

STATE OF NEW YORK
COMMISSION ON JUDICIAL CONDUCT

In the Matter of the Proceeding
Pursuant to Section 44, subdivision 4,
of the Judiciary Law in Relation to

E. TIMOTHY MERCER,

a Justice of the Athens Town Court,
Greene County.

**NOTICE OF FORMAL
WRITTEN COMPLAINT**

NOTICE is hereby given to Respondent, E. Timothy Mercer, a Justice of the Athens Town Court, Greene County, pursuant to Section 44, subdivision 4, of the Judiciary Law, that the State Commission on Judicial Conduct has determined that cause exists to serve upon Respondent the annexed Formal Written Complaint; and that, in accordance with said statute, Respondent is requested within twenty (20) days of the service of the annexed Formal Written Complaint upon him to serve the Commission at its Albany office, Corning Tower, Suite 2301, Albany, New York 12223, with his verified Answer to the specific paragraphs of the Complaint.

Dated: October 13, 2022
New York, New York

ROBERT H. TEMBECKJIAN
Administrator and Counsel
State Commission on Judicial Conduct
61 Broadway, Suite 1200
New York, New York 10006
(646) 386-4800

To: Hon. E. Timothy Mercer
Athens Town Justice
2 First Street, 2nd Floor
Athens, New York 12015

STATE OF NEW YORK
COMMISSION ON JUDICIAL CONDUCT

In the Matter of the Proceeding
Pursuant to Section 44, subdivision 4,
of the Judiciary Law in Relation to

**FORMAL
WRITTEN COMPLAINT**

E. TIMOTHY MERCER,

a Justice of the Athens Town Court,
Greene County.

1. Article VI, Section 22, of the Constitution of the State of New York establishes a Commission on Judicial Conduct (“Commission”), and Section 44, subdivision 4, of the Judiciary Law empowers the Commission to direct that a Formal Written Complaint be drawn and served upon a judge.
2. The Commission has directed that a Formal Written Complaint be drawn and served upon E. Timothy Mercer (“Respondent”), a Justice of the Athens Town Court, Greene County.
3. The factual allegations set forth in Charge I states acts of judicial misconduct by Respondent in violation of the Rules of the Chief Administrator of the Courts Governing Judicial Conduct (“Rules”).
4. Respondent has been a Justice of the Athens Town Court, Greene County, since January 1, 2020. His term expires on December 31, 2023. Respondent is not an attorney.

5. Justices of the Athens Town Court serve part-time. In addition to his judicial position, Respondent is and, at all times pertinent to the allegations herein, was also the proprietor of Mercer Associates, a private contracting company, located at [REDACTED], Town of Athens, Greene County.

6. The Justice Court Assistance Program of the Unified Court System (“JCAP”) provides annual grants to towns and villages for court improvements, including security enhancements, renovations, and furnishings.

CHARGE I

7. From in or about September 2020 to in or about February 2022, in connection with the Town of Athens 2020-21 JCAP application and the receipt of JCAP funds, Respondent:

- A. surreptitiously, and without notification to the pertinent Town officials or his co-judge, directed that a security camera system be added to the application;
- B. awarded the camera-installation contract to his own company, Mercer Associates, contrary to law, notwithstanding his conflict of interest and without notifying the pertinent Town officials of his conflict;
- C. charged the Town, in his capacity as owner of Mercer Associates, \$3,329.99 for the purchase and installation of the security camera

system, which included a \$1,000 installation fee and an otherwise undisclosed markup fee of \$760;

- D. signed a Town of Athens voucher in his capacity as town justice, authorizing payment of an invoice to his own company, Mercer Associates, to be paid from a combination of JCAP funds and court budget funds;
- E. invoked his judicial office in an attempt to persuade the Town to pay the Mercer Associates invoice after being notified that payment was being withheld;
- F. continued to insist that the Town pay the invoice, and charged an added interest fee for nonpayment, even after he acknowledged to his supervising judge that his conduct created at least an appearance of impropriety; and
- G. failed to cooperate with Town officials by refusing to sign for and accept copies of the Town's handbook, procurement policy and ethics code.

Specifications to Charge I

8. In or about September 2020, Respondent, Athens Town Justice Constance Pazin, and Senior Court Clerk Marcia Puorro discussed submitting a 2020-21 JCAP application for grant assistance to the court. They agreed to include

in the application a request for funds to purchase two air conditioners, window blinds, a paper shredder, and a desk chair, and a request for certain reimbursements related to COVID-19 expenses.

9. By letter dated September 21, 2020, Ms. Puorro asked the Athens Town Board to adopt a resolution authorizing the Athens Town Court to apply for a JCAP grant to purchase “2 Air Conditioners, new Window Blinds, a new Shredder, a Desk Chair and Reimbursements from COVID Expenses.” Ms. Puorro copied Respondent and Judge Pazin on the letter. A copy of the letter is annexed as Exhibit A.

10. On or about October 5, 2020, the Athens Town Board adopted a resolution authorizing the Athens Town Court to apply for a JCAP grant to purchase “2 new Air Conditioners; new Window Blinds; a new Shredder, a Desk Chair and Reimbursement from COVID expenses.” A copy of a letter dated October 6, 2020, from Linda M. Stacey, the Athens Town Clerk/Tax Collector, memorializing the adoption of the resolution is annexed as Exhibit B.

11. Between on or about September 21, 2020, and October 7, 2020, Respondent directed Ms. Puorro to add a security camera system onto the court’s 2020-21 JCAP application, notwithstanding that the court had not sought authorization from the Athens Town Board to include that item in its 2020-21 JCAP application and the Town Board had not authorized the court to do so.

12. On or about October 7, 2020, Ms. Puorro submitted the court's 2020-21 JCAP application to the Office of Justice Court Support. The application included, at Respondent's direction, a request for JCAP funds in an amount of \$3,329.99 for "Video Surveillance, alarm systems, etc.", with the comment: "Security Camera System for the hallway as well as Court room and Office. Due to COVID especially, clients have to wait in the hallway as well as the courtroom and there is no Security." A copy of the court's 2020-21 JCAP application is appended as Exhibit C.

13. Respondent did not notify Judge Pazin or Athens Town Supervisor Robert Butler about the addition of the security camera system to the 2020-21 JCAP application.

14. On or about October 7, 2020, Ms. Puorro separately sent a fax to the Office of Justice Court Support containing the JCAP Signature Page, a copy of the Town Board resolution, and supporting documents regarding the items requested. One of the supporting documents is a printout of a listing from the website cctvsecuritypros.com, for a "Model: CSP-4POEMX8-S" security camera system. Respondent handwrote on the document: "2,329.99." Underneath that handwritten figure appears another handwritten notation: "+1,000 – Installation." A copy of the printout from cctvsecuritypros.com is annexed as Exhibit D.

15. On or about November 25, 2020, Kathleen Roberts, an Assistant Court Analyst at the Office of Justice Court Support, sent an email to Ms. Puorro asking for “a new estimate that includes a breakdown of labor and itemized cost of materials as well as the exact location of where each camera will be placed.”

16. On or about December 1, 2020, Ms. Puorro emailed to Ms. Roberts an estimate dated September 2, 2020, from “Mercer Associates,” that had been provided to her by Respondent’s wife. The estimate listed the cost to purchase and install a “CSP-4POEMX8-S” security camera system at the court as \$3,329.99, with an itemization of \$2,329.99 for the cost of the system plus a \$1,000 installation fee. A copy of the estimate is annexed as Exhibit E.

17. On or about January 22, 2021, Ms. Puorro was notified by letter and an enclosed Reconciliation Report that the Athens Town Court had been awarded a 2020-21 JCAP grant in the amount of \$3,089.99 for the purchase of “Video Surveillance, alarm systems, etc.” Copies of the award letter and the Reconciliation Report are annexed as Exhibit F and Exhibit G, respectively. The Athens Town Court’s request for grant funds to purchase all other items was not granted.

18. The award letter stated that funds would be sent on or before April 1, 2021, to the Town of Athens and must be spent within 180 days of receipt. The award letter and Reconciliation Report both stated that, “If the amount you spend

purchasing the item(s) approved on the enclosed JCAP Reconciliation Report is less than the amount awarded, leftover funds are not to be used to offset the cost of another grant item awarded at a set monetary amount,” and the recipient was instructed to contact the Office of Justice Court Support for further direction. The Reconciliation Report also stated that all goods and services purchased with JCAP funds “shall be obtained in accordance with acceptable procurement practices established by the governing municipality including, but not limited to, competitive bidding and procurement policies and procedures.”

19. Respondent awarded the contract for such services to his own company, Mercer Associates, notwithstanding that it constituted a conflict of interest, and without publicly disclosing his interest in Mercer Associates, in writing to the Town of Athens, in violation of Sections 801 and 803 of the General Municipal Law and Sections 19-3 (C) and (G) of the Town of Athens Code of Ethics.

