

**Authorizing The Formation Of A Special Committee To Investigate All Matters Related To The Proposition To Move The Ulster County Family Court From The City of Kingston, With All Powers Granted Pursuant To Section 209 Of New York County Law**

**WITHDRAWN BY SPONSORS**

Referred to: The Government Efficiency and Review Committee (Chairman J. Parete and Legislators Belfiglio, Briggs, Greene, and R. Parete), and The Ways and Means Committee (Chairman Gerentine and Legislators Allen, Bartels, Belfiglio, Briggs, Maio, and Maloney)

Legislators David B. Donaldson and John R. Parete offer the following:

WHEREAS, the County of Ulster leases and controls certain property known as the Ulster County Family Court Center, which is no longer sufficient for the operations of the three Family Court Justices; and

WHEREAS, the costs of pre-planning, planning, renovation and/or relocation of the current Ulster County Family Center has already exceeded the amount originally considered for this purpose; and

WHEREAS, Section C-11 K. of the Ulster County Charter, empowers the Ulster County Legislature *“To conduct studies and investigations in furtherance of its legislative functions and, in connection therewith, to obtain and employ professional and technical advice, appoint citizens' committees, commissions and boards, subpoena witnesses, administer oaths, and require the production of books, papers and other evidence deemed necessary or material to such studies or investigations”*; and

WHEREAS, pursuant to Section 209 of County Law, *“The board of supervisors is empowered to conduct an investigation into 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. The power to conduct investigations may be delegated to a committee of the board. The chairman of the board and any member of such committee may issue a subpoena requiring a person to attend before the board or such committee and be examined in reference to any matter within the scope of the investigation, and in a proper case to produce all books, records, papers and documents material or relevant to the investigation. A subpoena issued under this section shall be regulated by the civil practice law and rules. The chairman of the board and any member of such committee may administer the oath to any witness and adjournments may be taken from time to time”*; and

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WHEREAS, it is the intent of the Ulster County Legislature to have the pre-planning, planning, renovation and/or relocation of the Ulster County Family Court Center investigated; and

WHEREAS, Pursuant to Resolution No. 67 dated February 22, 2007, the County Legislature created a Special Committee for the purpose of investigating matters of the construction of the Ulster County Law Enforcement Center; and

WHEREAS, the Special Committee for the purpose of investigating matters of the construction of the UC Law Enforcement Center should be used as a model for the proposed Special Committee to investigate matters pertaining to the relocation of Ulster County Family Court; now, therefore, be it

RESOLVED, that the Special Committee to Investigate All Matters Related to the Relocation of the Ulster County Family Court is hereby created; and be it further

RESOLVED, that the Ulster County Legislature hereby delegates to said Special Committee all of the powers of the Ulster County Legislature to conduct an investigation pursuant to the provisions of Section 209 of County Law, including the power to issue subpoenas; and be it further

RESOLVED, that prior to commencing its investigation, the Special Committee shall report back to the Ulster County Legislature, within ninety days, with a detailed plan setting forth the scope of the investigation, the procedures to be employed therein and a detailed cost analysis and budget for such purpose; and be it further

RESOLVED, that the Special Committee shall not be vested with any of the powers or authority to proceed with the actual investigation of this matter until such time as the County Legislature has approved the scope of the investigation, the procedures to be employed in the investigation and has further approved a budget for the investigation and appropriated funds for the investigation; and be it further

RESOLVED, that in addition to matters related to planning and/or financial aspects of the Ulster County Family Court move, the Special Committee shall recommend a policy that encourages fair and neutral language be utilized in all future ballot Propositions; and be it further

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RESOLVED, the Special Committee shall consist of five Legislators and shall be Co-chaired by the Chairman of the Ways and Means Committee and the Chairman of the Government Efficiency and Review Committee; and be it further

RESOLVED, that the remaining three members shall be appointed as follows:

- One Legislator shall be appointed by the Chairman of the Legislature
- One Legislator shall be appointed by the Majority Leader
- One Legislator shall be appointed by the Minority leader; and be it further

RESOLVED, that said Special Committee is directed to proceed with its investigation with all deliberate speed and, unless the time is extended by a further resolution of this body, shall complete its investigation and render its report to the Ulster County Legislature on or before May 31, 2017,

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

Passed Committee: Government Efficiency and Review on \_\_\_\_\_.

Passed Committee: Ways and Means on \_\_\_\_\_.

FINANCIAL IMPACT:

NONE