Call to order
Approval of minutes of February 21, 2019

District Attorney
A. Department Update
B. Bail, Arraignments & Centralized Arraignment Plan & Summary

Probation
A. Department Update

Emergency Management
A. Resolution:
   1. Authorizing Attendance at an Out-Of-State Conference

Sheriff:
A. Resolutions:
   1. Authorizing Chairman to Modify and Extend Agreement with UMR
   2. Authorizing Attendance at Out of State Conference – Baltimore, MD (DSS)
   3. Authorizing Attendance at Out of State Conference – Huntsville, AL (MH)
B. Other Matters:
   1. Bail, Arraignments & Centralized Arraignment Plan

Other Committee Business:
A. Resolutions:
   1. Directing the County Attorney’s Office to Draft Legislation to Amend NYS Corrections Law §500-a
   2. Directing the County Attorney’s Office to Draft Legislation to Amend NYS Uniform Justice Court Act §106
   3. Authorizing the Modification of the 2019 Adopted county Budget
   4. Authorizing the Chairman to Enter into an Extension for an Agreement with NYS Office of Indigent Legal Services for a One-Year Distribution (Grant No. 2)
B. Preferred Agenda

Next Meeting: April 18, 2019 @ 9:00 a.m.

Adjournment
Criminal Justice, Public Safety and 
Emergency Communications Committee

Meeting Minutes
February 21, 2019

PRESENT: Chairman Pete Walrod (9:30 a.m.)
Vice Chairman Roger Bradstreet
Supervisor Dan Degear
Supervisor Loren Corbin

ALSO: County Administrator Mark Scimone
District Attorney William Gabor
Emergency Management Planner Mike Sudol
Sheriff Todd Hood
Undersheriff RJ Lenhart
Probation Director Joanne Miller
Treasurer Cindy Edick
County Attorney Tina Wayland-Smith
First Assistant County Attorney Jeff Aumell
Public Information Officer Samantha Field
Oneida 8th Grade Student Grace Combs

ABSENT: Supervisor Tom Boylan

The meeting was called to order by Vice Chairman Roger Bradstreet at 9:00 a.m. in the Supervisors Large Conference Room.

Minutes:
The minutes of the January 17, 2019 meeting were unanimously approved on the motion of Supervisor Loren Corbin and second of Supervisor Dan Degear.

Emergency Management:
Emergency Management Planner Mike Sudol presented the following resolutions to the Committee:

Resolution call on Governor Andrew M. Cuomo and New York State Legislature to address the lack of cellular phone coverage for all New York State residents and visitor
The Committee unanimously approved the resolution on the motion of Bradstreet and second of Degear.

Authorizing Chairman to enter into agreement with Priority Dispatch
The Committee unanimously approved the resolution on the motion of Corbin and second of Degear.

Authorizing Modification of the 2019 adopted County budget (EM Carryover)
The Committee unanimously approved the resolution on the motion of Degear and second of Bradstreet.

Emergency Management Planner Mike Sudol informed the Committee that the Office of Emergency Management was one of seven counties in New York State to achieve accreditation by the State Office of Emergency Management. Sudol also reported that the Fire Training Center construction is on target. Contractors are gathering information for the 911 study. A draft should
be available in April for review. Supervisor Degear expressed concern over Onondaga County 911 being overloaded with inter-county connections. Sudol will make sure that the concern is looked at as the consolidation process is considered.

**District Attorney:**
District Attorney Bill Gabor informed the Committee that Bradley Moses started full-time on February 4th, which is a great benefit to the office. Facilities Director John Regan and King & King Construction held a meeting to discuss space modification for the DA’s Office. A centralized arraignment meeting was held to identify space within the courthouse to hold prisoners overnight without having to expand the jail. Chief Assistant District Attorney Robert Mascari will present at the next meeting on the State Legislation that needs to be passed.

Gabor and Mascari attended a DA’s conference on bail reform discovery and speedy trial, which would affect probation with pre-trial release. The cost to extradite people out on bail or with no bail would be an issue.

**Probation:**
Probation Director Joanne Miller presented the following resolution to the Committee:

*Enter agreement with Medlab, Inc. for Toxicology Screening Services*

The Committee unanimously approved the resolution on the motion of Degear and second of Walrod.

Miller stated that cashless bail would have a significant impact on probation statewide due to staffing and liability.

**Sheriff’s Office:**
Sheriff Todd Hood presented the following resolutions to the Committee:

*Authorizing Modification of the 2019 Budget – Video System Project*

The Committee unanimously approved the resolution on the motion of Degear and second of Bradstreet.

*Authorizing Modification of the 2019 Budget – Handguns*

The Committee unanimously approved the resolution on the motion of Bradstreet and second of Degear.

*Authorizing Chairman to Accept Funds from NYS STOP DWI Foundation*

The Committee unanimously approved the resolution on the motion of Bradstreet and second of Degear.

*Authorizing Chairman to Enter into Revocable Permit for Firing Range*

The Committee unanimously approved the resolution on the motion of Walrod and second of Degear.

*Authorizing Chairman to Enter into Inter-Municipal Agreement for Police Tactical Team Cooperation*

The Committee unanimously approved the resolution on the motion of Degear and second of Corbin.

*Authorizing Chairman to Modify and Extend Agreement with Health Direct Institutional Pharmacy Services*

The Committee unanimously approved the resolution on the motion of Bradstreet and second of Walrod.
Authorizing Chairman to Accept Additional Funds from NYS STOP DWI Foundation – Crackdown
The Committee unanimously approved the resolution on the motion of Degear and second of Corbin.

Authorizing Chairman to Enter into Agreement with Tyler Technologies, Inc.
The Committee unanimously approved the resolution on the motion of Degear and second of Walrod.

Authorizing Chairman to Enter into Subscription with Lexipol, LLC – Correctional
The Committee unanimously approved the resolution on the motion of Degear and second of Bradstreet.

Authorizing Chairman to Enter into Subscription with Lexipol, LLC – Criminal
The Committee unanimously approved the resolution on the motion of Degear and second of Bradstreet.

Authorizing Attendance at Out of State Conference – Utah (Renee Smith)
The Committee unanimously approved the resolution on the motion of Walrod and second of Bradstreet.

Authorizing Attendance at Out of State Conference – Washington DC (DSS)
The Committee unanimously approved the resolution on the motion of Corbin and second of Bradstreet.

Authorizing Attendance at Out of State Conference – Huntsville, AL (V Smith)
The Committee unanimously approved the resolution on the motion of Walrod and second of Degear.

Authorizing Modification of the 2019 adopted County budget (Uniforms)
The Committee unanimously approved the resolution on the motion of Bradstreet and second of Degear.

