

Local Law Filing

(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.

County City Town Village
(Select one:)

of MARBLETOWN

FILED
STATE RECORDS
MAY 15 2023

Local Law No. 5 of the year 2023

DEPARTMENT OF STATE

A local law known as EXTENSION OF TERMS FOR ELECTED OFFICERS
(Insert Title)

Be it enacted by the TOWN BOARD of the
(Name of Legislative Body)

County City Town Village
(Select one:)

of MARBLETOWN

as follows:

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



Local Law No. 5 of the Year 2023 to be known as Extension of Terms for Elected Officers

LOCAL LAW FILING

Town of Marbletown

County of Ulster

Local Law No. 5 of the year 2023

Be it enacted by the Town Board of the Town of Marbletown as follows:

Section 1 – Legislative Authority; Title

This local law is enacted pursuant Municipal Home Rule Law Section 10, Subdivision 1(ii)a(1), and Municipal Home Rule Law Section 23, which vest the Town Board with the power to adopt and amend local laws concerning the mode and selection of its officers. This Local Law is entitled: **Local Law Extension of Terms for Elected Officers.**

Section 2 – Purpose and Intent

The Town Board has determined that New York State Town Law § 24 entitled “Terms of Office” governing the terms of office for all elective officers does not reflect the needs for efficient and orderly operation of Marbletown town government. The purpose of this local law is to extend the elective term for the office of Town Supervisor from the two (2) year terms under Town Law § 24 -to four (4) year terms, however, such extension is subject to referendum. Under this Local Law, balloting for the term extension for each office shall be at the next biennial town election of November 7th, 2023.

Section 3 – Restatement of Existing Terms and Extension of Terms for Elected Officers

The table below restates Town of Marbletown elective offices terms and the extended terms, where subject to local referendum approval:

	Position	Proposed + Current Term
A	Town Supervisor	Four (4) year term, if approved at referendum at the biennial town election of 2023, otherwise if not approved, two (2) year term.

Section 4 – Voter Approval and Effective Date

This local law shall take effect immediately upon filing with the Secretary of State. However, the operational effectiveness of term change for the offices of Town Supervisor shall be determined at the biennial town election scheduled for November 7th, 2023.

The results of the referendum voting shall mean:

- A. That the winning candidate standing for election at the November 7th, 2023 biennial town election for the office of Town Supervisor shall be deemed to have a four (4) year term, provided the referendum question on the extension of the term of office of the Town Supervisor is so approved by affirmative vote of a majority of the town's qualified electors voting upon the proposition, if not approved, the winning candidate shall be deemed to have been elected to a two (2) year term.

(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. 5 of 2023 of the (County)(City)(Town)(Village) of MARBLETOWN was duly passed by the TOWN BOARD on May 2 2023, in accordance with the applicable provisions of law.
(Name of Legislative Body)

~~**2. (Passage by local legislative body with approval, no 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 (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.~~
(Name of Legislative Body)
(Elective Chief Executive Officer)*

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ 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 (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ 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.~~

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

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 at said general election, became operative.

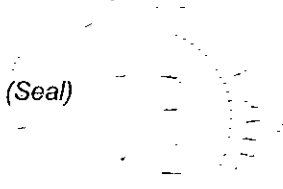
(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

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 _____ above.

Heather Moody, Town Clerk

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: *May 11, 2023*



Effective Date of this Local Law

This Local Law shall be effective upon filing with the office of the Secretary of State, and the Town Clerk is directed to immediately file a copy of this Local Law with the New York State Secretary of State as required by law.

I hereby certify that the local law annexed hereto, designated as Local Law No. 5 of 2023 of the Town of Marletown, was duly passed by the Town Board on May 2, 2023 in accordance with the applicable provisions of law.

I further certify that I have compared the preceding local law with the original on file in this office and 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 above.