20. On or about June 3, 2021, Respondent purchased a “Model: CSP-4POEMIC8” security camera system from cctvsecuritypros.com for \$1,569.99, which was \$760 less than the cost of the “CSP-4POEMX8-S” model identified in the court’s 2020-21 JCAP application, its supporting documentation, and the Mercer Associates estimate. Documentation of Respondent’s purchase of the “Model: CSP-4POEMIC8” security camera system is annexed as Exhibit H.

21. In or about June or July 2021, Respondent installed the security camera system in and around the Athens Town Court.

22. On or about July 6, 2021, Respondent approved a Town of Athens voucher in the amount of \$3,329.99 to be paid to Mercer Associates for the purchase and installation of a “CSP-4POEMICX8-S” security camera system, by signing his name in the box on the form labeled “Department Approval.” A copy of the voucher with attached invoice from Mercer Associates, both dated July 6, 2021, is annexed as Exhibit I. Notwithstanding that the camera system purchased by Respondent cost \$1,569.99, the voucher and attached invoice both falsely listed the cost of the camera system as \$2,329.99.

23. Because the court’s JCAP grant award did not cover the entire amount Respondent had requested in the voucher, in the box on the form labeled “Fund Appropriation,” \$3,089.99 was requested from the court’s JCAP grant and \$240 was requested from the court’s annual security budget.

24. Instead of contacting the Office of Justice Court Support for further direction or reducing the cost of the security camera system in the voucher and attached invoice by \$760, Respondent knowingly (A) charged the Town \$2,329.99 for the cost of the system and (B) intended to retain the additional undisclosed \$760 savings, notwithstanding that Section 138.2 of the Rules of the Chief

Administrative Judge and Section 849-h (2) of the Judiciary Law prohibits the use of JCAP funds to compensate justices.

25. Between on or about July 6, 2021, and on or about July 15, 2021, Don Pierro, the Athens Town Finance/Budget Officer, reviewed the voucher, noticed that it was seeking payment to Respondent's company, and reported the apparent conflict of interest to Robert Butler, the Athens Town Supervisor. As a result, Mr. Butler halted payment of the voucher and referred the matter to the Town attorney.

26. On or about July 15, 2021, after being notified that the Town was refusing payment of the voucher, Respondent sent an email from [REDACTED]@nycourts.gov, his official court system email account, to Mr. Butler – with copies to Mr. Pierro, Judge Pazin, Ms. Puorro, and his own email address at Mercer Associates ([REDACTED]@mercerplg.com) – in support of his request for payment to his company. The email's signature block identified Respondent as "Town Justice." A copy of the email is annexed as Exhibit J.

27. By email dated July 15, 2021, Mr. Butler advised Respondent that the Town was holding any payment made to Mercer Associates and reviewing whether it had been a violation for Respondent to use his own firm or any firm from which he would benefit financially. A copy of the email is annexed as Exhibit K.

28. On or about July 21, 2021, Respondent sent an email to Supervising Judge David Dellehunt, noting *inter alia* (A) that it had come to his attention that

the Town of Athens was “looking into an ethical issue with me” for having “performed billable labor that was in our approved JCAP application for Mercer Associates, my Company, and (B) that while he did not feel he had violated any town ethics policies, “the look of impropriety is enough . . .” A copy of the email is annexed as Exhibit L.

29. In or about early August 2021, Respondent went to Mr. Pierro’s office, demanded payment of the voucher, and said he would charge interest if the Town continued to refuse payment.

30. On or about August 18, 2021, Respondent submitted another invoice to the Town of Athens, noting an “Overdue Balance” of \$3,329.99 and adding a “finance charge” of \$66.59, for a total of \$3,396.58. A copy of the invoice is annexed as Exhibit M.

31. Between in or about November 2021 and in or about February 2022, Respondent refused to cooperate with a request by Town officials that he accept and sign for copies of the Town of Athens’ handbook, procurement policy and procedures, and ethics code. Respondent did not sign for and accept such materials until after he was questioned about his refusal to do so during his testimony before the Commission on February 7, 2022.

32. On or about December 30, 2021, Respondent submitted an invoice to the Town of Athens, showing a \$0 balance due and indicating that the camera

system had been removed. The invoice also stated “JCAP Terminated. Town to Return all Funds to NY State.” A copy of the invoice is annexed as Exhibit N.

33. The Town of Athens returned the JCAP funds to the Office of Justice Court Support for failure to spend the award money within 180 days of receipt. As a result of the failure to spend the funds awarded for 2020-21, the court was disqualified from requesting a JCAP grant for 2021-22.

34. By reason of the foregoing, Respondent should be disciplined for cause, pursuant to Article VI, Section 22, subdivision (a), of the Constitution and Section 44, subdivision 1, of the Judiciary Law, in that Respondent failed to uphold the integrity and independence of the judiciary by failing to maintain high standards of conduct so that the integrity and independence of the judiciary would be preserved, in violation of Section 100.1 of the Rules; failed to avoid impropriety and the appearance of impropriety, in that he failed to respect and comply with the law and failed to act in a manner that promotes public confidence in the integrity and impartiality of the judiciary, in violation of Section 100.2(A) of the Rules, and lent the prestige of judicial office to advance his own private interest, in violation of Section 100.2(C) of the Rules; failed to perform the duties of judicial office impartially and diligently, in that he failed to have his judicial duties take precedence over all his other activities, in violation of Section 100.3(A) of the Rules, failed to be faithful to the law and maintain professional competence in it, in

violation of Section 100.3(B)(1) of the Rules, and failed to maintain professional competence in judicial administration, in violation of Section 100.3(C)(1) of the Rules; and failed to conduct his extra-judicial activities so as to minimize the risk of conflict with judicial obligations, in that he failed to conduct all of his extra-judicial activities so that they do not cast reasonable doubt on the judge's capacity to act impartially as a judge, detract from the dignity of judicial office or interfere with the proper performance of judicial duties and are not incompatible with judicial office, in violation of Sections 100.4(A)(1), (2), and (3) of the Rules, and failed to refrain from engaging in financial and business dealings that may reasonably be perceived to exploit the judge's judicial position, in violation of 100.4(D)(1)(a) of the Rules.

WHEREFORE, by reason of the foregoing, the Commission should take whatever further action it deems appropriate in accordance with its powers under the Constitution and the Judiciary Law of the State of New York.

Dated: October 13, 2022
New York, New York



ROBERT H. TEMBECKJIAN
Administrator and Counsel
State Commission on Judicial Conduct
61 Broadway, Suite 1200
New York, New York 10006
(646) 386-4800

STATE OF NEW YORK
COMMISSION ON JUDICIAL CONDUCT

In the Matter of the Proceeding
Pursuant to Section 44, subdivision 4,
of the Judiciary Law in Relation to

VERIFICATION

E. TIMOTHY MERCER,

a Justice of the Athens Town Court,
Greene County.

STATE OF NEW YORK)
 : ss.:
COUNTY OF NEW YORK)

ROBERT H. TEMBECKJIAN, being duly sworn, deposes and says:

1. I am the Administrator of the State Commission on Judicial Conduct.
2. I have read the foregoing Formal Written Complaint and, upon information and belief, all matters stated therein are true.
3. The basis for said information and belief is the files and records of the State Commission on Judicial Conduct.



Robert H. Tembeckjian

Sworn to before me this
13th day of October 2022



Notary Public

LATASHA Y. JOHNSON
Notary Public, State of New York
No. 01JO6235579
Qualified in New York County
Commission Expires February 14, 2023

EXHIBIT A

Athens Town Court
PO Box 132, 2 First St., 2nd Fl.
Athens, New York 12015
(518)945-3360 x1 / (518)945-1372

Hon. Constance Pazin
Town Justice

Hon. E. Timothy Mercer
Town Justice

September 21, 2020

Athens Town Board
Supervisor Robert Butler

Re: 2020 JCAP Grant

Dear Mr. Supervisor & All Board Members:

This letter is regarding the 2020 JCAP Grant that the Athens Town Court is applying for.

We will be applying for 2 Air Conditioners, new Window Blinds, a new Shredder, a Desk Chair and Reimbursement from COVID Expenses.

The Town Court is requesting that the Athens Town Board adopt a Resolution to authorize the Athens Town Court to apply for this Grant.

Thank you for your attention to this matter. If you should have any questions, please feel free to contact our office and speak with our Judges.

Sincerely,
Marcia Puorro
Senior Court Clerk

Cc: Hon. Constance Pazin
Hon. E. Timothy Mercer

Robert F. Butler, Jr.
Supervisor
Linda M. Stacey, CMC
Town Clerk
John J. Farrell
Highway Superintendent

TOWN OF ATHENS
2 First Street
Athens, New York 12015
Phone: (518) 945-1052
Fax: (518) 945-2176

COUNCIL MEMBERS
Mary H. Brandow
Anthony Paluch
Michael Ragaini
Shannon Spinner

Donald A. Pierro
Bookkeeper

N. Y. S. Unified Court System
Office of Court Administration

October 6, 2020

RE: 2020 JCAP Grant

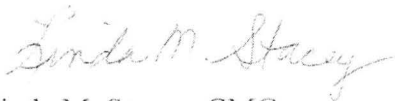
Dears Sirs:

The Athens Town Board Held their regular meeting October 5, 2020, with the following members in attendance: Deputy Supervisor Michael Ragaini; Councilwoman Mary H. Brandow; Councilman Anthony Paluch and Councilwoman Shannon Spinner. (Supervisor Robert F. Butler, Jr. was absent.) This represents the entire Town Board.

