

A.

LOCAL LAW NO. 9 - 2013

A LOCAL LAW AMENDING THE ONONDAGA COUNTY CHARTER AND ADMINISTRATIVE  
CODE FOR THE PURPOSES OF REORGANIZING CERTAIN HUMAN SERVICES  
DEPARTMENTS

BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ONONDAGA, AS  
FOLLOWS:

Section 1. Findings.

The County of Onondaga provides area residents with various human and financial services, including those services provided by the Department of Social Services, Department of Health, Department of Mental Health, Department of Aging and Youth, Department of Probation, and the Veterans' Services Office.

The departments tasked with delivering such services are established through the Onondaga County Charter and Administrative Code. These organizational documents were first established in the 1960s and 1970s. In the past few decades, the nature, scope, and depth of services provided by these departments have greatly changed. This Legislature hereby finds that a reorganization of these departments will better enable County officials to more effectively plan, coordinate, and deliver human services to Onondaga County residents, and such changes would likely result in higher quality services and a better allocation of resources. Specifically, the departments will be rearranged to focus on services addressing needs common to members of certain populations within the county.

Historically, counties have received some amount of state and federal funding to support service delivery at the local level. As a condition of receiving such funding, counties may be required to form and operate discrete programmatic districts or agencies and to engage in long-term planning, developing strategies to effectively use the funding to meet local community needs and goals and further the overarching policy set by the funding entity. To maintain eligibility for such funding, this Legislature finds that the reorganization structure established within this local law must provide a mechanism whereby an official may be designated as the chief executive official tasked with planning and implementing strategies for delivering certain local services within a discrete district and promoting identifiable programmatic goals in conformity with the various statutory and regulatory requirements for aid.

Section 2. Intent.

Based upon the findings set forth herein above, it is the desire and the intent of this Legislature to amend the Onondaga County Charter and Administrative Code to effect the reorganization of departments and allow for better coordination of certain human services provided to Onondaga County residents.

As such, this local law provides for a redistribution of powers and duties among departments and officials within the Executive branch. This local law creates the following new department: Department of Children and Family Services. This local law further amends the scope of the Department of Social Services, Department of Long Term Care Services, and Department of Probation. A new Division of Financial Operations is established within the Department of Finance. Finally, this local law abolishes the Department of Mental Health and the Department of Aging and Youth.

Section 3. Amendments to Charter and Administrative Code.

This Legislature hereby makes the following changes to the Onondaga County Charter (Local Law No. 1-1961, as previously amended, hereinafter referred to as "Charter") and the Onondaga County Administrative Code (being Local Law No. 1-1975, as previously amended, hereinafter referred to as "Administrative Code"), where such changes are to become effective on January 1, 2014.

a. The Charter is hereby amended as follows:

- (i) Article XIV (Department of Social Welfare) is to be stricken in its entirety and the following language is to be substituted therefor;

ARTICLE XIV

DEPARTMENT OF SOCIAL SERVICES–ECONOMIC SECURITY

Section

1401. Department of Social Services – Economic Security; commissioner.

1402. Powers and duties of the commissioner.

Section 1401. DEPARTMENT OF SOCIAL SERVICES–ECONOMIC SECURITY;  
COMMISSIONER.

There shall be a Department of Social Services–Economic Security headed by a commissioner. Such official shall be appointed on the basis of the candidate's administrative experience and qualifications for the duties of the office by the County Executive subject to confirmation by the County Legislature.

Section 1402. POWERS AND DUTIES OF THE COMMISSIONER.

Except as otherwise provided in this Charter or Administrative Code, the Commissioner of Social Services shall:

- (a) have all powers and perform all the duties conferred on or required of a county commissioner of social services under the Social Services Law or other applicable law.
- (b) perform such other and related duties as shall be required or delegated to such official by the County Executive or the County Legislature.
- (ii) Article XV (Department of Mental Health) is to be stricken in its entirety;
- (iii) Article XIX (Other County Boards, Offices, Institutions and Functions) is amended in section 1902 (Probation Office; Director) to strike the following words therefrom "section 933-b of the code of criminal procedure" and to substitute therefor the following words "the applicable provisions of the Executive Law and the accompanying regulations, as such provisions may be amended,";
- (iv) Article XXIV (Department of Long Term Care Services) is to be stricken in its entirety and the following language is to be substituted therefor:

## ARTICLE XXIV

### DEPARTMENT OF ADULT AND LONG TERM CARE SERVICES

#### Section

- 2401. Department of Adult and Long Term Care Services; Commissioner of Adult and Long Term Care Services.
- 2402. Powers and duties of the commissioner.
- 2403. Organization of the department.
- 2404. Community Services Advisory Board.

#### Section 2401. DEPARTMENT OF ADULT AND LONG TERM CARE SERVICES; COMMISSIONER OF ADULT AND LONG TERM CARE SERVICES.

There shall be a Department of Adult and Long Term Care Services, referred to hereinafter as "Adult Services". The department shall be headed by a Commissioner, and such official shall be appointed on the basis of the candidate's administrative experience and qualifications for performing the duties of the office by the County Executive, subject to confirmation by the County Legislature. The Commissioner shall be directly responsible to and serve at the pleasure of the County Executive.

#### Section 2402. POWERS AND DUTIES OF THE COMMISSIONER.

Except as otherwise provided in this Charter or the Administrative Code, the Commissioner of Adult Services shall be empowered to:

- (a) have and exercise all powers and duties now or hereafter conferred or imposed upon such official by any applicable law;
- (b) define an overarching strategy and vision for the development of programs for the delivery of services for the benefit of adults residing in Onondaga County, including those adults who are frail, elderly, and otherwise vulnerable, where such services are likely to contribute to improving the quality of life and overall well-being of such individuals and where such services fall within the following programmatic areas: health, mental health, Veterans' services, elderly services, and social services;
- (c) perform such other and related duties as shall be required or delegated to such official by the County Executive or the County Legislature.

#### Section 2403. ORGANIZATION OF THE DEPARTMENT.

The Department of Adult and Long Term Care Services shall be organized into such divisions, bureaus and boards as shall be prescribed in the Administrative Code.

