

PUBLIC SAFETY MEETING

February 4, 2020

The regular meeting of Public Safety, Probation, EMO, Stop DWI, Fire, & Safety was held in the Legislative Conference Room at the Ronald E. Dougherty County Office Building, 56 Main Street, Tuesday, February 4, 2020 which started at 2:33 PM and ended at 3:00 PM.

Present:

Dennis Mullen	Chair, Public Safety
William Standing III	Legislator {Committee Member}
Edward Hollenbeck	Legislator {Committee Member}
Dale Weston	Legislator {Committee Member}
Gary Howard	Sheriff, Sheriff's Office
Joy Bennett	Director, Probation
Bob Williams	Deputy Director, Office of Emergency Services

ABSENT: Mike Simmons Director, Office of Emergency Services
Marte Sauerbrey, Chair of the Legislator

GUESTS: None

APPROVAL OF MINUTES:

The *January 7, 2020* minutes was accepted with no corrections or changes

Motion by: Ed Hollenbeck to accept the January 7, 2020 Minutes.

Second: Dale Weston

Carried

OFFICE OF EMERGENCY SERVICES – Bob Williams on behalf of Mike Simmons:

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

BUDGET:

- Bob stated that the Budget looks go so far.

RESOLUTIONS:

- Authorize Acceptance of Statewide Interoperable communications "Formula" Grand (SICG 19) Appropriate of Funds and Modify 2020 Budget.
- Re-Establish Prior Year 2019 Grants for 2020 Budget

The Legislators present have no problems with moving these resolutions on; committee agreed to move these forward.

HIGHLIGHTS:

- Attended meetings – Southern Tier East EMO meeting; South Central Radio Consortium meeting; and Meeting with Waverly/Sayre/Athens Group.
- HazMat Team – no calls in January but HazMat Team called out last night (February 3, 2020) to Corporate Drive. One of Weistman's trucks wrecked and diesel fuel was leaking into the ditch.

PROBATION – Joy Bennett:

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

RESOLUTION:

- Resolution to Accept the Donation, Appropriate Funds and Amend 2020 Probation Budget
- Resolution to Approve a Contract between the Tioga County Probation Department and Buddi US, LLC
- Resolution to Approve continued MOU between Tioga County Probation Department and Smart Start
- Resolution to Approve a Contract between the Tioga County Probation Department and Family Counseling Services of Cortland County, Inc., Formerly the Family and Children's Society, to provide Adult and Juvenile Sexual Offender Assessment and treatment services
- Resolution to Approve a Sole Source Contract and Maintenance agreement between the Tioga County Probation Department and Automon LLC to provide software and maintenance of the Caseload Explorer product

The committee approved all five resolutions and agreed to move them forward to the full Legislature meeting.

HIGHLIGHTS:

- County cars – all four (4) are functioning. Will be trading one of the 2007 Malibu for a 2014 Ford Focus.
- Raise the Age Plan – submitted to the state RTA plan #22 so that DSS could claim aftercare services for a RTA youth. DCJS budget has not approved the budget amendment as they feel aftercare money was sent to anchor counties (Tompkins) and Tioga's claim would be a duplication. DSS has been informed of this. DCJS advised Probation Departments that a new mechanism will be offered for RTA funding for State Fiscal year 2020-2021 and promises it will be "simpler" but nothing has been sent out.
- Bail Reform – Justice Courts are confused about this new law. Probation received a letter from Office of Court Administration (OCA) that we have been granted provisional certification for our Pre-Trial Services. The letter states "this certification is provisional because it has been determined that the proposed pretrial services agency would need additional support to fully implement an adequate Pre-Trial Services program in the county." To date, OCA has not provided counties with the criteria for certification, any statewide protocol for PTR or any good directions on completing the spreadsheet sent out by OCA. Kiwanis contacted Joy and asked that she come to their meeting to talk about the Bail Reform.
- e-Connect – screened one (1) youth who scored below the threshold indicating no services needed.
- Electronic Monitoring – Zero units in use.
- Community Service – crew scheduled for Sunday only due to low number of candidates. DA's office did not include completion of community service hours as part of plea deals made the end of last year.
- Pre-Trial Release – we have five (5) principals on Pre-Trial Release.
- Juvenile Delinquency Services – one (1) JD petition was a direct file in Family Court for a 17 year old who participated in a burglary at a liquor store in Waverly. The youth went to detention for three (3) days and returned to court and was released to a parent. This youth was unsuccessful on probation previously and his case was closed when the court discharged him from his probation sentence and resentenced him to a Conditional Discharge. In PD opinion, this was a bad policy because the juvenile spread the news in the Valley that the Family Court will not do anything to you if you fail at Probation.

