



## COUNTY OF DUTCHESS

MARCUS J. MOLINARO  
COUNTY EXECUTIVE

### EXECUTIVE ORDER NO. 3 OF 2012

I hereby issue the following Executive Order which pertains to the duties and responsibilities of the Commissioner of Solid Waste Management.

Notwithstanding the fact that there is no Commissioner of Solid Waste Management and no staff for the Department of Solid Waste Management, essential duties and responsibilities of the Commissioner and Department must be fulfilled by a County official possessed with the authority to act. That official must be vested with all of the powers and duties set forth in the Dutchess County Charter, Code, federal, state and local laws in order to execute the work of the County in-so-far as solid waste management is concerned.

WHEREAS, the Dutchess County Charter and Administrative Code provides for a Department of Solid Waste Management as a unit of the Executive branch of the County of Dutchess and a Commissioner of Solid Waste Management; and

WHEREAS, presently the Department is unstaffed and the position of Commissioner is vacant and unfunded; and

WHEREAS, there is an absolute need, however, for an individual vested with the authority to function as a Commissioner as pertains to issues involving solid waste in the County of Dutchess; and

WHEREAS, The Dutchess County Charter provides the following:

“County Executive, Section 3.02 Powers and Duties. The County Executive shall be the Chief Executive Officer of the County. Except as may otherwise be provided herein, he shall have and exercise all of the executive powers and duties now or hereafter conferred or imposed by law or this Charter upon a county executive officer or the executive branch of a county, and all powers and duties necessarily implied or incidental thereto.

Among such powers and duties, but not by way of limitation, he shall:

- (b) supervise, direct and control the administration of all departments;

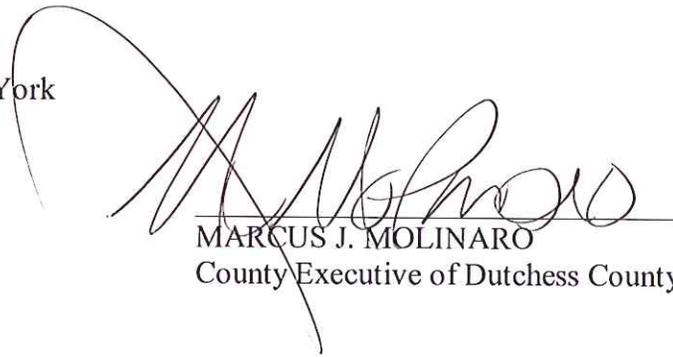
(d) supervise and direct the internal structure and organization of every unit of the executive branch of the County government, including, except as otherwise provided in this Charter or applicable law, the appointment and dismissal of employees;

(o) make sign and implement all contracts on behalf of the County within authorized appropriations”; now, therefore, it is

ORDERED, pursuant to the above cited provisions of the Dutchess County Charter and Administrative Code, and in the absence of a Department of Solid Waste Management and Commissioner of Solid Waste Management, I hereby accept the responsibility for the Commissioner of Solid Waste Management on behalf of the County of Dutchess in order to effectuate the intent of the Dutchess County Charter, Code and all laws, rules and regulations insofar as the Department of Solid Waste Management is concerned, and it is further

ORDERED, that pursuant to the authority granted to me by Local Law No. 1 of 2012, I hereby delegate the responsibility accepted herein to the Deputy County Executive.

Dated: Poughkeepsie, New York  
April 4, 2012



MARCUS J. MOLINARO  
County Executive of Dutchess County