

MAYOR  
LEONARD J. KING  
TRUSTEES  
RICHARD I. FORTE  
DONALD D. ELLIS  
BRENT FARNSWORTH  
ANDREW J. SMATKO  
CLERK AND TREASURER  
DANIEL J. SMATKO



118 Broadway  
Post Office Box 345  
Phone (518) 747-4023  
Fort Edward, N. Y.  
12828

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April 9, 1983

Mr. Timothy J. Morency  
RD#2 - Burch Road  
Fort Edward, New York 12828

Dear Mr. Morency:

In accordance with the provisions of Section 75 of the Civil Service Law of the State of New York, you are hereby notified that the following charges are preferred against you.

CHARGES

Charge 1 - YOU HAVE WILFULLY CONDUCTED YOURSELF IN A MANNER UNBECOMING A POLICE OFFICER AND THEREBY CASTING DISCREDIT UPON THE VILLAGE OF FORT EDWARD POLICE DEPARTMENT AND IMPAIRING THE OPERATION AND EFFICIENCY OF THE DEPARTMENT.

Charge 2 - YOU HAVE WILLFULLY FAILED TO OBEY THE LAWS OF THIS STATE AND THE LAWFUL DIRECTIONS OF MEMBERS OF THE FORT EDWARD POLICE DEPARTMENT.

Specifications for charges 1 and 2:

That commencing on March 19, 1983 at approximately 11:45 P.M., village police officer Timothy J. Morency while off duty and at his residence, 10 Taylor Street, Fort Edward, New York, did willfully violate the lawful mandate of "The order of Protection" of the Honorable Lawrence Ives dated March 1, 1983.

In addition and while members of the Village of Fort Edward Police Department were upon the above premises,

MAYOR  
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Officer Timothy J. Morency did interfere and prevent Sgt. Mitchell Suprenant from exercising a lawful police function. Subsequent and when Officer Timothy J. Morency was advised that he was under arrest, he assaulted Sgt. Mitchell Suprenant and fellow officers Norman C. Denis and Robert L. Dickinson.

Following Officer Timothy J. Morency's arrest, Officer Morency subsequently broke free from the lawful custody of Officer Norman C. Denis and was later apprehended in the Village of Fort Edward.

The aforementioned specifications are further particularized by the following exhibits that are attached hereto and part hereof;

- (1) Order of Protection dated March 1, 1983.
- (2) Affidavit of Mitchell C. Suprenant.
- (3) Affidavit of Norman C. Denis.
- (4) Affidavit of Robert L. Dickinson.

That on the basis of the aforementioned specifications, it is deemed that your actions have been a violation of the Rules and Regulations of the Village of Fort Edward Police Department, namely 1.02, Unbecoming Conduct and 1.04, Conformance to Laws.

You are allowed until the 20th day of April, 1983 within which you may make and file your answer in writing to these charges. Such answer should reach the office of the undersigned at 118 Broadway, Fort Edward, New York, at or before four o'clock in the afternoon on said 20th day of April, 1983.

You are entitled to a hearing on the above charges and to be represented at such hearing by an attorney. You should be prepared at such hearing to present such witnesses and other proof as you may have in your defense against these charges. Such hearing will be held at 7:00 P.M. on May 5, 1983 in the Village Hall at 118 Broadway, Fort Edward, New York. The hearing will be conducted by Bernice McPhillips, Attorney at Law who has been duly designated for that purpose in accordance with Section 75 of the Civil Service Law.

If you are found guilty of the above charges, the penalty or punishment imposed on you may consist of either dismissal from the service, demotion in grade and title, suspension without pay for

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a period not exceeding two months, a fine not exceeding \$100.00, or a reprimand.

Pending the determination of these charges, you are suspended without pay for an indefinite period (not exceeding 30 days), effective immediately upon service on you of a copy of this notice and statement of charges.

All further notices and communications addressed to you in connection with these charges will be mailed to your latest address on record in the personnel office of this institution, which is 10 Taylor Street, Fort Edward, New York, unless you request in writing that the same be sent to you at a different address.

Very truly yours,

  
Leonard J. King, Mayor  
Village of Fort Edward

STATE OF NEW YORK : COUNTY OF Washington  
Village COURT Village OF Fort Edward

The People of the State of New York

Plaintiff(s)

Order of  
Protection

against

Defendant

TO: Timothy J. Moseley, DEFENDANT, residing at Bill #2 Birch Drive  
Fort Edward, NY

On the 1st day of March, 1983, you were ~~convicted~~ in this Court relating to a charge of (~~disorderly conduct~~), (~~harassment~~), (~~menacing~~), (~~reckless endangerment~~), (~~assault~~), (~~attempted assault~~), (~~or attempted murder~~) between spouses, parent and child, or between members of the same family or household, as defined in section eight hundred twelve of the family court act.

