



Onondaga County Legislature

DEBORAH L. MATURO
Clerk

J. RYAN McMAHON, II
Chairman

KATHERINE M. FRENCH
Deputy Clerk

401 Montgomery Street • Court House • Room 407 • Syracuse, New York 13202
Phone: 315.435.2070 Fax: 315.435.8434

www.ongov.net

WAYS AND MEANS COMMITTEE REVIEW OF THE 2014 TENTATIVE BUDGET PUBLIC SAFETY DEPARTMENTS P.M. – SEPTEMBER 19, 2013 DAVID H. KNAPP, CHAIRMAN

MEMBERS PRESENT: Mr. Jordan, Mr. May, Mr. Holmquist, Mr. Kilmartin, Ms. Williams

MEMBERS ABSENT: Mrs. Ervin

ALSO PRESENT: Chairman McMahan, Mrs. Tassone, Mrs. Rapp, Mr. Plochocki, Mr. Liedka, Mr. Andrews; also see attached

Chairman Knapp reconvened the meeting at 1:20 p.m.

CORRECTIONS: Timothy Cowin, Commissioner



JOANNE M. MAHONEY
County Executive

ONONDAGA COUNTY

DEPARTMENT OF CORRECTION

PO BOX 143
JAMESVILLE, NEW YORK 13078
(315) 435-5581
Fax: (315) 435-5596
www.ongov.net



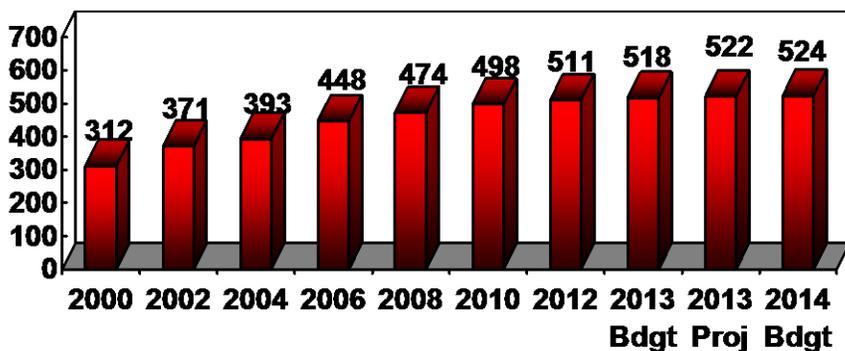
TIMOTHY H. COWIN
Commissioner

To: The Honorable Members of the Onondaga County Legislature
From: Timothy H. Cowin
Commissioner of Correction
Date: September 19, 2013
Re: 2014 Department of Correction Budget

In 2014 we will continue to operate a safe and secure facility in the most cost effective means possible.

2013 has been and will continue to be a difficult year with increasing population. As the chart below indicates, our numbers have continued to be high. As you can see since 2000 our population has increased by 60% from 312 to 522. Last year we converted the gymnasium to permanent inmate housing, which was approved by the State Commission of Correction for an additional 48 inmates.

Inmate Daily Population Levels



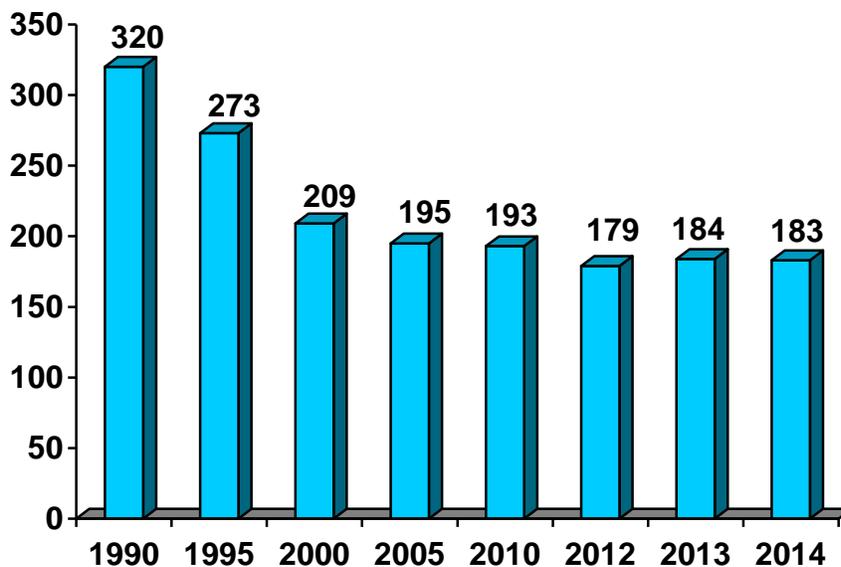
2014 Dept. Of Correction Budget
Page 2

These increases obviously have a direct effect on our personnel. The addition of the permanent inmate housing in the gymnasium had required us to add five additional officers in 2013.

For 2014, we have reduced our funded positions by one, a security position, and we will add an IT position funded interdepartmentally. This position will cover our information technology needs in our department.

As you can see from the chart below, our authorized strength is almost 40% less than it was in 1990. The department is obviously doing more with less.

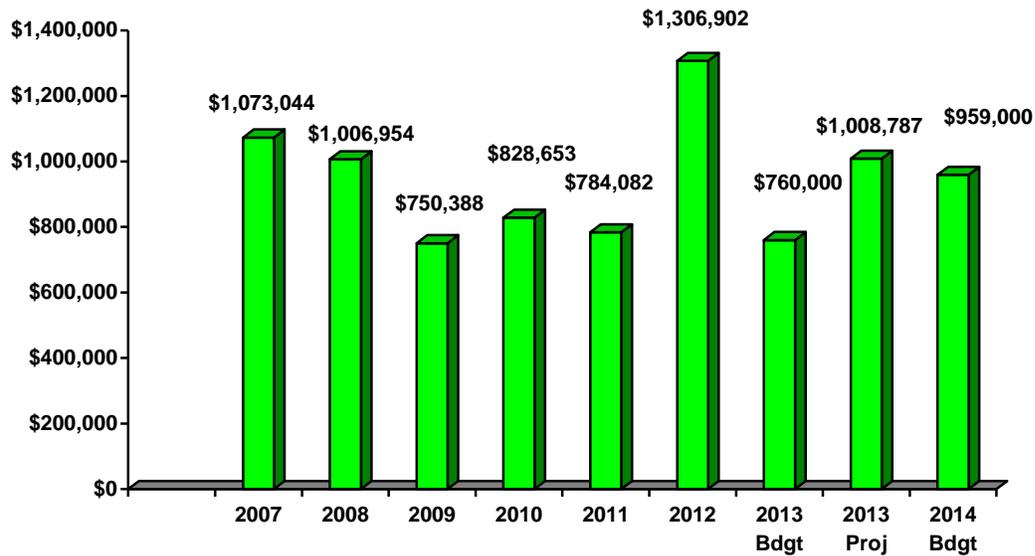
Personnel Level Trends



Numerous retirements and resignations have caused us to be short a number of officers. We have had an increase in the number of inmates, hospital stays and one on ones, which also increased our overtime. These shortages have caused our overtime to increase putting us over our budgeted amount. The 2013 budgeted amount is \$760,000 and we are currently projecting our 2013 overtime to be at \$1,008,787. It should be noted that 50% of our overtime is the result of contractual agreements (holidays and roll call).

