

# PUBLIC SAFETY MEETING

October 9, 2018

The regular meeting of Public Safety, Probation, Office of Emergency Services, Stop DWI, & Safety was held in the Legislative Conference Room at the Ronald E. Dougherty County Office Building, 56 Main Street, Tuesday, October 9, 2018, which started at 2:31 PM.

## Present:

Dennis Mullen	Chair, Public Safety
Dale Weston	Legislator {Committee Member}
William Standing III	Legislator {Committee Member} <i>Arrived at 2:37 PM</i>
Edward Hollenbeck	Legislator {Committee Member}
Joy Bennett	Director, Probation
Gary Howard	Sheriff's Office
Mike Simmons	Director, Office of Emergency Services
Bob Williams	Deputy Director, Office of Emergency Services

ABSENT: Marte Sauerbrey, Chair of the Legislator

GUESTS: Rita Hollenbeck, Budget Officer  
Chuck Bement, Tioga Co. EMS Coordinator  
John Morrissey, NYS Dept. of Health-EMS Program

## APPROVAL OF MINUTES:

The *September 4, 2018* minutes was accepted with no corrections or changes

**Motion by:** Dale Weston to accept the September 4, 2018 Minutes.

**Second:** Ed Hollenbeck

Carried

## OFFICE OF EMERGENCY SERVICES – Mike Simmons:

Mike Simmons submitted the Office of Emergency Services report to the legislative members prior to the meeting. Report is attached.

## RESOLUTION:

- Authorize the submission of EMPG18 Grant Application. This grants deadline was due prior to this meeting.

## GRANTS:

Mike stated the grants are the same as last month's committee meeting (see attached report).

## HIGHLIGHTS:

- Attended meetings – County Search and Rescue; County Hazardous Materials Team; and COAD are the meeting Bob Williams attended. County Fire Chief's meeting Mike Simmons and Bob Williams attended.
- LEPC – tabletop exercise conducted by Emily Warfle. Exercise was a Hazardous Materials Release. Reviews were good.
- Waverly Radio Project – met with Motorola State and Regional Representatives. Fingerlakes has received radio licenses for the site in Roundtop Park in Athens.
- HazMat Team – Responded to two calls – tractor-trailer on the Southside of Owego went into the ditch and punctured the tank and spilling diesel fuel and a vehicle struck a gas pump. Both scenes were turned over to DEC Spill Response.
- Fire Investigation Team – 4 calls last month. Search and Rescue – no call this month.
- EMS – Basic EMT class and EMT refresher class have started. Clinical Instructor Coordinators John Sweger and John Stephens are lead instructors for these classes. ShellyAnna Decker (F/T 911 Dispatcher) wants to teach EMT classes. He was informed from Personnel that the job description for EMT Instructors is very close to her 911 full-time county position. Mike stated a lot of time has been spent on this. Co. Legislator Bill Standinger stated that he, Co. Legislator Dale Weston, and Co. Legislator Ed Hollenbeck will talk about this at the Personnel Committee meeting that is scheduled for tomorrow (October 10<sup>th</sup>).
- FIRE – Fire-training classes are being scheduled into 2019. The past two classes have been cancelled because the minimum number of students (10) was not met – we only had 8. One of the classes was a basic for New firefighters. Eight attended and because they were short two, the result was that no new firefighters were trained.
- Interoperable Fire Radio System – No word back regarding grant application.
- EMO Responses – two more flash flooding events. The following towns experienced significant flood damage: Town of Candor; Spencer; Newark Valley, and the Village of Newark Valley. Issued a State of Emergency during one of those two storms because there was not enough signs for road closures. Q. Co. Legislator Weston: Will they be getting more road-closed signs made up? A. Mike Simmons: I will get with Gary Hammond and Rich Perkins from the County Highway to discuss this. The state sent two swift water rescue teams but the local fire department water rescue teams assisted people evacuating their homes. Presidential disaster declaration was declared for the two storms (August 13<sup>th</sup> and 15<sup>th</sup>) but not the most severely damaged flooding on August 18<sup>th</sup>.
- FIRE Responses - none
- Discussed sharing an employee with Public Health. Need to decide how salary will be shared between the two departments.

