



## **Tioga County Legislative Worksession Minutes** **April 18, 2019 – 10:00 a.m.**

### **Legislators Present:**

Legislator Balliet  
Legislator Hollenbeck  
Legislator Mullen (*arrived @ 10:05 a.m.*)  
Legislator Roberts  
Chair/Legislator Sauerbrey  
Legislator Standinger  
Legislator Sullivan  
Legislator Weston

### **Legislators Absent:**

Legislator Monell

### **Guests:**

Jen Rodriquez, Reporter, Morning Times

### **Staff Present:**

County Attorney Peter DeWind  
Deputy Legislative Clerk Cathy Haskell  
Director of Emergency Services Mike Simmons (*departed @ 10:50 a.m.*)  
Sheriff Gary Howard  
Director of Public Health Lisa McCafferty  
Personnel Officer Bethany O'Rourke

Chair Sauerbrey called the meeting to order at 10:00 a.m.

### **EMS/Fire Coordinator Update -**

Chair Sauerbrey requested Director of Emergency Services Simmons attend today's worksession to present information on the status of the current radio system including coverage, towers, and grant funding.



## Grant Funding:

<u>Year</u>	<u>Outcome</u>
2012	NYS put an emphasis on radio systems and established targeted grants. Tioga County applied and received a \$2 million dollar State grant.
2013	The same State program existed and Tioga County applied, but application denied for a State grant.
2014 & 2015	The County never pursued the submission of grant applications for the targeted funds to build radio systems for these two years. The reason for non-submission is unknown, however, possibly related to the fact that the 2012 grant funds remained unexpended until 2016. These two years were critical, as they were big grant fund years for most of the upstate counties. Grants during these years ranged from \$6 to \$15 million dollars. It was during this time that Cortland and Chemung Counties rebuilt their radio system, as well as other upstate counties. Tioga County was still working on expending the 2012 grant funds through extensions.
2016	The County completely expended the 2012 grant funding with the upgrades of tower sites, shelters, and infrastructure. It was during this year, the State targeted grants ended and a formula grant was established. Tioga County received \$400,000 interoperable sustainability grant and continued to do so through 2018.
2018	The State targeted grant became available again and Tioga County applied, but application denied because the State received reports that we are a fully interoperable county and our radio equipment was all in place and in good standing. Mr. Simmons reported it is possible there was not a complete understanding of the questions presented, but based on the information received the State moved Tioga County to the bottom of the list, therefore, making the County ineligible for these targeted grant funds. At this time, the dedicated targeted funds was \$60 million dollars to divide across the entire state. The targeted grants will continue, however, at a decreased amount of \$20 million dollars to divide across the State in the next coming years.
2019	Tioga County will continue to receive the \$400,000 annual sustainability grant funds, as there is no indication this funding will be discontinued.

In regards to the \$400,000 annual sustainability interoperable grant, Mr. Simmons reported a majority of this funding could be used to offset the annual cost, however, would hesitant to apply the full amount due to other associated costs that may incur. Of the \$400,000, Mr. Simmons reported he would be comfortable allocating \$300,000 leaving \$100,000 reserved for other associated costs and repairs.



Legislator Roberts inquired as to the reasoning for reserving \$100,000 of the annual interoperable grant, as maintenance costs should be included in the lease agreement. Mr. Simmons reported there would still be costs associated with portable radio batteries, installations, antennas, etc.; however, repair costs should be minimal to none through a negotiated service contract.

Legislator Mullen reported one of the advantages of pursuing a lease agreement is the ability to negotiate the terms to include equipment compliancy during the course of the lease. Mr. Simmons concurred and stated this stipulation could be addressed in the RFP process. Due to ever-changing technology, the plan is to move far ahead at this point so we are not paying for a system that becomes outdated before it is paid.

Legislator Weston inquired as to whether there are funds available in Emergency Services, Sheriff, and Public Works already allocated to the three independent systems that could be pooled together to defray the costs of the new system. Mr. Simmons reported the only available funds is the annual sustainability interoperable grant for \$400,000.

Legislator Balliet inquired as to the annual estimated cost associated with a new system. Mr. Simmons reported one vendor estimated \$600,000 annually; however, he has not had an opportunity to review the financial breakdown on this estimate. Overall, Mr. Simmons reported an estimate of \$10 million dollars for the new system. However, until the RFP is prepared, many variables could affect this figure. Mr. Simmons reported the vendor estimating \$600,000 annually indicated a system of six towers for 95% coverage; however, the consultant does not recommend less than nine towers. Mr. Simmons reported the remaining 5% would be adjusted for the most rural areas to minimize impact. Mr. Simmons reported once the system is built it is extremely difficult to add additional locations due to the microwave configurations.