#### Section 2404. COMMUNITY SERVICES ADVISORY BOARD.

The County Executive shall appoint a Community Services Advisory Board, subject to confirmation by the County Legislature, which shall make recommendations and suggestions to the County Executive relative to the qualifications and appointment of the Director of Community Services, as provided in the Administrative Code, and relative to the qualifications and duties of such officers or employees as may be related to providing or administering mental health services within the County. The Community Services

Advisory Board shall recommend and suggest to the Director of Community Services a program of community mental health services and facilities and rules and regulations concerning the rendition or operation of services and facilities in the community mental health program.

b. The Administrative Code is hereby amended as follows:

(i) Article III (Executive Branch) is amended in Section 3.03B(2) to strike therefrom the words "Mental Health, Aging and Youth"; to insert the words "Adult and" before "Long Term Care Services"; to insert the words "-Economic Security" after "Social Services"; and to insert the words "Department of Children and Family Services," after "Onondaga Community College,";

(ii) Article IV (Department of Finance) is amended to insert the new Section 4.04E, as follows:

Section 4.04E. DIVISION OF FINANCIAL OPERATIONS;  
DEPUTY DIRECTOR OF THE DIVISION OF FINANCIAL OPERATIONS;  
APPOINTMENT; TERM; POWERS AND DUTIES.

There may be within the Department of Finance a Division of Financial Operations under the direction of the Chief Fiscal Officer. Within the Division of Financial Operations, there may be a Deputy Director of Financial Operations. Such official shall be appointed by and shall serve at the pleasure of the Chief Fiscal Officer. The Deputy Director of Financial Operations shall be in the exempt class of civil service, unless otherwise provided by law. The Deputy Director of the Division of Financial Operations shall be empowered to:

- (a) assist the Chief Fiscal Officer and the County Executive in administering and overseeing financial operations to support the several departments within the Executive Branch of County Government;
  - (b) act as a liaison, under the direction of the County Executive and the Chief Fiscal Officer, between the Executive Branch of County Government and the County Legislature with regard to financial operations;
  - (c) perform such other and related duties as may be required by the Chief Fiscal Officer or by the County Executive.
- (iii) Article XI (Department of Long Term Care Services) is amended to strike such article in its entirety and to substitute therefor the following:

#### ARTICLE XI

#### DEPARTMENT OF ADULT AND LONG TERM CARE SERVICES

##### Section

- 11.01. Department of Adult and Long Term Care Services.
- 11.02. Commissioner of Adult Services; Powers and Duties.
- 11.03. Administrative Districts or Agencies Established for the Purpose of Receiving Aid from another Government Entity.
- 11.04. Deputy Commissioners of Adult Services; Powers and Duties.
- 11.05. Division of Community Services; Deputy Commissioner of Community Services; Powers and Duties.

- 11.06. Office for the Aging.
- 11.07. Division of Adult Mental Health Services.
- 11.08. Departmental Division and Units; Additional Deputy Commissioners and Staff; Appointment; Revocation.
- 11.09. Acting Commissioner of Adult Services.

**Section 11.01 DEPARTMENT OF ADULT AND LONG TERM CARE SERVICES.**

As provided in the Charter, there shall be a Department of Adult and Long Term Care Services, referred to hereinafter as "Adult Services". The department shall be headed by a Commissioner, and such official shall be appointed on the basis of the candidate's administrative experience and qualifications for the duties of the office by the County Executive, subject to confirmation by the County Legislature. The Commissioner shall be directly responsible to and serve at the pleasure of the County Executive.

**Section 11.02. COMMISSIONER OF ADULT SERVICES, POWERS AND DUTIES.**

Except as may otherwise be provided in the Charter or this Code, the Commissioner of Adult Services shall be empowered to:

- (a) define an overarching strategy and vision for the development of programs for the delivery of services for the benefit of adults residing in Onondaga County, including Veterans and those adults who are frail, elderly, or otherwise vulnerable (e.g. have a mental illness, need treatment for substance abuse, or have a disability, including developmental, intellectual, and physical disabilities), where such services are likely to contribute to improving the quality of life and overall well-being of such individuals; provided, however, in defining such strategy and vision, the Commissioner shall be required to consult regularly with the several officials administering the districts established within Onondaga County for the purpose of receiving aid from another government entity where the programs funded by such district aid are intended to benefit adults residing in Onondaga County, ensuring that the district aid plans and the department's strategy and vision are consistent with each other;
- (b) cooperate and maintain close liaison with various partner agencies, including both public and private entities providing health, mental health and social services, to plan, develop, implement, and deliver services to adults residing in Onondaga County;
- (c) inventory the health, mental health and social services provided to adults residing in Onondaga County, including Veterans and those adults who are frail, elderly, or otherwise vulnerable, where such services are administered directly by Onondaga County or provided at the direction of the County under contract, and where such inventory may be used to provide periodic analysis and reports to the County Executive and County Legislature regarding such services;
- (d) initiate and develop, under the direction of the County Executive, strategies for the maximum integration of these services, toward the goal of developing a comprehensive and efficient system of residential and community-based care; and
- (e) make recommendations and proposals to the County Executive for improving residential and community-based care provided to adults residing in Onondaga County, including Veterans and those adults who are frail, elderly, or otherwise vulnerable; and
- (f) submit to the County Executive and County Legislature annually a plan for encouraging the continued delivery of quality long term health care within Onondaga County for adults residing in

Onondaga County, including Veterans and those adults who are frail, elderly, or otherwise vulnerable;

- (g) establish a table of organization appropriate for the efficient operation of the department and its divisions, including the appointment of duly qualified individuals, holding the appropriate certification, licensure, or qualifications for the specific positions to which such individuals are appointed;
- (h) serve as the chief executive official for local administrative districts or agencies established for the purpose of receiving aid from another government entity, as provided in Section 11.03 of this Administrative Code, if so designated by the County Executive and confirmed by the County Legislature to fill such role;
- (i) provide oversight to the various administrative districts established within Onondaga County for the purpose of receiving aid from another government entity, ensuring to the extent permissible that programs funded by such aid adhere to the vision and strategy defined by the Commissioner where such programs are intended to benefit adults residing in Onondaga County; provided, however, that such authorization is not to diminish or curtail the powers otherwise granted to an official administering any such district, where the official's powers are established under state or federal law;
- (j) have all the powers and perform all the duties now or hereafter conferred or imposed by law, together with such other and related duties as may be required by the County Executive.

