

# Local Law Filing

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

(Use this form to file a local law with the Secretary of State.)

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

County

of MONTGOMERY

Local Law No. 3 of the year 2001.

A local law Amending Local Law No. 1 of 1978, Local Law No. 2 of 1983 and  
(Insert Title)  
Local Law No. 1 of 1984, which created the Office of the  
County Administrator

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

County

of Montgomery as follows:

SECTION 1. COUNTY ADMINISTRATOR. There shall be a County Administrator who shall be directly responsible to the Board of Supervisors and perform the functions of a chief administrative officer, on behalf of the Board of Supervisors which shall nonetheless retain final administrative authority. Such office shall be in the unclassified services of the civil service.

SECTION 2. APPOINTMENT. Qualifications. The County Administrator shall be appointed by the Board of Supervisors for a four-year term. At the time of appointment, the County Administrator shall possess at least six years of education or training or experience, in any combination, in the fields of public or business administration and be able to demonstrate a working knowledge of the organization and structure of County government. The County Administrator shall also be recommended by the Qualification Committee established by this Local Law.

SECTION 3. POWERS AND DUTIES. There shall be no curtailment, diminution or transfer of any powers of any elected official to the County Administrator. The County Administrator shall be responsible for the overall administration of County Government. In addition, the County Administrator shall have the following powers and duties:

- (a) Shall serve as the County Budget Officer and be responsible for the preparation and administration of the budget of the County.
- (b) Shall appoint such personnel, within his or her office, as may be authorized by the Board of Supervisors.

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

- (c) Shall advise department heads and officers, as well as to coordinate the activities of County Government to most effectively implement the directives and policies of the Board of Supervisors.
- (d) Shall undertake administrative and management studies and submit, to the Board of Supervisors, reports and recommendations regarding governmental operations, as he or she may deem appropriate or the Board of Supervisors may request.
- (e) Shall make recommendations for appointments by the Board of Supervisors for all heads of units of County Government.
- (f) Shall execute all directives of the Board of Supervisors and cause enforcement of the Board, as well as local laws enacted in the County.
- (g) Shall serve as an advisor to the Board of Supervisors and develop policy and procedural recommendations for consideration of the Board of Supervisors and develop policy and procedural recommendations for consideration of the Board which will promote economy and efficiency in the operation of the County Government.
- (h) Shall maintain liaison and represent the Board in contacts with political subdivisions, State and Federal officials and agencies.
- (i) Shall be a participating member of all collective bargaining negotiations, shall provide input into the collective bargaining process by assisting the Personnel Director and Labor Attorney in the development and recommendations of the terms and conditions of the Collective Bargaining Agreement, and shall participate in all labor management meetings with the various organized employee representatives.
- (j) Shall be responsible for the preparation of grant proposals and applications.
- (k) Shall advise the Chairman of the Board of Supervisors on all matters pertaining to the authorization of hiring or promotion of budgeted positions, grant applications or proposals, authorizations to attend conferences, conventions and schools.
- (l) Shall authorize the transfer of funds within a departmental budget. All such authorized transfers shall be reported to the Board of Supervisors within thirty days after the transfer is made.
- (m) Shall appoint a confidential secretary who shall serve at his or her pleasure, who shall be paid out of the funds appropriated for that purpose.
- (n) Shall have such other powers and perform such other duties as may now or hereafter be conferred upon him by a Resolution or Resolutions of the Board of Supervisors.

#### SECTION 4. DEPUTIES.

- (a) The County Administrator shall have the power to appoint a Deputy County Administrator. Every appointment of a deputy shall be in writing, filed and recorded in the Office of the County Clerk.
- (b) The term of office of a deputy appointed hereunder shall coincide with that of the County Administrator, provided that any such appointment may be revoked, at any time, by the County Administrator, by written revocation filed with the County Clerk. The position of Deputy Administrator shall be in the exempt class of the civil service.
- (c) The Deputy County Administrator shall perform such duties pertaining to the Office of the County Administrator as the County Administrator may direct. The County administrator may, from time to time, delegate to the deputy, any of his powers and duties, by a writing filed with the Clerk of the Board of Supervisors and the County Clerk. Such delegation may be modified, or revoked, by the County Administrator at any time in the same manner. Upon such delegation of powers and duties to the deputy, the deputy shall be vested with such powers and duties as are delegated, to the same extent as the County Administrator.

SECTION 5. ACTING COUNTY ADMINISTRATOR. The Deputy County Administrator shall be the Acting County Administrator, in the event of the County Administrator's absence from the County or inability to perform and exercise the powers and duties of the office. In the event of the Deputy County Administrator's inability to serve as Acting County Administrator, the Chairman, with the approval of the Board of Supervisors, shall appoint an Acting County Administrator. In no event, may a person serve as Acting County Administrator for a period greater than sixty days, unless authorized by the Board of Supervisors. The Acting County Administrator shall have all the powers and duties of the County Administrator during the period of his designation or until a new County Administrator shall be appointed, pursuant to law and shall qualify to assume that office.

SECTION 6. QUALIFICATIONS COMMITTEE. The Board of Supervisors shall, in selecting a County Administrator, first appoint a special advisory committee on qualifications of seven members, consisting of two supervisor-members from each of the two major political parties and three members selected from the electorate at large, with not more than four members, in all, from any major political party. This committee shall interview and assess the qualifications of all applicants for the position and shall make recommendations to the Board of Supervisors with regard to the qualifications of all applicants.

SECTION 7. NO DIVESTITURE OF POWERS OR DUTIES OF BOARD. Nothing contained in this Local Law shall operate or be construed to divest the

Board of Supervisors of the County of Montgomery of any of its functions, powers and duties.

SECTION 8. SEPARABILITY OF PROVISIONS. If any of the provisions of this Local Law or the application thereof to any person or circumstances is held invalid, the remainder of this Local Law and the application thereof to either persons and circumstances shall not be affected thereby. If any term of this law shall be construed to provide for the maximum term permitted by law for such office.

SECTION 9. WHEN TO TAKE EFFECT. This Local Law shall take effect when all applicable statutory requirements for its passage and adoption have been complied with fully and it has been filed in the Offices of the Secretary of State.