

**ULSTER COUNTY LEGISLATURE
COMMITTEE MEETING MINUTES**

NAME OF COMMITTEE: Criminal Justice & Safety Committee
DATE: September 22, 2009
TIME: 4:45 PM
PLACE: Library Conference Room, 6th Floor, County Office Building

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

LEGISLATORS ABSENT: Legislator Susan Zimet, Legislator James Maloney

OTHERS ATTENDING: Deputy County Executive Robert Sudlow, Sheriff Paul VanBlarcum, Undersheriff Frank Faluotico, District Attorney Holley Carnright

MEETING CALLED TO ORDER @ 4:47 PM

APPROVAL OF THE AUGUST 25, 2009 MINUTES:

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

SHERIFF'S DEPARTMENT - Paul VanBlarcum/Frank Faluotico

- 1) **Resolution - Draft** - Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement To Provide The Town of Fallsburg With In-Car Communications

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

Discussion: In-car communications system for the purpose of dispatch and data exchange.

- 2) **Resolution - Draft** - Amending The 2009 Ulster County Budget To Receive And Appropriate Forfeiture Revenue

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

Discussion: Revenue from forfeitures to be paid to the URGENT Team for overtime.

- 3) **Resolution - Draft** - Authorizing The Chairman To Execute An Amendment, And Any Further Amendments, To An Agreement With The New York State Office Of Homeland Security

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

Discussion: The amendment is to extend the contract to the end date to December 31, 2009.

- 4) **Resolution - Draft** - Authorizing The Chairman Of The Ulster County Legislature To Sign An Agreement With The Ulster County Board Of Cooperative Educational Services For A School Resource Officer (SRO) For The Period Commencing July 1, 2009 And Ending June 30, 2010

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

Discussion: BOCES will reimburse Ulster County 100% of the salary plus benefits of the Deputy Sheriff assigned as the SRO.

PROBATION DEPARTMENT - Melanie Mullins

- 5) **Resolution - Draft** - Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The New York State Crime Victims Board (NYSCVB) For The Continuation Of The Crime Victims Assistance Program

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

Discussion: None

TRAFFIC SAFETY BOARD - Charles Schaller

- 6) **Resolution - Draft** - Confirming Appointment Of Members To The Traffic Safety Board

Motion made by Legislator Briggs, Seconded by Legislator Ronk to Table this Resolution, All in Favor, Carried.

Discussion: Legislator Parete stated that these appointments are for January 1, 2010, they are the County Executive's appointments, and with new Legislators coming on board January 1st, he feels that it should be approved by the new Legislature. Legislator Hansut also made the point that there is no representation from the Southern end of Ulster County.

NOTE: It was determined after the meeting as per the Charter that the above Resolution in fact can not be tabled. These appointments are made by the County Executive; the Legislature

is only confirming these appointments. Appointment Resolutions have been placed into committees out of respect, so Committees could discuss the appointments given Committees use to oversee the departments and many of the boards/task forces being put in place. However, Committees need to know that they cannot, by Charter, hold appointment Resolutions up. By Charter and per our attorney, the full Legislature has a constitutional duty and must vote on the appointments for confirmation or if the Legislature takes no action, the appointments automatically take place.

REFERRED BACK TO COMMITTEE

- 7) **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 Briggs, Seconded by Legislator Parete, All in Favor, Carried.

Discussion: Chairman Dart stated that this Resolution was referred back to Committee at the September 9th Legislative meeting. He spoke with Mr. Carnright and the question of where the money is going still remains an issue. Mr. Carnright explained that they currently have five grants in their 2009 budget. The revenues are used to off-set their personnel costs. The Recruitment and Retention Grant and the Domestic Violence Grant are used to supplement the personnel costs of five Assistant District Attorney's; K. Harp, K. O'Brien, L. Harp, T. Steeves, and E. Culmone.

Legislator Parete stated to Mr. Carnright that the night of the last meeting, he arrived late and would not have been in favor of holding this Resolution up; he added that he fully supports Mr. Carnright and his staff. Mr. Carnright thanked him for his comments.

Chairmen Dart asked how is the stipends paid; weekly, monthly, yearly? Mr. Carnright explained that this is not a stipend; this grant is revenue and is only used to off-set the personnel costs of five of his Assistant District Attorney's. Mr. Carnright further explained that the grant is being paid out as over time to these individuals. They are working 80 hours bi-weekly instead of 70 hours. Further discussion followed with the Committee and Mr. Carnright about how these grants are presented in the budget.

Legislator Ronk asked Mr. Carnright if DGCS is acceptable with the money being spent as over time. His reply was that he thinks so. He does not know any other way to do it. He is not able to increase his staff at this time and there will be no raises. This is his way of compensating these individuals for the extra hours and extra work loads.

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

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

Discussion: Deputy County Executive Robert Sudlow, along with the Corrections Superintendent, his staff, and DSS, has determined the following:

- How the Medicaid process works concerning inmates
- Set up a screening process for inmates entering the jail to determine their Medicaid status
- Before, Medicaid was terminated upon entering the jail, now it will be suspended
- If an inmate now leaves the jail for outside services there is a mechanism in place to charge those costs back to the state.

In addition, Deputy County Executive Robert Sudlow updated the Committee as to the status of Medicaid questions concerning this inmate. It has been determined that inmate Passaro was on Medicaid the day that he was admitted to the Jail. Now the state wants to determine why he was on Medicaid. Susan Warmer from DSS and Corrections Superintendent James Hanstein will now be the contact point persons with the state. The question now is whether he came into jail on Medicaid and it was SSI (Disability), should that now be an SSI expense and not a Medicaid expense? If it is determined that it does not make a difference then the process will be started to submit claims going back to when his Medical issues began, if not there will be a new curve ball to deal with.

DA Carnright updated the Committee as to the sentencing status. They are still trying to determine his responsiveness. He stated that one of two things needs to happen:

- Get him in the court room and get him sentenced.
- Make an application under 730 to declare that he is physically incompetent to proceed to trial; he would then be transferred to a secured Mental Hospital until he is able to proceed to trial.

In conclusion, the Committee feels that the same issues remain and the same questions are still not answered. They are moving this Resolution forward tonight with the hope that the questions will be answered before the vote on October 14, 2009, if not they feel that it will be referred back to Committee again.

NEW BUSINESS: Legislator Hansut commended the URGENT Team for their work in the Town of Lloyd, there were three major arrests. He stated that it has a good impact on the community.

OLD BUSINESS: None

Motion to adjourn meeting @ 5:30 PM

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

Respectfully Submitted,
Tammy Wilson, Senior Legislative Employee
