

May 30, 2019

PUBLIC SAFETY COMMITTEE  
REPORT NO. 10

ALL MEMBERS PRESENT.

CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 7M-6 (2018)  
**HABIB JOHNSON:** "Communication Titled, 'Elimination of the Entire ECHC & the ECCF's Informal Grievance Process'"  
(Chair's Ruling)
  - b. LL INTRO. 8-1 (2018)  
**BASKIN:** "A LL Titled, 'ERIE COUNTY CORRECTIONS SPECIALIST ADVISORY BOARD' in relation to establishing an advisory board for the Erie County Jail Management Division"  
(Chair's Ruling)
  - c. COMM. 17E-3 (2018)  
**BASKIN:** "Response to NYS Commission of Correction Letter Dated August 21, 2018"  
(Chair's Ruling)
  - d. COMM. 7E-28 (2019)  
**LORIGO:** "Letter to Budget Director Concerning Funding for Body Cameras"  
(Chair's Ruling)
  - e. COMM. 12E-4 (2019)  
**BASKIN, JOHNSON & RATH:** "Altering Day/Time of Central Police Services Board of Trustees Meetings"  
(Chair's Ruling)
2. COMM. 12E-23 (2019)  
**SHERIFF**

WHEREAS, the Sheriff's Office Division of Correctional Health County utilizes a health record management system to access and upload vital inmate/patient medical history; and

WHEREAS, this system allows the division's medical professionals to access the inmate's medical history; and

WHEREAS, as with private physicians and medical centers, immediate access to an individual's medical records and history are important to perform accurate and timely medical evaluations and subsequent treatments; and

WHEREAS, the Division of Correctional Health has used Fusion Consulting Inc., for five years to manage and access inmate/patient medical records; and

WHEREAS, continuity of systems and access to medical history is vital to delivering proper medical attention and treatment; and

WHEREAS, the Division of Correctional Health trains all medical and designated personnel to use the record management system developed by Fusion Consulting; and

WHEREAS, implementing a new health record management and access system would cause a delay in accessing necessary inmate/patient medical histories; and

WHEREAS, it is important that the Division of Correctional Health maintains immediate access to medical records as well as have continuity of health services; and

WHEREAS, the division and desires to maintain Fusion Consulting and the Erie County Sheriff's Office and the Division of Purchasing are seeking a waiver of Section 19.08 of the Erie County Administrative Code; and

WHEREAS, the agreement with Fusion Consulting Inc., is for three (3) years with an option for three one (1) year extensions at \$54,824.04 per year; and

WHEREAS, this cost includes twelve yearly subscriptions fees, maintenance, and support fees; and

WHEREAS, this contract will not have an impact on the County's 2019 Budget because the cost of a record management system is included in the Division of Correctional Health's 2019 budget.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature authorizes the Erie County Sheriff's Office and the County Executive to enter into an agreement with Fusion Consulting Inc., 10 Woodbridge Center Drive, Suite 1010, Woodbridge, New Jersey 07095, for a term of three (3) years with the option for three one (1) year extensions at a cost of \$54,824.04 per year; and be it further

RESOLVED, that the Erie County Legislature hereby waives the procedures, as impractical, provided for in Section 19.08 of the Erie County Administrative Code to maintain proper and accurate inmate medical records; and be it further

RESOLVED, the Erie County Comptroller's Office is hereby authorized to release the designated funds and make payments as necessary to complete the purchase of new terminals; and be it further

RESOLVED, that certified copies of the approved resolution shall be sent to the County Executive, the County Attorney, the Division of Budget and Management, the Division of Purchasing, the Erie County Comptroller's Office, Central Police Services, Emergency Management Services, and the Chief of Administration of the Sheriff's Office for implementation.  
(6-0)

3. COMM. 12E-24 (2019)

**SHERIFF**

WHEREAS, the Erie County Sheriff's Office has partnered with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) to accept and train a law enforcement canines; and

WHEREAS, the ATF has identified the Erie County Sheriff's Office and its K9 Unit as a partner in protecting the region from bomb threats; and

WHEREAS, the Sheriff's Office will accept a canine for explosives detection purposes; and

WHEREAS, this K9 will be a single purpose police work dog trained only for explosive materials/compounds detection; and

WHEREAS, the working dog will belong the Sheriff's Office and the K9 Unit will assist the ATF for any suspected explosive device incident in the area; and

WHEREAS, the Erie County Sheriff's Office agrees to maintain the explosives detection canine and provide mutual aid to the ATF for five years.

