



Judiciary & Public Safety Committee

Committee Meeting

60 Central Ave.
Cortland, NY 13045
<https://www.cortlandcountyny.gov>

~ Agenda ~

Thursday, December 5, 2024

9:00 AM

Room 302

WebEx Meeting Information

<https://cortlandny.webex.com/cortlandny/j.php?MTID=m98a65ed060b483d444b2999205443b2a>

Thursday, December 5, 2024 9:00 AM | 1 hour | (UTC-05:00) Eastern Time (US & Canada)

Meeting number: 2339 436 2768

Password: SXq3MPqmb33

Join by phone

+1-415-655-0001 US Toll

Access code: 233 943 62768

CALL TO ORDER

Attendee Name	Present	Absent	Late	Arrived
Committee Member Kris Valentine Behnke	☐	☐	☐	
Committee Member Douglas Bentley	☐	☐	☐	
Committee Member Reed Cleland	☐	☐	☐	
Committee Member Mitchel Eccleston	☐	☐	☐	
Committee Member Christopher Newell	☐	☐	☐	
Committee Vice-Chair Eugene Waldbauer	☐	☐	☐	
Committee Chair Sandra Price	☐	☐	☐	

MINUTES

- Judiciary & Public Safety Committee - Committee Meeting - Nov 7, 2024 9:00 AM

RESOLUTIONS

ON MOTION OF PRICE

AGENDA ITEM NO. 1

Appoint Members - Traffic Safety Board

WHEREAS, pursuant to Article 43 §1672 of Vehicle and Traffic Safety Laws, Local Law No. 4 for the Year 1971 of the Cortland County Legislature established a Cortland County Traffic Safety Board; AND

WHEREAS, Local Law No. 3 for the Year 1978 amended Local Law No. 4 for the Year 1971 and established the membership of the Board is appointed by the Cortland County Legislature; NOW THEREFORE BE IT

RESOLVED, that the following members be and hereby are appointed to serve the terms as listed below:

Name	Organization	Address	Term Expiration
Mark Helms	Cortland County Sheriff	54 Greenbush Street	12/31/27

		Cortland, NY 13045	
Robert Pitman	Village of Homer Police Chief	43½ James Street Homer, NY 13077	12/31/27
Melissa Potter	Community Member	60 Central Avenue Cortland, NY 13045	12/31/27
Cheyenne Cute	Cortland City Police Department	25 Court Street, Cortland, NY 13045	12/31/27
Courtney Metcalf	Deputy Director of Emergency Response & Communications	1170 Starr Rd, Cortland, NY 13045	12/31/2027

ON MOTION OF PRICE

AGENDA ITEM NO. 2

Appoint Fire Advisory Board Members

WHEREAS, pursuant to a resolution dated December 18, 1950, which established the Cortland County Fire Advisory Board under the provisions of Article 10, Section 209-K of the General Municipal Law for the purpose, among other things, to develop and maintain programs for fire training and mutual aid in case of fire and other public emergencies in which the fire service would be used; AND

WHEREAS, Article 3, Section 4 of the Cortland County Fire Advisory Board By-Laws state that the term of each member be one year; NOW THEREFORE BE IT

RESOLVED, that the following persons be and hereby are appointed to the Cortland County Fire Advisory Board, to serve without compensation for a term beginning January 1, 2025 and expiring December 31, 2025:

Jason Durney	Cincinnatus FD	5746 Deerpath Lane. Cincinnatus, NY 13040
Richard Allen Sr.	Cortland FD	35 Garfield Street, Cortland, NY 13045
Derek Reynolds	Cortland FD	87 Greenbush Street, Cortland, NY 13045
Wayne Friedman	Cortland FD	2151 Ames Rd., Cortland, NY 13045
Michael Biviano	Cortlandville FD	4361 Meadow Lane Cortland, NY 13045
Kevin Whitney	Cortlandville FD	3689 Delaware Avenue, Cortland, NY 13045
Adam Daley	Cuyler FD	6553 W. Keeney Road, Truxton, NY 13158
Justin Scott	Harford FD	769 Rte. 221, Harford, NY 13784
Mahlon Irish Jr.	Homer FD	32 Center Street, Homer, NY 13077
Michael Niehus	Homer FD	2 Brentwood Drive, Homer, NY 13077
John Ryan Jr.	Homer FD	5449 Mead Road, Homer, NY 13077
Larri Leet	Marathon FD	1171 Salt Road, Marathon, NY 13803
Matthew Mauser	Marathon FD	3177 Krill Road, Marathon, NY 13803
Thomas Heller	McGraw FD	28 W Center Street, McGraw, NY 13101
Andrew Harvey	McGraw FD	3783 Clinton Street Ext., McGraw, NY 13101
Jeff Griswold	Preble FD	6903 Route 281, Preble, NY 13141
Darwin Smith	Truxton FD	3760 State Route 13, Truxton, NY 13158
Timothy McCall	Truxton FD	3699 State Route 13, P.O. Box 13, Truxton, NY 13158
Adam Brown	Virgil FD	1291 Route 392, Cortland, NY 13045
Jereme Stiles	Virgil FD	1336 Route 392, Cortland NY 13045
Ryan McGowan.	Willet FD	649 Route 41, Willet, NY 13863

