

RESOLUTION NO. 2015087

RE: CONFIRMATION OF APPOINTMENT OF EOIN WRAFTER AS
COMMISSIONER OF PLANNING AND DEVELOPMENT FOR THE
COUNTY OF DUTCHESS

Legislators MICCIO, FLESLAND, BOLNER, PULVER, HORTON,
BORCHERT, WEISS, SAGLIANO, JETER-JACKSON, MACAVERY, and FARLEY
offer the following and move its adoption:

WHEREAS, pursuant to Section 3.04 of the Dutchess County Charter, the County Executive appointed Eoin Wrafter as the Acting Commissioner of Planning and Development through December 31, 2014, by Resolution 2014154, and which was extended through June 30, 2015, by Resolution 2014320, and

WHEREAS, the Commissioner of Human Resources has determined that Eoin Wrafter is qualified to perform the duties of the position of Commissioner of Planning and Development, and

WHEREAS, the County Executive has advised that, pursuant to Article XII, Section 12.01 of the Dutchess County Charter, he has appointed Eoin Wrafter as Commissioner of Planning and Development for the County of Dutchess, now therefore, be it

RESOLVED, that the appointment of Eoin Wrafter as Commissioner of Planning and Development for the County of Dutchess is hereby confirmed by this Legislature effective immediately.

CA-057-15
kyh/G-0179
3/10/15

STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of April 2015, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have herunto set my hand and seal of said Legislature this 13th day of April 2015.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

County Executive shall fail to return such legislation to the Clerk of the County Legislature, with reasons in writing, within ten (10) days after submission to the County Executive, or thirty (30) days in the case of a local law, such legislation shall be deemed approved and duly enacted;

(j) appoint a member of the County Legislature to serve as its Chairman for the balance of the calendar year should the County Legislature fail to select a Chairman from among its members within thirty (30) days after that office shall become vacant for any reason;

(k) determine and fix real property equalization rates for each of the County tax districts for County purposes, and file copies of such rates in writing with the Clerk of the County Legislature and State Board of Equalization and Assessment on or before the first day of October of each year;

(l) file with the County Legislature annually on or before the first day of February of each year a written report of the finances of the County and the activities of the executive branch of the County government in such detail and in such manner as he may deem appropriate or as the County Legislature may by resolution specify, and make other reports at such times and in such manner as the County Legislature may by resolution require;

(m) possess all powers and duties with respect to weights and measures;

(n) make purchases and sales of all materials, supplies and equipment, and contract for the rental and servicing of equipment for the County, subject to the provisions of the General Municipal Law;

(o) make, sign and implement all contracts on behalf of the County within authorized appropriations; and

(p) supervise the operations of the County's data processing and machine tabulating equipment.

Section 3.03. Committees, Commissions and Boards. Members of all committees, commissions and boards appointed pursuant to Section 3.02 (e) of this Charter shall serve at the pleasure of the County Executive. They shall serve without compensation other than for actual and necessary expenses within appropriations made therefor, unless otherwise provided by resolution of the County Legislature.

✓ Section 3.04. Appointments by County Executive. Every appointment by the County Executive, whether or not subject to confirmation by the County Legislature, shall be in writing and filed with the County Clerk and the Clerk of the County Legislature within five (5) days of such appointment. Each appointee shall enter upon the duties of his office immediately upon such filing, except that where confirmation by the County Legislature is required pursuant to this Charter, each such appointee shall assume the duties of his office immediately upon such confirmation. The County Executive may appoint a qualified person to serve temporarily as an

✓ acting department head for a period not exceeding forty (40) days in any calendar year unless extended by resolution of the County Legislature.

Section 3.05. Deputy County Executive(s); How Designated; Powers and Duties.

The County Executive may appoint such Deputy County Executive(s) as may be deemed proper, in writing, each subject to confirmation by the County Legislature. After confirmation, such appointment(s) shall be filed with the County Clerk and the Clerk of the County Legislature. Each Deputy County Executive shall serve at the pleasure of the County Executive during the term(s) of Office of the appointive County Executive and shall have such authority as delegated by the County Executive consistent with this Charter. A Deputy County Executive, as authorized by the County Executive, shall have all of the powers and perform all of the duties of the County Executive in the event of the County Executive's absence from the County or temporary inability to perform and exercise the powers and duties of the Office of County Executive.⁴⁰

Section 3.05-A. Acting County Executive; How Designated; Powers and Duties.

The County Executive shall designate in writing, and in order of succession, the department heads who shall be Acting County Executive in the event the County Executive and the Deputy County Executive(s) are absent from the County or temporarily unable to perform and exercise the powers and duties of their Offices as set forth above in Section 3.05. 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 County Executive filing a new written designation and order of succession. In the absence of such written designation and order of succession, and in the event of the absence of the County Executive and Deputy County Executive(s) from the County or temporary inability to perform and exercise the powers and duties of their Offices as set forth above in Section 3.05, the County Legislature shall appoint a department head as Acting County Executive. The Acting County Executive shall have all the powers and perform all the duties of the County Executive. In no event shall a Deputy County Executive succeed to the Office of Acting County Executive due to a vacancy in the Office of County Executive only department heads may succeed to that Office.⁴⁰

Section 3.06. Removal of County Executive. The County Executive may be removed from office only in the manner provided in the Public Officers Law.

