

May 16, 2013

PUBLIC SAFETY COMMITTEE
REPORT NO. 8

ALL MEMBERS PRESENT.
CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
- a. COMM. 19E-1 (2012)
COMPTROLLER: “Review of the Sheriff’s Commissary Fund & Follow-Up of the 2007 Operations Audit - 1/1/2011 Through 5/31/2012”
(6-0)

b. COMM. 6D-3 (2013)
DIRECTOR OF BUDGET & MANAGEMENT: “Letter to Comptroller Concerning Request for Audit of Sheriff Division & Jail Management Division Overtime”
(6-0)

c. COMM. 6D-5 (2013)
COMPTROLLER’S OFFICE: “Reply to Request for Audit of Sheriff Division & Jail Management Overtime”
(6-0)
2. INTRO 9-1 (2013)
HOGUES
WHEREAS, several recent terrorist threats to Western New York and Southern Ontario have been discovered and thwarted; and

WHEREAS, the most recent example is the planned attack on a VIA passenger train that traverses the U.S. – Canadian border utilizing the Whirlpool Bridge in Niagara Falls; and

WHEREAS, Canadian authorities were successful in stopping this attack, which has brought to light the potential and continued vulnerability of our bi-national region; and

WHEREAS, in the wake of the Boston Marathon bombings, the aforementioned conspiracy that may be linked to the al-Qaida terrorist network in Iran, and the new, enhanced requirements to check the status of student visas at all international crossings into the U.S., securing a funding level commensurate with our need for counter-terrorism efforts in Western New York has become even more urgent; and

WHEREAS, the Niagara Frontier Transportation Authority (NFTA) has applied for homeland security funds for six new Transit Police Department Officers as well as the training, equipment and support they will need – including two explosive detection dogs – to better protect transit passengers; and

WHEREAS, the NFTA is also seeking funding for an Advanced Regional Counterterrorism Technology Innovation Center whose mission would be to identify and prevent terrorist activities in the various transportation modalities of Buffalo and Niagara Falls; and

WHEREAS, a third purpose for the funds would be to increase directed patrols during high threat holiday periods and during highly attended events in downtown Buffalo; and

WHEREAS, United States Senator Charles E. Schumer has communicated his keen interest in providing the NFTA with the added resources it needs from the Department of Homeland Security; and

WHEREAS, enhanced border security and robust anti-terrorism security measures are called for to protect the very important economic relationship and transportation infrastructure that exists between the U.S. and Canada, as well as the millions of residents that call the GTA (Greater Toronto Area), the bi-national Niagara Region and Western New York home.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature convey its full support for the application submitted by the Niagara Frontier Transportation Authority (NFTA) for a Fiscal Year 2013 Transit Security Grant to be administered by the U.S. Department of Homeland Security; and be it further

RESOLVED, that copies of this resolution be conveyed to Janet Napolitano, Secretary of the Department of Homeland Security; U.S. Senators Charles E. Schumer and Kirsten Gillibrand; the WNY Congressional Delegation; Kimberly Minkel, Executive Director of the Niagara Frontier Transportation Authority (NFTA) and all others deemed necessary and proper.
(6-0)

3. INTRO 9-5 (2013)
DIXON
WHEREAS, New York State Assembly Bill 4995-A seeks to create a martial arts advisory commission to promulgate rules and regulations for amateur martial arts training and competitions; and

WHEREAS, in addition, it would amend Correction Law §168-w to prohibit employment of sex offenders for positions involving substantial contact with children; and

WHEREAS, such positions would include, but not be limited to, teachers, teacher-aides, administrators, assistants, cafeteria workers, janitors, or any other person working in a school that would have contact with a child attending the school; and

WHEREAS, also included would be child care workers, coaches, martial arts instructors, scout leader, camp counselor and lifeguards; and

WHEREAS, the list also includes any position in a park, playground, amusement park, pool, gymnasium, ice cream truck, sports or fitness center or martial arts facility where children have a propensity to inhabit; and

WHEREAS, this law would help keep our children out of harm’s way.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature supports New York State Assembly Bill 4995-A, as well as any companion bill in the New York State Senate; and be it further

RESOLVED, that a certified copy of this resolution be forwarded to Governor Andrew Cuomo, Assembly Speaker Sheldon Silver, Senate Majority Leaders Dean Skelos and Jeffrey Klein and the local delegation to the New York State Legislature.
(6-0)

