

Minutes

Public Safety Committee

Wednesday, March 15, 2017, 4:15 pm, Room 331

Gerace Office Building, Mayville, NY

Members Present: Wendel, Bankoski, Tarbrake, Whitford, Niebel

Others: Tampo, Himelein, Horrigan, C. Holder, Sheriff, Dennison, P. Rice, Chagnon,
K. Gustafson, Porpiglia, C. Schuyler, Crow

Chairman Wendel called the meeting to order at 4:15 p.m.

Approval of Minutes (2/15/17)

MOVED by Legislator Bankoski, SECONDED by Legislator Whitford.

Unanimously Carried

Privilege of the Floor

No one chose to speak.

Proposed Resolution – Authorize Acceptance of Indigent Legal Services Grant for the
Period January 1, 2016 to December 31, 2018

I'm Pat Rice with the Public Defender's office. Ned is sick and called me a few hours ago and asked me to stand in for him and we're asking you to accept the grant.

Chairman Wendel: No local share. Any questions for Mr. Rice?

Legislator Niebel: You might not know but this was accounted for in the 2017 budget?

Mr. Rice: I don't know that.

Legislator Niebel: I assume that it is. I looked at your budget for New York State aid it has \$504,000 for this year so I would assume that this grant is probably included in the budget.

Mr. Rice: I can't confirm that.

Chairman Wendel: Any further questions for Mr. Rice?

Unanimously Carried

Proposed Resolution – Authorize Execution of New York State Office of Homeland Security Funding Grant – Operation Stone Garden FY16

Sheriff Gerace: This is a no local match grant. It's through the Federal government for Operation Stone Garden. It's funding for multiple law enforcement agencies that are involved in border security. We also use the funding for the patrols on Lake Erie.

Legislator Tarbrake: Joe, this grant has been in place for a number of years, right?

Sheriff Gerace: It has. The numbers are coming –

Legislator Tarbrake: At least the last two years.

Sheriff Gerace: It's at least that.

Chairman Wendel: Any questions for the Sheriff?

Unanimously Carried

Proposed Resolution – Authorize Execution of Police Protective Equipment Program (PPEP) Grant Award through the NYS Division of Criminal Justice Services

Sheriff Gerace: This is that grant where the County was the recipient and all of the County's law enforcement agencies could apply to it. We actually wrote this grant in our agency. Each of the law enforcement agencies that showed an interest were given funding about the same level we're going to receive in this grant of \$13,929, no local match. It's specially has to be designated for protective equipment for law enforcement or for patrol rifles and we are going to be replacing our patrol rifles with this funding and funding that you had approved in the budget in 2016.

Mrs. Dennison: (*Inaudible*), just a department number. The Sheriff recently created a new sub-department to put all of the grant funded items in one sub-department so that the funds are not comingling with operating funds. So, we would like to propose that, at the bottom where it says Increase Appropriation Account, that that be A.3110.GRNT.4 for the appropriate sub-department and then the same change on the revenue side. Should be A.3110.GRNT, same account number.

Chairman Wendel: Everybody got that?

Mrs. Dennison: Also the title under the Appropriation Account heading, the title which is contractual current it says Sheriff, it should be Sheriff Grants. That is the name of the sub-department.

Legislator Tarbrake: I will make that motion.

Legislator Niebel: Second.

Chairman Wendel: All those in favor of the amendment?

Unanimously Carried

Chairman Wendel: Discussion on the resolution as amended? Was this the one that we approved last year, June or July that came in at the last minute?

Sheriff Gerace: It's possible because we had an issue with it being written because the County was the nucleus for law enforcement but I don't believe –

Chairman Wendel: Because I know that we one for, I thought it was body cams.

Sheriff Gerace: I don't believe this was that grant.

Chairman Wendel: The numbers sound about the same.

Sheriff Gerace: I don't believe that we did.

Chairman Wendel: Alright, no problem. That is the only question that I had.

Sheriff Gerace: I think that it was Lakewood, Dunkirk, Fredonia, Jamestown, Busti, and Westfield all received funding through this grant for either rifles, helmets or vests. Those are the three categories.

Chairman Wendel: Any other questions? If not, all those in favor of the resolution as amended.

Unanimously Carried

Proposed Resolution – Increase Funds for Property & Evidence Room Capital Project

UnderSheriff Holder: This is a capital project and I'm not sure you are aware of this capital project or not, we renovated the evidence room and created a small crime processing lab next door. The capital project was about \$168,000. We're at a point now where we came to a bump in the road when we started putting in the fuming hood inside the crime processing lab. We wanted to use an exhaust fan that was on the original one and we found out that that exhaust fan is not to specs and our contractors refused to put it in because it is a non – (*inaudible*) liability for us to use it. The type of chemicals that we use in this fume lab, we need an explosive ventilation exhaust system and that one is one like you would use in your home. So this is to complete the project and install that explosive proof vent.

