

Proposed Local Law Number 16 Of 2024

County Of Ulster

A Local Law Amending The Ulster County Charter And The Ulster County Administrative Code By Renaming Article XVI From Department Of Purchasing To Department Of General Services

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. LEGISLATIVE INTENT AND PURPOSE.

Pursuant to § C-11 of the Ulster County Charter, the Ulster County Legislature has the power and duty to “make appropriations, levy taxes, incur indebtedness and adopt a budget, including a capital program,” as well as, “create, alter, combine or abolish County administrative units.” Further pursuant to § C-11, the Legislature shall, “fix the compensation of all officers and employees paid from County funds or, for employees not covered by a collective bargaining agreement, to establish salary ranges within which the appointing authority shall have discretion to set the actual salary within the range.”

The Ulster County Executive and Ulster County Legislature find and determine that in order to assure the provision of services to the residents of Ulster County in the most efficient and cost-effective way possible, it is appropriate to rename Article XVI from the Purchasing Department to the Department of General Services.

SECTION 2. Article XVI, §C-74 of the Ulster County Charter is hereby amended to read as follows:

Article XVI Department of ~~Purchasing~~ **General Services**

§C-74 Director of ~~Purchasing~~ **General Services**

- A. There shall be a Department of ~~Purchasing~~ **General Services** headed by a Director of ~~Purchasing~~ **General Services** who shall be appointed by the County Executive on the basis of his, ~~or her,~~ **or their** experience and qualifications for the office to serve at ~~his or her~~ **the pleasure of the County Executive**, subject to confirmation by the County Legislature. **The Director of General Services shall be vested with authority, direction and control over the Department of General Services, including power to appoint and remove officers and employees within the department.**

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B. Powers and duties. The Director of ~~Purchasing~~ **General Services** shall:

1. In accordance with the requirements for advertising and competitive bidding, authorize all purchases and sales of materials, supplies and equipment and contracts for the rental or servicing of equipment for the County;
2. Approve and execute certain contracts as shall be prescribed by the Administrative Code;
3. Establish and enforce suitable specifications and standards for all supplies, materials, and equipment to be purchased for the County; and
4. Perform such other and related duties as shall be required and delegated by the County Executive or County Legislature.

SECTION 3. Article XVI of the Ulster County Administrative Code is hereby amended to read as follows:

Article XVI Department of ~~Purchasing~~ **General Services**

§ A16-1 Director of ~~Purchasing~~ **General Services**.

*A. There shall be a Department of ~~Purchasing~~ **General Services**, headed by a Director of ~~Purchasing~~ **General Services** who shall be appointed by the County Executive on the basis of his, ~~or her~~, **or their** experience and qualifications for the office to serve at ~~his or her~~ **the pleasure of the County Executive**, subject to confirmation by the County Legislature. **The Director of General Services shall be vested with authority, direction and control over the Department of General Services, including power to appoint and remove officers and employees within the department.***

*B. Powers and duties. The Director of ~~Purchasing~~ **General Services** shall:*

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(1) In accordance with the requirements for advertising and competitive bidding, authorize all purchases and sales of materials, supplies and equipment and contracts for the rental or servicing of equipment for the County;

(2) Approve and execute certain contracts as shall be prescribed by the Administrative Code:

(a) The Director of ~~Purchasing~~ **General Services** shall have the authority and discretion to extend existing contracts and execute same, as well as recurring types of services, including, but not limited to: New York State Office of General Services contracts, piggyback contracts, mandated/preferred source, sole-source, and utility contracts. The Director of ~~Purchasing~~ **General Services** shall provide a report to be annexed to an abstract of contracts, for reporting purposes only, setting forth those contracts that he or she has executed, and a copy of which shall be filed with the County Executive and the Clerk of the Legislature.

(b) The Director of ~~Purchasing~~ **General Services** shall review and approve all contracts as to the content and compliance with requirements for municipal purchasing, and present an abstract of contracts so reviewed and as being approved for execution to the County Executive for all contracts under the amount of \$50,000. Upon approval of said abstract by the County Executive, the Director of ~~Purchasing~~ **General Services** shall have the authority to execute the contracts as provided in § A3-4X of the Administrative Code.

(c) The Director of ~~Purchasing~~ **General Services** shall review and approve all contracts \$50,000 or in excess of \$50,000 as to the content and compliance with requirements for municipal purchasing, and present each contract to the County Legislature for the County Legislature's approval. Upon the approval of a contract by the County Legislature, the Director of Purchasing shall present the contract to the County Executive for approval. Upon the approval of the contract by the County Executive, the Director of Purchasing shall have the authority to execute the contract as provided in § C-74B(2) in the County Charter.

[Amended 5-14-2013 by L.L. No. 1-2013]

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(3) Establish and enforce suitable specifications and standards for all supplies, materials and equipment to be purchased for the County; and

(4) Perform such other and related duties as shall be required and delegated by the County Executive or County Legislature, or as required pursuant to local, state and federal laws.

C. Reports. On or before March 1 of each year, the Director of ~~Purchasing~~ **General Services** shall make an annual report to the County Legislature and County Executive for the immediately preceding calendar year, covering generally the work of the department. The Director of ~~Purchasing~~ **General Services** shall make such other reports at such times as may be required by the County Legislature, County Executive or any applicable law. Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.

[1]Editor's Note: See Charter § C-74.

§ A16-2 Deputy Director of ~~Purchasing~~ **General Services**.

A. The Director of ~~Purchasing~~ **General Services** shall have the power to appoint one or more Deputy Directors of Purchasing, within the limits of appropriations therefor. Every appointment shall be in writing and filed in the Office of the County Clerk and the Clerk of the Legislature.

B. The term of office of any deputy not classified as competitive under the County's civil service rules, appointed hereunder, shall coincide with that of the Director of ~~Purchasing~~ **General Services**, provided that such appointment may be revoked at any time by the Director by written revocation filed with the County Clerk. Positions of Deputy Director may be in the exempt class of civil service; or in the alternative, the deputy may also be an additional title which may be designated by the Director for a department staff member.

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C. Deputy Directors shall perform such duties pertaining to the office of the Department of ~~Purchasing~~ **General Services** as the Director may direct and shall act generally for and in such place of the Director and perform such other and further duties as the Director may assign.

D. The designation of an order of succession for the position of Deputy Director shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Director filing a new written designation of order of succession.

§ A16-3Bond of Director of ~~Purchasing~~ **General Services**.

The Director of ~~Purchasing~~ **General Services**, and such of his or her deputies, officers and employees as the County Legislature or the County Executive shall require, shall file a surety bond to the County in a sum fixed by the County Legislature conditioned for the faithful performance of his or her duties. Such bond shall be approved as to form by the County Attorney and as to sufficiency of surety by the County Executive, and shall be filed with the County Clerk. It shall be a charge on the County.

SECTION 4. SEVERABILITY

In the event that any portion of this local law is found to be invalid, such finding will not have any effect on either the remaining portions or applications of this local law or any provisions of the Ulster County Charter or Ulster County Administrative Code, which shall remain in full force and effect.

SECTION 5. EFFECTIVE DATE

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