

CRIMINAL JUSTICE COMMITTEE MEETING  
DISTRICT ATTORNEY AGENDA  
August 23, 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 to apply for Aid to Prosecution Grant.  
Rationale: Resolution request to apply for Aid to Prosecution Grant in an amount to be determined.
  2. Request to apply for Crimes Against Revenue Prosecution Grant (CARP).  
Rationale: Resolution request to apply for Crimes Against Revenue Prosecution Grant (CARP) in an amount to be determined.
  3. Request to fill 9<sup>th</sup> Assistant District Attorney Position.  
Rationale: Intent to fill position for 9<sup>th</sup> Assistant District Attorney position.
  4. Request to fill Legal Clerk #6 position.  
Rationale: Intent to fill position for Legal Clerk #6 position.
  5. Request to fill 2<sup>nd</sup> Assistant District Attorney Position.  
Rationale: Intent to fill position for 2<sup>nd</sup> Assistant District Attorney due to resignation of current 2<sup>nd</sup> Assistant District Attorney.
  6. Request to fill 3<sup>rd</sup> Assistant District Attorney Position.  
Rationale: Intent to fill position for 3<sup>rd</sup> Assistant District Attorney due to promotion of current 3<sup>rd</sup> Assistant District Attorney.
  7. Request: to Amend the Salary Schedule  
Rationale: Intent to amend the salary of the promoted 3<sup>rd</sup> Assistant District Attorney.
  8. Request to fill 4<sup>th</sup> Assistant District Attorney Position.  
Rationale: Intent to fill position for 4<sup>th</sup> Assistant District Attorney due to promotion of current 4<sup>th</sup> Assistant District Attorney.
  9. Request to fill 5<sup>th</sup> Assistant District Attorney Position.  
Rationale: Intent to fill position for 5<sup>th</sup> Assistant District Attorney due to promotion of current 5<sup>th</sup> Assistant District Attorney.
  10. Request: to Amend the Salary Schedule  
Rationale: Intent to amend the salary of the promoted 5<sup>th</sup> Assistant District Attorney.
  11. Request to fill 6<sup>th</sup> Assistant District Attorney Position.  
Rationale: Intent to fill position for 6<sup>th</sup> Assistant District Attorney due to promotion of current 6<sup>th</sup> Assistant District Attorney.
  12. Request to fill 7<sup>th</sup> Assistant District Attorney Position.

Rationale: Intent to fill position for 7<sup>th</sup> Assistant District Attorney due to promotion of current 7<sup>th</sup> Assistant District Attorney.

13. Request to fill the 8<sup>th</sup> Assistant District Attorney Position.

Rationale: Intent to fill position for the 8<sup>th</sup> Assistant District Attorney due to promotion of current 8<sup>th</sup> Assistant District Attorney.

14. Request to Amend Resolution 556 of 2003.

Rationale: Intent to amend Resolution 556 of 2003.

IV. Discussion Items:

V. Referrals/Pending Items: None.

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. 5 - Request to Apply for a Grant Application and Grant Agreement - Aid to Prosecution
2. Resolution Request Form No. 5 - Request to Apply for a Grant Application and Grant Agreement - Crimes Against Revenue Prosecution Grant (CARP)
3. Resolution Request Form No. 12 - Notice of Intent to Fill Vacant Position – 9<sup>th</sup> Assistant District Attorney
4. Resolution Request Form No. 12 - Notice of Intent to Fill Vacant Position – Legal Clerk #6
5. Resolution Request Form No. 12 - Notice of Intent to Fill Vacant Position – 2<sup>nd</sup> Assistant District Attorney
6. Resolution Request Form No. 12 - Notice of Intent to Fill Vacant Position – 3<sup>rd</sup> Assistant District Attorney
7. Resolution Request Form No. 20 - Miscellaneous – Amend salary of promoted 3<sup>rd</sup> Assistant District Attorney
8. Resolution Request Form No. 12 - Notice of Intent to Fill Vacant Position – 4<sup>th</sup> Assistant District Attorney
9. Resolution Request Form No. 12 - Notice of Intent to Fill Vacant Position – 5<sup>th</sup> Assistant District Attorney
10. Resolution Request Form No. 20 - Miscellaneous – Amend salary of promoted 5<sup>th</sup> Assistant District Attorney
11. Resolution Request Form No. 12 - Notice of Intent to Fill Vacant Position – 6<sup>th</sup> Assistant District Attorney
12. Resolution Request Form No. 12 - Notice of Intent to Fill Vacant Position – 7<sup>th</sup> Assistant District Attorney
13. Resolution Request Form No. 12 - Notice of Intent to Fill Vacant Position – 8<sup>th</sup> Assistant District Attorney
14. Resolution Request Form No. 20 - Miscellaneous - Amend Resolution 556 of 2003
15. Resolution 556 of 2003
16. Recommended amendment to Resolution 556 of 2003
17. New York Criminal Procedure Law § 245.20 Automatic Discovery

