

Veterans' Committee Minutes

May 2, 2011 – 2:30 p.m.

Present: Chairman M. Johnson; Supervisors Collyer, Lucia, Thompson, Wright, Yepsen, Wood, Southworth, Hargrave and Kinowski; Ryan Moore, Mgmt. Analyst; Andy Davis, Veterans' Jen VanOrt, Publication Specialist; Press.

Chairman M. Johnson called the meeting to order and welcomed all in attendance.

On a motion made by Mr. Lucia, seconded by Mr. Collyer the minutes of the April 4, 2011 meeting were approved unanimously.

Mrs. VanOrt said confirmation has been made with the United State Coast Guard Band for September 17, 2011 at 2:00 p.m. A contract is in motion with Saratoga Performing Arts for \$9,500, which is the same discounted rate as last year.

Mrs. VanOrt said by the middle of June she would email all committee members and distribute hard copies of the posters, tickets and invitations for approval.

Mr. Wright asked what the final cost would be? Mrs. VanOrt said that wasn't known yet, but it would be no more than \$6,000. The fee for their buses and trucks is \$3,600 and the rest would be the per diem.

Mrs. Johnson said the committee will have to decide shortly if there will be a speaker at the concert, and if so who that speaker might be.

Mr. Thompson said it should be someone that is not politically connected and suggested Veterans' Director, Andrew Davis.

A motion was made by Mr. Thompson, seconded by Mr. Wright to appoint Mr. Davis as the guest speaker for the Veterans' Concert at SPAC on September 17, 2011. Unanimous.

A packet was distributed to all committee members with regard to Local Laws on Funeral Protests. Mrs. Johnson said there is no doubt that the committee wants to make sure that something is done, but it is a matter of who is going to do it, the County, Federal Government or State Government. She reminded the committee that if the county were to adopt a policy then they will be obligated to enforce it through the County Sheriff's Department and if there were any lawsuits as to whether it is constitutional or not the county would have to pay for those lawsuits.

Mrs. Johnson said the proposed Federal Law looks to be a good one, and if it were to pass they would be responsible for everything.

Mr. Thompson asked when it is thought that the proposed Federal Law would pass? Mr. Moore said that the thought is that it will pass, but the question is when. He said he has called Congressman Gibson's office to see where they are on it, but has not received a call back as yet.

Mrs. Southworth asked with the other counties that have put a Local Law in place, what is the history as far as usage. Has it been an issue or caused more protests? Mr. Moore said both Suffolk and Nassau County passed laws last year. When Suffolk passed their law the Westboro Group threatened to come, but never did.

Mrs. Southworth said if the Federal Law was to pass, the county could rescind the local law.

Mr. Davis said the Federal Law is just a strengthening of the law that is on the books and only applies to national cemeteries.

Mr. Moore said the pending Federal Law would cover all cemeteries; however, the current Federal Law only covers national cemeteries.

Mr. Thompson said, we should protect the cemeteries in the county now. Mr. Wright said he didn't think it was going to happen every day, so it wouldn't be a large burden on law enforcement if they were called to enforce the law.

Mr. Moore said most of the local laws that have been proposed reference a 500ft. distance, which is in line with the Federal Law. The Federal Law is, however, different in time. Most of these local laws have focused on one hour before and one hour after; the proposed Federal Law states two hours before and two hours after.

Mr. Wright suggested the county mirror the proposed Federal Law.

Mr. Moore said there would be a thirty-day period prior to a Public Hearing, so if the committee were to act today, approval of the Local Law would take place at the June Board of Supervisors meeting.

Mr. Moore read the proposed Federal Law guidelines as follows: It begins two hours before and two after a funeral. Prohibits protest activity within any facility that is hosting a funeral, 300ft. from that facility. In the event that the protest is blocking access to or disrupts a funeral procession, that 300ft. backs out to 500ft. There is also a provision blocking any activity within 500 ft. of an immediate family member's home. The law extends to the national cemeteries, although it retains the right of the funeral director to give permission for a special protest to occur.

Mr. Moore said the county would probably have to be different in terms of assessing a penalty. The Federal Law states a two-year prison sentence for this act as well as a number of civil remedies.

Mr. Wright suggested following the Nassau and Suffolk county penalties of a \$1,000 fine or a year in jail.

Mr. Moore said the stipulations of the local law that would be passing through the Veterans' Committee and Law and Finance will not be the full law. The resolution that the full Board of Supervisors will pass will be a more detailed resolution, and the law will be written in advance of the Public Hearing.

A motion was made by Mr. Thompson seconded by Mr. Wright to introduce a Local Law on Funeral Protests and setting a Public Hearing for June 15, 2011. Unanimous.

Mrs. Johnson said Lockheed Martin has withdrawn their request for a resolution for a letter of support for the F35.

Mr. Moore said the reason for the request being withdrawn is because in the last round of budget negotiations there was money cut off the project and the goal they were going for was fully funded.

Mr. Wright commended Mrs. Johnson for a nice presentation in honor of Clarence Dart. Mrs. Johnson thanked the committee for their support.

On a motion made by Mr. Lucia, seconded by Mr. Wright the meeting was adjourned unanimously.

Respectfully submitted,
Chris Sansom