

Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement And Any Amendments To The Agreement With New York State Division of Criminal Justice Services For A Domestic Violence Program – Amending The 2009 Ulster County Budget – District Attorney

The Criminal Justice and Safety Committee (Chairman Dart and Legislators Briggs, R.A. Parete, Zimet, Hansut, Maloney and Ronk) offers the following:

WHEREAS, the District Attorney has received notice of award for a grant from the New York State Division of Criminal Justice Services for the Domestic Violence Program and has requested that the Chairman of the Ulster County Legislature be authorized to execute an agreement and any amendments to the agreement, Contract No. T088739 for a Local Government Initiative No. LOG08088739, in the amount of \$37,500.00 (or less due to New York State budget reductions), for the period commencing April 1, 2008 and ending December 31, 2009, and

WHEREAS, the funds from this grant will be used to assign and train an Assistant DA (ADA) to specialize and focus in the prosecution and investigation of Domestic Violence (DV) offenses for the Specialized Domestic Violence Court within the County and to enhance the prosecution of domestic violence offenders to provide training and community awareness of the impact of domestic violence, and

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

WHEREAS, the Ways and Means Committee has met and approved said request with a majority of members voting approval, now, therefore, be it

RESOLVED, that the Chairman of the Ulster County Legislature is hereby authorized to execute an agreement and any amendments to the agreement with the New York State Division of Criminal Justice Services, Contract No. T088739, for the purpose of Ulster County's participation in the Domestic Violence Project No. LG08088739, in the amount of \$37,500.00 (or less due to New York State budget reductions), for the period April 1, 2008 through December 31, 2009, in the form as filed with the Clerk of the Ulster County Legislature, or as modified with the approval of the County Attorney, and, be it further

Resolution No. 34 February 11, 2009

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RESOLVED, that the 2009 Ulster County Budget is hereby amended as follows:

CREATE

A4-1031-1717 Stipend Pay
(App. #)

A3-1031-3034 State Aid, Domestic Violence
(Rev. #)

INCREASE

AMOUNT

A4-1031-1717	Stipend Pay	\$31,500.00
A4 1031 1005	Regular Pay (Asst. District Attorney)	\$31,500.00

1165 1023	Domestic Violence ADA	\$6,500.00
1165 1070	Domestic Violence ADA	\$4,000.00
1165 1203	Domestic Violence ADA	\$7,000.00
1165 1205	Domestic Violence ADA	\$4,000.00
1165 1206	Domestic Violence ADA	\$6,000.00
1165 1208	Domestic Violence ADA	\$4,000.00

(PC #'s)

A4-1031-4012	Program Supplies	\$ 6,000.00
(App. #'s)		

A3-1031-3034	State Aid, Domestic Violence	\$37,500.00
(Rev. #)		

and, be it further

RESOLVED, if funding for this program is eliminated, County participation will be reviewed by the Ways and Means Committee *and approved by the Legislature*, and be it further

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RESOLVED, if funding for this program is reduced or eliminated, the position (and/or program) will be reduced accordingly or eliminated as well,

and moves its adoption.

ADOPTED AS AMENDED BY THE FOLLOWING VOTE:

AYES: 27 NOES: 4
(NOES: Legislators Briggs, Dart, Provenzano and Terpening)
(Absent: Legislators Aiello and Zimet)

Legislator Noonan motioned, seconded by Legislator Cummings to amend the “RESOLVED” as indicated in the body of the resolution in bold font and italics as follows and “RESOLVED, if funding for this program is eliminated, County participation will be reviewed by the Ways and Means Committee ***and approved by the Legislature,***”.

MOTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 31 NOES: 0
(Absent: Legislators Aiello and Zimet)

Legislator Dart motioned, seconded by Legislator Provenzano to refer resolution back to committee for clarification.

MOTION DEFEATED BY THE FOLLOWING VOTE:

AYES: 6 NOES: 25
(AYES: Legislators Dart, Decker, Lomita, Loughran, Provenzano and Terpening)
(Absent: Legislators Aiello and Zimet)

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Legislator Loughran motioned, seconded by Legislator Harris to amend the resolution by creating “State Aid, Domestic Violence” and “Stipend Pay” (Stipend Pay will be monthly), which replaces “Regular Pay” and removing PC #'s (see strikethroughs) and adding a “FURTHER RESOLVED” as indicated in bold italics in the body of the resolution.

MOTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 29 NOES: 2
(NOES: Legislators Dart and Provenzano)
(Absent: Legislators Aiello and Zimet)

FINANCIAL IMPACT:

\$37,500.00 – ADDITIONAL 2009 APPROPRIATION DOLLARS
\$37,500.00 – ADDITIONAL 2009 STATE REVENUE DOLLARS
\$ 0.00 – ADDITIONAL COUNTY DOLLARS

0212

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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 13th Day of February, 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 13th Day of February in the year Two Thousand and Nine.

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

Submitted to the County Executive this

13th Day of February, 2009.

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

Approved by the County Executive this

14th Day of February, 2009.

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