

CRIMINAL JUSTICE COMMITTEE MEETING  
PUBLIC DEFENDER AGENDA  
July 19, 2021

COMMITTEE MEMBERS: Supervisors LEGGETT, Shepler, Strough, Diamond, and Driscoll

- I. Committee meeting called to order by Chair
- II. Approval of minutes of prior Committee Meeting
- III. Action Agenda/New Business Items:
  1. Request: Notice of Intent to Fill – Assistant Public Defender (7).  
Rationale: To allow the Public Defender’s Office to fill the recently vacated Assistant Public Defender (7) position.
  2. Request: To request a new contract with Indigent Legal Services (ILS) for 3<sup>rd</sup> Counsel at First Appearance (3<sup>rd</sup> CAFA) grant.  
Rationale: To utilize available funding for the Warren County Public Defender’s Office (continuation of CAFA grants 1 & 2).
  3. Request: To request a new contract with Indigent Legal Services (ILS) for 3<sup>rd</sup> Upstate Quality Improvement and Caseload Reduction (3<sup>rd</sup> Upstate) grant.  
Rationale: To utilize available funding for the Warren County Public Defender’s Office (continuation of Upstate Quality grants 1 & 2).
- IV. Discussion Items:
  1. Update on 333 Glen Street Office Space
  2. Training (CLE)
    - a. Certified Addiction Recovery Coach
      - i. On 6/24/2021 Dillon T. Swertner received his Certificate.
    - b. Legal Writing: Striving for Clarity
      - i. 6/24/2021: Carline M. Barnes, Esq.
    - c. National Drug Court Institute and BJA: Drug Court Training
      - i. 7/13 - 7/15/2021: Marcy I. Flores, Esq. & Mary Kathleen Leahy, Esq.
- V. Referrals/ Pending Items:
- VI. Privilege of the floor and public comment (please allow for 15 second delay on live stream meetings)
- VII. Motion to adjourn

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Attachments:

1. Resolution Request Form No. 12: Notice of Intent to Fill (APD 7)
2. Resolution Request Form No. 3: Request for New Contract – 3<sup>rd</sup> CAFA
3. Resolution Request Form No. 3: Request for New Contract – 3<sup>rd</sup> Upstate Quality

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:
Title of Position: Assistant Public Defender (7) Base Salary of Position: \$63,393 Grade: 1
Filling at Step # (If Known):
Budget code and title: A. 1171 110 (Public Defender Salary - Regular) Union Non-Union
This position is vacated due to: Retirement Resignation Termination Promotion Other
Employee No./Last Name: 13384/Freditto Date of Vacancy: 7/17/2021
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
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.

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 7/14/21

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 Frank E. Thomas Date 7/14/21

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.
Ranking Committee Member Signature Date 7/19/21

# **RESOLUTION REQUEST FORM NO. 12**

## *Schedule "A"*

### **AUTHORITY FOR POLICY AND PROCEDURE**

Resolution 155 of 2003, amended by Resolution Nos. 497 of 2006, 719 of 2006, 318 of 2007, 374 of 2011 and 259 of 2014, provides the policy and procedure for the establishment, filling and increasing or decreasing of salaries for positions within Warren County. Copies of the resolutions are available from the Clerk of the Board.

### **WHAT FORM TO USE**

- For giving notice of intent to fill an existing vacant position, use this form.
- For creating a new position, complete Resolution Request Form No. 11.
- For increasing or decreasing salary of non-union position, complete Resolution Request Form No. 13.
- For reclassification of position, complete Resolution Request Form No. 14.

These forms are available from the Clerk of the Board.

### **HOW TO USE THIS FORM**

Department heads must first file this notice of intent with the Human Resources Director/Personnel Officer for review and approval of position details. Once the form has been initialed by both the Human Resources Director and Personnel Officer, it should be forwarded on to the County Administrator for approval. The County Administrator shall furnish a copy of the notice to the Budget Officer. Once both the County Administrator and the Budget Officer have executed the form, a copy must be submitted by the Department Head to the Supervisory Committee with their regular agenda. Once signed by the Chair of the Supervisory Committee, the Notice of Intent shall be submitted to the Clerk of the Board, who shall report the action on the Personnel Committee agenda and forward the fully executed form to the Department Head.

### **OBJECTIONS**

If either the County Administrator, Budget Officer or Supervisory Committee objects to the position being filled, each should affix their signature to this form indicating they have an objection. In this case, the department head is advised that the position may not be filled unless otherwise determined by the Board of Supervisors. All requests to fill vacant positions must be approved by the County Administrator, Budget Officer and a 2/3 majority vote of the Supervisory Committee or oversight Committee Chair approval as provided in the Rules of the Board.