### **PROBATION – Joy Bennett:**

Joy Bennett, presented the following information to the committee. Report is attached.

### **RESOLUTION:**

- Approve a Contract between the Tioga County Probation Department and Buddi US. LLC

### **HIGHLIGHTS:**

- Submitted RTA Comprehensive Plan to DCJS/OCFS in September but today Joy received an email with more corrections. They are directing that figures be moved from one area of the spreadsheet to another. Half the counties in NYS have not submitted their plan.
- RTA trainings with Law Enforcement and Social Services are complete. Have to meet with the Magistrates again regarding the confusion about where 16-year-old youths convicted of VTL Misdemeanor will go if sentenced to incarceration.

- Met with TCSO IID Monitor, STOP DWI director and Lt. Nalepa regarding creating a Magistrates Guide to Ignition Interlock Devices for Tioga County. Bound booklets will be distributed to the Justices. STOP DWI will paying for these booklets.
- Electronic Monitoring – two units are being used. Resolution for the Buddi is a continuation. This company is really great at pin pointing their whereabouts.
- Pre-Trial Release currently has 25 defendants released from Tioga County Jail. Eight released RUS and 17 released PTR.
- Juvenile Delinquency Services – 1 Juvenile Delinquency Appearance Ticket was issued by the new School Resource Officer in Owego-Apalachin Schools for Criminal Sale of a Controlled Substance, 3<sup>rd</sup> Degree, a Class B Felony. A second ticket was issued to the youth who purchased the drugs for Criminal Possession of a Controlled Substance, 7<sup>th</sup> Degree. A third ticket was issued to a 9-year-old youth charged with Assault as a Misdemeanor.
- Personnel – Part-time Office Specialist resigned effective October 5<sup>th</sup>. She found a full-time job in Broome County. Backfill request submitted. Probation's 2019 budget requests that this position be enlarged to full-time.

### **SHERIFF – Gary Howard:**

Sheriff Gary Howard, presented the following information to the committee. Report is attached.

#### **Budget:**

- Expense accounts are on track with the exception of Sheriff Overtime, Jail Overtime, and Inmate Medical. These will become an issue and will discuss in November 2018. YTD revenue is approximately \$477,730.

#### **RESOLUTIONS:**

- Authorize Acceptance of a 2018 NYS Legislative Grant (LG 18-1352-D00), Appropriate Funds and Amend 2018 Budget
- Retirement Robert Tatich's 15 Years of Dedicated Service to Tioga County
- Retirement Judith Mallery's 17 Years of Dedicated Service to Tioga County

#### **Highlights:**

- Civil – all positions are filled. Been busy serving eviction notices at the rate of two per month.
- Corrections – all full-time positions are filled. There are 12 CO part-time vacancies. Due to a retirement at the end of October, there will be another full-time vacancy. Corrections Exam to be given in November 2018.
- Road Patrol – one full-time position vacant. Have two Deputies in separate police academies – one graduates in late October and the other one February 2019.
- E911 Communications – currently have one full-time vacancy due to a retirement. Have one dispatcher in training.
- Average daily inmate population for the month of September was 58
- Awarded \$10,000 NYS Legislative Grant through Senator Akshar's Office. This will be used to purchase mobile lab top computers for the patrol vehicles.
- The NEW Court arraignment area – it is completed. Still need write up policy.
- ATI worked 312 man-hours: set up desk at Family Planning Center; grounds work at the County Fair, Richford Cemetery, and the Popple Hill and Spaulding Hill Radio Tower sites.

**EXECUTIVE SESSION:**

The Legislators present went into Executive session at the conclusion of the Public Safety Committee meeting at 3:03 PM. Motion for an Executive session Dale Weston, Seconded Ed Hollenback.