The Sheriff’s Office is looking at doing away with an Office Assistant position in order to promote a sergeant to midnight shift. Sheriff Hood will let the Committee know if they consider moving forward.

Sheriff Hood is working with IT to coordinate a trial of the Axon Body Cam System. Supervisor Degear stated that we may need an agreement with the Union to proceed. County Administrator Scimone recommended that the Sheriff reach out to Director of Labor Relations Ryan Aylward to discuss further before proceeding with the trial.

Executive Session:
A motion was made by Supervisor Degear to enter into executive session at 10:03 a.m. to discuss collective bargaining negotiations pursuant to article fourteen of the civil service law. Vice Chairman Bradstreet seconded the motion and it was unanimously carried.

A motion was made by Vice Chairman Bradstreet to exit executive session at 10:18 a.m. Supervisor Degear seconded the motion and it was unanimously carried.

Chairman Walrod questioned the use of tablets for inmates. Sheriff Hood stated that no internet access is provided and tablet content is controlled by the jail. Use is recorded and provides documentation that can be used as evidence. Tablets are useful in providing documents that the jail is required to provide, and they also prove to be a good disciplinary tool.
Preferred Agenda:
   The Committee unanimously approved including all resolutions in the Committee’s Preferred Agenda on a motion of Degear and second of Walrod.

Adjournment:
   The Committee adjourned at 10:28 a.m. on the motion of Vice Chairman Bradstreet and second of Chairman Walrod.

Next Meeting Date:
   Thursday, March 21, 2019 at 9:00 a.m.

Respectfully submitted by Tricia Wiley on behalf of Chairman Paul H. Walrod.
MADISON COUNTY

BAIL, ARRAIGNMENTS &
CENTRALIZED ARRAIGNMENT PLAN

Dated: February 22, 2019

INTRODUCTION

While Madison County was not named as a defendant in the Hurrell-Harring litigation, the fact remains that the settlement of that case has had and will continue to have statewide as well as significant Madison County implications. In response to that settlement, and recognizing the change in established law that it has brought about, Madison County has developed a plan to ensure that arraignments when a court is not in session are in the first instance kept to a minimum. As for those off-hours arraignment that do take place, the plan provides for a means to accomplish that arraignment, and ensure necessary representation, in the most efficient manner possible given the size and resources of Madison County.

CENTRALIZED ARRAIGNMENT

The plan anticipates the creation of a centralized arraignment part to be held at the Veterans Memorial Building which is located in the Town of Lenox in Madison County. The Veterans Memorial Building houses the Madison County District Attorney’s Office. The Veterans Memorial Building, as part of scheduled renovations, has the space to both hold defendants pre-arraignment and to arraign them. While the arraignments will be open to the public, the building is otherwise secure. Holding cells presently located in the temporary courthouse on Kenwood Avenue will be repurposed and set up in the basement of the Veterans Memorial Building for pre-arraignment detention.

The Veterans Memorial Building is in the same County complex that includes the Madison County Public Defender and the Madison County Sheriff’s Office – although both of them are in separate buildings. This proximity will allow for ease of access to and participation in centralized arraignments.

The details of the centralize arraignment plan are set forth below.

Practical centralized arraignment is possible first because of Judiciary Law § 212(w) which is the legislation by which a Centralized Arraignment part is allowed. It allows the chief administrator of the Courts to:

Adopt, after consultation with the office of indigent legal services, the appropriate local magistrates association, institutional providers of criminal defense services and other members of the criminal defense bar, local government officials, including the district attorney, and with the approval of the administrative board of the courts, a plan for the establishment, in accordance with paragraph (c) of this subdivision, of off-hours arraignment parts in select local criminal courts of a county to be held in such courts on a rotating basis for the conduct of arraignments and other preliminary proceedings incidental thereto, and for arrest warrant returns in criminal cases, where the use of such parts will facilitate the availability of public defenders or assigned
counsel for defendants in need of legal representation at such proceedings. To the extent practicable, and notwithstanding that any such plan shall designate off-hours arraignment parts in fewer than all of the local criminal courts of a county, each plan authorized by this paragraph shall provide for the periodic assignment of all of the judges and justices of all of the local criminal courts in the affected county to the off-hours arraignment parts designated therein. The chief administrator shall give appropriate public notice of each off-hours arraignment part established hereunder and each judicial assignment made thereto.

Judiciary Law § 212(c) which is referred to in § 212(w), reads simply that the chief administrator is to “establish the hours, terms and parts of court, assign judges and justices to them, and make necessary rules therefor”.

The Madison County plan also anticipates the use of pre-arraignment detention when necessary. At present, this will require special legislation to amend Correction Law § 500-a by adding (as presently numbered) a subsection (2-t) to read as follows:

2-t. The Madison county correctional facility may also be used for the detention of persons under arrest being held for arraignment in any court located in the county of Madison.

THE DECISION TO ARRAIGN OR ISSUE AN APPEARANCE TICKET

Before conducting an arraignment and/or making use of pre-arraignment detention and the centralized arraignment off-hours part, a decision must be made as to whether an appearance ticket can be issued rather than holding a defendant for arraignment. In reaching this determination, it must be remembered that the primary purpose of bail is to ensure the attendance in court of the defendant. Consistent with this purpose, it should be remembered that an arrested person prior to conviction is presumed innocent. Putting these two things together, it is the policy of Madison County that certain criminal offenses are presumed to be appropriate for the issuance of an appearance ticket rather than to detain, arraign, and set bail. That policy is put into effect by the following:

1. In the case of a new arrest, law enforcement should first determine if the arrest is one for which an appearance ticket under Criminal Procedure Law Article 150 can be issued (E Felonies, Misdemeanors and Violations). If so, except in the circumstances listed below, there is a presumption that an appearance ticket is appropriate and it should be issued without the need to contact the DA’s Office, the Court, or the Public Defender;

a. Should the state legislature enact legislation that will allow for the issuance of appearance tickets for D-level and above non-violent felonies, the same procedure outlined above should be employed in those cases, that is, a presumption that an appearance ticket is appropriate;

b. Any appearance ticket issued should be made returnable for the next DA day in that local court if practicable. This will assure that both a prosecutor and public defender will be available for the arraignment. A listing of Madison County Courts and the DA days for the current year appears below after the bail factors.

