

County of Putnam County
Local Law #7 of 2014
(Passed at June 3, 2014 Regular Meeting)

A Local Law to Amend Article 10 of the Putnam County Charter entitled "Human Resources Services" to add two (2) new sections entitled "Deputy Commissioner of Social Services" and "Deputy Commissioner of Mental Health."

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF PUTNAM, as follows:

Section 1. Article 10 of the Putnam County Charter is hereby amended to read as follows:

ARTICLE 10. Human Resources Services

TITLE I
Department of Social Services

§ 10.01. Department of Social Services; Commissioner.

There shall be a Department of Social Services under the direction of a Commissioner of Social Services who shall be appointed by the County Executive, subject to confirmation by the County Legislature. The Commissioner of Social Services shall be appointed on the basis of his or her administrative experience and qualifications for the duties of the office for the term provided by law. The Commissioner shall have the power, within budgetary appropriations, to appoint such staff of his or her department as may be necessary to implement the duties of this office as set forth herein.

§ 10.02. Commissioner of Social Services; powers and duties.

The Commissioner of Social Services shall perform the duties prescribed by law and such additional and related duties as are required by the County Executive.

§ 10.03 Deputy Commissioner of Social Services.

The Commissioner of Social Services shall appoint a Deputy Commissioner of Social Services who shall act generally for and in place of the Commissioner of Social Services in the event of his or her absence from the County or inability to perform and exercise the powers and duties of office. The Deputy Commissioner of Social Services shall perform all of the duties of the Commissioner of Social Services only in the event that the Commissioner of Social Services is absent or unable to perform and exercise the powers and duties of such office.

TITLE II
Department of Health

§ 10.04. Department of Health; Commissioner/Public Health Director.

(a) There shall be a Department of Health under the direction of a Commissioner of

Health or a Public Health Director who shall be appointed by the County Executive, subject to confirmation by the County Legislature. If the appointment is that of Commissioner, at the time of his or her appointment and throughout his or her term of office the Commissioner 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. In the alternative, if the appointment is that of Public Health Director, such person shall possess a master's degree in public health or a related field and three years of public health administration experience, or an appropriate combination of education and experience deemed equivalent by the State Commissioner of Health.

- (b) All appointments to the position of Public Health Director and the appointment and arrangements for the medical consultant are subject to the approval of the State Commissioner of Health.
- (c) Either the Commissioner or the Director shall be directly responsible to and serve at the pleasure of the County Executive, unless otherwise provided by law.
- (d) The Commissioner/Public Health Director shall serve on a full-time basis and shall not be employed nor engage in any private practice in their field of expertise.
- (e) All full-time managerial employees in the department who are professionally licensed shall not engage in any private practice, nor be employed in their field of expertise with the County, by any private or governmental entity. [Amended 9-6-2011 by L.L. No. 18-2011]

§ 10.05. Powers and duties.

Except as otherwise provided in this Charter, the Commissioner of Health or the Director shall have all the powers and perform all the duties conferred or imposed upon a County Health Commissioner and upon county boards of health by the Public Health Law or any other law. He or she shall perform such other and related duties as are required by the County Executive or the County Legislature.

§ 10.06. Deputy Health Commissioner.

In the event that the office of Commissioner of Health is vacant, a Deputy Commissioner of Health shall be appointed by the County Executive subject to confirmation by the County Legislature. A Deputy Commissioner of Health who has been appointed by the County Executive shall perform all the duties of a Commissioner of Health, may serve on a part-time basis, shall be and remain duly licensed to practice medicine in the State of New York, and shall have such other qualifications as may be required by law.

§ 10.07. Board of Health.

There shall be in the Department of Health a Board of Health consisting of seven (7) members who shall be appointed by the County Legislature in the manner and for the term provided in the Public Health law. It shall be mandatory, however, that at least one member of the Board of Health shall be appointed primarily on the basis of known experience and interest in environmental matters. 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 matter that may come to its attention relating to the preservation and improvement of public health within the County, and to advise the Commissioner or the Administrator thereon either on request or upon its initiative, and

from time to time make recommendations to the Commissioner or Administrator thereon.

TITLE III
Department of Mental Health

§ 10.08. Department of Mental Health; Commissioner.

There shall be a Department of Mental Health under the supervision of a Commissioner of Mental Health who shall be appointed by the County Executive upon the recommendation of the Community Services Board and subject to confirmation by the County Legislature. The Commissioner of Mental Health shall meet the qualifications prescribed by the Mental Hygiene Law and the State Commissioner of Mental Hygiene. He or she shall be directly responsible to and serve at the pleasure of the County Executive.

§ 10.09. Powers and duties.

Except as otherwise provided in this Charter, the Commissioner of Mental Health shall have all the powers and perform all the duties now or hereafter conferred or imposed by law upon a Commissioner of community mental health services and shall perform such other and related duties required by the Administrative Code, local law, the County Executive or the Community Services Board.

§ 10.10. Deputy Commissioner of Mental Health.

The Commissioner of Mental Health shall appoint a Deputy Commissioner of Mental Health who shall act generally for and in the place of the Commissioner of Mental Health in the event of his or her absence from the County or inability to perform and exercise the powers and duties of office. The Deputy Commissioner of Mental Health shall have the powers and shall perform all of the duties of the Commissioner of Mental Health only in the event that the Commissioner of Mental Health is absent or unable to perform and exercise the powers and duties of such office.

§ 10.11. Community Services Board.

Within the Department of Mental Health there shall be a Community Services Board consisting of nine (9) members who shall be appointed by the County Legislature in the manner and for the term provided in the Mental Health Law. It shall be mandatory, however, that the County Executive or his or her designee be one of the members. The Board shall have all the powers and perform all the duties now or hereafter conferred or imposed by law upon a community mental health board except that it shall not have the power to appoint or remove the Commissioner of Mental Health, to fix his or her compensation and expenses, to exercise supervisory authority over the Commissioner of Mental Health and to audit and approve claims over the Commissioner of Mental Health and to audit and approve claims of the Department of Mental Health.

Section 2.

This local law shall take effect forty-five (45) days after its adoption and is subject to permissive referendum.