

PUBLIC SAFETY COMMITTEE

FEBRUARY 10, 2000

NOON

SCOTT HEYMAN CONFERENCE ROOM

PRESENT: G. Totman, B. Blanchard, N. Schuler, T. Joseph,

EXCUSED: C. Evans

STAFF: J. Hughes, Assigned Counsel; J. Beach, Stop-DWI; K. West, Deputy County Administrator; L. Shurtleff, Fire, Disaster and EMS; M. Putney, OAR; W. Skinner, Public Information; L. Eaton, Purchasing Division; J. Wood, Deputy County Attorney; P. Meskill, Sheriff, S. Robinson, Criminal Justice

GUESTS: Steve Tierney, NYS Division of Criminal Justice Services; Roy Ives, Resident

CALL TO ORDER:

Chairman Totman called the meeting to order at 12:02 p.m.

ADDITION/DELETIONS TO AGENDA

Add:

Assigned Counsel – amendment to the by-laws

Towers Presentations Update

Discussion about getting proposals for jail population reduction programs

APPROVAL OF MINUTES

It was Moved by Mr. Joseph, seconded by Ms. Blanchard and unanimously adopted by voice vote of members present to approve the minutes of January 13, 2000, as submitted.

PURCHASING

APPROVAL TO SEEK BIDS AND LEVEL OF COMMITTEE INVOLVEMENT - SHERIFF'S DEPARTMENT MAINTENANCE

It was the consensus of the Committee to have the Purchasing Division seek and award the bids for Sheriff's Department maintenance.

INTRODUCTION OF STEVE TIERNEY

Ms. Robinson introduced Steve Tierney of the New York State Division of Criminal Justice Services. Ms. Robinson stated Mr. Tierney was in Ithaca today meeting with Tompkins County officials regarding the County's Stop Grant. She stated the County is in the middle of its third grant and noted Mr. Tierney has been very helpful in getting County items through the State system.

STOP-DWI UPDATE

Mr. Beach distributed the statistics, these are attached to the original minutes. He stated the statistics indicate a proactive approach in Tompkins County noting a very low percentage of arrests follow a crash.

TRAFFIC SAFETY BOARD

Mr. Totman stated this item has been brought to the Committee for the last three months and it has been a feeling among the majority that this is a good board to have. He noted however, that there have been concerns that the proposed

membership is too large and the law has been modified to accommodate a smaller number of people on the board. He also stated that requests have been made for the state law and that has not been received. Mr. Wood distributed a revised law that conforms with the state law and he also placed the more technical language into a resolution i.e., meeting times, and board structure. Mr. Joseph asked what will happen to the three-year terms and the Public Safety Committee members if the structure of that Committee changes and someone refuses to resign. Mr. Wood stated that this can be considered if it should happen in the future. Mrs. Schuler asked if ex-officio members are allowed. Mr. Wood stated that there is nothing in the state law that prohibits ex-officio members. Mrs. Schuler stated she would like the health and education communities represented. Ms. Blanchard stated there has been a lot of discussion about keeping the board at a manageable level and soliciting input from the appropriate groups when necessary.

It was Moved by Ms. Blanchard, seconded by Mr. Joseph. It was Moved by Mr. Joseph, seconded by Mrs. Schuler and unanimously adopted by voice vote to amend the resolution to delete the second sentence of the second resolved regarding the chair of the Traffic Safety Board being the Chair of the Public Safety Committee to allow the Board to choose their own chairman. It was Moved by Mr. Joseph, seconded by Mrs. Schuler and unanimously adopted by voice vote to amend the resolution to delete the third Resolved to allow the Board to choose their own Executive Secretary. A voice vote on the main motion resulted as follows: Ayes - 4 (Representatives Totman, Blanchard, Joseph and Schuler), Noes - 0, Excused - 1 (Representative Evans). MOTION CARRIED.

