



ALBANY COUNTY LEGISLATURE
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SEAN E. WARD
CHAIRMAN

PAUL T. DEVANE
CLERK

NECOLE M. CHAMBERS
FIRST DEPUTY CLERK

**AGENDA
AUDIT AND FINANCE
COMMITTEE**

February 13, 2017

CURRENT BUSINESS:

1. **AMENDING THE 2017 PUBLIC DEFENDER'S BUDGET:
ADMINISTRATIVE ADJUSTMENTS**

DANIEL P. MCCOY
COUNTY EXECUTIVE



SHAWN A. THELEN
COMMISSIONER

COUNTY OF ALBANY
DEPARTMENT OF MANAGEMENT AND BUDGET
112 STATE STREET, SUITE 900
ALBANY, NEW YORK 12207
OFFICE: (518) 447-5525
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M. DAVID REILLY
DEPUTY COMMISSIONER

January 30, 2017

Hon. Sean Ward, Chairman
Albany County Legislature
112 State St., Rm 710
Albany, NY 12207

Dear Chairman Ward:

During last Wednesday's Audit and Finance Committee meeting, we intended to mention an issue with the Chief Assistant Public Defender's salary not coinciding with the hierarchy of the department with respect to the salary of the Assistant Public Defender VI. Therefore we are requesting to move the annualized salary of the Assistant Public Defender VI to \$92,500 and for the Chief Assistant Public Defender to an annualized salary of \$95,000. Attached is the amendment of the already submitted spreadsheet. Any questions or comment, please feel free to call.

Respectfully Yours,

Shawn A. Thelen

CC:

Hon. Frank Commisso, Legislative Majority Leader
Hon. Frank Mauriello, Legislative Minority Leader
Hon. Gary Domalewicz, Chairman, Audit and Finance Committee
Hon. Michael F. Connors, II, County Comptroller
Majority Counsel, Room 700, 112 State Street
Minority Counsel, Room 1360, 112 State Street
Stephen W. Herrick, Public Defender

DANIEL P. MCCOY
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January 11, 2017

Honorable Sean Ward
Chair, Albany County Legislature
112 State Street, Rm. 710
Albany, NY 12207

Dear Chairman Ward:

In order to best serve the citizens of Albany County we seek your approval in restructuring the staffing patterns in the Albany County Public Defender's office. The changes proposed in the attached budget amendment offer a more structured approach to staffing the office, with graduated job titles to differentiate seniority and experience levels among the staff in the office. This will allow the Public Defender to better run his office as well as provide the best defense possible to the clients that the office serves faithfully.

If you have any questions, please feel free to reach out to me, either before, or at the Committee meetings where this will be discussed.

Sincerely,

Shawn Thelen

cc: Frank Commisso, Majority Leader
Frank Mauriello, Minority Leader
Patrick Jeffers, Majority Counsel
Arnis Zilgme, Minority Counsel

**FOR COUNSEL USE
ONLY**

Date Received: 1-11-17
Received by: PTM
Method: Hand: ✓
Courier: _____
Mail: _____

REQUEST FOR LEGISLATIVE ACTION

RLA #2175: Reorganization of Public Defenders Office

DATE: Wednesday, January 11, 2017
DEPARTMENT: Management & Budget
Contact Person: Shawn Thelen, Commissioner
Telephone: 518-447-7108
Dept. Representative Attending
Committee Meeting: Shawn Thelen, Commissioner

PURPOSE OF REQUEST:

Adopting of Local Law _____
Amendment of Prior Legislation _____
Approval/Adoption of Plan/Procedure _____
Bond Approval _____
Budget Amendment (see below) X
Contract Authorization (see below) _____
Environmental Impact _____
Home Rule Request _____
Property Conveyance _____
Other: (State briefly if not listed above) _____

CONCERNING BUDGET AMENDMENTS

STATE THE FOLLOWING:

Increase Account/Line No. Personnel; Personnel Non-Individual
Source of Funds: Albany County
Title Change: Multiple

