

**ULSTER COUNTY LEGISLATURE
COMMITTEE MEETING MINUTES**

NAME OF COMMITTEE: Criminal Justice & Safety Committee
DATE: August 25, 2009
TIME: 4:45 PM
PLACE: UCLEC, Rotunda, 380 Boulevard

LEGISLATORS PRESENT: Chairman Frank Dart, Legislator Thomas Briggs, Legislator James Maloney, Legislator Richard Parete Legislator Kenneth Ronk Jr.

LEGISLATORS ABSENT: Deputy Chairman Paul Hansut, Legislator Susan Zimet

OTHERS ATTENDING: Legislative Counsel Daniel Heppner, Legislator Philip Terpening, Deputy County Executive Robert Sudlow, Sheriff Paul VanBlarcum, Undersheriff Frank Faluotico, Det. Lt. Ed Brewster, President Donald C. Katt (UCCC), Dean of Continuing Education Marianne Collins (UCCC), College Attorney William Ryan (UCCC), Director of Continuing Education Chris Marx (UCCC), Ms. Donita Johnson (Parent/Ulster Park)

INTRODUCTORY LOCAL LAW NUMBER 9 OF 2009 - A Local Law Amending Local Law No. 14 Of 2007 (A Local Law Requiring Criminal Background Checks Of Prospective Applicants For Employment With The County Of Ulster)

INFORMATIONAL DISCUSSION - Representatives from the Ulster County Community College, President Donald C. Katt, Dean of Continuing Education Marianne Collins, College Attorney William Ryan, and Director of Continuing Education Chris Marx were in attendance to outline the goals and objectives of the requested changes to the local law. (See attached - For the purposes of identification, the proposed changes to Local Law No. 14 2007, appear in bold italics) Mr. Ryan stated that even though it seems very wordy, it is necessary to narrow down the individuals that fall under this relatively narrow exemption. President Katt explained that the target here is the individual that comes and teaches less than a total of fifteen hours in one semester. The IRS standards have changed, and once considered as an independent contractors is now considered an employee. These are the people that they would like to see exempt by this local law.

Legislator Briggs made the recommendation that on Page 3, #2C that a three-year period be changed to an eighteen month period.

Sheriff VanBlarcum mentioned that #4 on Page 1 states that the Sheriff's Department or his/her deputies or designees have the equipment and expertise to prepare and process fingerprints. He stated that as of January 1st this will be done by an outside vendor.

MEETING CALLED TO ORDER @ 6:10 PM

APPROVAL OF THE JULY 21, 2009 MINUTES:

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

MEMORIALIZING

- 1) **Resolution - Draft** - Supporting New York State Assembly Bill No. A06864 - Amending The Penal Law And The Correction Law, In Relation To The Sanctions For Repeat Offenses Of The Crime Of Public Lewdness

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

Discussion: Chairman Dart briefly explained that there was an unfortunate circumstance that came to this Committee's attention. A person exposed himself at the Esopus Library, New Paltz Library, and The Parent Teacher Store in Kingston. Ms. Johnson called Chairman Dart on the matter and is asking for the Legislature to support NYS Assembly Bill No. A06864. District Attorney Holly Carnright spoke for a moment to say that he fully supports the Bill and can answer any questions that the Committee may have on the matter. Ms. Johnson spoke to the Committee and thanked them for allowing her to speak at tonight's meeting. She further explained to the Committee that the man did not just expose himself he masturbated in front of her daughter, and has been caught doing this act several times. He has violated the Order Of Protection, did not show up for Court and believes there is now a warrant out for his arrest. She feels that his actions are a precursor to a sexual based crime against a child and feels he needs to be stopped before this happens.

DISTRICT ATTORNEY - Holly Carnright

- 2) **Resolution - Draft** - Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement And Any Amendments To The Agreement With New York State Division Of Criminal Justice Services For The Aid To Prosecution Program

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

Discussion: District Attorney Carnright explained to the Committee that this Resolution is to renew the Aid to Prosecution Program for an additional year.

- 3) **Resolution - Draft** - Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With New York State Division Of Criminal Justice Services - District Attorney's Recruitment And Retention Program

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

Discussion: District Attorney Carnright explained that this Resolution has been previously voted on this year, an amendment was made to the date that the grant will be administered.

PUBLIC DEFENDER - Andrew Kossover

- 4) **Resolution - Draft** - Authorizing The Chairman Of The Ulster County Legislature To Enter Into An Agreement With The New York State Division Of Criminal Justice Services For The Aid To Defense Program

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

Discussion: None

SHERIFF'S DEPARTMENT - Paul VanBlarcum/Frank Faluotico

- 5) **Resolution - Draft** - Requesting Transfer Of Funds From The Contingent Account For Inmate Medical Services - Amending The 2009 Ulster County Budget (Corrections)

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

Discussion: Chairman Dart asked that Deputy Executive Robert Sudlow explain why initially the request was for \$500,000 dollars and now the request is for \$175,000 dollars to cover the inmate's medical expenses.

Mr. Sudlow made the following points:

- The initial cost was just a projection
- The money is coming out of contingency
- He will be meeting with the Sherriff's staff and the Department of Social Services to implement a plan to bill back Medicaid

Sheriff VanBlarcum addressed the Committee and explained that this inmate is back in the Hospital and that this Resolution only includes expenses up to that point, he is concerned about the additional expenses that he is now accruing. He would like to amend this Resolution to 200,000 dollars.

Further discussion followed between the Committee, Counsel, District Attorney Carnright, and Sherriff VanBlarcum about the situation.

Sheriff VanBlarcum introduced the new Corrections Superintendent James Hanstein and Detective Lieutenant Edward Brewster who gave an update of the Urgent Task Force.

NEW BUSINESS: Undersheriff Frank Faluotico invited everyone at the meeting to a Memorial Service for a 12 year old retired K-9 dog that passed away. The service will take place on September 4, 2009 at 3:00 PM at the C.W. Post Park in the Town of Ulster. A Memorial is in the works to be placed out in front of the UCLEC to pay tribute to all fallen K-9's. The supplies for this Memorial have all been donated.

OLD BUSINESS: Legislator Ronk gave a brief update to the status of the Emergency Communications Subcommittee. Due to scheduling conflicts they have not been able to meet. Legislator Hansut is on vacation and will schedule a meeting shortly.

A tour of the Jail was given after the closing of the meeting.

Motion to adjourn meeting @ 5:40 PM

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

Respectfully Submitted,

**Tammy Wilson,
Senior Legislative Employee**
