressed with the committee the following items detailed on the attached handout:

- Grant Updates – The department applied for a Public Safety Answering Point (PSAP) Operations grant in the amount of \$283,524 but was awarded \$185,509 to be used toward personnel and some training items. The Treasurer stated in the 2016 budget all of this new grant money was put in personnel and a budget amendment is needed to align with the \$185,509 grant amount. A motion to accept grant and amend budget to mirror \$185,509 award and forward to the Finance Committee was moved by Mr. O'Brien, seconded by Mr. Shay and adopted. Grant funds are generated by the 911 surcharge and a handout was

distributed regarding the eight states that divert portions of 911 funds for other activities with New York being one of the eight states, handout attached.

- Communications/Radio System Project Updates:
 - MRD South Project – Improvement of Law Enforcement Radio System in the County – Radios on towers have been programmed and they are going to commence programming Chief Bell's, Sheriff's Office, State Police and other village police departments' radios.
 - Hudson Valley Wireless – Have been working with Hudson Valley Wireless on radio equipment placement and the County Attorney is still negotiating the lease agreement. The County Attorney stated per the committee, the lease agreement was drafted with a three year term with two three year extensions and they were not happy with that time period, wanting ten years with ten year extensions. Mr. Gosnell stated we are not receiving \$3,000 in rent from them; we are to receive \$3,000 in kind services. Mr. Haff has spoken with John Guzzo, Hudson Valley Wireless, regarding the Hebron tower and he stated there might be some room for a compromise maybe five years and don't renegotiate the contract at the end of five years. He feels we cannot forget the public good. The County Administrator tried to get a financial agreement rather than in kind but that did not work. He does not feel the County is getting a \$3,000 value of in kind services. In kind services being provided include: extra 100 megabits, back up line into the County Building, business class service at the Hebron Barn, Little Burch radio and 50 megs downstairs for EOC Training Room and Law Enforcement Training Center. There is agreement on the services but they continue to negotiate on the length of the lease agreement. The County Attorney stated his job is to look out for the County.
 - Batteries on Big Burch Hill and the Municipal Center that failed have been replaced and are operational.
- CAD System – Cushing, CAD system vendor, was conducting a restart of the system this morning. Continue to address occasional slowdowns and lock ups.
- Personnel/Staffing Changes – The Deputy Director of Emergency Management cannot be a Deputy because they have no oversight or control over communications/dispatch whereas the Deputy Communications Director does. He plans to address with the Personnel Committee a request to change the title of the Deputy Director of Communications to Deputy Director Public Safety and make it a salary exempt position due to being on call 24/7. The Deputy Director of Emergency Management would be re-titled Emergency Management Coordinator and remain an hourly employee and remove the 24/7 clause. A motion to move requests to re-title positions to the Personnel Committee was moved by Mr. Shay, seconded by Ms. Idleman and adopted.
- HazMat Truck – He is requesting to replace the 1990 Freightliner HazMat rescue truck with electrical and heating problems with a 2000 Freightliner truck from Franklin County at a cost of \$25,000, photo attached. He has viewed this truck which was in service until last week. It has a cascade system to fill air bottles. He has funds within his budget and would sell the old truck. A motion to approve hazmat rescue truck purchase, amend budget and forward to the Finance Committee for consideration was moved by Mr. Shay, seconded by Ms. Idleman and adopted.
- Dispatch - Working on how they can best comply with Counsel at first appearance and that impact to operations.
- On Call Supervising Communications Officer and Senior Communications Officer on duty – The requested modifications are attached. This has previously been discussed and approved but no action has been taken. A motion to vote again to approve these requested modifications to on call Supervising Communications Officer and Senior Communications

Officer on duty was moved by Ms. Idleman, seconded by Mr. Shay and adopted. A motion to send requested modifications to the Personnel Committee was moved by Mr. Shay, seconded by Mr. O'Brien and adopted.

