

**ULSTER COUNTY LEGISLATURE
COMMITTEE MEETING MINUTES**

NAME OF COMMITTEE: Criminal Justice & Safety Committee
DATE: June 23, 2009
TIME: 4:45 PM
PLACE: Library Conference Room, 6th Floor, County Office Building

LEGISLATORS PRESENT: Chairman Frank Dart, Deputy Chairman Paul Hansut, Legislator Thomas Briggs, Legislator James Maloney, Legislator Kenneth Ronk Jr., Legislator Susan Zimet

LEGISLATORS ABSENT: Legislator Richard Parete

OTHERS ATTENDING: Legislator Donald Gregorius, Deputy County Executive Robert Sudlow, Counsel to Legislature Daniel Heppner, Undersheriff Frank Faluotico, Joseph A. Sinagra (Ulster Police/UC Chief's Association), Thomas Kadgen (LWV, CJC), Tana Agostini (Re-Entry Advocate), Emre Umar (President, Correctional Medical Care, Inc.)

MEETING CALLED TO ORDER @ 4:47 PM

APPROVAL OF THE MAY 26, 2009 AND JUNE 2, 2009 MINUTES:

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

SHERIFF'S DEPARTMENT - Paul VanBlarcum/Frank Faluotico

1) **Resolution - Draft** (Authorizing The Chairman Of The Ulster County Legislature To Extend The Agreement With The New York State Division Of Criminal Justice Services For The Purchase Of A Van For The Dive/Rescue Team - Amending The 2009 Ulster County Budget)

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

Discussion: Undersheriff Frank Faluotico explained to the Committee that this Resolution is an extension of the original contract to purchase equipment for the Dive/Rescue Team van. The Committee had questions on the way that the Resolution was worded. Their concern was that it reads like a van is being purchased. The Committee asked that the Undersheriff and/or designee attend Caucus to answer any further questions that the full Legislature may have to address this Resolution. It was clarified by the Undersheriff that said monies are not to purchase the van; the money is to outfit the van.

2) **Resolution - Draft** (Accepting Donation From The NRA Foundation, Inc., And Amending The 2009 Ulster County Budget)

Motion offered by Legislator Maloney, Seconded by Legislator Ronk, (Yes: 5, Noes: Zimet), Carried.

Discussion: Undersheriff Frank Faluotico explained to the Committee that last year's donation allowed the Department to purchase Emergency Clotting Materials used by the Emergency Response Teams.

PROBATION DEPARTMENT - Melanie Mullins

3) **Resolution - Draft** (Creating The Title Of Deputy Director of Probation II, And Establishing A Salary Range For The Title - Department Of Probation)

Motion offered by Legislator Maloney, Seconded by Legislator Hansut, All in Favor, Carried.

Discussion: Deputy Executive Robert Sudlow reiterated to the Committee the reorganization that will take place in the Department and how critical this position is for the Probation Department. The Committee has asked that Mr. Sudlow attend the next Caucus to answer any further questions that may arise concerning this Resolution.

REFERRED BACK TO COMMITTEE

4) **Resolution 204** (In Support Of Authorizing The Chairman Of The Ulster County Legislature To Engage The New York State Department Of Corrections To Investigate the November 28, 2008 Determinations Issued By The United States Equal Opportunity Commission Regarding The Ulster County Law Enforcement Center)

Vote was taken to Rescind Resolution No. 204 (Original)

Motion offered by Legislator Zimet, Seconded by Legislator Maloney, All in Favor, Carried.

COMMITTEE TO CONSIDER THE FOLLOWING REVISION:

Resolution 204A (In Support Of Authorizing The Chairman Of The Ulster County Legislature To Create A Special Subcommittee Of The Criminal Justice And Safety Committee To Review The Dissemination Of Information Within The Various Branches Of County Government And Issue A Report And Recommendation Regarding The Future Dissemination Of Information Within The Various Branches Of Ulster County Government)

Vote was taken to set up a Subcommittee consisting of the following members, Legislators Maloney, Hansut, and Briggs to review/rewrite Resolution No. 204A (see above). Chairman Dart directed the Subcommittee to work with Legislative Counsel Daniel Heppner to write a policy that will be brought back to the Criminal Justice & Safety Committee next month.

