

PUBLIC SAFETY AND LAW ENFORCEMENT COMMITTEE

March 5, 2015 – 9:15 a.m.

**Committee Members: Cora Edwards, Chair; Jonathan Rouis, Vice-Chair;
Cindy Kurpil Geiger, Kathy LaBuda, Alan Sorensen**

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATIONS:

1. Drug Task Force Update – Dr. Carlos Holden MD FACEP

RESOLUTIONS:

1. Calling on the Governor Andrew M. Cuomo and the State Legislature to plan for Next Generation 911 in New York State and create a New York State 911 Department that supports County Public Safety Answering Points and enhances local Emergency Dispatch Services.
2. Requiring updated Driver's License photos over a reasonable period of time.
3. Calling on the State to direct much needed State Funding to Probation and Alternatives to Incarceration in New York State.
4. To authorize County Manager to enter into a Memorandum of Agreement between the Sullivan County Department of Family Services and the District Attorney's Office to administer oversight of the Fraud Investigations Team and to continue the assignment of a District Attorney Investigator to the Family Violence Response Team.
5. To authorize preparation of a grant application under the New York State Division of Homeland Security & Emergency Services - Office of Interoperable and Emergency Communications Round #4 of the Statewide Interoperable Communications Grant (SICG) Program to facilitate the development, consolidation and /or improved operation of Public Safety Communications to support and enhance Statewide Interoperable Communications for First Responders.

REPORTS:

- **Update: Public Safety/Emergency Management** **Richard Martinkovic, Commissioner**
 - **Alex Rau** **E-911**
- **Update: Law Enforcement**
 - **District Attorney's Office** **Jim Farrell, District Attorney**
 - **Probation Department** **Jeffrey Mulinelli, Director**
 - **Sullivan County Sheriff's Office** **Michael A. Schiff, Sheriff**

OLD BUSINESS: None

DISCUSSIONS: None

PUBLIC COMMENT

RESOLUTION NO. INTRODUCED BY PUBLIC SAFETY AND LAW ENFORCEMENT COMMITTEE CALLING ON THE GOVERNOR ANDREW M. CUOMO AND THE STATE LEGISLATURE TO PLAN FOR NEXT GENERATION 911 IN NEW YORK STATE AND CREATE A NEW YORK STATE 911 DEPARTMENT THAT SUPPORTS COUNTY PUBLIC SAFETY ANSWERING POINTS AND ENHANCES LOCAL EMERGENCY DISPATCH SERVICES

WHEREAS, counties are the actual providers of 911 services in New York State, operating Public Safety Answering Points (PSAPs) that serve all residents in times of emergency by dispatching emergency medical, fire and police assistance, and

WHEREAS, counties continue to incur substantial costs to upgrade and maintain communications systems, as well as keep up to date with technological changes, and

WHEREAS, these changes are a fundamental shift toward an IP based 911 system that is commonly referred to as Next Generation 911; and

WHEREAS, NG 911 requires greater planning and investment on the part of local governments in order to keep pace with rapidly evolving consumer technologies, and

WHEREAS, New York State has done comparatively little to prepare for NG 911 and is facing significant risk in becoming a straggler in the deployment of NG 911 technologies, and

WHEREAS, a lag in planning and investment in NG 911 places New York's citizens at risk as they rely on a legacy 911 system that is rapidly becoming obsolete, and

WHEREAS, the NYS Public Service Commission (PSC) is undertaking a telecommunications study on 911 that requires the insight of public safety and 911 experts to relay relevant public safety information to the PSC as they make 911 related telecommunications decisions, and

WHEREAS, leadership from New York State is crucial to ensure success and to prevent future tragedies related to the 911 network in New York State.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature calls upon Governor Andrew M. Cuomo, the State Legislature and the Division of homeland Security and Emergency Services to create a New York State 9-1-1 Department that best services the public interest and supports PSAPs in New York State while continuing to allow the City of New York and the 57 counties outside of NYC to receive emergency 911 calls and dispatch emergency services in a manner that is most appropriately determined by those municipalities, and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature calls upon the NYS Legislature and the Governor to enable a State 911 Department to serve the following roles:

Providing funding

Issue RFPS and award contracts as necessary to support 9-1-1

Establish Standards for 911

Apply for and distribute Federal Grant Funds;

Coordinate and provide training for 911 Directors, Supervisors and Call Takers;

Provide Public Education

Provide necessary networks to support 911 both in a legacy and NG 911

Provide a Statewide ESInetto support interoperability within and outside of New York State;

Create, maintain and distribute GIS databases;

Create and maintain NG911 and other appropriate databases to support 911 efforts;

Provide and propose appropriate regulation/legislation/tariffs to support 9-1-1;

Help manage Civil Service exams;

Manage the TERT program;

Provide legal expertise in 911 related matters;

Service as the liaison to 911 service providers (TELCOs, Wireless Carriers, TCCs, VoIP providers, CPE Manufacturers, etc);

Provide coordination with the Public Service Commission and work closely with them on tariffs, legislation and other business as it pertains to the 911 field, and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature supports the extension of 911 surcharges to any device capable of connecting to 911, including prepaid devices.

