

**NOTICE OF PUBLIC HEARING  
COUNTY OF STEUBEN  
LOCAL LAW TENTATIVELY NO. THREE FOR THE YEAR 2017**

**NOTICE IS HEREBY GIVEN**, that the Steuben County Legislature will hold a Public Hearing at the Steuben County Legislative Chambers, Steuben County Office Building, Bath, New York on the 24<sup>th</sup> day of April, 2017, at 10:00 a.m. upon County of Steuben Local Law Tentatively No. Three for the Year 2017, Providing for the defense and indemnification of the Sheriff of the County of Steuben.

Said Local Law is as follows:

**SECTION 1. LEGISLATIVE INTENT**

It is the intent of the within resolution (a) to confer the benefits of Municipal Home Rule Law §10 which authorizes the County to govern its own affairs, to the extent authorized and under the terms and conditions set forth therein, upon the Sheriff of the County of Steuben, as defined in Public Officers Law Section 18(1)(b); and (b) to hold the County of Steuben liable for the costs incurred under the provisions of Municipal Home Rule Law §10.

**SECTION 2. DUTY TO DEFEND**

(a) Upon compliance by the Sheriff with the provisions of subdivision four of this section, the County of Steuben shall provide for the defense of the Sheriff in any civil action or proceeding, state or federal, arising out of any alleged act or omission which occurred or allegedly occurred while the Sheriff was acting within the scope of his/her public employment or duties. This duty to provide for a defense shall not arise where such civil action or proceeding is brought by or at the behest of the County of Steuben employing such Sheriff.

(b) In the event of a conflict of interest, the County Attorney shall act subject to the terms and conditions set forth in County Law §501.

**SECTION 3. DUTY TO INDEMNIFY**

In accordance with the terms and conditions of this Local Law as authorized under Municipal Home Rule §10 the County of Steuben shall indemnify and save harmless its Sheriff in the amount of any judgment obtained against such Sheriff in a state or federal court, or in the amount of any settlement of a claim.

**SECTION 4. RESPONSIBILITIES OF SHERIFF**

The duty to defend or indemnify and save harmless prescribed by this section shall be conditioned upon (i) delivery by the Sheriff to the County of Steuben or to the County Manager of a written request to provide for his/her defense together with the original or a copy of any summons, complaint, process, notice, demand or pleading within ten days after he/she is served with such document, and (ii) the full cooperation of the Sheriff in the defense of such action or and in defense of any action or proceeding against the County of Steuben based upon the same act or omission, and in the prosecution of any appeal.

**SECTION 5. MISCELLANEOUS BENEFITS, OBLIGATIONS & RIGHTS –**

The benefits of this section shall inure only to the Sheriff as defined and shall not enlarge or diminish the rights of any other party nor shall any provision of this section be construed to affect, alter or repeal any provision of the workers' compensation law; nor shall the within resolution be construed to be contrary to the provisions contained in Public Officers Law §18(7) through (13).

**SECTION 6. EFFECTIVE DATE**

This local law shall be effective immediately upon filing thereof with the Secretary of State.

**ALL PERSONS ARE INVITED TO ATTEND AND BE HEARD.**  
**"BY ORDER OF THE STEUBEN COUNTY LEGISLATURE"**

Dated: April 12, 2017  
Village of Bath, New York

BRENDA K. MORI  
Clerk of the Legislature  
County of Steuben  
3 E. Pulteney Square  
Bath, NY 14810