**Section 11.03. ADMINISTRATIVE DISTRICTS OR AGENCIES ESTABLISHED FOR THE PURPOSE OF RECEIVING AID FROM ANOTHER GOVERNMENT ENTITY.**

- (a) **Authority to Form Certain Administrative Districts or Agencies.** Consistent with applicable state and federal law, the County may from time to time establish such local administrative districts or agencies for the purpose of receiving aid from another government entity or as may be required by law. Such districts may be organized, reorganized, terminated, and dissolved consistent with any applicable state and federal law.
- (b) **General Powers and Duties of District Officials.** Each of the several officials designated to fill the role of the chief executive official of any such district or agency shall have and exercise the powers and duties established under federal law, state or local law. Each such official shall further be empowered to provide such programmatic oversight and execute such memoranda of understanding or other instruments with other County officials as may be necessary to perform such duties.
- (c) **Advisory Boards.** The County Executive, subject to approval of the County Legislature, shall establish such advisory boards as are required by law for the administration of such district or agency. Such advisory boards shall have the powers and responsibilities prescribed under the applicable provisions of law, unless otherwise provided in the Charter, Administrative Code, or other local law.
- (d) **District Official Line of Succession.** Subject to the approval of the County Executive, each such official may designate in writing a line of succession, designating other officials and employees as may take the place of such official in the event of absence from the County or inability to perform and exercise the powers and duties of the office. Such designation shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time, evidenced

by the official filing a new written designation. The acting official for such district purposes shall have all the powers and perform all the duties of the district official during the period of succession or until a new district official shall be appointed pursuant to law and shall qualify to assume that office.

- (e) Specific Administrative Districts. The County continues the several districts stated below:
- (1) Mental Health–Community Services District. The County of Onondaga shall be a local governmental unit, as such is defined by Mental Hygiene Law, as may be amended, for the purposes of planning, implementing, and otherwise administering such district to receive aid from the State of New York for community mental health services.
    - (i) There shall be a Director of Community Services, who shall serve as the chief executive official for such district. The Director of Community Services shall meet the minimum qualifications for such position as provided in the applicable state law and regulations. The County Executive shall designate an official to serve as the Director of Community Services, which official shall be confirmed by the County Legislature. The Director of Community Services shall be responsible to the County Executive for the purposes of administering the district and shall continue such responsibilities until the designation is revoked by the County Executive.
    - (ii) The Director of Community Services shall be empowered to:
      - a. encourage the development and expansion of programs for the prevention, rehabilitation and treatment of mental illness within the County under guidelines approved by the County Executive or the County Legislature or pursuant to administrative orders of funding authorities having the effect of law;
      - b. submit to the County Executive annually a plan for the delivery of mental health services under regulations of the County Executive, the County Legislature and the appropriate agencies at the state level;
      - c. initiate, investigate and process for consideration by the County Executive, within appropriations made therefor by the County Legislature, contracts for services to be rendered by other units of government or private organizations, and contracts for services by the appropriate departments within County government to other jurisdictions and, when such contracts are approved, monitor compliance therewith;
      - d. determine from time to time the availability and suitability of sources of funding for mental health facilities or services, recommend schedules of reimbursement by those capable of paying for such services and, when approved, collect and account therefor;
      - e. have all the powers and perform all the duties now or hereafter conferred or imposed by law, together with such other and related duties as may be required by the County Executive.
    - (iii) There shall be within the Department of Adult Services a Community Services Advisory Board whose members shall be appointed by the County Executive,

subject to confirmation by the County Legislature, in the manner and for the term provided in the Mental Hygiene Law for the appointment of community services boards. Such board shall select annually its own chairperson and otherwise organize and reorganize itself in such manner as it may deem appropriate or as may be provided by law. It shall meet regularly at the call of the Director of Community Services or the chairperson of the Board. Vacancies in membership occurring other than by expiration of term shall be filled by appointment of the County Executive for the respective unexpired terms.

(iv) The Community Services Advisory Board shall:

a. consider matters relating to the mental health needs of the County and advise the Director of Community Services thereon, either at the request of the Director of Community Services or upon its own initiative, and from time to time make recommendations to the Director of Community Services thereupon;

b. submit to the Director of Community Services, the County Executive, and the Commissioner of Adult Services, on or before the first day of July of each year, a projection, or updated projection, or anticipated mental health needs for, and recommended services to be furnished to, the County for the ensuing six fiscal years;

c. have all the powers and perform all the duties now or hereafter conferred or imposed by law, together with such other and related duties as may be required by the County Executive.

(v) Within appropriations therefor, the Community Services Advisory Board shall be furnished with such staff service as it may require in the performance of its duties.

(2) **Elderly Services.** The County of Onondaga shall be an agency, as such is defined by Section 216 of the Elder Law and an area agency on aging, as such is defined by the Older Americans Act, as such provisions may be amended, for the purposes of planning, coordinating, implementing, and otherwise administering such agency to receive aid from the State of New York and the United States of America for services benefiting older persons within the county. Such agency shall be within the Department of Adult Services and be administered by an executive director who shall be appointed by the County Executive, subject to the approval of the County Legislature. Such executive director shall have all the powers and perform all the duties now or hereafter conferred or imposed by law, together with such other and related duties as may be required by the County Executive and Commissioner of Adult Services and shall be directly responsible to, and, unless otherwise required by law, serve at the pleasure of, the County Executive.

(3) **Veterans' Service Agency.** Within the Department of Adult Services, there shall be a Veterans' Service Agency under the direction of a Director of Veterans' Affairs, who shall be appointed by the County Executive, subject to the approval of the County Legislature. The Director shall be a veteran of the armed forces of the United States. The Director shall have all the powers and perform all the duties now or hereafter conferred or imposed by law, together with such other and related duties as may be required by the County Executive and Commissioner of Adult Services and shall be directly responsible to, and, unless otherwise required by law, serve at the pleasure of, the County Executive.