CONCERNING CONTRACT AUTHORIZATION

STATE THE FOLLOWING:

TYPE OF CONTRACT:

Change Order/Contract Amendment _____
Purchase (Equipment/Supplies) _____
Lease (Equipment/Supplies) _____
Requirements Professional Services _____
Education/Training _____
Grant: _____
 New _____
 Renewal _____
 Submission Deadline Date _____
Settlement of a Claim _____
Release of Liability _____
Other: (State briefly) _____

CONCERNING CONTRACT AUTHORIZATION (Cont'd)

STATE THE FOLLOWING:

Contract Terms/Conditions:

Amount/Raise Schedule/Fee _____

Scope of Services _____

Contract Funding:

Bond Res. No.: _____

Date of Adoption: _____

CONCERNING ALL REQUESTS:

Mandated Program/Service: Yes _____

If Mandated Cite: Authority New York State _____

Anticipated in Current Adopted Budget Yes _____

County Budget Accounts:

Revenue _____

Appropriation _____

Fiscal Impact - Funding: (Dollars or Percentages)

Federal _____

State _____

County _____

Local _____

Term/Length of Funding: 12 Months (3/9/2017 - 12/31/2017) _____

Impact on Pending Litigation No _____

If yes, please explain: _____

Previous Requests for Identical or Similar Action

Resolution/Law Number _____

Date of Adoption _____

Justification: (State briefly why legislative action is requested)

To restructure the Public Defenders office to provide the best possible defense to the clients the office serves.

Back-up Material Submitted: (i.e., application/approval notices from funding source, bid tabulation sheet, civil service approval notice, program announcement, contracts and/or any materials which explain or support the request for legislative action.)

Submitted by: Shawn Thelen _____

Title: Commissioner _____

RESOLUTION NO. 54

**AMENDING THE 2017 PUBLIC DEFENDER'S BUDGET:
ADMINISTRATIVE ADJUSTMENTS**

Introduced: 2/13/17

By Audit and Finance Committee:

WHEREAS, The Albany County Public Defender has requested administrative adjustments to the 2017 budget in order to reflect the changing needs of the office, and

WHEREAS, The Public Defender has requested funding to make positions in the department paid at a rate commensurate with other Public Defenders in the area in order to maintain a highly qualified legal staff, and

WHEREAS, To accomplish this, the Public Defender has requested a budget amendment to appropriate funds for these adjustments, now, therefore be it

RESOLVED, By the Albany County Legislature that the 2017 Public Defender Budget is amended as set forth on the attached spreadsheet affixed hereto, and be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