Section 3.07. Vacancy in the Office of County Executive. In the event of a vacancy in the office of the County Executive as described in Section 30 of the Public Officers Law, the Acting County Executive shall succeed to the office of County Executive, and shall have all of the powers and perform all of the duties of that office. He shall hold the office of County Executive until the commencement of the calendar year next following the first annual election held not less than sixty (60) days after the occurrence of such vacancy, at which annual election a County Executive shall be elected from the County at large for the balance of the unexpired term.⁴¹

RESOLUTION NO. 2014154

RE: APPOINTMENT OF EOIN WRAFTER AS ACTING
COMMISSIONER OF PLANNING AND DEVELOPMENT

Legislators MICCIO, FLESLAND, HORTON and JETER-JACKSON
offer the following and move its adoption:

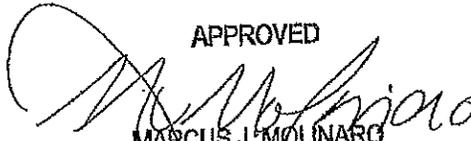
WHEREAS, pursuant to Section 3.04 of the Dutchess County Charter, the
County Executive appointed Eoin Wrafter as the Acting Commissioner of Planning and
Development effective as of April 28, 2014, and

WHEREAS, the County Executive has requested that the appointment be
extended for a period of time through December 31, 2014, and

WHEREAS, pursuant to Section 3.04 of the Charter, this Legislature has
the authority to extend Mr. Wrafter's appointment, now, therefore, be it

RESOLVED, that Eoin Wrafter's appointment as Acting Commissioner of
Planning and Development is extended through December 31, 2014.

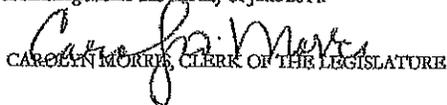
CA-103-14
ca/G-0179
5/21/14

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 6/19/2014

STATE OF NEW YORK
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing
resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 9th day of
June 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 9th day of June 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

RESOLUTION NO. 2014320

RE: EXTENDING THE APPOINTMENT OF BOIN WRAFTER AS ACTING COMMISSIONER OF PLANNING AND DEVELOPMENT

Legislators MICCIO, ROLISON, FLESLAND, BOLNER, WEISS, SAGLIANO, HORTON, PERKINS, and MacAVERY offer the following and move its adoption:

WHEREAS, pursuant to Section 3.04 of the Dutchess County Charter, the County Executive appointed Eoin Wrafter as the Acting Commissioner of Planning and Development effective as of April 28, 2014, and

WHEREAS, by Resolution No. 2014154 his appointment was extended through December 31, 2014, and

WHEREAS, the County Executive has requested that the appointment be further extended for a period of time through June 30, 2015, and

WHEREAS, pursuant to Section 3.04 of the Charter, this Legislature has the authority to extend Eoin Wrafter's appointment, now, therefore, be it

RESOLVED, that Eoin Wrafter's appointment as Acting Commissioner of Planning and Development is extended through June 30, 2015.

CA-210-14
ca/G-0179
11/6/14

APPROVED

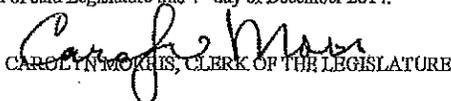
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 12/11/2014

STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 4th day of December 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 4th day of December 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

✓ Section 12.01. Department of Planning and Development; Commissioner; Appointment; Qualifications; Term. There shall be a Department of Planning and Development under the direction of a Commissioner of Planning and Development, who shall be appointed by the County Executive subject to confirmation by the County Legislature. He shall be appointed on the basis of his professional training and experience and other qualifications for the responsibilities of his office. He shall be directly responsible to, and serve at the pleasure of, the County Executive.

Section 12.02. Powers and Duties. The Commissioner of Planning and Development shall be the chief administrative officer of the department. Except as may otherwise be provided in this Charter, he shall have all the powers and perform all the duties conferred or imposed by law upon a county commissioner of planning and development or a county planning board, and shall perform such other and related duties required by the County Executive or County Legislature.

Section 12.03. Planning Board; Appointment; Vacancies. There shall be within the Department of Planning and Development an advisory Planning Board consisting of thirteen (13) members. All members shall be residents of Dutchess County. Nine members shall be appointed by the County Executive, subject to confirmation of the County Legislature. Four members shall be appointed by the County Legislature. Of the County Executive appointments, one member shall be a resident of the City of Poughkeepsie and one member shall be a resident of the City of Beacon. Initially, the County Executive shall appoint three members for a term of one year, three members for a term of two years and three members for a term of three years. All subsequent appointments to fill vacancies resulting from the expiration of terms shall be for three years. Of the Legislative appointments, one member shall be a resident of one of the Villages in the County and be appointed for a term of one year. One member shall be appointed for a term of two years and two members shall be appointed for a term of three years. All subsequent Legislative appointments to fill vacancies resulting from the expirations of terms shall be for three years. Vacancies occurring other than by expiration of term shall be filled for the balance of the term remaining in the same manner and by the same appointing authority as the original appointment. In making appointments members should be considered with a background and involvement dealing with housing, conservation, the environment, economic development, infrastructure (including water, sewer and transportation) and planning. The Board shall consider matters relating to metropolitan, regional, county or municipal planning, development, transportation, infrastructure, housing and land use and shall advise the County Legislature, the County Executive and the Commissioner and make recommendations to them. ²⁸

Section 12.04. Deputy Commissioners and Staff. The Commissioner of Planning and Development shall have the power to appoint such Deputy Commissioners, assistants and employees of his department and shall be authorized by the County Legislature. All such appointees shall be directly responsible to, and serve at the pleasure of, the Commissioner, except as otherwise provided by this Charter, the Administrative Code or applicable law.

Section 12.05. Acting Commissioner. The Commissioner of Planning and Development, subject to approval by the County Executive, shall designate in writing, and in order of succession, the Deputy Commissioners and assistants who shall be Acting Commissioner of Planning and Development in the event of his absence from the County or inability to perform and