RESOLUTION NO. - TO ADOPT LOCAL LAW B OF THE YEAR 2000 REGARDING THE ESTABLISHMENT OF A COUNTY TRAFFIC SAFETY BOARD

WHEREAS, it would benefit the residents of Tompkins County to have an active Traffic Safety Board, now therefore be it

RESOLVED, on recommendation of the Public Safety Committee, That Local Law B of the year 2000 is adopted, RESOLVED, further, That the membership of the Traffic Safety Board will consist of the members of the Public Safety Committee of the Board of Representatives. The remaining members will be appointed from the following:

- 1 Representative from the Tompkins County Sheriff's Department;
- 1 Representative from the New York State Police;
- 1 Representative from and chosen by the City of Ithaca with the request that the person be a member of the City Police Department;
- 1 Representative from the Metropolitan Planning Organization;
- 1 Village Police official appointed by the Municipal Officials Association;
- 1 Representative from the Tompkins County Highway Department;

RESOLVED, further, That the undertaking required for the executive secretary is in the amount of one dollar,

RESOLVED, further, That when a meeting of the Traffic Safety Board is deemed necessary, such meeting will, if possible, be held immediately following the next regularly scheduled Public Safety Committee meeting.

SEQR ACTION: TYPE II-20

LOCAL LAW NO. B - 2000 AMENDING CHAPTER 80 OF THE TOMPKINS COUNTY CHARTER AND CODE REGARDING THE COUNTY TRAFFIC SAFETY BOARD

A LOCAL LAW to provide for the establishment of a County Traffic Safety Board for the County of Tompkins, State of New York.

Section 1. Chapter 80 of the Tompkins County Charter and Code is amended to read as follows:

§80-1. ESTABLISHMENT. A County Traffic Safety Board is hereby established by the Board of Representatives of Tompkins County pursuant to Article 43 of the Vehicle and Traffic Law.

§80-2. MEMBERSHIP OF THE BOARD.

- a) The Board shall be composed of eleven members interested in traffic safety and traffic problems appointed by the Board of Representatives of the County.
- b) Each member shall be a resident of the County and a qualified elector thereof. One of such members shall be a resident of and be appointed from the City of Ithaca, and the balance of such membership shall be appointed from the County at large.
- c) The term of office of such members shall be three years, except that the members first appointed to such board shall be appointed as follows: four shall be appointed for a term of one year; four for a term of two years; three for a term of three years. Upon the expiration of the term of office of any member his successor shall be appointed to membership in such board for a term of three years.
- d) The members of such board shall receive no compensation but shall be entitled to reasonable and necessary expenses incurred in the performance of their duties within the amount of the appropriation made for such purpose.

§80-3. ORGANIZATION AND REPORTS OF THE BOARD.

The Traffic Safety Board shall:

- a) Meet and organize within fifteen days after its members are appointed.
- b) Elect annually a chairman, vice-chairman and secretary from its membership.
- b) Adopt rules for the conduct of its business.
- c) Within the limit of appropriation made therefor by the Board of Representatives, authorize the employment of such personnel as may be necessary to properly perform the function and carry out the objectives of this Local Law.
- d) Appoint an executive secretary who shall be the administrative officer of the board.
- e) Render annually to the Board of Representatives, and from time to time as required, a verified account of all monies received and expended by it or under its direction and an account of its proceedings and of other pertinent matters in such form and manner as may be required by the Board of Representatives.
- f) Submit annually to the proper fiscal authorities of the County, at such time and in such manner as may be required, an estimate of the funds required to carry out the purpose of this Local Law.
- g) Submit a report of activities annually to the State and, from time to time, such other information or reports as may be required by the State pursuant to Article 16-a of the Executive Law.

§80-4. FUNCTIONS OF THE BOARD.

The Board is authorized:

- a) To promote and encourage street and highway traffic safety.
- b) To formulate county-wide highway safety programs and coordinate efforts of interested parties and agencies engaged in traffic safety education.
- c) To cooperate with local officials within the county in the formulation and execution of traffic safety programs and activities.
- d) To study traffic conditions on streets and highways within the county, study and analyze reports of accidents and causes thereof, and recommend to the appropriate legislative bodies, departments or commissions, such changes in rules, orders, regulations and existing law as the board may deem advisable.
- e) To conduct meetings within the county whenever and wherever the board shall deem it advisable and to invite to such meetings parties and agencies, public and private, interested in traffic regulation, control and safety education.
- f) To promote safety education for drivers and pedestrians.
- g) To obtain and assemble motor vehicle accident data, and to analyze, study and consolidate such data for educational and informational purposes.

