

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

DATE & TIME: April 6, 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, Provenzano, Ronk and Wishnick
(arrived at 5:35 PM)
ABSENT: None
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislator Carl Belfiglio, Sheriff Van Blarcum, Jessica Schutzman from the District Attorney’s Office, Hugh Reynolds from Ulster Publishing, Legislative Counsel Weiner

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

Motion No. 1: RESOLVED To Approve the Minutes of the March 2, 2015 meeting

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

Discussion: None

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

Motion No. 2: Resolution No. 135 – April 21, 2015

Text of Motion: **Resolved to approve Resolution No. 135** – Adopting Proposed Local Law No. 2 of 2015, A Local Law Requiring That The County Of Ulster Be Reimbursed For The Cost Of Medical Or Dental Services Provided To Inmates At The Ulster County Jail From Any Third Party Coverage Of Indemnification Carried By An Inmate

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

Resolution No. 135 Summary: This resolution adopts proposed Local Law No. 2.

Discussion:

Legislator Ronk commented that the Local Law was a good thing. Sheriff Van Blarcum added that this was something that his Office had been doing, but that in order to do it legally a Local Law was required.

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

Motion No. 3: Resolution No. 146 – April 21, 2015

Text of Motion: **Resolved to approve Resolution No. 146** – Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The Ulster County Board Of Cooperative Educational Services To Provide A Deputy Sheriff As A School Resource Officer – Ulster County Sheriff

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

Resolution No. 146 Summary: This resolution authorizes the Chairman to execute an agreement with Ulster County BOCES to provide a Deputy Sheriff to be assigned as a School Resource Officer from July 1, 2015 – June 30, 2016. BOCES will pay no less than \$46,350 to the County for the service.

Discussion:

Legislator Ronk asked Sheriff Van Blarcum if this agreement was the same as ones in the past. Sheriff Van Blarcum advised the committee that it was the same agreement, that the Sheriff's Office breaks even, and that the school loves having the officer there.

Roll Call Vote: No
Voting In Favor: Legislators Briggs, Fabiano, Provenzano and Ronk

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

Motion No. 4: Resolution No. 147 – April 21, 2015

Text of Motion: **Resolved to approve Resolution No. 147** – Authorizing The Chairman Of The Ulster County Legislature To Execute A Memorandum Of Understanding Between The New York State Division Of Criminal Justice Services And The Ulster County Sheriff’s Office For The DCJS Missing Person Clearinghouse Project Lifesaver Program – Ulster County Sheriff

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

Resolution No. 147 Summary: This resolution authorizes the Chairman to execute an agreement with DCJS for funding in the amount of \$99,500 for participation in the Crimes Against Revenue Program from January 1, 2015 – December 31, 2015.

Discussion:

Chairman Briggs acknowledged Ms. Jessica Schutzman from the Ulster County District Attorney’s Office. Ms. Schutzman explained that the grant was for the Crimes Against Revenue Program which the committee has approved in the past and asked if any of the committee members had questions about the program. She added that she took over the administration of the program in the District Attorney’s Office in June 2013.

Legislator Provenzano asked for an explanation of the program. Ms. Schutzman explained that it pertains to state agencies, ie: department of social services, tax and finance, etc. that lose money do to abuse. Therefore the Department of Criminal Justice Services (DCJS) funds this program to provide assistance to counties in prosecuting the crimes. Legislator Ronk asked Ms. Schutzman to give the committee some example of the types of cases dealt with. Ms. Schutzman stated that the funding can be used to investigate welfare fraud, unemployment benefit fraud, tax evasion and a few other crimes. Legislator Provenzano asked how many people oversee the crimes against revenue program. Ms. Schutzman replied that she is solely responsible at the District Attorney’s Office for the program but added that she receives great help and support from the county Department of Social Services and local law enforcement agencies.

Legislator Fabiano asked for clarification on what the grant money was for and if it needed to be applied for annually. Ms. Schutzman responded that this particular grant covers her salary and must be applied for annually. She added that the last time she appeared before the committee it was for approval of a grant to assist with the crimes against revenue program through funding of forensic accounting services and thanked the committee for their support of that grant.

Legislator Provenzano complimented Ms. Schutzman on her hard work. Chairman Briggs asked if there were any other questions and thanked Ms. Schutzman her for her time.

Roll Call Vote: No
Voting In Favor: Legislators Briggs, Fabiano, Provenzano, Ronk and Wishnick
Voting Against: None
No. of Votes in Favor: 5
No. of Votes Against: 0
Disposition: Carried

Motion No. 5: Resolution No. 159 – April 21, 2015

Text of Motion: **Resolved to approve Resolution No. 159** – Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Family of Woodstock – Department Of Probation

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

Resolution No. 159 Summary: This resolution approves a contract with Family of Woodstock in the amount of \$55,000 to facilitate the EVOLE domestic violence prevention program.

Discussion:

Chairman Briggs informed the committee that he received a call from Ms. Melanie Mullins from the Department of Probation who explained that the resolution is renewing a contract for the EVOLVE program run though Family of Woodstock, Inc. to provide counseling services to prevent the reoccurrence of domestic violence.

