

**WARREN COUNTY BOARD OF SUPERVISORS**

**COMMITTEE: CRIMINAL JUSTICE**

**DATE: April 24, 2008**

**COMMITTEE MEMBERS PRESENT:**

SUPERVISORS TESSIER  
BENTLEY  
O'CONNOR  
STEC  
KENNY  
VANNESS

**OTHERS PRESENT:**

KATE HOGAN, DISTRICT ATTORNEY  
ROBERT IUSI, DIRECTOR, PROBATION  
FREDERICK MONROE, CHAIRMAN  
HAL PAYNE, COMMISSIONER OF ADMINISTRATIVE &  
FISCAL SERVICES  
JOAN SADY, CLERK OF THE BOARD  
KEVIN GERAGHTY, BUDGET OFFICER  
SUPERVISOR CHAMPAGNE  
SUPERVISOR THOMAS  
NICOLE LIVINGSTON, DEPUTY CLERK

**COMMITTEE MEMBER ABSENT:**

SUPERVISOR TAYLOR

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Mr. Tessier called the meeting of the Criminal Justice Committee to order at 9:35 a.m.

Motion was made by Mr. Kenny, seconded by Mr. VanNess, and carried unanimously to approve the minutes from the previous Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Robert Iusi, Director of Probation, who distributed copies of the Probation Department agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Beginning with Item 1, Mr. Iusi apprised he was requesting approval to renew the contract with the New York State Division of Probation and Correctional Alternatives to provide additional targeted services for probationers with mental illness, for a term commencing July 1, 2008 and terminating June 30, 2009 for a total amount not to exceed \$50,000. He noted that there was no cost to the County as the funds were provided through the State grant.

Motion was made by Mr. Stec, seconded by Mr. VanNess and carried unanimously to approve the request as outlined above. A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the next board meeting.

Item 2, Mr. Iusi stated, was a request to renew the contract with the Warren/Washington Association for Mental Health to provide additional targeted services for probationers with mental illness, for a term commencing July 1, 2008 and terminating June 30, 2009 for a total amount not to exceed \$50,000. He added again, that there was no cost to the County as the funds were provided by the State.

Motion was made by Mr. Stec, seconded by Mr. Bentley and carried unanimously to approve the request as outlined above. A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the next board meeting.

Mr. Iusi said Item 3 was a review of the Budget Performance Report through March 31, 2008 and was included in the Agenda. He pointed out that under the Probation Supplies code (A.3140 410), 41% of the budget had been expended which related directly to the drug testing code. He further explained that the number of probationers with drug problems had increased and therefore, he said, an additional amount of drug testing was required. He noted that on-site urine testing for drugs was a very positive tool for the Probation Department.

Mr. VanNess referred to the Probation- Custody Investigation code (A.3140 1581) and questioned why 87% of the budget had been expended already. Mr. Iusi explained that was a revenue code, meaning his Department had received 87% of what had been anticipated under that code, to date.

Hal Payne, Commissioner of Administrative & Fiscal Services, stated that overall it appeared the revenues were way behind what was anticipated. Mr. Iusi explained that his Department did not voucher for them; the Treasurer's Office completed the vouchers, and the quarter had just ended; therefore, he said, the Treasurer's Office would be completing those soon.

Discussion ensued regarding anticipated revenues for the Probation Department.

Mr. Tessier advised that concluded the Probation portion of the meeting and the Committee would recess until Kate Hogan, District Attorney arrived.

The committee recessed from 9:45 a.m. to 9:55 a.m.

Committee reconvened.

Privilege of the floor was extended to Ms. Hogan, who expounded she did not have an Agenda to distribute to the Committee members; however, she said, she had emailed each member the topic of discussion for the meeting.

Ms. Hogan distributed the Budget Performance Report through April 23, 2008 for the Committees review. Mr. Payne referred to the District Attorney- Office Equipment (A.1165 220), Technical Equipment (A.1165 250) and Supplies (A.1165 410) codes and noted the funds seemed to have been nearly expended already and he questioned why that was. Ms. Hogan explained she suspected that the high percentages reflected for funds used was related to the transferring of funds from those codes for Legal/Transcript Fees (A.1165 440), which she was annually underbudgeted for.

Ms. Hogan referred to the emailed item which pertained to the proposed local law entitled "A Local Law Requiring Certain Records to Be Kept by Dealers in Secondhand Articles and Placing Certain Restrictions on the Purchase and Sale or Disposal of Said Secondhand Articles". She advised that she and the County Attorney had spent numerous hours researching and discussing this matter and she believed the local law was in its' final form. She added she had also contacted the Warren County Sheriff, the Chief of the Glens Falls Police Department and the Senior Investigator with the New York State Police, who were all very supportive of this law and were grateful for the prompt response on behalf of the Criminal Justice Committee.

Joan Sady, Clerk of the Board, advised the local law was introduced at the April 18<sup>th</sup> Board of Supervisors meeting and was scheduled for a Public Hearing at the May 16<sup>th</sup> Board of Supervisors meeting at 10:00 a.m. Mr. Kenny asked Mrs. Sady if she had received any objections to the proposed local law and Mrs. Sady replied she had received a letter from a resident of the County; however, she added, he was not objectionable to the law, he just felt it may be a little onerous. Ms. Hogan said the idea behind the law was to protect victims that had been burglarized to retain their stolen items and to also protect the owners of businesses that dealt with secondhand items. She further explained the request was for business owners to obtain a sellers name and address with a photo identification at the time of the transaction.

Mr. Champagne entered the meeting at 10:05 a.m.

Discussion ensued with regard to recent alcohol related incidents among youths in area counties and the proposed legislation to deal with those types of matters. Mr. Payne questioned if there was a felony charge in connection to providing alcohol to minors. Ms. Hogan explained the issue had been in the District Attorney's Legislative Committee for quite some time and currently the statute was phrased, if a minor was supplied with alcohol and there was physical injury as a result of that alcohol, it would be a Class E felony. She noted that the legislation would need to get through the Assembly; however, she said, it had not progressed that far yet.

There being no further business to come before the Criminal Justice Committee, on motion by Mr. Bentley and seconded by Mr. O'Connor, Mr. Tessier adjourned the meeting at 10:10 a.m.

Respectfully submitted,

Nicole Livingston, Deputy Clerk