**RESOLUTION NO. INTRODUCED BY PUBLIC SAFETY AND
LAW ENFORCEMENT COMMITTEE REQUIRING UPDATED
DRIVER'S LICENSE PHOTOS OVER A REASONABLE PERIOD
OF TIME**

WHEREAS, currently New York State law and regulations require that all New York driver's licenses are renewed and updated at a minimum of every eight years; and

WHEREAS, this requirement for updated license information is for safety precautions and the required updates include listing changes in height, residential address and listing eye examination results; and

WHEREAS, under current state law and regulations there is the requirement to obtain an eye exam every eight years which can be achieved at county and state operated DMV's; and

WHEREAS, New York State and Nevada are the only two states in the county that lack the requirement to update photos on driver's licenses; and

WHEREAS, due to this inconsistency with all other states, many New York driver's license photos are decades old; and

WHEREAS, the intent of requiring a picture on driver's license is to help verify identity and prevent fraud, identity theft and to increase safety; and

WHEREAS, allowing license holders to have photos that are decades old may work against the goals identified above; and

WHEREAS, the requirement to get an updated photo on a driver's license would not have to include an additional cost to the state resident license holder; and

WHEREAS, the requirement to get an updated photo on a driver's license should not be an inconvenience for the license holder as they can get the updated photo in the same DMV and at the same time as taking the state law required eye exam; and

WHEREAS, in New York and throughout the country a driver's license is the leading document provided to safety officials, government workers, and private businesses when picture verification is needed; and

WHEREAS, an updated photo is necessary to prevent fraud, provide accurate information to police officers in the field, and strengthen homeland security efforts.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature calls on Governor Cuomo and members of the State Legislature to require an updated photo on all drivers' licenses in keeping with 48 other states in our nation.

RESOLUTION NO. INTRODUCED BY PUBLIC SAFETY AND LAW ENFORCEMENT COMMITTEE CALLING ON THE STATE TO DIRECT MUCH NEEDED STATE FUNDING TO PROBATION AND ALTERNATIVES TO INCARCERATION IN NEW YORK STATE

WHEREAS, county probation departments are an integral part of the criminal justice system and operate within the legal framework of the New York State Criminal Procedure Law, the Penal Law and the Family Court Act; and

WHEREAS, it is the mission of probation to protect the community through intervention in the lives of those under supervision by facilitating compliance with court orders and serving as a catalyst for positive change; and

WHEREAS, state funding for probation was drastically reduced between 1990 and 2014 from a 46.5 percent State share in 1990 to less than 12 percent in 2014, putting a huge strain on counties and cost to county property taxpayers; and

WHEREAS, at the same time there have been increases in the number of mandated programs and services county probation departments are required to provide; and

WHEREAS, in some cases, probation officers are required to complete a pre-sentence investigation (PSI) report for individuals who may have already arranged a plea deal, already been classified and housed in jail, and the PSI is largely disregarded by the court and the corrections officials; and

WHEREAS, other state policy decisions, such as recent action to close state-run psychiatric centers, will impact probation by releasing more people with mental illness into the community where they will potentially receive probation sentences to keep them in the community; and

WHEREAS, raising the age of criminal responsibility in New York State will have a serious impact on probation by increasing caseloads, requiring more juveniles to be supervised and connected with services in the community, as well as transported by local law enforcement to detention facilities; and

WHEREAS, the Governor included in his 2015/16 Executive Budget a proposal to raise the age that is intended to cover all local costs by reimbursing probation for added expenses, but this proposal does not fully contemplate all of the costs that could be incurred and would require probation departments to initially cover all costs, including increased staffing.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature supports an increase of dedicated state funding streams to provide financial support to probation departments in order to fairly fund the important work.