; AND BE IT FURTHER

RESOLVED, that Chairman of the 2025 Legislature will appoint a Legislative Representative

who shall be a non-voting representative and legislative liaison that shall periodically report activities of the Fire Advisory Board to the Judiciary and Public Safety Committee.

ON MOTION OF PRICE

AGENDA ITEM NO. 3

Amend Resolution No. 131-05/Appoint Members - Criminal Justice Advisory Board

WHEREAS, Resolution No. 131-05 created the Cortland County Criminal Justice Advisory Board; AND

WHEREAS, New York State Executive Law § 261 requires that “every advisory board established for the purposes of this article shall include the following persons or their representatives”, as defined in § 261 of New York State Executive Law:

- a. County court judge, as appointed by the administrative judge for that county; in cities with population of one million or more, a Supreme Court judge, as appointed by the administrative judge for that city;
- b. Police court, district court, town court or village court judge, as appointed by the administrative judge of that county; in cities with a population of one million or more, a criminal court judge, as appointed by the administrative judge for that city;
- c. The district attorney; in cities with a population of one million or more, the district attorney shall be selected by the district attorneys of the five boroughs to represent their joint views;
- d. A representative of each of the agencies providing legal services to those unable to afford counsel in criminal cases, not to exceed two;
- e. County legislator or member of the county board of supervisors or, in cities of one million or more, city councilman who chairs a public safety committee, or the committee best designed to deal with this subject, should such a committee exist;
- f. County director of probation; in cities with a population of one million or more, the commissioner of the department of probation;
- g. Chief administrative officer;
- h. A representative of local police agencies, other than the chief administrative officer, selected by the heads of all such agencies to represent their joint views; in cities with a population of one million or more, the police commissioner;
- i. Representative of a private organization operating within a county who has experience and involvement in alternatives to incarceration programs or pre-trial service programs, as designated by the county executive;
- j. Ex-offender and a crime victim, each designated by the county executive;
- k. County executive;
- l. The director of community services as defined in section 41.03 of the mental hygiene law; and
- m. An individual within a county who provides state certified alcohol and/or substance abuse treatment programs or services.

; AND

WHEREAS, you must have at least eight (8) members from letters a-m; AND

WHEREAS, the Cortland County Criminal Justice Advisory Board Bylaws allow for additional (non-required) members as follows:

- n. An Alternatives to Incarceration staff member;
- o. A representative from Catholic Charities;
- p. The Drug Court Coordinator;
- q. At least two (2) representatives from local police agencies other than the agency represented in Article III, Section 1(h) of these Bylaws;

- r. The individual from the Sheriff's Department who serves as Jail Administrator;
- s. A sociologist/criminologist from one (1) of the local colleges;
- t. A local town or village justice

; AND

WHEREAS, Resolution No. 131-05 needs to be amended to reflect the corrected membership requirements; AND

WHEREAS, the Cortland County Legislature is required by Article III, Section 2 of the Criminal Justice Advisory Board Bylaws to make all appointments to the Board; NOW THEREFORE BE IT

RESOLVED, that Resolution No. 131-05 be and hereby is amended to reflect the membership as outlined above; AND BE IT FURTHER

RESOLVED, that the following individuals are hereby appointed to the Criminal Justice Advisory Board for the duration of their respective terms of office or position, or until they resign from the board:

Name	Capacity	Title
Albro, Nicki	f	Cortland County Probation Director
Campbell, Hon. Julie	a	Cortland County Judge
Cardinale, Michael	d	Assigned Counsel Plan Administrator
Corpora, Rob	k	County Administrator
Gould, James	q	Assistant Zone Commander, NYSP
Helms, Mark	h	Cortland County Sheriff
Jones, Kevin	d	Public Defender
Lynch, Nick	r	Jail Administrator
Mathey, Hon. Mary Beth	t	Cortlandville Town Justice
McDermott, Melissa	o	Director of Community Services, Catholic Charities
Nedza, Julie	p	Drug Court Coordinator
Neufang, Susan	m	Treatment Provider- SRS
Ochs, Scott	s	Criminologist/Academia member
Perfetti, Patrick	c	Cortland County District Attorney
Pitman, Robert	q	Chief of Homer Police
Price, Sandy	e	Chair of Judiciary & Public Safety Committee
Schaap, Patricia	l	Director of Community Services
Shippey, Brianne	n	ATI Officer
Ukleya, Mari	i	Director of Adult Education, OCM BOCES

; AND BE IT FURTHER

RESOLVED, that the County Administrator, or his/her duly designated representative, shall serve as the Chairperson of the Board.

ON MOTION OF PRICE

AGENDA ITEM NO. 4

Setting Rates for Counsel at First Appearance (CAFA) and Related Services in Cortland County Under the Centralized Arraignment Part (CAP) - Assigned Counsel

WHEREAS, Cortland County participates in the Centralized Arraignment Part (CAP), which streamlines the arraignment process by holding scheduled arraignments at designated times to ensure timely legal representation for defendants; AND

WHEREAS, the CAP model provides critical support for compliance with constitutional requirements for Counsel at First Appearance (CAFA); AND

WHEREAS, the Cortland County Legislature has reviewed the compensation structure for attorneys providing services under the CAP to ensure fair and consistent payment for these essential services; NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby adopts the following rate structure for services rendered under the Centralized Arraignment Part (CAP) and related proceedings, effective immediately:

Arraignment Type	Fee
Regular CAP Session (Friday PM, Saturday AM, Saturday PM, Sunday AM, Sunday PM)	\$400 each session
Holiday CAP Session	\$475 each session
On-Call with No Arraignments	\$200 each session
CAP Coverage for Public Defender conflicts (not on call)	\$250
Monday Morning City Court Arraignments (DAT's)	\$300
Parole Recognizance Hearings	\$250

; AND BE IT FURTHER

RESOLVED, that mileage reimbursement for attorneys traveling to the listed proceedings shall be paid at the annual mileage rate set by the Internal Revenue Service (IRS) for the applicable year; AND

RESOLVED, that the rates outlined above apply to attorneys providing representation for arraignments conducted under the Counsel at First Appearance (CAFA) for the CAP for Cortland County; AND BE IT FURTHER

RESOLVED, that all of the rates for Counsel at First Appearance (CAFA) and related services, including mileage reimbursement, shall be paid by the Hurrell-Harring (HH) Grant, which funds these legal services for the County; AND BE IT FURTHER

RESOLVED, that the Clerk of the Legislature shall notify the Assigned Counsel Program Administrator of this rate structure; AND BE IT FURTHER

RESOLVED, that these rates shall remain in effect until amended by the Cortland County Legislature.

ON MOTION OF PRICE

AGENDA ITEM NO. 5

Set Rate for 1027 Hearings - Assigned Counsel

WHEREAS, Cortland County incurs a \$250 fee per Section 1027 Family Court proceedings for the appointment of attorneys, ensuring compliance with the Family Court Act; AND

WHEREAS, this fee is critical to supporting timely and effective legal representation in Family Court matters, which is mandated by state law; AND

WHEREAS, the Cortland County Legislature has reviewed the funding source and payment process for these fees to ensure proper allocation of resources; NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature authorizes the payment of a \$250 fee for services rendered under Section 1027 Family Court proceedings, effective immediately; AND BE IT FURTHER

RESOLVED, that payment for these services shall be made from Account Line A11755.54055 - Professional Services; AND BE IT FURTHER

RESOLVED, that all fees for Section 1027 Family Court proceedings shall be paid in accordance with the approved County budget; AND BE IT FURTHER

RESOLVED, that these provisions shall remain in effect until amended by the Cortland County Legislature.

DISCUSSION ITEMS

MONTHLY REPORTS

1. District Attorney Monthly Report
2. Probation Monthly Report

ADJOURNMENT