

Minutes

Public Safety Committee

May 19, 2021, 4:00 pm, Virtual Meeting via Zoom

Gerace Office Building, Mayville, NY

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

Others: Tampio, Ames, Quattrone, Swan, Chagnon, Dennison, Contiguglia, Telford, Schmidt, Guttman

Chairman Niebel called the meeting to order at 4:01 p.m.

Approval of Minutes (4/21/21)

MOVED by Legislator Bankoski, SECONDED by Legislator Whitford.

Unanimously Carried

Privilege of the Floor

Clerk Tampio: It doesn't look like anyone is here for the privilege of the floor and we haven't received any communications either.

Proposed Resolution – Amend 2021 Budget – District Attorney

Mr. Schmidt: Good afternoon, Jason Schmidt here and I also have my assistant Madeline Contiguglia. The concern here is that we're asking for an amendment to adjust our budget which was approved last year for 2021. The adopted budget contains revenue that was consistent with a grant that the District Attorney's office actually did not receive. The actual amount that we're out is \$52,850. We're asking for certain changes in our 2021 adopted budget based upon the lack of funding that wasn't secured. We can have a conversation now or another time as to what happened here. It predated my or Maddie's being here in the office. Those individuals responsible for it here are no longer with us. So, that's our situation which has led us to present the resolution.

Chairman Niebel: This is a grant that you have had in the past, just for whatever reason it wasn't awarded this year?

Mr. Schmidt: It was an application deadline in October that was missed.

Chairman Niebel: Committee, any questions of Jason on this proposed resolution?

Legislator Hemmer: Are you taking a pay cut?

Chairman Niebel: It doesn't sound like it might have been his fault. It's just one of those things that happened. It's unfortunate because this was a nice grant. It provided for assistance to women who were victims of violent crime, as I recall.

Mr. Schmidt: That is correct and paid for partial salary to an Assistant District Attorney and paid for other resources here in the DA's office. We made some adjustments on our side to deal with that lack of revenue. We actually got rid of couple of the attorney's in the office because we recognize that the courts were closed and we could survive that way. We do anticipate that there will be another conversation to show how we tried to take steps to mitigate those losses. Also I need to mention that Sheriff Quattrone was very helpful to us because part of that funding goes to the Sheriff's office in order to pay for the salary of an investigator who then provides services and is assigned to the District Attorney's office. Sheriff Quattrone was kind enough to keep that person on payroll for as long as he could tolerate and we are making arrangements with the Sheriff to recapture that employee under our payroll but we do appreciate what the Sheriff has done to assist us through this difficult time.

Legislator Bankoski: That Sheriff, he's a pretty nice guy, ain't he?

Mr. Schmidt: He's o.k.

Chairman Niebel: I'm glad that you guys are working together. This is pretty important subject, violence against women so whatever you guys can do to work together to make things happen as far as this particular subject is concerned, is good.

Mrs. Dennison: I just want to make a comment to follow-up on what DA Schmidt said is that there is a budget is 2021 in the District Attorney and also a portion in the Sheriff's organization associated with this grant. So this resolution just adjusts the revenues and expenditures in the DA's office. *(Cross talk)* Sheriff's office and they will be preparing second resolution to amend the budget so the portion *(cross talk)*.....

Chairman Niebel: Kathleen, so this just addresses the District Attorney portion?

Mrs. Dennison: Correct.

Chairman Niebel: Any further questions? All those in favor?

Unanimously Carried

Proposed Resolution – Authorize Execution of New York State Office of Homeland Security and Emergency Services Grant for Explosive Detection Canine Team FY19

Sheriff Quattrone: This is a grant (*inaudible*) to help cover supplies (*inaudible*) for \$15,000 and we're looking to amend the budget in the appropriation account, Sheriff grants, \$15,000 and also increase the revenue from Federal aid.

Chairman Niebel: O.k., and Jim, this grant goes from April 1, 2021 to August 31, 2022?

Sheriff Quattrone: That is correct.

Chairman Niebel: Any questions of Jim on this resolution?

Legislator Hemmer: I assume this is a small portion of the cost of the K-9 unit. This is not the whole cost of it.

Sheriff Quattrone: No, it is not. (*Inaudible*)

Chairman Niebel: John, are you all set on that?

Legislator Hemmer: Yes.

Chairman Niebel: Committee, any further questions?

Unanimously Carried

Proposed Resolution – Authorize Execution of New York State Office of Homeland Security and Emergency Services Grant for Bomb Squad Initiative Program FY19

Sheriff Quattrone: This is another Homeland Security grant for the bomb squad initiatives. If Jennifer will help me explain to you the finances of this. It's a grant that I don't believe that we got last year (*inaudible*) so we're asking for an increase in our appropriation of \$72,500 and an increase in revenue of \$72,500. I should have added, the last grant (*inaudible*) no local funding.

