

## **Proposed LOCAL LAW NO. 1 OF 2025**

### **[ABOLISHING THE ELECTIVE OFFICE OF TOWN SUPERINTENDENT OF HIGHWAYS AND CREATING THE APPOINTIVE OFFICE OF TOWN SUPERINTENDENT OF HIGHWAYS]**

#### **Section 1 – Title**

This Local Law shall be known and cited as Town of Caroga “Local Law No. 1 of 2025, Abolishing the Elective Office of Town Superintendent of Highways and Creating the Appointive Office of Town Superintendent of Highways in the Town of Caroga.”

#### **Section 2 – Legislative Intent and Purpose**

By adoption of this Local Law, it is the intent and purpose of the Town Board of the Town of Caroga to abolish the elective office of Town Superintendent of Highways and to create the appointive office of Town Superintendent of Highways. Subject to the results of a mandatory referendum, it is the Town Board’s intent to abolish the elective office of Town Superintendent effective as of December 31, 2027, and to create the appointive office of Town Superintendent of Highways effective as of January 1, 2028.

#### **Section 3 – Authority**

This Local Law is adopted pursuant to Municipal Home Rule Law § 10(1)(ii)(a)(1), which grants to local governments the authority to enact local laws pertaining to, among other things, the mode of selection, qualifications, and term of office of local officers. By this Local Law, it is the Town Board’s express intention to supersede any provision(s) of the Town Law of the State of New York to the contrary, including but not limited to Town Law § 20, Town Law § 23, Town Law § 24, and Public Officers Law § 3 as they relate to the mode of selection, qualifications, and term of the office of Town Superintendent of Highways.

#### **Section 4 – Abolition of the Elective Office of Town Superintendent of Highways**

The Town of Caroga hereby abolishes the elective office of Town Superintendent of Highways, effective as of December 31, 2027.

#### **Section 5 – Creation of the Appointive Office of Town Superintendent of Highways**

The Town of Caroga hereby creates the appointive office of Town Superintendent of Highways, effective as of January 1, 2028.

#### **Section 6 – Term of Office of Appointed Town Superintendent of Highways**

The term of office of the appointed Town Superintendent of Highways shall be two (2) years.

#### **Section 7 – Residency Requirement for Appointed Town Superintendent of Highways**

The person appointed to and holding the appointive office of Town Superintendent of Highways need not be an elector or resident of the Town of Caroga, but must reside in Fulton County or an adjoining county within the State of New York

#### **Section 8 – Savings Clause**

If any clause, sentence, paragraph, word, section, or part of this Local Law shall be adjudged by any Court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section, or part directly involved in the controversy in which such judgment shall have been rendered.

#### **Section 9 – Mandatory Referendum**

Pursuant to Municipal Home Rule Law § 23, this local law is subject to a mandatory referendum.

#### **Section 10 – Effective Date**

This Local Law shall not be effective until it is filed with the Secretary of State of the State of New York and after approval of a majority of electors voting thereon in accordance with the requirements of Municipal Home Rule Law § 23.