Section 11.04. DEPUTY COMMISSIONERS OF ADULT SERVICES; POWERS AND DUTIES.

There may be within the Department of Adult Services at least two Deputy Commissioners of Adult Services. Such Deputy Commissioners shall be appointed by the Commissioner and, unless otherwise required by law, serve at the pleasure of the Commissioner. Appointments and revocations of appointments pursuant to this section shall be made by the Commissioner in writing and shall be filed with the Commissioner of Personnel. Such Deputy Commissioners shall be in the exempt class of service unless otherwise provided by law.

The Commissioner of Adult Services shall be empowered to assign such tasks and responsibilities to the Deputy Commissioners as may be desired, enabling the Deputy Commissioners to assist the Commissioner in fulfilling the duties of the office. Without limiting the generality of the foregoing, the Deputy Commissioners may be directed to:

- (a) encourage the development of residential and community-based long term care programs in the County of Onondaga for adults residing in Onondaga County, including Veterans and those adults who are frail, elderly, or otherwise vulnerable, and otherwise make recommendations and proposals for improving existing programs providing such services;
- (b) verify that all employees within the Department are duly licensed and registered in the State of New York to provide the services to which they have been assigned;
- (c) develop a system of results-based accountability for all services provided, either directly or under contract, to ensure effectiveness/efficiency of service provision;
- (d) develop and maintain relationships with organizations/systems outside of the County domain to ensure maximum coordination among service efforts;
- (e) maintain financial oversight of county-funded services, toward the goals of maximizing funding opportunities and ensuring cost-effective service delivery;
- (f) assist the Commissioner in the preparation and administration of the budget for the Department of Adult Services;
- (g) provide oversight, management, and consultative services to other employees within the Department of Adult Services, and ensure that the management and the services delivered by the division provided hereunder are in compliance with applicable laws and regulations;
- (h) serve as the chief executive official for local administrative districts or agencies established for the purpose of receiving aid from another government entity, as provided in Section 11.03 of this Administrative Code, if so designated by the County Executive and confirmed by the County Legislature to fill such role;
- (i) develop agreements and contracts, subject to the approval of the County Executive and the Commissioner, to provide services and to secure services needed by the department for the benefit of adults residing within Onondaga County;
- (j) perform such other and related duties as may be required by the Commissioner or the County Executive.

Section 11.05. DIVISION OF COMMUNITY SERVICES; DEPUTY COMMISSIONER OF COMMUNITY SERVICES; POWERS AND DUTIES.

There may be within the Department of Adult Services a Division of Community Services under the direction of a Deputy Commissioner of Community Services. The Deputy Commissioner shall be appointed by the Commissioner and, unless otherwise required by law, serve at the pleasure of the Commissioner. Appointments and revocations of appointments pursuant to this section shall be made by the Commissioner in writing and shall be filed with the Commissioner of Personnel. The Deputy Commissioner shall be in the exempt class of service unless otherwise provided by law. The Commissioner of Adult Services shall be empowered to assign such tasks and responsibilities to the Deputy Commissioner of Community Services as may be desired, enabling the Deputy Commissioner to assist the Commissioner in fulfilling the duties of the office.

The Division of Community Services may be organized to:

- (a) encourage the development of programs in the County of Onondaga for the provision of community services, including long term care services, home care services, and other personal care services, and, in collaboration with other County departments, establish and operate management programs for such community services;
- (b) administer certain adult welfare programs throughout the County, including but not limited to financial assistance programs and other related programs; and
- (c) administer such other and related programs as may be required by the Commissioner or the County Executive.

Section 11.06. OFFICE OF THE AGING.

There may be within the Department of Adult Services an Office of the Aging.

The Office of the Aging may be organized to:

- (a) stimulate, review, and otherwise encourage the development of programs for the delivery of aging and elderly services in the County of Onondaga;
- (b) administer certain adult welfare programs throughout the County, including but not limited to financial assistance programs and other related programs;
- (c) plan services to meet the needs of the elderly population through the evaluation of services and the identification of major problems affecting the elderly;
- (d) cooperate with elderly citizens and organizations servicing or representing the elderly to meet the needs of the elderly population within the County;
- (e) provide information relative to programs and services for the elderly in the community and sources of support for such programs and services;
- (f) recommend to and cooperate with federal, state and local agencies in the development of public policy toward the elderly;

- (g) cooperate and maintain close liaison with various partner agencies, including both public and private entities providing services to the elderly within the County; and
- (h) develop various reports, data and other information as may be required, or as may otherwise be appropriate from time to time, regarding elderly policies, programs and services throughout the County, and provide information to the County Executive.

**Section 11.07. DIVISION OF ADULT MENTAL HEALTH SERVICES.**

There may be within the Department of Adult Services a Division of Adult Mental Health Services.

The Division of Adult Mental Health Services may be organized to:

- (a) stimulate, review, and otherwise encourage the development of programs for the delivery of adult mental health services in the County of Onondaga;
- (b) oversee the day-to-day operation of services rendered by contractors on behalf of the Division of Adult Mental Health Services to county residents, verifying that such services are in compliance with applicable laws and regulations;
- (c) conduct research on the mental health needs of county residents and develop a strategy for meeting such needs;
- (d) administer from time to time certain mental health programs within the County for the benefit of its residents;
- (e) plan services to meet the mental health needs of the adult population through the evaluation of services and the identification of major problems affecting such population;
- (f) provide information relative to programs and mental health services in the community and sources of support for such programs and services;
- (g) recommend to and cooperate with federal, state and local agencies in the development of public policy regarding mental health issues;
- (h) cooperate and maintain close liaison with various partner agencies, including both public and private entities providing mental health services to county residents; and
- (i) submit to the County Executive such reports, data and other information as may be required, or as may otherwise be appropriate from time to time, regarding policies, programs and services throughout the County related to mental health issues.