Respectfully submitted,

Kristen Kallin  
Secretary to the Director of Probation  
October 9, 2018

**TCOES MONTHLY ACTIVITY REPORT FOR SEPTEMBER 2018**

October 5, 2018

Budget: Over Budget for the year - See attached spreadsheets

Resolutions: Submission of EMPG Grant Application

Monthly Activity:

1. Monthly Meetings Attended
  - a. County Search and Rescue Meeting - Bob Attended
  - b. County Hazardous Materials Team Meeting – Bob Attended
  - c. COAD – Bob Attended
  - d. County Fire Chief’s Meeting – Bob and Mike Attended
  
2. Grants
  - a. SHSP17 – Amended Budget for Truck and I am Responding Program
  - b. SHSP18 – Approved – Replace Tahoe and next year I am Responding Program
  - c. EMPG15 – Closed, Used remainder for I am Responding and equipment before expired
  - d. EMPG16, – Going towards salaries.
  - e. EMPG17 – Received Grant – No expenditures
  - f. SLETTTPP17 – Received Grant – Waiting for State Contract for Radios
  - g. SLETTTPP18 – Approved – Replace ballistic vests for SWAT Team
  - h. HMPG – Received Grant – No expenditures – 3D working, nearly finished
  - i. SICG12 – Interop. Grant – Project Complete – Still having difficulty with final paperwork.
  - j. SICG16 – Interop. Grant – Being used to absorb overages from SIGC12.
  - k. SICG17 – Interop. Grant – Approved
  - l. HMEP18 – Application Submitted
  - m. SICG18 – Formula Grant – Application
  - n. SIGC-18 – Targeted Grant - Application
  
3. Other Emergency Services Activities
  - a. LEPC – Tabletop exercise conducted by Emily Warfle, assisted by OES and State OEM. Exercise was a Hazardous Materials Release. Reviews were good.
  - b. Waverly Radio Project – Met with Motorola State and Regional Representatives. Fingerlakes has received radio licenses for the site in Roundtop Park in Athens. The installation of equipment will begin.
  - c. HazMat Team - Responded to two calls. One tractor trailer accident with spilled diesel fuel (75 – 100 gallons). One auto accident where a vehicle struck a gas pump (75 – 100 gallons). Both scenes turned over to NYSDEC Spill Response and contract spill cleanup teams.

- d. Fire Investigation Team – Responded to 4 Calls last month
- e. Search and Rescue – No Calls this month.

4. EMS – Basic EMT Class and EMT Refresher Class have both started. Clinical Instructor Coordinators (CIC's) John Sweger and John Stephens are lead instructors for the classes. ShellyAnna Decker, (911 Dispatcher) has a desire to teach EMT Classes but we have experienced difficulties allowing her to do so because she is a full time County employee.

EMS Inadequacies – It has been recognized that the effectiveness of other provision of emergency medical care has been declining over the past few years. While the residents of some areas have been fortunate enough to continue to receive adequate care, others are not. This is leading to lengthy delays in obtaining EMS assistance when people require aid. While some agencies have found that they can afford to hire paid staff, most cannot at a local level. This is not isolated to our area. One option that could potentially save rural emergency medical services is for the county to examine the feasibility of a countywide ambulance district. There is currently legislation that has been introduced that will permit counties to form such districts. Such districts would have the ability to collect property tax and also bill patients who utilize services. There are many ways to determine service areas and utilize existing stable EMS providers while ensuring coverage to those areas that do not. I recommend that we explore this possibility since many indicators show that the provision of EMS by agencies in small rural communities with limited call volumes will continue to be more and more difficult and eventually lead to failures. Being that the county can approach the EMS problem at a more “regional” level we may be the obvious agency to effect changes.

