

A LOCAL LAW AMENDING ARTICLES III, IV AND VI OF THE ONONDAGA COUNTY CHARTER AND THE ONONDAGA COUNTY ADMINISTRATIVE CODE TO ABOLISH THE POSITION OF COMMISSIONER OF FINANCE, TO ABOLISH THE POSITION OF DIRECTOR OF MANAGEMENT AND BUDGET, TO CREATE A CHIEF FISCAL OFFICER, AND TO TRANSFER THE DUTIES OF THE DIVISION OF MANAGEMENT AND BUDGET TO THE CHIEF FISCAL OFFICER

BE IT ENACTED BY THE ONONDAGA COUNTY LEGISLATURE OF THE COUNTY OF ONONDAGA, NEW YORK, AS FOLLOWS:

Section 1. The Onondaga County Charter, being Local Law No. 1 of 1961 as amended, hereby is further amended, as follows:

Section 2. Article IV of the Onondaga County Charter, entitled "Department of Finance", is hereby amended to read as follows:

ARTICLE IV  
DEPARTMENT OF FINANCE

SECTIONS:

401. Department of Finance; Chief Fiscal Officer; Board of Equalization and Elective Office of Treasurer abolished.

402. Powers and Duties.

Section 401. DEPARTMENT OF FINANCE; CHIEF FISCAL OFFICER; BOARD OF EQUALIZATION AND ELECTIVE OFFICE OF TREASURER ABOLISHED.

There shall be a Department of Finance headed by a Chief Fiscal Officer. The Chief Fiscal Officer shall be appointed on the basis of his or her administrative experience and his or her qualifications for the duties of the office by the County Executive subject to confirmation by the County Legislature. The Onondaga County Equalization Board, being Chapter 988 of the laws of 1946 as amended, is repealed, and the elective office of County Treasurer shall be abolished as of January 1, 1962.

Section 402. POWERS AND DUTIES.

Except as otherwise provided in the Charter, the Chief Fiscal Officer shall:

(a) Be the Chief Fiscal Officer of the County and have charge of the administration of all its financial affairs.

(b) Collect, receive, have custody of, deposit, invest and disburse all fees, revenues and other funds of the County or for which the County is responsible.

(c) Perform all duties now performed by a County Treasurer or other County officer in relation to the collection of taxes.

(d) Perform all duties in relation to the extension of taxes and such other and related duties in connection therewith as shall be prescribed by the County Executive or County Legislature.

(e) Keep a record of the transfer of title to real property and immediately notify the town clerk or the city commissioner of assessment of all such transfers in each town or city, as the case may be.

(f) Make available a consultation and advisory service to assist local assessors in the performance of their duties and in the establishment and maintenance of suitable procedures and facilities to improve assessment records and practices.

(g) Submit annually to the County Executive proposed county tax equalization rates consistent with the standards prescribed by the legislature of the state of New York.

(h) Within the Management and Budget Division, maintain at least two units, which shall be the Budget Administration Unit and the Insurance Division.

(I) Assist the County Executive in the preparation and administration of the operating and capital budgets and the capital program, recommend to and assist departments in affecting improvements in organization, management methods and procedures, and report to the County Executive findings regarding the effectiveness of policy management, internal organization and operative procedures.

(j) Perform such other and related duties as shall be required or delegated to him or her by the County Executive or the County Legislature.

Section 3. Section 305 of the Onondaga County Charter, entitled "Division of Management and Budget", is hereby repealed.

Section 4. Article VI of the Onondaga County Charter, entitled "Financial Procedures", is hereby amended to substitute "Chief Fiscal Officer" for every and all references therein to "Budget Director".

Section 5. The Onondaga County Administrative Code, being Local Law No. 2 of 1975, is hereby amended as follows:

Section 6. Article IV of the Onondaga County Administrative Code, entitled "Department of Finance" is hereby amended to read as follows:

#### ARTICLE IV DEPARTMENT OF FINANCE

##### Section:

4.01. Department of Finance; Appointment; Qualifications; Term.

4.02. Chief Fiscal Officer; Powers and Duties.

4.03. Division of Treasury; Director of Treasury; Appointment; Term; Powers and Duties.

4.04A. Division of Real Property Tax Services; Director of Real Property Tax Services; Appointment; Term; Powers and Duties.

4.04B. Director of Real Property Tax Services; Technical Assistants; Appointment; Qualifications; Terms.

4.04C. Division of Management and Budget.

4.04D. Deputy Director of the Division of Management and Budget; Appointment, Term; Powers and Duties.