On the motion of Councilman Anthony Paluch seconded by Councilwoman Mary H. Brandow the following RESOLUTION #2020-34 authoring the Town Court to apply for a 2020 JCAP Grant from the Office of Court Administration, to purchase 2 new Air Conditioners; new Window Blinds; a new Shredder, a Desk Chair and Reimbursement from COVID expenses, was adopted.

Those voting Aye-4 Councilwoman Brandow	Noes-0
Councilman Ragaini	Absent-1 Supervisor Butler
Councilman Paluch	
Councilwoman Spinner	

The above Resolution was adopted on October 5, 2020.



Linda M. Stacey, CMC
Town Clerk, Tax Collector

2020-21 Justice Court Assistance Program Grant Application
Athens Town Court, Greene County

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If you need to save for later and return to the application you will need your ID number and password

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Welcome

A. APPLICATION INFORMATION - TO BE COMPLETED ONLINE

Court Name and Contact Information

B. CASELOAD - TO BE COMPLETED ONLINE

New Case Filings for 3 Years

C. GRANT ITEMS - TO BE COMPLETED ONLINE (Please note: certain items are not allowed and should not be applied for, such as salaries, telephone bills, internet access or annual renewal fees for software.)

Please choose the item needed, enter the quantity of that item, the cost and the priority level. Priority level is either "1" (High - needed immediately); "2" (Medium - needed in the near future); or "3" (Low). You may request numerous items with the same priority. (While 'priority level' is given consideration, the Chief Administrative Judge is not bound by your priority assignments when deciding awards.)

D. SIGNATURE PAGE & SUPPORTING DOCUMENTATION

Applications are not complete until the Signature Page, a certified Board Resolution from the Town or Village, court budget, one estimate per item, and any other required documentation (construction estimates, drawings, price estimates, photographs and invoices, etc.) is received by the Office of Justice Court Support.

After submitting the application online, please print the Signature Page and mail, fax or scan/email it, along with the required documentation to:

Office of Justice Court Support
Justice Court Assistance Program
187 Wolf Road, Suite 103
Albany, NY 12205
Fax: 518-471-4807
Email: jcap@nycourts.gov

Please note: Only one mailed, faxed or scanned/emailed copy of paperwork is needed.

REQUIRED DOCUMENTS:

SIGNATURE PAGE - At least one Justice, other than an Associate Village Justice, and the Town Supervisor or Village Mayor must sign the Signature Page.

BOARD RESOLUTION - Attach a certified copy of the Town or Village Board Resolution stating the Town/Village Board authorizes the Athens Town Court to apply for a JCAP grant in the 2020-21 cycle up to \$30,000.00.

ANNUAL BUDGET - Attach a copy of the Court's itemized budget for the most recent municipal fiscal year.

ESTIMATES - Only one estimate per item is required.

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GRANT ELIGIBLE ITEMS:

Computer Hardware

Misc. Servers, backup systems, etc.

Computer Software

MS Office, etc.

*Computer Support

Records Management, etc.

***Please note* OCA's Division of Technology (DOT) provides The Courtroom Program, computer equipment such as desktops, laptops, network and personal printers, fax machines and scanners. If you have a question whether certain equipment is available through (DOT), please call 800-622-2522.**

Construction [Click here and read](#)

Exterior Renovations/Repairs
Interior Renovations/Repairs
Audience Seating
Bench
Jury Box
Other construction

Office Equipment

Cash Box
Court Seal
Label Printer
Standalone Copy Machine
Safe
Shredder
Telephone equipment/installation
TV/Video

Security [Click here and read](#)

Handheld metal detector
Duress Alarms
Reception/Pay window
Video Surveillance
Walkthrough metal detector
Other

Furniture

Bookcases
Chairs
Desks
File cabinets
Lectern
Storage cabinets
Tables
Other furniture

Other

Air conditioning
Battery backup/Emergency lights
Generator
Audio/PA Systems

Courtroom Enhancements

Gavel
Judicial Robe
Flags
Signs
Wall Seal
Other

Please Note:

The maximum grant award is **\$30,000** per court, **\$60,000** jointly. The maximum grant award for any court that received JCAP funding as a reimbursement to pay for costs responding to the COVID-19 pandemic shall be the difference between \$30,000 and the amount of such reimbursement. JCAP funds are to be spent within 180 days of receipt and the JCAP Reconciliation Report, reflecting all funds have been spent, along with paid receipts, must be returned to OJCS within 180 days. Please call OJCS at 800-232-0630 for further direction if all funds have not been spent.

Applications are due **October 8, 2020**.

QUESTIONS: If you have questions about JCAP or need assistance completing the application, please call the Office of Justice Court Support at 1-800-232-0630 or email: jcap@nycourts.gov.

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Athens Town Court, Greene County

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INSTRUCTIONS:

Online application Only justice court personnel shall be designated to submit the application

Joint Application If applying jointly, click "yes" and list the court which is applying with you

Contact Person Name of justice court personnel we may contact if additional information is needed

E-mail Enter your nycourts.gov email address (Ex. AJones@nycourts.gov)

Address Enter court's mailing and physical address

Caseload List new case filings for the last 3 years

Grants List JCAP awards for the last 2 fiscal years

Items requested (see 'construction' and 'security' below for additional specific instructions)

Please submit one estimate per item. These may be pages from catalogs showing the item and price. When ordering from vendors, be sure to request the "State Contract Price".

1. Select level of priority. (1-high, 2-medium, 3-low)
2. Select "item category"
3. Click on "save category" box
4. Choose "item" (click on the box to see options)
5. Enter "quantity" of item ("1" for items that quantity does not apply (construction, etc.)
6. Enter "price" per item
7. Click on "Add New Item" box to total
8. Continue same procedure for each item requested
9. MUST add narrative stating the need for each item requested under Grant Items, page 5 of 6

Construction Projects (These projects require extra documentation and explanation)

Applications seeking a construction grant must submit the following:

- A detailed estimate showing itemized costs of both labor, materials, and scope of work
- A sketch with dimensions of the existing floor plan of the building and room(s) along with proposed floor plans of the building and room(s). Indicate on the floor plan the various points of entry and room names or use
- Photos of the exterior of the building and any interior rooms to be affected

Security items

Requests for walkthrough and/or handheld metal detectors cannot be approved unless the court states in the Court Comments section of their online application it has or will have, security personnel to staff the equipment. (Please note: JCAP funds may not be used for judicial or non-judicial staff salaries.)

Printing Your Application

You must print your application PRIOR TO clicking "Submit Completed Application". Go to the "file" menu at the top left of the page and choose "print." Print each page separately. Once submitted, you will no longer be able to modify your application.

Submitting your Application

Click "Submit Completed Application" to submit the on-line portion of the application. You must print the Signature Page and either mail, fax or scan/email the following documents to complete the process:

- Signature page (signed by the Justice(s) and Mayor or Supervisor)
- Certified Board Resolution
- Court's budget
- One estimate per item
- Additional documents for construction or security requests

QUESTIONS. If you have any questions, please call 1-800-232-0630 or email: jcap@nycourts.gov.

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Athens Town Court, Greene County**

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Part A. APPLICANT INFORMATION * indicates required fields

Name of Court: Athens Town Court, Greene County

Type of Application: * Individual Joint

If Joint, please select the name of Joint Applicant: *

Contact Person:

Salutation:*	First Name:*	Last Name:*	Court Phone:*
Mrs. ▼	Marcia	Puorro	518-945- [REDACTED]

Title:*	Email: * Use nycourts.gov email address. Ex. judge@nycourts.gov
Court Clerk ▼	[REDACTED]@nycourts.gov

Address Information:	Address:*	City:*	State:*	ZIP:*
Court Mailing Address:	P O Box 132	Athens	NY	12015
Court's Physical Address:	2 First Street, 2nd Floor	Athens		12015

[Same as Court Address](#)

Part B. CASELOAD: NEW CASE FILINGS FOR 3 YEARS

	Criminal:*	Civil:*	VTL:*	Jury Trials*
Year 2019:	151-200 ▼	0-30 ▼	3,001-5,000 ▼	0-30 ▼
Year 2018:	151-200 ▼	0-30 ▼	3,001-5,000 ▼	0-30 ▼
Year 2017:	151-200 ▼	0-30 ▼	3,001-5,000 ▼	0-30 ▼

Has your court had a security assessment performed by the OCA's Dept. Of Public Safety? * No Yes

Did you receive a grant in 2019-2020 No Yes Amount of Award \$802.45

Did you receive a grant in 2018-2019 No Yes Amount of Award \$645.33

QUESTIONS If you have any questions about JCAP or if you need assistance completing the application, call the Office of Justice Court Support at 1-800-232-0630 or email: jcap@nycourts.gov.

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C. GRANT ITEMS

Select Priority Level & Item Category. Then select Item, Quantity and Price Per Item. To add an additional item, click the Add New Item button.