2. Even if an appearance ticket is permitted under the law, an arraignment must be considered in the following circumstances and on-call prosecutor should be contacted as per the schedule circulated to the Courts and law enforcement in order to discuss the case and arrive at an appropriate recommendation:

a. The case involves domestic violence;

b. The case involves a sexual offense/assault;

c. There is an articulable reason to believe that the defendant is a danger to himself/herself or others;
d. The Defendant has prior bench warrants and/or failures to appear on his/her criminal history;
   i. Please note that there is presently legislation proposed that would limit this consideration to a failure to appear on the pending case for which the person is in detention;

e. The Defendant verbalizes that he/she will not appear as directed;

f. The Defendant is not from and/or does not reside in the Central New York region nor does the Defendant have any significant ties to the area (such as family or long-term presence for employment);

g. Some other extraordinary articulable reason why an arraignment should be done.

3. **For all non-Article 130 non-violent felony offenses for which an appearance ticket cannot be issued**, even though an arraignment must be done, there is a presumption that the recommendation for release will be to Release on Recognizance (ROR) or some type of Pre-Trial Release to Probation Supervision. For these offenses the on-call prosecutor should be contacted as per the schedule circulated to the Courts and law enforcement in order to discuss the case and arrive at an appropriate recommendation;
   a. Note that under our present law, bail cannot be set on a person who has two or more prior felony convictions.

4. **For Article 130 felonies and violent felony offenses**, an arraignment must be done. The on-call prosecutor should be contacted as per the schedule circulated to the Courts and law enforcement in order to discuss the case and arrive at an appropriate recommendation as to release or bail.

5. **Before placing the call to the prosecutor**, law enforcement should have available the following information:
   a. The Defendant’s criminal history;
   b. The Defendant’s pedigree information;
   c. If known, any other information relevant to the bail factors found in Criminal Procedure Law § 510.30(2) (see page 11 below) which is still in effect as of the date of this memorandum.

6. **After speaking with the prosecutor**, proceed as outlined below to have the defendant arraigned as soon as practicable and in the most efficient way.

7. **Please note** that when an arraignment is done, **all appropriate orders of protection** should be requested and immediately served on the defendant at the court appearance.

8. **Conduct the arraignment** and if a representative of the DA’s Office is **not** present, law enforcement should note in the arrest and/or incident report the following information (which must be forwarded to the DA’s Office as soon as possible):
   a. In the case of a felony, the date, time, and place for the preliminary hearing;
   b. The attorney assigned or retained;
   c. The release status including whether bail set, release on recognizance (ROR) granted, or released to pre-trial probation supervision.
ARRAIGNMENT WITH AN ROR OR PRE-TRIAL RELEASE RECOMMENDATION

1. If a court in Madison County is in session that has the authority to do an arraignment, the Court should be contacted by law enforcement and advised that the Defendant is being brought in to be arraigned and that the bail recommendation from the prosecutor was an ROR or pre-trial release;

   a. Unless the Court requests that the Public Defender be contacted, there is no need to involve the Public Defender in the initial arraignment when an ROR or pre-trial release is going to be ordered;

      i. Of course, the Public Defender, 18-B counsel, or private attorneys have the right to appear at any arraignment of which they become aware;

      1. If the Court does request the presence of a Public Defender, then they should be contacted using the procedure set forth below;

   b. As mentioned above, all appropriate orders of protection should be requested and then served on the defendant at arraignment.

2. If a court in Madison County is in not in session that has the authority to do an arraignment, the on-call magistrate should be contacted to see if he/she is available to do an arraignment. The Court should be advised that the Defendant that the bail recommendation from the prosecutor was an ROR or pre-trial release;

   a. The reason for this procedure is that a Defendant who is going to be released without bail should not be detained waiting for a centralized arraignment unless there is no court in session or an on-call magistrate available;

   b. Unless the Court requests that the Public Defender be contacted, there is no need to involve the Public Defender in the initial arraignment when an ROR or pre-trial release is going to be ordered;

      i. As previously mentioned, the Public Defender, 18-B counsel, or private attorneys have the right to appear at any arraignment of which they become aware;

      1. If the Court does request the presence of a Public Defender, then they should be contacted using the procedure set forth below;

   c. As mentioned above, all appropriate orders of protection should be requested and then served on the defendant at arraignment.

3. If a court in Madison County is not in session that has the authority to do an arraignment and an on-call magistrate is not available, then the pre-arraignment detention and centralized arraignment procedure set out below should be employed.
**ARRAIGNMENT WITH A BAIL RECOMMENDATION**

1. **If a court in Madison County is in session that has the authority to do an arraignment**, the Court should be contacted by law enforcement and advised that the Defendant is being brought in to be arraigned and the bail recommendation that was made;

   a. If a Public Defender is not present in Court, then the Public Defender should be contacted using the procedure set forth below;

      i. In addition to the Public Defender, 18-B counsel, or private attorneys have the right to appear at any arraignment of which they become aware;

   b. As mentioned above, all appropriate orders of protection should be requested and then served on the defendant at arraignment.

2. **If a court in Madison County is not in session that has the authority to do an arraignment**, then the pre-arraignment detention and centralized arraignment procedure set out below should be employed;

   a. There is no need to contact the on-call magistrate since the setting of bail is anticipated and pre-arraignment detention is appropriate in such a case.

**ARRAIGNMENT WHERE BAIL CANNOT BE SET**  
(DEFENDANT IS CHARGED WITH A FELONY  
AND HAS TWO OR MORE PRIOR  
FELONY CONVICTIONS)

1. **If a court in Madison County is in session that has the authority to do an arraignment**, the Court should be contacted by law enforcement and advised that the Defendant is being brought in to be arraigned and that bail cannot be set due to the prior felony convictions;

   a. Unless the Public Defender is already in court, the Public Defender should be given the opportunity to appear;

      i. The Public Defender should be contacted using the procedure set forth below and advised of the fact that the Defendant has two prior felony convictions. The Public Defender should then advise as to whether or not they will attend;

      1. In addition to the Public Defender, 18-B counsel, or private attorneys have the right to appear at any arraignment of which they become aware;

   b. As mentioned above, all appropriate orders of protection should be requested and then served on the defendant at arraignment.

2. **If a court in Madison County is not in session that has the authority to do an arraignment**, then the pre-arraignment detention and centralized arraignment procedure set out below should be employed;

   a. There is no need to contact the on-call magistrate since the setting of bail in such a case is not allowed and pre-arraignment detention is appropriate in such a case.
ARREST WARRANT ARRAIGNMENT PROCEDURES

1. Law enforcement should be familiar with the provisions of Criminal Procedure Law §§ 120.80, 120.90, and 210.10 and note the following:

   a. On an arrest warrant out of a local court (city, town, village) there must be an arraignment given the provisions of the Criminal Procedure Law;

      i. If the court that issued the warrant is not available, follow the procedures found in Criminal Procedure Law § 120.90 to bring the defendant before an alternative local court including a centralized arraignment part;

   b. On an arrest warrant out of a superior court (on a sealed indictment) the person arrested must “without unnecessary delay ………. bring the defendant before the superior court”;

      i. Unlike local court arrest warrants, under Criminal Procedure Law § 210.10(3), “If such superior court is not available, the executing police officer may bring the defendant to the local correctional facility of the county in which such superior court sits, to be detained there until not later than the commencement of the next session of such court occurring on the next business day.”

