



AGENDA
JUDICIAL & PUBLIC SAFETY COMMITTEE
Wednesday, October 12, 2022 at 5:30PM
Live Stream Link: <https://youtu.be/J9ddTI1Udew>

CALL TO ORDER: By Hon. Mark Strong, Chair

MEMBERS: Legislators Elane Daly, Andy Dennison, Michael Didio, Tricia Kerr, Heidi Nightengale, and Chris Petrus (Vice Chair)

MINUTES TO APPROVE: September 14, 2022

APPOINTMENTS: None

PRESENTATION:

- Tom Adessa, re: SPCA

DEPARTMENT UPDATES FOR COMMITTEE:

- **Denise Spingler (911) –**
 - **Policy Matters for Committee**
 - **Training Class**
 - All have transitioned to floor training
 - 12 week process (approximately)
 - **Emergency Communications System**
 - Continuing to work through coverage issues in Southern end (Lake Como / Summerhill areas) –
 - Awaiting quotes from Motorola
 - Checked in on 9/20/22; still working on quote
- **Lloyd Hoskins (Assigned Counsel) –**
 - There were **64** arraignments at the Centralized Arraignment Program for the month of September. The Assigned Counsel office calendared fifteen attorneys to cover the 7am and 7pm arraignments. The attorney cost associated with CAP for September was \$10,570.00. *These expenses were paid from an ILS (Indigent Legal Services) grant.* Of the 64 arraignments, **29** (45%) were for town/village courts, **35** (55%) for Auburn City Court. **33** (52%) defendants were released (ROR), and **31** (48%) defendants were held on bail or held for other reasons. Of the 64 arraignments, 31 (48%) were brought in on arrest/bench warrants. 14 Orders of Protection were issued.
 - There were **79** Counsel at First Appearance for Auburn City Court and **13** Counsel at First Appearance in town/village courts. The Assigned Counsel office calendared fourteen attorneys to cover the “on-call” arraignments. The attorney cost associated with Counsel at First Appearance for September was \$8,300.00. *These expenses were paid from an ILS (Indigent Legal Services) grant.*
 - The Assigned Counsel office made attorney assignments to **96** defendants in Auburn City Court and **20** defendants in justice courts for September. A total of **72** assignments were made in Family Court.
 - The Assigned Counsel Office received approval from NYS Office of Indigent Legal Services for \$131,049.00 under “Distribution 13”. This grant will be utilized by Cayuga County to be reimbursed for “complexed” criminal and family court cases.
- **Dr. Adam Duckett (Coroner) – No updates**
- **Brittany Antonacci (District Attorney) –**
 - 7th Judicial District Report;
 - Speedy Trial Time and COVID backlog;
 - New Deputy Chief hire started on October 3rd; office is now fully staffed.
 - Guilty verdict in September 28th Criminal Contempt Trial.
 - Animal Cruelty and Domestic Violence Seminar- October 25th.

