

Item #6) Memorialization/Support State Legislation/Banning the Sale and Distribution of Synthetic Cannabinoids/Classification of Synthetic Cannabinoids/Substituted Cathinones as Controlled Substances

Chairman Oliverio made a motion to prefile the necessary resolution; Seconded by Legislator Othmer. All in favor.

Item #7) “Safe House” Resolution #94 of 2012/Request Input from NYS Comptroller/State Constitutional Article VIII, Section 1 “gift”/Discussion

Chairman Oliverio stated that this is being discussed due to a request from Legislator Birmingham that a letter be sent to the State Comptroller.

County Attorney Bumgarner stated that the Law Department had been asked for an opinion regarding the State Constitutional Article VIII, Section 1 “gift” while the proposal of the “Safe House” resolution was still pending before the Legislature. She stated that she did provide a Memo containing her legal opinion. It cited several Attorney General opinions and so forth which indicate, in certain situations, there may in fact be a private benefit in this type of grant, funding or gift of money/funds. If there is a legitimate public interest, the fact that there isn’t ancillary and insignificant private benefit does not void the transaction. It does not render it illegal. Legislator Birmingham still raised concerns with respect to this issue. Therefore, she would be happy to draft a memo of opinion and forward it to the NY State Comptroller asking what their thoughts are on this issue.

Legislator Birmingham agreed and believed that the question would need to come from the County Attorney since the State will not give an opinion asking the Legislature to second guess the County Attorney because she is our County’s Legal Advisor.

Ms. Bumgarner stated yes that is correct.

County Executive Odell questioned what the difference was between this situation and a Habitat for Humanity issue.

Ms. Bumgarner stated that ultimately what is done is that it is gifted to a private not for profit corporation, like Habitat for Humanity, who eventually transfers that to a private individual. There is that private benefit because a family will benefit from it. In the case of the “Safe House”, she is assuming that we are saying private individuals are benefitting from it as well when they get to use it for a short period of time.

The Committee further discussed the issue of transferring property.

Ms. Bumgarner agreed to draft the letter to send to Albany.

Item #8) Proposed Bond Resolution/Purchase Van for OFA/Veterans Program

Chairman Oliverio stated this would be for the Office for Aging (OFA) and the Veterans Program.

Legislator Othmer stated that he and Legislator Gross were at the Joint Veterans Council (JVC) Meeting and were speaking about this and the veterans were very excited. He further stated that the concern veterans had at the JVC meeting was if there might be a conflict with veterans use of the van if the OFA scheduled it for non-veterans but then a veteran needed it. He asked that that be worked out by the Law Department.

Chairman Oliverio stated that the original intent of the van came from the Council for the Disabled, they requested a van for the disabled. He further stated that knowing what is happening overseas and knowing that our returning veterans are coming home very disabled they are going to need that van and the OFA, serving so many disabled people as well it seemed like the perfect blend.

Director of the Office for Aging Patricia Sheehy stated that she and Director of Veterans Affairs Karl Rohde have spoken about this topic and are in agreement. She stated that they understand the concept that this van is for the veterans. She stated that the OFA will be dispatching the van because they have the capacity to do that. She stated that it will be explained that veterans get first dibs and then while it is vacant OFA will schedule it for perhaps other disabled individuals. She stated that will have the memorandum of understanding (MOU) reviewed by the Law Department. She stated that the supervisor of driver of the van will be decided in the MOU as well.

Chairman Oliverio stated that we understand the concern of the Council for the Disabled as well that they have constituents who are in need but the priority will be disabled veterans.

County Executive MaryEllen Odell stated that the Director of Veterans Affairs and Deputy Director of Veterans Affairs are very active in representing our veterans. She stated that this collaboration with the OFA is taking this County's respect for our veterans and disabled community to another level. She stated that there will be growing pains but that she is very supportive of what they are doing.

Chairman Oliverio agreed.

Director of Veterans Affairs Karl Rohde asked for clarification on the origin of this van because he thought it was originally for veterans.

Chairman Oliverio stated that it was originally conceived through the Council for the Disabled. He stated that they went forward to Bill Huestis asking if it was possible for the disabled population, including disabled veterans, to get a van that can be used. He stated that you are handling the veterans end and that it is the priority but on down days when it is not being used we can use it for other needy individuals if possible.

Director Rohde stated that part he understood. He stated he was always under the impression that the prime reason for the van was for the veterans because the veterans had no specific vans.

County Executive Odell stated that Director Rohde is correct because the funding was facilitated because it was through the veterans, as was her understanding from the previous Director of OFA. She further stated that the part-time driver's budget line is coming out of OFA. She stated it was moved there at the last budget.

Chairman Oliverio stated that he agrees with the County Executive that this will work itself out soon.

Director Rohde stated he has two budgets and the driver is in the wrong budget because they accidentally put it in the Veterans Residence budget rather than the Director of Veterans Services budget.

County Executive Odell stated that there is an overlap in the two communities as well because some seniors are veterans and some veterans are seniors.

Director Sheehy stated in their dispatch of the vehicle it will always be first priority to disabled veterans then when it becomes vacant it would be a disabled individual, in the rubric of disabled senior.

Chairman Oliverio stated yes it is a disabled van and veterans have the priority.

Legislator Othmer stated that this will be put through the Law Department.

Chairman Oliverio made a motion to approve the Proposed Bond Resolution/ Purchase of the Van for OFA/Veterans Program. Seconded by Legislator Othmer. All in favor.

Item #9) Other Business

County Executive Odell stated that she and her office staff have been working with the Director of Probation, Gene Funicelli, on the issue of electronic monitoring for Sex Offenders. County Executive Odell will be working with Community Supervision to facilitate an area that can be designated temporarily, for the use of the prisoners who are up for parole will be located. There are two issues here that have to be addressed. The first is why are these individuals being returned to society and the second component is why we are responsible to pay for their housing. There will be a Community Task Force made up by Commissioner Piazza of the Department of Social Services that will also be put into place.

Chairman Oliverio stated that the anklets were a very important issue, and he is very pleased that this is being looked into.

Legislator Othmer stated that the Gold Star Mothers walkway was put in a few years ago by volunteers, and is now in need of repair do to a drainage problem. He has asked for an emergency repair, as someone is going to get hurt if it is not repairs as soon as possible.

Item #10) Adjournment

Being no further business to discuss, Chairman Oliverio made a motion to adjourn the meeting. Seconded by Legislator Othmer. All in favor.

The Meeting was adjourned at 7:25 PM.

Respectfully submitted: Claire E. Muller/Administrative Assistant