

Minutes

Public Safety Committee

December 9, 2020, 4:00 pm, Virtual Meeting via Zoom

Gerace Office Building, Mayville, NY

Members Present: Niebel, Bankoski, Pavlock, Hemmer, Whitford

Others: Tampio, Ames, Chagnon, Quattrone, Swan, Griffith, Dennison, G. Taylor

Chairman Niebel called the meeting to order at 4:04 p.m.

Approval of Minutes (11/10/20)

MOVED by Legislator Bankoski, SECONDED by Legislator Hemmer.

Unanimously Carried

Privilege of the Floor

Clerk Tampio: No, I don't believe there is Mr. Chairman and I have not received any comments from the public for the privilege of the floor.

Proposed Resolution - Amend 2020 Budget for Office of the Sheriff

Mrs. Swan: This is a pretty straightforward budget amendment. This is just to include any additional payroll allocations and contractual purchases that are associated with grants through the end of the year. Our best estimate of what our needs will be through December in order to make these things happen and as you can see, they are all covered by grant funding so there is revenue to offset the expenses.

Chairman Niebel: Increase in appropriation accounts are offset by increases in the revenue accounts.

Mrs. Swan: Correct.

Chairman Niebel: Committee, any questions of Jim or Jennifer?

Unanimously Carried

Proposed Resolution – Authorize Agreement with Town of Charlotte for Enhanced Police Protection Services FY21

Sheriff Quattrone: This resolution is a renewal of an agreement that we have with the Town of Charlotte for enhanced police protection. It is included in the .1 budget (*inaudible*), January 1 through December 31, 2021. Averages about 1 day a week.

Chairman Niebel: The hourly rate, \$43.08 is exactly the same as some of the other agreements that we have with the other towns?

Sheriff Quattrone: That's correct.

Chairman Niebel: The holiday rate is a little higher but that's standard.

Sheriff Quattrone: That is also correct.

Chairman Niebel: Any questions?

Unanimously Carried

Proposed Resolution – Authorize Agreement with Chautauqua Lake Central School District for Enhanced Police Protection Services FY21

Sheriff Quattrone: Similarly this resolution for special details up at Chautauqua Lake Central School, like the prom, homecoming. I'm not sure how much we'll be using that this year but it's also included in the 2021 budget and no amendment needed. And you'll notice the hourly rate is the same.

Chairman Niebel: There may or may not be a homecoming this year, huh?

Sheriff Quattrone: That is correct.

Chairman Niebel: Any questions?

Legislator Bankoski: Jim, if they don't have those events, there is no cost to them, correct?

Sheriff Quattrone: That's correct. They call us a week or two in advance if something is going on that they would like covered just as a precautionary.

Chairman Niebel: Bob, it's a service – I mean, we charge them for the event, if there is no event, we don't charge.

Legislator Bankoski: Just double checking, that's all.

Legislator Hemmer: Are these all part time officers that do this?

Sheriff Quattrone: (*Inaudible*) part time officers.

Chairman Niebel: All in favor?

Unanimously Carried

Proposed Resolution – Authorize Contracts and Agreements with Local Police Departments for 2021-2022 STOP-DWI Enforcement Efforts

Sheriff Quattrone: This resolution is another renewal. It's been done many years in a row. Based on money that we're receiving from different grant monies (*inaudible*) agreement with the different municipalities as well as Probation for DWI effort. It's in the budget with no amendment needed.

Chairman Niebel: Any questions?

Unanimously Carried

Chairman Niebel: Jim and Jen, can you stick around? We have a couple that are Emergency Service's resolutions that are coming up and then we'll take up your other resolution under "other". It should be a couple of minutes is all.

Proposed Resolution – Amend Emergency Services Appropriation Accounts for 2020 Budget

Mr. Griffith: This is for health insurance. It's something that we didn't have any control over when it came through and it just has to be adjusted before the end of the year to make it flow through as we close out the year 2020, along with everything else.

Chairman Niebel: Just to make it balance.

Mr. Griffith: Yes. Kathleen, I don't know if you have anything to add on that.

