

**Local Law Number 4 of 2025**

**LOCAL LAW CHANGING THE OFFICE OF THE TOWN OF LYSANDER SUPERINTENDENT OF HIGHWAYS FROM ELECTIVE TO APPOINTIVE IN THE TOWN OF LYSANDER**

**Be It Enacted** by the Town Board of the Town of Lysander as Follows:

**Section I: Purpose**

The purpose of this Local Law is to change the manner of selection of the Town Superintendent of Highways in the Town of Lysander from election to appointment by abolishing the elected position of Town Superintendent of Highways and creating the appointed position of Town Superintendent of Highways as hereinbelow provided. The appointed Office of Town Superintendent of Highways will be governed by the terms of this Local Law. The change from an elected Town Superintendent of Highways to an Appointed Town Superintendent of Highways is subject to a mandatory referendum for which the Town Board of the Town of Lysander will adopt a resolution calling for a special election in accordance with Municipal Home Rule Law §23 (1) and Town Law § 81(1)(d)& §82.

**Section II: Statutory Authority**

Pursuant to Municipal Home Rule Law §10 (1)(ii)(a)(1) and §10(1)(ii)(d)(3) the Town of Lysander is permitted to adopt a local law relating to the mode of selection, term of office, and residency requirements applicable to its officers and employees.

**Section III: Abolishment of Elected Office of Town Highway Superintendent**

Upon the effective date of this Local Law, the elective office of Town Superintendent of Highways within the Town of Lysander is hereby abolished.

**Section IV: Creation of Appointed Office of Town Highway Superintendent**

Upon the effective date of this Local Law, the appointed Office of Town Superintendent of Highways is hereby created. Appointment to the Office Town Superintendent of Highways in the Town of Lysander shall be made by the Town Board under the following terms and conditions:

- i. Term of Office: The appointed Town Superintendent of Highways shall serve in his/her position at the pleasure of the Town Board. The first appointment to said office shall commence on January 1, 2026.
- ii. The provisions of the Lysander Town Code pertaining to or referencing the Town Superintendent of Highways shall, effective January 1, 2026, be deemed to refer to the appointive position of Town Superintendent of Highways and the person occupying said position.

## **Section V: Supersession**

Pursuant to Municipal Home Rule Law §10 (1)(ii)(a)(1) and §10(1)(ii)(d)(3) this Local Law shall supersede Town Law §20 (1)(a) with respect to mode of selection of the Town Superintendent of Highways in the Town of Lysander, Town Law §24 with respect to the term of office of the Town Superintendent of Highways of the Town of Lysander, Town Law §23 (1) and Public Officers Law §3 (1) as these statutes pertain to the residency requirements of the Office of Town Highway Superintendent.

## **Section VI: Mandatory Referendum and Special Election**

Pursuant to Municipal Home Rule Law §23 (2)(E), this Local Law is subject to a mandatory referendum and shall therefore be submitted for approval to the electors of the Town of Lysander at a special election. The holding of the special election shall subject to and in accordance with the adoption by the Town Board of a Resolution in conformance with the requirements of Municipal Home Rule Law §23 (1) and Town Law § 81(1)(d) & §82, providing for, among other things required by said statutes, the date and place or places of such special election, notice thereof, and the proposition to be considered.

## **Section VII: Effective Date**

This Local Law shall be effective upon filing with the Secretary of State after approval by a majority of the electors voting thereon in accordance with the provisions of §27 of the Municipal Home Rule Law.