Juveniles need to experience consequences for their misbehaviors, even if it costs the county money for placement.

- Decision Points – this program is going well, pizza is being used with the teens as an incentive to attend the weekly program.

SHERIFF – Gary Howard:

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

Budget:

- Jail Medical Expenses is \$6,426.44/month for one inmate regarding his medical issues. Sheriff Howard stated that the end of the year (2019) revenue is approximately \$990,000.

Highlights:

- Civil – All positions filled. Civil has brought in \$8,400.00 to the Tioga County Treasurer's office.
- Corrections – One (1) position to fill. One (1) part-time cook position. One (1) CO awaiting medical retirement and an ex CO inquiring to transfer back from St. Lawrence County.
- Road Patrol – one full-time Deputy will be leaving to go to the State Police Academy in a couple of weeks. Endicott Village Police Officer that transferred here is working out well. Sheriff's Office received a letter from the Village of Endicott Manager stating that Tioga County needs to pay \$22,000.00 for the training that she completed with them. Sent this to County Attorney Pete DeWind for review.
- E911 Communications – Currently two (2) positions to be filled which includes a resignation. The E911 operator that has left (as of 2/8/2020) will be dispatching for the Cornell security. Another E911 Operator left for a position with the Road Patrol of the Broome County Sheriff's Office. Vera Clark the Compliance Officer will be filling in at the E911 Center for a couple of days.
- Average daily inmate population for the month of January 2020 was 45.
- ATI worked six (6) days in January 2020. They did the following: picked up trash (6 bags) on the Hiawatha ramp; cleaned the County Highway vehicles; and stripped and waxed the floors at the Public Safety Building.
- CAP court – going well. Justices are calling as well as the public defenders. Had to turn three (3) people away because they were intoxicated or under the influence of something. One from the State Police, one from Owego Police Department, and one from the Sheriff's – they were told to wait with them.
- Met with Senator Fred Akshar about putting an extra line on the cellphone bills to cover the cost of the 911 radio but Senator Akshar said that is considered a tax and has to be approved at the state level.

Respectfully submitted,

Kristen Kallin
Secretary to the Director of Probation
February 4, 2020

TCOES MONTHLY ACTIVITY REPORT FOR JANUARY 2020

January 31, 2020

Budget: Within Budget - See attached spreadsheets**Resolutions:** **RESOLUTION NO. -20****RESOLUTION NO. -20**

**AUTHORIZE ACCEPTANCE OF STATEWIDE
INTEROPERABLE COMMUNICATIONS “FORMULA” GRANT
(SICG 19)
RE-ESTABLISH PRIOR YEAR 2019
GRANTS FOR 2020 BUDGET
EMERGENCY SERVICES**

Monthly Activity:

Monthly Meetings Attended

- a. Southern Tier East EMO Meeting
- b. South Central Radio Consortium Meeting
- c. Meeting with Waverly/Sayre/Athens Group
- d. Regional Hazardous Materials Consortium Meeting
- e. Team Tioga – 30 Year Journey
- f. Galvanizing Plant Tour

2. Grants

- a. SHSP18 – I am Responding Program
- b. HMEP18 – Approved
- c. SICG18 – Formula Grant – Approved
- d. SHSP19 – Received
- e. EMPG19- Received
- f. SICG19 – Formula - Applied

