

**Board of Supervisors**  
**WAYNE COUNTY**

**RESOLUTION NO. 440-12: ADOPTION OF LOCAL LAW CREATING DEPARTMENT OF EMERGENCY MANAGEMENT SERVICES**

Mr. Plant presented the following:

WHEREAS, a proposed local law creating a Department of Emergency Services was presented to the Board of Supervisors on June 19, 2012; and

WHEREAS, a public hearing on the proposed local law was held on July 17, 2012 at 7 p.m. 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 to read as follows:

**COUNTY OF WAYNE - STATE OF NEW YORK**  
**LOCAL LAW NO. 4 FOR THE YEAR 2012**

A local law establishing a County Department of Emergency Management Services, pursuant to Section 10 (1) (ii) (a) (1) of the Municipal Home Rule Law of the State of New York.

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE, AS FOLLOWS:

**SECTION 1: Legislative Intent.**

Wayne County residents have need for Emergency Services for the purpose of protecting and safeguarding their lives and safety. Previously these needs have been met by various County Offices or Departments, each operating as a separate entity from the others. In order to consolidate the various emergency services under a single administration in keeping with the County's role as a prime sponsor and provider of emergency services, and to more efficiently and economically provide the emergency services needed by the residents of Wayne County, an Office of Emergency Management Services is necessary to coordinate all County-wide emergency services.

**SECTION 2: Creation of Department.**

A. Pursuant to the provisions of Section 10 of the Municipal Home Rule Law, the Wayne County Department of Emergency Management Services is hereby created. This Department shall be under the supervision and direction of a Director of Disaster Preparedness, who shall be appointed by and who shall serve at the pleasure of the Wayne County Board of Supervisors. The Director of Disaster Preparedness shall report to the Wayne County Administrator. The Director of Disaster Preparedness shall not establish or maintain any direct affiliation as a member, officer or director with any law enforcement, fire or ambulance service located within the County of Wayne. The Director of Disaster Preparedness shall be responsible for the coordination of all emergency services offered by the County of Wayne, with the exception of the Office of the Wayne County Sheriff. The Director of Disaster Preparedness shall function as the Director of the Department of Emergency Management, and shall also be responsible for the management and operation of the Department of Emergency Management Services which shall oversee the services provided by the following Wayne County Offices:

1. Wayne County Office of Emergency Medical Services;
2. Wayne County Office of Fire Coordinator;
3. Wayne County Office of Emergency Management;
4. Wayne County Office of E911; and
5. Wayne County Office of Advanced Life Support Services.

B. The Director of Disaster Preparedness shall have the powers and duties necessary to carry out the functions of the Department and to oversee and supervise the various Offices encompassed within the Department of Emergency Management Services as set forth herein, and such other responsibilities as may from time to time be imposed by Resolution of the Board of Supervisors.

C. The salary of the Director of Disaster Preparedness shall be fixed by the Board of supervisors, payable by the Wayne County Treasurer in bi-weekly installments. In addition thereto the Director shall be paid the actual and necessary expenses incurred in the performance of his/her official duties, upon the audit of claims therefore by the Board of Supervisors in the manner provided by law.

D. The Director of Disaster Preparedness shall serve at the pleasure of the Board of Supervisors. The position of Director of Disaster Preparedness has been placed in the exempt classification as approved by the New York State Civil Service Commission.

**SECTION 3: Powers and Duties.**

The Director of Disaster Preparedness shall have the power and authority to coordinate all emergency services encompassed within the Department, and shall manage, oversee and supervise the duties and functions of the various Offices encompassed within the Department. The County Officials in charge of those various Offices encompassed within

the Department of Emergency Management Services shall report to the Director of Disaster Preparedness. The Director of Disaster Preparedness shall have the following specific powers and duties, in addition to such other powers or duties as are necessarily implied within the grant authority herein:

- A. To coordinate the programs and services provided and offered by the various Offices which shall comprise the Department of Emergency Management Services now existing or which shall be established hereafter with the purpose of providing Emergency Services to the residents of Wayne County.
- B. To supervise and monitor the administration of Emergency Services programs within the county as performed by the various Offices encompassed with the Department of Emergency Management Services.
- C. To conduct studies and compile data and information regarding the need for Emergency Management Services programs in Wayne County, and to make recommendations as to the methods for serving such needs as may be identified.
- D. To seek out additional sources of funding and assistance for providing Emergency Services within the County of Wayne, and to assist in the application for the same.
- E. To supervise, oversee, monitor and direct the activities and the performance of duties of those County Officers in charge of the various Offices encompassed within the Department of Emergency Management Services.
- F. To advise the Board of Supervisors as to Emergency Services and/or programs maintained, conducted or operated by the County, as well as County eligibility for new programs.
- G. To provide to the Board of Supervisors an Annual Report concerning the programs and activities of the various Offices encompassed within the Department of Emergency Management Services.
- H. To appoint qualified persons to the positions of employment established from time to time by the Board of Supervisors for the various Offices encompassed within the Department of Emergency Management Services.
- I. To remove Departmental employees in the manner provided by law.
- J. To adopt rules and regulations, not inconsistent with law, for the conduct of the affairs and business of the Department of Emergency Management Services, subject to the approval of the Wayne County Board of Supervisors.

**SECTION 4: Limitation of Powers.**

Nothing contained herein shall be construed to give to the Department of Emergency Management Services authority over the operation of any existing departments or officers of the County, other than those Offices and Officers specifically enumerated herein. Nor shall the Department of Emergency Management Services have any authority over programs maintained by public or private agencies not under the jurisdiction of the County of Wayne. The final determination as to the establishment or manner of operation of any Emergency Management Services program, the funding thereof, and the extent of County participation in such shall be made by the Wayne County Board of Supervisors, with the advice of the County Administrator. The Director of Disaster Preparedness shall report to the Wayne County Board of Supervisors and to the Wayne County Administrator.

**SECTION 5: Effective Date.**

This local law shall take effect when filed in the Office of the Secretary of State.

Mrs. Bender moved the adoption of the resolution. Seconded by Mr. Groat. Upon roll call, all Supervisors voted Aye, except Supervisors Spickerman, Manktelow, Baldrige Kolczynski and Park 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 13th day of August 2012 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 13th day of August 2012.

---

Clerk of the Board

