

Proposed Local Law Number 17 Of 2023

County Of Ulster

A Local Law Amending The Ulster County Charter, (Local Law No. 2 Of 2006), And Amending The Administrative Code For The County Of Ulster, (Local Law No. 10 Of 2008), To Modify Various Provisions

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

SECTION 1. Article II Section C-11 H of the Ulster County Charter is REPEALED and a new Section C-11 is added to the Ulster County Charter to read as follows:

- H. To 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. **Position title(s) for all budgeted county employment positions in Ulster County government shall not be changed or otherwise modified from the position titles set forth in the adopted Ulster County budget, unless such changes or modifications are required pursuant to New York State Civil Service Law, or resolution adopted by the Ulster County Legislature;**

SECTION 2. Paragraph C of Article VIII Section C-53 of the Ulster County Charter is REPEALED and a new Paragraph C of Section C-53 is added to the Ulster County Charter to read as follows:

- A. There shall be, within the Department of Finance, an independent Division of Real Property Tax Service under the direction of a Deputy Commissioner of Finance/Director of Real Property Tax Service, who shall be appointed by the County Executive, **subject to confirmation by the Legislature**, and serve at the pleasure of the County Executive. At the time of ~~his or her~~ **their** appointment, and throughout ~~his or her~~ **their** term of office, ~~he or she~~ **they** shall possess such qualifications that conform to those prescribed by the State of New York for county directors of real property tax service agencies pursuant to Article 15-A, Section 1530 of the New York State Real Property Tax Law. ~~He or she~~ **They** shall be appointed on the basis of ~~his or her~~ **their** administrative experience and other qualifications for the responsibilities of this office, except that if the Deputy Commissioner of Finance/Director of Real Property Tax Service is appointed for a fixed term of years pursuant to a provision of state law, ~~he or she~~ **they** may only be removed for cause, after written notice of charges and an opportunity to be heard. **[Added 8-14-2012 by L.L. No. 7-2012]**
- B. The independent Division of Real Property Tax Service shall: **[Added 8-14-2012 by L.L. No. 7-2012]**

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- (1) Have all of the powers and perform all of the duties conferred or imposed by Article 15-A of the Real Property Tax Law, including but not limited to the extension of real estate taxes, the issuance of tax bills, the maintenance of County assessment records, the submission to the County Executive of tax equalization rates and the rendering of assistance to assessors throughout the County in the performance of their respective responsibilities;
- (2) Prepare tax maps for the use of the assessor of all the assessing units in the County; on such maps shall be shown each separately assessed parcel of real property with its boundaries properly marked, pursuant to the Real Property Tax Law;
- (3) Shall perform such other and related duties as required by the County Executive; and
- (4) On or before March 1 of each year, make an annual report to the County Executive and County Legislature for the immediately preceding calendar year, covering generally the work of the division. The Deputy Commissioner of Finance/Director of Real Property Tax Service shall make such other reports at such times as may be required by the County Executive, County Legislature or any applicable law. Copies of all reports shall be filed with the County Executive and the Clerk of the County Legislature.

SECTION 3. Article IX Section C-56 of the Ulster County Charter is REPEALED and a new Section C-56 is added to the Ulster County Charter to read as follows:

§ C-56. Election; term; qualifications. [Amended 7-16-2019 by L.L. No. 4-2019]

- A. There shall be a Comptroller, **who shall be elected from the County at large, shall be a qualified elector of Ulster County for at least two years prior to the time of their taking office and shall remain a qualified elector of Ulster County throughout their term of office. The Comptroller shall be elected in each odd-numbered year in which a County Executive is not chosen for a term of four years beginning with the first day of January next following his or her election. The Comptroller shall hold no other elected public office or compensated employment and shall devote full time to the duties of the office.**

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- B. No person shall serve as Comptroller for more than three full terms, unless ~~he or she~~**they has** ~~has~~**have** filled an unexpired term prior thereto. For the purpose of establishing the term limit, term of office shall be calculated beginning the first day of ~~his or her~~**their** first full term of office after the effective date hereof.

SECTION 4. Article IX Section C-59 of the Ulster County Charter is REPEALED and a new Section C-59 is added to the Ulster County Charter to read as follows:

§ C-59. Acting Comptroller.

- A. The Comptroller shall designate in writing, and in order of succession, ~~the Deputy Comptrollers and assistants~~ **the person or persons who shall serve as Acting Comptroller in the event that the County Comptroller resigns, dies or certifies in writing and files with the County Clerk a statement that the County Comptroller is unable to** ~~of his or her absence from the County or inability to perform and/or exercise the powers and duties of the office of County Comptroller or in the event that, upon advice sought by a majority of the whole number of members elected to the Ulster County Legislature by formal action not subject to veto by the County Executive, their inability to serve is certified by qualified and competent medical authority.~~ **this office. Such designation shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Comptroller filing a new written designation and order of succession. The Acting Comptroller shall have all the powers and perform all the duties of the Comptroller. The order of succession as designated by the Comptroller pursuant to this section shall be subject to the approval of the Legislature.**
- B. **Only a person who is a qualified elector of Ulster County may be designated to any list of succession for possible service as Acting County Comptroller and shall remain a qualified elector throughout the term of office.**
- C. The Acting Comptroller shall have all the powers and perform all the duties of the Comptroller.

