

Rensselaer County Charter

Revised: March 2021



Steve McLaughlin
Rensselaer County Executive



Kelly Hoffman
Chairwoman of the Legislature

RENSELAER COUNTY CHARTER

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PREAMBLE

Pursuant to Local Law #2 of the Year 1984, whenever the word "he" appears in this Charter, it shall be interpreted as having been written "he/she". Whenever the word "his" appears in this Charter, it shall be interpreted as having been written "his/her". Whenever the word "Chairman" appears in this Charter, it shall be interpreted as having been written "Chairperson".

Article 1

GOVERNMENT OF RENSSELAER COUNTY

Sections

1.00 Title

1.01 Purpose

1.02 Continued Status and Powers

1.03 Effect on State Laws

1.04 Existing Legislation Continued

Section 1.00 Title. This Charter together with all subsequent amendments hereto shall constitute the form of government for the County of Rensselaer and shall be known and may be cited as the Rensselaer County Charter.

Section 1.01 Purpose. Among the purposes of this charter are: the accomplishment of greater efficiency, economy and responsibility in county government; the securing of all possible county home rule; and, the separation of legislative and executive functions.

Section 1.02 Continued Status and Powers. The County of Rensselaer shall continue to be a municipal corporation and shall have all the powers and perform all the duties now or hereafter conferred or imposed upon it by this Charter or applicable law, together with all rights, privileges, functions and powers necessarily implied or incidental thereto.

Section 1.03 Effect on State Laws. Any State Law which is inconsistent with this Charter shall be superseded by the provisions hereof to the extent of its inconsistency, except where supersession is restricted by State Law.

Section 1.04 Existing Legislation Continued. Except to the extent to which they may be inconsistent with the provisions of this Charter, all existing laws, resolutions, rules and regulations heretofore adopted, shall continue in force and effect until amended, superseded or repealed as provided herein.

Article 2

COUNTY LEGISLATURE

Sections

- 2.00 Reserved for future use
- 2.01 Governing Body
- 2.02 Election of Members
- 2.03 Qualifications
- 2.04 Vacancies
- 2.05 Organization Meeting
- 2.06 Rules of Procedure
- 2.07 Powers and Duties
- 2.08 Confirmation of Appointments
- 2.09 Structure of Salaries for Members of the County Legislature.
- 2.10 Taping and Broadcast of Legislative Meetings.
- 2.11 Maintenance of a Website of the Rensselaer County Legislature.
- 2.12 Committee on Open Government.

Section 2.00 Reserved for future use.

Section 2.01 Governing Body. There shall be a County Legislature which shall be the governing and policy making body of the County Government. It shall be comprised of not more than twenty-one (21) members, elected from the various legislative districts of the County in accordance with the provisions set forth in Article 17 of this Charter and titled "Legislative Apportionment".

Section 2.02 Election of Members. Members of the County Legislature shall be elected at the General election in odd-numbered years for terms of four (4) years commencing with the General election for the year 1973 pursuant to the provisions set forth in Article 17 of this Charter and titled "Legislative Apportionment".

Section 2.03 Qualification. Each member shall, at the time of his or her nomination and election and throughout his or her term of office, be and remain a qualified elector of the district from which he or she is elected. Members shall be allowed, during the term of office, to simultaneously serve on local town boards as Town Councilpersons/Board Members, excluding Town Supervisors.

Section 2.04 Vacancies. A vacancy, from any cause, other than by expiration of terms, in the membership of the County Legislature shall be filled by a majority vote of the remaining members thereof.

1. Any person chosen to fill a vacancy shall be a qualified elector of the district within which such vacancy exists.
2. In the event of a tie vote in filling a vacancy, the Rensselaer County Executive shall cast the tie-breaking vote.
3. Any member chosen to fill a vacancy shall take office immediately upon qualifying therefore, and shall serve until the first day of January next following the first election at which the vacancy can be filled after the creation of the vacancy.

Section 2.05 Organization Meeting. On the first secular day of January in even numbered years following the election of members to the County Legislature in odd numbered years, such members shall meet and organize by choosing a Chairman from among its members; a Legislative Clerk and such other aides and personnel as they shall deem necessary. The Chairman shall serve for a four-year term and all other appointees shall serve at the pleasure of the Legislature unless a different term is specified in this Charter.

Section 2.06 Rules of Procedure. The County Legislature shall adopt rules for the organization and conduct of its affairs, including but not limited to the following:

1. Time of regular meetings, which shall be held at least once in each month.
2. Time and conditions for the call of special meetings.
3. Any other matters necessary to its orderly procedure.

Section 2.07 Powers and Duties. Except as otherwise provided in this charter, the County Legislature shall have and exercise all such powers and duties conferred on the Rensselaer County Legislature, or generally conferred on County Legislatures in the State of New York by applicable law, and all powers necessarily incidental thereto, and shall for the purposes of general laws conferring powers upon County Legislatures be a County Legislature.

The County Legislature shall have, but not by way of limitation, the following powers and duties:

1. To adopt by resolution all necessary rules and regulations for its conduct and procedure in accordance with Section 153 of the County Law.
2. To make appropriations, incur indebtedness and adopt the budget.
3. To levy taxes, provided, however, that except as otherwise required by law the net cost of all general services rendered or made available by the county to the entire county shall be a charge against the entire county, and provided further that the net cost of all special services rendered or made available by the county to one or more municipalities or special districts within such county shall be a charge against such municipalities or special districts or the taxpayers or taxable real property thereof.
4. To equalize real property taxes on the basis of information supplied by the New York State Board of Equalization and Assessment, various municipalities within the County of Rensselaer and various County Administrative units, pursuant to the applicable provisions of Article 9 of the Real Property Tax Law of the State of New York.
5. To exercise all powers of local legislation in relation to enacting, amending or rescinding local laws, charter laws, legalizing acts or resolutions.
6. To adopt, amend, and repeal by local law an administrative code which shall set forth the details of administration of the County government consistent with the provisions of this Charter and which may contain revisions, simplifications, consolidations, codifications and restatements of special laws, local laws, resolutions, rules and regulations consistent with this Charter or amendments thereto.
7. To create, alter, combine or abolish County Administrative units not headed by elective officers.
8. To fix the compensation of all officers and employees paid from County Funds, except that the compensation of any official whose salary is governed by State Law for the term of his office, shall not be increased or decreased during the term of office except as permitted by State Law.
9. To make or cause to be made such studies, audits and investigations as it deems to be in the best interest of the County, and in connection therewith to obtain professional and technical advice, appoint temporary advisory boards of citizens, subpoena witnesses, administer oaths and require the production of books, papers and other evidence deemed necessary or material to such study, audit or investigation.

10. To appoint or confirm, as the case may be, such officers and employees as provided in this Charter, by State Law, or by resolution, or local law.
11. To fix the amount of bonds of officers and employees paid from County funds.
12. To designate at its organizational meeting, one or more newspapers published within the County for the publication of all enactments, notices and other matter required by law to be published.
13. To designate one or more depositories for the deposit of all monies received by the Chief Fiscal Officer and specify the maximum amount which may be kept on deposit at any one time in each depository.
14. To determine and make provision for any matter of County Government not otherwise provided for, including but not restricted to any necessary matter involved in the transition to this Charter form of Government.

Section 2.08 Confirmation of Appointments. Confirmation of appointments when required shall be by affirmative vote of a majority of the whole number of members of the County Legislature, taken at a regular or special meeting. In the event the Legislature has neither confirmed nor rejected an appointment for 2 regular meetings of the Legislature, after notice of such appointment shall have been filed with the Clerk of said Legislature, such appointment shall be deemed to be confirmed.

Section 2.09 Structure of Salaries for Members of the County Legislature. There shall be an annual salary for members of the County Legislature of \$20,000 for each member of the Legislature, \$25,000 for Vice Chairman of the Legislature, Vice Chairman of the Legislature for Finance, Majority Leader and Minority Leader, and \$30,000 for Chairman of the Legislature.

Section 2.10 Taping and Broadcast of Legislative Meetings. The regular monthly meetings of the Rensselaer County Legislature shall be videotaped, with an accompanying audio feed, with the interest of broadcasting the regular monthly meetings of the Legislature within the same calendar month on cable television stations generally accessible to the residents of the county, and the Legislature shall make a good faith effort to secure the agreement of cable television stations for these broadcasts. Videotapes of the regular meetings of the County Legislature shall be maintained in accordance with the provisions of the New York State Freedom of Information Law.

