

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: CRIMINAL JUSTICE

DATE: JUNE 26, 2008

COMMITTEE MEMBERS PRESENT:

SUPERVISORS BENTLEY
O'CONNOR
STEC
KENNY
VANNESS
TAYLOR

COMMITTEE MEMBER ABSENT:

SUPERVISOR TESSIER

OTHERS PRESENT:

JOHN ADAMS, PROBATION SUPERVISOR
KATE HOGAN, DISTRICT ATTORNEY
JASON M. CARUSONE, FIRST ASSISTANT DISTRICT
ATTORNEY
PAUL DUSEK, COUNTY ATTORNEY
AMY BARTLETT, FIRST ASSISTANT COUNTY ATTORNEY
FREDERICK H. MONROE, CHAIRMAN
HAL PAYNE, COMMISSIONER OF ADMINISTRATIVE &
FISCAL SERVICES
JOAN SADY, CLERK OF THE BOARD
SUPERVISOR GERAGHTY
SUPERVISOR BELDEN
SUPERVISOR STRAINER
NATHAN YORK, SHERIFF
SHANE ROSS, CHIEF DEPUTY
CHARLENE DiRESTA, LEGISLATIVE OFFICE SPECIALIST
SARAH McLENITHAN, LEGISLATIVE OFFICE SPECIALIST

In the absence of the Committee Chairman, Mr. Bentley, the Vice-Chairman called the meeting of the Criminal Justice Committee to order at 9:30 a.m.

Motion was made by Mr. Kenny, seconded by Mr. Taylor , and carried unanimously to approve the minutes from the May 22, 2008 Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to John Adams, Probation Supervisor, who commented that he would be filling in for Robert Iusi, Probation Director, as Mr. Iusi was out of town at the State Council of Probation Administrators Conference. He distributed copies of the Agenda to the Committee members; *a copy of the Agenda is on file with the minutes.*

Mr. Adams apprised that Item One on the Agenda was a Notice of Intent to Fill Vacant Position of part-time Probation Assistant, base salary of \$14,516, Employee No. 11458, vacated due to resignation. Mr. Adams explained that this individual worked with the Juvenile Drug Treatment Court Program. Mr. Adams stated that this position was essential to the Warren County District Attorney's Office. He went on to clarify that Juvenile Treatment Court worked with high risk youths that, without intervention from the program, would be placed out of their homes at a cost to the County of about \$125,000 per year. The Program had been very successful, he noted, and one of the treatment graduates had returned to speak to the participating youths and informed them he was now in the United States Army as a Private First Class with the First Infantry Division on his way to Afghanistan. Mr. Adams said had this individual not entered the program he could have been placed by the Department of Social Services, and continued to make bad choices including the continued use of alcohol and drugs; instead he said he made the choice to become a

productive part of the community and join the men and women overseas to help keep our Country safe.

Mr. VanNess interjected that he firmly believed that both Items One and Two on the Agenda were positions necessary to the Probation Department. Mr. Adams noted Item Two on the Agenda was a request to fill a vacant position of a full-time Probation Officer, base salary of \$38,978, Employee No. 10307, effective July 8, 2008, due to resignation.

Mr. O'Connor commented that past Budget Officers had verbalized the need to have cut backs, as opposed to lay-offs but that 99.9% of the positions that were presented to the Board needed to be refilled, so he questioned when and where expenses should be cut. He also added that he thought that the answer to the question would be very difficult and that he did not have an answer.

Mr. Geraghty responded one solution would be to start doing more with less by having current employees of the County take on more work; thereby creating a smaller workforce. He also noted that he had asked Department Heads to hold the line on equipment purchases, in turn cutting back on expenses. He noted that the realization was that positions such as a Probation Officer, could not be reduced; however, he added; some positions in the County could be cut back if current employees took on more tasks. He indicated that if Department Heads and the Board of Supervisors wanted to cut expenses, then changes would have to be made.

Amy Bartlett, First Assistant County Attorney advised that the part-time Probation Assistant position did save the County money by not having to do placements. She also reiterated that if the position was eliminated the County would be spending a lot more money on youth placements.

Mr. Adams added that the Probation Department had implemented a new software system and had only three administrative support positions in the Department- a receptionist, an account clerk and the Probation Assistant. He remarked that the automation had prevented the need for more administrative support positions.

Messrs. Taylor and Stec entered the meeting at 9:42 a.m.

Mr. Kenny countered that his belief was that from January through July it was very easy to approve departmental requests; however, he added, in August when the County was faced with a twenty-five to thirty percent tax increase, the Committee's outlook would change.

