Local Law Filing

(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** ☐ **Town** ☐ **Village**
(Select one:)

of SCHOHARIE

Local Law No. 3 **of the year 20**15

A local law SUPERSEDING LOCAL LAW NO. 1 OF 2015 WHICH ESTABLISHED THE POSITION OF
(Insert Title)
COUNTY ADMINISTRATOR FOR THE COUNTY OF SCHOHARIE

Be it enacted by the BOARD OF SUPERVISORS **of the**
(Name of Legislative Body)

☒ **County** ☐ **City** ☐ **Town** ☐ **Village**
(Select one:)

of SCHOHARIE **as follows:**

THIS LOCAL LAW SHALL SUPERSEDE AND REPLACE LOCAL LAW NO. 1 OF 2015 WHICH ESTABLISHED THE POSITION OF COUNTY ADMINISTRATOR FOR THE COUNTY OF SCHOHARIE

FOR TEXT OF LOCAL LAW SEE PAGES WHICH FOLLOW

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

SECTION 1: LEGISLATIVE INTENT .

The Schoharie County Board of Supervisors has recognized the growing complexities of County Government and the resulting need to enhance existing management procedures to better serve the People of Schoharie County. Therefore the County Board of Supervisors intends to create a position of County Administrator so that a full time individual in the role of Chief Operating Officer can provide much needed support and guidance to the County. The County Board of Supervisors has a further desire to increase the overall efficiency and coordination of County Government.

SECTION 2: POSITION OF COUNTY ADMINISTRATOR CREATED.

The Schoharie County Board of Supervisors hereby establishes the position of County Administrator. The County Administrator shall be directly responsible to the County Board of Supervisors and shall perform the functions of the chief administrator of the County on behalf of the County Board of Supervisors, although the County Board of Supervisors shall retain the final administrative authority.

SECTION 3. APPOINTMENT AND TERM OF OFFICE

The County Administrator shall be appointed by the Board of Supervisors and shall serve a term of two years at the pleasure of the Board of Supervisors. In the event of a vacancy in office, the County Board of Supervisors shall appoint a person to fill the position for the remainder of the unexpired term. The County Administrator shall be reviewed annually by the Board of Supervisors, or a committee designated by them.

SECTION 4. QUALIFICATIONS

At the time of appointment the County Administrator shall possess the following qualifications:

1. Possess a Bachelor's degree in Business Management or Public Administration from a regionally accredited or New York State registered college or university and have ten years of full-time paid experience in public, business or industrial enterprise including a minimum of five years in public administration, or, possess a Master's Degree in Business Management or Public Administration from a regionally accredited or New York State registered college or university with five years of full-time paid experience in public, business or industrial enterprise including a minimum of three years in public administration.

2. The County Administrator shall not be permitted to hold any other public office other than that of County Administrator.

3. The appointee need not be a resident of Schoharie County at the time of appointment but shall become one within 120 days of accepting the appointment. Failure to become a Schoharie County resident and to remain so during his or her term shall be cause for dismissal by the Schoharie County Board of Supervisors.
4. The Board of Supervisors shall appoint on the basis of these qualifications and on the basis of additional qualifications that the Board of Supervisors may establish from time to time.

SECTION 5. SALARY

The County Administrator shall receive an annual salary to be fixed by the Board of Supervisors.

