

INTRO 8-2

A RESOLUTION TO BE SUBMITTED BY  
LEGISLATORS MILLER-WILLIAMS, BOVE & WHALEN

Re: Establishing a salary for the County Attorney

WHEREAS, on February 11, 2011, the County Executive advised the Erie County Legislature of his intent to appoint Mr. Jeremy A. Colby as County Attorney subject to confirmation by the Erie County Legislature; and

WHEREAS, on March 8, 2011, the Erie County Legislature met in Special Session to confirm the appointment of Mr. Jeremy A. Colby as County Attorney; and

WHEREAS, on March 16, 2011, the Office of the Comptroller advised that Mr. Colby had been appointed at an annual salary of \$149,831 which exceeds the annual salary of \$99,226 which was approved by the Legislature in the 2011 budget process; and

WHEREAS, the Comptroller has further advised that Mr. Colby will not receive a salary payment until such time as his annual salary is adjusted to an amount not to exceed \$99,226; and

WHEREAS, the issue of the salary of the County Attorney, as part of the 2011 budget process, is currently pending in New York State Supreme Court and may not be resolved in the near future.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature urges the County Executive to submit the appropriate documentation to authorize the payment of a salary in an amount not to exceed \$99,226 pending the conclusion of the litigation related to the 2011 Budget; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the Comptroller, the Commissioner of Personnel, the Budget Director, the County Attorney and the Erie County Fiscal Stability Authority.