

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

DATE & TIME: October 4, 2016 – 5:30 PM
LOCATION: COB, 6th Floor, KL Binder Library
PRESIDING OFFICER: Chairman TJ Briggs
LEGISLATIVE STAFF: Jay Mahler, Deputy Clerk
PRESENT: Legislators Lapp, Maio, Rodriguez (arrived at 5:37 PM) and Ronk
ABSENT: Legislator Fabiano
QUORUM PRESENT: Yes

OTHER ATTENDEES: Sheriff Van Blarcum and Under Sheriff Freer – UC Sheriff’s Office, Tom & Beverly Delaney and Lori Curran – Shawangunk Kennel Club, Andy Kossover, Esq. – UC Public Defender

Chairman Briggs called the meeting to order at 5:30 PM.

Motion No. 1: Moved to **APPROVE** the Minutes of the September 6, 2016 meeting

Motion By: Legislator Lapp
Motion Seconded By: Legislator Maio

Discussion: None

Voting In Favor: Legislators Briggs, Lapp, Maio & Ronk
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: **Minutes APPROVED**

Resolutions for the October 18, 2016 Session of the Legislature

Resolution No. 391: Setting a Public Hearing on Proposed Local Law No. 14 of 2016 (A Local Law of the County of Ulster for the Regulation of Pet Sellers) to be Held on Tuesday, November 15, 2016 at 6:05 PM

Resolution Summary: This resolution sets a public hearing on Tuesday, November 15, 2016 at 6:05 PM to allow the public to offer comments on Proposed Local Law No. 14 of 2016.

Motion No. 2: Moved to **AMEND Proposed Local Law No. 14 to read as follows:**

SECTION 2. DEFINITIONS

4. “Pet Seller” means any person in Ulster County who engages in the sale or offering for sale of ~~more than~~ nine (9) or more dogs or cats ...”

7. “Residential Breeder” means a breeder who sells or offers to sell directly to a Consumer ~~more than fifteen~~ animals ~~per year~~ that ...”

SECTION 4. RESIDENTIAL BREEDERS – PERMIT REQUIRED

1. It is unlawful for any Residential Breeder to display, offer for sale, sell, barter or exchange for any consideration, ~~any~~ **more than fifteen (15)** dogs or cats within Ulster County...”

Motion By: Legislator Ronk

Motion Seconded By: Legislator Maio

Discussion:

Chairman Ronk mentioned that the amendments are being proposed to match existing state law as well as for consistency throughout the local law itself.

Legislator Lapp informed the members that he would not be voting for the law as he believed it was redundant as New York State Agricultural & Markets Law and well as the General Business Law Article 35D include regulation of Pet Sellers.

Voting In Favor: Legislators Briggs, Maio & Ronk

Voting Against: Lapp

Votes in Favor: 3

Votes Against: 1

Disposition: **Amendments ADOPTED**

Motion No. 3: Moved to ADOPT Resolution No. 391 with Local Law as amended

Motion By: Legislator Ronk

Motion Seconded By: Legislator Maio

Discussion:

Chairman Ronk thanked Mr. and Mrs. Delaney and the Pet Seller community for their work on the law. Chairman Briggs recognized Mr. Delaney who thanked Chairman Ronk for the amount of time he spent on the law and for listening to the concerns of the Pet Seller community.

Voting In Favor: Legislators Briggs, Maio & Ronk

Voting Against: Lapp

Votes in Favor: 3

Votes Against: 1

Disposition: **Resolution ADOPTED**

Resolution No. 444: Authorizing The Chairman Of The Ulster County Legislature to Execute An Inter-Municipal Agreement With The County Of Oneida For Boarding Inmates At The Central New York Psychiatric Center – Sheriff’s Office

Resolution Summary: This resolution the Chairman to execute an inter-municipal agreement for inmate boarding services with Oneida County at a rate of \$165/person/day effective January 1, 2017 through December 31, 2019.

Motion No. 4: Moved to ADOPT Resolution No. 444
Motion By: Legislator Ronk
Motion Seconded By: Legislator Maio

Discussion:

Chairman Briggs asked if there was difference between the Onieda County and Monroe County noting that a contract with Monroe County for the same service was approved the previous month. Sheriff Van Blarcum responded that he was not aware of a difference and added that the contact has been renewed annually for many years with both counties.

Voting In Favor: Legislators Briggs, Lapp, Maio & Ronk
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: Resolution ADOPTED

Chairman Briggs informed the members that a request was sent to the Public Defender's Office for either an explanation of Resolution Nos. 445 and 446, or for someone to attend the meeting to explain them. As no one from that office was present and no explanation received, Chairman Briggs informed the members that Resolution 445 and 446 would be held over to the next meeting.

Chairman Briggs expressed his condolences to Sheriff Van Blarcum, Under Sheriff Freer and the entire department for the recent death of Sergeant Winters and complimented them on their handling of the incident as well as the funeral services. Sheriff Van Blarcum thanked Chairman Briggs for attending the services and advised the members that the PBA contract entitles families of officers who die in the line of duty to certain benefits. He added that the correction contract does not include similar benefits. He added that he has reached out to the County Executive to see if there is anything the county can do for the Sergeant's family.

Chairman Briggs asked if there was anything of note in the monthly report. Sheriff responded that it was consistent with previous months.

Legislator Rodriguez and Public Defender Andy Kossover arrived, therefore Chairman Briggs asked for a motion on Resolution No. 445.

Resolution No. 445: 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 – Public Defender's Office

Resolution Summary: This resolution authorizes the Chairman to enter into an agreement with the NYS Division of Criminal Justice Services for an Aid to Defense Program grant in the amount of \$14,400 effective October 1, 2016 – September 30, 2017.

Motion No. 5: Moved to ADOPT Resolution No. 445
Motion By: Legislator Rodriguez
Motion Seconded By: Legislator Maio

Discussion: None

Voting In Favor: Legislators Briggs, Lapp, Maio, Rodriguez & Ronk
Voting Against: None
Votes in Favor: 5
Votes Against: 0
Disposition: Resolution ADOPTED

Resolution No. 446: Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The Research Foundation For The State University Of New York To Assist And Coordinate Technology, Analysis, And Educational Services For The Ulster County Public Defender Counsel At First Appearance Program

Resolution Summary: This resolution authorized the Chairman to enter into an agreement with the Research Foundation for the State of New York for the purpose of Ulster County's participation in the distribution of Indigent Legal Services Fund, for the period of June 1, 2016 through May 31, 2019 and in the amount of \$185,352.

Motion No. 6: Moved to ADOPT Resolution No. 446
Motion By: Legislator Maio
Motion Seconded By: Legislator Lapp

Discussion:

Public Defender Kossover advised the members that the study pertained to the Counsel at First Appearance program which had not yet been implemented. He added that the resolution renews the contract with CREEO to evaluate the program.

Voting In Favor: Legislators Briggs, Lapp, Maio, Rodriguez & Ronk
Voting Against: None
Votes in Favor: 5
Votes Against: 0
Disposition: Resolution ADOPTED

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

Adjournment

Motion Made By: Legislator Lapp

Motion Seconded By: Legislator Ronk

No. of Votes in Favor: 5

No. of Votes Against: 0

TIME: 5:41 PM

Respectfully submitted: Jay Mahler, Deputy Clerk

Minutes Approved: November 7, 2016