

PUBLIC SAFETY AND LEGAL AFFAIRS COMMITTEE
WILBER, FARWELL, FRAZIER, STAMMEL, MICKLE
June 17, 2021
1:00 p.m.

Under the current COVID-19 emergency/Executive orders, this committee meeting was not physically open to the public at the County Office Building. The meeting was streamed via facebookLIVE.

Members: Representative Wilber – present, via Zoom
Representative Farwell - present, via Zoom
Representative Frazier – present, via Zoom
Representative Stammel – present, via Zoom
Representative Mickle – present, via Zoom

Also present via Zoom: Allen Ruffles, County Treasurer; Ellen Coccoma, County Attorney; Josh Shapiro, Special Counsel for the Town and Village Courts for the Sixth Judicial District; Wendy Lichtman, Senior Personnel Assistant; Honorable Donna Yerdon, Honorable Elizabeth Burns, Representative Kennedy and Bill Youngs.

Representative Wilber welcomed the guests and the Committee Members introduced themselves.

OTSEGO COUNTY MAGISTRATES ASSOCIATION and CAP DISCUSSION- MIKE TROSSET, JOSH SHAPIRO, HON YERDON, HON BURNS and LT O'CONNOR – via Zoom

Mike Trosset gave an overview of the present state of affairs and what could be coming with the CAP System including but not limited to: centralized arraignment where people are charged with crimes are brought and arraigned at 8 am and 8 pm with the Public Defender's office covering the two times including weekends, over a period of time it has become not in person and it's speculative that in the near future it will become in person again and issues of pre-arraignment detention at the jail.

Josh Shapiro explained the CAP process. Mr. Shapiro mentioned that since Covid-19 pandemic (March 2020) all arraignments became virtual. The virtual arraignments will be going away in July. Mr. Shapiro mentioned that the Otsego CAP initially was to be in two phases: a quick, temporary phase where there was no pre-arraignment detention and people were immediately arraigned at the jail with an on-call judge and on-call defense attorney while the jail was partially closed; the pre-arraignment detention plan has a provision allowing the Sheriff's Office to turn away prisoners if there is a medical emergency or some other exigent circumstance that causes the jail to be unable to house the prisoners pre-

arraignment. In Phase 2 (Summer of 2020), the number of prisoners rejected by the jail increased. The courts were able to handle these virtually, with difficulty in the short-term. There were meetings with the Sheriff's Office explaining that in the long-term, the courts cannot handle this level of on-call arraignments because at one point, all arraignments on an on-call basis, everybody was being rejected from the jail for various factors outside the court systems control. Mr. Shapiro is hopeful that they do have an agreement to again move back towards the system where there are only arraignments at 8 a.m. and 8 p.m. and people are held, because if they cannot get fully back to where they were before the virtual arraignments end, he does not think the CAP will be able to continue to function. Honorable Yerdon mentioned that they cannot sustain going to CAP court every hour all day long and hopes it can get back to the 8 a.m. and 8 p.m. as it worked in the past and it's for everyone's benefit. Honorable Burns mentioned that the CAP court is beneficial to everyone including counsel and law enforcement, especially in rural communities and less expensive for the taxpayer.

Lt. O'Connor mentioned that the policies the Sheriff's Department are operating under are model policies that came from other facilities that are doing this; correctional policies are specifically written and designed to look after the health and safety of individuals, not to make the operations of the facility easier. Lt. O'Connor has looked into other counties and the majority of them are direct supervision facilities which Otsego County is not and other facilities have 24 hour medical coverage and a medical professional that can evaluate the detainee. The Sheriff's Department has recently modified their local pre-arraignment policy to accommodate the issues they have had, including having the arresting agency transport the individual that needs medical attention to the medical facility, as it is a huge risk and places liability on the department. Staffing issues are due to lack of trained staff and are running at minimum staff on each shift. After further discussion it was mentioned that it should self-resolve in time.

PUBLIC DEFENDER – MIKE TROSSET via Zoom

Mike Trosset requested approval for Distribution 8 money to pay for the Rural Law Center that does all the County Family Court appeals. Representative Frazier moved for approval. Seconded, Mickle. Total: 2,486. Ayes: 2,486. Motion carried.

Mike Trosset updated the committee that Aaron Dean will be taking the Assistant Public Defender position and will start July 12th.

Mike Trosset mentioned the concern of the lack of attorneys in Otsego County that want to do the Criminal Defense or Family Court.

