

**CRIMINAL JUSTICE & PUBLIC SAFETY COMMITTEE**

**PUBLIC DEFENDER**

**AGENDA**

**April 24, 2018**

Committee Members: Supervisors Leggett, Geraghty, Simpson, Wild, Magowan, Diamond, Sokol, Hogan, Braymer, Dirscoll, VACANT

- 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 renew Public Defense Case Management System (PDCMS) agreement through 4/12/2019
  2. Request to extend contract Distribution #2/ C000252 through 11/30/2018
  3. Request to extend contract Distribution #4/ C000552 through 3-31-19
  4. Request to modify budget of Distribution
- IV. Referrals/Pending Items:

None
- V. Discussion Items:
  1. 3<sup>rd</sup> Assistant Public Defender A. Besson & 7<sup>th</sup> Assistant Public Defender L. Pucciarelli attended the NYSACDL Criminal Defense Seminar in Lake Placid on 4/13/2018
  2. 5<sup>th</sup> Assistant Public Defender R. Williams & 6<sup>th</sup> Assistant Public Defender M.K. Leahy attended NYSDA Families Matter: Enhancing Parental Representation in New York on 4/20 – 4/21 2018
- 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. PDCMS annual support and maintenance agreement
2. Distribution #2/ C000252 extension request & Cumulative Invoice/ Expense Statement
3. Distribution #4/ C000552 extension request; budget modification request & Cumulative Invoice/ Expense Statement

## **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 Defenders Office**

**DATE: 04/20/2018**

(a) Purpose of Request:

**To extend the current PDCMS annual support and maintenance agreement through April 12, 2019. Attached are three (3) copies of the contract "Extension" (all signed by NYSDA) between the New York State Defenders Association and the Warren County Public Defenders Office.**

(b) Details:

**Attached are three (3) copies of the contract "Extension" (all signed by NYSDA) between the New York State Defenders Association and the Warren County Public Defenders Office. Once these copies are signed and notarized, return one fully signed Extension to NYSDA.**

(c) Previous Resolution Number:

(d) Where are the Funds (if required)? List Budget Code, Object Code, Full Title\* and Amount:

**A. 1171 470 Contract \$2625.00**

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

\* as listed in budget and LOGOS



# New York State Defenders Association, Inc.

*Public Defense Backup Center*

194 Washington Ave. • Suite 500 • Albany, NY 12210-2314

Telephone (518) 465-3524

Fax (518) 465-3249

[www.nysda.org](http://www.nysda.org)

## MEMORANDUM

To: Susan Ringer  
Warren County Public Defender Office

From: Darlene Dollard, PDCMS Director  
New York State Defenders Association, Inc.

Date: March 2, 2018

Re: Public Defense Case Management System (PDCMS) contract

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The Public Defense Case Management System (PDCMS) requires an annual renewal through a contract extension. Attached are three (3) copies of the contract "Extension" (all signed by NYSDA) between the New York State Defenders Association and the Warren County Public Defender Office. This extends the current PDCMS annual support and maintenance agreement through April 12, 2019. After these copies have been signed by you and notarized, please return one fully signed Extension to me for NYSDA's files.

Also enclosed is the invoice for the annual maintenance.

Thanks for your help in this matter!



# New York State Defenders Association, Inc.

## Public Defense Backup Center

194 Washington Ave. • Suite 500 • Albany, NY 12210-2314

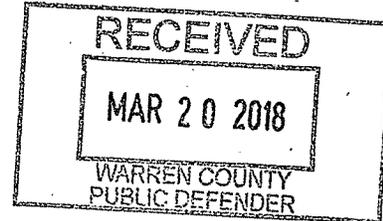
Telephone (518) 465-3524

Fax (518) 465-3249

www.nysda.org

March 2, 2018

Susan Ringler  
Warren County Public Defender Office  
1340 State Route 9  
Lake George, NY 12845



Re: Invoice # 030218-15

### INVOICE

This invoice outlines the annual support fees for the Public Defense Case Management System (PDCMS) Maintenance and Software Support Agreement. Annual support includes software maintenance, bug fixes, new software releases and unlimited remote and telephone support.

