

The Legislature of Rockland County



JAY HOOD, JR.
Legislator – District 3

Chair, Public Safety Committee

AGENDA
PUBLIC SAFETY COMMITTEE
WEDNESDAY, FEBRUARY 13, 2013
4:45 PM

ROLL CALL

PLEDGE OF ALLEGIANCE

ADOPTION OF MINUTES, MEETING OF JANUARY 8, 2013

1. REF. #6704 - APPROPRIATION OF FORFEITURE FUNDS REQUESTED BY THE OFFICE OF THE DISTRICT ATTORNEY TO COVER THE COST OF VEHICLE LEASES, CONSULTANTS, PROFESSIONAL ORGANIZATION DUES, STAFF TRAINING, ETC. (OFFICE OF THE DISTRICT ATTORNEY) (\$100,000)
(HON. TOM ZUGIBE, DISTRICT ATTORNEY)
2. REF. #6704 - APPROVING PURCHASES IN EXCESS OF \$100,000 IN AN AMOUNT NOT TO EXCEED \$233,910 FROM EAC, INC. FOR MENTAL HEALTH ATI CASE MANAGEMENT AND EVALUATION PER THE US DEPARTMENT OF JUSTICE'S JUSTICE AND MENTAL HEALTH COLLABORATION PROGRAM (JMHCP) GRANT FOR THE PERIOD FROM OCTOBER 1, 2012 THROUGH SEPTEMBER 30, 2014 (DISTRICT ATTORNEY'S OFFICE) (\$233,910)
(HON. TOM ZUGIBE, DISTRICT ATTORNEY)
3. REF. #5327 - APPROVING AMENDMENT AND EXTENSION TO AGREEMENT IN EXCESS OF \$100,000 WITH STEVEN HEUBECK IN THE ADDITIONAL AMOUNT OF \$75,900, FOR A TOTAL CONTRACT SUM NOT TO EXCEED \$227,700 FOR IN-SERVICE AND SPECIALIZED TRAINING COORDINATOR AT THE ROCKLAND COUNTY POLICE & PUBLIC SAFETY ACADEMY UNDER RFP-RC-2010-23 FOR THE PERIOD FROM JANUARY 1, 2013 THROUGH DECEMBER 31, 2013 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE (SHERIFF'S DEPARTMENT) (\$227,700)
(LOUIS FALCO, SHERIFF)
4. REF. #9263 - APPROVING ACCEPTANCE OF CONTINUATION GRANT IN THE AMOUNT OF \$139,899 (NCTD) FROM THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES TO SUPPORT THE SPECIAL VICTIMS CENTER-CHILD ADVOCACY PROGRAM FOR THE PERIOD FEBRUARY 1, 2013 THROUGH JANUARY 31, 2014 AND AUTHORIZING EXECUTION OF ALL GRANT DOCUMENTS BY THE COUNTY EXECUTIVE (OFFICE OF THE DISTRICT ATTORNEY) (\$139,899)
(HON. TOM ZUGIBE, DISTRICT ATTORNEY)

5. REF. #5327 - APPROVING PURCHASES IN EXCESS OF \$100,000 IN AN AMOUNT NOT TO EXCEED \$218,700 FROM EAC, INC. FOR MISDEMEANOR DRUG COURT CASE MANAGEMENT AND EVALUATION SERVICES PER THE DEPARTMENT OF JUSTICE ADULT DRUG COURT GRANT FOR THE PERIOD FROM OCTOBER 1, 2012 THROUGH SEPTEMBER 30, 2015 (DISTRICT ATTORNEY'S OFFICE) (\$218,700)
(HON. TOM ZUGIBE, DISTRICT ATTORNEY)
6. REF. #6704 - APPROVING ACCEPTANCE OF CONTINUATION GRANT IN THE AMOUNT OF \$380,000 (NCTD) FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES (NYSDCJS) CRIMES AGAINST REVENUE PROSECUTION (CARP) PROGRAM FOR THE PERIOD JANUARY 1, 2013 THROUGH DECEMBER 31, 2013 AND AUTHORIZING THE EXECUTION OF ALL NECESSARY GRANT DOCUMENTS BY THE COUNTY EXECUTIVE (OFFICE OF THE DISTRICT ATTORNEY) (\$380,000)
(HON. TOM ZUGIBE, DISTRICT ATTORNEY)
7. REF. #8455 - URGING OUR FEDERAL AND STATE REPRESENTATIVES TO INSTITUTE POLICY AND LEGISLATIVE REFORMS WITH RESPECT TO GUN CONTROL AND INCREASED ACCESS TO MENTAL HEALTH SERVICES
(HONS. CHAIR HARRIET CORNELL, NANCY LOW-HOGAN, ANEY PAUL, LEGISLATURE)
8. REF. #8960 - REQUESTING THAT THE NEW YORK STATE LEGISLATURE AND GOVERNOR TAKE IMMEDIATE ACTION TO AMEND THE RECENTLY ENACTED SAFE ACT CONSISTENT WITH THE RECOMMENDATIONS OF LAW ENFORCEMENT PROFESSIONALS
(HONS. EDWIN J. DAY, CHRISTOPHER CAREY, LEGISLATURE)
9. REF. #8960 - URGING THE NEW YORK STATE LEGISLATURE AND GOVERNOR TO KEEP THE RESPONSIBILITY FOR THE PISTOL PERMIT RECERTIFICATION PROCESS PURSUANT TO THE RECENTLY ENACTED SAFE ACT WITH THE STATE AND NOT PASS IT DOWN TO THE COUNTIES
(HONS. JAY HOOD JR., ALDEN H. WOLFE, LEGISLATURE)

