Exhibit A

Local Law No. 7-1979

FILED: WESTCHESTER COUNTY CLERK 09/11/2026 01:59 PM INDEX NO. 65935/2026
NYSCEF DOC. NO. 32 RECEIVED NYSCEF: 09/11/2026

THURSDAY, JULY 20, 1978
SPECIAL MEETING

The County Board of Legislators met in special session.

The Honorable Andrew P. O'Rourke in the Chair.

The Chairman opened the meeting with a prayer.

The roll call resulted as follows:

Legislators: Albanese, Brady, Brodsky, Christiana, DeRario, Galef, Gibbs, Hand, Hochberg, Keane, McPoland, Messina, Spano, Tocci, Whittle, Chairman — 16.

LOCAL LAW INTRO 11-1978: COMMITTEE ON COUNTY OFFICERS & DEPARTMENTS: DEPARTMENT OF PUBLIC SAFETY SERVICES — APPOINTED OFFICE AS COMMISSIONER SHERIFF.

Mr. Spano presented Local Law Intro 11-1978. Mrs. Whittle moved to AMEND Local Law Intro 11-1978 by

Deleting: p. 7 Sec. 341 Powers and Duties of the Department

l. 3 "Office of Crime Control Planning"

l. 14-15 "The Office of Crime Control Planning shall be headed by a Director."

Substituting: p. 8 l.1 Substitute three divisions for four.

which amendment was adopted 15 to 0 (Legislators Galef and O'Leary absent).

Mr. Brady moved to AMEND Section 347—POLICE ADVISORY BOARD—by changing the first two sentences to read as follows:

There shall be a Police Board to consist of five members who are residents of Westchester County. The County Executive shall appoint three members, subject to the approval of the Board of Legislators and the Chairman of the Board of Legislators shall appoint two members subject to the approval of the Board of Legislators.

which amendment was adopted 16 to 0.

Mr. Spano then presented Local Law Intro 11-1978, AS AMENDED, which was declared carried by the following vote:

AYE: Legislators: Albanese, Brady, Brodsky, Christiana, DeRario, Galef, Hochberg, Messina, McPoland, Whittle — 10.

NAY: Legislators: Gibbs, Hand, Keane, Spano, Tocci, Chairman — 6.

THE FOLLOWING IS A TRUE BILL OF LOCAL LAW INTRO 11-1978 (CONTAINING ALL AMENDMENTS).

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A LOCAL LAW to create a Department of Public Safety Services of Westchester County to amend Chapter 617 of the Laws of 1937 as amended, known as the Westchester County Charter and Chapter 852 of the Laws of 1948 as amended known as the Westchester County Administrative Code; to place in such new department the functions of the Sheriff's Office and the Westchester County Parkway Police and to provide for a change in the mode of selection of the Sheriff from an elective office to an appointive office as Commissioner/Sheriff of such department and to delineate additional powers of the Department of Public Safety Service and to make amendments to said acts to conform to such departmental reorganization.

Adopted: July 20, 1978.

Ratified July 28, 1978.

Before Voters in November of 1978

Effective July 1, 1979.

BE IT ENACTED by the County Board of the County of Westchester as follows:

Section 1. Chapter 617 of the Laws of 1937 is hereby amended by repealing Article XIV-B thereof, including sections 89-b, 89-c, 89-d and 89-e thereof.

Section 2. Chapter 617 of the Laws of 1937 is hereby amended by adding a new Article XIV-B as follows:

ARTICLE XIV-B—DEPARTMENT OF PUBLIC SAFETY SERVICES

Section 89-b Department established; Commissioner/Sheriff

Section 89-c Mode of selection of Commissioner/Sheriff

Section 89-d Imposition of duties and obligations of Sheriff on Commissioner/Sheriff and granting of rights and privileges to Commissioner/Sheriff.

Section 89-e Transfer of records.

Section 89-f Contracts to render police services to County municipalities.

