

PUBLIC SAFETY COMMITTEE
March, 2017 at 3:00 p.m.
Location: Legislative Chambers

Committee members: Bill Holgate, Bonnie Percy, Dan Banach, Leslie Church, Elden Morrison

Bill and Dan will do the audit this month.

- Approve minutes of the February meeting
- Public Comment

Probation – Sharon Dawes

- Statistical report
- Resolution Urging New York State To Fund Probation Departments And Other Impacted County Departments And Agencies The Full Costs Associated With Raising The Age Of Criminal Responsibility To 18 Years Of Age.

District Attorney – Valerie Gardner

- To be presented at meeting

Emergency Management – Brian Winslow

- Update on meetings and trainings attended
- Emergency responses
- EMS report
- Resolution to Appoint Members To The Yates County Fire Advisory Board
- Resolution to Accept PDMC FY 2015 Sub-Grant 001 Yates County Multi-Jurisdictional Hazard Mitigation Plan Update FEMA Award

Sheriff – Ron Spike

RESOLUTIONS/DISCUSSIONS/UPDATES

- Vacancy Review – Correction Officer

Corrections

- Jail Population report: County=33 + Feds= 12 (41M- 3F) Total=44
- Revenue/Board Cost & Overtime Report.
- Overhead door issues at Jail again – awaiting parts
- Personnel update

Court Security

Sheriff/Law Enforcement/Administrative

- Activity updates

E911 Dispatch

- General Statistics

Public Safety Communications

- Sherman/Angus update

Animal Control

Stop-DWI Program

Coroner

Miscellaneous.

- Power Point presentation on recent SMV symposium

Executive Session if needed

<u>YATES CO. PROBATION</u>	<u>16-Feb</u>	<u>16-Mar</u>	<u>16-Apr</u>	<u>16-May</u>	<u>16-Jun</u>	<u>16-Jul</u>	<u>16-Aug</u>	<u>16-Sep</u>	<u>16-Oct</u>	<u>16-Nov</u>	<u>16-Dec</u>	<u>17-Jan</u>	<u>17-Feb</u>
Probationers	238	245	244	241	233	229	222	224	232	238	243	242	240
Investigations monthly	35	14	17	25	21	23	25	15	26	10	16	16	15
investigations year to date	59	73	90	115	136	159	184	199	225	235	251	16	31
Violation of Probation	8	11	1	0	3	2	7	3	3	2	2	3	0
VOP year to date	10	21	22	22	25	27	34	37	40	42	44	3	3
Pre-Trial Release	2	2	2	1	1	1	3	3	2	2	5	6	7
Leandra's Law													
Conditional Discharge	40/18	42/16	40/14	45/13	43/12	44/13	41/11	42/10	43/11	40/9	40/8	41/10	40/12
Probation	29/2	30/2	28/2	25/2	24/2	26/2	20/0	21/0	20/0	20/0	19/0	19/0	15/0
waiver cases	15/9	14/8	14/7	14/6	14/6	13/6	13/6	10/5	9/4	6/2	6/1	7/2	6/2
payment plan cases	5/2	5/2	5/2	5/2	5/2	5/2	4/1	4/1	3/0	4/0	4/0	4/0	2/0

RESOLUTION URGING NEW YORK STATE TO FUND PROBATION DEPARTMENTS AND OTHER IMPACTED COUNTY DEPARTMENTS AND AGENCIES THE FULL COSTS ASSOCIATED WITH RAISING THE AGE OF CRIMINAL RESPONSIBILITY TO 18 YEARS OF AGE.

WHEREAS, Governor Cuomo signed Executive Order 131 on April 9, 2014 to establish the Commission on Youth, Public Safety and Justice instructing the Commission to develop a concrete plan to raise the age of criminal responsibility in New York State and make specific recommendations on how the juvenile and criminal justice systems can better serve youth, improve outcomes and protect communities; and

WHEREAS, The Commission completed its report on December 31, 2014 recommending raising the age of criminal responsibility from age 16 to age 18 over a two year period to be completed in a phased in approach; and

WHEREAS, Division of Criminal Justice Statistics reveal the number of arrests among 16 and 17 year olds statewide in calendar year 2015 was 27,281 and that under the proposed change these youth will now be shifted from the criminal courts to local Probation Departments for Intake and Diversion services; and

WHEREAS, The Governor's proposal recommends that the violation level offenses of Harassment, 2nd Degree and Disorderly Conduct shall also be diverted to Probation Departments for Intake and Adjustment services, thus adding substantially to the workload of Probation staff; and

