

APPROVED

**Public Safety Committee
 April 7, 2009
 4:30 p.m.
 Courthouse Conference Room**

Present: M. Robertson, J. Dennis, C. Chock, M. Sigler
 Excused: G. Stevenson
 Legislators: D. Kiefer, P. Mackesey
 Staff: P. Meskill, Sheriff; R. Tubbs, Undersheriff; M. Lynch, Public Information Officer; J. Mareane, County Administrator; M. Pottorff, Chief Deputy Clerk of Legislature

Call to Order

Ms. Robertson called the meeting to order at 4:31 p.m.

Sheriff's Office

RESOLUTION NO. 50 - SUPPORTING THE COMMUNITY ORIENTED POLICING SERVICES (COPS) GRANT PROPOSAL FOR FEDERAL STIMULUS INITIATIVE FUNDING

MOVED by Mr. Dennis, seconded by Mr. Sigler. Mr. Mareane presented the following revised Table:

Estimate of Net Local Cost, COPS Grant					
Assumes 3% Average Annual Salary Growth, and a COPS Reimbursement Based on Adjusted Entry Wage					
Administration Projection: Cost of 3 Deputies	Year				4-Year Total
	One	Two	Three	Four	
Cost Item					
Salary (use 3% adjusted salary)	154,515	172,920	178,108	183,451	688,993
Overtime (Year 1 at 50% of Normal) at 20%	12,000	24,000	24,720	25,462	86,182
One Time Uniform/Equipment Cost	12,000	-	-	-	12,000
Clothing Allowance	1,500	1,500	1,500	1,500	6,000
Vehicle Replacement (Sinking Fund) 1 Vehicle	-	-	-	-	-
Fringe at 36% of Salary and 25% of OT	58,625	68,251	70,299	72,408	269,583
Total Cost	238,640	266,671	274,626	282,820	1,062,758
Less					
COPS Grant (entry level salary and fringe)	(215,608)	(222,076)	(228,738)	-	(666,422)
Net Local Cost, Three Deputy Plan	23,032	44,595	45,888	282,820	396,336

Sheriff's Overtime Reduction Plan--Adjusted for 3% salary growth					
Straight time rate (Work Rate/2080)	\$26.90	\$27.71	\$28.54	\$29.40	
Overtime rate (straight time x 1.5)	\$40.36	\$41.57	\$42.81	\$44.10	
x Number of reduced hours per Deputy	65.00	65.00	65.00	65.00	<i>1625 Hours Saved/Year</i>
= OT Savings per Deputy	\$2,623	\$2,702	\$2,783	\$2,866	
x Number of Deputies	25	25	25	25	
= Total Savings, Overtime Wages	\$65,579	\$67,547	\$69,573	\$71,660	\$274,360
x Fringe Rate	25%	25%	25%	25%	
=Fringe Savings	\$16,395	\$16,887	\$17,393	\$17,915	\$68,590
Total OT Wage and Fringe Savings	\$81,974	\$84,434	\$86,967	\$89,576	\$342,950
Savings Phase In Target	100%	100%	100%	100%	
Projected OT Savings	\$81,974	\$84,434	\$86,967	\$89,576	\$342,950
Net 4-Year Local Cost of 3 Deputies, With OT Reduction Plan	-\$59,942	-\$39,838	-\$41,078	\$193,245	\$53,386

Assumptions:
 Wage growth averaging 3% per year: \$51,505 Hire Rate in 2009; \$57,640 Work Rate in 2010; \$59,389 in 2011; \$61,150 in 2011
 Fringe rate of 36% on wages; 25% (Retirement, FICA, Misc) on Overtime
 Overtime estimate for new hires is based on Sheriff's proposal that overtime for new hires can be limited to \$8,000 per year
 Overtime costs for new hires will be low in first year due to time in academy. Assumes 1st year OT at 50% of normal
 Number of reduced overtime hours is based on Sheriff's proposal to reduce overtime by \$2,000 per deputy, which is the equivalent of a 65 hour reduction in overtime.

Mr. Mareane explained that since the last Committee meeting, staff has worked with the Sheriff and numbers have been revised; the result is a lower net cost. He said they have found they are able to account for vacation time and include it in the amount that the federal government will pay for these additional deputies; the feds are also willing to pay for wage growth that will happen over time. Mr. Mareane said the proposal contains an assumption that wage growth will be at the rate of three percent per year. The net local cost over four years for these additional deputy positions drops from \$89,000 as a four-year cumulative cost, down to \$53,386.

Ms. Chock said while she appreciates the hard work that has gone into preparation of the figures, she still has questions about idea of increasing staff in any department and also the assumption that savings will be dependent on a reduction in overtime expenses for a workforce that has come to depend on overtime for its pay. She is also concerned that the proposal brings on three new employees who will expect to continue employment beyond the three-year period.

Mr. Dennis said the employees do not choose the overtime, the supervisors do. He said long ago a case has been made that there is a need for additional staffing in the Sheriff's Office, particularly because of the usage of overtime. Because this is a 24/7 operation the only way he believes overtime expenses can be reduced is to bring on additional staff. Mr. Dennis said this proposal will allow the Sheriff to have three additional positions at a minimal cost for three years and there is nothing that commits the County beyond that time.

Mr. Tubbs clarified the proposal does not eliminate overtime for the Department but proposes to reduce and control it.