Mrs. Dennison: The only thing that I would add is that, the one thing that has happened during 2020 is we changed some of the positions for the fly car from part time to full time and we do our best to estimate the number of part timers that we need to exchange, if you will, for the full time positions. But as John mentioned, with the full timers, what they elect for health insurance is not entirely within our control so when we do those projections, there is some variability. Also, another factor that is affecting the fly car as well as a lot of departments, you'll see this as we go through the year end for other departments that are on the smaller size, like the fly car, is that, in the 2020 budget, at the time the budget was prepared, the contract did not allow for full payment of the high deductible for all employees and after the contract was ratified it does provide that for 2020. So all CSEA 6300 members have their deductible funded in 2020 and it was not budgeted that way. The budget assumed that only new hires would get the full payment of the deductible. But it is that way for all employees so that is another thing that is driving health insurance benefits to be over budget in a lot of the smaller departments. But fortunately the department has less expense than anticipated, especially in the billing service

category and that is why we can cover the increase in benefits with the decrease in the contractual costs.

Chairman Niebel: Very good Kathleen, thank you. Any other questions?

Legislator Pavlock: This is in regards to the account that the funds are being pulled out of. Is there a surplus in that account that it's being pulled from, the fly car and ambulance service?

Mrs. Dennison: There is currently. That particular account, the accounting services account and I'm pulling it up right now. This is through what has been charged today, that budget is \$121,000 and only \$52,000 has been expended so there is currently a surplus of almost \$69,000. Of course that will change as we get to the end of the year because we haven't recorded all the expenses but I'm relatively confident that that surplus will be close to the \$34,000. Also the contractual category has other accounts that are currently under budget but the billing services is the primary one. For the contractual classification over all, right now the surplus, well, there is another resolution coming that will address a different topic but as of today, the classification, it is under budget by \$69,000. So all the other things are kind of balancing each other out and it'd mostly, almost entirely due to the savings in the billing system, the accounting charges.

Chairman Niebel: Dan, you o.k., with that?

Legislator Pavlock: Yes, I just wanted to make sure that we weren't cutting ourselves short for the end of the year or time wise how things are pulled out of the account but I assumed that Kathleen had already thought of that so I just wanted to ask that.

Chairman Niebel: Any other questions?

Unanimously Carried

Proposed Resolution – Amend Emergency Services Budget for Vehicle Purchase Allocations and Sale of Surplus Vehicles

Mr. Griffith: This is the sale of the fly cars that we had previously. (*Inaudible*) Enterprise lease program and moves the monies back into the budget.

Legislator Bankoski: So John, are we turning in the vehicles that we have on a lease and getting new ones?

Mr. Griffith: We had already done that Mr. Bankoski and we got new ones. This is our first lease. These were vehicles that we owned and they had been sold through Auctions International.

Legislator Whitford: How long are these leases for? Is it just year by year?

Mr. Griffith: I guess I'm not sure. I believe that they are four year leases or they can be ended out earlier if the leasing company desires to do that in replacing new vehicles, capitalizing on the equity. I'll leave it to Kathleen.

Mrs. Dennison: What John said is completely correct. The leases are established with a four year term but each lease is evaluated each year Enterprise Fleet Management. If Enterprise finds that the resale value of that particular vehicle is high, they will grab it, sell it and give us a new lease. We recently did that or in the process of doing that several vehicles in DPF because they had been on lease for a year and we found that and I believe that it was 4 vehicles, but, the equity that we had accumulated in those leases over just one year, transmitted to a \$34,000 savings over 4 years which is kind of complicated but what happened is, we had leased the vehicles for a year, they were trucks and the resale market right now for used trucks is very hot so those trucks had a high resale value. So Enterprise said o.k., we're going to swap them out. We'll take your trucks, we'll sell them and if we can sell them for more value than you have accumulated in the lease, we will essentially rebate that back to you in a new lease over the next four years.

Legislator Whitford: O.k., so there is a benefit to both sides in that agreement?

Mrs. Dennison: Yes. With Emergency Services vehicles and John, correct me if I'm wrong, I don't think that they have been leased for a year yet.

Mr. Griffith: No. I think start of the second quarter, right around there is when we got them. I do not anticipate those vehicles – I anticipate those vehicles being turned over too. They are very nice Chevy Tahoe's, there is a good resale market for those units and I would assume those would turn over early. I don't think any will go four years and maybe I'm wrong, we'll see.

Legislator Whitford: Thank you.

Mrs. Dennison: The nice thing for the County is that we don't have to figure out whether we should turn in the vehicles. Essentially Enterprise comes to us and says, this is what we can do, do you want to do it or not? They do the work and let us make the decision and so far it's been a good arrangement.

Chairman Niebel: Any other questions?

