

Proposed Local Law Number 6 Of 2025

County Of Ulster

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

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

SECTION 1. Article 1, Section C-6 of the Ulster County Charter and Article I, Section A1-8 of the Ulster County Administrative Code are hereby amended to read as follows:

Definitions.

Whenever used in the Ulster County Charter and Ulster County Administrative Code, unless otherwise expressly stated, or unless the context or subject matter otherwise requires, the following terms shall have the meanings indicated:

DEPARTMENTAL ESTIMATES – Departmental estimates shall represent the detailed budget requests submitted by each department to the Executive for the development of the Executive’s Proposed Budget. These departmental requests will include any estimates, detail, and supporting documentation provided to justify the departmental requests submitted, and access to any such information in the County’s financial software system.

READ-ONLY ACCESS – Access to County software systems and/or accounts on a view-only or read-only basis, without ability to edit or change data entries.

SECTION 2. Article II Section C-11 of the Ulster County Charter is hereby amended to read as follows:

§ C-11. Powers and duties of Legislature.

O. To approve the execution of all contracts in excess of ~~\$50,000~~ **\$75,000** entered into by the County; and

SECTION 3. Article II Section A2-5 of the Ulster County Administrative Code is hereby amended to read as follows:

§ A2-5. Powers and duties of Legislature.

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A. The County Legislature shall be the legislative, appropriating and policy-determining body of the County and, as such, shall have and exercise all powers and duties now or hereafter conferred upon it by applicable law and any and all powers necessarily implied or incidental thereto, and all the powers assigned to it by the Ulster County Charter and restricted as therein provided. Among such powers and duties, but not by way of limitation, it shall have the power:

(15) To approve the execution of all contracts and change orders in the amount of ~~\$50,000~~ **\$75,000** or in excess of ~~\$50,000~~ **\$75,000** entered into by the County, except that:

(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 the abstract of contracts, for reporting purposes only, setting forth those contracts that ~~he or she has~~ **they have** 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 ~~\$50,000~~ **\$75,000** or in excess of ~~\$50,000~~ **\$75,000** 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~~ **General Services** shall present the contract to the County Executive for approval. Upon the approval of the contract by the County Executive, the Director of ~~Purchasing~~ **General Services** shall have the authority to execute the contract as provided in § C-74B(2) in the County Charter.

SECTION 4. Article II Section A2-9 of the Ulster County Administrative Code is hereby amended to read as follows:

§ A2-9. Resolutions.

B. Procedure.

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(1) Upon being submitted for consideration, resolutions approving the execution of contracts and contract amendments in excess of ~~\$50,000~~ **\$75,000** entered into by the County for public services shall include supplemental information, including but not limited to the following:

SECTION 5. Article III Section C-25 of the Ulster County Charter is hereby amended to read as follows:

§ C-25. Powers and duties of County Executive.

M. Execute all contracts under the sum of ~~\$50,000~~ **\$75,000** and, with the approval of the County Legislature, all contracts in excess of ~~\$50,000~~ **\$75,000**;

SECTION 6. Article III Section A3-4 of the Ulster County Administrative Code is hereby amended to read as follows:

§ A3-4 Powers and duties of County Executive

X. Execute all contracts and change orders under the sum of ~~\$50,000~~ **\$75,000** and, with the approval of the County Legislature, all contracts and change orders in the amount of ~~\$50,000~~ **\$75,000** or in excess of ~~\$50,000~~ **\$75,000**, except that;

(1) 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 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 with the Clerk of the Legislature; and

(2) 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~~ **\$75,000**. Upon approval of said abstract by the County

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Executive, the Director of ~~Purchasing~~ **General Services** shall have the authority to execute the contracts as provided in § C-74B(2) of the County Charter. A copy of said abstract shall be filed with the Clerk of the Legislature within five days of its approval by the County Executive; and

(3) The Director of ~~Purchasing~~ **General Services** shall review and approve all contracts as to the content and compliance with requirements for municipal purchasing for all contracts in the amount of ~~\$50,000~~ **\$75,000** or more. All said contracts shall be presented to the County Legislature for its approval. Upon the approval of a contract by the County Legislature, the Director of ~~Purchasing~~ **General Services** shall present the contract to the County Executive. Upon approval of a contract by the County Executive, the Director of ~~Purchasing~~ **General Services** shall have the authority to execute the contract as provided in § C-74B(2) of the County Charter; and

(4) The Director of ~~Purchasing~~ **General Services** shall present a change order or an amendment to a contract to the County Legislature for approval when:

(a) The change order of the amendment is for a capital project and the amount thereof is 20% or more of the contract total; or

(b) The change order or amendment causes the aggregate amount of any existing noncapital project contract total, plus said change order(s) or amendment(s), to be equal to or exceed ~~\$50,000~~ **\$75,000** during the term of the contract, except where the contract agency or vendor is the recipient of funds passing through the County and received by the County from another government or entity during a twelve-month period.

