



AGENDA
JUDICIAL & PUBLIC SAFETY COMMITTEE
Wednesday, May 12 2021 at 5:30PM (VIRTUAL)
Live Stream Link: https://youtu.be/_oJDsjtQZr0

CALL TO ORDER: By Hon. Ben Vitale, Chair

MEMBERS: Legislators Keith Batman, Elane Daly (Vice Chair), Michael Didio, Timothy Lattimore, Heidi Nightengale, and Hans Pecher

MINUTES TO APPROVE: April 14, 2021

APPOINTMENTS: None

DEPARTMENT UPDATES FOR COMMITTEE:

- **Denise Spingler (911) –**
 - **Discovery**
 - Continuing to grow; over 750 in arrears
 - As cases are dismissed, DA’s office communicates the information for us to remove them from our list.
 - **Air Requests**
 - 7 requests 1st Quarter – 3 transports
 - **Quality Assurance**
 - 8 QA audits
 - 45 EMD reviews
- **Lloyd Hoskins (Assigned Counsel/Stop DWI) –**
 - There were **78** “virtual” arraignments at the Centralized Arraignment Program for the month of April. The Assigned Counsel office calendared nineteen attorneys to cover the 7am and 7pm arraignments. The attorney cost associated with CAP for April was \$9,975.00. *These expenses were paid from an ILS (Indigent Legal Services) grant.* Of the 78 arraignments, 34 (44%) were for town/village courts and 44 (56%) were for Auburn City Court. 52 (68%) defendants were released (ROR) and 25 (32%) defendants were held on bail or held for other reasons.
 - There were **125** Counsel at First Appearance for Auburn City Court and **20** Counsel at First Appearance in town/village courts. The Assigned Counsel office calendared fifteen attorneys to cover the “on-call” arraignments. The attorney cost associated with Counsel at First Appearance for April was \$8,200.00. *These expenses were paid from an ILS (Indigent Legal Services) grant.*
 - The Assigned Counsel Program made attorney assignments to **101** defendants in Auburn City Court and **47** defendants in justice courts for April. A total of **26** assignments were made in Family Court.
 - The April 2021 assigned counsel payments for legal and professional services was \$100,283.82. The assigned counsel payments for parole revocations and appeals was \$780.00.
 - The Assigned Counsel office has prepared and submitted 2021 1st quarter vouchers in the following amounts: Statewide Expansion of Hurrell-Harring \$39,061.29; Distribution #9 \$7,035.00; Distribution #10 \$53,824.40; and Counsel at 1st Appearance \$40,225.00.
 - Prepared and submitted Cayuga County’s mandated Performances Measures Progress Report. This report is submitted to ILS to reflect progress on our funding use for first appearance, caseload relief, and quality improvement.
- **Dr. Adam Duckett (Coroner) – No updates**
- **Jon Budelmann (District Attorney) – No updates**
- **Dale Currier (Fire/EMO) –**

HIGH PRIORITY
GRANTS

- a. FY 2021 Hazardous Materials Grant [DHSES] – [For 3 county regional use]

- b. FY 2021 State Homeland Security Program [SHSP] – Submitted for \$132,303.00.
Includes required areas of national focus:
 - o *Law Enforcement [25% minimum]* – Communications equipment in vehicles
 - o *Large Crowds and Soft Targets* – [New Category] Training and Exercises [\$10K]
 - o *Hazardous Materials* - \$64,000. Detection equipment to replace outdated [10 + years] equipment that's no longer supported by manufacturer.
- c. FY 2021 Emergency Management Performance Grant [EMPG] - \$34,000
Helps cover salary for EMO Director and Deputy Director positions. This grant requires completion of the FEMA Basic Emergency Management Academy training to be eligible for use on personnel costs.
- d. GRANT COORDINATION and FOLLOW-UP
EMO staff is still working to get 3-4 years of FEMA grants back on track so that we do not lose funding. One project, covering overtime and backfill for 2-day Swift Water Rescue Team Training Exercise, required getting special permission from DHSES.
- e. EMERGENCY OPERATIONS CENTER [EOC] - \$75,000.00 [REQUESTED through Congressman Katko's office for FY 2022, which has been moved forward.].