3. Other Emergency Services Activities

- a. Waverly Radio Project – Verizon engineering telephone connection
- b. HazMat Team – 0 Calls
- c. Fire Investigation Team – 3
- d. Search and Rescue – 0

4. EMS

- a. EMS Coordinator – Attended State Medical Advisory Meeting
- b. Spring EMS Classes started

5. Interoperable Fire Radio System

- a. Our office has been working with Mr. Kevin Karn, a consultant from the New York State Technology Enterprise Corporation who we have a resolution to contract with his firm to assist us in procuring SICG funding and system development.
Mr. Karn reports that the Targeted grant date has moved from April to sometime late in the summer or early fall.

TCOES MONTHLY ACTIVITY REPORT FOR JANUARY 2020

January 31, 2020

1. Fire

- a. Preparing job descriptions for Deputy Coordinator positions to be in charge of the Hazardous Materials Team and the Technical Rescue Team
- b. Radio system continues to have issues with the audio, making it difficult for field units to understand dispatchers. Tri-County still working on the problem.
- c. Very busy month for Fire Investigation Team.
- d. Taylor Recycling Fire occurred on 1/03/2020 in Apalachin. Approximately 40 fire departments responded. Building was totally destroyed. No injuries were reported. Fire Investigation Team worked with OFPC to determine the origin of the fire which was determined to be in a bale of cardboard. The specific cause is unknown.

2. EMO

- a. Storm on 10/31/19. The president signed the disaster declaration for the October 31, 2020. Kickoff meeting was Monday, 1/13/2020 at 09:00. Office is assisting Towns with claims process. County did not have damages from the storm that warranted claiming.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -20

AUTHORIZE ACCEPTANCE OF STATEWIDE INTEROPERABLE COMMUNICATIONS "FORMULA" GRANT (SICG 19)
 APPROPRIATION OF FUNDS &
 MODIFY 2020 BUDGET
 OFFICE OF EMERGENCY SERVICES

WHEREAS: The Office of Emergency Management applied for and was awarded a Homeland Security Statewide Interoperable Communications "Formula" Grant 2019 in the amount of \$385,432. The grant will be used for upgrading the radio communications in the county with no local share associated with said grant; and

WHEREAS: This funding must be accepted and appropriated; therefore be it

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

RESOLVED: That the 2020 budget be modified and funds be appropriated to the following accounts:

FROM:	A3415 433063 IO19F – State Aid Interop Comm Grant	\$385,432
TO:	A3415 540140 IO19F Contracted Services	\$364,607
TO:	A3415 540180 IO19F Dues	\$ 825
TO:	A3415 520130 IO19F Equipment (Not Car)	\$ 20,000

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -20

RE-ESTABLISH PRIOR YEAR 2019 GRANTS FOR 2020 BUDGET
 EMERGENCY SERVICES

WHEREAS: Prior year grant funds need to be re-established for the remaining unspent balance as of year-end 2019 for purchase or completion in 2020; therefore be it

RESOLVED: That the following accounts and amounts are re-established and the 2020 budget is amended as follows:

Sen10 - Reso 278-19 Senator's Grant	Amount to Re-Establish
A3410 521130 SEN10 Equipment (Not Car)	\$ 15,000
A3410 433060 SEN10 State Aid Fire Grant	\$ 15,000

SHS17 – Reso 109-18 State Homeland Security 17	Amount to Re-Establish
H3360 520060 SHS17 Capital Car/Truck	\$ 1,625.92
H3360 433567 SHS17 Capital Revenue SHS17	\$ 1,625.92

Public Safety Committee Meeting
 Probation Department Report
 February 3, 2020

Article I. Budget Status:

2019 budget

Expense – no line items were over budget

Revenue- not all revenue has been received due to program year terms for

Raise the Age - 80% received 24K balance

STSJP - 76% received 4K balance

ATI 66% received \$4,175 balance

Issues:

1. County Cars- all 4 cars are functioning. County Garage has requested we turn in one of the 2007 Chevy Malibu for a yet to be seen 2014 Ford Focus.
2. RTA – Submitted a modified RTA plan #22 to the state so that DSS could claim Aftercare services for a RTA youth. DCJS budget has not approved the budget amendment as they feel aftercare money was sent to anchor counties (in this case Tompkins) and Tioga’s claim would be a duplication. Local DSS has been informed of this.