### **NO OBJECTIONS**

If the County Administrator, Budget Officer and Supervisory Committee have no objection to the position being filled, each should affix their signatures to this form indicating they have no objection.

### **PAPERWORK**

To fill the position, complete the 426 Report of Personnel Change, attach the original of this form to the back of the 426, along with the Resolution approving same and submit to the Human Resources and Civil Service Department. Be certain to make a copy of both the 426 and this form for retention in your department files.

*Department Heads are reminded that an oath of office must be filed in the Office of the County Clerk. Oaths of Office forms are available from the County Clerk.*

# ***RESOLUTION REQUEST FORM NO. 3***

## ***Request for New Contract***

**DEPARTMENT NAME:** Warren County Public Defender

**DATE:** 07/19/2021

- (a) Is this a Result of a Bid or Request for Proposal? **no**
- (b) Purpose of Contract: **The 3<sup>rd</sup> Counsel at First Appearance (3<sup>rd</sup> CAFA) grant will provide funding to the Warren County Public Defender's Office for Indigent Legal Services. This is a continuation of CAFA grants 1 & 2.**
- (c) Name of Contractor: **NYS Office of Indigent Legal Services**
- (d) Address of Contractor: **A.E. Smith Building, 11<sup>th</sup> Floor  
80 South Swan Street  
Albany, NY 12210**
- (e) Contractor's Contact Person and Telephone Number:  
**Jamison Blair/ (518) 935-7284**
- (f) Has or will the Contract be provided, if so, please attach: **(To be provided once budget and budget narrative are approved.)**
- (g) Commencement Date of Contract: **January 1, 2020**
- (h) Termination Date of Contract: **December 31, 2022**
- (i) Payment Provisions:
  - i) lump sum amount
  - ii) hourly rate amount
  - iii) total amount not to exceed **\$250,000.00**
  - iv) how will payments be made (i.e. monthly, quarterly, upon completion of the project, etc.
- (j) Where are the Funds for this Contract? List Budget Code, Object Code, Full Title\* and Amount: **OR Capital Project OR Capital Reserve Project Number, Title, and Amount:**

**Sample: A.1010 470 Legislative Board – Contract \$xx.xx  
Capital Project No. H289.9550 480 – Old Jail Renovations \$xx.xx**

\*as listed in budget and LOGOS

**4th Batch**  
**THIRD COUNSEL AT FIRST**  
**APPEARANCE**

**January 1, 2020 - December 31, 2022**

# of Counties	County	Total Three-Year Budget
1	Albany	\$749,700.00
2	Broome	\$702,347.00
3	Cattaraugus	\$746,125.00
4	Cayuga	\$651,516.30
5	Chemung	\$297,465.48
6	Columbia	\$671,136.00
7	Fulton	\$634,920.00
8	Genesee	\$430,425.00
9	Montgomery	\$739,000.00
10	Nassau	\$749,452.00
11	Saratoga	\$346,290.06
12	Schenectady	\$505,874.99
13	St. Lawrence	\$712,395.74
14	Tompkins	\$297,930.00
15	Warren	\$250,000.00
	TOTAL	\$8,484,577.57

**Brothers, Erin**

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**Subject:** FW: 3rd Counsel at First Appearance (3rd CAFA) Grant  
**Attachments:** 6. Vendor List 3rd CAFA-Barch 4.pdf

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**From:** Blair, Jami (ILS) [<mailto:Jami.Blair@ils.ny.gov>]  
**Sent:** Wednesday, June 30, 2021 10:40 AM  
**To:** Blair, Jami (ILS)  
**Subject:** 3rd Counsel at First Appearance (3rd CAFA) Grant

Dear Colleagues,

I am pleased to notify you that ILS has received authorization from the Office of State Comptroller and the Division of Budget to issue a 3<sup>rd</sup> Counsel at First Appearance (3<sup>rd</sup> CAFA) grant for a three year term (January 1, 2020 through December 31, 2022). This is a non-competitive grant award. The award amount for your county is listed in the attached document.

Please submit to me a proposed **budget** and **budget narrative** detailing each budget expenditure line. Because this grant award is intended to allow your county to continue the programs currently funded by the 2<sup>nd</sup> CAFA grant contract, if you are proposing significant changes from your 2<sup>nd</sup> CAFA budget, please include an explanation for those changes as part of your budget narrative.

I will contact you if any follow-up is required to finalize the budget and workplan.

Do not hesitate to contact Jenn Colvin or me if you have any questions about this.

