

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.

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED
JUL 20 1999
Alexander F. Ciccardi
Secretary of State

County
~~City~~
~~Town~~
~~Village~~

of ----- ERIE -----
Local Law No. ----- 4 ----- of the year 1999

A local law in relation to the composition and terms of the members of the
(Insert Title)
board of trustees of the department of central police services.

Be it enacted by the ----- ERIE COUNTY LEGISLATURE ----- of the
(Name of Legislative Body)

County
~~City~~
~~Town~~
~~Village~~

of ----- ERIE ----- as follows:

Section 1. Erie County Local Law number one of nineteen hundred fifty-nine, constituting the Erie county charter, as amended, is hereby further amended by amending article XI-D thereof to read as follows:

ARTICLE XI-D DEPARTMENT OF CENTRAL POLICE SERVICES

- § 11-D-01. Department of central police services; commissioner.
- § 11-D-02. Powers and duties.
- § 11-D-03. Board of trustees.

§ 11-D-01. Department of central police services; commissioner. There shall be a department of central police services, the head of which shall be the commissioner of central police services. The commissioner shall be appointed by the county executive, subject to confirmation by the county legislature, from a list of three qualified candidates provided by the central police services board of trustees. The commissioner shall serve at the pleasure of the county executive.

§ 11-D-02. Powers and duties. The commissioner of central police services shall:
a. Coordinate, administer, originate and promote programs of professional and technical services to police agencies in the county.

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

b. Perform such further duties as may be prescribed or directed by the county executive or the county legislature.

§ 11-D-03. Board of trustees. The county executive shall appoint a central police services board of trustees of seven members which shall set the policy for the department and advise on matters relating to programs of professional and technical services to police agencies in the county. Should the office of commissioner become vacant, the central police services board of trustees shall submit a list of three qualified candidates to the county executive. Such board shall be composed of the commissioner of police of the city of Buffalo or the designee thereof; the inspector, division of administration and communications, Buffalo police department; the Erie county sheriff or the designee thereof; a member designee of the Erie county chiefs of police association; a designee of the county executive; a member of the Erie county legislature designated by the chairman of the legislature; and a designee of the association of Erie county governments, who is an elected official. Such board shall be responsible to the county executive.

Section 2. Erie County Local Law number one of nineteen hundred sixty, constituting the Erie county administrative code, as amended, is hereby further amended by amending article XI-D thereof to read as follows:

ARTICLE 11-D

DEPARTMENT OF CENTRAL POLICE SERVICES

§ 11-D-01 Department established.

§ 11-D-02 Commissioner; powers and duties.

§ 11-D-03 Board of trustees.

§ 11-D-01 Department established. There shall be a department of central police services as established by the Erie county charter.

§ 11-D-02 Commissioner; powers and duties. There shall be a commissioner of central police services to be appointed and with powers and duties pursuant to provisions of the Erie county charter.

§ 11-D-03 Board of trustees. There shall be a department of central police services board of trustees as established by the Erie county charter. Members of the board of trustees except the three ex-officio members shall be selected for two-year terms, except that the first designee of the county executive and the first designee of the chairman of the Erie county legislature are to be selected for one-year terms. The initial terms shall be deemed as commencing on January first, nineteen hundred seventy-three, regardless of the date of appointment. Any designated member may be designated for additional terms. Any designated member chosen to fill a vacancy created otherwise than by expiration of term shall be designated for the unexpired term of the member he is to succeed.

There shall be an initial organizational meeting of the board of trustees held during January of each year at which a chair, vice-chair and secretary shall be elected from among its members by a majority vote of a quorum consisting of at least four members, this same number to constitute a quorum for conduct of any business at meetings of the board of trustees. The chair, vice-chair and secretary shall serve for a term of one year.

Section 3. This local law shall be effective immediately.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____⁴ of 19⁹⁹ of the (County)(City)(Town)(Village) of _____^{ERIE} was duly passed by the _____^{ERIE COUNTY LEGISLATURE} on _____^{June 3,} 19⁹⁹, and was (approved)(~~not approved~~)(repassed after disapproval) by the _____^{COUNTY EXECUTIVE} and was deemed duly adopted on _____^{June 17,} 19⁹⁹, in accordance with the applicable provisions of law.
(Elective Chief Executive Officer)*

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 19____, in accordance with the applicable provisions of law.
(Elective Chief Executive Officer)*

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19____, in accordance with the applicable provisions of law.
(Elective Chief Executive Officer)*

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

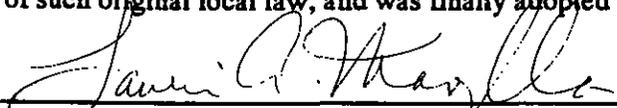
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 19____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 19____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____, above.



Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body

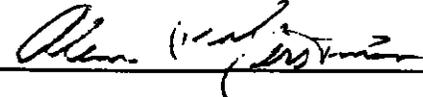
(Seal)

Date: July 16, 1999

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF ERIE

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.



Signature

1st Assistant County Attorney

Title

County
~~City~~ of ERIE
~~Town~~
Village

Date: July 16, 1999