AI170	12029	001	150129	Assistant Public Defender VI	\$71,154	\$	92,500	Public Defender
AI170	12029	002	150130	Assistant Public Defender VI	\$71,154	\$	92,500	Public Defender
AI170	12023	002	150085	Deputy Public Defender	\$8,150	\$	85,000	Public Defender
AI170	14011	001	150030	Chief Criminal Investigator	\$53,255	\$	69,231	Public Defender
AI170	14011	002	150134	Chief Criminal Investigator	\$53,255	\$	69,231	Public Defender
AI170	14013	001	150031	Criminal Investigator	\$27,924	\$	30,000	Public Defender
AI170	14013	002	150032	Criminal Investigator	\$18,780	\$	44,946	Public Defender
AI170	15020	001	150101	Court Attendant	\$1,147	\$	43,000	Public Defender
AI170	15023	002	150086	Paralegal	\$1,434	\$	43,000	Public Defender
AI170	15025	002	150088	Legal Secretary	\$3,298	\$	40,000	Public Defender
AI170	15025	004	150090	Legal Secretary	\$3,298	\$	40,000	Public Defender
AI170	15025	005	150099	Legal Secretary	\$3,298	\$	40,000	Public Defender
AI170	16022	001	150038	Data Entry Machine Operator	\$3,298	\$	40,000	Public Defender
AI170	16211	001	150107	Clerical Aide	\$1,371	\$	37,500	Public Defender
AI170	16401	003	150048	Confidential Secretary	\$3,752	\$	38,000	Public Defender
AI170	19900			Overtime	\$1,600	\$	9,000	Public Defender
AI170	44039			Conference/Training/Tuition	\$21,200	\$	25,000	Public Defender
AI170	44046			Fees for Service	\$9,700	\$	34,700	Public Defender
AI170	44070			Equipment Repair and Rental		\$		Public Defender
AI170	89010			State Retirement	\$55,525	\$	510,288	Public Defender
AI170	89030			Social Security	\$19,308	\$	208,602	Public Defender
AI170	12019	1	150033	Assistant Public Defender II	\$70,689	\$	-	Public Defender
AI170	12019	3	150045	Assistant Public Defender II	\$47,968	\$	-	Public Defender
AI170	12019	4	150049	Assistant Public Defender II	\$33,750	\$	-	Public Defender
AI170	12021	1	150057	Assistant Public Defender I	\$50,036	\$	-	Public Defender
AI170	12021	2	150058	Assistant Public Defender I	\$33,750	\$	-	Public Defender
AI170	12021	3	150059	Assistant Public Defender I	\$52,020	\$	-	Public Defender
AI170	12021	4	150060	Assistant Public Defender I	\$33,750	\$	-	Public Defender
AI170	12021	5	150061	Assistant Public Defender I	\$33,750	\$	-	Public Defender
AI170	12021	6	150062	Assistant Public Defender I	\$48,836	\$	-	Public Defender
AI170	12021	7	150063	Assistant Public Defender I	\$53,184	\$	-	Public Defender
AI170	12021	8	150064	Assistant Public Defender I	\$53,184	\$	-	Public Defender
AI170	12021	10	150066	Assistant Public Defender I	\$50,967	\$	-	Public Defender
AI170	12021	11	150067	Assistant Public Defender I	\$53,184	\$	-	Public Defender

AI170	12021	12	150068	Assistant Public Defender I		\$50,959	\$	-	Public Defender
AI170	12021	16	150072	Assistant Public Defender I		\$50,959	\$	-	Public Defender
AI170	12021	17	150093	Assistant Public Defender I		\$57,430	\$	-	Public Defender
AI170	12021	18	150094	Assistant Public Defender I		\$53,184	\$	-	Public Defender
AI170	12021	19	150095	Assistant Public Defender I		\$53,183	\$	-	Public Defender
AI170	12021	20	150097	Assistant Public Defender I		\$33,750	\$	-	Public Defender
AI170	12022	2	150074	Assistant Public Defender I FL		\$70,689	\$	-	Public Defender
AI170	12022	3	150075	Assistant Public Defender I FL		\$50,958	\$	-	Public Defender
AI170	12022	4	150076	Assistant Public Defender I FL		\$50,959	\$	-	Public Defender
AI170	12022	5	150077	Assistant Public Defender I FL		\$33,750	\$	-	Public Defender
AI170	12022	9	150081	Assistant Public Defender I FL		\$33,750	\$	-	Public Defender
AI170	12022	10	150082	Assistant Public Defender I FL		\$33,750	\$	-	Public Defender
AI170	12022	11	150083	Assistant Public Defender I FL		\$50,959	\$	-	Public Defender
AI170	12022	12	150102	Assistant Public Defender I FL		\$50,958	\$	-	Public Defender
AI170	19996			Department Reorganization		\$125,000	\$	-	Public Defender
AI1991	89010			Personal Service Savings		\$233,118	\$	216,098	Retirement Stabilization
TOTAL APPROPRIATIONS						\$1,695,128	\$1,695,128		

ACCOUNT NO.	ACCOUNT DESCRIPTION	DECREASE	INCREASE	UNIT COST	DEPARTMENT NAME
	TOTAL ESTIMATED REVENUES	\$0	\$0		
	GRAND TOTALS	\$1,695,128	\$1,695,128		