Motion offered by Legislator Maloney, Seconded by Legislator Briggs, (Yes: 5, Noes: Dart), Carried.

Legislator Zimet addressed Chairman Dart and asked that her comments be added to the minutes. She wanted it on record that she was very disappointed about the way Chairman Dart treated the Committee at the June 10th meeting. She took his comments as a personal attack on the Committee.

Chairman Dart responded to Legislator Zimet and stated she completely assumed wrong. He stated again that he did not agree with the Resolution but voted yes at the Committee meeting to bring it to the floor. He wanted the Resolution to be voted on by the complete Legislature.

Chairman Dart reiterated to the Committee that the County Executive has agreed to send to the Legislature monthly reports regarding lawsuits that have been publicly filed.

Legislator Ronk stated that the intention is to set a policy about the dissemination of information for the office of the County Executive, the office of the County Legislature, and the office of the County Attorney.

NEW BUSINESS:

- Health Insurance / Emre Umar, President, Correctional Medical Care, Inc.

Discussion: Emre Umar addressed questions from the Committee about the contract that the County has with Correction Medical Care. The agreement is to provide Health Care Services to inmates at the Ulster County Law Enforcement Center.

Legislator Gregorius refers to the contract, pages 98 and 99. He raises questions about cost and liability and has asked for clarification on these issues. He questioned the price per inmate and the additional cap of \$10,000 for all out side costs per inmate.

Mr. Umar explained that the cost of \$6,500 per inmate is because you are dealing with a very difficult and sick population. In the outside world some of these individuals would be uninsurable. He explained that they have only encountered a few cases in the last seven years that the cap of \$10,000 has been reached.

Legislator Gregorius has asked Mr. Umar for a copy of a three year and a five year Experience Rating Report. Mr. Umar will forward the following reports to the Undersheriff and he will forward to the Committee.

Mr. Umar also informed the Committee that Counties in the State of New York can go to Medicaid and can be reimbursed for offsite / inpatient services and currently Ulster County is not doing that. To qualify the inmate needs to be on Medicaid before they are incarcerated. He is not entirely sure of the exact procedure to follow to seek reimbursement or who would receive reimbursement, the County or the Sheriff's Departments? Mr. Umar will follow up with procedural information.

OLD BUSINESS:

- Update on the proposed Amendments to the Local Law for the Licensing of Persons in the Business of Purchasing Secondhand Articles.

Discussion: Both Legislator Gregorius and Joseph Sinagra of the Police Chief's Association of Ulster County updated the Committee on the progress of the above mentioned Local Law. Mr. Sinagra submitted a letter (see attached) to the Committee stating the events that took place at a June 22, 2009 meeting and a revised draft version (see attached) was handed to the Committee. Chairman Dart asked that Local Law Number 4 of 1985, the amended draft, and the revised amended draft, be copied and distributed to all Legislators for their review.

- Update on the Collecting & Analyzing of Data.

Discussion: Tom Kadgen briefly updated the Committee that as a member of the Criminal Justice Council, he will be working with the Council on collecting and analyzing data.

For the record Legislator Zimet received a phone call from a person that works at the UCLEC. Person said he would be filing an EEOC report. Legislator Zimet will pass the information on to Legislative Counsel.

It was agreed that the August 25th Committee Meeting will take place at 4:45 PM at the Ulster County Law Enforcement Center, in the Rotunda. After the meeting is over the Undersheriff will take the Committee on a tour of the Jail. (Official notice to follow)

Motion to adjourn meeting @ 6:50 PM

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

Respectfully Submitted,

**Tammy Wilson,
Senior Legislative Employee**
