

**A RESOLUTION TO BE SUBMITTED BY
CHAIRMAN MILLS**

Re: Erie County Charter Revision Commission Recommendation No. 5

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 14 details the powers and duties of the Department of Emergency Services; and

WHEREAS, Recommendation No. 5 includes homeland security under to purview of emergency services and renames the title of Commissioner of Emergency Services to the Commissioner of the Department of Homeland Security and Emergency Services.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature accepts the Charter Revision Commission's Recommendation No. 5 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.

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

Recommendation Intro. No. 124
Recommendation No. 5

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 14 be amended to read as follows:

Article 14 - Department of Emergency Services - Charter

Section 1401. Department established; commissioner of homeland security and emergency services.

1402. Powers and duties.

1403. Advisory boards.

Section 1401. Department established; commissioner of homeland security and emergency services. There shall be a department of homeland security and emergency services, the head of which shall be the commissioner of homeland security and emergency services. He or she shall be appointed by the county executive subject to confirmation by the county legislature to serve at the pleasure of the county executive.

Section 1402. Powers and duties. The commissioner of homeland security and emergency services shall:

1. Have all the powers and perform all the duties conferred or imposed upon county directors of emergency medical services by the laws of the state of New York.
2. Plan, develop and coordinate, to the extent authorized by law or agreement, the implementation of protocols and procedures for, and the provision of, emergency medical services within the county of Erie, including, but not limited to: training and certification of persons as emergency medical technicians at one or more

levels of service; communications services, including medical telemetry and control, between hospitals and ambulances by medical emergency radio system; ambulance dispatching, inspection and certification.

3. Have all the powers and shall perform all of the duties conferred or imposed upon county fire coordinators by the laws of the state of New York.
4. Have all the powers and execute the duties of the county executive in his or her capacity as the county's local director of civil defense under the New York state defense emergency act, being chapter eighty four of the laws of nineteen hundred and fifty one, as amended.
5. Develop, make public and regularly amend a county disaster preparedness plan, in accordance with article two B of the executive law, for the coordination of emergency services in the event of natural or other disaster or emergency.
6. Coordinate the provision of homeland security, disaster, and emergency assistance by local disaster preparedness and civil defense forces in the event of a declaration by the county executive of a state of emergency or disaster within the county or in the case such assistance is requested by the chief executive of any city, town or village within the county.
7. Originate, coordinate, and promote programs with respect to fire safety, emergency medical services, homeland security and disaster preparedness within the county of Erie.
8. Perform such further duties as may be prescribed or directed by the county executive or the county legislature.
9. Plan for emergency communications and maintain a tactical interoperable communication plan to meet federal guidelines.