## *RESOLUTION REQUEST FORM NO. 5*

### *Request to Apply for a Grant Application and Grant Agreement*

DEPARTMENT NAME: District Attorney

DATE: August 23, 2021

- (a) Purpose of Grant:  
**To apply for Aid to Prosecution Grant**
  
- (b) Name of Grantor:  
**New York State Division of Criminal Justice Services**
  
- (c) Address of Contractor: **80 South Swan Street**  
**Albany NY 12210**
  
- (d) Grantor's Contact Person and Telephone Number:  
**Katelyn Mallick, Ph. (518) 457-3776**
  
- (e) Has or Will the Grant Application or Grant Agreement be provided, if so, Please Attach? **No - awaiting additional information**
  
- (f) Effective Date of Grant: **April 1, 2022**
  
- (g) Termination Date of Grant: **March 31, 2023**
  
- (h) Total Dollar Amount Involved (not to exceed): **\$ TBD**
  
- (i) Deadline to Submit Grant Application and/or Grant Agreement:  
**TBD**
  
- (j) Is a Budget amendment required? **No** If yes, also complete and submit Form No. 7.
  
- (k) Are the funds to go into a Capital Project or Capital Reserve Project? **No** If yes, also complete and submit Form No. 8 or Form No. 9, as applicable.
  
- (i) Is a Local Share Required? **No** If Yes, Where are the Funds? List Budget Code, Object Code, Full Title\* and Amount **OR** Capital Project **OR** Capital Reserve Project Number and 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

## *RESOLUTION REQUEST FORM NO. 5*

### *Request to Apply for a Grant Application and Grant Agreement*

DEPARTMENT NAME: District Attorney

DATE: August 23, 2021

- (a) Purpose of Grant:  
To apply for renewal of Crimes Against Revenue Prosecution Grant (CARP),  
DCJS No. CR18445143
- (b) Name of Grantor:  
New York State Division of Criminal Justice Services
- (c) Address of Contractor: 80 South Swan Street  
Albany NY 12210
- (d) Grantor's Contact Person and Telephone Number:  
Katelyn Mallick, Ph. (518) 457-3776
- (e) Has or Will the Grant Application or Grant Agreement be provided, if so, Please  
Attach? No - awaiting additional information
- (f) Effective Date of Grant: January 1, 2022
- (g) Termination Date of Grant: December 31, 2022
- (h) Total Dollar Amount Involved (not to exceed): TBD
- (i) Deadline to Submit Grant Application and/or Grant Agreement:  
TBD
- (j) Is a Budget amendment required? No If yes, also complete and submit Form  
No. 7.
- (k) Are the funds to go into a Capital Project or Capital Reserve Project? No If  
yes, also complete and submit Form No. 8 or Form No. 9, as applicable.
- (i) Is a Local Share Required? No If Yes, Where are the Funds? List Budget  
Code, Object Code, Full Title\* and Amount OR Capital Project OR Capital  
Reserve Project Number and 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

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: District Attorney's Office Payroll Dept. No: 5.0
Title of Position: 9th Assistant District Attorney Base Salary of Position: \$66,563 Grade: 2 (Atty)
Filling at Step # (If Known):
Budget code and title: A.1165 110 Salaries Regular Union Non-Union
This position is vacated due to: Retirement Resignation Termination Promotion Other creation
Employee No./Last Name: Date of Vacancy:
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
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. 7/23/21

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 7/23/21

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 7/29/21

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

## ASSISTANT DISTRICT ATTORNEY

**DISTINGUISHING FEATURES OF THE CLASS:** This work involves responsibility for representing the People of the State of New York as assigned by the District Attorney. The work involves representing the People of the State of New York through every stage of proceedings including arrest through conclusion of the case, and may involve appeals and/or post-conviction motions. The Assistant District Attorney assists the District Attorney in all aspects of criminal prosecution including, legal research, writing, appearing in court, conducting hearings, conducting trials, and arguing appeals. Work is performed under the general supervision of the District Attorney with wide leeway allowed for the exercise of independent judgment. Does related work as required.

