

COURTS AND LAW ENFORCEMENT COMMITTEE MEETING
February 8, 2018

Present: Legislators Greg Kulzer, Jerry King, Ron Burns and Andrea Moroughan, County Manager Ryan Piche, District Attorney Leanne Moser, Probation Director MaryJo Burkhard, Fire & Emergency Services Director Robert MacKenzie, III, and EMS Assistant Jennifer Maracchion, Sheriff Michael Carpinelli.
Reporter Nick Altmire entered at 8:25 a.m. and Steve Virkler at 8:40 a.m.

Legislator Kulzer called the meeting at 8:00 a.m.

District Attorney Leanne Moser made another plea for an additional Full-time Assistant District Attorney (ADA). She would like a request to move forward to the full Board for consideration. The NYS Division of Criminal Justice may consider a one-time allocation to offset the salary.

Ryan Piche plans to meet with Jefferson County officials on 2/20 to discuss coroner duties. Legislator Kulzer would like to know how many times the assistant coroner responded in 2017. Leanne said it takes time to track the numbers and her staff is at capacity.

Legislator Kulzer said he could support creating a Part-time ADA up to 20 hrs./week, asking that Leanne let him know if she wants the committee to present the recommendation to the full Board. Leanne said it would be difficult to find someone for part-time, while also citing the residency requirement.

Legislator King stated the issue is with funding, but invoked he hasn't seen the numbers to support a full-time. He would support recommending a part-time ADA to the full Board if Leanne agrees. Leanne asked what the Committee would like for numbers. Legislator King said that even though the numbers have increased, he does not feel they justify an additional full-time ADA. He suggested that instead of mentoring an intern or newly graduated attorney, an experienced/possibly a retiree could be hired who would be more adept with procedures.

Leanne said she is willing to try a part-time ADA, recognizing it would be better than nothing, while asking if the Board would reconsider full-time if the part-time was not adequate. She cited the limited candidate pool, while agreeing to consider retired attorneys.

HR Director Chris Boulio clarified the position would be in the Management Exempt category, adding that a NYS retiree can make up to \$30,000 without impact on their retirement. Also, the residency requirement could be waived if necessary.

Legislator Kulzer made a motion to recommend to the full Board creation of an additional part-time ADA for up to 20 hrs/week at a salary of \$31,000, seconded by Legislator King and carried. Leanne will attend the 2/21 HR Committee at 11:30 a.m. to answer their pertinent inquiries.

Legislators King and Kulzer would like to equate the amount per call, renewing their request for the number of Coroner calls made by Mark Tuttle in 2017. Leanne estimates he responded to about one-third of the 2017 calls, but will try to define the numbers more accurately.

8:25 a.m. – Probation Director Mary Jo distributed and reviewed her update report (attached)

She announced the impending retirement of Sr. Probation Officer Ellyn Losada, stating her intent at a later date, to request refilling the position. Legislator King will want justification to refill, citing the additional hire last year. Legislator Kulzer understands that position was created and filled by a 2-year temporary fully-trained employee; and that the Account Clerk's position will not be refilled following her June retirement.

MaryJo cites Raise The Age (RTA) as the primary issue. It's hard to know whether there will be 16 yr. olds requiring secured detention. Ryan Piche reported collaboration by all involved sectors to identify and formulate mutually accepted policies and procedures upon the State imposed effective date of 10/1/2018. Other counties are setting up wholly separate court rooms. However, unless a secured detention facility is identified with the North Country, Lewis County 16 yr. olds may be transported to facilities in Westchester County, Buffalo, out-of-State, or even Canada. The costs are unknown.

Mary Jo will attend another regional meeting next week in Lake Placid for further discussion. After the recent local meeting with all stakeholders, she submits that communication with all involved as the most critical to avoid delay in the court system, which would have compounding disadvantages.

The 16 yr. olds may not be processed at the jail, thereby creating yet another challenge, unless the State Commission of Corrections authorizes a waiver. Also, the juveniles will require immediate attorney representation. The County Attorney is tasked to represent non-criminal cases, which increases her duties. The District Attorney is responsible for all criminal cases.

Mary Jo reported that Statewide, heretofore, 90% of all Juvenile Delinquent cases are diverted from the court system. Ryan Piche relayed the State's supposed commitment to reimburse 100% of increased costs associated with meeting the RTA requirements.

Mary Jo reported current cost to house a jail inmate is \$110/day, to house at non-secured detention facility is \$350/day, but secured detention housing would be substantially greater cost.



