

**Law Enforcement and Public Safety Committee
Regular Meeting Minutes**

DATE & TIME: February 3, 2015 – 5:30 PM
LOCATION: COB, 6th Floor, Karen Binder Library
PRESIDING OFFICER: Chairman TJ Briggs
LEGISLATIVE STAFF: Jay Mahler, Deputy Clerk/Confidential Secretary
PRESENT: Legislators Provenzano, Ronk and Wishnick
ABSENT: Legislator Fabiano
QUORUM PRESENT: Yes
OTHER ATTENDEES: From the Sheriff’s Office: Sheriff Van Blarcum, Under Sheriff Mike Freer, First Sergeant Allen Rowe and Superintendent James Hanstein, From the District Attorney’s Office: Ms. Jessica Mila Schutzman, From the Public Defender’s Office, Andy Kossover, Esq.

Chairman Briggs called the meeting to order at 5:30 PM.

Motion No. 1: RESOLVED To Approve the Minutes of December 4, 2014 meeting with the understanding that the 2014 committee members would review and sign off on them

Motion Made By: Legislator Provenzano
Motion Seconded By: Legislator Briggs

Discussion:

There was a brief discussion as to the procedure for approving the minutes in light of the fact that the membership of the committee had changed since the December 2014 meeting. At the suggestion of Legislator Provenzano the Committee agreed to approve the minutes with the understanding that legislative staff would get the 2014 committee members to sign off on them.

Roll Call Vote: No
Voting In Favor: Legislators Briggs, Provenzano and Wishnick
Voting Against: None
No. of Votes in Favor: 3
No. of Votes Against: 0
Disposition: Carried

Sheriff's Report

Chairman Briggs recognized Sheriff Van Blarcum to discuss Inmate Board In and Telephone revenue.

Sheriff Van Blarcum advised the committee that he provided copies of the Board In and Telephone Revenue 2014 yearend report as well as the January 2015 report. He also handed each committee member a CD containing the 2014 yearend report from Correctional Medical Care, Inc. For the new members of the committee, Chairman Briggs explained that each month the Sheriff provides a report of the previous month's Board In and Telephone revenue which includes a comparison of the budgeted and actual amounts.

The Sheriff was asked to explain how the Board In capacity is determined. Legislator Wishnick asked if there was a potential for increase. Sheriff Van Blarcum advised the committee that there are restrictions in corrections as to types of inmates that can be housed together and said that he felt that the county boarded as many inmates as the jail could handle in 2014. Sheriff Van Blarcum introduced Superintendent James Hanstein who added that the facility could have accommodated more juvenile and female inmates, but that they were at capacity for male inmates. He also said that of the nearby counties only Dutchess was boarding out inmates, so that reduced the prospective pool more.

Legislator Ronk let the committee know that the Sheriff once went to Kingston City Court and bailed out a number of people on his credit card to make room at the jail for board ins. Sheriff Van Blarcum added that he has done that five times and added that the individuals he did that for were known to be wanted back in state prisons. First Sergeant Allen Rowe added that at any given time 25 beds in the jail are occupied by parole violators. He offered his opinion that those individuals should be sent back to prison to await their sentencing rather than to the county jail. Legislator Provenzano added that she remembered discussing that issue many years ago.

Legislator Provenzano asked how the Sheriff adjusts for space if there is a large arrest like the URGENT Task Force conducts. Sheriff Van Blarcum explained that they make arrangements ahead of time if there is something like that happening and have worked with other counties to send back board ins if necessary.

Sheriff Van Blarcum encouraged the committee to take a look at the CMC report he provided and offered to answer any questions. He acknowledged that the medical provider had been discussed in the Ways & Means Committee. Chairman Briggs added that he was going to add the CMC report to the March meeting agenda for discussion.

Chairman Briggs moved on to Resolutions.

Motion No. 2: Resolution No. 68 – February 17, 2015

Text of Motion: **Resolved to approve Resolution No. 68** – Authorizing The Chairman Of The Ulster County Legislature To Execute An Intermunicipal Agreement With Various Municipalities For The Operation Of U.C.E.R.T (Ulster County Emergency Response Team) – Ulster County Sheriff

Motion Made By: Legislator Wishnick

Motion Seconded By: Legislator Ronk

Resolution No. 68 Summary: This resolution authorizes the Chairman to execute an inter-municipal agreement with the Towns of New Paltz, Saugerties, Ulster, and Woodstock, and the SUNY New Paltz Police Department for the operation of Ulster County Emergency Response Team (UCERT).