4.05. Depository Undertakings; Liability of Chief Fiscal Officer.

4.06. Departments Divisions and Units; Deputy Chief Fiscal Officers and Staff; Appointment; Revocation.

4.07. Acting Chief Fiscal Officer.

4.08. Seal of the Chief Fiscal Officer.

Section 4.01. DEPARTMENT OF FINANCE; CHIEF FISCAL OFFICER; APPOINTMENT; QUALIFICATIONS; TERM.

There shall be a Department of Finance under the direction of a Chief Fiscal Officer, who shall be appointed by the County Executive, subject to the approval of the County Legislature. In addition to the qualifications prescribed in Section 401 of the Charter, the Chief Fiscal Officer shall possess at the time of appointment a degree in the field of financial or business administration, or five years experience in the financial field, and shall be appointed on the basis of these and any qualifications as may be possessed for the responsibilities of the office. The Chief Fiscal Officer shall be directly responsible to, and serve at the pleasure of, the County Executive.

Section 4.02. CHIEF FISCAL OFFICER; POWERS AND DUTIES.

(a) The Chief Fiscal Officer shall be the chief fiscal officer of the County, as provided in Section 402.a of the Charter. As such, the Chief Fiscal Officer shall be responsible for the administration of the County's financial affairs. The powers and duties of the Chief Fiscal Officer in addition to those prescribed in Section 402 of the Charter shall be to:

(1) submit to the County Executive and the County Legislature on or before the 15th days of January, April, July and October, and at such other times as they may require, a statement of the financial condition of the County as of the last day of the preceding calendar quarter, including aggregate revenues received for general County purposes and for each appropriate account or fund when required by law to be expended, reflecting as to each such account the amounts appropriated or encumbered but remaining unexpended, the aggregate expenditures of the unencumbered balance and such other information as they may require;

(2) conduct the sale of all bonds pursuant to the provisions of the Local Finance Law and maintain records of all indebtedness of the County;

(3) provide adequate insurance and surety bond coverage protecting the County from all reasonable risks of loss or damage;

(4) have all of the powers and duties formerly performed by the Commissioner of Finance, the County Treasurer and the Director of the Division of Management and Budget; and

(5) except as may otherwise be provided in the Charter or this Code, have all the powers and perform all the duties now or hereafter conferred or imposed by law, together with such other and related duties as may be required by the County Executive.

Section 4.03. DIVISION OF TREASURY; DIRECTOR OF TREASURY; APPOINTMENT; TERM; POWERS AND DUTIES.

There shall be within the Department of Finance a Division of Treasury under the direction of a Director of Treasury, who shall be appointed in the manner, subject to the conditions and for the term prescribed in Section 4.06 of this Code. The powers and duties of the Director shall be to:

(a) collect and receive on behalf of the Chief Fiscal Officer all property and sales tax revenues, state and federal aid funds, fees, grants and trust funds and other funds of the County;

(b) deposit, invest and disburse all such taxes and revenues, fees, grants and funds and assist the Chief Fiscal Officer in the borrowing of monies by the County as authorized from time to time by the County Legislature;

(c) assist the Chief Fiscal Officer in the issuance and sale of bonds on behalf of the County;

(d) submit to the Chief Fiscal Officer such reports, data and information as may be required, or as may otherwise be appropriate from time to time, regarding the collection, investment and disbursement of revenues and the issuance and sale of bonds;

(e) except as may otherwise be provided in the Charter or this Code, perform such other and related duties as may be required by the Chief Fiscal Officer; and

(f) receive monthly bank statements, reconcile outstanding and canceled checks and be the depository for said records.

Section 4.04A. DIVISION OF REAL PROPERTY TAX SERVICES; DIRECTOR OF REAL PROPERTY TAX SERVICES; APPOINTMENT; TERM; POWERS AND DUTIES.

There shall be within the Department of Finance a Division of Real Property Tax Services which shall combine the functions of assessment and real property tax services under the direction of a Director of Real Property Tax Services, whose qualifications shall conform to those prescribed by the State of New York for county directors of real property tax service agencies and who shall be appointed in this manner, subject to the conditions and for the term prescribed in Section 4.06 of this Code. The powers and duties of the Director shall be to:

(1) ascertain, spread, enter, and extend taxes levied by the County Legislature for all state, county, town and special district purposes and including the preparation of tax rolls and the issuance of tax bills for such taxes;

(2) maintain records of transfer of title to real property within the County and notify appropriate assessing officers thereof;

(3) assist in the establishment, preparation and annual submission to the County Executive of proposed County tax equalization rates consistent with standards prescribed by the County Legislature or otherwise required by law;

