



Judiciary & Public Safety Committee

Committee Meeting

60 Central Ave.
Cortland, NY 13045
<http://www.cortland-co.org>

~ Agenda ~

Tuesday, October 18, 2022

8:15 AM

Room 302

WebEx Meeting Information

<https://cortlandny.webex.com/cortlandny/j.php?MTID=m00d62151ccbeed9d950293629c1c3d09>

Tuesday, Oct. 18, 2022 8:15 am | 1 hour 45 minutes | (UTC-04:00) Eastern Time (US & Canada) Meeting number: 2335 041 6201

Password: gDfVReUg398

Join by phone

+1-415-655-0001 US Toll

Access code: 2335 041 6201

CALL TO ORDER

Attendee Name	Present	Absent	Late	Arrived
Committee Member Christopher Newell	☐	☐	☐	
Committee Member Douglas Bentley	☐	☐	☐	
Committee Chair Kelly L. Fairchild-Preston	☐	☐	☐	
Committee Member Cathy Bischoff	☐	☐	☐	
Committee Member Susan Wilson	☐	☐	☐	
Committee Vice Chair Joseph Nauseef	☐	☐	☐	
Committee Member Eugene Waldbauer	☐	☐	☐	

MINUTES

1. Judiciary & Public Safety Committee - Committee Meeting - Sep 13, 2022 9:00 AM

RESOLUTIONS

ON MOTION OF FAIRCHILD-PRESTON

AGENDA ITEM NO. 1

Amend Resolution No. 188-22 for Jail Physician, Physician's Assistant and Registered Nursing Services - Sheriff's Office

WHEREAS, New York State Correction Law § 501 requires the County to appoint a reputable physician duly authorized to practice medicine as the physician to the jail of the County, AND

WHEREAS, Resolution No. 188-22 was approved August 25, 2022, which appointed Marshall M. Trabout, M.D. as the Cortland County Jail Physician to serve at the pleasure of the County Legislature, and authorized an agreement to pay the Jail Physician an additional monthly rate of \$11,109 for services rendered by a Registered Nurse(s) (RN(s)) at the Cortland County Jail from January 1, 2023 through December 31, 2025, AND

WHEREAS, the Physician has requested a higher rate as follows:

“Doctor Trabout, Jail Physician, has just informed the Sheriff’s Office that, due to the increase of RN salaries in our region, he will not be able to sign the contract as it is. He had based the rate at \$35.00 per hour and the current rate is \$45.00 an hour. Based on that the monthly RN rate would need to be

\$15,600.00 for two RN positions.”

, NOW THEREFORE BE IT

RESOLVED, that the current Physician’s contract as approved by Resolution No. 188-22 be amended as follows:

“The County hereby agrees to pay the Physician an additional monthly rate of \$15,600 for services rendered by a RN(s) at the Cortland County Jail. Such RN(s) will be an employee of the physician and will work 80-hours per workweek at Cortland County jail. The Sheriff and the Physician will determine the work schedules for this position, including, but not limited to, scheduling of days off and the RN’s shift assignment. The physician agrees to provide RN(s) who will be acceptable to both him and the Sheriff. This Contract does not provide for compensation for relief coverage during the absence of an RN(s).”

ON MOTION OF HEMPSTEAD, FAIRCHILD-PRESTON

AGENDA ITEM NO. 2

Authorize/Accept Funds from New York State Office of Indigent Legal Services - Distribution 13 - Public Defender's Office

WHEREAS, the New York State Office of Indigent Legal Services has awarded the Cortland County Public Defender's Office \$150,522.00 for the multi-year period from January 1, 2023, to December 31, 2025, payable \$50,174.00 in year 1 (2023), \$50,174.00 in year 2 (2024) and \$50,174.00 in year 3 (2025) to improve the quality of mandated indigent legal representation, AND

WHEREAS, this grant money shall be used to continue to provide salary and fringe benefits funding for Paralegal services within the Public Defender's Office, AND

WHEREAS, as required by the County or NYS Office of Indigent Legal Services, the Public Defender shall collect and report data annually, in statistical and narrative form, to measure this project and shall continuously analyze and evaluate case outcomes to ensure effective use of the funds, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review and approval of the County Attorney or designee, is hereby authorized and directed to sign an agreement with New York State Office of Indigent Legal Services.

ON MOTION OF FAIRCHILD-PRESTON

AGENDA ITEM NO. 3

Resolution in Opposition to New York State's Actions Restricting Second Amendment Rights

WHEREAS, the Second Amendment to the United States Constitution sets forth that the right of the people to keep and bear arms shall not be infringed, AND

WHEREAS, in the wake of the evil, heinous actions against defenseless persons at Tops market in Buffalo, the New York State Legislature seized on that terrible tragedy to rush through 10 new laws that are meant to erode the right of legal gun owners and punish the legal and legitimate businesses in the firearms industry, AND

WHEREAS, shortly thereafter, the Bruen Opinion was handed down from the United States Supreme Court striking down the restrictive nature of laws limiting and pertaining to pistol permits in New York, AND

WHEREAS, on July 1, 2022 Governor Hochul, in response to the Bruen Opinion, signed into law Senate Bill S.51001 (Assembly Bill A.41001) during an Extraordinary Session that essentially gutted the Second Amendment rights of citizens across New York State to carry their concealed firearms in public, AND

WHEREAS, these laws were drafted and passed by the New York State Legislature and signed by the Governor without input or conference with any of the parties who are commissioned with implementing these laws thereby producing laws that are unclear, conflicting, and in some instances, unenforceable, AND

WHEREAS, the new laws restrain and punish law-abiding citizens who wish to exercise their Second Amendment Rights, AND

WHEREAS, the newly enacted Concealed Carry Improvement Act presents procedural roadblocks in the form of privacy violations, subjective standards, financial burdens and overt restrictions on individuals seeking to exercise a fundamental right, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature opposes the ill-advised provisions of the Concealed Carry Act and consider many portions of the new law to be a violation of the US Constitution and contrary to the recent Supreme Court decision, New York State Rifle and Pistol Association Inc. vs. Bruen, AND BE IT FURTHER

RESOLVED, that the Cortland County Legislature is strongly against the new gun control Legislation and the changes made to the concealed carry gun permitting process and therefore calls for its immediate repeal, AND BE IT FURTHER

RESOLVED, that the Cortland County Legislature, with full resolve, does oppose the new concealed carry law's (S.51001/A41001) remaining provisions restricting the locations where a law abiding citizen with a proper concealed carry permit may lawfully carry a concealed weapon as these restrictions are also unconstitutional; and therefore call for its repeal, AND BE IT FURTHER

RESOLVED, that the Cortland County Legislature calls upon other municipalities within the State of New York, the American Civil Liberties Union and the American Center for Law and Justice to challenge this law, AND BE IT FURTHER

RESOLVED, that the Clerk of the Cortland County Legislature is hereby directed to send certified copies of this resolution to the New York State Governor Kathy Hochul, Senate Majority Leader Stewart-Cousins, Assembly Speaker Heastie, State Senator Peter Oberacker, Assemblymember Dr. Anna Kelles and Assemblymember John Lemondes.

DISCUSSION ITEMS

1. Bath Salts Local Law
2. Bail Reform

MONTHLY REPORTS

1. Coroner Monthly Report
2. Probation Monthly Statistics
3. District Attorney Monthly Statistics
4. Assigned Counsel Monthly Report
5. October 2022 Report - DOERC
6. Public Defender Monthly Report September 2022
7. Inmate Total Day Report September 2022

ADJOURNMENT