Section 89-b DEPARTMENT ESTABLISHED: COMMISSIONER/SHERIFF:

There shall be a Department of Public Safety Services in which there shall be a Commissioner/Sheriff of Public Safety Services who shall be the head of the department. The Commissioner/Sheriff shall be appointed by the County Executive subject to the approval of the County Board. The Commissioner/Sheriff shall be a person with training and experience in the administration of law enforcement and shall have such other qualifications as the County Executive and the County Board may prescribe. The Commissioner/Sheriff may serve as chief officer of any division, bureau, office or unit which may be established in the department. The Commissioner/Sheriff shall be appointed for a term of four (4) years provided, however, that the first appointee shall be the present elected Sheriff whose term shall expire on December 31, 1982. The County Executive may remove for

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cause the Commissioner/Sheriff upon charges made and heard by the County Executive and any punishment imposed by the County Executive shall be subject to the approval of the County Board of Legislators. He shall perform all acts required by law and regulations of competent authority, including all acts heretofore performed by the elected Sheriff. The Commissioner/Sheriff may adopt and enforce rules, regulations and orders for the operation, government administration and disposition of the various divisions of the Department of Public Safety Services pending such adoption of rules, regulations and orders by the Commissioner/Sheriff, the rules and regulations now in force for the Division of the Westchester County Parkway Police and the Office of the Sheriff shall continue.

Section 89-c MODE OF SELECTION OF SHERIFF:

The mode of selection of the Sheriff of Westchester County is hereby changed from an elective office to an appointive office and no Sheriff shall be elected in the County of Westchester at the general election to be held in November, 1979, or thereafter.

Section 89-d IMPOSITION OF DUTIES AND OBLIGATIONS OF ELECTED SHERIFF ON COMMISSIONER/SHERIFF AND GRANTING OF RIGHTS AND PRIVILEGES OF ELECTED SHERIFF TO COMMISSIONER/SHERIFF:

Whenever any law, statute or regulation of the State of New York or any section of this Charter or of the Westchester County Administrative Code imposes or hereafter imposes any duty or obligation upon the elected Sheriff in Westchester County, such duty or obligation shall be continued in the office of the Commissioner/Sheriff of Public Safety Services, except for those duties and obligations presently imposed, or hereafter imposed upon the Commissioner of Correction of Westchester County. Whenever any rights or privileges are granted by any law, statute or regulation of the State of New York or by this Charter or the Westchester County Administrative Code to the elected Sheriff in Westchester County, such rights or privileges shall be continued in the office of the Commissioner/Sheriff of Public Safety Services, except for rights and privileges presently granted or hereafter granted to the County Commissioner of Correction.

Section 89-e TRANSFER OF RECORDS:

All records of every kind, nature and description which at the date this law takes effect are in the possession, custody and control of the elected Sheriff or the Department of the Sheriff are hereby transferred to the possession, custody and control of the Commissioner/Sheriff of Public Safety Services and the Department of Public Safety Services.

Section 89-f CONTRACTS TO RENDER POLICE SERVICE TO OTHER MUNICIPALITIES:

(1) Any contract between a city, village or town outside a village or any municipal joint or consolidated police service pursuant to Article 5-G of the General Municipal Law and subject to approval of the County Executive and Board of Legislators, may provide that the County through the Department of Public Safety Services, will furnish a specified degree and type of police service by the Division of the Westchester County Police to such municipality at a cost to be set forth in such contract, which contract shall be for a term of not more than four (4) years. It shall be competent in such contract to provide for the number of police officers to be assigned to duty in such city, village or town. Such contract shall not replace an existing local police force but shall only be for special and specified police functions and services in the aid of such existing local police force. Such contract shall not limit the power of the Commissioner/Sheriff of Public Safety Services in removing, demoting or otherwise disciplining any members of the Westchester County Police. During the life of such contract, members of the Westchester County Police shall have the same powers and duties within the contracting municipality as is given to them by State law, the County Charter and Administrative Code or any other law. The County, through its Commissioner/Sheriff of Public Safety Services, may request and contract for police services from any municipality if such services may be available.

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(2) The County will continue on a voluntary basis to render, upon request, to any municipality those various special services formerly rendered by the elected Sheriff and/or Parkway Police. The County through its Commissioner/Sheriff of Public Safety Services may request and receive police services from any municipality, such service to be rendered on a voluntary basis. This does not limit however former law enforcement powers of the Sheriff throughout the County which are hereby vested in the Commissioner/Sheriff.