(4) establish suitable procedures and facilities for the coordination of all tax mapping and tax roll activities within the County;

(5) provide advisory appraisal service to city, town and village assessors within the County as they may request from time to time;

(6) assist in providing County sponsored and coordinated programs for basic and advanced training of local assessors, with a view toward upgrading their proficiency and technical skills and promoting equality and uniformity throughout the County in local assessing practices;

(7) serve as intermediary in obtaining from the State Board of Assessment and Equalization advisory assistance for city, town and village assessors within the County;

(8) submit to the Chief Fiscal Officer such reports, data and information as may be required, or as may otherwise be appropriate from time to time, regarding assessment procedures within the County; and

(9) except as may otherwise be provided in the Charter or this Code, perform such other and related duties as may be required by the Chief Fiscal Officer.

#### Section 4.04B. DIRECTOR OF REAL PROPERTY TAX SERVICES; TECHNICAL ASSISTANTS; APPOINTMENTS; QUALIFICATIONS; TERMS.

The Director of Real Property Tax Services, subject to the approval of the Chief Fiscal Officer, may appoint to the Division of Real Property Tax Services from time to time such additional technical assistants as may be authorized by the County Legislature. At the time of appointment, each such appointee shall possess at least three year's professional experience within the last ten years in the field of real property tax services or assessment, together with such other qualifications as may be required by law. Each such appointee shall be directly responsible to, and, unless otherwise required by law, serve at the pleasure of, the Director. These appointments, and revocations thereof, shall be in writing and reported to the Commissioner of Personnel.

#### Section 4.04C. DIVISION OF MANAGEMENT AND BUDGET.

There shall be within the Department of Finance a Division of Management and Budget under the direction of the Chief Fiscal Officer whose powers and duties, in addition to those set forth elsewhere in the Charter and this Code, shall be to:

(1) assist the County Executive in the preparation and administration of the operating and capital budgets and the capital programs;

(2) recommend and assist departments to affect improvements in organization and management methods and procedures, and report his or her findings in these matters to the County Executive;

(3) review and make programmatic evaluations as to expenditures of county funds and report to the County Executive regarding the same;

(4) advise the County Executive as to the effectiveness of policy management, internal organization and operating procedures within the units of county government;

(5) review and report to the County Executive regarding the character, amount and cost of service rendered by each department in county government;

(6) formulate recommendations for the County Executive regarding departmental structure and organization, work flow and distribution, and cost control;

(7) develop operating reports that shall be periodically required from all departments, boards and agencies supported in whole or in part by funds from the County of Onondaga; and

(8) perform the duties formerly performed by the Director of the Division of Management and Budget under former Section 3.04A of this Code and perform such other and related duties as may be required by the County Executive.

**Section 4.04D DEPUTY DIRECTOR OF THE DIVISION OF MANAGEMENT AND BUDGET; APPOINTMENT; TERM; POWERS AND DUTIES.**

There shall be within the Department of Finance, Division of Management and Budget, a Deputy Director of the Division of Management and Budget who shall be appointed by, shall be directly responsible to, and shall serve at the pleasure of the Chief Fiscal Officer. The Deputy Director of the Division of Management and Budget shall be in the exempt class of civil service unless otherwise provided by law. The powers and duties of the Deputy Director of the Division of Management and Budget shall be to:

(1) provide guidance in the form of budget forecasts to the County Executive, the Chief Fiscal Officer and to all departments and units of County Government for the purpose of assisting in the preparation of budget requests;

(2) review and investigate unit budget requests and assist the Chief Fiscal Officer and the County Executive in the preparation of the proposed County budget;

(3) assist the Chief Fiscal Officer and the County Executive in exercising budgetary and management control and checks on program performance;

(4) review the quarterly financial reports of the Chief Fiscal Officer prior to delivery thereof to the County Legislature together with the financial records and accounts of all units of County government charged with any duty relating to the funds of the County or for which the County is responsible in whole or in part;

(5) initiate and administer under the guidance of the Chief Fiscal Officer the planning and budgetary phases of the County's capital improvement program including serving as the secretary to the capital program committee, as hereinafter provided;

(6) conduct at the direction of the County Executive or the Chief Fiscal Officer special fiscal studies and appropriate investigations of County departmental organization, administration and systems;

(7) make recommendations to the Chief Fiscal Officer and the County Executive with regard to fiscal policy;

(8) act as a liaison, under the direction of the County Executive and the Chief Fiscal Officer, between the Executive branch of County government and the County Legislature with regard to budgetary and fiscal matters; and

(9) perform such other and related duties as may be required by the Chief Fiscal Officer or by the County Executive.

