

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
~~City~~ of YATES
~~Town~~
~~Village~~

Local Law No.2..... of the year 19 ..92..

A local law PROVIDING FOR AMENDMENTS TO YATES COUNTY LOCAL LAW NO. 1 OF THE YEAR 1987
(Insert Title)

Be it enacted by the Yates County Legislatureof the
(Name of Legislative Body)

County
~~City~~ of Yates as follows:
~~Town~~
~~Village~~

SECTION 1. LEGISLATIVE INTENT.

The County of Yates, through the County Legislature, recognizes its responsibility in providing an efficient and accountable administrative government that provides for a clear delineation of responsibility and authority between the legislative function of the County Legislature and that of the county government management structure. In accomplishing this, the Legislature is cognizant that county government and the problems that it addresses on a daily basis must be approached from a manageable and concise functional basis. Therefore it is the intent of this Local Law to provide an administrative frame work that will achieve these goals.

SECTION 2. COUNTY ADMINISTRATOR; APPOINTMENT; TERM.

On or after January 1, 1998 there shall be a County Administrator, who shall be appointed by the County Legislature for a term ending December 31, 1990. Thereafter, the County Administrator shall be appointed for a two year term. The County Administrator will be appointed for a one year term ending December 30, 1993, and a one year term ending December 31, 1994. Thereafter, the County Administrator shall be appointed for a two year term. The County Administrator shall be directly responsible to and serve at the pleasure of the County Legislature and shall be a person qualified by formal training in public administration, finance, or related fields, and by experience in an administrative executive position in governmental administration or by equivalent experience and training sufficient to indicate capacity for effective governmental administration. He/she shall be a resident of the county during his/her tenure of office.

SECTION 7. SPECIFIC POWERS AND DUTIES: COUNTY ADMINISTRATOR.

The County Administrator shall:

- (a) Execute and enforce, as authorized by the County Legislature, all Local Laws, legalizing acts, ordinances, and resolutions of the County Legislature and all other acts required by operation of law;
- (b) Attend meetings of the County Legislature, its committees, and such meetings as the legislature may direct and recommend such policies and measures he/she may deem appropriate;

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(c) Prepare in coordination with the Budget Officer and the Treasurer, or his/her designee, the annual budget for all departments, offices, agencies, operations, and programs of the County and shall make recommendation on all budgets submitted for inclusion in the county budget;

(d) Coordinate the preparation of multi-department policies and shall, where necessary, make recommendation to the County Legislature and shall implement necessary administrative policies as may be required to carry out the policies established by the County Legislature;

(e) Perform those specific tasks directed to be performed by him/her by the Legislature through the Standing Committee overseeing the office of County Administrator pursuant to its authority under the legislature's rules. The County Administrator shall not perform specific tasks requested of him/her by any individual legislator or group of legislators;

(f) Prepare resolutions as directed by the Standing Committee overseeing the office of County Administrator;

(g) Will participate when requested by a member of the County Legislature in discussions of issues being considered by the legislature at its meetings;

(h) Conduct regular meetings with department heads and others deemed necessary;

(i) Have the administrative responsibility of approving the organization and staffing within any specific department, or agency or operation subject to his/her direct administrative control and shall have administrative control of other temporary assignments within the same department, agency, or operation or from one department, agency, or operation to another;

(j) Evaluate on an annual basis all department heads, excluding elected department heads, who report directly to him/her and shall make recommendations on annual salaries/benefits;

(k) Participate as authorized by the County Legislature in the conduct of collective bargaining negotiations with employees and shall make recommendations on salaries for department heads and other managerial employees;

(l) Exercise general supervision over all County institutions and agencies, except as otherwise required by law, coordinate the various administrative activities of the county, and unify the management of its affairs or cause all such responsibilities to be executed and performed through the department heads;

(m) Shall perform the ministerial duty of executing contracts in the name of the county, when such contracts have been authorized by resolution of the County Legislature;

(n) Have such other powers and perform such other duties as may now or hereafter be conferred or imposed upon him/her by resolution of the County Legislature;

SECTION 10. DEFINITIONS.

(a) Direct Supervision: As used in this Local Law, this term refers to the situation where there is a specific activity, program, or operation, but the County Legislature has not created a specific department or office to manage it. Typically, there also is not a department head or a person in charge reporting to the County Legislature.

(b) General Supervision: As used in this Local Law, this term refers to the situation where there is an existing formal department or office with a department head who is appointed by the County Legislature and reports to the County Administrator. In these situations, the department head reports to the County Administrator usually on policy matters, major changes or procedures, budgets, personnel matters, and so on. Normally, the department head in this situation is responsible for the day to day running of the department.

SECTION 13. DIVESTURE

Nothing contained in this Local Law shall operate or be construed to divest the Board of Legislature of any of its functions, powers or duties.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 19 92 of the (County)(City)(Town)(Village) of Yates was duly passed by the Yates County Legislature on November 9, 19 92, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19 ____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19 ____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19 ____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19 ____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19 ____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19 ____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 19 ____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19 ____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19 ____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19 ____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19 ____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 19____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the County of _____, State of New York, having been submitted to the electors at the General Election of November _____ 19____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

Martha K. Lattin
Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body

Date: November 16, 1992

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF ~~SENY~~ YATES

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Daniel L...
Signature

County Attorney
Title

County
~~City~~ of Yates
~~Town~~
Village

Date: 11/16/92