Section 3. Section 70 of Chapter 617 of the Laws of 1937 is hereby amended to read as follows:

Section 3. ELECTIVE OFFICERS:

The office of County Judge, Surrogate, Judge of the [children's] Family Court, District Attorney [Sheriff] and County Clerk are hereby continued as elective officers, with all of the powers and duties conferred or implied by law upon such officers in the County, not inconsistent with the provisions of this act; provided that all such officers shall be governed by the provisions of this act relating to the budget, finance, personnel and purchasing.

Section 4. Section 57-d of Chapter 617 of the Laws of 1937 is hereby amended to read as follows:

Section 57-d POWERS AND DUTIES OF THE DEPARTMENT:

The Department of Laboratories and Research shall be responsible for pathological, toxicological, serological and bacteriological and other laboratory work for the Public Health District, [and] the Office of Medical Examiner and the Department of Public Safety Services. It shall perform such other appropriate duties as may be imposed upon it by the Laboratory Board of Managers, the County Executive or the County Board.

Section 5. Chapter 852 of the Laws of 1948 as amended is hereby amended by repealing sections 55, 56, 57, 58, 59, 60, 60-a and Title A of Article 14 thereof including sections 341, 342, 343, 344, 345, 346 and 347.

Section 6. Chapter 852 of the Laws of 1948 is hereby amended by adding a new Title "A" to Article 14 thereof as follows:

Title "A" DEPARTMENT OF PUBLIC SAFETY SERVICES:

Section 341 Powers and Duties of Department:

Section 342 Commitment and Discharge of Prisoners:

Section 343 Disbursements:

Section 344 Bureau of Services

Section 345 Bureau of Courts and Transportation

Section 346 Division of Westchester County Police

Section 347 Police Advisory Board

Section 348 Powers and Duties of the Police Board

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Section 349 Municipal Functions Not Abridged
Jurisdiction of Courts of Special Sessions
Violations Under Local Ordinances
Right of Removal
Disposition of Fines

Section 350 Power of Officers to Administer Oaths

Section 351 Rules and Regulations of the Police Advisory Board of the Division of Westchester County Police
Hearing and Determination of Charges against members

Section 351(a) Public Safety Emergency Force

Section 352 Special Policemen and/or Part-Time Police Officers
Employment and Powers

Section 353 Special Police Officers and/or Part Time Police Officers, Roster, Badges, Classification and Pay Removal
Not to be Members of County Police Bureau

Section 354 Disposition of Lost, Stolen and Unclaimed Property

Section 355 Transfer of Employees

Section 341 POWERS AND DUTIES OF THE DEPARTMENT:

The Department of Public Safety Services shall contain, but not be limited to, the following divisions; Westchester County Police, Division of Services and Office of Disaster and Emergency Services. The Division of Westchester County Police shall have the following bureaus; Police Operations, Police Staff Services, Criminal Investigation, Field Services and Support Services. The Westchester County Police Division shall be headed by a Deputy Commissioner. The Deputy Commissioner first appointed shall be the incumbent chief of the Westchester County Parkway Police on the effective date of this local law. The Deputy Commissioner may only be removed for cause on charges by the Commissioner/Sheriff to be heard by the County Executive. The Division of Services shall be headed by a Deputy Commissioner and the Deputy Commissioner first appointed shall be the incumbent undersheriff on the effective date of this local law. This Division shall include, but not be limited to, the Civil Bureau, Courts and Transportation Bureau, Warrant Bureau and Training Bureau. The Office of Disaster and Emergency Services shall be headed by a Director.

In addition to these three divisions, there shall be within the department a Police Advisory Board and a Public Safety Emergency Force as hereinafter described. All heads of divisions and bureaus shall be named by the Commissioner/Sheriff except as heretofore set forth.

Section 342 COMMITMENTS AND DISCHARGES OF PRISONERS:

The Commissioner/Sheriff shall file and preserve in his office all commitments and discharges of prisoners and such other papers and documents as may be required by law or regulations of competent authority. Whenever any prisoner shall be sentenced by any magistrate, judge or court, it shall be the duty of such magistrate, judge or the clerk of the court, if there be one, to forthwith deliver to the Commissioner/Sheriff two duplicate commitments, one of which the Commissioner/Sheriff shall deliver with the prisoner to the officer or institution to which the prisoner is thereby committed, and the other of which, with a proper receipt for such prisoner endorsed thereon or attached thereto, the Commissioner/Sheriff shall file and preserve in his office. Whenever a prisoner shall be discharged or set free by any magistrate, judge or court, it shall be the duty of such magistrate, judge or court or clerk of the court, if there be one, forthwith to deliver to the Commis-