(5) On a monthly basis, the Director of ~~Purchasing~~ **General Services** shall file with the Clerk of the Legislature a list of all contracts, change orders, and amendments that the County Executive or Director of ~~Purchasing~~ **General Services** has executed that month. The list shall include the department name, name of the vendor, the amount of the contract, change order, or amendment, a brief description thereof, the funding source, the basis for the award, and the contract dates.

SECTION 7. Article XVI Section A16-1 of the Ulster County Administrative Code is hereby amended to read as follows: [Amended 12-17-2024 by L.L. No. 3-2025]

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§ A16-1. Director of General Services.

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

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

(b) The Director of 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~~ **\$75,000**. Upon approval of said abstract by the County Executive, the Director of General Services shall have the authority to execute the contracts as provided in § A3-4X of the Administrative Code.

(c) The Director of General Services shall review and approve all contracts \$50,000 or in excess of ~~\$50,000~~ **\$75,000** 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~~ **General Services** shall present the contract to the County Executive for approval. Upon the approval of the contract by the County Executive, the Director of ~~Purchasing~~ **General Services** shall have the authority to execute the contract as provided in § C-74B(2) in the County Charter.

SECTION 8. Chapter 85 of the Code of the County of Ulster is hereby amended to read as follows:

§ 85-3. Definitions.

ULSTER COUNTY LEGISLATURE (LEGISLATURE)

Pursuant to Article II, § C-11 of the Ulster County Charter, the appropriating and policy-determining body of the County and, as such, shall have and exercise all powers and duties now or hereafter conferred upon it by applicable law and any and all powers necessarily implied or incidental thereto, and all the powers assigned to it by the Ulster County Charter and restricted as therein provided. Further, § C-11O of the Ulster County Charter authorizes the Legislature to approve the execution of all contracts in excess of ~~\$50,000~~ **\$75,000** entered into by the County and Section A2-6A(3) of the Ulster County Administrative Code provides that

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the Chairman of the Ulster County Legislature can, upon approval of the County Legislature, enter into an intermunicipal shared services agreement (ISSA) on behalf of the County of Ulster.

SECTION 9. Chapter 232 of the Code of the County of Ulster is hereby amended to read as follows:

§ 232-3. Definitions.

SERVICE CONTRACT

A contract that involves an expenditure by or through the County of at least ~~\$50,000~~ **\$75,000** in a fiscal year awarded by the County to a contractor for the furnishing of services to or for the County, excluding the purchase or leasing of goods or other property.

SECTION 10. Article IV Section C-32 of the Ulster County Charter is hereby amended to read as follows:

§ C-32. Duties of County Executive.

It shall be the duty of the County Executive to prepare and file the County expense and capital budgets and capital program for each fiscal year in accordance with the provisions of this Charter and applicable state law. Pursuant to this duty, the County Executive shall have the power, personally or through ~~his or her~~ **their** representatives, to require all necessary information from all departments, agencies, offices or units of County government for the purpose of ascertaining and/or assessing their budgetary requirements.

SECTION 11. Article III Section A4-2 of the Ulster County Administrative Code is hereby amended to read as follows:

§ A4-2. Duties of County Executive.

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It shall be the duty of the County Executive to prepare and file the County expense and capital budgets and capital program for each fiscal year in accordance with the provisions of this Charter and applicable state law. Pursuant to this duty, the County Executive shall have the power, personally or through ~~his or her~~**their** representatives, to require all necessary information from all departments, agencies, offices or units of County government for the purpose of ascertaining and/or assessing their budgetary requirements.

SECTION 12. Article IV Section C-33 of the Ulster County Charter is hereby amended to read as follows:

§ C-33. Departmental, agency, office or unit estimates.

The head of each department, agency, office or unit of County government shall submit to the County Executive, in writing, and through such channels and processes as specified by ~~him or her~~**them**, an overall estimate for that department, agency, office or unit and estimates by program within that department, agency, office or unit of expected expenses and expected revenues for the next ensuing fiscal year. A copy of said estimates from each department, agency, office or unit shall be ~~simultaneously~~ submitted to the Clerk of the Legislature **upon the proposal of the executive budget**. These estimates shall be called "departmental estimates" and shall be organized with proposed grand totals of expenses and revenues for personnel services and other than personnel services for the department, agency, office or unit and proposed subtotal appropriations for personnel services and other than personnel services for each program within each department, agency, office or unit. A statement of actual expenses and actual revenues for the immediately preceding completed fiscal year, budgeted expenditures and revenues for the current fiscal year, and expenditures and revenues to date for the current fiscal year shall be included in departmental submission, prepared in the same specified format for comparison purposes. Each departmental estimate of expenses and revenue by program shall be supported by such other detail and other supporting information concerning the economy, efficiency and effectiveness of departmental performance as the County Executive shall require. Departmental estimates shall be public records and shall at all reasonable times be open to public inspection.