Section 2.11 Maintenance of a Website of the Rensselaer County Legislature. The Rensselaer County Legislature shall maintain an individual website commonly accessible to Rensselaer County residents through the Internet. The website will be maintained and operated with input from the Majority and Minority offices and will include notices of meetings, posting of agendas, press releases, biographical information regarding legislators, e-mail access to all legislators, with information and content of a non-partisan nature, along with links to other government, community and related websites beneficial to or of interest to the public.

Section 2.12 Committee on Open Government. The Legislature shall establish a Committee on Open Government, with the committee responsible for periodic review of public access to legislative operations, maintenance of public records of the Rensselaer County Legislature, public outreach efforts of the County Legislature and upgrades in technology and communications equipment that are beneficial to the people of Rensselaer County. The committee shall include three members appointed by the Chairman of the Legislature and two members appointed by the Minority Leader. The committee shall be a standing committee required to meet to review any proposed legislation regarding public access to the operations of the Legislature, and meet at least once annually to review public access to the Legislature.

Article 3

COUNTY EXECUTIVE

Sections

- 3.00 Chief Executive Officer
- 3.01 Election and Qualifications
- 3.02 Acting County Executive
- 3.03 Powers and Duties
- 3.04 Appointing Powers
- 3.05 Appointment Procedure
- 3.06 Executive Approval

Section 3.00 Chief Executive Officer. There shall be a County Executive, who shall be the Chief Executive Officer, responsible for the proper administration of all County affairs placed in his charge by law or under any of the provisions of this Charter.

Section 3.01 Election and Qualifications. The County Executive shall be a qualified elector of Rensselaer County at the time of his election and he shall remain a qualified elector of Rensselaer County throughout his term of office. His term of office shall be four (4) years and he shall run for office concurrently with the Legislature. During his tenure as County Executive he shall hold no other paid public or paid political office, except as herein provided. He shall be paid a minimum salary of \$27,500.00 per annum.

Section 3.02 Deputy County Executive. Within thirty (30) days of his qualifying for office, the County Executive shall appoint, subject to confirmation by the County Legislature, a Deputy County Executive to perform such duties as may be assigned to him by the County Executive. During the absence of the County Executive from the County, or in the event of his inability to act for any reason, the Deputy County Executive shall perform all the duties and have all the powers of the County Executive. Such appointment shall be made in writing and filed with the County Clerk and the Clerk of the County Legislature, and may be changed by the County Executive at any time by his filing of a new appointment with said clerks. In the event that no Deputy County Executive has been so designated, or that he is unable to serve during an absence or disability of the County Executive, the County Legislature shall designate an acting County Executive. In the event that the office of County Executive shall become vacant, the Deputy County Executive shall succeed to the office of County Executive and shall serve until the 1st day of January following the general election at which the vacancy is filled pursuant to the provisions of the Public Officers Law of the State of New York.

Section 3.03 Powers and Duties. The County Executive shall have and exercise all the powers and duties now or hereafter conferred or imposed by law upon the executive branch of a county government, except as modified or otherwise provided by this Charter. He may appoint, to serve at his pleasure, such assistants and employees of his office as may be authorized by the County Legislature.

A-- General Powers. He shall execute and enforce all laws, and resolutions of the County Legislature and all other laws required to be enforced through the County Legislature or by any county officers subject to its control, and shall perform all other duties and functions herein prescribed or lawfully delegated to him by the County Legislature.

B-- Departmental Structure. He shall prescribe the internal structure and organization of all administrative departments and agencies, and exercise supervision over all officers and employees under his control, unless prohibited by State Law.

C— Contracts. He/She shall make, sign and implement all contracts as authorized by the County Legislature on behalf of the County within the terms and appropriations approved therefore except that the County Executive may make, sign or implement such contracts not exceeding \$10,000.00 without authorization of the County Legislature.

D-- Annual Report. He shall prepare a written annual report to be filed with the Clerk of the County Legislature before March first of each year. Such report shall cover the activities of all administrative offices and departments of the executive branch of the County government during the previous year. It shall contain a detailed accounting of all financial transactions and full statements of the financial condition of the County at the close of the fiscal year.

Section 3.04 Appointing Powers. The County Executive shall appoint the heads of all administrative bureaus and departments except those designated herein as elected officials and those herein designated as officials to be appointed by boards and commissions and by the County Legislature. All the above appointments shall be subject to confirmation of the County Legislature, but such appointees shall serve at the pleasure of the County Executive except where a definite term has been established therefore by law or by the County Legislature.

Section 3.05 Appointing Procedure. All appointments by the County Executive shall be made in writing and filed in the office of the Clerk of the County Legislature within ten (10) days after such appointment is made. Appointees requiring confirmation shall not take office until such confirmation is voted or the time limit for rejection shall have passed as provided in Section 2.08 hereof. The County Executive may, however, designate a qualified person to serve in a temporary capacity but not to exceed ninety (90) days in any calendar year.

Section 3.06 Executive Approval. Every Local Law, Ordinance, and Resolution adopted by the County Legislature, except resolutions establishing rules and regulations or other matters pertaining solely to the conduct of its own procedures, shall be submitted within five (5) days after passage, to the County Executive for his approval.

Within ten (10) days after receipt of the original enactment as passed by the County Legislature he shall take action approving or vetoing the same.

A-- Approval

If approved by the County Executive he shall endorse the original document and return it to the Clerk of the County Legislature within such ten days.

B-- Veto

If vetoed by the County Executive he shall so indicate in writing setting forth his objections thereto and within ten (10) days after receipt thereof return the original document to the Clerk of the County Legislature, with his veto message attached.

C-- Failure to Act

If, within such ten day limit, the County Executive shall fail to either approve or veto an enactment as provided above, such enactment shall be deemed to have been approved and shall take effect in due course without his endorsement.

D-- Reconsideration

A vetoed enactment shall be resubmitted to the County Legislature, together with the veto message, at its next following regular or special meeting and such message shall be entered in its journal. Within forty-five (45) days after such receipt and entry, the County Legislature may reconsider such vetoed enactment and pass the same over the objections thereto by a favorable vote of at least two-thirds (2/3) of the whole number of its members on a roll call vote. Only one such reconsideration vote shall be taken on any single vetoed enactment.

Article 4

COUNTY ATTORNEY

Sections

4.00 Appointment and Term

4.01 Qualifications

4.02 Powers and Duties

4.03 Deputies and Staff

4.04 Special Counsel

Section 4.00 Appointment and Term. There shall be a County Attorney who shall be appointed by the County Executive subject to confirmation by the County Legislature. He shall serve at the pleasure of the County Executive, except that he may be removed from office by the County Executive only with the consent of the County Legislature.

Section 4.01 Qualifications. The County Attorney shall be a resident of Rensselaer County and legally licensed to practice law in the State of New York.

Section 4.02 Powers and Duties. The County Attorney shall be the legal advisor of the County and County Officers and employees in all county matters of a civil nature.

1. At the request of the County Executive or of any member of the County Legislature, he shall prepare legislation to be presented for action, together with legal notices and other documents necessary thereto.
2. He shall prosecute or defend all actions or proceedings of a civil nature brought by or against the county, except matters for which other counsel has been provided.
3. He shall prepare all legal papers necessary for any requirement of the county, except matters for which other counsel has been provided.
4. He shall execute all tax foreclosure proceedings required in the name of the county.
5. Except where modified or limited by provisions of this Charter he shall have the powers and perform the duties conferred or imposed by law upon a County Attorney and shall perform such other and related duties required by the County Executive or by the County Legislature.

Section 4.03 Deputies and Staff. The County Attorney may appoint such Deputy County Attorneys, assistants and staff employees as authorized by the County Legislature. All Deputy and Assistant Attorneys shall be admitted to practice law in New York State and residents of Rensselaer County, and staff employees shall be responsible to and serve at the pleasure of the County Attorney.

Section 4.04 Special Counsel. The County Attorney may retain special counsel when necessary, within the limits of appropriations made therefore by the County Legislature.