Chairman Niebel: Any questions of Jim on this? The grant period is actually from April 1, 2021 to August 31, 2022, roughly 16 months. Eight months, more or less, would apply to 2021, 8 months to 2022. Just a question for either you or Jennifer or Kathleen, why are we accounting for \$72,500 which is about 90% of this grant, why are we accounting for that in 2021? I mean, it seems like an awful high percentage.

Mrs. Swan: If I could explain that, those monies are primarily going to be for supplies and equipment. Typically with these funds we do tend to get back fill and there really isn't any back fill on this particular grant in this funding year. The only reason we're holding over the additional \$2,500 that we accept the full grant amount is the fact that we won't be needing that until next year due to the fact that the last funding (*inaudible*) grant is still in place and we can utilize the rest of that and we will not need that last \$2,500 of this new grant until 2022.

Chairman Niebel: So mostly it's for, what did you say, supplies and equipment?

Mrs. Swan: Yes.

Chairman Niebel: You are going to buy those this year in 2021 as opposed to next year in 2022?

Mrs. Swan: Correct.

Chairman Niebel: As least the majority of them.

Mrs. Swan: Yes.

Chairman Niebel: Any questions?

Unanimously Carried

Proposed Resolution – Amend 2021 Budget for Office of the Sheriff

Sheriff Quattrone: This is to amend our equipment budget by \$10,395 and increase the revenue account with the same amount which is fines and forfeitures and this is to purchase (*inaudible*) for the guys (*inaudible*)....

Chairman Niebel: Jim, I didn't hear that, to purchase what?

Sheriff Quattrone: To purchase some ballistic vests for the deputies. There is a (*inaudible*), they expire after 5 years on the (*inaudible*) and ours are about 10 years old.

Chairman Niebel: Kevlar vests?

Sheriff Quattrone: Correct.

Chairman Niebel: O.k., committee, any questions of Jim or Jen on this one?

Mrs. Dennison: I just noticed a small typo in the resolution. The increase revenue account, it says, A.3110.----R262, there should be a period between the dashes and the "R", so I apologize for missing that earlier but if the legislative staff could add that, that would be terrific.

Chairman Niebel: Kathleen, I think we can treat it as a typo not as a –

Mrs. Dennison: I hope so.

Chairman Niebel: Any questions? I do have a question. Jim, on these ballistic vests, I don't think and I'd have to go back to the 2021 budget, but I don't think that we budgeted anything for equipment this past year for you guys, did we, in this account 3110?

Mrs. Swan: No we did not.

Chairman Niebel: Jen, I guess the only question I have is, as far as increasing the revenue account, fines and forfeitures, I believe that we might have had something like \$20,000 budgeted for this year. Kathleen, you and Jen could check that but if in fact we had \$20,000 budgeted and we increase it by \$10,000 that is a 50% increase. Look, this is yours and Jen's budget so I'm going to defer to you guys because you know more about the budget than I do but, we're talking about a 50% increase in fines and forfeitures. Are we reasonably confident that we'll make that?

Mrs. Swan: Yes, Mr. Chairman if I could speak to that. That particular revenue line is only used for reimbursement that we get from our other account, asset forfeiture and there are certain monthly charges that we reimburse ourselves for through that asset forfeiture account. That's what that \$20,000 accounts for, is the typical annual operation estimate. This \$10,395 is in additional to that. It's a onetime cost, it's a onetime purchase in this case so that's why we decided to increase that revenue line to increase the expense line and kind of flush that out because we assume the \$20,000 will be spoken for.

Chairman Niebel: The only reason I ask is because I think the last year that looked at this was 2019, we had a little less than \$20,000 that we received that year. So this is a significant increase but you think we'll hit \$30,000 in fines and forfeitures?

Mrs. Swan: Yes. Over the course of a typical year, \$20,000 is about average. That's about the correct amount.

Chairman Niebel: Understood.

Mrs. Swan: So since the additional \$10,395 will be for this one sole purchase, it will be in and done in one transaction.

Mrs. Dennison: If I could just add to what Jennifer is saying is that, and she's indicating that, the accounting for this item is kind of different. The Sheriff has seized assets account with cash in it which far exceeds the proposed \$30,000 budget. It kind of works like a trust account and so that money is in its own bank account and when the Sheriff buys (*inaudible*) authorize purchase from that fund, as Jennifer indicated, on the books they kind of reimburse themselves so they have to spend the money and then we put the revenue into their account. (*Inaudible*) revenue is a withdrawal from the existing asset forfeiture account. So that revenue, it corresponds to exactly what they spend. It's not money that they have to actually go out and earn. They've already earned it, it's in the asset forfeiture account, it's just a way of transferring it from that trust account onto the revenue in their current year accounting to cover any expenditures they make from that account.

