

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

DATE & TIME: October 5, 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 Fabiano, Ronk, and Wishnick
ABSENT: Legislator Provenzano
QUORUM PRESENT: Yes

OTHER ATTENDEES: Minority Counsel Erica Guerin, Sheriff VanBlarcum, Under Sheriff Freer, John Jack Hayes, Ken Crannell – UC Executive’s Office, Tracey Steeves – UC Attorney’s Office, Bill Ketzer – ASPCA, Kirsti Gholson – Animal Abuse Prevention Task Force, Beverly Delany, Lori Curran, Lynda Doughty, and Richard and Sherrie Snider – Shawangunk Kennel Club, Tom Delany – Ala-Kasam Samoyeds, Melissa Fairweather – citizen breeder, Lucy Muller – Shawangunk Journal Pet Column, Adam Saunders – UC SPCA, Patricia Valusek – NYS Humane Assoc., Karen Markisenis – TSBHR, Merle Borenstein – Have a Heart Rescue, Paige Harrison, Ed and Cindy Noll – Glenerie Labradors

Chairman Briggs called the meeting to order at 5:31 PM.

Motion No. 1: RESOLVED To Approve the Minutes of the August 31st meeting

Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Fabiano

Discussion:

None

Roll Call Vote: No
Voting In Favor: Legislators Briggs, Fabiano, Ronk and Wishnick
Voting Against: None
No. of Votes in Favor: 4
No. of Votes Against: 0
Disposition: Carried

Motion No. 2: Resolution No. 357 – October 20, 2015

Text of Motion: Resolved to approve Resolution No. 357 – Setting A Public Hearing On Amended Proposed Local Law No. 12 of 2015 (A Local Law Of The County Of Ulster For The Regulation Of Pet Sellers) To Be Held On Tuesday, November 10, 2015 At 7:10 PM

Motion to Discuss Made By: Legislator Fabiano

Motion Seconded By: Legislator Ronk

Resolution No. 357 Summary: This resolution

Discussion:

Chairman Briggs acknowledged that most of the people in the room were there to discuss proposed Local Law No. 12 and thanked everyone for coming.

A special meeting to discuss Proposed Local Law No. 12 of 2015 was scheduled for October 14th at 2 PM in the Karen Binder Library, 6th Floor, County Office Building. Chairman Briggs asked everyone who was planning to attend to come prepared with concerns and solutions so that the meeting could be productive and orderly. He said the committee would review the law section by section and address each concern as it is brought up.

No action was taken

Motion No. 3: Resolution No. 360 – October 20, 2015

Text of Motion: Resolved to approve Resolution No. 360 – Urging The New York State Governor and Legislature To Authorize A Comprehensive Review of Order of Protection Abuse

Motion Made By: Legislator Ronk

Motion Seconded By: Legislator Fabiano

Resolution No. 360 Summary: This resolution urges the Governor to commission a review of the rules and regulations pertaining to Orders of Protection issued by a court to evaluate possible courses of action to correct for abuse of the order by the petitioner.

Discussion:

Legislator Fabiano explained that he has a constituent who is in a situation where the petitioner of the order of protection against his constituent acts to intentionally make his constituent violate the order. He informed the committee that the petitioner in this case will visit his constituent’s workplace in order to force a violation. Sheriff VanBlarcum added that his Deputies often encounter order of protection violations. He added that the petitioner is often found in violation themselves.

Roll Call Vote: No
Voting In Favor: Legislators Briggs, Fabiano, and Ronk
Voting Against: None
Abstention: Legislator Wishnick for further information
No. of Votes in Favor: 3
No. of Votes Against: 0
Disposition: Carried

Motion No. 4: Resolution No. 362 – October 20, 2015

Text of Motion: Resolved to amend Resolution No. 362 Section E to read as follows

“(E) Appeal process. ... Appeals may be in writing or by personal appearance within thirty days of the date of the Statement sent from the Sheriff...”

Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Fabiano

Discussion:

Legislator Ronk relayed that the County Attorney contacted the Clerk of the Legislature expressing her concern that there was no deadline to appeal which would make the law difficult to enforce. The change was not considered substantive by the County Attorney or Minority Counsel Guerin and would not require another public hearing. He suggested 30 days.

Roll Call Vote: No
Voting In Favor: Legislators Briggs, Fabiano, Ronk and Wishnick
Voting Against: None
No. of Votes in Favor: 4
No. of Votes Against: 0
Disposition: Carried

Motion No. 5: Resolution No. 362 – October 20, 2015

Text of Motion: Resolved to amend Resolution No. 362 Section H to read as follows

“(H) Dedicated Fund. Fines received or taxes paid as a result of this Chapter shall be deposited by the Commissioner of Finance into a dedicated account and utilized by the Sheriff of Ulster County **or the Director of Emergency Communications/Emergency Management subject to appropriation by the Ulster County Legislature** pursuant to law ~~to reduce crime in the County of Ulster.~~

Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Briggs

Discussion:

Legislator Ronk advised the committee that the Fire Services raised a concern that the dedicated funding did not include them despite the fact that they also respond to false alarms.