Article 5

FINANCIAL CONTROL

Sections

- 5.00 Legislative Control
- 5.01 Continuous Audit
- 5.02 Fiscal Year of County
- 5.03 The Annual Budget
- 5.04 Capital Program
- 5.05 Capital Budget
- 5.06 Payments of Invoices

Section 5.00 Legislative Control. Control of the financial affairs of the county government shall reside in the County Legislature which may at any time cause an examination and audit of the books, records and papers pertaining to the money, funds or other property belonging to the county or over which the county shall have control.

Section 5.01 Continuous Audit. For the purpose of maintaining a proper control and supervision over all fiscal affairs, the County Legislature shall appoint a county auditor and shall designate a method to maintain a continuous internal audit of all fiscal transactions.

A comprehensive annual audit report shall be furnished to the County Legislature by the County Auditor, within two months after the close of each fiscal year. Regular financial reports shall be prepared quarterly during each year and at such other times as the Legislature shall require.

Section 5.02 Fiscal Year of County. The fiscal year of the County shall begin with the first day of January and end with the last day of December.

Section 5.03 The Annual Budget.

A. Preparation of the Tentative Budget

A tentative annual budget shall be prepared by the Budget Director for the County Executive as the budget officer of the County.

1. On or before August 1, the head of each county department, office, or contractual agency shall submit estimates of revenue and expenditures required for their department or agency for the ensuing year.

2. The Budget Director, upon receipt of the estimates of the various departments and the requests for an appropriation of the several authorized agencies, shall proceed to make such review and hold hearings with the heads of such departments and agencies as the Budget Director deems necessary. Said Budget Director may require the officers or employees thereof to furnish data and information, and to answer inquiries pertinent to such review. The Budget and Finance Committee of the County Legislature shall be entitled to attend and participate in all such hearings.

3. The Budget Director shall prepare for the County Executive, as Budget Officer, the Tentative Budget to be filed with the Clerk of the Legislature on or before October 20. The Tentative Budget shall include, without modification by the County Executive, those line item appropriation requests for the Legislative Board and the Clerk of the Legislature as are jointly submitted and approved by

the Chairman and the Minority Leader in writing to the Budget Officer on or before October 1. The Tentative Budget shall include a budget message explaining the document and the policies of the Budget Officer, and a proposed appropriation resolution referring to the Annual Budget and making provision for the conduct of the County Government for the ensuing year. Such budget message shall set forth the county wide cumulative tax rate prior to chargebacks under the Tentative Budget and also include a statement as to whether or not the adoption of the Tentative Budget as the Annual Budget shall require at least a two-thirds vote of the members of the legislature.

B. Adoption of the Annual Budget

1. The Clerk of the Legislature, upon receipt of the tentative budget from the Budget Officer, shall transmit a copy of the said Tentative Budget to each Legislator forthwith. On or before October 30, the Rensselaer County Executive will meet with the full Legislature to explain the tentative budget and explain the implementation of said budget. The Budget and Finance Committee of the County Legislature shall conduct a public hearing on the tentative budget as submitted by the budget officer on the second Thursday of November.
2. The Budget and Finance Committee of the Legislature, through its Chairperson shall file its report with the Clerk of the Legislature and the County Executive on or before November 20, containing any and all proposed changes to the Tentative Budget and a statement as to whether or not the adoption of the proposed changes shall cause an increase in the County wide cumulative tax rate so as to require at least a two-thirds (2/3) vote of the members of the Legislature.
3. On or before November 28, the County Legislature shall conduct a public hearing on the changes proposed by the Budget and Finance Committee to the Tentative Budget.
4. Following completion of the public hearing and prior to December 2, a committee consisting of the County Executive, the Budget Director, the Chairman of the County Legislature, the Majority and Minority Leaders of the County Legislature, and members of the Budget and Finance Committee shall convene to review the suggested changes to the Tentative Budget. Thereafter, and on or before December 5, the Chairman of the County Legislature shall convene a regular or special meeting of the County Legislature to consider and adopt an Annual Budget. Whenever the Tentative Budget or the suggested changes to the Tentative Budget shall cause an increase in the county wide cumulative tax rate, the Annual Budget shall be adopted by a vote of at least two-thirds (2/3) of the members of the Legislature; upon a vote of less than two-thirds (2/3) of the members of the Legislature, the Tentative Budget as submitted by the County Executive and as modified by the legislative revisions approved by the County Executive, to the extent that same complies with applicable law, shall constitute the Annual Budget for the ensuing year and the County Legislature shall provide for the raising of taxes required by such Annual Budget in the manner and within the time prescribed by law. The Legislature shall have until December 10 to obtain the aforementioned two-thirds (2/3) vote.
5. During the next day following adoption of such Annual Budget by the County Legislature, the Clerk of the Legislature shall forward to the County Executive the changes made by the County Legislature to the Tentative Budget for the approval or veto by the County Executive. The County Executive shall approve or veto such changes by line item and return the same to the Clerk of the Legislature the following day together with a message containing justification for each line item veto.
6. Upon receipt of a veto message from the County Executive the Chairman of the Legislature shall convene the County Legislature not later than December 10 for the purpose of reconsidering each vetoed item. Following such final action by the Legislature, the Tentative Budget, as amended by the legislative revisions approved by the County Executive and those vetoed but overridden by the

County Legislature by a vote of at least two-thirds (2/3) of the whole number of its members shall become the final Annual Budget for the ensuing year.

7. Upon adoption of the final Annual Budget, the County Legislature shall adopt an appropriation resolution to provide for the conduct of the County government for the ensuing fiscal year.
8. Failure to Act or Adopt. In the event that the County Legislature shall fail to adopt a final Annual Budget for the ensuing fiscal year on or before December 10 for any reason, including, but not limited to failing to obtain the two-thirds (2/3) vote, if required, or wholly failing to act, the Tentative Budget as submitted by the County Executive and as modified by the legislative revisions approved by the County Executive, to the extent it complies with applicable law, shall constitute the Annual Budget for such ensuing fiscal year and the County Legislature shall provide for the raising of the taxes required by such Annual Budget in the manner and within the time prescribed by law.

Section 5.04 Capital Program. The County Executive, with the assistance of the Budget Director and Director of Planning, and with the advice of the heads of all county departments and agencies, shall prepare a capital improvement program for the county.

Such capital program shall contain an enumeration and description of each capital improvement proposed to be undertaken within the ensuing six fiscal years, showing the estimated cost of each, the proposed method of financing, the order of priority and the projected annual operating and maintenance expense. Such capital program shall be revised from time to time and updated at least once each year.

Section 5.05 Capital Budget. The first year of the capital program, and in each subsequent year, the program for the next year shall constitute the capital budget for the ensuing year to be made a part of the annual budget for such year. The capital budget shall contain a detailed listing of the capital projects or improvements proposed to be acquired or constructed during the ensuing fiscal year. Such budget shall be arranged in such manner as to set forth clearly:

1. The estimated expenditures for each capital project to be completed during the ensuing fiscal year.
2. The estimated expenditures for each capital project not to be completed during the ensuing fiscal year and the estimated amount to be expended therefore after the close of such year.
3. The proposed method of financing such capital projects, separately indicating the amount of each project proposed to be financed by direct budgetary appropriation and the amount of each project proposed to be financed by the issuance of obligations, showing the proposed types of obligations together with the periods for which they are proposed to be issued.
4. No obligation for the financing of a capital improvement shall be authorized, issued or sold unless such obligation shall have been approved in the annual capital budget, which may be amended by adding, modifying or abandoning projects, at any time by the affirmative vote of two-thirds of the whole number of members of the County Legislature.

Section 5.06 Payment of Invoices and Claims. No invoice, claim, account or demand against the county shall be paid unless it is a lawful county charge.

Every invoice or claim for the payment of money shall itemize the goods furnished or the services rendered, the amount due, and show the purchase order number issued for such purchase where required. All invoices, claims, accounts or demands against the county for any lawful purpose shall be submitted to the County Auditor, who, upon determining to his satisfaction that same is a true and correct claim for service actually rendered or supplies or equipment actually delivered, and that the amount claimed remains due, owing and unpaid, shall certify same to the Chief Fiscal Officer for payment.

