

**RESOLUTION TO BE SUBMITTED BY
CHAIRMAN MILLS**

Re: Erie County Charter Revision Commission Recommendation No. 18

WHEREAS, the Erie County Legislature created the Erie County Charter Revision Commission for the express purpose of reviewing the Erie County Charter and to make recommendations on whether or not the Erie County Charter and/or Administrative Code should be amended to facilitate the more effective delivery of services to the public and to better coordinate the functions between departments and agencies of the County and the various local governments within the County; and

WHEREAS, the Charter Revision Commission was convened and fully considered and debated the strengths and weaknesses of the present Charter and made numerous recommendations; and

WHEREAS, the Charter Revision Commission submitted its final recommendations to the Erie County Legislature on May 13, 2016; and

WHEREAS, in addition to the Charter Revision Commission, several organizations, individuals and elected officials submitted comments and recommended Charter changes to the Commission; and

WHEREAS, the Legislature is required to act on each recommendation of the Charter Revision Commission; and

WHEREAS, Chairman Mills has reviewed each recommendation of the Commission and has submitted each recommendation to this Honorable Body for its consideration; and

WHEREAS, Article 12 currently describes the powers and duties of the Department of Social Welfare; and

WHEREAS, Recommendation No. 18 renames the Department of Social Welfare to the Department of Social Services, updates the powers and duties of the commissioner, and removes the requirement for Legislative approval for the appointment of the Executive Director of the Youth Bureau.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature accepts the Charter Revision Commission's Recommendation No. 18 as described in Comm. 10M-1(2016); and, be it further

RESOLVED, that the Legislature's staff shall draft a local law or laws to reflect the Legislature's acceptance of the recommendation and to amend the Charter by referendum; and, be it further

RESOLVED, that certified copies of this resolution be forwarded to the Office of the County Attorney and any other party deemed necessary and proper.

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Recommendation to Amend the Erie County Charter
Erie County Charter Revision Commission of 2016

Recommendation Intro. No. 122
Recommendation No. 10-18

Introduced on the Report of the Special Committee on Consolidation and Conformity.

Sponsored by Commission Member _____

The Erie County Charter Revision Commission of 2016 does hereby recommend that article 12 be amended to read as follows:

Article 12 - Department of Social Services ~~Welfare~~ - Charter

- Section 1201. Department of social services ~~welfare~~; commissioner; county welfare act repealed.
1202. Powers and duties of the commissioner.
- ~~1203. Welfare advisory board.~~
12034. Division of Youth Services.
12045. Youth Bureau Board.
12056. Executive Director of Youth Bureau.

Section 1201. Department of social welfare; commissioner; county welfare act repealed. There shall be a department of social welfare headed by a commissioner who shall be appointed by the county executive subject to confirmation by the county legislature. The Erie county social welfare act, being chapter twenty eight of the laws of nineteen hundred thirty-eight as amended, is hereby repealed as of January first, nineteen hundred sixty-one.

Section 1202. Powers and duties of the commissioner. Except as otherwise provided in this charter, the commissioner of social services welfare shall:

- ~~1. Have all the powers and perform all the duties conferred on or required of a county commissioner of public welfare under the social welfare law or other applicable law, and.~~
- ~~2. REPEALED by Local Law No. 9 1989.~~
- ~~3. Establish a system whereby foster parents shall have in their possession authorization for immediate emergency medical treatment for all foster children in their care.~~
- ~~4. Establish an emergency telephone service, either within the Erie county department of social services or by contract arrangement with a related agency, which emergency telephone service shall be available on a twenty four hour basis for medical, psychiatric and non-medical crises.~~
- ~~5. Perform such additional and related duties as the county executive may prescribe.~~

Amended by Local Law No. 6 1975.

~~**Section 1203. Welfare advisory board.** There shall be in the department a welfare advisory board of seven members appointed by the county executive for five year staggered terms. At least one member of such board shall be a physician licensed to practice in the state of New York. The welfare advisory board shall at the request of the commissioner, and may on its own initiative, advise on matters relating to the operation and improvement of the department or involving social welfare.~~

Section 12034. Division of Youth Services. There shall be within the department of social services welfare a division of youth services, headed by a deputy commissioner. In addition to all other duties prescribed by local law, ordinance or resolution of the Legislature or by the commissioner of social services welfare, the deputy commissioner of the division of youth services shall have charge of youth detention services and the youth bureau.

~~**Section 1204 added by Local Law No. 3 2006.**~~

Section 12045. Youth Bureau Board. There shall be established a youth bureau board to the division of youth services of the department of social services welfare.

~~**Section 1205 added by Local Law No. 3 2009.**~~

Section 12056. Executive Director of Youth Bureau. There shall be an executive director of the youth bureau within the division of youth services of the department of

social services welfare. The executive director shall be appointed by the county executive ~~subject to confirmation by the county legislature.~~

~~Section 1206 added by Local Law No. 3 2009~~

Article 12 was formerly numbered Article XI.