

PUBLIC SAFETY COMMITTEE MEETING MINUTES  
MAY 31, 2016

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

PUBLIC SAFETY COMMITTEE MEMBERS ABSENT: Idleman

SUPERVISORS: Henke, Hicks

Sandy Huffer, Deputy Clerk

Roger Wickes, County Attorney

Chris DeBolt, County Administrator

Al Nolette, Treasurer

Anthony White, Probation Director

Mike Gray, Youth/Alt. Sentencing Dir.

Tim Hardy, Public Safety Deputy Director

Bruce Mason, EMS Coordinator

Sheriff Murphy

Tony Jordan, District Attorney

Public

AGENDA AS PRESENTED IN COMMITTEE NOTICE:

1. Call to Order
2. Accept Minutes – April 26, 2016 & May 12, 2016
3. Department Reports/Requests:
  - A. EMS
    - 1) EMS Advisory Board Appointment – Matt Gould, Town of Fort Ann
  - B. Fire Bureau
    - 1) Training Center Update
    - 2) Staffing
  - C. Public Defender
    - 1) Counsel at First Appearance Update – Commenced May 16, 2016
    - 2) Hurrell-Herring Update
    - 3) Staffing
      - a) Back Up Attorney – Hurrell-Herring Funding 2016
      - b) Staffing Pattern Amendment
    - 4) ILS Update
    - 5) Request for Budget Amendments
    - 6) Request to Purchase PDCMS Licenses (5 more)
    - 7) Discuss Attorney Vacation
    - 8) Update on People vs. Slocum
  - D. Public Safety
    - 1) Hazard Mitigation Plan (HMP) Project Update
    - 2) Tour of the Battenkill Event Report
    - 3) 911 Surcharge Change Proposal Update
    - 4) CAD Project Update
  - E. District Attorney
    - 1) Accept Additional Funds – Office of Victims Services/Approve Use
    - 2) Request for Compensation for ADAs for On-Call Compliance with Counsel at First Appearance
  - F. Sheriff's Department
    - 1) Request for Budget Amendment – Move \$1226 from General Funds to Forfeiture Funds
    - 2) Request Approval to Accept Byrne Jag Grant – Live Scan
4. Discuss Code Enforcement Administrator Position
5. Other Business
6. Adjournment

Chairman Suprenant called the meeting to order at 1:00 P.M.

A motion to accept minutes of the April 26, 2016 and May 12, 2016 meetings was moved by Mr. Hogan, seconded by Mr. Shay and adopted.

DEPARTMENT REPORTS /REQUESTS:

EMS – Bruce Mason, Coordinator, addressed the following item with the committee:

- EMS Advisory Board Appointment – A motion to appoint Matt Gould to the Washington County EMS Advisory Board to fill the unexpired term replacing Rob Bell, was moved by Mr. O'Brien, seconded by Mr. Hogan and adopted.

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

- Training Center Update – When he first placed this item on the agenda, he thought he would be reporting negative information but BOCES has been working there for a week now. Ray is working on getting them together with DPW to get fill brought in. Once that is done, the containers will be moved there and construction started. Ray has contacted state and federal legislators about getting some funding. Warren County is the lead agency on this project.
- Staffing – Retirement – Ray announced he plans to retire at the end of the year. Chairman Suprenant asked Ray to think about possibly offering a recommendation for a replacement. Ray will be addressing this with the Fire Advisory Board later this month.

