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WNED-AM 970 NEWS

County Attorney's Salary an Issue of Contention

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Mike Desmond (2011-03-08)

BUFFALO (WNED) - Erie County lawmakers meet today for a confirmation vote on Jeremy Colby to be county attorney, a post vacant since last summer when Cheryl Green resigned to run for State Supreme Court.

While Colby is expected to be confirmed, it is less clear how much he will be paid. There is a fight over the salary after legislators cut the pay to \$100,000 a year. County Executive Chris Collins wants to pay \$150,000.

Comptroller Mark Poloncarz says he's not sure he will sign a paycheck at \$150,000, although he is paying some other workers whose jobs were abolished in the budget but who continued to work, such as 9-1-1 dispatchers.

"This is a high-level individual that's hired at the discretion of the county executive pursuant to an appropriation under the budget and, right now, we do not have an appropriation under the budget," said Poloncarz.

Legislator Raymond Walter is backing the Colby confirmation and the county executive. He says the charter requires a county attorney, not just an acting county attorney, and Collins can set the pay.

As a lawyer, Walter says this decision may join the current court battle over the budget and who can make such decisions.

"This would be included in the general case. If there is a question of how they were eliminated, that could be a separately-litigated issue," said Walter.

Whoever loses the court fight is likely to appeal, likely extending the time frame on a final decision.

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