5. Fire – Fire Training Classes are being scheduled into 2019. The past two classes have been cancelled because the minimum number of students (10) was not met. An attempt to convince State Fire to allow us to have a lower minimum number of students (8) was not successful. One of the classes that was cancelled was a basic class for new firefighters. 8 attended and because we were 2 short the result was that no new firefighters were trained. Our position is that departments would have benefitted by having 8 new trained firefighters even though the class was 2 short. Additionally, the class costs the state the same amount if there are 8 or 10.
6. Interoperable Fire Radio System – No word back regarding grant application. Motorola Solutions is no longer searching for frequencies. They wanted \$40,000 that had not been previously discussed to conduct the search. The search will be conducted by Federal Engineering as part of their contract. Their engineering department has generated coverage maps that are based on our current tower locations and show that coverage for mobile radios is over 95% reliable but portables and paging still needs additional tower sites for adequate coverage.
7. Radio Engineering Consultant - Working with Federal Engineering to collect information about our current radio system and future needs. Needs assessment completed. Consultant is conducting searches for available UHF frequencies which have proven to be difficult. We are hopeful that we can repurpose some frequencies that we already have and obtain others from local fire departments who have obtained their own during previous years. The next meeting will be to discuss radio coverage studies to determine how we will obtain optimal coverage.
8. EMO Responses – Two more flash flooding events. Towns of Candor, Spencer, Newark Valley, and the Village of Newark Valley experienced significant flood damage as well as County Highway. A State of Emergency was declared and Emergency Orders closing County owned roads was issued for one of the storms. The EOC was opened. The State sent in two swift water rescue teams. Local fire department water rescue teams assisted people evacuate their homes. The only storms and damage that were assessed were the ones that occurred on August 13<sup>th</sup> thru 15<sup>th</sup>. A presidential disaster declaration was declared for those storms. Tioga County met the threshold for Public Assistance but not for Individual Assistance.
9. Fire Responses – None
10. Discussed sharing and employee with Public Health. We need to decide how salary will be shared between departments.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -18 AUTHORIZE THE SUBMISSION OF  
EMPG18 GRANT APPLICATION  
OFFICE OF EMERGENCY SERVICES

WHEREAS: The NYS Office of Homeland Security and Emergency Services has announced the 2018 EMPG (Emergency Management Planning Grant) funding; and

WHEREAS: County Policy #47 requires that a resolution be approved before any such grant application is submitted. However, due to the short notification period, the Tioga County Office of Emergency Services had to submit an application for this funding by September 30, 2018; therefore be it

RESOLVED: That the Tioga County Office of Emergency Services be given authorization to apply for the 2018 EMPG grant application, after the fact, to be in compliance with county policy.

**Public Safety Committee Meeting**  
Probation Department Report  
October 9, 2018

**Article I.** Budget Status:  
2018 Budget on track  
No information on status of 2019 budget request

**Issues:**

1. Submitted RTA Comprehensive Plan to DCJS/OCFS/Division of Budget in September 2018. Received an email from DCJS directing that figures be moved from one area of the spread sheet to another. Received a telephone call from OCFS directing Tioga to add dollars figures for non-secure detention costs to the document and to amend a dollar figure for law enforcement transports. Document was resubmitted last week. To date, it appears that no plans submitted to the state have been approved. Approximately 50% of the counties have submitted a plan.
2. Completed all Law Enforcement and Social Services training for Raise the Age. Probation Director will review RTA for a second meeting with Tioga County Magistrates on 10/17/18. There is still confusion about where a 16 year old youth convicted of a VTL Misdemeanor will go if sentenced to "incarceration", with some of the Justices.
3. Sent proposal to Public Defenders to suggest a meeting regarding Youth Part Court and new mandate of Voluntary assessment and case planning services for Adolescent Offenders to explain what it is, so attorneys can describe it to their clients. This offer was declined.
4. Probation continues to work with both COTI programs.
5. Working with COTI Peer Support to run a second session of Thinking for a Change (T4C), a 14 week evidence based program at the Probation Department in the fall for adults.
6. Met with TCSO IID Monitor, STOP DWI Director and Lt. Nalepa regarding creating a Magistrates Guide to Ignition Interlock devices for Tioga County. STOP DWI will pay to create the bound booklet to be distributed to the Justices. Tioga expects three new Justices to take office in 2019, with a fourth to take office in 2020. This is good time to review the law changes put into effect in 2017.

