

**Adopting Introductory Local Law No. 5 Of 2009 (A Local Law Prohibiting The Use Of Wireless Handsets To Compose, Read Or Send Text Messages, E-mails Or Twitter While Operating A Motor Vehicle In The County Of Ulster), Hereinafter Known As Local Law No. 3 Of 2009**

The Criminal Justice and Safety Committee (Chairman Dart and Legislators Briggs, R.A. Parete, Zimet, Hansut, Maloney and Ronk) and Legislators Bischoff, Cahill, Decker, Donaldson, Gregorius, Hochberg, Lomita, Loughran, R.S. Parete, Provenzano, Rodriguez, Shapiro, Sheeley, Stoeckeler and Terpening offer the following:

WHEREAS, Resolution No. 162, dated May 13, 2009, set the date for Public Hearing on Introductory Local Law No. 5 Of 2009 (A Local Law Prohibiting The Use Of Wireless Handsets To Compose, Read Or Send Text Messages, E-mails Or Twitter While Operating A Motor Vehicle In The County Of Ulster), to be held on Tuesday, June 2, 2009 at 6:10 PM in the Legislative Chambers, Ulster County Office Building, 244 Fair Street, Kingston, New York, and

WHEREAS, said Public Hearing was held on Tuesday, June 2, 2009 at 6:10 PM, Ulster County Office Building, Kingston, New York, and

WHEREAS, said Public Hearing was duly advertised in the official newspapers of the County of Ulster together with a supplemental newspaper of the County of Ulster and posted on the signboard maintained by the Clerk of the Legislature situated in the Ulster County Office Building, and

WHEREAS, all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, and

WHEREAS, based upon the examination of the Ulster County Legislature, and pursuant to Part 617 of the implementary regulations pertaining to Article 8 of the State Environmental Quality Review Act (SEQRA), it has been determined that the adoption of this proposed Local Law constitutes a Type II action as defined under 6 NYCRR 617.5(c)(20) and (27) and does not require any determination or procedure under SEQRA, and

WHEREAS, the Criminal Justice and Safety Committee has met and reviewed said request with a majority of the members voting approval, now, therefore, be it

**RESOLVED**, that the Introductory Local Law herein is hereby adopted by the Ulster County Legislature, and hereinafter known as Local Law Number 3 of 2009,

**Resolution No. 198 June 10, 2009**

**Adopting Introductory Local Law No. 5 Of 2009 (A Local Law Prohibiting The Use Of Wireless Handsets To Compose, Read Or Send Text Messages, E-mails Or Twitter While Operating A Motor Vehicle In The County Of Ulster), Hereinafter Known As Local Law No. 3 Of 2009**

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 24 NOES: 4  
(NOES: Legislators Noonan, Petit, Roberts and Ronk)  
(Absent: Legislators Aiello, Lomita, R.A. Parete, Roberti and Sheeley)

FINANCIAL IMPACT:  
\$300.00 – APPROXIMATE ADVERTISING COSTS

0637

STATE OF NEW YORK  
ss:  
COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 10<sup>th</sup> Day of June, 2009, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 12<sup>th</sup> Day of June in the year Two Thousand and Nine.

/s/ Mary L. Carey  
Mary L. Carey, Clerk  
Ulster County Legislature

Submitted to the County Executive this  
12<sup>th</sup> Day of June, 2009.

/s/ Mary L. Carey  
Mary L. Carey, Clerk  
Ulster County Legislature

Approved by the County Executive this  
18<sup>th</sup> Day of June, 2009.

/s/ Michael P. Hein  
Michael P. Hein, County Executive