



Village of Watkins Glen Justice Court

Nicholas J. Dugo, Justice

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TO: The Mayor and Board of Trustees
Village of Watkins Glen

FROM: Nicholas J. Dugo, Village Justice

RE: The Report of the Watkins Glen Village Court for 2009

This is the annual report of the activities of the Watkins Glen Village Court for the year 2009. It summarizes the actions of the Village Court, including those detailed in the monthly reports to the New York State Comptroller which you receive a copy of.

The Village Court was busy in 2009 with the total number of tickets and cases handled, 1,611, up from last year. Total fines, fees, and surcharges collected by the Court were up from the previous year, primarily due to the sharp increases in state surcharges and fess imposed in each case. The amount collected in fines was less. Restitution collected by the Court amounted to \$4,760.22. Additional restitution, primarily for bad checks, was collected through the Village Police Department, with those matters being settled before being brought to Court. The work of the Court primarily reflects the activities of the Watkins Glen Police Department, as well as the other agencies which serve the Village in a very dedicated and professional manner - Schuyler County Sheriff, NYS Police, NYS Park Police, and En Con Police.

Most of the cases handled by the Village Court are Vehicle and Traffic Violations, as well as Penal violations, which are charged within the Village limits. The Court also starts a few cases at arraignment for other Village and Town Courts, as well as the Schuyler County and Family Courts, which are then referred back to those Courts. The Court handles all cases which are brought to it, regardless of the time of day or night, The Acting Village Justice, or a nearby Town or Village Justice, handles those arraignments when I am not available

Some defendants are not able to pay their fines in full at time of sentencing, so they make "partial" payments. That amounts to more bookwork for the Court, but does allow the defendants a reasonable means of payment. Those who do not pay their V&T fines have their licenses suspended (scofflawed). Warrants are issued in penal cases when payments are not made on time or in full by the designated date. The system to pay fines by credit card still has not been received by the Court.

The following are summaries of the Village Court activities for 2009-----

FINANCIAL TRANSACTIONS:

BALANCE ON HAND, checking account, 1/1/09	\$ 1,538.03
Income received in 2009 (fines, fees, bail, restitution, etc.)	<u>+ 166,526.91</u>
TOTAL INCOME	\$ 168,064.94

--forwarded to Village of Watkins Glen for:

	2007	2008	2009
Fines	\$ 86,767.50	\$ 76,666.50	\$ 68,003.50
Fees & S/chg	<u>43,011.00</u>	<u>39,146.00</u>	<u>56,267.00</u>
Totals	\$129,778.50	\$115,812.50	\$ 124,270.50

-Restitution paid	- 124,270.50
-Bail forwarded or returned	- 5,764.37
-Excess fines and fees returned or forwarded	- 32,920.00
-Postage for certified mail	- 406.25
	<u>- 27.48</u>
BALANCE ON HAND, checking account, 12/31/09 (bail, partial restitution, postage)	\$ 4,676.34

The New York State Comptroller's report thru December, 2009, reported that of the total fines, fees, and surcharges collected, the Village of Watkins Glen retained \$52,727, with \$60,933.50 to the State, and \$10,710 to the County (Stop-DWI fines). That includes a total of \$100 collected by AVJ McElligott which is not included above.

VEHICLE AND TRAFFIC CASES:

V&T tickets completed (2008=734)	925	
(including DWI, total of 22 cases= 76 tickets)		
Tickets with fines due	36	
DWI tickets with fines and balances due (9 cases)	35	
Tickets scofflawed and outstanding	71	
Indicted, to County Court (9 DWI cases)	17	
Pending settlement:		
V&T tickets	9	
DWI (9 cases)	38	
"No show", pending scofflaw	33	
TOTAL V&T TICKETS HANDLED (2008=931)		1,164

TOTAL VILLAGE PARKING TICKETS completed by Court	204
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PENAL LAW CASES:

Penal cases completed (2008=128)	103	
Penal cases pending	20	
Penal cases with fines due	22	
Indicted cases, to Schuyler County Court	12	
Cases arraigned for other Courts	3	
TOTAL PENAL CASES HANDLED (2008=163)		160