Pursuant to Section 530.11 of the Criminal Procedure Law, ~~as a part of your sentence relating to said conviction~~, you are hereby ordered as follows: (check as applicable)

- (a) to stay away from the home, school, business or place of employment of the family or household member;
- (b) to permit a parent to visit the child at stated periods;
- (c) to abstain from offensive conduct against the child or against the family or household member or against any person to whom custody of the child is awarded;
- (d) to refrain from acts of commission or omission that tend to make the home not a proper place for the family or household member;
- (e) other: \_\_\_\_\_

In its discretion, the Court may modify or enlarge the conditions. If you violate any of these conditions at any time, the Court may return you to court for review of your sentence.

Dated: March 1, 1983

[Signature]  
Judge-Justice

I have read or have had read to me the above conditions imposed and I thoroughly understand the conditions imposed.

I acknowledge I have received a copy of this order and conditions imposed on me.

Dated: March 1, 1983

[Signature]  
Defendant

NOTE TO JUSTICE: Execute in triplicate. File copy with appropriate police agency having jurisdiction.

POLICE AGENCY: \_\_\_\_\_

SUPPORTING DEPOSITION

STATE OF NEW YORK : : COUNTY OF WASHINGTON  
VILLAGE COURT : : VILLAGE OF FORT EDWARD

THE PEOPLE OF THE STATE OF NEW YORK

—vs—

----- Timothy J. Morency -----  
Defendant

I, Norman C. Denis -----, as and for a Supporting Deposition in connection with  
an (Information)

On March 19, 1983 at 11:15 P.M., dispatch called on the radio and gave me a phone number to call. Upon calling this number, Kathy Morency advised me that she was in Glens Falls heading home and that she wanted to meet up with me at Agway on Broadway, town of Fort Edward. I informed my partner Ptl. Dickinson who was in another patrol car of this call and pending meeting. Meeting Kathy at Agway, she told me that she had been talking to her baby-sitter at the house. The baby sitter had told Kathy, that Tim had been drinking hard and that the baby sitter was afraid. The baby sitter was also afraid for the children, because Tim was doing strange things like making the kids drink Scotch. Kathy asked me to stay close to the house or area when she arrived home. All this I told to my partner.

On the March 20, 1983 at 12:30 A.M., dispatch gave a call for 10 Taylor St. which is Tim and Kathy Morencys' house. Officer Dickinson and I proceeded to the house and I advised dispatch to call Sgt. Suprenant at home. Kathy met in the driveway, stating that Tim had kicked her out of the bathroom while she was going, stating, "you can not use my toilet." I asked her if she wanted us to talk to Tim, and she stated, "Tim was todunk to listen and didn't want to talk to us." I told her that we could not stay there all night long to baby sit her and suggested that she get ahold of Judge Ives to advise her. This she said she would do, and Dickinson and I left. Dispatch advised me that they could not reach Sgt. Suprenant, and not knowing at that time where he was stated disregard.

At approx. 12:45 A.M. (same date), I met Sgt. (Mitch) Suprenant on Bridge St. headed towards Broadway. He advised me that Tim had just called him, and Mitch wanted to know what had happened prior. Mitch than advised that he was going over to Tim and Kathys'.

At approx. 2:00 A.M. (same date), dispatch called a request at 10 Taylor St. Officer Dickinson advised that he had been there prior and was on his way back with warrant from Judge Ives.

Upon arriving, the kitchen was no more (everything was broken). Kathy told us that Mitch and Tim was upstairs in the bedroom. Upstairs Mitch was trying to talk to Tim, who kept shouting back. With warrant in hand, Tim was placed under arrest. Fighting, kicking, shoving, and all. Cuffs were finally placed on Tim in the dining room. Tim donkey kicked myself and Mitch, also trying for Dickinson (I don't know if he made contact). On the way towards the kitchen Tim gave one more donkey kick, getting Mitch. Fighting Tim all the way, we got him to the car. Finally getting him in the car, Mitch instructed us to take him to the Police Dept. to do the paper work on Tim.

----- End of page one -----

Deponent,  
*Norman C. Denis*

Subscribed and sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

-----  
Title -----

SUPPORTING DEPOSITION

STATE OF NEW YORK : : COUNTY OF WASHINGTON  
VILLAGE COURT : : VILLAGE OF FORT EDWARD

THE PEOPLE OF THE STATE OF NEW YORK

—vs—

----- Timothy J. Morency -----  
Defendant

I, ----- Norman C. Denis -----, as and for a Supporting Deposition in connection with  
an (Information) Page 2

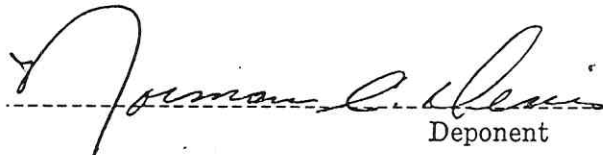
At the Police Station, Tim asked Mitch to take the cuffs off because they were to tight. When the back door was opened, and the cuffs were off Tim headed down the road in back of the Police station stating, "I'm going over to Larrys (Judge Ives) house."

