

**ULSTER COUNTY LEGISLATURE
COMMITTEE MEETING MINUTES**

NAME OF COMMITTEE: Law Enforcement and Public Safety Committee
DATE & TIME: May 4, 2010 @ 6:30 PM
PLACE: Library Conference Room, 6th Floor, County Office Building

LEGISLATORS PRESENT: Chairman Jack Hayes, Deputy Chairman Thomas Briggs, Legislators Carl Belfiglio, Roy Hochberg, Hector Rodriguez, Kenneth Ronk, Michael Sweeney

LEGISLATORS EXCUSED: All in Attendance

OTHERS ATTENDING: Sheriff Paul VanBlarcum, Undersheriff Frank Faluotico, Budget Director Arthur Smith, Director of EC/EM Arthur Snyder, District Attorney Holley Carnright, Tom Kadgen (LWV)

MEETING CALLED TO ORDER @ 6:40 PM

APPROVAL OF THE APRIL 6, 2010 MINUTES:

Motion offered by Legislator Rodriguez, Seconded by Legislator Briggs, All in Favor, Carried.

Emergency Communications/Management - Arthur Snyder

1. **Resolution Draft No. 0528, May 18, 2010** - Authorizing The Purchase Of An E911 Emergency Communications Phone System - Amending The 2010 Ulster County Budget

Motion offered by Legislator Rodriguez, Seconded by Legislator Hochberg, All in Favor, Carried.

Discussion: See letter attached from Arthur Snyder explaining the NG 911 Phone System. The following questions and answers took place between the Committee and Mr. Snyder.

Rodriguez: Just to verify, the only thing this money can be used for is this type of purchase? A/The 911 reserve account is for purchases of major capital projects.

Briggs: Would the same warranties apply? A/yes

Ronk: Since we're purchasing the equipment, instead of leasing, is there a fear that Motorola in the next few years will stop supporting this phone system? A/no, this is cutting edge technology.

Belfiglio: Reiterated the funding source and the figures with Mr. Snyder.

Sweeney: First question, what happens to the \$135,000 that was budgeted? A/It will be used for this purchase, we're only transferring the \$411,900 which makes up the difference. Second question, how are the future modifications being funded later in the year? A/That would be a separate issue, the Radio System will be a scaled approach and how corrections will be made to it. A Radio System is quiet some years into the future financially. They will be making some modifications this year. That money will come out of the 911 Operating Budget.

Hochberg: What does Beta mean? A/There is one site in the Country that is already receiving text messages on 911. It is a very controlled area served by one carrier. A common misconception, especially among the teens, they think that they can text a message to 911. That is not true today anywhere in the Country, except that Beta site. UC will not be a Beta site, they are buying the equipment, when it can be performed UC will have the equipment in place and be able to accommodate it. Q/Do you know what the projected lifetime of the equipment is? A/No, but we have far exceeded the life expectancy of the current system. Q/What is the down side of paying for the equipment upfront? A/There is no down side.

Ronk: Is the \$135,000 that is budgeted for the lease, essentially going to become savings for the 2010 Budget? A/No, the purchase price is \$546,900, only the difference comes from the reserve.

Rodriguez: Where does the \$135,000 come from again? A/The reserve. Q/Then the savings go back to that reserve account? A/Correct.

Falutico: Is this system something that you can add stations onto so that the same technology can be used in other County Offices? Like the Sheriff's Office? A/He is not sure the answer to his exact question. He stated that the system will give you the best of two worlds, redundancy and diversity. They currently have three Phone Systems, two at Kingston, and one at Highland. With this purchase, they will have one system in total. Part of the servers will be located at SP Highland, part located in SP Kingston. What that does is give you diversity in case something happened catastrophically in Kingston, you would still have the redundancy that is built into the system in Highland. The most important thing to SP Highland being the backup is that it is served out of the Verizon switch in Newburgh, where SP Kingston, the Law Enforcement Center, and his Office, are all served out of the Verizon switch in Kingston. If something happens to the Verizon switch in Kingston, Highland would be separate.