Mr. Sigler asked what the duties of these additional positions would be. Sheriff Meskill said the Department has 40 sworn staff: Sheriff, Undersheriff, Captain, 7 patrol sergeants, 1 Sr. Investigator, 4 Investigators, and 25 deputies. The study that was done by the Department of Justice in 2003 said at that time the Department needed to increase its staffing by 10 specific positions: 8 deputies, 1 lieutenant, and 1 sergeant. What he is attempting to do through this grant is to increase the sworn staff from 40 to 43, still a long way away from the staffing recommended in the Study six years ago.

Mr. Meskill explained that the Department has two employees who could retire at any time and a third who can retire within three years. When a deputy retires there is a very long process that must be undertaken that includes going through Civil Service lists, interviews, background checks, and a lengthy process of training certification (if not previously certified) at the Academy (30 weeks), and training field period of 1-16 weeks before the deputy can be released on their own to answer calls. For this period of approximately one year, the County taxpayers are paying a deputy's wage but are not receiving any benefit. He said this proposal will allow Mr. Meskill a greater ability to backfill positions without usage of overtime in addition to paying for the training period for the additional positions.

Ms. Chock asked if the employees would be bothered by a reduction in overtime earning possibilities. Mr. Tubbs said overtime in many cases is forced upon an employee and while there are some who want to earn as much overtime as possible there are others who do not want to. She is concerned this proposal commits the County to spending \$400,000 with the hope that a savings of approximately \$350,000 will be made up in overtime savings.

Mr. Meskill said this is his 11th year as Sheriff and during that time he has never been over on the law enforcement side of his budget and if it weren't for a couple of a major changes that took place he would not have been over-budget on the Jail side. He said he has worked to control overtime in the Jail to the point where it is now "on-budget" which hasn't happened for the last two years. He said 12 years ago he made a commitment to manage the Department better and to not spend money needlessly. During his time as Sheriff numerous systems have been changed and they constantly manage and oversee overtime.

He also said employees are aware of these efforts. Mr. Meskill said he has pledged a commitment with this proposal and believes his past performance backs that pledge. He also noted that the Legislature has the authority to at any time to change the budget.

Ms. Robertson noted the latest figures remove funding for a vehicle. She said last month she was not a proponent of this proposal but has seen all of the work that has gone into it since that time and can now support it with the revised figures. She asked that Mr. Mareane provide the Legislature with the revised information at the meeting this evening.

A voice vote resulted as follows on approving the resolution and submitting to the full Legislature: Ayes – 3, Noes – 1 (Chock), Excused – 1 (Stevenson). MOTION CARRIED.

WHEREAS, as a part of the Federal stimulus initiative, the Federal government has re-instituted the Community Oriented Policing Services (COPS) Grant program to assist state and local governments in restoring or expanding the number of sworn law enforcement officers, and

WHEREAS, the grant provides funding equal to the salary and fringe benefits of up to three entry-level deputies for three years. Recipient agencies must maintain their sworn roster at the elevated level throughout the three years of the grant plus one additional year after the grant ends, and

WHEREAS, the Tompkins County Sheriff's Office currently has three unfunded Deputy Sheriff positions, but it is understood that the County does not have the current capacity to support new positions in this difficult economic time, and

WHEREAS, the Sheriff believes that with three additional deputies, the Sheriff's Office could decrease response time to calls for service and reduce baseline overtime costs (wages and related fringe benefits), and

WHEREAS, it is estimated that by offsetting the local cost with savings resulting from reduced reliance on overtime, the net total cost of the additional positions over the next four years will be less than \$90,000, with estimated net savings of between \$22,000 and \$54,000 during the first three years of the grant, no therefore be it

RESOLVED, on recommendation of the Public Safety Committee, That the Sheriff and the Tompkins County Legislature agree to proceed with the application for COPS funds for three Deputies based on the following plan to reduce baseline overtime costs (wages and related fringe benefits):

1. The Sheriff will establish a goal to reduce baseline overtime in the Law Enforcement Division by 1,625 hours annually—a 23.2% reduction in overtime hours (corresponding budget dollars) from the 2009 budget baseline—and work diligently to achieve that goal.
 - a. It is also recognized that overtime in a law enforcement agency may be affected by circumstances beyond the control of management. A single homicide investigation, for example, can result in hundreds of hours of overtime. Efforts will be made to segregate such extraordinary events to allow tracking of baseline overtime.
2. The Sheriff and the County Administrator will monitor the progress in achieving the overtime reduction goal and the Sheriff will report the progress in achieving the goal annually to the Legislature.
3. At the conclusion of the third and the final year of the grant, the Sheriff and County Administrator will undertake a review to determine whether the proposed overtime savings have been achieved and, therefore, whether maintaining the sworn roster at the elevated level can be expected to produce sustained, long-term overtime savings while providing needed and valuable service to the residents.
4. The Sheriff's report of accomplishments, including but not limited to, reduction of response times, the results of the overtime review, crime prevention efforts, and increased community interaction, will be the primary elements of the Legislature's consideration of whether to maintain the staff at the enhanced level after the County has fulfilled its grant requirement and four-year maintenance of effort obligation. The Legislature may also choose to consider other factors in making this decision.

Public Safety Committee – Special Meeting
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SEQR ACTION: TYPE II-20

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Adjournment

The meeting adjourned at 4:45 p.m.

Respectfully submitted by Michelle Pottorff, TC Legislature Office