

Local Law Number 5 Of 2007

County Of Ulster

A Local Law To Create A Department Of Public Works For The County Of Ulster Pursuant To Section 10 Of The Municipal Home Rule Law

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

SECTION 1. ESTABLISHMENT OF DEPARTMENT

- [a] There is hereby created a Department of Public Works the head of which shall be the Commissioner of Public Works who shall be appointed on the basis of his experience and qualifications for the duties for the office by the County Legislature. The term of office of the first Commissioner of Public Works to be appointed under this local law shall extend to and expire on December 31, 2008, and thereafter, the term of office of such Commissioner shall be two years, expiring on the 31st day of December of each even numbered year.
- [b] There is hereby abolished the Departments of Highways and Bridges and Buildings and Grounds of the County of Ulster.

SECTION 2. COMMISSIONER OF PUBLIC WORKS – POWERS AND DUTIES

The Commissioner of Public Works shall:

- [a] Have all powers and duties of a County Engineer and a County Superintendent of Highways, pursuant to the Highway Law or other applicable law;
- [b] Have such powers and duties in relation to County facilities for drainage, flood control, sanitation, sewage, or water supply as may be prescribed by the County Legislature;
- [c] Furnish engineering and other services to the County Legislature, the Department of Planning and other County departments as authorized;

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- [d] Have charge of and have the duty of performing such other functions concerning County real and personal property, public works and other matters as the County Legislature may, from time to time direct.
- [e] Have charge and supervision of routine maintenance and repair of equipment, storage buildings and facilities used by the Department, including highway sub-stations, and all parking areas serving these facilities;
- [f] Have charge and supervision of the design, construction and alteration of County buildings, parking fields and lots, drive, walks, preserves, beaches, and other structures and facilities under the jurisdiction of the County;
- [g] Have charge and supervision of maintenance, repair and alteration of buildings owned or leased by the County, parking fields and lots, drives, walks, preserves, beaches and other public structures and facilities under the jurisdiction of the County;
- [h] Have the authority to appoint and remove all officers and employees of the Department of Public Works.

SECTION 3. DEPUTIES AND DIVISIONS.

- [a] The Commissioner of Public Works shall have the power to appoint one or more Deputy Commissioners of Public Works within the limits of appropriations, therefore. Every appointment of a Deputy shall be in writing filed and recorded in the Office of the County Clerk.

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- [b] The term of Office of any Deputy appointed hereunder shall coincide with that of the Commissioner of Public Works, provided that any such appointment may be revoked at any time by the Commissioner of Public Works by written revocation filed with the County Clerk. All positions of Deputy Commissioner shall be in the exempt class of the Civil Service.
- [c] Deputy Commissioner of Public Works shall perform such duties pertaining to the Office of Public Works as the Commissioner of Public Works may direct and shall act generally for and in place of the commissioner and perform such other and further duties as the commissioner may assign and direct.
- [d] If there be but one Deputy Commissioner of Public Works, he shall be the First Deputy Commissioner of Public Works. If more than one Deputy Commissioner of Public Works is appointed, the County Commissioner of Public Works shall designate one of them as First Deputy Commissioner of Public Works in a writing filed in the Office of the County Clerk and the Clerk of the Legislature.
- [e] The Commissioner of Public Works may, with the approval of the County Legislature, set up and establish appropriate divisions of the Department of Public Works as well as the responsibilities thereof and name a Deputy to head any such division.
- [f] The First Deputy Commissioner of Public Works shall be the Acting Commissioner of Public Works in the event of the Commissioner's absence from the County or inability to perform and exercise the powers and duties of the office. In the event of the First Deputy Commissioner's inability to serve as Acting Commissioner, the Chairman, with the

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approval of the Legislature, shall appoint an Acting Commissioner. In no event, may a person serve as Acting Commissioner for a period greater than sixty days unless authorized by the Legislature. The Acting Commissioner shall have all the powers and duties of the Commissioner during the period of his designation or until a new Commissioner of Public Works shall be appointed pursuant to law and shall qualify to assume that office.

SECTION 4. EFFECTIVE DATE. This Local Law shall take effect upon the appointment by the Ulster County Legislature of a Commissioner of Public Works by resolution adopted subsequent to the date of adoption of this Local Law, effective July 16, 2007, and compliance with the requirements of law.