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SECTION 13. Article IV Section A4-3 of the Ulster County Administrative Code is hereby amended to read as follows:

§ A4-3. Departmental, agency, office or unit estimates.

The head of each department, agency, office or unit of County government shall submit to the County Executive, in writing, and through such channels and processes as specified by ~~him or her~~**them**, an overall estimate for that department, agency, office or unit and estimates by program within that department, agency, office or unit of expected expenses and expected revenues for the next ensuing fiscal year. A copy of said estimates from each department, agency, office or unit shall be ~~simultaneously~~ submitted to the Clerk of the Legislature **upon the proposal of the executive budget**. These estimates shall be called "departmental estimates" and shall be organized with proposed grand totals of expenses and revenues for personnel services and other than personnel services for the department, agency, office or unit and proposed subtotal appropriations for personnel services and other than personnel services for each program within each department, agency, office or unit. A statement of actual expenses and actual revenues for the immediately preceding completed fiscal year, budgeted expenditures and revenues for the current fiscal year, and expenditures and revenues to date for the current fiscal year shall be included in departmental submission, prepared in the same specified format for comparison purposes. Each departmental estimate of expenses and revenue by program shall be supported by such other detail and other supporting information concerning the economy, efficiency and effectiveness of departmental performance as the County Executive shall require. Departmental estimates shall be public records and shall at all reasonable times be open to public inspection.

SECTION 14. Article IV Section C-34 of the Ulster County Charter is hereby amended to read as follows:

§ C-34. Submission of County budget.

A. On or before the first Friday of October in each year, the County Executive shall submit to the Clerk of the Legislature, for consideration by the County Legislature, a proposed operating and capital budget for the next ensuing fiscal year and a proposed capital program for the next

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ensuing six fiscal years or other period as may be authorized by law, together with a budget message as provided in § C-35. Upon their submission, the proposed expense and capital budgets, hereinafter called the "County budget," together with the budget message, shall be posted on the County website and become public records in the office of the Clerk of the Legislature for distribution.

C. The proposed County budget shall include economic and revenue forecasting to provide guidance on the current conditions in, and probable outlook for the performance of, the economy of the state and county, as well as the effect of such conditions and such performance on county receipts. The forecasting shall speak to expected tax receipts on an all-funds basis and anticipated miscellaneous receipts to be received in the general fund.

SECTION 15. Article IV Section A4-4 of the Ulster County Administrative Code is hereby amended to read as follows:

§ A4-4. Submission of County budget.

A. On or before the first Friday of October in each year, the County Executive shall submit to the Clerk of the Legislature, for consideration by the County Legislature, a proposed operating and capital budget for the next ensuing fiscal year and a proposed capital program for the next ensuing six fiscal years or other period as may be authorized by law, together with a budget message as provided in § C-35. Upon their submission, the proposed expense and capital budgets, hereinafter called the "County budget," together with the budget message, shall be posted on the County website and become public records in the office of the Clerk of the Legislature for distribution.

C. The proposed County budget shall include economic and revenue forecasting to provide guidance on the current conditions in, and probable outlook for the performance of, the economy of the state and county, as well as the effect of such conditions and such performance on county receipts. The forecasting shall speak to expected tax receipts on an all-funds basis and anticipated miscellaneous receipts to be received in the general fund.

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SECTION 16. Article IV Section C-35 of the Ulster County Charter is hereby amended to read as follows:

§ C-35. Budget message.

The County Executive shall submit with the County budget a budget message summarizing and explaining the main features of the County budget, including information identifying and analyzing new or changed programs, with such supporting schedules and explanatory materials as ~~he or she~~**they** may deem desirable or the Legislature may by resolution require. The County Executive's proposed budget shall include a clear summary demonstration that there is a balanced relationship between the total estimated expenditures and the total estimated revenues for the next ensuing fiscal year and shall compare these figures with the actual receipts and expenditures for the last completed fiscal year and the year-to-date actual and year-to-date projected total expenditures and revenues for the current fiscal year. The County Executive's budget message shall also outline the existing and any proposed financial policies of the County relating to the capital program, including a description of each capital improvement proposed to be undertaken in the preceding fiscal year and not yet completed. The budget message shall specify the manner in which the County Executive is overseeing management of departmental operations to assure economic, efficient, effective delivery of public services, and contain such additional information as the County Executive may deem appropriate, and shall be posted on the County's website.