**ATI Programs:**

- ❖ Electronic Monitoring – 2 units in use ( 1 adult and 1 juvenile)
- ❖ Community Service –Crew scheduled both days. Filed a number of violation petitions with sentencing courts for non-attendance. Biggest problem area for missed session are defendants sentenced to a Conditional Discharge.
- ❖ Pre-Trial Release –Currently have 25 defendants released from Tioga Co. Jail by a Justice Court or the County Court:
  - 8 are released RUS meaning they report in person weekly to the Department and follow court orders for urine testing, alcohol/drug evaluations, etc.

- 17 are released PTR meaning they telephone in weekly to the Probation Department to report any changes in their address or status.

7. **Juvenile Delinquency Services:** 1 Juvenile Delinquency Appearance Ticket was issued by the new School Resource Officer in Owego Apalachin Schools for Criminal Sale of a Controlled Substance, 3<sup>rd</sup> Degree, a Class B Felony. A second ticket was issued to the youth who purchased the drugs for Criminal Possession of a Controlled Substance, 7<sup>th</sup> Degree. A third ticket was issued to a 9 year old youth charged with Assault as a Misdemeanor.

YTD: 19 JDAT received during 2018

8. **Alternative to Detention Programing:** Probation had 0 youth in detention during the month.

9. **Court Ordered Investigations:** 72 investigations for Tioga County courts (Criminal, Family and Surrogate) are due in the next 60 days.

10. **Supervision:** 319 cases ordered by Tioga County courts & Family Court

11. **Violation of Probation petitions:** 36 defendants have violation petitions pending against them in criminal & family courts

**Article II.**

Article III.

Personnel:

- Unfunded PO position
- P/T Office Specialist 1 resigned effective 10/5/18. Found a full time job in Broome County. Backfill request submitted. 2019 budget request is that this position be enlarged to full time.

**Resolutions:**

- Resolution for continuation of contract with Buddi US, LLC for electronic monitoring services.

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -18

RESOLUTION TO APPROVE A  
CONTRACT BETWEEN THE TIOGA  
COUNTY PROBATION DEPT. AND  
BUDDI US, LLC

WHEREAS: The Legislature has previously approved a contract between the Probation Department and Buddi, US, LLC companies for the use of Electronic Monitoring units to be used with youth and adults as an alternative to incarceration or an alternative to detention; and

WHEREAS: The Probation Department initiated a contract for electronic monitoring services from Buddi US, LLC at the cost of \$3.80 per day per device, with no fee for units on the shelf, and this contract may be auto-renewed yearly per the written contract; and

WHEREAS: The NYS Office of Children and Family Services (OCFS) has directed every county to create Alternative to Detention programing and Tioga Probation has utilized Electronic Monitoring as an Alternative to Detention and is part of Tioga's STSJP funding request to NYS OCFS and part of the Tioga County Raise the Age Comprehensive Plan that such services should be available to youth; and

WHEREAS: Tioga County Probation has budgeted funds for Electronic Monitoring services in the amount of \$10,000 in account number A3142 540140 in the 2019 budget broken down as \$8,000 for adults and juvenile delinquents and \$2,000 for youth covered under the provisions of Raise the Age legislation; therefore be it

RESOLVED: That the Tioga County Probation Director is approved to continue the contract with Buddi, US, LLC to provide Electronic Monitoring hardware and internet accessible software for adults and juveniles to the Probation Department as part of the County's Alternative to Incarceration and Alternative to Detention programming.