- **Riley Shurtleff (Fire/EMO) – No updates**
- **Jay DeWispelaere (Probation) –**
 - **Alternatives to Incarceration Board;**
 - Last ATI board meeting was Sept. 28th; see attached minutes.
 - Next ATI board meeting; late December or early January; time and location TBD.
 - September 29th; county received notice from DCJS that a grant of \$134, 058.00 was approved to offset costs for Pre Trial Services; these funds were not anticipated and are related to the county’s certified pre trial services.
 - **Criminal Justice Advisory Board;**
 - During August DCJS held a state-wide webinar focusing on Criminal Justice Advisory Boards
 - These boards are distinctly different from an ATI Board, with a broader focus for policy formation.
 - Information was sent to ATI members to view the webinar.
 - See attached hand out provided by DCJS; this is provided for informational purposes.
 - **Staff Vacancies and Issues;**
 - A conditional offer was made to a candidate to fill the department’s vacant Probation Officer position. This offer had to be withdrawn after issues were discovered during the candidates back ground check. Another candidate has now been chosen and is scheduled to start November 7, 2022.
 - A member of the department’s clerical staff has returned medical leave. This staff member has found new employment and is awaiting a start date for the position. Once formal notice of separation from the county is received a resolution to fill will be submitted. Of the department’s four clerical positions, this will be the third departure since the end of 2020 (one retirement, two to better employment opportunities). The remaining clerical staff member has over 30 years of service with the county and is eligible for retirement; this individual has indicated they are not looking to retire any time soon.
 - Looking ahead; 2022 has been a year of significant change and turn over in the department, most of which was anticipated. Hopefully 2023 will be stable and allow the department to concentrate on training and returning to peak efficiency. 2024 will likely usher in another period of significant change; between February 2024 and March 2025 it is likely five officers will retire.
 - **COVID;**
 - No recent issues. Department continues re-opening to walk in business and in-office contacts.
- **Brian Schenck (Sheriff) –**
 - We are close to executing contracts with the Moravia and Union Springs School Districts for dedicated Special Patrol Officers to be assigned to each school. We also have identified individuals to hire for both locations.
 - At the time of this report we are holding 167 incarcerated individuals in the jail. This includes 38 Federal board ins, 3 Local board ins, 9 NY State Parolees detained for new charges and 4 Parolees detained for a violation of parole.
 - Cayuga Counseling has hired and imbedded staff within our jail to focus on the reintegration of incarcerated individuals into our community upon release. This includes a mental health therapist to assist with treatment. Our partnership on this initiative utilizing Department of Justice grant funding is moving forward in a positive way.
 - At the time of this report we have 7 current vacancies in the Custody Division (jail). There are also 3 vacant positions in the Road Patrol Division. Continually recruitment remains a priority.
 - Our partnership with Cayuga County Mental Health and DSS in Threat Assessment and Management is working well. We have collaborated on a number of cases with our area schools since the start of the school year.
 - We are currently working with Tetra Tech to begin our mandated planning to comply with Executive Order 18. An additional update should be available at the Judicial and Public Safety meeting.

RESOLUTIONS:

- 911:**
- 10-22-JP-1 Authorizing the Chairman of the Cayuga County Legislature to sign an agreement with Red Creek School System to share tower space at the Sterling Tower Site to improve radio communications for buses in the Red Creek School District.
- 10-22-JP-2 Authorizing the Chairperson of the Legislature to sign an MOA between the County of Cayuga and the CSEA for the purpose of a Weekend Overtime Incentive.

10-22-JP-3 Authorizing the Chairman of the Cayuga County Legislature to sign an agreement with Yates County to share tower space at the Ovid Tower Site to improve radio coverage for Yates County.

PROBATION:

10-22-JP-4 Authorization to fill one (1) Part Time Clerk Typist title in the Cayuga County Probation Department

SHERIFF:

10-22-JP-5 Authorizing the Chairman of the Legislature and the Cayuga County Sheriff to accept a grant from the New York State Governor's Traffic Safety Committee

10-22-JP-6 Authorizing budget transfers for the Sheriff's Office

ADJOURNMENT: Wednesday, November 9, 2022

If you have a disability and need accommodations, please call the Clerk of the Legislature's office at 253-1308 at least 48 hours before the scheduled meeting to advise what accommodations will be necessary

RESOLUTION NO. _____ 10/25/22 911 Red Creek Sterling Tower rev2

Authorizing the Chairman of the Cayuga County Legislature to sign an agreement with Red Creek School System to share tower space at the Sterling Tower Site to improve radio communications for buses in the Red Creek School District.

BY: Mr. Mark Strong, Chairperson, Judicial & Public Safety Committee
Mr. Hans Pecher, Chairperson, Ways & Means Committee

WHEREAS, Cayuga County owns a tower site located in the Town of Sterling; and

WHEREAS, the Red Creek School District has requested permission to place an antenna on the tower at the site to improve transportation communications; and

WHEREAS, the parties involved wish to establish an agreement allowing the Red Creek School District access to the tower to construct, install, maintain and operate an antenna and related facilities and communication equipment, and a rental agreement for a term of five (5) years, commencing January 1, 2023 in the amount of \$3,000 per year that shall be renewable for four additional terms; therefore, be it

RESOLVED, that the Chair of the Cayuga County legislature and E911 Administrator are hereby authorized to enter into such documents and agreements to allow the Red Creek School District access to the tower site to construct, install, maintain, repair an antenna and related communication facilities and equipment together with a rental agreement commencing January 1, 2023 for a term of five (5) years with rent in the amount of \$3,000 per year, which agreement shall automatically renew for three (3) additional terms of five (5) years each, unless either party notifies the other of their intent not to renew, and upon the expiration of the last renewal term, the license shall be for year-to-year unless terminated by the parties.

