



# Public Safety Facility Needs and Assessment Committee

60 Central Avenue, Room 304

Cortland, NY 13045

<http://www.cortland-co.org>

Committee

~ Agenda ~

Thursday, November 9, 2017

11:30 AM

Room 304

## Call to Order

Attendee Name	Present	Absent	Late	Arrived
Legislative District 1 John R Troy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Legislative District 8 Donnell Boyden	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
District 14 Sandra Price	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
District 15 George Wagner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
District 6 Mary Ann Discenza	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
District 12 Joseph Steinhoff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
District 17 Charles Sudbrink	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
District 11 Christopher Newell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

## Minutes Approval

1. Public Safety Facility Needs and Assessment Committee - Committee - Oct 24, 2017 11:30 AM

## Discussion Items

1. Discussion of Phase II Completion

## Adjournment



# Public Safety Facility Needs and Assessment Committee

60 Central Avenue. Room 302  
Cortland, NY 13045  
<http://www.cortland-co.org>

Committee

~ Minutes ~

Tuesday, October 24, 2017

11:30 AM

Room 302

## Call to Order

The meeting was called to order at 11:30 AM by District 12 Joseph Steinhoff

Attendee Name	Title	Status	Arrived
John R Troy	Legislative District 1	Present	
Donnell Boyden	Legislative District 8	Present	
Sandra Price	District 14	Present	
George Wagner	District 15	Present	
Mary Ann Discenza	District 6	Present	
Joseph Steinhoff	District 12	Present	
Charles Sudbrink	District 17	Present	
Christopher Newell	District 11	Present	
Budd Rigg	Undersheriff	Present	
Mark Helms	Sheriff	Present	
Ralph Canfield	Treasurer	Present	
Richard Bushnell	District 4	Present	
Gordon Wheelock	District 10	Present	
James Denkenberger	District 16	Present	
Ron VanDee	Legislative Candidate	Present	
Michael Barylski	Legislative Candidate	Present	
Catherine Wilde	Cortland Standard	Present	
David Clay	Buildings and Grounds Foreman	Present	
Brad Smith	WXHC	Present	
Karen Fuller	Deputy Clerk of the Legislature	Present	
Karen Howe	County Attorney	Present	

## Minutes Approval

1. Public Safety Facility Needs and Assessment Committee - Committee - Aug 15, 2017 11:30 AM

## Discussion Items

Cortland Variance Correspondence - October 17, 2017

Mr. Steinhoff said the Committee will review the variance letter received from the Department of Corrections and noted that he was not the only one that viewed the various aspects of the meeting in Albany differently than noted in the letter. He said previously recommendations had been made to the Judiciary and Public Safety (JPS) Committee that did not move forward.

Mr. Bushnell, Chair of the JPS Committee said the Committee considered the recommendations, however, due to contractual obligations with SMRT chose not to act upon the resolution. In addition, he noted there are six studies relating to jail projects starting from January 2002 on, with all indicating it is not feasible to work on a project at the jail's current location and some recommending a new site be chosen outside the urban area. Mr. Bushnell said one of the studies projects the need for 140 beds by 2025. He also noted that by building a pod it would not truly expand the jail and would simply take inmates housed in an area allowed by a variance and

Minutes Acceptance: Minutes of Oct 24, 2017 11:30 AM (Minutes Approval)

relocate them. He also believes it is necessary to perhaps consider simply building the jail with the Sheriff's office located within it. Mr. Bushnell asked if given the flat budget the County would be moving forward with the project. Mr. Steinhoff disagreed that the budget was truly flat. Mr. Bushnell expressed concern that to fully be a "flat" budget may require waiting many more years.

Mr. Steinhoff asked if it is possible for the County to bond for \$40-\$50 million. Mr. Canfield said the State would not recommend it as it would more than double the debt of the County and place us on the financially-stressed list. Doing this would not provide the opportunity of interest benefits, would lose the credit rating the County currently has as well as other problems. He said next year's debt service for interest and principle is over \$2.5 million; putting an additional amount for the jail project would increase to \$5 million for interest and principle. Ms. Discenza asked if the balance of the funds set aside for SMRT was rolled into the 2018 budget. Mr. Canfield said it is included as part of the appropriated fund balance.

