

**CRIMINAL JUSTICE COMMITTEE**  
**PUBLIC DEFENDER**  
**AGENDA**  
**DECEMBER 3, 2015**

Committee Members: Supervisors Dickinson, Kenny, Monroe, Vanselow, Brock, Seeber and Simpson

I. Committee meeting called to order by Chairman

II. Motion to approve the minutes of the prior meeting

III. Action Agenda/New Business Items:

1. Request: to request authorization to amend county budget

Rationale: to authorize expenditure of funds from Office of Indigent Legal Services for Furniture and Membership & Dues

2. Request: to request authorization to request an extension agreement with New York State Office of Indigent Legal Services for Contract No. C000252

Rationale: to extend contract from November 30, 2015 to May 31, 2016 to use remaining funds for after-hours stipends

3. Request: Notice of Intent to Fill Vacant Position

Rationale: Request to fill 1<sup>st</sup> Assistant Public Defender Position due to retirement

IV. Referrals/Pending Items:

None

V. Discussion Items:

None

VI. Privilege of the floor to discuss any additional item to come before the Committee

## VII. Motion to adjourn

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### Attachments:

1. Resolution Request Form No. 7
2. Resolution Request Form No. 20 and backup (5 forms total)
3. Notice of Intent to Fill Vacant Position-Form No. 12

# RESOLUTION REQUEST FORM NO. 7

## Request to Amend County Budget\*

*\*If this is the result of a grant award, also complete and submit Form No. 5 or 6*

**DEPARTMENT NAME:** Public Defender

**DATE:** November 20, 2015

(a) Purpose of Amendment: To authorize expenditure of the funds from Office of Indigent Legal Services. Reference: Contract #C000252, Resolution No. 541 of 2012, Resolution No. 291 of 2015

(b) Appropriation Code, Object Code, Full Title and Amount:

A1171 210 Furniture	3,000.00
A1171 427 Memberships & Dues	1,300.00

(c) Revenue Code (with title), and Amount:

A1171.3045 Public Defender Indigent Legal Services Distribution	4,300.00
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# **RESOLUTION REQUEST FORM NO. 20**

## **MISCELLANEOUS**

***\*Please List All Other Requests Not Covered by Previous Resolution Request Forms Here.  
Please attach any backup information available and be as detailed as possible.***

**DEPARTMENT NAME: Public Defender**

**DATE: November 24, 2015**

- (a) **Purpose of Request: To request an extension agreement with the New York State Office of Indigent Legal Services to extend the Contract No. C000252 to May 31, 2016.**
- (b) **Details: Contract recently extended from May 31, 2015 to November 30, 2015**
- (c) **Previous Resolution Number: 291 of 2015**
- (d) **Where are the Funds (if required)? List Budget Code, Object Code, Full Title\* and Amount:**

**Sample: A.8021 470 Planning & Community Development – Contract**

**\* as listed in budget and LOGOS**

**Warren County Public Defender**

**OILS C000252 Extension for Stipends - 3 hours (Fridays)**

	3 hours	52 weeks
57.2214/hr. stipend	171.66	8,926.32
Social Security (.062)	10.64	553.43
Medicare (.0145)	2.49	129.43
<b>Total</b>	<b>\$184.79</b>	<b>\$9,609.18</b>

**OILS C000252 Extension for Stipends - 4 hours Sat., 4 hours Sun.**

	4 hours-Sat.	4 hours-Sun.	Total	52 weeks
57.2214/hr. stipend	228.89	228.89	457.78	23,804.56
Social Security (.062)	14.19	14.19	28.38	1,475.76
Medicare (.0145)	3.32	3.32	6.64	345.28
<b>Total</b>	<b>\$246.40</b>	<b>\$246.40</b>	<b>\$492.80</b>	<b>\$25,625.60</b>
			<b>Total Yearly Salary</b>	<b>\$32,730.88</b>
			<b>Total Yearly Fringe</b>	<b>2,503.90</b>
			<b>Total</b>	<b>\$35,234.78</b>

APPENDIX X

Business Unit: OLS01  
Agency Department ID: 1350200

Contract No. C000252

Contract Period: June 1, 2012 – May 31, 2015

Funding amount for period: \$160,218.00

This is an AGREEMENT between THE STATE OF NEW YORK, acting by and through the New York State Office of Indigent Legal Services, having its principal office at 80 South Swan Street, Albany, New York (hereinafter referred to as the STATE) and the County of Warren (hereinafter referred to as the County), for further modification of Contract Number C000252.

1. Said Agreement is hereby extended for an additional six (6) month period, expiring November 30, 2015, as provided for in the original AGREEMENT.
2. Said Agreement is modified by incorporating the January 2014 version of the New York State Standard Clauses.
3. Except as modified herein, all other provisions of said AGREEMENT shall remain in full force and effect.

