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Board chairman to handle sheriff's son's case

By Greg Klein The Cooperstown Crier Apr 4, 2018 Updated 2 hrs ago



Bliss

     

COOPERSTOWN — The Otsego County Board of Representatives took a step toward resolving the case of county Correctional Officer Ros Devlin on Wednesday, voting unanimously during its April meeting at 197 Main St. to allow Board Chair Dave Bliss to accept the power to take over the

process in deciding whether the sheriff's son needs a medical evaluation to assess if he can return to work.

Devlin has been barred from county property for more than a year while he has been on paid leave. His father, Otsego County Sheriff Richard Devlin, Jr., agreed to give up authority on the possible evaluation to Bliss, R-Cherry Valley, Middlefield and Roseboom, who said the vote Wednesday won't resolve the issue, but will move the situation toward a resolution.

"I don't think it completely solves our problems," Bliss said. "This allows us to move forward and decide what is best under the circumstances."

According to court and county records, Ros Devlin got a reprimand for bringing his personal cellphone into the county correctional facility on Jan. 5, 2017. Devlin objected to the reprimand, the incident escalated, and Devlin was accused of threatening to shoot himself, his co-workers and two local schools.

The state Department of Corrections and Otsego County District Attorney's office investigated and decided there was not a case. The state did recommend punishment for Devlin for other matters, including the cellphone violation, and according to several sources, that punishment has been accepted.

However, a March 28 hearing about Ros Devlin's pistol permit, the testimony against him was deemed credible by a judge, and he lost his gun permit.

Bliss had the board's labor attorney, Matt Ryan, speak about the issue. Ryan said this deal will give the board options, based on whether an exam is needed, and accepted by Ros Devlin, and also based on what a potential exam might say. In each scenario, the board would gain significant information about how to proceed, he said, although there are still limits to the agreement.

"It is not a complete recusal or delegation of authority," he said.

Since Bliss took over for Kathy Clark, R-Laurens and Otego, as board chair in January, he and Devlin have expressed hope they could come to a resolution. Clark, whose husband, retired state trooper Bob Fernandez, is running against Devlin for sheriff this year, was not at the meeting.

Andrew Stammel, D-town of Oneonta, was also not at the meeting. Keith McCarty, R-Richfield, Springfield, abstained, making the weighted vote 4,300 to zero.

Rep. Ed Frazier, R-Unadilla, chair of the Public Safety and Legal Affairs Committee, said he had been dealing with the issue for more than a year, and he thanked Bliss for getting movement on it.

In other news Wednesday:

- The board voted to unanimously to hire the law firm of Napoli Shkolnik to handle a potential lawsuit against the manufactures and distributors of prescription opioids. Napoli Shkolnik is a New York City firm that specializes in opioids cases.
- The board designated April as Second Chance Month and also as Child Abuse Prevention Month.
- Public works chair Pete Oberacker, R-Decatur, Maryland, Westford and Worcester, told the board his committee would be creating an action plan to determine how to move forward on a shared highway facility in the town of Milford and on a major upgrade to the jail. He jokingly told his committee members they would be doing a lot of work soon.
- Frazier, who also oversees negotiations, said a deal is in place with the CSEA, the civil service union, and the county is close to a deal with the prison guards union. CSEA members will have the chance to approve the deal April 25, Frazier said, and if they do, the board would vote on it at its May meeting, which begins at 10 a.m. May 2.
- Board Vice Chair Gary Koutnik, D-Oneonta, said work is progressing on a long-delayed salary study for county employees.

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