2013 Dept. of Correction Budget

Page 3 **Overtime (102)**



There is a decrease in our 2014 Federal Revenue line as the number of United States Federal Marshals Inmates have decreased. We had budgeted to house 70 inmates per day in 2013. The number of Federal inmates has dropped over the past year from 70 to 37 inmates. For 2014, we have budgeted 45 inmates for the year.

The rest of our budget is similar from year to year. The increased number of inmates housed at our facility, in combination with a contractual price per meal increase will result in a modest increase of \$10,679 to the 570 account.

The Department of Correction continues to provide a significant amount of programming with very little local dollars. Jamesville-Dewitt School District and BOCES provide a number of educational programs to the inmates. We also provide numerous other programs as listed below.

2013 Dept. of Correction Budget
Page 4

- BOCES -
 - GED testing
 - GED tutoring
 - Transition
- PEACE Inc. -
 - Early Head Start (works with parenting skills and issues)
- CCA (Center for Community Alternatives) -
 - Substance Abuse
 - Re-entry
 - HIV/AIDS counseling
- AA & NA -
 - Alcohol and drug rehabilitation
- Law library
- CNY Services
 - New Directions for Substance Abuse
- SBH (Syracuse Behavioral Health)
 - HIIP – High Impact Incarceration Program
- Religious Services

The Department continues to review every area of operation with the goal being to have one of the best correctional facilities in the state, operating in the most cost effective means possible.

Mr. Cowin's responses to Chairman Knapp's questions:

- Authorized population in Jamesville – every spot filled; 564; run rate 100%; meeting first thing every day to discuss population in Jamesville and downtown, and what can they do between the 2 facilities to maximize space
- Federal numbers are down - costs income but opens up beds that are needed
- Can take inmate up to 2 yrs; have 2 charges or consecutive charges or even 3 year charge with a year for good time; cannot do more than 2 years in local facility
- Has changed over time - length of stay much less than now; inmates now different then 15 or 30 years ago; no minor charges; majority are felonies with reduced charges who get sentenced to Jamesville
- Capital projects money for anything that comes up that is an issue; this year was showers, written up by Health Dept. for old showers which are hard to keep clean so redoing with new product; also in past used for cameras and paving

Mr. Cowin's responses to Mr. Jordan's questions:

- Overtime over budget – 101 doesn't reflect the FTE's for every position in full, it was already reduced in anticipation that it won't be full in following year; figured in that it will be short
- Other employee wages up \$8,000 from 2012 - help for lawn cutting or painting; pay them \$8/hr
- Added a position part-time in 2013; more hours at hourly rate; this year had trouble filling the positions

Chairman McMahon asked, in reference to overtime, will the department be coming within their budget. Mr. Cowin responded this year the overtime will be more. If they took the 101 line and maxed it out, the total FTE salaries would be close with the overtime and 101 line. Chairman McMahon asked why the modified is \$760,000 when they know it is \$1 million. Mr. Morgan responded the modified is the budget as modified so it is not an estimate for this year. That number will not change unless the Commissioner comes to the Legislature to ask to change it. Mr. Morgan replied to Chairman McMahon that the hope will be that the Commissioner will live within the budget overall with savings in other lines, so they can cover that overage. Chairman McMahon commented the Legislature is in the budget process figuring out dollars for the future which is difficult because they do not know where the dollars this year will end up. In 2012, other departments came over asking for a big check after the money was spent, and that is not the way to function with County Government. If the number is going to be different than \$18.9, then they have to start having conversations now and not at the end of December. Mr. Morgan agrees. The forecast is for the Legislature to use as a guide to see where the County is looking like for the year. Mr. Morgan agrees that they have to evaluate it on an ongoing basis to ensure the County is not exceeding the budgets to the point of asking for more general fund dollars. Mr. Cowin commented that one issue they have is minimum staffing. If there is a unit, someone has to be there. This takes one away, and then there is overtime. When someone calls in, they cannot leave the position open.

Mr. Cowin's responses to Mr. Kilmartin's questions:

- DCJS requirements and looking at physical plant; might be a way to reengineer facilities to allow for more than one on one monitoring - made some physical changes; can do 1 on 2; 1 on 3 or 4 is not normal; females is one on one
- Fed inmates down – hoping it will pop back up; talking with feds but they can't guarantee; feds not building in area so still have to house inmates somewhere
- Overtime general consistency; big spike in 2012 – some had to do with gymnasium; did not have approval to hire 5 new people so paying on overtime basis; hospitalizations way up - 24 hour coverage
- 959 budgeted - hope to maintain under what was asked for but reasonable request based on this year
- Population continuing to increase, any changing in sentencing? Charges and inmates different than they used to be
- No question that sentencing is more local; if person should get 2 years, then send them up
- State level set at a year, can get out sooner at local level; not a time issue; state facilities half empty; several state facilities are closing down; state numbers are way down compared to ten years ago
- Impact on state closing facilities – happening already; getting sentenced locally; County numbers are up and state's numbers are down

Chairman Knapp wanted to know that the federal inmates are down not because the County is full and there is no room, but because there are no federal inmates to bring in. Mr. Cowin replied that right now that is the case, but throughout the year that wasn't the case. The fed's numbers dropped earlier, but in recent weeks downtown has been crowded which has caused the fed number to drop. Mr. Cowin responded to Chairman Knapp that it is a little of both.

SHERIFF (POLICE/CIVIL DIVISION AND CUSTODY DIVISION): Sheriff Kevin Walsh; Under Sheriff Warren Darby; Chief John Balloni, Civil and Administrative; Chief Ted Botsford, Police; Chief Esteban Gonzalez, Custody

Chief John Balloni:

<p>Onondaga County Sheriff's Office</p>  <p>Sheriff Kevin E. Walsh</p>	<p style="text-align: center;">Police Budget Largely Unchanged from 2013 Adopted</p> <ul style="list-style-type: none"> • Total Appropriations <ul style="list-style-type: none"> • 2013 Adopted: \$35,914,597 • 2014 Executive: \$36,974,869 • Difference of \$1,060,272
---	--

<p style="text-align: center;">What Accounts for Difference of \$1,060,272?</p> <p>\$ 250,000 Overtime</p> <p>\$ 686,954 Cars</p> <p>\$ 96,500 Equipment for New Cars</p> <p><u>\$ 30,000 Equipment Installation on Cars</u></p> <p>\$ 1,063,454</p>	<p style="text-align: center;">Custody Budget Largely Unchanged from 2013 Adopted</p> <ul style="list-style-type: none"> • Total Appropriations <ul style="list-style-type: none"> • 2013 Adopted: \$45,965,645 • 2014 Executive: \$46,125,421 • Difference of only <u>\$159,776</u>
--	---