Legislator Weston inquired as to who will be doing the cost analysis. Chair Sauerbrey reported Legislator Sullivan previously suggested forming a committee, which includes IT Director Camin, County Treasurer McFadden, and Budget Officer Hollenbeck. Chair Sauerbrey reported the goal is to begin the RFP process by year-end; therefore, periodic updates will be given to the Legislature along the way.

### **Current Radio System/Coverage:**

In 2012, Mr. Simmons reported the County hired Blue Wing Services to evaluate the County's radio system. The results identified deficiencies with the fire radio system and coverage gaps with the Sheriff's radio system. Mobile coverage in the patrol cars is good; however, portable coverage for deputies within residential homes is 50/50 as to whether they can successfully communicate with the dispatcher. The biggest issue is the fire radio system as it operates on a low-band frequency with known interference issues and is very

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unreliable. In addition, all the manufacturers of low-band radio equipment, with the exception of one, has discontinued low band frequency radio production. Currently, the fire departments are utilizing eBay and surplus auctions to maintain their radio equipment. This also creates the increasing issue of older equipment interfacing with newer technology. Mr. Simmons reported Blue Wing Services' evaluation recommended the County replace the fire radio system and quoted a replacement cost at that time of \$15 million dollars.

Mr. Simmons reported he hired Federal Engineering, a consulting firm recommended by Cortland County who recently implemented a new radio system. Mr. Simmons reported this firm did their own evaluation and achieved the same result as Blue Wing Services in that the County needs to replace our radio system. Mr. Simmons reported Federal Engineering quoted a retail cost without discounts of \$12 million dollars. Mr. Simmons reported both consulting firms recommended pursuing an ultra-high frequency (UHF) digital trunk radio system shared by multiple departments. Broome County is looking at the same system for a cost of \$32 million dollars and will be including their police agencies. Mr. Simmons reported Chemung and Cortland Counties are using this same recommended system noting the importance of utilizing the same system with our neighboring counties will allow interdepartmental communication across the borders.

Mr. Simmons recently met with Sheriff Howard and Commissioner of Public Works Hammond regarding the possibility of consolidating the three radio systems (fire, police, and highway) into one radio system to ensure interdepartmental communication, as this is not currently available. Mr. Simmons reported multiple agencies are dispatched to the same event and without interdepartmental communication, they need to rely on dispatch to relay all communication. Mr. Simmons reported the Public Works radio system has significant coverage gaps. Mr. Simmons, Sheriff Howard, and Mr. Hammond are of the opinion that maintaining one system shared by multiple departments is better than maintaining three separate systems and aligns with the consultant's recommendation for one overall system. The backbone of the system (base stations, towers, etc.) is the majority of the cost; therefore, the cost will remain almost the same whether there is one agency or three agencies.

Mr. Simmons reported some counties included their local school districts. Mr. Simmons acknowledged this would be a tremendous amount of effort, but could be an option for possible buy-in to offset and maintain the system.

Legislator Mullen reported we should consider building a system where this could be an option to bring school districts on board as they identify the need.

Mr. Simmons reported a majority of entities, including Tioga County Sheriff and Highway, had to purchase new radios in 2011 due to FCC changes. The FCC narrow-banded the

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radios with the intent to do this again in the future. The date continues to be moved back, but eventually this will occur, therefore, when we purchase equipment we need to ensure it is capable for future compliancy requirements. Currently, the County is in Phase 1 and we need to ensure that the radio purchase complies with Phase 2 when the FCC makes their next change.

Legislator Weston inquired as to whether Mr. Simmons has a plan at this time. Mr. Simmons reported an expenditure of this magnitude is worth the \$40,000 investment of hiring the consulting firm, Federal Engineering. Mr. Simmons reported the plan consists of building a system of nine tower sites to bring the County up to standard. Currently, the County has four equipped tower sites with two additional towers without equipment for a total of six sites. As for payment of the system, Mr. Simmons reported leasing might be more feasible than bonding, as future grant awards could be applied to a leased system but not a bond purchased system.

Chair Sauerbrey reported there are areas in the County where there is no radio coverage such as Crestview Heights and Tioga Terrace areas. However, this new system will allow for radio contact in these areas that are not currently accessible.

**Tower Accessibility:**

- **Neighboring Counties: Broome and Chemung Counties** - Mr. Simmons spoke with Broome and Chemung Counties and they indicated any towers near our borders are available to Tioga County at no cost.
- **Spencer, NY** - Mr. Simmons reported there is a cell tower in Spencer, NY that must allow public safety agencies to utilize at no cost.
- **State Lands Tower: Berkshire/Richford Area** - Mr. Simmons reported there is a BOCES tower located on State Lands between Berkshire and Richford that was given to the County a few years ago.
- **Prospect Hill** – Mr. Simmons reported the County acquired a tower on Prospect Hill.
- **Popple Hill** – Mr. Simmons reported the County shares Popple Hill tower with Broome and Tompkins Counties in exchange for allowing Tioga County equipment on their towers.
- **Cell Towers** – Mr. Simmons reported cell towers are available for rent for installation of equipment, however, this can be costly and may be more feasible to purchase versus renting. Mr. Simmons reported Sprint and AT&T have inquired about possible County tower availability. Mr. Simmons reported renting tower space could be an option to recoup some costs providing it does not cause any interference issues.

