

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: CRIMINAL JUSTICE

DATE: AUGUST 23, 2021

COMMITTEE MEMBERS PRESENT:

SUPERVISORS: LEGGETT
SHEPLER
STROUGH
DIAMOND
DRISCOLL

OTHERS PRESENT:

REPRESENTING THE PUBLIC DEFENDER'S OFFICE:
MARCY FLORES, PUBLIC DEFENDER
ERIN BROTHERS, ASSISTANT TO THE PUBLIC DEFENDER
REPRESENTING THE DISTRICT ATTORNEY'S OFFICE
JASON CARUSONE, DISTRICT ATTORNEY
PAULETTE McDONALD, CONFIDENTIAL SECRETARY TO THE DISTRICT
ATTORNEY
RACHEL E. SEEGER, CHAIRWOMAN OF THE BOARD
RYAN MOORE, COUNTY ADMINISTRATOR
AMANDA ALLEN, CLERK OF THE BOARD
ROBERT TERWILLIGER, ACTING COUNTY ATTORNEY
SARAH McLENITHAN, DEPUTY CLERK OF THE BOARD
FRANK E. THOMAS, BUDGET OFFICER
SUPERVISORS BRAYMER (VIA ZOOM)
GERAGHTY
MAGOWAN
TAMMIE DeLORENZO, ASSISTANT TO THE COUNTY ADMINISTRATOR
DON LEHMAN, DIRECTOR OF PUBLIC AFFAIRS
MOLLY GANOTES-GLEASON, LEGISLATIVE OFFICE SPECIALIST

Please note, the following contains a summarization of the August 23, 2021 meeting of the Criminal Justice Committee; the meeting in its entirety can be viewed on the Warren County website using the following link:
<https://warrencountyny.gov/mma>

Mr. Leggett called the meeting of the Criminal Justice Committee to order at 9:06 a.m.

Motion was made by Ms. Shepler, seconded by Mr. Diamond and carried unanimously to approve the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.

Copies of the District Attorney and Public Defender agendas were distributed to those in attendance; copies of these agendas are on file with the meeting minutes.

The meeting commenced with the review of the District Attorney agenda with the following requests:

- 1) To authorize submission of an application to the NYS Division of Criminal Justice Services for Aid to Prosecution grant funds in an amount to be determined, for a term to commence on April 1, 2022 and terminate March 31, 2023.

Motion was made by Ms. Shepler, seconded by Mr. Driscoll and carried unanimously to approve the request as presented and the necessary resolution was authorized for the September 17th Board Meeting. *A copy of the resolution request form is on file with the minutes.*

- 2) To authorize submission of an application to the NYS Division of Criminal Justice Services for renewal of Crimes Against Revenue Prosecution Grant (DCJS No. CR18445143) funds in an amount to be determined, for a term to commence January 1, 2022 and terminate December 31, 2022.

Motion was made by Mr. Driscoll, seconded by Ms. Shepler and carried unanimously to approve the request as presented and the necessary resolution was authorized for the September 17th Board Meeting. *A copy of the resolution request form is on file with the minutes.*

- 3) To fill the vacant position of 9th Assistant District Attorney, *Annual Salary \$66,563*, due to creation.
- 4) To fill the vacant position of Legal Clerk #6, *Grade 5, Base Annual Salary \$32,237*, due to creation

Motion was made by Ms. Shepler, seconded by Mr. Diamond and carried unanimously to approve the requests as outlined above and refer same to the Personnel, Administration & Higher Education Committee for reporting purposes. *Copies the Notice of Intent to Fill Vacant Position forms are on file with the minutes.*

- 5) To fill the vacant position of 2nd Assistant District Attorney, *Annual Salary \$79,241*, due to resignation.
- 6) To fill the vacant position of 3rd Assistant District Attorney, *Annual Salary \$79,241*, due to promotion.
- 8) To fill the vacant position of 4th Assistant District Attorney, *Annual Salary \$69,891*, due to promotion.
- 9) To fill the vacant position of 5th Assistant District Attorney, *Annual Salary \$69,891*, due to promotion.
- 11) To fill the vacant position of 6th Assistant District Attorney, *Annual Salary \$66,563*, due to promotion.
- 12) To fill the vacant position of 7th Assistant District Attorney, *Annual Salary \$66,563*, due to promotion.
- 13) To fill the vacant position of 8th Assistant District Attorney, *Annual Salary \$66,563*, due to promotion

Motion was made by Mr. Diamond, seconded by Mr. Driscoll and carried unanimously to approve the requests to fill the vacant positions as outlined above and refer same to the Personnel, Administration & Higher Education Committee for reporting purposes. *Copies of the Notice of Intent to Fill Vacant Position forms are on file with the minutes.*

- 7) To amend the Table of Organization and Salary Schedule to increase the Salary of the 4th Assistant District Attorney from \$69,891 to \$85,394 effective September 20, 2021.
- 10) To amend the Table of Organization and Salary Schedule and decrease the Salary of the 5th Assistant District Attorney to \$69,891 effective September 20, 2021.

Motion was made by Ms. Shepler, seconded by Mr. Strough and carried unanimously to amend the Table of Organization and Salary Schedule as outlined above and refer same to the Personnel, Administration & Higher Education Committee. *Copies of the resolution request forms are on file with the minutes.*

- 14) Amending Resolution No. 556 of 2003 to authorize the District Attorney to retain transcribers at amounts not to exceed \$295 per appearance fee and \$5.95 per page fee.