<p style="text-align: center;">Difference of only \$159,776 Despite the Following Increase in from 2013 Adopted Budget...</p> <ul style="list-style-type: none"> • \$218,384 for vehicles • \$1,234,319 increase in correctional health expenses 	<p style="text-align: center;">Total OCSO Budget</p> <p style="text-align: center;">Total Appropriations increased by \$1,220,048</p> <ul style="list-style-type: none"> • If not for correctional health increase, total appropriations would have <u>decreased</u> by more than \$14,000 – despite \$1.28 million increase in overtime and vehicle expenses. • If not for vehicle and overtime increases, total appropriations would have <u>decreased</u> by more than \$60,000 – despite \$1.23 million increase in correctional health expenses.
--	--

Correctional Health Expenses

- RFP conducted this year, vendor to be selected
- Despite increase in budgeted base costs, hopefully the vendor can reduce off-site medical expenses, which will also reduce OT expenses in OCSO and OCCF
 - Although 2013 budgeted figure is currently lower than figure in 2014 budget, we will need to come to legislature to increase 2013 funding for these services so the budgeted increase isn't really as large as it seems to be.
- With new contract, vendor will likely be responsible for 100% of off-site medical expenses
 - Incentive created for vendor to reduce costs
 - Less likely that budgeted costs will be insufficient

Potential for Future Savings

- In 2012, Justice Center averaged 10.9 constant watch posts per day & 4.5 hospital posts per day
 - Total of 15.4 constant supervision posts per day (or 5.1 per shift)
 - Equivalent of 123.5 deputy hours each day
- In 2013, so far averaging 13.1 constant watch posts per day & 6.0 hospital posts per day
 - Total of 19.1 constant supervision posts per day (or 6.4 per shift)
 - Equivalent of 152.5 deputy hours each day
 - Increase of 30 deputy hours per day needed!

Future Savings (continued)

- Being very conservative, assume that only 15 more hours of OT needed each day to staff 30 hour per day increase in need
 - This equates to over \$200,000 increase in OT costs (over \$325,000 in total County costs with fringe included)
- With increased incentives to keep inmates out of hospital and with a little better diligence, there is every reason to expect that the vendor can reduce constant supervision posts to levels below those we saw in 2012
 - Although this may not be possible right away in 2014 due to transition, conservative estimates show savings of over \$325,000 in labor costs alone can be readily achieved– with the potential for significantly more!

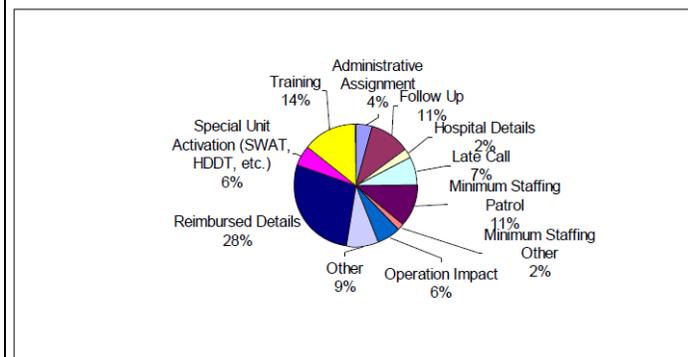
Overtime

- 2013 budgeted amount proved to be insufficient
- Amount budgeted for 2014 is greater than 2013 but may still be insufficient
 - We will work diligently to try to make budget
- Can be reduced in future with additional employees
 - If we are successful in getting COPS grant, we will be coming to you in near future to re-create positions recently lost to attrition
 - These positions will initially be largely grant-funded

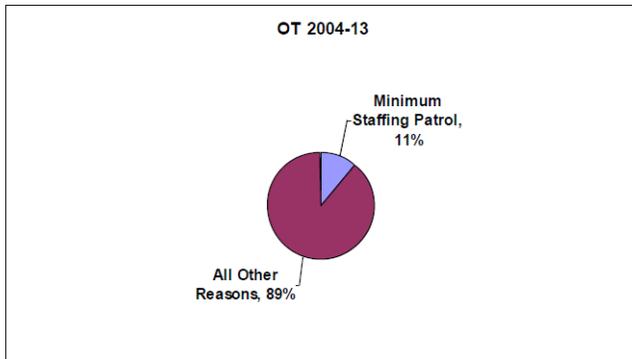
What Have We Done To Reduce Overtime?

- Policy Changes
- Special Unit / Assignment Changes
 - Armorers – 2 down to 0
 - Traffic Units – 6 down to 2
 - K-9 – 7 down to 4 & now they handle posts
 - Air 1 – 6 down to 4
 - Pistol Permit investigator – 1 down to 1 part-time assignment
 - D.A.R.E. program eliminated and not replaced. (Community Relations down from 6 people to 3)

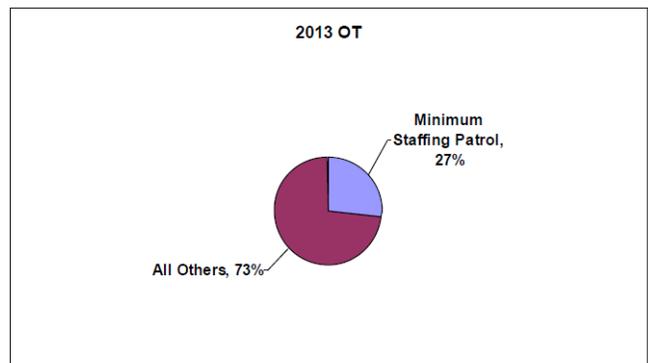
Overtime Distribution 2004-13



Minimum Staffing 2004-13



Minimum Staffing 2013



- 2004 - 2013: took out 34% of reimbursement; its 17% local dollars
- 2013: tremendous increase in minimum staffing; if take out reimbursement, minimum staffing at 37% of local dollars

Pistol Permit Unit

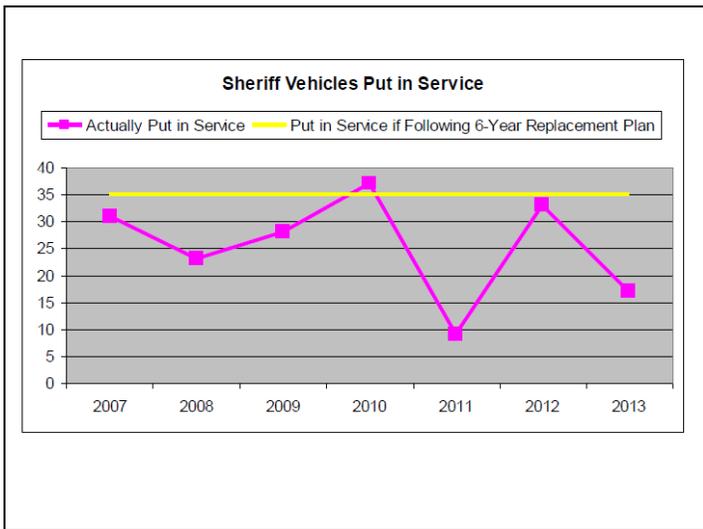
- New Software being implemented to help reduce wait time (Currently 15 months wait time.)
- Secondhand dealer law passed in 2013, which created substantially more work for unit without any additional personnel to handle it.
- Note that the pistol permit section in records has lost a full time clerical position and a full time police position during the economic downturn. It is our hope to eventually get both positions back to improve customer service.
- Will be difficult to improve customer service in this area in 2014 given the budget presented.

