

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.

STATE RECORDS

County Oneida
City Utica
Town _____
Village _____

DEC 12 2016

DEPARTMENT OF STATE

Local Law No. 2 of the year 2016

A local law amending Section 7.003 of the Utica City Charter at Paragraph (A)
(Insert Title)

to provide that the Allocation for Street Paving be increased from the Present
the Present \$2,000,000.00 Annually to \$5,000,000.00.

Be it enacted by the people of the
(Name of Legislative Body)

County Oneida
City Utica
Town _____
Village _____

as follows:

BE IT ENACTED BY THE COMMON COUNCIL OF THE CITY OF UTICA THAT SECTION 7.003 OF THE UTICA CITY CHARTER BE AMENDED AT PARAGRAPH (a) TO PROVIDE THAT THE ALLOCATION FOR STREET PAVING BE INCREASED FROM THE PRESENT \$2,000,000.00 ANNUALLY TO \$5,000,000.00.

Sponsored by: Councilmembers McNiel, Jacon, Marino, Phillips, Colosimo-Testa, Williamson, LoMedico, Bucciero

WHEREAS, the citizens of the City of Utica, have constantly implored the Council and the Executive Branch of Government to do more to enhance the City by the repair of its streets, that in many places and locations are in deplorable condition, and

WHEREAS, to accomplish a thorough and complete successful remediation requires the dedication of appropriate funds each year and a workable plan, and

WHEREAS, the present allocation in the annual estimate of \$2,000,000.00 has proven to be inadequate and made worse by absence of a cohesive plan for a successful completion of the task, and

WHEREAS, this Local Law is subject to a mandatory referendum and shall be submitted to the voters at the General Election to be held November 8, 2016.

BE IT ENACTED, Section 7.003 of the Utica City Charter, Section (a) shall read as follows:

Section 7.003 Capital expenditures; budgetary appropriation.

(a) In each fiscal year the first \$5,000,000.00 shall be allocated for the construction of streets, paving and resurfacing thereof and the repaving of curbs shall be paid for by direct budgetary appropriation to the amount of \$5,000,000.00 for the fiscal year or by the issuance during the fiscal year of capital notes pursuant to the Local Finance Law. All taxes required for such appropriation or for the redemption of such capital notes, shall be excluded from the tax limitation prescribed by Article VIII, Section 10 of the State Constitution in the manner prescribed by Section 122 of the Local Finance Law.

This local Law shall take effect if approved by the voters of the General Election to be held November 8, 2016.

Copies will be sent to the following: Senator Chuck Schumer, Senator Kirsten Gillibrand, Governor Andrew Cuomo, Assemblyman Anthony Brindisi, Senator Joseph Griffo, Verizon, Time Warner, National Grid, Mohawk Valley Water Board and Herkimer Oneida Counties Transportation Study (HOCTS).

(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. 2 of 2016 of the ~~(County)~~(City)~~(Town)~~(Village) of Utica was duly passed by the Common Council on August 1 2016, and was (~~approved~~)(not approved)(repassed after

disapproval) by the Mayor and was deemed duly adopted on September 7 2016, in accordance with the applicable provisions of law.
(Elective Chief Executive Officer)*

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 2016 of the ~~(County)~~(City)~~(Town)~~(Village) of Utica was duly passed by the Common Council on August 1 2016, and was (~~approved~~)(~~not approved~~)(repassed after

disapproval) by the Mayor on August 30 2016. 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 November 8 2016, 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)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after

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.