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

- Counsel at First Appearance Update – On-call program started May 16, 2016 and is going well. Have had 16 off hour calls. Calls during business hours since May 16<sup>th</sup> is 9. The back-up phone had to be used once because the primary phone was in Argyle where there was no service. There have been a few miscommunications but it has only been two weeks and believes that after a sufficient period of time, it will work out. Cell phone service in a few areas may be an issue. The average response time is no more than 45 minutes. Met with Indigent Legal Services last week to discuss the best ways to track data. Mr. Haff suggested looking at Net Gear who provides a cell phone that uses all providers.
- Hurrell-Harring Update – The counsel at first appearance quality improvement contracts have been signed. Mike has had preliminary meetings with the Administrator and Treasurer as to how to track the funding. There are two more aspects to the lawsuit, caseload reduction portion and eligibility standards. Caseload reduction program, for the 2016-2017 budget year, there is \$84,000 available for the Public Defender's office. That's a one-time payment. An intense caseload study will be done this summer. ILS hired a private vendor that will study caseloads for the five defendant counties in the lawsuit. What it amounts to is they will ask the office to track all their time on everything, which they don't currently do. It will be an 8 to 10 week tracking. After the caseload study is complete, it's assumed that the amount of funding will go up in subsequent years. It hasn't been approved in Albany yet but the \$84,000 will be coming in the 16-17 budget year. In preliminary discussions with ILS, those funds will be used for attorney training and converting part time employees to full time. Eligibility standards – New standards have been issued which go into effect in October. In a nutshell, Mike stated they are making it so everyone is eligible. New standards include income level of 250% of poverty and they excluded spousal income and other assets that used to be counted against you.
- ILS Update - He has requested funding through four different distributions, #3, 4, 5 & 6. They haven't been acted on yet because ILS just replaced their funding manager. The sum of the funds requested is \$442,500. These funds have to have approved purposes but a lot can be tied to salaried positions. Revenue Update - Just received \$15,000 for cases handled that were state prison inmates, some of which go back to early 2015. Budget amendments will be brought forward to reflect the ILS funding when it arrives.

- Staffing:
  - Attorney Vacation – The 1<sup>st</sup> Assistant Public Defender has worked for the county for 10 years. Most of those years were as Assistant Public Defender part time. He moved to full time in the fall and has no vacation time. Mike requested that he be granted no less than fifteen days of vacation. This has been discussed before for other positions and the committee chose not to do it. Roger Wickes suggested if the committee wants to do something different, it should be reconciled so that we are consistent. Mike withdrew the request for today.
  - Staffing Pattern Amendment – There are two Legal Assistants in the office, both have been working 40 hours a week. One is on the staffing pattern for 40 hours and one at 35. Mike added that there will be funding available through ILS to cover both of these positions. Mike is requesting an amendment to the staffing pattern to increase the 35 hours a week Legal Assistant to 40 hours a week. He is also requesting to transition one part time attorney to full time. Funding is available and actually is contracted for through the CAFA contract of the Hurrell-Harring lawsuit. It is a transition that has to happen. A motion to forward both requests to the Personnel Committee, was moved by Mr. O'Brien, seconded by Mr. Shay and adopted.
  - Supervising Attorney – The Board approved creating the position and set the compensation last month. The Personnel Officer is advertising the position. At some point it will come back to this committee. It is a Board appointment.
- Purchase PDCMS Licenses (5 more) – Through the NYS Defenders Association, they have a Public Defender Case Management System. This has been funded through ILS funds and includes annual updates. Between the Assigned Counsel office and Public Defender, there are five licenses. At least five more licenses are needed at a cost of \$2,010. A motion to approve adding five more licenses for the Public Defender Case Management System, moved by Mr. Hogan, seconded by Mr. Shay and adopted.
- Update on People vs. Slocum – The conviction was reversed. The People, through Albany County and the NYS Prosecutors Training Institute, are appealing the reversal of his conviction to the Court of Appeals. It will probably be argued in September or October. In the meantime, Mr. Slocum is incarcerated at the Washington County Jail.

