

## CITY OF PORT JERVIS

### INTRODUCTORY LOCAL LAW NO.   3   OF 2023

#### A LOCAL LAW AMENDING ARTICLE IV OF THE CITY OF PORT JERVIS, NEW YORK CHARTER MODIFYING PROCEDURES FOR THE AUDIT OF CLAIMS BY THE COMMON COUNCIL AND PAYMENT THEREOF

Be it enacted by the Common Council of the City of Port Jervis, County of Orange, State of New York, as follows:

##### **Section 1. Statement of Intent**

This Local Law is enacted to amend The Charter of the City of Port Jervis to expand oversight and update record keeping with respect to all accounts, claims and demands against the City. It is the opinion of the Common Council that the Board of Audit should include the Finance Chairperson and Councilperson at Large and that the City Clerk-Treasurer shall keep electronic record of every warrant.

##### **Section 2. Charter Section C4-10 Amended**

The City of Port Jervis Charter, Article IV, Section C4-10 entitled “Audit of claims by the Common Council and payment thereof” is hereby amended as shown by the following underlined and bold language:

All accounts, claims and demands against said city of whatever nature shall be made out in items and verified by the affidavit of the claimant, or his duly authorized agent, and presented to the Common Council for audit at least two (2) days before the regular meeting of the Common Council at which such accounts, claims or demands are to be acted upon; ~~and the Mayor, the City Clerk-Treasurer and such Councilman as the Mayor may designate are hereby constituted~~ **and the Mayor, the City Clerk-Treasurer, Finance Chairperson, and Councilperson at Large are hereby constituted** a Board of Audit to examine and audit all such accounts, claims and demands; and it shall be the duty of such Board to make such examination and audit of all accounts, claims and demands, so filed, before the next regular meeting of such Common Council; and for the purpose of inquiring into and ascertaining the correctness and legality thereof, it is hereby empowered to take proofs on oath in relation thereto, and shall report thereon to the Common Council with its reasons for recommending or rejecting the payment of such account, claim or demand or any item or items thereof, and the Common Council shall then hear, examine and determine the same. The Common Council may prescribe the form of affidavit to be annexed to any such claim, account or demand against said city. No account, claim or demand shall be presented to said Common Council by the City Clerk-Treasurer unless the same shall have been filed with him at least two (2) days before the meeting at which the same is to be acted

upon, and all accounts, claims or demands, audited and allowed by the Common Council, shall be paid by the City Clerk-Treasurer on a warrant signed by the Mayor and City Clerk-Treasurer, specifying the amount so audited and allowed and the fund from which it is payable. ~~The City Clerk-Treasurer shall keep a record of every such warrant and~~ **The City Clerk-Treasurer shall keep an electronic record of every such warrant and shall electronically retain with an appropriate backup system** ~~and file in his office~~ all such audited accounts, claims and demands for which a warrant has been issued, and number the same consecutively to correspond with the number of the warrant issued therefor, and kept for the time required by law.

### **Section 3. Separability**

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Common Council of the City of Port Jervis hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

### **Section 4. Repeal**

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

### **Section 5. Effective Date**

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.