



**MINUTES**  
**JUDICIAL & PUBLIC SAFETY COMMITTEE**  
**Wednesday, February 12, 2020, Chambers – to follow Planning**

**CALL TO ORDER:** By Hon. Andy Dennison, Chair at 6:40 p.m.

**MEMBERS:** Legislators Keith Batman, Elane Daly, Michael Didio, Heidi Nightengale, Hans Pecher (Vice Chair), and Tucker Whitman

**OTHERS:** Legislators Ben Vitale, Christopher Petrus, Paul Pinckney, Aileen McNabb-Coleman, Charles Ripley, Trish Kerr, Tim Lattimore, Ryan Foley, County Attorney Christopher Palermo, Director Youth Bureau and Assigned Counsel, Lloyd Hoskins, Sheriff Brian Schenck, Detective Lt. Frederick Cornelius, Administrator 9-1-1, Denise Spingler, Assistant District Attorney Christopher Valdina, Probation Director, Jay DeWispelaere, Suzanne Gauthier, Administrative Assistant, Mary Catalfamo, The Citizen

**MINUTES TO APPROVE: January 8, 2019**

Tucker Whitman motioned to approve the minutes of January 8, 2019, 2<sup>nd</sup> by Elane Daly. All members present voted in favor, passed.

**APPOINTMENTS:**

**Fire Advisory Board**

Daniel Baldwin, 3331 Baldwin Road, Cato NY, 13033, Term - 1/1/2020 to 12/31/2020, reappointment  
Gretchen Wiggins, 12237 Old State Road, Cato NY, 13033, Term - 1/1/2020 to 12/31/2020, reappointment  
Steven Orchard, 6198 Lake Street, Auburn NY, 13021, Term - 1/1/2020 to 12/31/2020, reappointment  
Jeff Dygert, 34 Madison Ave., Auburn, NY 13021, Term- 1/1/20 to 12/31/20, reappointment  
Ben Haynes, 7519 Cherry Street Road, Auburn NY 13021, Term - 1/1/20 to 12/31/2020, reappointment  
David James, 2687 Bell Street, Weedsport NY, 13166, Term - 1/1/2020 to 12/31/2020, reappointment  
James Perkins, 2762 Center Road, Scipio NY, 13147, Term - 1/1/2020 to 12/31/2020, reappointment  
Douglas LaFave, 1179 Genoa Locke Townline Road, Locke NY, 13092, Term - 1/1/2020 to 12/31/2020, reappointment  
Mark Strong, 2497 Rockefeller Rd., Moravia, NY 13118, Term – 1/1/20 to 12/31/20, reappointment  
Pat Merial, 1642 Route 38A, Skaneateles NY, 13152, Term -1/1/2020 to 12/31/2020, reappointment  
Mark Fritz, 10 Button Street, Auburn NY, 13021, Term - 1/1/2020 to 12/31/2020, reappointment  
Amy Russett, 8417 Fenner Rd., Baldwinsville, NY 13021, Term – 1/1/20 to 12/31/20, new appt.  
Larry Dygert, 10484 Jordan Road, PO Box 279, Jordan NY, 13080, Term - 1/1/2020 to 12/31/2020, reappointment

Keith Batman motioned to approve the appointments and move to the Legislature for approval, 2<sup>nd</sup> by Tucker Whitman. All members present voted in favor, passed.

**DEPARTMENT UPDATES FOR COMMITTEE:**

**Denise Spingler (911) –**

Discovery Requests

- January 2019 vs. January 2020
  - 5 Cases / 78 Cases (1 additional Fire)
    - 5-8 requests per day (as many as 11)
    - Can take between 1-2 hours to complete per case; or more depending on severity of the call/length/transmissions involved
  - Winter vs. Summer – we have to assume it will only pick up based on call volume trends
    - Traffic Stops – January
      - Increase of 219

