

That on July 17, 1981 at or about 2:30 a.m. while on official police duty for the Village of Fort Edward, you did pick up and carry as a passenger in the Village police car, a fifteen (15) year old minor, namely, Donna Suddard, and that her presence in the said police car was not in any way related to the performance of your police duties. That the presence of said Donna Suddard in said police car was observed by Sgt. Mitchell C. Suprenant, who observed you and followed the police car you were operating on Bridge Street, Broadway, Notre Dame Street, Roger Street and Baldwin Avenue in the Village of Fort Edward. That you discharged the said Donna Suddard from the police vehicle on Canal Street in the Village of Fort Edward and you were observed by Sgt. Suprenant at that time. That you were on July 18, 1981 confronted separately by Sgt. Suprenant and Sgt. Wayne J. Trombley with respect to this incident and you admitted to both of them separately that Donna Suddard had been a passenger in the Village police car on the morning of July 17, 1981. That such action on your part is a violation of Section 1.02 of the Rules and Conduct of the Fort Edward Police Department.

Specification 1 - UNBECOMING CONDUCT

Charge 1 - YOU HAVE WILLFULLY CONDUCTED YOURSELF IN A MANNER UNBECOMING A POLICE OFFICER AND THEREBY CASTING DISCREDIT UPON THE PUBLIC SERVICE

CHARGES

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.

Dear Mr. Roberts:

Mr. Jon Roberts  
31 Elm Street  
Hudson Falls, New York 12839

August 24, 1982

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

*Copy for Mayor*

That on August 7, 1982 at or about 12:30 a.m., while on official police duty for the Village of Fort Edward, you did attempt to kiss on the lips, a fourteen (14) year old minor, namely, Amy Gorham, while you were sitting in a Village police car at 63 East Street in said Village. That you did so in the presence of Tricia Strain, age twenty (20), who has given a voluntary statement that you did in fact kiss the said minor, Amy Gorham. That said minor was frightened by your act and she ran crying into the residence at 63 East Street, Fort Edward. That such action on your part is a violation of Section 1.03 of the Rules of Conduct of the Fort Edward Police Department.

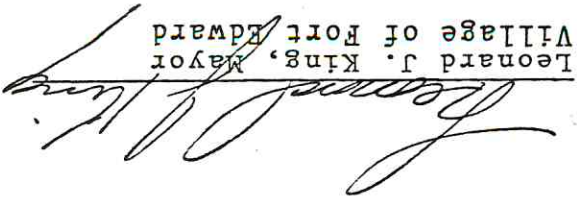
You are allowed until the 8th day of September, 1982 within which you may make and file your answer in writing to these charges. Such answer should reach the office of the undersigned at 118 Broadway, Fort Edward, New York, at or before four o'clock in the afternoon on said 8th day of September, 1982.

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 September 20, 1982, 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.

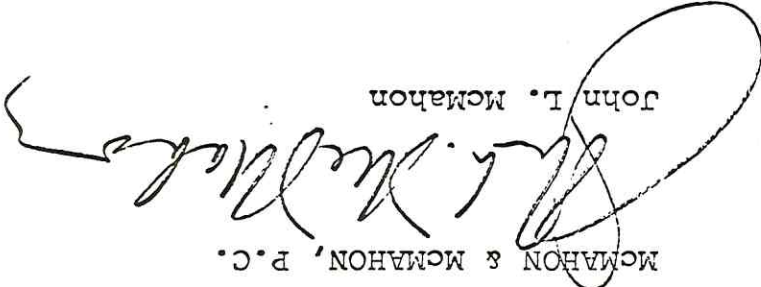
If you are found guilty of the above charge, the penalty or punishment imposed on you may consist of either dismissal from the service, demotion in grade and title, suspension without pay for a period not exceeding two months, a fine not exceeding \$100.00, or a reprimand. Pending the determination of 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 31 Elm Street, Hudson Falls, 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

JLM/cc

John L. McMahon  
  
 McMahan & McMahan, P.C.

Yours very truly,

Please be further advised that Mr. Roberts will appear with counsel on the hearing date set forth in your letter of August 24, 1982.

For an answer to the charge placed against him Mr. Roberts denies the charge. As to Specification #1 Mr. Roberts admits that on July 17, 1981, Donna Suddard was carried as a passenger in a police car but denies the allegation that her presence was not related to the performance of police duties and further denies that such action violates Section 1.02 of the Rules of Conduct of the Fort Edward Police Dept. As to Specification #2 Mr. Roberts denies the allegations contained in said Specification.

Please be advised that this firm has been retained to represent Mr. Jon Roberts in proceedings commenced under Section 75 of the Civil Service Law.

Dear Sir:

Re: Jon Roberts

Hon. Leonard J. King  
 Mayor  
 Village of Fort Edward, N.Y. 12828

September 7, 1982

MCMAHAN & MCMAHAN, P. C.  
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CARL L. MCMAHAN (1885-1966)  
 JOHN L. MCMAHAN  
 EDWARD J. MCMAHAN  
 JOHN P. COSEO  
 PETER L. COSEO