

**Public Safety Committee**  
**May 2, 2002**  
**12:30 p.m.**  
**Scott Heyman Conference Room**

Present: N. Schuler, L. McBean, K. Herrera, G. Totman, B. Blanchard  
Staff: S. Whicher, K. Smihers, J. Beach, J. Hughes, P. Meskill, K. Leinthall, A. Fitzpatrick, B. Richmond, L. Shurtleff  
Agencies: O. Mack, OAR

Mrs. Schuler called the meeting to order at 12:30 p.m.

**Approval of Minutes of April 4, 2002**

It was MOVED by Mr. Totman, seconded by Ms. McBean, and unanimously adopted by voice vote, to approve the minutes of April 4, 2002 as submitted. MINUTES APPROVED.

**Additions to the Agenda**

Ms. Blanchard asked to provide the Committee with a report from the Public Works Committee.

**Chair's Report**

Mrs. Schuler reported on the Restorative Justice luncheon that will be held and said she has information if anyone is interested. She also reported one of the Ithaca City firefighters will be on the "Weakest Link" game show on Friday at 5 p.m. Mrs. Schuler called attention to a letter from the Crime Victim and Sexual Assault Service of Tompkins County in which Sheriff Meskill was thanked for his recent editorial in the Ithaca Journal.

**Report from the Public Works Committee**

Ms. Blanchard reported the National Guard will soon end its service at the Ithaca Tompkins Regional Airport. They have been providing an extra level of security since the events of September 11, 2001. Ms. Blanchard said when this happens Tompkins County will be responsible for replacing that with some type of security that meets federal standards for security, i.e. the State Police of the Sheriff's Department. She announced a special meeting will be held on May 7 at 2 p.m. between both the Public Works and Public Safety Committees to discuss this issue further. Mr. Whicher reported on a conversation he had with Major Foley from the State Police. Mr. Foley indicated the State Police would like to provide security services at the Airport; however, the County would need to make up any difference between their costs and the federal reimbursement. Mrs. Schuler said at this time there are many unanswered questions and a lot is not yet known about federal reimbursement. Various people have been assigned tasks to gather information prior to that meeting.

Ms. Blanchard also reported the Public Works Committee passed a resolution that addresses the issue of the impact on County resources when community events are held and the County is asked for some type of service. (For example, services provided by the Public Works Department or Sheriff's Department). She said the proposed resolution states this kind of assistance should only be done for properly permitted events and if the County has the available resources. It also states that if the County provides the services the community agrees to reimburse the County for expenses. At this time the resolution is only in draft form and will need review from several program committees before being adopted as a County-wide policy.

**Sheriff's Department**

Mr. Meskill distributed copies of the April Jail statistics and a K-9 incident graph. The Sheriff reported the Department has been very busy during the last two weeks, and expects an increase in activity during the upcoming Memorial Day weekend. He also provided the Committee with an update on training deputies are participating in.

The following resolution was MOVED by Ms. Blanchard and seconded by Mr. Totman:

**RESOLUTION NO. - AUTHORIZATION FOR MANDATE CLASSIFICATION  
CHANGE - JAIL**

Ms. Herrera said she cannot support this resolution because the definition of a mandate that is contained in the County's Fiscal Policy states they are exempt from fiscal targets established by the County Board.

Mr. Meskill stated that last year the Board changed the medical component of the Jail, excluding payroll, to a small mandated program. He said the Commission of Corrections should be sending a letter to the County soon indicated that the County has to have 40 people on staff to operate the Jail. Mr. Meskill said there is very little that the County has control over in this budget. The Commission of Corrections is the regulatory body that oversees sheriff's departments and jails across New York State. Sheriff Meskill stated at the present time the Jail employs 35 people which does not include positions of Nurse, two part-time Cook, and a contract for physician services. He said in order to meet State requirements, he will need to hire five additional corrections officers but will propose to do so gradually over an extended period of time.

Ms. Blanchard asked what options were available to the Department if a State regulatory agency requires the County to do something like this. Mr. Meskill responded the Department's only options would be to close the Jail and board-out prisoners.