**COMBINED: LEGISLATIVE MEMORANDUM,
CERTIFICATE OF AVAILABILITY OF FUNDS
AND RESOLUTION COVER MEMO**

To: Sullivan County Legislature

Fr: Joseph A. Todora, Division of Health and Family Services Acting Commissioner

Re: Request for Consideration of a Resolution:

Date: 3/19/2015

Purpose of Resolution: [Provide a detailed statement of what the Resolution will accomplish, as well as a justification for approval by the Sullivan County Legislature.]

Authorize County Manager to enter MOA between DFS & DA

Is subject of Resolution mandated? Explain:

Does Resolution require expenditure of funds? Yes No

If "Yes", provide the following information:

Amount to be authorized by Resolution: \$ 330,592.00

Are funds already budgeted? Yes No

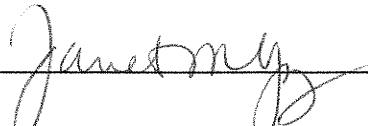
If "Yes" specify appropriation code(s): A.6010.55.40.4001

If "No", specify proposed source of funds: Note: Anticipated Fed+State

Estimated Cost Breakdown by Source: Reimbursement lower than Budgeted in 2015.

County	\$ <u>145,460.48</u>	Grant(s)	\$ _____
State	\$ <u>39,671.04</u>	Other	\$ _____
Federal Government	\$ <u>145,460.48</u>	(Specify)	_____

Verified by Budget Office: _____



Does Resolution request Authority to Enter into a Contract? Yes No

If "Yes", provide information requested on Pages 2. If "NO", please go straight to Page 3 and acquire all pre-legislative approvals.

Request for Authority to Enter into Contract with [District Attorney] of
[Sullivan County]

Nature of Other Party to Contract: .

Other:

Duration of Contract: From 04/01/2015 To 03/31/2016

Is this a renewal of a prior Contract? Yes ___ No ___

If "Yes" provide the following information:

Dates of prior contract(s): From _____ To _____

Amount authorized by prior contract(s): _____

Resolutions authorizing prior contracts (Resolution #s): _____

Future Renewal Options if any:

Renewable to the extent funding remains available and/or LDSS contract required.

Is Subject of Contract – i.e. – the goods and/or services Mandated? Yes ___ No ___

If "Yes" cite the mandate's source; describe how this contract satisfies the requirements:

18 NYCRR Section 348

If "No" provide other justification for County to enter into this Contract: [County does not have resources in-house, best source of the subject materials, required by grant, etc.]:

Total Contract Cost for [year or contract period]: (If specific sum is not known state maximum potential cost): _____

Efforts made to find Less Costly alternative:

Efforts made to share costs with another agency or governmental entity:

Specify Compliance with Procurement Procedures (Bid, Request for Proposal, Quote, etc.)

Not Applicable

Person(s) responsible for monitoring contract (Title): _____

Pre-Legislative Approvals:

- A. Director of Purchasing: Kathy Jones Date 3/4/15
- B. Management and Budget: Janet Miller Date 3/3/15
- C. Law Department: [Signature] Date 3/4/15
- D. County Manager: [Signature] Date 3/4/15
- E. Other as Required: _____ Date _____

Vetted in _____ Committee on _____

RESOLUTION NO. __ INTRODUCED BY PUBLIC SAFETY AND LAW ENFORCEMENT COMMITTEE TO AUTHORIZE COUNTY MANAGER TO ENTER INTO A MEMORANDUM OF AGREEMENT BETWEEN THE SULLIVAN COUNTY DEPARTMENT OF FAMILY SERVICES AND THE DISTRICT ATTORNEY'S OFFICE TO ADMINISTER OVERSIGHT OF THE FRAUD INVESTIGATIONS TEAM AND THE FAMILY VIOLENCE RESPONSE TEAM

WHEREAS, 18 NYCRR, Section 348.2 requires each social services district to take measures designed to prevent, detect and report fraud, and to establish and maintain clear and adequate policies, procedures and controls in order to effectively handle cases of suspected fraud in the administration of public assistance and care; and,

WHEREAS, 18 NYCRR, requires the local district to make a written agreement with the appropriate district attorney establishing procedures for referral to such official of all cases wherein reasonable grounds exist to believe that fraud was committed; and,

WHEREAS, 18 NYCRR, requires the local district to designate a person, either of administrative or supervisory responsibility or in a consultative capacity to the local district, or establish a unit which shall consist of persons of similar responsibility, through which all cases of known or suspected fraud shall be referred to the District Attorney's Office; and,

WHEREAS, the Sullivan County Legislature created the Fraud Investigative Team in April of 2013 in order to more efficiently prevent and detect fraud in social services and the team has been very successful in detecting and investigating fraud and has generated hundreds of pending investigations and more than one hundred arrests and prosecutions; and,