Article 6

EXECUTIVE DEPARTMENT

Sections

- 6.00 Departmental Organization
- 6.01 Bureau of Finance
- 6.02 Bureau of Budget
- 6.02A Bureau of Economic Development and Planning
- 6.03 County Civil Service Commission
- 6.04 Bureau of Central Services
- 6.05 Bureau of Tax Services
- 6.06 Reserved for future use
- 6.07 Department of Comprehensive Employment and Training
- 6.08 Reserved for future use
- 6.09 Department of Unified Family Services
- 6.10 Bureau of Human Resources

Section 6.00 Departmental Organization. There shall be an Executive Department administered directly by the County Executive. Within such department there shall be the following bureaus, each headed by a director to be appointed by and to serve at the pleasure of the County Executive. Each Bureau director shall appoint, subject to the approval of the County Executive, all officers and employees under his control.

Section 6.01 Bureau of Finance. The Bureau of Finance shall be administered by a Chief Fiscal Officer, appointed by the County Executive. He shall be appointed on the basis of his administrative and financial experience and training and other qualifications for the responsibilities of his office. He shall be directly responsible to and serve at the pleasure of the County Executive.

Duties: The Chief Fiscal Officer, except as may otherwise be provided in this Charter, shall:

- (A) Have charge of the administration of all of the financial affairs of the county;
- (B) Collect, receive, have custody of, deposit and disburse all fees, revenues and other funds of the county;
- (C) Perform all duties of a county treasurer relating to the collection of taxes;
- (D) Maintain records of Real Property taxes;
- (E) Borrow money in the name of the county as authorized by the County Legislature;
- (F) Submit an Annual Report as required by the New York State Department of Audit and Control to that Department and to the County Legislature on or before the first day of March of each year, or such later date for which an extension has been granted by the New York State Department of Audit and Control;
- (G) Have all of the powers and perform all of the duties conferred or imposed by law upon a County Treasurer except as otherwise provided in this Charter including without limitation acting as Public Administrator in the same manner as a County Treasurer in counties where no office of Public Administrator has been created;
- (H) Maintain the books of account of the County in the manner prescribed by the New York State Department of Audit and Control;
- (I) Prescribe approved methods and forms for financial accounting and record keeping for all county offices and administrative agencies.

Section 6.02 Bureau of Budget. The Bureau of Budget shall be administered by a Director of Budget.

- A. The Director of Budget shall be appointed by the County Executive, as County Budget Officer, for the preparation, submission and administration of the financial plans known as the annual operating and capital budgets of the County. The Director shall appoint such personnel as are necessary to implement the duties of such office and may appoint a Deputy Director authorized to act generally for and in the place of the Director.
- B. The Director of Budget shall make surveys, analysis and/or reports of county departments as requested by the County Executive.
- C. The Director of Budget is authorized to require from any county departments, regular or special statistical information required in performance of the duties of the office.
- D. The Director of Budget is authorized to perform research of county programs to obtain all financial assistance available through local, state or federal revenue sources.
- E. The Director of Budget shall perform such other duties as may be assigned by the County Executive or by revision of law.

Section 6.02A Bureau of Economic Development and Planning. The Bureau of Economic Development and Planning shall be administered by a Director of Economic Development and Planning.

- A. The Director of Economic Development and Planning shall be appointed by the County Executive, and shall be responsible for matters coordinating, improving and advancing the economic development of the county, and for the performance of all powers and duties as prescribed by County Law to a county or regional planning board, and shall as appropriate assist and advise all municipalities of the county, within resources available, on matters related to planning and zoning functions. The Director shall appoint such personnel as are necessary to implement the duties of such office and may appoint a Deputy Director authorized to act generally for and in the place of the Director.
- B. There shall be a County Planning Advisory Board of not less than nine nor more than fifteen members, each appointed by the County Executive in accordance with Section 3.04 hereof, one member upon the recommendation of the Chairman of the Legislature and one member upon the recommendation of the Minority Leader of the Legislature, and which shall serve in an advisory capacity to the Director of Economic Development and Planning in matters pertaining to county planning and as assigned by the Director.
- C. The Director of Economic Development and Planning shall perform such other duties as may assigned by the County Executive or by revision of law.

Section 6.03 County Civil Service Commission. There shall be a County Civil Service Commission for the purpose of administering the provisions of the Civil Service Law of the State of New York. Such Commission shall consist of three persons, not more than two of whom shall be adherents of the same political party. The members of the County Civil Service Commission shall be appointed by the County Executive, subject to confirmation by the County Legislature. Of the members first appointed to the Commission pursuant to this section, the term of one member shall expire on May thirty-first of the first even numbered year following the date of his or her appointment, the term of one member shall expire on May thirty-first of the second even numbered year following the date of his or her appointment and the term of one member shall expire on May thirty-first of the third even numbered year following the date of his or her appointment. Upon the expiration of each of such terms, the term of office of each commissioner thereafter appointed shall be six years from the first

day of June in the year in which the term of his or her predecessor expired. If the office of any such Commissioner shall become vacant by death, resignation or otherwise, his or her successor shall be appointed as herein provided for the unexpired term.

6.04 Bureau of Central Services. The Bureau of Central Services shall be administered by a Director of Services, chosen on the basis of his training and experience in the field of purchasing.

A-- Powers and duties. He shall:

1. Make all purchases of equipment, materials and supplies required for any county purpose and contract for the rental and for servicing of equipment for all county departments in accordance with requirements established by law or by the County Legislature.
2. Prepare or approve the preparation of suitable specifications or standards for all materials, supplies and equipment to be purchased, and inspect or cause to be inspected all deliveries to determine their compliance with such specifications and standards.
3. Upon written request of the governing board thereof, make purchases for municipalities or other civil divisions of the County.
4. Be responsible for the proper maintenance of all inventories of equipment, materials and supplies, and for such purpose shall supervise the record-keeping and operation of any storing and warehousing facilities of the County.
5. Have authority to transfer or reassign equipment, materials and supplies between offices, departments and agencies of the County, upon approval of the County Executive.
6. Operate and maintain facilities for providing such services as mimeographing, duplicating, printing, mailing or data processing as may be authorized by the County Executive or the County Legislature.
7. Oversee all information and technology services, including all telecommunication and electronic operations in the County, and be responsible to the County Executive for planning, improvement, coordination and administration of the County's data processing.

Section 6.05 Bureau of Tax Services. The Bureau of Tax Services shall be administered by a Director of Tax Services.

A-- Appointment and Qualifications. The Director shall be appointed by the County Executive on the basis of his knowledge of principles and methods relating to the assessment of real property, and his executive and administrative experience. He shall meet the minimum qualification standards established by the State Board of Equalization and Assessment, and shall complete such courses of training and education as shall be prescribed by said board.

B. Mapping Duties. The Director shall oversee geographic mapping for all participating taxable districts within the County, and work with applicable entities internally and externally to provide mapping information and data, as required by New York State Real Property Tax Law Section 503, and any amendments or successors thereto.

[Section 6.06 has been reserved for future use.]

Section 6.07 Department of Comprehensive Employment and Training. The Department of Comprehensive Employment and Training shall be administered by a Commissioner of Comprehensive Employment and Training.

A-- Appointment and Qualifications. The Commissioner of Comprehensive Employment and Training shall be appointed by the County Executive on the basis of his knowledge of personnel training programs and his executive and administrative experience.

B-- Powers and Duties. The Commissioner shall be responsible for the County's administration of federal, state, and local personnel training programs, and such other functions as may be delegated by the County Executive. The Commissioner shall appoint all personnel necessary to implement the duties of such office and may appoint a deputy commissioner authorized to act generally for and in the place of the commissioner.

[Section 6.08 has been reserved for future use.]

Section 6.09 Department of Unified Family Services. There shall be a Department of Unified Family Services administered by a Director of Unified Family Services who shall be appointed by the County Executive.

A. The County Executive shall appoint all department commissioners, and the Director of Unified Family Services shall appoint other personnel necessary to implement the duties of the office.

B. The Department of Family Services shall perform all duties and provide such services on behalf of the residents of the county pertaining to family, youth, aging, veterans and employment and training matters as permitted by the laws of the State of New York and as assigned to the department by the County Executive.

Section 6.10 Bureau of Human Resources. There shall be as part of the Executive Department a Bureau of Human Resources administered by a Director of Human Resources appointed by the County Executive. The Director of Human Resources shall be chosen on the basis of training and experience in the areas of personnel and human resources functions. The Director of Human Resources shall be directly responsible to and shall serve at the pleasure of the County Executive. The Director of Human Resources may appoint a Deputy Director of Human Resources to perform the duties and responsibilities of the Director in the absence thereof. The Bureau of Human Resources shall be responsible for the administration and implementation of all personnel and human resource functions in county government, including but not limited to personnel matters, labor relations, employee benefits and Workers Compensation matters.