**Section 11.08. DEPARTMENTAL DIVISION AND UNITS; ADDITIONAL DEPUTY COMMISSIONERS AND STAFF; APPOINTMENT; REVOCATION.**

The Commissioner may, within appropriations therefore, create such other divisions or units within the Department as may be deemed appropriate from time to time in the performance of the powers and duties of the office. In addition, the Commissioner may appoint such Deputy Commissioners of Adult Services, assistants and employees of the Department as shall be authorized by the County Legislature. Each such appointee shall be directly responsible to and, unless otherwise required by law, serve at the pleasure of the Commissioner. Appointments and revocations thereof, shall be in writing and reported to the

Commissioner of Personnel. Further, any such appointee may serve as the chief executive official for local administrative districts or agencies established for the purpose of receiving aid from another government entity, as provided in Section 11.03 of this Administrative Code, if so designated by the County Executive and confirmed by the County Legislature to fill such role.

Section 11.09. ACTING COMMISSIONER OF ADULT SERVICES.

The Commissioner of Adult Services, subject to the approval of the County Executive, shall designate in writing a line of succession to the office of Acting Commissioner of Adult Services in the event of absence from the County or inability to perform and exercise the powers and duties of the office. Such designation shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time, evidenced by the Commissioner filing a new written designation. The Acting Commissioner shall have all the powers and perform all the duties of the Commissioner during the period of succession or until a new Commissioner shall be appointed pursuant to law and shall qualify to assume that office.

- (iv) Article XIV (Department of Social Services) is amended to strike such article in its entirety and to substitute therefor the following:

ARTICLE XIV

DEPARTMENT OF SOCIAL SERVICES—ECONOMIC SECURITY

Section

- 14.01. Social Services District; Department of Social Services—Economic Security; Commissioner; Appointment; Qualifications; Term.  
14.02. Commissioner of Social Services; Powers and Duties.  
14.03. Departmental Divisions and Units; Deputy Commissioners of Social Services and Staff; Appointment; Revocation.  
14.04. Acting Commissioner of Social Services.  
14.05. Commissioner's Bond.

Section 14.01. SOCIAL SERVICES DISTRICT; DEPARTMENT OF SOCIAL SERVICES—ECONOMIC SECURITY; COMMISSIONER; APPOINTMENT; QUALIFICATIONS; TERM.

The County of Onondaga shall be a social services district, as defined in Section 61, of the Social Services Law. There shall be a Department of Social Services—Economic Security under the direction of a Commissioner of Social Services, who shall be appointed by the County Executive, subject to the approval of the County Legislature. At the time of appointment, and throughout the term of office, the Commissioner shall possess the qualifications prescribed in the Social Services Law and required by applicable state regulations, and shall be appointed on the basis of these and such other qualifications, including administrative experience, as may be possessed for the responsibilities of the office. The Commissioner shall be directly responsible to, and, unless otherwise required by law, serve at the pleasure of, the County Executive.

Section 14.02. COMMISSIONER OF SOCIAL SERVICES; POWERS AND DUTIES.

In addition to the powers and duties prescribed in Section 1402 of the Charter, and except as may otherwise be provided in the Charter or this Code, the Commissioner of Social Services shall:

- (a) administer all mandated and optional social services and programs for needy persons throughout the County, including but not limited to financial assistance programs, aid to dependent children, to the disabled and to the blind, child welfare, institutional care and other related programs;
- (b) serve as spokesperson for the Department in all contacts or communications with public or private agencies regarding aid to needy persons throughout the County;
- (c) assist in the processing of applications for public assistance and publish and otherwise disseminate such information regarding administration procedures and practices affecting the public as shall facilitate the Department's response to the needs of the community;
- (d) investigate suspected fraudulent applications for, and the receipt of, public assistance and refer cases where appropriate to the District Attorney for prosecution;
- (e) manage such County homes and other institutions as shall be operated for the purpose of providing public assistance, except as otherwise specifically assigned in this Code or by applicable law;
- (f) maintain such financial and other records and submit such reports to the County Executive and otherwise as may be provided by law or applicable rule or regulation regarding mandated and optional services rendered by the Department;
- (g) maintain an on-going program of employee recruitment and training as shall best provide competent, responsive and economic service to the community;
- (h) have all the powers and perform all the duties now or hereafter conferred or imposed by law, together with such other and related duties as may be required by the County Executive; and
- (i) provide such programmatic oversight and execute such memoranda of understanding or other instruments with other Onondaga County officials as may be necessary to perform the duties associated with administering the social services district.

Section 14.03. DEPARTMENTAL DIVISIONS AND UNITS;  
DEPUTY COMMISSIONERS SOCIAL SERVICES AND STAFF; APPOINTMENT;  
REVOCATION.

There may be within the Department of Social Services at least two Deputy Commissioners of Social Services. Such Deputy Commissioners shall be appointed by the Commissioner and, unless otherwise required by law, serve at the pleasure of the Commissioner. Appointments and revocations of appointments pursuant to this section shall be made by the Commissioner in writing and shall be filed with the Commissioner of Personnel. Such Deputy Commissioners shall be in the exempt class of service unless otherwise provided by law.

The Commissioner of Social Services shall be empowered to assign such tasks and responsibilities to the Deputy Commissioners as may be desired, enabling the Deputy Commissioners to assist the Commissioner in fulfilling the duties of the office.

The Commissioner may, within appropriations therefor, create such divisions or units within the Department as may be deemed appropriate from time to time in the performance of the powers and duties of the office. In addition, the Commissioner may appoint such Deputy Commissioners of Social Services assistants and employees of the Department as shall be authorized by the County Legislature. At the time

of appointment, and throughout the term of office, each such appointee shall possess such qualifications as may be prescribed by the State of New York. Each such appointee shall be directly responsible to, and, unless otherwise required by law, serve at the pleasure of, the Commissioner. Appointments, and revocations thereof, shall be in writing and reported to the Commissioner of Personnel.

#### Section 14.04. ACTING COMMISSIONER OF SOCIAL SERVICES.

The Commissioner of Social Services, subject to the approval of the County Executive, shall designate in writing a line of succession to the office of Acting Commissioner of Social Services in the event of absence from the County or inability to perform and exercise the powers and duties of the office. 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 Commissioner filing a new written designation. The Acting Commissioner shall have all the powers and perform all the duties of the Commissioner during the period of succession or until a new Commissioner shall be appointed pursuant to law and shall qualify to assume that office.

