

**Requiring Specific Elected And Appointed Officials, As Called For In The Charter, That Have State Of New York Mandates In Their Budgets, To Provide To The Ulster County Legislature, Information, Explanations And Financial Impacts Of Such Mandates**

The Government Operations and Efficiency Committee (Chairman Bernardo, Vice Chairman Zimet, Legislators Ronk, Petit, Maio, Madsen and Shapiro) offers the following:

WHEREAS, it is the obligation of the Ulster County Legislature to be sensitive to the ability of our taxpayers to afford the cost of government, and

WHEREAS, it is standard operating procedure to blame State of New York Mandates on the spiraling cost of Ulster County Government, and

WHEREAS, it has been noted by the New York State Association of Counties that 70% of Ulster County's budget is mandated by New York State, and

WHEREAS, the Ulster County Legislature agrees that the taxpayers of Ulster County deserve to have their elected official take a hard look at the effectiveness of NYS Mandates, and

WHEREAS, the Ulster County Legislature needs to look at new ways to satisfy mandates by the State of New York - other than raising property taxes, creating revenue enhancers or cutting vital services, and

WHEREAS, the taxpayers deserve that their Ulster County Legislators, after studying the mandates, analyze those mandates to determine their *effectiveness and efficiency* and then take action on their behalf and

WHEREAS, after a thorough study the Ulster County Legislature will look to take corrective action with the State of New York to remove any State Mandates that are not protecting the health, safety and welfare of our residents, and

WHEREAS, the Ulster County Legislature has the following powers to assign duties to Boards and Department Heads listed below under the Codified Version of the Ulster County Charter:

**§ C-42. Board of Health**

B. Powers and duties The Board of Health shall have and exercise such other and related duties required by the Legislature or the County Executive.

**§ C-45. Community Services Board**

A. The Board shall have and exercise such other and related duties required by the **Legislature** or the County Executive.

Resolution No. 192 July 20, 2010

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**§ C-53. Commissioner of Finance**

B. Powers and duties. The Commissioner of Finance shall:

(7) 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**

**§ C-56. Comptroller**

**§ C-57. Powers and duties**

J. Have all the powers and perform all the duties conferred or imposed by law upon a county comptroller, and **perform such other related duties required** by the County Executive or **County Legislature**

**§ C-62. Commissioner of Social Services**

B. Powers and duties.....and **perform such other related duties required** by the County Executive or **County Legislature**.

**§ C-63. Commissioner of Public Works**

(4) Have charge of and have the duty of performing such other functions concerning County real and personal property, public works **and other matters as the County Executive and Legislature may, from time to time, direct.**

**§ C-67. Director of Public Transportation**

(4) Have charge of and have the duty of **performing other functions** concerning the transit system and other modes of transportation as the County Executive and/or the **County Legislature may from time to time direct.**

**§ C-73. Director of Information Services**

B. Powers and duties. The Director of Information Services 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 conferred or imposed by law upon a county director of information services and **shall perform such other related duties required** by the County Executive or **County Legislature**

**§ C-74. Director of Purchasing**

(4) **Perform such other and related duties as shall be required and delegated by the County Executive or County Legislature.**

**§ C-76. The Real Property Tax Service Agency powers and duties**

C. **Perform such other and related duties required by the County Executive or County Legislature**

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**§ C-77. The Public Defender**

**(3) Perform such other and related duties required by the County Executive or County Legislature**

**§ C-82. The County Clerk Powers and duties**

A. Have and exercise all powers and duties conferred or imposed upon him or her by law and **perform such other and related duties required by the County Executive or the Legislature**

**§ C-84. Sheriff Powers and duties**

**The Sheriff shall have and exercise all the powers and duties heretofore or hereafter lawfully granted or imposed by the Charter, Administrative Code, local law or resolution of the County Legislature**

**§ C-88. District Attorney Powers and duties**

**The District Attorney shall have and exercise all the powers and duties heretofore or hereafter lawfully granted or imposed by the Charter, Administrative Code, local law or resolution of the County Legislature**

**§ C-92. Director of the Office for the Aging**

**B. Powers and duties. The Director of the Office for the Aging shall have all the powers and perform all the duties now or hereafter conferred or imposed upon him or her by law and perform such other and related duties required by the County Executive or County Legislature.**

**§ C-93. Director of Consumer Affairs.**

**There shall be a Consumer Fraud Bureau headed by a Director of Consumer Affairs who shall be appointed by the County Executive based on his or her experience and qualifications to perform the duties of said office, subject to confirmation by the County Legislature, and serve at his or her pleasure. He or she shall have all the powers and perform all the duties now and hereafter conferred or imposed upon him or her by law and perform such other and related duties required by the County Executive or County Legislature.**

**§ C-95. Director of Veterans' Service.**

**There shall be a Veterans' Service Agency headed by a Director of Veterans' Service who shall be appointed by the County Executive on the basis of his or her education and experience qualifications to perform the duties of the office, subject to confirmation by the County Legislature, and serve at the County Executive's pleasure. He or she shall have all the powers and perform all the duties now or hereafter conferred or imposed upon him or her by law and perform such other and related duties required by the County Executive or County Legislature.**