§80-5. EXECUTIVE SECRETARY OF BOARD.

The executive secretary of the board shall:

- a) Subject to the supervision and control of the board perform the functions necessary to properly and efficiently carry out the provisions and purposes of this Chapter.
- b) Be a citizen of the United States.
- c) Receive such salary and expenses as the Board of Representatives may fix and properly account for such expenses.
- d) Furnish an official undertaking in an amount and in such form and with such sureties as shall be approved by the Board of Supervisors.

Section 2. EFFECTIVE DATE. This Local Law shall take effect upon filing with the Secretary of State.

RESOLUTION NO. - AUTHORIZING A PUBLIC HEARING ON PROPOSED LOCAL LAW NO. b OF 2000 - AMENDING CHAPTER 80 OF THE TOMPKINS COUNTY CHARTER AND CODE REGARDING THE COUNTY TRAFFIC SAFETY BOARD

It was Moved by Mr. Joseph, seconded by Ms. Blanchard and unanimously adopted by voice vote of members present.

WHEREAS, Tompkins County used to have a functioning County Traffic Safety Board, which was authorized by Local Law No. 2 of 1968, and

WHEREAS, the Tompkins County Traffic Safety Board has been defunct for over a decade, and

WHEREAS, Tompkins County has lost opportunities for funding in areas of traffic safety because of the lack of a functioning County Traffic Safety Board, and

WHEREAS, in order to take advantage of funding opportunities and to correct information that is now obsolete, it is necessary to amend Chapter 80 of the Tompkins County Charter and Code regarding the County Traffic Safety Board, now therefore be it

RESOLVED, on recommendation of the Public Safety Committee, That a public hearing be held before the Board of Representatives in Board Chambers of the Tompkins County Courthouse, 320 North Tioga Street, Ithaca, New York, on Tuesday, March 7, 2000, at 5:30 o'clock in the evening thereof concerning proposed Local Law No. b of 2000 - Amending Chapter 80 of the Tompkins County Charter and Code Regarding the County Traffic Safety Board. At such time and place all persons interested in the subject matter will be heard concerning the same,

RESOLVED, further, That the Clerk of the Board is hereby authorized and directed to place proper notice of such public hearing in the official newspaper of the County.

SEQR ACTION: TYPE II-20

ASSIGNED COUNSEL

Ms. Hughes stated she is still working on her year-end report. She noted that 33 percent of all cases assigned in 1999 came from Family Court. She stated she met with Assemblyman Luster recently and he indicated that the democrats in the Assembly have proposed using abandoned properties to offset increased 18B attorney fees so this cost will not be passed on to counties. Assemblyman Luster has also been notified that an attorney in Nassau County has filed suit against the fees because he believes the fees are so low that clients are not represented adequately. Ms. Hughes stated that Judge Kay is proposing the fees be raised to \$75 across-the-board, but most people would like to see the fees set to \$75 for felonies and \$60 for non-felonies.

AMENDMENT TO THE ADVISORY BOARD ON INDIGENT REPRESENTATION BY-LAWS

Ms. Hughes reported that the by-laws of the Advisory Board on Indigent Representation (ABIR) were recently approved by the full board, but there was one paragraph that was submitted incorrectly and this needs to be fixed. Article Two, Part 4 currently states, "Two voting members of the board shall consist of attorneys recommended for membership by the Tompkins County Bar Association," and should be changed to say, "The majority of the Board shall consist of attorneys recommended for membership by the Tompkins County Bar Association." Ms. Hughes stated that this is a 13-

member board and seven of them need to be attorneys. She noted that it has always been a majority in the past. Ms. West stated that this may be treated as a manifest error or a resolution can be prepared for board consideration if needed.

