



**MINUTES**  
**JUDICIAL & PUBLIC SAFETY COMMITTEE**  
**Wednesday, June 10, 2020**  
**Live Stream Link: [https://youtu.be/PB499OxII\\_c](https://youtu.be/PB499OxII_c)**

**CALL TO ORDER:** By Hon. Andrew Dennison Chairman opened the live streamed meeting at 6:03 p.m.

**MEMBERS:** Legislators Tucker Whitman, Hans Pecher, Keith Batman, Heidi Nightengale, Elane Daly, Michael Didio

**OTHERS:** Legislators Ben Vitale, Christopher Petrus, Paul Pinckney, Aileen McNabb-Coleman, Charlie Ripley, Trish Kerr, Timothy Lattimore, Ryan Foley, County Attorney Christopher Palermo, Assistant County Attorney Brittany Massi, 9-1-1 Director, Denise Spingler, District Attorney Jon Budelmann, Emergency Management Director Amy Russett, Sheriff Brian Schenck, Probation Director Jay DeWispelaere, Suzanne Gauthier, Administrative Assistant

**MINUTES TO APPROVE:** May 13, 2020

Tucker Whitman motioned to approve the minutes of May 13, 2020, 2<sup>nd</sup> by Hans Pecher. All members present voted in favor, passed. June 10, 2020.

**DEPARTMENT UPDATES FOR COMMITTEE:**

○ **Denise Spingler (911) –**

- COVID-19 Update – continuing to screen all callers
- Grant Reporting – 2<sup>nd</sup> Quarter reporting due June 30
- Discovery Requests
  - 78 – January
  - 84 – February
  - 105 – March
  - 90 – April
  - 102 – May
- Vacancies
  - Face-to-face interviews will be conducted June 25<sup>th</sup>
    - Temperature checks, masks, etc. will be used for the process.
    - Anticipate training to begin in August

○ **Additional Updates**

Director Spingler reported the second quarter round of grants are due in June. The State Interoperable Emergency Communications Grant application has been delayed, which is approximate of \$800,000 per year. State has sent out a survey to the 9-1-1 centers requesting budgetary information for the call centers: call information stats, staffing information, etc. The County budget review has been sent to the County Budget officer and the County Chair. Significant savings are anticipated in the salary lines due to the number of vacancies. Currently the department has four dispatcher vacancies with only three viable candidates. Staff is still waiting on the list of eligible form the test taken in January.

Legislator Lattimore inquired whether any available room to rent out space on the County's towers. Director Spingler stated currently staff is working with Verizon on a plan for the Sterling site, which could offset the cost to use. Plans for expansions on the towers, depends on how much equipment is currently on the sites, whether the tower can handle an additional load.

Legislator Daly asked for confirmation of the vacant positions and on the grant delay. Staff is waiting for the results of January test results for a list of additional eligible. The \$800,000 grant traditional is signed an annual basis. This grant dollars have been received for 2020; however have not received the application for the 2021 funds. Chair McNabb asked how the office set up is working during COVID. The backup center has been thoroughly cleaned if needed to if any employee becomes exposed.

○ **Lloyd Hoskins (Assigned Counsel/Stop DWI) –**

- There were **57** virtual (SKYPE) arraignments at the Centralized Arraignment Program for the month of May. That is an increase of 20 arraignments that we had in April. The Assigned Counsel office calendared ten attorneys to cover the 7am and 7pm arraignments. Judge DiVietro, Judge Carlson, Judge Kubarek, and Judge Davenport presided over the scheduled arraignments.
- Weekly ZOOM meetings with Indigent Legal Services (ILS) on application for Statewide Expansion of Hurrell-Harring year two. Cayuga County's proposed request, \$410,899.65.
- The Deputy Director (Diane Paxhia) was brought back from furlough on Wednesday, May, 27, 2020.

- The Courts of the 7<sup>th</sup> Judicial have commenced Phase II of the Return to In-Person Operations Plan on June 3, 2020. Two provisions of the Administrative Order continue; All vouchers submitted pursuant to County Law § 722-b(4), Judiciary Law § 35(8) and Family Court Act §§ 243(c), 245(c) are deemed approved pursuant to the Amended Order signed by the Administrative Judge of the 7th Judicial District dated April 20, 2020 and all individuals seeking legal representation pursuant to Article 18-B of the County Law shall be deemed eligible, regardless of financial ability to obtain counsel” pursuant to the Order signed by the Administrative Judge of the 7th Judicial District dated March 20, 2020.