Roll Call Vote: No
Voting In Favor: Legislators Briggs, Fabiano, Provenzano, Ronk and Wishnick

Voting Against: None
No. of Votes in Favor: 5
No. of Votes Against: 0
Disposition: Carried

Motion No. 6: Resolution No. 134 – April 21, 2015

Text of Motion: **MOVED FOR DISCUSSION - Resolution No. 134** – Adopting Proposed Local Law No. 1 of 2015, A Local Law To Authorize The Sale And Use Of Sparkling Devices

Resolution No. 134 Summary: This resolution adopts proposed Local Law No. 1 of 2015.

Discussion:

Legislator Wishnick said he became concerned with the proposed law after hearing from the chief of the fireman’s association at the public hearing and said he felt there was an obligation to support them.

Legislator Ronk advised the committee that he spoke to the two chiefs of the fire departments in his district, the Shawangunk Valley and Wallkill Fire Departments, and said that they were fairly indifferent to the legislation and did not see a huge pressing danger to the general public. He added if you polled residents in Ulster County you would find more than 75% of them think that sparklers are currently legal, because they do not identify them as the dangerous type of fireworks like the Mortars, Bottle Rockets and things that explode. He said he understood there was an upswing in fires during the 4th of July but stated that there was most likely also an upswing in fires around Thanksgiving due to unsuccessful attempts to deep fry turkeys, but the Legislature is not looking to ban deep fryers or limit their use to two weeks around Thanksgiving.

Legislator Provenzano said she always hears fireworks during the 4th of July celebrations. She added that individuals and parents need to take some responsibility for themselves and said that since Orange County has passed the law Ulster residents will drive there to get them. Legislator Fabiano echoed Legislator Provenzano’s comments about parental responsibility and that fireworks would be bought in other counties and added that sparklers are only used a couple times a year while matches pose a far greater risk to kids on a regular basis. He continued by saying that his father was very active in the firematic community and if his father found sparklers to be a serious risk he would not have provided them to the family to enjoy for many years.

Legislator Wishnick said that just because individuals are able to get stuff it does not mean it should be legal and gave marijuana and the legal age to buy cigarettes as examples. He added that he used sparklers with his children and now has a scar from an incident with a sparkler. He continued by saying that the Legislature has heard from the spokesman for the Fire Chiefs Association and that as the Public Safety and Law Enforcement Committee he felt that they should respect the opinion of the experts who are against the law. He added that he asked that individuals representing the Fire Chiefs who were at the Public Hearing be invited to the meeting. Legislator Provenzano said she saw his request and asked why they were not present.

Chairman Briggs explained that the Legislature was already made aware of their opinion on the matter and did not feel it was necessary to invite them to another meeting. He added that it would only be right to also invite individuals on the other side of the issue. Legislator Provenzano stated that she had not been contacted by anyone in the Kingston Fire Department on the issue. Legislator Fabiano said he that would reach out to members of the Fire Departments in his district to get their input. He asked if the law was specific to sparklers. Legislator Ronk explained that the law pertained to sparklers, fountains, and party poppers but excluded explosive devices. Chairman Briggs added that the sale was also restricted to June 1 – July 5 and December 26 – January 2. Legislator Ronk added that the licensing fee to the Department of State to sell is \$2,000 per location.

In response to Legislator Wishnick's comments Legislator Ronk said that he understands respecting the views of the firematic community and added that he and Legislator Lopez serve on the Fire Advisory Board and attended the meeting this past month and that there are members that are supportive of the law and members who are not. He continued by saying that when someone from the Chiefs Association says they are speaking on behalf of the Association it is important to note that not all fire companies are part of the Association. He added that, most likely not all the members of the Association were present at the meeting where it was decided that the Association was going to take a formal stand on the issue and offer comment at the Public Hearing. He said in those circumstances you have a majority of the assembled making the decision as opposed to the majority of the body. He gave the example of Supervisor Carl Chipman appearing before the Legislature to speak on behalf of the Supervisor's Association which is usually done with a minority of the Supervisors having been present. He said that he makes it a point to reach out to the individuals he represents to get their opinion on controversial legislation.

Legislator Provenzano asked Sheriff Van Blarcum for his opinion on the law. Sheriff Van Blarcum responded that he also grew up with sparklers and that it didn't seem like it was a big deal to legalize them. He added that, as Sheriff, if the Legislature passes a local law then he will enforce it. He said that the topic was not discussed with the Police Chiefs Association and advised the committee that they were welcome to attend the next meeting which is always on the first Wednesday of the month. He concluded by saying that he too

would listen to the advice of the professionals and said there were many counties that were considering passing similar laws. There was some conversation about fines and what court would be responsible for adjudicating violations.

Legislator Belfiglio addressed the committee saying that he received a three page letter from the Port Ewen Fire Department staunchly against the law and told the committee that he would be following up with them. Legislators Provenzano and Fabiano said they would also follow up with their Fire Departments.