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sioner/Sheriff a certificate, stating that such prisoner was discharged or set free and giving the date and hour of such discharge, which certificate shall be filed by the Commissioner/Sheriff and preserved in the Commissioner/Sheriff's Office. Any officer, magistrate, judge or clerk neglecting to deliver such commitments or certificates of discharge to the Commissioner/Sheriff, or at the jail, for more than forty-eight (48) hours after such commitment or discharge, shall be liable to a fine not to exceed $10.00 for each such neglect to be collected by the Commissioner/Sheriff for the County and it shall be the duty of the Commissioner/Sheriff to enforce the provisions of this section.

Section 343 DISBURSEMENTS:

The Commissioner/Sheriff or his designee shall be entitled to his actual disbursements within the appropriations made therefor by the County Board for travel, lodging and food incurred while traveling or transporting a prisoner or any other persons who he is required by law to transport, where the cost of such travel and transportation is made by law a County Charge. Claims for such disbursements properly verified or certified shall be presented to the Commissioner of Finance.

Section 344 BUREAU OF SERVICES:

In addition to any duties assigned by the Commissioner/Sheriff, the Bureau of Services shall have all the powers and duties exercised by the Civil Division of the Office of the Sheriff prior to the effective date of this act.

Section 345 BUREAU OF COURTS AND TRANSPORTATION:

In addition to any duties assigned by the Commissioner/Sheriff, the Bureau of Courts and Transportation shall continue to have all the powers and duties exercised by court officers appointed by the former Sheriff to attend upon terms and sittings of the Supreme Court and the other County courts in the County, prior to the effective date of this act. Whenever it shall be necessary to keep together the members of a jury during their deliberations, the Court may direct the Commissioner/Sheriff of Public Safety Services to furnish specified meals and/or lodging to such jurors. The claim for the expenses thereof shall be presented to the Commissioner of Finance which claims must bear the approval of the Commissioner/Sheriff of Public Safety Services or his designee and of the judge, court or clerk of the court, for which the said jury was chosen and shall be paid as other County expenses are paid.

Section 346 DIVISION OF WESTCHESTER COUNTY POLICE:

The Division of Westchester County Police shall consist of the former division of the Westchester County Parkway Police and the existing Bureau of Criminal Investigation in the Department of the Sheriff. All the law enforcement and police powers, duties and obligations presently or hereafter granted or imposed on the Sheriff by any State Law, Westchester County Charter, Westchester County Administrative Code or local law shall be continued and vested in the Division of the Westchester County Police of the Department of Public Safety Services.

Section 347 POLICE ADVISORY BOARD

There shall be a Police Board to consist of five members who are residents of Westchester County. The County Executive shall appoint three members subject to the approval of the Board of Legislators and the Chairman of the Board of Legislators shall appoint two members subject to the approval of the Board of Legislators.

Of the five members first appointed, two shall be appointed for three years, two shall be appointed for two years and one shall be appointed for one year. All subsequent appointments shall be for a three (3) year term. The County Executive shall appoint one member to be Chairman of the Board. The Commissioner/Sheriff of Public Safety Services or the Deputy Commissioner in charge of the Division of the Westchester County Police if so designated by the Commissioner/Sheriff shall

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be an ex-officio member of the Board without vote. The members of the Board shall serve as such without compensation but shall be entitled to receive their actual disbursements and expenses in performing the duties of their office.

Section 348 POWERS AND DUTIES OF THE POLICE BOARD:

The Board shall meet at least once a month and at such times as either the Commissioner/Sheriff, the Chairman or two other members may deem necessary. A special meeting may be called by giving at least two days notice to the other members of the Board of the time and place where the meeting is to be held. The Board shall require from the Commissioner/Sheriff of Public Safety Services a monthly report of activities of the Westchester County Police; the Board shall receive and investigate all complaints made against any member of the Division of the Westchester County Police. The Board shall consult with the Commissioner/Sheriff of the Department of Public Safety Services or in his absence with the Deputy Commissioner in charge of the Westchester County Police on any matters affecting the division. A record shall be kept of all meetings and a copy of the minutes of each meeting submitted to the Commissioner/Sheriff of Public Safety Services before they are approved at the following meeting.

