

County of Tioga

Local Law No. 4 of the Year 2023.

A Local Law Establishing the Position of County Administrator for the County of Tioga.

Be It Enacted by the Legislature of the County of Tioga as follows:

SECTION 1: LEGISLATIVE INTENT.

The Tioga County Legislature recognizes the growing complexities of County Government by the many mandated programs on both the Federal and State level of government and the need for increased direction, control and coordination of County governmental functions would provide a more efficient administration of the various departments and agencies of Tioga County.

It is the purpose and intent of this local law to provide administrative assistance to the County Legislature, in order to provide uniformity in the day-to-day operations and management of County affairs. It is not the purpose or intent of the County Legislature in the adoption of this local law to curtail, diminish, or transfer the power of any elected or appointed County official.

SECTION 2: COUNTY ADMINISTRATOR.

There shall be a County Administrator who shall be directly responsible to the Tioga County Legislature and perform the functions of a Chief Administrative Officer on behalf of the County Legislature with the County Legislature retaining the final administrative authority. The position of County Administrator shall be unclassified for Civil Service purposes.

SECTION 3: APPOINTMENT, TERM OF OFFICE.

The County Administrator shall be appointed by and serve at the pleasure of the Tioga County Legislature based on the minimum qualifications outlined in this local law and run coextensively on the same terms as the Legislative Clerk, County Attorney, and Public Defender. The position of

County Administrator shall be unclassified for Civil Service purposes. Upon hiring, the County Administrator will work with the Chairperson of the Legislature for a period of up to 52 weeks.

SECTION 4: MINIMUM QUALIFICATIONS.

At the time of appointment, the County Administrator shall have the following training and/or experience:

- A. Graduation from a regionally accredited or New York State registered college or university with a Master's degree preferably in Business or Public Administration or a related field and four (4) years of professional experience in the field of public or business administration, including experience in budgeting and financial management with government experience preferred; or
- B. Graduation from a regionally accredited or New York State registered college or university with a Bachelor's degree preferably in Business or Public Administration or a related field and six (6) years of professional experience in the field of public or business administration, including experience in budgeting and financial management with government experience preferred.

The County Administrator position requires a thorough knowledge of the principles and procedures of public administration which includes management supervision, intergovernmental relations, thorough knowledge of the principles and procedures of governmental accounting and budget, good knowledge of report writing and statistical interpretation, knowledge of public relations practices and procedures, good knowledge of and experience with purchasing processes. Communication skills are critical in the ability to communicate effectively, both orally and written, ability to analyze problems and make recommendations, ability to prepare and maintain written reports and records, ability to follow and issue complex oral and written instructions, ability to establish and maintain good relationships both within the County and with outside agencies, ability to supervise the work of others, ability to exercise good judgment in evaluating situations, establishing priorities, and making decisions.

The County Administrator shall be appointed on the basis of these, and such other qualifications as may be required for the responsibilities of the position.

SECTION 4: SALARY.

The County Administrator shall receive an annual salary to be fixed by the County Legislature.

SECTION 5: POWERS AND DUTIES.

Without curtailing, diminishing, or transferring the powers of any elected County official, the County Administrator shall be responsible for the overall administration of Tioga County Government under the direction of the Tioga County Legislature and shall provide and coordinate staff services to the County Legislature, Chairperson of the Legislature, and its Committees. The County Administrator will act as the Budget Officer and Public Information Officer and oversee the day-to-day departmental operations to carry out the directives of the County Legislators efficiently, economically, and effectively, as well as assist with short and long-term capital and fiscal planning. The County Administrator will also perform related work as required and assigned. The County Administrator shall have all the powers and perform all the duties necessarily implied or incidental thereto. Among such powers and duties, but not by way of limitation, are the following:

A. Departmental Management & Labor Relations:

- Act as day-to-day primary Operations Director in accordance with policies established by the Legislature.
- Provide interdepartmental leadership and unify overall management of County affairs by supporting the operations of Department Heads, implement administrative policies approved by the Legislature, address common issues among departments, identify interdepartmental efficiencies, attend and participate in monthly Department Head meetings.
- Work with Department Heads to implement and ensure compliance with New York State legislation.
- Make recommendations to the Legislature regarding appointment/termination of non-elected Department Heads.
- Conduct non-elected Department Head performance evaluations and prepare Department Head performance reports, including recommending to the Legislature any changes to salaries or benefits as consistent with the current salary plan in conjunction with the Legislative Standing Committee Chairperson.
- Participate in collective bargaining negotiations with employee labor unions.
- Ensure that County policies are followed.

