

Amending The 2024 Ulster County Budget Related To An Allocation Of Aid To Prosecution Funding From The New York State Division Of Criminal Justice Services, Amending The 2024 Ulster County Personnel Listing – District Attorney

Referred to: The Law Enforcement and Public Safety Committee (Chairwoman Hansut and Legislators Hewitt, Maloney, McCollough and Walls), and The Ways and Means Committee (Chairman Gavaris and Legislators Collins, Hansut, Kovacs, Nolan, and Roberts)

Chairwoman of the Law Enforcement and Public Safety Committee, Gina Hansut, and Deputy Chair Chris Hewitt offer the following:

WHEREAS, this resolution has been submitted at the request of the County Executive on behalf of the Ulster County District Attorney; and

WHEREAS, the County of Ulster and the State of New York had previously entered into an agreement for the Aid to Prosecution Program, in the amount of \$79,380.00 for the purpose of improving the prosecution of repeat violent and serious felony offenders, the term of which expired March 31, 2023; and

WHEREAS, the State of New York has appropriated additional funds to continue such program for an additional twelve months in the amount of \$569,197.00 for the period April 1, 2023 through March 31, 2024; and

WHEREAS, Resolution No. 717 of 2023 authorized the Chair of the Ulster County Legislature to accept funding in the amount of \$569,197.00 from the NYS Division of Criminal Justice Services related to the Aid to Prosecution Program; and

WHEREAS, the New York State Division of Criminal Justice Services has automatically disbursed to Ulster County; and

WHEREAS, the New York State Division of Criminal Justice Services requires that the money continue to offset the cost of prosecutorial services that the County has incurred and will incur during the period of April 1, 2023, through March 31, 2024; and

WHEREAS, the New York State Division of Criminal Justice Services will not require a contract, nor will it be necessary for the Ulster County District Attorney's Office to submit reimbursement vouchers for payment; and

WHEREAS, it is necessary to amend the 2024 Ulster County Budget to authorize the spending of such additional allocation of funding from the New York State Division of Criminal Justice Services; and

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WHEREAS such funding can be used for personnel costs including retention initiatives; equipment, software, and other expenses related to the prosecutorial services; and

WHEREAS, changes in Criminal Procedural Law (CPL) Section 245 established new, accelerated timeframes for the sharing of evidence between the prosecution and defense during the pretrial period; and

WHEREAS, additional changes in Criminal Procedural Law such as CPL 500 510 and 530 (bail reform), Penal Law section 70.40 and 70.45, Youth Part Court and CPLR 63-A (Extreme Risk Protection orders), and CPL 440.47 (Domestic Violence Survivors Justice Act) have placed additional workload responsibilities on employees within the District Attorney's Office; and

WHEREAS, such funding can be used for personnel costs, including retention initiative, and overtime; and

WHEREAS, the District Attorney has requested to use part of the State funding allocation to provide one-time stipends for existing management confidential employees related to the additional workload tied to the above noted changes in CPL; and

WHEREAS, such stipends shall equal \$11,000 for full-time Assistant District Attorneys, \$5,000.00 for part-time Assistant District Attorneys; and

WHEREAS, the District Attorney has requested to use a portion of such funding to offset overtime costs related to CSEA employees employed within the District Attorney's Office; and

WHEREAS, the District Attorney has a vacant full-time Assistant District Attorney position #1165-1070; and

WHEREAS, in order to fill such vacancy with a qualified and experienced Assistant District Attorney, it is necessary to increase the rate of pay for such vacant line, with funding provided through the New York State Aid to Prosecution grant; and

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WHEREAS the District Attorney has a part-time benefited Assistant District Attorney position #1165-1060 and the District Attorney has identified that the Department would benefit from making this position full-time to meet the needs of the department, with funding provided through the New York State Aid to Prosecution grant; now, therefore be it

RESOLVED, that the 2024 County Personnel Listing is hereby amended as follows:

INCREASE

POSITION #	TITLE	AMOUNT
1165-1060 (Change from Part-Time Benefited to Full-Time) *New Amended Salary: \$115,000 Non-Competitive Annual Benefits \$8,797.50 (F/T Salary to Year End Starting 3/1/24- \$95,833.33) (Additional Annual Benefits to Year End Starting 3/1/24 - \$5,583.97)	Assistant District Attorney	*\$72,980.00
1165-1070 * New Amended Salary: \$90,000 Non-Competitive Annual Benefits \$6,885.00 Non-Competitive (F/T Salary to Year End Starting 3/1/24- \$75,000.00) (Additional Annual Benefits to Year End Starting 3/1/24 - \$753.98)	Assistant District Attorney	*\$ 9,856.00
1165-1062 New Amended Salary: \$111,709 Non-Competitive Annual Benefits \$8,578.89 Non-Competitive (F/T Salary to Year End Starting 3/1/24- \$93,452.50) (Additional Annual Benefits to Year End Starting 3/1/24 - \$888.39)	Assistant District Attorney	* 11,613.00 *

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and be it further;

RESOLVED, that the 2024 Ulster County Budget is hereby amended as follows:

	<u>INCREASE</u>	<u>AMOUNT</u>
AA.1165.1031.1300.1300 (App. #)	Regular Pay	\$328,707.50
AA.1165.1031-8010.8010 (App. #)	Social Security	\$28,9718.12
AA.1165.1031- 1410.1410 (App. #)	Overtime	\$60,000.00
AA.1165.1031-4600.4660 (App. #)	Misc. Contractual Expense Other	\$130,243.00
AA.3020.1800.1400-1400 (App. #)	Part Time Pay	\$ 20,000.00
AA.3020.1800.8010-8010 (App. #)	Social Security	\$ 1,275.00
AA.9900.9900 - 3700.9900 (Rev.#),	Appropriated Fund Balance	\$ 569,197.00

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

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Passed Committee: Law Enforcement and Public Safety on _____.

Passed Committee: Ways and Means on _____.

FINANCIAL IMPACT:

\$569,197.00 – ADDITIONAL 2024 APPROPRIATION DOLLARS
(RECEIVED 2023 STATE REVENUE DOLLARS -
DEPOSITED TO FUND BALANCE)

\$569,197.00 – APPROPRIATED FUND BALANCE