

Public Safety Committee
May 15, 2007
4:30 p.m.
Scott Heyman Conference Room

Approved 6-15-07

Present R. Booth, M. Robertson, M. Hattery (arrived 4:46 p.m.)
Temporary Appointment: G. Stevenson, K. Herrera
Excused: M. Koplinka-Loehr, L. McBean-Clairborne
Legislators: D. Kiefer, J. Dennis
Staff: S. Whicher, M. Lynch, J. Wood, L. Shurtleff, Department of Emergency Response; County Attorney; K. Fuller, Legislature Office

Call to Order

Mr. Booth called the meeting to order at 4:31 p.m.

Department of Emergency Response

Subscriber Equipment

Mr. Shurtleff brought forward the requested resolution regarding subscriber equipment as well as an attachment that addresses acquisition, distribution, maintenance, and ownership, with much of the content similar to past practices within the department. He said he had spoken to Mr. Booth regarding his concerns and as a result has included language indicating the amount and source of funding for the purchase of the subscriber equipment. Mr. Shurtleff reported that due to inclusion of the Ithaca College tower in the larger project, additional funds initially set aside for that tower are available for equipment procurement.

Mr. Whicher said a meeting with Mr. Wood and Mr. Shurtleff occurred earlier in the day to review the information coming before the Committee. He is confident all concerns and/or issues have been resolved and recommends moving ahead. With regard to the provision for the private sector emergency responder, the Committee was advised it is critical to include this private-sector company in the change-out.

Mr. Wood said the County has undertaken a very large project costing \$20,000,000; this system requires EMS responders to have the proper equipment. In the event they do not have the proper equipment it will require running two systems. He further stated there could be specific negotiations possible with the private sector firm to provide other services deemed necessary. Although they cannot be given the funds directly to purchase the equipment, an agreement can be reached to tie in specific expectations relating to contractual obligations with the County.

Mr. Shurtleff said Memorandums of Understanding will be prepared and could be written to include specific items. He recalled the 1996 flooding in Groton where a private sector firm assisted with transportation to move residents of a nursing home and acted as part of the emergency response team.

Ms. Kiefer expressed concern that the County Emergency Response Plan has expectations of other County Departments such as Highway Division and Public Works. The purchase of equipment should also include whatever the divisions/departments may need. She would not like to see any funds from the Contingent Fund being used for the purchase of equipment. It was clarified that the funds for the purchases are not from the Contingent Fund but from grants and unused funds associated with the capital project. Mr. Shurtleff said the system has been developed with the knowledge that other divisions/departments and agencies would possibly use the system in the future. He noted the Health

Department previously had a base and radios but has since gone to using cellular telephones purchased from bio-terrorism grants.

In response to Ms. Kiefer's request for assurance that the County equipment needs would be met first, Mr. Shurtleff explained that until specific commitments from the various departments/divisions are received he could not provide an assurance. A brief discussion occurred during which it was noted that particular radio frequencies compatible to other department/agency radios could be utilized if necessary during an emergency, and/or portable radios could be offered for temporary use.

Mr. Hattery arrived at this time.

Mr. Shurtleff said that other funding options are possible for future purchases, including possible funds remaining from the capital project. In response to Mr. Dennis' question, it was reiterated that volunteer firemen would be required to purchase their own pagers; it has been clear from the beginning of the project that pagers are an individual's responsibility.

Ms. Herrera inquired about County ownership of the equipment, asking if there are legal issues involved with it. Mr. Shurtleff said the ownership maintained by the County is with the fire and EMS mobile radio systems, which has been done since 1959.

A discussion regarding the private sector emergency responder occurred. Mr. Stevenson will support the resolution, but does not agree with supplying a private sector business with equipment. It was noted that the Committee would be informed of the status of any agreement with this private sector. Mr. Wood said he agrees with Mr. Stevenson's point, however, in order to have the system operational to the best of its ability, it is necessary to have the equipment in place as soon as possible; by providing the equipment there is an assurance of their commitment to the change-over.

RESOLUTION NO. 83 - ADOPTING PLAN FOR DISTRIBUTION ON INITIAL SUBSCRIBER RADIO EQUIPMENT FOR PUBLIC SAFETY COMMUNICATIONS SYSTEM – DEPARTMENT OF EMERGENCY RESPONSE

MOVED by Ms. Robertson, seconded by Mr. Hattery. Following a discussion it was suggested by Ms. Kiefer to add the following:

WHEREAS, in addition to the law enforcement and fire and EMS personnel, at least two other County departments, Highway Division and Public Health, are intended to be included as part of this system and will be included at a later date for equipment purchases,

The recommendation was not accepted as friendly.

The discussion continued, with Ms. Robertson saying she understood Ms. Kiefer's point. She also stated that while she has strongly stated her desire to have the grant funds utilized to provide for the County's equipment needs she understands the need to work with the fire and EMS community to have the system operational. Mr. Whicher noted that discussions are continuing regarding the State Wide Network (SWN); if this proceeds funds set aside by the County may be freed up to purchase additional equipment.

It was MOVED by Ms. Herrera to amend the resolution as follows, stating it could provide a balance for non-County entities receiving funds, indicating it has been considered and discussed:

“WHEREAS, in addition to the law enforcement and fire and EMS personnel, at least two other County departments, Highway Division and Public Health, are intended to be included as part of this

system and will be included at a later date for equipment purchases”; MOTION FAILED FOR LACK OF A SECOND.