- Reference pistol permits: i.e. go to BOE to register to vote, and they say their first appointment is in 15 months
- A governmental service - providing service to citizens, and many believe it's a constitutional right; this is unacceptable

Vehicles

- With \$0 for vehicles in the adopted budgets last year, even a request for 1 car would represent an increase in these accounts

- All vehicles funded (14) last year were not funded from budget but through County surplus account
- Been underfunding vehicles for number of years



Vehicle Replacement Schedule

- Instead of a more ideal 6-year replacement schedule, the 2007-13 average puts us at on a 7.9-year replacement schedule
- The 2011-13 average puts us on a 10.2-year replacement schedule
- The result is that we are driving older, higher mileage cars – which has significant safety and economic implications

- These are emergency vehicles; those that aren't emergency vehicles are transporting our employees and prisoners

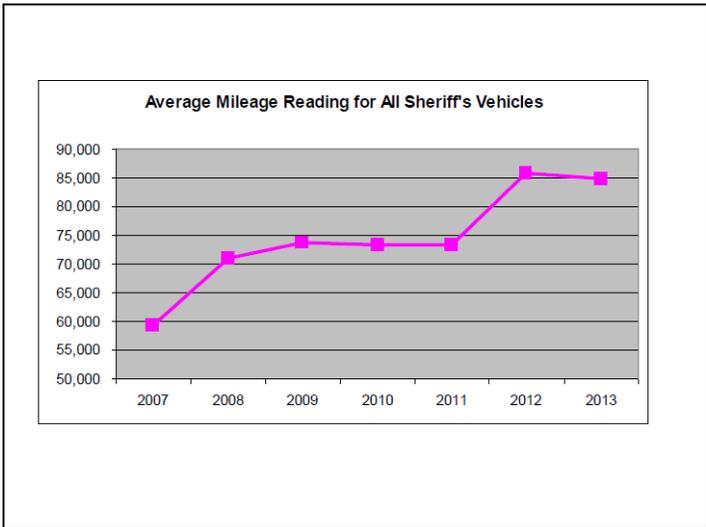
Letter from WEP Crew Leader

CID Ford Tauruses:

- "...floor boards in these cars are rusted out..."
- "...bodies on these vehicles are rotting through..."
- "...cost to repair far exceeds the value of these vehicles."



- Vehicles parked at scene of accident and get rear-ended; sometimes can be repaired; sometimes vehicle totaled
- 6 totaled vehicles and 39 vehicles damaged in accidents in 2013 to date

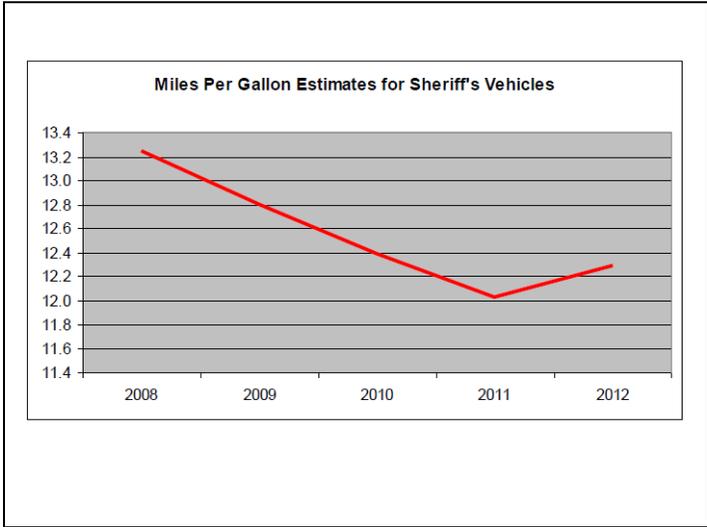


The higher the mileage on vehicles...

- The greater the chance there is for breakdown (keep in mind these vehicles are responding to emergencies)
- The greater the likelihood that repairs will be more costly and time-consuming
- The less efficient the vehicles become (data based on mileage readings and gasoline purchased)

Partial List of Recent Repairs

Vehicle #	Repair Issue	Down Time	Mileage
3120	Engine	30 Days	88,825
3130	Engine	30 Days	95,089
3132	Engine	45 Days	82,069
3134	Engine	30 Days	86,942
2117	Transmission	94 Days	117,780
3050	Transmission	45 Days	120,240
3117	Transmission	20 Days	143,583
3903	Transmission	60 Days	137,531



Improving MPG

- Manufacturers are consistently improving vehicle efficiency, so we should not be seeing this pattern of decreasing efficiency
- If vehicles are replaced on a more consistent schedule, we would expect MPG to increase, not decrease
- At current gas prices, the County would save about \$70,000 per year in gasoline costs if efficiency of Sheriff's fleet increased by just 1 MPG
- Savings could easily be \$100,000 or more in gasoline costs alone by replacing vehicles in a more timely manner

Summary

- Increases in appropriations in 2014 are very limited
- The increases that do exist have the potential to save the County hundreds of thousands of dollars in future years
- We urge you to support the Executive budget

Chairman McMahon thanked the department for their services. The work is important, and the deputies are heroes. It is difficult to have frank discussions about money but the Legislature's work is to set a budget, and ensure everyone lives within it. **Chairman McMahon asked Mr. Morgan for the Corrections numbers year to date in 2013.** Chairman McMahon asked if the two major items are Correctional Health and Overtime. How much more is needed, and what will be the offset from other budgetary savings. Chief Balloni's response:

- Send over monthly estimates on where they expect to be on overtime budget – fairly accurate; goes up and down

- Working diligently to lower the estimates; September – not going to make them go away; expect to be over budget
- Under budget on personnel lines so some minor offsets; do not anticipate making those budget numbers
- Correctional medical care costs – only have first quarter of outside medical costs; hard to anticipate; best number is a wag; would like to get to a point to have a contract with all costs included
- Still getting 2011 and 2012 outside hospitalization bills in; if new contract this year, expect to pay off portions of last contract into next 2 budget cycles, at least
- Best cost savings will be in a contract where all costs included; takes away uncomfortable position of coming back to Legislature for more money
- Try to be honest from first month forward; more than ever this is driven by increases in things can do little about
- i.e. Presidential visit demanding resources; once every ten year trial where DA comes to Sheriff needing 24/7 witness protection for large group of individuals because threats significant - doesn't happen every day but nature of the work
- Hope to have plenty of money in custody overtime account this year
- Increases in constant watch and prisoner hospital details which now impacts police overtime
- There is not enough custody deputies to watch everyone sent out to hospital
- Working hard to work within budgets but hammered by things outside of control