**Section 4.05. DEPOSITORY UNDERTAKINGS; LIABILITY OF CHIEF FISCAL OFFICER.**

(a) Each depository designated by the County Executive pursuant to the provisions of Section 3.02(n) of this Code shall, for the security of the County, give good and sufficient security as provided for in the General Municipal Law. The Chief Fiscal Officer shall not be liable for the loss of public funds of the County by reason of the default or insolvency of a designated depository provided such funds have been deposited in accordance with law.

**Section 4.06. DEPARTMENTAL DIVISIONS AND UNITS; DEPUTY CHIEF FISCAL OFFICERS AND STAFF; APPOINTMENT; REVOCATION.**

The Chief Fiscal Officer may, within appropriations therefor, create such other divisions or units within the Department as may be deemed appropriate from time to time in the performance of the powers and duties of the office. In addition, and consistent with the provisions of Section 4.04B of this Code, the

Chief Fiscal Officer may appoint such Deputy Chief Fiscal Officers, assistants and employees of the Department as shall be authorized by the County Legislature. Each such appointee shall be directly responsible to, and, unless otherwise required by law, serve at the pleasure of, the Chief Fiscal Officer. Appointments, and revocations thereof, shall be in writing and reported to the Commissioner of Personnel.

Section 4.07. ACTING CHIEF FISCAL OFFICER.

The Chief Fiscal Officer, subject to the approval of the County Executive, shall designate in writing a line of succession to the office of Acting Chief Fiscal Officer in the event of absence from the County or inability 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 County Legislature and may be revoked at any time by the Chief Fiscal Officer filing a new written designation. The Acting Chief Fiscal Officer shall have all the powers and perform all the duties of the Chief Fiscal Officer during the period of succession or until a new Chief Fiscal Officer shall be appointed pursuant to law and shall qualify to assume that office.

Section 4.08. SEAL OF THE CHIEF FISCAL OFFICER.

The seal of the Chief Fiscal Officer shall consist of two circles, one within the other, with the words, "CHIEF FISCAL OFFICER" and "ONONDAGA COUNTY, NEW YORK", around the outer circumference of the inner circle and in the center the word, "SEAL". It shall be used for all authorized and required purposes.

Section 5. Sections 3.04A and 3.04B of the Onondaga County Administrative Code are hereby repealed.

Section 6. References in Article VI of Onondaga County Administrative Code to the "Division of Management and Budget" and to the "Director of the Division of Management and Budget" are hereby deleted and replaced with "Department of Finance" and "Chief Fiscal Officer", respectively.

Section 7. Section 3.03B of the Onondaga County Administrative Code is hereby amended to delete reference to the "Divisions of Budget".

Section 8. Commissioner's Bond. Section 4.08 of the Onondaga County Administrative Code, as formerly enacted and entitled "Commissioner's Bond", is hereby repealed.

Section 9. Consolidation of Personnel. The Commissioner of Personnel is authorized to take such action as may be appropriate, consistent with applicable state and local law including the Civil Service Law and this Charter and Code, to consolidate personnel.

Section 10. Powers and Duties of Division of Management and Budget transferred to Department of Finance. Section 305 of the Onondaga County Charter and Sections 3.04A and 3.04B of the Onondaga County Administrative Code are hereby repealed and the powers and duties of the Division of Management and Budget and the powers and duties of the Director of the Division of Management and Budget are hereby transferred to the Department of Finance and to the Chief Fiscal Officer.

Section 11. Commissioner of Finance abolished and powers and duties transferred to Chief Fiscal Officer. Article IV of the Onondaga County Charter and Article IV of the Onondaga County Administrative Code are hereby amended to abolish the Commissioner of Finance and to create the Chief Fiscal Officer, who shall have all of the powers and duties heretofore and formerly had by the County Commissioner of Finance, the County Treasurer and the Director of the Division of Management and Budget.

Section 12. If any clause or sentence of this Local Law shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause or sentence directly involved in the controversy in which such judgment shall have been rendered.

Section 13. Except as may otherwise be required by law, all existing laws, ordinances, legalizing acts and resolutions of the County shall remain operative except where inconsistent with this local law. Whenever the term "County Treasurer", "Commissioner of Finance", "County Commissioner of Finance", or "Director of the Division of Management and Budget" is referred to in any law, rule, regulation or resolution, it shall be deemed to mean and refer to the County Chief Fiscal Officer.

Section 14. This Local Law shall take effect January 1, 1996.

CHIEFFISC.LL  
LHT/CFC  
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**ADOPTED**  
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