

Warren County Board of Supervisors

RESOLUTION NO. 314 OF 2016

Resolution introduced by Supervisors Simpson, Conover, Dickinson, Frasier, Merlino, Sokol, Vanselow, Wood and MacDonald

TO ENACT LOCAL LAW NO. 4 OF 2016

WHEREAS, a proposed Local Law was duly presented to the Board of Supervisors and considered by them, said proposed Local Law entitled “A Local Law Amending Local Law No. 3 of 2004, ‘A Local Law Amending Local Law No. 2 of 1971 Entitled A Local Law Establishing a Department of Public Works for the County of Warren, State of New York’ ”, the purpose of which is to restore statutory authority to the Superintendent of Public Works to appoint deputy superintendents as authorized by the Board of Supervisors, and

WHEREAS, the Board of Supervisors adopted Resolution No. 270 of 2016 on June 15, 2016, authorizing a public hearing to be held by the Board of Supervisors on the 15th day of July, 2016 at 10:00 a.m. in the Supervisors’ Room in the Warren County Municipal Center on the matter of the proposed Local Law, and notice of such public hearing having been duly published and posted as required by law, and said public hearing having been held and all persons appearing at said public hearing desiring to be heard, having been heard, now, therefore be it

RESOLVED, that the Board of Supervisors of the County of Warren, New York, on this 15th day of July, 2016 does hereby enact and adopt Local Law No. 4 of 2016, as annexed hereto, and be it further

RESOLVED, that the Chairman of the Board of Supervisors, Clerk of the Board of Supervisors, County Administrator and County Attorney are hereby authorized to make such minor modifications to the Local Law as deemed necessary, and are authorized to execute, file and publish the Local Law and take all necessary actions for the promulgation thereof.

**COUNTY OF WARREN
LOCAL LAW NO. 4 OF 2016**

“A LOCAL LAW AMENDING LOCAL LAW NO. 3 OF 2004 ‘A LOCAL LAW AMENDING LOCAL LAW NO. 2 OF 1971 ENTITLED A LOCAL LAW ESTABLISHING A DEPARTMENT OF PUBLIC WORKS FOR THE COUNTY OF WARREN, STATE OF NEW YORK’ ”

WHEREAS, Local Law No. 3 of 2004 amended Local Law No. 2 of 1971, which established a Department of Public Works for the County of Warren, State of New York, to restructure the Department for continuity and efficiency as well as to relieve the Superintendent of the Department of Public Works of direct management responsibilities for actual Airport operation and Civil Defense matters and accordingly modified titles of subordinates where necessary and/or appropriate; and

WHEREAS, the Superintendent of Public Works has recommended, and the Public Works Committee has approved, that the Local Law be amended to restore language included in Local Law No. 2 of 1971 with regard to authority to appoint Deputy Superintendents, as well as managers, assistants and employees of the Department of Public Works, now, therefore,

BE IT ENACTED, by the Board of Supervisors of the County of Warren, New York, as follows:

SECTION 1. Purpose. The purpose of this Local Law is to amend Local Law No. 2 of 1971 to restore statutory authority to the Superintendent of Public Works to appoint deputy superintendents as authorized by the Board of Supervisors.

SECTION 2. Amendments. Local Law No. 2 of 1971, as amended, is hereby amended such that current Section 5, “Powers and Duties of the Superintendent of Public Works”, paragraph (l) reads “Shall have the sole power to appoint such Deputy Superintendents of Public Works, managers, assistants and employees as shall be authorized by the Board of Supervisors. All persons so appointed shall be directly responsible to the Superintendent of Public Works, except where otherwise provided hereunder or by applicable law.”, and

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Local Law No. 2 of 1971, as amended, is hereby further amended such that current Section 6, "Deputy Superintendents of Public Works" reads: "There is hereby established the positions of Deputy Superintendents of Public Works. The Superintendent shall designate in writing, from the Deputies, in order of succession, Deputy Superintendent of Public Works who shall be the acting Superintendent of Public Works in the event of the absence of Superintendent of Public Works from the county or the inability of the Superintendent of Public Works to perform and exercise the powers and duties of the office. Such designation shall be filed with the County Clerk and the Clerk of the Board of Supervisors and may be revoked at any time by the Superintendent filing a new written designation and order of succession. The designated Deputy shall be the Acting Superintendent of Public Works and shall have all the powers and perform all the duties of the Superintendent.

SECTION 3. Except as otherwise amended herein, all provisions of Local Law No. 2 of 1971, as amended by Local Law No. 3 of 2004, shall remain as is and in full force and effect.

SECTION 4. Effective Date. This Local Law shall take effect immediately upon filing with the Secretary of State.