

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
[redacted] of Montgomery
[redacted]
[redacted]
Local Law No. 1 of the year 19 89

A local law Amending Local Law No. 9 of 1987 Which Established a Department
(Insert title)
of Solid Waste Management for the County of Montgomery, New York and Amending Local Law No. 3 of 1969

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

County
[redacted] of Montgomery as follows:
[redacted]

LEGISLATIVE INTENT: The Montgomery County Board of Supervisors wishes to amend Local Law No. 9 of 1987 which established a Department of Solid Waste Management and charged it with administering the functions of any and all existing and proposed solid waste management systems, facilities and programs, in which the County of Montgomery is a party, has interest, or is in any way involved herewith. The intent of this Local Law is to provide for the position of Deputy Commission of Solid Waste Management, and amend Local Law No. 9 of 1987 accordingly,

Section I. DEPARTMENT OF SOLID WASTE MANAGEMENT; DEPARTMENT HEAD; QUALIFICATIONS. There shall be a Department of Solid Waste Management, the head of which shall be appointed on the basis of experience and qualifications for the duties of such office. The Commissioner of the Department of Solid Waste Management shall be a person with professional experience in the planning and management of solid waste management facilities. Such Commissioner shall be appointed by the Board of Supervisors to serve for a term of five years. The Commissioner shall be in the exempt class of State Civil Service. The annual salary of said Commissioner shall be established and adjusted from time-to-time by the Board of Supervisors.

Section II. POWERS AND DUTIES. The Commissioner of Solid Waste Management shall:

- a) Be responsible to the Board of Supervisors for administering and overseeing the operation of all solid waste management programs undertaken by the County, in compliance with applicable Federal, State and local regulations.

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

- b) Be responsible for the administration, operation and maintenance of any capital facilities pertaining to solid waste management, including physical plants, buildings, equipment, real estate and other appurtenances, that may be owned, operated, leased or otherwise held by the County or in which the County may have an interest, for the purpose of transporting, collecting, storing, processing, reselling, landfilling, or otherwise managing solid waste and sludges.
- c) Be responsible for the development of proposals for solid waste management facilities to serve the County and for the administration of planning, studies, development and ultimate operation of County solid waste management facilities, including advising and supervising of the design and construction of all capital projects for any and all solid waste management facilities.
- d) Be responsible for coordination with local governments of all planning, development, and operation of the solid waste facilities; coordination also with any other participating municipalities.
- e) Within the annual appropriations provided, therefore, and when authorized by the Board of Supervisors, the Commissioner may contract such special engineering or other technical professional services as may be necessary for the performance of the Department of Solid Waste Management.
- f) Pursuant to Section 35(e) of New York State Civil Service Law, have authority, direction and control over the Department of Solid Waste Management and the authority to appoint and remove employees of the Department, as is specified in Section 75 of the New York State Civil Service Law.
- g) Be responsible for submitting an annual report of operations to the Board of Supervisors at the close of each fiscal year.
- h) Be responsible for proposing schedules of rates and fees for solid waste services, and with the approval of the Board of Supervisors, collecting and enforcing the collection of the same.

Section III. DEPUTY COMMISSIONER OF SOLID WASTE MANAGEMENT QUALIFICATIONS. There shall be, within the Department of Solid Waste Management, a Deputy Commissioner of Solid Waste Management who shall be appointed by the Commissioner of Solid Waste Management, such appointment being made on the basis of experience and qualifications, for the duties of such office. The Deputy Commissioner shall serve at the pleasure of the Commissioner and shall be in the exempt class of the New York State Civil Service. The annual salary of the said Deputy Commissioner shall be established and adjusted from time to time by the Board of Supervisors. The Commissioner of Solid Waste Management may delegate or assign to his Deputy any of the specific powers and duties vested in the said Commissioner and may revoke such delegations and assignments. Such delegations, assignments, and/or revocations shall be in writing and shall set forth the specific power or powers, duty or duties, so delegated or revoked. Such written delegations or revocations shall be filed with the Clerk of the Board of Supervisors. Acts performed by the Deputy pursuant to such delegations and assignments shall have the same effect in law as if performed by the Commissioner.