At Judge Ives house Tim was met at the door by the door. Dickinson and I were right behind him. Inside the house the Judge told Tim he was sen ding him to Salem without any bail until Monday at 1:00 P.M. Judge Ives than told Dickinson and I to but the cuffs on Tim and to take him out. Tim was no trouble when it came to putting the cuffs on. But he did not want to leave the house, nor did he want to get back into the car.

Back at the station, Tim said that he wanted to call his lawyer. I called Mitch at Judge Ives and he stated, " let him make a call but do not take the cuffs off." after his call we took Tim back upstairs to the car. Tim than stated that he wanted to make another call to another lawyer and refused to get into the car when we said no. Dickinson and I told him he could make another call when he was at Salem. Still refusing to get into the car, I went aròund to the far side of the car. Pulling on the cuffs from the other side and Dickinson lifting on his legs we finally had him in.

With commitment papers in hand, Dickinson started to take Tim to Salem. As he was leaving Tim yelled back, "Wait until the time comes when you want a back-up." Also, " I'll get every one of you."

-----End of page 2 -----

  
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Deponent

Subscribed and sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

-----  
Title-----

SUPPORTING DEPOSITION

STATE OF NEW YORK : : COUNTY OF WASHINGTON  
VILLAGE COURT : : VILLAGE OF FORT EDWARD

THE PEOPLE OF THE STATE OF NEW YORK

—vs—

-----  
Timothy J. Morency  
Defendant  
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I, Robert L. Dickinson -----, as and for a Supporting Deposition in connection with an (Information)

I work for the Fort Edward Police Department, as a part time Police Officer. While patrolling in my patrol car at 11:15 PM on Saturday March 19, 1983, I received a message from Officer Norman Denis, who is also a Police Officer for the Fort Edward Police Department. He advised me that there may possibly <sup>be</sup> Trouble at the Morency's Residence. He stated that he had talked to Morencys wife and that she said that her husband had been drinking and that she was afraid to go home.

About two hours later I was patrolling past 10 Taylor Street when the defendant's wife flagged me down and said that I should go in the house and help Mitch Suprenant with her husband Timothy. At This time Mitch came out to talk to Kathy and I. He said that he could not get the defendant to listen to him at all. Mitch told me that Timothy was throwing beer bottles and spitting on the floor. Mitch told me Timmothy shoved him in the kitchen, resulting in the kitchen table being broke. At this time I went to the station and met with Mitch. He called the Judge and explained the situation to him. Judge Ives said that ~~that~~ Morency was violating an order of protection and that he was going to issue a warrant for him. I got the warrant and brought it to Morencys house. I was assisted by Norm Denis and Mitch Suprenant while executing the warrant. After being placed under arrest he became very abusive and resisted arrest. While restraining Morency in Handcuffs he Kicked Sgt. Suprenant and used vulgar and abusive language. All this took place in front of his wife and children. We placed the said defendant into Car #121 and Norm Denis transported him to the Station. While at the station the said defendant escaped from the custody of Norman Denis. He ran down canal Street and was apprehended on State Street. We brought the Defendant before judge Ives. The Judge then remanded him to The Washington County Correctional Facility without Bail.

*Robert L. Dickinson*

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Deponent

Subscribed and sworn to before me  
this ----- day of ----- 19-----

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Title -----

STATE OF NEW YORK : : COUNTY OF WASHINGTON  
VILLAGE COURT : : VILLAGE OF FORT EDWARD

THE PEOPLE OF THE STATE OF NEW YORK

—vs—

Timothy J Morency \_\_\_\_\_,  
Defendant

I Robert L Dickinson \_\_\_\_\_, as and for a Supporting Deposition in connection with  
an (Information)

At this time the defendant refused to leave the Judges house. We had to talk  
Morency into leaving the house and had to forcibly place him into the Police  
Car.