Priority	Item Category	Item	Qty	Price Per Item	Total Price	Add New Item
1	Other	Air conditioning	2	\$589.00	\$1,178.00	Delete
<p><small>*Please note* OCA's Division of Technology provides computer equipment such as desktops, laptops, network and personal printers and fax machines. If you have a question about equipment and whether or not it can be requested through JCAP, please call the Division of Technology at 800-622-2522.</small></p> <p>Please enter comments: Air Conditioners are for the Courtroom and Court Office. Ours are both very old and sometimes don't work.</p>						
2	Courtroom Enhancements	Other	5	\$95.00	\$475.00	Delete
<p><small>*Please note* OCA's Division of Technology provides computer equipment such as desktops, laptops, network and personal printers and fax machines. If you have a question about equipment and whether or not it can be requested through JCAP, please call the Division of Technology at 800-622-2522.</small></p> <p>Please enter comments: Blinds for the windows</p>						
3	Office Equipment	Shredder	1	\$210.99	\$210.99	Delete
<p><small>*Please note* OCA's Division of Technology provides computer equipment such as desktops, laptops, network and personal printers and fax machines. If you have a question about equipment and whether or not it can be requested through JCAP, please call the Division of Technology at 800-622-2522.</small></p> <p>Please enter comments: In need of a shredder, the one we have broke</p>						
3	Furniture	Chairs	1	\$148.99	\$148.99	Delete
<p><small>*Please note* OCA's Division of Technology provides computer equipment such as desktops, laptops, network and personal printers and fax machines. If you have a question about equipment and whether or not it can be requested through JCAP, please call the Division of Technology at 800-622-2522.</small></p> <p>Please enter comments: Judge Pazin is need of a new desk chair.</p>						
1	Other	Other supplies/equipment	1	\$1,004.17	\$1,004.17	Delete
<p><small>*Please note* OCA's Division of Technology provides computer equipment such as desktops, laptops, network and personal printers and fax machines. If you have a question about equipment and whether or not it can be requested through JCAP, please call the Division of Technology at 800-622-2522.</small></p> <p>Please enter comments: Reimbursement for COVID Supplies bought for our Court Office, Courtroom, Employees and Defendants. Plexiglass Shields, Protective Barriers, Masks, Gloves, Tape, Cleaning Supplies and Sanitizers.</p>						
2	Security	Video Surveillance, alarm systems, etc.	1	\$3,329.99	\$3,329.99	Delete
<p><small>*Please note* OCA's Division of Technology provides computer equipment such as desktops, laptops, network and personal printers and fax machines. If you have a question about equipment and whether or not it can be requested through JCAP, please call the Division of Technology at 800-622-2522.</small></p> <p>Please enter comments: Security Camera System for the hallway as well as Court room and Office. Due to COVID especially, clients have to wait in the hallway as well as the courtroom and there is no Security.</p>						

If you need to save for later and return to the application you will need your ID number and password

RecordID

Password

If you are applying for a **CONSTRUCTION ITEM**, click the button below.

[Click Here](#)

Justice Court Assistance Program Grant Application

Athens Town Court, Greene County

Page 6 of 6

Completing the process

After clicking "Submit Completed Application" below, the signature page will open. To print the Signature Page - select "File" on the toolbar at the top of the screen and then click "Print". If you are having issues printing, or cannot print the entire page, please contact DoT at 800-622-2522.

Please mail, fax, or email your Signature Page and required documentation by October 8, 2020 to:

Office of Justice Court Support
Attn: JCAP
187 Wolf Road, Suite 103
Albany, NY 12205
Fax: 518-471-4807
Email: jcap@nycourts.gov

Applications are not reviewed or considered until the required documentation and Signature page are received.

Signature Acknowledgment

I understand that this application will not be reviewed until the signed Signature page is received by the Office of Court Administration, along with any required documents.

* Yes

* Indicates required fields

[Previous Page](#)

[Submit Completed Application](#)

QUESTIONS If you have any questions about JCAP or if you need assistance completing the application, call the Office of Justice Court Support at 1-800-232-0630 or email: jcap@nycourts.gov.

If you need to save for later and return to the application you will need your ID number and password.

RecordID

██████████

Password

██████████

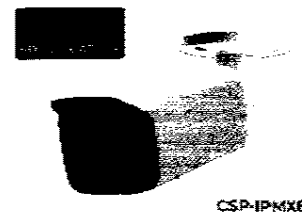
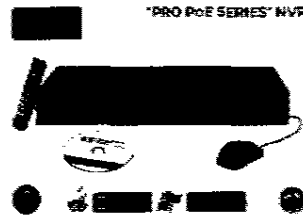
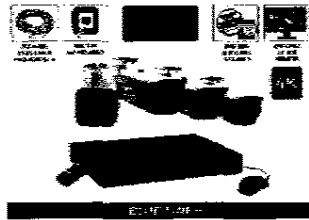
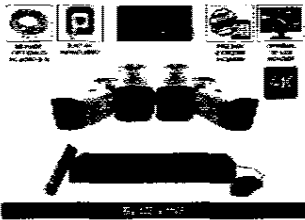
888.653.2288



BLUE LINE

2,329.99

4,000.-
Installation



CSP-IPMX8

NVR FEATURES

***FREE UPGRADE TO 8CH RECORDER!**

- 4K Ultra High Definition
- 8 PoE Camera Inputs
- Remote Viewing – No Monthly Fees
- H.265 High Video Compression
- 200 Mbps Incoming Bandwidth
- HDMI and VGA Display Output
- 2 Hard Drive Bays

CSP - 4 POE MX 8 "5"

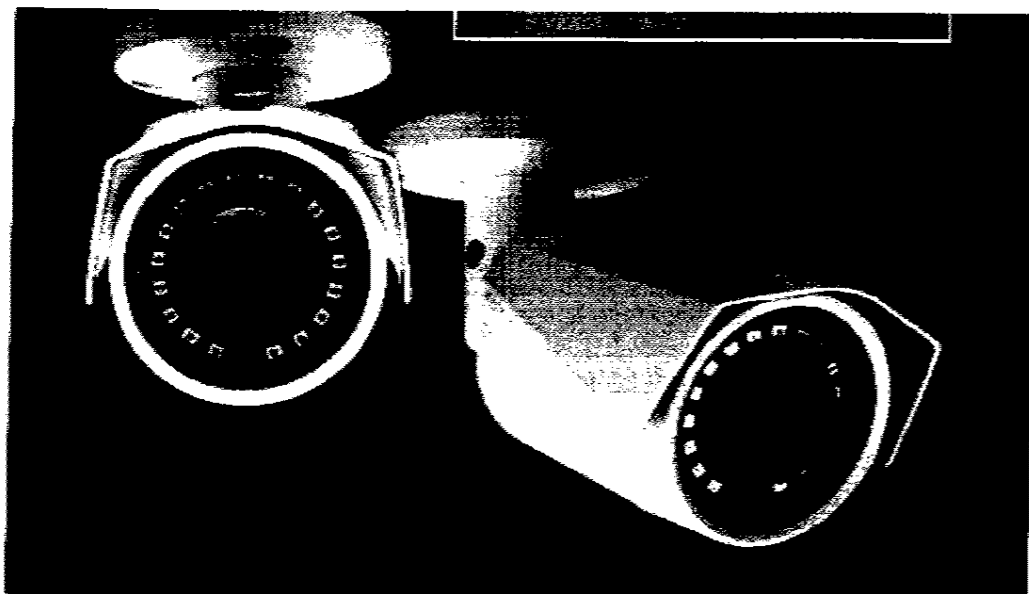
CAMERA FEATURES

- 8 Megapixel IP Camera (3840x2160)
- 2.7-13.5mm Motorized Adjustable Lens
- Up to 200ft Infrared Night Vision

SHIPPING 100% ON-TIME DURING COVID-19! LEARN MORE

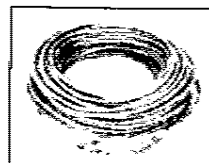
0 ITEMS

888.653.2288



PRO Series Complete 4K IP Camera System with Free Upgrade to 8 Channel NVR / 4POEMX8-S

MODEL: CSP-4POEMX8-S



PRE-MADE CAT5 CABLES INCLUDED (x 4)