A voice vote on the following resolution resulted as follows: Ayes – 5; Noes –0. RESOLUTION ADOPTED.

Mr. Shurtleff thanked members for the discussion, noting it opens up future conversations regarding performance and expectations of public service agencies. Although he is wary of stepping into these areas he believes it is necessary for the discussions to occur at the County-wide level to understand agency response plans and other issues.

WHEREAS, a Capital Project was established in 1998 to replace and upgrade County public safety radio communications systems, and the Communications Capital Project Committee (COMPCAP) was subsequently appointed to define and move forward the project, and

WHEREAS, Resolution No. 57 of 2001 identified, in part, the project goals as: (1) maximize coverage and balance the level of service to meet the communication needs of the County’s public safety community, (2) minimize the economic cost to the County through public/private partnerships and the effective use of funding opportunities, and

WHEREAS, the County’s Emergency Management Plan, adopted in 2003, identified the current communication system as the largest vulnerability and greatest impediment to an effective response effort in the event of an emergency due to its age and lack of interoperability, and

WHEREAS, by Resolution No. 61 of 2004, the County Legislature directed that interoperability, defined as the ability of public safety personnel in different agencies or jurisdictions to communicate with each other by radio, as a fundamental requirement of the Public Safety Communications System, be incorporated into the design and implementation of the system, and

WHEREAS, basic interoperability extends to the end-user radio equipment utilized by emergency responders in the form of mobile radios, portable, hand-held radios, and remote control units, and

WHEREAS, on December 20, 2005, the County entered into contract with Motorola for the construction of an 800 MHz trunked digital emergency communications system and acquisition of related end-user equipment in the amount of \$1,977,604, and the system is now nearing completion, and

WHEREAS, the Department of Emergency Response, through extensive collaboration with the public safety providers, has proposed a plan, as summarized in the May 15, 2007, attachment to this resolution, to allocate a basic and standardized inventory of end-user/subscriber equipment, including mobile and portable radios and control stations, to the agencies that constitute the County’s first responders, and

WHEREAS, in addition to law enforcement, fire, and EMS personnel, at least two other County departments, Public Works and Public Health, are integral to our Emergency Management Plan and Public Works and Public Health command management personnel will be supplied with similar equipment, and

WHEREAS, County departments have identified and secured funding opportunities through two federal grants of \$500,000 each; a State grant of \$80,000; reimbursed emergency response equipment totaling \$240,000; accrued interest of \$300,000 (total estimate \$2,000,000) to provide for interoperable subscriber equipment and funds exist in the capital project accounts to support this plan, now therefore be it

RESOLVED, on recommendation of the Public Safety Committee, That the Tompkins County Legislature finds the plan effectuates the goals of the capital project and will establish interoperability among the County’s first response organizations, and does hereby authorize the Department of Emergency Response, in consultation with County Administration and the Emergency Communications Review and Oversight Committee (ECROC), to finalize and implement a plan to establish subscriber interoperability,

RESOLVED, further, That the County Attorney shall review the plan and develop appropriate agreements and/or memorandums of understanding with any non-local government agency or fire department included in the plan for purposes of establishing interoperability.

SEQR ACTION: TYPE II-20

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Attachment:
Plan for Distribution of Initial Subscriber Radio Equipment
Public Safety Communications System

To achieve communications interoperability among first responder public safety agencies, the Department of Emergency Response will acquire and distribute an assortment of radios under the following terms and conditions:

- Those agencies that have primary fire, emergency medical services and law enforcement responsibilities, as designated by municipal jurisdiction and as certified or licensed by the appropriate state agencies to perform as such, shall be included.
- The equipment will effectuate the purposes of the Tompkins County Fire & Emergency Medical Services Mutual Aid Plan and the “Closest Car Agreement” for Law Enforcement, as adopted by the participating agencies.
- The Emergency Communications Review and Oversight Committee (ECROC) shall develop radio system operating guidelines and protocols, and the Department of Emergency Response shall continue to implement said protocols.
- Mobile radios, as prescribed by the Department of Emergency Response (DOER), shall be installed in agency or department-owned vehicles designated or assigned for routine emergency response functions.
- A basic number of portable, handheld radios will be distributed to these same agencies. The individual agencies may acquire at their own expense additional handheld units. Future replacement of portable radio units will be assumed by the individual agencies.
- Pagers, mobile radios for non-agency owned vehicles (responders’ private vehicles), accessories, and enhancements shall be the responsibility of the individual agencies.
- A fixed radio control station will be installed and maintained by the DOER at designated fire and police stations for direct station - to- station communication, as recommended by the County Comprehensive Emergency Management Plan.
- Future replacement and maintenance, beyond the first year warranty, of all portable radios will be an agency/departmental responsibility. The County, through the DOER will maintain ownership and responsibility for mobile radios in primary fire and EMS response apparatus, as first established in 1959, while future replacement and maintenance of mobile radios in law enforcement and private agencies will be the financial responsibility of those LEO & private agencies.
- The County Attorney, in consultation with the Department of Emergency Response, will develop and execute, as necessary, agreements, contracts, and/or memorandums of understanding with any non-local government agency included in this equipment distributions for the purposes of ensuring, to the County’s benefit, participation in mutual aid, closest car and emergency management/disaster response plans and other appropriate services.

Adjournment

The meeting adjourned at 5:11 p.m.

Public Safety Committee
May 15, 2007

Respectfully submitted by Karen Fuller, TC Legislature Office