Mr. Troy said he did not vote in favor of another feasibility study as there have been at least six studies since 2002 and does not think more money should be spent on a study that simply expecting a different result. He would like to see the County move in a different direction.

Mr. Sudbrink said the former building superintendent noted that some of the studies were somewhat political as there was not the desire to take three properties utilizing eminent domain proceedings. Although a study may show there is not adequate space to do so it may be worthwhile.

Mr. Boyden suggested the option of leasing and bonding, a lease-to-own option may work. This would be at a cost of over \$2 million/year.

Mr. Newell asked what would be the worst-case scenario with regard to boarding out the inmates. Mr. Boyden stressed the financing could be done the same as for the communications towers and to use the sales tax for the payment.

Mr. Canfield suggested the possibility of bonding incrementally, which could increase the interest rate, but would not be the full amount. Additional bonding could progress as needed until constructed. He noted that there are other counties that he has spoken to that use sales tax revenues to fund large projects, including renovation of existing jails or construction of a new one. Although he recognizes the discussion of sales tax is sensitive it is a funding option and there could be an increase in the future if the County is fortunate to have new business or events like it did when the Jets were present. He said the sales tax could be a possible funding to pay progress payments. Mr. Canfield also noted that Casino funds are limited to education and reduction of the tax levy. Mr. Boyden said it is a financing option that can and should be looked at before making a determination the county cannot move forward.

Ms. Price noted the casino funds are already in a reserve account to use for the jail. She then recalled that the Budget and Finance Director had reported in March that the County was almost at 90 percent of the constitutional tax limit. She said decisions on funding is outside of this committee's responsibility but as a legislator each is responsible to look at the potential that alternatives to incarceration or other practices at the jail are being done that may alleviate the number of individuals in jail.

Mr. Bushnell said Tompkins County has increased its budget \$300,000 to cover the cost of boarding out inmates as a result of losing a variance and that the State does not believe boarding out is a solution to the problem. He is concerned that with this occurring in many counties the jails will become full and unable to take boarded out inmates.

Mr. Sudbrink said Cortland County's tax levy is \$8-\$10 million more than other counties with \$18 million in salaries. It is necessary to get finances in order and cut the levy to be able to pay for the facility. It would be possible to get the variances cut and board out but would be 1/3 of what the cost of a new facility would be and make the public safety complex unattainable. He suggested making the necessary cuts to the facility can be built.

Mr. Steinhoff said the county residents are over taxed and that the County cannot borrow; if

the sales tax is necessary it would have to be addressed by the Budget and Finance Committee.

Mr. Sudbrink spoke of the ability to receive another IRT exercise in 2019 and noted it is possible to utilize it for engineering rather than medical as previously done. This would bring in the staff to complete the parking lot and utility portion of the project at no cost to the County.

Mr. Steinhoff noted Mr. Boyden's suggestion of using sales tax in the same manner as the communications project. He said smaller counties use their share of sales tax to keep local taxes down; the County would not be reducing any taxes when taking the additional revenue. Mr. Steinhoff has spoken to towns and villages and both said they will do what they have to help.

Mr. Troy said the County does not know what the total cost would be and believes SMRT should complete Phase II. If done, the work would be completed around mid-year and the newly sat Legislature could decide how to proceed and how to potentially finance the project.

Mr. Steinhoff said completing Phase II would spend the \$1.5 million set aside at this time. He said it was believed that the County could fund the new jail and 1.5 years later the Budget and Finance Officer said that the County would start 2018 \$1.8 million in the hole and that became \$3.2 million later in the year. He said it was discussed to make cuts in the budget to be able to fund, but he believes there should have been more cuts. In addition, if the County could get funding for the project, even in increments, the bond ratings would drop. He does not want to fund the jail on the backs of taxpayers and noted if the County takes additional sales tax it only raises it at the towns and villages.

Mr. Boyden said a Request for Proposals to expand or put an addition on the existing jail could be done.

Mr. Sudbrink said it is up to the Legislators to make a decision whether to spend \$1.3 million to complete Phase II or to lose the variances.