1. If the superior court is not available, there is no need for an arraignment or to contact the Public Defender. Instead, simply bring the defendant to the Madison County Jail.

2. If there is going to be an arraignment, follow the same procedures employed with a warrantless arrest (see above starting at Paragraph (2)).

BENCH WARRANT ARRAIGNMENT PROCEDURES

1. Law enforcement should be familiar with the provisions of Criminal Procedure Law § 530.70 with particular emphasis on subsection (2) and how the procedure relates to Criminal Procedure Law §§ 120.80 and 120.90. The following should be noted:

   a. On a bench warrant out of a local court (city, town, village) there must be an arraignment given the provisions of the Criminal Procedure Law;

      i. If the court that issued the bench warrant is not available, follow the procedures found in Criminal Procedure Law §§ 120.80 and 120.90 to bring the defendant before an alternative local court;

   b. On a bench warrant out of a superior court the arresting law enforcement agency arrested must “without unnecessary delay ………. bring the defendant before the superior court”;

      i. Unlike local court bench warrants, under Criminal Procedure Law § 530.70(2), “If such superior court is not available, the executing police officer may bring the defendant to the local correctional facility of the county in which such superior court sits, to be detained there until not later than the commencement of the next session of such court occurring on the next business day.”

6
1. If the superior court is not available to arraign on a bench warrant, there is no need for an arraignment or to contact the Public Defender. Instead, simply bring the defendant to the Madison County Jail.

2. If there is going to be an arraignment, follow the same procedures employed with a warrantless arrest (see above starting at Paragraph (2)).

CONTACT/COMMUNICATIONS PROCEDURES WHERE AN ARRAIGNMENT IS TO BE HELD

1. During normal business hours and/or when a Court is in session that can do the arraignment:
   a. Contact the court of arraignment (or available court) directly;
      i. Advise the Court as to the release or bail recommendation of the District Attorney’s Office and whether the Public Defender needs to be contacted (which should only be in cases where bail is recommended);
      1. If a Public Defender is needed, the Court will directly contact the Public Defender’s Office;
      ii. Advise the Court as to the name of the defendant, the charges, and the projected time that the defendant can be produced for arraignment;
   b. If the Court cannot be reached for any reason, proceed with the procedures outlined below as though there is no Court in session.

2. When no Court is in session (or cannot be reached) and an ROR or Pre-Trial Release is Recommended:
   a. Contact the on-call magistrate either directly or by contacting the 911 Center as set forth below;
      i. Advise the on-call magistrate as to the ROR or Pre-Trial Release recommendation of the District Attorney’s Office and inquire of the Court whether the Public Defender needs to be contacted;
      ii. Advise the Court as to the name of the defendant, the charges, and the projected time that the defendant can be produced for arraignment;
      iii. Learn from the Court when he/she will be available to do the arraignment;
      iv. If the Court decides that a Public Defender is needed, law enforcement must contact the 911 Center at 315-366-2311 as set forth below;
   b. When an on-call magistrate cannot be reached, then proceed with the Centralized Arraignment procedures outlined below as a last resort.

3. When no Court is in session (or cannot be reached) and when (1) bail is recommended or (2) the Defendant is charged with a new felony and has two prior felony convictions or (3) there is an arrest warrant or bench warrant issued by a local court or the youth part of a superior court:
   a. Use the Centralized Arraignment procedures outline below.
4. **Contacting the 911 Center**

a. When it is necessary for law enforcement to contact the 911 Center, they can be reached at 315-366-2311. When calling, be prepared to:

i. Advise who needs to be contacted such as a prosecutor, an on-call magistrate, the Public Defender, and/or the Madison County Sheriff’s Office (when Centralized Arraignment is to be used);

   1. Please note that a defendant always has a right to have retained counsel appear and should be given an opportunity to contact any attorney so identified by the defendant prior to arraignment. In the event that the private attorney cannot be reached, then the Public Defender should be contacted instead.

   2. Advise the 911 Center as to the name of the defendant, the charges, the projected time that the defendant can be produced for arraignment or dropped off for pre-arraignment detention, and if the on-call magistrate was reached, when he/she said they will be available to do the arraignment;

b. The 911 Center should then make notifications as to appropriate to the prosecutor, on-call magistrate/centralized arraignment judge, Public Defender, and/or Madison County Sheriff’s Office of the arraignment to be held including the name of the defendant, the charges, the court where the arraignment will take place (local court or centralized arraignment), and the projected time that the defendant can be produced for arraignment and/or dropped off for pre-arraignment detention.

   i. The 911 Center will learn from those contact their estimated time of availability at the arraignment location and communicate those estimates to law enforcement.

      1. In a case where no bail can be set by the arraigning court, the Public Defender will inform the 911 Center whether or not they will be appearing for the arraignment.

      2. Please note that a defendant always has a right to have retained counsel appear and law enforcement should have already given the defendant an opportunity to contact any attorney so identified prior to arraignment prior to calling the 911 Center. So, at this point the Public Defender should be contacted instead.

c. In the unlikely event that the Public Defender is needed (a non-ROR, pre-trial arraignment, or two prior felonies with a new felony arrest) and cannot be reached either for local court arraignment or centralized arraignment, law enforcement is to nonetheless bring the Defendant for arraignment;

   i. The attempts to contact the Public Defender should be noted by law enforcement, the Court, and the 911 Center;

      1. The arraignment should proceed and the Court should schedule a further appearance the next day during regular business hours;

         a. The Public Defender should be contacted with the date and time of the appearance the following business day to complete the arraignment.
CENTRALIZED ARRAIGNMENTS

1. Centralized Arraignments in Madison County will take place in the Veterans Memorial Building in the Town of Lenox in an area open to the public.

2. When needed, Centralized Arraignments will take place 365 days a year at 7:30 a.m. and 7:30 p.m. and at such other times as needed personnel are available.

3. There will be a judge assigned for arraignments in the Centralized Arraignment Part. The assignment of judges would be scheduled voluntarily by the Sixth District Administrative Judge or his/her designee in conjunction with the local County Magistrates Association.