Chairman Wendel: Any questions?

Unanimously Carried

Proposed Resolution – Increase Funds for Next Generation 911 Capital Project

Sheriff Gerace: As you know, we recently updated our 911 network, our system. We went from enhanced to Next Generation 911. There was a change order in that that required additional funds of \$19,000. We are requesting that that be moved from 911 fund balance into the capital project account for this project.

Chairman Wendel: Any questions?

Unanimously Carried

Proposed Resolution – Adjust Capital Project Budget for County-Wide Radio Capital Project and Close Capital Project Emergency Communication and Dispatch

Chairman Wendel: This one needs to be amended by quite a bit.

Mrs. Dennison: Let me just give some background on this. You have the amended version in front of you?

Chairman Wendel: Yes, the amended version almost doubles.

Mrs. Dennison: As you are aware, the County-wide radio project is primarily funded by a \$6 million dollar grant from the State of New York. That project, the performance period ended February 3rd of this year so between the Sheriff, Matt Trusso, the project manager, Todd Button, Deputy Director of Finance and myself, we are attempting to finalize all these expenditures for the project and make sure that everything is properly accounted for. The idea of the project was that the grant funds would cover most of the project but Sheriff and Mr. Trusso knew that there would be some expenditure that went beyond the \$6 million. So, during the course of the project, some of those expenditures were taken out of the wireless 911 reserve. Now, realize that that wasn't properly accounted for at the time, so Mr. Button has moved all expenditures associated with the radio project into the capital project. So, we're now expecting that the total cost of the project is \$6,631,598. However, that number, we're still working on finalizing that so that number is still a little bit fluid, I guess you would say. The concept of the resolution is to identify the funding streams for that extra amount of money above and beyond the grant. Now the first part of the resolution is that there is a capital project, that's number 542, it's an older capital project relating to, as it says, communication and dispatch. That project is completed –

Legislator Niebel: That as a \$4 million dollar grant.

Mrs. Dennison: The grant was \$6 million dollars.

Legislator Niebel: O.k., I thought the emergency communications and dispatch grant was for around \$4 million?

Mrs. Dennison: Oh, I'm sorry, yes. That one, when it started yes.

Legislator Niebel: That is the one that has the surplus.

Mrs. Dennison: That has a surplus, yes. So that project the work is completed and it's our intention to close that capital project and transfer that surplus into the County-wide radio capital project. So that is step one. So there is a surplus of \$336,196 in what we call the old communication and dispatch project.

Sheriff Gerace: Which was the intent from the beginning that we identified that money as going to be used for this project.

Mrs. Dennison: So the amount that the County-wide radio project exceeds the grant, as you can see, approximately half of that or more than half of that would come from the other capital project. So the way the resolution is written now, the balance of the funding would come from the capital reserves. So we have also another possibility and that is using the wireless 911 reserve to fund the remaining balance of the (*inaudible*) project. If we go spending from the wireless reserve, the resolution would need to be further amended.

Chairman Wendel: If that is the case then why are we voting on this tonight? I can't see spending something and then having to come back in a week and say, let's amend at the last minute before it's – I mean, I would rather unless everybody feels different, I'd rather make sure that we have all the numbers complete and in front before we –

Legislator Niebel: My question is somewhat along with your line. This is almost \$300,000 more than we anticipated. What affect does that and I guess Kitty has come up to answer this in anticipation, what effect does this have on our capital reserve?

Ms. Crow: Well, I want to back up a little bit to the wireless reserve. The funds were previously recorded against that initially so my recommendation would be to utilize those funds to offset this balance because that is where they were being charged and the intent was to use those funds. When we first drafted this resolution, we lost sight of that so we put it in as the use of the reserve for capital.

Sheriff Gerace: I did have a discussion with this committee in the past that we were looking to the reserve account to offset the account.

Legislator Niebel: O.k., so you utilized the wireless reserve first before we go to the other capital reserve. That is where we are headed now?

Ms. Crow: Correct. We would still use the surplus from the dispatch project because that surplus would naturally return to the reserve for capital and (*cross talk*)

Legislator Niebel: Yes, I understood but the balance, we're talking about the balance.

Ms. Crow: Then any further funds that are needed come from the wireless reserve.

Legislator Niebel: O.k., I think that is better in the capital.

Legislator Whitford: So this needs to be amended?

Ms. Crow: The reason for trying to do it now to be timely with the closing of the 2016 year end capital projects so that these both can be closed with our 2016 year end, with the ideal that it's not going to change the fact of having to make these amendments. If we have to tweak the number between now and next Wednesday, there would be amendments after that. We're pretty close to having the final reconciliation completed.

