

Eighth Regular Meeting
August 12, 2014

The Eighth Regular Meeting of 2014 was held on August 12, 2014 and was called to order by the Chair at 12:00 P.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Sullivan to have a moment of prayer. "Dear Lord, we pray that you guide us today and every day during which we conduct County business. We offer up gratitude for the employees of the County and ask that you bless them as they continue their work for the residents of the County and we also ask that you keep us mindful of who it is that we serve."

Legislator Sullivan led all Legislators and those in attendance in the Pledge of Allegiance.

Legislative Weston read and presented the following recognition resolution to Terry Sinsabaugh of the Sheriff's Office.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRING TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 168-14

*RESOLUTION RECOGNIZING
TERRY SINSABAUGH'S
26 YEARS OF DEDICATED SERVICE TO
TIOGA COUNTY*

WHEREAS: Terry Sinsabaugh was appointed as a Deputy Sheriff-Jailer on 11/19/88; reclassified to Corrections Officer on 1/1/90; appointed to Corrections Sergeant on 9/1/91; reinstated as Corrections Officer on 11/4/91; and was promoted to Corrections Sergeant on 7/18/09; and

WHEREAS: Terry Sinsabaugh has been dedicated and loyal in the performance of his duties and responsibilities during the past 26 years to Tioga County, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Terry Sinsabaugh will retire from the Tioga County Sheriff's Office on August 30, 2014; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Terry Sinsabaugh for his 26 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Terry Sinsabaugh.

ROLL CALL VOTE

Unanimously Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, and Standingger

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Sheriff Howard spoke. "I do not know what I can say about a guy who thinks the Washington Redskins is the best team in the league, but I will try. Terry is going to be missed, 26 years with the Sheriff's Office. He is very important to us. He is the go to guy down in the jail. When we needed something or the Lieutenant needed something, somebody would always say give it to Terry, he will take care of it, and that is what we are going to miss, is Terry taking care of it. He is a spoon. He likes to mix things up down there. He will certainly be missed for the work he has done. He took care of our accreditation files over the years and the jail has become an outstanding place as far as the State and what the State Sheriff's Association considers. I think Terry has even gotten recognition from the State Sheriff's Association for his work he has done with the accreditation program, which is huge. On behalf of the men and women of the Sheriff's Office, believe it or not we are going to miss you Terry."

The following recognition resolution for Janice Yuricek of the Public Health Department was noted.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 169-14 *RECOGNITION OF
JANICE YURICEK'S 11 YEARS OF
DEDICATED SERVICE TO THE TIOGA COUNTY
DEPARTMENT OF HEALTH*

WHEREAS: Janice M. Yuricek, was appointed to the position of Payroll Clerk on December 26, 2002, in the Tioga County Treasurer's Office; reclassified to Senior Payroll Clerk on October 14, 2005; and appointed as Administrative Accounting Supervisor in Public Health, the position she still holds; and

WHEREAS: Janice M. Yuricek has been extremely dedicated, loyal and professional in the performance of her duties and responsibilities during the past 11 years to Tioga County. She has earned the respect of her colleagues and peers throughout Tioga County; and

WHEREAS: Ms. Yuricek will retire on August 27, 2014; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Janice M. Yuricek for her over 11 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Janice M. Yuricek.

ROLL CALL VOTE

Unanimously Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, and Standinger

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standinger read and presented the following recognition resolution to Bonnie Beuter of the Public Health Department.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 170-14 *RECOGNITION OF
BONNIE J. BEUTER'S 14 YEARS OF
DEDICATED SERVICE TO THE TIOGA COUNTY
DEPARTMENT OF HEALTH*

WHEREAS: Bonnie J. Beuter, was appointed to the position of Administrative Secretary on July 24, 2000, in the Tioga County Department of Health; the position she still holds; and

WHEREAS: In October of 2010 Bonnie was honored as Team Member of the Quarter by her peers in the Health Department; and

WHEREAS: Bonnie J. Beuter has been extremely dedicated, loyal and professional in the performance of her duties and responsibilities during the past 14 years to the Health Department. She has earned the respect of her colleagues and peers throughout Tioga County; and

WHEREAS: Ms. Beuter will retire on August 30, 2014; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Bonnie J. Beuter for her over 14 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Bonnie J. Beuter.