Discussion:

Sheriff Van Blarcum advised the committee that First Sergeant Rowe is in charge of the UCERT team and was asked to come to the meeting to answer any questions. Legislator Provenzano asked for background on the team. First Sergeant Rowe explained that the team in its present form has been in existence since 2009. Before 2009 the City of Kingston was also a part, but has since opted out due to budget restrictions. There are 23 members on the team representing six different departments. Legislator Wishnick asked for an example of a situation UCERT would respond to. First Sergeant Rowe gave a couple of examples and advised the committee that the team responded 15 times in 2014. They also assist URGENT with serving warrants during big drug round ups. He added that the members train year round and also attend specialized trainings.

Chairman Briggs advised the committee that UCERT was present when there was an Ellenville School lockdown drill.

Roll Call Vote: No
Voting In Favor: Legislators Briggs, Provenzano, Ronk and Wishnick
Voting Against: None
No. of Votes in Favor: 4
No. of Votes Against: 0
Disposition: Carried

Sheriff Van Blarcum introduced his new Under Sheriff, Mike Freer and let the committee know that he and/or Under Sheriff Freer would be at every committee meeting. He added that it was his opinion that the committee should not vote on resolutions if someone from the department is not present to answer questions. He concluded by saying that he always attends meetings and brings individuals from his Office to answer any questions the legislators may have.

Legislator Wishnick said that proposed Local Law No. 1 regarding fireworks was not referred to the Law Enforcement committee and asked the Sheriff if he felt he should weigh in on it. The Sheriff responded that he would like to take a look at the law and see if he had any input to offer.

Legislator Ronk explained that the state passed a law allowing counties to sell non explosive fireworks pending the passage of a local law allowing the counties to regulate. Legislator Wishnick reiterated that he felt the Local Law should be referred to the Law Enforcement committee.

Motion No. 3: Resolution No. 66 – February 17, 2015

Text of Motion: Resolved to approve Resolution No. 66 – Approving The Exercise Of An Option To Renew The Present Lease Agreement with the Town of Wawarsing For A Substation Of The Ulster County Sheriff's Office – Department Of Public Works (Building & Grounds)

Motion Made By: Legislator Provenzano

Motion Seconded By: Legislator Ronk

Resolution No. 66 Summary: This resolution authorizes the Chairman to execute a lease, and any amendments thereto, with the Town of Wawarsing for the continued use of office space for an Ulster County Sheriff's Office substation at the Joseph Y. Resnick Airport terminal building at no rental cost.

Discussion:

Legislator Ronk asked if the Sheriff was pleased with the facility. He replied that they were. Under Sheriff Freer added that the Town of Wawarsing Emergency office was located there as well.

Roll Call Vote: No

Voting In Favor: Legislators Briggs, Provenzano, Ronk and Wishnick

Voting Against: None
No. of Votes in Favor: 4
No. of Votes Against: 0
Disposition: Carried

Chairman Briggs let the committee know that on January 10th the Ellenville Rescue Squad had their Annual Installation Dinner during which plaques are given to agencies that assist the squad. As President of the Ellenville Rescue Squad and a 40 year member, he said his squad was grateful for the assistance the Sheriff's Office continually offers during calls, and presented Sheriff Van Blarcum with a plaque in recognition. Chairman Briggs thanked him for the great work of his deputies.

Legislator Provenzano asked the Sheriff for his opinion on the dissolution of the Ellenville Police Department. The Sheriff pointed out that when the dissolution of the Village Police Departments was done in Saugerties and New Paltz a town-wide police department was already in existence. The Town of Wawarsing does not have a police department. The Sheriff offered that the Wawarsing sub station is the Sheriff's busiest and that the Ellenville Police Department is definitely busy. Chairman Briggs also pointed out that the Town of Wawarsing has the most miles of road of any town in the county and would present a large area that would need to be patrolled.