OAR

Ms. Putney reported that the director's position has been offered to a candidate and it is hoped a response will be received this week. If the offer is accepted the person will begin February 28, 2000.

Ms. Putney reported the bail intake program has been very busy and there have been 43 intake reviews, 49 affidavits and five bails to date this year. She reported that there is approximately \$5,900 in the bail fund. Ms. Putney reported that there was a nice balance of people who recently attended volunteer training.

Mrs. Schuler asked if there are any guidelines regarding who can sit on the OAR Board of Directors and asked if past staff members are allowed to sit on the Board. Ms. Putney stated she does not know of any guideline that would preclude a past employee from being a member of the Board.

DEPUTY COUNTY ADMINISTRATOR

Ms. West reported that the CISNET equipment has arrived and should be up and running fairly soon.

PROBATION DEPARTMENT

ELECTRONIC MONITORING UPDATE

Ms. Leinthall reported that there are four individuals on electronic monitoring and one on Juris Monitor. She stated that there are also two electronic monitoring and two juris monitor cases pending. She noted the first juris monitor case is going very well.

SWAP AND RICS REPORT

Ms. Leinthall distributed a report on the Service Work Alternative Program (SWAP) and the Reduced Incarceration Community Service Program (RICS) and stated this information was presented to the Criminal Justice Advisory/Alternatives to Incarceration Board. The savings included in the report are based on \$70 per day and would be greater if \$80 per day were used in the instance of board-outs. This report is on file with the original minutes. She reported that the Friends of Library were very impressed with the programs and even asked the Project Supervisor to become one of their board members.

DISCUSSION OF DUPLICATION OF SERVICES

Ms. Leinthall stated that Mr. Meskill indicated at a previous meeting that his office may be looking at providing a "work release" program for inmates in the jail and she asked for this item to be placed on the agenda so a discussion could be held. She stated that it is very worthwhile to keep inmates busy, it makes them easier to manage and happier during their stay at the jail. She stated that she is concerned that there may possibly be a duplication of services between her office and the Sheriff's Department and the programs will need to be looked at closely to see if the programs will compliment each other or be in conflict. She stated she has spoke with the Sheriff and he has indicated that his staff will work to determine if some inmates are eligible for the Reduced Incarceration Community Services Program.

Mr. Meskill stated that when inmates are taken off jail property it would depend on whose custody they are being placed into because there is certain criteria that each inmate has to meet. He stated that no violent offenders would be allowed off the property without armed personnel. He stated that he would also have to investigate what liability issues there could be if he had a program.

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Mr. Joseph asked why inmates can not be placed in either the SWAP or RICS programs. Mr. Meskill stated that the SWAP program applies only to unsentenced individuals, and the RICS program is reduced jail time that some inmates are not eligible for.

Discussions will continue and a report made back to this committee at a later date.

TOWERS PRESENTATION UPDATE

Ms. Blanchard stated that the towers presentation will be given to each municipality, they began last week and will be finished by the end of the month. She stated that each presentation reviews the existing system and the problems with it, an explanation of what the proposed system will be like, and the schedule for implementation. She stated the presentations have been very informative and there have been a lot of good questions raised.

FIRE, DISASTER AND EMS

Mr. Shurtleff stated that 911 issues are being given a priority in Albany and there are two major bills pending that could benefit the County. The Governor has submitted language that would allow counties to raise the surcharge to \$1.00 for technology upgrades and Assemblyman Luster has indicated there is support for this measure. The second issue involves cellular calls and there is a bill being sponsored by Senator Seward that will direct wireless calls to local county PSAP's. The bill does not address the wireless surcharge, but this will be looked at later. Mr. Shurtleff indicated Tompkins County is ahead in training and would be one of the first counties to do this

Mr. Ives stated he runs a commercial dive operation locally and has been talking with Mr. Miller about purchasing a surplus air compressor that is no longer in use. He stated he has received estimates that the compressor is worth between \$500-\$800 and he would like to purchase it. Ms. West stated that New York State has guidelines on how surplus equipment is handled and Mr. Miller will need to notify the Finance Office about the disposition of this equipment. Mr. Shurtleff will bring this information to Mr. Miller's attention.

