

PUBLIC HEARING

December 11, 2019

At 8:30 p.m. Supervisor Schiliro stated that a Public Hearing would be held in accordance with the Public Notice that follows:

NOTICE IS HEREBY GIVEN THAT the North Castle Town Board will hold a Public Hearing on December 11, 2019, at 7:30 p.m., or as soon thereafter as practical, at Town Hall, 15 Bedford Road, Armonk, NY to consider a Local Law to amend Town Code, Chapter 60, Officers and Employees as it pertains to residency requirements for the Receiver of Taxes.

The proposed local law is available in the Town Clerk's office during regular business hours and on the Town website. ALL PERSONS HAVING AN INTEREST IN THE MATTER ARE INVITED TO ATTEND AND BE HEARD.

By Order of the Town Board
Alison Simon, Town Clerk

Dated: November 30, 2019
Armonk, NY

The Public Notice was marked Exhibit "A" for the record.

The Affidavit of Posting calling the Public Hearing was marked Exhibit "B" for the record.

The Affidavit of Publication from The Journal News calling the Public Hearing was marked Exhibit "C" for the record.

The Town Clerk noted there was a proposed Local Law for consideration.

Supervisor Schiliro explained that the office of Receiver of Taxes was previously reclassified from an elective to an appointive position.

Note: The Town Board adopted a Local Law in March, 2017 which abolished the elective office of Receiver of Taxes and created the appointive position of Receiver of Taxes. This amendment to the Town Code was subject to mandatory referendum which was passed at a special election held in May, 2017. Home Rule Requests were submitted to the New York State Senate and Assembly. Legislation was adopted by both Houses; and was signed into law by the Governor in October, 2019, authorizing a person to hold the office of Receiver of Taxes in the Town of North Castle while living outside of the municipality.

The Supervisor noted that the local law being considered at tonight's hearing will provide that a person holding the office of Receiver of Taxes will not be required to be a resident of the Town of North Castle, provided that such person resides in the State of New York.

After all persons were heard who desired to be heard, Councilman D'Angelo moved, seconded by Councilman Berra, that the Public Hearing be closed at 8:32 p.m.

The roll call vote was as follows:

Ayes: Councilmen D'Angelo, DiGiacinto, Reiter, Berra, Supervisor Schiliro

Noes: None

Councilman D'Angelo moved, seconded by Councilman Berra, the adoption of Local Law 7 of 2019, to amend Town Code, Chapter 60, Officers and Employees as it pertains to residency requirements for the Receiver of Taxes. The Local Law follows at the end of these minutes.

The roll call vote was as follows:

Ayes: Councilmen D'Angelo, DiGiacinto, Reiter, Berra, Supervisor Schiliro

Noes: None

Alison Simon, Town Clerk

Dated: December 31, 2019

TOWN OF NORTH CASTLE

**Local Law No. 7 For the Year 2019
Adopted December 11, 2019**

A Local Law to amend Chapter 60 of the Code of the Town of North Castle entitled Officers and Employees.

Be It Enacted by the Town Board of the Town of North Castle as follows:

1. Chapter 60 Article IX entitled Residency Requirements, Subparagraph 60-29 is hereby added to read as follows:

Notwithstanding the provisions of Public Officers Law §3 requiring a person to be a resident of the political subdivision or municipal corporation of the state for which he or she shall be chosen or within which his or her official functions are required to be exercised, a person holding the office of Receiver of Taxes need not be a resident of the Town of North Castle, provided such person resides in the State of New York.

2. Supersession: This local law is adopted pursuant to the authority granted by Section 10 of the Municipal Home Rule Law and shall supersede any provision of Public Officers Law which is inconsistent herewith.

3. Severability: The invalidity of any word, section, clause, paragraph, sentence or part of a provision of this local law shall not affect the validity of any part of this local law which can be given effect without such invalid part or parts.

4. Effective Date: This local law shall take effect immediately upon filing in the office of the Secretary of State of the State of New York in accordance with the provisions of the Municipal Home Rule Law.