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KATHY HOCHUL  
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ROBERT J. RODRIGUEZ  
SECRETARY OF STATE

July 6, 2022

CindyUrtz  
Clerk Madison County Board of Supervisors  
138 N Court Street  
Wampsville NY 13163

**RE: County of Madison, Local Law 2 2022, filed on June 29 2022**

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, [www.dos.ny.gov](http://www.dos.ny.gov).

Sincerely,  
State Records and Law Bureau  
(518) 473-2492



# MADISON COUNTY BOARD OF SUPERVISORS

John M. Becker, Chairman  
Mark Scimone, County Administrator  
Cindy Urtz, Clerk

138 N. Court St., PO Box 635  
Wampsville, NY 13163  
Phone: 315/366-2201  
Fax: 315/366-2502

June 27, 2022

State Records and Law Bureau  
One Commerce Plaza  
99 Washington Ave.  
Albany, New York 12231

RE: Local Law No. 2 – 2022 – Modify Weighted Voting

Dear Sir/Madam:

Enclosed please find the original of Local Law No. 2 of 2022 for filing which was adopted by the Madison County Board of Supervisors on May 10, 2022 and considered finally adopted after the 45 day permissive referendum ended.

If you have any questions regarding this local law, please call me at (315) 366-2201.

Thank you in advance for your assistance.

Very truly yours,

A handwritten signature in black ink that reads "Cindy Urtz".

Cindy Urtz, Clerk

cu/  
enclosure

# 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.

X County

- ~~Town~~ of Madison
- ~~Village~~
- ~~City~~

Local Law No. 2 of the year 2022

A Local Law Amending a Local Law to Provide for a Modified Weighted

(Insert Title)

.Voting Apportionment Plan for the Election of Representatives to the Board of

Supervisors.

Be it enacted by the Board of Supervisors of the County of Madison  
(Name of Legislative Body)

X County

- ~~Town~~ of Madison as follows:
- ~~Village~~
- ~~City~~

**“See Attached Pages”**

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

**LOCAL LAW FOR YEAR 2022**

**A LOCAL LAW AMENDING A LOCAL LAW TO PROVIDE FOR A MODIFIED WEIGHTED VOTING APPORTIONMENT PLAN FOR THE ELECTION OF REPRESENTATIVES TO THE BOARD OF SUPERVISORS**

**BE IT ENACTED**, by the Board of Supervisors of the County of Madison, New York as follows:

**SECTION 1.** Amending Local Law No. 3 of 2013; Local Law No. 4 of 2002; Amending Local Law No. 2 of 1993; Amending Local Law No. 5 of 1981; Amending Local Law No. 2 of 1972; Amending Local Law No. 1 of 1968 entitled "A Local Law to Provide for a Modified Weighted Voting Apportionment Plan for the Election of Representatives to the Board of Supervisors," is hereby amended to read as follows:

**SECTION 2. Designation.**

On and after April 12, 2022, the legislative body of the County of Madison shall continue to be known and designated as the Board of Supervisors, but the number of votes that each member thereof shall be entitled to cast shall be determined and fixed in accordance with the provision of this Local Law.

**SECTION 3. Number, Term.**

(a) The Board of Supervisors shall consist of nineteen (19) members apportioned as follows:

	<b>No. of Supervisors</b>
<b>Brookfield</b>	<b>1</b>
<b>Cazenovia</b>	<b>1</b>
<b>DeRuyter</b>	<b>1</b>
<b>Eaton</b>	<b>1</b>
<b>Fenner</b>	<b>1</b>
<b>Georgetown</b>	<b>1</b>
<b>Hamilton</b>	<b>1</b>
<b>Lebanon</b>	<b>1</b>
<b>Lenox</b>	<b>1</b>
<b>Lincoln</b>	<b>1</b>
<b>Madison</b>	<b>1</b>
<b>Nelson</b>	<b>1</b>
<b>Smithfield</b>	<b>1</b>
<b>Stockbridge</b>	<b>1</b>
<b>Sullivan</b>	<b>1</b>

<b>City of Oneida:</b>	
<b>District 1 (Wards 1, 2, &amp; 3)</b>	<b>2</b>
<b>District 2 (Wards 4, 5, &amp; 6)</b>	<u><b>2</b></u>
<b>Total</b>	<b>19</b>

(b) The term of each member of the Board of Supervisors shall be two (2) years commencing on the first day of January following such member's election, except as otherwise provided by law, such exception including Supervisors for which their respective Towns and City have established different terms (the Towns of Lenox, Madison, Eaton, Cazenovia, Hamilton, Stockbridge and Sullivan currently providing for Supervisors' terms of four (4) years). The election of members of the Board of Supervisors shall be conducted at the general election of each odd-numbered year.

**SECTION 4. Appointment Base, Number of Votes.**

- (a) Commencing on April 12, 2022, the apportionment of votes among each member of the Board of Supervisors shall be based on the latest official federal decennial census for total county population excepting, however, should there be proposed an official special county census subsequent to such federal decennial census and should the Board of Supervisors determine that the then existing apportionment is violative of then applicable provisions of law, the Board of Supervisors may effect a reapportionment which shall be in conformity with such official census and such then applicable provisions of law.
- (b) Based on the 2020 official federal decennial census, commencing on April 12, 2022, and continuing thereafter until a subsequent apportionment of the Board of Supervisors as hereinbefore provided each town or city district shall be initially allocated one (1) full vote for every forty-nine (49) person, or major fraction therefore, residing in such town or city district.
- (c) The number of full votes allocated to each town or city district as hereinabove provided shall then be modified by the Board of Supervisors so that the factor or disparity between the effective voting power of such town or city district and its percentage of the total county population, as determined by independent mathematical analysis, shall not be greater than plus or minus five percent (+/- 5%), separate allocations being established based upon separate analysis

of simple majority vote, two-thirds vote, three-fifths vote, and threequarters vote.