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Sarah Bush
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Lisa Peebles
Michael Virkler

Memo

TO: Courts and Law Committee

FROM: Mary Jo Burkhard

DATE: February 8, 2018

Re: Probation Update

1. Our caseload numbers are as follows: 202 adult supervision cases, 33 pre-trial cases, 4 juvenile cases, 10 Drug Court cases, 31 CD/IID cases and 23 presentences and 5 community service cases for a total of 308.
2. Our ongoing and unfinished business remains RTA(Raise The Age). This will continue to be one of our primary focus areas in 2018 as there continue to be endless unanswered questions regarding the implementation. I attended our COPA winter meeting in Albany last week and the entire discussion was about RTA. In anticipation of dealing with the 16 and 17 year old population as juveniles, rather than adults, DCJS and OPCA will be scheduling weeklong training sessions for our two Juvenile Probation Officers in May 2018. Jenny Jones and I will be traveling to Lake Placid next week on Feb. 15, 2018 to meet with the Regional Youth Justice team to continue to map out a strategy re: RTA. Our first meeting with all the interagency players on Jan. 9, 2018 went well, despite having no clear cut direction. Our next meeting is 2-26-18. Just to give you a head count of the 16 and 17 year olds currently on our supervision caseload, we have one 16 year old and four 17 year olds. It is difficult to determine if these numbers will increase when the statute/arrest and prosecution process, changes on Oct. 1, 2018.
3. Our long time Sr. Probation Officer, Ellyn Losada, who has been battling leukemia has decided to retire. Her last day is Feb. 27, 2018. I will be looking to replace her in the next few months.

8:45 a.m. Fire & Emergency Services Director Robert MacKenzie reviewed his report (attached).

Bob reported on the declared "State of Emergency" for recent flooding event. He was assisted by Frank Pace, Nichelle Billhardt and Michele Ledoux to monitor flood waters with the gauge system. The flooding event was followed by icing conditions. The team worked closely with municipalities. Sand bags were stockpiled and available at the Highway Department location.

There will be a follow-up meeting to discuss Mill Creek erosion concerns and identify mitigating solutions. The total estimated damage calculated to-date is \$50,000-\$55,000 which is below the County threshold of \$96,000. The County will report to the State which has a \$26 million threshold to be eligible for FEMA funding.

The Tetra Tech consultant will facilitate a kick-off meeting for Hazard Mitigation Plan update. Bob will endeavor to get all Towns and Villages to participate, noting that several of them chose not to participate in the last plan. Ryan Piche asked Bob to advise respective Legislators of Towns or Villages that do not want to participate so they can reach out to encourage participation. Bob offers to appear at any municipal meeting to explain the importance of identifying and recording problems in the Mitigation Plan that are too costly for the municipality to fix, but that may be eligible for State grant funding to prevent a future disaster. He explained an example was the stream bank stabilization project in Constableville that was included in the Mitigation Plan, and thereby eligible for grant funding

Legislator Burns asked if Bob had been contacted to assist with the recent flooding event in Copenhagen involving frozen water pipes. Bob said he could have assisted to lessen dangers for any residents. Copenhagen could identify the infrastructure as a risk in the Mitigation Plan and thereby be eligible for grant funding for upgrades or repairs. The State has various equipment available, and Bob would make a request on behalf of any locality to assist during any emergency event.

Bob stated that the Mass Casualty Incident (MCI) Plan is with the Syracuse University governance team.

He has received the MOU with Harrisville Fire Department to lease space on the tower for their siren. Bob has reached out to the Fire Chief to discuss protocols.

Bob reviewed the several trainings listed on the attached. The TIER 3 training for elected officials is scheduled for March 6, 2018 at the Lowville Fire Department from 1 to 4 p.m.

He concluded by thanking his assistant Jen Maracchion for her outstanding office performance.

Legislator Jerry King and Ryan Piche left the meeting to attend a JCC negotiating meeting.

Lewis County Emergency Management
5252 Outer Stowe St.
Lowville, New York 13367



Robert A. MacKenzie III, EMT-P/CEM/CFC

Courts & Law
February 8, 2018

Training

1. Individual agency Fire radio training as requested.
2. Radio Training Scheduled: Beaver Falls Fire for 2/8/18
3. Radio Training Scheduled: Castorland Fire for 2/17/18
4. New student EMT-B class started November 2, 2017 @ LCSR - 15 students (down 4)
5. EMT-B Refresher class started November 2, 2017 @ LCSR - 4 students
6. TIER 3 training to be scheduled for March 6th for BOL members, town & village leaders.
7. Mask Fit Testing 2/15/18 @ Castorland Fire (for Castorland & Copenhagen)
8. 2018 BEFO Class hosted at 3-G Fire Glenfield Station started 1/11/18 - 11 students
9. 2018 IFO Class hosted at 3-G Fire Glenfield Station begins – April 5, 2018
10. NYSEMA Conference 2/13-2/15/18
11. CPR Training – Osceola 3/12/18
12. Governance Project Drills: Cold Water Rescue 3/17/18, MCI 3/29/18 & HAZMAT 4/10/18

