

LEGAL COMMITTEE

January 21, 2009

PRESENT:

Douglas McGivney- Chairman
James Keegan
Philip Williams
Lawrence Andrews
Thomas Dias
Reginald Crowley
John Mussall

ABSENT:

Elizabeth Young-Notified
William Hughes, Jr.-Notified

ALSO PRESENT:

Jacquelyn Lydon- Asst. Deputy Clerk
Dan Tuczinski- County Attorney
Arlene Levinson – P.D.
David Harrison Jr.-Sheriff's Office
Michael Benvenuto - Probation
Beth Cozzolino- District Attorney

PRESS: 1

Chairman McGivney called meeting to order at 5:30 pm.

Chairman McGivney discussed the memo that was distributed to all Department Heads and all Supervisors regarding the hiring freeze. Only positions that effect the Health, Safety, and Strategic Decisions of the County will be approved. (ie. if money will be saved or revenue will be made if the position is filled). Vacancies will not be filled for a minimum of 90 days until sales tax and mortgage recording tax can be reviewed and a decision to abolish or continue the hiring freeze will be made.

Chairman McGivney also stated at the next Legal Committee Meeting Department Heads must bring an updated organizational chart of their department.

COUNTY ATTORNEY – D. Tuczinski:

Conference Request: The County Attorneys' Association of the State of New York's Winter Meeting will be held this year on February 9, 2009 in Albany. This Office would like permission to send two attorneys, Robert J. Fitzsimmons, Esq. and Barrett D. Mack, Esq. to this conference. The total cost of conference is \$50.00 per attorney (totaling \$100.00) with each providing his own transportation. Conference Objectives Form is attached hereto. Motion by L. Andrews, seconded by T. Dias. Motion carried.

Motion to move into executive session at 5:45pm by L. Andrews, seconded by J. Keegan, to discuss specific personnel and grievances. Motion to move into regular session at 6:25pm by L. Andrews, seconded by T. Dias. Motion carried.

Resolution Request: Authorization to fill Alternate Conflict Defender position. This position is vacant due to the resignation of the current Alternate Conflict Defender. Motion by T. Dias, seconded by L. Andrews. Motion carried contingent to Budget and Salary Review Committee. Refer to Finance.

Review of Local Law #2: November 19, 2008 Legal Committee authorized the creation of a 2nd Alternate Conflict Defender position. Discussion regarding Public Defender, Conflict Defender, Alternate Conflict Defender, Second Alternate Conflict Defender, the cost, and what court systems they are involved. J. Mussall suggested we implement some sort of contract or guideline regarding time unavailable, number of cases, etc. D. Tuczinski will draft a guideline and report back to committee.

Resolution Request: Authorization to fill the Second Alternate Conflict Defender position which will be created by local Law No. 2-2009. Motion by J. Mussall, seconded by T. Dias. Motion carried contingent to Budget and Salary Review Committee. Refer to Finance.

Chairman McGivney excused himself at 6:25pm due to a prior engagement. Whereas Deputy Chairman J. Keegan took over the meeting.

SHERIFF'S DEPT. – D. Harrison

Resolution Request: Authorization to fill (1) full-time Keyboard Specialist. D. Harrison withdrew Resolution. Will resubmit in 90 days.

Resolution Request: Authorization to fill (1) part-time Civil Clerk. D. Harrison withdrew Resolution. Will resubmit in 90 days.

Conference Request: New York State Sheriff's Association 75th Annual Winter Training Conference on February 22 to February 25, 2009. One person attending, Sheriff David W. Harrison, Jr. With a total cost of \$100.00. Motion by, seconded by. Motion carried.

Conference Request: Administering the Small Jail on March 9 to March 12, 2009. With one person attending, Captain John Davi, no cost to the county. Motion by T. Dias, seconded by J. Mussall. Motion carried.

Resolution Request: Authorization to create and fill one Criminal Investigator position that would be directly assigned to the Department of Social Services for contractual Welfare Fraud investigator services contingent upon the Department of Social Services eliminating at least one position. Motion by T. Dias, seconded by R. Crowley. Motion carried contingent to Budget and Salary Review Committee, eliminating of at least one position at DSS, and a memorandum of understanding is made between D. Harrison and Paul Mossman. Refer to finance.

Resolution Request: Authorization to enter into the maintenance agreement with Project Lifesaver International with no cost to the County except maintenance to the equipment. Motion by T. Dias, seconded by L. Andrews. Motion carried.

Out of County Inmate Report- Revenue for 2008 was \$550,000.

Columbia County Jail was administered an inspection. They passed and did very well.

Calvary Assembly of God is donating Bibles & Glasses for Inmates that request them free of charge.

Civil Enforcement Division- Revenue for 2008 was projected to be \$94,000, but was well exceeded and the total revenue that was collected was \$104,884.

DISTRICT ATTORNEY – B. Cozzolino:

Resolution Request: Authorizing the District Attorney's Office to fill one (1) vacant, budgeted position of confidential secretary. Motion by T. Dias, seconded by J. Mussall. Motion carried contingent to Budget and Salary Review Committee. Refer to finance.

PUBLIC DEFENDER – A. Levinson:

Distribute November and December 2008 monthly reports.

Resolution Request: Authorization to fill law intern. A. Levinson withdrew Resolution. Will resubmit in 90 days.

P. Williams distributed a handout regarding a Consolidation of Justice Courts and explained that there may be a need to create a sub-committee to educate and disseminate to all areas of the county and county wide referendum to all voters.

With no other business a motion to adjourn at 6:58pm, by T. Dias, seconded by J. Mussall. Motion carried.