

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

DATE & TIME: June 1, 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: Sheriff Van Blarcum, Under Sheriff Freer, UC Jail Superintendent James Hanstein, Legislative Counsel Weiner, Legislator Donald Gregorius.

Chairman Briggs called the meeting to order at 5:32 PM.

Motion No. 1: RESOLVED To Approve the Minutes of the May 4th meeting

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

Discussion:

There was a brief discussion about whether a committee member who was not present at the meeting could vote on the motion to adopt them. Chairman Briggs advised the committee that Legislative Counsel Weiner said that a member could vote to adopt minutes despite being absent from the meeting in question.

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

Motion No. 2: Resolution No. 231 – June 16, 2015

Text of Motion: **Resolved to approve Resolution No. 231** – Establishing A Policy For The Excused Leave Of Ulster County Personnel Classified As Department

Heads, Managerial Staff, Legislative Employees, and Board of Election Employees During Volunteer Emergency Response

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

Resolution No. 231 Summary: This resolution established a policy allowing certain county employees who are members of fire or ambulance departments the ability to use compensatory time to respond to an emergency when called.

Discussion:

Legislator Wishnick asked why the resolution was referred to the Law Enforcement & Public Safety Committee. Legislator Ronk clarified that Emergency Services Departments fall under the committee's purview. Chairman Briggs added that the Ways & Means Committee would also be considering the resolution because of the personnel aspect.

Chairman Briggs informed the committee that there is a gentleman who works for the Department of Public Works in Ellenville who is permitted to leave work to assist with an ambulance call if it goes to second or third dispatch. He added that the ability is not abused and it makes a big difference to the squad.

Legislator Ronk stated that there was no county cost to the policy because the employee would be using accrued time to respond to the emergency call. Under Sheriff Freer offered his support for the legislation and said that he felt that the employee shouldn't have to use accrued time. Superintendent Hanstein added that outside of the City of Kingston who has a paid Fire Department, every other community in the county relies on volunteers to respond to emergencies. Legislator Provenzano asked if there was any documentation on how many county employees leave work to respond to emergency call. Legislator Ronk and Chairman Briggs both responded that employees do not currently leave to respond because it's not an excused absence.

Legislative Counsel Weiner advised the committee that the original thinking was to allow an employee who was already responding to an emergency the ability to stay there rather than having to leave to go to work and secondly the ability to leave work. He added that the issue of liability was complicated and that County Attorney Havranek brought up her concerns with the bargaining unit issue as it pertains to affording one class of employees a benefit and not another. He said he was not sure if that was legally a concern because that was not his area of expertise. He added that the policy could be addressed at bargaining time.

Sheriff Van Blarcum said that when he served on the Shandaken Town Board Highway Department employees were able to leave to respond to Fire and Ambulance call. He added that Legislator Gregorius was on the Woodstock Town Board at the same time and that Rotron in Woodstock then and now allows their employees to leave and said that the ambulance was parked in their parking lot. Chairman Briggs advised the committee that in the Department of Corrections it was built into the contract that if you were on a call you were excused from work but had to report to work sometime before the end of the day. There were further details about being able to leave during the day spelled out in the contract.

Legislator Wishnick expressed his concern about having a concentration of volunteers in a Department that would leave an office unattended if everyone responded to a call. Legislator Ronk responded that the biggest chance for that to happen would be the Fire Coordinators Office.

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. 3: Resolution No. 239 – June 16, 2015

Text of Motion: Resolved to approve Resolution No. 239 – Establishing Capital Project No. 456 – Ulster County Law Enforcement Center Lighting – Department Of The Environment

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

Resolution No. 239 Summary: This resolution establishes Capital Project No. 456 with funding in the amount of \$12,237 to analyze lighting efficiency opportunities and retrofit and install energy efficient and environmentally conscious fixtures at the UC Law Enforcement Center.

Discussion:

Chairman Briggs asked the Sheriff how fast the payback would be. Sheriff Van Blarcum responded that he believed Amanda Lavalle from the Department of the Environment said 4 years. He added that they had already replaced lights in the parking lot with LEDs.

Chairman Briggs said that the Ellenville Hospital replaced the lights in their parking lot with LEDs and that the lighting is brighter and uses 1/6 of the electric and lasts much longer.

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. 4: Resolution No. 241 – June 16, 2015

Text of Motion: **Resolved to approve Resolution No. 241** – Accepting Donation Of A Vehicle From The Town of New Paltz – Sheriff’s Office

Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Wishnick

Resolution No. 241 Summary: This resolution, through the Sheriff, accepts the donation of a vehicle from the Town of New Paltz for use by URGENT as an unmarked vehicle.

Discussion:

Legislator Provenzano asked what kind of car it was and how many miles were on it. Sheriff Van Blarcum said he would get that information and advised the committee that the vehicle would be checked over by central auto before being used by URGENT. Legislator Ronk expressed his concern about having specific information about the make and model of the car on the audio because the car will be used by URGENT for undercover buy operations.