Best,

*Jamison Blair*  
Assistant Counsel  
Office of Indigent Legal Services  
80 S. Swan Street, Albany, NY 12210  
(518) 935-7284  
[jami.blair@ils.ny.gov](mailto:jami.blair@ils.ny.gov)

# ***RESOLUTION REQUEST FORM NO. 3***

## ***Request for New Contract***

**DEPARTMENT NAME:** Warren County Public Defender

**DATE:** 07/19/2021

- (a) Is this a Result of a Bid or Request for Proposal? **no**
- (b) Purpose of Contract: **The 3<sup>rd</sup> Upstate Quality Improvement and Caseload Reduction (3<sup>rd</sup> Upstate) grant will provide funding to the Warren County Public Defender's Office for Indigent Legal Services. This is a continuation of Upstate Quality grants 1 & 2.**
- (c) Name of Contractor: **NYS Office of Indigent Legal Services**
- (d) Address of Contractor: **A.E. Smith Building, 11<sup>th</sup> Floor  
80 South Swan Street  
Albany, NY 12210**
- (e) Contractor's Contact Person and Telephone Number:  
**Jamison Blair/ (518) 935-7284**
- (f) Has or will the Contract be provided, if so, please attach: **(To be provided once budget and budget narrative are approved.)**
- (g) Commencement Date of Contract: **July 1, 2020**
- (h) Termination Date of Contract: **June 30, 2023**
- (i) Payment Provisions:
  - i) lump sum amount
  - ii) hourly rate amount
  - iii) total amount not to exceed **\$300,000.00**
  - iv) how will payments be made (i.e. monthly, quarterly, upon completion of the project, etc.
- (j) Where are the Funds for this Contract? List Budget Code, Object Code, Full Title\* and Amount: **OR Capital Project OR Capital Reserve Project Number, Title, and Amount:**

**Sample: A.1010 470 Legislative Board – Contract \$xx.xx  
Capital Project No. H289.9550 480 – Old Jail Renovations \$xx.xx**

\*as listed in budget and LOGOS

**Vendor Award List**  
**3rd Upstate Quality Improvement & Caseload**  
**Reduction**  
**JULY 1, 2020 - JUNE 30, 2023**

	<b>County</b>	<b>Contract #</b>	<b>Amount of Funding</b>
1	Albany	C3RD601	\$300,000.00
2	Broome	C3RD603	\$299,561.00
3	Clinton	C3RD609	\$300,000.00
4	Columbia	C3RD610	\$300,000.00
5	Cortland	C3RD611	\$300,000.00
6	Essex	C3RD615	\$300,000.00
7	Franklin	C3RD616	\$285,671.72
8	Nassau	C3RD627	\$300,000.00
9	Onondaga	C3RD631	\$300,000.00
10	Ontario	C3RD632	\$300,000.00
11	Orleans	C3RD634	\$211,863.00
12	Putnam	C3RD637	\$300,000.00
13	Rensselaer	C3RD638	\$300,000.00
14	Saratoga	C3RD640	\$257,269.00
15	Schenectady	C3RD641	\$300,000.00
16	Seneca	C3RD644	\$300,000.00
17	Suffolk	C3RD647	\$300,000.00
18	Sullivan	C3RD648	\$300,000.00
19	Tompkins	C3RD650	\$196,250.00
20	Warren	C3RD652	\$300,000.00
21	Westchester	C3RD655	\$279,566.00
22	Yates	C3RD657	\$298,500.00
<b>Total</b>			<b>\$6,328,680.72</b>

**Brothers, Erin**

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**Subject:** FW: 3rd Upstate Quality Improvement and Caseload Reduction (3rd Upstate) Grant  
**Attachments:** Vendor List 3rd Upstate Quality Grant\_Batch 3\_22 counties.pdf

**From:** Blair, Jami (ILS) [<mailto:Jami.Blair@ils.ny.gov>]  
**Sent:** Wednesday, June 30, 2021 1:48 PM  
**To:** Blair, Jami (ILS)

**Subject:** 3rd Upstate Quality Improvement and Caseload Reduction (3rd Upstate) Grant

Dear Colleagues,

I am pleased to notify you that ILS has received authorization from the Office of State Comptroller and the Division of Budget to issue a 3<sup>rd</sup> Upstate Quality Improvement and Caseload Reduction grant (3<sup>rd</sup> Upstate) for a three year term (July 1, 2020 through June 30, 2023). This is a non-competitive grant award. The award amount for your county is listed in the attached document.

Please submit to me a proposed **budget** and **budget narrative** detailing each budget expenditure line. Because this grant award is intended to allow your county to continue the programs currently funded by the 2<sup>nd</sup> Upstate grant contract, if you are proposing significant changes to the budget, please include an explanation for those changes as part of your budget narrative.

I will contact you if any follow-up is required to finalize the budget and workplan.

Do not hesitate to contact Jenn Colvin or me if you have any questions about this.

Best,

*Jamison Blair*  
*Assistant Counsel*  
*Office of Indigent Legal Services*  
*80 S. Swan Street, Albany, NY 12210*  
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