Section IV. AMENDMENT. Local Law No. 3 of 1969, a Local Law Establishing a Department of Public Works and Prescribing the Powers and Duties Thereof, Pursuant to Section Ten of the Municipal Home Rule Law of the State of New York, is hereby amended as follows:

In Section 2. POWERS AND DUTIES, subparagraph d., delete reference to powers and duties pertaining to "sanitation, sewerage."

Section V. LOCAL LAW NO. 9 OF 1987. This Local Law shall be deemed to replace and supersede Local Law No. 9 of 1987.

Section VI. SAVING CLAUSE. If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgement, decree or order shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which the remainder of this Local Law shall not be affected thereby and shall remain in full force and effect.

Section VII. EFFECTIVE DATE. This local law shall take effect within 20 days or upon its being filed with the Secretary of State of the State of New York.

LOCAL LAW #1 of 1989
(INTRODUCTORY LOCAL LAW NO. 2 OF 1989)

A LOCAL LAW AMENDING LOCAL LAW NO. 9 OF 1987 WHICH ESTABLISHED A DEPARTMENT OF SOLID WASTE MANAGEMENT FOR THE COUNTY OF MONTGOMERY, NEW YORK AND AMENDING LOCAL LAW NO. 3 OF 1969

SPONSORED BY SUPERVISOR CECHNICKI,
SECONDED BY SUPERVISOR WILLS

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

LEGISLATIVE INTENT: The Montgomery County Board of Supervisors wishes to amend Local Law No. 9 of 1987 which established a Department of Solid Waste Management and charged it with administering the functions of any and all existing and proposed solid waste management systems, facilities and programs, in which the County of Montgomery is a party, has interest, or is in any way involved herewith. The intent of this Local Law is to provide for the position of Deputy Commissioner of Solid Waste Management, and amend Local Law No. 9 of 1987 accordingly,

Section I. DEPARTMENT OF SOLID WASTE MANAGEMENT; DEPARTMENT HEAD; QUALIFICATIONS. There shall be a Department of Solid Waste Management, the head of which shall be appointed on the basis of experience and qualifications for the duties of such office. The Commissioner of the Department of Solid Waste Management shall be a person with professional experience in the planning and management of solid waste management facilities. Such Commissioner shall be appointed by the Board of Supervisors to serve for a term of five years. The Commissioner shall be in the exempt class of State Civil Service. The annual salary of said Commissioner shall be established and adjusted from time-to-time by the Board of Supervisors.

Section II. POWERS AND DUTIES. The Commissioner of Solid Waste Management shall:

a) Be responsible to the Board of Supervisors for administering and overseeing the operation of all solid waste management programs undertaken by the County, in compliance with applicable Federal, State and local regulations.

b) Be responsible for the administration, operation and maintenance of any capital facilities pertaining to solid waste

management, including physical plants, buildings, equipment, real estate and other appurtenances, that may be owned, operated, leased or otherwise held by the County or in which the County may have an interest, for the purpose of transporting, collecting, storing, processing, reselling, landfilling, or otherwise managing solid waste and sludges.

c) Be responsible for the development of proposals for solid waste management facilities to serve the County and for the administration of planning, studies, development and ultimate operation of County solid waste management facilities, including advising and supervising of the design and construction of all capital projects for any and all solid waste management facilities.

d) Be responsible for coordination with local governments of all planning, development, and operation of the solid waste facilities; coordination also with any other participating municipalities.

e) Within the annual appropriations provided, therefore, and when authorized by the Board of Supervisors, the Commissioner may contract such special engineering or other technical professional services as may be necessary for the performance of the Department of Solid Waste Management.

f) Pursuant to Section 35(e) of New York State Civil Service Law, have authority, direction and control over the Department of Solid Waste Management and the authority to appoint and remove employees of the Department, as is specified in Section 75 of the New York State Civil Service Law.

g) Be responsible for submitting an annual report of operations to the Board of Supervisors at the close of each fiscal year.

h) Be responsible for proposing schedules of rates and fees for solid waste services, and with the approval of the Board of Supervisors, collecting and enforcing the collection of the same.