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**§ C-99. Director of Residential Health Care Facilities**

B. Powers and duties. The Director shall have and exercise all powers and duties heretofore or hereafter lawfully granted or imposed by this Charter, local law or **resolution of the County Legislature.**

**§ C-117. Director of Employment and Training**

B. Powers and duties. In accord with the requirements of state and local law, he or she shall conduct training programs for dislocated workers and low-income and otherwise disadvantaged adults and youths so as to simultaneously improve their life chances and meet the needs of employers, thus strengthening the County economy. He or she shall have all other powers and perform all other duties now and hereafter conferred or imposed upon him or her by law, and **shall perform such other and related duties required by the County Executive or County Legislature.**

**§ C-118. Director of Tourism**

B. Powers and duties. He or she shall promote all of Ulster County's tourism sites, attractions and events with a view toward strengthening the economy of Ulster County.

He or she shall also have all the powers and perform all the duties now and hereafter conferred or imposed upon him or her by law and **perform other and related duties required by the County Executive and County Legislature**

**§ C-119. Coordinator of Traffic Safety**

B. Powers and duties. The Coordinator shall be responsible for the development and coordination of local programs which promote the safety and efficacy of traffic and transportation, including pedestrian and nonmotorized transport, and shall have all the powers and perform all the duties now and hereafter conferred or imposed upon him or her by law and **perform other and related duties required by the County Executive and County Legislature.**

**§ C-121. Director of the Youth Bureau**

B. Powers and duties. The Director of the Youth Bureau shall have managerial responsibility for the department and, with the advice and assistance of the Youth Board, recommend policies that promote youth development and prevent delinquency, plan and coordinate activities devoted to the well-being and protection of all youth in Ulster County, and expand public awareness of youth issues. He or she shall have all the powers and perform all the duties now and hereafter conferred or imposed upon him or her by law, and **perform such other and related duties required by the County Executive and County Legislature.**

**§ C-124. Director of Community Corrections**

(5) Have charge of and have the duty of performing such other related functions and **other matters** as the County Exec and **Legislature may from time to time \direct.**

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**§ C-126. Safety Officer**

B. Powers and duties. The Safety Officer will assure through inspection, training and education that all County government operations and properties are maintained in a safe and healthful manner in accord with federal, state and County regulations and mandates.

He or she shall have all the powers and perform all the duties now and hereafter conferred or imposed upon him or her by law, and **perform other and related duties required by the County Executive and County Legislature.**

**§ C-127. Insurance Officer**

B. Powers and duties. The Insurance Officer shall:

- (1) Have general charge and responsibility for duties and functions relating to insurance **as delegated to him or her from time to time by the County Executive and County Legislature.**

WHEREAS, to carryout this responsibility, the Ulster County Legislature requires that, officials in this resolution between section §C-42 to §C-127, shall furnish the following information to each of the Ulster County Legislators, ~~prior to~~ **after** submitting their budget, and

WHEREAS, the Government Operations and Efficiency Committee has met and reviewed said request with a majority of the members voting approval, now, therefore, be it

RESOLVED, that the officials referred to in this resolution in sections §C42 to §C127 that have State of New York Mandates in their budgets shall provide to the Ulster County Legislature the following information so that the Legislature can properly perform their duties as elected officials:

- Any mandates as directed by New York State
- The expected deliverables of the mandate
- The cost to fund any mandates in detail
- The outcomes of these deliverables as measured
- How to comply with mandates with a 5%, 10%, 20% cut in funding
- Federal / State monies tied to mandates

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and moves its adoption.

ADOPTED AS AMENDED BY THE FOLLOWING VOTE:

AYES: 19 NOES: 10  
(NOES: Legislators Briggs, Donaldson, Hochberg, Lomita, Loughran, Robert Parete, Rodriguez, Shapiro, Sheeley and Stoeckeler)  
(Absent: Legislators Frey, Richard Parete and Provenzano)  
(Legislator Petit left at 8:00 PM)

Legislator Bernardo motioned, seconded by Legislator Ronk to amend the resolution to change “prior to” in the second to last “WHEREAS”, in the last sentence - change the words “prior to” to “after” as indicated by strikethroughs and bold font in the body of the resolution.

MOTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 20 NOES: 9  
(NOES: Legislators Briggs, Gregorius, Hochberg, Lomita, Robert Parete, Rodriguez, Shapiro, Sheeley and Stoeckeler)  
(Absent: Legislators Frey, Richard Parete and Provenzano)  
(Legislator Petit left at 8:00 PM)

FINANCIAL IMPACT:  
TO BE DETERMINED

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 20<sup>th</sup> day of July, 2010, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 22<sup>nd</sup> Day of July in the year Two Thousand and Ten.

/s/ Karen L. Binder  
Karen L. Binder, Clerk  
Ulster County Legislature

Submitted to the County Executive this  
22<sup>nd</sup> Day of July, 2010.

/s/ Karen L. Binder  
Karen L. Binder, Clerk  
Ulster County Legislature

Approved by the County Executive this  
29<sup>th</sup> Day of July, 2010.

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Michael P. Hein, County Executive