



Mary C. Weidman, County Clerk  
County Office Building  
5 Court Street  
Norwich, NY 13815  
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## Chenango County Clerk Recording Cover Sheet

Received From :  
CLERK OF THE BOARD- CHENANGO COUNTY  
5 COURT STREET  
NORWICH, NY 13815

**First NAME**

LOCAL LAW NO 1 OF 1966

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### Recorded Information

State of New York

County of Chenango

I hereby certify that the within and foregoing was recorded in the Clerk's office for Chenango County, New York

On (Recorded Date) : 02/29/2016

At (Recorded Time) : 1:35:53 PM



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*Mary C. Weidman*

Mary C. Weidman, County Clerk



WARNING - THIS SHEET CONSTITUTES THE CLERK'S ENDORSEMENT, REQUIRED BY SECTION 319 & 316-A(5) OF THE REAL PROPERTY LAW OF THE STATE OF NEW YORK. DO NOT DETACH FROM THIS INSTRUMENT

RESOLVED, that certain other expenditures by the Chenango County Treasurer in the amount of \$66,199.53 are accepted and made a part of the following summary.

GENERAL:

Bills and Claims approved by the Committee .....	\$ 31,729.15	
General Payroll Salaries .....	32,842.19	
Supervisors Salaries .....	3,899.85	
Self Insurance Expenditures .....	1,561.09	
		\$ 70,032.28

HIGHWAY:

County Road Fund — Bills and Claims .....	\$ 62,637.46	
County Road Fund Payroll .....	20,549.89	
County Road Fund Expenditures .....	4,443.84	
		\$ 87,631.19
Road Machinery Fund — Bills and Claims .....	\$ 59,339.75	
Road Machinery Fund — Payroll .....	2,411.65	
Road Machinery Fund Expenditures .....	491.02	
		\$ 62,242.42

WELFARE:

Administration .....	\$ 13,189.38	
Public Welfare Home .....	5,101.15	
Public Welfare Farm .....	111.34	
Aid to Dependent Children .....	35,979.00	
Assistance to Blind .....	514.40	
Aid to Disabled .....	8,902.46	
Juvenile Delinquent Care .....	350.00	
Medical Assistance .....	59,810.88	
Foster Care .....	15,119.12	
Burials .....	1,185.00	
Home Relief .....	12,369.92	
Old Age Assistance .....	11,101.52	
Other Welfare Districts for Children .....	35.00	
		\$163,769.17

TOTAL BILLS AND CLAIMS FOR JULY 1966 \$383,675.06

Seconded by Mr. Cooper and duly adopted.

Mr. Evans offered the following local law for enactment:

COUNTY OF CHENANGO  
LOCAL LAW NO. 1 OF 1966

A LOCAL LAW to provide for the continuity of government of the County of Chenango, New York, in the event of an attack or public disaster.

BE IT ENACTED By the Board of Supervisors of the County of Chenango, New York as follows:

Section 1. Intent. The New York State Defense Emergency Act, in Section Twenty-Nine-A thereof, authorizes political subdivisions of the state to provide for the continuity of their governments in the event of an actual or imminent attack upon the United States by an enemy or foreign nation. The general municipal law, in Section Sixty thereof, authorizes political subdivisions to provide for the continuity of their governments in the event of other public disasters, catastrophes, or emergencies. Based on the authority contained in such laws, this local law is adopted so that on such occasions the government of the County of Chenango, New York, may continue to function properly and efficiently under emergency circumstances.

Section 2. Definitions. As used in this local law the following terms shall mean and include:

a. "Attack." Any attack, actual or imminent, or series of attacks by an enemy or foreign nation upon the United States causing, or which may cause, substantial damage or injury to civilian property or persons in the United States in any manner by sabotage or by the use of bombs, shell fire, nuclear, radiological, chemical, bacteriological, or biological means or other weapons or processes.

b. "Public Disaster". A disaster, catastrophe, or emergency, actual, or imminent, of such unusual proportions or extent that (1) a substantial number of the residents of the County of Chenango either sustain injury, become ill, are infected with disease, have their lives imperiled, are killed or die as the result of injury, disease or exposure, or the property of a substantial number of such residents is imperiled, damaged, or destroyed, and (2) it is necessary and essential in the interest of public safety, health and welfare that the continuity of the government of the County of Chenango be assured in order that it be enabled to function properly and efficiently and to exercise its essential powers in meeting emergency conditions. Such disasters, catastrophes, and emergencies may include, but shall not be limited to, conflagrations, explosions, earthquakes or other convulsions of nature, floods, tidal waves, pestilence, riots, insurrections, storms, prolonged failure of electric power or essential transportation services, or any incident or occurrence which causes or threatens to cause danger to life, health, or property from exposure to noxious materials or radiation.