### **TYPICAL WORK ACTIVITIES:** (Illustrative only)

Represents the People of the State of New York

Handles such proceedings as are necessary to protect the rights of the People;

Assists the District Attorney in the preparation of various court proceedings;

Assists in the initial stages of case preparation, obtaining discovery, reviewing and redacting protected material, filing protective orders when necessary, serving discoverable material, disclosing Brady material and filing certificates of compliance pursuant to CPL 245;

Presents cases to the Grand Jury;

Prepares cases for trial by reviewing case evidence, meeting with witnesses, responding to motions, preparing and handling pre-trial hearings, and reviewing cases with the team, and develops a trial strategy;

Supervises clerical staff in connection with the preparation of cases and the maintenance of appropriate records to assist in the discovery process;

Tries cases, including jury selection, presentment of cases, preparing opening statements, examining witnesses and presenting closing arguments;

May handle post-conviction motions, including motions to vacate judgment, by preparing a written response and arguing the motion in Superior Court;

May handle appeals by reviewing records on appeal, research and writing legal argument for each point at issue, and conducting oral arguments at County Court, the Appellate Division and the Court of Appeals.

### **FULL PERFORMANCE KNOWLEDGE, SKILLS, ABILITIES AND PERSONAL CHARACTERISTICS:**

Thorough knowledge of criminal law and court proceedings; Knowledge of judicial procedures and rules of evidence; ability to interpret and work with New York State criminal code; ability to communicate effectively both orally and in writing; ability to reason quickly and logically in stressful situations;

Ability to analyze and interpret laws and legal documents in order to render an accurate legal opinion; ability to analyze and organize facts effectively; ability to prepare for and present cases in court; ability to establish and maintain effective working relationships with others; physical condition commensurate with the demands of the position.

### **MINIMUM QUALIFICATIONS:**

Possesses a Law License and is admitted in good standing to practice law in the State of New York.

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: District Attorney's Office Payroll Dept. No: 5.0
Title of Position: Legal Clerk #10 Base Salary of Position: \$32,237 Grade: 5
Filling at Step # (If Known): \$32,237
Budget code and title: A.1165 110 Salaries Regular Union [checked] Non-Union [ ]
This position is vacated due to: [ ] Retirement [ ] Resignation [ ] Termination [ ] Promotion [ ] Other creation [checked]
Employee No./Last Name: Date of Vacancy:
Is this position mandated? [ ] Yes [checked] No Is the position reimbursable? [ ] Yes [checked] No
Source of reimbursement: [ ] Federal [ ] State [ ] Other

CIVIL SERVICE STATUS AND HUMAN RESOURCES DIRECTOR APPROVAL

[ ] Competitive-active eligible list [checked] 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 initiated. 7/23/21

COUNTY ADMINISTRATOR COMPLETES THIS SECTION

[checked] The Administrator has no objection to the filling of the vacancy.
[ ] The Administrator objects to the filling of the vacancy.
Administrator Signature [Signature] Date 7/23/21

BUDGET OFFICER COMPLETES THIS SECTION

[checked] 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 7/29/21

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

## LEGAL CLERK

**DISTINGUISHING FEATURES OF THE CLASS:** An incumbent in this class is responsible for performing a variety of moderately complex clerical assignments in a municipal legal or legal services office. Duties include reviewing, processing, indexing, digitizing and filing various legal documents while utilizing a full range of skills in the operation of computer programs and databases. The incumbent is expected to independently perform duties in accordance with a prescribed set of office policies and procedures. Supervisors are available for consultation on unusual problems and to provide instruction on new or difficult assignments. Work is performed under general supervision of a higher level supervisor. Does related work as required.

**TYPICAL WORK ACTIVITIES:** (Illustrative only)

Processes, indexes, scans, sorts and/or maintains confidential legal records and files necessary for the operations of the office;

Performs various general clerical support functions to enhance the operation of the office;

Assists in the preparation of various legal documents and correspondence;

Prepares routine legal forms in accordance with standard office policies and procedures;

Forwards copies of legal instruments to interested parties as needed;

Conducts routine correspondence and answers telephone requests on assigned matters where policy and procedures are well defined;

Handles routine telephone calls relating to assigned tasks or matters;

Examines and indexes a variety of legal instruments relating to civil and/or criminal matters;

Types a variety of records and reports relating to the indexing and recording procedure;

Uses computer applications or other automated systems such as spreadsheets, word processing, calendar, e-mail and database software in performing work assignments;

May act as receptionist;

Does related work as assigned.