Chairman McMahon:

- Last report for 2013 was \$1 million over in overtime; do not know where they are on Correctional Health, but judging by what was budgeted for 2014 (\$1.2 million) it is more than what is budgeted
- In 2013 they talked about what the needs were, Legislature voted and that is what the budget is; not okay to go over the budget the way the County has been going over w/o having an early conversation; starting that conversation now
- Every other department or elected official's office does not make these same mistakes
- The department has different tasks but there has to be balance
- If this budget process is going to be pierced by \$1 to \$2 million year after year, then what is Legislature even doing?
- Sheriff's is going to do what they want anyway; already have in packet that this may not be enough is not okay
- This is what Sheriffs is asking for, telling Legislature to adopt, but also saying it may not be enough; not how it works
- Agree they need vehicles and have asked the dept. to consider – employees having take-home vehicles which are miles of wear and tear; maybe not 10 yr replacement but 9.4; policy discussed last year; where's the progress now?
- Operation Impact: who is in charge of doing Operation Impact details? Who makes the call?

Chief Botsford responded to Chairman McMahon (reference Operation Impact) that the Sheriff sits on the board as well as himself, and they go over activity, make a determination of where it needs to be targeted, and it is based on the Crime Analysis Center information received. It is a collaborative effort with the City being the lead agency because it occurs in the City, but there are people that sit with them including Chief Botsford's CID Commander and also the Special Enforcement Commander.

Chairman McMahon continued:

- DA said same thing but they make the call because they administer the grant; there are lots of areas to go in
- Frustration as Legislator who appropriates money for Operation Impact, DA's office and Sheriff, with help of SPD because there is a consistent threat on neighborhoods; during the day with break-ins and at night with shootings
- Have asked specifically that they target details back to the neighborhoods
- When appropriating 100's of thousands of dollars – Sheriff's deputies being paid by County tax payers in these same neighborhoods facing serious issues; along with other neighborhoods
- Request to have dialogue; if do not see progress, then will not be a huge fan of the program next year; will be a critic
- Can show where there is quality of life crime going on and SPD does not get to responses; Legislature coming to Sheriff to ask for help with these issues, and SPD is not helping, then need Sheriffs help
- Enforcement of Secondhand Dealer Law – has the Sheriff's Department started to enforce that?

Chief Botsford replied that last month they moved from the west side to the north end to deal with activity up there, and they did that unilaterally because of significant activity. Chairman McMahon commended them for the work on Glenwood Avenue. Chairman McMahon stated there are different mentalities (come from City Council and understand what Police Chief mentality is and the Mayor's priorities) but when the Legislature is putting resources in, some of the priorities and policies they would like to see need to be considered. Chairman McMahon commented that he cannot tell the Police Chief or Mayor what to do, but can ask the Sheriff to work with the Legislature. Chief Botsford stated they moved into that area because of information received from the Crime Analysis Center. Chief Botsford agreed with Chairman McMahon that it is the Butternut Street area.

Chairman McMahon asked if they have started reinforcing the Second Hand Dealer Law. Chief Balloni responded they have. They have been getting registrations in and have a number of dealers participating in software called Leads Online; dealer enters the information directly into software so the Sheriffs can search it for stolen goods. It is a tremendous investigative tool used to solve a number of cases. They are pleased that the program is in place, pleased with the investigative benefits and believe it will put some criminals in the jail. It will have a tremendous impact on stolen merchandise. The department is getting some revenue in, and spent some money on the Leads Online to get it up and running. Chairman McMahon stated these are budget hearings, and this is the appropriate time to discuss what the Sheriff's needs are. If the needs are what were provided, and it is what the Legislature gives, then unless the President is coming here three or four times next year, the department has to come within the budget; especially incorporating what the major piercing has been over the last two years. It puts the whole process (setting tax levy, making decisions on what projects to appropriate and what not to) in jeopardy if there are departments coming in millions of dollars over budget. Chief Balloni responded:

- Department presents honest numbers when it comes to budget and try to get to numbers they can live within
- Legislature doesn't deal with Sheriff's budget but the Executive budget; dept. put in numbers for overtime that were more realistic in original budget request; it has been cut substantially
- Often come to Legislature with cut requests, and it is cut further; last year some money cut out of correctional medical
- Sometimes when done with budget process, the number left with is very difficult to live within
- That combined with reality that 2004 had 246 adopted and funded positions; 2013 – 212 positions
- Fully understand economic situation and reality that public safety is now held to different standard
- Sheriff will work within the numbers
- Can guarantee if get contract on correctional medical that covers expenses, won't be back for another \$1 mil
- Reality is that it is truly beyond control, and correctional medical is significant portion of increase (will be again); hoping won't be as high but haven't seen numbers on some hospital details
- Hospital detail on stitches or antibiotic IV can be substantially different than heart operation or major medical issue
- Can see single case cost of \$300,000 - \$400,000; don't know of any right now; anticipate won't come back to Legislature with as large of an increase; but still have third quarter

Mr. Holmquist:

- Pistol permits - other than the one time with employee layoffs; no point where 100's of law abiding citizens fill the chambers and lined up out the door on such an important issue
- Thank Chief Balloni for providing tremendous leadership; much appreciated in Onondaga County
- Onondaga County is one of the only counties where County Executive has not stepped up on Safe Act
- Every County Legislature, except Tompkins, has voted to rescind Safe Act, and County Executives across the state have also announced their opposition to the Safe Act
- NYS Association of County Clerks and NYS Association of Sheriffs have gone on record (and are in court) saying the Safe Act is illegal and are asking it be rescinded
- All in caucus believe the Safe Act is immoral, unethical, anti-freedom and illegal
- In County, have approx. 1,400 new pending applicants waiting for appointments for new pistol permits
- Approx. 15,000 and counting legal permit holders requesting opt out forms
- Approx. 60,000 with pistol permits to input on computers as per the Safe Act
- The department asked for 1 person? What was the request to the County Executive?

Chief Balloni responded it was for one clerical position split for pistol permits and the Secondhand Dealer Law.

Mr. Holmquist continued:

- County Executive declined 1 person to process permits - unacceptable; CE is on record with no position for Safe Act
- If permits were for anything else and someone is applying legally for any permit - to be treated in a disrespectful fashion, how can it possibly be defended by anybody?
- Legislature passed software which is being implemented now; Safe Act passed in January so it was after the budget
- With respect to pistol permit unit – goal to get back to a 2 month wait for new applicants to get appointments in court
- Currently at 14 months and holding; what will take to get back to 2 months when replace 1 person needed or more?
- Discuss options of how to achieve the goal; When can we get back to treating our law abiding citizens with respect?