	Traffic Stops	
Agency	19-Jan	20-Jan
APD	200	205
CCSO	333	337
NYSP	529	739

- Staffing
  - New dispatcher recently cleared on Fire Dispatch
  - New dispatcher still training on Auburn Police Dispatch
  - One Vacancy (second Feb 14 w/ Request to Fill above)
  - Anticipate a training class in April
- Attended the Cayuga County Association of Emergency Services Banquet
- Deputy Administrator attended the Tier 3 Training @ BOCES
- Supervisors / Deputy / myself have been working additional hours to cover A Lines for supervision
- Mercy Flight Transports
  - 3 calls
    - Port Byron – Cancelled
    - Locke – Transport to Upstate
    - Victory – Cancelled
- Additional Updates
  - Discovery Update - Director Spingler continued on with the discussion of the new requirements for Discovery requests. The new regulations require the District Attorney to provide records within 15 days when requested. Therefore 9-1-1 records which need to be provided to the agencies for review, would need to be researched and submitted within three to four days. In January 2019 staff received 5 cases, in January 2020, 78 cases were submitted. Staff will be not be able to keep up the reporting requirements if the caseloads continues at this strong level. Director Spingler described the process of collecting the needed information. The committee further discussed probable titles and the distribution of the work load. Decision would need to be made on whether to use existing dispatcher positions or to hire a position whose responsibilities would be the Discovery case load.
  - Coronavirus Update – Director Spingler described the process the dispatchers are following when a respiratory distress/flu like symptoms call comes through. New questions are being deployed to determine whether any exposure to the virus may have occurred

## RESOLUTIONS:

### 911:

2-20-JP-1 Authorization to fill one vacant Emergency Services Dispatcher position due to a resignation  
Keith Batman motioned to approve and move resolution 2-20-JP-1, 2<sup>nd</sup> by Tucker Whitman. No discussion.  
All members present voted in favor, passed.

### Lloyd Hoskins (Assigned Counsel/Stop DWI) – No updates

- Additional Updates
  - The Assigned Counsel annual report will be ready for distribution on online. The report breaks down the activities of the participating attorneys and expenses related to the program.
  - Centralized Arraignment Program (CAP) The program opened on Feb 11, 2020. No one showed for their arraignment on the first and second days.
  - NYS Indigent Legal Services met with the Chair and the County Attorney to review the services which the grant program can provide to the County: attorney support, investigations, professional advisors, etc. Currently the program is in year two of a five year grant award.
  - Staff will be further researching a regional approach with Seneca County to share services for the program.

### Dr. Adam Duckett (Coroner) – No updates

### Jay DeWispelaere (Probation) – No updates

- Additional Updates
  - Contracts for services: Staff will be working with the County Attorney to complete contracts for Pre-Trial Services; as well as contracts for existing services under the Community Service Program and Pretrial Release programs

County Attorney Palermo requested permission from the committee whether the resolutions for authorization of these mentioned contracts could be brought to Ways and Means. The committee agreed to have the Attorney and Probation do further research on the contracts and decided then whether to bring to Ways and Means or bring through the March cycle.

**PROBATION RESOLUTION:**

2-20-JP-2 Authorization to change titles only within the Cayuga County Probation Department

Director DeWispelaere explained the NYS Division of Criminal Justice Services (DCJS) has revised job specifications and titles for all Probation positions. This resolution will bring the local Civil Service Titles in line with the State Civil Service Titles.

Keith Batman motioned to approve and move resolution 2-20-JP-2, 2<sup>nd</sup> by Tucker Whitman. No discussion. All members present voted in favor, passed.

**Brian Schenck (Sheriff) –**

- Members of the Cayuga County Deputy Sheriff’s Police Association (Patrol Union), the Sheriff, and the Legislature reached a proposed bargaining agreement for a term of three years. The proposed agreement will need to be approved and ratified by all of the parties. Utilization of the FIN process worked well for this negotiation.
  - We are still scheduled for collective bargaining utilizing Facilitated Intensive Negotiations (FIN) on February 24<sup>th</sup> through the 26<sup>th</sup> with the Sheriff’s Employee’s Association of Cayuga County (Custody Union). Their collective bargaining agreement expired on December 31<sup>st</sup> of 2018.
  - We did reach an agreement with the Deputy Sheriff’s Police Association, the Sheriff, and the Legislature relative to the new Special Patrol Officer / Student Resource Officer position that we would like to offer to area school districts. The agreement has been approved by all parties and will allow for the creation of the position.
  - The Sheriff and Administrative Staff have been looking at options to update our 556 page policy and procedure manual. With continually changing laws, mandates, and best practices, it is crucial and challenging to maintain current policy and procedure. An electronic version would improve efficiency. Working with an outside provider to maintain our policy would also improve our efficiency but more importantly, limit our liability as our policy would continually be updated utilizing the most recent best practices and immediately incorporating changes to the law. There would be additional cost to move in this direction; however, the cost to utilize staff internally is much greater.
  - At the time of this report we are housing 140 inmates in our jail and our sentenced population has been increasing since January 1<sup>st</sup> when we were holding 126. At the time of this report we are housing 41 Federal board ins, keeping us on target for budgeted inmate revenue this year. We continue to maintain 5 open positions in the jail that are budgeted but not filled. We have learned of an additional retirement pending in the jail that will increase that number to 6.
  - We have filled 4 vacant Road Patrol positions and will be sending 5 Road Patrol Deputies to the Fingerlakes Police Academy in Canandaigua beginning February 10<sup>th</sup> for a 26 week academy. This will bring our Patrol Division to full strength.
- Additional Updates
    - Jail numbers- As of Feb 11, 2020 -137, compared to 151 inmates in 2019.
    - Sheriff would like to explore options to have an electronic system to update their policies and procedures. One program which was reviewed would have an annual maintenance fee for \$13,530 per year. This annual fee would need to be budgeted in 2021. The pricing would be based on the number of officers which would have access to it. The committee discussed the initial costs (approximate (\$23,000) and whether other vendors have been researched. Further explanation on whether the software would come from the IT or the Sheriff’s budget. The committee decided to approve the concept and move forward with the proposed program.
    - Sheriff is looking at cleaning up the berm on the firing range on Robinson Road. Excessive lead is currently in the berm.
    - On February 18<sup>th</sup> will be having a ribbon cutting on the new Centralized Arraignment Unit.