"The Rockland County Legislature is committed to full compliance with the Americans with Disabilities Act. To that end, the Legislature is committed to creating an accessible environment for all. To request accommodations that you may require, please call Damaris Alvarez at 845-638-5248 (845-708-7899 for TTY/TDD). Please request these accommodations three (3) days in advance so that we can seek to meet your needs."

GENERAL FUND - 2013

Increase Approp. Acct. (Credit):

A-DA-1165-FA03-E4500 Forfeiture Funds - Services 100,000

Increase Approp. Fund Bal. (Debit):

A-UNC-9990-R5990 (Reserved for the DA - Crime Proceeds) 100,000

MB:lo
2012-04992
1/25/13

RESOLVED, That sufficient funding for these purchases exist in the 2013 Budget of the District Attorney's Office, DA-GA19-E4090.

MB:mf
2013-00330
1/18/13

DRAFT

WHEREAS, By Resolution 30 of 2013 the Legislature approved an amendment and extension with Steven Heubeck in the additional amount of \$8,759 for a total contract sum not to exceed \$151,800 for in-service and specialized training coordinator at the Rockland County Police & Public Safety Academy under RFP-RC-2012-23 fro the period from November 16, 2012 through December 31, 2012; and

WHEREAS, The Sheriff recommends that the County enter into an amendment and extension to the agreement with Steven Heubeck, 185 Old Kings Highway North, Darien, CT 06820, for the, in an additional amount of \$75,900, for a total contract sum not to exceed \$227,700 period from January 1, 2013 through December 31, 2013 for In-Service and Specialized Training Coordinator at the Rockland County Police and Public Safety Academy; and

WHEREAS, Sufficient funding for this agreement exists within the 2013 budget of the Sheriff's Department 3120-E4090; and

WHEREAS, Local Law No. 18 of 1996 provides for the Legislature to approve "execution of all contracts in excess of \$100,000 entered into by the County," and

WHEREAS, The Committees of the Legislature have met, considered and approved this resolution, now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby approves the amendment and extension to the agreement, in excess of \$100,000 Steven Heubeck, 185 Old Kings Highway North, Darien, CT 06820, in an additional amount of \$75,900, for a total contract sum not to exceed \$227,700 for the period from January 1, 2013 through December 31, 2013, for In-Service Specialized Training Coordinator at the Rockland County Police and Public Safety Academy, and authorizes its execution by the County Executive, subject to the approval of the County Attorney, and be it further

RESOLVED, That sufficient funding for this agreement exists in the 2013 Budget of the Sheriff's Department 3120-E4090.

