

**RESOLUTION #**

**A RESOLUTION TO AUTHORIZE THE SUPERVISOR FOR THE TOWN OF NEW PALTZ TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE ULSTER COUNTY SHERIFF’S OFFICE PERTAINING TO THE TRANSFER OF CUSTODY OF ARRESTEES FOR ARRAIGNMENT BEFORE THE ULSTER COUNTY CENTRALIZED ARRAIGNMENT PART LOCATED AT THE ULSTER COUNTY LAW ENFORCEMENT CENTER**

At a meeting of the Town Board of the Town of New Paltz, Ulster County, New York, held at the Town Courthouse, 59 N. Putt Corners Rd., in said Town on the 21<sup>st</sup> day of September, 2023, at 7:00 o'clock P.M., prevailing time.

The meeting was called to order by \_\_\_\_\_, and upon roll being called, the following roll was taken:

	<b><u>PRESENT</u></b>	<b><u>ABSENT</u></b>
Supervisor Neil Bettez	_____	_____
Council Member Alex Baer	_____	_____
Council Member Esi Lewis	_____	_____
Council Member Julie Seyfert-Lillis	_____	_____

The following resolution was offered by \_\_\_\_\_ who moved its adoption, seconded by \_\_\_\_\_, to wit:

**WHEREAS**, New York State law allows counties to create off-hours, centralized arraignment parts (“CAP courts”) to facilitate timely court processing and an individual’s right to counsel at first appearance after arrest; and

**WHEREAS**, CAP courts aim to foster efficiency and ease logistical and administrative burdens by assigning off-hours arraignments to local criminal court judges according to a rotating, predetermined schedule; and

**WHEREAS**, CAP courts ensures that a judge within the county is always available to handle an arraignment; and

**WHEREAS**, the Ulster County Magistrate’s Association (“UCMA”) has approved the creation of a CAP court in Ulster County (“Ulster CAP court”) and submitted a proposal to the Hon. Gerald W. Connolly, Administrative Judge New York State Third Judicial District for approval; and

**WHEREAS**, the Third Judicial District is in the process of approving both the plans and the protocol for the Ulster CAP court to be located at the Ulster County Law Enforcement Center (“UCLEC”); and

**WHEREAS**, the Ulster County Legislature has approved the funding for the assignment of Court Clerks and a public defender to be available for the Ulster CAP court; and

**WHEREAS**, a Memorandum of Understanding, (“MOU”), attached as Exhibit A, is now required to be executed between each municipality with a police agency located in Ulster County (“police agency”) and the Ulster County Sheriff’s Office (“UCSO”); and

**WHEREAS**, the MOU has been reviewed and approved by the Ulster County Attorney’s Office and will be presented to the Ulster County Legislature for formal approval; and

**WHEREAS**, the MOU will permit the UCSO to take custody of the arrestees of a police agency and temporarily house the arrestee within the UCLEC; and

**WHEREAS**, the USCO agrees to safely, and securely, maintain custody of these individuals under the terms and conditions of MOU; and

**WHEREAS**, the Ulster County CAP court shall assure consistency in representation as well as the after hours schedules of the city, town, and village justices; and

**WHEREAS**, the Ulster County CAP court will result in a more efficient and effective police agency by removing the burdensome and time-consuming task of attempting to recruit a local Judge and public defender to perform an after-hours arraignment; and

**WHEREAS**, the Ulster County CAP court will allow the members of a police agency to more quickly return to other duties once the arrestee has been processed and transferred to the UCSO; now

**THEREFORE, BE IT RESOLVED**, that the Town of New Paltz hereby authorizes the Supervisor to execute the MOU.

This motion was offered by \_\_\_\_\_ and was seconded by  
\_\_\_\_\_

<u><b>VOTE</b></u>	<u><b>AYE</b></u>	<u><b>NAY</b></u>	<u><b>ABSENT</b></u>
Supervisor Neil Bettez	_____	_____	_____
Council Member Alex Baer	_____	_____	_____
Council Member Esi Lewis	_____	_____	_____
Council Member Julie Seyfert-Lillis	_____	_____	_____

The Resolution was carried by a \_\_\_\_\_ vote of the Town Board members on \_\_\_\_\_, 2023.

The resolution was thereupon duly adopted.

\_\_\_\_\_  
Rosanna Rosenkranse, Town Clerk

Dated: \_\_\_\_\_