

MOTION-ADOPT RESOLUTION-OPPOSING CERTAIN CHANGES IN NEW YORK
STATE LAW-OFFICE OF TOWN CLERK

MOTION BY COUNCILWOMAN BIASOTTI
SECONDED BY COUNCILMAN LUNDSTROM

That the Town Board of the Town of New Windsor adopt the following Resolution:

WHEREAS, the office of Town Clerk is currently an elective position pursuant to Section 20 of the Town Law of the State of New York, and;

WHEREAS, legislation has been introduced in the New York State Legislature which would permit towns to convert the office of Town Clerk to an appointive position subject to a permissive referendum being held, and;

WHEREAS, Municipal Home Rule Law § 10 already provides that a Town may adopt a local law changing the office of Town Clerk from an elected to appointed position subject to a mandatory public hearing before any change could occur, which a permissive referendum would not, and;

WHEREAS, the election process allows Town of New Windsor residents a choice in selecting their Town Clerk which is how local government should be; government by the people not the State of New York or through political patronage, and;

WHEREAS, the Town Clerk is, under several sections of New York State law, the official record keeper for all Town records and should be an independently elected individual providing impartial service to the members of Town government and the public at large, and;

WHEREAS, there would be no financial benefit or savings to the Town of New Windsor in making this change from elective to appointive office, and;

BE IT RESOLVED, that the Town Board of the Town of New Windsor adamantly opposes this change in the office of Town Clerk, as it would compromise the voting rights of our residents, and;

BE IT FURTHER RESOLVED, that the Town Clerk be directed to transmit certified copies of this Resolution to Gov. David Paterson, NYS Senator William J. Larkin, Jr. and NYS Assemblywoman Nancy Calhoun.

ROLL CALL: ALL AYES

MOTION CARRIED: 5-0

T/B Agenda 3/4/2009