



WEATHER

TODAY	TONIGHT	SAT
COLD	CLOUDY	COLD
Partly sunny and quite cold	Mostly cloudy	Mostly cloudy and very cold
HIGH 22	LOW 11	25 17

Complete weather, A2

SPORTS



Buccaneers party in Tampa

A boat, some friends, a few beverages and an 83-degree afternoon in mid-February.

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THE SCENE



A little sonic refreshment

U.S.-China Music Institute presents "The Sound of Spring" in a Chinese New Year concert

PAGE A7

THE SCENE



Grammy winner leads concert

Saugerties Pro Musica will present award winner Keiko Tokonaga and more in concert

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Lawmakers clash over nursing home data



Courtesy of Gov. Andrew Cuomo's office

Health Department Commissioner Dr. Howard Zucker at Gov. Andrew Cuomo's COVID-19 briefing in Manhattan on Sept. 24, 2020.

By Kate Lisa
Johnson Newspaper Corp.

ALBANY—Lawmakers continue to be at odds over the next steps in the state's response to release complete data about COVID-19 deaths in New York nursing homes after the Health Department released additional data late Wednesday night a week after a court order to publish the information.

Gov. Andrew Cuomo's administration and the Health Department released additional coronavirus death data in long-term care facilities after a state Supreme Court justice ruled in favor of independent think tank Empire Center for Public Policy's lawsuit.

Democrats expected state Health Commissioner Dr. Howard Zucker to release COVID-19-related nursing home data at the Legislature's joint hearing on health, which was originally scheduled for Feb. 3.

The hearing was rescheduled to Feb. 25.

Six Democratic legislators,

including Sens. Rachel May, who chairs the Aging Committee; Gustavo Rivera, who chairs the Health Committee; and James Skoufis, who chairs the Investigations and Government Operations Committee, met privately on Zoom with top aides from Gov. Andrew Cuomo's office to discuss the long-awaited data Wednesday.

"While we appreciate that our letter from August 2020 has finally been answered and, two weeks ago, nursing home data was released, it is unacceptable that it took so long," May, Rivera and Skoufis said in a joint statement. "Our original letter was sent following 40 hours of hearing testimony and after so many legislators, families, and members of the public demanded answers."

May, one of the legislators present, said the two-hour closed virtual meeting was helpful because it was the only way to get officials to speak candidly.

"It was the only way to get

that real sense that they would open up and sort of set the defensiveness aside and just answer our questions," May said.

Earlier this month, the Health Department released audited data in response to a report from state Attorney General Letitia James's office that state officials underreported COVID-19 nursing home deaths by as much as half the total number.

The state revealed 12,743 total COVID-19 deaths of skilled nursing facility residents from March 1, 2020, through Jan. 19, 2021, including 9,786 confirmed virus fatalities — 5,957 within nursing facilities and 3,829 in hospitals — and 2,957 presumed virus nursing home deaths. The 12,743 confirmed and presumed deaths reflect a 42.36% increase in the state's previously published total COVID-19 deaths in nursing homes.

"As we release this information publicly, we will be reviewing the responses and we look

forward to continuing to follow up with the administration, including at the upcoming budget hearing," May, Rivera and Skoufis said. "We had a very productive meeting tonight with the administration and look forward to continuing this dialogue."

Assembly Republicans released a letter Thursday morning to Democratic members of the Oversight, Analysis and Investigation Committee on Feb. 2, requesting they sign a petition to subpoena Zucker and hold a public hearing about the state's COVID-19 response and nursing home deaths.

"Legislative law allows for a majority of a legislative committee to issue a subpoena; collecting this majority of signatures would formalize the ability to subpoena Dr. Zucker and compel him to answer questions about a scandal that has ravaged tens of thousands

See CLASH A2

Former police chief admits to theft

By Natasha Vaughn and Aliya Schneider
Columbia-Greene Media

HUDSON — Former Hudson police commissioner and Village of Chatham police chief Peter Volkmann pleaded guilty Thursday to illegally collecting \$92,829 from the village of Chatham and the state pension system.



