

Local Law Filing

New York STATE DEPARTMENT OF STATE
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(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~~
~~City~~
~~Town~~ of Baxter Estates
Village

Bill No. 3 of 2025

Local Law 3 of the year 2025

(Insert Title)

A local law amending Chapter 54, “Residency Requirements,” of the Village Code, to authorize residents of counties abutting Nassau County to hold certain Village offices

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

~~County~~
~~City~~
~~Town~~ of Baxter Estates
Village

Section 1. Legislative Findings and Intent. The Board of Trustees (the “Board”) of the Village of Baxter Estates (the “Village”), has determined that the peace, good order, health, safety and welfare of the Village and its residents can be advanced through amending the residency requirement contained in the Village Code of the Village to expand the pool of persons eligible to hold the offices of Village Clerk-Treasurer and Deputy Clerk. The Board finds that increasing costs for housing in the Village and surrounding communities in Nassau County, as well as the scarcity of qualified persons to hold the offices of Village Clerk-Treasurer and Deputy Clerk, have increased the challenges faced by the Village in identifying, attracting and retaining qualified candidates for those offices.

Village Code Chapter 54 presently authorizes certain Village offices to be held by appointees who reside outside of the Village but within Nassau County, the County in which the Village is wholly contained. The Village Attorney has advised the Board that Chapter 54 reflects the maximum extent permitted under New York State Village Law for a village to extend legislatively the jurisdictional boundaries within which a person must reside in order to be eligible to hold certain Village offices. Nevertheless, the Village Board has determined that a larger pool of candidates for the offices of Village Clerk-Treasurer and Deputy Clerk than is available under a Nassau County residency requirement is necessary to promote and protect the interests of the Village and its residents. Therefore, the Board has pursued special NYS legislation to permit the Village to appoint to the offices of Village Clerk-Treasurer and Deputy Clerk not only persons who reside within Nassau County but also persons who reside within an adjoining county within the State of New York. On September 10, 2025, Governor Hochul signed into law Assembly Bill No. A08619/Senate Bill No. S08183, amending NYS Village Law § 3-300, to add a new clause 36 thereto, and NYS Public Officers Law § 3, to add a new clause 76 thereto, enabling the Village Board to appoint to the offices of Village Clerk-Treasurer and Deputy Clerk persons who reside within Nassau County or within an adjoining county within the State of New York.

Section 2. § 54-1 of Chapter 54, “Residency Requirements,” is hereby amended to read in its entirety as follows:

“§ 54-1 Certain offices not required to be filled by Village residents. The offices of Village Clerk, Deputy Village Clerk, Treasurer, Deputy Treasurer, Superintendent of Buildings, Deputy Superintendent of Buildings, Code Enforcement Officer and Acting Village Justice may be filled by a person or persons who are not residents of the Village; provided, however, that any such person is and remains a resident of the County of Nassau during the time such person holds any such office, **or, in the case of the offices of Village Clerk-Treasurer and Deputy Village Clerk, a resident of the County of Nassau or of any county abutting the County of Nassau during the time such person holds any such office.**”

Section 3. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State.