BUILT-IN PoE INCLUDED



IP MEGAPIXEL HD over CAT5e/6



FREE SIGN & STICKERS INCLUDED



OPTIONAL 22" LCD MONITOR



0 ITEMS

SHIPPING 100% ON-TIME DURING COVID-19! LEARN MORE

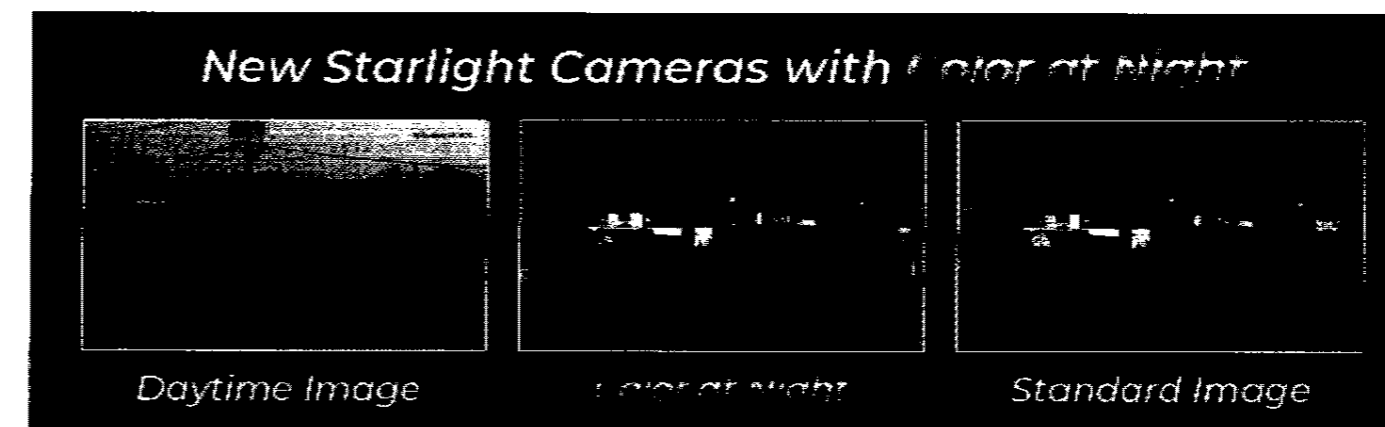
888.653.2288

3 YEAR WARRANTY

TECHNICAL SUPPORT

30 DAY MONEY BACK GUARANTEE

FREE SHIPPING ON ALL ORDERS OVER \$100



This Complete IP Security Camera System includes:

- (1) 4 Channel "PRO SERIES" 4K Ultra High Definition Network Video Recorder with Built-in POE (Power over Ethernet)
- (1) 1 Terabyte Surveillance Grade Hard Drive (installed)

SHIPPING 100% ON-TIME DURING COVID-19! LEARN MORE



0 ITEMS

888.653.2288

- DVD Instruction Manual and Quick Start Guide
- Free Remote Viewing Software and Apps
- Video Surveillance Warning Stickers and Aluminum Sign

Not all cameras are created equal.

Our PRO Series NVR offers the perfect combination of simplicity and performance. This top-of-the-line professional network video recorder is capable of producing superior images up to 4K Ultra High Definition. The unit is designed to include all of the latest and greatest features for viewing live and recorded video including 24/7 recording, motion recording, object masking, mobile alerts, audio and much more. You can easily view your cameras remotely on any smartphone, tablet or computer using our free software and mobile apps. Built-in PoE (power over ethernet) makes this unit ideal for simple plug and play setup. The PRO Series NVR includes 2 internal hard drive bays for extra video storage when needed. You will not find a better or more reliable unit for your business or home.

This 4K Ultra High Definition security camera system package includes our professional-grade 8MP IP infrared bullet cameras with motorized adjustable lens and powerful night vision of up to 200ft. This camera leverages the latest Starlight technology to display colorful images in low light conditions. Other advanced features of this camera include WDR used to combat any glare from intense lighting as well as the latest H.265 high video compression technology for longer video storage time. The motorized adjustable lens offers you the flexibility to focus on objects

SHIPPING 100% ON-TIME DURING COVID-19! LEARN MORE



0 ITEMS

PAGE 18
ATHENS TOWN COURT
5189451372
10/07/2020 13:41

EXHIBIT E

Mercer Associates

██████████
Athens, NY 12015

Estimate

Date
9/2/2020

Estimate #
1702208

Name/Address

Town of Athens
2 First Street
Athens, New York 12015

Description	Due Date	Qty	Rep	Cost	Project
	9/2/2020		ETM		
CSP -4POEMX8-S 4 Camera Remote viewing with two hard drive bays (1) 4 Channel "PRO SERIES" 4K Ultra High Definition Network Video Recorder with Built-in POE (Power over Ethernet) (1) 1 Terabyte Surveillance Grade Hard Drive (installed) (4) IP 8MP Indoor/Outdoor Infrared Bullet Security Cameras with Motorized Zoom Lens and up to 200ft Night Vision (4) 100 Foot Premade CAT5 Cables or 1000 Foot Spool (Optional) High Definition LCD Monitor is OPTIONAL DVD Instruction Manual and Quick Start Guide Free Remote Viewing Software and Apps Video Surveillance Warning Stickers and Aluminum Sign		1		2,329.99	2,329.99
Installation of 4 camera, Clerks transaction window, Courtroom east and west wall corners and 2 nd floor hallway waiting area main Data bank installed in Clerks Office area on West wall Sales Tax exempt		1		1,000.00	1,000.00
				0.00%	0.00
Total					USD 3,329.99

Phone #

Fax #

E-mail

Signature _____

██████████

██████████

██████████@msn.com

STATE OF NEW YORK
UNIFIED COURT SYSTEM
2500 Pond View
Suite 210
Castleton-On-Hudson, NY 12033
(518) 285-8300

Lawrence K. Marks
Chief Administrative Judge

Gerald W. Connolly
Third District Administrative Judge

Vito C. Caruso
Deputy Chief Administrative Judge
Courts Outside New York City

January 22, 2021

Mrs. Marcia Puorro
Athens Town Court
P O Box 132
Athens, NY 12015

Dear Mrs. Puorro:

We are pleased to advise you the Athens Town Court has been awarded a grant under the 2020-21 cycle of the Justice Court Assistance Program (JCAP).

JCAP was established by the New York State Legislature in 1999, at the request of the Unified Court System, to help provide our State's town and village courts with the resources and equipment necessary to fulfill their critical role in our justice system. In 2020, JCAP funding reimbursed over 400 courts for expenses incurred responding to the coronavirus pandemic, including, among other things, purchasing personal protective equipment (PPE) and building protective barriers.

The Athens Town Court is one of 187 courts receiving JCAP funding this year. Details regarding your award are set forth on the enclosed 2020-21 Justice Court Assistance Program Award Reconciliation Report. Funds will be sent on or before April 1, 2021 to your municipality via direct deposit or check and must be spent within 180 days. If the amount you spend purchasing the items(s) approved on the enclosed JCAP Reconciliation Report is less than the amount awarded, leftover funds are not to be used to offset the cost of another grant item awarded at a set monetary amount. Please contact the Office of Justice Court Support at 800-232-0630 for further direction. The Reconciliation Report, along with paid receipts that certify total amount spent, are required to be returned to the Office of Justice Court Support via fax: (518) 471-4807 or e-mail: jcap@nycourts.gov.

Gerald W. Connolly
Third District Administrative Judge

cc: Elizabeth A. Garry, Presiding Justice Appellate Division
Hon. Vito C. Caruso, Deputy Chief Administrative Judge
Courts Outside New York City

2020-21 Justice Court Assistance Program Award Reconciliation Report

Please fax this Report along with paid receipts to the dedicated JCAP Fax Number 518-471-4807, email jcap@nycourts.gov or mail to: Office of Justice Court Support, 187 Wolf Road, Suite 103, Albany, N.Y.12205

In the space provided below, please sign and indicate the exact amount spent

*Funds to be spent within 180 days of receipt

Athens Town Court, Greene County

District: 3

Item Category	Item Name	Approved Quantity	Item Approved Total
Other	Air conditioning	0	\$0.00
Courtroom Enhancements	Other	0	\$0.00
Office Equipment	Shredder	0	\$0.00
Furniture	Chairs	0	\$0.00
Other	Other supplies/equipment	0	\$0.00
Security	Video Surveillance, alarm systems, etc.		\$3089.99
Total Amount of Grant			\$3,089.99

SPECIAL NOTE REGARDING AWARD DISBURSEMENTS:

Your Town Supervisor or Village Mayor should receive a check for the amount of the grant or the grant amount will be sent via direct deposit to your municipality. All grant recipients are reminded that, as required by law, funds received hereunder may not be used for purposes other than the purchase of the item(s) set forth on the enclosed award form or used to offset the cost of another grant item awarded at a set monetary amount. Also, as stipulated in the municipal certification accompanying the application for your grant, "any goods and/or services purchased with any Justice Court Assistance Program funds shall be obtained in accordance with acceptable procurement practices established by the governing municipality including, but not limited to, competitive bidding and procurement policies and procedures."

*Please submit paid receipts indicating funds were spent on approved items along with this Reconciliation Report within 180 days from receipt. Remember to save your receipts for at least three years for audit and review purposes. **If the amount you spend purchasing the item(s) approved on this Report is less than the amount awarded, leftover funds are not to be used to offset the cost of another grant item. Please contact OJCS at 800-232-0630 for further direction.**

Total Amount Spent: _____

By signing this form, I affirm that all the above approved items were purchased.

Date: _____ Print Name: _____ Signature: _____

FOR OJCS USE ONLY

Application #	5030	Attachments	_____
Vendor ID#	1000002072	AO Date	_____
Voucher#	_____	DN/SP	_____
Submit Date	_____	Business Unit	_____
		Approval Date	_____
		Grant Amt	_____
		Final Approval	_____



Thank you Edward!