PUBLIC DEFENDER – Mike Mercure, Public Defender, addressed the following items with the committee:

- Request for Budget Amendments – 2015 – A motion to amend 2015 budget to cover year end expenses in the amount of \$1600 transferring funds between line items from equipment to contractual was moved by Mr. O'Brien, seconded by Ms. Idleman and adopted. The Treasurer stated the Public Defender has \$2085 remaining in his contractual lines and he can request the Budget Officer to move funds between lines. The budget will be reviewed and if a budget amendment is needed, it will be addressed at Finance.
- Discuss Personnel/Staffing Needs – Proposing to add an additional Secretary at 40 hours per week. The two secretaries he currently has are each working 35 hours per week. He would like two secretaries to work 40 hours per week and one additional secretary who could start part time initially and transition to full time. This third secretary position should be funded by either the distribution funding or Hurrell-Herring lawsuit funding. The County Administrator stated he wants to make sure we get everything we need through the settlement rather than use the distribution funds. Mr. Campbell stated let the 35 hour employees work up to 40 in the interim until the Hurrell-Herring funding is determined. There are eight attorneys in the Public Defender's office and the need for additional administrative help is there now. The Hudson Falls Village Court Clerk would be a good fit for the office and could work part time moving to 40 hours per week. A motion to forward to the Personnel Committee increasing one Secretary from 35 to 40 and hire one temporary employee part time was moved by Mr. O'Brien, seconded by Mr. Shay and adopted.
- Discuss Commence Counsel at 1st Appearance Program – Working on this program anticipated to start around April 1st and he will report back to the committee.

ASSIGNED COUNSEL – Marie DeCarlo-Drost, Coordinator for the Assigned Counsel Office, addressed the following item with the committee:

- Introduced Marie DeCarlo-Drost, Coordinator for the Assigned Counsel Office which was separated from the Public Defender's Office. She has thirteen years of experience in the office with assigning attorneys to cases. She is in the process of hiring an Assistant to ensure coverage during business hours. Invited Supervisors to visit the office located in the basement of Building C.

OTHER BUSINESS: None.

The meeting adjourned at 3:34 P.M.

Respectfully submitted,

*Debra Prehoda, Clerk
Washington County Board of Supervisors*

DEPARTMENT OF WEIGHTS AND MEASURES

MISSION STATEMENT

The Sealer of Weights and Measures assures measurement accuracy of all measuring devices used for commercial transactions within Washington County. This includes, but is not limited to, measurement of quantity, weight, linear measure (length) and count. Applying NYS Department of Agriculture and Markets laws Article 16 and NYS Code of Rules and Regulations parts 220,221,222,223 and 224 accomplish enforcement.

2016 GOALS

1. Take charge of and safely keep the municipal standards, submitting to NYS Department of Agriculture and Markets as necessary for calibration and certification.
2. Keep and submit to NYS Department of Agriculture and Markets complete and accurate records of all work completed.
3. Visit all commercial establishments using a measuring device for commercial transactions to inspect and test these devices to ensure accuracy and correct usage.
4. Examine and check pre-packaged goods to verify correct labeling and accuracy of weight.
5. Take samples of on-road fuels and submit for testing to determine conformance with applicable standards.
6. Respond to consumer complaints by investigation or testing as the situation demands.
7. Take appropriate measures to ensure correction of all violation and infractions.
8. Continue conversations with Warren County Director of Weights & Measures regarding sharing/purchasing equipment.



PUBLIC SAFETY COMMITTEE MEETING REPORT

January 26, 2016

1. Public Safety Grant Updates

- **Public Safety Answering Point (PSAP) Operations Grant (2016):** The department was notified on December 28, 2015 that we had been awarded \$185,509.00 under the PSAP Operations Grant program. The funds awarded will be used for personnel services and training. We had requested \$283,524 in the grant application, which included personnel services, training and implementation of Next Generation 911 (*Grant guidance is specific regarding expenses relating to the operations of the Public Safety Answering Point (911 Center)*).

