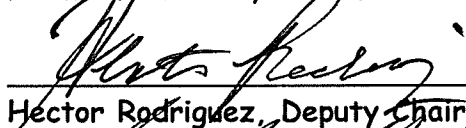


Minutes Sign Off Sheet For:  
November 14, 2011 Meeting

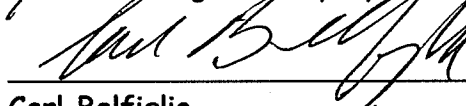
Governmental Services & Administration Committee:



Kevin A. Roberts, Chairman



Hector Rodriguez, Deputy Chairman



Carl Belfiglio

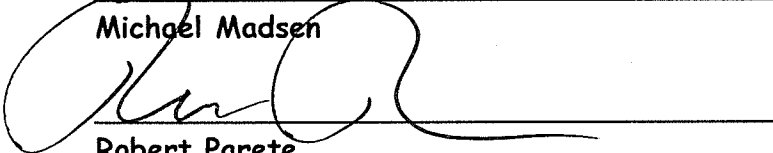


Dean Fabiano

Kenneth Ronk



Michael Madsen



Robert Parete

Today's Date: December 19, 2011

**NAME OF COMMITTEE:** Governmental Services & Administration Committee

**DATE:** November 14, 2011

**TIME:** 5:30 PM

**PLACE:** Ulster County Resource Recovery Agency  
999 Flatbush Road  
Kingston, New York

**LEGISLATORS PRESENT:** Chairman Kevin A. Roberts, Legislators Carl Belfiglio, Dean Fabiano, Kenneth Ronk (arr. 6:03 PM), Hector Rodriguez, and Robert Parete (arr. 6:20 PM)

**LEGISLATORS ABSENT:** Legislator Michael Madsen

**OTHERS PRESENT:** Legislator Terry Bernardo  
Legislator Mary Beth Maio  
Carl Chipman, Supervisor, Town of Rochester  
Sylvia Wohlfahrt, Director, Department of Information Services  
Tim Rose, Executive Director, Ulster County Resource Recovery Agency  
Victor J. Melville, LWV-Observer Corp  
Emilie Hauser, LWV, Mid-Hudson Region Member  
Karen L. Binder, Clerk of the Legislature, Recording

1. Chairman Roberts called the meeting to order at 6:00 PM.

2. Legislator Belfiglio motioned, seconded by Legislator Rodriguez to approve the minutes from October 17, 2011. All in favor.

3. Chairman Roberts took the following resolution out of order.

**Resolution:** Setting A Public Hearing On Introductory Local Law No. 3 Of 2011 (A Local Law Of The County Of Ulster, New York Protecting Animals From Abuse By Establishing A Registry For Animal Abusers), To Be Held On Tuesday, November 29, 2011 At 7:05 PM

Legislator Terry Bernardo presented Introductory Local Law No. 3 of 2011 (A Local Law Of The County Of Ulster, New York, Protecting Animals From Abuse By Establishing A Registry For Animal Abusers). She explained that animal cruelty is a serious problem resulting in the abuse of thousands of animals each year and although the State of New York has criminalized the cruel treatment of animals, animal abuse and cruelty continues to occur in Ulster County and throughout New York State. She believes it is in the best interests of the residents of Ulster County and their animals that an online registry be established identifying individuals residing in Ulster County convicted of animal abuse crimes that will prevent these individuals convicted of animal cruelty from adopting, purchasing, or otherwise obtaining animals from any animal shelter, pet seller, or other person or entity involved in the exchange of animals by adoption, sale, or other means. She further said that this is a good law and in acknowledgement of a letter received from Legislator Brian Shapiro, who is the Executive Director of the Ulster County SPCA (see copy attached), she

feels the proposed local law could be changed to have the Sheriff's Office establish the registry. The UCSPCA does not wish to "establish and maintain a registry for such individuals in Ulster County."