Peter Volkmann

Volkmann, 57, of Stuyvesant, was arraigned Thursday on seven complaints filed by the New York State Police following an investigation by the State Comptroller's Office, Columbia County District Attorney's Office and the New York State Police.

Volkmann pleaded guilty to illegally taking State and Local Retirement System pension funds in the amount of \$74,222, and \$18,607 from the village of Chatham by falsifying mileage vouchers and other reimbursements.

As a result of his conviction, Volkmann is required to leave public office and pay restitution in the amount of \$92,829.

"Instead of upholding the law, Volkmann, the chief law enforcement officer of the village, defrauded the state retirement system and his community," State Comptroller Thomas DiNapoli said in a statement Thursday. "Taxpayers have the right to expect their public officials, including law enforcement officials, will act with honesty and integrity."

Volkmann was arraigned on two counts of public corruption, a class C felony; second-degree corrupting the government and second-degree grand larceny, both class C felonies; third-degree grand larceny, a class D felony; offering a false instrument for filing, a class E felony; and official misconduct, a class A misdemeanor.

"All New York State taxpayers should be grateful for the hard work and diligence of the Comptroller's Division of Investigations, which, together with NYSP BCI

See GUILTY A2

NY courts: Supreme Court justice cuts 'entirely legal'

By Kate Lisa
Johnson Newspaper Corp.

ALBANY — The head of New York's court system argued during a legislative budget hearing Wednesday the agency's decision to force dozens of Supreme Court justices to retire is legal and justified to help offset financial hardships caused by the COVID-19 pandemic.

The state Office of Court Administration decided last fall to not recertify 46 state Supreme Court justices who reached age 70 by Jan. 1, or their full legal retirement age, saving about \$55 million over two years. The matter remains in litigation.

"We strongly believe this was entirely legal and was a matter of public policy and fiscal policy," Justice Lawrence Marks, chief administrative judge of the state's Unified Court System, testified Wednesday. "It was an extremely difficult decision,

"We strongly believe this was entirely legal and was a matter of public policy and fiscal policy. It was an extremely difficult decision, but it was entirely legal and we expect to prevail once our lawsuits are resolved in the courts."

Justice Lawrence Marks, chief administrative judge of the state's Unified Court System

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Lawmakers questioned 33 witnesses as part of a bicameral hearing on Gov. Andrew Cuomo's executive budget proposal for Fiscal Year 2021-22 — the Legislature's ninth of 13 this month — on public protection Wednesday.

Spending for state courts was reduced by \$291 million, or 10%, to \$2.25 billion for the next two fiscal years in Cuomo's proposed executive budget, which remains largely contingent on an undetermined amount of federal

COVID-19 relief.

About 90% of the court system budget covers the salaries of judges and nonjudicial staff, in addition to health, pension and other benefits, Marks said.

The decision not to certify 46 Supreme Court justices prevented the department from laying off at least 325 nonjudicial employees.

The Judiciary implemented a hiring freeze last year because of the COVID-19 pandemic, resulting in 730 current vacant positions. About 15,000 nonjudicial staff members work in courthouses statewide, or 2,200 fewer employees since 2009.

"In making these reductions, we had no easy choices," Marks said. "It made more sense to not certificate the judges than lay off the employees. That decision was motivated by operational reasons. We felt we could not afford to lose more employees on top of the attrition that's resulted from our strict hiring freeze."

Six of the 46 justices were men and women of color, including three from the Bronx.

"I'm not minimizing that it's six judges of color fewer than we had in December, but fortunately, it was not a larger number than that or a larger percentage," Marks said in

response to Sen. Jamaal Bailey, D-Bronx, who chairs the Codes Committee.

Queens lost six judges among the 46, losing representation in a part of the state with a majority of Black, Latino and other minority residents.

It is unclear how the department could bring the justices back if the state receives adequate federal aid in a subsequent COVID-19 relief bill, as justices are considered retired from the court system.

Marks declined to comment further, citing the pending litigation.

Cuomo has demanded \$15 billion for months as the "fair" amount to help close the state's historic deficit over four years.

Many arraignments and court proceedings have been conducted virtually because of the coronavirus pandemic.

See LEGAL A2