*Robert L. Dickinson*

-----  
Deponent

Subscribed and sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

-----  
Title-----  
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SUPPORTING DEPOSITION

STATE OF NEW YORK : : COUNTY OF WASHINGTON  
VILLAGE COURT : : VILLAGE OF FORT EDWARD

THE PEOPLE OF THE STATE OF NEW YORK

—vs—

----- Timothy J Morency -----  
Defendant

I Mitchell C Suprenant -----, as and for a Supporting Deposition in connection with  
an (Information)

I am a Sergeant with the Village of Fort Edward Police Department and I am also the Officer in Charge of the Department. That on the 19th day of March, 1983 at or about 11:30 PM I received a phone call from Timothy J Morency, a patrolman for the Village of Fort Edward Police Department. He stated on the phone that He was not doing anything wrong and that he was going to bed. He stated that his wife was giving him a problem and that he wanted me to know that he was going to bed. He stated that his wife had called the cops and that if Noman Denis, the officer that was on duty came into his bedroom that he was going to build him a new asshole. He also stated that he would throw him down the stairs. I told him to just relax and go to bed and behave himself. As he was hanging up the phone I could here<sup>ing</sup> yelling at someone. I decided that I had better go to his house and make sure everything was O.K. I entered his house and went to his bedroom. He stated the his fucking wife was at Judge Ives house and that he had just got done talking to Judge Ives on the Phone. I told him that it would probably be a good Idea to leave the house so that there would not be any trouble when his wife came back home. He said that all he wanted to do was to go to sleep. I told him that there was an active order of Protection in effect against him and that I thought that by being at the house<sup>ne</sup> was in violation of it. He said that the Judge said that it was O.K. for him to sleep there as long as he did not create a disturbance. He then got out of bed and called the Judge and told him that I was there and was asking him to leave. I then talked to the Judge and he told me that it was all right for Morency to stay as long as he went to sleep and did not cause any problems. He also said that he warned Morency that he would go to Jail if he caused any problems. Morency then went into bed. I told him to make sure his alarm wa set and then I would leave him alone. I started to leave and he said "oh Fuck it" and got dressed and went down stairs and started to drink. When we got dow stairs his wife was there along with Lita Grant, Lisa Cook, and the Morencys two Children. Lita Grant was screaming for me to get Timothy out of the house because he was crazy. Later on Lita became so upset that she was Hypo-venilating and screaming that she Hated Timothy and that she couldnt stand looking at him any longer. I stayed at the house for about 2 hours trying to get Morency to either go to bed or to leave the house and spend the rest of the night at his mothers house. He did several times go upstairs to his bedroom but all he did while he was up there was throw things around and growl like and animal. He also threw a half-full bottle of beer on the Kitchen floor and a Half-fullbottle of wine on the dining room floor. Finnally I told him that if he did not settle down that I was going to call the Judge and tell him that something has to be done. On several occasions he spit

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Deponent

Subscribed and sworn to before me  
this ----- day of ----- 19-----

-----  
Title -----

SUPPORTING DEPOSITION

STATE OF NEW YORK : : COUNTY OF WASHINGTON  
VILLAGE COURT : : VILLAGE OF FORT EDWARD

THE PEOPLE OF THE STATE OF NEW YORK

—vs—

Timothy J Morency

Defendant

I Mitchell C Suprenant, as and for a Supporting Deposition in connection with an (Information)

on the floors and <sup>walls</sup> walls and attempted to spit in his wifes face. Finnaly I told him that I was going to call the Judge and He said you Fucking Asshole you are not going to call anybody. As I reached for the the phone he shoved me out of the way and tore the phone from the wall. He threw the phone into several differnet directions. As I was trying to find the parts of the phone that I needed to hook the phone back up he followed me around call<sup>me</sup> all sorts of abusive names. I tried to put the phone on the wall and he pused me again. This time I shoved him away from<sup>me</sup> so that I could get the Phone working again. He was very much intoxicated and fell onto the Kitched table causing it to break. I finally decided to leave and go to the Ploice Station where I could explain the situation to the Judge. I explained the situation to the Judge and he told me to send an officer down and that he would issue a warrant for Morency. I sent Ptl Dickinson to the Judges and I went back to the Morecny house and tried to talk to Timothy again. He stated that I was crazy and that the order of protection was no good and that a warrant could notbe issued. He then ordered me out of his house and tried to push me down the stairs. Officers Dickinson And Denis both arrived upstairs with the warrant and placed Morency under Arrest. While walking down the stairs he attempted to kick Officer Denis down the Stairs. After we got down stairs he started to used vulgar and abusive language. We told him that we had to put the Handcuffs on him and he attempted to prevent us from doing this. He kicked me twice in the groin area. We finally got him out of the house and to the police station. I left Norman Denis in charge of him outside the Police Station and in the Patrol Car. Morency then forcibily escaped from custody. He was later aprehended a short time later in front of Judge Ives house and Arraigned. He had to be verbally persuaded to leave Judge Ives house and physically persuaded into getting in the Patrol Car.

END OF STATEMENT

*Mitchell C Suprenant*  
Deponent

Subscribed and sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_  
Title\_\_\_\_\_