Patricia A. Lindsey
Clerk of the County legislative body, City, Town or Village Clerk Patricia A. Lindsey
or officer designated by local legislative body

(Seal)

Date: December 5, 2016

(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 Oneida

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]
Signature _____
Assistant Corporation Counsel
Title _____

County Oneida
City of Utica, New York
Town _____
Village _____

Date: December 5, 2016

JORDAN S KARP
 COMMISSIONER OF ELECTION

NOVEMBER 8, 2016

ROSE M GRIMALDI
 COMMISSIONER OF ELECTION

CITY OF UTICA PROPOSITION NUMBER 1					
Utica	District	TVC	YES	NO	BLK
Ward 1	1	98	44	31	23
	2	133	86	20	27
	3	142	79	25	38
	4	344	145	74	125
	5	181	110	37	34
	6	125	40	16	69
	7	348	136	100	112
	8	193	110	31	52
Ward 1 Totals		1564	750	334	480
Ward 2	1	377	176	147	54
	2	194	56	42	96
	3	409	160	104	145
	4	445	120	97	228
	5	420	185	107	128
	6	131	59	45	27
	7	193	87	52	54
	8	89	41	17	31
Ward 2 Totals		2258	884	611	763
Ward 3	1	396	183	121	92
	2	385	230	108	47
	3	602	352	191	59
	4	568	253	200	115
	5	336	200	102	34
	6	550	312	151	87
	7	305	148	93	64
	8	298	158	82	58
	9	439	176	119	144
	10	197	98	65	34
Ward 3 Totals		4076	2110	1232	734
Ward 4	1	260	125	73	62
	2	288	135	94	59
	3	392	173	141	78
	4	242	117	61	64
	5	352	172	142	38
	6	440	216	126	98
	7	285	123	87	75
	8	304	130	127	47
	9	533	191	201	141
Ward 4 Totals		3096	1382	1052	662

[Handwritten signatures]

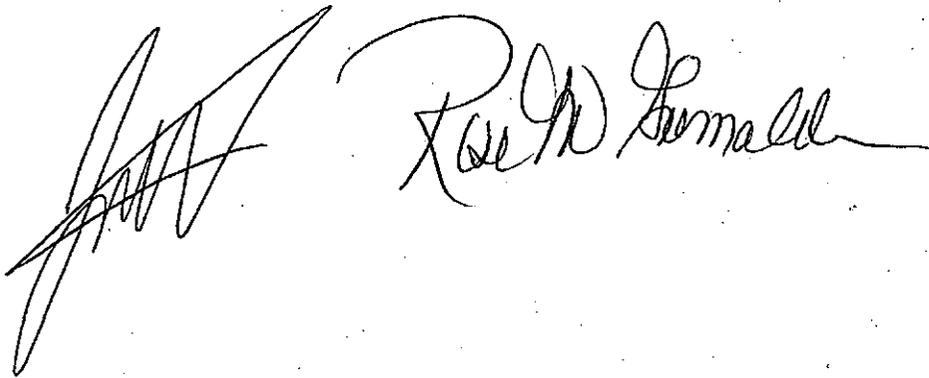
RECEIVED
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 CITY CLERK
 UTICA, NY

JORDAN S KARP
COMMISSIONER OF ELECTION

NOVEMBER 8, 2016

ROSE M GRIMALDI
COMMISSIONER OF ELECTION

Ward 5	1	295	96	44	155
	2	413	214	69	130
	3	164	83	32	49
	4	286	122	58	106
	5	403	188	99	116
	6	327	115	47	165
	7	123	53	34	36
Ward 5 Totals		2011	871	383	757
Ward 6	1	398	159	167	72
	2	658	307	245	106
	3	417	171	181	65
	4	367	160	119	88
	5	556	189	212	155
	6	600	251	253	96
	7	464	155	146	163
	8	651	276	183	192
	9	196	87	58	51
Ward 6 Totals		4307	1755	1564	988
Utica Totals		17312	7752	5176	4384
SHALL UTICA CITY CHARTER SECTION 7.003, BE AMENDED "SHOULD THE CITY CHARTER BE AMENDED AT PARAGRAPH (A) TO PROVIDE THAT THE ALLOCATION FOR STREET PAVING BE INCREASED FROM THE PRESENT \$2,000,000.00 ANNUALLY TO \$5,000,000.00?"					



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