Chairman Knapp asked Chief Balloni to set the table of where they are now, and how they do it. Chairman McMahon asked for clarification on where the department was before the Safe Act, where they are now, and where they can get to. Chief Balloni responded:

- Requested software in budget prior to Safe Act; behind already, and saw first increase when President Obama elected because of fear that second amendment would be rolled back

- Hasn't been 2 months for at least 3 yrs; exactly how long it was when Chief Balloni started, cannot say
- In agreement that current levels are unacceptable; need to replace full time in law enforcement side; part time not carrying the load - became question of answering calls or pistol permit, but decision was to be on calls
- Trying to fill in; would like to get person back in there which would help, and clerical position would help
- Hard part is meeting with people, and explaining right way to fill out proper paperwork
- Software will help - people can fill out application online; no one reentering information that was hand written
- Advantages in all those things; the two month period is completely attainable getting software plus clerical
- Not an increase - lost about 2 fulltime positions which is significant for a small area
- Pistol permits extremely important - customer service and right, but still very small segment that operates out of that office (alarm laws, secondhand dealer laws, record requests) – very busy office
- Sheriffs IDs becomes very important even with state going to non-license ID
- Critical public service; office at points underwater

Mr. Holmquist asked if they replace one fulltime or two part-time employees, would that address the back log. Chief Balloni responded in combination with the implementation of the software; it will address that. Mr. Holmquist asked if they start addressing the back log and get into next year, what will happen to those people that have appointments in August 2014, and are asked to get three witnesses. What if one died or moved because of the length of time to get there? Chief Balloni responded what they are doing currently is calling and double booking to try to stay even. It's better to have someone wait in the lobby for a little bit and get them in. Sometimes because they are booking appointments so far in advance, people forget. If they continue doing these things, get the personnel and software implemented, Chief Balloni does not see any problem in resolving this by this time next year. Chief Balloni is hoping to be able to report that they are two months or less. Mr. Holmquist asked if someone is in that position right now, should they call and ask if there is an opening. Chief Balloni replied they are calling them and plugging them into a hole. They take those that are further out. They are calling people, and asking if they can make it (i.e.) next Thursday versus fourteen months out. When that occurs, they diminish the line and are somewhat successful; holding the line. There have been a lot of resources poured on this in terms of someone being sick or injured; they are helping in that area. A temporary person (injured or otherwise) is only there for a couple months, and then they go back to their old job. It is high stress because people are continuously angry with them. Mr. Holmquist stated on behalf of those people he has talked to, they would like to thank Chief Balloni for filling that void of leadership.

Chairman Knapp asked what the process is for someone who needs a license for employment (i.e. security guard). Chief Balloni responded they try to plug them into a vacant spot recognizing their employment rests on that. They may be given a place in line many months out but those are the first people called when there are holes in the schedule. They do not want someone to lose employment or not be employed because they do not have their pistol permit. They are given preferential treatment, but hesitate to say that because this is a citizen's right. It is not a good way to do it, and Chief Balloni would love to say that everyone that comes in will get that level of treatment. Chairman Knapp asked, besides the big wait for the initial appointment, how long does the rest of the process take. Chief Balloni responded on the Sheriffs end counting the background investigation, it is usually less than two months. The big drawback is getting them in the door, but if they did get more in the door, then they would need help with the paperwork to be ahead of the curve. Chief Balloni agreed with Chairman Knapp that it then goes to the court. It goes to the judges who are the licensing authority. They review them, sign them and send them back to the Sheriffs. The individual is then called and given their pistol permit ID to purchase the weapon. Chairman Knapp asked how long it takes to go through that circle and get it back. Chief Balloni answered it's usually about a month. The total process should take three months maximum.

Chief Balloni's responses to Mrs. Rapp's questions:

- Part-time clerical people doing the paperwork for the permits; trained officer signs off on background investigation
- Looking for someone on staff to handle this; it will be a long term position based on the number of permits that are coming in on a regular basis, even with the software; still at less people
- Correctional med contract - over \$10 mil in budget; covers Sheriffs, OCCF and Hillbrook; 1 yr; reoccurring expense
- Present system \$10 mil w/hospitalization; money to be made if less hospital details, 1 on 1's and constant watch
- Looked at other operations and counties downstate – numbers are much better than what County currently faces; companies out there that can do it, but can't discuss RFP; should see substantial potential savings
- Inmates who come in and have their own insurance – can access their insurance but overwhelming number don't

Chief Gonzalez responded to Mrs. Rapp that it will change with Obama Care. Beginning January 1, 2014 Obama Care (Affordable Care Act) will put into the jail systems between 9 and 15 million inmates who will qualify in the Medicare system. That will be an improvement on having them access care that tax payers are paying for; provided ACA progresses. Chairman Knapp asked if that will affect the Correctional Health number. Chief Balloni responded not initially but eventually it will. Hopefully they will see some decrease in costs in the future years. Chief Balloni hesitates to predict positive things, but they did predict that the cost of retirement for public safety would go down. No one anticipated that until a year from now, but the County has seen over \$500,000 in savings in the Sheriff's budget. This is part of the reason they can go up on medical care costs without an increase in the Custody budget. As long as the economy stays where it is, the County can expect to see tens of millions of dollars in savings over the next several years in retirement. Mr. Gonzalez responded to Chairman Knapp that they can bill Medicaid if a person has Medicaid.

Ms. Williams asked if the Sheriff's department has looked at working with other departments, like the County Clerks, on the back logs. Chief Balloni responded the County Clerk and himself converse regularly on pistol permits, and in some counties the County Clerk handles the pistol permits; short of the investigation portion. Chief Balloni would not mind that happening here, but it came to the Sheriffs a long time ago. Chief Balloni does not believe anyone would want to take it on right now. They could ask Mrs. Schepp if she had additional personnel to devote to this, but Chief Balloni suspects if she did, they would have been cut from the budget. Ms. Williams stated they are talking about adding positions in an already overinflated budget, and Ms. Williams understands people want the permits, so maybe there are other departments that can help in the short term. Chief Balloni commented it would be a great question for Mrs. Schepp when she presents her budget.

Mr. Jordan stated they show the 101 going down but the overtime 102 going up on the Civil side, and asked why. Chief Balloni responded some of the decline is hiring new people who come in at a lower rate; hiring replacements for people who were lost in the last year. While they are in training at the academy for six months, the department will not see a dime's worth of work for the positions that were lost. It does make sense that the overtime is going up at the same time while they hire to fill positions.

Mr. Jordan commented that they have indicated a significant increase in ammunition costs, and asked if it has really gone up that much. Chief Balloni responded yes. Chairman Knapp stated that he can vouch for that. Chief Balloni said they went to order for the falls qualifications, and discovered that nobody was honoring the state bid price, because they can make more selling it. It is going for triple what was bid. Currently the Sheriffs is borrowing bullets to have qualification this fall. Chief Balloni agreed with Mr. Jordan that this was since the Safe Act was enacted. Chief Balloni replied to Chairman Knapp that at the moment they are not able to get ammunition. The only reason they are able to meet fall qualifications is because they were able to borrow bullets from other agencies; ammunition will need to be replaced at three times the cost the agencies paid.

