

Proposed Local Law Number 16 Of 2025

County Of Ulster

A Local Law Amending The Ulster County Charter And The Ulster County Administrative Code By Renaming Article XXXVI From Department Of Emergency Communications/Emergency Management To Department Of Emergency Services

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

SECTION 1. LEGISLATIVE INTENT AND PURPOSE.

Pursuant to § C-11 of the Ulster County Charter, the Ulster County Legislature has the power and duty to “make appropriations, levy taxes, incur indebtedness and adopt a budget, including a capital program,” as well as, “create, alter, combine or abolish County administrative units.” Further pursuant to § C-11, the Legislature shall, “fix the compensation of all officers and employees paid from County funds or, for employees not covered by a collective bargaining agreement, to establish salary ranges within which the appointing authority shall have discretion to set the actual salary within the range.”

The Ulster County Executive and Ulster County Legislature find and determine that in order to assure the provision of services to the residents of Ulster County in the most efficient and cost-effective way possible, it is appropriate to rename Article XXXVI from the Department of Emergency Communications/Emergency Management to the Department of Emergency Services.

SECTION 2. Article XXXVI, §C-113 of the Ulster County Charter is hereby amended to read as follows:

§C-113 ~~Director~~ **Commissioner** of Emergency ~~Communications/Emergency Management Services.~~

A. There shall be a Department of Emergency ~~Communications/Emergency Management Services~~ headed by a ~~Director~~ **Commissioner** of Emergency ~~Communications/Emergency Management Services~~ appointed on the basis of their experience and qualifications for the duties of the office by the County Executive to serve at their pleasure, subject to the confirmation by the County Legislature. The Department of Emergency ~~Communications/Emergency Management Services~~ shall be the Office of Civil Defense for the County of Ulster.

Proposed Local Law Number 16 Of 2025

County Of Ulster

A Local Law Amending The Ulster County Charter And The Ulster County Administrative Code By Renaming Article XXXVI From Department Of Emergency Communications/Emergency Management To Department Of Emergency Services

B. Powers and duties. Powers and duties. Except as otherwise provided in the Charter, Administrative Code or state law, the ~~Director~~ **Commissioner** of Emergency ~~Communications/Emergency Management Services~~ shall:

- (1) Have charge and supervision of emergency services dispatching and disaster preparedness;
- (2) Assist the County Executive and the County Legislature as required and directed in fulfilling their responsibilities in the area of disaster preparedness under the Executive Law or any other law, rule or regulation;
- (3) Act in accordance with Civil Service Law, have the authority, direction and control over the department, including the power to appoint and remove all officers and employees of the Department of Emergency ~~Communications/Emergency Management Services~~;
- (4) Have charge and supervision over the preparation of the departmental budget and the expenditure of departmental funds;
- (5) ~~Have responsibility for operation of 911 services~~ **The Emergency Services Commissioner shall be responsible for the operation of the Ulster County Public Safety Answering Point (E-9-1-1 Communications Center);**
- (6) Direct the administrative activities of the Department;
- (7) ~~Have necessary powers and duties of the County Director of Civil Defense as provided by the New York State Defense Emergency Act~~

The Emergency Services Commissioner shall also have the title of "Local Director of Civil Defense" (Emergency Manager) and have power and duties associated with this title as set forth in New York State Unconsolidated Laws § 9122 et seq. Notwithstanding the previous sentence, the Emergency Services Commissioner is authorized to delegate the powers and duties of the Local Director of Civil Defense to a qualified County employee;

Proposed Local Law Number 16 Of 2025

County Of Ulster

A Local Law Amending The Ulster County Charter And The Ulster County Administrative Code By Renaming Article XXXVI From Department Of Emergency Communications/Emergency Management To Department Of Emergency Services

(8) Have charge of and have the duty of performing such other related functions and other matters as the County Executive or the County Legislature may from time to time direct.

(9) The Emergency Response Commissioner shall also have the title of "County Fire Coordinator" and have the powers and duties associated with this title as set forth in New York State County Law § 225-a. Notwithstanding the previous sentence, the Emergency Response Commissioner is authorized to delegate the powers and duties of the County Fire Coordinator to a qualified County employee.

(10) The Emergency Services Commissioner shall also have the title "EMS (Emergency Medical Services) Coordinator" and have the powers and duties associated with this title as set forth in New York State County Law § 223-b. Notwithstanding the previous sentence, the Emergency Services Commissioner is authorized to delegate the powers and duties of the EMS Coordinator to a qualified County Employee.

SECTION 3. Article XXXVI §C-114 of the Ulster County Charter is hereby amended to read as follows:

Deputy ~~or Assistant~~ Commissioners, Directors, and Staff

A. The ~~Director~~ **Commissioner** of Emergency ~~Communications/Emergency Management Services~~ shall have the power to appoint one or more Deputy ~~Directors~~ ~~or Assistant Deputy~~ Commissioners, Directors **and Staff** within the limits of appropriations provided for this purpose.

B. ~~Deputy or Assistant Deputy~~ **Commissioners**, Directors **and Staff** shall perform duties pertaining to the Department of Emergency ~~Communications/Emergency Management Services~~ as the ~~Director~~ Commissioner may require and shall act generally for and in the place of the Director Commissioner, performing other duties as the ~~Director~~ Commissioner of Emergency ~~Communications/Emergency Management Services~~ may assign.

Proposed Local Law Number 16 Of 2025

County Of Ulster

A Local Law Amending The Ulster County Charter And The Ulster County Administrative Code By Renaming Article XXXVI From Department Of Emergency Communications/Emergency Management To Department Of Emergency Services

SECTION 4. Article XXXVI of the Ulster County Administrative Code is hereby amended to read as follows:

Article XXXVI Department of Emergency ~~Communications/Management~~ **Services**

§ A36-1 ~~Director~~ **Commissioner** of Emergency ~~Communications/Emergency Management Services~~; Office of Civil Defense.