Hayes: Is there any value to the current system? A/Currently if there is a problem, they have to get spare parts from a third party vendor. Could it be sold to a third party vendor? It is possible, but that was not included as part of the contract. They did include that Motorola would ultimately take the old equipment out and dispose of it. The problem with any integration is transitioning from old equipment to the new equipment and still maintaining operation. Both systems will have to run simultaneously for a period of time. Once they are fully transitioned to the new, part of the contract was to then remove it. Q/Would it be worth checking to see if it has any salvage value? A/Will check with the Purchasing Department to see if it could go out to bid at auction.

Sweeney: Do you have any idea when the texting capability would be implemented? A/No, the demand is there today, so that may drive the industry.

Hochberg: With regards to the SP Station in Highland, will new equipment be provided there also? A/The State Police barracks in Highland serves as a backup 911 center, it has very limited capabilities. In Kingston they have 8 positions, in Highland there is only 2, the space is shared with 2 Communication Specialists from the State Police. In Highland they do not have access to all radio frequencies; they only have the main frequency. They do have a complete phone system. This new project will put new equipment in SP Highland.

Sheriff's Office - Paul VanBlarcum/Frank Faluotico

2. **Resolution Draft No. 0516, May 18, 2010** - Authorizing The Chairman Of The Ulster County Legislature To Execute A Memorandum Of Agreement With The New York State Division Of Criminal Justice Services For The Transfer Of Excess Personal Property For Law Enforcement Activities

Motion offered by Legislator Ronk, Seconded by Legislator Sweeney, All in Favor, Carried.

Discussion: Sheriff VanBlarcum explained that there is no financial impact. This is a program that allows the State to give the Sheriff's Department surplus equipment. Ulster County was instrumental in getting the State to reestablish this program. Chairman Hayes thanked the Sheriff and his Department for their efforts in reestablishing the program.

3. **Resolution Draft No. 0517, May 18, 2010** - Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The Department Of The Navy For Night Vision Goggles

WITHDRAWN BY THE SHERIFF'S DEPARTMENT

Discussion: Sheriff VanBlarcum asked that this Resolution be withdrawn; his Department applied for a Court Security Grant in 2007, this Grant has been approved so it is not necessary to lease the goggles from the Naval Surface Warfare Center.

4. **Resolution Draft No. 0518, May 18, 2010** - Authorizing The Chairman Of The Ulster County Legislature to Execute An Inter-Municipal Agreement With The County of Putnam For Boarding Of Prisoners In The Ulster County Jail

Motion offered by Legislator Ronk, Seconded by Legislator Briggs, All in Favor, Carried.

Discussion: Sheriff VanBlarcum explained that this agreement allows the County of Putnam to house inmates in the Ulster County Jail.

Public Hearing

5. **Resolution Draft No. 0521, May 18, 2010** - Setting A Public Hearing On Introductory Local Law No. 2 of 2010 (A Local Law That Will Establish The Office Of Conflict Defender Within The County Of Ulster And Repeal Local Law No. 1 Of 2008), To Be Held On Tuesday, June 15, 2010 At 6:00 PM

Motion offered by Legislator Rodriguez, Seconded by Legislator Hochberg, All in Favor, Carried.

Discussion: Legislator Ronk asked why it is necessary to repeal Local Law No. 1 of 2008.
A/ Conforms to the State Law.

New Business (3 items)

1) LWV Correspondence / Incarcerated Parole Violators / See attached letter
Chairman Hayes stated that the LWV is asking for the Law Enforcement and Public Safety Committee to act on the attached correspondence regarding disparity between the way Dutchess County and Ulster County process incarcerated parole violators. The above mentioned correspondence previously went to the County Executive's Office and was also discussed by Robert Sudlow at the Criminal Justice Council Meeting.