MB:lo
2013-00149
1/25/13

RESOLVED, That no County tax dollars (NCTD) are required to accept this grant; and be it further

RESOLVED, That the Commissioner of Finance is hereby authorized to increase the following accounts in the amounts indicated:

GENERAL FUND - 2013

Increase Approp. Acct. (Credit):

A - DA - 1165 -GA21 -E3030	Medical Supplies	100
-E3130	Office Supplies	5,000
-E3290	Operational Supplies	10,000
-E4020	Rental of Equipment	6,000
-E4040	Travel	10,000
-E4090	Fees for Services, Non-Employee	90,000
-E4140	Conferences & Seminars	10,000
-E4380	Maintenance Agreements	299
-E4600	Telephone	8,500

Increase Est. Rev. Acct. (Debit):

A - DA - 1165 -GA21 -R3380	Public Safety Grant(s)	139,899
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MB:mf
2013-00366
1-22-13

RESOLVED, That sufficient funding for these purchases exist in the 2013 Budget of the District Attorney's Office, DA-GA20-E4090.

MB:lo
2012-04936
1/18/13

Schedule A

EAC, Inc is the designated partner for this Department of Justice Adult Drug Court grant. EAC, Inc. will provide the following:

A Senior Advisor who will be responsible for EAC staff supervision, liaison with the Rockland County District Attorney's Office on programmatic and policy issues, and reporting as needed.

A full-time Forensic Case Manager will provide initial assessments and implement the treatment plan in all its aspects, support the client throughout the treatment process, and provide regular reports on client progress. The Forensic Case Manager will liaison with service providers and Assistant District Attorneys.

The part-time Senior Court Liaison for the project will be responsible for directly supervising initial screening and assessment of clients, will liaison with service providers and Assistant District Attorneys. The Senior Court Liaison will oversee day-to-day administration of the EAC staff in Rockland.

An Evaluator will provide data analysis using SPSS; administering the Stakeholder Feedback Survey; training staff on the screening instruments; and preparing the evaluation report.

RESOLVED, That the Legislature of the County of Rockland hereby approves the acceptance of a \$380,000 continuation grant from the New York State Division of Criminal Justice Services (NYSDCJS) for the Crimes Against Revenue Prosecution (CARP) program for the period January 1, 2013 through December 31, 2013, and authorizes the execution of all necessary grant documents by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That \$172,500 of this grant is for salaries and fringe benefits, as well as grant revenue, that was already budgeted in the Office of the District Attorney's 2013 Budget and, therefore, only remaining \$207,500 can be appropriated and estimated as revenue in this resolution's funding clause; and be it further

RESOLVED, That no County tax dollars (NCTD) are required to accept this grant; and be it further

RESOLVED, That the Commissioner of Finance is hereby authorized to increase the following accounts in the amounts indicated:

GENERAL FUND - 2013

Increase Approp. Acct. (Credit):

A - DA -1165 -GA22 -E3130	Office Supplies	3,000
-E3290	Operational Supplies	4,500
-E4090	Fees for Services, Non-Employee	200,000

Increase Est. Rev. Acct. (Debit):

A - DA -1165 -GA22 -R3380	Public Safety Grant(s)	207,500
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MB:mf
2013-00450
1-25-13

DRAFT

Introduced by:

Hon. Harriet D. Cornell, Sponsor
Hon. Nancy Low-Hogan, Sponsor
Hon. Aney Paul, Sponsor

Referral No.
, 2013

RESOLUTION NO. OF 2013
URGING OUR FEDERAL AND STATE REPRESENTATIVES TO INSTITUTE
POLICY AND LEGISLATIVE REFORMS WITH RESPECT TO GUN CONTROL
AND INCREASED ACCESS TO MENTAL HEALTH SERVICES

WHEREAS, the Rockland County legislature is shocked and saddened by the tragedy that occurred at the Sandy Hook Elementary School in Newtown, Connecticut on December 14, 2012; and

WHEREAS, the Lower Hudson Council of School Superintendents has released a strong statement calling for immediate action through a reasoned and rational approach to gun control and increased access to mental health services for students and families through schools and communities; and

WHEREAS, the statistics pertaining to children killed by guns are chilling. Each year 3,000 children and teens are killed and 15,000 injured by guns, while 10,000 children and teens are injured by assault firearms. America's children are sixteen times more likely to be murdered through gun violence than children in any other of the world's top 25 industrialized countries. While most gun violence against children occurs away from school, in the last 25 years there have been nearly 40 school shootings that have resulted in the deaths of 111 students and 26 school personnel; and

WHEREAS, fiscal constraints and reduced aid have resulted in cuts of social workers, guidance counselors, psychologists and programs to address the social and emotional needs of students. From 2009-2012, more than \$1.6 billion was cut from state funds for mental health services; and

