

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

**DATE & TIME:** September 8, 2014 - - 6:00 PM  
**LOCATION:** UC Law Enforcement Center, the Rotunda  
**PRESIDING OFFICER:** Chairman TJ Briggs  
**LEGISLATIVE STAFF:** Jay Mahler, Deputy Clerk/Confidential Secretary  
**PRESENT:** Legislators Gregorius, Loughran and Ronk  
**ABSENT:** Legislator Maio  
**QUORUM PRESENT:** Yes  
**OTHER ATTENDEES:** Legislator Ken Wishnick, Sheriff Paul VanBlarcum, Theresa Pleva - Sheriff's Office, Steve Peterson - UC Emergency Management, Melanie Mullins – Probation Department.

Chairman Briggs called the meeting to order at 6:00 PM.

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**Motion No. 1:** Resolution No. 325 - September 23, 2014

**Text of Motion:** **Resolved to approve Resolution No. 325** - Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The New York State Division Of Homeland Security And Emergency Services For Participation In The Local Emergency Management Performance Grant Program For Federal Fiscal Year 2014 – Emergency Communications / Emergency Management

**Motion Made By:** Legislator Gregorius

**Motion Seconded By:** Legislator Ronk

**Resolution No. 325 Summary:** This Resolution authorizes the Chairman to execute an agreement with NYS Division of Homeland Security & Emergency Services in the amount of \$73,871 for the Local Emergency Management Performance Grant for the term October 1, 2013 – September 30, 2015.

**Discussion:**

Emergency Management Director Steve Peterson explained that the funding was from a matching grant that covers salaries.

**Roll Call Vote:** No

**Voting In Favor:** Legislators Briggs, Gregorius, Loughran, Ronk

**Voting Against:** None

**No. of Votes in Favor:** 4  
**No. of Votes Against:** 0  
**Disposition:** Carried

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**Motion No. 2:** Resolution No. 326 - September 23, 2014

**Text of Motion:** **Resolved to approve Resolution No. 326** - Authorizing The Chairman Of The Ulster County Legislature To Execute A Supplemental Agreement, And Any Amendments Thereto, With The City Of New York And The West Of Hudson Stakeholders, Modifying The 1997 Watershed Memorandum Of Agreement And The 2010 Water Supply Permit, And Thereby Enabling The City Of New York To Participate In The FEMA Hazard Mitigation Grant Program – Department Of Emergency Communications / Emergency Management

**Motion Made By:** Legislator Loughran

**Motion Seconded By:** Legislator Ronk

**Resolution No. 326 Summary:** This resolution authorizes the Chairman to execute a supplemental agreement with NY City and the West of the Hudson stakeholders, modifying the 1997 Watershed Memorandum of Agreement and the 2010 Water Supply Permit, thereby enabling NYC to participate in the FEMA Hazard Mitigation Grant Program

**Discussion:**

None

**Roll Call Vote:** No

**Voting In Favor:** Legislators Briggs, Gregorius, Loughran, Ronk

**Voting Against:** None

**No. of Votes in Favor:** 4

**No. of Votes Against:** 0

**Disposition:** Carried

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**Motion No. 3:** Resolution No. 327 - September 23, 2014

**Text of Motion:** **Resolved to approve Resolution No. 327** - Authorizing The Chairman Of The Ulster County Legislature To Execute Agreements With The City Of New York And Various Towns For The Purchase And Demolition Of Homes Damaged During Hurricane Irene And Tropical Storm Lee – Department of Emergency Communications / Emergency Management

**Motion Made By:** Legislator Ronk  
**Motion Seconded By:** Legislator Loughran

**Resolution No. 327 Summary:** This Resolution authorizes the Chairman to execute agreements with NYC and various towns for the purchase and demolition of homes damaged during Hurricane Irene and Tropical Storm Sandy.

**Discussion:**

Legislator Ronk asked if this grant was in addition to the Greater Catskill Flood Remediation program funding and has nothing to do with the last round of FEMA money to buyout houses in Shawangunk and other places.

Director Peterson explained that this was the same program, but additional funding separate from the Greater Catskill Flood Remediation program.

Legislator Ronk asked if there was a list of properties being bought.

Director Peterson advised the committee that Robin Peruso facilitates the program and that she and/or the County Attorney's Office would have a list.

Chairman Briggs pointed out that the list of properties was included in the contract.