PUBLIC SAFETY – Tim Hardy, Deputy Public Safety Director, addressed the following items with the committee and distributed the attached handout:

- Received notification of approval for SHSP FY16 grant application. The funds are already allocated in the budget. Needs committee approval of acceptance so the Chairman of the Board can sign off on it. The plans for the grant have been reviewed with the Administrator and Treasurer. The grant will keep important parts of program going with the Hazmat team and some initial NexGen upgrades. A motion to approve acceptance of SHSP FY16 grant, moved by Mr. Shay, seconded by Mr. Haff and adopted.
- Hazard Mitigation Plan Project Update – Had a project planning meeting with Tetra Tech. The process was discussed as well as the importance of involvement of all local municipalities and partners. The plan will be for the County as a whole and will have individual sections identified for each town and village specifically. A letter was sent to all Supervisors for a “kick off” meeting to be held on Wednesday, June 15<sup>th</sup> at 10 AM in basement training room 2. After the “kick off” meeting, an email will be sent telling each town what information Tetra Tech needs and they will personally come to each town to gather information to put the plan together. This is all funded through Hazard Mitigation plan grant. This purpose of this plan is to mitigate natural hazards.

- Tour of the Battenkill Event Report – The event went well. There were only six minor injuries. The registration was down 800 from last year. Mr. Haff stated he read in southern county newspapers that the bike riders are not being welcomed much due to rude bikers and littering. Mr. Hogan participated in this race and stated it was very well done and added that it is a small minority that litter.
- 911 Surcharge Proposal Update – Advised the committee of a bill that Assemblyman John McDonald has introduced for some changes to the 911 surcharge funds. Looking to reduce the monthly surcharge from \$1.20 to \$1.00 and include all devices capable of connection to 911. Currently the charge is only on land lines and contracted wireless devices. Pre-paid devices are not being charged. Could be an important funding stream for NexGen 911.
- CAD Project Update – The core group has met twice since the last Public Safety meeting. The vendor has cleared one memory leak on the server and are working on significant changes to the application itself, which is planned for deployment in mid-June.
- HYPER Reach System – Tim urged the Supervisors to put out the message to the people in their towns to register for the mass notification system.

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

- Accept Additional Funds – Office of Victims Services/Approve Use (letter attached) – The District Attorney's office has been awarded funding for the contract year beginning October 1, 2016 – September 30, 2017 from the Office of Victims Services in the amount of \$131,194, which reflects an increase of \$19,679.10. A motion to approve acceptance of those funds, was moved by Mr. O'Brien, seconded by Mr. Shay and adopted. The Office proposes spending the additional dollars as follows: \$11,108 for training & travel related expenses: \$600 for gas cards to assist in transportation of victims to and from court and doctor appointments: and the balance (\$17,971.10) to continue to fund the part time Crime Victim Specialist. A motion to accept the DA's plan for the additional funds, moved by Mr. O'Brien, seconded by Mr. Shay. Chairman Henke asked who will provide oversight for the gas card usage. The District Attorney stated the Specialist will oversee this. A motion to accept the DA's plan for the additional funds, moved by Mr. O'Brien, seconded by Mr. Shay and adopted.
- Request for Compensation for ADAs for On-Call Compliance with Counsel at First Appearance – He concurred with the Public Defender that there are some communication issues but otherwise has gone well so far. The DA is looking for on-call compensation for the Assistants comparable to what is being paid to the Public Defender's office. A budget amendment will also be needed. There are about 33 weeks left in the year and the cost is \$900 a week (\$100/day M-F and \$200/day weekend days) or \$29,000 for the rest of the year. Hopefully that is shortened. The holding cell legislation passed the Senate last week and is moving through the Assembly. From the DA's perspective of covering the arraignments, if the holding cell legislation is approved by the state and authorized by the county, the burden will change to only daytime weekend on-call. Did receive \$30,000 bail forfeiture funds. A motion to approve on-call pay, amend the budget funding the on-call pay with unanticipated bail forfeiture funds and forward to the Finance Committee, was moved by Mr. Shay, seconded by Mr. O'Brien and adopted.
- NYSAC and the DA's Association are lobbying New York State hard on the unfunded DA salary issue.

