

NEW YORK STATE DEPARTMENT OF STATE

LOCAL LAW FILING

41 STATE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Be it enacted by the TOWN BOARD of the TOWN of GALEN as follows:

FILED
STATE RECORDS

**Town of GALEN
Local Law No. 4-2023**

JUN 14 2023

DEPARTMENT OF STATE

LOCAL LAW No. 4 of 2023 ENTITLED:

A LOCAL LAW TO CHANGE THE RESIDENCY REQUIREMENT FOR HIGHWAY SUPERINTENDENT

If additional space is needed, attach pages the same size as this sheet, and number each).

DOS-239 (Rev. 11/99)

(Complete the certification in the paragraph that applies to the filing of this local law and Strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 4-2023 of the Town of Galen was duly passed by the Town Board on May 30th, 2023, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____, Of the Town of Galen was duly passed by the _____

(Name of Legislative Body)

on _____ 20 _____, and was (approved) (not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20 _____,

(Elective Chief Executive Officer*)

in accordance with the applicable provisions of law.

3. (Final adoption by referendum.) I hereby certify that the local law annexed hereto, designated as local law No. ____ of 20 _____, of the Town of Galen was duly passed by the Town Board on _____ 20_____, and was (approved) (not approved) (repassed after disapproval) by the Supervisor on _____ 20_____. Such local law was submitted to the people by reason of a (mandatory) (permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special) (annual) election held on _____ 20_____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. ____ of 20 _____, of the Town of Walworth was duly passed by the Town Board on _____ 20_____, and was (approved) (not approved) (repassed after disapproval) by the Supervisor on _____ 20_____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20_____, in accordance with the applicable provisions of law.

5. (City local law concerning Charter revision proposed by petition.)

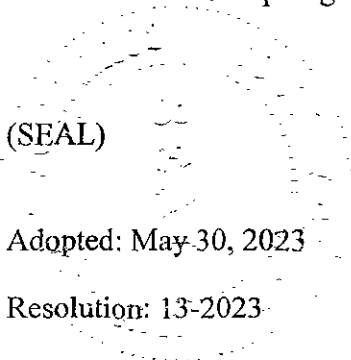
I hereby certify that the local law annexed hereto, designated as local law No. ____ of 20 _____, of the City of _____ having been submitted to referendum pursuant to the provisions of section (36) (37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special) (general) election held on _____ 20_____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. ____ of 20 _____, of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____, 20 _____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.





Norma Lancaster, Galen Town Clerk

Adopted: May 30, 2023

Resolution: 13-2023

Date: May 30, 2023

Local Law No. 4 of 2023

Town of Galen, County of Wayne

A LOCAL LAW TO CHANGE THE RESIDENCY REQUIREMENT FOR HIGHWAY SUPERINTENDENT

BE IT ENACTED: by the Town Board of the Town of Galen, as follows:

Section 1: Purpose.

It is the purpose of this article to modify the requirements of § 23 of the Town Law and § 3 of the Public Officers Law, which sections require that the Highway Superintendent be a resident and elector within the Town.

Section 2: Legislative authority.

This article is adopted pursuant to Municipal Home Rule Law § 10(1)(ii)(a)(1), which authorizes local governments the authority to enact local laws regarding qualifications of local officers.

Section 3: Effect on other legislation.

This article shall supersede Town Law § 23(1) in its application to the offices of Highway Superintendent for the Town of Galen.

Section 4: Residency requirement established.

A. The person holding the office of Highway Superintendent in the Town of Galen need not be a resident nor an elector of the Town of Galen; provided, however, that such person shall reside in Wayne County or an adjoining county within the State of New York

Section 5. Effective date.

This article shall become effective upon being filed in the office of the Secretary of State of the State of New York.



ADOPTED: May 30, 2023

RESOLUTION # 13-2023 TO ADOPT LOCAL LAW No. 4 of 2023 ENTITLED:

A LOCAL LAW TO CHANGE THE RESIDENCY REQUIREMENT FOR HIGHWAY SUPERINTENDENT

At a regular meeting of the Town Board of the Town of Galen, County of Wayne, New York, held at the Town Hall at 6 South Park Street, Clyde, NY 14433, NY on the 30th day of May, 2023 at 6:00 p.m. The meeting was called to order by the Town Supervisor and upon roll call, the following were

PRESENT: Steven Groat

Lester Carr Jr.

Jeff Montemorano

Nicole Malbone

Sarah Salerno

WHEREAS, a public hearing was held thereon the 24th day of May, 2023, at which time all interested persons were given an opportunity to be heard thereon

NOW THEREFORE BE IT RESOLVED, that Local Law No. 4 of 2023 be enacted as follows:

A LOCAL LAW TO CHANGE THE RESIDENCY REQUIREMENT FOR HIGHWAY SUPERINTENDENT

The vote was recorded as:

Steven Groat: Eye

Lester Carr Jr.: Eye

Jeff Montemorano: Eye

Nicole Malbone: Abstain

Sarah Salerno: Eye

A copy of said Local Law is annexed hereto and made a part hereof.

This is to certify that I, the undersigned, Clerk of the Board and the Town of Galen of the County of Wayne, certify that the above Resolution was duly adopted by the Galen Town Board on date above, and that the same is a true and correct transcript of said resolution.

In witness whereof I have hereunto set my hand and the official seal of the Town Clerk this 30th day of May, 2023.



Norma Lancaster, Town Clerk

