

## Elected or Appointed Highway Superintendent and Town Clerk

### ***Background***

All cities and villages in New York State appoint their Highway Superintendents and Town Clerks, as well as many towns.

The duties of the Highway Superintendent and Town Clerk are fundamentally apolitical. These are two of the most important offices in Town Government, providing safe roads in all seasons, as well as high quality customer service when paying bills, obtaining licenses, and obtaining information.

Professional qualifications and accountability associated with appointed positions can ensure quality public services for taxpayers.

***Why now?*** Both Cindy's and Marilou's terms run through 2019. Making the change now enables the transition to happen at the end of their terms.

***The Process:*** You will decide! Tonight I am introducing the draft Local Laws. The next steps will be a Public Information Session, a Public Hearing, and then with that public outreach and feedback the board would vote on whether to adopt them. Once adopted, the laws would be put on the ballot for a public referendum. You would ultimately make the decision.

### ***Here are the advantages that I think would benefit our taxpayers:***

***Qualifications:*** The town board would establish minimum qualifications and evaluate candidates based on their training and experience. These positions require a high degree of knowledge, competency, and dedication.

***Candidate Pool:*** An appointed system permits the town to decide whether or not to require residency. Opening the pool of candidates beyond the town line would broaden the pool of applicants for these positions. In a small town this could be an important factor in obtaining the right individual.

***Accountability:*** An appointed system permits performance reviews, but the duties of each position remain unchanged, prescribed by Town Law.

***Job Security:*** Appointed positions can be either renewable term or Civil Service. Civil Service offers strong job protections. Elected positions are not inherently secure.

## Elected or Appointed Officials - Summary

	Elected	Appointed
<b>Qualifications</b>	<ul style="list-style-type: none"> <li>No minimum job-related qualifications.</li> <li>Any resident of the town can run if they are 18 years or older.</li> <li>Qualifications are provided in campaign material.</li> </ul>	<ul style="list-style-type: none"> <li>Town sets minimum qualifications via a job description.</li> <li>The Town Board decides whether to require residency.</li> </ul>
<b>Accountability</b>	<ul style="list-style-type: none"> <li>An elected official cannot be removed from office.</li> <li>Elected officials cannot be disciplined, suspended, terminated or supervised by the Town Board or Town Supervisor.</li> <li>Elected officials act independent of the Town Board are not restricted or regulated in the time devoted to official duties.</li> <li>Must take oath to fulfill duties outlined in state law.</li> </ul>	<ul style="list-style-type: none"> <li>Performance reviews are done.</li> <li>If necessary, disciplinary action is allowed if employee is not performing his/her duties.</li> <li>Hours are determined by the Town Board</li> </ul>
<b>Compensation</b>	<ul style="list-style-type: none"> <li>Salaries for elected officials are set by the Town Board and cannot be reduced or withheld during the term of office unless a referendum is held.</li> </ul>	<ul style="list-style-type: none"> <li>Salaries are set by the Town Board based on qualification and experience.</li> </ul>
<b>Public Participation</b>	<ul style="list-style-type: none"> <li>The public chooses the official.</li> </ul>	<ul style="list-style-type: none"> <li>The public elects the Town Board and Town Supervisor who select and oversee non-elected employees of the town.</li> </ul>
<b>Job Security</b>	<ul style="list-style-type: none"> <li>Elected for 4-year term.</li> </ul>	<ul style="list-style-type: none"> <li>The appointed positions can be either renewable term appointments or Civil Service. Civil Service offers strong job protections.</li> </ul>
<b>Time off</b>	<ul style="list-style-type: none"> <li>No restrictions on amount of time taken off for vacation, or sick leave.</li> </ul>	<ul style="list-style-type: none"> <li>Employee must adhere to the Personnel Policy for time off.</li> </ul>
<b>Financial</b>	<ul style="list-style-type: none"> <li>The Highway Superintendent has wide latitude on spending for equipment, paving and road maintenance within limits set by Town Board.</li> </ul>	<ul style="list-style-type: none"> <li>The Town Board works with the Highway Superintendent on capital plans and spending.</li> </ul>