ROLL CALL VOTE

Unanimously Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, and Standinger

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Denis McCann of the Public Health Department spoke. “As the resolution stated, Bonnie started in 2000, however it was in Social Services. She came to the Health Department in 2004 as Administrative Secretary and we have not been the same since. Right from the start we realized Bonnie was special. She brought an energy and passion to all things that she does. Work related, Bonnie was always on top of things. She kept track of the little things that would have been big things if they were not taken care of. Bonnie takes ownership of everything she works on or anything the Department is responsible for.

“As mentioned, Bonnie received the Public Health Team Member of the quarter in 2010. She also served on both the County and the Health Department Employee Recognition Committees. On a personal note, Bonnie’s last five years outside of work could be summed up with the personnel video slips, trips, and falls. Bonnie cares about people. She cares about the residents that call with questions or problems, going out of her way to help them. If they call by accident looking for another business, she has been known to get out the phone book and get them the number they needed.

“There is a handful of comments here that people in the Department sent that wanted to be shared. “Bonnie is a good, honest and straightforward person.” “Bonnie certainly has no problem telling you how you are doing something if you are doing it wrong, but when you do it right she does not hesitate in rewarding you or recognizing you for a job well done.” “Bonnie is a caring and nurturing person. Even after her own house was damaged during the flood, she did not hesitate to go out of her way to help others in need.” This is one she is not going to be happy that I will share and I am glad Bethany is on vacation this week. Bonnie once asked a new employee that happened to be a young muscular handsome man if he would be willing to come to a friend’s birthday party dressed as a cabana boy. That is a true story and they are still friends to this day.

"Bonnie loves helping people and making them feel special. This could be by surprise parties, bringing in breakfast foods or helping people in their jobs, coordinating cards or gifts to an ill colleague or even to the family members of the colleague. A personal experience to share regarding Bonnie coordinating a care package for sick employees was my family. My youngest child was home sick and on the way home from work I stopped and picked up, not sure if it was balloons or flowers for her, and in the morning when I said goodbye to her, she said make sure I say thank you to Bonnie for the flowers or the balloons. She had just assumed it was Bonnie because Bonnie had done it for her another time. Bonnie will certainly be missed. She is moving to Florida to be closer to her grandchildren, which is just like her. We wish her and her husband Jack a happy retirement, knowing that you are going to have to get the 3:00 o'clock early bird dinner special now. Everyone in the Health Department and the County are all better for having known Bonnie."

Bonnie Beuter spoke. "I want to thank everybody for coming here and supporting me today through the monsoon and your checks are in the mail. Like Dennis said, I am moving and I was told after I wrote this up that I would not detour from it, but guess what I already am. Working for the County has been a great experience. Ray Case, the first time I met him, I about ran him over in the hallway. I notice he is over there sleeping right now. He did give me my first employee of the quarter award and I had to help him read it a little bit, that is why I was asking Bill if he needed some help.

"I started work for DSS in Foster Care. I worked under Gail Barton and Ray Case, and it was a great experience. These people are such hard workers and they are very dedicated to the people of Tioga County. I would not have missed it, but I am certainly glad I went to Environmental Health because Environmental Health, that was my nitch, I just loved it, especially the rabies calls and the rat and sewage, and any kind of call that I can get my hands into, but I liked helping people. They are worried about getting rabies. I got some really interesting calls, but I cannot really go into that here. I have worked in Environmental Health since 2004 right after I moved my youngest son to Florida.