SECTION 6. POWERS AND DUTIES OF THE COUNTY ADMINISTRATOR

The County Administrator shall be responsible for the overall administration of County government, as directed by the Board of Supervisors or pursuant to policies adopted by the Board of Supervisors. The County Administrator shall have all of the powers necessary to perform the duties assigned to the position and all of the powers necessary and incidental thereto. By way of illustration and not limitation, the County Administrator shall have the following powers, without curtailing, diminishing, or transferring the powers of any other elected or appointed position:

1. Be the Chief Operating Officer and administrative head of Schoharie County government carrying out and executing the policy and directives of the Board of Supervisors.
2. Serve as an advisor to the Board of Supervisors and develop policy and procedural recommendations for consideration by the Board which will promote economy and efficiency in the operation of County government.
3. Undertake administrative and management studies and submit to the Board of Supervisors reports and recommendations regarding governmental operations as he or she may deem appropriate or as the Board may request.
4. To aid the Board of Supervisors in evaluating proposals presented to it and make recommendations concerning such proposals.
5. To appoint such office staff as is authorized and approved by the Board of Supervisors.
6. Attend all Board of Supervisors committee meetings and full Board meetings and assist the committees and Board by making recommendations and evaluate proposals presented to it.

7. Participate with the Board of Supervisors Personnel Committee and the full Board in the review and selection process for filling Department head vacancies. Final decision on appointments will rest solely with the Board.
8. As directed by the Board of Supervisors, serve as a liaison between the Board and the boards, commissions, advisory committees established by the Board, political subdivisions, state and federal officials, and agencies.
9. Conducts special investigations as may be required by the Board of Supervisors of County department and operations.
10. To have the general supervision of all County Departments heads and agencies, except as otherwise required by law. All Department and Agency heads shall be responsible to and report to the County Administrator, with the exception of the Clerk of the Board of Supervisors, who shall in conjunction with the appropriate oversight committee make recommendations to the Board of Supervisors.
11. Conducts periodic meetings of Department heads for the purpose of providing effective communications and efficient County operational procedures.
12. To work with each Department to develop an annual plan for the most effective and efficient operation of County government.
13. Ensure all Department heads are aware and kept abreast of all developments, which would have a potential impact to the individual departments.
14. To work in conjunction with the activities of County Department heads and the administration of all units of County government in order to most efficiently apply the directives of the Board of Supervisors and fostering a cross Department awareness of County strategy and goals.
15. The County Administrator shall annually review the job performance of each Department head, not including the elected Department heads and the Clerk of the Board of Supervisors, and report to the respective oversight committee and County Board of Supervisors.
16. Establish appropriate budgetary controls to promote the effective, efficient and economical management of appropriated funds.
17. To initiate, lead, administer and oversee the collective bargaining process in County negotiations with organized employee organizations. Serve as the Director of Labor Relations to attempt to resolve grievances prior to advancing to the next steps in the process while representing the interests of the County.
18. Execute and approve contracts, in the name of the County, up to an amount and process directed by the Board of Supervisors subject to the approval of the County Attorney as to form and legality, and subject to the rules and regulations of the Board and applicable laws.
19. To have such other powers and carry out such other duties as may now or hereafter be conferred or imposed upon him or her by the Board of Supervisors.

SECTION 7. Severability

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

SECTION 8. Effective Date

This Local Law shall take effect immediately upon the filing with the Secretary of State.

(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. 3 of 2015 of the (County)~~(City)(Town)(Village)~~ of Schoharie was duly passed by the Board of Supervisors on March 31 2015, 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 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)
(Name of Legislative Body)
(repassed after disapproval) by the _____ and was deemed duly adopted
(Elective Chief Executive Officer)*
on _____ 20[ ][ ], in accordance w ith the applicable provisions of law.

3. (Final adoption by referendum.)
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)
(Name of Legislative Body)
(repassed after disapproval) by the _____ on _____ 20____.
(Elective Chief Executive Officer)*

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 _____ 20____, in accordance with the applicable provisions of law.

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 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)
(Name of Legislative Body)
(repassed after disapproval) by the _____ on _____ 20____. Such local
(Elective Chief Executive Officer)*
law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

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* 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 chairperson 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 20_____ 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 _____ 20_____, 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 20_____ of the County of _____State of New York, having been submitted to the electors at the General Election of November _____ 20_____, 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 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 _____ above.

Sheryl Dargitean
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

(Seal)

Date: 4/2/15