**FULL PERFORMANCE KNOWLEDGE, SKILLS, ABILITIES AND PERSONAL CHARACTERISTICS:**

Working knowledge of legal terminology, documents and legal services office procedures; working knowledge of office terminology, working knowledge of business english and spelling, ability to understand and follow oral and written instructions; ability to get along well with others, ability to maintain confidentiality of sensitive information, cases and files; accuracy; neatness; tact and courtesy.

**MINIMUM QUALIFICATIONS:** Graduation from high school or possession of a high school equivalency diploma and two years of full-time, paid clerical experience, one of which shall have been in a law office or related field.

**NOTE:** Study in a New York State registered or regionally accredited college or university in a law or criminal justice related field may be substituted for experience on a year for year basis.

WC: 2/1993, 10/2019

JC: Competitive

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: District Attorney Payroll Dept. No: 5.0
Title of Position: 2nd Assistant District Attorney Base Salary of Position: \$ 79,241.00 Grade: 4
Filling at Step # (If Known):
Budget code and title: A.1165 110 Salaries - Regular Union Non-Union
This position is vacated due to: Retirement Resignation Termination Promotion Other
Employee No./Last Name: 10641/Nealon Date of Vacancy: August 21, 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

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

- 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

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: District Attorney Payroll Dept. No: 5.0
Title of Position: 3rd Assistant District Attorney Base Salary of Position: \$ 79,241.00 Grade: 4
Filling at Step # (If Known):
Budget code and title: A.1165 110 Salaries - Regular Union Non-Union
This position is vacated due to: Retirement Resignation Termination Promotion Other
Employee No./Last Name: 12695/Smith, B Date of Vacancy: August 21, 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

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

- 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

## *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:** District Attorney

**DATE:** August 23, 2021

- (a) Purpose of Request: Amendment to salaries pursuant salary schedule
- (b) Details: Amend the salary of the promoted Third Assistant District Attorney to \$85,394.00.
- (c) Previous Resolution Number: N/A
- (d) Where are the Funds (if required)? List Budget Code, Object Code, Full Title\* and Amount: A.1165 110 salaries - regular

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

\* as listed in budget and LOGOS

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: District Attorney Payroll Dept. No: 5.0
Title of Position: 4th Assistant District Attorney Base Salary of Position: \$ 69,891.00 Grade: 3
Filling at Step # (If Known):
Budget code and title: A.1165 110 Salaries - Regular Union Non-Union
This position is vacated due to: Retirement Resignation Termination Promotion Other
Employee No./Last Name: 12996/McCarty Date of Vacancy: August 21, 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

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

- 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

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: District Attorney Payroll Dept. No: 5.0
Title of Position: 5th Assistant District Attorney Base Salary of Position: \$ 69,891.00 Grade: 3
Filling at Step # (If Known):
Budget code and title: A.1165 110 Salaries - Regular Union Non-Union
This position is vacated due to: Retirement Resignation Termination Promotion Other
Employee No./Last Name: 13139/Goldstein Date of Vacancy: August 21, 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. [Signature]

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
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

# *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:** District Attorney

**DATE:** August 23, 2021

- (a) Purpose of Request: **Amendment to salaries pursuant salary schedule**
- (b) Details: **Amend the salary of the promoted Fifth Assistant District Attorney to \$69,891.00.**
- (c) Previous Resolution Number: **N/A**
- (d) Where are the Funds (if required)? List Budget Code, Object Code, Full Title\* and Amount: **A.1165 110 salaries - regular**

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

\* as listed in budget and LOGOS

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: District Attorney Payroll Dept. No: 5.0
Title of Position: 6th Assistant District Attorney Base Salary of Position: \$66,563.00 Grade: 2
Filling at Step # (If Known):
Budget code and title: A.1165 110 Salaries - Regular Union Non-Union
This position is vacated due to: Retirement Resignation Termination Promotion Other
Employee No./Last Name: 13405/Jones Date of Vacancy: May 21, 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

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

- 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

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: District Attorney Payroll Dept. No: 5.0
Title of Position: 7th Assistant District Attorney Base Salary of Position: \$ 66,563.00 Grade: 2
Filling at Step # (If Known):
Budget code and title: A.1165 110 Salaries - Regular Union Non-Union
This position is vacated due to: Retirement Resignation Termination Promotion Other
Employee No./Last Name: 13417/Smith, C Date of Vacancy: August 21, 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 E
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

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

- 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

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: District Attorney Payroll Dept. No: 5.0
Title of Position: 8th Assistant District Attorney Base Salary of Position: \$ 66,563.00 Grade: 2
Filling at Step # (If Known):
Budget code and title: A.1165 110 Salaries - Regular Union Non-Union
This position is vacated due to: Retirement Resignation Termination Promotion Other
Employee No./Last Name: New Employee Date of Vacancy: August 21, 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