#### Section 14.05. COMMISSIONER'S BOND.

The Commissioner, and each of the deputies, assistants and employees as the County Legislature may require, shall execute and give a surety bond or official undertaking to the County in a sum fixed by the County Legislature conditioned upon the faithful performance of the duties of the office. Such bond shall be approved as to sufficiency by the County Executive and as to form by the County Attorney and shall be filed with the County Clerk. It shall be a charge upon the County.

- (v) Article XV (Department of Mental Health) is hereby stricken in its entirety;
- (vi) Article XIX (Department of Probation) is hereby amended to strike subsection (c) from Section 19.02 in its entirety, and to renumber subsection (d) as subsection (c);
- (vii) Article XIV (Other County Administrative Units) is hereby amended to strike therefrom Section 25.04 (Veterans' Service Agency) in its entirety;
- (viii) Article XXVIII (Department of Aging and Youth) is hereby stricken in its entirety;
- (ix) a new Article XXXI is inserted, as follows:

### ARTICLE XXXI

#### DEPARTMENT OF CHILDREN AND FAMILY SERVICES

##### Section

- 31.01. Department of Children and Family Services.
- 31.02. Commissioner of Children and Family Services; Powers and Duties.
- 31.03. Administrative Districts or Agencies Established for the Purpose of Receiving Aid from another Government Entity.
- 31.04. Deputy Commissioners of Children and Family Services; Powers and Duties.
- 31.05. Division of Child Welfare.
- 31.06. Division of Juvenile Justice Services; Director of Juvenile Justice Services; Powers and Duties.
- 31.07. Division of Children's Mental Health Services.
- 31.08. Departmental Division and Units; Additional Deputy Commissioners and Staff; Appointment; Revocation.

31.09. Acting Commissioner of Children and Family Services.

Section 31.01 DEPARTMENT OF CHILDREN AND FAMILY SERVICES.

There shall be a Department of Children and Family Services, which shall be headed by a Commissioner. Such official shall be appointed on the basis of the candidate's administrative experience and qualifications for the duties of the office by the County Executive, subject to confirmation by the County Legislature. The Commissioner shall be directly responsible to and serve at the pleasure of the County Executive.

Section 31.02. COMMISSIONER OF CHILDREN AND FAMILY SERVICES,  
POWERS AND DUTIES.

Except as may otherwise be provided in the Charter or this Code, the Commissioner of Children and Family Services shall be empowered to:

- (a) define an overarching strategy and vision for the development of programs for the delivery of services for the benefit of children, youth, and families residing in Onondaga County, where such services are likely to contribute to improving the quality of life and overall well-being of such individuals; provided, however, in defining such strategy and vision, the Commissioner shall be required to consult regularly with the several officials administering the districts established within Onondaga County for the purpose of receiving aid from another government entity where the programs funded by such district aid are intended to benefit children and youth residing in Onondaga County, ensuring that the district aid plans and the department's strategy and vision are consistent with each other;
- (b) cooperate and maintain close liaison with various partner agencies, including both public and private entities providing health, mental health and social services, to plan, develop, implement, and deliver services to children and families residing in Onondaga County;
- (c) inventory the health, mental health and social services provided to children, youth, and families residing within Onondaga County, including services administered directly by Onondaga County and services provided at the direction of the County under contract, and use such inventory to provide periodic analysis and reports to the County Executive and County Legislature regarding such services;
- (d) initiate and develop, under the direction of the County Executive, strategies for the maximum community integration of child welfare services, toward the goal of keeping families connected and reducing unnecessary placement of children outside their homes; and
- (e) collaborate with the Department of Probation in defining and implementing an overarching strategy and vision for the development of programs for the delivery of services related to youth administered by the Department of Probation and in connection with the Family Court and, further, otherwise coordinate services provided to such youth in the following programmatic areas: mental health, public health, and social services;
- (f) administer a detention program for juveniles, which may include the operation of a County detention home, if any;
- (g) submit to the County Executive annually a plan for delivering services to children, youth, and families within Onondaga County;

- (h) establish a table of organization appropriate for the efficient operation of the department and its divisions, including the appointment of duly qualified individuals, holding the appropriate certification, licensure, or qualifications for the specific positions to which such individuals are appointed;
- (i) serve as the chief executive official for local administrative districts or agencies established for the purpose of receiving aid from another government entity, as provided in Section 31.03 of this Administrative Code, if so designated by the County Executive and confirmed by the County Legislature to fill such role;
- (j) provide oversight to the various administrative districts established within Onondaga County for the purpose of receiving aid from another government entity, ensuring to the extent permissible that programs funded by such aid adhere to the vision and strategy defined by the Commissioner where such programs are intended to benefit children, youth, and/or families residing in Onondaga County; provided, however, that such authorization is not to diminish or curtail the powers otherwise granted to an official administering any such district, where the official's powers are established under state or federal law;
- (k) have all the powers and perform all the duties now or hereafter conferred or imposed by law, together with such other and related duties as may be required by the County Executive.

**Section 31.03. ADMINISTRATIVE DISTRICTS OR AGENCIES ESTABLISHED FOR THE PURPOSE OF RECEIVING AID FROM ANOTHER GOVERNMENT ENTITY.**

- (a) **Authority to Form Certain Administrative Districts or Agencies.** Consistent with applicable state and federal law, the County may from time to time establish such local administrative districts or agencies for the purpose of receiving aid from another government entity or as may be required by law. Such districts may be organized, reorganized, terminated, and dissolved consistent with any applicable state and federal law.
- (b) **General Powers and Duties of District Officials.** Each of the several officials designated to fill the role of the chief executive official of any such district or agency shall have and exercise the powers and duties established under federal law, state or local law. Each such official shall further be empowered to provide such programmatic oversight and execute such memoranda of understanding or other instruments with other County officials as may be necessary to perform such duties.
- (c) **Advisory Boards.** The County Executive, subject to approval of the County Legislature, shall establish such advisory boards as are required by law for the administration of such district or agency. Such advisory boards shall have the powers and responsibilities prescribed under the applicable provisions of law, unless otherwise provided in the Charter, Administrative Code, or other local law.
- (d) **District Official Line of Succession.** Subject to the approval of the County Executive, each such official may designate in writing a line of succession, designating other officials and employees as may take the place of such official in the event of absence from the County or inability to perform and exercise the powers and duties of the office. Such designation shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time, evidenced by the official filing a new written designation. The acting official for such district purposes shall have all the powers and perform all the duties of the district official during the period of

succession or until a new district official shall be appointed pursuant to law and shall qualify to assume that office.