Article 7

DEPARTMENT OF ENGINEERING

Sections

7.00 Department of Engineering

7.01 Powers and Duties

7.02 Reserved for future use

7.03 Director of Weights and Measures

Section 7.00 Department of Engineering. There shall be a Department of Engineering headed by a County Engineer appointed by the County Executive subject to confirmation by the County Legislature. The County Engineer shall be qualified by training and experience for this position and shall be a New York State Licensed professional engineer. He shall serve at the pleasure of the County Executive. He shall appoint all personnel necessary to implement the duties of his office as detailed in Section 7.01. The County Engineer shall have the power to appoint such deputies, assistants and employees of his department as shall be authorized by the County Executive.

Section 7.01 Powers and Duties. Except as otherwise provided in this Charter, the County Engineer shall:

1. Have all the powers and duties of a county engineer and county superintendent of highways pursuant to the highway law, town law or other applicable law.
2. Have charge and supervision of the design, construction, improvement, maintenance, repair, cleaning and lighting of all highways, roads, streets, bridges and grade separation structures, drains and drainage structures under jurisdiction of the county.
3. Have charge and supervision of the design, construction and alterations of county buildings, parking areas, drives, walks, docks, marinas, parks, preserves and such other structures and facilities in the nature of public works under the jurisdiction of the county.
4. Have charge and supervision of the maintenance and repair of all County buildings and have custodial care of such buildings as may be assigned to him by the County Executive.
5. Have charge and supervision of the maintenance and operations of county parks and preserves.

[Section 7.02 has been reserved for future use.]

7.03 Director of Weights and Measures. There is established in the Department of Engineering the office of Director of Weights and Measures. The Director of Weights and Measures shall administer, supervise and enforce the provisions of Agriculture and Markets Law, rules and regulations as they relate to weights and measures. The director performs other duties as directed by local law which may include services designed to aid and protect the consumers in jurisdiction of both the County of Rensselaer and the City of Troy.

Article 8

DEPARTMENT OF HEALTH

Sections

8.00 County Health District; Department of Health; Public Health Director; Appointment; Qualifications; Term

8.01 Powers and Duties

8.02 Board of Health

8.03 Medical Consultant

8.04 Acting Public Health Director

8.05 Board of Health; Sanitary Code; Procedure for Adoption

8.06 County Sanitary Code; Violations and Penalties

8.07 Board of Health; Powers and Duties

8.08 Medical Examiner

8.09 Bureau of Public Safety

Section 8.00 County Health District; Department of Health; Public Health Director; Appointment; Qualification; Term. The County of Rensselaer shall be a county health district. There shall be a Department of Health under the direction of a Public Health Director who shall be appointed by the County Executive, subject to confirmation by the County Legislature. At the time of appointment, the Public Health Director shall have such qualifications as may be required by law. He shall be directly responsible to and serve at the pleasure of the County Executive.

Section 8.01 Powers and Duties. The Public Health Director shall be the chief administrative officer of the Department. Except as otherwise provided in this Charter, he shall have all the powers and perform all the duties conferred or imposed by law upon a Public Health Director and shall perform such other and related duties required by the County Executive.

Section 8.02 Board of Health. There shall be in the Department a Board of Health whose members shall continue to be appointed by the County Legislature in the manner and for the term provided in the Public Health Law. The Board of Health, subject to the provisions of the Public Health Law and the State Sanitary Code, shall have the power to formulate, adopt, promulgate, amend or repeal such rules and regulations as may affect public health within the County; to formulate, adopt, promulgate, amend or repeal a County Sanitary Code; to consider any matters that may come to its attention relating to the preservation and improvement of public health within the County, and advise the Public Health Director thereon, either at his request or upon its own initiative, and from time to time make recommendations to the Public Health Director thereon.

Section 8.03 Medical Consultant and Staff. The Public Health Director shall have the powers to appoint a Medical Consultant and such assistants and employees of his Department as shall be authorized by the County Executive. At the times of their appointment, and throughout their terms of office the Medical Consultant(s) shall be and remain duly licensed and entitled to practice medicine in the State of New York, and shall have such other qualifications as may be required by law. All Medical Consultants shall be directly responsible to, and serve at the pleasure of the Public Health Director.

Section 8.04 Acting Public Health Director. The Public Health Director shall designate, within 30 days of his qualifying for office in writing, and in order of succession, the Medical Consultant(s) who shall be Acting Public Health Director in the event of his absence from the County or inability to perform and exercise the powers and duties of his office. Such designation shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Public Health Director filing a new written

designation and order of succession. The acting Public Health Director shall have all the powers and perform all the duties of the Commissioner.

Section 8.05 Board of Health; Sanitary Code; Procedure for Adoption.

1. The affirmative vote of a majority of the total membership of the Board of Health shall be required to pass any rule, regulation, order or direction which constitutes the adoption of, or an amendment or addition to, the County Sanitary Code. On the final passage, the question shall be taken by ayes and noes, and the names of the members present and their votes shall be entered in the minutes of proceedings.
2. Every rule, regulation, order or direction which constitutes an amendment or addition to the County Sanitary Code shall be mailed or delivered in final form to each member at least ten calendar days, exclusive of Sunday, prior to its final passage.
3. The Board of Health shall hold a public hearing on every rule, regulation, order or direction which constitutes the adoption of, or an amendment or addition to, the County Sanitary Code, prior to its final passage. Such public hearings shall be on at least five days' notice published in the official daily newspaper in the County.
4. The Board of Health shall cause to be published annually a Supplement to the County Sanitary Code which shall indicate all additions to, repeals, and amendments of any sections of said Code.
5. The Public Health Director shall cause to be furnished certified copies of the County Sanitary Code and its amendments for such fee as may be authorized by law.

Section 8.06 County Sanitary Code; Violation and Penalties. The provisions of the County Sanitary Code shall have the force and effect of law. Penalties for violation or nonconformance with any provision of such County Sanitary Code or of any rule, regulation, order or direction made thereunder shall be in accordance with provisions of the Public Health Law of the State of New York. Certified copies of the County Sanitary Code shall be received in evidence in all courts and proceedings in the State.

Section 8.07 Board of Health; Powers and Duties. The Board of Health shall, in consultation with the Public Health Director prepare annually its recommendations for meeting the public health needs of the County. Copies of the recommendations shall be transmitted not later than July 1 of each year to the County Legislature, the Director of Budget and the State Commissioner of Health. The Board of Health shall have and exercise such other powers and duties conferred upon such Board by the Charter, the Public Health Law and the New York State Sanitary Code.

Section 8.08 Medical Examiner. There is established in the Department of Health the office of Medical Examiner pursuant to the terms of Section 400 of the County Law of the State of New York. The Medical Examiner shall be appointed by the Public Health Director and a Certificate of Appointment shall be filed and recorded in the office of the County Clerk. The Medical Examiner before entering upon the duties of his office shall take and file the prescribed oath of office and furnish and file the required undertaking. The Medical Examiner shall serve at the pleasure of the Public Health Director and his appointment may be revoked at any time by the Public Health Director, and the filing of such revocation in the office of the County Clerk. The Medical Examiner shall be a resident of the County and a physician duly licensed to practice his profession in the State of New York and shall be a person determined by the Public Health Director as qualified to perform an autopsy and dissect dead bodies of human beings.

Section 8.09 Bureau of Public Safety.

- A. Within the Department of Health, there shall be a Bureau of Public Safety administered by a Director of Public Safety. The Director of Public Safety shall be appointed by the County Executive. The Director of Public Safety shall be under the supervision of the Public Health Director and shall be responsible for the planning, organization and implementation of (1) the disaster preparedness program pursuant to Article 2-B of the Executive Law; (2) emergency call taking and dispatching for police, fire, ambulance and other similar emergency services, including enhanced 911; (3) comprehensive emergency management, including coordination of emergency communications, training of emergency personnel, preparation of emergency plans and administration of funding to volunteer emergency services; and (4) such other duties as may be assigned by the Public Health Director, County Executive or by revision of law.