4. COMM. 9E-3 (2013)
COUNTY EXECUTIVE

WHEREAS, the Probation Department is mandated to supervise Probationers through the use of home visits; and also uses its vehicle for the Warrant Squad to pick up probation violators; and

WHEREAS, the Erie County Department of Probation is currently using a twelve year old Chevrolet Trail Blazer to conduct home visits, which has frequent break downs and has high maintenance costs; and

WHEREAS, the Erie County Probation department desires to replace this vehicle with a new lower maintenance more efficient vehicle; and

WHEREAS, the Probation Department also has over 145 computers, the majority of which are insufficient for current demands due to a combination of age, insufficient systems capability, and lack of processing speed. This situation is becoming progressively worse, and must be addressed, because it has both slowed and hindered departmental operations, and resulted in more than 300 calls to the Help Desk in 2012; and

WHEREAS, the Erie County Probation Department has 27 desk top and 20 lap top computers which need to be replaced immediately, because they are antiquated and failing to operate properly; and

WHEREAS, the County has available asset forfeiture funds of which a portion can be used to pay for both the replacement of the 12 year old vehicle, and the replacement of the most antiquated desk top and laptop computers; and

WHEREAS, there is no impact on the existing 2013 Erie County Adopted Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature approves the appropriation of Asset Forfeiture Funds and authorizes the following budgetary transfers in the 2013 Budget of the Probation Department, cost center 1261010:

| | |
|----------------------------------|-----------------|
| REVENUE | |
| 421550 Forfeiture Crime Proceeds | <u>\$43,123</u> |
| REVENUE TOTAL: | \$43,123 |

| | |
|------------------------------------|---------------|
| APPROPRIATION | Increase |
| 561440 Automobile Equipment | \$19,852 |
| 561410 Lab and Technical Equipment | <u>23,271</u> |
| APPROPRIATION TOTAL: | \$43,123 |

and be it further

RESOLVED, that these expenditures meet the criteria established by the US Department of Justice for use of equitable shared funds; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office, the Division of Budget and Management, the County Comptroller, the County Attorney and the Probation Department.
(6-0)

5. COMM. 9E-4 (2013)
COUNTY EXECUTIVE

WHEREAS, the County of Erie received bids for the Erie County Correctional Facility – 2013 - Six Bay Security Upgrades project on March 27, 2013 and the lowest responsible bidder is New York State Fence, Inc.; and

WHEREAS, the Erie County Department of Public Works is recommending award of the contract to the lowest responsible bidder.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidder for the Erie County Correctional Facility – 2013 - Six Bay Security Upgrades project for an amount not to exceed as follows:

| | |
|---------------------------------------|--------------------------------------|
| General Construction Work | |
| New York State Fence, Inc. | Base Bid A: \$ 167,580.00 |
| | <u>Alternate Alt-1: \$ 13,880.00</u> |
| Total Award of Construction Contract: | \$181,460.00 |

and be it further

RESOLVED, that the sum of \$16,540.00 be allocated to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

RESOLVED, that deduct change orders will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that the Comptroller’s Office be authorized to make payment for all the above from SAP project accounts as follows:

| | |
|--|---------------------|
| A.00044 -2002 Existing Building Rehabilitation | \$25,000.00 |
| A.00329-2008 ECCF Roof Patching | \$35,000.00 |
| A.12005-2012 Countywide M, E, P & Misc. Improvements | \$20,000.00 |
| A.12003.12.2-2012 Countywide Code & Environmental Compliance | <u>\$118,000.00</u> |
| Total Payments Not To Exceed: | \$198,000.00 |

and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner’s Office, and one copy each to the Office of the County Executive, the Division of Budget and Management and the Office of the Comptroller.

(6-0)

6. COMM. 9M-1 (2013)
PRESIDENT, TEAMSTERS LOCAL UNION NO. 264
RESOLVED, the Erie County Legislature hereby appoints the following individual as recommended by the President of Teamsters Local Union No. 264 to the EC Community Corrections Advisory Board for a term expiring on 5/23/2016:

Appointment

Deputy Neal Russo
EC Sheriff’s Office
40 Delaware Avenue
Buffalo, NY 14202
(716) 858-4808
Neal.Russo@erie.gov

(6-0)

TIMOTHY R. HOGUES
CHAIR