MEDIUM PRIORITY

FIRE ADVISORY BOARD MEMBERSHIP UPDATE - At the present time all the current members of the Fire Advisory Board wish to be reappointed. Appointment forms have been submitted to the Legislature Clerk.

COVID-19 ASYMPTOMATIC TESTING

EMO staff and NYS nurses are still conducting asymptomatic testing clinics at the Finger Lakes Mall facility.

OTHER ACTIVITIES - Month of April 2021

Fire Coordinators- Dispatched 16 times to assist Incident Command at Emergency Scenes.

Fire Investigators- Dispatched 1 time to find cause and origin of a vehicle fire.

- **Jay DeWispelaere (Probation) –**

- o **Alternatives to Incarceration Board;**
 - No update at this time
 - Second quarter ATI meeting to be held remotely June 23, 2021 at 3:00 pm; invitation has been sent.
- o **COVID;**
 - A return to 100% in office staffing will be made effective Tuesday, June 1, 2021

- **Brian Schenck (Sheriff) –**

- Members of the Sheriff's Office are being recognized May 2nd – 8th during National Correctional Officer's Week and May 9th – 15th during Police Week. During this time we honor their achievements and thank the men and women that serve our community for their dedication and commitment.
- Deputy Slobe and K-9 Recruit "Pitt" are currently attending their 9 week basic training in patrol, apprehension, and tracking in Onondaga County. Once completed, they will attend a 5 week training program in narcotics detection.
- Educational services, CHAD drug and alcohol treatment, peer services, and limited programming are currently available in the jail. In person inmate visitation remains suspended. Inmates are currently able to visit with family virtually as well as by telephone and mail.
- The Centralized Arraignment Part (CAP) Court was utilized for 78 pre-arraignment detainees in April.
- At the time of this report we are housing 168 total inmates in our jail. Of those total inmates, 37 are Federal board-ins, 23 NY State Parole Violators that are facing new charges, and 15 Parolees that have been detained for violating their Parole. The New York State Department of Corrections and Community Supervision (DOCCS) has taken custody of 25 state ready inmates in the last two weeks. Currently we are holding an additional 25 inmates that are ready to be transported to DOCCS.
- We are currently in week 5 of our 12-week inhouse Custody Basic Academy.
- May is National Mental Health Awareness Month. During this month we partner with local providers to bring attention to this important issue that impacts many people in our community.
- We continue to partner with Nick's Ride for Friends, the Cayuga County Drug Free Coalition, and the HEALING Communities Study to engage the public at local events to secure and dispose of dangerous unneeded prescription medication, provide drug prevention, treatment, and peer support information, and provide the opiate overdose reversal medication Naloxone. On May 15th the Town of Brutus is hosting one of our events at their town hall in Weedsport from 10:00 AM – 2:00 PM.

RESOLUTIONS:

- 911:**
- 5-21-JP-1 Authorization to create and fill the position of 911 Database Analyst in the Cayuga County E-911 Center
 - 5-21-JP-2 Authorization to fill one vacant Supervising Emergency Services Dispatcher position and unfund a Dispatching Emergency Services Dispatcher due to a promotion.
 - 5-21-JP-3 Authorization for the Chair of the Cayuga County Legislature to sign a contract with Motorola for necessary microwave upgrades associated with the new emergency communications system.

DISTRICT ATTORNEY:

- 5-21-JP-4 Authorizing District Attorney to accept a \$242,109 Discovery Reform Grant from the New York State Division of Criminal Justice Services and amending the various budget lines to reflect the revenue and expenditures

SHERIFF:

