

**WARREN COUNTY BOARD OF SUPERVISORS**

**COMMITTEE: CRIMINAL JUSTICE**

**DATE: MARCH 4, 2015**

---

---

**COMMITTEE MEMBERS PRESENT:**

SUPERVISORS KENNY  
MONROE  
VANSELOW  
BROCK  
SEEBER  
SIMPSON

**OTHERS PRESENT:**

KATE HOGAN, DISTRICT ATTORNEY  
ROBERT IUSI, DIRECTOR OF PROBATION  
JOHN WAPPETT, PUBLIC DEFENDER  
KEVIN B. GERAGHTY, CHAIRMAN OF THE BOARD  
PAUL DUSEK, COUNTY ADMINISTRATOR  
JOAN SADY, CLERK OF THE BOARD  
FRANK E. THOMAS, BUDGET OFFICER

**COMMITTEE MEMBER ABSENT:**

SUPERVISOR DICKINSON

SUPERVISORS FRASIER  
MCDEVITT  
WOOD  
DON LEHMAN, *THE POST STAR*  
SAMANTHA HOGAN, ASSISTANT SECRETARY TO THE CLERK OF THE BOARD

---

---

In absence of Committee Chairman Dickinson, Supervisor Kenny, as Vice-Chairman, called the meeting of the Criminal Justice Committee to order at 9:21 a.m.

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

Privilege of the floor was extended to Kate Hogan, District Attorney, who distributed copies of her agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Commencing her agenda review, Ms. Hogan advised Kevin Donlon, Second Assistant District Attorney (ADA), had accepted a position with the Office of Court Administration working for the Honorable Kelly McKeighan, Washington County Judge. She explained it was her intention to promote from within to fill the vacancy, as well as any other resulting from promotion, and noted she had already discussed the matter with Paul Dusek, County Administrator, and Gretchen Steffan, County Human Resources Director. Ms. Hogan noted that the employees she intended to promote to the Second and Third ADA positions had a 6-month start date differential; therefore, she said, she felt the salary differentials for the two positions should be adjusted to reflect the minimal difference in the length of their employment with Warren County. Ms. Hogan noted that the salary for the Fourth ADA position would be adjusted, as well. She pointed out that along with the request to fill the Second ADA position, she had included requests to adjust the salaries of the Second, Third and Fourth ADA positions in the agenda packet.

Ms. Hogan presented a request to fill the vacant position of Second Assistant District Attorney, (Base Salary \$81,633.92) due to resignation, and backfill any vacancies resulting from promotion.

Motion was made by Mr. Monroe, seconded by Mr. Simpson and carried unanimously to approve the request to fill the vacant Second District Attorney position and refer same to the Personnel Committee for reporting purposes. *A copy of the Notice of Intent to Fill Vacant Position form is on file with the minutes.*

Ms. Hogan presented a request to amend the Table of Organization and Salary Schedule to decrease the annual salary for the Second Assistant District Attorney position from \$81,633.92 to \$78,477.04 effective March 23, 2015.

Motion was made by Mr. Brock, seconded by Mr. Simpson and carried unanimously to approve the

request and refer same to the Personnel Committee. *A copy of the resolution request form is on file with the minutes.*

Ms. Hogan presented a request to amend the Table of Organization and Salary Schedule to increase the annual salary of Third Assistant District Attorney position from \$70,300.05 to \$77,456.93 effective March 23, 2015.

Motion was made by Mr. Vanselow, seconded by Mr. Monroe and carried unanimously to approve the request and refer same to the Personnel Committee. *A copy of the resolution request form is on file with the minutes.*

Ms. Hogan presented a request to amend the Table of Organization and Salary Schedule to decrease the salary of Fourth Assistant District Attorney position from \$69,279.94 to \$65,279.94 effective March 23, 2015.

Motion was made by Mr. Monroe, seconded by Mr. Vanselow and carried unanimously to approve the request and refer same to the Personnel Committee. *A copy of the resolution request form is on file with the minutes.*

Mr. Brock asked if these were Civil Service positions and Ms. Hogan answered in the negative. She expounded it was both hers and Mr. Dusek's belief these positions should be retained and the salary adjustments should reflect this.