In WITNESS WHEREOF, the parties hereto have executed the AGREEMENT as of the dates appearing under their signatures.

CONTRACTOR SIGNATURE

By: [Signature]  
Kevin B. Geraghty  
Printed Name

STATE AGENCY SIGNATURE

By: [Signature]  
William J. Leahy  
Printed Name

Title: Chairman, WC BOS

Title: Director

Date: 9/25/15

Date: 10-1-15

State Agency Certification

"In addition to the acceptance of this contract, I also certify that original copies of this signature Page will be attached to all other exact copies of this contract."

COUNTY MUST NOTARIZE BELOW

STATE OF NEW YORK )  
 ) SS.:  
County of Warren

On the 25<sup>th</sup> day of September, 2015, before me personally appeared Kevin B. Geraghty to me known, who being by me duly sworn, did depose and say that he/she resides at Warren County that he/she is the Chairman of the WC BOS, the corporation described herein which executed the foregoing instrument; and that he/she signed his/her name thereto by order of the board of directors of said corporation.

(Notary): [Signature]

TERRY McGARR  
Notary Public, State of New York  
No. 01MC6010365  
Qualified in Warren County  
Commission Expires July 20, 2016  
Office of Indigent  
Legal Services

NOV 03 2015

APPROVED  
DEPT. OF AUDIT & CONTROL  
STATE COMPTROLLER'S SIGNATURE  
By: [Signature]  
Date: [Signature]  
COR TLE COMPTROLLER

RECEIVED

# Warren County Board of Supervisors

## RESOLUTION NO. 291 OF 2015

Resolution introduced by Supervisors Dickinson, Kenny, Monroe, Vanselow, Brock, Seeber and Simpson

### AUTHORIZING EXTENSION AGREEMENT WITH THE NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES

WHEREAS, Warren County and the New York State Office of Indigent Legal Services entered into an agreement on October 23, 2012 for the provision of funds to assist the County in improving the quality of indigent legal services provided by the Warren County Public Defender's Office pursuant to Article 18-B of the County Law, and

WHEREAS, among other things, the agreement was for a term commencing June 1, 2012 and terminating May 31, 2015, and the Public Defender has requested that the termination date be extended to November 30, 2015 for an amount not to exceed One Hundred Sixty Thousand Two Hundred Eighteen Dollars (\$160,218), and the Criminal Justice Committee has recommended the extension, now, therefore, be it

RESOLVED, that the Chairman of the Warren County Board of Supervisors be, and hereby is, authorized to execute an extension agreement with the New York State Office of Indigent Legal Services to extend the termination date to November 30, 2015, for the services described in the preambles of this resolution in a form approved by the County Attorney.

NYS Office of Indigent Legal Services

REQUEST FOR BUDGET MODIFICATION/REVISION

WARREN COUNTY - C000252

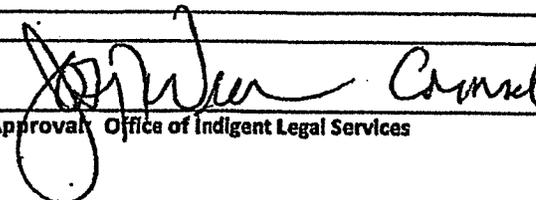
June 1, 2012 - May 31, 2015

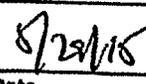
Amount of Contract: \$53,406.00 /yr.

