

County of Putnam
Local Law #1 of 2012
(Passed at the November 14, 2011 Special Full Legislature Meeting)

APPROVAL/ LOCAL LAW TO AMEND ARTICLE 9 OF THE PUTNAM COUNTY CHARTER ENTITLED "DEPARTMENT OF HIGHWAYS AND FACILITIES".

Be it enacted by the Legislature of the County of Putnam as follows:

Section 1.

Article 9 of the Putnam County Charter is hereby amended to read as follows:

ARTICLE 9. Department of Highways and Facilities

§ 9.01. Department of Highways and Facilities: Commissioner

There shall be a Department of Highways and Facilities headed by a Commissioner of Highways and Facilities appointed by the County Executive, subject to confirmation by the County Legislature. The Commissioner of Highways and Facilities shall be qualified by training and experience for his or her position. The provisions of any law, rule or regulation which require that a public officer be a resident of the political subdivision or municipal corporation of the state for which he or she shall be chosen or within which his or her official functions are required to be exercised, shall not prevent a person from holding the office of the Commissioner of Highways and Facilities of the County of Putnam, so long as such person resides within fifty linear miles from the Office of the Commissioner of Highways and Facilities at the Putnam County Department of Highways and Facilities, when appointed and continuously throughout his or her appointment. He or she shall serve at the pleasure of the County Executive. Within appropriations therefor, he or she shall appoint a staff to implement the duties of this office as detailed in § 9.02 of this Charter.

§ 9.02. Powers and duties.

Except as otherwise provided in this Charter, the Commissioner of Highways and Facilities shall:

- (a) 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 laws;
- (b) Have charge and supervision of the design, construction, improvement, maintenance, repair, cleaning and lighting of all highways, roads, streets, bridges and grade separation structures under jurisdiction of the County;
- (c) Have charge and supervision of the design, construction and alteration of County buildings, parking areas, drives, walks, docks, parks and such other structures and facilities in the nature of public works under the jurisdiction of the County;
- (d) Have charge and supervision of the maintenance and repair of all County buildings to include custodial care of such buildings;
- (e) Have charge and supervision of the maintenance and operations of County parks and preserves.

§ 9.03. Deputy Commissioners of Highways and Facilities.

The Commissioner of Highways and Facilities shall appoint a Deputy Commissioner of Highways and Facilities who shall act generally for and in the place of the Commissioner of Highways and Facilities in the event of his or her absence from the County or inability to perform and exercise the powers and duties of office. The provisions of any law, rule or regulation which require that a public officer be a resident of the political subdivision or municipal corporation of the state for which he or she shall be chosen or within which his or her official functions are required to be exercised, shall not prevent a person from holding the office of the Deputy Commissioner of Highways and Facilities of the County of Putnam, so long as such person resides within fifty linear miles from the Office of the Commissioner of Highways and Facilities at the Putnam County Department of Highways and Facilities, when appointed and continuously throughout his or her appointment.

The Deputy Commissioner of Highways and Facilities shall have the powers and shall perform all duties of the Commissioner of Highways and Facilities only in the event that the Commissioner of Highways and Facilities is absent or unable to perform and exercise the powers and duties of such office.

The Commissioner of Highways and Facilities may also appoint additional deputies who shall have the powers and who shall perform all the duties of the Commissioner of Highways and Facilities only in the event that both the Commissioner and Deputy Commissioner of Highways and Facilities are absent or unable to perform and exercise the powers and duties of such office. Such additional deputies shall be designated in writing and in order of succession by the Commissioner of Highways and Facilities and shall be filed with the County Executive and with the Clerk of the County Legislature. Such designations may be revoked at any time by the Commissioner of Highways and Facilities by filing a new written designation and order of succession.

Section 2.

This Local Law shall take effect forty-five (45) days after its adoption, subject to referendum on petition in accordance with the provisions of Section 24 of the New York State Municipal Home Rule Law.