WHEREAS, The Governor's proposal recommends Probation Departments provide a continuum of diversion services that range from minimal intervention for low risk youth and evidence based service for high risk youth; and

WHEREAS, Probation Departments will not be able to absorb the influx of youth requiring Intake and Diversion services at current staffing levels and will require additional staff to perform these duties; and

WHEREAS, These added burdens to county Probation Departments come as the state share of probation costs has fallen from 46.5% in 1990 to 9% in 2016; and

WHEREAS, Other County Departments and agencies may be similarly affected by the increase in the age of criminal responsibility in areas that range from juvenile detention to community support services, and do not have alternative sources of income to support the cost of additional responsibilities and services, and

WHEREAS, Counties cannot absorb the financial cost associated with raising the age without 100% funding of the additional staff and services required by the Governor's proposal; and

WHEREAS, The funding proposal stipulates that only counties who do not exceed the 2% tax cap and can demonstrate to the Division of Budget that funding related services is a fiscal hardship may apply for a waiver of the local share requirement of an expense otherwise incurred;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Yates County Legislature insists the State Legislature enact legislation that fully, permanently and unambiguously obligates the State to pay for 100% of all new costs incurred by Probation Departments and other county departments and agencies affected by raising the age of criminal responsibility; and

2. That language be included to set aside designated funds from which Counties can draw, eliminating the need for Counties to exceed their 2% tax cap; and

3. That copies of this resolution be forwarded to Governor Andrew M. Cuomo, Senator Thomas O'Mara, Assemblyman Phillip Palmesano, Senator Charles Schumer, Senator Kirsten Gillibrand, Congressman Thomas Reed and the New York State Association of Counties.

YATES COUNTY OFFICE OF EMERGENCY MANAGEMENT REPORT

PUBLIC SAFETY COMMITTEE

March 7, 2017

OEM & FIRE

MEETINGS

- 2 County Mtg.'s (Public Safety, Management)
- Lake District NYSEMA
- 1 County Fire Mtg.'s (County Firemen's Assoc.)

TRAINING

- SCBA confidence-started-Bellona FD
- Basic Exterior Fire Operations (BEFO)-started- Penn Yan FD
- I attended Engine & Truck Company operations Seminar-Geneva FD
- Diane & I attended our annual NYSEMA Conference

GENERAL

- Met w/V/PY & State Fire about use of outlet for training 2 times
- Met w/ County Administrator
- Met w/ State Fire Rep about local training
- Met w/President from PY Ambulance
- Annual SFI meeting
- Received Thermal Imaging cameras
- Hazard Mitigation kick off meeting was held here

RESPONSES

- PIMVA w/entrapment Italy Friend Rd.-Branchport/Keuka Park FD

EMS

MEETINGS

- Regional EMS Meetings
- Public Health Staff & Emergency Planners Meetings
- EMS Instructor Discussions
- Hazard Safety Board Meeting

TRAINING

- NIMs Classes
- Blood borne First Aid, CPR & AED Instruction
- Farm Safety in the Schools
- EMS Classes completed

GENERAL

- Emergency Response
- FIT Testing
- Credentialing
- Injury Prevention Activities

APPOINT MEMBERS TO THE YATES COUNTY FIRE ADVISORY BOARD

RESOLVED, that the following people be appointed to the Yates County Fire Advisory Board for the term 1/1/2017 – 12/31/17

Bellona	Fire Chief	Mike Alexander
Benton	Fire Chief	Matt Perry
Branchport/KP	Fire Chief	Steve Schmidt
Dresden	Fire Chief	Warren Zimmerman
Dundee	Fire Chief	Doug Miller
Himrod	Fire Chief	James Sorce
Middlesex	Fire Chief	Jason Bassett
Penn Yan	Fire Chief	Michael Clancy
Potter	Fire Chief	Rich Dimon
Rushville	Fire Chief	Art Riland Jr.
Yates County	Fire Coordinator	Brian Winslow
Yates County	Deputy Fire Coord.	Tom Murphy
Yates County	EMS Coordinator	Chris Warriner
Yates County	Legislature	Bill Holgate
Yates County	President	Charlie Leach

And be it further

RESOLVED, that a copy of this resolution be given to the Director of the Office of Emergency Management.