Mrs. Smithers explained that mandated programs do not need over target requests. The budgeted amount is based on a department's best estimate of what expenses are going to be. She stated up to this point, none of the County's programs that have a mandate classification have payroll expenses included in them. She stated there are some programs within the Department of Social Services that are mandated; however, the Commissioner has some control over the staffing of the program. Therefore, those programs do not receive mandate classification. Mr. Meskill said the Jail is unique; it is the only program that is required to maintain care and custody of people 24 hours a day. Mr. Meskill said he would propose to begin the gradual hiring for these positions by using rollover funds from 2001.

Ms. McBean said at this time she does not support changing the mandate classification; however, she does understand the mandated being placed on the Jail by the Commission of Corrections and that the Sheriff has no control over this.

Following a lengthy discussion, the Committee agree to withdraw this resolution with no objection from the Sheriff. Mr. Meskill said he would agree to this provided the Committee understands this is a mandate and the only alternative to fulfilling this would be for the Sheriff to close the Jail. The Committee also wanted a chance to review the letter from the State before taking any action.

Ms. Blanchard and Mr. Totman withdrew their motions and the RESOLUTION WAS WITHDRAWN.

WHEREAS, the Tompkins County Jail is mandated by the New York State Commission of Corrections to provide minimum staffing levels with strict regulatory guidelines for the housing of prisoners, and

WHEREAS, the Sheriff is afforded minimal, if any, discretion in the day to day operations of the Jail, now therefore be it

RESOLVED, on recommendation of Public and Safety and Budget and Capital Program Committees, That the Tompkins County Jail be considered a fully mandated program.

SEQR ACTION: TYPE II-20

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It was MOVED by Ms. Blanchard, seconded by Ms. McBean, and unanimously adopted by voice vote to approve the following resolution and submit to the Budget and Capital Committee:

**RESOLUTION NO. - AUTHORIZATION FOR FISCAL TARGET CHANGE – SHERIFF AND JAIL**

WHEREAS, the Sheriff and Undersheriff divide their time equally between Sheriff functions and Jail functions, and

WHEREAS, both salaries are currently budgeted in the Sheriff Budgeting Unit, now therefore be it

RESOLVED, on recommendation of Public and Safety and Budget and Capital Program Committees, That the 2003 Fiscal Target for the Sheriff be reduced by \$82,850 with a commensurate increase in the Jail Fiscal Target.

SEQR ACTION: TYPE II-20

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**Probation Department**

Ms. Leinthall reported Drug Court staff is being moved today into the Community Justice Center by the Facilities Division. She also reported there has been some progress about the construction at the Human Services Building to accommodate the drug testing program. Arel LeMaro is supposed to be providing Mr. Whicher with details about estimates that were received and information on code issues. She said she hopes the project can begin soon.

Ms. Leinthall also provided the Committee with an update on the DOORS program. She referred to correspondence from Sue Gillis of BOCES, stating the intention to transition the program back to Tompkins County effective June 30, 2002.

The following resolution was MOVED by Ms. McBean and seconded by Ms. Herrera.

**RESOLUTION NO. - AUTHORIZATION TO ACCEPT AN AWARD OF A GRANT FOR THE BENEFIT OF THE DRUG COURTS OF TOMPKINS COUNTY**

Ms. Leinthall said they will continue to look for grants to keep this program running beyond 2002. Ms. McBean questioned what this breakdown was based on. Ms. Leinthall said this was prepared by Judge Rowley and was based on meetings he attended.

A voice vote on the resolution resulted as follows: Ayes - 5, Noes- 0. MOTION CARRIED.

