

Proposed Local Law Number 5 Of 2015

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 Clarify The Powers And Duties Of The Audit Committee

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

SECTION 1. Section C-25.M of the Ulster County Charter is amended to read as follows:

Section C-25: Powers and duties of County Executive.

M. Execute all contracts under the sum of \$50,000 and, with the approval of the County Legislature, all contracts in excess of \$50,000, **EXCEPT AS PROVIDED FOR IN SECTION C-11.1 HEREIN**;

SECTION 2. Section A3-4.X of the Administrative Code is amended to read as follows:

Section A3-4: Powers and duties of County Executive.

X. Execute all contracts and change orders under the sum of \$50,000 and, with the approval of the County Legislature, all contracts, **EXCEPT AS PROVIDED FOR IN SECTION A2-5.1 HEREIN**, and change orders in the amount of \$50,000 or in excess of \$50,000, except that:

SECTION 3. Section A4-4.Y of the Administrative Code is amended to read as follows:

Section A3-4: Powers and duties of the County Executive.

Y. **EXCEPT AS PROVIDED FOR IN SECTION A2-5.1 HEREIN**, the Director of Purchasing 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.

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SECTION 4. A new section (B) is hereby added to Section C-11.1 of the Ulster County Charter and Section A2-5.1 of the Administrative Code to read as follows:

B. (1) The selection of the Audit Committee shall be final and not subject to the approval of the County Legislature or the County Executive.

(2) Upon the final selection of the independent auditor by the Audit Committee, the Chairman of the Legislature shall have the authority to execute **and shall execute** the contract with the selected independent auditor. The terms of the contract shall contain those provisions included in the County's standard contract. The Chairman may consult with the County Attorney prior to executing the contract.

SECTION 5. Mandatory Referendum Question: The question that shall be submitted to the voters is as follows:

Shall the amendments to the Ulster County Charter approved as Proposed Local Law No. 5 of 2015 for the County of Ulster clarifying the independence of the Audit Committee to conform with the intentions of the 2012 Charter Commission be adopted and become part of the Ulster County Charter?

SECTION 6. 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.

SECTION 7. 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 3, 2015, and thereafter filed with the Secretary of State.