**Roll Call Vote:** No  
**Voting In Favor:** Legislators Briggs, Gregorius, Loughran, Ronk  
**Voting Against:** None  
**No. of Votes in Favor:** 4  
**No. of Votes Against:** 0  
**Disposition:** Carried

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**Motion No. 4:** Resolution No. 341 - September 23, 2014

**Text of Motion:** **Resolved to approve Resolution No. 341** - Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Taylor Recycling Facility, LLC – Emergency Management

**Motion Made By:** Legislator Ronk  
**Motion Seconded By:** Legislator Gregorius

**Resolution No. 341 Summary:** This Resolution approves a contract amendment with Taylor Recycling Facility, LLC in the amount of \$300,000 for additional asbestos

remediation services required during demolition of homes purchased as part of the Greater Catskill Flood Remediation Program.

**Discussion:**

None

**Roll Call Vote:** No  
**Voting In Favor:** Legislators Briggs, Gregorius, Loughran, Ronk  
**Voting Against:** None  
**No. of Votes in Favor:** 4  
**No. of Votes Against:** 0  
**Disposition:** Carried

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**Motion No. 5:** **RESOLVED To Approve the Minutes of August 4, 2014 meeting**  
**Motion Made By:** Legislator Loughran  
**Motion Seconded By:** Legislator Ronk  
**Discussion:** None  
**Roll Call Vote:** No  
**Voting In Favor:** Legislators Briggs, Gregorius, Loughran, Ronk  
**Voting Against:** None  
**No. of Votes in Favor:** 4  
**No. of Votes Against:** 0  
**Disposition:** Carried

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**Motion No. 6:** Resolution No. 309 - September 23, 2014

**Text of Motion:** **Resolved to approve Resolution No. 309 with Sponsor Legislator Wishnick's changes to Proposed Local Law No. 10 in addition to the changes made by the Law Enforcement & Public Safety Committee** – Setting a Public Hearing on Proposed Local Law No. 10 of 2014 (A Local Law Respecting the Outdoor Restraint of Companion Animals) To Be Held On Wednesday, October 15, 2014 At 6:00 PM

**Motion Made By:** Legislator Loughran  
**Motion Seconded By:** Legislator Gregorius

**Resolution No. 309 Summary:** This Resolution sets a public hearing for October 15<sup>th</sup> at 6 PM for the consideration of Proposed Local Law No. 10 of 2014 (A Local Law Respecting the Outdoor Restraint of Companion Animals)

**Discussion:**

Chairman Briggs called on Legislator Wishnick to give an explanation of the Local Law.

Legislator Wishnick gave an overview of the intent of proposed Local Law No. 10 of 2014.

The committee discussed the proposed local law at length and agreed to the following changes which were accepted by Local Law sponsor Legislator Wishnick:

SECTION 3. TETHERING REQUIREMENTS

c) the word “reasonable” was inserted before “manner” and “and dry ground was added to the end of the last sentence.

e) was eliminated for redundancy and all subsection following were updated

g) (new f per changes above) the word “apparently” was inserted before the word “free”

SECTION 4. ENFORCEMENT

Second paragraph – the words “up to” were inserted before \$100.

Third paragraph - the words “up to” were inserted before “five hundred dollars”.

SECTION 7. SEQRA DETERMINATION

This section was stricken. It was decided that it belonged in the enacting Resolution, not the Local Law.

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Sheriff Van Blarcum commented that his Office will enforce whatever the Legislature enacts, but, referencing Legislator Gregorius’ comment that it should go to Public Hearing to see what people have to say pointed out that he has been advocating for an Alarm Law and a Pawn Brokers Law and can’t get it out of committee to a public hearing. He concluded by saying that he hopes that these two initiatives would be able to be moved forward in the near future.

Legislators Briggs and Ronk offered to bring the Alarm Law Legislation back in October.

Legislator Ronk advised the committee that there was a potential that District Attorney Carnright had issues with enforcing the Tethering Law.

Legislator Wishnick advised the committee that Legislative Counsel Weiner spoke to the District Attorney and that he was fine with the Law.

**Roll Call Vote:** No  
**Voting In Favor:** Legislators Briggs, Gregorius, Loughran, Ronk  
**Voting Against:** None  
**No. of Votes in Favor:** 4  
**No. of Votes Against:** 0  
**Disposition:** Carried

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There was some additional discussion as to whose responsibility it was to invite alarm professionals and other experts to come speak to the committee about proposed local laws.

Legislator Briggs mentioned that alarm professionals were not needed because simply imposing a fine for false alarms will motivate property owners to have the issue remedied.