- 5-21-JP-5 Resolution Authorizing the Cayuga County Sheriff and the Cayuga Community College Office of Public Safety to enter a Memorandum of Understanding for use of the Cayuga County Sheriff's Weapons Range.
- 5-21-JP-6 Authorize the Chair of the Cayuga County Legislature and the Cayuga County Sheriff to sign a Memorandum of Agreement (MOA) with the Cayuga County Deputy Sheriff's Police Association (DSPA) authorizing two Administrative Lieutenants to separate from the bargaining unit and form their own.
- 5-21-JP-7 Authorizing the Sheriff's Office to accept funding through the 2020 Operation Stonegarden Grant from the Division of Homeland Security and Emergency Services and amend the 2021 Sheriff's Grants Budget to accept the 2020 funding.
- 5-21-JP-8 Authorizing the Sheriff's Office to accept funding through the 2019 Operation Stonegarden Grant from the Division of Homeland Security and Emergency Services and amend the 2021 Sheriff's Grants Budget to accept the 2019 funding

ADJOURNMENT: Wednesday, June 9, 2021 to follow Planning

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. _____

5/25/21

911 data analyst rev

Authorization to create and fill the position of 911 Database Analyst in the Cayuga County E-911 Center

BY: Mr. Benjamin Vitale, Chairperson, Judicial and Public Safety Committee
Mr. Keith Batman, Chairperson, Ways & Means Committee

WHEREAS, GIS services are currently being contracted out and the work associated with the new Discovery Laws have affected the 911 Center operations significantly; and

WHEREAS, it is necessary to hire a dedicated employee to manage the database work associated with GIS and Discovery as the duties associated align closely; and

WHEREAS, the Civil Service Commission has classified the position title and job specifications for 911 Database Analyst; and

WHEREAS, the full-time position will be a Grade 16L in the CSEA union; and

WHEREAS, there is money in the 911 budget account A30201 51001 to fund the position; now therefore be it

RESOLVED, that the Cayuga County Legislature creates the 911 Data Analyst position in the Cayuga County 911 Department; and be it further

RESOLVED, that the Grade 16L compensation structure be placed under the E-911 Department in the CSEA Contract Appendix B for the year 2021 as follows:

<u>Probation</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>
\$47,870	\$48,220	\$50,140	\$51,434	\$53,054

And be it further

RESOLVED, that the 911 Administrator be hereby authorized to fill the 911 Database Analyst position in accordance with the Cayuga County Civil Service Rules and Regulations and the Policies of the County of Cayuga.

Judicial & Public Safety

Ways & Means Committee

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Keith Batman, Chair

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Elane Daly

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Ryan Foley

Michael Didio

Chris Petrus

Tim Lattimore

Paul Pinckney

Heidi Nightengale

Ben Vitale

Hans Pecher

Tucker Whitman

Co. Atty: __RJG__

RESOLUTION NO. _____

5-25-21

911 Fulltime fill

Authorization to fill one vacant Supervising Emergency Services Dispatcher position and unfund a Dispatching Emergency Services Dispatcher due to a promotion.

BY: Mr. Benjamin Vitale, Chairperson, Judicial and Public Safety Committee
Mr. Keith Batman, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County 911 Center currently has one vacant Full-Time Supervising Emergency Services Dispatcher position; and

WHEREAS, it is necessary to have Supervising Emergency Services Dispatchers on each shift for liability and staff support; and

WHEREAS, there is money in the 911 budget account A30201 51001 to fund position; now therefore be it

RESOLVED, that position (#1921) be filled, and that position (#1922) be unfunded and the 911 Administrator be hereby authorized to fill the vacant Supervising Emergency Services Dispatcher position on a provisional basis until an active Civil Service list is certified; and be it further

RESOLVED, that the position be filled in accordance to the Cayuga County Civil Service Rules and Regulations and the Policies of the County of Cayuga.

Judicial & Public Safety

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Tucker Whitman

Co. Atty: ___ RJG ___

RESOLUTION NO. _____

5/25/21

911 Motorola upgrades

Authorization for the Chair of the Cayuga County Legislature to sign a contract with Motorola for necessary microwave upgrades associated with the new emergency communications system.

