

2007-2

NEW YORK STATE DEPARTMENT OF STATE  
41 STATE STREET  
ALBANY, NY 12231

### 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 of Chenango
- Town
- Village

Local Law No. 2 of the year 20 07

A local law ESTABLISHING THE DEPARTMENT OF PUBLIC FACILITIES AS A PRINCIPAL UNIT  
(Insert Title)  
OF COUNTY GOVERNMENT

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

- County
- City of Chenango as follows:
- Town
- Village

The Personnel Committee offered the following and moved its adoption:

STATE OF NEW YORK  
COUNTY OF CHENANGO  
ADOPTED LOCAL LAW NO. 2 OF 2007

A LOCAL LAW ESTABLISHING THE DEPARTMENT OF PUBLIC FACILITIES AS A PRINCIPAL UNIT OF COUNTY GOVERNMENT

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 Public Facilities Law".

Section 102. Authority.  
This law is enacted pursuant to Article IX of the New York State Constitution, Statute of Local Governments, Municipal Home Rule Law, Article 5 and Section 400 of 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 operations and

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

protection and maintenance of County public lands, buildings and surrounding grounds and improvements there to is of vital importance to the proper functioning of Chenango County government.

- (2) The Board further declares that the establishment of a Department of Public Facilities as a principal unit of Chenango County government is necessary to adequately recognize the importance of the responsibilities and duties of the Department.
- (3) It is the intent of this local law to transfer to the new Department of Public Facilities the responsibilities and duties heretofore exercised by the Buildings and Grounds unit of Chenango County government. This local law shall not apply to the buildings, properties, facilities and equipment presently under the control and responsibility of the Department of Public Works relating to highways and solid waste facilities or to the Lt. Warren E. Eaton /Chenango County Airport under the oversight of the Airport Administrator.

#### Section 200. Department Objectives.

The objectives of the Department of Public Facilities shall include the following:

- (1) Preservation and maintenance of all County owned and/or operated public buildings and surrounding grounds, public land and public facilities;
- (2) Long term planning for the future protection and use of public buildings and surrounding grounds, public lands, and public facilities which shall include anticipating the projected space needs of County departments and personnel;
- (3) Coordinating the use of public facilities to maximize efficiencies and shared services to facilitate the efficacious operation of public officials and employees and service to the public;
- (4) Assisting other County departments and units of County government relative to the physical plant housing and support services in achieving their missions of public service.
- (5) Performing such other services and tasks as directed by the Board of Supervisors and Standing Committees thereof;
- (6) Holistically managing the physical resources of the Department.

#### Section 300. Director of Public Facilities.

The Department of Public Facilities shall be administered by a Director of Public Facilities who shall be appointed by, and serve at the will and pleasure of the Chenango County Board of Supervisors. The Director of Public Facilities shall serve as the administrative head of the Department of Public Facilities and shall be vested with authority direction and control over the Department of Public Facilities, and shall also be vested with the power and authority to appoint and remove officers and employees of the Department of Public Facilities.

The position of Director of Public Facilities shall report directly to the Chenango County Board of Supervisors and any assigned Standing Committee thereof. The position of Director of Public Facilities shall be in the unclassified service of Civil Service.

#### Section 400. Director's General Powers.

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

- (1) Authority to appoint and remove officers and employees within the Department of Public Facilities;
- (2) General administrative supervision, direction, and control over the Department, its officers and employees, and all operations undertaken by the Department pursuant to direction of the Board of Supervisors;
- (3) Advising and reporting to the Board of Supervisors and the appropriate Committee or Committees thereof;

(2)

- (4) Formulating current and long range plans to utilize County physical plant resources to meet the operational needs of the County, its officials, and employees;
- (5) Preparing and monitoring expenditures from the Department's operating and/or capital budgets;
- (6) Performing such additional and related duties as may be prescribed by the Board of Supervisors.

**Section 500. Savings Clause.**

Should any provision of this Local Law be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid and the remaining parts thereof shall remain in full force and effect.

**Section 600. Effective Date.**

This local law shall be effective immediately upon its filing with the Secretary of State in accordance with the Municipal Home Rule law.

Seconded by Mr. Iannello

Results of a Roll Call vote were: Yes-2175, No-0, Absent-226

Absent: Supervisors Blanchard and Conley

The Chairman declared the Local Law duly adopted

(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. \_\_\_\_\_ of 20 \_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_, 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) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20 \_\_\_\_\_, 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 20 \_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_ and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_.  
(Name of Legislative Body)  
(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. 2 of 20 07 of the (County)(City)(Town)(Village) of Chenango was duly passed by the Board of Supervisors on 10/09 20 07, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of 10/16 20 07, 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 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.)

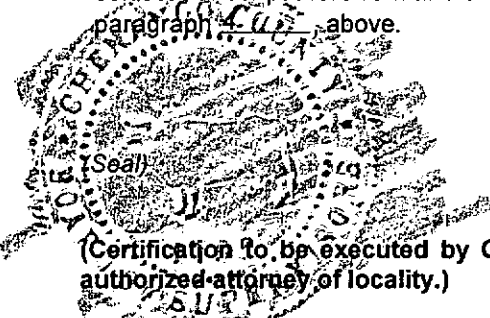
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority 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 4 above.



*[Signature]*  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 10/16/07

(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.

*[Signature]*  
Signature  
County Attorney  
Title

County \_\_\_\_\_  
City of Chenango  
Town \_\_\_\_\_  
Village \_\_\_\_\_

Date: October 16, 2007

Chenango County, SS  
Recorded on this 17<sup>th</sup> Day  
of October 2007 at 8:34  
o'clock A.M., in Liber 1 of  
Local Laws  
at Page 353 and examined  
Mary C. Weidman Clerk