Ms. Dennison: I guess I have to say that we think that we're close to the reconciliation but there is a large charge from Motorola, which is the major contractor on the project, there was one outstanding charge that we have not paid. We have not even been billed for it. It's in the contract but we have yet to be billed for it and there is some discussion, I guess, some uncertainty whether we will in fact owe all of that money to Motorola and that item is \$294,000. This resolution and the current reconciliation, assumes that we owe but we will have to pay that money to Motorola. So the \$631,000 balance includes that expense but we have not yet paid it and as the Sheriff said, we have not been invoiced for it so that obviously could affect the final reconciliation.

Legislator Niebel: So this \$294,000 or let's round it off to \$300,000, this extra \$300,000 you feel that you may have in your wireless reserve?

Sheriff Gerace: The money that Kathleen is referring to are calculated in the previous numbers we gave you. If they chose not to bill us for that part of the contract, then that will be less money – we'd have more money in the reserve. We're anticipating that that payment is going to be billed us. Hopefully it won't and we'll negotiate then they'll just forget it or not charge us but it's figured into the money that we are asking you to readjust in this resolution.

Legislator Niebel: Joe, this is figured in to the \$631,000, not the original \$336,000?

Sheriff Gerace: Correct.

Chairman Wendel: Why were we required to transfer the reserve from the original to communications instead of the fund balance?

Ms. Crow: From the what?

Chairman Wendel: It says here we had a surplus of \$336,000.

Ms. Crow: Yes, so as that project is closed, that surplus is automatically goes back to the reserve for capital. So in order to re-appropriate it, we have to take it out of the reserve for capital to apply it to this project.

Legislator Niebel: And that is where you want to fund the shortfall for the County-wide radio project?

Ms. Crow: That is how we propose the resolution. We're not further proposing to amend it to instead, take it from the wireless.

Mrs. Dennison: From the time the resolution was originally drafted – the original intent of the resolution was to close the, what we call the old capital project, the \$4 million dollar project, close that project, transfer the surplus to the County-wide radio project. That was the original intention. Then as Mr. Button continued or reached the end of his reconciliation of the County-wide radio project that is when we discovered that some of the expenditures for that project that were charged elsewhere, that were funded with other funds. So he discovered the most proper way to adjust the project is that all of those expenditures need to be charged to the capital projects and then we finding the funding as appropriate. So, we did some further accounting after the original resolution was drafted.

Chairman Wendel: So basically the difference in this \$336 to \$631 is the \$294, you are anticipating?

Mrs. Dennison: Yes, that is a large part of it because when we originally drafted the resolution we knew that that money had not been paid and that the expectation was that it will not be paid but it is part of the contract. The exposure is there.

Chairman Wendel: Maybe I'm simple but why can't a project like this be put into one general account and the expenditures come out of that account?

Ms. Crow: That is what we are trying to do to consolidate it.

Chairman Wendel: I know but why wasn't it done – you are talking about a \$6 million dollar project that is huge. Why wasn't that done in the first place?

Ms. Crow: Because the portion that wasn't covered by the grant, we had other funding streams for in other parts of the budget. Now we're saying that in order to capitalize the project correctly, it is more appropriate to have it all in one account. But there are different components of the project that at the time were included in other parts of the budget.

Sheriff Gerace: Including other grants.

Mrs. Dennison: Because the original concept was, we have \$6 million dollars and we're going to spend \$6 million dollars on the project to match the grant. After expenditures we have other funding sources so we charged them to the funding source where they – charge them where the money is essentially.

Sheriff Gerace: We knew from day one that this was going to be more than a \$6 million dollar project. We had a consultant, if you recall, we did a presentation probably two or three years ago, I'm trying to think how long the project went on but, it was estimated at \$7.5 million dollars from start to finish for this project. So we knew that going in, we had to look at other funding streams besides the \$6 million dollar grant.

Legislator Niebel: If you guys have the money in the wireless reserve, I would rather see it come out of that instead of the capital reserve. So, whatever we need. If you guys think that we have enough money in the wireless reserve to cover that I wouldn't be opposed to making a motion to amend this and go with the wireless reserve as opposed to the capital reserve.

Mrs. Dennison: The current balance of the wireless reserve is \$752,000. So there is more than enough in the wireless reserve.

Legislator Niebel: You think so?

Mrs. Dennison: Yes, current balance today is \$752,000 in the reserve.

Legislator Niebel: No other expenditures or anything else coming out of that?

Mrs. Dennison: No, that is the reserve account itself.

Legislator Niebel: That's fine. Everything is paid for, that is what you have left.

Legislator Bankoski: So if we take that six hundred out of there it leaves what, a hundred left.

Legislator Niebel: It's not six hundred, it's three hundred.

Legislator Bankoski: Oh sorry, three hundred. I would feel comfortable that that is enough.

Sheriff Gerace: I wouldn't want to go much lower than that in that reserve account because there are unexpected issues.

