



## **SARATOGA COUNTY BOARD OF SUPERVISORS**

### **RESOLUTION 30 - 2016**

**Introduced by Supervisors Lewza, Barrett, DeLucia, Johnson, Lawler, Peck and Pemrick**

**INTRODUCING A PROPOSED LOCAL LAW IDENTIFIED AS INTRODUCTORY NO. 2, PRINT NO. 1 OF 2016, ENTITLED “A LOCAL LAW ESTABLISHING THE PROCEDURE FOR FILLING A VACANCY IN THE OFFICE OF A SUPERVISOR WHO IS NEITHER A CITY COUNCIL NOR A TOWN BOARD MEMBER”, AND SETTING A PUBLIC HEARING THEREON**

WHEREAS, Local Law No. 2 of 1968, as last amended by Local Law No. 5 of 2011, establishes the composition of the Saratoga County Board of Supervisors as consisting 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 each from the City of Mechanicville and the remaining Towns of the County of Saratoga, with such number to 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 25,000 or whole multiples thereof; and

WHEREAS, neither of the two (2) Supervisors from the City of Saratoga Springs nor the one (1) Supervisor from the City of Mechanicville are members of the City Councils of their respective cities; and

WHEREAS, the second Supervisor from the Town of Clifton Park is not a member of the Clifton Park Town Board; and

WHEREAS, Local Law No. 2 of 1968, as last amended by Local Law No. 5 of 2011, does not set forth a procedure for the filling of a vacancy in the office of one of these four Supervisor positions; and

WHEREAS, it is desired that each municipality should control the appointment of a new Supervisor to fill any vacancy that arises in one of these four (4) Supervisor positions; and

WHEREAS, a proposed Local Law, identified as Introductory No. 2, Print No. 1 of 2016, entitled “A Local Law Establishing the Procedure for Filling a Vacancy in the Office of a Supervisor Who is Neither a City Council Nor a Town Board Member” is being introduced before this Board and is attached hereto as Schedule A, which, if adopted by this Board, will establish a procedure granting local municipal control over the filling of vacancies in the office of a Supervisor who is neither a City Council nor a Town Board member; now, therefore, be it

RESOLVED, that a proposed Local Law, identified as Introductory No. 2, Print No. 1 of 2016, entitled “A Local Law Establishing the Procedure for Filling a Vacancy in the Office of a Supervisor Who is Neither a City Council Nor a Town Board Member”, which is attached hereto as Schedule A, is hereby introduced before the Saratoga County Board of Supervisors, and this Board of Supervisors shall hold a Public Hearing thereon on February 10, 2016 at 4:22 p.m. at the Meeting Room of the Saratoga County Board of Supervisors at 40 McMaster Street, Ballston Spa, New York, 12020, on the matter of the adoption of such proposed Local Law, and the Clerk of the Board of Supervisors be and is hereby directed to give notice of such Public Hearing in the manner prescribed by law.

BUDGET IMPACT STATEMENT: No budget impact.

## SCHEDULE A

INTRODUCTORY NO. 2

PRINT NO. 1 OF 2016

INTRODUCED BY: Supervisors Lewza, Barrett, DeLucia, Johnson, Lawler, Peck and Pemrick

### COUNTY OF SARATOGA LOCAL LAW NO. 2 OF 2016

#### A LOCAL LAW ESTABLISHING THE PROCEDURE FOR FILLING A VACANCY IN THE OFFICE OF A SUPERVISOR WHO IS NEITHER A CITY COUNCIL NOR A TOWN BOARD MEMBER

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

SECTION 1. Title and Authority. This Local Law shall be known as “A Local Law Establishing the Procedure for Filling a Vacancy in the Office of a Supervisor Who is Not a City Council or Town Board Member”.

SECTION 2. Purpose. Local Law No. 2 of 1968, as last amended by Local Law No. 5 of 2011, establishes the composition of the Saratoga County Board of Supervisors as consisting 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 each from the City of Mechanicville and the remaining Towns of the County of Saratoga, with such number to 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 25,000 or whole multiples thereof. Neither of the two (2) Supervisors from the City of Saratoga Springs nor the one (1) Supervisor from the City of Mechanicville are members of their respective City Councils. The second Supervisor from the Town of Clifton Park is not a member of the Clifton Park Town Board. Local Law No. 2 of 1968, as last amended by Local Law No. 5 of 2011 does not set forth a procedure for the filling of a vacancy in the office of one of these four Supervisor positions. It is desired that each municipality should control the appointment of a new Supervisor to fill any vacancy that arises in one of the four aforementioned offices of Supervisor.

SECTION 3. Procedure for Filling a Vacancy in the Office of a Supervisor Who Is Not a Member of a City Council or Town Board. In the event of a vacancy in the office of Supervisor for the City of Mechanicville, the vacancy shall be filled in accordance with the applicable provisions of the City Charter of the City of Mechanicville. In the event of a vacancy in the office of the Supervisor for the City of Saratoga Springs, the vacancy shall be filled in accordance with the applicable provisions of the City Charter of the City of Saratoga Springs. In the event of a vacancy in the office of the second Supervisor for the Town of Clifton Park, the vacancy shall be filled in accordance with the applicable provisions of the Town Code of the Town of Clifton Park.

SECTION 4. Effective Date. This Local Law shall take effect on March 1, 2016, subject to its filing in the Office of the Secretary of State of the State of New York.

SECTION 5. Incorporation Into Code of Saratoga County. 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.