

# Local Law Filing

(Use this form to file a 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  Town  Village  
(Select one:)

of Cortland

FILED  
STATE RECORDS

DEC 05 2022

DEPARTMENT OF STATE

Local Law No. 10 of the year 2022

A local law Abolishing the Elected Office of County Treasurer  
(Insert Title)

Be it enacted by the Legislature of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one:)

of Cortland

as follows:

\*\*SEE ATTACHED\*\*

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that 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 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

(Name of Legislative Body)

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

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

(Name of Legislative Body)

(Elective Chief Executive Officer\*)

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. 10 of 2022 of the County(City)(Town)(Village) of Cortland was duly passed by the Cortland County Legislature on June 23, 2022, and was (approved)(not approved) (repassed after disapproval) by the Chair of the Cortland County Legislature on June 23, 2022.

(Name of Legislative Body)

(Elective Chief Executive Officer\*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on November 8, 2022, in accordance with the applicable provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

(Name of Legislative Body)

(Elective Chief Executive Officer\*)

\* 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 chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**5. (City local law concerning Charter revision proposed by petition.)**

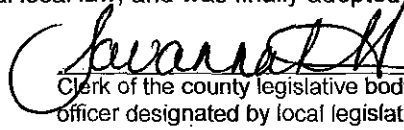
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

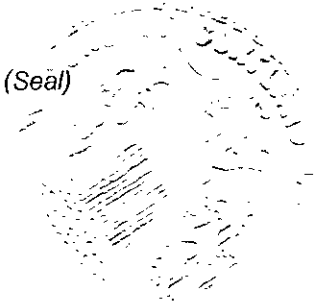
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the 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 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 <sup>3</sup> above.

  
\_\_\_\_\_  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 11/29/2022



**Local Law 10 of 2022 - a Local Law Abolishing the Elected Office of County Treasurer**

WHEREAS, said Local Law has been in its final form upon the desks of the members of the Legislature at least seven (7) calendar days, exclusive of Sunday, prior to this date, AND

WHEREAS, a public hearing thereon has been held before this Legislature after publication of notice thereof as legally required, NOW THEREFORE

**BE IT ENACTED** by the Legislature of the County of Cortland, as follows:

**SECTION 1. Legislative Intent**

- A. The County of Cortland is being increasingly required to administer various programs which are either unfunded or not adequately funded by the State and Federal governments. Such mandates, together with the revenue constraints of the County, require the best financial administration possible.
- B. It is the desire of the Cortland County Legislature, in its continuing efforts to upgrade the administration of County government, to ensure to the effective management of the fiscal responsibilities of the County of Cortland.
- C. The Cortland County Legislature finds that, through a more efficient administration of the various fiscal affairs of Cortland County, the County Legislature will be able to provide for better direction, control and coordination of Cortland County governmental finances. Further, the timely reporting of the County's fiscal position, statements of expenses and revenues, and cash flow will provide for improved day-to-day handling and management of the County's fiscal affairs.
- D. It is the intention of the Cortland County Legislature, through the enactment hereof; to provide for professional qualifications and professional background required of its Chief Fiscal Officer.
- E. The Director of Finance presently has the ultimate responsibility of the financial management activities of the County other than the collection of delinquent property taxes and other related activities undertaken by the County Treasurer. The Director of Finance is responsible for directing and maintaining the financial records of the County in the manner prescribed by the Office of the New York State Comptroller, as well as ensuring these record keeping activities are carried out ethically and in accordance with all applicable laws, rules, and regulations and in accordance with accepted governmental accounting standards. The position also monitors and controls the fiscal operations of County departments and agencies through the analysis of required fiscal reports.
- F. It is the further intent of the Cortland County Legislature to provide for the transfer of the duties of Treasurer to the existing position of Director of Finance as the County's professional Chief Fiscal Officer; having the professional qualifications, education and

experience necessary for the position; and abolishing the elective Office of County Treasurer. By a mandatory referendum in accordance with Municipal Home Rule Law, Section 10, it is the intent to eliminate the elected Office of County Treasurer and transfer the duties of Treasurer to the Director of Finance after a referendum conducted in all respects under the provision of Municipal Home Rule Law, Section 23.