Section 349 MUNICIPAL FUNCTIONS NOT ABRIDGED: JURISDICTION OF COURTS OF SPECIAL SESSIONS: VIOLATIONS UNDER LOCAL ORDINANCES: RIGHT OF REMOVAL: DISPOSITION OF FINES:

(1) Nothing herein shall be construed to abridge the right of any municipality within the County to perform its lawful functions of government within its boundaries or consistent with present law to pursue and apprehend as it lawfully may any person or persons who commit any breach of any statute, ordinance or regulation.

(2) Any Local Criminal Court having jurisdiction within any subdivision of the County containing territory as described in section 351-a hereof shall have jurisdiction to hear and determine all charges involving the violation of any rules, regulations or ordinances or any of the provisions or amendments thereof adopted by the County Board, the Departments of Public Works, Environmental Facilities, Parks, Recreation and Conservation, the Playland Commission. All such violations are defined as misdemeanors for the sole purposes of making applicable all procedural provisions of law relating to misdemeanors, and no jury trial shall be allowed for such misdemeanors.

(3) Where such violation is committed on the boundary of two or more such municipalities or within 500 yards thereof or partly in one and partly in another or the acts or effects thereof constituting or requisite to the consumption of the violation occur in two or more such municipalities, the jurisdiction shall be in either of such municipalities comprising and being, respectively, jurisdictions of any such Local Criminal Courts and jurisdiction is also in any court held in and for the County if such Court has jurisdiction of persons accused of committing a misdemeanor and who may be lawfully prosecuted by indictment.

(4) Where any violation of such rules, regulations, or ordinances shall constitute a violation of any statute or of any ordinance, rules or regulations of any city, town or village the offender may be prosecuted either under the rules, regulations and ordinances adopted by the County Board, the Departments of Public Works, Environmental Facilities, Parks, Recreation and Conservation or the Playland Commission but a conviction or acquittal under one shall bar a prosecution for the same act or omission under any of the others.

(5) The jurisdiction above given to said courts to hear and determine all violations of any such rule, regulation or ordinance adopted by the County Board, the Departments of Public Works, Environmental Facilities, Parks, Recreation and Conservation or the Playland Commission shall be subject to the right of removal as provided by the Criminal Procedure Law to a court having authority to inquire by the intervention of a grand jury into offenses committed within the County.

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(6) All fines collected under the provisions of this section in a city, town or village shall be paid to such city, town or village and credited to the General Fund.

Section 350 POWER OF OFFICERS TO ADMINISTER OATHS:

Where an appearance ticket or summons has been served by a member of such Division of the Westchester County Police in lieu of arrest, in cases of violations of the Vehicle and Traffic Law, or of ordinances, rules and regulations enacted pursuant thereto or pursuant to any other law relating to traffic or violations or any ordinances, rules and regulations adopted by the County Board, the Departments of Public Works, Environmental Facilities, Parks, Recreation and Conservation or the Playland Commission any officer of such Division of Westchester County Police of the grade of sergeant or acting sergeant or higher is hereby authorized to administer to such member all necessary oaths in connection with the execution of the complaint to be presented in court by such member in the prosecution of such offense. Any such instrument may be in printed form and sworn to in accordance with section 100.30 of the Criminal Procedure Law of the State of New York.

Section 351 RULES AND REGULATIONS OF THE POLICE ADVISORY BOARD OF THE DIVISION OF WESTCHESTER COUNTY POLICE: HEARING AND DETERMINATION OF CHARGES AGAINST MEMBERS:

Except as otherwise provided by law a member of the Division of Westchester County Police shall continue in office unless suspended or dismissed by the Commissioner/Sheriff or in his absence by the Deputy Commissioner in charge of the Westchester County Police. The Police Board is authorized to make and adopt, subject to the approval of the Commissioner/Sheriff, or the County Board of Legislators may adopt rules and regulations for the examination, hearing, investigation and determination of charges made or preferred against any member of the Division of Westchester County Police. Except as otherwise provided no fine, suspension, removal or dismissal or any member of the Division of the Westchester County Police shall become final until written charges shall have been examined, heard and investigated in such manner as the said rules and regulations shall prescribe. Any member of the Division of the Westchester County Police may be suspended without pay pending the trial of charges by the Board with the approval of the Commissioner/Sheriff or otherwise in accordance with the rules and regulations adopted as herein provided. Any member of the Division of the Westchester County Police shall have the right to a hearing and trial of such charges. No hearing or trial shall be held unless the accused shall have had at least eight (8) days notice in writing of such hearing or trial. The notice shall set forth the charges against the accused. The accused shall have the right to be heard under oath and to produce witnesses who may testify in his defense under oath. At such hearing or trial the accused shall have the right to be represented by counsel. Any member of the Division of Westchester County Police found guilty upon charges of neglect or dereliction in the performance of his official duty or violation of rules and regulations or disobedience or incompetency to perform official duty or an act of delinquency seriously affecting his general character or fitness for office with the approval of the Commissioner/Sheriff may be punished by reprimand, by a fine not to exceed $100. to be deducted from the salary or compensation of such member, by suspension without pay for a period not exceeding two months, by demotion in grade, title or pay scale step, or by dismissal. If any member of the Division of Westchester County Police shall not be convicted of the charges preferred, he shall be entitled to full pay from the date of suspension notwithstanding such charges and suspension. The Commissioner/Sheriff may reduce the punishment recommended by the Board but may not increase it.

Section 351(a) PUBLIC SAFETY EMERGENCY FORCE:

The Commissioner/Sheriff may appoint without pay or at nominal pay volunteers as members of the Public Safety Emergency Force, persons who have met the basic police training as may be required by the Commissioner/Sheriff. Such appointees when assigned to duty shall possess all the powers of deputy sheriffs or emergency special deputies as provided for in Section 653 or 655 of the County law.

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Section 352 SPECIAL POLICEMEN AND/OR PART-TIME POLICE OFFICERS: EMPLOYMENT AND POWERS:

The Police Board, with the approval of the Commissioner and within the budget appropriations therefor, may, whenever in its judgment necessary for the preservation of the public peace and the enforcement of law and order and the observances of ordinances, rules and regulations adopted by the County Board or the Departments of Public Works, Environmental Facilities, Parks, Recreation and Conservation, the Playland Commission or any constituent municipality of the County which contracts with the County for police services, for a period six (6) months or less, appoint and employ as many special police officers and/or part-time police officers as it may deem desirable. Each person as and when so appointed, and during the term of his or her employment shall be a resident of the County and entitled to vote therein at the time of his or her appointment, and shall be designated as a Special Westchester County Police Officer, and while acting as such shall be a police officer as defined by Section 1.20(34) of the Criminal Procedure Law and shall have the same jurisdiction described in section 348 hereof, and the same powers and duties and be subject to the same orders, rules and regulations as the regular members of the Division of Westchester County Police. However, nothing herein contained shall prevent the Commissioner/Sheriff from exercising his powers to deal with emergencies as provided by law.

Section 353 SPECIAL POLICE OFFICERS AND/OR PART-TIME POLICE OFFICERS, ROSTER, BADGES, CLASSIFICATION AND PAY: REMOVAL: NOT TO BE MEMBERS OF COUNTY POLICE BUREAU:

The Department of Public Services shall cause to be kept a roster showing the name, residence address, age, date of appointment and the date of termination of service of each person so appointed and employed; and shall cause to be provided and furnished to each such person a badge on which shall be plainly printed the words ''Special Westchester County Police Officer'' which shall be worn conspicuously by each of such special police officers and/or part-time police officers while serving as such and be surrendered by him or her on the termination of his or her service, and delivered to the Police Board for future use. Such special police officers and/or part-time police officers shall be classified as per diem employees and their pay or compensation for the days employed shall be fixed by the Police Board subject to the County Personnel Rules. Any special police officers and/or part-time police officers so appointed and employed may be removed at any time by the Police Chief without assigning any cause therefor. Nothing in this Article shall be construed to constitute such special police officers and/or part-time police officers members of the regular Westchester County Police and they shall only be entitled to receive per diem pay and shall not be entitled to receive any other salary, pay, compensation or monies or to share in any police pension or welfare fund.

