

7/19/11

RESOLUTION 126 - 11

Introduced by Supervisors Thompson, Daly, Grattidge, Peck, Sausville, Veitch and Wormuth

INTRODUCING A PROPOSED LOCAL LAW IDENTIFIED AS INTRODUCTORY NO. 3, PRINT NO. 1, OF 2011 TO AMEND LOCAL LAW NO. 2 OF 1968 TO INCREASE THE POPULATION THRESHOLD FOR AN ADDITIONAL COUNTY SUPERVISOR AND SCHEDULING A PUBLIC HEARING THEREON

WHEREAS, Local Law 2 of 1968, as amended by Local Law No. 6 of 1991, provides that each town or city in the County of Saratoga will elect an additional County Supervisor for every 20,000 residents and that that municipality's weighted vote on the County's Board of Supervisors will be divided equally between or among all of its Supervisors; and

WHEREAS, the number of County Supervisors has remained unchanged at twenty-three since 1971; and

WHEREAS, the 1991 amendment to Local Law No. 2 of 1968 ensured that the number of members of the Boards remained constant during the 1990's and to the present; and

WHEREAS, the preliminary 2010 Federal Census raises the possibility of an additional County Supervisor during this decade and the probability of several more thereafter; and

WHEREAS, the fiscal strength and demonstrable progressive performance of the County of Saratoga and its Boards of Supervisors during these past two decades are partially attributable to the fact that the Boards' size has proven to be workable and an effective balance between the respective majority and minority positions on the many major, and minor, issues confronted during these past forty years; and

WHEREAS, an increase in the population threshold is appropriate to ensure that future Boards of Supervisors retain the demonstrated deliberative capability of their predecessors; and

WHEREAS, consistent with the opinion of the New York State Court of Appeals in Iannucci v. Board of Supervisors, 20 NY2 244, a computerized analysis of the impact of the increased weighted votes for each individual Supervisor, attributable to the preliminary 2010 Federal Census, upon the power of that Supervisor to affect passage of legislation was performed by Camoin Associates, a professional services consulting firm

that provides public sector clients with advanced analytic services to solve complex matters of policy; and

WHEREAS, that computerized analysis also demonstrated that the gross disparity between increased weighted votes and a Supervisor's power to affect the passage of legislation was smaller with twenty-four members, at 4.66%, than with twenty-three members, at 5.71%, but that these gross disparity values are both less than the 6.46% gross disparity value accepted by the court in the 1967 judicial proceeding; and

WHEREAS, an amendment to Local Law No. 2 of 1968 is necessary to increase the population threshold and maintain the existing membership number; now, therefore, be it

RESOLVED, that a proposed Local Law, identified as Introductory No. 3, Print No. 1 of 2011, entitled "A LOCAL LAW AMENDING LOCAL LAW NO. 2 OF 1968, AS LAST AMENDED BY LOCAL LAW NO. 6 OF 1991, TO INCREASE THE POPULATION THRESHOLD TO 25,000 FOR AN ADDITIONAL COUNTY SUPERVISOR", is hereby introduced before this Board of Supervisors; and, be it further

RESOLVED, that this Board of Supervisors shall hold a Public Hearing on August 10, 2011 at 4:45 P.M. at its Meeting Room at 40 McMaster Street, Ballston Spa, New York 12020, on the matter of the adoption of such proposed Local Law; and, be it further

RESOLVED, that the Clerk of this Board of Supervisors is directed to give notice of this Public Hearing in the manner prescribed by law.

BUDGET IMPACT STATEMENT: No budget impact.

SCHEDULE A

INTRODUCTORY NO. 3

PRINT NO. 1

INTRODUCED BY: Supervisors Thompson, Daly, Grattidge, Peck, Sausville,
Veitch and Wormuth

COUNTY OF SARATOGA
LOCAL LAW NO. OF 2011

A LOCAL LAW AMENDING LOCAL LAW NO. 2 OF 1968,
AS LAST AMENDED BY LOCAL LAW NO. 6 OF 1991, TO
INCREASE THE POPULATION THRESHOLD TO 25,000
FOR AN ADDITIONAL COUNTY SUPERVISOR

BE IT ENACTED by the Saratoga County Board of Supervisors as follows:

Section 1. That paragraphs a.) and b.) of SECTION 2. of Local Law No. 2 of 1968, as last amended by Local Law No. 6 of 1991, be amended as follows:

“SECTION 2. Such system of weighted voting shall be as follows:

a.) Each municipality shall elect one (1) Supervisor where its population is less than [~~20,000~~] 25,000 according to the latest decennial census and each Supervisor shall cast one (1) vote for each person in his district according to such census.

b.) When any such municipality shall have a population of [~~20,000~~] 25,000 one additional Supervisor shall be elected therefrom and one additional thereafter as each whole multiple of [~~20,000~~] 25,000 is attained. Such Supervisors shall each cast that number of votes arrived at by dividing the total population of each municipality by the number of its Supervisors.

Section 2. That SECTION 3. of said Local Law No. 2 of 1968, as last amended by Local Law No. 6 of 1991, be further amended as follows:

“SECTION 3. The composition of the Saratoga County Board of Supervisors shall consist of twenty-three (23) Supervisors, with two (2) Supervisors each from the City of Saratoga Springs and the Town of Clifton Park, and one (1) Supervisor

EXPLANATION – Matter that is underscored is new; matter in brackets [-] is old law to be omitted.

each from the City of Mechanicville and the remaining Towns of the County of Saratoga, and, hereafter, such number shall automatically increase by the addition of an additional Supervisor from each Town or City as its population, based on a County-wide Official Federal Census, shall reach [~~20,000~~] 25,000 or whole multiples thereof.”

Section 3. This Local Law is subject to a permissive referendum as provided in Municipal Home Rule Law, §24.

Section 4. This Local Law shall become effective as provided in Municipal Home Rule Law, §27.

Section 5. Upon its effective date as provided in Section 4 herein, this Local Law shall become incorporated into the Code of Saratoga County and made a part thereof.

EXPLANATION – Matter that is underscored is new; matter in brackets [-] is old law to be omitted.