With the implementation of a new system, Mr. Simmons reported the County is going to gain space on our towers, as the new antennas will be much smaller and we are no longer supporting three different radio systems.

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Legislator Weston inquired as to whether the County currently receives any income from tower rentals. Mr. Simmons reported there is no income generated from County towers.

Legislator Weston inquired as to whether we could rent space on our towers to other entities to help defray the costs. Mr. Simmons reported this is certainly a possibility providing there is sufficient capacity.

### **Next Steps:**

Chair Sauerbrey reported we have a good foundation for this plan, but there is significant work that needs to be done. Chair Sauerbrey reported she wanted to provide an opportunity to update the full Legislature and garner their support to move forward. Chair Sauerbrey reported this is the first of many updates to come during this process.

The Legislature recognized the need to move forward, but wanted to ensure we are being fiscally conservative in the process.

Mr. Simmons reported the next step is for the consulting firm, Federal Engineering, to develop a RFP. They will evaluate and negotiate the bids, as well as handle the technical aspects of the process.

Legislator Balliet inquired about the migration cycle from Phase 1 to Phase 2. Mr. Simmons reported an estimated 10 years, however, State grant funding requires we move into the digital equipment phase.

Mr. Simmons reported as we move forward in the process, we can look at Tompkins, Cortland, and Chemung Counties to view their systems. In addition, Federal Engineering is available for a presentation to the Legislature. Legislator Roberts reported the presentation should be done at the committee level prior to coming to the full Legislature.

Legislator Mullen inquired about the overall build out time for a new system. Mr. Simmons reported three to four years.

Legislator Roberts inquired as to whether the County has the option to start paying on the lease prior to the system being built. Mr. Simmons reported some of the vendors allow pre-payments. Mr. Simmons reported all three vendors have lease/purchase options.

Legislator Weston inquired as to whether this project could be considered as part of the Countywide Shared Services Initiative. Chair Sauerbrey reported this would be a viable option for consideration with municipalities.



## **Animal Abuser Registry -**

Chair Sauerbrey reported she received a letter from an organization formally requesting the County establish an Animal Abuser Registry that would be handled through the Sheriff's Office.

Chair Sauerbrey reported the legislation would be in the form of a Local Law. Chair Sauerbrey reviewed the information and request with Sheriff Howard and County Attorney DeWind.

Mr. DeWind reported there are currently only five NYS counties with this type of registry.

Discussion ensued and the Legislature expressed this type of registry should be handled at the State level.

On a straw poll vote, the Legislature did not support the adoption of a Local Law for the creation of an Animal Abuser Registry in Tioga County, however, was in favor of the Sheriff's offer to post quarterly educational information on the Sheriff's Office website and social media.

## **Approval of Worksession Minutes – April 4, 2019 -**

Legislator Sullivan motioned to approve the April 4, 2019 Legislative Worksession minutes as written, seconded by Legislator Hollenbeck with Legislators Balliet, Hollenbeck, Mullen, Roberts, Sauerbrey, Standing, Sullivan, and Weston voting yes with Legislator Monell being absent. Motion carried.

## **Action Items -**

There are currently no action items at this time.

## **Other –**

- **Public Health Week Event –** Chair Sauerbrey reported she and Legislator Standing attended an outstanding event yesterday at the HHS Building celebrating Public Health Week. Chair Sauerbrey reported this event included the entire Public Health staff coming together for a luncheon, recognition ceremony, and viewing of videos regarding the role and function of Public Health. Chair Sauerbrey congratulated Public Health Director McCafferty and staff on coordinating this event and recommended all Legislators view the video.

Legislator Sullivan suggested viewing the Public Health video at a future worksession.



- **Dental Van** – Legislator Standinger acknowledged the significant efforts of Deputy Director Medina and her staff in bringing the new dental van to fruition. Ribbon cutting held on April 9, 2019 at the Tioga County Office Building.

## **Executive Session –**

Motion by Legislator Sullivan, seconded by Legislator Mullen to move into Executive Session to discuss an individual personnel matter. Motion carried to go into Executive Session at 11:08 a.m. with County Attorney DeWind and Personnel Officer O'Rourke remaining in attendance.

Executive Session adjourned at 11:57 a.m.

Meeting adjourned at 11:57 a.m.

Next worksession scheduled for Thursday, May 9, 2019, at 1:00 p.m.

Respectfully submitted,

*Cathy Haskell*

Deputy Legislative Clerk