Kadgen: Stated that the New York State Commission of Correction Probation publishes a report on Incarcerated Parole Violators in County Jails monthly. In the LWV letter it states that Ulster County should be averaging 60% of the parole violators of Dutchess County. Instead, the County is averaging more than twice that amount. This has had minimal impact on the County since the jail is not at full capacity. From this point on, each parole violator that is in the County jail will reduce board-in fees by \$100.00 per day. If the LWV are correct in assuming that Ulster County is housing an average of 10 to 15 more parolees than it should be, then the overall effect will be a loss of \$360,000 to \$547,500 in board in fees per year. The LWV is looking for someone to take leadership on the issue. Find out what Dutchess County is doing differently than Ulster County.

Hayes: Stated that he will talk to the County Executive's Office in regards to this matter.

Sweeney: Is it that Ulster County has twice the number, or is it possible that Dutchess County has half the number due to their over crowding? How does Orange County play into this?
A/Kadgen, did not look at Orange County, the information was based on information given by Dutchess County's Criminal Justice Council. He stated that the population of Dutchess County is very similar to Ulster County, Orange County is much larger.

Hayes: Stated that he spoke with Parole today and part of the problem with checking the statistics is the variables involved. You can be put into the Ulster County jail because you committed a crime, and if you're a parolee then you are listed as a parolee in the County jail, but

you may also have totally new charges but still fall under this particular statistic. There are a lot of variables and he is not familiar with the background on how to crunch those numbers.

Ronk: When the Commission of Corrections puts out these numbers, do they just count violators incarcerated or do they also have the number of parolees that have violated in Ulster County?
A/Kadgen, no they just have who is in the jail, for this particular report. He stated that he is sure there are other reports that state that data. For a long time there has been a big disparity. The average process time takes 59 days in Ulster County; he has been unable to obtain the process time in Dutchess County. That might indicate that the people in the Ulster County jail are possible staying longer. If that is true, then that information would have to be analyzed. It could be that there is nothing wrong here, but he feels that it should be looked into.

VanBlarcum: Agrees with Mr. Kadgen that there is a disparity. He made another point, if someone gets arrested as a parole violator, and then gets charged with a new crime; and their parole violation hearing gets done within a certain amount of time, they are still held in the jail, even though they are violated and the parole system says send them back to State prison. The inmate still stays at the County Jail because they have committed another crime. They have been contemplating that once an inmate gets violated let them go back to State prison and then it would be up to the State system to transport to hearings. He is not sure if this is the protocol that Dutchess County follows. It is only in the thought stages.

Kadgen: Asked the Sheriff if he would take the lead on this issue. A/yes

Hayes: Thanked the Sheriff for offering his participation.

2) Local Law for the Licensing of Persons in the Business of Purchasing Secondhand Articles:

Chairman Hayes gave a brief history of Local Law No. 4 of 1985. In an effort to improve on this current Law it has been brought to this Committee's attention again, with the intentions of amending the current Law. The original draft of this proposal had been presented to the Legislature in June of 2008, and then an amended draft was proposed in June of 2009. Chairman Hayes will be contacting Joseph Sinagra of the Police Chief's Association of Ulster County and inviting him to present his opinion on the subject to the Committee at next month's Committee meeting. Both District Attorney Holley Carnright and Undersheriff Frank Faluotico spoke on the subject and both are very supportive of the revised draft. Mr. Faluotico stated that by amending the current Law it will give the authorities a way to enforce the Law. Mr. Carnright stated that his purpose in supporting the amendments is to get the people that are pawning stolen property.

3) Medical Examiner Protocol:

Chairman Hayes stated that he and Patrick Sheehan met with the Public Health Director to discuss Medical Examiner protocol. It would appear at this time that there is not too much protocol in place.

Faluotico: Asked Chairman Hayes what the protocol would consist of? A/stated that it is wide open for suggestions. He suggested Forensic Training with regards to crime scenes, Certifications in regards to the Medical Examiners Office, or possible pre-arrangements, like if the Medical Examiner is unable to do this, then this is what will take place.

Ronk: Suggested obtaining similar protocols that other Counties are currently using.