Legislator Bankoski: That is kind of where I was going with it. I didn't want to see you shortchange yourself and then at the end of the year, we have issues down the road.

Sheriff Gerace: No, I'm comfortable that this is probably the best decision forward.

Legislator Whitford: There's actually a possibility that some of those funds will be returned to the reserve. Depending on Motorola.

Sheriff Gerace: It's possible.

Legislator Whitford: I'm just saying, if it stays the way – by your assumptions, if it stays that way, this is what we need to do but there is a possibility that it could be different than your assumption and the funds, they wouldn't naturally be returned?

Ms. Crow: Then we would not spend the total of the appropriation in the adjustments would go back to the reserve, yes.

Chairman Wendel: So the original \$336,000 has already been figured in to the \$752,000, correct?

Ms. Crow: That is a separate account. That is the reserve balance.

Legislator Niebel: That is the wireless.

Chairman Wendel: O.k., I understand now.

Legislator Niebel: P.J., if you need a motion to amend, I will make the motion.

Chairman Wendel: So the motion is to amend –

Legislator Niebel: To take the money out of the wireless account as opposed to the reserve for capital.

Legislator Tarbrake: I will second that.

Ms. Crow: Can I maybe clarify a little bit just for your record that you would increase the appropriation, reserve for capital of the \$336,192 and then the balance would be appropriated fund balance from the wireless reserve and we'll provide the written amendment to the Clerk after the meeting.

Chairman Wendel: So \$336,000 will come out of the emergency communication and the remaining balance will come out of the wireless?

Ms. Crow: Correct. It will only change this section where it says the increase use of fund balance, it will just increase that with the other RESOLVED's on the bottom, amendments would be the same.

Legislator Niebel: So the \$631,598 figure stays the same?

Mrs. Dennison: In the bottom –

Legislator Niebel: Yeah, as far as the bottom line.

Mrs. Dennison: Yes.

Chairman Wendel: O.k., so we'll vote on the second amendment. All those in favor?

Unanimously Carried

Chairman Wendel: Now on the resolution as amended?

Unanimously Carried

Proposed Resolution – Reallocating Salary Grade for Communications Systems Coordinator

Mr. Porpiglia: If I may with your permission, you have three resolutions and I'd like to give you an overview of all three, if that is o.k., to begin with and then we can talk about them individually. Will that be alright?

Chairman Wendel: Yes.

Mr. Porpiglia: Thank you. So personnel in the Sheriff's office, many of the people operate the capital money you were just discussing, implementation and maintaining equipment and services, Human Resources has had a very difficult time over the last several years in recruitment of these positions on behalf of the Sheriff. And sometimes we have had success in recruiting, we've had difficulty retaining. So you can appreciate that over time the technology needs have really evolved in a much more requirement of the past radio technicians and now we have reclassified these positions and retitled them to Communication Technicians and Communication Technician trainee, etc.. to reflect the higher level work that they are doing. It is very similar to what we did years ago on the onset of the computer age back to the Y2K years where we modernized our titles. So we did the modernization of titles and we're here to ask you to reallocate some of those salaries to reflect that level of duty so that we can recruit. What we have done is, we've looked at all the titles and one of the titles that is not in the resolution is a trainee title that we're going to call Communication Technician trainee. The reason I want to give you this overview is because we think that we have come up with a plan where we can have the Sheriff's office recruit and retain people over time. It may not happen immediately, we have some very good people that are there now that we would like to retain but we would like to have the Sheriff's office, grow their own and keep them and retain them and show a progression of opportunity for the future. So we have a trainee title that we are incorporating. We're putting in a Communication Technician trainee. That will evolve and our trainee titles, you serve in that title for one year by our civil service rules and then you evolve into a higher title so it's an opportunity to attract someone who may not have all the qualifications but you get them on site, get them trained, keep them interested, and they would again, hopefully, we would keep them retained because they would be attracted with an opportunity for a higher level grade. That higher level grade we're asking you to look at is a Communication Technician. A trainee is going to be at a Grade 12, we're asking you to reallocate the technician title that was currently the Radio Technician, Grade 13, and we're asking you to consider Grade 14 for that.

The next title which falls in line of promotion would be the Senior Communication Technician. Currently it's a Radio Officer, Grade 15 and we're asking you to look at a Grade 17 for that title. Then the last title which is the first one in your resolution list is the Communication Systems Coordinator. We're asking that to go from a Grade 18 to a Grade 21. Now in each of these titles, we have looked at the market, looked at our competition, if you will, and we feel comfortable with the reallocation requests that we are making at this time. It also fits very well into the rest of our classifications in the County. The Grade 17 which comes with some supervisory responsibilities is parallel to the Sheriff's office Supervisors whether it be a Correction Officer titles in the Jail or with the Police and Emergency Dispatch Supervisors. As a matter of fact, that is one that you just approved last month. So from an organization standpoint, the 17 fits with the supervision. The project coordinator is a little bit of a different animal, if you will, because of the responsibilities and the technology that's been advanced. We didn't really

find this position in the market place to compete with but we did compare it to our other technology positions in Information Technology Department and it really is equivalent to our System Analyst title there which is a Grade 21. They do very similar work we feel at a parity situation that this would be a – again, giving you the backup for the reasoning of the 21. So, that is my overview, trying to give you that this is not a cherry picking shoot from the hip. We're trying to come up with a plan here for this technology that we feel is going to have some long standing value to it. That being said, I don't know if the Sheriff wants to add the program itself.