Carl Chipman, Supervisor, Town of Rochester, also spoke to the committee regarding the proposed local law. He mentioned that Suffolk and Albany Counties along with other counties have already adopted this local law. He also feels that the Sheriff's Office could establish the registry. He spoke strongly regarding the people who have abused animals in the past and are likely to do so in the future; studies show that there is a near 100% recidivism rate for certain types of abuse such as animal hoarding. He continued that individuals who abuse animals are statistically more likely to commit violent acts against humans; there is a strong correlation that has been established linking individuals who abuse animals with incidents of domestic violence.

Legislator Rodriguez motioned, seconded by Legislator Fabiano to amend the proposed local law inserting "domestic" before animal in all relevant places, replacing the UCSPCA with the Ulster County Sheriff and changing "to" on page 3 to "shall." Motion approved 5 - 0.

Legislator Rodriguez motioned, seconded by Legislator Fabiano to approve the resolution to set a public hearing on the proposed local law, as amended. Motion approved 5 - 0.

#### **4. Departments/Agencies**

**Chairman Roberts welcomed Sylvia Wohlfahrt, Information Services:**

Legislator Belfiglio asked a number of questions regarding the agreement (L34-25) that appears on the Legislative Abstract for the November 15, 2011 meeting of the Legislature. The agreement is for a one year period for software, support, maintenance for Lotus Notes, email, domino server and multiple platforms. The agreement is riding off the NYS OGS agreement PT64366.

Sylvia Wohlfahrt provided a breakdown for the various items paid from the annual support contract in the amount of \$78,970.59. to Tailwind Associates. There was discussion about the expense for these services and other options that are available (Cloud, Google Apps). Ms. Wohlfahrt stated that within the next two years equipment will start to require replacement. IS will be looking at Cloud and procedure calls for an RFP. Ms. Wohlfahrt reminded everyone that there are many things that have to be taken into account - Lotus Notes allows documents to be dropped into document management.

Legislator Belfiglio said that this budget cycle alone is creating an \$8 million gap and believes that less expensive options need to be considered. He believes it is clear that certain departments are going to be privatized. Sylvia Wohlfahrt said she would defer this subject to the County Executive.

**Emilie Hauser, League of Women Voters:**

She invited all Legislators to attend the solid waste event on Wednesday, November 15, 2011 with CRREO at 3:00 PM, SUNY New Paltz. She stated that this will be a really valuable conference with input on private solid waste, reducing waste at the source, flow control in Oneida-Herkimer, parallel events in Dutchess and Ulster Counties, etc.

**Tim Rose, Executive Director, Ulster County Resource Recovery Agency**

The monthly tonnage reports will be emailed to all Committee members along with the Agenda for Board's meeting scheduled for Monday, November 21, 2011.

Tim Rose said that the volume has been up by several thousands of tons since Irene. There were questions and answers about deferring payments for the towns. FEMA requires that the towns pay and then get reimbursed.

Legislator Fabiano asked if there were any future meetings scheduled with Taylor Biomass Energy? Tim Rose answered that there were no meetings scheduled with Taylor at this time.

There was a brief discussion regarding the end of contracts, the haulers and flow control.

**5. New Business**

Chairman Roberts motioned to amend the 2012 proposed budget with the following amendment: RESOLVED, that the 2012 Ulster County Budget is hereby amended as follows: Resource Recovery - Solid Waste Management Program - Budget Amount Recommendation \$1,595,304 - Change Amount to \$1,366,153 - Net Change (\$229,151). The Ulster County Executive's Budget was filed with the Resource Recovery Agency's proposed budget net service fee. After the 2012 Executive Budget was filed the Resource Recovery Agency adopted a budget with a lower net service fee. This difference should be used to offset the net service fee in 2013. Legislator Ronk seconded the motion. Amendment Approved: 4 - 1 (NOES: Legislator Rodriguez)

The Committee briefly discussed the proposed budgets for Consumer Affairs and the Sheriff's Office.

**6. Late Resolutions**

**Resolution:** Reappointing Member To The New York State Fish And Wildlife Management Board

There was no discussion on the resolution.

