§ 121-a. Creation of village and town police department in certain towns and villages. Notwithstanding the provisions of any law, general or special, the town board or boards of a town or towns in the same county and the board or boards of trustees of an incorporated village or villages located wholly within such town or towns, may, upon the adoption of propositions therefor duly submitted in such town or towns and village or villages, determine to create a joint town and village police department for such town or towns and village or villages. The proposition to be submitted in such village or villages may be submitted at a general or special election of each village and the proposition to be submitted in such town or towns may be submitted at a general or special election of each town. Upon the adoption of a proposition therefor as herein provided, the town board or boards and the board or boards of trustees of the village or villages shall meet in joint session, at a time and place to be determined by agreement of such boards, and organize such joint police department and establish rules and regulations governing the same. Such boards shall at such meeting, by a majority vote, appoint a chief of police for such joint police department. Such chief of police shall be a resident of the area covered by such joint department and be subject to the control, direction and supervision of such joint boards. Such chief of police shall be appointed for a term of office of three years, and shall receive such compensation as the town and village boards at joint session may determine. A chief of police may be removed by joint action of the town and village boards upon written charges for malfeasance or misfeasance in office. Such charges shall be filed in duplicate in the offices of the town and village clerks and a copy thereof served personally on the chief of police. The town and village boards shall, in joint session, designate a time and place for a hearing upon such charges and cause notice of such hearing to be served personally upon the chief of police at least five days before the day set for the hearing. The town and village boards shall hear the evidence in support and in defense of such charges and by majority vote make an order sustaining or dismissing the charges. An order sustaining the charges shall operate as a removal and the town and village boards shall thereupon appoint another person to fill the vacancy. The person so appointed shall hold office for the balance of the unexpired term or until the entry of a final order by a

court of competent jurisdiction determining that the chief of police was wrongfully or unlawfully removed. An appeal to the county court may be taken by the chief of police removed within thirty days after personal service of a copy of such order of removal. The county court shall consider the charges presented and review the evidence taken before such joint board. It may hear additional evidence and shall make such determination as justice requires. A copy of such order shall be filed in the offices of the town and village clerks. An order by the county court determining the charges shall, upon such filing, act as the reinstatement of the person removed. The board or boards of trustees of each village shall appoint village police officers for service inside the area covered by such joint department, and the town board or boards shall appoint town police officers for service inside the area covered by such joint department. Such town and village police officers shall be appointed for such terms of office and receive such compensation as the town or village board may determine. The expense of village police officers, chargeable by law to a village shall be a charge against the village employing them, and the expense of the town police officers chargeable by law to a town, shall be a charge against real property in the town employing them situated outside of such participating village or villages. The salary of the chief of police and other expenses of the department, except compensation of village and town police officers, shall be apportioned between the village or villages and the town or towns by such boards in joint session. The portion of such expense to be borne by a town shall be a charge in that portion of the town situated outside of such participating village or villages and the portion to be borne by a village a village charge. Upon the creation of a joint town and village police department as herein provided, the term of office of all town constables heretofore elected in such town or towns shall terminate and thereafter no constables shall be elected in any such town, unless and until such police department is abolished as hereinafter provided. A joint police department established as provided by this section may be abolished upon the adoption of a proposition duly submitted at a general or special village or town election to take effect on January first succeeding the next general election at which town officers are elected.

Whenever the town board of a town or towns in the same county and the board of trustees of an incorporated village or villages located wholly within such town or towns, either create or abolish a joint town and village police department, the joint board taking such action shall notify the commissioner of the division of criminal justice services of the action taken by them within thirty days of such action.