



STATE OF NEW YORK  
DEPARTMENT OF STATE  
41 STATE STREET  
ALBANY, NY 12231-0001

GEORGE E. PATAKI  
GOVERNOR

RANDY A. DANIELS  
SECRETARY OF STATE

July 9, 2003

MONTGOMERY COUNTY  
ADMINISTRATOR'S OFFICE  
COUNTY ANNEX BLDG.  
PO BOX 1500  
FONDA NY 12068-1500

**Re: COUNTY of MONTGOMERY, Local Law 4, 5 & 6, 2003, filed on 6/26/03**

To Whom It May Concern:

The above referenced material was received and filed by this office as indicated. Additional local law filing forms will be forwarded upon request.

Sincerely,  
Linda Lasch  
Principal Clerk  
State Records & Law Bureau  
(518) 474-2755

LL:ct

# Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
41 STATE STREET, ALBANY, NY 12231

(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

of MONTGOMERY

Local Law No. 6 of the year 2003

A local law Empowering the Budget Officer to Authorize Budgetary Transfers  
(Insert Title)  
Between Expense Categories Within the Same Appropriation Account

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

County

of Montgomery as follows:

SECTION 1. LEGISLATIVE INTENT: The Board of Supervisors of the County of Montgomery hereby intends to enact appropriate legislation to bring greater efficiency, responsiveness and accountability to the County budgetary process. The Board of Supervisors intends to empower the Budget Officer with the authority to make certain budget transfers under certain guidelines.

SECTION 2. COUNTY LAW: The County Law of the State of New York stipulates that, except as otherwise specified by a County governing body by the adoption of a Local Law or an ordinance, transfers of funds between categories of appropriation expenditure items (objects of expense) of personal services, equipment and contractual services within the same appropriation account may be authorized only by the adoption of a resolution by the governing body.

SECTION 3. CURRENT AUTHORITY: The County Administrator of the County of Montgomery previously was authorized to approve the transfer of funds within the same appropriation account of the County budget between the three categories of (a.) personal services; (b.) equipment and (c.) contractual expenses in separate amounts of less than five thousand dollars (\$5,000.00) without the necessity of the adoption of a resolution of the Board of Supervisors under certain conditions.

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

SECTION 4. NEW AUTHORITY: The Board of Supervisors of the County of Montgomery hereby empowers the Budget Officer to authorize and approve the transfer of funds within the same appropriation account of the County Budget between the three categories of (a.) personal services; (b.) equipment and (c.) contractual expenses in separate amounts of less than five thousand dollars (\$5,000.00) without the necessity of the adoption of a resolution of the Board of Supervisors, subject to the following conditions:

- A. That such authorization to transfer funds in this manner be given only if the County Department/Agency requesting such transfer has given prior written documentation to explain and justify the fund transfer request;
- B. That the Budget Officer submit a monthly report to the Board of Supervisors which details and summarizes all such financial transactions;
- C. That such authority be applied only to the extent as may be permissible by the County Law.
- D. That such authority does not apply to transfers from the Contingent Account of any fund of the County Budget.

SECTION 5. SAVING CLAUSE: If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree or order shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment, decree or order shall have been rendered and the remainder of this Local Law shall not be affected thereby and shall remain in full force and effect.

SECTION 6. EFFECTIVE DATE: This Local Law shall take effect when all applicable statutory requirements for its passage and adoption have been fully complied with and it has been filed in the Office of the 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.)

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

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ 6 \_\_\_\_\_ of 2003  
of the County \_\_\_\_\_ of \_\_\_\_\_ Montgomery \_\_\_\_\_ was duly passed by the  
Board of Supervisors \_\_\_\_\_ on June 24 20 03, 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 \_\_\_\_\_ of \_\_\_\_\_ was duly passed by the  
\_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after  
*(Name of Legislative Body)*  
disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_,  
*(Elective Chief Executive Officer\*)*  
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 \_\_\_\_\_ of \_\_\_\_\_ was duly passed by the  
\_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after  
*(Name of Legislative Body)*  
disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was submitted  
*(Elective Chief Executive Officer\*)*  
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 \_\_\_\_\_ of \_\_\_\_\_ was duly passed by the  
\_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after  
*(Name of Legislative Body)*  
disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to  
*(Elective Chief Executive Officer\*)*  
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

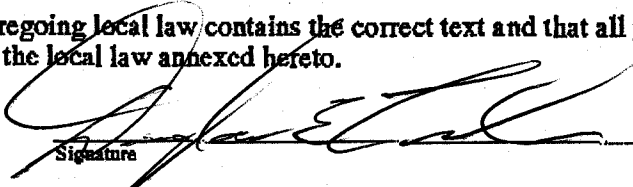
(Seal)

Date: June 25, 2003

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK  
COUNTY OF MONTGOMERY

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

  
\_\_\_\_\_  
Signature  
County Attorney  
Title

County \_\_\_\_\_  
of Montgomery

Date: June 25, 2003