Miscellaneous

1. Hazard Mitigation Plan Grant: preliminary meeting scheduled 2/12/18 with Tetra Tech for to set up the kick off meeting.
2. Update of MCI Plan in process and has been sent to the governance team at SU.
3. FY2017 SHSP grant is now in the process of obtaining quotes and making purchases for fulfillment.
4. Fire classifications updates for the CAD – waiting response from County Attorney.
5. Harrisville MOU for the Tower completed – needs signatures

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Meetings since January 10th

1. 1/11 – Courts & Law Mtg
2. **1/16 – EMS Council Mtg**
3. **1/18 – Mask Fit Testing – Lyons Falls**
4. 1/22 – LEPC Mtg
5. 1/23 – Radio Committee Mtg
6. **1/23 & 1/24 – LC Sheriff Deputies Narcan Training**
7. **1/26 – Meeting with Jerome Fire**
8. **1/27 – Fire Police Banquet – Keynote Speaker**
9. **1/28 – Meth Dump – Canal St, Port Leyden**
10. 1/29 – Space Study Findings Mtg
11. 1/31 – Air methods Mtg with Bryce
12. 2/1 – LC Radio Committee Conference call
13. 2/1 – Mtg with EMS 3 Steve Monnat
14. **2/2 – Meth Dump – Pine Grove Rd, Greig**
15. **2/5 – REMAC & REMSCO mtgs**
16. 2/6 – Legislators walk thru @ PSB/EOC
17. 2/7 – Department Heads Mtg with County Manager

All items in bold are night and weekend hours.

Coordinators Calls since last meeting:

Amount	Type of Call
2	EMS / Accident Calls
6	Structure Fires
0	Grass Fires
1	Vehicle Fires
0	Hazmat Incident
0	Wires Down
1	Public Assist
2	Commercial Vehicle (Truck) Accidents
2	Meth Lab / Search Warrant
0	MCI (Mass Casualty Incident)

Please feel free to contact me anytime.

Thank You For the privilege of allowing me to assist the gracious Volunteers of Lewis County who give unforgivingly of their time! It's the volunteers that keep this county safe!!!

Respectfully,

Bob

R. A. MacKenzie III AEMT-P/CEM/CFC

Director of Fire EMS and Emergency Management

9:08 a.m. Sheriff Michael Carpinelli and Dispatch Supervisor Cheryl Lalonde

The following dockets were approved: 1). Agreement with United Radio for preventive maintenance and emergency radio system repairs 4/1/18-3/31/19 =\$13,842
2). Agreement with Langone & Associates for frequency work for UHF and VHF projects- \$2,425

At the Sheriff's request, Legislator Kulzer made a motion to recommend the full Board authorize refilling the part-time Dispatcher/Correction Officer, seconded by Legislator Burns and carried.

The Sheriff plans to present a comprehensive plan for the Parks and Recreation patrols at a future meeting.

Cheryl Lalonde reported the Radio Grant was approved for \$653,718 for maintenance and repairs. The amount is above the 2017 amount of \$539,000. Also, the PSAP grant was approved for \$138,118, which is \$50,000 below last year's amount. The monies are used for maintenance and equipment repairs in the 911 center.

Legislator Burns made a motion to approve the 1/11/18 Courts and Law Enforcement Committee meeting minutes, seconded by Legislator Kulzer and carried.

9:25 a.m. – County Sealer James Richmire reported some examples of what he does. He certifies gas pumps, scales at supermarkets, cement plants and landfills, etc. He also checks packages at supermarkets to ensure stamped weights are enclosed, and inspects for item price verifications. Gas samples are tested by the State for petroleum octane levels. There were no issues reported.

He calibrates bulk milk tanks in collaboration with inspectors.

Mr. Richmire is charged to conduct mandated commercial inspections, but there are also requests for non-mandated scale inspections for which he has charged a fee in Jefferson County. During 2017, he performed many non-mandated scale inspections in Lewis County as a courtesy. After speaking with County Manager Ryan Piche, effective 1/1/2018 he began to charge Lewis County businesses \$40 for the first device and \$10 for additional devices.

Every 5 years the Sealer's equipment must be recertified by the State. Jim proposes to get all the equipment certified this year. The 100 gal. prover and the 50 lb. weights can be recertified on-site locally, but the other equipment must be taken to Albany.