Chief Balloni's responses to Mr. Jordan's questions:

- Books/office/supplies increased from \$30,013 to \$68,160 – postage, etc. will go up due to dealing with issues related to new laws passed; subobjects are best guess; if one comes in higher and another lower, then move money around
- When submitted budget, guessed on price of ammunition, and know it won't be enough - subobject will go higher
- Food/household/medical from 2011 - 2014 tripled; \$65,500 to \$176,000 – police vests which are replaceable every 5 years; some grant money for first purchase but don't get money for replacements; a lot passed 5 yr mark; ballistic vest
- Custody side has to buy two kinds of vests – 1st stab vest for work inside; 2nd a ballistic for transport; 3rd kind for people that go in for extrication - different quality; lot of things for protection of employees
- Grants budget showing fairly significant decrease in revenues – every year anticipated income; Cops Office grants going down for several years; announced reducing some grants in this year; asset forfeiture down a little bit
- \$30,000 grant equipment came up suddenly; look at what it's spent on – if didn't have, would be back for local dollars to fund those things; funding earlier with grant money
- Getting grants indirectly a benefit to local tax payer; reality is more beneficial to not take money first, then give back in a grant - pennies on the dollar, particularly federal money
- Grants that come in during year are not in budget; include reoccurring grants in budget which have been going down
- Tremendous grant decreases – UAC grants have gone down to almost nothing; ones that come in during year are often one shot; soon as hear about a grant – someone assigned to research; need to get to that money
- Secondhand Law - organized retail theft; a lot of individual small items and turning to organized crime; will steal high end items, but easiest thing to grab is razor blades; most commonly stolen is infant formula
- Suggest there may be mods to any law and some to this but basic work done is good; law is helpful; will work together between Legislature and Sheriff to talk about what changes makes sense, and implement them

- Implementation of software for pistol permits – at the beginning of process; company wants percentage of money upfront; then check is cut; certain people have to sign off; grateful company didn't lose interest because of time
- Many processes are implemented and put in place for protection of tax payer (i.e. auditor sign off); each sign off takes time; a lot of pressure to get done; unfortunately in September starting implementation
- Software company has check, Sheriff has software; no date for installation; working with company to get done
- Time frame – 9 month process for full implementation; not to say it wouldn't be helping sooner but that's the process; would like people be able to pay online

Mr. Plochocki stated constituents are saying 20 years ago the process to get a pistol permit was three months. This was a time when records were almost entirely paper, and the world was mildly computerized. Mr. Plochocki appreciates what the Sheriffs has done, and is being asked by constituents what the software is. Mr. Plochocki asked how this back log happened. Chief Balloni responded the state still uses paper records, and they have discussed bringing themselves into the twentieth century. The process, despite being handwritten, worked very well. There are records which are archaic and never entered into computer systems, and there are a number of deceased people that still have valid pistol permits. One thing the Sheriffs is working on is going through the old records looking at those that are 117 years old or most likely deceased, and researching where the pistols are today; trying to recover them. It is time and labor intensive so it did drop off for a while. There was also significantly more staff at the time; more people working means more people moving it along.

Chief Balloni's responses to Mr. May's questions reference the Secondhand Dealer Law:

- Send letter to dealers, find out who/where and level of compliance very good; some dealers haven't gotten back; Criminal Investigation Division (CID) goes out and seeks them; will enforce if they do not comply
- People either didn't know what to do or didn't know process; Sheriffs doesn't know where all dealers are but as they find them, send them a letter to try to get them on board
- Some dealers found when they start a business and others when CID is already dealing with them on something
- Law has benefited them greatly; CID stated a number of arrests made by tracking these items; very early in the law
- Sheriff Department is getting businesses to license; not many knock on the door to get the license
- Compliance with reporting – don't remember time limits but report on a regular basis
- Leads Online facilitates the reporting and probably prompts them for entries, but the enforcement would be if the Sheriffs found stuff they hadn't reported; mostly it's a voluntary compliance
- Leads Online shows didn't know items were stolen when entered in computer; Sheriffs says they are stolen and are coming to collect; will back track to the people; might not arrest for burglary but criminal possession of stolen property
- If someone can't pawn it, then makes incentive to commit crime lower

Chief Botsford responded to Mr. May that the dealers are required to report to the Sheriff. The Burglary Squad does follow-up and do inspections. If they come across property that has not been entered and turns out to be stolen, then that would be indicative of the dealer knowing there was something wrong with it; charge them with criminal possession of stolen property. The whole process is educational, so Sheriffs is working with the secondhand dealers in good faith in order to work on compliance. Mr. May asked if fifty percent of the new administrative position would be used to help with the compliance to the secondhand dealer law. Chief Balloni responded that he probably misspoke. It is partially each but the reality is that it's much more of a pistol permit position. The new law has created some new work that the department did not have a person to handoff the work to; this position will help out with that. The staff in that office is down significantly, but everyone helps with almost everything. Pistol permits are an exception because of the specialized knowledge. If someone is at the window, then someone has to wait on that person. They are trying to make it a customer service oriented office which is hard to do right now. Mr. May asked if the law will take up some percentage of the employees time, and Mr. May asked for an estimate of hours. Chief Balloni said yes and responded that it would be about 20% - 30% of their time; 70% at the pistol permit desk.

Mr. May stated they estimated a 30% increase in constant watch and correctional health, and asked if it is indicative of what a cost overrun would be on the hospital side; more people in the hospital longer. Chief Balloni responded that it does not bode well for that but the answer is no. Because of the RFP, Chief Balloni cannot get into a lot of the details. Chief Balloni is seeing an artificially high number of people, and no one believes they should be sending this number of people to the hospital. Chief Balloni was instructed by Mrs. Tarolli not to discuss it further.

Chief Balloni's responses to Mr. Kilmartin's question reference the budget lines:

- Present total and projected for Dec. 31st of all budget lines – discussed with internal finance; approx. on target on all areas except those two reported to Legislature; hoping to have some money to transfer around
- Most areas on target; fairly good estimates; some subobjects are up and some down; no major area to transfer funds

Mr. Kilmartin requested a current snapshot of where the department is now, and where they are projected to be at the end of 2013. Even though there is an indication that most are on target with the exception of line items, it would be helpful to know what might be there to offset those line items. Is it \$2,000 or \$200,000 in other line items to offset? That kind of spread would have a big impact on how the Legislature looks at fund balance and transfers. Chief Balloni responded they will work to get the best snapshot that they can, but recognize that any look at the budget is a snapshot in time. The population at the jail at any moment can change and has reached spectacular numbers, which costs surprising amounts of money.

