



Mary C. Weidman, County Clerk  
County Office Building  
5 Court Street  
Norwich, NY 13815  
(607) 337-1451

## 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 4 OF 1981

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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) : 10:29:29 AM



Doc ID - 0047954700012

*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

Entered By: DLUKASBROWN Printed On : 02/29/2016 At : 10:58:07AM

(Please Use this Form for Filing your 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 of .....Chenango.....  
Town  
Village

Local Law No. ....4..... of the year 19 ..81....

A local law ....to provide for a computerized weighted voting apportionment plan for.....  
(insert title)  
the election of representatives to the Board of Supervisors, amending and superseding  
Local Law No. 1, Year 1969, Local Law No. 4, Year 1972 and Local Law No. 3 of  
Year 1980.

Be it enacted by the .....Board of Supervisors..... of the  
(Name of Legislative Body)

County  
~~City~~ of .....Chenango..... as follows:  
~~Town~~  
~~Village~~

(See annexed sheet for content of Local Law.)

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein 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. .... of 19.....  
County  
of the City of ..... was duly passed by the .....  
Town (Name of Legislative Body)  
Village  
on ..... 19..... in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer, \* or repassage after disapproval.)

I hereby certify that the local law annexed hereto, designated as local law No. .... of 19.....  
County  
of the City of ..... was duly passed by the .....  
Town (Name of Legislative Body)  
Village  
on ..... 19..... and was approved ~~not disapproved~~ by the .....  
repassed after disapproval Elective Chief Executive Officer \*  
and was deemed duly adopted on ..... 19....., in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. .... of 19.....  
County  
of the City of ..... was duly passed by the .....  
Town (Name of Legislative Body)  
Village  
on ..... 19..... and was approved ~~not disapproved~~ by the .....  
repassed after disapproval Elective Chief Executive Officer \*  
on ..... 19..... Such local law was submitted to the people by reason of a  
mandatory referendum, and received the affirmative vote of a majority of the qualified electors voting  
permissive referendum, and received the affirmative vote of a majority of the qualified electors voting  
general  
thereon at the special election held on ..... 19....., in accordance with the appli-  
annual  
cable provisions of law.

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. .... 4..... of 1981 ...  
County  
of the ~~County~~ of Chenango ..... was duly passed by the Board of Supervisors ..... on  
~~Town~~ (Name of Legislative Body)  
~~Village~~  
October 13 ..... 19 81 and was approved ~~not disapproved~~ by the ..... on  
~~repassed after disapproval~~ Elective Chief Executive Officer \*  
..... 19..... Such local law being subject to a permissive referendum and no  
valid petition requesting such referendum having been filed, said local law was deemed duly adopted on  
November 30, ..... 1981., 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 chairman of the county legislative body, the mayor of a city or village or the supervisor of a town, where such officer is vested with 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 19.... of the City of ..... having been submitted to referendum pursuant to the provisions of § 36 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 election held on ..... 19 ..... 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 19..... of the County of ....., State of New York, having been submitted to the Electors at the General Election of November ....., 19 ....., 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 of 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 ..... 4 ..... above.

*Chenango County*  
Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: *January 22, 1982*



(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK

COUNTY OF .....Chenango.....

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

*James B. Hayes*  
Signature  
.....County Attorney.....  
Title

Date: *January 22* 1982

County  
~~City~~ of .....Chenango.....  
~~Town~~  
~~Village~~

Mr. Chiarino offered the following for enactment:

*Local Law No. 4 of 1981*

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 principle of equality of 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, the Board of Supervisors of Chenango County on the 17th day of March, 1969, enacted Local Law No. One, Year 1969, "A LOCAL LAW TO PROVIDE FOR A COMPUTERIZED WEIGHTED VOTING APPORTIONMENT PLAN FOR THE ELECTION OF REPRESENTATIVES TO THE BOARD OF SUPERVISORS"; said Local Law by its terms being effective on the first day of April, 1969, and

WHEREAS, thereafter this Board of Supervisors did by Local Law No. Four of the year 1972, amend Local Law No. One of the year 1969 by adopting a computerized weighted voting apportionment plan superseding Local Law No. One of 1969, which said plan was based on the 1970 official Federal decennial census, and

WHEREAS, thereafter the Board of Supervisors of Chenango County did further by Local Law No. 3 of 1980 amend Local Law No. Four of the year 1972, and authorize a redistribution of votes between District No. One and District No. Two in the City of Norwich, and

WHEREAS, pursuant to Section III, Sub-section (a) of said Local Law, the apportionment of votes among each member of the Board of Supervisors must be based on the latest official federal decennial census for total County population and that the 1980 official federal decennial census for total County population has been completed and published, and

WHEREAS, the New York State Legislature on May 22, 1969, enacted Chapter 834 of the Laws of 1969 amending the Municipal Home Rule Law and the General Municipal Law, therefore, affording non-chartered counties, such as Chenango County, the ability to reapportion its legislative body by implementation of a computerized weighted voting plan, 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 based on the 1980 official federal decennial census.