"I was sitting here, everybody keeps asking me what jobs I have had in my lifetime, but I know that you guys are wanting to get back to work, but I am going to just kind of list them a little bit. I was a babysitter, car hop, Clerk at Sears Toy Department at Christmas, stenographer at South Western Bell, Iowa Beef Packing Plant payroll and billing, Dennis and Hide where they cure hides to send them out for cows at tanneries. I was Administrative Secretary there. I did maintenance and parts in another place. I worked at a radiator company making radiators. I did accounting. I worked at IBM as data entry, mail carrier

for Binghamton, you do not want to do that. That is where I found out what a clumsy person I really was. I worked at a farmer's coop. I was a grocery store clerk, stocking shelves, deli, cashier at Thompson's grocery store. I was a payroll clerk at Scott, Smith & Son. Foster care I was a typist, DMV I was account clerk typist, and that was not my nitch there. I have been in Environmental Health for the last 10 years.

"Hans hired me because Toni begged him to do it and I am really glad that he did. The people at Tioga County are wonderful people and I would have missed a lot by not working there, and I want to thank all of you. I am going to Florida. I have a new pet, it is an alligator, it lives in the backyard. My neighbor told me that so we are not going to take our dog. We are going to give it back to its original owner. I hope that the people in Tioga County realize how hard the Tioga County workers work for them and I appreciate and thank you very much for this opportunity."

There was no privilege of the floor.

The list of audited bills was submitted and is summarized as follows:

<u>Code</u>	<u>Description</u>	<u>Equipment</u>	<u>Expense</u>
A1010	Legislative Board		168.40
A1165	District Attorney		2,126.15
A1170	Public Defender		2,037.12
A1172	Assigned Counsel		13,320.81
A1173	ILS Grant		1,735.00
A1185	Medical Examiners/Coroners		404.12
A1325	Treasurer		33.10
A1355	Assessments		2,727.77
A1410	County Clerk		226.53
A1420	Law		3,438.63
A1430	Personnel		1,593.10
A1450	Elections		23,411.40
A1490	Public Works Administration		30.00
A1620	Buildings		30,872.30
A1621	Buildings		9,708.46
A1680	Information Technology		3,990.54
A2490	Community College Tuition		77,237.41
A2960	Education of Handicapped Children		211,414.72
A3020	Public Safety Comm E911 System		6,200.72
A3110	Sheriff		22,606.85
A3121	Sheriff LE11-1038-EOO Grant	15,272.44	

A3146	Sex Offender Program	9,240.00
A3150	Jail	77,458.43
A3315	Special Traffic Programs	312.00
A3410	Fire	893.08
A3640	Emergency Mgmt Office	474.89
A4010	Public Health Nursing	16,147.70
A4011	Public Health Administration	7,622.33
A4012	Public Health Education	96.00
A4042	Rabies Control	685.70
A4044	Early Intervention	1,148.10
A4053	Preventive/Primary Health Services	193.35
A4054	Preventive Dental Services	557.41
A4064	Managed Care-Dental Services	20,523.13
A4070	Disease Control	895.00
A4090	Environmental Health	1,590.40
A4210	Alcohol and Drug Services	6,856.29
A4211	Council on Alcoholism	10,990.33
A4309	Mental Hygiene Co Admin	6,644.03
A4310	Mental Health Clinic	44,745.77
A4320	Crisis Intervention Services	19,519.67
A4321	Intensive Case Management	2,267.95
A5630	Bus Operations	108,794.33
A6010	Social Services Administration	35,580.59
A6510	Veterans' Service	35.00
A8020	Planning	313.08
A9060	Health Insurance	3,059.70
SOLID WASTE FUND		89,817.53
SPECIAL GRANT FUND		4,087.16
LIABILITY INSURANCE FUND		3,591.25
COUNTY ROAD FUND		40,797.60
CAPITAL FUND		1,017,427.10
CONSOLIDATED HEALTH FUND		<u>1,167.25</u>
GRAND TOTAL		\$ 1,962,087.72

Legislator Monell made a motion to approve the minutes of July 15, 2014, seconded by Legislator Hollenbeck, and carried.