4. Custody of defendants under arrest would be delivered to the County Sheriff at the pre-arraignment holding cells at the Veterans Memorial Building for pre-arraignment detention and appearance at the Centralized Arraignment Part.
   
   a. The Madison County Sheriff will have the sole discretion as to whether or not to accept a defendant for pre-arraignment detention;
      
   i. In the event that the Sheriff does not accept a defendant for pre-arraignment detention, then an off-hours arraignment should be done as per the procedures outlined above.

5. Absent extraordinary circumstances, arraignments in the Centralized Arraignment Part would only be for felonies, domestic violence charges where an order of protection needs to be issued, or other offenses requiring an immediate arraignment due to the specific nature of the offense, including arraignments on outstanding warrants, where it is anticipated that a commitment will be issued to remand the defendant to the jail. All other matters anticipate appearance tickets and release.

6. Security at the Centralized Arraignment Part would be provided by the Madison County Sheriff’s Office.

7. The necessary computer and office equipment for the Centralized Arraignment Part will be provided by the Unified Court System.

8. The Unified Court System anticipates a plan to compensate the judges.

9. It is anticipated that the Centralized Arraignment Part would require some court clerk services.

10. Counsel at First Arraignment will be provided by the Public Defender as per their on-call procedures.

11. The District Attorney’s Office, in their discretion, will schedule appropriate office personnel to be present at the Centralized Arraignment Part or advise the 911 Center when they will not be appearing.

12. The Madison County Sheriff must be authorized for pre-arraignment detention by passage of special legislation by the State Legislature under Correction Law § 500-a.

13. All police agencies that request an arraignment in the Centralized Arraignment Part should have followed the procedures outlined above in determining that such an arraignment is necessary and that all needed notifications have been made.
14. All police agencies that request an arraignment in the Centralized Arraignment Part should already understand that transport to the jail is likely and, therefore, there is little additional inconvenience to the police who will simply transport the defendant prior to arraignment, as opposed to after arraignment.

15. If counsel for the defendant is PRESENT at the arraignment, there is no need to prepare and transmit a TV-1 or TV-2 form with accompanying paperwork. (See 22 NYCRR §200.26 (c), (d)).

16. If counsel for the defendant is NOT PRESENT at the arraignment, due to some extraordinary circumstance, within 24 hours (or 48 hours if extraordinary circumstances so require), the judge is responsible for notifying by telephone and faxing the accusatory instrument and supporting documents with the TV-1 (Public Defender assigned or 18-B attorney assigned) or TV-2 (retained attorney) to the defendant's attorney. The Public Defender office or 18-B office must also be notified by telephone and the TV-1 or TV-2 with the accusatory instrument and supporting documents must also be faxed to their respective offices. The TV-1 or TV-2 alone shall also be faxed to the Pre-Trial Release office. (See 22 NYCRR § 200.26 (c), (d)).

17. Additionally, the TV-1 and TV-2 and arraignment paperwork is faxed to the court for which the arraignment was completed, with a subsequent telephone contact to verify receipt. A fax machine will be available in the Centralized Arraignment Part.

18. Whether counsel for the defendant is present or not present, the original arraignment paperwork will subsequently be mailed to the court of original jurisdiction by the judge or his/her clerk as is presently done. A file cabinet containing pre-addressed envelopes for each of the Town and Village Courts in the County, as well as other forms, will be made available at the Centralized Arraignment Part.

19. The Centralized Arraignment Part is responsible for initially ensuring that the Defendant:
   a. Has a copy of the charges against him/her and a plea entered;
   b. Has bail set unless it cannot be set by operation of law;
   c. Assigning counsel if needed;
   d. Scheduling a preliminary hearing in the event that the Defendant is remanded to the custody of the Madison County Sheriff;
   e. Setting a date for the next appearance in local court (preliminary hearing or otherwise) or divesting the matter to County Court if requested by defense counsel present at arraignment.

20. It is anticipated that there will be one ORI number per county for the Centralized Arraignment Part.

21. Temporary Orders of Protection (TOP) shall include a provision in the "99 clause" which states that "this order shall terminate upon the below expiration date or earlier upon the vacating or issuance of another order by a court of competent trial jurisdiction." The Temporary Orders of Protection (TOP) shall be inputted directly, by computer, by using the Web DVS program. If a handwritten Temporary Order of Protection is issued, the same shall immediately be faxed, with the appropriately filled out information (description) sheet, to the Family Protection Registry at 1-800-266-7924.

22. When, as presently in existence, a receiving court subsequently issues a "new" order of protection or vacates the previous order, it shall notify the original issuing court of the same for appropriate action.
Criminal Procedure Law § 510.30(2)

Application for recognizance or bail; rules of law and criteria controlling determination.

(2) To the extent that the issuance of an order of recognizance or bail and the terms thereof are matters of discretion rather than of law, an application is determined on the basis of the following factors and criteria:

(a) With respect to any principal, the court must consider the kind and degree of control or restriction that is necessary to secure his court attendance when required. In determining that matter, the court must, on the basis of available information, consider and take into account:

(i) The principal's character, reputation, habits and mental condition;

(ii) His employment and financial resources; and

(iii) His family ties and the length of his residence if any in the community; and

(iv) His criminal record if any; and

(v) His record of previous adjudication as a juvenile delinquent, as retained pursuant to section 354.2 of the family court act, or, of pending cases where fingerprints are retained pursuant to section 306.1 of such act, or a youthful offender, if any; and

(vi) His previous record if any in responding to court appearances when required or with respect to flight to avoid criminal prosecution; and

(vii) Where the principal is charged with a crime or crimes against a member or members of the same family or household as that term is defined in subdivision one of section 530.11 of this title, the following factors:

(A) any violation by the principal of an order of protection issued by any court for the protection of a member or members of the same family or household as that term is defined in subdivision one of section 530.11 of this title, whether or not such order of protection is currently in effect; and

(B) the principal's history of use or possession of a firearm; and

(viii) If he is a defendant, the weight of the evidence against him in the pending criminal action and any other factor indicating probability or improbability of conviction; or, in the case of an application for bail or recognizance pending appeal, the merit or lack of merit of the appeal; and

(ix) If he is a defendant, the sentence which may be or has been imposed upon conviction.
SUMMARY AS TO WHY ACTION IS NEEDED

1. While Madison County was not named as a defendant in the Hurrell-Harring litigation, the fact remains that the settlement worked out by New York State imposes new mandates on Madison County to ensure the prompt arraignment of defendants charged with a crime for whom an appearance ticket either was not or could not be issued by law enforcement.