Chief Balloni's responses to Mr. Kilmartin's questions:

- Air One – currently foundation raised over \$100,000 towards Air One costs; number of functions that will be helpful
- Past several months able to successfully bill for medical flights; approx. \$40,000 owed currently from insurance
- Receive \$15,000/year from outside counties; not huge but significant; DEA grant about \$30,000/year
- Still long way from cost of running but continuous improvement in many areas
- One area w/o continuous improvement is outside county support but billing for more of those flights
- Significant progress; believe need time to make as cost effective as possible; sending less and less officers out; give best tools which include Air One ship – force multiplier
- World not significantly safer; asking less people to go out; more progress to be made; working on that every day
- Pg 4-103 reference Air One gifts and donations at \$471,000 because the salaries are grant funded; that is amount of money needed to raise should the costs be rolled out of the grant; not reality of what they are raising
- Overtime showing resources dedicated; reimburse details – total includes grant money for Impact program; includes step and money for state programs for enforcing seatbelt laws; money from fed for enforcing part of drug task force
- Myriad of things; clumped as reimbursed overtime – vast majority includes fringe benefit to help pay for those things
- Overtime also includes Stop DWI – benefits in life safety accomplished; seat belt enforcement - accidents go down
- Private safety (events) – virtually all funding of overtime; unless given more local dollars, it wouldn't offset anything
- Have been in position unable to do events because of staffing; couldn't collect all money for overtime but by enlarge they are good life safety things; good programs and cost little or nothing because it's reimbursed
- Operation Impact ballpark of dollars received through DA's office, allocated for Impact and total dollars spent on Impact projects – there is a gap; provided 1 page outlining those exact costs and can send to Legislature

Chairman McMahon stated it is \$400,000 through state grants, and \$600,000 through local.

Chief Balloni's responses to Mr. Kilmartin's questions:

- Update on asset seizure funds – aside from encumbered, unencumbered now is \$200,000
- Anticipated expenditures and have asked for more money to be appropriated in this budget
- Expenditures include video downlink, reoccurring expenses for SIU every 2 yrs for \$160,000, SIU vehicles approx. 2/yr for several years \$60,000, undercover vehicles (brought to Legislature separately so vehicles not known publicly), SWAT sniper rifle systems \$51,000, patrol rifles \$40,000, SIU van \$35,000, patrol supervisor training \$35,000, facilities security system (partial grant money) \$20,000, investigative equipment \$10,000 and SWAT cold weather wear \$7,100 – total anticipated expenditures \$693,000 - more expenditures than money to expend
- Would be back to Legislature to ask for more money for if there weren't asset seizure funds to use for these items
- Cannot supplant budgetary items; avoids asking to put these things in budget; savings to local tax payer
- Hoping eventually take in enough to cover because it has decreased; always have potential of a good case that brings in a lot of money at once but currently seeing small, regular chunks of money
- \$200,000 is to be appropriated in budget; the list is more than anticipated; may want to purchase video downlink for \$250,000 but other costs can come up that are more pressing; avoids having to come back to ask for more money

Mr. Kilmartin wanted to go back to what Chairman McMahon brought up earlier about budgeting and setting aside funds for a department to accomplish their mission, and situations where there are busts in the budget with what to do and how to cover those departments. Since Mr. Kilmartin has been in office, when elected officials have had a bust in the budget, it was said that the County has to cover it. Maybe the Legislature has to ask a question differently, and that is notwithstanding events that happen in the world, what authority is it to go over a budget or to spend over a budget. Mr. Kilmartin's question to the Comptroller's Office, Finance, Executive's Office and Law is what if Mr. Fitzpatrick came in and stated he hired twenty-four more DA's. Despite the necessity or need, what is the authority to do that? Chief Balloni responded they cannot go out

and hire thirty more positions than the Legislature authorized. However if the President comes to town and the department has to pay out \$4,000, \$8,000 or \$10,000 for the employees, then yes that is an obligation to those people; have to write the check. There is an obligation to pay their people for the work they did, and there is a public safety obligation; the Sheriff has to deal with those events as they come up. The Sheriff is answerable to the people of Onondaga County for the decisions that he makes. The biggest budget buster, paying for the medical care of the prisoners, is not a choice. They can look at ways for that to do be done better. Mr. Kilmartin can appreciate the contingencies of how many prisoners will be sent to the hospital in a given year, or how many events the President may make. Knowing that there are contingencies in a budget that can fluctuate slightly or wildly, maybe the County needs to be more cautious about backing out those contingencies from the gross number. Mr. Kilmartin commented that maybe there is a way to factor in those contingencies as a means to stay within the menu of services, and those contingencies to stay under that budget line. Otherwise the Legislature is subject to having a request late in the year if not November or December.

Chairman McMahon stated there is a policy for fund balance at 10%, and the County is at that threshold right now. If that policy is broken for any department or anybody, it can go against the credit rating. This is how the County is able to do Capital projects like the Mental Health Unit of the future. This is not two years ago when everything balanced out after the sales tax; there is no wiggle room. The sales tax grew over 5%, and this year 2.5% and 3%, which is what the County is budgeting for. The famous Willrich case says the Comptroller has to pay for salaries because of a contract, but does not have to pay any other expense lines. The County cannot have what has happened in 2012 and 2013 happen in 2014. The number is what it is. If the credit rating starts being downgraded because departments are piercing the budget, then that is an overall disaster for the County.

Mr. Jordan asked if the difficulty right now is a onetime back log of pistol permit applications that came in, or is this a step up in the overall activity in terms of applications. Chief Balloni responded:

- Had a step up that continues in overall activity; rate of increase has declined but tremendous demand; suspect if Governor gets reelected it will stay high
- Bringing this into 20th century needed to happen and needs to be addressed; working towards this
- Not just back log, but lots of people – more permits, more changes, more purchases, more sales; ongoing as number of permits increases
- Doesn't go away because concern of restriction of second amendment goes away
- Try to determine how to meet the needs of the people and come to the Legislature to ask for those resources
- Requests are reasonable; not asking for 4 new deputies pretending its related to pistol permit office; only asked for what was needed to remedy the problem and keep on track

Sheriff Walsh commented that the state is now going to require five year renewals of all pistol permits. The state will be handling the reregistration, and will also be doing the checks for mental or health issues. There have been talks but no one has the answers to the question of whether the state will dump the responsibilities back onto the counties. Chief Balloni stated the pistol permit revocations (when they occur) end up in the local government lap.

Chief Balloni replied to Chairman Knapp that there are insurance costs for Air One in the budget, and there is nothing in the budget this year that was not in the budget last year.

Chairman Knapp stated there are three major events at Jamesville Beach (12th district) including Iron Man, Jazz Fest and Balloon Fest. Last year there were concerns about traffic, parking, etc., so Chairman Knapp met with Chief Botsford to strategize before the events. The only calls Chairman Knapp received this year were thanking Chief Botsford and his employees for the communication and having a solid plan. Chairman Knapp wanted to thank Chief Botsford; it is a model for interacting with the residents. Chairman McMahon commented that Chief Botsford's team had a successful drug raid on Glenwood Avenue (15th district) which is fine police work.

The meeting was adjourned at 3:54 p.m.

Respectfully submitted,

JAMIE M. MCNAMARA, Assistant Clerk
Onondaga County Legislature