

1990-8

(Please Use this Form for Filing your 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~~ of Chenango.....
~~VILLAGE~~

Local Law No.8..... of the year 19 90.....

A local law ...Relative To The Establishment of Chenango County Department of Waste
Management As A Principal Unit of County Government ^(Insert title)

Be it enacted by theChenango County Board of Supervisors..... of the
(Name of Legislative Body)

County
~~CITY~~
~~TOWN~~ ofChenango..... as follows:
~~VILLAGE~~

CHENANGO COUNTY
ADOPTED LOCAL LAW NO. 8 OF 1990

A LOCAL LAW RELATIVE TO THE ESTABLISHMENT OF CHENANGO COUNTY DEPARTMENT OF WASTE
MANAGEMENT AS A PRINCIPAL UNIT OF COUNTY GOVERNMENT.

Mr. Maroney offered the following and moved its adoption.

Be it enacted by the Chenango County Board of Supervisors as follows:

Section 101. Title. This local law shall be known as the "Chenango County Department
of Waste Management Law".

Section 102. Authority. This law is enacted pursuant to Section 10 of the Municipal
Home Rule Law, Section 400 of the County Law, and Section 35 of the Civil Service Law.

Section 103. Findings and Intent.

1. The Chenango County Board of Supervisors declares that the reduction and
disposal of solid waste in an environmentally sound and financially efficient manner
is a major objective of County Government so as to protect the social and economic well
being of its present citizens and future generations.

2. The County continues to address the critical problem of solid waste management
through the Department of Waste Management which was initially created by Resolution
#202-88 of the Board.

3. The County has embarked on a multi-million dollar effort to site, build and
operate a state-of-the-art landfill; is about to assume operation of existing refuse
district landfills; has by local law adopted a county-wide recycling program; and
otherwise undertaken major financial and legal obligations to address the solid waste
crisis.

4. The Department of Waste Management as of January 1, 1991, will expand to a
work force of in excess of twenty-five employees.

5. It is necessary and desirable to codify the functions, duties and
responsibilities of the Department of Waste Management and the head of said Department.

(If additional space is needed, please attach sheets of the same size as this and number each)

Section 201. Department Objectives.

The Department of Waste Management shall have the following objectives:

1. Operate existing County controlled landfills in an efficient and environmentally sound manner for the benefit of the people of Chenango County;
2. Provide for and administer recycling and source separation programs to reduce the waste stream volume and maximize the reuse of materials;
3. Site, build and operate a state of the art landfill within the County in conformity with applicable statutory and regulatory mandates;
4. Advocate County positions and policies with the New York State Department of Environmental Conservation and similar regulatory agencies;
5. Educate the public on proper waste management techniques and requirements;
6. Perform other related tasks as directed by the Chenango County Board of Supervisors.

Section 301. Director of Waste Management.

The Department of Waste Management shall be administered by a Director who shall be appointed by and serve at the pleasure of the Chenango County Board of Supervisors. Said Director shall be the Administrative head of said Department and shall be in the unclassified service for the purposes of the Civil Service Law.

Section 302. Director's General Powers.

The Director of Waste Management, as the head of a principal department of County government, shall have certain powers including but not limited to:

1. Authority to appoint and remove officers and employees within the Department of Waste Management;
2. General administrative supervision, direction and control over the department, its officers and employees, and all operations undertaken by the Department;
3. Advising the Board of Supervisors and the appropriate Committee thereof on waste management issues so as to enable the Board to make informed policy determinations;
4. Implementing County programs and policies with regard to all facets of solid waste management, subject to the direction of the Board of Supervisors and the appropriate committee thereof, including, but not limited to, contract negotiations, advocacy of County programs with the Department of Environmental Conservation, landfill siting activity and similar high level and sensitive activities.
5. Preparation and monitoring of the Department's operating and/or capital budgets;
6. Performing such additional and related duties as may be prescribed by the Chenango County Board of Supervisors.

Section 401. Savings.

If any part of this local law is found to be illegal by a court of competent jurisdiction, the remaining parts hereof shall remain in full force and effect.

Section 402. Effect.

This law shall be effective immediately.

Seconded by Mr. Crouch

Results of a roll call vote were: Yes-2,109, No-0, Absent-179, Deceased-183

Absent: Supervisors Briggs and Kelly

Deceased: Supervisor Maltzan

The Chairman declared the Local Law duly adopted.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein 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. ...8... of 19 90...
County
of the City of ...Chenango... was duly passed by the .Chenango County Board of Supervisors
Town
Village
(Name of Legislative Body)
on ...November 8,..... 19 90... in accordance with the applicable provisions of law.

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

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

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

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

*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 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 ~~§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.

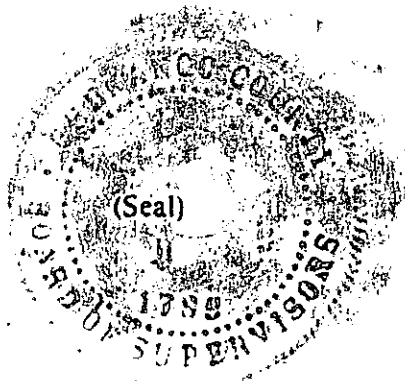
6. (County local law concerning adoption of Charter.)

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 above.

James M. White
Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: November 15, 1990



Chenango County, SS
Recorded on this 15th Day
of November 1990 at 3:44
o'clock P. M. in Liber 1 of
Local Laws
at Page 90 and examined
Paul D. Madal Clerk

(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 ..Chenango.....

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.

Richard W. Bush
Signature
County Attorney
Title

Date: November 15, 1990

County
~~City~~
~~Town~~
~~Village~~ of Chenango.....