- (d) The City of Oneida shall be divided into two (2) supervisory districts of substantially equal population. District one shall be composed of wards, one, two and three. District two shall be composed of wards, 4, 5, and 6. Each supervisory district within the City of Oneida shall be represented on the County Board of Supervisors by two (2) supervisors. The two (2) supervisors from each of said districts will be elected at large in accordance with law. Each supervisor so elected shall be entitled to cast one half (1/2) of the total votes allocated to said supervisory district in accordance with subsection (f) hereof.
- (e) Pursuant to Section 4(b) each town or city district shall be initially allocated the following number of votes:

	<b>Number of votes</b>
<b>Brookfield</b>	<b>50</b>
<b>Cazenovia</b>	<b>149</b>
<b>DeRuyter</b>	<b>28</b>
<b>Eaton</b>	<b>94</b>
<b>Fenner</b>	<b>37</b>
<b>Georgetown</b>	<b>14</b>
<b>Hamilton</b>	<b>141</b>
<b>Lebanon</b>	<b>29</b>
<b>Lenox</b>	<b>193</b>
<b>Lincoln</b>	<b>40</b>
<b>Madison</b>	<b>61</b>
<b>Nelson</b>	<b>42</b>
<b>Smithfield</b>	<b>25</b>
<b>Stockbridge</b>	<b>43</b>
<b>Sullivan</b>	<b>326</b>
<b>City of Oneida:</b>	
<b>District 1 (Wards 1, 2, &amp; 3)</b>	<b>116</b>
<b>District 2 (Wards 4, 5, &amp; 6)</b>	<b><u>112</u></b>
<b>Total</b>	<b>1500</b>

- (f) Pursuant to Section 4(c) each town or city district shall be entitled to cast the following number of full votes:

TOWN	POPULATION	SIMPLE MAJORITY	3/5	2/3	3/4
Brookfield	2247	52	51	49	38
Cazenovia	6740	152	151	143	108
DeRuyter	1276	30	29	28	21
Eaton	4284	98	98	93	71
Fenner	1668	38	38	36	28
Georgetown	648	15	15	14	11
Hamilton	6379	144	143	136	104
Lebanon	1326	31	30	29	22
Lenox	8768	196	191	179	137
Lincoln	1802	42	41	39	30
Madison	2766	63	62	60	47
Nelson	1890	44	43	41	32
Smithfield	1127	26	26	25	19
Stockbridge	1972	45	45	43	33
Sullivan	14794	288	305	365	629
City of Oneida District One Wards 1-2-3 Supervisor A Supervisor B	5251	60 60	59 59	56 56	43 43
City of Oneida District Two Wards 4-5-6 Supervisor A Supervisor B	5078	58 58	57 57	54 54	42 42
<b>TOTAL</b>	<b>68016</b>	<b>1500</b>	<b>1500</b>	<b>1500</b>	<b>1500</b>

(g) The total number of full votes which each supervisor is entitled to cast shall not be divisible and shall be cast as one unit.

**SECTION 5. Quorum, Passage of Resolutions, Local Laws, Motions and Proposals.**

- (a) A majority of the whole number of the members of the Board of Supervisors shall constitute a quorum for the transaction of business.
- (b) Except where a greater affirmative vote is required by law, the adoption of a motion, resolution or local law shall require the affirmative vote of not less than a majority of the weighted votes of the total membership of the Board, and in each instance adoption shall be decided based upon the weighted votes in accordance with the table set forth in Section 4(f).
  
- (c) Notwithstanding any other provision of this local law, every member of the Board of Supervisors serving on a committee of such board shall be entitled to cast one (1) vote as a member of said committee.

**SECTION 6. Vacancies.**

In the case of a vacancy in the office of Supervisor, such vacancy shall be filled pursuant to the provision of law applicable to the affected Town or City of Oneida.

**SECTION 7. Effective Date.**

Pursuant to Section 24 of the Municipal Home Rule Law of the State of New York, this local law is subject to a permissive referendum as provided for therein. Provided no referendum is required or a referendum is held and is approved by a majority of qualified electors, and subject to the appropriate filings, this local law shall take effect the later of May 31, 2022 or the date of such approval and/or filings.



(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. \_\_\_\_\_ of 20 \_\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ 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) \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 2 \_\_\_\_\_ 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) \_\_\_\_\_ by the \_\_\_\_\_ on \_\_\_\_\_ 2 \_\_\_\_\_ in accordance with the applicable provisions of law.

(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. 2 of 20 22 of the (County)(City)(Town)(Village) of Madison was duly passed by the Board of Supervisors on May 10, 20 22 and was (approved)(not approved) \_\_\_\_\_ by the XX on \_\_\_\_\_ 20 XXXXXX Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of June 24, 20 22 in accordance with the applicable provisions of law.

(Name of Legislative Body)

(Elective Chief Executive Officer\*)

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

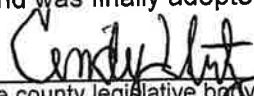
I hereby certify that the local law annexed hereto, designated as local law No \_\_\_\_\_ of 20 \_\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority 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 4, above.



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

Date: June 27, 2022