**SHERIFF RESOLUTIONS:**

2-20-JP-3 Authorize the Sheriff to purchase and equip two (2) new marked patrol cars and replace one (1) K-9 equipped car

2-20-JP-4 Authorize the Cayuga County Sheriff and the Chairman of the Cayuga County Legislature to extend the contract with Galls, LLC to supply uniforms to Cayuga County Custody and Patrol Officers.

2-20-JP-5 Authorize the Sheriff of Cayuga County to fill seasonal personnel positions for the Marine Patrol Unit. Keith Batman motioned to approve and move resolution S2-20-JP-3, 2-20-JP-4, 2-20-JP -5, 2<sup>nd</sup> by Tucker Whitman. No discussion. All members present voted in favor, passed.

**Jon Budelmann (District Attorney) – No updates**

- Additional Updates –Assistant DA Christopher Valdina

Assistant DA Valdina distributed an overview of the options the Manhattan District Attorney’s office is looking into to consider on how to proceed with new discovery requirements. An additional document was supplied describing the new timing of discovery and automatic discovery details. The time constraints on completing the tasks on time are excessive as the need to track down the records (medical records, 9-1-1 information, video interviews of witnesses, surveillance videos, professional consultants, police reports etc.) then review the documents, redact those as needed, before can be turned over to the defense all within 15 days. Due to the increase in demands on staff time and no additional resources available at this time, the DA offices throughout the State will need to make decisions on which cases may not be able to prosecute. Many offices are seeing Assistant DAs leaving the offices as the workloads have increased. Assistant DA Valdina explained the DA will be requesting at a minimum one additional prosecutor to handle the new requirements and described the current staff needs and recent filling of one vacancy.

Chair Dennison discussed how the County will decide on which departments will need the extra staff, which titles and when to hire. County will also need to determine how to dismantle if extra staff is hired and the State changes or eliminates this program.

**Amy Russett (Fire/EMO) –**

- Amy is currently attending the annual NYSEMA conference from 2/11-2/13 at Embassy Suites, Syracuse.
- January 23<sup>rd</sup> Tabletop exercise was successful. There was a large turnout of County department heads that are very supportive of helping if we have to open our EOC. More training will follow.
- Our office has begun participating in bi-weekly conference calls with NYS OEM and other counties who have Lake Ontario shorelines in hopes of being proactive to the flooding as the lake is higher now than it was all of last year.
- Our office has a meeting scheduled on 2/19 with Fair Haven Mayor, Deputy Mayor and the Town of Sterling Supervisor along with other stakeholders to discuss initial pre-flood planning.
- 4<sup>th</sup> quarter 2019 grant reporting has been completed.
- We currently have an RFP 2020-01 out for bid to update our Hazard Mitigation Plan. It will be open until 2/21 at which time all proposals will be reviewed and a potential contract will be brought forward for review and signature at the next committee meeting. This will be funded through a grant that was received by the Emergency Management Office.
- There have been eight candidates interviewed by a panel of personnel for the Deputy Director position. A final decision will be made by 2/14.
- The next Fire Advisory Board meeting will take place on Monday March 9<sup>th</sup> in Caucus Room 1 at 19:00.
- Our Tier 3 Refresher training was completed for the year. We had 25 people in attendance.
- Our office has been receiving and disseminating information regarding the Coronavirus; cautionary memos to first responders.

**ADJOURNMENT: Wednesday, March 11, 2020 to follow Planning**

Keith Batman motioned to adjourn the Judicial and Public Safety Meeting at 7:38 p.m., 2<sup>nd</sup> by Michael Didio. All members present voted in favor of the motion, passed.