WHEREAS, in order to ensure that student safety and mental health services are as great a priority as student performance on tests, the Council has proposed the following policy and legislative reforms at the federal and/or state level:

- 1) Provide funding to schools and communities for adequate mental health, social and guidance services and resources for the purpose of prevention, support and response;
- 2) Restore community funding for youth and school resource officers for stronger school-community partnerships;

- 3) Prevent individuals convicted of violent crimes (misdemeanors or felonies) - even if committed when they were juveniles - from being able to purchase or own a gun (Brady Bill - Section 922N);
- 4) Prevent individuals with mental health issues from purchasing or owning a gun (Brady Bill – Section 922N);
- 5) Reinststitute the ban on the sale, import, transfer, and ownership of assault weapons (while NY has just enacted stricter gun control laws, the federal ban pertaining to assault weapons has expired);
- 6) End the Gun Show loophole that enables 40% of gun purchases to be made without a background check; and
- 7) Punish irresponsible gun dealers. (Dealers may not sell any new handgun unless it is listed in the state Department of Justice roster of handguns certified for sale. Listed handguns must include certain mechanical features and pass a set of laboratory tests.)

and

WHEREAS, the _____ Committee has met, considered and by a vote, approved this resolution; now therefore be it

RESOLVED, the Rockland County Legislature hereby supports the Lower Hudson Council of School Superintendents, representing the superintendents of 78 school districts, in their call to our federal and/or state representatives to immediately enact stricter gun control legislation and to provide adequate funding and access to mental health services for children and families; and be it further

RESOLVED, that the Clerk to the Legislature be and is hereby authorized and directed to send a certified copy of this resolution to Andrew M. Cuomo, Governor of the State of New York; Hon. Charles Schumer and Hon. Kirsten Gillibrand, United States Senators; Hon. David Carlucci, Hon. William J. Larkin, Jr., New York State Senators, Hon. Kenneth P. Zebrowski, Jr., Hon. Ellen C. Jaffee, Hon. James G. Skoufis, and Ann G. Rabbitt, Members of the New York State Assembly; the President Pro Tem of the New York State Senate; the Speaker of the New York State Assembly; the Majority and Minority Leaders of the New York State Senate and Assembly, and to such other persons as the Clerk, in his discretion, may deem proper in order to effectuate the purpose of this resolution.

LG3186
ELY
1/17/13

DRAFT

Introduced by:

Hon. Edwin J. Day, Sponsor
Hon. Christopher Carey, Sponsor

Referral No.
, 2013

RESOLUTION NO. OF 2013
REQUESTING THAT THE NEW YORK STATE LEGISLATURE AND
GOVERNOR TAKE IMMEDIATE ACTION TO AMEND THE RECENTLY
ENACTED SAFE ACT CONSISTENT WITH THE RECOMMENDATIONS OF
LAW ENFORCEMENT PROFESSIONALS

WHEREAS, on January 15, 2013, Governor Cuomo signed into law the Secure Ammunition and Firearms Enforcement (SAFE) Act. According to the memo that accompanied the Assembly bill, the purpose of the Act was to reduce the availability of assault weapons and deter the criminal use of firearms while promoting a fair, consistent and efficient method of ensuring that sportsmen and other legal gun owners have full enjoyment of the guns to which they are entitled; and

WHEREAS, in a rush to get gun legislation passed quickly, certain legislative safeguards that ensure well researched laws were bypassed and the legislation contains number of provisions that have a chilling effect on law abiding citizens, particularly our active and retired law enforcement community; and

WHEREAS, the Sheriffs of New York make the following recommendations for the amendment of the SAFE Act:

- 1) active and retired law enforcement personnel should be specifically exempted from the provision restricting magazine capacity to no more than seven rounds;
- 2) common sense exemptions such as purchases pursuant to law enforcement training should be included in the provision relating to sale of ammunition;
- 3) the term "assault weapon" needs to be more clearly defined based on its function instead of its features, so that the Act does not impact legitimate weapons used for hunting, target shooting and self defense;
- 4) local law enforcement should be fully included in the review and implementation of school safety plans, rather than leaving it to State agencies alone;
- 5) rather than delegating to the State Police the responsibility to solicit and receive personal information of permit holders every five years, the

information should be obtained and maintained at the local level where the initial investigation was done, with no additional fees assessed;

and;

WHEREAS, The _____ Committee has met, considered and by a vote, approved this resolution; now therefore be it