SHERIFF – Sheriff Murphy addressed the following item with the committee:

- Budget Amendment – Was notified of approval for SHSP FY16 grant application in the amount of \$20,000. The Sheriff intends to purchase computers for patrol cars for police departments. Their fleet is complete. Not sure which police department at this time. A motion to amend the budget for the SHSP FY 16 grant of \$20,000 and forward to the Finance Committee, moved by Mr. Hogan, seconded by Mr. Shay and adopted.
- Accept Byrne Jag Grant – This is a Live Scan matching grant. Will pay matching amount of \$24,844 from forfeiture funds, amount of state funds is \$19,945. Plans to purchase a new Live Scan fingerprint system for the Fort Edward office, upgrade the system currently in Fort Edward and move it to Salem. A motion to forward a budget amendment to the Finance Committee, was moved by Mr. O'Brien, seconded by Mr. Shay and adopted. The Treasurer asked the Sheriff to forward the grant documents to him.
- Forfeiture Case – He is requesting a budget amendment in the amount of \$1,225.90 for a forfeiture case as part of a plea resolution in a criminal case. A motion to forward a budget amendment to the Finance Committee, was moved by Mr. Haff, seconded by Mr. Hogan and adopted.
- Requesting permission to amend the staffing pattern to add one Deputy Sheriff position for an anticipated vacancy. Have been running short for some time. A part time Deputy has been filling in a full time spot but they are limited by Civil Service how long they can do that. When the anticipated retirement goes through, he will not backfill it. A motion to approve amending the staffing pattern to add one Deputy Sheriff and forward to the Personnel Committee, was moved by Mr. O'Brien, seconded by Mr. Haff and adopted.
- The County Administrator stated as part of the reconfiguration of the car pool, all the Sheriff vehicles are now being billed through the car pool. The Sheriff pays a \$.45 per mile fee and it is supposed to cover fuel and maintenance that the shop has to do. The Sheriff's office uses Wex gas cards for transports. During the budget process, all the funds for gas were removed from Sheriff's budget. The Administrator will bring a budget amendment to the Finance Committee, moving funds to the car pool fund to cover the Wex gas card bills. Mr. Haff asked if anyone has looked at the \$.45 a mile and the miles per gallon we are getting to determine if \$.45 a mile is enough. The Administrator stated that he has not. The Sheriff stated that is one reason they went to the Fords. They get better gas mileage and have had very little maintenance issues that were not covered by warranty.

DISCUSS CODE ENFORCEMENT ADMINISTRATOR POSITION – The applications are in. The Public Safety Committee will interview for this position. The Personnel Officer forwarded the resumes of all applicants (7) that were qualified. Mr. O'Brien recommends interviewing all seven in the first round. The Personnel Officer stated that the Board might want to think about picking out the most qualified applicants to interview, otherwise with two rounds of interviews it will be at least a month before a candidate gets hired. A motion for executive session to discuss the appointment of a particular person, was moved by Mr. O'Brien, seconded by Mr. Shay and adopted. A motion to come out of executive session, was moved by Mr. O'Brien, seconded by Mr. Shay and adopted. No action was taken in executive session.

A Public Safety Committee meeting was scheduled to conduct interviews of four candidates for the Code Enforcement Administrator position for Thursday, June 9<sup>th</sup> at 1 PM.

The meeting adjourned at 2:25 PM.

# OFFICE OF THE DISTRICT ATTORNEY

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Robin MacNeil  
Laura C. Taylor  
*Crime Victim Specialists*

May 31, 2016

RE: Request for budget amendment  
Office of Victim Services, 2016-2017 Contract C100230

The Office of Victim Services awarded funding to the Washington County District Attorney's Office for the contract year beginning October 1, 2016- September 30, 2017.

We were originally schedule to receive \$111,514.90. We have now been awarded \$131,194.00 for October 1, 2016-September 30, 2017 which reflects an increase of \$19,679.10.

We propose to spend the additional dollars in the following ways:

- Conference fees for two full-time Victim Specialist to attend the Office of Victim Services Conference in Syracuse: \$908.00, and \$200.00 for additional training fees for both full-time and part-time staff. (Travel: \$1108.00)
- Purchase of gas cards for victims to assist in transportation to and from court and meetings: \$600.00. (Operational Expense: \$600.00)
- Balance to continue to fund the part-time Crime Victim Specialist: \$17, 971.10.

Robin C. MacNeil

Sr. Crime Victim Specialist