SECTION 17. Article IV Section A4-5 of the Ulster County Administrative Code is hereby amended to read as follows:

§ A4-5. Budget message.

The County Executive shall submit with the County budget a budget message summarizing and explaining the main features of the County budget, including information identifying and analyzing new or changed programs, with such supporting schedules and explanatory materials as ~~he or she~~**they** may deem desirable or the Legislature may by resolution require. The County Executive's proposed budget shall include a clear summary demonstration that there is a

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balanced relationship between the total estimated expenditures and the total estimated revenues for the next ensuing fiscal year and shall compare these figures with the actual receipts and expenditures for the last completed fiscal year and the year-to-date actual and year-to-date projected total expenditures and revenues for the current fiscal year. The County Executive's budget message shall also outline the existing and any proposed financial policies of the County relating to the capital program, including a description of each capital improvement proposed to be undertaken in the preceding fiscal year and not yet completed. The budget message shall specify the manner in which the County Executive is overseeing management of departmental operations to assure economic, efficient, effective delivery of public services, and contain such additional information as the County Executive may deem appropriate, and shall be posted on the County's website.

SECTION 18. Article IV Section C-37 of the Ulster County Charter is hereby amended to read as follows:

§ C-37. Public hearings on County budget.

Beginning no later than the third Friday of November of each year, the Legislature **or a standing Legislative committee designated by the Legislature**, shall hold, in at least three **Geographically Diverse** locations in the County, public hearings on the County Executive's proposed County budget, the budget message submitted by the County Executive, the report resulting from the review and analysis of that budget and message by the Legislature or its designated committee. **To qualify as geographically diverse locations, such locations must be in districts no less than one Legislative district from the County seat and no less than two Legislative districts from each other.**

The Clerk of the Legislature shall cause to be posted on the County website published in the official newspaper of the County and such other newspapers as may be designated by the Legislature notices of the places, locations and times when these hearings shall be held, their purposes, a concise summary of the proposed County budget, budget information, together with copies of the proposed budget, the budget message and the report submitted by the Legislature or its committee may be inspected or obtained by any interested person. At least 10 days shall elapse between the publication of a notice and the date specified for any budget hearing. At a

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budget hearing any person may be heard. Insofar as necessary and practicable within the deadline for the timely final adoption of the County budget, a budget hearing may be adjourned to a date certain or from day to day.

SECTION 19. Article IV Section A4-7 of the Ulster County Administrative Code is hereby amended to read as follows:

§ A4-7. Public hearings on County budget.

Beginning no later than the third Friday of November of each year, the Legislature **or a standing Legislative committee designated by the Legislature**, shall hold, in at least three **Geographically Diverse** locations in the County, public hearings on the County Executive's proposed County budget, the budget message submitted by the County Executive, the report resulting from the review and analysis of that budget and message by the Legislature or its designated committee. **To qualify as geographically diverse locations, such locations must be in districts no less than one Legislative district from the County seat and no less than two Legislative districts from each other.**

The Clerk of the Legislature shall cause to be posted on the County website published in the official newspaper of the County and such other newspapers as may be designated by the Legislature notices of the places, locations and times when these hearings shall be held, their purposes, a concise summary of the proposed County budget, budget information, together with copies of the proposed budget, the budget message and the report submitted by the Legislature or its committee may be inspected or obtained by any interested person. At least 10 days shall elapse between the publication of a notice and the date specified for any budget hearing. At a budget hearing any person may be heard. Insofar as necessary and practicable within the deadline for the timely final adoption of the County budget, a budget hearing may be adjourned to a date certain or from day to day.

SECTION 20. Article IV Section C-38 of the Ulster County Charter is hereby amended to read as follows:

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§ C-38. Adoption of County budget.

F. If the County Executive approves all the increases, additions, decreases or deletions, ~~he or she~~**they** shall affix ~~his or her~~**their original** signature to a statement thereof and return the County budget together with such statement to the Clerk of the Legislature, and the County budget, including the increases, additions, decreases or deletions as part thereof, shall be adopted.

G. If the County budget, with any increases, additions, decreases or deletions, is not returned by the County Executive to the Clerk of the Legislature with ~~his or her~~**their** objections within five working days after presentation by the Clerk **of the Legislature** to the County Executive, it shall be deemed adopted, as changed, altered or revised by the Legislature.