Disposition: No action was taken. Committee will vote on the resolution at a Special Meeting to be held immediately following caucus on April 15.

Sheriff's Report

Sheriff Van Blarcum presented his monthly Board In and Telephone Revenue report and explained that Dutchess County was running behind with the opening of their housing units and that they might not be opening until the 3rd or 4th week in April. He added that the Ulster County head count has been low. He concluded by saying that they are doing well over all as far as meeting the projection.

Legislator Wishnick informed the committee that the Sheriff made arrangements for him to sit in on grievance hearings at the jail. During a hearing an issue that relates to Dutchess County was raised that he thought was significant. The grievance pertained to an inmate being transported to Ulster County without medication. He asked if there was anything the committee could do to make sure inmates are transported with their medication. Sheriff Van Blarcum responded that the health care provider for Dutchess County is the same provider for Ulster, CMC, and said that he was unaware of an issue and offered to speak to the Superintendent from Dutchess. Sheriff Van Blarcum informed the committee that all grievances are sent to the state for review and he has never seen a decision from the state saying that an inmate was not receiving their medication.

Chairman Briggs pointed out that the Superintendent of the Jail had to sign off on grievances. Legislator Ronk asked if the Sheriff would ask Superintendent Hanstein to come to the next meeting. Sheriff Van Blarcum pointed out that they would be prevented from asking for certain information because of HIPPA laws. Sheriff Van Blarcum added that there is a protocol for handling an inmate's medication and stated that he would have been happy to look into the matter if he was made aware of Legislator Wishnick's concerns before the meeting. He assured the committee that he would look into it. Legislator Ronk added that the situation sounded like it was more of a problem on the Dutchess County side rather than in Ulster County.

In other business, Sheriff Van Blarcum advised the committee that all participants were finally ready to sign the UCERT agreement. Legislator Ronk asked if things had been ironed out with the Towns of Ulster and Saugerties. The Sheriff confirmed that it was his understanding that they had been.

Old Business

None

New Business

Sheriff Van Blarcum informed the committee that there will be security cameras installed in the County Building. Legislator Ronk said that the installation was as much of a surprise to the Sheriff as it was to the Legislature. Chairman Briggs asked Legislator Ronk to share what he knew about the cameras with the committee. Legislator Ronk responded that he found out about them when he called the Clerk of the Legislature on an unrelated matter and was advised that she was in the Legislative Chambers because she had been informed that surveillance camera locations were being investigated. She had not been informed about the work being done in the Legislative Chambers. Legislator Ronk then called the County Executive for an explanation and was told that cameras were going up and that it must have been at the Sheriff's request. The Sheriff was asked and was not aware of it. The Sheriff said that he spoke to Bob Buser earlier in the day and was told that the installation of the cameras stemmed from a meeting held five years ago on the topic of building security. The Sheriff said that it was his understanding that there would be 16 cameras that will be monitored downstairs at the security desk that stays on a loop for a year. Legislative Counselor Weiner remarked that it may be parenthetical, but conversations were recently being had in the Legislature about a security policy. He added that it highlights the need for the Legislature and the Executive to clarify in the Charter the meaning of policy and procedure and day to day operations. Legislator Ronk commented that it would seem that the policy in this case would be that there will be cameras in the County Building and that operations would be the installation and monitoring of them.

Legislator Provenzano commented that, on the topic of safety, she has felt for many years that the 6th Floor is not a safe place for the Legislature to be. She added that they should have a full floor with multiple entrances and exits as opposed to the one entrance/exit that the Legislative Offices currently have. She said it had been brought up in the past, but was defeated. She concluded by saying that the Legislature is as important as the Executive's Office and was disappointed with the Legislature for not attempting to correct the situation. Legislator Ronk agreed with her that the door on the Executive's

side of the library should not be locked so that the Legislative staff would have access to a second exit in the event of an emergency.

Sheriff Van Blarcum commented that while there would be 16 cameras installed in the county building, at 1 Pearl St, where mostly women work and crime victims is located, there are no cameras or security personnel.

Legislator Belfiglio asked if the cameras would be on a DVR system and asked the Sheriff to confirm that the video would be kept for a year. The Sheriff said that is what he was told but was not provided any details. Legislator Fabiano advised the committee that the subject of cameras in the parking has been discussed in the Public Works committee before. He added that he was in favor of monitoring the parking lot so that when there is an accident an employee or member of the public might be able to hold the person responsible accountable. He said that the number of prosecutions that Saugerties is able to pursue because of cameras at Cantine Field is noteworthy.

Sheriff Van Blarcum recommended that the committee contact Bob Buser or another representative of the Buildings and Grounds Department if they wanted more specific information on the cameras.

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

Adjournment

Motion Made By:	Legislator Ronk
Motion Seconded By:	Legislator Fabiano
No. of Votes in Favor:	5
No. of Votes Against:	0

TIME: 6:12 PM

Respectfully submitted this 4th day of May, 2015

Jay Mahler, Deputy Clerk

Minutes Approved: May 4, 2015