§ 41. Additional supervisors in certain towns. 1. Resolution of town board. Any town having a population of more than one-half the total population of the county in which such town is located, according to the latest federal or state census or enumeration, shall have one additional supervisor. No such additional supervisor, however, shall be elected or appointed in any such town which has but one supervisor at the time this chapter takes effect, until the town board of such town shall by resolution adopted by a majority vote determine to provide for the election of an additional supervisor.

2. Election of supervisors in such town. At a town election held in November following the adoption of the resolution provided for in the preceding section, the electors of such town shall elect one additional supervisor who shall hold office until January first following the next biennial town election, at which time, and at each biennial town election thereafter, two supervisors shall be elected under the general and special laws relating to the election of supervisors applicable to such town, except that one of such supervisors shall be elected as presiding supervisor of such town.

3. Powers and duties of presiding supervisor. The presiding supervisor shall exercise all the powers and be charged with all the duties imposed upon or required of town supervisors, except as herein otherwise provided.

4. Powers and duties of additional supervisor. Such additional supervisor shall be a member of the town board and shall have one vote therein. Whenever by reason of sickness or absence from the state the presiding supervisor shall be prevented from attending to the duties of his office, and whenever a vacancy occurs in the office of presiding supervisor, the town board may by resolution authorize such additional supervisor to act as presiding supervisor during such disability, absence from the state or vacancy, as the case may be, and during such time said supervisor shall possess all the rights and powers of the presiding supervisor. No such additional supervisor shall perform any act as presiding supervisor until he has qualified by the filing of bonds and otherwise as required by law in the case of the presiding

supervisor. Such additional supervisor shall exercise such other powers and perform such other duties not inconsistent with law as may from time to time be authorized or required by the town board.

5. Temporary appointment; vacancies. At the meeting of the town board immediately following the adoption of a resolution providing for the election of an additional supervisor, the town board may appoint the additional supervisor to which such town is entitled who shall be a resident tax payer of such town and who shall hold office until his successor is elected at the election first held thereafter as herein provided. From and after the appointment by the town board of such additional supervisor and until the election of a presiding supervisor, the supervisor in office at the time of such appointment of an additional supervisor shall be the presiding supervisor. Upon the death, disability or removal of either supervisor of such town, his successor shall be elected or appointed as provided by law in the case of a town supervisor.

6. Salary of additional supervisor. Such additional supervisor shall receive from the town a salary to be fixed by the town board.

7. Powers and duties of supervisors as members of the board of supervisors. Each supervisor from such town shall be a member of the board of supervisors of the county in which such town is located and as a member of such board he shall have powers and duties co-ordinate with the powers and duties of the supervisors of other towns in the county, and he shall receive from the county for all services in any official capacity the same salary and expenses as now or hereafter provided by law for supervisors of other towns in such county.

If the supervisor from such a town be entitled to more than one vote, the total number of votes to which such town is entitled, without any limitation which would apply to a single supervisor of such town and whether such number of votes be more or less than one-half of the total number of such votes of such board, shall be divided equally between such supervisors of such town.