RESOLVED, the Rockland County Legislature strongly urges the New York State Legislature and Governor to amend the SAFE Act in the following ways, consistent with the recommendations of law enforcement:

- 1) active and retired law enforcement personnel should be specifically exempted from the provision restricting magazine capacity to no more than seven rounds;
- 2) common sense exemptions such as purchases pursuant to law enforcement training should be included in the provision relating to sale of ammunition;
- 3) the term "assault weapon" needs to be more clearly defined based on its function instead of its features, so that the Act does not impact legitimate weapons used for hunting, target shooting and self defense;
- 4) local law enforcement should be fully included in the review and implementation of school safety plans, rather than leaving it to State agencies alone;
- 5) rather than delegating to the State Police the responsibility to solicit and receive personal information of permit holders every five years, the information should be obtained and maintained at the local level where the initial investigation was done, with no additional fees assessed

and; be it further

RESOLVED, that the Clerk to the Legislature be and he is hereby authorized and directed to send a copy of this resolution to Hon. Andrew M. Cuomo, Governor of the State of New York; Hon. David Carlucci, Hon. William J. Larkin, Jr., New York State Senators, Hon. Kenneth P. Zebrowski, Jr., Hon. Ellen C. Jaffee, Hon. James G. Skoufis, and Ann G. Rabbitt, Members of the New York State Assembly; the President Pro Tem of the New York State Senate; the Speaker of the New York State Assembly; the Majority and Minority Leaders of the New York State Senate and Assembly; and to such other persons as the Clerk, in his discretion, may deem proper in order to effectuate the purpose of this resolution.

LG3197
ELY
2/6/2013

DRAFT

Introduced by:

Hon. Jay Hood, Jr., Sponsor

Hon. Alden H. Wolfe, Sponsor

Referral No.

, 2013

RESOLUTION NO. OF 2013
URGING THE NEW YORK STATE LEGISLATURE AND GOVERNOR TO KEEP
THE RESPONSIBILITY FOR THE PISTOL PERMIT RECERTIFICATION
PROCESS PURSUANT TO THE RECENTLY ENACTED SAFE ACT WITH THE
STATE AND NOT PASS IT DOWN TO THE COUNTIES

WHEREAS, on January 15, 2013, Governor Cuomo signed into law the Secure Ammunition and Firearms Enforcement (SAFE) Act. According to the memo that accompanied the Assembly bill, the purpose of the Act was to reduce the availability of assault weapons and deter the criminal use of firearms while promoting a fair, consistent and efficient method of ensuring that sportsmen and other legal gun owners have full enjoyment of the guns to which they are entitled; and

WHEREAS, one of the provisions of the SAFE Act requires all pistol licensees to be recertified every five years after receiving their pistol permit, with those licensed before the effective date of the SAFE Act getting recertified in 2017; and

WHEREAS, the SAFE Act currently requires the State Police to oversee the recertification process. However, there have already been discussions in Albany and other places to shift this responsibility to the local municipalities issuing the original license; and;

WHEREAS, the New York State Association of County Clerks strongly believes that shifting the responsibility for the recertification process to the counties would be yet another unfunded mandate requiring the counties to expend significant sums of money for additional personnel and administrative costs to oversee a program foisted upon them by the State Legislature; and

WHEREAS, the Committee has met, considered and by a vote, approved this resolution; now therefore be it

RESOLVED, the Rockland County Legislature strongly urges the New York State Legislature and Governor to keep the responsibility for the pistol permit recertification process pursuant to the recently enacted SAFE Act with the state and not pass it down to the counties, and; be it further

RESOLVED, that the Clerk to the Legislature be and he is hereby authorized and directed to send a copy of this resolution to Hon. Andrew M. Cuomo, Governor of the State of New York; Hon. David Carlucci, Hon. William J. Larkin, Jr., New York State Senators, Hon. Kenneth P. Zebrowski, Jr., Hon. Ellen C. Jaffee, Hon. James G. Skoufis, and Ann G. Rabbitt, Members of the New York State Assembly; the President Pro Tem of the New York State Senate; the Speaker of the New York State Assembly; the Majority and Minority Leaders of the New York State Senate and Assembly; and to such other persons as the Clerk, in his discretion, may deem proper in order to effectuate the purpose of this resolution.

LG3198
ELY
2/7/2013