Motion No. 4: Resolution No. 76 – February 17, 2015

Text of Motion: Resolved to approve Resolution No. 76 – Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Vanacore, Debenedictus, Digiovanni & Weddell LLP– District Attorney

Motion Made By: Legislator Wishnick
Motion Seconded By: Legislator Provenzano

Resolution No. 76 Summary: This resolution approves the execution of a contract with Vanacore, Debenedictus, Digiovanni & Weddell LLP in the amount of \$100,000.00 for forensic accounting and fraud investigation services for the District Attorney's Office.

Discussion:

Chairman Briggs introduced Jessica Mila Schutzman from the Ulster County District Attorney's Office. Ms. Schutzman introduced herself as the financial crimes prosecutor in the office. She advised the committee that the resolution they were voting on was for a one

time grant from the state Department of Criminal Justice Services (DCJS) for \$100,000 for expertise in forensic accounting. The grant will expire in September 2015.

Legislator Wishnick asked for clarification on the relationship of the firm with the DA's Office regarding research vs. the identification of potential crimes. Ms. Schutzman advised the committee that the DA's Office does the initial research and determines where a crime may exist and provides the materials to be reviewed to the firm. She added that the District Attorney's Office does not have anyone on the team with a forensic accounting background which is a very specialized area of expertise.

Roll Call Vote:	No
Voting In Favor:	Legislators Briggs, Provenzano and Wishnick
Voting Against:	None
No. of Votes in Favor:	3
No. of Votes Against:	0
Abstention:	1 - Ronk
Disposition:	Carried

Motion No. 5: Resolution No. 67 – February 17, 2015

Text of Motion: **Resolved to approve Resolution No. 67** – Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The New York State Office Of Indigent Legal Services To Accept A Grant For The Counsel At First Appearance Project – Office Of The Public Defender

Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Provenzano

Resolution No. 67 Summary: This resolution authorizes the Chairman of the Ulster County Legislature to execute an agreement and any amendments thereto, in the amount of \$604,776.00 with the New York State Office of Indigent Legal Services for the purpose of Ulster County's participation in the Counsel at First Appearance Project for the term June 1, 2013 through May 31, 2016.

Discussion:

Chairman Briggs introduced the Ulster County Public Defender Andy Kossover. Mr. Kossover introduced himself and explained that there was recently a decision in the State of New York that counsel should be present at the first appearance, the arraignment, of any defendant. He highlighted the importance of having counsel present noting that one of the things determined at an arraignment is bail. He explained that he submitted a proposal to the

New York State Office of Indigent Legal Services to comply with the decision by the court. He advised the committee that the proposal was recognized as being the most comprehensive plan submitted and was therefore awarded the almost \$700,000 grant.

Legislator Wishnick asked for clarification on the meaning of arraignment. Mr. Kossover gave an overview of the process and explained that the software that is part of the grant will track the types of cases and the results of the court's ruling in determining bail amounts and/or incarceration. He added that the first year of the program would have an emphasis on data collection with the second and third year improving on the service based on the data. He advised the committee that the grant requires quarterly reporting. Legislator Provenzano asked Mr. Kossover to share those reports with the committee.

Roll Call Vote:	No
Voting In Favor:	Legislators Briggs, Provenzano, Ronk and Wishnick
Voting Against:	None
No. of Votes in Favor:	4
No. of Votes Against:	0
Disposition:	Carried

Motion No. 6: Resolution No. 77 – February 17, 2015

Text of Motion: **Resolved to approve Resolution No. 77** – Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – The Research Foundation Of State University Of New York– Public Defender

Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Provenzano

Resolution No. 77 Summary: This resolution approves the execution of a contract with the Research Foundation of State University of New York to develop arraignment software that will integrate with the County's existing systems and programs, and provide quantitative and qualitative analysis and reporting of counsel at first appearance program through 100% State funding totaling \$79,100.00.

Discussion:

Chairman Briggs explained that this resolution is a companion to Resolution No. 67 that was just discussed. Mr. Kossover added that CREEO is going to assist with the hardware, software and implementation of the program. He let the committee know that he will be at future meetings because his office has a number of grants that will be submitted for consideration.

Roll Call Vote: No
Voting In Favor: Legislators Briggs, Provenzano, Ronk and Wishnick
Voting Against: None
No. of Votes in Favor: 4
No. of Votes Against: 0
Disposition: Carried

Motion No. 7: Resolution No. 75 – February 17, 2015

Text of Motion: Resolved to approve Resolution No. 75 – Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Taylor Recycling Facility LLC– Department Of Emergency Management

Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Provenzano

Resolution No. 75 Summary: This resolution approves the execution of a contract amendment number 7 with Taylor Recycling Facility LLC for an increase not to exceed sum to cover required abatement and remediation work during demolition process through 100% State funding totaling \$250,000.00.