Mike Trosset requested approval to purchase an air conditioner for the office above the old jail (for Bill Youngs). Representative Frazier moved for approval. Seconded, Mickle. Total: 2,486. Ayes: 2,486. Motion carried.

Mike Trosset informed the committee that he will be presenting the office space in Fly Creek to the full Board for consideration and the inclusion into the Year 3 budget for Hurrell Hearing funds.

CHILD ADVOCACY CENTER – SARAH PURDY via Zoom

Sarah Purdy requested approval to purchase gas cards for families that come to the CAC at a cost not to exceed \$3,000 (grant money). Representative Frazier moved for approval. Seconded, Farwell. Total: 2,486. Ayes: 2,486. Motion carried.

Sarah Purdy requested approval to purchase supplies for community outreach events at a cost not to exceed \$5,000 (grant money). Representative Mickle moved for approval. Seconded, Frazier. Total: 2,486. Ayes: 2,486. Motion carried.

Sarah Purdy requested approval of a department credit card as discussed with Treasurer Ruffles. Representative Farwell moved for approval. Seconded, Mickle. Total: 2,486. Ayes: 2,486. Motion carried.

COUNTY ATTORNEY – ELLEN COCCOMA via Zoom

Ellen Coccoma requested approval of payment of \$382 for County Attorney annual dues and requested approval of the following budget transfer:

\$500 from A-1420-549100 (Fees for Service) to A-1420-546500

Representative Farwell moved for approval. Seconded, Stammel. Total: 2,486. Ayes: 2,486. Motion carried.

CODE ENFORCEMENT – TONY GENTILE via Zoom

Tony Gentile requested approval to fill PT Building Fire Inspector position. Representative Frazier moved for approval. Seconded, Mickle. Total: 2,486. Ayes: 2,486. Motion carried.

Representative Wilber declared a short break.

The Committee reconvened at 2:10 p.m.

E911 - ROB O'BRIEN via Zoom

Rob O'Brien requested approval to purchase Vesta 911 Telephone System Refresh in the amount of \$299,403.35 from Kraus Associates from account A3020-520000. Representative Frazier moved for approval. Seconded, Farwell. Total: 2,486. Ayes: 2,486. Motion carried.

Rob O'Brien requested approval of the following budget transfer:

\$150,000 from A1990-548000 (Contingency) to A3020-547848 (SICG Grant)

Representative Frazier moved for approval. Seconded, Mickle. Total: 2,486. Ayes: 2,486. Motion carried.

Rob O'Brien explained a 911 address issue and requested approval to waive the \$50 fee for the new address assignment. Representative Wilber moved for approval. Seconded, Frazier. Total: 2,486. Ayes: 2,486. Motion carried.

EMERGENCY SERVICES – VICTOR JONES via Zoom

Victor Jones submitted mileage reports for May 2021.

Victor Jones requested approval of a department credit card as discussed with Treasurer Ruffles. Representative Farwell moved for approval. Seconded, Mickle. Total: 2,486. Ayes: 2,486. Motion carried.

Victor Jones requested approval to declare 31 defibrillators as surplus with a liability sign-off and distribute to a political subdivisions. Representative Wilber moved for approval. Seconded, Frazier, Mickle. Total: 2,486. Ayes: 2,486. Motion carried.

Victor Jones mentioned the Baseball Hall of Fame Inductions are taking place live and in-person attendance at the Clark Sport Center on Wednesday, September 8th and an EOC activation will take place. Mr. Jones also mentioned that the Otsego County Fair will take place August 3rd – 8th and was requested to coordinate fire and EMS coverage.

Victor Jones requested approval to create, fund and fill a PT/TE Account Clerk Typist position. Representative Mickle moved for approval. Seconded, Farwell. Total: 2,486. Ayes: 2,486. Motion carried.

Victor Jones mentioned a potential for grant funding with the last communication being June 8th. And, communication with an outside contractor on a proposal took place on June 11th.

PERSONNEL – WENDY LICHTMAN for PENNEY GENTILE via Zoom

Wendy Lichtman presented and submitted the Basic Life Support Technician and the Advanced Life Support Technician positions to the committee for review as it is uncertain as to what department the positions will be placed in and it was suggested to have four full-time positions and one part-time position for each title.

Representative Wilber requested approval for an executive session to discuss the financial, credit or employment history of a corporation or matters leading to the employment of a corporation. Representative Frazier moved for approval. Seconded, Mickle. Total: 2,486. Ayes: 2,486. Motion carried.

The meeting adjourned in executive session.