Section III. DEPUTY COMMISSIONER OF SOLID WASTE MANAGEMENT QUALIFICATIONS. There shall be, within the Department of Solid Waste Management, a Deputy Commissioner of Solid Waste Management who shall be appointed by the Commissioner of Solid Waste Management, such appointment being made on the basis of experience and qualifications, for the duties of such office. The Deputy Commissioner shall serve at the pleasure of the Commissioner and shall be in the exempt class of the New York State Civil Service. The annual

salary of the said Deputy Commissioner shall be established and adjusted from time to time by the Board of Supervisors. The Commissioner of Solid Waste Management may delegate or assign to his Deputy a specific powers and duties vested in the Commissioner and may revoke such delegations and assignments. Such delegations, assignments, and/or revocations shall be in writing and shall set forth the specific powers, duty or duties, so delegated or revoked. Such written delegations and assignments shall be filed with the Clerk of the Board of Supervisors. Acts performed by the Deputy pursuant to such delegations and assignments shall have the same effect as if performed by the Commissioner.

Section IV. AMENDMENT. Local Law No. 9 of 1969, a Local Law Establishing the Department of Public Works and Prescriptions and Duties Thereof, Pursuant to Section Ten of the Municipal Home Rule Law of the State of New York, is hereby amended as follows:

In Section 2. POWERS AND DUTIES, paragraph d., delete reference to powers and duties pertaining to "sanitation, sewerage and refuse collection."

Section V. LOCAL LAW NO. 9 OF 1987. Local Law shall be deemed to be amended and shall supersede Local Law No. 9 of 1987.

Section VI. SAVING CLAUSE. If any provision of this Local Law shall be adjudged by a court of competent jurisdiction to be invalid, such judgment, decree or order shall not impair or invalidate the remainder of this Local Law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part thereof directly involved in the controversy in which the remainder of this Local Law shall not be affected thereby and shall remain in full force and effect.

Section VII. EFFECTIVE DATE. This Local Law shall take effect within 20 days after its being filed with the Secretary of the State of New York.

LOCAL LAW ADOPTED with amendments by Supervisor Nay(148). Supervisor Dandreano and Supervisor Auspelmyer and Kw were absent.

RESOLUTION NO. 14 of 1989
DATED: January 2, 1989

RESOLUTION APPOINTING MEMBERS OF THE COUNTY BOARD OF ETHICS

Resolution by Supervisor:
Seconded by Supervisor:

ent, including physical plants, equipment, real estate and other assets, that may be owned, operated, otherwise held by the County or in the County may have an interest, for the purpose of transporting, collecting, storing, reselling, landfilling, or otherwise managing solid waste and sludges.

Responsible for the development of the County solid waste management facilities for the County and for the administration, studies, development and operation of County solid waste management facilities, including advising on the design and construction of capital projects for any and all solid waste management facilities.

Responsible for coordination with the County of all planning, development and operation of the solid waste facilities in cooperation also with any other participating municipalities.

Responsible for the annual appropriations process, and when authorized by the Board of Supervisors, the Commissioner may employ special engineering or other professional services as may be necessary for the performance of the Department of Solid Waste Management.

Responsible for submitting an annual report to Section 35(e) of New York State Civil Service Law, have authority and control over the Department of Solid Waste Management and the authority to hire and remove employees of the Department, as is specified in Section 75 of New York State Civil Service Law.

Responsible for proposing annual budgets for solid waste services, and for the approval of the Board of Supervisors and enforcing the collection of fees.

