Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐ County  ☐ City  ☐ Town  ☐ Village
(Select one:)

of Otsego

Local Law No. ___________ of the year 20^18

A local law creating an exception to the residency requirement for Correction Officer, Correction Sergeant, and Correction Lieutenant

(Insert Title)

Be it enacted by the Board of Representatives
(Name of Legislative Body)
of the

☐ County  ☐ City  ☐ Town  ☐ Village
(Select one:)
of Otsego

as follows:

BE IT ENACTED by the Board of Representatives of the County of Otsego as follows:

Section 1. Intent
It is the purpose of this local law to confirm the commitment of Otsego County to hire residents who have the necessary qualifications and skills to meet the requirements of the positions of Correction Officer, Correction Sergeant, or Correction Lieutenant for Otsego County as required by Public Officers Law section 3. However, staffing and recruitment of qualified applicants for these positions have proven difficult historically, given the particular skills and experience required. This local law permits the recruitment and appointment of non-residents of the County from contiguous to Otsego County to the positions of Correction Officer, Correction Sergeant, or Correction Lieutenant in the event of an inability to recruit a qualified candidate from within Otsego County.

Section 2. Authority
Because Public Officers Law section 3 is not a general law by virtue of Public Officers Law section 42 among other sections, the Board of Representatives is authorized to supersede Public Officers Law section 3 by local law. This local law hereby supersedes the residency requirement of Public Officers Law section 3 for certain positions specified herein. The Board of Representatives by this local law authorizes the recruitment of and hiring of persons for the positions of Correction Officer, Correction Sergeant, or Correction Lieutenant who reside within the County of Otsego and reside within contiguous counties.

Section 3. Effective Date
This local law shall take effect immediately upon filing with the Secretary of State.
Offered by the Public Safety and Legal Affairs Committee

(If additional space is needed, attach pages the same size as this sheet, and number each.)
1. (Final adoption by local legislative body only.)
I hereby certify that the local law annexed hereto, designated as local law No. 6 of 2018 of the (County)(City)(Town)(Village) of Otsego was duly passed by the Board of Representatives (Name of Legislative Body) on July 5, 2018, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer.*)
I hereby certify that the local law annexed hereto, designated as local law No. 20____ of the (County)(City)(Town)(Village) of ________________, on ______________, 20____, and was (approved)(not approved) (Elective Chief Executive Officer*) (repassed after disapproval) by the ________________ and was deemed duly adopted on ____________ 20____, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)
I hereby certify that the local law annexed hereto, designated as local law No. ________________ of 20____ of the (County)(City)(Town)(Village) of ________________, was duly passed by the (Name of Legislative Body) (repassed after disapproval) by the ________________, on ______________, 20____, and was (approved)(not approved) 20____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on ______________ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)
I hereby certify that the local law annexed hereto, designated as local law No. ________________ of 20____ of the (County)(City)(Town)(Village) of ________________, was duly passed by the (Name of Legislative Body) (repassed after disapproval) by the ________________, on ______________, 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of ______________ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.
5. (City local law concerning Charter revision proposed by petition.)
I hereby certify that the local law annexed hereto, designated as local law No. ______ of 20____ of the City of _________ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _______ 20____, became operative.

6. (County local law concerning adoption of Charter.)
I hereby certify that the local law annexed hereto, designated as local law No. ______ of 20____ of the County of ________, State of New York, having been submitted to the electors at the General Election of November _______ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)
I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1____ above.

[Signature]
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 7/4/18
RESOLUTION NO. 197-20180705

RESOLUTION - ADOPTING A LOCAL LAW FOR THE YEAR 2018
(A LOCAL LAW CREATING AN EXCEPTION TO THE RESIDENCY
REQUIREMENT FOR CORRECTION OFFICER, CORRECTION
SERGEANT, AND CORRECTION LIEUTENANT)

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

WHEREAS, there was duly presented to the Board of Representatives of
the County of Otsego at a regular meeting duly held in the Meeting Room of
the Board of Representatives in the Otsego County Office Building,
Cooperstown, New York on June 6, 2018, a local law for the year 2018 entitled "A
Local Law Creating an Exception to the Residency Requirement for Correction
Officer, Correction Sergeant, and Correction Officer"; and

WHEREAS, a public hearing was duly held on the proposed Local Law in
the Meeting Room of the Board of Representatives in the Otsego County Office
Building, 197 Main Street, Cooperstown, New York on the 5th day of July, 2018,
at 10:00 a.m., at which time all interested persons were heard; now, therefore,
be it

RESOLVED, that a local law of the County of Otsego for the year 2018, as
above set forth, be and the same is hereby adopted.

STATE OF NEW YORK :
SS
COUNTY OF OTSEGO :

[Signature]
Clerk of the Board of Representatives
Otsego County, New York

WITNESS my hand and the official seal of the Board of Representatives of
Otsego County, New York, this 6th day of July, 2018.