Item 3, Ms. Hogan stated pertained to a request to retain the services of Kevin Donlon, former Second ADA, as an independent consultant for a time frame not to exceed six months. She noted that the costs associated with these services would be fully funded by Asset Forfeiture monies, at incurring cost to the County.

Motion was made by Mr. Simpson, seconded by Mr. Brock and carried unanimously to approve the request as outlined above, and the necessary resolution was authorized for the March 20, 2015 Board Meeting. *A copy of the resolution request form is on file with the minutes.*

Finally, Ms. Hogan apprised that Investigator Litwa had been given a challenging health diagnosis and would be taking a leave of absence. She noted that she had two other investigators working in her Office that had work hour restrictions, and she advised they would cover for Mr. Litwa as much as they are able to while he was out. She stated that she would keep track of their time and would advise the Committee if they were getting close to exceeding their limitations.

This concluded the review of the District Attorney agenda; privilege of the floor was extended to John Wappett, Public Defender, who distributed copies of his agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Commencing his agenda review, Mr. Wappett presented a request to amend the County Budget in the amount of \$44,205.00 to allow the expenditure of the 2014 and 2015 portions of Distribution #4 funding from the New York State Office of Indigent Legal Services.

Motion was made by Mr. Monroe, seconded by Mr. Vanselow and carried unanimously to approve the request as outlined, and refer same to the Finance Committee. *A copy of the resolution request form is on file with the minutes.*

This concluded the review of the Public Defenders agenda; privilege of the floor was extended to Robert Iusi, Director of Probation, who distributed copies of his agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Commencing his agenda review, Mr. Iusi advised that he had no action items to present; rather, he wanted to give an update on Governor Cuomo's 30 Day Amendment to Raise the Age. Mr. Iusi advised at last month's Committee meeting he had mentioned his concerns with the Legislation on the Raise the Age Bill and the expectations of the Probation Department in the redistribution of 16 and 17 years olds. He noted that in the past funding for the Probation Department had not been a priority of the State and he advised the Council of Probation Administrators (COPA) had been on the forefront of this issue for the past 3 to 4 years, stating that they would be in support of the Bill as long as it was 100% funded by New York State. Mr. Iusi said that since the last meeting Governor Cuomo had done a 30-Day Amendment which included verbiage he had included on his agenda under Topics for Discussion. He opined the COPA had been prepared to testify at the Joint Session of the New State Senate and Assembly. Mr. Iusi advised there were concerns from the Governor's Office that the Senate would not support the bill. Therefore, he noted, the Governor's Office reached out to the COPA, to provide assurances that the 30-day Amendment reflected a commitment to provide 100% funding for all expenditures incurred by Probation Departments as the result of the Raise the Age legislation.

Mr. Iusi referred to emails that he had included in the agenda on the matter and he noted a proposed resolution indicating that Warren County would be in support of the bill if the initiative was 100% State funded was attached, as well. Mr. Iusi advised that he was not sure the Bill would be approved by the Senate, but noted that negotiations could change everything.

Mr. Kenny asked if Committee action was necessary on this item and Mr. Iusi answered in the negative, advising this was for informational purposes only. Mr. Dusek pointed out that if the Committee was in agreement with the resolution Mr. Iusi proposed, they would need to take action to approve it for presentation at the March Board Meeting. Mr. Monroe stated he recalled at their last meeting this matter was referred to the Legislative & Rules Committee.

Motion was made by Mr. Monroe, seconded by Mr. Vanselow and carried unanimously to refer the resolution drafted by Mr. Iusi to the Legislative & Rules Committee for consideration.

There being no further business to come before the Criminal Justice Committee, on motion made by Mr. Simpson and seconded by Mr. Brock, Mr. Kenny adjourned the meeting at 9:38 a.m.

Respectfully submitted,  
Samantha Hogan, Assistant Secretary to the Clerk of the Board