- G. It is not the purpose or intent of the Cortland County Legislature in the adoption of this local law to curtail, diminish, transfer or divest the Cortland County Legislature of any of its functions, powers or duties.

## **SECTION 2. Abolishing the elective Office of County Treasurer**

The elected position of County Treasurer as provided in Section 400, subparagraph 1 of the County Law is abolished effective December 31, 2023.

## **SECTION 3. No Divestiture of Powers And Duties of Legislature**

Nothing contained in this local law shall operate or be construed to divest the Cortland County Legislature of any of its functions, powers and duties.

## **SECTION 4. Severability of Provisions**

If any clause, sentence, paragraph, subdivision, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree, or order shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment, decree or order have been rendered.

## **SECTION 5. Construction of Local Law**

- A. This law shall be liberally construed to effectuate the purposes thereof and to provide an appointive chief fiscal officer in compliance with the requirements of law.
- B. It is intended that through this law all duties associated with the elective Office of County Treasurer be transferred to the already existing appointive Director of Finance.

## **SECTION 6. Conflict With Previous Local Laws and Resolutions**

In the event of a conflict or inconsistency between this local law and any previous local laws or resolution of the County Legislature, this local law shall govern.

## **SECTION 7. Referendum**

- A. The local law shall be placed on the ballot for the election to be held on November 8, 2022.
- B. The form of the proposition shall be as follows: "Shall the elective Office of County Treasurer be abolished and the duties of Treasurer be transferred to the existing position of Director of Finance as the County's professional Chief Fiscal Officer in Cortland County as

approved by the Cortland County Legislature in Local Law No. F of 2022?"

**SECTION 8. Effective Date**

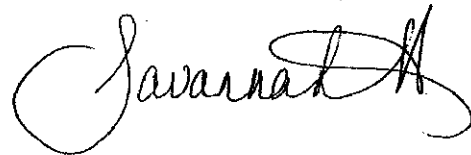
A. This local law shall take effect when all applicable statutory requirements for its passage and adoption have been complied with fully; and

B. This local law shall take effect when it has been duly filed in the Office of the Secretary of State and as provided by this local law.

**STATE OF NEW YORK ) SS:  
COUNTY OF CORTLAND )**

This is to certify that I, the undersigned, Clerk of the Cortland County Legislature, have compared the foregoing copy with the original now on file in this office, and that the above actions were passed by the Cortland County Legislature on the 23rd day of June, 2022 and that the same is a correct and true transcript of such actions taken.

IN WITNESS WHEREOF I have hereunto set my hand  
and the official seal of the CORTLAND COUNTY  
LEGISLATURE, this 23rd day of June, 2022.



Clerk of the Cortland County Legislature



**Cortland County Board of Elections**

112 River Street, Suite 1

Cortland, NY 13045-2828

Tel: 607-753-5032 Fax: 607-758-5513



Robert C. Howe, Commissioner

Thomas H. Brown, Commissioner

November 23, 2022

To: Savannah Hempstead, Clerk of the Legislature  
From: Cortland County Election Commissioners  
Re: County Proposition  
Date: November 8, 2022 General Election

**Proposal Number Two, County Proposition Number One**

“Shall the elective Office of County Treasurer be abolished and the duties of Treasurer be transferred to the existing position of Director of Finance as the County’s professional Chief Fiscal Officer in Cortland County as approved by the Cortland County Legislature in Local Law No. F of 2022?”

**WE CERTIFY THAT THE PROPOSITION PASSED BY A VOTE OF YES 8597 to NO 5692.**

WE CERTIFY this statement to be correct, and have caused the same to be attested by the signatures of the members of this Board, there being TWO members in said Board, this, 23rd day of November, A.D. Two Thousand and Twenty-two.

STATE OF NEW YORK

COUNTY OF CORTLAND }  
OFFICE OF BOARD OF ELECTIONS } ss:

We hereby certify that we have compared the foregoing with the original statement remaining on file in this office and that the same is a correct transcript therefrom and of the whole of such original.

Witness our hand and official seal at Cortland, this 23rd day of November, Two Thousand and Twenty-two.

*Robert C. Howe*

Robert C. Howe, President

*Thomas H. Brown*

Thomas H. Brown, Secretary