

**Creating A Special Committee To Investigate Matters Regarding
The Planning And Construction Of The Ulster County Law
Enforcement Center**

Chairman Donaldson offers the following:

WHEREAS, pursuant to Section 209 of County Law, the Ulster County Legislature is empowered to issue subpoenas and conduct investigations of any subject matter within its jurisdiction, including the conduct and performance of official duties of any officer or employee paid from County funds and the accounting for all money or property owned by or under the control of the County, and

WHEREAS, Section 209 of County Law further provides that the powers to conduct such investigations may be delegated to a committee of the Ulster County Legislature, and

WHEREAS, the County of Ulster owns and controls certain property known as the Ulster County Law Enforcement Center, which was planned and constructed with County funds, and

WHEREAS, the Ulster County Law Enforcement was scheduled to be completed by April of 2004, and it is yet to be approved by the New York State Commission of Correction for occupation by inmates, and

WHEREAS, the cost of planning and constructing the Ulster County Law Enforcement Center has already exceeded the amount originally budgeted for this purpose, and

WHEREAS, it is the intent of the Ulster County Legislature to have the planning and construction of the Ulster County Law Enforcement Center investigated pursuant to Section 209 of County Law, and

WHEREAS, such an investigation shall require the need of a special investigator and/or consultants with expertise in these matters, and

WHEREAS, such an investigation shall require the assistance of legal counsel, and

WHEREAS, the limited staff in the Ulster County Attorney's office necessitates the need for special counsel to be retained for this investigation, and

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WHEREAS, Section 501 of County Law permits County Attorney to employ counsel to assist in any civil action or proceeding brought by or against the County within the limits of appropriation, and

WHEREAS, the Ways and Means Committee has met and reviewed said request with a majority of the members voting approval.

RESOLVED, that a five (5) member Special Committee is hereby created for the purpose of investigating the planning and construction of the Ulster County Law Enforcement Center and all matters related thereto, and

FURTHER RESOLVED, that the Ulster County Legislature hereby delegates the authority to investigate these matters to this Special Committee, and

FURTHER RESOLVED, that this Special Committee shall be known as the Special Committee of the Ulster County Legislature for the Investigation of Matters Regarding the Planning and Construction of the Ulster County Law Enforcement Center, and

FURTHER RESOLVED, that this Special Committee shall be vested with all of the powers and authority to carry out its functions as set forth in Section 209 of County Law; shall investigate the matters referred to herein; and shall, upon the completion of its investigation, present a full report to the Ulster County Legislature as to its findings, conclusions and recommendations, and

FURTHER RESOLVED, this Special Committee's powers shall be limited to the investigation, findings, conclusions and recommendations as described herein, and that any further or subsequent action involving the matters herein shall be subject to the approval and authorization of the Ulster County Legislature, and

FURTHER RESOLVED, that the Ulster County Legislature shall provide for appropriations to carry out the functions of this Special Committee, and

FURTHER RESOLVED, that this Special Committee may employ, within the limits of the appropriations approved by the Ulster County Legislature, special investigator(s) and/or consultant(s), and special counsel, which shall be subject to the approval of the County Attorney,

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and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

FINANCIAL IMPACT:

NONE

011804

REFERRED BACK TO COMMITTEE