

**ULSTER COUNTY LEGISLATURE  
COMMITTEE MEETING MINUTES**

**NAME OF COMMITTEE:** Law Enforcement and Public Safety Committee  
**DATE & TIME:** July 5, 2011 @ 6:30 PM  
**PLACE:** Library Conference Room, 6<sup>th</sup> Floor, County Office Building

**LEGISLATORS PRESENT:** Chairman Jack Hayes, Deputy Chairman Thomas Briggs (Left @ 7:20 PM), Legislators Carl Belfiglio, Roy Hochberg, Hector Rodriguez, Kenneth Ronk, Michael Sweeney

**LEGISLATORS EXCUSED:** All Present

**OTHERS ATTENDING:** Sheriff Paul VanBlarcum, Undersheriff Frank Faluotico, Detective Abram Markiewicz (Sheriff's Office), Emergency Communications/Management Director Art Snyder

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**MEETING CALLED TO ORDER @ 6:42 PM**

**APPROVAL OF THE MAY 3, 2011 COMMITTEE MINUTES:**

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

**RESOLUTIONS:** None

**NEW BUSINESS:**

1) Ulster County Police Services Review: Chairman Hayes stated that both the Legislative Chairman and the County Executive were invited to attend tonight's meeting and both were unable to do so. He had requested from both of them, their input with regard to subject matter. Chairman Hayes has received correspondence from Sean Byrne, Acting Commissioner of DCJS; the letter is dated June 24, 2011. The letter stated that the NY Dept. of State has funding available under the Local Government Efficiency Grant Program for law enforcement consolidation studies and other local efficiency studies. He gave contact information and additional information on how to apply for these grants. The Committee further discussed the subject and the Chairman and the Committee concluded that they will need guidance from the Chairman of the Legislature and the County Executive at this point, so that it is made very clear on how and/or if they should proceed.

2) Mid-Hudson Region, Building Bridges for Veteran Traffic Safety Meeting June 9, 2011:

- Veterans Justice Outreach Program
- UC Veterans Office, UC Traffic Safety Board, UCCC Safety Department

Hayes: Attended the meeting and gave the following update to the Committee. He stated that many Veterans returning from Iran and Iraq are having difficulties with re-entry. Many are being arrested for driving while intoxicated. Many agencies are now working together to try

and make a difference with helping these Veterans with the re-entry process. He stated that it was discussed in the Legislative Programs, Education and Community Services Committee about the possibility of starting a Veteran's Court.

3) Domestic Violence - GPS Monitoring of Order of Protection Holders / Chairman Hayes met with Lea Feldman from The Dutchess County District Attorney's Office last week and he said that they are looking at a GPS to monitor Order of Protection Holders. He stated that it is in the beginning stages and they are working out some kinks with regard to how to administer the device and the legality process. It has not been totally approved at the State level yet. He will stay in touch with Ms. Feldman and keep the Committee updated to their progress.

4) Memorandum of Understanding - URGENT Task Force / Chairman Hayes stated that the Committee should have received a letter from the Comptroller's Office stating that there may not be an MOU that specifically authorizes the URGENT Task Force. There was further discussion with regard to a possible late Resolution. The Sheriff asked what Deputy County Executive oversees the Comptroller's Office. A/It would be Arthur Smith, Budget Director, but for Budget purposes only. The Sheriff stated that he takes issue with the fact that the Comptroller should have come to him first, if there is a problem. Everyone received this letter, and he knew nothing about it. The Sheriff has spoken to many towns, and everyone is on board. He stated that in the meantime they are conducting business as usual, until they work through the process. He said that he has contacted the States Sheriff's Association asking a couple of the Counties that have County Wide Drug Task Forces, if they had MOU's. So far, only Genesee County has responded, and they did not. Their Task Force has been in business since 1989 and they never did a Resolution on the County or Town level. He is waiting to hear back from Monroe County; they modeled their MOU after theirs.

#### **OLD BUSINESS:**

##### **1) Emergency Management: (Update given by Art Snyder)**

- Indian Point Evacuation Zone, Outline Ulster County's Role in a Nuclear Event / Ulster County does not lie within the Emergency Planning Zone (10 Mile EPZ), we are in the ingestion path way.

- Emergency Communications Survey Update / Blue Wing Consultants will be presenting a Formal Presentation to the Legislature at some point this summer. They are having a huge problem obtaining frequencies. He explained the application process with the FCC to obtain frequencies. This should have been an easy process, but there are no frequencies to obtain. The FCC held auctions to sell the frequencies, and independent radio stations bought these frequencies and are now able to sell them at very inflated prices. People are hoarding frequencies and this is creating huge problems. Because these frequencies now have to be purchased, this is going to increase the price of the entire project. It is possible to have to pay several hundred thousand dollars per pair.

- Narrowbanding Update: The deadline for Narrowbanding is 1-1-2013 and it is an FCC

Mandate. He would have liked to have been able to incorporate this project with the overall Radio System Plan, but explained that the timing was just not right. Narrowbanding will have to be done much sooner, the Radio System will take years to incorporate. He has applied for the Narrowbanding License with the FCC, and is waiting for approval. Q/Hochberg/Asked for clarification with regard to the funding for both projects. A/The 1-1-2013 Narrowbanding project will be funded through Art's Operating Budget. He estimates that cost to be between 15 to 20 thousand dollars. He stated that individual agencies will have to modify their radios. The larger project is the new Radio System, and when the Consultants give their presentations, everyone will have a better understanding of that project and what the cost will be. That project will be funded as a Capital Project.

