

## **LOCAL LAW NO. 2 of 2019**

A Local Law known and cited as “Abolishing the Elective Office of Town Superintendent of Highways and creating the Appointive Office of Town Superintendent of Highways subject to mandatory referendum”

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

**SECTION 1.** Purpose and Intent. In the era of the tax cap and in an effort to reduce and/or avoid increases in property taxes, municipalities are looking for any and all opportunities for savings. By abolishing the elective office of Town Superintendent of Highways and creating the appointive office of Town Superintendent of Highways, the Town Board will have more flexibility to make offices operate more efficiently and conserve financial resources. This will also give the Town Board the ability to ensure sufficient qualifications of the individual in this position and provide regular oversight and accountability to ensure the duties of this office are completed in as cost-effective, efficient and responsible of a manner as possible.

**SECTION 2.** A new chapter, Chapter 26, shall be added to the Town Code entitled “Highway Superintendent” and shall read as follows:

**A. Section 26-1. Elective office abolished.**

The elective office of the Town of Ossining Superintendent of Highways shall be abolished as of January 1, 2020.

**B. Section 26-2. Appointive office created.**

The appointive office of the Town of Ossining Superintendent of Highways shall be created as of January 1, 2020.

**C. Section 26-3. Transfer of duties.**

All of the duties, authority and power heretofore and hereafter conferred or vested in the elective office of Superintendent of Highways shall be vested in the appointive office of Superintendent of Highways.

**D. Section 26-4. Legislative Authority; supersession of Town Law**

This local law is adopted pursuant to the authority granted by Municipal Home Rule Law S. 10(1)(ii)(a)(1) and shall supersede any provision of Town Law S. 20 which is inconsistent herewith.

**E. Section 26-5. Mandatory Referendum**

Section 26-5(A). Pursuant to Municipal Home Rule Law S. 23, this chapter shall be subject to mandatory referendum.

Section 26-5(B). The following question shall be submitted to the electors to consider the approval of this Chapter:

“Shall Local Law No. 2 of 2019, which provides that the elective office of the Town Superintendent of Highways be abolished and the duties and responsibilities of the elective Office of Superintendent of Highways be transferred and vested in a newly-created appointive Office of Superintendent of Highways which is appointed by the Town Board, be approved?”

F. Section 26-6. Effective Date.

This Chapter shall take effect on January 1, 2020, provided that said chapter is approved by a majority of the electors of the Town voting on June 25, 2019, in accordance with Municipal Home Rule Law S. 23.

**SECTION 3.** Validity. The invalidity of any provision of this Local Law shall not affect the validity of any other portion of this Local Law which can be given effect without such invalid provision.

**SECTION 4.** Effective Date. This Local Law shall take effect on January 1, 2020, provided that said Local Law is approved by a majority of the electors of the Town voting on June 25, 2019, in accordance with Municipal Home Rule Law S. 23.

BY ORDER OF THE TOWN BOARD OF  
THE TOWN OF OSSINING