WHEREAS, the State of New York Comptroller's Office previously recommended that the District Attorney's Office maintain a record of staff time spent on prosecution activities related to social services programs for which these costs are federally reimbursed; and,

WHEREAS, the Acting Commissioner of the Department of Family Services and the District Attorney have determined that a continuation of the Fraud Investigative Team would most effectively and efficiently serve the taxpayers of Sullivan County; and,

WHEREAS, the County share for the employment costs associated with these dedicated fraud positions is approximately 50% of their total employment cost (to wit: salary and benefits); and

WHEREAS, it is the intention of the Fraud Investigative Team to seek recovery of the proceeds of crimes investigated by the Team and to deter future fraudulent acts through prompt and thorough investigations and prosecutions, rendering the Team a cost-effective mechanism for the detection and prevention of fraud; and

WHEREAS, in 1999, after the brutal homicide of Christopher Gardner, the County Legislature endorsed the creation of the Family Violence Response Team (hereinafter "FVRT"), a multidisciplinary specialized team, consisting of members of the Child Protection Division of the Sullivan County Department of Family Services and members of law enforcement; and,

WHEREAS, the core mission of the FVRT is to protect the most vulnerable in our community, our children, from crimes that occur within the family unit, including sexual and physical abuse, and to thoroughly and professionally investigate such cases and to bring to justice those individuals who have committed such serious crimes against children; and,

WHEREAS, in order to properly serve the citizens of Sullivan County and to ensure that investigations of these very serious sexual and physical abuse cases against children are comprehensive and maximize the likelihood of successful prosecutions of offenders, the FVRT requires the continued assignment of a District Attorney Investigator; and,

WHEREAS, the Acting Commissioner of the Department of Family Services and the District Attorney have jointly indicated that the FVRT would most effectively and efficiently continue to serve the taxpayers of Sullivan County with the continued addition of a District Attorney Investigator as a part of the team, vested with police powers by the New York Criminal Procedure Law, to work with the existing New York State Police investigator assigned to the FVRT, to investigate these crimes against our community's children; and,

WHEREAS, the County share of the employment costs associated with this additional position is approximately 40% of its total cost (to wit: salary and benefits); and,

WHEREAS, the best interests of the taxpayers of Sullivan County are served by the creation of such a position, dedicated to the protection of our community's children, at such a cost-effective employment cost; and,

WHEREAS, District Attorney Investigator positions are extremely cost-effective to the taxpayers due to the experience requirements associated therewith, which require a District Attorney Investigator to have lengthy and substantial investigative and supervisory experience as a police officer prior to appointment, resulting in the appointment of retired police officers who incur no additional employment costs to the taxpayers, such as retirement and health care benefits; and,

WHEREAS, funding for the Fraud Investigative Team shall be a charge attributable to the budget of the Department of Family Services, in accordance with the reimbursements set forth above; and,

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is authorized to enter in to a Memorandum of Agreement between the Sullivan County Department of Family Services and the Sullivan County District Attorney's Office, to provide for the continuation of the fraud Investigative Team and the continued assignment of a District Attorney Investigator for the Sullivan County Family Violence Response Team.

BE IT FURTHER RESOLVED, that the duration of the contract is from 4/1/2015
-3/31/2016.

**COMBINED: LEGISLATIVE MEMORANDUM,
CERTIFICATE OF AVAILABILITY OF FUNDS
AND RESOLUTION COVER MEMO**

To: Sullivan County Legislature

Fr: Alex Rau, E911 Coordinator

Re: Request for Consideration of a Resolution: Authorize grant application preparation for SICG Round 4

Date: 3/2/15

Purpose of Resolution: [Provide a detailed statement of what the Resolution will accomplish, as well as a justification for approval by the Sullivan County Legislature.]

Authorize the preparation of a grant application under the DHSES SICG Round 4 grant program to be utilized for the purposes of the County's public safety communications upgrade project.

Is subject of Resolution mandated? Explain:

No, Highly recommended.

Does Resolution require expenditure of funds? Yes ___ No

If "Yes, provide the following information:

Amount to be authorized by Resolution: \$ _____

Are funds already budgeted? Yes ___ No ___

If "Yes" specify appropriation code(s): _____

If "No", specify proposed source of funds: _____

Estimated Cost Breakdown by Source:

County \$ _____ Grant(s) \$ _____

State \$ _____ Other \$ _____

Federal Government \$ _____ (Specify) _____

Verified by Budget Office: Janet My

Does Resolution request Authority to Enter into a Contract? Yes ___ No

If "Yes", provide information requested on Pages 2. If "NO", please go straight to Page 3 and acquire all pre-legislative approvals.