- B. There shall be a Public Safety Advisory Board consisting of seventeen members, each appointed by the County Legislature, which shall serve in an advisory capacity to the Public Health Director and the Director of Public Safety. One member shall be appointed upon the recommendation of the Chairperson of the County Legislature, one member upon the recommendation of the Minority Leader of the Legislature, two members upon the recommendation of the County Executive, one member shall be a volunteer firefighter, one member shall be a professional firefighter, one member shall be a police officer, one member shall be an emergency medical technician, one member shall be the Deputy Director of Public Safety E-911, one member shall be appointed upon the recommendation of the New York State Division of State Police, one member shall be appointed upon the recommendation of the Rensselaer County Sheriff, one member shall be appointed upon the recommendation of the Rensselaer County District Attorney, one member shall be appointed upon the recommendation of the Rensselaer County Fire Chiefs' Association, one member shall be appointed upon the recommendation of the Rensselaer County Ambulance Association, one member shall be appointed upon the recommendation of the Rensselaer Organization United for Senior Endeavors, one member shall be appointed upon the recommendation of the Rensselaer County Fire Advisory Board, and one member shall be appointed upon the recommendation of the Rensselaer County Traffic Safety Board.

Article 9

SOCIAL SERVICES

Sections

9.00 Department of Social Services; Commissioner

9.01 Powers and Duties

Section 9.00 Department of Social Services; Commissioner. There shall be a Department of Social Services headed by a Commissioner of Social Services who shall be appointed by the County Executive, confirmed by the County Legislature, pursuant to the appropriate provisions of the Social Welfare Law of the State of New York. He/She shall possess the minimum qualifications required by the appropriate provisions of the Social Welfare Law of the State of New York.

Section 9.01 Powers and Duties. The Commissioner of Social Services shall have and exercise all powers and duties now or hereafter conferred or imposed upon him/her by the applicable law. He/She shall perform such other and related duties as shall be designated to him/her by the County Executive provided such acts are not inconsistent with or prohibited by the General Laws of the State of New York. He/She is also the person in charge of the Van Rensselaer Manor.

Article 10

HUDSON VALLEY COMMUNITY COLLEGE

Sections

10.00 Hudson Valley Community College; Trustees; Appointment

10.01 Board of Trustees; Powers and Duties

10.02 Community College; Financial Administration

10.03 Treasurer; Election; Powers and Duties

10.04 Periodic Audits of Accounts

Section 10.00 Hudson Valley Community College; Trustees; Appointment. The Hudson Valley Community College shall be administered by a Board of Trustees appointed in the manner and for the term provided in the Education Law, and pursuant to the provisions of Chapter 271 of the Laws of 1953 and all amendments thereto.

Section 10.01 Board of Trustees; Powers and Duties. The Board of Trustees shall have all the powers and perform all the duties provided for such a Board in the Education Law, and shall perform such other and related duties as may be required by the County Legislature, not inconsistent with the provisions of the Education Law.

Section 10.02 Community College; Financial Administration. The appropriations by the County Legislature for maintenance of the Community College shall be made in whole to the Board of Trustees of the College for expenditure by the Board of Trustees subject to the terms and conditions of such appropriations and to such regulations concerning the custody, deposit and payment and audit thereof as the County Legislature may deem proper.

Section 10.03 Treasurer; Election; Powers and Duties. The Board of Trustees may elect a Treasurer, establish a bank account or accounts in the name of the College, and deposit therein monies received or collected by the College, including monies appropriated by the County Legislature, monies received from tuition, fees, charges, sales of products and services, and from all other sources.

The Board of Trustees of the College may, subject to the requirements specified by the County Legislature, authorize the Treasurer to pay all proper bills and accounts of the College, including salaries and wages, from funds in its custody. The Treasurer shall execute a bond or official undertaking to the Board of Trustees of the College in such sum and with such sureties as the Board of Trustees shall require, the expense of which shall be a College charge.

Section 10.04 Periodic Audits of Accounts. The Board of Trustees of the College shall provide for such periodic audits of all accounts maintained at its direction and render such reports respecting any and all receipts and expenditures of the College as the County Legislature may direct.

Article 11

DEPARTMENT OF RECORDS

Sections

11.00 Department of Records; County Clerk, Election

11.01 County Clerk, Powers and Duties

Section 11.00 Department of Records; County Clerk, Election. There shall be elected from the County at large a County Clerk. The person serving as County Clerk at the time of the effective date of this Charter may serve out the balance of the term for which he was elected. Any person elected to the office of the County Clerk after the effective date of this Charter shall be elected for a four-year term. At the time of his election and throughout his term of office the County Clerk shall be a qualified elector of the County.

[Pursuant to Section 400 of County Law of the State of New York, the term of office for the County Clerk is four years.]

Section 11.01 County Clerk, Powers and Duties. The County Clerk shall be the official registrar of the County and except where inconsistent with this Charter, the County Clerk shall have and exercise all powers and duties now or hereafter conferred or imposed upon him by any applicable law.

Article 12

DISTRICT ATTORNEY

Sections

12.00 District Attorney; Election

12.01 Powers and Duties

Section 12.00 District Attorney; Election. There shall be elected from the county at large a District Attorney, who shall be elected for a four-year term. At the time of his election and throughout his term of office, the District Attorney shall be a qualified elector of the County and shall have been duly admitted to the practice of law in the State of New York.

Section 12.01 Powers and Duties. The District Attorney shall have and exercise all powers and duties now or hereafter conferred or imposed upon him by applicable law.

Article 13

PUBLIC DEFENDER

Sections

Section 13.00 Appointment and Term

Section 13.01 Powers and Duties

Section 13.00 Appointment and Term. There shall be a Public Defender who shall be appointed by the County Executive subject to confirmation by the County Legislature. He shall serve at the pleasure of the County

Executive, except that he may be removed from office by the County Executive only with the consent of the County Legislature. At the time of his appointment and throughout his term of office, the Public Defender, and his assistants, shall be and remain duly licensed to practice law in the State of New York and shall have such other qualifications as may be required by law.

Section 13.01 Powers and Duties. The Public Defender shall have and exercise all powers and duties now or hereafter conferred or imposed upon him by applicable law.

Article 13-A

Conflict Defender

Sections

13.02 Appointment and Term

13.03 Powers and Duties

Section 13.02 Appointment and Term

There shall be a Conflict Defender who shall be appointed by the County Executive subject to confirmation by the County Legislature. He or she shall serve at the pleasure of the County Executive, except that the Conflict Defender may be removed from office by the County Executive only with the consent of the County Legislature. At the time of such appointment and throughout his or her term of office, the Conflict Defender and his or her assistants shall be and remain duly licensed to practice law in the State of New York and shall have such other qualifications as may be required by law, except that neither the Conflict Defender nor any assistant thereto shall be deemed a public officer of the County of Rensselaer by virtue of such title and position.

Section 13.03. Powers and Duties

The Office of the Conflict Defender shall exist and function separately and distinctly from the Office of the Public Defender. The Conflict Defender shall serve in the place and stead of the Public Defender whenever the Public Defender is disqualified from acting to discharge his or her duties in a particular case. The Conflict Defender shall further have and exercise all powers, and perform all duties, now or hereafter otherwise imposed upon such position by applicable law.

Article 14

COUNTY SHERIFF

Sections

14.00 Sheriff; Election

14.01 Powers and Duties

Section 14.00 Sheriff; Election. There shall be elected from the county at large a Sheriff. The person serving as Sheriff at the time of the effective date of this charter may serve out the balance of the term for which he was elected. Any person elected to the office of Sheriff after the effective date of this charter shall be elected for a four-year term. At the time of his election and throughout his term of office, the Sheriff shall be a qualified elector of the county.

[Pursuant to Section 400 of County Law of the State of New York, the term of office for the County Sheriff is four years.]

Section 14.01 Powers and Duties. The Sheriff shall have and exercise all powers and duties now or hereafter conferred or imposed upon him by applicable law, except where inconsistent with this charter.

Article 15

DEPARTMENT OF MENTAL HEALTH

Sections

15.00 Department of Mental Health; Commissioner; Appointment; Qualifications; Term

15.01 Powers and Duties

15.02 Mental Health Board; Appointment; Officers; Meetings

15.03 Mental Health Board; Powers and Duties

15.04 Deputies and Staff; Appointment

15.05 Acting Commissioner of Mental Health

Section 15.00 Department of Mental Health; Commissioner; Appointment; Qualifications; Term. There shall be a Department of Mental Health under the direction of a Commissioner of Mental Health, who shall be appointed, on either a full-time or a part-time basis, by the County Executive. The Commissioner of Mental Health shall meet the qualifications prescribed by the Mental Hygiene Law of the State of New York and the Commissioner of Mental Hygiene of the State of New York. He shall be directly responsible to, and serve at the pleasure of, the County Executive, subject to confirmation by the County Legislature.