Sheriff Gerace: These individuals are very highly technical area which radios are computers now. The tubes and what have you are in the past. The requirements are so high, we could not get people to either take the entry level job or get someone qualified to take the highest level job which at the time in the Tech Service Division was Radio Officer which is really an antiquated title anyway. It goes back to – honestly, probably back to the 50's here. So, we tried to get someone from the private sector who had all the qualifications required and they just flatly said, you don't pay enough. I'm not interested. We've had an open position for, I think that it's going on two years that we can't fill and it has an impact on all public safety. Our installations for the fire services, for CARTS, EMS, and Emergency Services. They are maintaining that the computer microwaves or the County's radio microwave system as well as, obviously the new radio system but, much more than that. Surveillance cameras for GOB and HRC and even Graf and the South County Office Building, all that stuff, they are on the end of. So this puts us in a better situation not only from a perspective of moving up the ladder within but also being more competitive to try to be able to retain people and recruit people. Right now when they look at the pay, people turn us down and go to the private sector. We've had several people, as Mr. Porpiglia said, come and go because they weren't being paid enough.

Legislator Tarbrake: Does this involve more training Joe? What is the advantage of the new –

Sheriff Gerace: Well, the titles aren't really – we did change some of the criteria because it was antiquated. For instance, some of them required FCC licenses or you get someone who goes out and gets a FCC license, they want to be paid more. So we made some modifications there. Mr. Westphal worked very diligently on the job titles so we tried to make them so they're more seamless going from one to the next. Matt Trusso is currently, his title is Project Coordinator Communications and he would be retitled as the Communication Systems Coordinator. There is a guy who could easily walk into the private sector. They have tried to head hunt him. I don't think that there aren't many vendors that haven't come here and tried to head hunt Matt Trusso away from us.

Under Sheriff Holder: He's been there for quite a few years.

Sheriff Gerace: He's got to be 30 plus years that he's been with us. And when he decides to retire, we have to be able to attract a candidate with similar quality.

Mr. Porpiglia: Last time we recruited and gave the test, we had 5 approved applicants and as the Sheriff mentioned, under that pool, I think we may have hired one or maybe offered and they rejected based on salary.

Legislator Bankoski: When you make these proposed changes in their salary grades do you have money for those?

Sheriff Gerace: I am glad that you asked that question. Yes, good question. The change for Matt's position is very minimal, really minor. His salary is paid for about 75% of it is paid for through a grant so that impact is very low. The position of Radio Officer in a sense, we are eliminating because Matt is moving to the oversight where he was kind of standalone. We had the Tech Services Division without a Radio Officer, we couldn't find one. No one inside currently wanted that job. And the outsiders that we tried to bring in didn't want it because of the money. They just said, no way we're going to do that. So, that job is going away and we're bringing a trainee down to Grade 8. It will go to 12 but that far covers, exceeds the cost of what the additional upgrade would be. We did budget Matt's position at 22 in the 17' budget so we actually budgeted higher than this would go to. But, the others we did not put in the 2017 budget. This is how long we have been trying to do this. We put them in the 2016.

Mr. Porpiglia: I believe the hard dollar difference, if I figured right, is about \$300. That would be the 25% of Matt's.

Sheriff Gerace: So we're losing the high end position, Radio Officer, and bringing in a trainee and that person will become a Communication Technician after a year. It's a year appointed, after appointment off a list.

Chairman Wendel: So this department would essentially have these three employees.

Sheriff Gerace: There is five total. There is Matt, Dave Barkowiak, who is a Senior Radio Technician now, then you have Eric Carlstrom, Keith Schmidt, and then a trainee position.

Legislator Whitford: Joe, this (*inaudible*) came up with to alleviate your recruitment and retention? I mean, these are collective bargaining employees, right?

Mr. Porpiglia: Correct.

Legislator Whitford: So these are subject to that (*inaudible*) even after this approval.

Mr. Porpiglia: Yes, they would be put on the CSEA 6300 Unit salary schedule and then any adjustments that you would make to that apply.

Sheriff Gerace: We can never be certain but it's definitely going to help.