Budget Item	Original Budget Year 3	Year 3 Budget Plus Prior Year Balance Forward	Change Increase/ Decrease	Revised Year 3 Budget (Includes Balance Forward)
<b>Personnel:</b>				
> 1st Assistant Public Defender, salary (Flores)	\$2,351.00	\$2,922.30	\$0.00	\$2,922.30
> 1st Assistant Public Defender, fringe (Flores)	\$1,067.00	\$1,296.74	\$0.00	\$1,296.74
> 2nd Assistant Public Defender, salary (Tyree)	\$3,763.00	\$6,117.00	\$0.00	\$6,117.00
> 2nd Assistant Public Defender, fringe (Tyree)	\$995.00	\$1,605.32	\$0.00	\$1,605.32
> 3rd Assistant Public Defender, salary (Halloran)	\$3,713.00	\$5,272.53	\$0.00	\$5,272.53
> 3rd Assistant Public Defender, fringe (Halloran)	\$980.00	\$1,366.46	\$0.00	\$1,366.46
> 4th Assistant Public Defender, salary (Racino)	\$3,677.00	\$4,928.25	\$0.00	\$4,928.25
> 4th Assistant Public Defender, fringe (Racino)	\$970.00	\$1,325.39	\$0.00	\$1,325.39
> 5th Assistant Public Defender, salary (Liebert)	\$3,660.00	\$5,218.19	\$0.00	\$5,218.19
> 5th Assistant Public Defender, fringe (Liebert)	\$965.00	\$1,353.11	\$0.00	\$1,353.11
> Confidential Secretary, salary (Ringier)	\$1,581.00	\$1,929.29	\$0.00	\$1,929.29
> Confidential Secretary, fringe (Ringier)	\$459.00	\$546.99	\$0.00	\$546.99
> Assigned Counsel Administrator, salary	\$808.00	\$808.00	\$0.00	\$808.00
> Assigned Counsel Administrator, fringe	\$234.00	\$234.00	\$0.00	\$234.00
Projected Increase in Health Insurance	\$9,731.00	\$9,731.00	\$0.00	\$9,731.00
Projected Increase in Retirement	\$13,221.00	\$13,221.00	\$0.00	\$13,221.00
<b>Personnel Subtotal</b>	<b>\$48,175.00</b>	<b>\$57,875.57</b>	<b>\$0.00</b>	<b>\$57,875.57</b>
<b>Contractual:</b>				
> Legal Fee Increases	\$0.00	\$0.00	\$0.00	\$0.00
<b>Contractual Subtotal</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>OTPS:</b>				
> Supplies for Appeals	\$1,000.00	\$1,920.00	(\$1,300.00)	\$620.00
> Postage for Appeals	\$650.00	\$1,300.00	\$0.00	\$1,300.00
> Training and Continuing Legal Education	\$3,581.00	\$6,978.44	\$0.00	\$6,978.44
> Computer and Equipment Upgrade	\$0.00	\$10,283.30	(\$4,000.00)	\$6,283.30
> Furniture, equipment, office upgrades	\$0.00	\$1,309.14	\$0.00	\$1,309.14
> Legal Reference Materials/Subscriptions (added)	\$0.00	\$0.00	\$4,000.00	\$4,000.00
> Membership Fees (added)	\$0.00	\$0.00	\$1,300.00	\$1,300.00
<b>OTPS Subtotal</b>	<b>\$5,231.00</b>	<b>\$21,790.88</b>	<b>\$0.00</b>	<b>\$21,790.88</b>
<b>TOTAL</b>	<b>\$53,406.00</b>	<b>\$79,666.45</b>	<b>\$0.00</b>	<b>\$79,666.45</b>

**Explanation:**

County requested to transfer over-budgeted funds from OTPS Computer and Equipment Fees, and Supplies, to newly created lines for Legal Reference Materials and Membership Fees. 9.92% change within OTPS budget category.



  
 Date

Approval Office of Indigent Legal Services

# RESOLUTION REQUEST FORM NO. 12

Schedule "A"

## NOTICE OF INTENT TO FILL VACANT POSITION

This notice of intent is filed whenever a department head plans to fill an *existing* funded position in their budget that is vacated due to a retirement, resignation, termination or promotion. This notice may not be used for requests to create a *new* position. For complete instructions on the procedure to be followed, see the reverse of this form.

### DEPARTMENT HEAD COMPLETES THIS SECTION

Department: Public Defender Payroll Dept. No.: A.1171

Title of Position: 1st Assistant Public Defender Base Salary of Position: \$69,544 Grade:

Filling at Step # (If Known): Request to Back Due to Promotion:  Yes  No

Budget code and title: A.1171 110 Union  Non-Union

This position is vacated due to:  Retirement  Resignation  Termination  Promotion  Other

Employee No: 10A31 Is this position mandated?  Yes  No Is the position reimbursable?  Yes  No

Source of reimbursement:  Federal %  State %  Other %

### CIVIL SERVICE STATUS AND HUMAN RESOURCES DIRECTOR APPROVAL

Competitive-active eligible list  Competitive-no list (*hiring would be provisional*)  Non-Competitive  Other *Exempt Pen*

Actual Impact to Budget Report will be provided monthly by Human Resources Director.

Candidate's qualifications must be approved by Personnel Officer prior to hiring.

Human Resources Director has approved this form when Initialed. *NS 12-2-15*

### COUNTY ADMINISTRATOR COMPLETES THIS SECTION

The Administrator has no objection to the filling of the vacancy.

The Administrator objects to the filling of the vacancy.

Administrator Signature \_\_\_\_\_ Date \_\_\_\_\_

### BUDGET OFFICER COMPLETES THIS SECTION

The Budget Officer has no objection to the filling of the vacancy.

The Budget Officer objects to the filling of the vacancy.

Budget Officer Signature \_\_\_\_\_ Date \_\_\_\_\_

### SUPERVISORY COMMITTEE COMPLETES THIS SECTION

Name of Committee Criminal Justice

The committee has no objection to the filling of the vacancy.

The committee objects to the filling of the vacancy.

In the case of an emergency, Committee Chair has no objection to the filling of the vacancy.

In the case of an emergency, Committee Chair objects to the filling of the vacancy.

Working Committee Member Signature \_\_\_\_\_ Date 12/3/15