Sheriff Van Blarcum excused himself to get the details about the vehicle that Legislator Provenzano wanted. After a couple minutes he returned. The details of the vehicle’s make and model have been omitted from these minutes at the request of Legislator Ronk. The vehicle has 108,161 miles 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

Motion No. 5: Resolution No. 253 – June 16, 2015

Text of Motion: Resolved to approve Resolution No. 253 – Opposing The Process Of Enactment And Certain Provisions Contained Within The New York SAFE Act

Motion Made By: Legislator Ronk

Motion Seconded By: Legislator Briggs

Resolution No. 253 Summary: This resolution supports the passage of NYS Senate Bill S511 of 2015 which would repeal portions of the New York SAFE Act.

Discussion:

Legislator Ronk said that the committee didn't need to have a lengthy discussion about the subject and that most legislators knew where they stood on the issue. He added that this is an important issue in his and many districts and that there were strong views on it. Legislator Wishnick asked what provisions of the SAFE Act the Senate bill supported by the resolution would be repealed. Legislator Ronk responded that the Senate bill would remove all of the provisions of the SAFE Act except Mark's Law and Kendra's Law. There was a brief discussion on the merits of the Senate bill and the likelihood of the Assembly sponsoring the bill in that house.

Legislator Wishnick commented that since the county had no purview over the issue they should stay out of it. Legislator Ronk responded that the County Legislature often uses memorializing resolutions as a means to communicate support or opposition to state and federal actions on behalf of their constituents. He reminded the committee about a resolution to impeach President Bush introduced by a previous legislature as well as a resolution supporting the State Department position on events in Tibet which resulted in the receipt of a letter from His Holiness the Dalai Lama. He added that in this case there is a tangible county impact because they would be renewing the pistol permits and the Sheriff's Office has to enforce certain aspects of it. There was brief discussion on the likelihood of passage in Albany.

Roll Call Vote: No

Voting In Favor: Legislators Briggs and Ronk

Voting Against: None

No. of Votes in Favor: 2

No. of Votes Against: 2

Disposition: Defeated

Resolutions No. 254 and 255 – No Action was taken

Resolution No. 254 - Setting A Public Hearing On Proposed Local Law No. 8 of 2015 (A Local Law For The Licensing Of Persons In The Business Of Purchasing Secondhand Articles) To Be Held On Wednesday, August 12, 2015 At 6:00 PM

Resolution No. 255 - Setting A Public Hearing On Proposed Local Law No. 9 of 2015 (A Local Law Of The County Of Ulster, New York, Known As The “False Alarm Reduction Act”) To Be Held On Wednesday, August 12, 2015 At 6:05 PM

Discussion:

Chairman Briggs advised the committee that he would like the members to review both laws over the next month and that he will have Mr. Sinagra come to the July meeting to speak to the second hand dealer law and Detective Sergeant Markiewicz to speak to the False Alarm Law. Legislator Ronk advised the committee that he had Minority Counsel Guerin look into the Municipal Home Rule Law found there to be no issue with preemption in this law as written. Chairman Briggs said he would ask Legislative Counsel to review the laws as well.

Legislator Provenzano asked for the opinions of counsel to be in writing. Chairman Briggs added that he would like to see the written opinions prior to the July meeting. Sheriff Van Blarcum offered to share the draft laws with the State Sheriff’s Association. Legislative Counsel Weiner offered to ask District Attorney Carnright for his thoughts.

Sheriff’s Report

Chairman Briggs recognized Sheriff Van Blarcum to give his monthly report and highlighted the fact that the telephone revenue was down. Sheriff Van Blarcum responded that as the number of inmates declines due to the reduction in Board Ins the telephone revenue will also decrease. He added that he feels they will still meet the expectation for the Board In revenue. He said if they continue to board in 16 per day they will make ~\$904,000 which is ~\$28,000 more than budgeted. He concluded that they might be down on the telephone revenue, but not by a lot. He said they will be using the 16-20 inmate board in estimate when preparing the 2016 budget and are also working on increasing the number of federal inmates. Legislator Ronk asked if Dutchess was still experiencing issues with their air conditioning systems. Sheriff Van Blarcum acknowledged that the number of Board Ins increasing when the air conditioning system in Dutchess County malfunctions, but said there was no issue at the moment. He added that a deal with Greene County for Board Ins would be beneficial but that there was a complication with medical services and providers.

Old Business

Chairman Briggs asked if there was any old business. None was mentioned.

New Business

Chairman Briggs advised the committee that there was a letter from the Comptroller's Office included in their packets supporting a resolution that would be before the committee next month pertaining to the "cash on hand fund" for URGETNT. Sheriff Van Blarcum added that someone from the Comptroller's Office would be at the meeting next month to talk about the resolution.

Legislator Ronk mentioned that he attended the Sheriff's Office Awards dinner and the Police Chiefs Awards dinner. He complimented area law enforcement on their good work and encouraged legislators to reach out to area Law Enforcement to hear their stories. Chairman Briggs added that he works with area law enforcement frequently with the rescue and said they are always a great help in the field.

Chairman Briggs asked if there was any other business and hearing none.

Adjournment

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

TIME: 5:58 PM

Respectfully submitted this 6th day of July, 2015

Jay Mahler, Deputy Clerk

Minutes Approved: July 6, 2015