

**ULSTER COUNTY LEGISLATURE
COMMITTEE MEETING MINUTES**

NAME OF COMMITTEE: Criminal Justice & Safety Committee
DATE: April 21, 2009
TIME: 4:45 PM
PLACE: Library Conference Room, 6th Floor, County Office Building

LEGISLATORS PRESENT: Chairman Frank Dart, Deputy Chairman Paul Hansut, Legislator James Maloney, Legislator Richard Parete, Legislator Kenneth Ronk Jr.

LEGISLATORS ABSENT: Legislator Thomas Briggs, Legislator Susan Zimet

OTHERS ATTENDING: Chairman David B. Donaldson, Counsel to Legislature Daniel Heppner, Sheriff Paul VanBlarcum, Undersheriff Frank Faluotico, Tom Kadgen (LWV, CJC), Tana Agostini (Re-Entry Advocate), Hyland E. Winnie III (VP, UCSEA, CWA), Louis A. Mottola (President, UCSEA, CWA), Abram D. Markiewicz (Treasurer, UCDSPPA)

MEETING CALLED TO ORDER @ 4:58 PM

APPROVAL OF THE MARCH 24, 2009 MINUTES:

Motion offered by Legislator Hansut, Seconded by Legislator Maloney, All in Favor, Carried.

- **Weights & Measures - James DeGasperi**

- 1) Resolution (Authorizing The Chairman Of The Ulster County Legislature To Sign An Amendment With The New York State Department Of Agriculture And Markets - Amending The 2009 Ulster County Budget)

Motion offered by Legislator Hansut, Seconded by Legislator Maloney, All in Favor, Carried.

Discussion: None

- **Sheriff's Department - Paul VanBlarcum/Frank Faluotico**

- 2) Resolution (Authorize The Chairman Of The Ulster County Legislature To Sign An Agreement With The Town Of Fallsburg)

Motion offered by Legislator Hansut, Seconded by Legislator Maloney, All in Favor, Carried.

Discussion: Sheriff VanBlarcum explained to the committee about the agreement, the Town of Fallsburg is using an in-car communications system for the purpose of dispatch and data exchange.

3) Resolution (Authorizing The Chairman Of The Ulster County Legislature To Sign An Agreement With NYS Office Of Homeland Security - Amending The 2009 Ulster County Budget)

Motion offered by Legislator Hansut, Seconded by Legislator Parete, All in Favor, Carried.

Discussion: None

4) Resolution (Amending The 2009 Ulster County Budget)

Motion offered by Legislator Parete, Seconded by Legislator Hansut, All in Favor, Carried.

Discussion: None

- **Emergency Communications/Emergency Management - Art Snyder**

5) Resolution (Establishing Capital Project No. 325 - The Greater Catskills Flood Remediation Program - Purchase And Demolition Of Residential Properties Damaged By Devastating Floods In Ulster County Since April 1, 2004 - New York State Housing Trust Fund Corporation, Division Of Housing And Community Renewal- Approval Of The Environmental Review Under The State Environmental Review Act (SEQRA)- Classification Of Project As An Unlisted Action, And Approval Of Negative Declaration)

Motion offered by Legislator Maloney, Seconded by Legislator Parete, All in Favor, Carried.

Discussion: None

- **Resolution Request:**

6) Formalizing The Inter-Agency Council On Domestic Violence

Motion offered by Chairman Donaldson, Seconded by Legislator Parete, All in Favor, Carried.

Discussion: None

- **Local Laws:**

7) Setting A Public Hearing On Introductory Local Law No. 5 Of 2009 (A Local Law Prohibiting The Use Of Wireless Handsets To Compose, Read Or Send Text Messages While Operating A Motor Vehicle In The County Of Ulster) To Be Held On Wednesday, June 3, 2009 At 6:10 PM

Motion offered by Legislator Hansut, Seconded by Legislator Maloney, All in Favor, Carried.

Discussion: Before the Committee voted on ILL No. 5 of 2009 there were the following amendments:

- The word Twitter was added to the title and body of the Law
- Under Section 5 (A) The offense amount was changed from \$500.00 to \$250.00
- Under Section 5 (B) May be enforced changed to shall be enforced

- **Referred Back to Committee:**

8) Setting A Public Hearing On Introductory Local Law No. 4 Of 2009 (Enacting "Lynette's Law" - A Local Law Establishing A Charge Of Aggravated Harassment For The Throwing, Tossing Or Expelling Of Bodily Fluids On Residents Of Ulster County) To Be Held On Wednesday, June 3, 2009 At 6:05 PM

Motion offered by Legislator Parete, Seconded by Legislator Hansut, All in Favor, Carried.

Discussion: Before the Committee voted on ILL No. 4 of 2009 there were the following amendments:

- The title and body would no longer reflect the name "Lynette's Law"
- Section 3 - Changed from a Class E Felony to Unclassified "A" Misdemeanor, punishable by a prison term not to exceed one year and/or a fine not to exceed \$1000.00 or both

9) Authorizing An Agreement Between The County Of Ulster And The Ulster County Sheriff and The Ulster County Sheriff's Employees Association, Affiliated with Communications Workers of America, AFL-CIO, CLC Local 105 (UCSEA/CWA) For The Years 2008 And 2009

Motion offered by Legislator Hansut, Seconded by Chairman Donaldson, All in Favor, Carried.

Discussion: Sheriff VanBlarcum discussed with the committee the importance of passing this agreement and that he is in total support of the contract. He explained that one of the reasons for the delay is that he requested an Alcohol and Drug testing procedure. Chairman Donaldson also expressed his support of the contract. Several representatives from the Sheriff's Department spoke on behalf of the Department and their support of the contract.

- **New Business:**

- Discussion to expand Ulster County's work release program to include women / SPCA in the past has agreed to participate. Chairman Donaldson expressed to the committee and to the Sheriff that he would like to see a policy worked on to address this unequal situation. Sheriff VanBlarcum stated that his department would participate but at this time it is not budgeted for and they book the work release program a year in advance so he will implement a women's program for next year.
- Tana Agostini (Re-Entry Advocate) handed out to the Committee a report on Sex Offender Releases (Community outcome for first releases through three years). This report reflects recidivism rates for sex offenders for all of New York State. She believes that there is a lot of misinformation out there that scares the public to believing the rates of return violators is much higher than it actually is. (see attached report)

- **Old Business:**
 - Moving Forward/Recommendations made by the Special Committee to Investigate the Planning, Pre-Planning and Construction of the Ulster County Law Enforcement

Discussion: Tom Kadgen addressed the committee with his concerns about the recommendations that were made by the above mentioned committee and feels that the Criminal Justice & Safety Committee should really look at all the recommendations that have been taken over the last 20 years that were not enacted that would reduce jail utilization. After the Committee met the Grand Jury also met and came up with a similar thought. He stated that there is not enough data from the Departments and without data you can not form policies. We do not know what the crime rate is in our County, is it going up or down? What effect will it have on future jail population? You need to come to some sort of data stream that will allow you as Legislators to know what policies to make. Chairman Dart stated that with the Privacy Act he is not sure what type of Inter-Agency data can be shared. Legislator Parete is going to contact Dr. Gerald Benjamin at SUNY New Patlz, in the past it has been discussed with him about the possibility of having his students work on collecting the necessary data and help analysis the information to start new programs. The Committee agreed to move forward on this project.

Motion to adjourn meeting @ 6:00 PM

Motion offered by Legislator Maloney, Seconded by Legislator Ronk, All in Favor, Carried.

Respectfully Submitted,

**Tammy Wilson,
Senior Legislative Employee**
