

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 Canandaigua

DRAFT

Local Law No. _____ of the year 20¹⁷

A local law Establishment of Town Manager Position

(Insert Title)

Creating Chapter 58, Town Manager

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

County City Town Village
(Select one.)

of Canandaigua as follows:

see attached

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

ATTACHMENT "A"

TOWN MANAGER

SECTION ONE. The following Chapter shall be added to the Town of Canandaigua Town Code as Chapter 58, immediately after Chapter 56 (Records), and immediately before Chapter 60 (Residency Requirements):

§ 58-1. Title. This Chapter shall be known as "Town Manager" of the Town of Canandaigua, New York.

§ 58-2. Purpose. Position established.

The Town Board, in accordance with § 58 of the Town Law of the State of New York, hereby establishes the position of Town Manager. The purpose is to provide the most economical and effective overall direction, coordination and control of the day-to-day activities and operation of the Town of Canandaigua.

§ 58-3. Appointment; term of office.

Said position shall be filled by appointment by the Town of Canandaigua Town Board by a majority vote of the voting strength of said Board. Said Town Manager shall serve at the pleasure of the Town Board.

§ 58-4. Removal of the Town Manager. The Town Board may remove the Town Manager at any time by a majority vote of its members. If requested, a public hearing shall be granted by the Town Board within 30 days following notice of removal. During the interim, the Town Board may suspend the manager from duty, but shall continue the manager's salary and, if the removal becomes final, shall pay said salary in accordance with any employment agreements, if applicable.

§ 58-5. Powers and duties.

The Town Manager of the Town of Canandaigua, New York, shall be the chief administrative officer of the town and shall have the following powers and duties:

- A. Serve in a confidential and policy advisory position to the Town Board in connection with all town business and affairs.
- B. Research and provide to the Town Board such materials and information, including reports, as may be necessary to provide the Board with information upon which it can make decisions.
- C. Oversee and implement the Town's personnel policies in a fair and equitable fashion in accordance with applicable laws and regulations. Appoint or suspend or remove all town appointed employees only after first receiving direction by the Town Board.

- D. Assist the Town Board in identifying its financial, personnel and material needs and problems.
- E. Undertake studies of Town needs and operations and make recommendations to the Board concerning the same.
- F. Conduct a continuing study of all functions and activities of the Town for purposes of devising ways and means of obtaining greater efficiency and economy.
- G. From time to time, make recommendation to the Town Board as to measures or programs which will improve the efficiency or economy of the Town government.
- H. Serve as a liaison to the Town's financial advisors.
- I. Keep abreast of available grants-in-aid from the other levels of government, pursue such revenue sources and make and follow through on all grant and aid applications and inquiries.
- J. Supervise the purchase of services, materials, supplies, equipment and letting of contracts.
- K. See that all inquiries by residents of the Town or other interested persons are referred to the appropriate Town official or department head for investigation or response.
- L. Coordinate communication from the Town to the public, updates to the Town's website and the issuance of media/press statements and written communications to the public.
- M. Attend the meetings of the Town Board, as needed, and assist in the preparation of the agenda of such meetings.
- N. Attend all regular and special Board meetings and participate in the same.
- O. Consult with and assist the Town Attorney in the preparation of any resolutions, ordinances or local laws requiring their services.
- P. Prepare suggested or recommended resolutions for Town Board action.
- Q. Make preliminary review of budget requests and make recommendation concerning them to the Town Board. May be appointed the Town Budget Officer by the Town Supervisor in accordance with NYS Town Law §103(2).
- R. Preliminarily review for Town Board action all invoices received by the town.
- S. Assist the Town Board in all billings and collections to the extent allowed by law.
- T. Make continuing review and reports to the Town Board of all existing and proposed capital projects.

U. Make organizational studies using such techniques as work distribution, workflow charting, task analysis, random sampling, work measurement studies, statistical analysis and system analysis.

V. Evaluate the effectiveness of operating programs in achieving organization objectives.

W. Make recommendations to develop and maintain sound organization structures, to improve management methods and procedures and to the effective use of manpower, money and materials.

X. Develop liaison and cooperative arrangements with other governmental bodies, with regional organizations, with local institutions and with private organizations; attend meetings of the Town Zoning Board of Appeals and Town Planning Board meetings as he may choose or as requested by the Town Board; and report pertinent matters to the Town Board.

Y. Prepare for approval of the Town Board and other town agencies informational releases of significant action as well as other communications to town residents, the public or other public agencies where and when directed to by the Town Board.

Z. Perform such other powers and duties as may be prescribed, modified or revoked from time to time by the Town Board by resolution.

§ 58-6. Vacancy. Any vacancy in the office of the Town Manager shall be filled within 60 days after the effective date of such vacancy by the Town Board.

§ 58-7. Salary and expenses.

The Town Manager is an employee of the Town and shall be compensated by an annual salary as set by the Town Board and participation in health and dental benefits. All expenses incidental to the Town Manager's duties that are not prepaid by the Town shall be reimbursed.

SECTION TWO. Severability. The provisions of this local law are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any remaining sections, subsections, sentences, clauses or part of this local law.

SECTION THREE. Effective Date. This local law shall take effect immediately upon its filing with the NYS 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.)

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1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20¹⁷ of the (County)(City)(Town)(Village) of Canandaigua was duly passed by the Town Board _____ 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) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 20 , in accordance with the applicable provisions of law.

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) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(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) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. Such local *(Elective Chief Executive Officer*)* 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 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 _____ above.

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

Date: _____

(Seal)

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