

JANUARY 17, 2008

PUBLIC SAFETY COMMITTEE
REPORT NO. 1

ALL MEMBERS PRESENT. CHAIRPERSON MARINELLI PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby referred to the GOVERNMENT AFFAIRS COMMITTEE:

- a. COMM. 1M-3 (2008)
NORM SKULSKI, RICK RHODES & HENRY MAZUREK: Requesting the Erie County Legislature Petition the US GSA to Name the New Federal Courthouse "Lt. Colonel Matt Urban Courthouse
(6-0)
2. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 2E-3 (2007)
COMPTROLLER: Audit and Review of Operations of the Erie County Holding Center
(6-0)
 - b. COMM. 3E-16 (2007)
COMPTROLLER: Review of City of Buffalo Cellblock Agreement with Erie County
(6-0)
 - c. INTRO 4-2 (2007)
WEINSTEIN, MILLS, RANZENHOFER & LOCKLEAR: Renegotiation of the "Cell Block Agreement" between the City and the County
(6-0)
 - d. COMM. 5E-3 (2007)
SHERIFF: City of Buffalo Cell Block Agreement
(6-0)
 - e. COMM. 5E-4 (2007)
SHERIFF: Response to Comptroller's Audit and Review of Operations of the Erie County Holding Center
(6-0)
 - f. COMM. 6E-8 (2007)
COMPTROLLER: Audit of Erie County Homeland Security Grant Funds Received From the

NYS Office of Homeland Security
(6-0)

- g. COMM. 14E-2 (2007)
COMPTROLLER: Audit and Review of Operations of the Erie County Correctional Facility
(6-0)
- h. COMM. 17E-2 (2007)
SHERIFF: Inmate Population Levels
(6-0)
- i. COMM. 21M-2 (2007)
CITY COURT OF BUFFALO: Erie County Warrant Squad
(6-0)
- j. COMM. 1M-1 (2008)
FIRE ADVISORY BOARD: Fire Training Facilities
(6-0)
- k. COMM. 1M-13 (2008)
NYS SHERIFFS' ASSN.: Jail Inmate Telephone Service
(6-0)
- l. COMM. 1M-14 (2008)
NYS SHERIFFS' ASSN.: Credit Card Bail Payment Programs to County Jails
(6-0)
3. COMM. 20E-15 (2007)
SHERIFF
WHEREAS, the NYS Division of Criminal Justice Services has awarded a Byrne Justice Assistance Grant in the amount of \$5,000 to the Erie County Sheriff's Office to provide funding for the purchase of radar equipment; and

WHEREAS, a local match is required by this grant; and

WHEREAS, there will no impact on county tax dollars.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Sheriff's Office is authorized to accept funding in the amount of \$5,000 and be it further

RESOLVED, that \$720 in available balances in the Asset Forfeiture Trust fund is hereby transferred to the Sheriff's general fund; and be it further

RESOLVED, that authorization is hereby provided to budget those funds as follows:

Erie County Sheriff's Office – Fund Center 11510

<u>REVENUE</u>	<u>Increase</u>
Account 409020 – Miscellaneous State Aid	\$5,000
Account 421550 – Forfeiture Crime Proceeds	720
TOTAL REVENUE	5,720
<u>APPROPRIATIONS</u>	<u>Increase</u>
Account – 561410 – Lab & Tech Equipment	5,720
TOTAL APPROPRIATION	5,720

And be it further

RESOLVED, that certified copies be forwarded to the Division of Budget, Management and Finance, Department of Purchasing and the Office of the Sheriff for implementation.
(6-0)

4. INTRO 21-4 (2007)

MILLER-WILLIAMS, MARINELLI, WHYTE & KOZUB

WHEREAS, every year the Sheriff's Department detains numerous individuals on a short-term basis for reasons ranging from old traffic warrants to detainees waiting for trial; and

WHEREAS, the Sheriff is responsible for the health and safety of all detainees in the Sheriff's custody and it is inevitable that some of the detainees will have health problems that will require medical care; and

WHEREAS, Sheriff Timothy Howard recently testified before the Erie County Legislature concerning the Sheriff's 2008 Budget Request at which time the subject of health care to detainees was discussed; and

WHEREAS, the Legislature inquired about the Sheriff's policy concerning detainees with medical insurance whom require medical care at Erie County Medical Center and if the County charges the detainee's health insurance for the cost of the medical care.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby encourage the Erie County Sheriff's Office to develop policies that, when possible, will assign the cost associated with detainee health care to the detainee's health insurance provider; and be it further

RESOLVED, that the Erie County Sheriff is requested to appear at the next regularly scheduled meeting of the Public Safety Committee to inform the Legislature of the Sheriff's policy concerning the health care costs of detainees with health insurance; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Sheriff.
(6-0)

5. COMM. 21E-11 (2007)
COUNTY EXECUTIVE

WHEREAS, the Erie County Central Police Services Forensic Lab has been awarded a New York State Grant to be administered by the Division of Criminal Justice Services, and

WHEREAS, said funds will enable the Central Police Services Forensic Laboratory to achieve a better turnaround time for analyzed evidence in criminal investigations.