Motion was made by Mr. VanNess, seconded by Mr. Kenny and carried unanimously approving the request to fill the vacant positions of part-time Probation Assistant and full -time Probation Officer, as outlined above and refer same to the Personnel Committee. *Copies of the Notices of Intent to Fill Vacant Position are on file with the minutes.*

Mr. Adams noted that Agenda Item Three pertained to a request to amend Resolution No. 430 of 2007 to extend the Grant from the New York State Division of Probation and Correctional Alternatives, commencing April 1, 2008 and terminating March 31, 2009, for enhanced Probation Supervision services for sex offenders, in an amount not to exceed \$36,400. He added that the State provided up to \$25,400 for supervision of level one and two sex offenders; up to \$6,000 for polygraphing of sex offenders to ensure they were in compliance with conditions of their probation and \$5,000 for return/retaking of offenders in the Warren County community.

Motion was made by Mr. Taylor, seconded by Mr. Kenny and carried unanimously to approve the request to extend the grant from the New York State Division of Probation and Correctional Alternatives, as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the July 18, 2008 Board meeting.*

Continuing on, Mr. Adams explained that Item Four on the Agenda was a request to apply for the DCJS (Division of Criminal Justice Services) Legislative Award Grant in the amount of \$10,000 to be used to maintain the Day Reporting/Drug Court program, commencing from April 1, 2008 and terminating December 31, 2009. He informed the Committee that this grant would be applied to salaries for the felony drug court program.

Motion was made by Mr. Kenny, seconded by Mr. O'Connor and carried unanimously approving the request, to apply for the DCJS Legislative Award Grant, as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the July 18, 2008 Board meeting.*

Mr. Thomas entered the meeting at 9:43 a.m.

The Probation Department portion of the Criminal Justice Committee meeting concluded at 9:44 a.m.

Privilege to the floor was extended to Jason Carusone, First Assistant District Attorney, who distributed the Agenda from the District Attorney's Office to the members of the Committee, *a copy of the Agenda is on file with the minutes*

Mr. Carusone apprised the Committee that Item One on the Agenda pertained to a request to apply to the New York State Department of Criminal Justice Services for the Impact Tools grant funding not to exceed \$60,000. Mr. Carusone explained the breakdown of the grant funds distribution would be as follows: \$15,000 to the Glens Falls Police Department; \$15,000 to the Warren County Sheriff's Department and \$30,000 to the Warren County District Attorney's Office.

Continuing with Item One, Mr. Carusone informed the Committee that Warren County now had more drug enforcement and there had been an increase in drug arrests by all agencies in Warren County and the monies received from the grant would go directly towards drug enforcement. He also advised the Committee that just in looking at the Warren County Sheriff's Office, the number of drug arrests from last year to this year had doubled, which resulted in the Warren County District Attorney's Office assuming an additional caseload. As a result, Mr. Carusone pointed out, one of the other Assistant District Attorney's had started helping him with the drug prosecution cases.

He went on to further explain that in Warren County there had been five Class A-1 or A-2 Felony Drug arrests since the beginning of 2008. As a result, Mr. Carusone noted Warren County may be eligible for additional money through asset seizures. He mentioned an article in *The Post Star* about the Mercedes, Audi's and other types of vehicles that had been seized and may, in turn, help save the County money in other areas.

Motion was made by Mr. VanNess, seconded by Mr. Stec and carried unanimously to authorize the request to apply to the Department of Criminal Justice Services for the Impact Tools grant funding,

as outlined above. A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the July 18, 2008 Board meeting.

Mr. Sheehan entered the meeting at 9:48 a.m.

Continuing on to Item Two of the Agenda, Mr. Carusone requested approval for In-State travel requests, as follows:

- ▶ for Sophie Jensen and Ted Breen to attend the NYPTI (New York State Prosecutor's Training Institute) summer conference from August 11th through August 14th in Syracuse, using a County vehicle;
- ▶ for Kate Speranza to attend the New York Fundraising Summit in New York City on July 1st and 2nd; and
- ▶ for the Assistant District Attorney's to attend the NYPTI summer conference from July 29th through August 14th.

Mr. Carusone noted that the NYPTI was paying for the rooms and additional funds were in the Department budget.

Item Four on the Agenda, Mr. Carusone explained was for requests to enroll in job-related courses, as follows:

- ▶ for Justine Cording, Legal Assistant, to enroll in Spanish 101 (\$562/2=\$281) and Sociology of Law (\$544/2=\$272) at the State University of New York (SUNY) Plattsburgh;
- ▶ for Paulette Hayes, Typist, to enroll in Juvenile Crimes & Delinquency (\$393/2=\$196.50) at Adirondack Community College (ACC); and
- ▶ for Nancy Harrison, Senior Typist, to enroll in Constitutional Criminal Procedure (\$362/2=\$181) at Empire State College.____

Motion was made by Mr. Stec, seconded by Mr. Kenny and carried unanimously to approve the travel requests as well as the requests to enroll in job-related courses. *Copies of the Requests to Attend Meeting or Convention are on file with the minutes. The Request for Approval to Enroll in Job-Related Courses was referred to the Personnel Committee; copies of the request are on file with the minutes.*

Kate Hogan, District Attorney, entered the meeting at 9:50 a.m.

