

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 PHILIPSTOWN

FILED
STATE RECORDS
JUL 25 2024

DEPARTMENT OF STATE

Local Law No. 3 of the year 2024

A local law AMENDING THE TOWN CODE OF THE TOWN OF PHILIPSTOWN BY REPEALING
(Insert Title)
THE RESIDENCY REQUIREMENT FOR THE TOWN COMPTROLLER SET FORTH
IN CHAPTER 30, ARTICLE II, SECTION 30-6.

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

County City Town Village
(Select one:)

of PHILIPSTOWN

as follows:

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

TOWN OF PHILIPSTOWN

LOCAL LAW NO. 3 OF THE YEAR 2024

A local law amending the Town Code of the Town of Philipstown by repealing the residency requirement for the Town Comptroller set forth in Chapter 30, Article II, Section 30-6.

SECTION 1. PURPOSE

The purpose of this Local Law is to promote the public health, safety and welfare by repealing the residency requirement for the Town Comptroller set forth in Town Code Chapter 30, Article II, Section 30-6. Such action will greatly increase the number of available qualified applicants for the position of Comptroller and, thereby, will enable the Town to better serve its residents and perform its public function.

SECTION 2. MUNICIPAL HOME RULE LAW:

This law is adopted pursuant to the provisions of the Municipal Home Rule Law §10(1)(ii)(a)(1) which grants local governments the authority to enact local laws regarding the public health, safety and welfare. To the extent the provisions of this Local Law are in conflict with State law, the Town Board hereby asserts its intention to supersede same pursuant to the Municipal Home Rule.

SECTION 3. AMENDMENT OF TOWN CODE:

Section 30-6, entitled "Residency requirement", of Article II in Chapter 30 of the Town Code is hereby repealed.

SECTION 4. SEVERABILITY

If any clause, sentence, paragraph, word, section or part of this local law shall be judged 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 thereof directly involved in the controversy in which judgment shall have been rendered.

SECTION 5. EFFECTIVE DATE

This local law will take effect immediately upon filing in the Office of the Secretary of State in Albany.

(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. 3 of 2024 of the (County)(City)(Town)(Village) of PHILIPSTOWN was duly passed by the TOWN BOARD on JULY 11 2024, 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____.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

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 1 above.

Laura Peracciotto

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

Date: July 15, 2024

(Seal)

RESOLUTION ADOPTING A LOCAL LAW TO REPEAL THE RESIDENCY
RQUIREMENT FOR THE OFFICE OF TOWN COMPTROLLER

WHEREAS, the Town Board of the Town of Philipstown has before it a local law
entitled: "A local law amending the Town Code of the Town of Philipstown by repealing the
residency requirement for the Town Comptroller set forth in Chapter 30, Article II, Section 30-
6"; and

WHEREAS, the Town Board has duly introduced and held a public hearing upon the said
local law.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Town Board hereby adopts the said local law; and
2. That the local law shall be effective upon filing in the Office of the
Secretary of State in Albany.

Councilman Flaherty presented the foregoing resolution which was seconded by
Councilwoman Farrell,

The vote on the foregoing resolution was as follows:

Judith Farrell, Councilwoman, voting _____ AYE _____

Jason Angell, Councilman, voting _____ ABSENT _____

Robert Flaherty, Councilman, voting _____ AYE _____

Megan Cotter, Councilwoman, voting _____ AYE _____


John Van Tassel, Supervisor, voting _____ AYE _____

CERTIFICATION

I, **Tara K. Percacciolo**, the duly qualified and acting Town Clerk of the Town of Philipstown,
Putnam County, New York, do hereby certify that attached hereto is a true and correct copy of an
extract from the minutes of the Regular Meeting of the Town Board of the Town of Philipstown,
held on July 11, 2024, and that the Resolution set forth herein is a true and correct copy of the
Resolution of the Town Board of said Town adopted at said meeting.

I FURTHER CERTIFY that pursuant to section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the said Town, this 11th day of July, 2024.

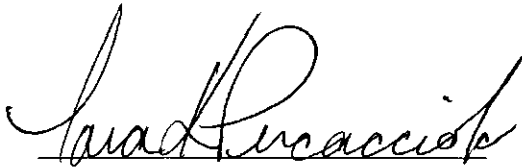


Tara K. Percacciolo

TOWN CLERK

(seal)

A true copy of this Resolution was filed in the Office of the Town Clerk on July 11, 2024.



Tara K. Percacciolo

TOWN CLERK