RESOLUTION NO. _____

10/25/22

911 MOA weekends rev 2

Authorizing the Chairperson of the Legislature to sign an MOA between the County of Cayuga and the CSEA for the purpose of a Weekend Overtime Incentive.

BY: Mr. Mark Strong, Chairperson, Judicial & Public Safety Committee
Mr. Hans Pecher, Chairperson, Ways & Means Committee

WHEREAS, Cayuga County and CSEA are parties to a collective bargaining agreement effective January 1, 2019 through December 31, 2022; and

WHEREAS, the 911 Administrator has requested a temporary Weekend Incentive Premium to better meet staffing needs on the operational floor; and

WHEREAS, CSEA union representatives and the 911 Administrator have discussed the importance of staffing the operations floor efficiently; and

WHEREAS, the agreement provides for a premium for employees who volunteer to work a weekend shift outside of their normal schedule; now therefore be it

RESOLVED, that the Chair of the Legislature is hereby authorized to sign an MOA with CSEA for the purpose of implementing the Weekend Incentive Premium for the term commencing upon execution of the MOA and continuing through April 30, 2023.

RESOLUTION NO. _____

10/25/22

911 Yates Ovid Tower

Authorizing the Chairman of the Cayuga County Legislature to sign an agreement with Yates County to share tower space at the Ovid Tower Site to improve radio coverage for Yates County.

BY: Mr. Mark Strong, Chairperson, Judicial & Public Safety Committee
Mr. Hans Pecher, Chairperson, Ways & Means Committee

WHEREAS, Cayuga County owns a tower site located on East Seneca Street in the T/Ovid; and

WHEREAS, Yates County will enhance the structural design of the tower, provide their own shelter and add their equipment to the tower; and

WHEREAS, the parties involved wish to establish an agreement allowing Yates County accessibility to the tower for their system at no cost; therefore, be it

RESOLVED, that the Chair of the Cayuga County Legislature is authorized to enter into this Agreement to allow Yates County space on the tower at the Ovid Tower site, for a five (5) year term to commence January 1, 2023, with four additional renewal terms of five (5) years each unless either party gives notice to the other of their intent not to renew; at the expiration thereof, the lease will become a year-to-year lease unless either party gives notice to the other of their intent not to renew; and be it further

RESOLVED, that the Chair of the Legislature is authorized to enter into such other and further documents and agreements as may be necessary to carry out the intent of this resolution.

RESOLUTION NO. _____

10/25/22

PRO Fill PT Clerk Typist Position.rev

Authorization to fill one (1) Part Time Clerk Typist title in the Cayuga County Probation Department

By: Mark Strong, Chair, Judicial & Public Safety Committee
Hans Pecher, Chair, Ways and Means Committee

WHEREAS, by law the County is required to provide monitoring services for defendants who are sentenced to install an Ignition Interlock Device in their vehicle as a condition of their sentence, and

WHEREAS, IID Monitoring services have previously been provided by the Stop DWI program, and

WHEREAS, as part of the reorganization of the Stop DWI program, IID Monitoring services will be transferred from Stop DWI to the Probation Department, and

WHEREAS, this is an existing, vacant and un-budgeted position within the Probation Department, and

WHEREAS, \$16,000.00 for salary may be transferred from A33151 51002 to A31401 51002 to fund the position for the remainder of 2022, therefore, be it;

RESOLVED, that the Cayuga County Legislature hereby authorizes and directs the transfer of \$16,000 from Account No. A33151 51002 to A31401 51002; and be it further

RESOLVED, that the Director of Probation is hereby authorized to fill the vacant position of Part Time Clerk Typist in accordance with Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