H. If the County Executive objects to any one or more of the increases, additions, decreases or deletions, the County Executive shall append to the County budget a statement of the increases, additions, decreases or deletions to which the County Executive objects, taking care that ~~his or her~~**their** proposed changes leave the County budget in balance and setting forth the reasons therefor, and shall, no later than five working days after receipt of the adopted budget from the Clerk of the Legislature, return the County budget with the objections to the Clerk **of the Legislature**, who shall immediately present them to the Legislature. The Legislature shall thereupon enter the objections upon its records and, not later than the 20th day of December, proceed to reconsider the increases, additions, decreases or deletions to which objection is made by the County Executive. If upon such reconsideration the Legislature, by affirmative vote of at least 2/3 of its elected members, votes to approve any such increases, additions, decreases or deletions, the County Budget, the with the changes so approved, together with any changes not so objected to by the County Executive, shall be deemed adopted as resubmitted by the County Executive so long as balance remains between proposed expenditures and proposed revenues in that budget.

J. Copies of the County budget as adopted shall be certified by the County Executive and by the Clerk of the Legislature and shall be filed in the offices of the County Executive and the Clerk **of the Legislature**. The budget so certified shall be posted on the County website and, at the discretion of the Legislature, printed or otherwise reproduced and copies made available to the public at such cost as the Legislature shall deem appropriate **by December 31st of the adopted budget year**. Materials posted to the County website annually during the course of

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preparation of the County budget may not be removed from public access until the certified County budget for the year is posted in accord with the requirements of this section.

SECTION 21. Article IV Section A4-8 of the Ulster County Administrative Code is hereby amended to read as follows:

§ A4-8. Adoption of County budget.

F. If the County Executive approves all the increases, additions, decreases or deletions, ~~he or she~~they shall affix ~~his or her~~their **original** signature to a statement thereof and return the County budget together with such statement to the Clerk of the Legislature, and the County budget, including the increases, additions, decreases or deletions as part thereof, shall be adopted.

G. If the County budget, with any increases, additions, decreases or deletions, is not returned by the County Executive to the Clerk of the Legislature with ~~his or her~~their objections within five working days after presentation by the Clerk **of the Legislature** to the County Executive, it shall be deemed adopted, as changed, altered or revised by the Legislature.

H. If the County Executive objects to any one or more of the increases, additions, decreases or deletions, the County Executive shall append to the County budget a statement of the increases, additions, decreases or deletions to which the County Executive objects, taking care that ~~his or her~~their proposed changes leave the County budget in balance and setting forth the reasons therefor, and shall, no later than five working days after receipt of the adopted budget from the Clerk of the Legislature, return the County budget with the objections to the Clerk **of the Legislature**, who shall immediately present them to the Legislature. The Legislature shall thereupon enter the objections upon its records and, not later than the 20th day of December, proceed to reconsider the increases, additions, decreases or deletions to which objection is made by the County Executive. If upon such reconsideration the Legislature, by affirmative vote of at least 2/3 of its elected members, votes to approve any such increases, additions, decreases or deletions, the County Budget, the with the changes so approved, together with any changes not so objected to by the County Executive, shall be deemed adopted as resubmitted by the County Executive so long as balance remains between proposed expenditures and proposed revenues in that budget. If the Legislature fails to act on or override such objections by a two-thirds vote

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of all members of the Legislature, the County budget shall be deemed conditionally adopted without the changes objected to by the County Executive.

J. Copies of the County budget as adopted shall be certified by the County Executive and by the Clerk of the Legislature and shall be filed in the offices of the County Executive and the Clerk **of the Legislature**. The budget so certified shall be posted on the County website and, at the discretion of the Legislature, printed or otherwise reproduced and copies made available to the public at such cost as the Legislature shall deem appropriate **by December 31st of the adopted budget year**. Materials posted to the County website annually during the course of preparation of the County budget may not be removed from public access until the certified County budget for the year is posted in accord with the requirements of this section.

SECTION 22. Article IV Section C-40 of the Ulster County Charter is hereby amended to read as follows:

§ C-40. Budget modification after adoption.

A. The County Executive shall manage the County's resources to achieve maximum economy, efficiency and effectiveness in County government. Pursuant to this responsibility ~~he or she~~**they** may, during any fiscal year, transfer part or all of any revenue or expenditure within a program or purpose of any department, agency, office or unit to another program or purpose within that department, agency, office or unit, except that the effect of such a transfer, unless used for payroll related expenses, may not be to reduce **or increase** the rate of pay or annual salary of any County employment position, regardless of whether said employment position is vacant or filled in a given year. Written notice of such a transfer shall be given to the Legislature.