2. Communications / Radio System Project Updates

- **MRD "South" (Improvement of Law Enforcement Radio System in the South):** The radios at Burch Hill, Willard and Colfax have been programmed, we provided testing and Public Safety staff are making arraignments with Chief Bell to get their radios programmed with the additional frequency. Programming will then follow with the Sheriff's Office, State Police and other village police departments.
- **Hudson Valley Wireless Project:** Public Safety and Information Technology staff did a walkthrough of Big and Little Burch Hill, the Fort Edward tower and the Municipal Center with staff from Hudson Valley Wireless to go over equipment placement. We also met and went over the process for implementing and integrating their network into the Municipal Center. The County Attorney is still negotiating the lease agreement.
- **Uninterrupted Back Up Power Supplies:** The replacement UPS's for the Big Burch Hill and Municipal Center towers have been swapped out and are operational. Harrison Steves and his staff from Building and Grounds and Mike Trackey from IT were instrumental in getting this essential equipment ordered, installed and operational.

3. CAD System Update

- There have been occasional slowdowns and lock ups. An update to the program and restart of the system was scheduled to be conducted by Cushing the morning of January 24, that was postponed. The restart of the server was conducted at 0530 this morning without incident.

4. Personnel Changes

- I have met with the County Attorney, County Administrator and Personnel Director and we have discussed issues that have arisen in regards to the current job descriptions of the Deputy Director-Communications and Deputy Director-Emergency Management.
- We are requesting the following;
 - i. Deputy Director-Communications be re-titled to Deputy Director Public Safety and become a salary exempt position.
 - ii. Deputy Director-Emergency Management be re-titled as Emergency Management Coordinator, remain an hourly employee and have the "remain on call 24/7" clause removed and adjusted to "in time of an emergency may be requested in."

5. Equipment

- **Haz-Mat Rescue Truck:** Discussion of replacement of the current 1990 Freightliner Haz-Mat Rescue Truck.

Respectfully Submitted,

Glen P. Gosnell
Director

TR Daily, Friday, January 8, 2016

TELECOM REGULATION

**EIGHT STATES DIVERTED PORTIONS OF 911 FUNDS
IN 2014, FCC REPORT SAYS**

Eight states in 2014 diverted a portion of funds collected for 911 and enhanced 911 (E911) purposes to non-911 activities, according to the FCC's seventh report to Congress on the issue. In all, \$223.4 million in 911 and E911 funds were diverted in 2014 "by all reporting jurisdictions," or 8.8% of the total collected, according to the report.

The FCC today sought comment on the report, which covers the 2014 calendar year.

Comments are due Feb. 8 and replies March 9 in PS docket 09-14.

The report said that of the eight states that diverted 911 and E911 fees for other purposes in 2014, five said they used a portion of the funds for other public safety or emergency response programs. Those states were California, New Hampshire, New Jersey, Virginia, and West Virginia.

Illinois, New York, and Rhode Island said they diverted funds for non-public safety or unspecified purposes.

Twenty-eight states and the District of Columbia said they spent collected funds on next-generation 911 (NG-911) programs. The total spent on NG-911 programs was \$227.6 million, or about 9% of the total collected.

"This indicates a higher level of expenditure on NG911 programs in 2014 than in 2013, but only nine states reported NG911 expenditures in excess of \$5 million," according to the report.

"While almost every state collects 911 fees from in-state subscribers, 23 states reported that they lack authority to audit service providers to verify that the collected fees accurately reflect the number of in-state subscribers served by the provider," the report said. "Of the states that have audit authority, only three states conducted audits in 2014."

The report also said that 38 states said "that they spent no 911 funds in 2014 on 911-related cybersecurity programs for PSAPs," while "[f]ive states and the Navajo Nation stated that they had made cybersecurity-related expenditures."

In addition, 14 states said they collected 911/E911 fees at the state level, nine said they collected them at the local level, and 24 collected them at both levels.

This year's report "contains more detailed state-by-state information than prior annual reports on the number and type of 911 calls, the number of Public Safety Answering Points (PSAPs) and telecommunicators, expenditure of funds for Next Generation 911 (NG911) services, deployment of Emergency Services IP Networks (ESInets) and text-to-911 service, establishment of programs to support PSAP cybersecurity, and the extent of state-level oversight and auditing of collection and use of 911 fees," the FCC said in a public notice. "Forty-eight states, the District of Columbia, American Samoa, the Navajo Nation, and three Bureau of Indian Affairs (BIA) offices responded to this year's expanded data request.