CIVIL CASES:		
SMALL CLAIMS CASES		
Small Claims cases filed		5
Settled cases	4	
No show/default judgment	1	
CIVIL CASES		
Landlord-Tenant cases filed		16
Pending 2008 cases		1
Land-Tenant cases settled	9	
Dismissed/withdrawn	7	
Dismissed	1	
TOTAL CIVIL CASES HANDLED (2008=28)		22
VILLAGE ORDINANCE CASES:		0
OTHER CASES:		
Parks cases settled	8	
Parks cases-fine due	1	
Navigation cases settled	2	
Navigation cases-fine due	4	
En Con cases settled	8	
TOTAL OTHER CASES HANDLED (2008=12)		<u>23</u>
TOTAL ALL TICKETS AND CASES HANDED (2008=1,504)		1,573
HEARINGS HELD:		
Small Claims hearings	6	
Civil case hearings	12	
Bench trials	3	
TOTAL HEARINGS HELD (2008=27)		21
NEW YORK STATE COURT SCHOOL sessions attended		2
MAGISTRATES VIDEO CONFERENCES attended		1
SCHUYER-CHEMUNG MAGISTRATES meetings attended		4
WEDDINGS conducted		15

The Court uses a recording system via a lap top computer at every session, as required and provided by the Office of Court Administration. Monthly reports are transmitted to the State Comptroller's Office electronically. Monthly checks for fines/fees/surcharges collected are given directly to the Village. The Village Clerk then receives a monthly "bill" for the amount due NYS. Thus, the Village has access to Court revenues almost immediately, rather than waiting for the quarterly distribution from the State.

The Court has received four new filing cabinets, two hand held metal detectors, and a calculator from last year's grant from the Justice Court Assistance Program. Still awaiting is completion of the Court bench from last year's grant of \$7,716 as part of the renovation project the Village will soon (I hope) be undertaking.

January 2010

The assignment of a uniformed police officer when the Court is in regular session for security purposes is greatly appreciated.

Sharon Cross, the Court Clerk, continues to be extremely valuable in assisting the Court with entering court cases on the computer, establishing the weekly Court docket, preparing and transmitting Court reports (including the monthly Comptroller's and DCJS dispositions), monthly cash book reports, and other regular paper/computer work. She has completed entering all of the outstanding (and suspended), pre-computer traffic tickets dating back to 1987. She does an excellent job and I appreciate her work very much.

The Village Clerk's office continues to accept payments of fines and fees, and the Police Department accepts payments for Village Parking Tickets, all of which are transmitted to the Court on a daily basis for disposition. That makes it much easier for defendants to resolve their cases.

The Village Court remains the busiest of the Courts in the County. The ADA assigned to the Court, Josh Navone, is usually in this Court every other week, and more often as required, and does an excellent job representing the people. The Public Defender is in Court at least once a month, and usually more often.

The Acting Village Justice David McElligott responds to the needs of the Court when I am not available, handling arraignments, etc. When he is not available, a neighboring Town of Village Justice substitutes. He keeps separate records and dockets of his activities as Acting Justice.

Sessions of the Watkins Glen Village Court are still held on Saturday mornings in the Village Courtroom. Small claims hearings, landlord-tenant disputes, trials, and other matters are usually heard on Thursdays. Arraignments are held whenever required. All Court sessions are open to the public.

I certainly am pleased with the new windows being installed in the Court room at the very end of December. They will certainly help with the heat loss. I also want to be consulted in any plans the Village may develop for reconstruction of the village building. I have not been asked for any input in the planned renovations thus far. I believe that the Village Justice should have the opportunity to say something regarding arrangements for the Courtroom and related facilities. The Watkins Glen Village Court room is the most magnificent Courtroom in this area and I would certainly not like to lose this magnificent Hall of Justice to some planner's whim of what is the most convenient.

The Court records, dockets, books, etc., are available for your inspection at any time.

Please feel free to contact me if you have any questions.

Sincerely,


Nicholas J. Dugo, Village Justice