

Proposed Local Law Number 4 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 Establish The Department Of Budget

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

SECTION 1. LEGISLATIVE INTENT.

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.*” 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.*” To carry out its fiduciary responsibility most effectively, and for the maximum protection to the taxpayers of Ulster County, the Legislature has determined that that it is necessary to establish and maintain a Department of Budget, separate and distinct from the Department of Finance. The Ulster County Legislature finds that the adoption of this law is an appropriate exercise of its powers under Municipal Home Rule Law §10[1][ii][a][1].

The Department of Budget shall be responsible for preparation of the proposed county budget, maintaining the adopted county budget, and monitoring and analyzing revenues and expenditures throughout the year. Additionally, the Department of Budget shall be responsible for working with all departments to evaluate performance, streamline operations and deliver improved outcomes for County residents.

SECTION 2. Article XXIX Department of Residential Health Care Facilities, which is no longer in use by Ulster County, shall be repealed and replaced, and the Ulster County Charter is hereby amended to read as follows:

Article XXIX Department of Budget

§C-99 Director of Budget.

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A. There shall be a Department of Budget under the direction of the Director of Budget, who shall be appointed by the County Executive, subject to confirmation by the County Legislature. The Director of Budget shall ~~report directly to the County Executive and Ulster County Legislature~~ and serve at the pleasure of the County Executive. The Director of Budget shall be appointed on the basis of his, her or their professional training and experience and other qualifications for the responsibilities of that office.

B. Powers and duties. The Director of Budget shall be the chief administrative officer of the Department. Except as may otherwise be provided in this Charter, he or she shall have all the powers and perform all the duties now or hereafter conferred or imposed by law upon him or her, including but not limited to:

- (1) Provide guidance in the form of budget forecasts to all departments and units of County government for the purpose of assisting in the preparation of budget requests, copies of all such forecasts shall be filed with the Office of the Clerk of the Legislature;
- (2) Assist the County Executive and County Legislature in exercising budget control and checks on program performance;
- (3) Perform the encumbrancing function for the County government through purchase orders and service contract commitments;
- (4) Analyze through encumbrancing departmental spending rates and adherence to authorized budget commitments;
- (5) Provide comment on all financial reports required pursuant to this Charter;
- (6) Initiate the planning and budgeting phases of the County's Capital Improvement Program;
- (7) Perform such other and related duties required by the County Executive ~~and/or~~ the Ulster County Legislature.

SECTION 3. Article XXIX Department of Residential Health Care Facilities, which is no longer in use by Ulster County, shall be repealed and replaced, and the Ulster County Administrative Code is hereby amended to read as follows:

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Article XXIX Department of Budget

§ A-29-1 Director of Budget.

A. There shall be a Department of Budget under the direction of the Director of Budget, who shall be appointed by the County Executive, subject to confirmation by the County Legislature. The Director of Budget shall ~~report directly to the County Executive and Ulster County Legislature~~ and serve at the pleasure of the County Executive. The Director of Budget shall be appointed on the basis of his, her or their professional training and experience and other qualifications for the responsibilities of that office.

B. Powers and duties. The Director of Budget shall be the chief administrative officer of the Department. Except as may otherwise be provided in this Charter, he or she shall have all the powers and perform all the duties now or hereafter conferred or imposed by law upon him or her, including but not limited to:

- (1) Provide guidance in the form of budget forecasts to all departments and units of County government for the purpose of assisting in the preparation of budget requests, copies of all such forecasts shall be filed with the Office of the Clerk of the Legislature;*
- (2) Assist the County Executive and County Legislature in exercising budget control and checks on program performance;*
- (3) Perform the encumbrancing function for the County government through purchase orders and service contract commitments;*
- (4) Analyze through encumbrancing departmental spending rates and adherence to authorized budget commitments;*
- (5) Provide comment on all financial reports required pursuant to this Charter;*
- (6) Initiate the planning and budgeting phases of the County's Capital Improvement Program;*
- (7) Perform such other and related duties required by the County Executive ~~and~~ or the Ulster County Legislature.*

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C. Reports. On or before March 1 of each year, the Director of Budget 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 Budget 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.

§ A-29-2 Deputy Director of Budget.

A. The Director of Budget shall have the power to appoint one or more Deputy Directors of Budget, 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 Budget, provided that such appointment may be revoked at any time by the Director of Budget 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.

C. Deputy Directors shall perform such duties pertaining to the Department of Budget 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 by the Director of Budget and may be revoked at any time by the Director of Budget filing a new written designation of order of succession.

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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 Code, all of 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.