DCJS has advised Probation Departments that a new mechanism will be offered for RTA funding for State Fiscal year 2020-2021 and promises it will be “simpler” but nothing has been sent out to Counties to date to review.
3. E- Connect: In December we screened 1 youth who scored Below Threshold indicating no services needed.
4. Bail Reform- Law mandates that almost all misdemeanors and most felony arraignments will result in release of defendant –ROR status
 - a. Probation receiving call from Justice Courts regarding Bail Reform as many are confused about the new law and how it effects probation violation petition arraignments.
 - b. Tioga Probation received a letter from the Office of Court Administration Chief Administrative Judge Lawrence Marks that we have been granted provisional certification of our Pre-Trial services agency. The letter states, “this certification is provisional because it has been determined that the proposed pretrial services agency would need additional support to fully implement an adequate Pre-Trial Services program in the county. Nevertheless, provisional certification will allow the county to provide, to the best of its current ability, some level of Pre-Trial services as of January 1, 2020.”
 - i. To date OCA has not provided counties with the criteria for certification, any statewide protocol or procedures for Pre-Trial Release or any good direction on completing the spread sheet sent out by OCA. DCJS has removed their PreTrial Release standards from their website.
 - ii. OCA does advise that the provisional certification is valid for one year and will require the filing of a new application before the end of 2020 to become fully certified or to extend provisional certification.
5. Neither COTI program is providing a therapist who can do evaluations at the Probation Department. Probation must now call and schedule an evaluation date/time for an evaluation. We will continue to request that evaluations take place in the Probation space. We remain in contact with the Trinity program in the Jail.
6. CAP Court started. Had one Probation violation case with a warrant arraigned at the CAP, the Justice applied Bail Reform rules to the case which is not required.
7. ATI – ATI Board meeting held on January 16, 2020.

ATI Programs:

- ❖ Electronic Monitoring – 0 units in use
- ❖ Community Service –Crew scheduled for Sundays only due to low number of candidates (4)
- ❖ Pre-Trial Release – Pre-Trial Release –As of 1/31/20 we have 5 principals on PreTrial Release by a Court:
 - 2 are released RUS meaning they report in person weekly to the Department and follow court orders for urine testing, alcohol/drug evaluations, etc.
 - 3 are released PTR meaning they telephone in weekly to the Probation Department to report any changes in their address or status.

Juvenile Delinquency Services:

1 Juvenile Delinquency Appearance Tickets was received in January 2020, the 17 year old youth was charged with Criminal Trespass 3rd Degree a Class B Misdemeanor as the youth was already being supervised on a Consent Decree from Bradford County we are referring the case back to PA for consequences.

1 Juvenile Delinquency petition was direct filed in Family Court for a 17 year olds participating in a Burglary of a liquor store in Waverly along with a 30 year old co-defendant. The youth went to detention for three days and upon return to court was released to a parent. This youth was unsuccessful on probation and his case was closed when the court discharged him from his sentence with no consequences. The Court issued a Conditional Discharge which the youth is also in technical violation of.

YTD: 1 JDAT received during 2020 plus 1 case of direct file with the court for a total of 2 cases to date.

Alternative to Detention Programing: Cayuga Counseling program for juvenile is operating and working with Tioga County youth. Two part time employees have been hired and are working out of the Probation Department. They currently have 8 open cases, the contract limit.

Decision Points- two Probation Officers have been trained to run this evidence based program for juveniles. Youth are taught a system to help them think through a problem and a successful solution. Program meets after school, 4-5 pm at the Probation Department. Cayuga Counseling is assisting with transporting youth to the program. Adam Weitsman donated \$500 for pizza (check written to Original Italian) and \$2000 to Probation Department for incentives for this group.

