

## *Local Law Filing*

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**(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 Copake**

**Local Law No. 2 of the year 2022**

**A LOCAL LAW TO ESTABLISH THE POSITION OF CONFIDENTIAL ADMINISTRATIVE ASSISTANT TO THE TOWN SUPERVISOR, WITH THE POLICY INFLUENCING/CONFIDENTIAL DESIGNATION, TO BE A POSITION IN THE EXEMPT CLASS OF THE CLASSIFIED SERVICE AND AUTHORIZING THE SUPERVISOR OF THE TOWN OF COPENAK TO APPOINT AN INDIVIDUAL WHO HAS NOT TAKEN THE CIVIL SERVICE EXAMINATION TO SUCH POSITION TO SERVE AT THE PLEASURE OF THE SUPERVISOR**

**Be it enacted by the Town Board of the Town of Copake as follows:**

See attached.

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

## **TOWN OF COPAKE**

### **LOCAL LAW NO. 2 OF THE YEAR 2022**

**A LOCAL LAW TO ESTABLISH THE POSITION OF CONFIDENTIAL ADMINISTRATIVE ASSISTANT TO THE TOWN SUPERVISOR, WITH THE POLICY INFLUENCING/CONFIDENTIAL DESIGNATION, TO BE A POSITION IN THE EXEMPT CLASS OF THE CLASSIFIED SERVICE AND AUTHORIZING THE SUPERVISOR OF THE TOWN OF COPAKE TO APPOINT AN INDIVIDUAL WHO HAS NOT TAKEN THE CIVIL SERVICE EXAMINATION TO SUCH POSITION TO SERVE AT THE PLEASURE OF THE SUPERVISOR**

#### **SECTION 1 – TITLE**

This local law shall be referred to as “A Local Law to Establish the Position of Confidential Administrative Assistant to the Town Supervisor, with the Policy Influencing/Confidential Designation, to be a Position in the Exempt Class of the Classified Service and Authorizing the Supervisor of the Town of Copake to Appoint an Individual Who Has Not Taken the Civil Service Examination to Such Position to Serve at the Pleasure of the Supervisor”.

#### **SECTION 2 – AUTHORITY**

This local law is enacted pursuant to the Municipal Home Rule Law, the New York Town Law, and New York Civil Service Law § 41.

#### **SECTION 3 – ESTABLISHMENT AND DESIGNATION OF POSITION**

- 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 Copake 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, 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. The Supervisor of the Town of Copake 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, which person shall serve at the pleasure of the Supervisor.

#### **SECTION 4**

If any word, phrase, sentence, part, section, subsection, or other portion of this Law or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the proscribed application thereof, shall be severable, and the remaining provisions of this Law, and all applications thereof, not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

#### **SECTION 5**

This Law shall become effective upon filing with the New York 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. 2 of 2022 of the (County)(City)(Town)(Village) of Copake was duly passed by the Town Board of the Town of Copake on March 10, 2022 in 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 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. \_\_\_\_\_ 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\_\_\_\_.

(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 \_\_\_\_\_ 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 was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_.

(Name of Legislative body)

(Elective Chief Executive Officer\*)

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.

\* 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 \_\_\_\_\_ 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 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.



Lynn Connolly, Town of Copake Town Clerk  
Clerk of the county legislative body, City, Town or Village  
Clerk or officer designated by local legislative body

(Seal)

Date: March 10, 2022