(e) **Specific Administrative Districts.** The County continues the several districts and agencies stated below:

(1) **Youth Bureau.** The County of Onondaga shall administer a youth bureau or youth programs, as such are defined by Executive Law, as may be amended, for the purposes of planning, implementing, and otherwise administering such youth programs to receive aid from the State of New York for youth services targeting the prevention of juvenile delinquency, the promotion of youth development, and such other related purposes as may be stated in Article 19-A of the Executive Law.

(i) There shall be an administrator for the youth bureau, who shall serve as the chief executive official for such district and be empowered to perform the various tasks and responsibilities established by law. The administrator shall meet the minimum qualifications for such position as provided in the applicable state law and regulations. The County Executive shall designate an official to serve as the administrator, which official shall be confirmed by the County Legislature. The administrator shall be responsible to the County Executive for the purposes of administering the state aid plan and shall continue such responsibilities until the designation is revoked by the County Executive.

(ii) The administrator shall be empowered to:

a. develop effective policies and programs for the prevention and control of juvenile delinquency and youth crime;

b. submit to the County Executive annually a plan for the delivery of services targeting the prevention and control of juvenile delinquency and youth crime under applicable regulations or law;

c. coordinate the activities of public and private agencies devoted to the prevention of delinquency and youth crime and provide consultative service thereof;

d. assist in facilitating and development and coordination of youth services within the County and the City of Syracuse;

e. have all the powers and perform all the duties now or hereafter conferred or imposed by law, together with such other and related duties as may be required by the County Executive.

(iii) There shall be within the Department of Children and Family Services a Youth Board, whose members shall be appointed by the County Executive in the manner and for the term provided in the Charter for the appointment of county youth boards.

(2) **Social Services related to Children.** The County of Onondaga shall be a social services district, as such is defined by Section 61 of the Social Services Law, as such may be amended, and one or more plans shall be developed within such district for the purposes

of receiving aid from the State of New York and the United States of America for the delivery and coordination of services benefiting children and their families, where such plans include, but are not limited to, the district-wide child welfare services plan, the child protective service, and related programs under Article VI of the Social Services Law.

- (i) The portion of the district plan relating to children shall be administered by a social services official who shall be appointed to fill such role by the County Executive, subject to the approval of the County Legislature. The social services official shall have all the powers and perform all the duties now or hereafter conferred or imposed by law, together with such other and related duties as may be required by the County Executive and Commissioner of Children and Family Services and shall be directly responsible to, and, unless otherwise required by law, serve at the pleasure of the County Executive. The social services official shall be within the Department of Children and Family Services.
- (ii) Such social services official shall coordinate and cooperate with other county officials, including the county commissioner of social services, to ensure that children within the County receive the services, care, and assistance required by law.

**Section 31.04. DEPUTY COMMISSIONERS OF CHILDREN AND FAMILY SERVICES; POWERS AND DUTIES.**

There may be within the Department of Children and Family Services at least two Deputy Commissioners of Children and Family Services. Such Deputy Commissioners shall be appointed by the Commissioner and, unless otherwise required by law, serve at the pleasure of the Commissioner. Appointments and revocations of appointments pursuant to this section shall be made by the Commissioner in writing and shall be filed with the Commissioner of Personnel. Such Deputy Commissioners shall be in the exempt class of service unless otherwise provided by law.

The Commissioner of Children and Family Services shall be empowered to assign such tasks and responsibilities to the Deputy Commissioners as may be desired, enabling the Deputy Commissioners to assist the Commissioner in fulfilling the duties of the office. Without limiting the generality of the foregoing, the Deputy Commissioners may be directed to:

- (a) encourage the development of residential and community-based long term care programs in the County of Onondaga, and otherwise make recommendations and proposals for improving existing programs providing such services;
- (b) verify that all employees within the Department are duly licensed and registered in the State of New York to provide the services to which they have been assigned;
- (c) develop a system of results-based accountability for all services provided, either directly or under contract, to ensure effectiveness/efficiency of service provision;
- (d) develop and maintain relationships with organizations/systems outside of the County domain to ensure maximum coordination among service efforts;
- (e) maintain financial oversight of county-funded services, toward the goals of maximizing funding opportunities and ensuring cost-effective service delivery;

- (f) assist the Commissioner in the preparation and administration of the budget for the Department of Children and Family Services;
- (g) provide oversight, management, and consultative services to other employees within the Department of Children and Family Services, and ensure that the management and the services delivered by the division provided hereunder are in compliance with applicable laws and regulations;
- (h) serve as the chief executive official for local administrative districts or agencies established for the purpose of receiving aid from another government entity, as provided in Section 11.03 or 31.03 of this Administrative Code, if so designated by the County Executive and confirmed by the County Legislature to fill such role;
- (i) develop agreements and contracts, subject to the approval of the County Executive and the Commissioner, to provide services and to secure services needed by the department for the benefit of children and families residing within Onondaga County.
- (j) perform such other and related duties as may be required by the Commissioner or the County Executive.

**Section 31.05. DIVISION OF CHILD WELFARE.**

There may be within the Department of Children and Family Services a Division of Child Welfare under the direction of a Deputy Commissioner.

The Division of Child Welfare may be organized to:

- (a) administer programs for the delivery of social services benefiting children and their families residing within Onondaga County, including certain services provided under the social services district plan, the child protective service, and related programs under Article VI of the Social Services Law;
- (b) coordinate and cooperate with other county officials, including the county commissioner of social services, to ensure that children within the County receive the services, care, and assistance required by law;
- (c) cooperate and maintain close liaison with various partner agencies, including both public and private entities providing child welfare services to county residents;
- (d) administer such other and related programs as may be required by the Commissioner or the County Executive.

