

**TOWN OF ROMULUS, NEW YORK
NOTICE OF PUBLIC HEARING.**

PROPOSED LOCAL LAW NO. A OF THE YEAR 2015:

“A local law to eliminate the elected position of Superintendent of Highways and replace it with an appointed position of Superintendent of Highways.”

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Romulus shall hold a public hearing on the following proposed Local Law at the Town Office Building, 1435 Prospect Street, Willard, New York 14588 at 7:30 p.m. on the 17 day of June, 2015: Proposed Local Law No. A Of The Year 2015: “A local law to eliminate the elected position of Superintendent of Highways and replace it with an appointed position of Superintendent of Highways.”

TEXT OF THE PROPOSED LOCAL LAW:

1. **LEGISLATIVE INTENT:** The Town of Romulus desires, subject to the will of the voters as expressed at a mandatory referendum, to eliminate the elected position of Superintendent of Highways and replace it with an appointed position of Superintendent of Highways.
2. **STATUTORY AUTHORITY:** This local law is enacted under the authority of Municipal Home Rule Law §§ 10, 22 and 23. The Town hereby expressly states its intention that this local law shall supersede any provision of the Town Law of the State of New York to the contrary, including but not limited to Town Law § 20.
3. **PURPOSE:** The purpose of this local law is to abolish the elected position of Superintendent of Highways and replace it with an appointed position of Superintendent of Highways in the Town of Romulus, New York.
4. **ABOLITION OF ELECTED POSITION; CREATION OF APPOINTED POSITION:** The elected position of the Superintendent of Highways in the Town of Romulus, New York is hereby abolished, effective January 1, 2016. The appointed position of the Superintendent of Highways in the Town of Romulus, New York is hereby created, effective January 1, 2016.
5. **TITLE:** This local law shall be incorporated in the Town of Romulus Code as a Chapter thereof to be entitled “The Office of the Superintendent of Highways”.
6. **TRANSFER OF DUTIES:** Except as set forth in Section 9, all duties, authority and power previously vested in the elected Superintendent of Highways shall be vested in the appointed Superintendent of Highways.
7. **MINIMUM QUALIFICATIONS:** The following shall be the minimum qualifications required for appointment by the Town Board to the Office of Superintendent of Highways, EITHER:
 - A. Two years experience in the construction and maintenance of roads one year of which must have been in a supervisory capacity; OR
 - B. An equivalent combination of training and experience as defined in (A).
8. **RESIDENCY:** An appointee need not be a resident of the Town but must be a resident of Seneca County, New York. The intent of this local law is to be a waiver of the

residency requirements of Section 3 of the Public Officers Law and Section 23 of the Town Law of the State of New York.

9. AUTHORITY OF SUPERINTENDENT; APPOINTING AUTHORITY:

- a.) The appointed Superintendent of Highways shall have such powers and shall perform such duties as are or hereafter may be conferred or imposed by law, and such further duties as the Town Board may determine not inconsistent with law. Any references contained in the Code of the Town of Romulus to the Superintendent of Highways or in the Highway Law of the State of New York shall be construed as applying to the duly appointed Superintendent of Highways.
- b.) The Town Board shall be the appointing authority for all employees of the Highway Department.

10. TERM OF OFFICE: The appointed Superintendent of Highways of the Town of Romulus shall serve for a term of four (4) years, upon the terms and conditions determined by the Town Board.

11. MANDATORY REFERENDUM: This local law shall be subject to mandatory referendum at the next regularly scheduled General Election on November 3, 2015.

12. EFFECTIVE DATE: This Local Law shall take effect upon the affirmative vote of a majority of the qualified electors voting therein at such General Election on November 3, 2015, and the filing with the Office of the Secretary of State in accordance with the applicable provisions of law, on January 1, 2016.

NOTICE IS FURTHER GIVEN complete text of the proposed local law is available from the Office of the Town Clerk, Town of Romulus, 1435 Prospect Street, Willard, New York 14588, during normal business hours and at the town's website: <http://www.romulustown.com>.

NOTICE IS FURTHER GIVEN that at such public hearing time all interested persons will be given an opportunity to be heard.

BY ORDER OF THE TOWN BOARD, TOWN OF ROMULUS, NEW YORK

Dated: May 20, 2015
Terry Smith, Town Clerk
Town of Romulus