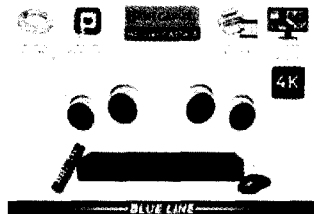
Your order number is **142037**

Your order was sent to us but is currently awaiting payment. Once we receive the payment for your order, it will be completed. If you've already provided payment details then we will process your order manually and send you an email when it's completed.

Your password has been saved.

Order Summary

1 Item



1 x IP Security Camera System with 4 IP Microphone Cameras and 8 Channel NVR / 4POEMIC8

\$1,569.99

1. Network Video Recorder Free Upgrade to 8 Channel NVR Model CSP-PROPOE8 (Free During Promo)
2. Hard Drive 1 TB (included)
3. Cameras 4 x IP Security Cameras
4. Cable Length 4 x 100ft Premade CAT5 Cable Model CSP-C100

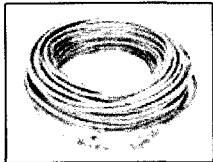
No rating available



IP Security Camera System with 4 IP Microphone Cameras and 8 Channel NVR / 4POEMIC8

~~\$2,599.99~~ **\$1,569.99**

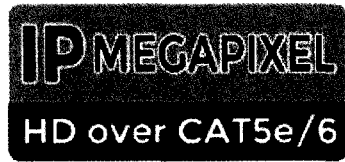
MODEL: CSP-4POEMIC8



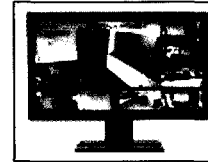
PRE-MADE
CAT5 CABLES
INCLUDED (x 4)



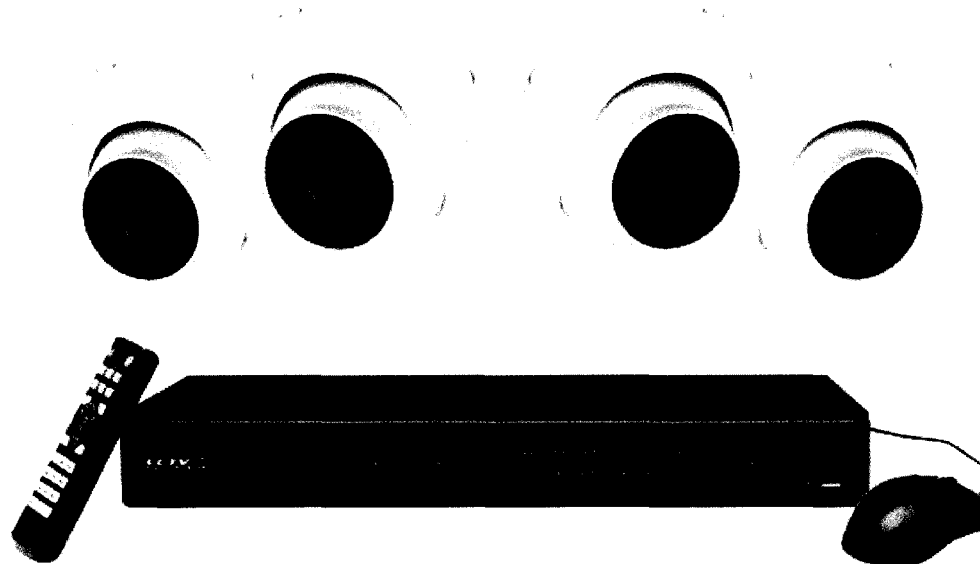
BUILT-IN
PoE INCLUDED



FREE SIGN
& STICKERS
INCLUDED



OPTIONAL
22" LCD
MONITOR



Verified Customer Reviews





NVR FEATURES

*FREE UPGRADE TO 8CH RECORDER!

- 4K Ultra High Definition
- 8 PoE Camera Inputs
- Remote Viewing – No Monthly Fees
- H.265 High Video Compression
- 200 Mbps Incoming Bandwidth
- HDMI and VGA Display Output
- 2 Hard Drive Bays

CAMERA FEATURES

- 8 Megapixel IP Camera (3840×2160)
- Built-in Microphone
- 2.8mm Lens (110° Wide Angle View)
- Up to 100ft Infrared Night Vision
- Starlight - low light performance
- H.265 Video Compression
- Weatherproof - Indoor/Outdoor (IP67)
- Wide Dynamic Range (120dB)
- Power Over Ethernet - PoE
- Measurement: 3.97" H x 4.33" D

Approximate Distances:

Identify (Up to 25ft)

Recognize (Up to 49ft)

Detect (Up to 245ft)

SELECT YOUR OPTIONS:

1. Network Video Recorder:

Free Upgrade to 8 Channel NVR Model CSP-PROPOE8 (Free During Promo)

Go gle

Verified Customer Reviews



- 2. Hard Drive: 1 TB (included)
- 3. Cameras: 4 x IP Security Cameras
- 4. Cable Length: 4 x 100ft Premade CAT5 Cable Model CSP-C100
- 5. Crimping Tool For Use With CAT5 Spool: Not Needed
- 6. Monitor: Not Needed

QTY: 1

ADD TO CART

As low as \$145/month with

EXTRA SAVINGS
 AT CHECKOUT NOW WITH COUPON CODE

**SUPERIOR PRODUCTS
3 YEAR WARRANTY**

**LIVE USA
TECHNICAL SUPPORT**

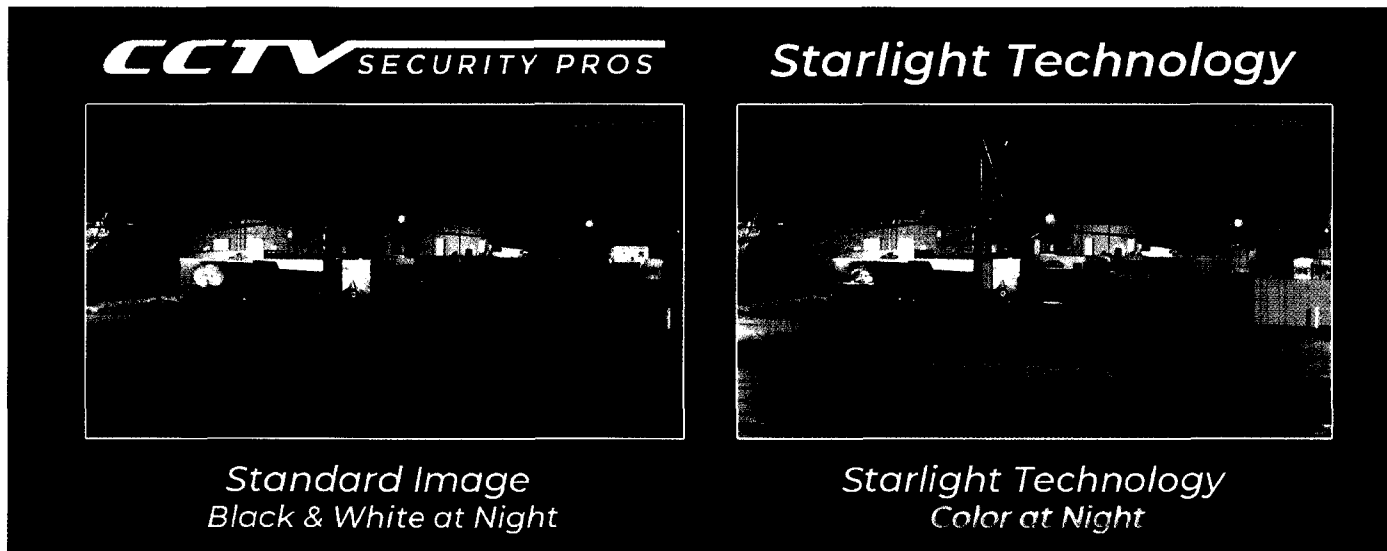
**30 DAY MONEY BACK
GUARANTEE**

**FREE SHIPPING
ON ALL ORDERS OVER \$100**

Need both video and audio surveillance? Our "MIC8" IP cameras combine 4k ultra high definition video with a built-



in microphone for audio recording. This complete solution also provides starlight night vision of up to 100 foot in complete darkness. The dome cameras can be used both indoor and outdoor and are vandal proof. This system is perfect for high end business or commercial use. The 4K network video recorder provides you with the latest and greatest in functionality with motion detection, automatic motion alerts, object counting, and remote internet viewing from anywhere in the world. There are no additional monthly fees and the live viewing cell phone app is free. Our systems are easy to install, come with a three year warranty, and money back satisfaction guarantee. Enjoy exceptional video and audio surveillance with this complete all in one system.



This Complete IP Security Camera System includes:

- (1) 8 Channel "PRO SERIES" High Definition Network Video Recorder with Built-in POE (Power over Ethernet)
- (1) 1 Terabyte Surveillance Grade Hard Drive (installed)
- (4) IP 8MP Indoor/Outdoor Vandal Resistant Infrared Dome Security Cameras with 2.8mm Lens and up to 100ft Night Vision



- (4) 100 Foot Premade CAT5 Cables or 1000 Foot Spool (Optional)
 - High Definition LCD Monitor is OPTIONAL
 - DVD Instruction Manual and Quick Start Guide
 - Free Remote Viewing Software and Apps
 - Video Surveillance Warning Stickers and Aluminum Sign
-

See and hear what's going on.

