

OPINIONS OF THE ATTORNEY GENERAL

The full text of an informal or formal opinion of the Attorney General may be obtained by writing to the Office of Legal Records, Department of Law, State Capitol, Albany, NY 12224. Please include the identification number, the date, the section(s) of law considered and the subject of the opinion.

INFORMAL OPINIONS

No. 2013-3

General Municipal Law § 208-a

A village school crossing guard may control traffic at an intersection within the village that does not abut school property, if exercise of such traffic control is to aid in protecting school children going to and from school.

June 2013

No. 2013-4

Town Law § 64(5); Public Officers Law § 42(3); Constitution Article 6, § 17(d)

A vacancy created by not placing the position of town justice on the ballot cannot be filled by town board appointment. It can be filled before the November 2013 general election only by special election if the Governor chooses to call for one. The term of the justice will commence January 1, 2014 in either case.

June 2013

FORMAL OPINIONS

No. 2013-F1

Public Officers Law §§ 17, 17(1), 17(1)(a), 17(2)(a), 17(3)(a); Education Law §§ 1950(1), 1950(2), 1950(4)(a)(1), 2201, 2209, 2215, 2215(9), 2215(10), 2215(14)

A member of the staff of the BOCES district superintendent who is serving as integrity officer under the supervision of State Education Department is eligible for state-provided defense and indemnification.

June 2013

