

WHEREAS, the Supreme Court of the United States has determined that the equal protection clause of the XIV Amendment of the United States Constitution requires that the apportionment of legislative bodies be based on the principal of equality or representation, and

WHEREAS, the Courts of the State of New York have determined that this mandate of the Supreme Court of the United States applies with full force and effect to the apportionment of county legislative bodies, and

WHEREAS, it has been determined, after considerable deliberation, that the Board of Supervisors of Chenango County should be reapportioned in accordance with accepted judicial and statutory standards relating to the "one man-one vote" principal, and

WHEREAS, it is deemed to be in the best interests of the citizens, residents, taxpayers, and voters of Chenango County to effect a computerized weighted voting apportionment plan for the election of representatives to the Board of Supervisors, now therefore, be it

RESOLVED that the following Local Law be adopted and enacted by this Board:

**LOCAL LAW NO. , YEAR 1968
COUNTY OF CHENANGO, NEW YORK**

**A LOCAL LAW TO PROVIDE FOR A COMPUTERIZED WEIGHTED
VOTING APPORTIONMENT PLAN FOR THE ELECTION OF
REPRESENTATIVES TO THE BOARD OF SUPERVISORS.**

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE
COUNTY OF CHENANGO AS FOLLOWS:

SECTION 1. DESIGNATION.

On and after January 1, 19 the legislative
body of the County of Chenango shall continue to be known and
designated as the Board of Supervisors, but the number of votes
that each member thereof shall be entitled to cast shall be deter..
fined and fixed in accordance with the provisions of this Local Law

SECTION 2. NUMBER, TERM.

(a) The Board of Supervisors shall consist
of twenty three (23) members apportioned as follows:

	<u>No. of Supervisors</u>
City of Norwich	
District 1	1
District 2	1
Afton	1
Bainbridge	1
Columbus	1
Coventry	1
German	1
Greene	1
Guilford	1
Lincklaen	1
McDonough	1
New Berlin	1
North Norwich	1

Norwich	1
Otselic	1
Oxford	1
Pharsalia	1
Pitcher	1
Plymouth	1
Preston	1
Sherburne	1
Smithville	1
Smyrna	<u>1</u>
TOTAL	23

(b) Except as otherwise provided by law, the *term* of each member of the Board of Supervisors shall be two (2) years commencing on the first day of January following such member's election. The election of members of the Board of Supervisors shall be conducted at the general election in each odd-numbered year.

SECTION 3. APPORTIONMENT BASE, NUMBER OF VOTES

(a) Commencing on January 1, 1969, the apportionment of votes among each member of the Board of Supervisors shall be based on the latest official federal decennial census for total county population excepting, however, should there be proposed an official special county census subsequent to such federal decennial census, and should the Board of Supervisors determine that the then existing apportionment is violative of then applicable provisions of law, the Board of Supervisors may effect a reapportionment which shall be in conformity with such official county census and such then applicable pro»

(b) The total voting of the Board of Supervisors shall be distributed so as to equalize the voting power of each supervisor to the percent of the population which that Supervisor represents.

(c) Based on the 1960 official federal decennial census, commencing on January 1, 1969 and continuing thereafter until a subsequent apportionment of the Board of Supervisors, as hereinbefore provided, each town or city district shall be allocated that number of whole votes, so that the factor of disparity between the effective voting power of such town or city district and its percentage of the total county population, as determined by independent computerized mathematical analysis, shall not be greater than plus or minus five percent ($\pm 5\%$).

(d) The City of Norwich shall be divided into two (2) supervisory districts of substantially equal population. Each supervisory district within the City of Norwich shall be represented on the County Board of Supervisors by one (1) supervisor. The supervisor from each of said districts will be elected at large in accordance with law. Each supervisor so elected shall be entitled to cast the votes allocated to said supervisory district in accordance with subsection (e) hereof.

(e) Pursuant to Section 2(b) each town or city district shall be initially allocated the following number of votes:

City of Norwich	
District one	91
District two	91
Afton	54
Bainbridge	76
Columbus	17
Coventry	21
German	6
Greene	109
Guilford	57
Lincklaen	9
McDonough	15
New Berlin	64
North Norwich	27
Norwich	62
Otselic	20
Oxford	83
Pharsalia	12
Pitcher	16
Plymouth	24
Preston	18
Sherburne	79

Smithville	22
Smyrna	<u>26</u>
TOTAL	999

(f) The total number of full votes which each supervisor is entitled to cast shall not be divisible and shall be cast as one unit.

SECTION 4. QUORUM, PASSAGE OF RESOLUTIONS, LOCAL LAWS, MOTIONS AND PROPOSALS.

(a) The attendance of supervisors entitled to cast 500 votes, shall be required to constitute a quorum.

(b) The affirmative vote of supervisors entitled to cast a total of at least 500 votes shall be required for the adoption of any resolution, local law, motion or proposal, which requires a majority vote of the Board, under applicable provisions of law.

(c) The affirmative vote of supervisors entitled to cast a total of at least 666 votes shall be required for the adoption of any resolution or proposal, which requires a 2/3 vote under applicable provisions of law.

(d) Notwithstanding any other provision of this local law, every member of the Board of Supervisors serving on a committee of such Board shall be entitled to cast one (1) vote as a member of said committee.

SECTION 5. VACANCIES.

(a) In case of a vacancy in the office of Supervisor of a town, other than by expiration of term, the

remaining members of the Town Board, by majority vote, shall appoint a qualified elector of such town to fill such office until the first day of January following the next general election at which time such vacancy shall be filled as provided by law.

(b) In the case of a vacancy in the office of Supervisor of a district of the City of Norwich, other than by expiration of term, the Common Council of the City of Norwich shall appoint a qualified elector to such office until the first day of January following the next general election held in the city, at which election such vacancy shall be filled as provided by law.

SECTION 6. It is intended that the apportionment provided for in this local Law shall result in a county legislative body in conformity with such official county census and such then applicable judicial and statutory standards of equality of representation.

SECTION 7. EFFECTIVE DATE.

This Local Law shall take effect as of January 1, 1969.