Section 15.01 Powers and Duties. The Commissioner of Mental Health shall have all the powers and duties and shall be subject to all the obligations and liabilities heretofore or hereafter granted or imposed by this Charter, local law, ordinance, or resolution of the County Legislature, or applicable State Law. Such powers and duties, obligations and liabilities shall include, but not be limited to, any power, duty, obligation or liability granted or imposed upon a Director of Community Mental Health by the Mental Hygiene Law or any other applicable law.

Section 15.02 Mental Health Board; Appointment; Officers; Meetings. There shall be in the Department, a Mental Health Board, whose members shall be appointed by the County Legislature in the manner and for the term provided in the Mental Hygiene Law for Community Mental Health Board. Each member of the Community Mental Health Board shall continue to hold office for the balance of his respective term, at the conclusion of which the applicable provisions of this Charter and Code shall become effective. The Mental Health Board shall elect annually, a Chairman, Vice-Chairman, and a Secretary from among its members. Meetings of the Mental Health Board shall be held at least quarterly at the call of the Chairman of such Board or the Commissioner of Mental Health, on three (3) days' written notice, mailed to such board members. Vacancies in the membership of said Board, occurring otherwise than by expiration of term shall be filled by appointment by the County Legislature for the unexpired terms.

Section 15.03 Mental Health Board; Powers and Duties. The Mental Health Board shall have all of the powers and perform all of the duties of a Community Mental Health Board as provided in the Mental Hygiene Law or other applicable law (except where superseded by provisions of this Charter), and shall, in consultation with the Commissioner, prepare recommendations for meeting the mental health needs of the County. Copies of the recommendations shall be transmitted to the County Executive and the State Commissioner of Mental Hygiene. The Mental Health Board shall have and exercise such other powers and duties conferred upon such Board by this County Charter and Code.

Section 15.04 Deputies and Staff; Appointment. The Commissioner shall have the power to appoint such Deputy Commissioner of Mental Health, assistants and employees of his Department as shall be authorized by

the County Legislature. Such persons shall meet the qualifications fixed by the Mental Hygiene Law and the Commissioner of Mental Hygiene of the State of New York. All Deputy Commissioners of Mental Health, assistants and employees of the Department shall be directly responsible to the Commissioner; except where otherwise provided by the Charter and Code or by applicable law.

Section 15.05 Acting Commissioner of Mental Health. The Commissioner shall designate in writing, and in order of succession, the Deputy Commissioners of Mental Health who shall be Acting Commissioner of Mental Health in the event of his absence from the County or inability to perform and exercise the powers and duties of his office. Such designation shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Commissioner filing a new written designation and order of succession. The Acting Commissioner of Mental Health shall have all the powers and perform all the duties of the Commissioner.

Article 16

DEPARTMENT FOR YOUTH

Sections

16.00 Department for Youth

16.01 Powers and Duties

16.02 Bureau of Youth Services

16.03 Bureau of Detention Services

16.04 Bureau of Drug Education and Prevention

Section 16.00 Department for Youth. There shall be a Department for Youth under the direction of a Commissioner for Youth, who shall be appointed by the County Executive subject to confirmation by the County Legislature.

Section 16.01 Powers and Duties. The Commissioner for Youth shall be the chief administrative officer of the department and shall be directly responsible to the County Executive. He shall appoint all bureau directors and other personnel necessary to implement the duties of his office.

The Department for Youth shall perform all duties and provide such services as may be delegated to it by the County Legislature, providing the same shall not be inconsistent with or prohibited by the General Laws of the State of New York.

Section 16.02 Bureau of Youth Services. The Bureau of Youth Services shall be administered by a Director and shall perform all of the duties and exercise all of the powers of a youth bureau or agency as now or hereafter provided by the General Municipal Law and other applicable general, special, or local laws.

Section 16.03 Bureau of Drug Education and Prevention. The Bureau of Drug Education and Prevention shall be administered by a Director and shall be responsible for such drug education, prevention, and rehabilitation services as shall be authorized by the County Legislature.

Section 16.04 Contractual Services. Nothing contained herein shall be construed to prohibit, void, or restrict the County of Rensselaer from entering into or performing contracts with individuals, corporations, or federal, state, and local governments and agencies for the providing of direct, supplementary, or collateral services as may be otherwise authorized by the County Legislature.

Article 16-A

DEPARTMENT FOR THE AGING

Sections

16.10 Department for the Aging

16.11 Powers and Duties

Section 16.10 Department for the Aging. There shall be a Department for the Aging under the direction of a Commissioner for the Aging who shall be appointed by the County Executive subject to confirmation by the County Legislature.

Section 16.11 Powers and Duties. The Commissioner for the Aging shall be the chief administrative officer of the department and shall be directly responsible to the County Executive. The Commissioner shall appoint all personnel necessary to implement the duties of such office and may appoint a deputy commissioner authorized to act generally for and in the place of the Commissioner.

The Department for the Aging shall perform all duties and provide such services as may be delegated to it by the County Executive or required by law.

Article 17

LEGISLATIVE APPORTIONMENT AND REAPPORTIONMENT

Section

17.00 Composition of the County Legislature

Section 17.00 Composition of County Legislature. The County Legislature shall be composed of not more than 21 members elected from single or multi-member districts as the County Legislature may determine in order to carry out the Standards of Reapportionment as set forth in the Municipal Home Rule Law of the State of New York.

Article 18

OTHER COUNTY FUNCTIONS

Sections

18.00 Board of Elections; Commissioners

18.01 Office of Probation; Director

18.02 County Jury Board; Commissioner of Jurors

18.03 Other County Boards, Agencies, Bureaus, Offices, Institutions and Functions; Appointment

18.04 Additional Appointments by County Executive

18.05 Miscellaneous Administrative Functions

18.06 Power to Administer Oaths and Issue Subpoenas

Section 18.00 Board of Elections; Commissioners. There shall be a Rensselaer County Board of Elections constituted according to the State Election Law. The Commissioners of election shall be appointed by the County Legislature in accordance with the State Election Law, and shall have and exercise all powers and duties now or hereafter conferred or imposed upon them by applicable law.

Section 18.01 Office of Probation; Director. There shall be an office of Probation headed by a Director of Probation appointed in the manner provided by the Code of Criminal Procedure. The Director of Probation shall have and exercise all powers and duties now or hereafter conferred or imposed upon him by applicable law.

Section 18.02 County Jury Board; Commissioner of Jurors. There shall be a County Jury Board constituted according to the State Judiciary Law. The County Jury Board shall appoint a Commissioner of Jurors, who shall have and exercise all powers and duties now or hereafter conferred or imposed upon him by applicable law.

Section 18.03 Other County Boards, Agencies, Bureaus, Offices, Institutions and Functions; Appointment. All other County Boards, Agencies, Bureaus, Offices, Institutions and Functions, including, but not limited to, the County Fire Advisory Board, the District Fish and Wildlife Management Board, the Soil Conservation District Board, the Traffic Safety Board, shall continue as provided by law, except that the members thereof required to be appointed by County Government shall be appointed by the County Legislature.

Section 18.04 Additional Appointments by County Executive. The County Executive shall appoint the County Historian, and all other County employees, except as provided in this Charter. All such appointees shall serve at the pleasure of the County Executive except where otherwise provided by this Charter.

Section 18.05 Miscellaneous Administrative Functions. Administrative functions not otherwise assigned by this Charter or the administrative code shall be assigned by the County Executive to an appropriate administrative unit.

Section 18.06 Power to Administer Oaths and Issue Subpoenas. The Chairman of the County Legislature in accordance with Section 209 of the County Law, the County Executive, and such other County Officers as may be authorized by law shall have the power to subpoena and compel the attendance of witnesses and the production of books, records and papers, as the same may be pertinent to their respective offices. Any County Officer authorized to hold a hearing or conduct an investigation shall have the power to administer oaths or affirmations in connection therewith.