Jim distributed the attached 2017 Summary of Field Service Reports that lists the various inspections.

The meeting adjourned at 9:50 a.m. by motion of Legislator Burns, seconded by Legislator Kulzer and carried.

Respectfully submitted,
Terry Clark, Clerk of the Board

County of Lewis
BUREAU OF WEIGHTS & MEASURES
SUMMARY OF FIELD SERVICE REPORTS FOR:
YEAR 2017

TYPE ESTABLISHMENT	TOTAL # INSPECTIONS	# RETESTS	# SAMPLES
AIRPORT	0	0	---
ASPHALT/SALVAGE	3	0	---
BAKERY	0	0	---
CANDY/NUT	1	0	---
DRUG	4	0	---
FABRIC/SEWING	0	0	---
FARM/PRODUCE	9	0	---
FEED/FERTILIZER	3	0	---
FISH/BUTCHER	4	0	---
FUEL OIL DEALER	6	0	---
GAS STATION	0	0	---
GAS STATION/DIESEL	2	0	---
GAS/STORE	25	0	---
GAS/STORE/DIESEL	14	0	---
HARDWARE	8	0	---
MARINA	0	0	---
NON-COMMERCIAL	7	0	---
OTHER	7	0	---
PROCESS/WARE/MANUF	17	3	---
STORE/DELI	10	0	---
SUPERMARKET	4	0	---
VARIETY	11	0	---
MILKTANK CALIBRATIONS	9	0	---
PETROLEUM SAMPLING	41	0	83
TOTALS FOR YEAR	185	3	83

DEVICES INSPECTED						
	CORRECT	PLUS	MINUS	OTHER	VISUAL	RETEST
COMMERCIAL ESTABLISHMENTS	410	20	8	4	4	27
NON-COMM. ESTABLISHMENTS	28	0	1	0	5	0
FARM MILK TANKS	TOTAL TANKS IN JURISDICTION	NEW CALIBRATIONS	RECHECKS	RECALIBRATIONS	AGAINST PRODUCER	AGAINST RECEIVER
	591	5	0	3	0	0

INCLUDED IN ABOVE TOTALS	
COMMODITY INSPECTIONS	5
COMPLAINTS / REQUESTS	10
SCANNER INSPECTIONS	8
VEHICLE SCALE INSPECTIONS	13
MTBE/OCTANE INVESTIGATIONS	0

COMMODITY INSPECTION DATA	
# LOTS	55
# PKGS./LOTS	3242
# PKGS./MEASURED	900
# LOTS FAILED	0

SCANNER INSPECTION DATA						
ITEMS CORRECT	894	99.33%	MARKED	SCANNED	TOTAL	
OVERCHARGE (+)	5	0.56%	13.56	15.92	\$2.36	LOSS TO CONSUMERS
UNDERCHARGE (-)	1	0.11%	1.53	1.07	-\$0.46	LOSS TO STORES
NOT ON FILE (NOF)	0	0.00%	0.00			
TOTAL # SCANNED	900	100.00%				
INSPECTIONS FAILED	0	0.00%				

 JAMES A. RICHMIRE
 DIRECTOR



County of Lewis
bureau OF WEIGHTS & MEASURES

WORKLOAD SUMMARY FOR:

YEAR 2017

DUTY:	HOURS:	PERCENT:	JIM RICHMIRE	BRIAN MOONEY
WEIGHING DEVICES INSPECTED AND TESTED	146.25	26.38%	16.75	129.50
GASOLINE PUMPS INSPECTED AND TESTED	94.75	17.09%	11.50	83.25
ALL OTHER COMMERCIAL DEVICE INSPECTIONS	94.25	17.00%	23.25	71.00
NON-MANDATED TESTS AND REQUESTS	16.75	3.02%	3.50	13.25
PETROLEUM QUALITY PROGRAM	48.25	8.70%	4.75	43.50
PACKAGE CONTROL	12.25	2.21%		12.25
COMPLAINTS				
CIVIL PENALTY AND COURT HEARINGS				
ADMINISTRATION (RECORDS, REPORTS & SCHEDULING)	102.50	18.49%	4.25	98.25
PUBLIC RELATIONS	13.25	2.39%		13.25
OTHER	10.75	1.94%	3.50	7.25
PRICING ACCURACY	15.50	2.80%		15.50
TOTAL WEIGHTS & MEASURES MAN HOURS WORKED	554.50	100.00%	67.50	487.00
TIME ABSENT: HOLIDAY TIME	14.00			14.00
TIME ABSENT: SICK TIME	14.00			14.00
TIME ABSENT: VACATION TIME				
TOTAL HOURS	582.50		67.50	515.00

James A. Richmire
Director