- **Dr. Adam Duckett (Coroner) – No updates**
- **Jon Budelmann (District Attorney) – No updates**
- **Amy Russett (Fire/EMO) –**

It is with great respect that I inform you all of the tremendous response that occurred on May 26, 2020 at approximately 16:06 hours at Carpenters Falls in the Town of Niles. Cayuga County 9-11 received a report of two victims who had fallen from the top of Carpenters Falls. The two patients had fallen in excess of 50 feet down into a ravine and into shallow waters. With the coordinated efforts between various agencies, the two patients were extricated and flown to receive medical care. The Fire, Rescue and EMS units from Sempronius, New Hope, West Niles, Moravia, Owasco, Skaneateles, Taunton, 4 Town, SAVES, Mercy Flight One & Two, Cayuga County High Angle Rescue Team, Cayuga County Rehab Unit, Cayuga County Emergency Management Coordinators and the Cayuga County Sheriff’s Office all responded for a coordinated effort with great success. Thank you to all of the responders who acted selflessly during this response.

The EMO has initiated the start of updating the county All Hazards Mitigation Plan with Tetra Tech.

Lake Ontario levels have receded considerably compared to 2019 at this time. The EMO has engaged NYS as requested by the Fair Haven DPW Supervisor to demobilize the pumps and sandbag filler.

- **Additional Updates**

Amy Russett gave an additional update on the May 26<sup>th</sup> response at Carpenters Falls in the Town of Niles. EMO is updating their Hazardous Mitigation Plan and will be using Tetra Tech as the consultant for the Plan. EMO will be demobilizing pumps and the sand bag filling machine in Fair Haven. Fair Haven’s lake levels are down approximate a foot from 2019 levels. Sand bags are still available for the residents at the Village Office. EMO is the distribution center for COVID supplies in the County. Medical grade PPE is being handed out to the hospitals, nurses and those in the medical community. Local businesses can also receive sanitizers, cloth masks and cleaning supplies as they become available. NYS Homeland Security was notified that the State will not be releasing any medical grade PPE supplies (unless another spike in the crisis occurs in the future); only hand sanitizer going forward.

Chair Dennison stated the EMO staff has completed a full inventory of all of the fire and safety equipment and where the equipment is stored. Director Russett stated this inventory will also be incorporated into the Emergency Management App. As a hub for all County resources and public alerts, this app will allow fire coordinators to log into the EMO app in the field to be able to locate any of their needed equipment.

Chair McNabb stated NYS is releasing another shipment of sanitizers for businesses re-opening in Phase III. Highway staff will be picking up the supplies at the State Fair grounds and bring to the EMO for distribution to the businesses.

- **Jay DeWispelaere (Probation) – No updates**

- **Additional Updates**

Staff has gone to a 50% staff reduction. The department will reevaluate in June and July staying prepared for when the Courts begin to open. The Health Department has completed a space inspection and the department will have challenges for when the public can come into the building.

Legislator Lattimore inquired about the department’s spacing requirements and is the department coordinating with the City of Auburn for potential use of space in the new Public Safety Building. Director DeWispelaere reported the new 8 x8 system has allowed the department the ability to have video conferencing to stay in touch with clients and does meet the State’s reporting. The current Officers’ spaces for meeting with clients in the department are a challenge due to their small size. Staff is currently looking at other options within the County to meet with clients. If the option does exist to move into the Historic Post Office building, Probation does have a need for additional appropriately designed space and would to explore how to make that work for the department.

