

INTRODUCTORY LOCAL LAW NUMBER 2 OF 2005

COUNTY OF ULSTER

A Local Law Providing For Earlier Submission Of Budget Estimates By County Administrative Units And Authorized Agencies And The Filing Of The Tentative Budget

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

ARTICLE I. GENERAL PURPOSES

The purpose of this Local Law is threefold:

A. To require that the annual submissions of budget estimates from administrative units and authorized agencies be based upon detailed budget justification.

B. To require that the annual submissions of budget estimates from administrative units and authorized agencies be submitted to the Budget Officer on the first day of September.

C. To require that the Budget Officer file the Tentative Budget and Budget Message with the Clerk of the Legislature on the second Friday of October 2005.

D. To require that the Budget Officer file the Tentative Budget and Budget Message with the Clerk of the Legislature on the first day of October 2006 and every year thereafter.

ARTICLE II. STATUTORY AUTHORITY

This Local Law is adopted pursuant to Section 10 of the Municipal Home Rule Law, Section 376 of County Law.

ARTICLE III. PREPARATION AND FORMAT OF ESTIMATES

A. Every administrative unit and authorized agency shall prepare its annual budget submission based upon detailed budget justification.

B. The Budget Officer shall prepare and authorize the format and/or forms to be used by each administrative unit and authorized agency for use in the submission of the unit's or agency's annual budget submission. Such format and/or forms shall adhere to the principles of detailed budget justification and shall be basically uniform for all administrative units and authorized agencies.

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ARTICLE IV. SUBMISSION OF BUDGET ESTIMATES

Section 1. SUBMISSION BY ADMINISTRATIVE UNITS

A. The head of each administrative unit shall submit annually to the Budget Officer on the first day of September, an estimate of revenues and expenditure of such administrative unit for the ensuing fiscal year. If the first day of September falls upon a Saturday, Sunday or legal holiday, then the submission shall be filed on the first weekday following the first day of September. Estimates may be submitted before the first day of September, but they shall not be required to be submitted prior to the first day of September.

B. The estimate for each administrative unit shall be subdivided according to units of organization and shall show the source of revenues and shall itemize the character and object of expenditures.

C. Estimates shall be submitted and shall contain such additional information as the Budget Officer shall prescribe.

Section 2. SUBMISSION BY AUTHORIZED AGENCIES

A. The head of each authorized agency shall submit annually to the Budget Officer on the date fixed pursuant to Article IV, Section 1, Subdivision A of this Local Law, a request for an appropriation for such authorized agency for the ensuing fiscal year.

B. Requests shall be submitted and shall contain such additional information as the Budget Officer shall prescribe.

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Section 3. NOTICE TO ADMINISTRATIVE UNITS AND AUTHORIZED AGENCIES OF SUBMISSION DATE(S)

A. The Budget Officer annually shall notify the head of each administrative unit and authorized agency in writing of the date fixed by and pursuant to Article IV, Section 1, Subdivision A of this Local Law which the estimate of revenues and expenditures or request for an appropriation, as the case may be, must be submitted, and the form of, and information contained in, such estimate or request.

B. Such notice shall not be given less than twenty days prior to such date.

Section 4. FAILURE TO SUBMIT AN ESTIMATE OR REQUEST FOR AN APPROPRIATION

In the event that the head of an administrative unit fails to submit an estimate by the date specified by or fixed pursuant to Article IV, Section 1, Subdivision A of this Local Law, the Budget Officer shall forthwith prepare an estimate for such administrative unit.

ARTICLE V. PREPARATION AND FILING OF THE TENTATIVE BUDGET

Section 1. REVIEW AND INVESTIGATION OF ESTIMATES OF ADMINISTRATIVE UNITS AND REQUESTS FOR AN APPROPRIATION BY THE AUTHORIZED AGENCIES

A. The Budget Officer, upon receipt of the estimates of the various administrative units and the requests for an appropriation of the several authorized agencies, shall proceed to make such review and investigation of such estimates and requests and conduct such Public Hearings of heads of administrative units and authorized agencies, and officers and employees thereof, as she or he deems necessary or appropriate.

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B. The Budget Officer may require the head of any administrative unit or authorized agency, or any officer or employee thereof, to furnish data and information and to answer inquiries pertinent to such review or investigation.

C. Members of the Ulster County Legislature shall be entitled to investigate and make inquiry concerning the estimate of any administrative unit or the request for an appropriation of any authorized agency. Such members shall be entitled to attend all hearings conducted by the Budget Officer pursuant to this section.

D. At least forty-eight (48) hours written notice of such Public Hearing(s) shall be given to the members of the Ulster County Legislature and the public by the Budget Officer, either personally, telephonically or by any other suitable means.

Section 2. PREPARATION OF THE TENTATIVE BUDGET

Upon completion of the review and investigation of the estimates of various administrative units and the requests for an appropriation of the several authorized agencies, the Budget Officer shall prepare a Tentative Budget, accompanied by a Budget Message. She or he shall cause to be printed or otherwise reproduced such number of copies of such Tentative Budget and such message as the County Legislature shall direct.

Section 3. FILING OF THE TENTATIVE BUDGET

The Tentative Budget and the message together with the copies thereof shall be filed by the Budget Officer with the Clerk of the Legislature not later than October 14, 2005 and by the first day of October for every year thereafter. If the first day of October falls upon a Saturday, Sunday or legal holiday, then the Tentative Budget and Budget Message shall be filed on the first weekday following the first day of October. The Tentative Budget and the Budget Message may be filed before the first day of October, but they shall not be required to be filed prior to the first day of October.

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ARTICLE VI. SEPARABILITY AND EFFECTIVE DATE

Section 1. SEPARABILITY

If any clause, sentence, paragraph, section, provision, or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such judgment, decree or order shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment, decree or order shall have been rendered and the remainder of this Local Law shall not be affected thereby and shall remain in full force.

Section 2. EFFECTIVE DATE

This Local Law shall take effect August 1, 2005 or upon filing with the Department of State, whichever is later,

and moves its adoption.

Legislator Stock motioned, seconded by Legislator Lomita to take off the table.

DEFEATED BY THE FOLLOWING VOTE:

AYES: 14 NOES: 16

(AYES: Legislators Bartels, Berardi, Dart, Donaldson, Feldmann, Kraft, Lomita, R.A. Parete, R.S. Parete, Provenzano, Rodriguez, Shapiro, Zimet and Stock)

(Absent: Legislators Hyatt, Loughran and Stoeckeler)

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Legislator Provenzano motioned, seconded by Legislator Berardi to reconsider the vote on the resolution.

MOTION DEFEATED BY THE FOLLOWING VOTE:

AYES: 15

NOES: 15

(AYES: Legislators Bartels, Berardi, Dart, Donaldson, Feldmann, Kraft, Lomita, R.A. Parete, R.S. Parete, Provenzano, Roberti, Rodriguez, Shapiro, Stock and Zimet offer the following:

(Absent: Legislators Hyatt, Loughran and Stoeckeler)

FINANCIAL IMPACT:

NONE