Description of Service	Total Fee
PDCMS Annual Support Maintenance (5 licenses) (04/13/2018 – 04/12/2019)	\$ 2,500.00
[Annual maintenance fee from Magic Software of 26% of the current cost of 5 licenses]	\$ 125.00
<b>Total</b>	<b>\$ 2,625.00</b>

Please return this invoice with payment and mail to:  
Business Manager  
New York State Defenders Association  
194 Washington Avenue, Suite 500  
Albany, NY 12210

Thank you.

**EXTENSION  
TO  
PUBLIC DEFENSE CASE MANAGEMENT SYSTEM  
MAINTENANCE AND SOFTWARE SUPPORT AGREEMENT  
BETWEEN  
WARREN COUNTY PUBLIC DEFENDER OFFICE  
AND  
NEW YORK STATE DEFENDERS ASSOCIATION, INC.**

THIS AGREEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_, 2018 by and between WARREN COUNTY PUBLIC DEFENDER OFFICE, having offices located at 1340 State Route 9, Lake George, NY 12845, hereinafter referred to as "WCPD" and NEW YORK STATE DEFENDERS ASSOCIATION, INC., a New York not-for-profit corporation, with offices located at 194 Washington Avenue, Suite 500, Albany, New York 12210-2314, hereinafter referred to as "NYSDA,"

**WITNESSETH:**

WHEREAS, the WCPD and NYSDA entered into a Maintenance and Software Support Agreement for the Public Defense Case Management System, ("Maintenance Agreement") dated December 15, 2010, wherein NYSDA agreed to provide certain support and maintenance services to the WCPD for the Public Defense Case Management System ("PDCMS") software; and

WHEREAS, the WCPD and NYSDA desire to extend the Maintenance Agreement for one additional year;

NOW, THEREFORE, in consideration of the mutual covenants hereinafter set forth, the parties hereto mutually agree as follows:

1. Paragraph #12 in Maintenance Agreement stating: "This Agreement shall commence on the date the PDCMS is installed in WCPD and shall terminate on the first anniversary of the installation date unless otherwise extended for one additional year by written agreement of the parties." shall be deleted and replaced with the following:

This Agreement shall terminate on April 12, 2019 unless otherwise extended for one additional year by written agreement of the parties:

2. All other terms and conditions of the Maintenance Agreement and Extension Agreement shall remain unchanged.

IN WITNESS WHEREOF, the parties have hereunto executed this Extension as of the date set forth above.

**WARREN COUNTY BOARD OF SUPERVISORS**

By: \_\_\_\_\_  
Ronald F. Conover  
Chairman

**NEW YORK STATE DEFENDERS ASSOCIATION, INC.**

By: *Susan C. Bryant*  
Susan C. Bryant, Esq.  
Deputy Director

STATE OF NEW YORK)  
COUNTY OF WARREN ) SS:

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_ before me, the subscriber, personally came **RONALD F. CONOVER**, to me known, who being by me duly sworn did depose and say that he is the Chairman of the Board of Supervisors, and person described in and who executed the foregoing instrument in the name of the County of Warren, and he duly acknowledged to me that he executed the same as and for the act and deed of said Warren County Public Defender Office.

\_\_\_\_\_  
Notary Public

STATE OF NEW YORK)  
COUNTY OF ALBANY) ss:

On this 16th day of March , in the year 2018 before me, the subscriber, personally came **SUSAN C. BRYANT**, to me known, who being by me duly sworn did depose and say that she is the Deputy Director of the New York State Defenders Association, and person described in and who executed the foregoing instrument in the name of the New York State Defenders Association, and she duly acknowledged to me that she executed the same as and for the act and deed of said New York State Defenders Association.