### **Brian Schenck (Sheriff)**

- We have begun to bring addiction treatment and programming back to the jail. CHAD has returned to the facility to offer in person addiction counseling and treatment. We have also begun to bring back our volunteer Narcotics and Alcohol Anonymous meeting facilitators to hold meetings throughout the facility.
  - We have begun to provide Narcan training for inmates being released from the jail along with providing them Narcan upon release. The goal is to prevent fatal overdoses in this high risk population. We are also working closely with the HEALing Communities Project on this initiative and others to prevent opiate overdoses and fatalities in our community.
  - The Centralized Arraignment Part (CAP) Court continues to remain busy. 57 Pre- arraignment detainees were held and arraigned during the month of May. This is an increase from 42 in April. Over 175 detainees and arraignments have been completed since the CAP Court was initiated in February.
  - Overall call volume for our Road Patrol Division increased from 850 calls for service in April to 1180 in May.
  - At the time of this report we are housing 142 inmates in our jail with 51 of those inmates being Federal board-ins. We are maintaining 7 open staff positions in the jail and continue to work as efficiently as possible to limit the need to fill any of these positions given our current fiscal challenges. With the Courts working on procedures to open back up we anticipate a sharp increase in transports as defendants are transported to and from court. We also anticipate a spike in warrants that will need to be executed as well as a potential increase in the number of un-sentenced inmates coming to our jail as the courts work to catch up.
  - Our Court Security Division will likely need additional staff brought back as the courts open.
  - As I addressed at our last Public Safety Meeting, our Black Creek system that electronically maintains cell doors and systems at the jail will soon need to be upgraded. The electronics and computer software have become outdated and will need to be replaced. We will be working with Purchasing to put this project out to bid soon. We hope to maintain the system until next year and address this need during the next budget cycle.
- **Additional Updates**
    - Sheriff Schenck reported the Jail lobby has been opened to the public on a limited basis: for permits, etc.
    - Staff has secured a \$58 grant from the Department of Justice for COVID issues. Some expenses for other County departments have been incorporated into the grant: overtime salaries and equipment.

Legislator Daly asked for clarification on the reported 57 arraignments. Sheriff Schenck explained arraignments are held twice a day at 7 a.m. and 7 p.m. If the offender has not gone in front of a local Judge, the offender will remain in custody until the next arraignment time slot.

Legislator Foley inquired on the status of the Jail's revenue. Sheriff Schenck explained currently are housing 53 Federal inmates, which is greater than the budgeted numbers for Federal revenue. The local boarding numbers are currently down from projections; however the department is on target to meet the overall revenue goals with the increased number of Federal inmates.

Legislator Lattimore inquired if staff partners with the City of Auburn Police Department. Sheriff Schenck stated staff has continued to partner with Auburn Police with the sharing of resources: labor resources and equipment. So that each department does not have to purchase the same expensive equipment, the Sheriff Department has shared needed equipment with the City such as the data download equipment for investigations. Recently staff has secured Federal grant money for mobile speed monitors and messages board which will be shared with the City as needed. Sheriff Schenck stated the department continues doing community policing.

Legislator Petrus asked for the Sheriff's thoughts on the new legislation amending the Civil Rights legislations making the personal records of the officers public and how the legislation would have bearing on the safety of the officers. Sheriff Schenck stated the legislation was passed for certain records if foiled. Sheriff Schenck understands the intent; yet will need to review the passed legislation to understand the effect on the officers. The County Attorney will be reviewing this legislation and the impact it may have on the department and the officers.

### **RESOLUTION**

6-20-JP-2 Authorize the Sheriff to fill one vacant Deputy Sheriff Sergeant Position in the Law Enforcement Division of the Cayuga County Sheriff's Office and resulting backfill position.

Keith Batman motioned to approve and move resolution 6-20-JP-2, 2<sup>nd</sup> by Tucker Whitman. No discussion. All members present voted in favor, passed.

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

- **Additional Updates**

DA Budelmann discussed with the committee the background on the salary range of the Investigator in the department. DA is looking to propose a more equitable salary for the new Investigator and bring a resolution to the committee in July. Chair

Dennison proposed the DA to review with HR, the Chair and the Budget Director as to what the salary for the recently hired Investigator should be.

Courts have opened and are moving to arrange for in person sessions. The Courts are preparing to have the Grand Jury recalled to be able to hear cases. Staff has prepared invoices to submittal for revenue for the prison cases which have been processed; along with looking at other options such as traffic to bring in additional revenue.

**EMO RESOLUTION**

6-20-JP-1 Authorization to fill Administrative Officer of Emergency Services due to a retirement.

Keith Batman motioned to approve and move resolution 6-20-JP-1, 2<sup>nd</sup> by Tucker Whitman. No discussion. All members present voted in favor, passed.

**ADJOURNMENT: July 8, 2020 following Planning and Economic Development**

Keith Batman motioned to adjourn the Judicial and Public Safety Meeting at 6:45 p.m., 2<sup>nd</sup> by Tucker Whitman. All members present voted in favor of the motion, passed.

Next Judicial and Public Safety Meeting is scheduled for July 8, 2020, at the Cayuga County Office Building, Sixth Floor County Chambers, 160 Genesee Street, Auburn, New York 13021, via remote access following the Planning and Economic Development Meeting

Respectfully submitted, Suzanne Gauthier, Administrative Assistant  
Cayuga County Department of Planning and Economic Development