Court Ordered Investigations: 62 investigations for Tioga County courts (Criminal, Family and Surrogate) are due in the next 60 days.

Supervision: 307 cases ordered by Tioga County courts & Family Court

Violation of Probation petitions: 22 defendants have violation petitions pending against them in criminal & family court. This equates to 8% of the total department caseload are in violation status.

Personnel:

Still have 1 unfunded PO position

Resolutions:

- Approve rollover contract for EM services with Buddi US, LLC
- Approved rollover MOU with Smart Start for Smart Mobil services
- Approve name change for contract with Family & Children’s Society to Family Counseling Services of Cortland County, Inc.
- Approve single source software contract with AutoMon, LLC
- Approved donation from Adam Weitsman and set up account

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -20 RESOLUTION TO APPROVE A CONTRACT BETWEEN THE TIOGA CO. PROBATION DEPT. & FAMILY COUNSELING SERVICES OF CORTLAND COUNTY, INC., FORMERLY THE FAMILY AND CHILDREN’S SOCIETY, TO

PROVIDE ADULT & JUVENILE SEXUAL OFFENDER ASSESSMENT AND TREATMENT SERVICES

WHEREAS: The Legislature approved a contract between Tioga County Probation Department and The Family and Children's Society for the provision of adult and juvenile sex offender treatment in 2020; and

WHEREAS: The Family and Children's Society is in the process of joining with Family Counseling Services of Cortland County, Inc. and they will continue to offer the same services for Tioga County Probation; therefore be it

RESOLVED: That the Probation Director, starting in February 2020, is approved to pay invoices to Family Counseling Services of Cortland County, Inc. to pay for adult sexual offender assessment and treatment, juvenile sexual offender assessment and treatment and educational sessions for adult supervisors and parent supervisors in the amount of \$123,840 annually.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -20 RESOLUTION TO APPROVE CONTINUED MOU BETWEEN TIOGA COUNTY PROBATION DEPARTMENT AND SMART START

WHEREAS: The Tioga County Probation Department must supervise offenders who are sentenced to probation supervision by Tioga County courts for drink and driving behavior; and

WHEREAS: Many probationers divest themselves of their motor vehicles pre or post-sentencing so that they do not have to install an ignition interlock device (IID). The Smart Start company markets a hand held IID, similar to an IID, that will allow defendants to blow into the device at assigned times and have their BAC calculated, a photo taken and a GPS location established; and

WHEREAS: The Smart Start company has partnered with Tioga County since 2015 to provide these devices at the rate of \$3.10 per day via a MOU that is renewable automatically each year and would like to continue the program in 2020; and

WHEREAS: Tioga County Probation has budgeted funds for Alternatives to Incarceration Contracting line for testing of probationers in the amount of \$2,500 in account number A3142 540140 and 2020 STOP-DWI funding in the amount of \$2,227 for this service; therefore be it

RESOLVED: That Tioga County Legislative Chair is approved to contract with Smart Start to provide hand held alcohol testing devices for the year 2020, upon approval of the County Attorney.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -20 RESOLUTION TO APPROVE A SOLE SOURCE CONTRACT AND MAINTENANCE AGREEMENT BETWEEN THE TIOGA COUNTY PROBATION DEPARTMENT AND AUTOMON LLC TO PROVIDE SOFTWARE AND MAINTENANCE OF THE CASELOAD EXPLORER PRODUCT

WHEREAS: The Tioga County Legislature has approved contracts between Tioga County Probation Department and AutoMon, LLC since 2008; and

WHEREAS: AutoMon, LLC has changed their contract status with New York State, the Tioga County Legislature is approving the Probation Department can contract with AutoMon LLC as a sole source provider

of Caseload Explorer, a software program that meets the qualifications of 9 NYCRR 345, which mandates Probation Departments to use a software program that automatically sends Pre-sentence Investigation completed in the software program to the PSI Repository in Albany. Caseload Explorer software is the only software in New York State that meets this criteria; and