Privilege to the floor was extended to Ms. Hogan who addressed the Committee on Agenda Item Five which was a request to reclassify a position of part-time Word Processing Operator, base salary \$19,769, thirty hours per week to full-time Word Processing Operator, base salary of \$26,358, Employee # 9263. Ms. Hogan referred to the fact that the Sheriff's Office had been making more drug arrests and although the County had limited funds, the support staff in the District Attorney's Office were showing physical signs of stress and her recommendation would be to increase this position from part-time to full-time status.

Ms. Hogan also noted that the increase in salary could be funded for up to one year using Asset Forfeiture Funds. She stated that the differential in salary would be \$2,196 if the change became

effective on August 23, 2008; and she had the funds in her budget for 2008. Next year, Ms. Hogan stated, she would be able to fund the position until August 23, 2009 using Asset Forfeiture Funds, but after that date the funds were no longer available for this purpose.

Mr. Kenny questioned whether another part-time employee could be hired, in turn, eliminating the need to pay benefits for this position. Ms. Hogan responded in the negative, due to spacing issues within her office.

Mr. VanNess intervened that Asset Forfeiture Funds could only be used for certain items that specialized in drug prosecution and drug arrests. He also noted that as the caseload continued to get heavier, he had no problem agreeing that there was a need for this position to be full-time. He also suggested that for next year's budget, this be looked at again to see if the position would still need to be full-time.

Mr. Geraghty stated that it was his feeling that the District Attorney's Office was moving in the right direction, as far as the budget was concerned. He referenced the employee that was taking the Spanish course due to the increase in Spanish speaking defendants, eliminating the County's need to hire an interpreter.

Motion was made by Mr. VanNess, seconded by Mr. Stec and carried unanimously to approve the request to reclassify the Word Processing Operator position from part-time to full-time, due to the increased caseload in the District Attorney's Office, with funding from Asset Forfeiture Funds for the remainder of this year. *The request was referred to the Personnel Committee and a copy of the resolution request form is on file with the minutes.*

Hal Payne, Commissioner of Administrative and Fiscal Services, asked whether fringe benefits could also be paid using the Asset Forfeiture Funds, as the position would now require benefits, as it would be moving from part-time to full-time status. Ms. Hogan replied that she was unsure, but she would look into it.

Ms. Hogan referred to the final Item, which was not on the Agenda, which pertained to a request to accept the lowest bidder for construction of the CARE Center at 24 Dix Avenue, to Hilltop Construction. Ms. Hogan pointed out that this project would not cost the taxpayers of Warren County anything because the money would be coming from the State. She added that she would also like to thank Julie Pacyna, Purchasing Agent, for her assistance in the bid process.

Ms. Hogan apprised that Hilltop Construction Company had come in substantially lower and she said she would like to publicly commend Thomas Albrecht, President of Hilltop Construction Company for volunteering to do some of the demolition and added that it was her feeling that this construction project was a community service project for him.

Amy Bartlett, First Assistant County Attorney noted that a motion to accept the bid from Hilltop Construction, (WC 59-08) in an amount not to exceed \$85,000 was needed. Ms. Hogan added that the funds had to be expended by August 31, 2008 or the County could risk having to return the funds to the State of New York.

Motion was made by Mr. VanNess, seconded by Mr. Stec and carried unanimously to accept the lowest bid from Hilltop Construction Company for construction of the CARE Center on Dix Avenue.

A copy of the resolution request form is on file with the minutes. and the necessary resolution was authorized for the July 18, 2008 Board meeting.

Ms. Hogan noted the final item was a request to amend Resolution No. 292 of 2007 to change the travel dates from May 2008 to July 16-17 2008 authorizing Kate Speranza to attend the Northeast Regional CAC Leadership Exchange and Coaching Conference in Philadelphia, PA.

Motion was made by Mr. VanNess, seconded by Mr. Stec and carried unanimously to amend Resolution No. 292 of 2007 to change the travel dates, as outlined above and the necessary resolution was authorized for the July 18, 2008 Board meeting. *A copy of the resolution request form is on file with the minutes.*

There being no further business to come before the Criminal Justice Committee, on motion by Mr. VanNess and seconded by Mr. Stec, Mr. Bentley adjourned the meeting at 10:05 a.m.

Respectfully submitted,

Sarah McLenithan, Legislative Office Specialist