- West Branch Tunnel Leak Emergency Action Plan update / The State Emergency Management Office and the DEP are working with a Technical Assistance Team from FEMA. They are doing a Risk & Vulnerability Assessment. He reiterated that his primary concern is Marlborough and providing them with a water supply.

2) Laws pertaining to Protests at Military Funerals: Chairman Hayes handed out a copy of Saratoga County's Local Law and Resolution pertaining to Military Funerals. He requested that the Committee review them and bring back any questions and/or concerns on the topic. He does not see any problem with implementation, if the Committee agrees to move forward.

Hochberg: Stated that he believes in both the Assembly and the Senate, that there is a State version of this being sponsored. The Committee agreed to wait and see what happens on the State level.

3) Probation:

- Alternative to incarceration Facilities in Ulster County
  - Number, Location
  - Oversight of Sentencing Criteria

Hayes: Stated that Mr. Byrnes has addressed some of his concerns with regard to the Renaissance Project and who he should be in contact with. The Chairman forwarded an e-mail from Melanie Mullins, Director of Probation. The Chairman asked for the number of Alternative to Incarceration Facilities in Ulster County and their involvement in oversight. She replied that there are 5 facilities in Ulster County. Samaritan Village and Renaissance are long term treatment programs in Ellenville. Three short term programs are Veritas Villa in Kerhonkson, and Never Alone in Hurley, and Kingston Hospital. She stated that Probation's only involvement is that they may have offenders placed there. But in all likelihood, the outpatient program referring to the treatment facility will choose which program the offender will attend. DSS may have some input. She stated that they may also make a recommendation, but by no means do they have the final say. With regard to oversight, they have no involvement at all. The State Agency OASAS monitors and oversees the facilities. Chairman Hayes spoke with Commissioner Rodriguez with regard to funding, does Ulster County directly or indirectly fund these facilities. The Commissioner does not believe that they do, but will double check and get back to him.

4) Building Security Working Group Update: Chairman Hayes stated that he has been in contact with Dennis Young from the Sheriff's Office. He did the top to bottom evaluations on the County Office Building. He is working on the report and Chairman Hayes will share that information with the Committee when it becomes available. As some point he would like to bring a Resolution forward that states the County will take care of their Buildings with regard to security at a certain standard.

5) Nuisance Alarms Law: Reference was made to a letter that Chairman Hayes wrote to the Law Enforcement and Public Safety Committee. The letter was to inform the Committee that the referenced subject matter would be on the July Agenda and he wanted to clarify his concerns with regard to Legislative Intent, and Administration. He believes that there are a number of significant issues that need to be resolved prior to serious consideration of moving this legislation forward.

Belfiglio: Stated that he wanted to bring this forward again and acknowledged and thanked Detective Abram Markiewicz from the Sheriff's Office for attending tonight's meeting. Detective Markiewicz presented a Power Point about a year ago to the Committee with regard to this Legislation. Legislator Belfiglio handed out the Alarm System Local Law from 1998, which is currently on the books in the Town of Esopus. He stated that his intent in bringing this forward again, would be to free up the Sheriff's Road Patrol from constantly answering nuisance alarms, especially repeat alarms. He feels that the home owner needs to be accountable. He feels it would be beneficial to look at the statistics, like the number of calls to individual Communities monthly and yearly, and how much time is spent answering these calls. He stated that the Code Enforcement Agent handles the fines in the Town of Esopus and if the fine is not paid, it is added to the individual's Property Tax Bill for the next year. He agrees with Chairman Hayes that the administration needs to be clearly defined.

Hayes: Stated that he does not want to discourage this legislation but has to play the devil's advocate because of the difficulties it presents with regard to administration. He reiterated that the concerns that he mentions in his letter will need to be addressed before this Legislation can become workable.

Markiewicz: Stated that if you look at the Town of Esopus's revenue for the year, it will be mathematically low because there are two agencies that have jurisdiction, the Sheriff's Office and the State Police, and the State Police do not report their calls to the Town of Esopus.

Rodriguez: Stated that the pre-empting issues need to be discussed with Legislative Counsel with regard to this Legislation. He believes this Law cannot pre-empt what the Town of Esopus already has on their books.

Hayes: Asked Detective Markiewicz what his thoughts were with regard to administering this Law. He asked if it would go to Justice Court. A/He stated that it would be administered, if challenged legally, in the Town Courts, just as any other Town ordinance violation.

Hayes: Asked the Sheriff if it would be economically feasible to have Officers going to court to give testimony. A/Does not believe that an Officer would have to give testimony; they would just have to supply proper documentation.

Snyder: Gave year-end statistics. These statistics show that a tremendous amount of an Officers time is spent on Abandoned Calls (8,700 calls) and No Voice Contact Calls (5,900 calls). He stated on the fire side, last year there were 1,900 hundred Automatic Alarms. Of those calls, he only received feed-back that one was a malfunction. He stated that obviously, a tremendous amount of these calls are False Alarms, but they do not receive feed-back on those calls. He said that if part of this Local Law was dependent on those statistics, then they can only provide what statistics that are reported to them.

VanBlarcum: Stated that he would check with the State's Sheriff's Association, to see if there are other Counties that have County wide Laws. He will report back to the Chairman when he has that information.

Hayes: Stated that he will also touch base with the Chief's Association.

**FURTHER DISCUSSION:** Legislator Hochberg stated that with Budget time fast approaching, that as a Committee they should start their Budget Review Process. Last year the Sheriff, the District Attorney, and the Public Defender met with the Committee and Budgets were presented and discussed. Chairman Hayes stated that he would work on scheduling those presentations for the Committee's review.

**Motion to adjourn meeting @ 7:50 PM**

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

**Respectfully Submitted,**  
**Tammy Wilson, Senior Legislative Employee**

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