Minority Counsel Guerin advised the committee that the change would not be considered substantive and therefore another public hearing would not be required.

Roll Call Vote: No
Voting In Favor: Legislators Briggs, Fabiano, Ronk and Wishnick
Voting Against: None
No. of Votes in Favor: 4
No. of Votes Against: 0
Disposition: Carried

Motion No. 6: Resolution No. 362 – October 20, 2015

Text of Motion: Resolved to approve Resolution No. 362 AS AMENDED – Adopting Proposed Local Law No. 9 of 2015 (A Local Law Of The County Of Ulster, New York, Known As The “False Alarm Reduction Act”)

Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Briggs

Resolution No. 362 Summary: This resolution adopts proposed Local Law No. 9 of 2015 (A Local Law Of The County Of Ulster, New York, Known As The “False Alarm Reduction Act”)

Discussion:

None

Roll Call Vote: No
Voting In Favor: Legislators Briggs, Fabiano, Ronk and Wishnick
Voting Against: None
No. of Votes in Favor: 4
No. of Votes Against: 0
Disposition: Carried

Motion No. 7: Resolution No. 367 – October 20, 2015

Text of Motion: Resolved to approve Resolution No. 367 – Appropriating Funds From An Insurance Recovery For The Replacement Of A Sheriff’s Raft - Amending The 2015 Ulster County Budget-Ulster County Sheriff

Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Fabiano

Resolution No. 367 Summary: This resolution appropriates insurance recovery funds totaling \$14,782.31 to replace a raft.

Discussion:

Sheriff VanBlarcum explained that the raft being replaced was lost in early September when his Office assisted with the rescue/recovery effort in the Town of Shandaken where a young girl lost her life. He added that the cost of the replacement raft will be covered by insurance.

Roll Call Vote: No
Voting In Favor: Legislators Briggs, Fabiano, Ronk and Wishnick
Voting Against: None
No. of Votes in Favor: 4
No. of Votes Against: 0
Disposition: Carried

Motion No. 8: Resolution No. 368 – October 20, 2015

Text of Motion: Resolved to POSTPONE Resolution No. 368 to the October 14th Special Meeting – Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With New York State Division Of Criminal Justice Services – Project Crime Victims Assistance Program – Department Of Probation

Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Fabiano

Resolution No. 368 Summary: This resolution authorizes the Chairman to execute an agreement with the NYS Division of Criminal Justice Services in the amount of \$39,000 for the Crime Victims Assistance – Rape Crisis Program to be administered through the Department of Probation.

Discussion:

As there was no one representation from the Department of Probation or the Executive's Office, the committee decided to postpone a vote on the resolution until the October 14th Special Meeting or the next meeting that someone who was authorized to speak on the resolution could be present.

Roll Call Vote: No
Voting In Favor: Legislators Briggs, Fabiano, Ronk and Wishnick
Voting Against: None
No. of Votes in Favor: 4
No. of Votes Against: 0
Disposition: Carried

Motion No. 9: Resolution No. 382 – October 20, 2015

Text of Motion: Resolved to approve Resolution No. 382 – Authorizing The Chairman Of The Ulster County Legislature to Execute A Lease With Wallkill Body Shop And Glass, Inc., For A Space to be Used As A Substation Of The Ulster County Sheriff's Office – Department of Public Works (Buildings And Grounds)

Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Fabiano

Resolution No. 382 Summary: This resolution authorizes the Chairman to enter into a lease agreement with the Wallkill Body Shop and Glass, Inc. located at 3063 Route 208, Wallkill,

New York, for use as an Ulster County Sheriff's Office substation for a term of two years commencing January 1, 2016 and ending December 31, 2017, at an annual rent of \$6,600.00 for the term of the lease.

Discussion:

Sheriff VanBlarcum advised the committee that they have had a good relationship with the Shop. He added that there is limited space available in the southern end of the County that would meet the needs of his Office.

Legislator Ronk added that there is town property that could be used, but it is on the outskirts of town. He added that the Town is very happy with the substation and the presence of the Sheriff.

Roll Call Vote:	No
Voting In Favor:	Legislators Briggs, Fabiano, Ronk and Wishnick
Voting Against:	None
No. of Votes in Favor:	4
No. of Votes Against:	0
Disposition:	Carried

Sheriff's Report

Chairman Briggs recognized Sheriff VanBlarcum to give the monthly report. Sheriff VanBlarcum assured the committee that they would still meet the budget projections for the year. He added that the number of Board Ins rom Dutchess County was increasing.

Old Business

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

New Business

Chairman Briggs asked if there was any new business. None was heard.

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

Adjournment

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

TIME: 6:15 PM

Respectfully submitted this 2nd day of November, 2015

Jay Mahler, Deputy Clerk

Minutes Approved: November 2, 2015