D. If, at any time during the fiscal year, it appears that the revenues available will be insufficient to meet amounts appropriated, the County Executive shall report to the County Legislature without delay the estimated amount of the deficit, remedial action already taken ~~by him or her~~, and ~~his or her~~**their** recommendations as to further action. The County Legislature shall take the action or actions that it deems necessary and as authorized by this Charter or state law to prevent or minimize any deficit. For purposes of eliminating or minimizing a potential deficit, the

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

Legislature may, by resolution, reduce one or more appropriations, but no appropriation may be reduced by more than the unencumbered balance remaining for that purpose for the year, nor may any appropriation for debt service be reduced.

SECTION 23. Article IV Section A4-10 of the Ulster County Administrative Code is hereby amended to read as follows:

§ A4-10. Budget modification after adoption.

A. The County Executive shall manage the County's resources to achieve maximum economy, efficiency and effectiveness in County government. Pursuant to this responsibility ~~he or she~~**they** may, during any fiscal year, transfer part or all of any revenue or expenditure within a program or purpose of any department, agency, office or unit to another program or purpose within that department, agency, office or unit, except that the effect of such a transfer, unless used for payroll related expenses, may not be to reduce **or increase** the rate of pay or annual salary of any County employment position, regardless of whether said employment position is vacant or filled in a given year. Written notice of such a transfer shall be given to the Legislature.

D. If, at any time during the fiscal year, it appears that the revenues available will be insufficient to meet amounts appropriated, the County Executive shall report to the County Legislature without delay the estimated amount of the deficit, remedial action already taken ~~by him or her~~, and ~~his or her~~**their** recommendations as to further action. The County Legislature shall take the action or actions that it deems necessary and as authorized by this Charter or state law to prevent or minimize any deficit. For purposes of eliminating or minimizing a potential deficit, the Legislature may, by resolution, reduce one or more appropriations, but no appropriation may be reduced by more than the unencumbered balance remaining for that purpose for the year, nor may any appropriation for debt service be reduced.

SECTION 24. Article VIII Section C-53 of the Ulster County Charter is hereby amended to read as follows:

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§ C-53. Commissioner of Finance.

A. There shall be a Department of Finance under the direction of a Commissioner of Finance. The Commissioner of Finance shall be appointed by and serve at the pleasure of the County Executive, subject to confirmation by the County Legislature. ~~He or she~~ **They** shall be appointed on the basis of ~~his or her~~ **their** experience and qualifications in financial administration and other specified duties of this office and shall be directly responsible to the County Executive. **The Commissioner of Finance shall hold no other elected public office or compensated employment and shall devote full working time to the duties of the office. The Commissioner of Finance must be free from any conflicts of interest, must be capable of providing objective and impartial judgment, and must maintain both independence of mind and independence in appearance in the performance of their duties.**

B. Powers and duties. The Commissioner of Finance shall be vested with authority, direction and control over the Department of Finance, have the power to appoint and remove officers therein, and: **[Amended 12-17-2024 by L.L. No. 1-2025]**

(6) Act as the enforcing officer of the County for the purpose of the collection of the County's occupancy tax;

(6 7) Submit a complete statement of County finance to the County Executive and the County Legislature on or before the first day of ~~March~~ May and at such other times as either may require;

(7 8) Have all the powers and perform all the duties conferred or imposed by law upon a County Commissioner of Finance and perform such other duties required by the County Executive or County Legislature;

(8 9) Be the chief accounting officer of the County; and

(9 10) Maintain the financial books and records and perform bank reconciliations for all units of County government unless otherwise required by law; and

(11) Ensure proper segregation of duties within financial procedures.

SECTION 25. Article VIII Section A8-1 of the Ulster County Administrative Code is hereby amended to read as follows:

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§ A8-1. Commissioner of Finance.

(8) Act as the enforcing officer of the County for the purpose of the collection of the County's occupancy tax;

(8 9) Submit a complete statement of County finance to the County Executive and the County Legislature on or before the first day of ~~March~~ May or at a later time in the event that an extension is authorized by the State Comptroller, and at such other times as either may require;

(9 10) Prepare and submit to the County Executive annually, on such date and on such forms as the County Executive may prescribe, such information as is required in preparation of the tentative County budget;

(40 11) Prepare and authorize payroll with appropriate certification;

(44 12) Report on an annual basis and maintain accounting of the inventory of the County; and

(42 13) Have all the powers and perform all the duties conferred or imposed by law upon a County Commissioner of Finance and perform such other duties required by the County Executive or County Legislature.

(43 14) Be the chief accounting officer of the County; and

(44 15) Maintain the financial books and records and perform bank reconciliations for all units of County government unless otherwise required by law.