NOW, THEREFORE, BE IT

RESOLVED, the Legislature hereby grants authorization to the County Executive and the Sheriff Timothy B. Howard to enter into an five (5) year agreement with the Bureau of Alcohol, Tobacco, Firearms, and Explosives to accept an explosives detection canine and reimbursement funds from the agency; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Erie County Executive, Erie County Purchasing Department, the County Attorney, the Erie County Comptroller, and the Office of the Sheriff for implementation.  
(6-0)

4. COMM. 12E-25 (2019)

**SHERIFF**

**AS AMENDED**

WHEREAS, the Erie County Sheriff's Office incorporated the Division of Correctional Health (DoCH) from the County Department of Health under the authority of the Sheriff's Office in January 2018; and

WHEREAS, the County and now the Sheriff's Office have regularly experienced staffing shortages for nurses at the Erie County Holding Center and Correctional Facility; and

WHEREAS, during County Executive Collins' administration implemented a plan to utilize agency nurses to staff the facilities' medical units; and

WHEREAS, although this staffing method is still in use it has resulted in understaffing, forced overtime, labor investigations and labor/management arbitration; and

WHEREAS, without the appropriate number of registered nurses, the County and the Sheriff's Office is in jeopardy of violating the United States Department of Justice stipulated order of dismissal; and

WHEREAS, the County and the Sheriff's Office risk further investigations of Section 167, part 177 of the New York State Labor Law, which restricts the number of consecutive hours of work for nurses; and

WHEREAS, Teamster Local 264 has filed grievances based on the NYS Department of Labor investigations and violations; and

WHEREAS, these grievances have risen to the level of arbitration which is costing the County and Sheriff's Office labor and money in an attempt to remedy the situation; and

WHEREAS, since the Erie County Sheriff's Office took over the Division of Correctional Health in January 2018, the administration has sought methods to avoid arbitration and legal action and believes all avenues have been exhausted; and

WHEREAS, the only remedy is to make necessary personnel adjustments to avoid further arbitration and continue to provide quality care to the inmates; and

WHEREAS, the Sheriff's Division of Correctional Health seeks to hire eight Job Group 8 registered nurses at an annualized salary (including benefits) of \$104,000.00 (total = \$832,000.00); and

WHEREAS, the DoCH seeks to create an information technology position Job Group 10, with an annual salary with benefits of \$122,000.00; and

WHEREAS, the DoCH seeks to create a discharge planner/nursing position Job Group 10, with an annual salary with benefits of \$122,000.00; and

WHEREAS, DoCH seeks to pivot budget funds for agency nurses Account #516020 (\$725,628.00), plus funds for five part-time nurses Account #500010 (\$241,280.00), plus funds from a discharge planner Account #1165020 (\$104,000.00) totaling \$1,070,908; and

WHEREAS, the identified funds would be used to employ eight full-time registered nurses, an IT position, and discharge planner; and

WHEREAS, the realignment of the nurses and support staff would decrease the County's 2019 Budget by \$5,477.00 (per quarter).

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Sheriff's Office and the Personnel Department are authorized to delete the following job positions:

- 5 Part Time Registered Nurses Account# 500010
- Supplemental Health Agency Staffing Account # 516020

and be it further

RESOLVED, the Erie County Sheriff's Office and the Personnel Department are authorized to create the following job positions:

8 - Job Group 8 registered nurses at an annualized salary (including benefits) of \$104,000.00

1 - Information technology position Job Group 10, with an annual salary with benefits of \$122,000.00

1 - Discharge planner/nursing position Job Group 10, with an annual salary with benefits of \$122,000.00

and be it further

RESOLVED, the Erie County Sheriff's Office and the Division of Budget and Management are authorized to transfer \$752,628.00 from Account #516020 to Account #500000 to fund personnel adjustment positions; and be it further

RESOLVED, the Division of Budget and Management is authorized to make any technical adjustments necessary to transfer the funds; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Executive, County Attorney, Division of Budget and Management, Erie County Comptroller, the Sheriff's Administration Division, and the Sheriff's Division of Correctional Health for implementation.  
(6-0)

**HOWARD J. JOHNSON, JR.**  
**CHAIR**