Our PRO Series NVR offers the perfect combination of simplicity and performance. This top-of-the-line professional network video recorder is capable of producing superior images up to 4K Ultra High Definition. The unit is designed to include all of the latest and greatest features for viewing live and recorded video including 24/7 recording, motion recording, object masking, mobile alerts, audio and much more. You can easily view your cameras remotely on any smartphone, tablet or computer using our free software and mobile apps. Built-in PoE (power over ethernet) makes this unit ideal for simple plug and play setup. The PRO Series NVR includes 2 internal hard drive bays for extra video storage when needed. You will not find a better or more reliable unit for your business or home.

This complete HD security camera system package includes our professional-grade 8MP infrared eyeball dome style camera has a fixed 110 degree extra wide-angle lens and powerful night vision of up to 100ft. This well designed camera also has a built-in microphone for audio recording. This camera leverages the latest Starlight technology to display colorful image in low light conditions. Other advanced features of this camera include WDR used to combat any glare from intense lighting as well as the latest H.265 high video compression technology for increased video storage capacity. Built-in PoE (power over ethernet) makes this camera ideal for simple plug and play setup. This

camera is the perfect choice for super high definition with audio.

This Complete High Definition IP Security Camera System comes with everything needed for complete installation. It includes a 3 Year Warranty, Free USA Technical and Support and 100% Money Back Guarantee.

Installation of our IP camera systems is simple and easy. A simple step-by-step guide is included with every system. We also include live USA based Technical Support available Monday through Friday. We are happy to answer any questions and assist you at (888) 653-2288.

GET A FREE
ONLINE QUOTE
TODAY!

CLICK HERE

CCTV SECURITY PROS

RELATED PRODUCTS

Professional 4K IP Security Camera System with 2 IP Cameras and 4 Channel NVR / 2POEB8-S

Model: CSP-2POEB8-S

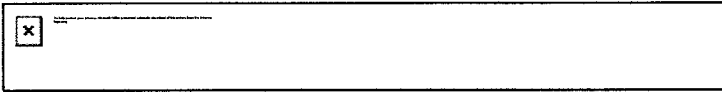
Dome 4K IP Security Camera wit

Model: CSP-IPMIC8



██████████@msn.com

From: CCTV Security Pros <sales@cctvsecuritypros.com>
Sent: Thursday, June 3, 2021 2:30 PM
To: ██████████@msn.com
Subject: Your CCTV Security Pros Order Confirmation (#142037)



Thank You for Your Business

This email is to confirm the receipt of your recent order. Your order will be shipped promptly. Packages are sent signature required. Please inspect all products within 30 days of receipt.

Need Tech Support?

We encourage you to visit our Tech & Setup page for quick answers to most questions or to schedule a prompt callback from a live representative. Please be sure to reference your order number which can be found in the subject line of this email. Click on the below link for access now:

<http://www.cctvsecuritypros.com/support.html>



Your order ID is #142037. A summary of your order is shown below. To view the status of your order [click here](#).

Shipping Address

Edward Mercer
mercerc associates
██████████
Athens, New York 12015
United States
██████████

Billing Address

Edward Mercer
mercerc associates
██████████
Athens, New York 12015
United States
██████████

Your Order Contains...

Cart Items	SKU	Qty	Item Price	Item Total
IP Security Camera System with 4 IP Microphone Cameras and 8 Channel NVR / 4POEMIC8 (1. Network Video Recorder: Free Upgrade to 8 Channel NVR Model CSP- PROPOE8 (Free During Promo), 2. Hard Drive: 1 TB (included), 3. Cameras: 4 x IP Security Cameras, 4. Cable Length: 4 x 100ft Premade CAT5 Cable Model CSP-C100, 5. Crimping	CSP-4POEMIC8	1	\$1,569.99 USD	\$1,569.99 USD

EXHIBIT I

VOUCHER

TOWN OF ATHENS

Athens Town Clerk

2 First Street

Athens, NY 12015-1393

WRITE IN THIS AREA

NUMBER 288

DATE VOUCHER RECEIVED _____

DEPARTMENT Justice 110.4 JCAP

CLAIMANT'S
NAME
AND
ADDRESS

Mercer Associates
[REDACTED]
Athens, NY 12015

FUND - APPROPRIATION	AMOUNT
<u>A 110.4 JCAP</u>	<u>3089.99</u>
<u>110.4 Ct. Security</u>	<u>240.00</u>
TOTAL	<u>3329.99</u>

ENTERED ON ABSTRACT NO. _____

DETAILED INVOICES MAY BE ATTACHED, AND TOTAL ENTERED ON THIS VOUCHER. CERTIFICATION BELOW MUST BE SIGNED.

TERMS _____

PURCHASE
ORDER NO. _____

DATE	VENDOR'S INVOICE NO.	QUANTITY	DESCRIPTION OF MATERIALS OR SERVICES	UNIT PRICE	AMOUNT
<u>7-6-21</u>	<u>11283</u>	<u>4</u>	<u>Court Office & Hallway Security Cameras (See Attached)</u>		<u>2,329.99</u>
			<u>Installation of Security Cameras</u>		<u>1,000.00</u>
TOTAL					<u>3,329.99</u>

(SEE INSTRUCTIONS ON REVERSE SIDE)

CLAIMANT'S CERTIFICATION

Marcia R. Puorro certify that the above account in the amount of \$ 3,329.99 is true and correct; that the items, services and disbursements charged were rendered to or for the municipality on the dates stated; that no part has been paid or satisfied; that taxes, from which the municipality is exempt, are not included; and that the amount claimed is actually due.

7-6-21
DATE

Marcia R. Puorro
SIGNATURE

Senior Court Clerk
TITLE

(SPACE BELOW FOR MUNICIPAL USE)

DEPARTMENT APPROVAL

The above services or materials were rendered or furnished to the municipality on the dates stated and the charges are correct.

7-6-2021
DATE

[Signature]
AUTHORIZED OFFICIAL

APPROVAL FOR PAYMENT

This claim is approved and ordered paid from the appropriations indicated above.

[Signature]
DATE

[Signature]
ALICING BOARD

Mercer Associates

██████████
Athens, NY 12015

Invoice

Date	Invoice #
7/6/2021	11283

Bill To

Town of Athens
2 First Street
Athens, New York 12015

P.O. No.	Terms	Due Date	Account #	Project
JCAP Grant	Upon Completion	7/6/2021		
Description		Qty	Rate	Amount
CSP -4POEMICX8-S 4 Camera Remote viewing with two hard drive bays (1) 4 Channel "PRO SERIES" 4K Ultra High Definition Network Video Recorder with Built-in POE (Power over Ethernet) (1) 1 Terabyte Surveillance Grade Hard Drive (installed) (4) IP 8MP Indoor/Outdoor Infrared Bullet Security Cameras with Motorized Zoom Lens and up to 200ft Night Vision (4) 100 Foot Premade CAT5 Cables or 1000 Foot Spool (Optional) High Definition LCD Monitor is OPTIONAL DVD Instruction Manual and Quick Start Guide Free Remote Viewing Software and Apps Video Surveillance Warning Stickers and Aluminum Sign		1	2,329.99	2,329.99
Installation of 4 camera, Clerks transaction window, Courtroom east and west wall corners and 2 nd floor hallway waiting area main Data bank installed in Clerks Office area on West wall Sales Tax exempt		1	1,000.00	1,000.00
			0.00%	0.00
Total				USD 3,329.99
Payments/Credits				USD 0.00
Balance Due				USD 3,329.99

██████████@mchugh-lawfirm.com

From: Don Pierro <██████████@townofathensny.com>
Sent: Thursday, July 15, 2021 2:44 PM
To: george
Subject: Fwd: Athens Town Court JCAP Award 2021
Attachments: jcap paperwork 71521.pdf

Hi George. Just got home and received this.....from mercer....

----- Forwarded message -----

From: "Hon E. Timothy Mercer" <██████████@nycourts.gov>
Date: Jul 15, 2021 1:51 PM
Subject: Athens Town Court JCAP Award 2021
To: Robert Butler <██████████@townofathensny.com>, Robert Butler ██████████@acolarusso.com>
Cc: Don Pierro <██████████@townofathensny.com>, Constance Pazin <██████████@nycourts.gov>, Marcia Puorro <██████████@nycourts.gov>, ██████████@mercercplg.com

Rob attached you will find the paperwork requested this morning. I believe the paperwork is in order. let me know if you need anything else.