Faluotico: With his background in death investigations he has offered his assistance. He feels that the Committee should go right to New York City and look at their protocol, and adapt it to our County. NYC follows NYS Law. He stated that May is a busy month for him, being that it is Police Month, and he will have the necessary information for the Committee in July.

Old Business (5 items)

- 1) **Committee Liaisons to Commissions Update:** Chairman Hayes stated that he goes to the Criminal Justice Council meetings. Legislator Ronk is the liaison for the Fire Advisory Committee and stated that there is another Legislative member welcome to join the Committee. Legislator Sweeney suggested that because they have such busy schedules that these advisory boards come to their Committee meeting every couple of months to update them.
- 2) **Video Arraignment Pilot Study Update:** Sheriff VanBlarcum stated that he sent the statistics to the County Executive's Office and to Chairman Hayes. So the cost analyses are underway. Undersheriff Faluotico stated that the Chief's Association is on board and is willing to brainstorm with the Committee and/or the County Executive's Office. The hope is that Ulster County will be chosen to participate in a Pilot Study Program.
- 3) **Old Jail Utilization Update:** Chairman Hayes stated that he will be in touch with Bob Sudlow for an update.
- 4) **Leandra's Law Update:** Sullivan County has joined Greene County in asking the state to delay implementation until funding of the program is settled. Chairman Hayes will ask Bob Sudlow to come to the next meeting to discuss if the Committee is going to join the other Counties and present a similar memorializing Resolution. DA Carnright stated that the expectation is that the Counties are going to pay for it. He added that there is a lot of good in Leandra's Law; it is just not a complete Legislation at this time. There are still a lot of unanswered questions besides the finance issue. Chairman Hayes suggested a group approach by getting a letter from the Town Justices Association that they are all concerned with the process. DA Carnright stated that part of the problem is people do not want to readily stand up and say that they are not in support of Leandra's Law, including himself. He reiterated again that there are a lot of details that need to be worked out first.

- 5) Emergency Communications / UC Concerned Chief: Chairman Hayes and Legislator Sweeney attended a meeting given by a bunch of Ulster County concerned Fire Department Chiefs. They are trying to raise awareness of their poor radio communication systems. They made a presentation in Highland, Ellenville, and he believes two other towns. There are a real variety of communication systems being used. Art Snyder is working on a study with regards to Communication Systems for Ulster County. Legislator Ronk updated the Committee on where the Fire Advisory Board is on the issue. The study that will be done by a Consultant will go out to RFP. The study will determine what type of Communication System will be best for Ulster County. The entire Committee agreed that this is in fact a huge problem that hopefully will be addressed soon.

Legislator Hochberg asked Budget Director Arthur Smith questions about the Budget cycle and where as a Committee they should start. He is concerned that the Committee has discussed and has come up with a lot of new ideas, like the new Communication System and wants to know how they will fit into the new budget. We need to understand and comprehend the new proposals and changes as they come. Mr. Smith stated that our County, like all Counties and Municipalities have their hands tied until they know what Albany is doing. They are in the first week of May and they do not know what kind of projections to make for State Aid. They have to wait for a Budget plan from the State. Legislator Hochberg stated that it might be worthwhile as a Committee to start spending some time exploring and preparing for the 2011 Budget. Mr. Smith stated that typically the Budget schedule goes out the end of May and they will begin the process of meeting with the Department Heads. Chairman Hayes added that he appreciates Mr. Smith's comments and that as a Committee they will continue to be diligent about the upcoming Budget process.

Chairman Hayes stated that in conclusion of tonight's meeting and in light of the NYC attempted Bombings, he would like to touch base with Arthur Snyder and get up to speed with Homeland Security Procedures. He would like to look at buildings, operations, and response plans. Maybe Awareness Training needs to take place. He will add this item to next Months Agenda.

Motion to adjourn meeting @ 8:05 PM

Motion offered by Legislator Briggs, Seconded by Legislator Hochberg, All in Favor, Carried.

Respectfully Submitted,
Tammy Wilson, Senior Legislative Employee