Legislator Rodriguez motioned, seconded by Legislator Ronk to approve the resolution.  
Motion Approved: 6 - 0

**Resolution:** Supporting A Fair And Reasonable Contract For Benedictine Registered Nurses

There was no discussion on the resolution.

Legislator Ronk motioned, seconded by Legislator Rodriguez to approve the resolution.  
Motion Approved: 4 - 2 (NOES: Legislators Belfiglio and Roberts)

**Resolution:** Proposal To Allocate Portions Of The New York City Land Acquisition Program Funds For Flood Mitigation Watershed Affairs

There was a brief discussion about climate change. Legislator Ronk motioned, seconded by Legislator Rodriguez to remove the second and fourth "WHEREAS" from the body of the resolution. Motion Approved: 6 - 0.

Legislator Ronk motioned, seconded by Legislator Rodriguez to move the resolution "as amended."  
Motion Approved: 6 - 0.

## **7. New Business**

The Committee members briefly discussed the following:

- Information Services Assessment
- Use of subpoena power
- New locations of Departments/Cornell Cooperative
- Meeting with the Charter Revision Commission
- Fees at the County Pool

## **8. Motion to adjourn:**

Legislator Fabiano motioned, seconded by Legislator Rodriguez to adjourn. All in favor.

Meeting adjourned at 7:14 PM.

Respectfully submitted,

Karen L. Binder, Clerk  
Ulster County Legislature

# Ulster County SPCA

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New York 12401

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November 14, 2011

Kevin Roberts, Chairman  
Governmental Services and Administration Committee  
Ulster County Legislature  
244 Fair St.  
PO Box 1800  
Kingston, NY 12402

RE: Animal Abuse Registry Law

Dear Chairman Roberts,

It has come to my attention that there are efforts to mandate an Animal Abuse Registry in Ulster County through the Ulster County SPCA and our Humane Law Division. On behalf of the UCSPCA, I would ask that the draft resolution before your committee be carefully reviewed with the following reflections in mind.

For the record, the UCSPCA does not wish to "establish and maintain a registry for such individuals in Ulster County." We are unable to incorporate or oversee a registry given the lengthy procedural responsibilities involved with such a program, and we absolutely do not wish to accept the potential liabilities posed by posting mug shot photographs online as part of a registry. If the legislature sees fit to incorporate this draft resolution into law, the responsibilities for a registry need to be maintained in full by the Sheriff's Department and not the UCSPCA. According to Article 26 of New York State Agriculture and Markets Law, subsection 371, a "police officer *must*" enforce anti-cruelty laws, while "a duly incorporated SPCA *may*" enforce the same laws. Somewhere, somehow, the role of responsibility for enforcement of these laws has been turned on its head. As a result, our small not for profit organization oversees almost 100% of the county's animal cruelty complaints with absolutely no financial support from local

government. While it is arguable that the draft registry may raise public awareness on a controversial issue, it does nothing to actually support efforts to prevent animal cruelty in the first place and the county still remains unwilling to fund this effort which is provided in total by the UCSPCA.

Additionally, it is extremely important to note that establishing such a registry would not actually "prevent these individuals convicted of animal cruelty from adopting, purchasing, or otherwise obtaining animals" as noted in section 2, paragraph five of the draft. Determining future ownership of animals by convicted abusers can only be achieved through court order in New York State. The UCSPCA has successfully convinced judges to make such favorable rulings in a number of well documented cases. However, this does not always occur and passage of the resolution as is would set it on a collision course with judicial practices which are clearly protected by law. Please review this particular issue with counsel for an opinion.

In summary, the UCSPCA respects the intent of this draft resolution, which is to protect animals. However, the document falls short of this goal for the aforementioned reasons. Our agency does not wish to enter into an agreement with the county Sheriff's Department to oversee an animal abuse registry and we strongly recommend giving this draft resolution a hard look to ensure that it is fully compliant with current laws and practices.

Thank you for taking the time to consider these recommendations. Please feel free to contact me at any time to discuss this matter or other issues that pertain to the Ulster County SPCA.

Sincerely,



Brian Shapiro  
Executive Director