PROPOSAL FOR JAIL REDUCTION PROGRAMS

Mr. Joseph stated that each member on this committee is also a member of the Public Safety Building Space Study Committee. He stated he would like that Committee to get proposals for jail expansion and proposals for programs that will make jail expansion less necessary. He stated he would like to suggest a county solicitation for proposals that will reduce the jail population and then submit these through the regular budget process. Ms. Blanchard stated that she would like to make sure that the County is not placed in an either/or position and that both sets of proposals are considered. She stated she would also like to see the solicitation placed in the New York State Contract Reporter. She stated many companies and individuals subscribe to this publication. It was the consensus of the Committee to pursue the solicitation process.

SHERIFF'S DEPARTMENT

Sheriff Meskill distributed his departmental goals and the monthly statistics. These are on file with the original minutes. He stated he has been talking with Assemblyman Luster and Assemblyman Seward about legislation to change civil service law to recognize state examinations as local exams. He stated he has been approached by some members of the State Police who would be interested in working for his department, but they would like to use their existing score. He stated he is also working on Section 55 of the Civil Service Law that deals with disabled persons. He stated that a disabled person can waive a civil service test and still be hired, but that individual does not retain any seniority and in the event of a layoff that individual would be the first to be let go. Mr. Meskill stated he would like to see this law changed.

Mr. Joseph asked that Mr. Meskill provide the preceding twelve months in the statistics so a comparison can be seen each month.

2000 COMMITTEE GOALS AND LIAISON ASSIGNMENTS

There was lengthy discussion about how the committee would determine their goals for 2000. Mr. Joseph stated that there should be a clear distinction between committee and departmental goals, noting departmental goals are very valuable for program review. He stated that this process is rarely done, but should be, and if it takes the entire year to cover everyone's goals it is worth doing. Ms. Leinthall stated that space needs are part of her departmental goals. She stated that her department is running out of space and with the mention of expanding programs, this is something that will need to be considered. It was the consensus of the Committee to review each department's goals at a future committee meeting. The schedule for that review is as follows:

March - Stop-DWI
April - Probation Department
May - Assigned Counsel
June - Sheriff's Department
July - OAR
August - Fire, Disaster and EMS
September - District Attorney

APPOINTMENTS

It was Moved by Mrs. Schuler, seconded by Ms. Blanchard and unanimously adopted by voice vote of members present to approve the appointment to the following boards:

Advisory Board on Indigent Representation
Shirley Kane - Expiring December 31, 2002
Adam Abelson - Expiring December 31, 2002

Stop-DWI Advisory Board
Mary Agnew - Alcoholism Council Representative - Expiring December 31, 2002

E911 Operations Committee
Edward Abruzzo - New York State Police Representative - Expiring December 31, 2001

LIAISON ASSIGNMENTS

Advisory Board on Indigent Representation - Tim Joseph, Nancy Schuler
Family Court Advisory Council - Nancy Schuler
Fire, Disaster and EMS Advisory Board - George Totman
E911 Operations Committee - Barbara Blanchard
Criminal Justice Advisory/Alternatives to Incarceration Board - Tim Joseph
Stop-DWI Advisory Board - Nancy Schuler
Magistrates Association - George Totman
Local Emergency Planning Committee - George Totman
Offender Aid and Restoration - Tim Joseph

OTHER

Mr. Meskill stated that there have been questions raised by members of the Board about Sheriff's Department vehicles. He stated that he submitted a response in writing to the Board hoping to clarify the situation. He asked that any additional questions be directed to him.

Mr. Totman reported that Mr. Evans will be away until April 8, 2000, and Mike Lane will be a voting member of the Committee in the interim.

ADJOURNMENT

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The meeting adjourned at 1:51 p.m. The next meeting will be held March 9, 2000 at Noon in the Scott Heyman Conference Room.

Respectfully submitted by Jennifer Luu, Administrative Assistant, Board of Representative's office.