The FCC said it wants input on the conclusion that eight states diverted 911 and E911 funds in 2014. "We seek comment on the sufficiency and accuracy of the reported information, including additional information concerning the specific impact, if any, that such diversion has had on the provision of 911 service in those states," it said. "We also seek comment on whether there have been any other instances of fee diversion by states or local jurisdictions not identified in the Report, including counties or other jurisdictions in states that have local or hybrid fee collection programs."

The FCC also said it wants views "on whether expenditure of 911 fees on NG911-related programs as documented in the Report is effectively contributing to implementation of NG911

services and infrastructure. Similarly, in states or counties that have deployed text-to-911 service, to what extent have collected 911 fees been used to support the deployment of that service? We also seek comment on whether 911 fees are being effectively used by state, local, and tribal jurisdictions to implement cybersecurity best practices within PSAPs as well as adherence to the National Institute of Standards and Technology Cybersecurity Framework.

"We seek comment on the role of oversight and auditing in ensuring that collected 911 fees are used according to state and local requirements," the public notice added. "The Report finds that while almost every reporting jurisdiction collects 911 fees from in-state subscribers, many states lack authority to audit service providers to verify that the collected fees accurately reflect the number of in-state subscribers served by the provider. We seek comment on whether additional efforts are needed to ensure that state and local entities have the authority to monitor and audit 911 fee collections." - Paul Kirby, paul.kirby@wolterskluwer.com



54



REQUESTED MODIFICATIONS

AS OF 06/15/2015

- **"On Call" Supervising Communications Officer:** I am requesting that as soon as possible we begin to establish an "On Call" for the Supervising Communications Officers with an overall stipend to their current pay, which would be paid out equally each pay period over the year. The continuity of operations and levels of supervisory assistance is absolutely necessary over the 911 Communications Center, which is one of the only two required 24/7 operations in the entire county structure. Currently, I am the only "On Call" person for the entire Public Safety Answering Point operation and have no documented back up, which is a major concern for the county as being the responsible organization for the operation. The SCO's would each be scheduled for a week of "On Call" in which they would be the first level of supervisory notification / assistance should there be no SCO on duty. During periods of time off and such, they would be responsible for switching and equally covering each other, when necessary. I would remain the Administrator "On Call" and available to assist the SCO's when / where necessary. [Priority: 1 - Urgent]
- **"Senior" Communications Officer on duty:** I am requesting that following the establishment of the "On Call" SCO program, we initiate a policy designating the "Senior" Communications Officer on duty in the absence of an on duty SCO. This designation would carry only the responsibility of ensuring there is a designated leader in the communications center at all times who is responsible for ensuring the necessary tasks relating to emergencies, notifications, and incidents are carried out as specified in the absence of an SCO. The "Senior" would not carry the additional duties or responsibilities of a supervisor, which include monitoring other employees, supervisory tasks (i.e., advance scheduling, modifications, recording reviews, disciplinary, complaint / internal investigations etc.). It would be my recommendation that designation carry an additional amount per hour (\$1.25) when a normal CO is acting as the "Senior", this could be simply handled as it currently is with adding the training pay (\$0.75 / hr). Again – this person would be the point to ensure urgent tasks are carried out and directing others when necessary, not responsible as a supervisor. [Priority 2]

In the absence of a Director of Public Safety taking the opportunity to review our operation as a whole has exposed a few major needs to ensure we are providing those we serve and our staff with adequate access to supervision and immediate direction as is necessary within an operation handling emergencies 24 hours a day, 7 days a week. It is understood both of the recommended changes will involve discussions with the Communications Officers / Supervising Communications Officers union representation.

The above are my recommendations for changes that will provide coverage for two of our immediate needs regarding supervision and direction of the 911 Communications Center.

Respectfully Submitted.