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SECTION 5. Article X Section C-61 of the Ulster County Charter is REPEALED and a new Section C-61 is added to the Ulster County Charter to read as follows:

§ C-61. Personnel Director

- A. There shall be a Department of Personnel, headed by a Personnel Director. The Personnel Director shall be appointed by the County Executive in accord with requirements of education, experience, and other qualifications set out in state law, and subject to confirmation by the County Legislature, except that if the Personnel Director is appointed for a fixed term of years pursuant to a provision of state law, ~~he or she~~ **they** may only be removed for cause, after written notice of charges and an opportunity to be heard.
- B. Powers and duties. The Personnel Director shall develop and administer a personnel program for the County, be the principal liaison with employee labor unions, advise the County Executive in collective bargaining, and have and exercise all the powers and duties as provided in the Civil Service Law in this state and all the powers and duties conferred or imposed upon ~~him or her~~ **them** by any other law. ~~He or she~~ **They** shall **have authority, direction and control over the Personnel Department, have power to appoint and remove officers and employees therein, and also** perform such other and related duties required by the County Executive **or the Legislature.**

SECTION 6. Article XIV Section C-69 of the Ulster County Charter is REPEALED and a new Section C-69 is added to the Ulster County Charter to read as follows:

§ C-69. Appointment and qualifications.

There shall be a County Attorney, who shall be appointed by **the County Executive subject to confirmation by the County Legislature**, and serve at ~~the pleasure of the County Executive. of the County Executive.~~ The County Attorney shall, at the time of ~~his or her~~ **their** appointment and at all times during ~~his or her~~ **their** term of office, be a qualified elector of the County. ~~He or she~~ **They** shall also have been duly admitted to the practice of law in this state and at all times during ~~his or her~~ **their** term of office and shall devote ~~his or her~~ **their** full working time to the duties of the office.

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SECTION 7. Article XXIV Section C-93 of the Ulster County Charter is REPEALED and a new Section C-93 is added to the Ulster County Charter to read as follows:

Department of Weights and Measures

§ C-93 Director of Department of Weights and Measures

- A. There shall be a Department of Weights and Measures, headed by the Director of Weights and Measures, who shall have all the powers and perform all the duties now or hereafter conferred or imposed on this office by law, so long as they meet all of the qualifications and is duly certified to act in that capacity. They shall be appointed by the County Executive with confirmation by the County Legislature and serve at the County Executive's pleasure.**
- B. Powers and duties. The Director of Weights and Measures shall have and exercise all the powers and duties now conferred or imposed upon a county sealer by applicable law and perform such other and related duties as shall be required of them pursuant to law or delegated to them by the County Executive or the County Legislature.**

SECTION 8. Article XXXI Section C-103 of the Ulster County Charter is REPEALED and a new Section C-103 is added to the Ulster County Charter to read as follows:

§ C-103. Appointment; powers and duties.

There shall be a County Historian who shall be appointed by the County Executive Clerk pursuant to New York State Arts and Cultural Affairs Law, subject to confirmation by the County Legislature. The County Historian shall preserve, interpret and promote the history of Ulster County and shall have all the powers and perform all the duties conferred or imposed by applicable law.

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SECTION 9. Article XLII Section C-124 of the Ulster County Charter is **REPEALED** and a new Section C-124 is added to the Ulster County Charter to read as follows:

Department of the Environment

§ C-124 Director, Department of the Environment

- A. There shall be a Department of the Environment, the head of which shall be the Director of the Department of the Environment who shall be appointed on the basis of their experience and qualifications as specifically set forth in the civil service class specifications for that position. The Director of the Department of the Environment shall be appointed by the County Executive subject to confirmation of the County Legislature, and such appointee shall serve at the pleasure of the County Executive. The Director of the Department of the Environment shall execute environmental policy for the County and shall be responsible for the development of environmental policy subject to approval by the County Executive and adoption by the County Legislature.**
- B. Powers and duties. Except as otherwise provided in the Charter, Administrative Code or state law, the Director of the Environment shall:**
 - 1) Have the authority to appoint and remove all officers and employees of the Department of the Environment, except as such power and authority are specifically limited by local law or New York State statute.**
 - 2) Coordinate environmental policy and resource planning for all interrelated County departments and the Ulster County Environmental Management Council.**
 - 3) Supervise the efforts of the Department of the Environment employees and coordinate with the efforts of other interrelated County departmental staff on all environmental projects.**
 - 4) Review the progress of environmental projects through oversight of the duties of technical staff assigned and make recommendations to ensure the project is on time and the goals of the Environmental Management Council are being met.**

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- 5) **Provide administrative and technical assistance to the Environmental Management Council.**
- 6) **Review ongoing County projects and/or activities with environmental implications and assure that the requirements and guidelines of the project are followed in context with established policies and procedures.**
- 7) **Act as administrative liaison with personnel in other County departments as well as with federal, state, regional and private environmental planning agencies, consultants and other interested parties involved with environmental issues.**
- 8) **Formulate and prepare the annual departmental budget estimates.**
- 9) **Prepare plans, reports, informational material and administrative documents designed to support or implement environmental objectives of Ulster County and the Environmental Management Council to meet both state and federal requirements.**
- 10) **Support the efforts of County departments and municipalities to utilize geographic information system (GIS) and other technologies to compile, collect, organize and analyze geographic information relative to the focus and planning objectives of Ulster County and the Environmental Management Council.**
- 11) **Prepare and present oral, written and multi-media reports to the County Legislature, municipal officials, the media and the public.**
- 12) **Have all the powers and perform all the duties now or hereafter conferred or imposed by local law or resolution of the Ulster County Legislature.**

SECTION 10. 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, which shall remain in full force and effect.

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SECTION 11. REFERENDUM AND EFFECTIVE DATE.

Pursuant to Municipal Home Rule Law Section 23, this Local Law shall not become operative unless and until this Local Law is approved by the duly qualified voters of Ulster County in a manner prescribed by law at the general election on November 5, 2024, and thereafter filed with the Secretary of State.