Legislator Niebel: I'm not so concerned about the grants because the grants come and go and once the grants go, we're left with these positions and we're left with the County funding these with local share. But look, having said that I did have a chance to talk to Mr. Porpiglia yesterday and he did explain to me that a lot of things have changed since I've been in County government. With these three positions, we're talking about a higher level of sophistication. Micro processing computers, GPS, I was shocked to learn that vacuum tubes are out, we don't have vacuum tubes anymore. So I think that these changes are warranted. Ordinarily I'm not in

favor of just upgrades in general but I think some thought has gone into these, some research so I will defer to Human Services in Sherriff's Department and I will be voting for all three of these upgrades.

Sheriff Gerace: Just for a point of clarification. The only grant funded is Matt's job. Out of all of these, Matt Trusso, his Inoperable Radio Communications Specialist, that is another title that he carries, he's eligible to apply for a State grant to help offset the cost of his. That is the only position.

Legislator Niebel: O.k., that is just one but the other ones, its local share.

Sheriff Gerace: Correct.

Legislator Niebel: I think that the Legislature does have to be careful about upgrades but in this particular instance, in order to compete with the private sector and based on what you guys have said, I do think these are warranted.

Chairman Wendel: Any further questions?

Unanimously Carried

Proposed Resolution – Reallocating Salary Grade for Communication Technician

Chairman Wendel: This goes from a grade 13 to a 14. All those in favor?

Unanimously Carried

Proposed Resolution – Reallocating Salary Grade for Senior Communication Technician

Chairman Wendel: This is from a grade 15 to a grade 17. All those in favor?

Unanimously Carried

Proposed Resolution – Adjust Accounts for Jail Health Services

Sheriff Gerace: As we have discussed during budget deliberations, I think that is when we first started to discuss it, we are in the process of transferring the health services for the Jail from the Sheriff's Office to HHS, is that the appropriate terminology?

Mrs. Schuyler: Yes.

Sheriff Gerace: This involves moving people from one agency to another but also taking the money that's allocated and appropriated to my budget and shifting it into Christine's budget so she can provide the health services for the jail which would be the nursing, the nurse practitioner, is that the title, and the physician, dentistry, everything in the whole – all the health

services moving from us to HHS. That total is \$1,192,000. Maybe you can speak to why we are doing this.

Mrs. Schuyler: I think between Human Services Committee and our committee, Justice Coordinating Council and various other venues that we've been out, we've talked at length about medical and mental health needs at the County Jail. They are very comprehensive. My eyes have been open even further since we've started getting involved in there. There are a lot of very chronically ill inmates. A (*inaudible*) care needs as well as chronic needs and this is by no means in any disregard to the Sheriff and what he's been able to do to date with Jail house services, but to be very honest, these are health services and really should be, I feel, be administered by someone who has the health care knowledge and the system knowledge. We do think eventually we'll be able to have some economies of scale with our contracting and our services that we're able to provide but mainly because I think we'll be able to do some preventive work over there. We'll improve the health of the inmates while they are there which will lead to lower recidivism and better health care outcomes on the outside as well as social outcomes. Another part of that is actually looking at similar diversion programs and alternatives to incarceration. I've been very dismayed as recently as these last few days with some of the critically ill inmates that are being sentenced to County jail, or sent there with no bail and it's totally inappropriate. At times in health care we talk about the inappropriate use of the emergency department and how that cost the system so much money. We're talking about the inappropriate use of County jail facilities and that is a tremendous cost to local taxpayers and its such hard care no matter how you look at it for patients. They don't deserve that. So, we really think that we're going to be able to provide a comprehensive effort to really improve the health and the well-being and safety of the inmates as well as the staff who is working over there. You will see that we are request use of some of the fund balance that is because the jail has not been staffed appropriately. We have got recommendations and mandates from the Commission of Corrections. Those have not been able to be met yet. Because we have the health care knowledge and at times it does help when we're dealing with the Commission of Corrections people that are now coming in. We're talking nurse to nurse and because of that and understanding the scope of practice of license providers, they are allowing us to use license practical nurses in our model which has never been used before in the County Jail and I can understand why not. If you don't have someone who doesn't understand scope of practice then you are going to get yourself in a whole lot of trouble with (*inaudible*) professions and you put people at risk for losing their license to practice. Whether it's a Licensed Practical Nurse, (LPN), a Registered Nurse, Nurse Practitioner, Physician Assistant or a Physician. So having said that, the LPN can bring a whole another element of care at a lower cost than what we have been able to have before. We have some current scrutiny going on for the passing of medications in the correctional system but is soon going to be looked at by the State and what they determine here, I feel will set a precedent across the State. Personally as a Licensed Nurse, I do have concerns with correctional officers passing medications in the way that it happens now and it's costly. I think there is a lot of waste that goes on and not on purpose. It's just the way it happens. So, while we are asking for the unassigned fund balance to be used, to help us support the additional FTE's that we are requesting. The staffing pattern to cover the Jail from 6:30 in the morning to 10:00 at night, seven days a week, including holidays, we're looking at 4 full time registered nurses, 2 part time registered nurses, 2 full time LPN's, 2 part time LPN's, and one full time health aid along with a half time nurse practitioner and a .1 FTE of a physician. In the past, there were contracts for the Medical Director as well as Physician

Assistant service of those are no longer contracted and it's now employees. But that model is really comprehensive in the last to cover shifts throughout the time period when we have to provide coverage. While, yes, we are asking for additional money in to the budget right now, I do think in the long run it's going to literally save millions of dollars in potential law suits and liability that we are facing right now at the Jail.

