

PUTNAM COUNTY EXECUTIVE  
KEVIN M. BYRNE

MEMORANDUM

TO: Diane Schonfeld, Clerk  
Putnam County Legislature

CC: The Putnam County Legislature

FROM: Kevin M. Byrne  
County Executive

DATE: October 25, 2024

RE: **Veto of Local Law # 215 of 2024 which proports to Amend the Charter of Putnam County By Amending Article 8, Section 8.01 Entitled "Department of Law-County Attorney"**

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Please be advised that I am vetoing Local Law number 215 of 2024 ("Local Law") which seeks to weaken the County Attorney, the Law Department, and to undermine the authority of the County Executive.

This Local Law is fatally flawed because it contravenes the New York State Municipal Home Rule Law. This Local Law would allow the County Legislature to remove the County Attorney for any reason, or no reason at all without the consent or concurrence of the County Executive. This Local Law would divest the authority of the County Executive who is the only elected official presently with the authority to initiate the removal of a County Attorney without specific justification. That power is conferred upon the Executive by the Putnam County Charter. The implementation of this Local Law would allow the Legislature to fire the County Attorney at will. The required Mandatory Referendum providing the citizens of Putnam County the opportunity to vote on this change is absent from this Local Law.

This Local Law was born of retaliation and is the ill-advised response to the County Attorney's lawful reporting of a Legislator's conflict of interest to the County Ethics Board. When this Local Law was passed, a Legislator who was the primary subject of the pending ethics complaint, and, who repeatedly recused herself from votes, and at times, discussions related to this legislation, inexplicably did not recuse herself from the vote on October 1, 2024, and, in fact, cast the deciding vote on this Local Law without explanation.

For all the reasons stated above, I hereby **VETO** Local Law number 215 of 2024.

PUTNAM COUNTY LEGISLATURE

Resolution #215

Introduced by Legislator: Toni Addonizio on behalf of the Rules, Enactments & Intergovernmental Relations Committee at a Regular Meeting held on October 1, 2024.

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**APPROVAL - LOCAL LAW TO AMEND THE CHARTER OF PUTNAM COUNTY BY AMENDING ARTICLE 8, SECTION 8.01 ENTITLED "DEPARTMENT OF LAW – COUNTY ATTORNEY"**

Be it enacted by the Legislature of the County of Putnam as follows:

**Section 1.**

Section 8.01 of the Charter of the County of Putnam is hereby amended to read as follows:

**§ 8.01 – Department of Law – County Attorney**

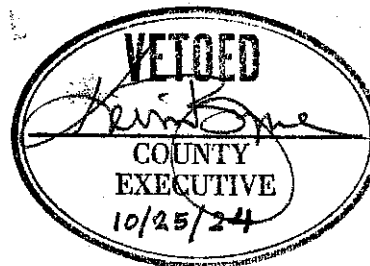
There shall be a Department of Law under the direction of a County Attorney who shall be appointed by the County Executive, subject to confirmation by the County Legislature. At the time of his or her appointment, and throughout his or her term of office, the County Attorney shall be and remain duly licensed and entitled to practice law in the State of New York. He or she shall be appointed on the basis of his or her legal experience and other qualifications for the responsibilities of his or her office. The County Attorney may be removed by the County Executive, subject to a two-thirds vote of concurrence by the County Legislature. The County Attorney may also be removed by the County Legislature by a two-thirds vote of the Legislature, however, this provision shall not be applicable to the County Attorney serving at the time this law takes effect. The County Attorney shall not engage in any private practice nor be employed by any private law firm or other governmental entity in his or her field of expertise of employment. This restriction on employment by the County Attorney shall not be applicable to the County Attorney serving at the time this law takes effect.

**Section 2.**

This Local Law shall take effect on January 1, 2027 and is subject to permissive referendum.

**BY ROLL CALL VOTE: SIX AYES. THREE NAYS – LEGISLATORS CROWLEY, GOULDMAN & MONTGOMERY. MOTION CARRIES.**

State of New York  
ss:  
County of Putnam



I hereby certify that the above is a true and exact copy of a resolution passed by the Putnam County Legislature while in session on October 1, 2024.

Dated: October 4, 2024

Signed: *Diane Schonfeld*

Diane Schonfeld  
Clerk of the Legislature of Putnam County