

§ 1-6. Deputy superintendent of highways.

A. **Appointment.** The town board of any town may, at any time, establish the office of deputy highway superintendent. The deputy must be a resident of the town unless the town board has adopted a local law expanding residency. The deputy highway superintendent is appointed by and serves at the pleasure of the highway superintendent. If, however, the town superintendent fails to appoint such deputy within five days after the establishment of the office of deputy, or within five days after a vacancy occurs in the office of deputy, the town board has the power to appoint (Town Law, §32).

B. **Duties.** The deputy highway superintendent functions during the absence or inability of the highway superintendent to

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act, and is at that time vested with all the powers and duties of the highway superintendent (Town Law, §32).

C. **Oath of office; official undertaking.** Before a deputy shall perform any powers or duties of the office of town superintendent of highways, he or she is required to take and file the constitutional oath of office and execute and file an official undertaking approved by the town board (Town Law, §§25, 32; Public Officer's Law, §§10, 11).

D. **Compensation.** The town board fixes the deputy highway superintendent's compensation (Town Law, §32[2]).

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