c. "Duly Authorized Deputy". A person authorized to perform all the powers and duties of a public office in the event the office is vacant or at such times as it lacks administration due to the death, absence or disability of the incumbent officer, where such authorization is provided pursuant to the provisions of any general, special, or local law other than this local law.

d. "Emergency Interim Successor". A person designated pursuant to this local law for possible temporary succession to the powers and duties, but not the office, of a county officer in the event that neither such officer nor any duly authorized deputy is able, due to death, absence from the county, or other physical, mental, or legal reasons, to perform the powers and duties of the office.

Section 3. Designation, status, qualifications and terms of designation of emergency interim successors.

a. Elective Officers. Within thirty days following the effective date of this local law, and thereafter within thirty days after first entering

upon the duties of his office, each elective officer shall, in addition to any duly authorized deputy, designate such number of emergency interim successors to the powers and duties of his office and specify their rank in order of succession after any duly authorized deputy so that there will be not less than three duly authorized deputies or emergency interim successors, or combination thereof, to perform the powers and duties of the office.

b. Appointive Officers. Each officer or body of officers empowered by law to appoint officers shall within the time specified in Subdivision "A" of this section, in addition to any duly authorized deputy, designate for each such appointive officer such number of emergency interim successors to such officers and specify their rank in order of succession after any duly authorized deputy so that there will be not less than three duly authorized deputies of emergency successors, or combination thereof, for each such officer. Where such a body of officers consists of members having overlapping terms, such body of officers shall review and, as necessary, revise the previous designations of emergency interim successors by such board within thirty days after a new member elected or appointed to such body of officers first enters upon the duties of his office as a member of such body of officers.

c. Review of Designations. The incumbent in the case of those elective officers specified in Subdivision "A" of this section, and the appointing officer or body of officers specified in Subdivision "B" of this section shall from time to time review and, as necessary, promptly revise the designations of emergency interim successors to insure that at all times there are at least three duly authorized deputies or emergency interim successors, or combination thereof, for each elective and appointive officer of the county.

d. Qualifications. No person shall be designated to, nor serve as, an emergency interim successor unless he is legally qualified to hold the office of the person to whose powers and duties he is designated to succeed.

e. Status of Emergency Interim Successor. A person designated as an emergency interim successor shall hold that designation at the pleasure of the designator and such a designation shall remain effective until replaced by another by the authorized designator.

f. Compensation. An emergency interim successor shall serve without salary, unless otherwise provided by local law. He shall, however, be entitled to reimbursement for actual expenses necessarily incurred in the performance of his powers and duties.

Section 4. Assumption of powers and duties of officer by emergency interim successor. If, in the event of an attack or a public disaster, an officer described in Subdivision "A" or Subdivision "B" or Section 3 of this local law or his duly authorized deputy, if any, is unable, due to death, absence from the county, or other physical, mental, or legal reasons, to perform the powers and duties of the office, the emergency interim successor of such officer highest in rank in order of succession who is able to perform the powers and duties of the office shall, except for the power and duty to discharged or replace duly authorized deputies and emergency interim successors of such officer, perform the powers and duties of such officer. An emergency interim successor shall perform such powers and duties only until such time as the lawful incumbent officer or his duly authorized deputy,

if any, resumes the office or undertakes the performance of the powers and duties of the office, as the case may be, or until, where an actual vacancy exists, a successor is duly elected or appointed to fill such vacancy and qualifies as provided by law. The authority of an emergency interim successor performing the powers and duties of an office shall not terminate upon the subsequent availability of an emergency interim successor higher in rank in order of succession.

Section 5. Recording and publication of designations. The name, address and rank in order of succession of each duly authorized deputy and emergency interim successors shall be filed with the County Clerk and each designation, replacement, or change in order of succession of any emergency interim successor shall become effective when the designator files with such clerk the successor's name, address and rank in order of succession. Such clerk shall keep an up-to-date file of all such data regarding duly authorized deputies and emergency interim successors and the same shall be open to public inspection. The clerk shall notify in writing each designated person of the filing of his name as an emergency interim successor and his rank in order of succession and also shall notify in writing any person previously designated who is replaced or whose place in order of succession is changed.