Chairman Niebel: O.k., so it's more or less a trust account and quite frankly, I'll trust you guys. No problem. Committee, any other questions of Jen or Kathleen?

Unanimously Carried

Proposed Resolution – Authorize Agreement with Chautauqua-Cattaraugus Erie II BOCES
for Culinary Arts Instruction

Chairman Niebel: This is one that we have every year.

Sheriff Quattrone: That's correct. We've had this for several years. With our new *(inaudible)* they are implementing a more robust program to help train some of our inmates so when they get out hopefully they can find employment. *(Inaudible)* that's our goal but as the resolution states, BOCES has been there and have administered various education programs *(inaudible)*.

Chairman Niebel: Sounds like a good program. Any questions?

Legislator Hemmer: That will be good for all the restaurants that are searching for help right now.

Chairman Niebel: Exactly. Those in favor?

Unanimously Carried

Proposed Resolution – Authorize Agreement with Silver Creek Central School District for
School Resource Officer

Sheriff Quattrone: This is a renewal of the SRO program up at Silver Creek School *(inaudible)*. We have increased the rate to come closer to covering the costs of the program.

Chairman Niebel: I know what the cost was or what the resolution was last year. This is an increase so I assume we're covering all of our costs this year. Good for you guys and I'm glad that you were able to work out an agreement with Silver Creek. Any questions?

Legislator Bankoski: Is the officer going to be the same that was there?

Sheriff Quattrone: Yes, it will still be Deputy Wes Johnson will be staying there.

Legislator Bankoski: I do a lot of refereeing and stuff like that so I'm down there quite often and he really does a real nice job.

Sheriff Quattrone: He has an absolutely wonderful relationship with the school, *(inaudible)*, and students. He's an ideal SRO and one *(inaudible)* for all the work he does there.

Chairman Niebel: Bob, he is there to protect you when you blow a call.

Legislator Bankoski: I don't make any mistakes.

Chairman Niebel: There you go. Any further questions on this one?

Unanimously Carried

Proposed Resolution - Authorize Agreement with Town of Hanover for Enhanced Police Protection Services FY21

Sheriff Quattrone: This is the (*inaudible*) Silver Creek and then Silver Creek worked out something with Hanover to cover the second car (*inaudible*).... a year. Now they are going to switch that around and the contract will be with the Town of Hanover. With the reduction of services, they are just going to have one car year around.

Chairman Niebel: This is something you and Jen have been trying to work out with the Village and the Town of quite some time.

Sheriff Quattrone: That is correct. UnderSheriff Braley has been actually doing the bulk of the work since last July (*inaudible*) come to an agreement (*inaudible*)..

Chairman Niebel: Thank him on the County's behalf because I know a lot went into this. I was involved just a little bit and there were some major disagreements on this, especially on the part of the Village and Town. I'm glad that you guys were able to work through this and come to some sort of agreement. So thank you guys, all of you and Legislator Harmon too. He was involved and he did a lot of work on this as well. Any other questions on this resolution?

Unanimously Carried

Proposed Resolution – FY2019 Hazardous Materials Grant Program

Mr. Guttman: That is the Haz Mat regional grant that we are partnered with Chautauqua County, Cattaraugus County, and Alleghany Seneca Nation of Indians. It's a grant that we get from New York State that is used primarily for equipment to support the Haz Mat Team in that joint operation.

Chairman Niebel: And this is Noel?

Mr. Guttman: Yes it is.

Chairman Niebel: Any further questions of Noel on this resolution?

Unanimously Carried

Proposed Resolution - Authorize Agreement with Village of Lakewood for Purchase of Fuel

Mr. Guttman: A couple of years ago the Village of Lakewood did a joint fueling station with the Village of Lakewood and the Southwestern School District. That is currently about 200 feet from the fire hall where we keep our Medic 73 unit. Currently Medic 73 has to travel from Lakewood to Falconer to get fuel so this is just a little more efficient way to keeping that vehicle in this designated area and not having to (*inaudible*) just for the purpose of getting fuel.

Chairman Niebel: Saves time too.

Legislator Bankoski: Keep up the good work.

Chairman Niebel: Committee, any further question of Noel on this?

Unanimously Carried

Other

Local Law Intro. 2-21 – A Local Law Adoption a Pilot Youth Deer Hunting Program –
(Discussion only – no action taken)

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

Unanimously Carried (4:32 p.m.)

Respectfully submitted and transcribed,
Kathy K. Tampio, Clerk/Olivia Ames, Deputy Clerk/Lori J. Foster, Sr. Stenographer