(Seal)

Heather Moody, Town Clerk

Heather Moody, Town Clerk

Date: *May 11, 2023*

STATE OF NEW YORK

COUNTY OF ULSTER



TOWN OF MARBLETOWN

A regular meeting of the Town Board of the Town of Marbletown was convened in a public session at Rondout Municipal Center, 1915-1925 Lucas Avenue, Cottekill, New York on Tuesday, April 18, 2023 at 6:00PM local time. The meeting was called to order by Supervisor Rich Parete, and, upon roll being called, the following were:

PRESENT: Rich Parete, Daisy Foote, Ken Davenport, Don LaFera and Tim Hunt

ABSENT:

The following Resolution was offered by Councilman Davenport and seconded by Councilman LaFera

RESOLUTION#46-2023; SETTING THE PUBLIC HEARING DATE FOR THE PROPOSED LOCAL LAW NUMBER # OF 2023, A LOCAL LAW KNOWN AS A LOCAL LAW FOR EXTENSION OF TERMS FOR ELECTED OFFICERS

WHEREAS, the Town Board finds it to be in the best interests of the residents of the Town of Marbletown to adopt **Local Law # of 2023, known as the EXTENSION OF TERMS FOR ELECTED OFFICERS LAW**, in order to achieve the purposes and objectives set forth in the Local law.

NOW THEREFORE, BE IT RESOLVED as follows:

1. A public hearing will be held by the Town Board on Tuesday May 2, 2023 at 6:00 PM local time at the Rondout Municipal Center, 1915-1925 Lucas Avenue, Cottekill, NY, to hear all interested parties on the proposed Local Law # of 2023 entitled “**A Local Law # , 2023 EXTENSION OF TERMS FOR ELECTED OFFICERS LAW** “

2. The Town Clerk is directed to advertise such public hearing in the official newspaper of said Town, on the website of said Town and is directed to refer the proposed local law to all municipalities adjacent to the Town and any other applicable entities as required.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows:

Councilman Davenport	Voting <u>Aye</u>
Councilman Lafera	Voting <u>Aye</u>
Councilwoman Foote	Voting <u>Aye</u>
Councilman Hunt	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>

5-0; Resolution #46-2023 was thereupon adopted.

Heather Moody, Town Clerk/Tax Collector

Dated: April 18, 1023



TOWN OF MARBLETOWN

A regular meeting of the Town Board of the Town of Marbletown was convened in public session at Rondout Municipal Center, 1915-1925 Lucas Avenue, Cottekill, New York on Tuesday, May 2, 2023, at 6:00 PM local time. The meeting was called to order by Supervisor Rich Parete, and, upon roll call being called, the following were:

PRESENT: Rich Parete, Daisy Foote, Don LaFera, Ken Davenport and Tim Hunt

ABSENT:

The following Resolution was offered by Councilman LaFera and seconded by Councilman Davenport

RESOLUTION #48-2023; EXTEND TERM OF OFFICE FOR TOWN SUPERVISOR

WHEREAS, proposed Local Law No. of the year 2023 entitled, “**A local law for extension of terms for elected officers**” was introduced to the Town Board at a meeting held May 2, 2023, at the Town Hall, 1915-1925 Cottekill, New York 12419, to consider said proposed local law, and said public hearing having been held and all persons appearing at said public hearing deeming to be heard having been heard; and,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Marbletown, New York, does hereby enact and adopt proposed Local Law No. for the year 2023, Town of Marbletown, State of New York, which local law is annexed hereto and made a part hereof; and,

THEREFORE, BE IT FURTHER RESOLVED, that the term of office of the Town Supervisor shall be four (4) years commencing with and continuing after the term to begin on January 1st, 2024, and thus, this local law shall cover the outcome of the General Election of November 7th, 2023; and,

BE IT FURTHER RESOLVED, that this local law shall be subject to Mandatory Referendum pursuant to Section 23 of the Municipal Home Rule Law of the State of New York; and,

BE IT FURTHER RESOLVED, that this local law shall take effect immediately upon filing with the New York State Secretary of State, which filing shall await and be conditioned upon, the outcome of the aforesaid Mandatory Referendum.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows:

Councilman Davenport	Voting <u>Aye</u>
Councilman Lafera	Voting <u>Aye</u>
Councilman Foote	Voting <u>No</u>
Councilman Hunt	Voting <u>No</u>
Supervisor Parete	Voting <u>Aye</u>

Resolution #48-2023 was thereupon adopted.

Heather Moody, Town Clerk/Tax Collector

Dated: May 2, 2023