NOW, THEREFORE, be it resolved that the following Local Law be adopted and enacted by this Board amending Local Law No. 1 of the year 1969, Local Law No. Four of the year 1972 and Local Law No. Three of the year 1980:

LOCAL LAW NO. 4, YEAR 1980.  
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 AMENDING AND SUPERSEDING LOCAL LAW NO. ONE, YEAR 1969, LOCAL LAW NO. FOUR, YEAR 1972 AND LOCAL LAW NO. THREE, YEAR 1980.

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

AMENDMENT

Local Law No. Three, Year 1980, County of Chenango, New York, is hereby amended by deleting Sections 1-7, thereof, inclusive, and substituting in its place and stead the following:

SECTION 1. DESIGNATION.

On and after January 1, 1992, 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 determined 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 for 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 April 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 an apportionment which shall be in conformity with such official county census and such then applicable provision of law.

(b) The total number of votes 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 1980 official federal decennial census, commencing on January 1, 1982, 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 resultant, effective voting power of the elected representative of such town or city district shall be to the extent possible equivalent to such town or city district's percentage of the total county population, as determined by independent computerized mathematical analysis.

(d) The City of Norwich shall be divided into two (2) supervisory districts. District 1 shall consist of the first, second and third wards. District 2 shall consist of the fourth, fifth and sixth wards. Each of such supervisory districts 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 Sub-section (e) hereof.

(e) Pursuant to Section 3 (b), the elected Supervisor of each town or city district shall be entitled to cast that number of votes hereinafter set forth at (i) Column B for the adoption of any resolution, local law, motion, or proposal which requires a majority vote of the Board of Supervisors under applicable provisions of law; (ii) Column C for the adoption of any resolution or proposal which requires a two-thirds (2/3) vote under applicable provisions of law and (iii) Column D for the adoption of any resolution or proposal which requires a three-fifths (3/5) vote under applicable provisions of law.

<u>COLUMN A</u> <u>DISTRICT</u>	<u>COLUMN B</u>	<u>COLUMN C</u>	<u>COLUMN D</u>
City of Norwich			
District 1	206	414	276
District 2	195	390	259
Afton	138	274	179
Bainbridge	167	333	220
Columbus	41	81	53
Coventry	65	128	82
German	13	25	16
Greene	274	563	400
Guilford	124	245	160
Lincklaen	24	48	31
McDonough	41	80	52
New Berlin	153	303	199
North Norwich	86	170	110
Norwich Town	201	402	268
Otselic	49	96	63
Oxford	197	394	262
Pharsalia	31	61	40
Pitcher	38	74	48
Plymouth	78	153	98
Preston	48	95	62
Sherburne	183	365	241
Smithville	60	118	77
Smyrna	59	115	75
<b>TOTAL</b>	<b>2471</b>	<b>4927</b>	<b>3271</b>

(f) The total number of whole 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 940 votes, shall be required to constitute a quorum.

(b) The affirmative vote of Supervisors entitled to cast a total of at least 1236 votes shall be required for the adoption of any resolution, local law, motion or proposal, which requires a majority vote of the Board of Supervisors, under applicable provisions of law.

(c) The affirmative vote of Supervisors entitled to cast a total of at least 2957 votes shall be required for the adoption of any resolution or proposal, which requires a three fifth ( $3/5$ ) vote under applicable provisions of law.

(d) The affirmative vote of Supervisors entitled to cast a total of at least 2181 votes shall be required for the adoption of any resolution or proposal, which requires a two third ( $2/3$ ) vote under applicable provisions of law.

(e) 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 election, 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 of such district to fill such office until the first day of January following the next general election held in the City of Norwich, 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 8.

EFFECTIVE DATE.

This Local Law shall be subject to a permissive referendum as provided in Section 24 of the Municipal Home Rule Law of the State of New York, as amended, but if no petition for a referendum be filed, then this law shall become effective upon filing same with the Department of State.

Seconded by Mr. Walker

Results of a roll call vote were: Yes-1684, No-0, Absent-254

Absent: Supervisors Swart, Kearney and White

The Chairman declared the Local Law adopted.