(16) Ensure proper segregation of duties within financial procedures

SECTION 26. Article VIII Section C-55 of the Ulster County Charter is hereby amended to read as follows:

§C-55. Deputy Commissioners and staff.

The Commissioner of Finance, subject to approval by the County Executive, shall designate in writing, and in order of succession, the deputies and/or assistants who shall be Acting Commissioner of Finance in the event of ~~his or her~~**their** absence from the County or inability to perform and exercise the powers and duties of ~~his or her~~**their** office. That designation shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at

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any time by the Commissioner filing an approved new written designation and order of succession. The Acting Commissioner of Finance shall have all the powers and perform all the duties of the Commissioner.

SECTION 21. Article VIII Section A8-4 of the Ulster County Administrative Code is hereby amended to read as follows:

§ A8-4. Acting Commissioner of Finance.

The Commissioner of Finance, subject to approval by the County Executive, shall designate in writing, and in order of succession, the deputies and/or assistants who shall be Acting Commissioner of Finance in the event of ~~his or her~~**their** absence from the County or inability to perform and exercise the powers and duties of ~~his or her~~**their** office. That designation shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Commissioner filing an approved new written designation and order of succession. The Acting Commissioner of Finance shall have all the powers and perform all the duties of the Commissioner.

SECTION 22. Article IX Section C-57 of the Ulster County Charter is hereby amended to read as follows:

§ C-57. Powers and duties.

The Comptroller shall be the chief auditing officer of the County and be vested with authority, direction and control over the department. Except as may otherwise be provided in this Charter they shall: **[Amended 12-17-2024 by L.L. No. 1-2025]**

A. Examine, audit, and verify all books, records, and accounts kept by the administrative units, offices and officials paid from County funds, institutions and other agencies of the County, including bond and note registers and trust accounts, and the accrual and collection of all County revenues and receipts, and for this purpose have access to all such books, records, and accounts at any time except where precluded by law. ~~The Comptroller shall prepare an annual~~

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~~audit report including a risk assessment of the accounting methods utilized by the County, and shall submit a copy of the report to the County Legislature and the County Executive by April 1 of each year.~~ **The Comptroller shall use risk assessment to identify weaknesses in internal controls and shall summarize improvements in internal controls in an annual audit report to the Legislature and Executive by April 1 of each year;**

B. Procure from the depositories and investments with which the Commissioner of Finance shall have deposited the funds and monies coming into the Comptroller's possession statements, at least monthly, of all monies deposited by the Commissioner of Finance or paid out pursuant to the Comptroller's order, and review bank reconciliations as prepared by the Commissioner of Finance. **The Comptroller shall be authorized to have read-only access to all County accounts and shall be provided access to all such accounts at all times;**

C. Audit records of appropriations, encumbrances, ~~and~~ expenditures, **and revenues**, and prescribe generally accepted government accounting methods to be used by all units of County government, unless otherwise required by the State Comptroller;

G. As ~~he or she~~**they** determines necessary or appropriate, audit any department, program, ~~or~~ function, **public benefit corporation**, or component unit of County government to assess the degree to which its operation is economical, efficient and/or effective;

H. To conduct studies and investigations in furtherance of ~~his or her~~**their** functions and, in connection therewith, to obtain and employ professional and technical advice, appoint citizens' committees, commissions and boards, subpoena witnesses and documents (including digital records and read-only access to software licensed by or owned by the County or its component units), administer oaths, and require the production of books, papers and other evidence deemed necessary or material to such studies or investigations. A subpoena issued under this section shall be regulated by the Civil Practice Law and Rules together with any state or federal laws or rules that may be applicable. The subpoena shall not extend to disclose the identity or jeopardize the safety of victims, confidential informants, witnesses, and undercover officers or operatives;

I. Submit to the County Legislature and Executive, and post on the County website as frequently as ~~he or she~~**they** deems necessary, but at least quarter-annually, reports on the financial

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condition of the County and the economy, efficiency and/or effectiveness with which the County government or any of its departments, agencies or programs is managed;

SECTION 23. Article IX Section A9-2 of the Ulster County Administrative Code is hereby amended to read as follows:

§ A9-2. Powers and duties.