2. Chief among the mandates is a need to establish a “Centralized Arraignment Part” in Madison County as contemplated by Judiciary Law § 212(w) to operate off-hours so that defendants charged with crime are not in detention for any significant period of time without the opportunity to appear before a court and have the assistance of counsel.

SUMMARY AS TO ANTICIPATED COSTS

3. There still remains the promise of funding from the state to reimburse for the increased personnel costs for judges and their staff as well as public defenders/assigned counsel. Assuming this remains true, there should be no additional cost to Madison County.

4. It does not appear that there is additional funding to reimburse for the increased costs to law enforcement/corrections staff as well as for the District Attorney’s Office.

5. Centralized Arraignment should actually reduce costs for the patrol functions of law enforcement since the time during which they will be off road keeping defendants in detention awaiting arraignment will be significantly reduced. Thus, there should not be a need to call in additional patrol personnel for overtime so that the agency remains at acceptable staffing levels.

6. Sheriff Hood has committed to using Sheriff’s Office personnel to assist with pre-arraignment detention. The system anticipates the Sheriff retaining full discretionary control over whom will be accepted for pre-arraignment detention and under what circumstances. By controlling the times of day that the Centralized Arraignment Part operates and using it only on an “as needed” basis, the financial impact will be minimum and the plan will be the most cost-effective option available to Madison County.

7. The District Attorney’s Office will develop a plan to appropriately address issues as to bail recommendations and staffing the Centralized Arraignment Part. The goal will be to minimize the financial impact to Madison County.
8. The “Centralized Arraignment Part” will be housed in the Veterans Memorial Building in what was the grand jury room – the room between the entrance to the District Attorney’s Office and the Probation Department.

9. There is no additional capital cost for the construction of the Centralized Arraignment Part since it is under the already anticipated costs for the renovation of the District Attorney’s Office space. When the room is not being used for arraignments, it will be a work room/break room for the District Attorney’s Office. As part of the renovation plan, the need to make it a secure location for the arraignment of defendants is already being addressed within the renovation budget.

10. There will be minor capital costs for the moving of the already existing holding cells from the Kenwood facility to the basement at the Veterans Memorial Building. The addition of a toilet and sink is also anticipated. John Regan’s initial assessment is that the work can be done by Madison County staff.

11. The use of the Veterans Memorial Building will put the pre-arraignment detention and centralized arraignment effectively under the control of Madison County thus minimizing any financial impact to the County.

SUMMARY OF THE CENTRALIZED ARRAIGNMENT PLAN

12. The first and most important step is to appropriately identify the cases in which an appearance ticket should be issued so as to cut down on the need for off-hour arraignments.

13. The second and equally important step is to identify when a recommendation to the court to release on recognizance (ROR) is appropriate so that the appearance of defense counsel arraignment is not needed.

14. Off-hour arraignments can only be kept to an absolute minimum by ensuring that only defendants for whom pre-trial detention is anticipated are held for an appearance before the Centralized Arraignment part.

15. The Plan anticipates the means of securing an arraignment and notifying all necessary parties to appear. Costs will be kept to the minimum by making sure the Centralized Arraignment Part, while available seven days a week, is only activated on an “as needed” basis.

SUMMARY OF ACTIONS LEGISLATIVE ACTION NEEDED

16. The Board of Supervisors’ endorsement of a plan for a Centralized Arraignment Part is needed to move the plan toward implementation so that the County will be in compliance with Hurrell-Harring.

17. The approval of the plan will allow us to work with the Sixth Judicial District to obtain approval of the plan anticipated by Judiciary Law § 212(w).

18. This approval process will have the active participation of the County Administrator, County Attorney’s Office, the District Attorney’s Office, the Public Defender, the Sheriff’s Office, Facilities, and the Madison County Magistrate’s Association.

19. The action of the Board of Supervisors is needed to seek the adoption of amendment to the following two state laws:

   a. Correction Law § 500-a by adding (as presently numbered) a subsection (2-t) to read as follows:
2-t. The Madison County correctional facility may also be used for the detention of persons under arrest being held for arraignment in any court located in the County of Madison.

b. **Uniform Justice Court Act § 106** to add (as presently numbered) a subsection (12) to read as follows:

12. Notwithstanding the provisions of subdivision one of this section, a justice of a local criminal court situated in the County of Madison may preside as the justice of his or her court anywhere in the County of Madison for the limited purposes of arraignments and/or appearance proceedings pursuant to a bench warrant provided such arraignments and/or proceedings are held in a courtroom wherever possible or other suitable facility open to the public and provided further, that any municipality providing such facilities shall have consented to such usage.

20. It is important to remember that the amendments sought will not obligate Madison County to hold arrested defendant’s pre-arraignment – recall that the Sheriff retains discretion as to whom to hold and under what circumstances – instead, the amendments only make it a possibility.
RESOLUTION NO.  E M 1

AUTHORIZING ATTENDANCE AT AN OUT-OF-STATE CONFERENCE
(Emergency Management)

WHEREAS, the National Homeland Security Conference will be held June 17 – 21, 2019 in Phoenix, AZ; and

WHEREAS, direct participation in this conference will provide invaluable information and experience to the Office of Emergency Management; and

WHEREAS, Ted Halpin, Director of Emergency Management Services has requested to attend; and

WHEREAS, his expenses will be funded through appropriations in the 2019 Office of Emergency Management budget; and

WHEREAS, this request has been reviewed and approved by the Criminal Justice, Public Safety and Emergency Communications Committee, and the Government Operations Committee;

NOW, THEREFORE BE IT RESOLVED that Ted Halpin be and hereby is authorized to attend said conference at a cost not to exceed $1,629.

Dated: April 9, 2019

Daniel S. Degear, Chairman
Government Operations Committee
RESOLUTION NO. 501

AUTHORIZING THE CHAIRMAN TO MODIFY AND EXTEND AN AGREEMENT WITH UMR, A UNITED HEALTHCARE COMPANY

WHEREAS, the County and POMCO, Inc. entered into an agreement, for the provision of cutting costs and enhancing the efficiency in administrative and medical processing services for the period March 1, 2017 to February 28, 2018, renewing automatically for successive one (1) year terms unless terminated by either party; which Agreement was authorized by Resolution No. 191-17; and

WHEREAS, POMCO Inc., is now operating under the UMR brand; and

WHEREAS, the parties hereto are desirous of entering into an annual extension; and

WHEREAS, the extension shall continue until December 31, 2019; and

WHEREAS, all of the other terms, conditions and provisions of the Agreement, shall remain unchanged and in full force and effect; and

WHEREAS, this modification and extension has been reviewed and approved by the Criminal Justice, Public Safety and Emergency Communications Committee;

NOW, THEREFORE BE IT RESOLVED that the Chairman of the Board of Supervisors be and is hereby authorized to extend to the agreement with UMR, a United Healthcare Company, as is on file with the Clerk of the Board of Supervisors.