Discussion:

None

Roll Call Vote: No
Voting In Favor: Legislators Briggs, Provenzano, Ronk and Wishnick
Voting Against: None
No. of Votes in Favor: 4
No. of Votes Against: 0
Disposition: Carried

Motion No. 8: Resolution No. 95 – February 17, 2015

Text of Motion: Resolved to approve Resolution No. 95 – Appointing Member To Fill Vacancy On The Ulster County Fire Advisory Board

Motion Made By: Legislator Ronk

Motion Seconded By: Legislator Provenzano

Resolution No. 95 Summary: This resolution approves the appointment of Kevin Hynes to the Fire Advisory Board per the recommendation of the Town of Rosendale.

Discussion:

Legislator Provenzano asked for clarification as to where the recommendation came from. Legislator Ronk explained that the Town of Rosendale recommended Mr. Hynes for the position.

Roll Call Vote: No
Voting In Favor: Legislators Briggs, Provenzano, Ronk and Wishnick
Voting Against: None
No. of Votes in Favor: 4
No. of Votes Against: 0
Disposition: Carried

Motion No. 9: Resolution No. 94 – February 17, 2015

Text of Motion: **Resolved to approve Resolution No. 94** – Setting A Public Hearing On Proposed Local Law No. 2 of 2015 (A Local Law Requiring That The County Of Ulster Be Reimbursed For The Cost Of Medical Or Dental Services Provided To Inmates At The Ulster County Jail From Any Third Party Coverage Of Indemnification Carried By An Inmate) To Be Held On Tuesday, March 17, 2015 At 7: 10 PM

Motion Made By: Legislator Provenzano
Motion Seconded By: Legislator Wishnick

Resolution No. 94 Summary: This resolution approves the setting of a Public Hearing on proposed Local Law No. 2 of 2015 (A Local Law Requiring That The County Of Ulster Be Reimbursed For The Cost Of Medical Or Dental Services Provided To Inmates At The Ulster County Jail From Any Third Party Coverage Of Indemnification Carried By An Inmate) on March, 17, 2015.

Discussion:

Chairman Briggs offered that Legislator Loughran first discussed the idea the December meeting and suggested that the committee postpone the resolution to the March meeting and ask Legislator Loughran to attend to answer questions. Legislator Provenzano offered that the Resolution was a good idea and that the committee should vote on it.

Roll Call Vote: No
Voting In Favor: Legislators Briggs, Provenzano, Ronk and Wishnick
Voting Against: None
No. of Votes in Favor: 4
No. of Votes Against: 0
Disposition: Carried

Old Business - none

New Business

Chairman Briggs advised the committee that Mr. Rich Parrish was the current EMS Coordinator and has been volunteering his services for 2 or 3 years. He reminded the committee that the Legislature funded the position through the budget process. He asked the committee's permission to write a letter to Executive Hein to recommend that Mr. Parrish continue in the position of EMS Coordinator.

Motion No. 10:

Text of Motion: Resolved authorize the Committee Chairman to write a letter to the Executive urging the appointment of Mr. Parrish.

Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Provenzano

Discussion:

Legislator Ronk shared that he also knew Mr. Parrish and found him to be qualified for the position and that he attends the monthly Fire Advisory Board meetings and also attends the meetings of the newly created EMS Advisory Board.

Roll Call Vote: No
Voting In Favor: Legislators Briggs, Provenzano, Ronk and Wishnick
Voting Against: None
No. of Votes in Favor: 4
No. of Votes Against: 0
Disposition: Carried

Chairman Briggs reminded the committee that the next meeting would be on Monday, March 2nd at 5:30 PM in the COB, 6th Floor, Karen Binder Library and asked if there was any other business; hearing none.

Adjournment

Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Wishnick
No. of Votes in Favor: 4
No. of Votes Against: 0

TIME: 6:24 PM

Respectfully submitted this 2nd day of March, 2015

Jay Mahler, Deputy Clerk

Minutes Approved: March 2, 2015