

ON MOTION OF MR. CORNELL

RESOLUTION NO. 475-06

**Adopt Local Law Number 3 for the year 2006
A Local Law Setting the Salary of Election Commissioners
For Cortland County in Compliance with Election Law 3-208**

WHEREAS, the County Legislature previously exercised their authority pursuant to County Law Section 201 and allocated the Office of Election Commissioner to the Management/Management Confidential Compensation Employment Policy establishing a Grade and Step plan, AND

WHEREAS, the Cortland County Legislature, through Resolution 424-05, adopted a Management/Management Confidential Compensation Employment Policy establishing a Grade and Step plan for certain officers and employees placed in the plan, AND,

WHEREAS, because of the placement of the Election Commissioner in the Plan, the Republican Election Commissioner's salary is substantial more than the Democrat Election Commissioner's salary based a scheduled providing higher rates of compensation through additional increments of salary based on time service and on longevity pay as previously approved by resolutions of the County Legislature which amended the Grade and Step plan for employees falling under the plan, AND

WHEREAS, the last law establishing equal salary was by Local Law No. 2 of the year 2001 duly passed by the Legislature on April 11th, 2001 and was approved by the Chairman of the Legislature on April 11, 2001, such local law was subject to permissive referendum and no valid petition requesting such a referendum was filed as of May 29th, 2001 in accordance with applicable provision of law, AND

WHEREAS, the Republican Election Commissioner has issued an opinion that the County is in noncompliance with Election Law by way of a letter to the County Legislature stating that: "Election Law 3-208 states that both commissioners should have equal pay, as of this date this is not being done in Cortland County...." AND

WHEREAS, it is the intent of the Legislature to exercise the same authority under County Law Section 201 and paragraph "h" of subdivision two of Section 24 of Municipal Home Rule Law and equalize the salary of the two Election officials by removing the Office of Elections Commissioner from the Plan, NOW, THEREFORE, BE IT

BE IT ENACTED BY the Cortland County Legislature as follow:

Section 1. The public Offices of Election Commissioner are to be removed from the Management/Management Confidential Compensation Employment Policy establishing a grade and step plan for Election Commissioners, AND

Section 2. Each Election Commissioner shall received equal salary, AND

Section 3. The Election Commissioner's salary shall be an annual salary to be fixed by the County Legislature, AND

Section 4. The annual salary for Election Commissioners shall be \$26,384.48.

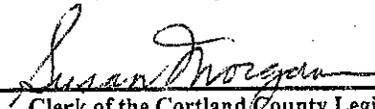
Section 5. This Local Law shall take effect upon filing with the Secretary of State of the State of New York.

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STATE OF NEW YORK) SS:
COUNTY OF CORTLAND)

This is to certify that I, the undersigned, Clerk of the Cortland County Legislature of the County of Cortland have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was passed by the Cortland County Legislature of said County on the 21st day of December and that the same is a correct and true transcript of such original resolution and of the whole thereof.

IN WITNESS WHEREOF I have hereunto set my hand
and the official seal of the CORTLAND COUNTY
LEGISLATURE, this 21st day of December, 2006



Clerk of the Cortland County Legislature