

TOWN OF BOVINA

LOCAL LAW NO. __ FOR THE YEAR 2023

**A LOCAL LAW ESTABLISHING AUTHORITY FOR THE TOWN BOOKKEEPER TO
SIGN CHECKS ON BEHALF OF THE TOWN OF BOVINA**

BE IT ENACTED by the Town Board of the Town of Bovina, as follows:

Section 1. **Legislative Intent:** Pursuant to New York State Town Law § 29(3), the Town Supervisor is the authorized signatory for all checks issued by the Town payable to a person or persons entitled thereto. The Deputy Supervisor is vested with all the powers and may perform all the duties of the Supervisor as prescribed by law which in the absence of the Supervisor would include the authority to sign checks and obligations which would otherwise be signed by the Supervisor (Town Law § 29[3]; Local Finance Law § 61.00[a]).

Pursuant to New York State Town Law, there is no provision which appoints or designates another person to serve as a signatory in the absence of the Town Supervisor and Deputy Supervisor. However, the State Comptroller has advised that in the Supervisor's absence and in the absence of the Deputy Supervisor, although not specifically set forth in Town Law, a person or persons may be designated and authorized by the Town Board to sign checks and obligations issued by the Town. Further, Local Finance Law § 61.00(a) provides that all obligations shall be executed by the Chief Fiscal Officer or the Town Supervisor unless the Finance Board, which for all purposes is the Town Board, designates an additional officer to execute such obligations.

Whereas, the Supervisor and the Town Board of the Town of Bovina have determined that it is in the best interest of the Town to extend check signing authority in the absence of the Town Supervisor and the Deputy Supervisor to the Town Bookkeeper, this Law provides the Bookkeeper with the authority to sign such checks under such circumstances.

Section 2. **Authority:** This local law is adopted pursuant to section 10 of the Municipal Home Rule Law, Town Law § 29(3), and Local Finance Law § 61.00(a).

Section 3. **Establishing Bookkeeper's Authority to Sign Town Checks:** NOW, THEREFORE, after due deliberation and consideration, the Town does hereby enact this Local Law of the Town of Bovina as follows:

In the absence of the Town Supervisor and the Deputy Supervisor for the Town of Bovina, the Town Bookkeeper is hereby designated and authorized as a signatory on checks to disburse monies of the Town by signing checks payable to a person or persons entitled thereto.

Section 4. **Severability:** If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local

Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. **Repeal:** All local laws or ordinances or parts of local laws or ordinances in conflict with any part of this Local Law are hereby repealed.

Section 6. **Effective date:** This local law shall take effect immediately upon filing with the Secretary of State.