Dawn M. Allert  
Notary Public of the State of New York  
Qualified in Rensselaer County  
Reg. No. 4702109  
Commission Expires August 31, 2021

# **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 Defenders Office**

**DATE: 04/19/2018**

- (a) Purpose of Request:  
**Request to ratify a contract extension of the contract Distribution #2/ C000252 date to 11/30/2018.**
  
- (b) Details:  
**Last contract extension expired 11/30/2017. Money remains in the contract to be used for after hour arraignment and fringe.**
  
- (c) Previous Resolution Number:
  
- (d) Where are the Funds (if required)? List Budget Code, Object Code, Full Title\* and Amount:  
**n/a**

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

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

Invoice/Expense Statement  
Warren County  
**DISTRIBUTION #2**  
Contract No. C000252  
Office of Indigent Legal Services (ILS)

Contract Term: June 1, 2012 - May 31, 2015 (Extended to 11/30/2017)  
Total Budget: \$160,218.00  
**CUMULATIVE TOTALS**

Budget Items	TOTAL THREE-YEAR BUDGET	EXPENDITURES TO-DATE	TOTAL AVAILABLE FUNDS	Budget Modification	
				Change Increase/Decrease	Revised Budget
<b>Personnel:</b>					
> Public Defender, salary (Flores)	\$4,702.00	\$4,890.71	(\$188.71)	\$188.71	\$0.00
> 1st Assistant Public Defender, fringe (Flores)	\$1,791.00	\$1,173.76	\$617.24	(\$617.24)	\$0.00
> 2nd Assistant Public Defender, salary (Tyree)	\$6,469.00	\$1,761.00	\$4,708.00	(\$4,708.00)	\$0.00
> 2nd Assistant Public Defender, fringe (Tyree)	\$1,703.00	\$488.68	\$1,214.32	(\$1,214.32)	\$0.00
> 3rd Assistant Public Defender, salary (Halloran)	\$6,407.00	\$4,887.24	\$1,519.76	(\$1,519.76)	\$0.00
> 3rd Assistant Public Defender, fringe (Halloran)	\$1,685.00	\$1,063.42	\$621.58	(\$621.58)	\$0.00
> 4th Assistant Public Defender, salary (Racino)	\$6,361.00	\$4,162.48	\$2,198.52	(\$2,198.52)	\$0.00
> 4th Assistant Public Defender, fringe (Racino)	\$1,672.00	\$996.11	\$675.89	(\$675.89)	\$0.00
> 5th Assistant Public Defender, salary (Liebert)	\$6,338.00	\$4,735.94	\$1,602.06	(\$1,602.06)	\$0.00
> 5th Assistant Public Defender, fringe (Liebert)	\$1,666.00	\$1,125.23	\$540.77	(\$540.77)	\$0.00
> Confidential Secretary, salary (Ringler)	\$2,615.00	\$3,334.90	(\$719.90)	\$719.90	\$0.00
> Confidential Secretary, fringe (Ringler)	\$738.00	\$806.38	(\$68.38)	\$68.38	\$0.00
> Assigned Counsel Administrator, salary	\$1,010.00	\$202.00	\$808.00		\$808.00
> Assigned Counsel Administrator, fringe	\$289.00	\$55.00	\$234.00		\$234.00
Projected Increase in Health Insurance	\$13,362.00	\$6,970.06	\$6,391.94	(\$6,391.94)	\$0.00
Projected Increase in Retirement	\$4,827.00	\$4,827.00	\$0.00	(\$13,221.00)	(\$13,221.00)
After-Hours Stipends			\$0.00	\$31,000.00	\$31,000.00
After-Hours Fringe			\$0.00	\$2,634.09	\$2,634.09
<b>Personnel Subtotal</b>	<b>\$74,856.00</b>	<b>\$41,479.91</b>	<b>\$33,376.09</b>	<b>\$1,300.00</b>	<b>\$34,676.09</b>
<b>Contractual:</b>					
> Legal Fee Increases	\$21,494.00	\$21,494.00	\$0.00	\$0.00	\$0.00
<b>Subtotal Contractual</b>	<b>\$21,494.00</b>	<b>\$21,494.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>OTPS:</b>					
> Supplies for Appeals	\$2,000.00	\$418.85	\$1,581.15	(\$281.15)	\$1,300.00
> Postage for Appeals	\$1,300.00	\$0.00	\$1,300.00	(\$1,300.00)	\$0.00
> Training and Continuing Legal Education	\$7,162.00	\$6,491.20	\$670.80	(\$700.00)	(\$29.20)
> Computer/Equipment Upgrade, Phone	\$21,444.00	\$18,994.60	\$2,449.40	\$3,147.67	\$5,597.07
> Furniture, equipment, office upgrades	\$31,962.00	\$33,795.48	(\$1,833.48)	\$1,833.48	\$0.00
> Legal Reference Materials/Subscriptions (added with May 2015 budget modification)	\$0.00	\$0.00	\$0.00	(\$4,000.00)	(\$4,000.00)
> Membership Fees (added with May 2015 budget modification)	\$0.00	\$305.00	(\$305.00)	\$0.00	(\$305.00)
<b>Subtotal OTPS</b>	<b>\$63,868.00</b>	<b>\$60,005.13</b>	<b>\$3,862.87</b>	<b>(\$1,300.00)</b>	<b>\$2,562.87</b>
<b>TOTAL</b>	<b>\$160,218.00</b>	<b>\$122,979.04</b>	<b>\$37,238.96</b>	<b>\$0.00</b>	<b>\$37,238.96</b>

