

## RESOLUTION NO. 541

### REPEALING THE EXISTING RESIDENCY REQUIREMENT FOR ALBANY COUNTY EMPLOYEES AND ADOPTING A NEW LIMITED RESIDENCY REQUIREMENT FOR SELECT ALBANY COUNTY POSITIONS

Introduced: 11/13/23

By Personnel Committee:

WHEREAS, By Resolution No. 245(C) for 1995, as amended by Resolution No. 587 for 2013, this Honorable Body established as a qualification for continuing employment a residency requirement for employees of Albany County, and

WHEREAS, In the years since it was established, Departments of Albany County have routinely sought and received waivers of the residency requirement allowing them to hire qualified out-of-county applicants, and

WHEREAS, By Resolution No. 181 for 2018, this Honorable Body further amended the policy to indicate that no exemptions or waivers of any kind would apply to employees of the Legislative branch, ensuring that all employees of the Legislature would be residents of Albany County and members of the community, and

WHEREAS, By Resolution No. 270 for 2022, this Honorable Body, consistent with Resolution No. 181 for 2018, suspended the residency requirement for Albany County for a two-year period due to Departments experiencing ongoing difficulty finding qualified applicants who reside within Albany County, and

WHEREAS, The Albany County Sheriff and County Executive have indicated that it remains difficult to find applicants for numerous positions throughout Albany County government, and have requested that the residency requirement be permanently rescinded throughout the County, and

WHEREAS, It is the determination of this Honorable Body that a limited number of positions in County service benefit from employing residents of the community who reside within Albany County, now, therefore, be it

RESOLVED, By the Albany County Legislature, that Resolution Nos. 245(C) for 1995, 587 for 2013, and 270 for 2022 are all hereby rescinded and repealed in their entirety, and, be it further

RESOLVED, That a new limited residency requirement is hereby established as a qualification for continuing employment with Albany County for all employees of the Legislative branch of government, as well as for all Commissioners, Directors, or any other positions subject to confirmation by the Legislature, whom are either

currently employed by the County or are hired after the effective date of this resolution, whereby all such employees must reside within the boundaries of Albany County, and, be it further

RESOLVED, That in the event there are no qualified Albany County applicants for a given position outside of the Legislative branch, as determined and documented by a department seeking to hire staff, the Personnel Committee shall review and make recommendation to this Honorable Body on a case by case basis as to the hiring of out-of-county applicants, and, be it further

RESOLVED, That this diminution of the residency requirement has no bearing on any other employment requirements imposed under the New York State Public Officers Law or any other applicable provision of law, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.