WHEREAS, the Probation Director has been notified of a grant award in the amount of \$30,000 from a local foundation that has requested no publicity for the grant, for the benefits of the Drug Courts of Tompkins County, and

WHEREAS, there is no financial or program obligation for Tompkins County to accept this grant, now therefore be it

RESOLVED, on recommendation of the Public Safety Committee, That the County Administrator or his designee execute all contracts related to this award,

RESOLVED, further, That the Director of Finance is directed to make the following budget adjustment for 2002:

FROM:	A 3989.42705	Gifts and Donations	\$30,000
TO:	A3989.52220	Departmental Equipment	\$11,700
	A3989.52206	Computer Equipment	\$ 300
	A3989.54491	Sub-Contracts	\$ 6,400

A3989.54333	Education and Promotion	\$ 4,600
A3989.54412	Travel/Training	\$ 2,000
A3989.54470	Building Repairs	\$ 5,000

**SEQR ACTION: TYPE II-20**

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Budget Adjustment(s)

It was MOVED by Ms. Blanchard, seconded by Ms. McBean, and unanimously adopted by voice vote to approve the following budget adjustments and submit to the full Board:

Revenue	Title	Dollar Amt.	Appropriation Acct:	Title
3994.42770	Other Misc. Revenue	\$8,850	3994.54412	Travel/Training
3994.42770	Other Misc. Revenue	\$1,000	3994.54400	Advertising
3994.42770	Other Misc. Revenue	\$2,000	3994.54303	Office Supplies

Explanation: A workshop on Domestic Violence in the Workplace will be held on October 1 at TC3 and will be funded by corporate contributions and registration fees.

Revenue	Title	Dollar Amt.	Appropriation Acct:	Title
3991.43310	Probation Services	\$3,160	3991.58000	Fringes
3991.43310	Probation Services	\$3,160	3991.58000	Fringes
3991.43310	Probation Services	\$ 456	3991.52214	Ofc Furnishings

Explanation: Probation Services aid as well as appropriations were under reported.

Revenue	Title	Dollar Amt.	Appropriation Acct:	Title
3991.43310	Probation Services	\$12,156	3991.51000	Salaries
3991.43310	Probation Services	\$ 300	3991.54303	Office Supplies
3991.43310	Probation Services	\$ 300	3991.54330	Printing
3991.43310	Probation Services	\$ 400	3991.54332	Books
3991.43310	Probation Services	\$ 1,000	3991.54412	Travel/Training
3991.43310	Probation Services	\$ 300	3991.54414	Local Mileage
3991.43310	Probation Services	\$ 300	3991.54452	Postage
3991.43310	Probation Services	\$ 300	3991.54472	Telephone

Explanation: Probation Services aid as well as appropriations were under-reported.

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**Graduated Licensing**

The following resolution was MOVED by Ms. Blanchard and seconded by Ms. McBean:

**RESOLUTION - IN SUPPORT OF A GRADUATED LICENSE FOR YOUTHFUL OPERATORS OF MOTOR VEHICLES**

Mr. Totman said he cannot support this resolution. He provided an example of a situation where if a teenager is working at McDonalds with a friend and needs to drive home following his or her shift, the teens would have to make separate arrangements to get home because one would not be allowed to transport the other, even if they were neighbors. He said he does not agree with placing more restrictions on kids and feels kids did better when they were left alone and were able to do things supportive of their family. Mr. Beach reported on changes that have been made legislation since the committee first reviewed it. Following discussion and further concerns raised by committee members, it was agreed that the resolution would be withdrawn until the legislation is in its final form.

Ms. Blanchard and Ms. McBean withdrew their motions and the RESOLUTION WAS WITHDRAWN.

Whereas, motor vehicle crashes are the leading cause of death for young people 15 to 20 years of age, causing roughly one-third of all fatalities in this age group, and

Whereas, even though this age group makes up only seven percent of the driving population, they are involved in 14 percent of all traffic fatalities, and

Whereas, in 1996, teens were involved in more than two million non-fatal traffic crashes, and

Whereas, on the basis of miles driven, teenagers are involved in three times as many fatal crashes as are all drivers, and

Whereas, three factors work together to make the teen years so deadly for young drivers, inexperience, risk-taking behavior and immaturity, and

Whereas, compared to other drivers, a higher proportion of teenagers are responsible for their fatal crashes because of their own driving errors, and