\$115,179.89 Expenditures ok-JC checked SFS 11/16/16  
(Statewide Financial System)

## **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 Defenders Office

**DATE:** 04/20/2018

- (a) Purpose of Request:  
**Request to ratify a contract extension of the contract Distribution #4/ C000552 date to 03/31/2019.**
  
- (b) Details:  
**Last contract expired 03/31/2017. Money remains in the contract to be used for employee retention and fringe.**
  
- (c) Previous Resolution Number:
  
- (d) Where are the Funds (if required)? List Budget Code, Object Code, Full Title\* and Amount:  
**n/a**

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

\* as listed in budget and LOGOS

Invoice/Expense Statement  
Warren County  
**DISTRIBUTION #4**  
Contract No. C000552  
Office of Indigent Legal Services (ILS)

Contract Term: January 1, 2014 - December 31, 2016 (Extended to 3/31/2018)  
Total Budget: \$160,218.00  
CUMULATIVE TOTALS

Budget Items	TOTAL THREE-YEAR BUDGET	EXPENDITURES TO DATE	TOTAL AVAILABLE FUNDS	Budget Modification	
				Change Increase/Decrease	Revised Budget
<b>Personnel:</b>					
<b>Assigned Counsel; Clerk</b>	\$30,436.00	\$7,084.67	\$23,351.33		\$23,351.33
Public Defender (salary increase)	\$11,680.00	\$9,997.00	\$1,683.00		\$1,683.00
1st Assistant Public Defender (salary increase)	\$8,080.00	\$5,797.00	\$2,283.00		\$2,283.00
2nd Assistant Public Defender (salary increase)	\$14,080.00	\$10,297.00	\$3,783.00		\$3,783.00
3rd Assistant Public Defender (salary increase)	\$14,080.00	\$10,021.00	\$4,059.00		\$4,059.00
4th Assistant Public Defender (salary increase)	\$14,080.00	\$10,297.00	\$3,783.00		\$3,783.00
5th Assistant Public Defender (salary increase)	\$11,680.00	\$7,591.00	\$4,089.00		\$4,089.00
<b>Legal Aid Society:</b>					
Paralegal @ 0.28/0.26/0.25 FTE	\$28,340.00	\$28,398.00	(\$58.00)		(\$58.00)
<b>Subtotal Personnel</b>	<b>\$132,456.00</b>	<b>\$89,482.67</b>	<b>\$42,973.33</b>	<b>\$0.00</b>	<b>\$42,973.33</b>
Fringe benefits @ 30% (Public Defender Office)	\$5,930.40	\$4,131.00	\$1,799.40		\$1,799.40
Fringe benefits @ 30% (LAS)	\$8,502.00	\$8,520.00	(\$18.00)		(\$18.00)
<b>Total Personnel</b>	<b>\$146,888.40</b>	<b>\$102,133.67</b>	<b>\$44,754.73</b>	<b>\$0.00</b>	<b>\$44,754.73</b>
<b>OTPS:</b>					
Public Defender Office					
Office Furniture and Equipment	\$2,522.00	\$2,522.00	\$0.00		\$0.00
Workstation and Computer	\$2,649.60	\$2,649.60	\$0.00		\$0.00