RESOLUTION NO. _____

10/25/22

SHR-NYGTS Traffic Grant

Authorizing the Chairman of the Legislature and the Cayuga County Sheriff to accept a grant from the New York State Governor's Traffic Safety Committee

BY: Mr. Mark Strong, Chairperson, Judicial & Public Safety Committee
Mr. Hans Pecher, Chairperson, Ways & Means Committee

WHEREAS, monies were awarded from the New York State Governor's Traffic Safety Committee *Police Traffic Services Grant* for the Cayuga County PTS (Police Traffic Services Program); and

WHEREAS, the New York State Governor's *Traffic Safety Police Services Grant* goals would be to increase seat belt usage and reduce serious injury and death from traffic crashes in the Cayuga County jurisdictions; and

WHEREAS, the New York State Governor's *Traffic Safety Police Services Grant*, would provide funding for supplemental traffic enforcement, educational activities, related training, and in some instances, equipment for the Cayuga County PTS; and

WHEREAS, the Cayuga County Sheriff's Office qualified for the 2022-2023 Grant in the amount of \$7,400.00 for Overtime wages only; now therefore be it

RESOLVED, that the Chair of the Cayuga County Legislature and the Cayuga County Sheriff are authorized and directed to sign the necessary documentation to accept the New York State Governor's Traffic Safety Committee *Police Traffic Services Grant*; and be it further

RESOLVED, the Sheriff's 2022 Operating Budget, Revenue Account Line A31100 44390 (Fed Aid – Traffic Enforcement Gr) needs to be increased in the amount of \$7,400.00, and that the Salary Line A31101 51003 (Salary Overtime) be increased in the amount of the Grant (\$7,400.00); and be it further

RESOLVED, that the Cayuga County Finance Director is authorized to make the journal and accounting entries required to implement the intent of this resolution.

RESOLUTION NO. _____

10-25-22

SHR Trans Funds rev

Authorizing budget transfers for the Sheriff's Office

BY: Mr. Mark Strong, Chairperson, Judicial & Public Safety Committee
Mr. Hans Pecher, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Department is responsible for the medical care of incarcerated individuals; and

WHEREAS, the cost of medical services provided to incarcerated individuals has exceeded the amount budgeted in the 2022 Adopted Budget; and

WHEREAS, there will continue to be more medical services rendered throughout the remainder of 2022; and

WHEREAS, funding budgeted for building maintenance at the jail will no longer be needed for that purpose; and

WHEREAS, the Sheriff's Office currently has 3 marked patrol cars ordered from Van Bortel Ford in East Rochester that were converted from 2022 models to 2023 due to lack of availability; and

WHEREAS, there is an increase in the cost of each patrol vehicle in the amount of \$5,826.73 due to the change in model year for a total of \$17,480.19; and

WHEREAS, the cost of postage for the year has exceeded the amount budgeted the Sheriff's 2022 Adopted Budget due to changes in the law requiring unanticipated mailings in the Civil Division;

WHEREAS, the Civil Division of the Sheriff's Office has generated additional revenue above the amount budgeted for the year; now therefore be it

RESOLVED, that budgeted funding be transferred from the Sheriff's Jail Building Maintenance budget to Doctors and Hospitals in the amounts below; and be it further

RESOLVED, that the Sheriff's Fees revenue budget be increased in the amount below and the additional revenue be utilized to fund the increase in the cost of 3 Sheriff's marked patrol cars that were previously purchased and increase the budget for postage as outlined below; and be it further

RESOLVED, that a budget adjustment be made as follows:

| | |
|--|-------------|
| Increase A31504-54036 Doctors and Hospitals (Jail) | \$30,000 |
| Decrease A31504-54012 Building Maintenance (Jail) | \$30,000 |
| Increase A31100-41510 Sheriff's Fees (Sheriff Revenue) | \$23,980.19 |
| Increase A31102 -52005 Marked Cars (Sheriff) | \$17,480.19 |
| Increase A31104-54055 Postage | \$6500.00 |

Now therefore be it;

RESOLVED, that the Cayuga County Finance department is authorized to make all the necessary journal and accounting entries to accomplish the foregoing.