

Warren County Board of Supervisors

RESOLUTION NO. 179 OF 2024

RESOLUTION INTRODUCED BY SUPERVISORS STROUGH AND CROCITTO

HOME RULE REQUEST BY WARREN COUNTY TO SUPERSEDE THE RESIDENCY REQUIREMENT OF THE PUBLIC OFFICERS LAW FOR CERTAIN ATTORNEYS EMPLOYED BY WARREN COUNTY TO AID RECRUITMENT

WHEREAS, the County of Warren requires qualified and committed attorneys willing to serve as public servants in critical staff attorney positions in the Warren County District Attorney's Office, Warren County Public Defender's Office, and the Warren County Attorney's Office, and the District Attorney, Public Defender and County Attorney have advised of challenges recruiting qualified licensed attorneys to fill staff attorney positions in each Department, and

WHEREAS, the District Attorney, Public Defender and County Attorney seek authority to attract potential applicants from adjoining counties for these staff attorney positions which requires the New York State Legislature to amend Section 3 of the New York State Public Officers Law, and

WHEREAS, the State Legislature previously superseded Section 3 of the New York State Public Officers Law to permit the following counties to recruit staff attorneys from adjoining counties: the counties of Westchester, Yates, Madison, Montgomery, Schuyler, Putnam, Fulton, Essex, Wyoming, Sullivan, Oswego, Chenango, Washington, Lewis, Cayuga, Orleans, Rockland, Orange, Oneida, Rensselaer, and Greene, and

WHEREAS, the Warren County Board of Supervisors, on behalf of the County of Warren, desires to supersede the residency requirement of the Public Officers Law for certain attorneys employed by Warren County to aid recruitment, and

WHEREAS, the local government, Warren County, does not have the power to enact such legislation by local law, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors, on behalf of the County of Warren,

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hereby requests the Legislature to enact a bill superseding the residency requirement of the Public Officers Law for the positions of Assistant District Attorney, Assistant Public Defender, and Assistant County Attorney to aid recruitment, however, any person holding the office of first assistant district attorney, the holder of which would assume the duties of the district attorney upon the absence of the district attorney from the county or upon the district attorney's inability to perform the duties of the office, shall be required to be a resident of Warren County, and be it further

RESOLVED, that it is hereby declared that a necessity exists for the enactment of such legislation in that the local government, Warren County, does not have the power to enact such legislation by local law, and be it further

RESOLVED, that the Clerk of the Board of Supervisors be, and hereby is, authorized to complete the Municipal Home Rule Request form, complete the certification contained thereon, and indicate that the Board of Supervisors voted in favor of the Municipal Home Rule Request stated therein, and to transmit the same together with this resolution to the Senate and Assembly.