Unanimously Carried

Other

Proposed Resolution - Authorize Execution of Livescan Equipment Grant Program FY20

Sheriff Quattrone: We were notified last week and unfortunately it didn't get to my desk until Tuesday but we were approved for a grant through the Division of Criminal Justice Services for our live scan equipment. Live scan is our electronic fingerprinting. The reason we have to update that is, New York State is changing the way that they acquire and save our

fingerprinting. We have to fingerprint everybody who goes into the Jail (*inaudible*) throughout the County so there's probably seven live scans in the County that all have to be updated. The grant is for \$105,000 from and (*inaudible*) matching from us, \$7,100 for instruments. Two of the live scans are coming to the Sheriff's office and the five will go to other departments within the County where they will be paying their matching part of that. The reason we are trying to get it pushed through is if we can order these instruments before the end of the year, it would save \$3,500 on each (*inaudible*), so I thought it was important that we get those savings and that was the reason for putting this through so quickly. The other nice thing is, we had a capital project to upgrade our software and get a server (*inaudible*) capital project for the matching funds (*inaudible*)..... Jennifer or Kathleen, did I miss anything?

Mrs. Swan: The only thing that I would (*inaudible*), is the savings that we're realizing on the quote that we have that's good through the end of the year, the additional funding would not be covered by grant money and that's why (*inaudible*) is so important to us. The grant is capped out at \$15,000 per unit and that is the amount that we're getting in the grant. So, if we were to (*inaudible*) higher expense for it, we would actually have to pay for it out of our operating budget. So, that's why the savings is so important to us because that could not be covered by grant money.

Chairman Niebel: The total funds involved are like \$179,200 but the grant is for \$105,000 and then the County's matching funds are \$74,200? Is that about correct?

Mrs. Swan: No, actually the total funds associated with this is actually \$154,000. The \$109,000 was a quote that did not include a discount. Initial application that we had submitted included a previous quote amount that was actually higher. So, the total costs, all in now, is \$154,700 and you will see the details in the resolution and that's what's broken out below.

Chairman Niebel: I thought I had read some place, one of the letters or correspondence that you had was \$179,200 was total. But that's changed now?

Mrs. Swan: Yes. When our head of I.T. filled out the application he had a quote that did not have a discount associated with it so those were the amounts that he used when he submitted the application but that has since gone down.

Chairman Niebel: So if we can get this resolution approved by the end of the year, we can save \$5,000 per unit or \$35,000 in all?

Sheriff Quattrone: Terry, it's actually \$3,500 per unit.

Mrs. Swan: I think it totals out to \$24,500 in savings.

Chairman Niebel: That's still significant. Thanks Jim and Jen. Any questions?

Mrs. Dennison: If I could just add a comment. The Sheriff touched on this but there is a lot of accounting language in this resolution and most of that is because we are transferring funds out of an existing capital project back into the operating fund in order to make the purchase in

the general fund. It is still a capital purchase so it meets all the requirements but it just so happens that it makes more sense to do that purchase in the operating fund.

Chairman Niebel: O.k., Kathy, so actually we're not going to vote on this because it hasn't been signed by the County Executive?

Clerk Tampio: Right.

Chairman Niebel: I'm just going to sign this so it goes onto Audit & Control for tomorrow.

Clerk Tampio: Yes, it will be brought up under "other" in Audit & Control anyways.

Chairman Niebel: Committee, are you o.k., with that? We just discussed this. We're not going to vote on it because it actually hasn't gone through all the channels yet.

Legislator Bankoski: Yea, you can send it forward and say that we're in support of it.

Chairman Niebel: O.k., that's what we'll do. Jim, if you are still there, I just want to compliment you on a recent article that was in the paper either last week or the week before respecting individual rights. Look, I agree that the Executive order that came down from the Governor is unenforceable. You may be able to request people to observe the 10 person limit for gatherings, but really, you can't arrest anybody or cite anybody so what I may do is, I may put together a motion in support of your position. I'll see if I can get that together for next week but I think it would be nice if the Legislature at least goes on record as supporting your position.

Sheriff Quattrone: Thank you and I just want to make sure people know that as far as (*inaudible*) position legally, I still want to encourage everybody to continue to be safe and practice whatever safety we can and if they can limit their gathering, I would still encourage that. I know the Quattrone family continue to cut down our family gatherings of 50 or 60 so, we keep it to just the immediate family right now and I would continue to encourage that. The big reason I was actually contacted by the media on that and wanted to make sure – we didn't want to overwhelm the emergency responder with having to respond to calls on that. Just kind of on that note, I'd like to take the opportunity to share real quick. I want to update the Public Safety on what is going on in the Jail with the COVID testing. Last week, we tested every inmate, 195 inmates and we had 39 confirmed cases of COVID. Today we retested all those that tested negative last week, so 126 inmates were tested today and unfortunately we have 27 positive cases again. We tested 33 staff today and we had 3 positive tests. So that brings up to 11 staff that are positive. We've been working closely with Public Health and Emergency Services and our medical directors who work with them to stop the spread in the Jail but as Mr. Bankoski knows, it's a little difficult in a setting like that but we continue to do that. We were starting to get a little worried because of the medical nursing staff is dangerously low now and starting to lose our CO's (*inaudible*) a little dangerous at this point.