DATED: April 9, 2019

______________________________________________
Paul H. Walrod, Chairman
Criminal Justice, Public Safety and Emergency Communications Committee
RESOLUTION NO. 502

AUTHORIZING ATTENDANCE AT AN OUT-OF-STATE CONFERENCE
(Sheriff)

WHEREAS, NCJTC Conducting Unexplained Child Death Investigations Training will be held July 29 - August 1, 2019, in Baltimore, MD; and

WHEREAS, Michael Fitzgerald, Commissioner of Social Services has requested that Samantha Walker, Caseworker attend this conference; and

WHEREAS, her expenses are fully funded by the Multi-Disciplinary Team Grant received by the Sheriff's Office; and

WHEREAS, this request has been reviewed and approved by the Criminal Justice, Public Safety and Emergency Communications, Health and Human Services and the Government Operations Committee;

NOW, THEREFORE BE IT RESOLVED that Samantha Walker be and hereby is authorized to attend said conference at no expense to the County.

Date: April 9, 2019

Daniel S. Degear, Chairman
Government Operations Committee
REQUEST FOR OUT-OF-STATE CONFERENCE AND TRAVEL FORM

TO BE COMPLETED BY EMPLOYEE: (Please Print)

NAME: Samantha Walker
TITLE: CPS Caseworker
DEPARTMENT: Madison County Department of Social Services
CONFERENCE NAME: Conducting Unexplained Child Death Investigations
LOCATION OF CONFERENCE: Baltimore, MD
TIME AND DATE OF CONFERENCE: July 28 - August 2, 2019 (Includes travel time)
PURPOSE OF CONFERENCE: Training
MODE OF TRAVEL: Air

ESTIMATED COST:

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<tr>
<td>Transportation</td>
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Signature: [Signature]
Date: 3-11-19

Supervisor's Signature: [Signature]
Date: [Date]

TO BE COMPLETED BY DEPARTMENT HEAD:

Budget Code: A311430.540200 (MDT)
Reimbursement Source(s) and Rate(s): MDT 100%
I approve the attendance at the aforementioned conference.

Signature: [Signature]
Date: [Date]

TO BE COMPLETED BY LEGISLATIVE COMMITTEE:

The above employee is approved for attendance at the aforementioned conference.

Signature: [Signature]
Date: [Date]

TO BE COMPLETED BY GOVERNMENT OPERATIONS COMMITTEE:

The above employee is approved for attendance at the aforementioned conference.

Signature: [Signature]
Date: [Date]

TO BE COMPLETED BY THE CLERK TO THE BOARD OF SUPERVISORS:

The above employee is approved for attendance at the aforementioned out of state conference.

Date of Board Meeting: [Date]
Resolution Number: [Number]

Signature: [Signature]
Date: [Date]
ITEMIZATION OF EXPENSES
Conducting Unexplained Child Death Investigations
Baltimore, MD

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<td>Meals:</td>
<td>$71 per day for 6 days = $426.00</td>
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GRAND TOTAL: $1,076.00

ALL EXPENSES COVERED BY CAC/ MDT GRANT.
RESOLUTION NO. 503

AUTHORIZING ATTENDANCE AT AN OUT-OF-STATE CONFERENCE
(Sheriff)

WHEREAS, Trauma-Focused Cognitive Behavioral Therapy Training will be held May 1-3, 2019 in Huntsville, AL; and

WHEREAS, Teisha Cook, Director of Community Mental Health, has requested that Kirin Quonce, Staff Social Worker, attend this conference; and

WHEREAS, her expenses are fully funded by the Multi-Disciplinary Team Grant received by the Sheriff's Office; and

WHEREAS, this request has been reviewed and approved by the Criminal Justice, Public Safety and Emergency Communications, Health and Human Services and the Government Operations Committee;

NOW, THEREFORE BE IT RESOLVED that Kirin Quonce be and hereby is authorized to attend said conference at no expense to the County.

Date: April 9, 2019

Daniel S. Degear, Chairman
Government Operations Committee
REQUEST FOR OUT-OF-STATE CONFERENCE AND TRAVEL FORM

TO BE COMPLETED BY EMPLOYEE:  (Please Print)
NAME: Kirin Quonce, LMSW, CASAC-Advance
TITLE: Staff Social Worker
DEPARTMENT: Madison County Mental Health
CONFERENCE NAME: TF-CBT Training
LOCATION OF CONFERENCE: Huntsville, AL
TIME AND DATE OF CONFERENCE: April 30-May 3, 2019 (includes dates of travel)
PURPOSE OF CONFERENCE: Training
MODE OF TRAVEL: Air

ESTIMATED COST:

<table>
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<th>Item</th>
<th>Cost</th>
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<tbody>
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<td><strong>TOTAL</strong></td>
<td><strong>$1,449.30</strong></td>
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Signature   Date
Supervisor’s Signature   Date

TO BE COMPLETED BY DEPARTMENT HEAD:
Budget Code  A311430.540200 (MDT)
Reimbursement Source(s) and Rate(s)  MDT 100%
I approve the attendance at the aforementioned conference.

Signature   Date

TO BE COMPLETED BY LEGISLATIVE COMMITTEE:
The above employee is approved for attendance at the aforementioned conference.

Signature   Date

TO BE COMPLETED BY GOVERNMENT OPERATIONS COMMITTEE:
The above employee is approved for attendance at the aforementioned conference.

Signature   Date

TO BE COMPLETED BY THE CLERK TO THE BOARD OF SUPERVISORS:
The above employee is approved for attendance at the aforementioned out of state conference.