Sheriff Helms said he has two weeks to respond to the correspondence from the State Department of Corrections. He knows the tax situation the County faces and is also concerned. Sheriff Helms said he continually hears people refer to Alternatives to Incarceration and that the average person does not know what it is. There is a lot said, but little is done to look into the situation and not one thing has happened to do so since the start. He said that although Tompkins County is looking for more alternatives it will not result in inmates going away. Sheriff Helms expressed concern on the 30 beds located in the former recreation room and that there is the potential for a problem. He said the County needs to work on what it can control and determine what can be done.

At this time it was suggested to bring in appropriate personnel to discuss alternatives to incarceration.

Mr. Wagner again suggested increasing sales tax by .5%. He has spoken to Senator Seward and expressed the need for assistance in finding funding. Mr. Wagner said people are incarcerated for breaking State laws and he believes the State needs to help.

Mr. Sudbrink said there are complaints that the Cortland County Business Development Corporation does not bring people and business to the County but the high taxes makes it impossible to do so. Although he understands sales tax is the fairest one but between a higher sales tax and property taxes businesses are hesitant.

Mr. Wheelock said he would rather pay additional town and village tax than an increase in the County tax if the County were to keep additional sales tax.

Mr. Canfield said the \$12.5 million distributed is part of the 4% the County receives. If every town, village and city uses it to reduce the tax levy we would need to make up the \$12.5 million dollars. If we keep it all to lower taxes the amount we lower the tax rate and then raise would be net effect. He said without knowing how the sales tax provided to the municipalities is used it is hard to determine what it is used for; eight use it to lower taxes. Like the radio project everyone

benefits from the project. The jail is a countywide challenge and expense. Mr. Canfield said other counties funded through sales tax and it is the way the communication project was funded. Mr. Sudbrink said he is not in favor of taking sales tax distribution from towns and villages.

Mr. Sudbrink said he has been reaching out to other counties about the financial stress and said they lowered their budget and have working jails.

Mr. Boyden said the County needs to determine how to eliminate deficits. Mr. Canfield said the appropriated fund balance cannot be used and that the ability to borrow is constrained. Mr. Wagner said the county's workers compensation bill for next year will be \$1.3 million. Mr. Canfield noted that in addition to the workers compensation bill the health insurance has also increased well above the rate of inflation.

Mr. Denkenberger said rather than just discussing money the point should be who can spend it better and the County has not shown it can do that well. Chenango County has a \$50 million reserve fund. In the future the jail would need to have repairs and there will always be increased costs. That money is what is not dedicated from the budget and is still above a flat tax. He spoke of how many programs are not needed such as Environmental Health; until the Legislature gets serious about reducing the budget the problem will grow. Mr. Denkenberger said the County can't afford anything beyond board out expense. He spoke of the threat of removing variances and said that threats are not always what happen.

Ms. Price asked what would occur after this meeting.

Mr. Steinhoff asked that the information regarding the County financial status and bonding ability be included within the minutes.

Mr. Troy spoke of the vote on the feasibility study was done when two folks were not present. Mr. Steinhoff said it could be a recommendation to do so and provide a list.

Another option was to complete Phase II. Mr. Newell said a study could be done but it is important to understand what the County can afford and the direction to take.

Mr. Bushnell said it would be wrong to do an evaluation on the current site. To take three houses and put in a pod would not be easy. To do that would just move the inmates and not expand the current jail. He does not believe the site would work for what is needed.

Mr. Boyden suggested the possibility that the current jail could be used in conjunction with the Raise the Age legislation that is forthcoming. By doing so it may assist in finding funding for a new facility.

Mr. Sudbrink said if a new jail is built it should include all since it is more efficient to co-locate.

A recommendation was made to ask Budget and Finance to cut ten percent more off the budget.

Sheriff Helms said the problem of the jail will not go away and there is a need to look at what is the best option. He expressed concern that the current jail is going to require repairs and that the roof is leaking. He said the County needs to see different option to be able to decide what revenue would be available. Sheriff Helms said the drug epidemic is huge and the number of inmates is continually changing with some times higher and others lower. He also spoke of the amount of money Chenango County is receiving from the County for board outs because they made their facility large enough to take them; Cayuga County is the same. Mr. Steinhoff asked if the inmates boarded out are serving terms. Sheriff Helms said as much as is possible, however, with the different populations of inmates each is a different situation.

Mr. Bushnell said the Committee has until the end of December for its work. He hopes that when together again there will be more work on the project; 19.5 hours' worth of work has gone into it and he hopes the next Committee does the work.