**Section 31.06. DIVISION OF JUVENILE JUSTICE SERVICES;  
DIRECTOR OF JUVENILE JUSTICE SERVICES; POWERS AND DUTIES.**

There may be within the Department of Children and Family Services a Division of Juvenile Justice Services under the direction of a Director of Juvenile Justice Services. The Director shall be appointed by the Commissioner and, unless otherwise required by law, serve at the pleasure of the Commissioner. Appointments and revocations of appointments pursuant to this section shall be made by the Commissioner in writing and shall be filed with the Commissioner of Personnel. The Director shall be in the exempt class of service unless otherwise provided by law.

The Director of Juvenile Justice Services shall be empowered to:

- (a) stimulate, review, and otherwise encourage the development of programs for the delivery of juvenile justice services in the County of Onondaga;
- (b) administer a detention program for juveniles, which may include the operation of a County detention home, if any;
- (c) ensure that the management and the services delivered by the division provided hereunder are in compliance with applicable laws and regulations;
- (d) initiate, implement and update written policies and procedures for the operation of the division as may be required by law or regulation and as may be required for the efficient operation of programs;
- (e) develop agreements and contracts, subject to the approval of the County Executive and the Commissioner, to provide services and to secure services needed by the division;
- (f) make recommendations to the Commissioner and the County Executive, whenever appropriate, regarding all matters relating to delivery of juvenile justice services within the County;
- (g) cooperate and maintain close liaison with various partner agencies, including both public and private entities providing related juvenile justice services within the County;
- (h) submit to the County Executive such reports, data and other information as may be required, or as may otherwise be appropriate from time to time, regarding policies, programs and services affecting juvenile justice services within the County;
- (i) perform such other and related duties as may be required by the Commissioner or the County Executive.

Section 31.07. DIVISION OF CHILDREN'S MENTAL HEALTH SERVICES.

There may be within the Department of Children and Family Services a Division of Children's Mental Health Services.

The Division of Children's Mental Health Services may be organized to:

- (a) stimulate, review, and otherwise encourage the development of programs for the delivery of children's mental health services in the County of Onondaga;
- (b) oversee the day-to-day operation of services rendered by contractors on behalf of the Division of Children's Mental Health Services to county residents, verifying that such services are in compliance with applicable laws and regulations;
- (c) conduct research on the mental health needs of children residing within the County of Onondaga and develop a strategy for meeting such needs;
- (d) administer from time to time certain mental health programs within the County for the benefit of its resident children;

- (e) plan services to meet the mental health needs of the population of children and youth under the age of 21 through the evaluation of services and the identification of major problems affecting such population;
- (f) provide information relative to programs and mental health services in the community and sources of support for such programs and services;
- (g) recommend to and cooperate with federal, state and local agencies in the development of public policy regarding mental health issues;
- (h) cooperate and maintain close liaison with various partner agencies, including both public and private entities providing mental health services to county residents; and
- (i) submit to the County Executive such reports, data and other information as may be required, or as may otherwise be appropriate from time to time, regarding policies, programs and services throughout the County related to mental health issues.

**Section 31.08. DEPARTMENTAL DIVISION AND UNITS; DEPUTY COMMISSIONERS AND STAFF; APPOINTMENT; REVOCATION.**

The Commissioner may, within appropriations therefore, create such other divisions or units within the Department as may be deemed appropriate from time to time in the performance of the powers and duties of the office. In addition, the Commissioner may appoint such Deputy Commissioners of Children and Family Services, assistants and employees of the Department as shall be authorized by the County Legislature. Each such appointee shall be directly responsible to and, unless otherwise required by law, serve at the pleasure of the Commissioner. Appointments and revocations thereof, shall be in writing and reported to the Commissioner of Personnel. Further, any such appointee may serve as the chief executive official for local administrative districts or agencies established for the purpose of receiving aid from another government entity, as provided in Section 31.03 of this Administrative Code, if so designated by the County Executive and confirmed by the County Legislature to fill such role.

**Section 31.09. ACTING COMMISSIONER OF CHILDREN AND FAMILY SERVICES.**

The Commissioner of Children and Family Services, subject to the approval of the County Executive, shall designate in writing a line of succession to the office of Acting Commissioner of Children and Family Services in the event of absence from the County or inability to perform and exercise the powers and duties of the office. Such designation shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time, evidenced by the Commissioner filing a new written designation. The Acting Commissioner shall have all the powers and perform all the duties of the Commissioner during the period of succession or until a new Commissioner shall be appointed pursuant to law and shall qualify to assume that office.

**Section 4. Additional Amendments; Construction.**

Any previously enacted resolutions or local laws relating to the delivery of human and financial services in Onondaga County are hereby amended to be consistent with this local law.

Except as specifically amended herein, the Onondaga County Charter and Administrative Code remain in full force and effect.

Local Law No. 2-2013, which amended the Administrative Code with respect to the Department of Long Term Care Services, is to take effect on December 1, 2013, as provided therein. However, to the extent that such local law is inconsistent with this local law, Local Law No. 2-2013 shall be superseded.

This local law is to be construed in such a way so as not to diminish or curtail any powers held by any elected official within County government.

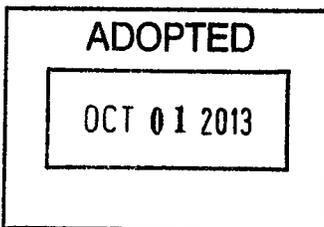
Section 5. Severability.

In the event that any provision contained herein should be found by a judge to be improper, illegal, and/or void, it is the intent of this Legislature to sever such provisions from this local law and to revive and restore the relevant provisions of the Charter and Administrative Code to the status quo ante.

Section 6. Effective Date.

This Local Law shall take effect immediately upon filing.

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I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF LEGISLATION DULY ADOPTED BY THE COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE 15<sup>th</sup> DAY OF October, 2013.

*Deborah L. Maturo*

CLERK, COUNTY LEGISLATURE  
ONONDAGA COUNTY, NEW YORK

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