

PUBLIC NOTICE

Proposed Local Law No. ____ of 2023
Amending Chapter 54, entitled "Residency Requirements"
of the Town Code of the Town of Harrison

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Harrison, at its meeting to be held at 7:00 P.M., on August 10, 2023, will hold a Public Hearing pursuant to Article 2, Section 10 and Article 3, Section 20 of Municipal Home Rule Law, to amend Chapter 54, entitled "Residency Requirements" of the Town Code of the Town of Harrison as follows: (new material is underlined and deletions are in brackets []).

Chapter 54. Residency Requirements.

Article I. Residency Requirements for the Town/Village of Harrison. [Police Department Aide/Court Attendant]

§ 54-1 Statement of Purpose.

It is the purpose of this local law, when deemed appropriate by the Town Board, to allow for the appointment of certain non-resident individuals to positions or offices within the Town government.

[Persons now holding, or in the future appointed to, the position of Police Department Aide/Court Attendant in and for the Justice Court of the Town/Village of Harrison, need not be residents of the Town/Village of Harrison, provided such persons are residents of Westchester County.]

§ 54-2 [General Provisions.] Residency Exceptions.

A. Notwithstanding the provisions of New York State Town Law, Article 3, § 23 [and], Public Officers Law, Article 2, § 3 and any other applicable provisions of state law, [the] persons now holding, or in the future appointed to perform[ing] the functions of the Police Department Aide/Court Attendant need not be an elector of the Town/Village of Harrison, provided that such person is a resident of the County of Westchester.

[Article II Residency Requirements for Building Inspector, Assessor, Engineer, and Deputy Town Attorney]

[§ 54-3Statement of purpose.]

[Persons now holding, or in the future appointed to, the position of Building Inspector, Assessor, and/or Deputy Town Attorney need not be residents of the Town/Village of Harrison provided such persons are residents of Westchester County, and in the position of Engineer, need not be a resident of the Town/Village of Harrison provided such person is a resident of Westchester County or a county adjoining Westchester County within the State of New York.]

[§ 54-4 General provisions.]

B. Notwithstanding the provisions of New York State Town Law, Article 3, § 23 [and], Public Officers Law, Article 2, § 3 and any other applicable provisions of state law, [the] persons now holding, or in the future appointed to the position(s) of Building Inspector, Assessor, Town Attorney and Deputy Town Attorney need not be an elector of the Town/Village of Harrison provided such persons are residents of Westchester County, and in the position of Engineer, need not be a resident of the Town/Village of Harrison provided such person is a resident of Westchester County, or a county adjoining Westchester County within the State of New York.

This Law shall take effect immediately upon filing with the Secretary of the State of New York.

ALL PERSONS HAVING AN INTEREST IN THE MATTER ARE INVITED TO
ATTEND AND BE HEARD.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF HARRISON.

Jacqueline Greer
Town Clerk

Dated: Harrison, New York
May 11, 2023

Stout
62 Webster Avenue
Harrison, NY 10528

June 13, 2023

The Honorable Richard Dionisio, Supervisor
& Council Members
Town of Harrison
One Heineman Place
Harrison, NY 10528

Dear Supervisor and Councilmembers:

I wish to share my concerns with you regarding the proposal to change the requirement that the Town Attorney be a Harrison resident and unfortunately, I am unable to attend the public hearing.

Assuredly your honorable board must have been advised that there are multiple Comptroller opinions regarding this type of action that cannot be accomplished through merely changing the local law.

But beyond the procedural issue, I think the longer-term ramifications should be considered. Residents have a vested interest in our community and a better understanding of our neighborhoods, schools, business and cultural make up.

All of those should be important factors when determining who the right person is to advise not only your board, but the other citizen boards that have statutory authority to act on behalf of the Town.

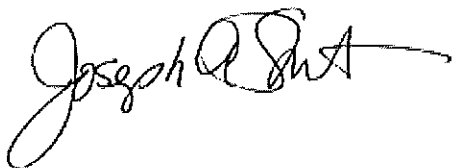
There is always the need to attract excellent talent to work for us, and Harrison has a long, positive history of hiring non-resident Village Attorneys and assistant Town Attorneys in addition to bringing in outside counsel when needed. But the principal department head is a resident.

There are too many qualified Harrison residents to name that have, and can continue, to serve and represent the best interests of the community without the need to bring in someone that does not reside here nor can ever have the same attachment to the town.

By removing the residency requirement, you may be inadvertently creating the potential for some future Supervisor to use this non-resident position for purposes that may not be in the best interest of the town but may be in the best interest of powerful outside interests. Having the Town Attorney reside here, interact, and personally live with their decisions is a powerful incentive to put the town first. That is why the State law was enacted in the first place.

Thank you for your careful consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph A. Stout". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Joseph A. Stout