Article 19

INTERMUNICIPAL RELATIONS

Sections

19.00 Local Government Functions, Facilities and Powers Not Transferred, Altered or Impaired

19.01 Contracts for Municipal Cooperation

Section 19.00 Local Government Functions, Facilities and Powers Not Transferred, Altered or Impaired. No function, facility, duty or power of any city, town, village, school district or other district is transferred, altered or impaired by this Charter.

Section 19.01 Contracts for Municipal Cooperation. The County of Rensselaer shall have power to contract with any public corporation, including but not limited to a municipal, district, or public benefit corporation or with any combination of the same for the establishment, maintenance and operation of any facility and the rendering of any service which each of the contracting parties would have legal authority to establish, maintain, operate or render for itself. Each of such contracting parties shall bear a fair proportionate share of the costs as agreed upon.

Article 20

GENERAL AND TRANSITIONAL PROVISIONS

Sections

20.00 Adoption of Charter; When Effective

20.01 Elective Office Abolished

20.02 Civil Service Rights Continued

20.03 Notice of Claim

20.04 Continuity of Authority

20.05 Charter Clarification

20.06 Amendment of Charter

20.07 Separability

20.08 Charter to be Liberally Construed

Section 20.00 Adoption of Charter; When Effective. This Charter shall, upon approval by referendum in the manner provided by law, become effective as of January 1, 1974.

Section 20.01 Offices Abolished; Incumbent Continued. The elective office of County Treasurer is abolished, effective January 1, 1974. The person holding such office on January 1, 1974, shall be continued in his office for the remainder of his term, at the conclusion of which the provisions of this Charter relating to the appointment of a Chief Fiscal Officer shall take effect. Any official appointed for a fixed term prior to the enactment of this Charter shall continue in his office for the balance of the unexpired term. Any officer appointed for a term subsequent to the establishment of this Charter and prior to its effective date shall serve for a term which shall expire December 31, 1973.

Section 20.02 Civil Service Rights Continued. The Civil Service status and rights of all County employees and their beneficiaries, including, but not limited to, those with respect to retirement and social security, shall not be affected by this Charter. The terms of office of all County Officers whose appointment under this Charter is vested in the County Legislature shall terminate as provided in Section 20.01 of this Charter, and except that any such Officer, unless removed, shall continue to serve until his successor is appointed and has qualified or until an interim appointment is made.

Section 20.03 Notice of Claim and Time for Commencement of Action. The following provisions apply to all claims against employees of Rensselaer County and political subdivisions thereof:

1. No action or special proceeding shall be prosecuted or maintained against any officer, agent or employee of Rensselaer County or any sub-division thereof, including volunteer firemen of any City, Town or school district in said County, or of any volunteer firemen whose services have been accepted pursuant to the provisions of Section 209 of the General Municipal Law, for personal injury or damage to real or personal property alleged to have been sustained by reason of the negligence or wrongful act of such Town, City or school district within the County or Rensselaer County, or of any officer, agent or employee thereof including volunteer firemen of any such City, Town, school district or County or any volunteer firemen whose services have been accepted pursuant to the provisions of Section 209 of the General Municipal Law unless, (a) a Notice of Claim shall have been made and served upon the City, Town, County, Village, fire district or school district in compliance with section fifty-e of the General Municipal Law, (b) it shall appear by and as an allegation in the complaining or moving papers that at least thirty days have elapsed since the service of such notice and that adjustment or payment thereof has been neglected or refused and (c) the action or special proceeding shall be commenced within one year and ninety days after the happening of the event upon which the claim is based.
2. This section shall be applicable notwithstanding any inconsistent provisions of law, general, special or local or any limitation contained in Section 209 of the General Municipal Law.
3. Nothing contained herein or in Section fifty-h of the General Municipal Law shall operate to extend the period limited by sub-division one of this section for the commencement of an action or special proceeding.

Section 20.04 Continuity of Authority. All existing State, county, local and other laws or enactments having the force of law shall continue in force until lawfully amended, modified, superseded or repealed, either by this Charter or an enactment adopted subsequent to its effective date. Any proceedings or other business undertaken or commenced prior to the effective date of this Charter may be conducted and completed by the county officer or administrative unit responsible therefore under this charter or the administrative code.

Section 20.05 Charter Clarification. If any provision of this Charter is not clear or requires elaboration in its application to the County, the County Legislature may interpret such provision in a local law not inconsistent with the provisions of the Municipal Home Rule Law. Where any question arises concerning the transition to a Charter which is not provided for herein, the County Legislature may provide for such transition by a Local Law not inconsistent with the provisions of the Municipal Home Rule Law.

Section 20.06 Amendment of Charter. This Charter may be amended in the manner provided by the Municipal Home Rule Law. Any proposed amendment which would have the effect of transferring a function or duty of the County, or of a city, town, village, district or other unit of local government wholly contained in the County, shall not become operative unless and until it is approved by mandatory referendum as required by the Municipal Home Rule Law. Any amendment which would create or abolish an elective county office, change the power or method of removing an elective county officer during his term of office, abolish, curtail or transfer to another county officer or agency any power of an elected county officer or change the method of election of the County Legislature as provided in Article 2 of this Charter, shall be subject to a permissive referendum.

Section 20.07 Separability. If any provision of this Charter 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 particular provision directly involved in the controversy.

Section 20.08 Charter to be Liberally Construed. This Charter shall be liberally construed to achieve its objectives and purposes.

APPENDIX

This Charter was adopted by Local Law #3 for the year 1972. The following sections have been amended, added or deleted by Local Laws since adoption:

Section 4.00 of Article 4, April 12, 1974
Section 13.00 of Article 13, April 12, 1974
Section 5.03 of Article 5, March 3, 1976
Section 6.07 of Article 6, April 19, 1980
Section 6.08 of Article 6, April 29, 1980
Article 16-A, April 29, 1980
Section 3.03 (C) of Article 3, May 22, 1980
Section 3.02 of Article 3, July 1, 1982
Section 18.03 of Article 18, January 11, 1983
Section 6.02 of Article 6, March 22, 1983
Section 6.03 (deleted) of Article 6, March 22, 1983
Article 8, March 22, 1983
Section 2.07, Subdivision 13, Article 2, November 16, 1984
Amending Local Law #2, 1982, Local Law #4, November 16, 1984
Section 6.01, (F) of Article 6, November 26, 1984
Section 5.03, (A.3) of Article 5, April 2, 1985
Section 12.00, Article 12, October 28, 1985
Section 2.06, Article 2, February 25, 1986
Section 5.03, (B) of Article 5, February 23, 1993
Section 5.03, (A.3), (B.2), and (B.4) of Article 5, October 10, 1995
Amending same section as revised April 2, 1985
Amending 6.02, 6.03, 6.06, Article 6, December 12, 1995
Section 6.02A, 6.08, 6.09, Article 6, December 12, 1995
Section 6.02, (A), Subsection B of Article 6, January 9, 1996
Section 6.08, Subsection C of Article 6, January 9, 1996
Amending Local Law #3, July 9, 1996
Section 6.08, Subsection C of Article 6, April 13, 1999
Amending Local Law #1, 1993, Local Law #7, January 9, 2001
Amending Local Law #6, 1999, Local Law #5, January 9, 2001
Amending Local Law #4, January 9, 2001
Amending 18.03, Article 18, January 9, 2001
Section 7.03, Article 7, January 9, 2001
Amending Section 6.03, December 18, 2001
Section 6.08, Article 6, Section 8.09, Article 8, November 26, 2002
Section 6.10, Article 6, December 11, 2002
Article 13-A, November 24, 2003
Add Section 2.09, Article 2, May 9, 2006 by Local Law #3 of 2006
Amend Section 3.03-C, Article 3, July 11, 2006 by Local Law #4 of 2006
Add Section 2.10, 2.11, 2.12, Article 2, July 11, 2006 by Local Law 5 of 2006
Amend Section 3.03-C, Article 3, January 9, 2007 by Local Law #1 of 2007
Amend Section 2.03, April 13, 2010 by Local Law #3 of 2010

Amend Section 5.03(A)(3), Section 5.03(B)(2), Section 5.03(B)(4), Section 5.03(B)(6),
Section 5.03(C), September 14, 2011 by Local Law #5 of 2011

Amend Sections 2.05, 2.07, 9.01, 11.00, 14.00, and 16.03, November 13, 2012 by
Local Law #2 of 2012

Amend Sections 3.03 And 6.06 Added Sections 6.04.A.7 and Section 6.05.B by Local
Law #1 of 2021