<b>Legal Aid Society:</b>					
Office Space	\$2,131.00	\$2,111.00	\$20.00		\$20.00
Equipment Rental	\$330.00	\$327.00	\$3.00		\$3.00
Office Supplies	\$943.00	\$934.00	\$9.00		\$9.00
Telephone	\$422.00	\$418.00	\$4.00		\$4.00
Travel	\$637.00	\$631.00	\$6.00		\$6.00
Training	\$827.00	\$522.00	\$305.00		\$305.00
Library	\$581.00	\$576.00	\$5.00		\$5.00
Other Expenses (Misc.)	\$2,287.00	\$2,563.00	(\$276.00)		(\$276.00)
<b>Subtotal OTPS</b>	<b>\$13,329.60</b>	<b>\$13,253.60</b>	<b>\$76.00</b>	<b>\$0.00</b>	<b>\$76.00</b>
<b>TOTAL</b>	<b>\$160,218.00</b>	<b>\$115,387.27</b>	<b>\$44,830.73</b>	<b>\$0.00</b>	<b>\$44,830.73</b>

## **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 Defenders Office**

**DATE: 04/20/2018**

- (a) Purpose of Request:  
**Request to ratify a contract budget modification of the contract Distribution #4/  
C000552.**
  
- (b) Details:  
**Modify the contract budget to create continuity in retention amounts distributed to  
currently employed Public Defender attorneys.**
  
- (c) Previous Resolution Number:
  
- (d) Where are the Funds (if required)? List Budget Code, Object Code, Full Title\* and  
Amount:  
**n/a**

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

\* as listed in budget and LOGOS

Contract Term: January 1, 2014 - December 31, 2016 (Extended to 3/31/2018)

Budget Items	TOTAL THREE-YEAR BUDGET	EXPENDITURES TO DATE	TOTAL AVAILABLE FUNDS	Payout 1/1/2018	Budget Modification	
					Change Increase/Decrease	Revised Budget
Public Defender (salary increase)	\$11,680.00	\$9,997.00	\$1,683.00	\$1,569.00	\$1,456.00	\$1,570.00
1st Assistant Public Defender (salary increase)	\$8,080.00	\$5,797.00	\$2,283.00	\$0.00	(\$652.00)	\$1,631.00
2nd Assistant Public Defender (salary increase)	\$14,080.00	\$10,297.00	\$3,783.00	\$1,569.00	(\$644.00)	\$1,570.00
3rd Assistant Public Defender (salary increase)	\$14,080.00	\$10,021.00	\$4,059.00	\$1,569.00	(\$920.00)	\$1,570.00
4th Assistant Public Defender (salary increase)	\$14,080.00	\$10,297.00	\$3,783.00	\$1,569.00	(\$644.00)	\$1,570.00
5th Assistant Public Defender (salary increase)	\$14,080.00	\$10,297.00	\$4,089.00	\$1,569.00	(\$1,736.00)	\$726.00
6th Assistant Public Defender (salary increase)	\$0.00	\$0.00	\$0.00	\$0.00	\$1,570.00	\$1,570.00
7th Assistant Public Defender (salary increase)	\$0.00	\$0.00	\$0.00	\$0.00	\$1,570.00	\$1,570.00