Date of Board Meeting:
Resolution Number:

Signature   Date
ITEMIZATION OF EXPENSES
TF-CBT Training
Huntsville, AL

Number attending: 1

Registration: $249.00

Lodging: 1 room @ $94 for 3 nights plus tax = $330.30

Airfare/Shuttle/Baggage: = $650.00

Meals: $55 per day for 4 days = $220.00

GRAND TOTAL: $1,449.30

ALL EXPENSES COVERED BY MDT GRANT.
RESOLUTION NO. 0CB 1

DIRECTING THE COUNTY ATTORNEY’S OFFICE TO
DRAFT LEGISLATION TO AMEND NYS CORRECTIONS LAW §500-a

WHEREAS, Madison County is developing a plan for a Centralized Arraignment Part in order to be in compliance with the standards set by the Hurrell-Harring settlement; and

WHEREAS, part of that plan entails allowing for the pre-arraignment detention of persons under arrest at the Madison County Correctional Facility; and

WHEREAS, New York State Corrections Law §500-a is the governing statute regarding the use of jails in New York; and

WHEREAS, in order to be able to enact legislation to alter New York State Corrections Law §500-a, the State Legislature requires a Home Rule request; and

WHEREAS, the County Attorney’s Office is the office most appropriately equipped to address the issue with the legislature; and

NOW, THEREFORE BE IT RESOLVED, the Madison County Board of Supervisors directs the County Attorney’s office to work with the New York State Legislature to draft legislation to amend NYS Corrections Law §500-a; and

BE IT FURTHER RESOLVED, that in so far as the State is willing and able to do so, the proposed legislation should incorporate the following language:

1. The Madison County Correctional Facility may also be used for the detention of persons under arrest being held for arraignment in any court located within the County of Madison.

DATE: April 9, 2019

Paul H. Walrod, Chair
Criminal Justice, Public Safety and
Emergency Communications Committee
RESOLUTION NO. 2019-02

DIRECTING THE COUNTY ATTORNEY’S OFFICE TO
DRAFT LEGISLATION TO AMEND NYS UNIFORM JUSTICE COURT ACT §106

WHEREAS, Madison County is developing a plan for a Centralized Arraignment Part in order to be in compliance with the standards set by the Hurrell-Harring settlement; and

WHEREAS, part of that plan entails allowing for local criminal court justices within the County of Madison to preside as the justice of their court anywhere within in the County of Madison for the purpose of arraignments and/or proceedings on bench warrants; and

WHEREAS, New York State Uniform Justice Court Act §106 outlines the powers granted to local criminal court justices in New York State; and

WHEREAS, in order to be able to enact legislation to alter New York State Uniform Justice Court Act §106, the State Legislature requires a Home Rule request; and

WHEREAS, the County Attorney’s Office is the office most appropriately equipped to address the issue with the legislature; and

NOW, THEREFORE BE IT RESOLVED, the Madison County Board of Supervisors directs the County Attorney’s office to work with the New York State Legislature to draft legislation to amend NYS Uniform Justice Court Act §106; and

BE IT FURTHER RESOLVED, that in so far as the State is willing and able to do so, the proposed legislation should incorporate the following language:

1. Notwithstanding the provisions of subdivision one of this section, a justice of a local criminal court situated in the County of Madison may preside as the justice of his or her court anywhere in the County of Madison for the limited purposes of arraignments and/or appearance proceedings pursuant to a bench warrant, provided that such arraignments and/or proceedings are held in a courtroom wherever possible, or other suitable facility open to the public, and provided further that any municipality providing such facilities shall have consented to such usage.

DATE: April 9, 2019

Paul H. Walrod, Chair
Criminal Justice, Public Safety and Emergency Communications Committee
RESOLUTION NO. OCB3

AUTHORIZING THE MODIFICATION OF THE 2019 ADOPTED COUNTY BUDGET

BE IT RESOLVED that the 2019 Adopted County budget be modified as follows:

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<th>General Fund</th>
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Total $161,020

Dated: April 9, 2019

Paul H. Walrod, Chairman
Criminal Justice, Public Safety and
Emergency Communications Committee

John A. Reinhardt, Chairman
Finance, Ways and Means Committee
RESOLUTION NO. 0484

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN EXTENSION FOR AN AGREEMENT WITH NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES FOR A ONE-YEAR DISTRIBUTION (GRANT No. 2)

WHEREAS, the County of Madison by Resolution 251-12 dated August 14, 2012, entered into an agreement with the New York State Office of Indigent Legal Services for a Three-Year Distribution for 2012-2015; and

WHEREAS, the Madison County Public Defender’s office did not utilize all the funds in this grant in the time given by the New York State Office of Indigent Legal Services; and

WHEREAS, the New York State Office of Indigent Legal Services has agreed to a twelve (12) month extension of this grant so that these funds can be utilized; and

WHEREAS, the amount of funds available are $16,792.94 and are to be used to fund legal defense services and equipment; and

WHEREAS, the County shall be reimbursed only for costs actually incurred in accordance with this Agreement. Payments shall be made in arrears on a quarterly basis and shall be processed upon submission by the County and approval by the NYS Office in Indigent Legal Services of appropriate statements and vouchers; and

WHEREAS, this agreement has been reviewed and approved by the Criminal Justice, Public Safety and Emergency Communications Committee;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into an extension agreement on behalf of the County of Madison with the NYS Office of Indigent Legal Services, in the form as is on file with the Clerk of the Board.

Dated: April 9, 2019

Paul H. Walrod, Chairman
Criminal Justice, Public Safety and Emergency Communications Committee
APPENDIX X

Business Unit: OLS01
Agency Department ID: 1350200
Contract No. C000224

Contract Period: June 1, 2012 – May 31, 2015
Funding amount for period: $113,838.00

This is an AGREEMENT between THE STATE OF NEW YORK, acting by and through the New York State Office of Indigent Legal Services, having its principal office at 80 South Swan Street, Albany, New York (hereinafter referred to as the STATE) and the County of Madison (hereinafter referred to as the County), for further modification of Contract Number C000224.

1. Said Agreement is hereby extended for an additional 12 month period, expiring 5/31/2016, as provided for in the original AGREEMENT.
2. Said Agreement is modified by incorporating the December, 2012 version of the New York State Standard Clauses.
3. Except as modified herein, all other provisions of said AGREEMENT shall remain in full force and effect.

In WITNESS WHEREOF, the parties hereto have executed the AGREEMENT as of the dates appearing under their signatures.

CONTRACTOR SIGNATURE
By: ____________________________________________

__________________________________________
Printed Name

Title: ________________________________

Date: ________________________________

STATE AGENCY SIGNATURE
By: ____________________________________________

William J. Leahy

__________________________________________
Printed Name

Title: Director

Date: ________________________________

State Agency Certification
“In addition to the acceptance of this contract, I also certify that original copies of this signature Page will be attached to all other exact copies of this contract.”

COUNTY MUST NOTARIZE BELOW
STATE OF NEW YORK)

) SS.:

County of ____________________________

On the _____ day of __________________, ________, before me personally appeared __________________, to me known, who being by me duly sworn, did depose and say that he/she resides at ______________________, that he/she is the ____________________ of the ____________________ corporation described herein which executed the foregoing instrument; and that he/she signed his/her name thereto by order of the board of directors of said corporation.

(Notary): ____________________________________________

STATE COMPTROLLER’S SIGNATURE
By: ____________________________________________

Date: ________________________________