ACCEPT PDMC FY 2015 SUB-GRANT 001 YATES COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN UPDATE FEMA AWARD

WHEREAS, the Yates County Office of Emergency Management has been awarded the Federal Emergency Management Agency’s FY 2015 Pre-Disaster Mitigation Competitive (PDMC) Grant Program. This award for sub-application PDMC-PL-02-NY-2015-001 provides funding for the County’s Multi-Jurisdictional Hazard Mitigation Plan Update. FEMA has authorized \$73,285 in total costs for this sub-grant, with a Federal Share of \$54,963.75 and a local matching share of \$18,321.25;

NOW, THEREFORE, BE IT RESOLVED, the Chairman is authorized to accept the Federal Emergency Management Agency’s FY 2015 Pre-Disaster Mitigation Competitive (PDMC) Grant and be it further

RESOLVED, that a copy of this resolution be given to the Emergency Preparedness Coordinator, Budget Officer and County Treasurer.

POSITION REVIEW FORM

Correction Officer (Due to officer retiring effective 3/31/16 however using vacation time now)

March 7 PSC meeting

1. Does this position perform services that are mandated by the Federal or State government?
Yes *State Correction Law via SCOC. That per the last staffing mandate confirmed in 2005 that 38 FT were required. Local governing budget calls for 40 FT.* No

2. If the answer to #1 is no, does this position perform services that the County has traditionally maintained? N/A
Yes No

3. If the answer to #2 is yes, can an entity other than Yates County government perform these services?
Yes No
Why or why not? *Would be contrary to NYS state law. Private run facilities prohibited in NYS.*

4. If this position is not refilled, can other positions be reconfigured to handle the work performed by the person in this position? If so, what positions? If not, how will the work conducted by the person in this position be handled?
Yes No
Other Correction Officers working overtime assignments would have first preference once schedule in place. Otherwise part-timers used if available.

5. If applicable, is there an existing Civil Service Eligibility List for this position?
Yes No Not applicable
Test taken in February and await CS list.

6. How are the duties of this position performed in at least four of the following counties: Lewis, Orleans, Schoharie, Schuyler, Seneca and Wyoming? (Is the job title the same? Is it in the same department? If not, please explain.

In all counties listed herein the same titles as in Yates and all work for the Sheriff. The duties are essentially the same in all other counties. The starting wage range all within \$6K of each other in the other counties. \$36K-42K range..

7. If the duties of this position are performed by a contract in any of the above counties, please explain the general terms of the contract (the entity performing the contract, the amount paid per year, what department oversees the contract, etc.)
N/A

8. Are there any factors that make it difficult to conduct a comparison of the duties of this position with any of the above counties? If so, please explain. - *No*

9. If this position is not refilled, how will you adjust your operations to minimize the impact of the staff reduction on services? *Through overtime and use of part-time C.O's, however as previously said full-timers get first choice of refusal for any available shift hours once the schedule has been posted. This will maintain the NYS Commission of Corrections mandated minimum number of post coverage's and assignments in the jail 24X7 plus YC needs.*

10. Will the loss of this position impact overtime? If so, why and how can this be minimized? Please attach an analysis showing any impact on overtime. *Prior answered, understanding that we average 1,000 hrs. a month currently for OT to maintain services.*

Very problematic at this time due to the following:

- *One officer currently attending required basic training course in Seneca Co – 200 hrs.*
- *One officer currently out on extended FMLA with expectation being several weeks.*
- *One officer currently out due to a pending disciplinary action.*
- *Have had to regularly pull CO from jail to cover required court security posts at the courthouse due to trials and unavailability of part-time Crt Sec officers.*
- *Currently processing background for filling previous vacancy of a CO position*
- *Currently processing backgrounds for 4 part-time applicants*

11. Do federal and/or state aid offset part or all of the cost of this position? If so, how much is the offset?

Yes _____ No _____

Federal as applicable to boarding in federal inmates.

12. Taking into consideration the answers to the above questions, what is the net savings of eliminating this position?

In meeting the mandated staffing there is no savings as I estimate that 90-95% of the available hours will be taken by OT costs and the remainder by part-time hourly.

Should the staffing be reduced by one officer and staffing mandates not fulfilled then one officer will have a "start" salary of \$20.80 an hour X 2,080 hours per year total \$43,264 and in calculating the fringe and retirement 89P plan factor 46.32% on wage of \$20,039 and then total is \$66,303. It should be noted that the CO that left was at the high STEP19 Therefore, there will be a budget savings as new one would be at the start rate and savings of \$8K is the approximate.

13. Is there any risk, financial or otherwise, to waiting 30 days to refill this position?

Only if we have an interest of a lateral transfer. Otherwise await new list.

14. If you are given approval to refill this position, when do you expect to fill it?

As soon as possible given the challenges before listed.

15. Please submit any other information that you think would be helpful to this review. *None, we have discussed such vacancies many times.*

