

State

New York State Department of

41 State Street, Albany, NY 12231

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 of Kinderhook
Town
Village

Local Law No. 4 of the year 2021

A local law Establishing the position of Confidential Administrative Assistant to the Town Supervisor

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

County
City of Kinderhook as follows:
Town
Village

PURPOSE AND INTENT

The Town Board of the Town of Kinderhook seeks to establish the position of Confidential Administrative Assistant to the Town Supervisor with a Policy Influencing/Confidential designation. This position will be a position in the exempt class of the classified service and authorizes the Supervisor of the Town of Kinderhook to appoint an individual who has not taken the Civil Service examination to the position of Confidential Administrative Assistant to the Town Supervisor, to serve at the pleasure of the Supervisor of the Town of Kinderhook.

AUTHORIZATION

The Town Board of the Town of Kinderhook enacts this Local Law under the authority granted by:

1. New York Municipal Home Rule Law §10.
2. Civil Service Law §41(c).

ENACTMENT

Be it enacted by the Town Board for the Town of Kinderhook as follows:

- A.** Pursuant to Civil Service Law §41(c), one secretary of each municipal board or commission authorized by law to appoint a secretary shall be in the exempt class.
- B.** The Town of Kinderhook hereby deems the position of Confidential Administrative Assistant to the Supervisor, with the policy influencing/confidential designation, to be in the exempt class pursuant to Civil Service Law §41(c).
- C.** Positions placed in the exempt class constitute an exception to the constitutional mandate that all positions as far as practicable must be filled only after competitive examinations. Pursuant to the Rules for the Classified Service of the Department of Civil Service set forth in 6 NYCRR §2.1, positions in the exempt class, other than unskilled labor positions, are those for which competitive or non-competitive examinations or other qualification requirements are not practicable.
- D.** Appointment. The Supervisor of the Town Board of the Town of Kinderhook is hereby authorized to appoint an individual who has not taken the civil service examination to the position of Confidential Administrative Assistant to the Supervisor.

SEVERABILITY

In the event that any word, phrase or part of this local law shall be declared unconstitutional, the same shall be severed and separated from the remainder of this local law and shall not effect the remainder of said local law which shall remain in full force and effect.

EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the Office of the New York State Secretary of State.

(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. 4 of 2021 of the Town of Kinderhook was duly passed by the Town Board on May, 2014, in (Name of Legislative Body) accordance with the applicable provisions of law.

~~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 (Name of Legislative Body) disapproval) by the _____ and was deemed duly adopted on _____, 20____, (Elective Chief Executive Officer*) in accordance with the applicable provisions of law.~~

3. (Final adoption by referendum.)

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 (Name of Legislative Body) disapproval) by the _____ on _____, 20____. Such local law was (general)(special)(annual) election held on _____, 20____, 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 (approved)(not approved)(repassed after (Name of Legislative Body) disapproval) by the _____ on _____, 20____. Such local law was subject (Elective Chief Executive Officer*) to permissive referendum and no valid petition requesting such referendum was filed as of _____, 20____, 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 the power to approve or veto local laws or ordinances.

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

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 _____, _____, became operative.

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

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 1, above.

Kim Pinkowski, Town Clerk

(Seal)

Date: May __, 2021

(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 COLUMBIA

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.

Signature _____
Andrew B. Howard, Esq.
Title: Counsel

County _____
City of _____ Kinderhook _____
Town _____
Village _____

Date: May __, 2021