

Board of Supervisors
WAYNE COUNTY

RESOLUTION NO. 228-18: ADOPTION OF LOCAL LAW CHANGING THE NUMBER OF CORONERS FOR THE COUNTY OF WAYNE AND TO ABOLISH THE REQUIREMENT THAT AN ELECTED CORONER MUST ONLY BE A PHYSICIAN LICENSED TO PRACTICE MEDICINE

Mr. Verkey presented the following:

WHEREAS, a proposed local law changing the number of coroners for the County of Wayne and abolishing the requirement that an elected coroner be a physician licensed to practice medicine was presented to the Board of Supervisors on March 20, 2018, and

WHEREAS, a public hearing on the proposed local law was held on **Tuesday, April 17, 2018 at 9:05** am in the Supervisor's Chambers in the County Court House, 26 Church Street, Lyons, New York 14489, in accordance with the notice of hearing duly posted and published in the manner prescribed by law, now, therefore be it

RESOLVED, that said local law is hereby adopted as follows:

**COUNTY OF WAYNE - STATE OF NEW YORK
LOCAL LAW NO. 2 FOR THE YEAR 2018**

A Local Law to change the number of Coroners for the County of Wayne and to abolish the requirement that an elected coroner must only be a physician licensed to practice medicine.

BE IT ENACTED BY THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE, as follows:

SECTION I. FINDINGS AND LEGISLATIVE INTENT.

Due to the limited number of physicians, available in Wayne County, the County has experienced significant difficulties in recruiting and retaining qualified physicians to serve as Coroner for Wayne County. This difficulty has been exacerbated by the requirements of Public Officers Law Section 3, that public officers of Wayne County be residents of the County.

In light of the historic pattern of difficulty in recruiting and retaining licensed physicians to serve as Coroner, by this Local Law the Wayne County Board of Supervisors intends to change the requirement of Wayne County Local Law No. 2 of 1969 that an elected Coroner must be a physician duly licensed to practice medicine. In order to facilitate the performance of the Coroner's duties, the Wayne County Board of Supervisors further intends to change the number of Coroners to be elected in and for the County of Wayne from one (1) to two (2) Coroners.

SECTION II. AUTHORITY.

Pursuant to Section 400 (3) of the County Law, the Board of Supervisors shall have power by local law to change the number of coroners to be elected to not less than one (1) nor more than four (4). The terms of office of all coroners elected or appointed and holding office in the county at the time such local law becomes effective shall expire on December thirty-first following the effective date of such local law. At the general election to be held in the year such local law becomes effective, one or more coroners shall be elected in the county as provided by such local law, to commence a term of office beginning January 1 of the succeeding year.

SECTION III. NUMBER OF CORONERS.

The Board of Supervisors for the County of Wayne hereby changes the number of coroners to be elected in and for the County of Wayne from one (1) coroner to two (2) coroners.

SECTION IV. TERM OF OFFICE.

The Term of Office of each elected coroner shall be four (4) years.

SECTION V. QUALIFICATIONS FOR OFFICE.

A coroner elected pursuant to this local law must be a resident of the County of Wayne, as required by Public Officers Law, Section 3. Additionally, a coroner elected pursuant to this local law must be licensed by the State of New York as a Registered Professional Nurse, a Clinical Nurse Specialist, a Physician's Assistant, a Nurse Practitioner, a Physician, or be a retired Police Officer with prior New York State certification.

SECTION VI. COMPENSATION OF CORONERS.

Each of the two (2) coroners shall receive equal compensation for services rendered in accordance with local laws or Resolutions of the Wayne County Board of Supervisors to be adopted affecting salaries of certain officers of the County of Wayne.

SECTION VII. EFFECTIVE DATE.

This local law shall be effective immediately upon filing with the Secretary of State, unless a petition for permissive referendum shall be filed pursuant to Section 24 of the Municipal Home Rule Law of the State of New York. In the event a petition for permissive referendum is duly filed and a referendum held, this local law shall take effect after said referendum has been duly passed by a majority of the voters and filed with the Secretary of State.

Mrs. Pagano moved the adoption of the resolution. Seconded by Mr. Miller. Upon roll call, all Supervisors voted Aye, except Supervisor Verno who voted nay. The Chairman declared the Resolution adopted.

WAYNE COUNTY
Board of Supervisors
LYONS, NEW YORK

This is to Certify that I, the undersigned, Clerk of the Board of Supervisors of the County of Wayne, have compared the foregoing copy of resolution with the original resolution now on file in this office and which was duly adopted by the Board of Supervisors of said County at a session held on the 17th day of April 2018 and that the same is a true copy of said original and of the whole thereof.

In Witness Whereof, I have hereunto subscribed my name and affixed the official seal of the Board of Supervisors of the County of Wayne, this 17th day of April 2018.

Clerk of the Board