The Comptroller shall be the chief auditing officer of the County and be vested with authority, direction and control over the department. Except as may otherwise be provided in this Charter they shall: **[Amended 12-17-2024 by L.L. No. 1-2025]**

A. Examine, audit, and verify all books, records, and accounts kept by the administrative units, offices and officials paid from County funds, institutions and other agencies of the County, including bond and note registers and trust accounts, and the accrual and collection of all County revenues and receipts, and for this purpose have access to all such books, records, and accounts at any time except where precluded by law. ~~The Comptroller shall prepare an annual audit report including a risk assessment of the accounting methods utilized by the County, and shall submit a copy of the report to the County Legislature and the County Executive by April 1 of each year.~~ **The Comptroller shall use risk assessment to identify weaknesses in internal controls and shall summarize improvements in internal controls in an annual audit report to the Legislature and Executive by April 1 of each year;**

B. Procure from the depositories and investments with which the Commissioner of Finance shall have deposited the funds and monies coming into the Comptroller's possession statements, at least monthly, of all monies deposited by the Commissioner of Finance or paid out pursuant to the Comptroller's order, and review bank reconciliations as prepared by the Commissioner of Finance. **The Comptroller shall be authorized to have read-only access to all County accounts and shall be provided access to all such accounts at all times;**

C. Audit records of appropriations, encumbrances, ~~and~~ expenditures, **and revenues**, and prescribe generally accepted government accounting methods to be used by all units of County government, unless otherwise required by the State Comptroller;

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G. As ~~he or she~~**they** determines necessary or appropriate, audit any department, program, or function, **public benefit corporation**, or component unit of County government to assess the degree to which its operation is economical, efficient and/or effective;

H. To conduct studies and investigations in furtherance of ~~his or her~~**their** functions and, in connection therewith, to obtain and employ professional and technical advice, appoint citizens' committees, commissions and boards, subpoena witnesses and documents (including digital records and read-only access to software licensed by or owned by the County or its component units), administer oaths, and require the production of books, papers and other evidence deemed necessary or material to such studies or investigations. A subpoena issued under this section shall be regulated by the Civil Practice Law and Rules together with any state or federal laws or rules that may be applicable. The subpoena shall not extend to disclose the identity or jeopardize the safety of victims, confidential informants, witnesses, and undercover officers or operatives;

I. Submit to the County Legislature and Executive, and post on the County website as frequently as ~~he or she~~**they** deems necessary, but at least quarter-annually, reports on the financial condition of the County and the economy, efficiency and/or effectiveness with which the County government or any of its departments, agencies or programs is managed;

SECTION 24. Article XXXIV Section C-110 of the Ulster County Charter is hereby amended to read as follows:

§ C-110. Duties.

At the call of its ~~Chairman~~, the Committee shall review the salaries of all elected officials of the County of Ulster at least every second year after its first meeting. In the course of its deliberations, the Committee shall hold at least one public hearing and shall otherwise provide ample opportunity for public comment. The Committee shall provide its recommendations and the rationale for them to the County Executive and the County Legislature no later than June 30 of the same year in which it convened, except that the Committee shall not make recommendations concerning compensation of elected officials for whom, by law or judicial determination, the County Legislature does not have the power to fix compensation.

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Immediately upon their delivery to the County Executive and the County Legislature, the recommendations of the Committee shall be filed with the Clerk of the Ulster County Legislature and posted on the County website. **The recommendations of the Commission shall be incorporated into the County Executive's next proposed budget unless previously adopted by local law.** All changes in salaries for elected officials shall be made by local law.

SECTION 25. Article XXXIV Section A34-3 of the Ulster County Administrative Code is hereby amended to read as follows:

§ A34-3. Duties.

At the call of its Chairman, the Committee shall review the salaries of all elected officials of the County of Ulster at least every second year after its first meeting. In the course of its deliberations, the Committee shall hold at least one public hearing and shall otherwise provide ample opportunity for public comment. The Committee shall provide its recommendations and the rationale for them to the County Executive and the County Legislature no later than June 30 of the same year in which it convened, except that the Committee shall not make recommendations concerning compensation of elected officials for whom, by law or judicial determination, the County Legislature does not have the power to fix compensation. Immediately upon their delivery to the County Executive and the County Legislature, the recommendations of the Committee shall be filed with the Clerk of the Ulster County Legislature and posted on the County website. **The recommendations of the Commission shall be incorporated into the County Executive's next proposed budget unless previously adopted by local law.** All changes in salaries for elected officials shall be made by local law.

The Periodic Compensation Review Committee shall keep minutes of all meetings, including the date and time of meeting and members in attendance. The original of said minutes shall be filed with the Clerk of the Legislature as soon as possible, but not to exceed 10 business days after the next regular Committee meeting at which the minutes were reviewed and accepted. The Clerk of the Legislature or his or her designee shall maintain an official record of the Committee's agenda items. This official record shall include the disposition of each agenda item, including individual votes of each member on each item.

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SECTION 26. 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 27. EFFECTIVE DATE.

This Local Law shall become effective upon its filing with the Secretary of State.