Whereas, more teen fatal crashes occur when passengers, usually other teenagers, are in the car, than do crashes involving other drivers and two out of three teens who die as passengers are in vehicles driven by other teenagers, and

Whereas, effective remedies exist for controlling these risk factors and reducing traffic crash fatalities among young drivers without seriously encroaching on their need to get around, and

Whereas, graduated driver licensing combines a number of measures proven to be effective in fostering safer driving behavior in young drivers, such as: an extended time period under a learner's permit prior to becoming a licensed driver; restrictions on the age of passengers for the first six months with a driver's license; and parental supervision of a minimum numbers of hours of driving experience prior to taking a road test, and

Whereas, a Graduated Licensing Bill is currently pending before the New York State Legislature which addresses a graduated license for youthful operators of motor vehicles, and whose provisions, if enacted, would enhance the safe driving experience of new young motor vehicle operators and increase the safety of all users of our highways, and

Whereas, on April 25, 2002 the Tompkins County STOP-DWI Advisory Board unanimously passed a resolution in favor of graduated licenses for youthful operators of motor vehicles, now

Be it resolved that the Public Safety Committee of the Board of Representatives urges the New York State Assembly and Senate to pass Bills A2627 and S1640 respectively, and

Be it further resolved, that the Tompkins County Board of Representatives also urges the New York State Assembly and Senate to pass Bills A2627 and S1640 respectively recommends the Governor of the State of New York to sign this legislation, if passed, into law.

### **Assigned Counsel**

Ms. Hughes distributed copies of legislation that is being introduced by Assemblyman Luster. The title of the legislation is "An Act establishing the New York State public defense commission, providing for members, powers, and duties thereof, and providing public defense fiscal relief to localities; and to amend the county law, in relation to public defense services. She said this legislation would make thing more uniform between counties and put into place a committee that would oversee all counties. She said the law proposes to create a system which Tompkins County pretty much already has in place.

### **OAR**

Mr. Mack provided the Committee with the following report:

"OAR continues to strive to provide the best possible services to its client populations. With some outside technical assistance OAR has instituted an answering machine on its direct line with the Tompkins County Jail. This should facilitate improved services for OAR programs as well as increase the numbers of clients we are able to serve. The Volunteer program has completed its training sessions. There are currently 19 OAR volunteers. The new volunteers will engage w3ith clients upon approval of OAR's Volunteer list by the Tompkins County Jail. In recent times OAR has noticed a decrease in the

number of eligible clients in the >\$1,500 range. In an attempt to better service changing and increased client bails OAR's Board has increased the maximum bail amount for OAR to \$2,000. This change along with certain safeguards should allow OAR to service a larger client population through its Bail Fund. Client Service continues to service its client base. The installation of the answering machine has assisted in facilitating clients requests. More clients seem to be accessing Office Assistance services as of late.

"OAR has installed three new computers thanks to a technology grant provides by United Way of Tompkins County and Verizon. This technology upgrade should help facilitate improved data collection, record keeping and servicing of client requests.

"OAR met with the Sheriff in April to discuss OAR participating in a potential new program. The program would be a form on transition program. There are several other agencies working on this proposed program. OAR is currently in discussions with some of those other service providers as to the services OAR can add to the proposed program. No new pressing issues between OAR and the Tompkins County Jail. OAR has had to wait over three weeks for the approval of its latest Volunteer list, and access to the Sgt. Office to check the board has been sketchy but we continue to strive to maintain a quality communication between agencies. At every meeting with the Sheriff OAR reiterates the importance of regaining access to the halls of the Tompkins County Jail in order to provide services. The comments and conversations are duly noted but there has been no particular progress on this front.

#### **COMCAP Report**

Ms. Blanchard reported at the meeting on April 30 it was reported that negotiations with the design firm for the 911 center are moving along well and the tentative schedule is to have the bid package available at the end of May and the target date for occupancy is December 31<sup>st</sup>.

#### **Adjournment**

The meeting adjourned at 1:45 p.m.