Section 6. Qualification for taking office. At the time of their designation, or as soon thereafter as possible, emergency interim successors shall take such oath and do such other things, if any, as may be required to qualify them to perform the powers and duties of the office to which they may succeed.

Section 7. Quorum and vote requirements. In the event of an attack, or a public disaster the Chairman, Board of Supervisors, County of Chenango, or his duly authorized deputy or emergency interim successor performing his powers and duties, may suspend quorum requirements for the Board of Supervisors. If quorum requirements are suspended, any local law, ordinance, resolution, or other action requiring enactment, adoption or approval by an affirmative vote of a specified proportion of members may be enacted, adopted, or approved by the affirmative vote of the specified proportion of those voting thereon.

Section 8. Separability Clause. If any section, subdivision, sentence, clause, phrase or portion of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgement shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the section, subdivision, sentence, clause, phrase or portion thereof directly involved in the controversy in which such judgement shall have been rendered.

Section 9. Effective Date. This local law shall take effect upon its adoption and the filing of one certified copy thereof with the County Clerk, one certified copy in the office of the State Comptroller, and three certified copies in the office of the Secretary of State.

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1. An alternative approach of listing the officers to which the local law applies might be considered. However, if this alternative is used, care should be taken to amend the local law whenever a title is changed or a new office created.

2. The following is an alternative provision which may be substituted for the Section 4 included in the main body of the "sample" local law. Note

that the only difference between these two sections related to whether or not an emergency interim successor performing the powers and duties of an officer should continue to perform these powers and duties in the event that an emergency interim successor higher in rank in order of succession subsequently becomes available.

Section 4. Assumption of powers and duties of officer by emergency interim successor. If, in the event of an attack or a public disaster, an officer described in Subdivision "A" or Subdivision "B" of Section Three (3) of this local law or his duly authorized deputy, if any, is unable, due to death, absence from the county, or other physical, mental, or legal reasons, to perform the powers and duties of the office, the emergency interim successor of such officer highest in rank in order of succession who is able to perform the powers and duties of the office shall, except for the power and duty to discharge or replace duly authorized deputies and emergency interim successors of such officer, perform the powers and duties of such officer. An emergency interim successor shall perform such powers and duties only until such time as the lawful incumbent or his duly authorized deputy, if any, or an emergency interim successor higher in rank in order of succession resumes the office or undertakes the performance of the powers and duties of the office, as the case may be, or until, where an actual vacancy exists, a successor is duly elected or appointed to fill such vacancy and qualifies as provided by law.

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**RESOLUTION #142-66 — PROVIDING FOR PUBLIC HEARING UPON  
LOCAL LAW NO. 1 OF 1966 AND NOTICE  
THEREOF**

Mr. Evans offered the following and moved its adoption:

WHEREAS, there has been presented to this Board a proposed Local Law No. 1 of 1966, entitled, "A LOCAL LAW TO PROVIDE FOR THE CONTINUITY OF GOVERNMENT OF THE COUNTY OF CHENANGO, NEW YORK, IN THE EVENT OF AN ATTACK OR PUBLIC DISASTER IN ACCORDANCE WITH SECTION 29A OF THE NEW YORK STATE DEFENSE EMERGENCY ACT", and the same has been moved for enactment.

NOW, THEREFORE, be it

RESOLVED, that this Board of Supervisors does hereby fix the 19th day of September 1966 as the date upon which a public hearing shall be held on such proposed local law. Such hearing shall be held at 2:00 o'clock, P. M., D.S.T. at the Supervisors' Rooms, Third Floor, County Office Building, Norwich, New York. Such hearing shall be held by the Standing Committee of the Board of Supervisors on Civil Defense and Public Safety, and be it further

RESOLVED, that in accordance with Section 304 of the County Law the Clerk of this Board, with the assistance of the County Attorney, shall prepare and cause to be posted and published a Notice of the Public Hearing upon such proposed Local Law, and be it further

RESOLVED, that this resolution shall take effect immediately.

Seconded by Mr. Poole and duly adopted.