NOW, THEREFORE BE IT

RESOLVED, that authorization is hereby provided for the County Executive to enter into a contract and accept funding in the amount of \$49,420.00 with New York State Division of Criminal Justice Services, and be it further,

RESOLVED, that authorization is hereby provided to establish the grant in the budget of the Department of Central Police Services as follows:

Grant Fund-SAP #165NFSIA0708
Central Police Services

10/01/2007 to 09/30/2008

<u>Revenue</u>	<u>Increase</u>
Acct. 409000 State Aid	\$49,420
Appropriation	Increase
Acct. 500010 Personnel	\$44,928
Acct. 502000 Fringe Benefits	<u>\$ 4,492</u>
Total Appropriation	\$49,420

And be it further,

RESOLVED, that this funding will be used to fund the positions of two (2) existing part-time Forensic Chemists (Grade 12) in the Department of Central Police Services, and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to establish and adjust budgets as required to comply with State approved funding levels, and be it further,

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Executive, the Division of Budget and Management, Office of the Comptroller and the Department of Central Police Services.
(6-0)

6. COMM. 21E-28 (2007)

SHERIFF

WHEREAS, the United States Department of Justice has authorized the transfer of funds within the Human Trafficking Victims Grant to allow for the purchase of an automobile for the exclusive use of the Program Manager; and

WHEREAS, the Sheriff's Office has identified a need for the vehicle to fulfill their agreement with the Western New York Human Trafficking Task Force and to provide services to the victims of human trafficking; and

WHEREAS, there will be no impact on county tax dollars.

NOW, THEREFORE, BE IT

RESOLVED, that the following budget amendments are hereby authorized:

SHERIFF'S OFFICE
Grant #115 115HumanTraffic07

<u>Appropriation</u>	<u>Decrease</u>
Account 516020 – Professional Services & Fees	21,500
<u>Appropriation</u>	<u>Increase</u>
Account – 561440 – Motor Vehicles	21,500
NET IMPACT	<u>\$ 0.00</u>

and be it further

RESOLVED, that certified copies be forwarded to the Division of Budget, Management and Finance, the Office of the Comptroller and the Office of the Sheriff for implementation.
(6-0)

7. COMM. 26E-14 (2007)

COUNTY EXECUTIVE

WHEREAS, authorization has previously been provided by the Erie County Legislature (Resolution 14E-9) for the County Executive to enter into a contract and accept funding in the amount of \$195,717 with the N.Y. State Division of Criminal Justice Services, and

WHEREAS, the Erie County Central Police Services Forensic Lab has been authorized through Project IMPACT to create a Senior Evidence Clerk position; and

WHEREAS, said funds will enable the Central Police Services Forensic Laboratory to enhance its capacity to process firearms, and related evidence, in the laboratory;

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided to amend the grant budget in the Department of Central Police as follows:

Grant Fund – SAP #165IMPACT40708
Central Police Services
Forensic Laboratory
07/01/2007 to 06/30/2008

<u>Revenue</u>	<u>Amount</u>
Acct. 409000 State Aid	\$195,717
<u>Appropriation</u>	
Account 500000 Overtime	\$ 82,069
Account 502000 Fringe Benefits	33,648
Account 516020 Professional Services Contracts	<u>80,000</u>
Total Appropriation	\$195,717

and be it further

RESOLVED, that this funding as previously approved will be used to create the positions of Assistant Information System Specialist and that the funding will be utilized to amend the previously authorized Evidence Clerk (Grade 6 – Step 1 – B100#3100 – Annual Salary \$30,318) position to that of a Senior Evidence Clerk (Grade 8 – Step 1 – B100 #3406 – Annual Salary \$34,938) in the Department of Central Police/Emergency Services, to be amended without any fiscal impact on the budget because the position will be funded 100% by the State, and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to establish and adjust budgets to comply with State approved funding levels, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Executive, the Division of Budget and Management, the Office of the Comptroller and the Department of Central Police Services.
(5-1) Legislator Iannello voted in the negative.

8. COMM. 1E-21 (2008)

COUNTY EXECUTIVE

RESOLVED, the Erie County Legislature does hereby confirm the appointment of Gregory W. Skibitsky to the position of Commissioner of Emergency Services.
(6-0)

9. COMM. 1E-33 (2008)

DISTRICT ATTORNEY

WHEREAS, funds for the recruitment and retention of District Attorneys have been made available to the District Attorney's Office from the New York State Division of Criminal Justice Services (DCJS) in the amount of \$129,470; and

WHEREAS, these funds will be utilized in the retention of current staff by providing for performance based/longevity bonuses to Assistant District Attorneys to be given at the discretion of the District Attorney; and

WHEREAS, the award contract received from the NYS SCJS authorizes funding levels different from the adopted 2008 budget already approved by the Erie County Legislature in Book A.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby provide authorization to reallocate funds within the 2008 General Fund of the District Attorney, Fund 110,, Fund Center 11400 as follows:

	<u>INCREASE</u>
Revenues	
408530 State Revenue	\$ 44,470
Total Revenue	<u>\$ 44,470</u>
Appropriations	
502000 Fringe Benefits	18,146
500350 Other Employee Payments	<u>26,324</u>
Total Appropriations	<u>\$ 44,470</u>

and be it further

RESOLVED, that no county source funding shall be utilized for the provision of bonuses in the event that DCJS does not provide grant monies for the purposes noted above; the bonuses will be discontinued as the result of a lack of funds; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County District Attorney, the Erie County Executive, Erie County Personnel and the Directors of Budget, Management and Finance.
(6-0)

TIMOTHY M. WROBLEWSKI
CHAIRPERSON