BY: Mr. Benjamin Vitale, Chairperson, Judicial and Public Safety Committee
Mr. Keith Batman, Chairperson, Ways & Means Committee

WHEREAS, the 2019 Statewide Interoperable Communications Grant (SICG) is designed to enhance and maintain emergency communications systems; and

WHEREAS, part of the funding received is allocated to update the microwave network to expand Ethernet capabilities which will manage the traffic associated with the emergency communications system; and

WHEREAS, this project will be 100% reimbursed through the SIEC grants; and

WHEREAS, Motorola has submitted a proposal for the project in the amount of \$232,500; now therefore be it

RESOLVED, that the Chair of the Legislature be authorized to sign a contract with Motorola for these purposes and that the Cayuga County Treasurer make all the necessary journal and accounting entries to accomplish the foregoing; and be it further

RESOLVED, that the 20201 budget is amended as follows in order to accept the grant funding:

	<u>Increase</u>
Expense A30204 54063 Radio	\$232,500
Expense A30204 54571 Communications Grant	\$90,673
Revenue A30200 43303 SICG	\$323,173

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Tucker Whitman

Co. Atty: __RJG__

RESOLUTION NO. _____

5/25/21

DA Criminal Justice Discovery Grant

Authorizing District Attorney to accept a \$242,109 Discovery Reform Grant from the New York State Division of Criminal Justice Services and amending the various budget lines to reflect the revenue and expenditures

BY: Hon. Benjamin P. Vitale, Chairman, Judicial & Public Safety; and
Hon. Keith M. Batman, Chairman, Ways and Means

WHEREAS, the NYS 2019-2020 Budget Bill containing Criminal Legislation [Bail Elimination Act, Article 245 New Discovery Laws, both effective January 1st, 2020) requiring expanded and expedited discovery in all cases, District Attorneys across the state immediately began examining their office operations (from case intake, flow of information from all sources, evidence processing and dissemination as well as additional motion practice) and determining additional need within their offices; and

WHEREAS, as part of the enacted New York State Fiscal Year 2021 budget, a “Criminal Justice Discovery Compensation Fund” was created, funded by transferring \$40 million from the New York County District Attorney’s Office deferred prosecution agreement revenues, which was to be used for expenses related to discovery reform implementation, including “digital evidence transmission technology, administrative support, computers, hardware and operating software, data connectivity, development of training materials, staff training, overtime, litigation readiness” and other costs, including pre-trial services and supervision; and

WHEREAS, each county’s prorated share of the grant was based upon the number of criminal court arraignments statewide, Cayuga County was awarded \$242,109 in grants funds for the project period 4/1/2020 – 3/31/2021; and

WHEREAS, the \$242,109 Discovery Grant funding was contingent upon the County’s submission (and DCJS approval) of a Discovery Reform Funding Plan, along with letters of support from the District Attorney, Probation Director and County’s Chief Elected Official (Chair of the Legislature) affirming that the Discovery Reform Funding Plan was developed in collaboration with local stakeholders and describes the activities and expenses supported with the grant funds provided by DCJS; and

WHEREAS, the intent of this important legislation was to help Counties outside NYC fund Criminal Discovery, and Counties were expected to “prioritize funding for their District Attorney’s Office,” the following Collaborative Funding Plan was determined through collaborative effort including the: District Attorney, Chair of the Cayuga County Legislature, E-911 Administrator, Director of Probation, Sheriff, and the Budget Director; and

WHEREAS, Cayuga County’s 2020-2021 Discovery Reform Funding Plan, as determined through collaborative effort, included the following allocations: \$189,347 to the District Attorney to implement and fund the Discovery Unit, including related salary, fringe, and other expenses such as digital evidence storage, grand jury per diem services, and transcription; \$32,049 to the E-911 Center to fund administrative support for pulling and uploading 911 recordings for all arrests; and \$20,713 to the Probation Department to pay a portion of the local NFP Cayuga Counseling Services Pre-Trial Release/Supervision costs; and

WHEREAS, contracts are not needed to apply for the Criminal Justice Discovery Reform Grant, following submission and DCJS approval of the Discovery Reform Funding plan, the County will be issued full payment of the awarded \$242,109 amount permitted for reimbursement of the estimated costs expended during the NYS fiscal year 4/1/2020 thru 3/31/2021; and

WHEREAS, each of the affected Cayuga County Departments have Budget Revenue and Expenditure Account Lines; now therefore, be it