Responsible for proposing schedules for the collection of fees for solid waste services, and for the approval of the Board of Supervisors and enforcing the collection of fees.

DEPUTY COMMISSIONER OF SOLID WASTE MANAGEMENT QUALIFICATION
There shall be, within the Department of Solid Waste Management, a Deputy Commissioner of Solid Waste Management to be appointed by the Commissioner of Solid Waste Management, such appointment being made on the basis of the qualifications, for the duties and responsibilities of the position. The Deputy Commissioner shall be in the exempt class of the State Civil Service. The annual

salary of the said Deputy Commissioner shall be established and adjusted from time to time by the Board of Supervisors. The Commissioner of Solid Waste Management may delegate or assign to his Deputy any of the specific powers and duties vested in the said Commissioner and may revoke such delegations and assignments. Such delegations, assignments, and/or revocations shall be in writing and shall set forth the specific power or powers, duty or duties, so delegated or revoked. Such written delegations and revocations shall be filed with the Clerk of the Board of Supervisors. Acts performed by the Deputy pursuant to such delegations and assignments shall have the same effect in law as if performed by the Commissioner.

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Section V. LOCAL LAW NO. 9 OF 1987. This Local Law shall be deemed to replace and supersede Local Law No. 9 of 1987.

Section VI. SAVING CLAUSE. If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgement, decree or order shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which the remainder of this Local Law shall not be affected thereby and shall remain in full force and effect.

Section VII. EFFECTIVE DATE. This local law shall take effect within 20 days or upon its being filed with the Secretary of State of the State of New York.

LOCAL LAW ADOPTED with Aye(1117) Nay(148). Supervisor Dandreaano voted nay. Supervisors Auspelmyer and Kwiatkowski were absent.

RESOLUTION NO. 14 of 1989
DATED: January 2, 1989

RESOLUTION APPOINTING MEMBER OF COUNTY BOARD OF ETHICS

Resolution by Supervisor:
Seconded by Supervisor:

WHEREAS, Resolution No. 53 of 1987, which was adopted by the Board of Supervisors on January 27, 1987, reestablished a County Board of Ethics,

RESOLVED, that the following individual is hereby appointed a member of the Montgomery County Board of Ethics for a term set opposite her respective name:

APPOINTEE:	TERM EXPIRES:
Kelli McCoski	December 31, 1989

MOTION TO TABLE by Supervisor Kwiatkowski, seconded by Supervisor Frasier. Motion passed with Aye(1495),(01/02/89)

MOTION by Supervisor Frasier, seconded by Supervisor Papa to withdraw Resolutions #14 and 16 and refer them to the appropriate committee. Motion passed with Aye(1339). Supervisor Kwiatkowski was absent. (01/10/89)

MOTION by Supervisor Papa, seconded by Supervisor Wills to withdraw Resolutions 14 and 16 from the Agenda (Old Business) passed with Aye(1265). Supervisors Auspelmyer and Kwiatkowski were absent. (01/24/89)

RESOLUTION NO. 16 of 1989
DATED: January 2, 1989

RESOLUTION RECOMMENDING APPOINTMENT OF INDIVIDUALS TO SERVE ON THE ADIRONDACK-APPALACHIAN REGIONAL EMERGENCY MEDICAL SERVICES COUNCIL

Resolution by Supervisor:
Seconded by Supervisor:

WHEREAS, the County of Montgomery is a member of the Adirondack-Appalachian Regional Emergency Medical Services Council, and as such is authorized to have representation on said Council, and

WHEREAS, Montgomery County has two vacancies on said Council,

RESOLVED, that the Board of Supervisors of the County of Montgomery does hereby recommend to the Adirondack-Appalachian Regional Emergency Medical Services Council that William J. Crangle, of Mid-County Ambulance Service and Paul Tonko, Assemblyman, with Patricia Clancy as Alternate, be appointed the duly authorized Montgomery County representatives to serve on the Adirondack-Appalachian Regional Emergency Medical Services Council.