*A. There shall be a Department of Emergency ~~Communications/Emergency Management Services~~ headed by a ~~Director~~ **Commissioner** of Emergency ~~Communications/Emergency Management Services~~ appointed on the basis of their experience and qualifications for the duties of the office by the County Executive to serve at their pleasure, subject to the confirmation by the County Legislature. The Department of Emergency ~~Communications/Emergency Management Services~~ shall be the Office of Civil Defense for the County of Ulster. **The Commissioner of Emergency Services shall be vested with authority, direction and control over the Department of Emergency Services, including power to appoint and remove officers and employees within the department.***

*B. Powers and duties. Powers and duties. Except as otherwise provided in the Charter, Administrative Code or state law, the ~~Director~~ **Commissioner** of Emergency ~~Communications/Emergency Management Services~~ shall:*

- (1) Have charge and supervision of emergency services dispatching and disaster preparedness;*
- (2) Assist the County Executive and the County Legislature as required and directed in fulfilling their responsibilities in the area of disaster preparedness under the Executive Law or any other law, rule or regulation;*
- (3) Act in accordance with Civil Service Law, have the authority, direction and control over the department, including the power to appoint and remove all officers and employees of the Department of Emergency ~~Communications/Emergency Management Services~~;*

Proposed Local Law Number 16 Of 2025

County Of Ulster

A Local Law Amending The Ulster County Charter And The Ulster County Administrative Code By Renaming Article XXXVI From Department Of Emergency Communications/Emergency Management To Department Of Emergency Services

(4) Have charge and supervision over the preparation of the departmental budget and the expenditure of departmental funds;

(5) ~~Have responsibility for operation of 911 services~~ The Emergency Services Commissioner shall be responsible for the operation of the Ulster County Public Safety Answering Point (E-9-1-1 Communications Center);

(6) Direct the administrative activities of the Department;

(7) ~~Have necessary powers and duties of the County Director of Civil Defense as provided by the New York State Defense Emergency Act~~

The Emergency Services Commissioner shall also have the title of "Local Director of Civil Defense" (Emergency Manager) and have power and duties associated with this title as set forth in New York State Unconsolidated Laws § 9122 et seq. Notwithstanding the previous sentence, the Emergency Services Commissioner is authorized to delegate the powers and duties of the Local Director of Civil Defense to a qualified County employee;

(8) Have charge of and have the duty of performing such other related functions and other matters as the County Executive or the County Legislature may from time to time direct.

(9) The Emergency Response Commissioner shall also have the title of "County Fire Coordinator" and have the powers and duties associated with this title as set forth in New York State County Law § 225-a. Notwithstanding the previous sentence, the Emergency Response Commissioner is authorized to delegate the powers and duties of the County Fire Coordinator to a qualified County employee.

(10) The Emergency Services Commissioner shall also have the title "EMS (Emergency Medical Services) Coordinator" and have the powers and duties associated with this title as set forth in New York State County Law § 223-b. Notwithstanding the previous sentence, the Emergency Services Commissioner is authorized to delegate the powers and duties of the EMS Coordinator to a qualified County Employee.

Proposed Local Law Number 16 Of 2025

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C. Reports. On or before March 1 of each year, the ~~Director~~ **Commissioner** of Emergency ~~Communications/Emergency Management~~ **Services** shall make an annual report to the County Legislature and County Executive for the immediately preceding calendar year, covering generally the work of the department. The ~~Director~~ **Commissioner** of Emergency ~~Communications/Emergency Management~~ **Services** shall make such other reports at such times as may be required by the County Legislature, County Executive or any applicable law. Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.

§ A36-2 ~~Deputy or Assistant~~ **Commissioners, Directors and Staff.**

A. *The ~~Director~~ **Commissioner** of Emergency ~~Communications/Emergency Management~~ **Services** shall have the power to appoint one or more Deputy ~~Directors~~ *or Assistant Deputy Commissioners, Directors and Staff* within the limits of appropriations provided for this purpose. Every appointment shall be in writing and filed in the Office of the County Clerk and the Clerk of the Legislature.*

B. The term of office of any ~~Deputy Commissioner, Director and staff~~ not classified as competitive under the County's civil service rules, appointed hereunder, shall coincide with that of the ~~Director~~ **Commissioner** of Emergency ~~Communications/Emergency Management~~ **Services** provided that such appointment may be revoked at any time by the ~~Director~~ **Commissioner** by written revocation filed with the County Clerk. Positions of **Deputy Commissioner, Deputy Director** and staff may be in the exempt class of civil service; or in the alternative, the deputy may also be an additional title which may be designated by the ~~Director~~ **Commissioner** for a department staff member.

C. ~~Deputy or Assistant Deputy Commissioner, Directors and staff~~ shall perform duties pertaining to the Department of Emergency ~~Communications/Emergency Management~~ **Services** as the ~~Director~~ **Commissioner** may require and shall act generally for and in the place of the ~~Director~~ **Commissioner**, performing other duties as the ~~Director~~ **Commissioner** of Emergency ~~Communications/Emergency Management~~ **Services** may assign.

Proposed Local Law Number 16 Of 2025

County Of Ulster

A Local Law Amending The Ulster County Charter And The Ulster County Administrative Code By Renaming Article XXXVI From Department Of Emergency Communications/Emergency Management To Department Of Emergency Services

D. The designation of an order of succession for the position of Deputy **Commissioner**, Director **and staff** shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the ~~Director~~ **Commissioner** filing a new written designation of order of succession.

SECTION 5. 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 or Ulster County Administrative Code, which shall remain in full force and effect.

SECTION 6. EFFECTIVE DATE

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