

Confirming Appointment Of Carol M. Smith, MD, MPH As Commissioner Of Health And Commissioner Of Mental Health

Referred to: The Health and Personnel Committee (Chairman Aiello and Legislators Belfiglio, Ronk, Robert Parete and Provenzano) and The Ways and Means Committee (Chairman Gerentine and Legislators Harris, Maio, Maloney, Gregorius, Provenzano and Rodriguez)

Legislator Robert Aiello, Chairman of the Health and Personnel Committee and David B. Donaldson offer the following:

WHEREAS, pursuant to Section C-41(A) of the Ulster County Charter and Section A5-1(A) of the Administrative Code: *“There shall be a Department of Health, headed by a Commissioner of Health or a Public Health Director and Medical Consultant. The Commissioner of Health or Public Health Director shall meet the qualifications for this position specified in the New York State Public Health Law and Sanitary Code. In addition, he or she shall be a licensed physician with experience in public health. He or she shall be appointed by the County Executive in consultation with the Board of Health and with confirmation by the County Legislature and serve at his or her pleasure, except that if either the Commissioner of Health or Public Health Director is appointed for a fixed term of years pursuant to a provision of state law, he or she may only be removed for cause after written notice of charges and an opportunity to be heard,”* and

WHEREAS, pursuant to Section C-44(A) of the Ulster County Charter and Section A6-1(A) of the Administrative Code: *“There shall be a Department of Mental Health, headed by a Commissioner of Mental Health. The Commissioner of Mental Health shall be experienced in public mental health administration and meet the qualifications for this position as specified in the New York State Mental Hygiene Law and/or by the State Commissioner of Mental Hygiene. He or she shall be appointed by the County Executive in consultation with the Community Services Board and with confirmation by the County Legislature and serve at his or her pleasure;”*; and

WHEREAS, pursuant to Section C-26(G) of the Ulster County Charter and Section A3-5(G) of the Administrative Code: *“The County Executive may appoint one person as head of two or more departments or other administrative units or may serve himself or herself as the head of one or more administrative units or departments, subject to all requirements in the Charter and/or law as to qualifications,”* and

WHEREAS, the County Executive has appointed Carol M. Smith, MD, MPH, as Commissioner of Health and Commissioner of Mental Health pending approval by the applicable New York State departments; this appointment shall begin on May 7, 2012, now, therefore, be it

Resolution No. 115 May 15, 2012

**Confirming Appointment Of Carol M. Smith, MD, MPH As
Commissioner Of Health And Commissioner Of Mental Health**

RESOLVED, that the Ulster County Legislature hereby confirms the appointment of Carol M. Smith, MD, MPH, as Commissioner of Health and Commissioner of Mental Health, pending approval by the applicable New York State departments; this appointment shall begin on May 7, 2012,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Fabiano and Provenzano)

Passed Committee: Health and Personnel Committee on April 30, 2012

Passed Committee: Ways and Means Committee on May 8, 2012

FINANCIAL IMPACT:

\$150,015.00 – 2012 BUDGETED ANNUAL SALARY

\$ 10,000.00 – 2012 BUDGETED MENTAL HEALTH STIPEND

0508

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 15th day of May, 2012, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 17th Day of May in the year Two Thousand and Twelve.

Karen L. Binder, Clerk
Ulster County Legislature

Submitted to the County Executive this

17th Day of May, 2012.

Approved by the County Executive this

_____ Day of May, 2012.

Karen L. Binder, Clerk
Ulster County Legislature

Michael P. Hein, County Executive