WHEREAS: AutoMon, LLC has submitted their yearly Maintenance Agreement to Tioga County Probation, which consists of the base charge of \$4,576.90, plus a fee of \$224.14 per user. Probation has 17 registered users of the software, so the total cost for basic software maintenance for 2020 is \$8,387.28; therefore be it

RESOLVED: That the Probation Director is approved to contract with AutoMon, LLC as a sole source provider for software and maintenance costs in 2020 for Caseload Explorer and Ce Assessments in the amount of \$8,387.28.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -20 RESOLUTION TO APPROVE A CONTRACT BETWEEN THE TIOGA COUNTY PROBATION DEPT. AND BUDDI US, LLC

WHEREAS: The Probation Department is need of Electronic Monitoring Services to provide alternative to incarceration and alternative to detention services via Court order for Tioga County adults and juveniles; and

WHEREAS: Probation has been contracting with a company, Buddi, US, LLC that is willing to provide Electronic Monitoring Services to Tioga County Probation at the cost of \$3.80 per day, per unit; and

WHEREAS: The Tioga County Attorney has previously approved a contract with Buddi US , LLC that will charge the County \$3.80 per day, per unit with no fee for units on the shelf. Said contract includes a rollover clause that allows the contract to roll over year to year unless terminated by one of the parties; and

WHEREAS: Tioga County Probation has budgeted funds for Electronic Monitoring services for 2020 in the amount of \$8,000 in account number A 3142-540140; therefore be it

RESOLVED: That Tioga County Probation Director is approved to 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.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -20 RESOLUTION TO ACCEPT DONATION, APPROPRIATE FUNDS AND AMEND 2020 PROBATION BUDGET

WHEREAS: The Tioga County Probation Department received a gift donation of \$2,000 for incentives for our Juvenile Delinquency Diversion programming from Adam Weitsman on January 3, 2020; and

WHEREAS: The Tioga County Legislature agrees to accept this generous donation; and

WHEREAS: The funding is specifically designated for the purchase of incentives for the youth in the Juvenile Delinquency Diversion Program; and

WHEREAS: Appropriation of Funds and Budget Amendments require Legislative approval; therefore be it

RESOLVED: That the Tioga County Probation Department is approved to accept the above-referenced donation, amend the 2020 budget, and appropriate funding as follows:

From: A3140 427050	Gifts and Donations	\$2,000
To: A3140 540487	Probation Program Expense	\$2,000

Tioga County Sheriff's Office



DATE: February 4, 2020
 TO: Sheriff Howard
 RE: February (2020) Public Safety - Reference Notes

Personnel Issues:

1. **Civil Office**
 - a) All positions are filled.
2. **Corrections Division**
 - a) Currently have one (1) position to fill. One (1) vacant part-time cook position has been filled.
 - b) We have one (1) C.O. awaiting Medical Retirement.
 - c) We have an ex C.O. inquiring about a transfer to us from St. Lawrence County.
3. **Road Patrol**
 - a) The Endicott P.D. transfer is still training and working out well.
4. **E911 Emergency Communications Center**
 5. a) Currently two (2) positions to be filled which includes a resignation on 02/08/20.

Labor Issues:

1. T.C.C.A. negotiations are in a stall.

Litigation Issues:

None at this time.

Budget:

1. We continue to have an individual inmate that costs \$6,426.44 every month.
2. End of year revenue is approximately \$990,000, which is up \$300,000 from 2018 due to the board-ins from Cortland County.

Current Projects:

None

Miscellaneous:

1. Average daily inmate population for the month of January 2020 was 45.

Miscellaneous (Continued):

2. ATI worked 6 days during the month of January 2020

Work included:

- Cleaning:
- County Highway Vehicles
- PSB floors (strip & wax)
- Hiawatha on ramp (6 bags of garbage)

Resolutions:

None