Request for Authority to Enter into Contract with [_____] of
[_____]

Nature of Other Party to Contract: .

Other:

Duration of Contract: From _____ To _____

Is this a renewal of a prior Contract? Yes ___ No ___

If "Yes" provide the following information:

Dates of prior contract(s): From _____ To _____

Amount authorized by prior contract(s): _____

Resolutions authorizing prior contracts (Resolution #s): _____

Future Renewal Options if any:

Is Subject of Contract – i.e. – the goods and/or services Mandated? Yes ___ No ___

If "Yes" cite the mandate's source; describe how this contract satisfies the requirements:

If "No" provide other justification for County to enter into this Contract: [County does not have resources in-house, best source of the subject materials, required by grant, etc.]:

Total Contract Cost for [year or contract period]: (If specific sum is not known state maximum potential cost): _____

Efforts made to find Less Costly alternative:

Efforts made to share costs with another agency or governmental entity:

Specify Compliance with Procurement Procedures (Bid, Request for Proposal, Quote, etc.)

_____ *Not Applicable Alf* _____

Person(s) responsible for monitoring contract (Title): _____

Pre-Legislative Approvals:

- A. Director of Purchasing: *Jane Jones* Date *3/4/15*
- B. Management and Budget: *Janet Miller* Date *3/3/15*
- C. Law Department: *J. G. [unclear]* Date *3/4/15*
- D. County Manager: *John [unclear]* Date *3/4/15*
- E. Other as Required: _____ Date _____

Vetted in _____ Committee on _____

RESOLUTION NO. _____-15 INTRODUCED BY THE PUBLIC SAFETY & LAW ENFORCEMENT COMMITTEE TO AUTHORIZE PREPARATION OF A GRANT APPLICATION UNDER THE NEW YORK STATE DIVISION OF HOMELAND SECURITY & EMERGENCY SERVICES - OFFICE OF INTEROPERABLE AND EMERGENCY COMMUNICATIONS ROUND #4 OF THE STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT (SICG) PROGRAM TO FACILITATE THE DEVELOPMENT, CONSOLIDATION AND /OR IMPROVED OPERATION OF PUBLIC SAFETY COMMUNICATIONS TO SUPPORT AND ENHANCE STATEWIDE INTEROPERABLE COMMUNICATIONS FOR FIRST RESPONDERS.

WHEREAS, the New York State Division of Homeland Security and Emergency Services provides funds to support efforts of emergency management/homeland security; and

WHEREAS, the New York State Division of Homeland Security and Emergency Services – Office of Interoperable and Emergency Communications, administers Round #4 of the Statewide Interoperable Communications Grant (SICG) Program to provide funds to facilitate the development, consolidation and / or improved operation of public safety communications to support and enhance statewide interoperable communications for first responders; and

WHEREAS, the Sullivan County Division of Public Safety – Department of Emergency Management seeks to improve public safety communications operations, and to support and enhance statewide interoperable communications for first responders; and

WHEREAS, the Sullivan County Division of Public Safety – Department of Emergency Management wishes to file an application for the SICG program to seek funding to upgrade communications infrastructure to support the development of a regional interoperability communications system; and

WHEREAS, Sullivan County is not required to provide any local cash or in-kind match in support of the SICG program.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the County Manager, Chairman of the County Legislature, and / or the Sullivan County Division of Public Safety – Department of Emergency Management to execute any and all necessary documents to prepare and submit an application for funding under the NYS DHSES-OIEC SICG program for upgrades to communications infrastructure to support the development of a regional communications interoperability system.

BE IT FURTHER RESOLVED, that the County Manager be and is hereby authorized to sign said SICG program application on behalf of the County; and

BE IT FURTHER RESOLVED, that if awarded SICG program funding, the Sullivan County Legislature hereby authorizes the County Manager, and / or Chairman of the County Legislature (*as required by the funding source*) to accept the award, and enter into an award agreement or contract to administer the funding secured, in such form as the County Attorney shall approve; and

BE IT FURTHER RESOLVED, that if awarded SICG program funding, the Sullivan County Division of Public Safety – Department of Emergency Management, shall administer the funds and the SICG program; and

BE IT FURTHER RESOLVED, that should the SICG program funding be terminated, the County shall not be obligated to continue any action undertaken or contemplated to be undertaken by the use of this funding.