Section 354 DISPOSITION OF LOST, STOLEN AND UNCLAIMED PROPERTY:

(1) Notwithstanding the provisions of any general, special or local law to the contrary, all property or money which shall come or be taken into the custody of any member of the Westchester County Police on suspicion of having been feloniously obtained, or of being the proceeds of crime, and for which there is no claimant other than the person from whom such property was taken, and all lost property coming into the possession of any member of the Westchester County Police, and any and all property and money taken from pawnbrokers as the proceeds of crime, or by any member of the Westchester County Police from persons supposed to be insane, intoxicated or otherwise incapable of taking care of themselves, and remaining in the possession of the Division of Westchester County Police for a period of one (1) year without any lawful claimant thereto, may be sold, by a person designated by the Police Board, at public auction, in a suitable room to be designated by such Police Board for such purpose; and the proceeds of such sale shall be paid over to the Commissioner of Finance for County purposes. Before each sale may be conducted, notice thereof, together with a list of the articles to be sold at such sale, shall be advertised once, at least ten (10) days prior to said sale, in two newspapers published in the County. Money remaining in the possession of the Division of Westchester County Police for a period of one (1) year without any lawful claimant thereto shall be paid over to the Commissioner of Finance for County Purposes.

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(2) However, where the property consists of burglar tools of any description or firearms, or cartridges, or explosives, or armored or bullet-proof clothing or motor vehicles, or gambling apparatus, or wines or fermented liquors, or soiled, bloody or unsanitary clothing, or solids or liquids of unknown or uncertain composition, or opium, morphine, heroin, cocaine, or any of its admixtures or derivatives, or hypodermic syringes and needles, or obscene pictures, prints, effigies, statues or any poisonous, noxious or deleterious solids or liquids, or any property which in the opinion of the Police Advisory Board is of slight value and the sale of which might result in injury to the health or safety of the public, it may direct the Division of Westchester County Police to destroy each and every article of such nature. If, in the opinion of the Police Advisory Board, any such firearms, or cartridges, or explosives or armored or bullet-proof clothing or motor vehicles, may be used for the purposes of such police division or other government purposes, such firearms, or cartridges or explosives, or armored or bullet-proof clothing or motor vehicles, may, in the discretion of the Police Advisory Board, be used for such purposes and the same need not be offered for sale as in this section provided.

Section 355 TRANSFER OF EMPLOYEES:

Any employee presently in the employ of the County who pursuant to this local law is placed in the Department of Public Safety Services shall suffer no reduction in pay or diminution of his rights and privileges in relation to his pension or other fringe benefits enjoyed by such employee at the time of the effective date of this local law. No permanent employee presently employed in the Bureau of Parkway Police or the Office of the Sheriff shall be separated from employment because of any of the provisions of this local law, provided, however, that nothing herein contained shall be construed as a bar to any action taken as a result of the collective bargaining process.

Section 9. Section 364 of Chapter 852 of the Laws of 1948 is hereby amended to read as follows:

DUTY TO REPORT DEATHS: NEGLECT A MISDEMEANOR:

It shall be the duty of any person who may become aware of a death under any of the circumstances set forth in the preceding section to report such death forthwith to the office of the Medical Examiner, or to the District Attorney, The Commissioner/Sheriff of Public Safety Services or a police officer who shall forthwith notify the Medical Examiner. Any person who shall willfully neglect or refuse to report such death or who without written order from the Medical Examiner shall willfully touch, remove or disturb the body of the dead person, or willfully, touch, remove or disturb the clothing, or any article upon or near such body, shall be guilty of a misdemeanor.

Section 10. Title "F" of Article 14 of Chapter 852 of the Laws of 1948 is repealed.

Section 11. Time of Taking Effect.

This local law shall be submitted to the qualified electors of the County at the General Election to be held in the year 1978 and if approved by a majority of the electors at such election in accordance with the provisions of the Constitution of the State of New York and the provisions of the Westchester County Charter shall be effective on July 1, 1979.

LOCAL LAW INTRO 12-1978: COMMITTEE ON COUNTY OFFICERS AND DEPARTMENTS: DEPARTMENT OF PUBLIC SAFETY SERVICES — ELECTED SHERIFF AS COMMISSIONER.

Mr. Spano presented Local Law Intro 12-1978. Mrs. Whittle moved to AMEND Local Law Intro 12-1978 by

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