Legislator Ronk pointed out that Esopus has a false alarm law and the false alarms dropped dramatically.

Legislator Gregorius disagreed.

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**Motion No. 7:** Resolution No. 320 - September 23, 2014

**Text of Motion:** **Resolved to approve Resolution No. 320** Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The New York State Division Of Criminal Justice Services To Accept Additional Funds From The Crimes Against Revenue Program – Amending The 2014 Ulster County Budget – District Attorney

**Motion Made By:** Legislator Ronk  
**Motion Seconded By:** Legislator Loughran

**Resolution No. 320 Summary:** This resolution authorizes the Chairman to execute an agreement with the NYS Division of Criminal Justice Services to accept \$100,000 in additional Crimes Against Revenue Program (CARP) money to fund a forensic accountant.

**Discussion:**

Chairman Briggs advised the Committee that he had an email from District Attorney Carnright, who could not attend, explaining that the grant funded a forensic CPA for the Office.

**Roll Call Vote:** No  
**Voting In Favor:** Legislators Briggs, Gregorius, Loughran, Ronk  
**Voting Against:** None  
**No. of Votes in Favor:** 4  
**No. of Votes Against:** 0  
**Disposition:** Carried

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**Motion No. 8:** Resolution No. 321 - September 23, 2014

**Text of Motion:** **Resolved to approve Resolution No. 321** - Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The New York State Office Of Victim Services For Funding Under The Victim And Witness Assistance Grant Program – Amending The 2014 Ulster County Budget - Department Of Probation

**Motion Made By:** Legislator Ronk  
**Motion Seconded By:** Legislator Gregorius

**Resolution No. 321 Summary:** This Resolution authorizes the Chairman to execute an agreement with the NYS Office of Victim Services in the amount of \$1,118,366.25 over a three year period from October 1, 2014 – September 30, 2017.

**Discussion:**

Legislator Ronk asked if there was anyone present from the Executive’s Office to speak to the program.

Chairman Briggs introduced Ms. Melanie Mullins from the Probation Department and thanked her for her time and patience.

Ms. Mullins explained that the grant funds the crime victims program that they have been running since 1978 and represents an increase in funding. She said that the grant is usually renewed each year, but that this year an entirely new application was submitted.

**Roll Call Vote:** No  
**Voting In Favor:** Legislators Briggs, Gregorius, Loughran, Ronk

**Voting Against:** None  
**No. of Votes in Favor:** 4  
**No. of Votes Against:** 0  
**Disposition:** Carried

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**Motion No. 9:** Resolution No. 322 - September 23, 2014

**Text of Motion:** **Resolved to approve Resolution No. 322** - Creating One Full Time Position And Amending The 2014 Ulster County Budget – Department Of Probation

**Motion Made By:** Legislator Loughran

**Motion Seconded By:** Legislator Ronk

**Resolution No. 322 Summary:** This Resolution creates one full time Crime Victim Assistance Counselor position in the Department of Probation and amending the county 2014 by \$2,940 to cover the portion of fringe benefits not included by NYS Office of Victim Services grant funding.

**Discussion:**

Ms. Mullins explained that this position was funded through the grant but there remained a small percentage of fringe benefits not covered.

Chairman Briggs pointed out that the county contribution to cover the balance of the fringe benefits was \$2,940.00

**Roll Call Vote:** No  
**Voting In Favor:** Legislators Briggs, Gregorius, Loughran, Ronk  
**Voting Against:** None  
**No. of Votes in Favor:** 4  
**No. of Votes Against:** 0  
**Disposition:** Carried

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**Motion No. 10:** Resolution No. 323 - September 23, 2014

**Text of Motion:** **Resolved to approve Resolution No. 323** - Authorizing The Appropriation Of Funds From The Restitution Surcharge Account For Use In Confidential Investigations - Amending The 2014 Ulster County Budget – Ulster County Sheriff’s Office

**Motion Made By:** Legislator Loughran

**Motion Seconded By:** Legislator Ronk



**Resolution No. 323 Summary:** This resolution authorized the appropriation of funds from the Restitution Surcharge account in the amount of \$6,961.00 for vehicle use in confidential investigations.

**Discussion:**

Sheriff Van Blarcum explained that it was a transfer of money from one line to another.

Legislator Ronk asked if it was going toward vehicle leases. The Sheriff confirmed that it was going to vehicles.