Legislator Bankoski: Have you cancelled visits?

Sheriff Quattrone: Yes. We actually haven't had one person visits for quite some time, I think April. The true likelihood is, even from an asymptomatic staff member, we've been quarantining any inmates that come in for 14 days before we put them out into the units. So, that's likely the culprit and I think that's likely the culprit in most institutional settings.

Chairman Niebel: O.k., any other questions for the Sheriff or John, or Kathleen or anybody that's listening in?

Legislator Bankoski: I just have one other question for Jim. Being the Highway Superintendent in Silver Creek and also being a Legislator, I was approached about the cost for police coverage in the Village of Silver Creek. They seem to think the rate went up substantially from last year to this year.

Sheriff Quattrone: Yes it did. That is because that's the actual cost calculated versus – I can't answer why it was so low in the past to be honest with you. This is based on what our cost is to provide those services.

Legislator Bankoski: O.k.

Sheriff Quattrone: I had reached out to Mr. Harmon, the Legislator up there, not being able to meet at this point, but we want to meet and talk about it. We understand the shock that would come across. Our big concern was, if we got tied into that contract at the greatly rate and then we end up having to make cuts, we're going to have to make cuts in other areas of the County also so we wanted to try and keep that as reasonable as possible and we're still trying to find ways to work with the Village and the Town.

Legislator Pavlock: I just want to comment too on the motion that you would like to put forward. I would be in support of that to support the Sheriff moving forward and I appreciate his candor in that situation, topic. It is important that people try to be safe and limit their social gatherings and I agree, it would be difficult to enforce. Just another question for the Sheriff that you touched on, you found a few areas where you've actually been undercharging for some of these different contracts. I know last year you looked at the school resource officers and you realized you were short on all those. Do you look at these as they come forward when they renew, is that how you determine – how do you find those errors? There is probably more out there. Do you just look at them when they come forward or is it something you kind of randomly look at once in a while?

Sheriff Quattrone: Mrs. Swan has been evaluating all of our contracts making sure we have the proper funding for that. That's really how it came about. It may have started, likely with the SRO's but realizing some of the schools, actually one of the schools is probably paying right along what the actual costs were. The other ones were at a greatly reduced rate. That's why we're evaluating all those. Just making sure there are true costs involved. I'm not sure where the numbers came from before.

Chairman Niebel: If I could add to that. Dan, when we did that exercise, if you will, where we prioritized, asked the departments to prioritize their services, I think this is something

that Sheriff Quattrone and the Under Sheriff and Jennifer, they looked at the services they were providing and they saw that some of these services they weren't charging as much as they should be. So, that list of prioritized services that we did earlier this year, I think did have some benefit.

Mrs. Dennison: I just want to offer a comment for the benefit of the committee having worked for the – done a lot of finance arrangements for the prior Sheriff's administration. A lot of those contracts were based on entry level deputies for the work. I think in an effort to- I mean that was the intention to use the entry level deputies as much as possible for certain contracts but also they were priced on the low side for the benefit of the other communities. Though that was kind of Sheriff Gerace's approach to it that he wanted to try and do the best he could for the other communities but obviously that puts the County in not the best situation to be subsidizing the other communities.

Chairman Niebel: It was kind of a shared services thing Kathleen and the County came out a little bit on the short end.

Mrs. Dennison: Yea, sharing a little bit more than its share.

Chairman Niebel: Exactly. Committee, any other questions of Jim, Jen, John, Kathleen, or Kathy? Kathy, I will sign that resolution for the Sheriff's Department so it can be forwarded to Audit & Control.

Clerk Tampio: It will be brought up anyway Terry and you'll be there tomorrow morning also.

Chairman Niebel: I will and I can address that then. Any further questions?

MOVED by Legislator Bankoski, SECONDED by Legislator Pavlock to adjourn.

Unanimously Carried (4:37 p.m.)

Respectfully Submitted and Transcribed,
Kathy Tampio, Clerk/ Olivia Ames, Deputy Clerk/ Lori J. Foster, Sr. Stenographer