RESOLVED, that the County accept the \$242,109 in Discovery Grant Funding and pursuant to the Discovery Reform Funding Plan, said grant funding be added to the District Attorney, E-911, and Probation Departments’ Respective Budget Revenue and Expenditure Account Lines, as follows:

A1165 DISTRICT ATTORNEY

REVENUE A11650 43075 STATE AID.... (\$189,347)
 EXPENDITURES-PERSONAL SERVICES/FRINGE
 A11651 51001 SAL-FT..... \$105,556 (Disc Unit Supervisor, Disc ADA, Disc Conf Secy, and Grand Jury Reporter)
 A11651 51001 SAL-PT..... \$ 46,614 (PT Conf Inv/245 Disc Inv)
 A11651 51003 SAL-OT..... \$ 787 (Grand Jury Reporter)
 A11651 58001 SOC SEC..... \$ 11,701
 A11651 58002 RETIREMENT.... \$ 10,375
 A11651 58003 HLTH INS..... \$ 4,943
 A11651 58004 DENTAL INS..... \$ 263
 A11651 58005 WKS COMP..... \$ 3,167
 SUBTOTAL..... \$183,406

EXPENDITURES-CONTRACTUAL ACCOUNTS

A11654 54059 PROF SERVICES.... \$3,011
 A11654 54224 MINOR EQUIP..... \$2,930
 SUBTOTAL..... \$5,941

A3020 E-911

REVENUE A30200 43300 STATE E-911.... (\$32,049)
 EXPENDITURES-PERSONAL SERVICES/FRINGE
 A30201-51001 SAL-FT..... \$29,226
 A30201-58001 SOC SEC..... \$ 2,236
 A30201-58005 WKS COMP..... \$ 587
 SUBTOTAL..... \$32,049

A3140 PROBATION

REVENUE A31400 43837 PRETRIAL.... (\$20,713)
 EXPENDITURES-CONTRACTUAL
 A31404-54503 PRE-TRIAL..... \$20,713
 SUBTOTAL..... \$20,713
 GRAND TOTAL..... \$242,109 (\$242,109)

and it is further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to make such necessary journal entries to accomplish the foregoing.

Judicial & Public Safety

Ways & Means Committee

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Heidi Nightengale

Ben Vitale

Hans Pecher
Co. Atty: RJG

Tucker Whitman

RESOLUTION NO: _____

5/25/21

SHR MOU CCCOPS

Resolution Authorizing the Cayuga County Sheriff and the Cayuga Community College Office of Public Safety to enter a Memorandum of Understanding for use of the Cayuga County Sheriff's Weapons Range.

By: Mr. Benjamin Vitale, Chair, Judicial & Public Safety Committee
Mr. Keith Batman, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Office maintains a weapons training range owned by the County of Cayuga and located at 7513 Robinson Road in the Town of Throop; and

WHEREAS, the Cayuga Community College Office of Public Safety has utilized the aforementioned weapons training range in the past for their own weapons training needs under a signed Memorandum of Understanding (MOU) between the college and the Sheriff that recently expired; and

WHEREAS, the Cayuga Community College Office of Public Safety would like to renew the aforementioned MOU and continue utilizing the Sheriff's weapons range; and

WHEREAS, the Cayuga Community College Office of Public Safety agrees to indemnify and hold the County of Cayuga and the Cayuga County Sheriff's Office harmless from any claims, expenses, or damages, including legal fees, which result from the negligent acts or omissions of the Cayuga Community College Office of Public Safety engaged in the use of the Sheriff's weapons range; now therefore be it

RESOLVED, that the Cayuga County Sheriff, and Cayuga Community College Office of Public Safety shall be authorized to enter into the aforementioned agreement;

Judicial & Public Safety

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Tucker Whitman

Co. Atty: ___ RJG ___

RESOLUTION NO. _____

05/25/21

SHR MOU LT Union Separation

Authorize the Chair of the Cayuga County Legislature and the Cayuga County Sheriff to sign a Memorandum of Agreement (MOA) with the Cayuga County Deputy Sheriff’s Police Association (DSPA) authorizing two Administrative Lieutenants to separate from the bargaining unit and form their own.