**Roll Call Vote:** No  
**Voting In Favor:** Legislators Briggs, Gregorius, Loughran, Ronk  
**Voting Against:** None  
**No. of Votes in Favor:** 4  
**No. of Votes Against:** 0  
**Disposition:** Carried

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**Motion No. 11:** Resolution No. 324 - September 23, 2014

**Text of Motion:** **Resolved to approve Resolution No. 324** - Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The New York State Unified Court System For Reimbursement For Court Attendants – Amending the 2014 Ulster County Budget – Sheriff’s Office

**Motion Made By:** Legislator Loughran  
**Motion Seconded By:** Legislator Ronk

**Resolution No. 324 Summary:** This Resolution reduces by \$3,000 the amount allocated for part time pay of the Court Attendants and reduces the corresponding State Aid Unified Court Building Security Service revenue line.

**Discussion:**

Sheriff Van Blarcum advised the committee that this was funding for the assistants at the Court House who help direct people to the right court rooms, etc.

**Roll Call Vote:** No  
**Voting In Favor:** Legislators Briggs, Gregorius, Loughran, Ronk  
**Voting Against:** None

**No. of Votes in Favor:** 4  
**No. of Votes Against:** 0  
**Disposition:** Carried

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## **Sheriff's Report**

There was a brief conversation about the report. Sheriff Van Blarcum advised the committee that they are still on target.

Legislator Ronk highlighted that the Sheriff was \$402,000 ahead in Board Ins and advised the committee to keep an eye on it as Dutchess County continues with the installation of housing pods. He recommended that the overage at the end of the year be encumbered back into the Sheriff's budget rather than the county's general fund.

Sheriff Van Blarcum advised the committee that in the past they had put the telephone revenue in an account and used those funds for vehicles or whatever they needed and that the Executive and Legislature took that ability away.

Legislator Loughran asked what the total Sheriff's budget was.

Sheriff Van Blarcum introduced Theresa Pleva who handles the finances of his office. Ms. Pleva responded that the total budget was \$30 million. This figure included everything from the court attendants to URGENT.

Legislator Ronk advised the committee that he had asked the Sheriff to provide the committee with an overview of his last few budgets so they could see that there were things included in his budget that didn't used to be, like computer equipment repair, replacement and maintenance that was traditionally included in the IS budget, which has caused the Sheriff's budget to rise over the last few years.

Legislator Loughran asked why the IT items were moved.

Sheriff Van Blarcum asked Legislator Ronk where the concern over his budget increase came from.

Legislator Ronk advised the committee that he received a phone call alerting him to the increase in the Sheriff's budget.

Sheriff Van Blarcum asked him to state for the record who called him. Legislator Ronk answered that the call came from the County Executive.

The Sheriff advised the committee that he never received any communications that there was an issue with his budget despite asking the Commissioner of Finance if everything was okay. He also advised the committee that his office meets every Monday to go over the budget.

Legislator Loughran asked who much of the budget was comprised of salary and benefits.

Ms. Pleva responded that a large portion was salary and benefits estimated \$9 million for salaries, not including benefits.

There was a brief conversation about the history of the separation of patrol and corrections divisions.

### **Old Business**

Legislator Loughran advised the committee that he was still working on the legislation regarding inmate health care coverage. He said he was still working out some issues with the County Attorney.

### **New Business**

Sheriff Van Blarcum advised the committee that Greene County wants to enter into an agreement for shared services for response to big events or special needs like dive team services. The agreement already passed the Law Enforcement Committee in Greene County. He said that the counties already do it, but that nothing has ever been in writing. The Counties involved would be Greene, Delaware, Ulster, Columbia, Dutchess, and Rensselaer. He said that the agreement was currently in the County Attorney's Office and would eventually be reviewed by the Law Enforcement Committee.

Legislator Loughran asked for clarification about the liability for injury to Ulster personnel when it occurs in another county.

Sheriff Van Blarcum responded that Ulster is liable for injuries to Ulster County personnel.

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Legislator Ronk thanked the Sheriff for consistently attending meetings and always providing answers to the Legislators' questions.

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Chairman Briggs asked if there was any other business.

**Adjournment**

**Motion Made By:** Legislator Loughran

**Motion Seconded By:** Legislator Ronk

**No. of Votes in Favor:** 4

**No. of Votes Against:** 0

**TIME:** 7:11 PM

**Respectfully submitted this 6<sup>th</sup> day of October, 2014**

**Jay Mahler, Deputy Clerk**

**Minutes Approved: October 6, 2014**