- A. 10/07/2020 JCAP Grant Signature Page showing all items on the Application signed by Judges on 9/21/2020 and submitted by Marcia Puorro, senior Court Clerk.
- B. Estimate to the Town of Athens Court (JCAP) grant from Mercer Associates
- C. Item Description of system used and "Cost" . and labor Itemized per OCS sent in BY Marcia 11/25/2020 email.
- D. Award notice to Athens Town Court stating the Award check will be sent out on Feb 19, 2021
- E. A copy of the check dated 02/19/2021 for \$3,089.99 to be spent within 180 days to the Town of Athens Budget Officer. JCAP only awarded the Security Camera System, rejecting the other 5 items on the application.

As you can see OCS approved the Grant for the Athens Town Court. The entire time my sincere belief was that I was billing through the Grant application! Being funded by OCS through the Town of Athens. I didn't feel it was being performed for the Town of Athens.

Don has mentioned to our Senior Court Clerk and provided Town Ethics noted in the Town handbook. I strongly believe I didn't break them as it wasn't a contracted Job/Project "with the Town of Athens .

I would ask you review the documents and get back to me. The Town has been issued the check in Feb and the project has been completed. The resolution has been passed by the Town Board for payment/transfer of funds the Office of OCS provided to the Town for the awarded JCAP Grant.

Regards,
E. Timothy Mercer

Hon. E. Timothy Mercer
Town Justice

2 First Street
P.O. Box 132
Athens, NY. 12015

PH. 518-945-3360 Ext. 1
Fax 518-945-1372

██████████@msn.com

From: Robert Butler <██████████@acolarusso.com>
Sent: Thursday, July 15, 2021 1:59 PM
To: Hon E. Timothy Mercer; Robert Butler
Cc: Don Pierro; Constance Pazin; Marcia Puorro; ██████████@mercerplg.com
Subject: RE: Athens Town Court JCAP Award 2021

Tim,

As of right now we will be holding any payment made to Mercer Associates. We are currently reviewing everything to see if there has been a violation committed by using your own firm or any firm that you would benefit from financially. The line here is very blurred as to what's allowed and what is not. We just want to make sure everything is correct to prevent any issues in the future.

From: Hon E. Timothy Mercer <██████████@nycourts.gov>
Sent: Thursday, July 15, 2021 1:51 PM
To: Robert Butler <██████████@townofathensny.com>; Robert Butler <██████████@acolarusso.com>
Cc: Don Pierro <██████████@townofathensny.com>; Constance Pazin <██████████@nycourts.gov>; Marcia Puorro <██████████@nycourts.gov>; ██████████@mercerplg.com
Subject: Athens Town Court JCAP Award 2021

Rob attached you will find the paperwork requested this morning. I believe the paperwork is in order. let me know if you need anything else.

- A. 10/07/2020 JCAP Grant Signature Page showing all items on the Application signed by Judges on 9/21/2020 and submitted by Marcia Puorro, senior Court Clerk.
- B. Estimate to the Town of Athens Court (JCAP) grant from Mercer Associates
- C. Item Description of system used and "Cost" . and labor Itemized per OCS sent in BY Marcia 11/25/2020 email.
- D. Award notice to Athens Town Court stating the Award check will be sent out on Feb 19, 2021
- E. A copy of the check dated 02/19/2021 for \$3,089.99 to be spent within 180 days to the Town of Athens Budget Officer. JCAP only awarded the Security Camera System, rejecting the other 5 items on the application.

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Regards,
E. Timothy Mercer

Hon. E. Timothy Mercer
Town Justice

2 First Street
P.O. Box 132
Athens, NY. 12015

PH. 518-945-3360 Ext. 1
Fax 518-945-1372

Judge Mercer, Athens Town ethically issue

Tim MERCER <[REDACTED]@msn.com>

Wed 7/21/2021 3:35 PM

To: David Dellehunt <[REDACTED]@nycourts.gov>

Cc: Hon E. Timothy Mercer <[REDACTED]@nycourts.gov>; paulmsalvino@[REDACTED] <paulmsalvino@[REDACTED]>

Judge Dellehunt, it has come to my attention that my town, Town of Athens is looking into an ethical issue with me. I performed billable labor that was in our approved JCAP application for Mercer Associates, my Company. It was materials and labor to install security cameras.

I would like to possibly discuss this with you to get in front of the problem, well the problem is there, I feel you should know in advance the details.

It was given to our town Attorney under the direction of the town bookkeeper and Town Supervisor. I don't know if or how they are proceeding with this. I don't know if they contacted the State.

I don't feel I broke any "Town" ethics, but do know just the look of impropriety is enough with OCS. I have had numerous issues with the Town over the past year as to how they handle the "Athens Town Court" and we can review them as needed.

From what I hear it's in the Town Attorneys hands. I have not spoken to him prior to this email to state my position.

Could you please contact me to discuss going forward.

Regards

Hon. E. Timothy Mercer

Tim Mercer

[REDACTED]@msn.com

[REDACTED]

Please be CAREFUL when clicking links or opening attachments from external senders.

EXHIBIT M


Mercer Associates


Athens, NY 12015

Finance Charge

Date	Invoice #
8/18/2021	FC 27

Bill To
Town of Athens 2 First Street Athens, New York 12015

 COPY

		Terms
Description	Amount	
Finance Charges on Overdue Balance Invoice #11283 for 3,329.99 on 07/06/2021	66.59	
	Total	USD 66.59
	Payments/Credits	USD 0.00
	Balance Due	USD 66.59

EXHIBIT N

Invoice

Mercer Associates

[REDACTED]

Athens, NY 12015

Date	Invoice #
12/30/2021	11283

PAID

Bill To
 Town of Athens
 2 First Street
 Athens, New York 12015

P.O. No.	Terms	Due Date	Account #	Project
JCAP Grant	Upon Completion	12/30/2021		
Description		Qty	Rate	Amount
CSP -4POEMICX8-S 4 Camera Remote viewing with two hard drive bays (1) 4 Channel "PRO SERIES" 4K Ultra High Definition Network Video Recorder with Built-in POE (Power over Ethernet) (1) 1 Terabyte Surveillance Grade Hard Drive (installed) (4) IP 8MP Indoor/Outdoor Infrared Bullet Security Cameras with Motorized Zoom Lens and up to 200ft Night Vision (4) 100 Foot Premade CAT5 Cables or 1000 Foot Spool (Optional) High Definition LCD Monitor is OPTIONAL DVD Instruction Manual and Quick Start Guide Free Remote Viewing Software and Apps Video Surveillance Warning Stickers and Aluminum Sign		1	2,329.99	2,329.99
Installation of 4 camera, Clerks transaction window, Courtroom east and west wall corners and 2 nd floor hallway waiting area main Data bank installed in Clerks Office area on West wall		1	1,000.00	1,000.00
REMOVAL OF CSP -4POEMICX8-S 4 Camera Remote viewing with two hard drive bays (09/24/2021)		-1	2,329.99	-2,329.99
REMOVAL OF 4 camera, Clerks transaction window, Courtroom east and west wall corners and 2 nd floor hallway waiting area		-1	1,000.00	-1,000.00

Please makepayment through ChasePay

Total
Payments/Credits
Balance Due

Mercer Associates

Athens, NY 12015

Invoice

Date	Invoice #
12/30/2021	11283

PAID

COPY

Bill To

Town of Athens
2 First Street
Athens, New York 12015

P.O. No.	Terms	Due Date	Account #	Project
JCAP Grant	Upon Completion	12/30/2021		
Description		Qty	Rate	Amount
main Data bank installed in Clerks Office area on West wall (10/22/2021) REMOVAL OF LG 42" Monitor supplied/Donated by Mercer (10/22/2021)		1	0.00	0.00T
JCAP Terminated. Town to Return all Funds to NY State				
Sales Tax exempt			0.00%	0.00

Please makepayment through ChasePay

Total	USD 0.00
Payments/Credits	USD 0.00
Balance Due	USD 0.00

STATE OF NEW YORK
COMMISSION ON JUDICIAL CONDUCT

In the Matter of the Proceeding
Pursuant to Section 44, subdivision 4,
of the Judiciary Law in Relation to

E. TIMOTHY MERCER,

a Justice of the Athens Town Court,
Greene County.

Judge's Home Address

In the event that a determination of the Commission on Judicial Conduct is made in the above matter requiring transmittal to the Chief Judge and service upon the judge in accordance with Judiciary Law § 44, subd. 7, the Court of Appeals has asked the Commission to provide the judge's home address.

Judge's Home Address

Request and Authorization to Notify Judge's Attorney of Determination

In the event that a determination of the Commission on Judicial Conduct is made in the above matter requiring transmittal to the Chief Judge and service upon me in accordance with Judiciary Law § 44, subd. 7, the undersigned judge or justice:

(1) requests and authorizes the Chief Judge to cause a copy of my notification letter and a copy of the determination to be sent to my attorney(s) by mail:

Attorney's Name, Address, Telephone

(2) requests and authorizes the Clerk of the Commission to transmit this request to the Chief Judge together with the other required papers.

This request and authorization shall remain in force unless and until a revocation in writing by the undersigned judge or justice is received by the Commission.

Dated:

Signature of Judge or Justice

Acknowledgment:

Signature of Attorney for Judge or Justice

SEND TO: Clerk of the Commission
State Commission on Judicial Conduct
61 Broadway, Suite 1200
New York, New York 10006