Legislator Bankoski: Do you foresee any problems with recruiting for these positions?

Mrs. Schuyler: That has already been an issue. Right now, the nursing market seems to cycle around. When I got out of nursing school back in 1990, there was a shortage and everybody was being signed bonuses and all that and we're there again. We're finding it very hard to compete with the private sector to find nurses.

Legislator Whitford: So you did need some adjustments (*inaudible*).

Mrs. Schuyler: For nurse practitioner, so we're set there. The resignation that I received was rescinded so we do have a provider in place but we're all scrambling to find nurses. We'll see how it goes and that is one thing as far as the budget impacts. This is what we'll be recruiting for. We're not fully staffed right now so there will be a lag before we can get us to where we need to be but the Commission of Corrections is breathing down our neck very hard to get (*inaudible*) to get where we need to be so we'll be doing the best we can.

Legislator Tarbrake: How do the other counties compare?

Sheriff Gerace: There is a mixture of different models. I would say the majority of Sheriff's provide services within like we have been doing. When County Executive Horrigan brought this concept to me and I'm sure that Christine was involved in that, but, I said, I'm totally open to it because it gives a better opportunity for us, I believe. But, you have models like ours who are struggling to manage an area that we're not experts in. You have Sheriff offices that contract to a third party provider who is private which I would refuse to do because of some of the horror stories I have heard about those. Then you have some counties that have done what we're proposing. I think that it makes the most sense for us for a lot of reasons and I welcome the concept with open arms if we can improve the services provided and have some savings hopefully in the future.

Legislator Tarbrake: If there is better health in the jail, does that come back around and eventually save you money as far as rehabilitating and it may – getting them out – I mean, that sounds simple but how does that work?

Sheriff Gerace: I think the continuity of care that Christine explained to me and I don't want to speak for you but you have some of these continuum of care, they have some of these folks already they are dealing with. You come into the jail, now we have a new provider, and when they leave the jail, they are back again. So, could we improve their overall health? Absolutely. We see some very, very sick people. In fact, we have two inpatient inmates right now in the hospital that are seriously ill. So, back to your original question, it's not uncommon, there's not a majority of Sheriff's that do what we are proposing because one of the reasons even

though HHS would be providing, I'm still responsible in the eyes of the State Commission of Corrections. If we, in the shortcoming, they were going to cite us and then we have to work it out with our provider.

Mrs. Schuyler: We'd be looking because of the wide scope that we have in Health & Human Services, making sure that inmates are hooked up with a primary care provider before they leave the jail, that their special care needs are met and that they also have what they need in order for their Medicaid to be turned on when they are released. We have a little more power when it comes to negotiating for rates, contracting for services. This also includes a contract for a psychiatrist that provides the service at the Jail. I'll be meeting with Dr. Bossi(?), if this is approved by the Legislature because I also have concerns about the provision of Mental Health services at the jail as well and how we can help to amplify that and work more closely with medical. For instance, the State requires that medical records be kept together. That's not always happen to be the case. We really have to streamline our medical record system and that includes then communicating with the outside, meaning the primary care providers and the labs and that that are out there, we already do that. We need to get those systems put into the jail and that alone will help to decrease the cost when inmates are released. They are going back into our own communities. The healthier they are, the better and if they have a primary care doctor or they have a mental health provider on the outside, so often this jail is being inappropriately used, as a medical facility, as a mental health facility, and we need to stop that. Whatever we can provide to people while they are there and we have them, is what we'll do. For instance, family planning. We have to have reproductive health care while we have people in jail. It only makes sense that we do what we can to stem communicable diseases and sexual transmitted diseases and the risk of unplanned pregnancies now within the jail population. Because on the outside that is going to cost us a whole lot more. Not just in dollars but in the toll that it takes on society. What we see on these children down the road.

Chairman Wendel: Any other discussion on the matter?

Legislator Niebel: Mr. Chairman, look guys, I understand the program, I understand the objective, but, I am concerned with taking \$160,000 out of the unassigned fund balance. That is a lot of money. How do we justify that Christine? You touched on law suits, are you thinking this will decrease law suits somehow by having this program? Because the law suits that we had, haven't been health related. They've been more personnel related, haven't they or have we had some that (*cross talk*)..

