

Local Law No. 2 Of 2014

County Of Ulster

A Local Law Amending Local Law No. 10 of 2008 (A Local Law Adopting An Administrative Code for the County of Ulster, State of New York) To Require Certain Resolutions Approving The Execution Of Contracts And Contract Amendments In Excess Of \$50,000.00 Entered Into By The County For Public Services Be Supplemented With Standardized Information Upon Filing

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

SECTION 1. LEGISLATIVE INTENT AND FINDINGS.

The Ulster County Legislature finds:

1. The public sector's role has increasingly evolved from a direct provider of service to that of a broker of services. The success of this role, overseeing a network of public, private, and not-for-profit organizations to ensure County services, relies on its ability to manage and oversee the entire operation, from project analysis and vendor selection to contracting and procurement.
2. The Ulster County Legislature is the appropriating body of Ulster County. As such it has a fiduciary duty to allocate funds in a fiscally and ethically responsible way with a view towards both the short and long term impacts on the citizens and businesses of Ulster County.
3. Individual Legislators, Committees and the Legislative body as a whole cannot fulfill their legislative duties without specific information as to the impact upon the citizens and businesses of Ulster County.
4. Thorough analysis of Resolutions approving the execution of contracts and contract amendments in excess of \$50,000 entered into by the County for public services enables the Legislature to determine whether the value of an action's positive consequences exceeds the value of the County's resources required to implement the program.
5. While certain analytical metrics may indicate a positive consequence, without annual review and ongoing oversight, implementation costs could surpass the initially estimated benefits.

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6. Pursuant to Ulster County Administrative Code §A-2-9. Resolutions.

“A. Adoption, amendment and repeal. The County Legislature may adopted, amend and repeal resolutions by a majority vote of the whole number of its members. Each resolution shall embrace only one subject and may relate to property or any other subject of County concern not required by the Charter or applicable law to be provided by local law. Resolutions shall not be subject to referenda.

B. Procedure. Except as otherwise provided in the Charter, all procedural details relating to the adoption, amendment and repeal of resolutions shall be as provided in the Administrative Code or applicable law.”

7. Ulster County will be joining Federal, State and local officials throughout the Nation in the implementation of analytical metrics as part of their rule making procedures.

8. The local law should be amended to require standardized supplemental information be included upon filing certain resolutions approving the execution of contracts and contract amendments in excess of \$50,000 entered into by the County for public services.

SECTION 2. Section §A-2-9 (B) of Local Law No. 10 of 2008 is amended to read as follows:

“B. Procedure.

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

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- a. Written justification on why the legislation is being proposed;
- b. A list of any county positions or titles being added or eliminated;
- c. The specific financial impact, including any related cost savings comparisons ;
- d. The environmental impact, if any, of said resolution/contract;
- e. Financial implications on current budget, if any, of said resolution/ contract;
- f. Contracts; and
- g. State aid award letters

Supplemental information submissions shall be limited to contracts or projects receiving 50% or more of county funding and does not apply to contracts that are pass-through contracts with State and Federal funding.

Supplemental information submissions shall not apply to professional service contracts for independent contractors, such as doctors, engineers, accountants, legal services, etc.

Except as otherwise provided in the Charter, all procedural details relating to the adoption, amendment and repeal of resolutions shall be as provided in the Administrative Code or applicable law.”

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SECTION 3. 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 4. EFFECTIVE DATE.

This local law shall take effect immediately upon filing with the New York State Secretary of State.

Adopted by the County Legislature: August 19, 2014

Deemed Approved by the County Executive: September 19, 2014

Filed with New York State Department of State: October 2, 2014