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
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

***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: District Attorney**

**DATE: August 23, 2021**

- (a) Purpose of Request: **Amend resolution 556 of 2003**
- (b) Details: **Authorizing District Attorney to retain transcribers at amounts not to exceed \$295 per appearance fee and \$5.95 per page fee.**
- (c) Previous Resolution Number: **N/A**
- (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 Board of Supervisors

RESOLUTION NO. 556 OF 2003

Resolution introduced by Supervisors Tessier, Bentley, O'Connor, Morrell, Quintal, Brower and Kenny

**AUTHORIZING WARREN COUNTY DISTRICT ATTORNEY TO RETAIN  
THE SERVICES OF A PRIMARY AND BACK-UP TRANSCRIBER  
AT AGREED UPON RATES FOR APPEARANCE AND PER  
PAGE COST TO BE NEGOTIATED ANNUALLY - DISTRICT ATTORNEY**

WHEREAS, the Warren County District Attorney is desirous of obtaining the services of a primary transcriber and back-up transcriber to provide legal transcripts to the District Attorney's office and to retain on call transcribers whenever the need arises, and

WHEREAS, the Warren County District Attorney shall negotiate rates for appearance and per page cost annually with said primary transcriber and back-up transcriber, now, therefore, be it

RESOLVED, that the Warren County District Attorney is authorized to obtain the services of a primary transcriber and back-up transcriber to provide legal transcripts to the District Attorney's office and retain on call transcribers whenever the need arises, and be it further

RESOLVED, that the Warren County District Attorney is authorized to negotiate rates for appearance and per page cost annually with said primary transcriber, back-up transcriber and on call transcribers, said rates to be subject to approval from the Criminal Justice Committee and/or the Warren County Board of Supervisors and compliance with any applicable State, Local and Federal laws, and be it further

RESOLVED, that the Warren County District Attorney be, and hereby is, authorized to enter into an agreement with said primary transcriber, back-up transcriber

**RESOLUTION NO. 556 OF 20 03**

**Page 2, Continued**

and on call transcribers to provide legal transcripts to the District Attorney's office in the form approved by the County Attorney.

Amendment to Resolution 556 of 2003

AUTHORIZING WARREN COUNTY DISTRICT ATTORNEY TO RETAIN  
THE SERVICES OF TRANSCRIBERS  
AT AGREED UPON RATES FOR APPEARANCES AND PER PAGE COST

WHEREAS, New York passed criminal justice reforms including Criminal Procedure Law Section 245.20(b), which, in part, requires the District Attorney to provide all transcripts of the testimony of a person who has testified before a grand jury.

WHEREAS, the Warren County District Attorney's Office utilizes the services of transcribers to provide legal transcripts to the District Attorney's Office and to retain on call transcribers whenever the need arises, and

WHEREAS, the Warren County District Attorney shall negotiate rates for appearance and per page cost with said retained transcribers, now, therefore, be it

RESOLVED, that the Warren County District Attorney is authorized to retain the services of transcribers to provide legal transcripts to the District Attorney's Office, and be it further

RESOLVED, that the Warren County District Attorney is authorized to negotiate rates for appearance and per page cost with transcribers, said rates not to exceed \$295.00 per appearance fee and \$5.95 per page fee.

RESOLVED, that this applies to transcriptionists retained by the District Attorney and does not include Court appointed stenographers.

## § 245.20. Automatic discovery.

1. Initial discovery for the defendant. The prosecution shall disclose to the defendant, and permit the defendant to discover, inspect, copy, photograph and test, all items and information that relate to the subject matter of the case and are in the possession, custody or control of the prosecution or persons under the prosecution's direction or control, including but not limited to:

(b) All transcripts of the testimony of a person who has testified before a grand jury, including but not limited to the defendant or a co-defendant. If in the exercise of reasonable diligence, and due to the limited availability of transcription resources, a transcript is unavailable for disclosure within the time period specified in subdivision one of section 245.10 of this article, such time period may be stayed by up to an additional thirty calendar days without need for a motion pursuant to subdivision two of section 245.70 of this article; except that such disclosure shall be made as soon as practicable and not later than thirty calendar days before the first scheduled trial date, unless an order is obtained pursuant to section 245.70 of this article. When the court is required to review grand jury transcripts, the prosecution shall disclose such transcripts to the court expeditiously upon receipt by the prosecutor, notwithstanding the otherwise-applicable time periods for disclosure in this article.