Chairman Wendel: In executive session last year they discussed that. We have one ending and potentially another one.

Legislator Niebel: I do recall that.

Mrs. Schuyler: A comprehensive health and mental health program within the County jail, I feel very confident to say that it would decrease the County's liability.

Legislator Niebel: It's substantial?

Mrs. Schuyler: Yes. When you look at the risk that's involved in providing jail medical services and the inability to provide the appropriately, the risk and liability for the County is tremendous. This is probably one of the biggest areas of risk when you talk about health services. We talk about that with CPS and Child Welfare and the risk and liability that we have when we are out there. This is what you are facing when you are at the jail. If you had the Commissions of Corrections coming in and citing you and giving you a list of recommendations and then they are not followed, and something bad happens to an inmate, you have absolutely nothing to stand on. Then you are talking about multi-million dollar law suits.

Chairman Wendel: We have a situation that we're in right now, isn't it? The sad part about this Terry and I understand what you are saying, the jail is mandated, staffing levels that we have been providing is adequate, our hands are tied. It is mandated by the State, we really – I wish that there was something else, but you are right, I mean, it seems that every time we come before the committee, there is another increase to the jail but it is mandated by the State.

Mrs. Schuyler: I'm hoping it's short-term but hoping in the long-term ...

Chairman Wendel: I agree, I don't disagree that in the long-term it's going to benefit but you are stating the (*inaudible*) we have, have to make changes, they have to be done. There is nothing that we can do.

Mrs. Schuyler: When we first talked about this during the budget hearings and our willingness to work together to try and improve what was going on in the County jail, I came to the table willing but only if I have the resources to be able to do this correctly because right now, I'm going to have my neck and the necks of all of my licensed staff out there if this does not go well. So, I'm always committed to being a team player and working together and try and do what we can to improve outcomes wherever we can but we have to be able to have the resources to do this right because I tell you, that is a scary place over there when you really see what is going on with the health and mental health of the inmates.

Sheriff Gerace: We don't get sent the prime citizens of the County. They are not taking care of themselves. A lot of them have dependency issues and one of the advantages that I see and by no means am I promising that this will help but there is a potential having appropriate nursing staff, 7 days a week, most of the waking hours of the inmates day, that we can help reduce overtime because of the simple fact of, if an inmate comes in as we speak right now and scores high on the screening – so for instance they come in with an opiate addiction, they are going to have to be split into constant watch until we can get them seen my medical. And that constant watch means somebody has to watch them one on one so we're hoping that the medically initiative constant watch is what will be reduced by better staffing Money is what it is. We put forth the best product that we could put forth with the money available to us and our ability to recruit people that want to work in the jail. For years and years, and years, our fee for doctors, no body responded to the RFP. Now we use physician assistants, they are no longer interested in contracting with the jail. We don't have a lot of options.

Legislator Niebel: Just where I am coming from is as we look ahead to the rest of this year and even in 2018, we're getting in less tax revenue. NRG is something that comes to mind

quite readily. Usually we get like \$1.5 million dollars in tax revenue from NRG. This year it's \$225,000. In future years, it's \$78,900, so in order to make up for some of those tax reductions with some of our business, we're going to have to take money out of the unassigned fund balance. So every time somebody comes and asks for money out of that unassigned fund balance, that is going to affect our tax rate. That is where I am coming from. But look, you guys have presented I think a worth-while argument. It looks like long term we should recoup this \$160,000 and that is long-term. I will vote for this resolution.

Mrs. Schuyler: Thank you and with all due respect, the Sheriff and I have discussed at great length, counties are mandated to provide jail services so it's something that we don't have an option to say well, we're just not going to do this anymore so we need to do it better so that we can decrease the cost.

Chairman Wendel: Any other questions or discussion?

Mrs. Dennison: We had proposed a minor adjustment to the resolution. A couple of words. In the 2nd to the last WHEREAS clause, it originally said jail "account" and it should be from the jail "department" to a new department under the Health Department because we are moving budgets from more than one account. We're changing it from the jail department.

Chairman Wendel: Do we have a motion on the amendment?

Legislator Whitford: So moved.

Legislator Niebel: Second.

Chairman Wendel: All those in favor of the amendment?

Unanimously Carried

Chairman Wendel: On the resolution as amended: Any further discussion?

Unanimously Carried

Other

Chairman Wendel: Do we have anything else to come before the Public Safety Committee? If not, motion to adjourn.

MOVED by Legislator Bankoski, SECONDED by Legislator Tarbrake and duly carried the meeting was adjourned. (5:20 p.m.)

Respectfully submitted and transcribed,
Kathy K. Tampio, Clerk/Lori J. Foster, Deputy Clerk/Secretary to the Legislature