By: Hon. Benjamin Vitale, Chairman, Judicial & Public Safety and
Hon. Keith Batman, Chairman Ways & Means

WHEREAS, Cayuga County and the Cayuga County Sheriff (hereinafter referred to jointly as “County”) and the Cayuga County Deputy Sheriff’s Police Association, affiliated with Council 82, (hereinafter “DSPA”) are parties to a collective bargaining agreement for the period January 1, 2020 thru December 31, 2022 (“Agreement”); and

WHEREAS, pursuant to the Agreement the DSPA is the sole and exclusive bargaining agent for detective lieutenants, detective sergeants, detectives, deputy sheriff lieutenants, deputy sheriff sergeants, deputy sheriff corporals, and deputy sheriffs, all of whom work for the Cayuga County Sheriff’s Office; and

WHEREAS, the County and the DSPA desire to create a separate bargaining unit for certain positions currently represented by the DSPA; now therefore be it

RESOLVED, that the Chair of the Cayuga County Legislature and the Cayuga County Sheriff be authorized to sign a MOA with the DSPA and the two administrative Lieutenants forming a separate bargaining unit comprised of the Detective Lieutenant and Deputy Sheriff Lieutenant; and be it further

RESOLVED, that the new bargaining unit shall be titled the Cayuga County Lieutenant’s Police Association, (“LPA”), affiliated with Council 82; and be it further

RESOLVED, that all terms and conditions of the current contract agreement between the County and DSPA shall continue in full force and affect with respect to the LPA, except to the extent otherwise negotiated.

Judicial & Public Safety

Ways & Means Committee

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Co. Atty: _____ RJG _____

RESOLUTION NO. _____

05/25/21

SHR Stonegarden 2020 Grant.rev

Authorizing the Sheriff’s Office to accept funding through the 2020 Operation Stonegarden Grant from the Division of Homeland Security and Emergency Services and amend the 2021 Sheriff’s Grants Budget to accept the 2020 funding.

By: Chair Mr. Benjamin Vitale, Judicial & Public Safety Committee
Chair Mr. Keith Batman, Ways & Means Committee

WHEREAS, the Sheriff’s Office applied for and received an award of a Grant from the Division of Homeland Security and Emergency Services in the amount of \$85,000 to provide funding for the law enforcement community to support their terrorism and preparedness efforts; and

WHEREAS, all equipment purchases and support for training through the Grant will require no matching funding from the County and will be 100% funded by the Department of Homeland Security; now therefore be it

RESOLVED, that the Chair of the Cayuga County Legislature be authorized to sign the necessary documentation to accept the 2020 funding; and be it further

RESOLVED, that the 2021 Cayuga County Sheriff’s Grant Budget be amended to increase A31130 44554 DHSES Stonegarden 2020 by \$85,000.00, increase A31132 52100 EQUIPMENT TRACKABLE by \$49,000.00, and increase A31134 54563 DHSES Stonegarden 2020 by \$36,000.00; and be it further

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

Judicial & Public Safety

Ways & Means Committee

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Co. Atty: __RJG__

Authorizing the Sheriff’s Office to accept funding through the 2019 Operation Stonegarden Grant from the Division of Homeland Security and Emergency Services and amend the 2021 Sheriff’s Grants Budget to accept the 2019 funding

By: Benjamin Vitale, Chair Judicial & Public Safety Committee
Keith Batman, Chair Ways & Means Committee

WHEREAS, the Sheriff’s Office applied for and was awarded a Grant from the Division of Homeland Security and Emergency Services in the amount of \$80,000 to provide funding for the law enforcement community to support their terrorism and preparedness efforts; and

WHEREAS, all purchases of equipment or support for operations through the Grant will require no matching funds from the County and will be 100% funded by the Department of Homeland Security; now therefore be it

RESOLVED, that the Chairman of the Legislature be authorized to sign the necessary documentation to accept the 2019 funding; and be it further

RESOLVED, that the 2021 Cayuga County Sheriff’s Grant Budget be amended to increase A31130 44549 DHSES Stonegarden 2019 by \$80,000.00 and increase A31134 54566 DHSES Stonegarden 2019 by \$80,000; and be it further

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

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