B. Financial Management & Budgeting:

- Act as Budget Officer monitoring expenditures, establishing budgetary controls, and updating the Legislature on the County's financial status.
- Review tentative operating and capital budgets with Department Heads and make recommendations to the Legislature.
- Serve as an advisor to the Legislature preparing and executing short and long-term capital plans.
- Facilitate grants and shared services activity, when appropriate.

C. Administration & Communication:

- Lead Purchasing Policy evaluation and improvement to current procedures.
- Execute contracts in the name of Tioga County, authorize filling vacant funded positions, authorize routine expenditures, budget transfers and modifications below a predetermined threshold, provide adequate insurance.
- Attend all regular Legislature meetings, special Legislature meetings, public hearings, and Legislative Standing Committee meetings.
- Act as Public Information Officer and spokesperson for the Legislature.
- Serve as liaison and represent the Legislature in contacts with political subdivisions, State and Federal officials and agencies.
- Prepare and present annual report on the State of the County to the Legislature and public.
- Create and deliver necessary projects and reports as required by the County and State of New York such as Shared Services, surveys, and information required by the State.
- Assist the Legislature with developing short and long-term policies and procedures, recommend and advise the Legislature of implications of policies and procedures under construction.
- Facilitate Leaders Meetings, participate in Executive Team Meetings, and other such related meetings that pertain to leadership activities with the County.

D. Other Duties as Assigned

SECTION 6: ACTING COUNTY ADMINISTRATOR.

The Chairperson of the Legislature shall be the acting County Administrator in the event of the County Administrator's absence from the County or inability to perform and exercise the powers and duties of the position. In the event of the Chairperson's inability to serve as acting County Administrator, the Chairperson, with the approval of the Legislature, shall appoint an acting County Administrator. In no event may a person serve as

acting County Administrator for a period greater than sixty days in any calendar year, unless authorized by the Legislature. The acting County Administrator shall have all the powers and duties of the County Administrator during the period of their designation or until a new County Administrator shall be appointed, pursuant to this local law, and shall qualify to assume that position.

SECTION 7: NO DIVESTITURE OF POWERS AND DUTIES OF LEGISLATURE.

Nothing contained in this local law shall operate or be construed to divest the County Legislature of Tioga County of any of its functions, powers and duties.

SECTION 8: SEVERABILITY OF PROVISIONS.

If any clause, sentence, paragraph, subdivision, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree, or order shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment, decree or order have been rendered.

SECTION 9: CONFLICT WITH PREVIOUS LOCAL LAWS AND RESOLUTIONS.

In the event of a conflict or inconsistency between this local law and any previous local law or resolution of the County Legislature, this local law shall govern.

SECTION 10: EFFECTIVE DATE.

This local law shall take effect when all applicable statutory requirements for its passage and adoption have been complied with fully and it has been duly filed as provided by the Municipal Home Rule Law.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 4 of 2023 of the (County) of Tioga was duly passed by the Tioga County Legislature on September 12, 2023, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the (County) (City) (Town) (Village) of was duly passed by the on , 20 , and was (approved) (not disapproved) (repassed after disapproval) by the on and was deemed duly adopted on , 20 , in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the (County) (City) (Town) (Village) of was duly passed by the on , 20 , and was (approved) (not disapproved) (repassed after disapproval) by the on , 20 . Such local law was submitted to the people by reason of a (mandatory) (permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special) (annual) election held on , 20 , in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the (County) (City) (Town) (Village) of was duly passed by the on , 20 , and was (approved) (not disapproved) (repassed after disapproval) by the on , 20 . Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of , 20 , in accordance with the applicable provisions of law.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the City of having been submitted to referendum pursuant to the provisions of section (36) (37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special) (general) election held on , 20 , become operative.

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county

legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 of the County of _____, State of New York, having been submitted to the electors at the General Election of November _____, 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1____, above.



Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body

(Seal)


Date: September 12, 2023

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

State of New York

County of Tioga

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.



Signature
Peter Dewind
Title County Attorney
County of Tioga
City
Town
Village

Date: September 12, 2023