Motion was made by Mr. Driscoll, seconded by Ms. Shepler and carried unanimously to approve the request as presented and the necessary resolution was authorized for the September 17th Board Meeting. *A copy of the resolution request form is on file with the minutes.*

Returning to Items 7 and 10, Ryan Moore, *County Administrator*, noted the request to amend the Table of Organization and Salary Schedule were incorrect. He appraised a change in salary was not required for the 3rd Assistant District Attorney; however, he noted, a salary decrease was required for the 4th Assistant District Attorney and the 5th Assistant District Attorney positions. He indicated the salary for the 4th Assistant District Attorney position needed to be decreased from \$75,570 to \$74,089 and the 5th Assistant District Attorney position was decreasing from \$74,089 to \$69,891.

Motion was made by Mr. Strough, seconded by Ms. Shepler and carried unanimously to rescind the prior authorization to amend the Table of Organization and Salary Schedule pertaining to the salary increases for the 3rd and 5th Assistant District Attorney positions.

A motion was made by Mr. Strough, seconded by Ms. Shepler and carried unanimously to amend the Table of

Organization and Salary Schedule to decrease the salaries of the 4th and 5th Assistant District Attorney positions as outlined above and refer same to the Personnel, Administration & Higher Education Committee. *Copies of the resolution request forms are on file with the meeting minutes.*

There being no further District Attorney business to discuss, review of the Public Defender agenda commenced with the following requests:

- 1) To authorize a grant application and agreement with the NYS Office of Indigent Legal Services to provide funding to develop innovative programs and practices to reduce caseloads and improve the quality of mandated legal representation provided to parents in child welfare proceedings in the amount not to exceed \$500,000.

Motion was made by Mr. Strough, seconded by Ms. Shepler and carried unanimously to approve the request as presented and the necessary resolution was authorized for the September 17th Board Meeting. *A copy of the resolution request form is on file with the minutes.*

- 2) To authorize the Public Defender to enroll with the NYS Office of Indigent Legal Services in a program to distribute federal funding to NYS counties to support enhanced quality improvement measures for representing indigent parents involved in child protective/child welfare proceedings.

Motion was made by Mr. Strough, seconded by Ms. Shepler and carried unanimously to approve the request as presented and the necessary resolution was authorized for the September 17th Board Meeting. *A copy of the resolution request form is on file with the minutes.*

- 3) To amend the contract with NYS Office of Indigent Legal Services for Distribution #8 (C800052), to utilize unspent grant funding for equipment needed for technology changes within criminal defense.

Motion was made by Mr. Strough, seconded by Ms. Shepler and carried unanimously to approve the request as presented and the necessary resolution was authorized for the September 17th Board Meeting. *A copy of the resolution request form is on file with the minutes.*

- 4) To amend the Table of Organization and Salary Schedule to create and fill the new position of Legal Clerk, Grade 5, Base Annual Salary \$32,237, effective October 1, 2021.
- 5) To fill the new position of Legal Clerk, due to creation.

Motion was made by Mr. Strough, seconded by Ms. Shepler and carried unanimously to both requests, as outlined above, and refer same to the Personnel, Administration & Higher Education Committee. *Copies of the resolution request and the Notice of Intent to Fill Vacant Position forms are on file with the minutes.*

- 6) Amending the lease agreement with 333 Glen Street for Suite 102 to include janitorial services at a rate of \$300 per month for the term commencing October 1, 2021 and terminating at the end of the lease agreement.

Motion was made by Mr. Strough, seconded by Ms. Shepler and carried unanimously to approve the request as presented and the necessary resolution was authorized for the September 17th Board Meeting. *A copy of the resolution request form is on file with the minutes.*

- 7) To authorize a new contract with a provider to be determined for internet services at 333 Glen Street, Suite 102 for a term to commence October 1, 2021 and terminate at the end of the lease agreement.
- 8) To authorize a new contract with National Business Equipment & Supply for printer services at 333 Glen Street, Suite 102 for a term to commence October 1, 2021 and terminate at the end of the lease agreement.

Motion was made by Mr. Driscoll, seconded by Ms. Shepler and carried unanimously to approve the requests as presented and the necessary resolutions were authorized for the September 17th Board Meeting. *Copies of the resolution request forms are on file with the minutes.*

- 9) For Brian Pilatzke Esq. to attend the National Association of Criminal Defense Lawyers 2021 Fall Seminar, November 3-6, 2021, in Nashville Tennessee.

Motion was made by Ms. Shepler, seconded by Mr. Driscoll and carried unanimously to approve the request as presented and the necessary resolution was authorized for the September 17th Board Meeting. *A copy of the resolution request form is on file with the minutes. (Note: Subsequent to the meeting it was determined that pursuant to the Travel, Education and Vehicle Use Policy adopted by Resolution No. 146 of 2021, no resolution was required to authorize this travel)*

It was noted that the Assigned Counsel Administrator was not able to attend the meeting and the items included on the Assigned Counsel agenda would be included on the next Finance Committee meeting agenda under the County Administrator's section.

As there was no further business to come before the Criminal Justice Committee, on motion made by Mr. Strough, seconded by Mr. Driscoll and carried unanimously, Mr. Leggett adjourned the meeting at 9:40 a.m.

Respectfully submitted,
Molly Ganotes-Gleason, Legislative Office Specialist