# Tioga County Sheriff's Office



DATE: October 9, 2018  
TO: Sheriff Howard  
RE: October (2018) Public Safety - Reference Notes

## **Personnel Issues:**

1. ***Civil Office***
  - a) All positions are filled.
2. ***Corrections Division***
  - a) Currently all full time positions are filled and all of our PT Corrections Positions (12) are vacant.
  - b) One scheduled retirement for the end of October. Robert Tatich will retire. Attached resolution recognizing his service. This will create another full time vacancy within the jail.
3. ***Road Patrol***
  - a) We have one vacancy. Currently have two Deputies in separate police academies. One will graduate in late October and the other in February of 2019.
  - b) Currently have (2) "Unfunded" road patrol positions vacant.
4. ***E911 Emergency Communications Center***
  - a) Will have one vacant position to fill with the retirement of Judith Mallery on October 14<sup>th</sup>. We currently have one dispatcher in training.

## **Labor Issues:**

1. None to report.

## **Litigation Issues:**

1. One case is still active. No status to report.

## **Budget:**

1. With the exception of Sheriff Overtime, Jail Overtime and Inmate Medical, expense accounts are tracking well. Jail OT and Inmate Medical (Off site) may become an issue as we get into the month of November. YTD revenue is approximately \$477,730.



**Current Projects:**

1. Average daily inmate population for the month of September was 58.
2. Have been awarded a \$10,000 NYS Legislative grant offered through Senator Akshar's Office. (Attached Resolution). Funding will purchase mobile lab top computers for Patrol vehicles.
3. Work has nearly been completed on the new court arraignment area within the Jail. DPW has done a great job completing this work.

**Miscellaneous:**

1. Three resolutions to present.
  - Resolution Recognizing Judith Mallery's retirement
  - Resolution Recognizing Robert Tatich's retirement
  - Resolution to Authorize Acceptance and Appropriation of Legislative Grant
2. ATI worked 312-man hours during the month. Work included:
  - Set up Desk at Family Planning Center
  - Grounds work at the County Fair Grounds; Richford Cemetery; Popple Hill and Spaulding Hill Radio Tower sites.
  - Roadway trash removal

REFERRED TO: PUBLIC SAFETY COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. -18 AUTHORIZE ACCEPTANCE OF A 2018  
NYS LEGISLATIVE GRANT (LG18-1352-  
D00), APPROPRIATE FUNDS AND AMEND 2018  
BUDGET

WHEREAS: The Sheriff applied and was awarded a NYS Legislative Grant (LG18-1352-D00) in the amount of \$10,000; and

WHEREAS: This funding must be utilized to procure Tough Book Lab Top computer equipment for use as mobile data terminals; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the acceptance of this award; and be it further

RESOLVED: That the 2018 budget be modified and funds be appropriated to the following accounts:

Expense Account: A3110.520130 Sheriff – Equipment (Not Car)

Revenue Account: A3110.433952 Sheriff -State Aid

REFERRING TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -18 RESOLUTION RECOGNIZING  
ROBERT TATICH'S  
15 YEARS OF DEDICATED SERVICE TO TIOGA COUNTY

WHEREAS: Robert Tatich was appointed as a part-time Corrections Officer on 8/25/03; Reassigned as a full-time Corrections Officer on 7/24/04; and

WHEREAS: Robert Tatich has been dedicated and loyal in the performance of his duties and responsibilities during the past 15 years to Tioga County, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Robert Tatich will retire from the Tioga County Sheriff's Office on October 29, 2018; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Robert Tatich for his 15 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Robert Tatich.

REFERRING TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -18 RESOLUTION RECOGNIZING  
JUDITH MALLERY'S  
17 YEARS OF DEDICATED SERVICE TO TIOGA COUNTY

WHEREAS: Judith Mallery was appointed as an E911 Dispatcher on 10/13/01; and

WHEREAS: Judith Mallery has been dedicated and loyal in the performance of her duties and responsibilities during the past 17 years to Tioga County, thereby earning the respect of her colleagues and peers throughout Tioga County; and

WHEREAS: Judith Mallery will retire from the Tioga County Sheriff's Office on October 14, 2018; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Judith Mallery for her 17 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Judith Mallery.