Chair Sauerbrey stated that standing committees and special committees are on file.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ED&P COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 171-14 ADOPT LOCAL LAW NO. 1 OF 2014

WHEREAS: A public hearing was held on August 7, 2014, following due notice thereof to consider the adoption of Local Law Introductory No. B of the Year 2014 A Local Law providing for the collection of a hotel and motel tax in Tioga County; and

WHEREAS: It is in the best interests of the residents of Tioga County to adopt such Local Law which will Local Law No. 1 of 2014; therefore be it

RESOLVED: That the following Local Law be and hereby is adopted;

County of Tioga

Local Law No. 1 of the Year 2014

A Local Law providing for the collection of a hotel and motel tax in Tioga County.

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

SECTION 1: TITLE

This Local Law shall be known as the "Hotel/Motel Tax Law".

SECTION 2: PURPOSE

The purpose of this Local Law is to enhance the general economy of Tioga County, its cities, towns, and villages through promotion of tourists, activities, conventions, trade shows, special events, and other directly related and supporting activities.

SECTION 3: DEFINITIONS

HOTEL - Any facility providing lodging on an over-night basis, and shall include those facilities designated and commonly known as "bed and breakfast" and "tourist" facilities.

MOTEL - Any facility providing lodging on an over-night basis, and shall include those facilities designated and commonly known as "bed and breakfast" and "tourist" facilities.

PERMANENT RESIDENT - A person occupying any room or rooms in a hotel or motel for at least fourteen (14) consecutive days.

SECTION 4: TAX

(A) A tax in the amount of four percent (4%) of the per diem rental rate for each room occupied, is hereby assessed on all hotels and motels in Tioga County, provided, however, that such tax shall not be applicable to a permanent resident of a hotel or motel.

(B) Said tax shall be paid by the person occupying the room who shall be liable therefore to the owner of the hotel or motel room occupied or to the person entitled to be paid the rent or charge for the hotel or motel room occupied. Said tax shall be paid for and on account of the County of Tioga.

(C) Such owner or person entitled to be paid the rent or charge shall be liable for the collection and payment of the tax. Such owner or person entitled to be paid the rent or charge shall have the same right in respect to collecting the tax from the person occupying the hotel or motel room, or in respect to non-payment of the tax by the person occupying the hotel or motel room, as if the tax were a part of the rent or charge; provided, however, that the Tioga County Treasurer shall be joined as a part in any action or proceeding brought to collect the tax by the owner or by the person entitled to be paid the rent or charge.

(D) The filing of returns and the payment of the tax shall be paid to the Tioga County Treasurer on a quarterly basis by such means and in such manner as may be directed by the Tioga County Treasurer.

SECTION 5: PENALTY AND INTEREST

There shall be a penalty for failure to file said return and pay over the tax to the Tioga County Treasurer on the date due in the amount of ten (10%) per cent of the amount of the tax due plus interest at the rate of one percent (1%) of such tax for each month of delay, excepting the first month after such return was required to be filed or such tax became due.

SECTION 6: EXEMPTION

Such tax shall not be imposed on any transaction, by or with any of the following:

(A) The State of New York, or any public corporation (including a public corporation created pursuant to agreement or compact with another state or the dominion of Canada), improvement district or other political subdivision of the State.

(B) The United States of America, insofar as it is immune from taxation;

(C) Any corporation or association, or trust, or community chest, fund or foundation organized and operated exclusively for religious, charitable or educational purposes, or for the prevention of cruelty to children or animals, and no part of the net earnings of which inures to the benefit of any private shareholder or individual and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation; provided, however, that nothing in this paragraph shall include an organization operated for the primary purpose of carrying on a trade or business for profit, whether or not all of its profits are payable to one or more organizations described in this paragraph.

SECTION 7: JUDICIAL REVIEW

Any final determination of the amount of any tax payable hereunder shall be reviewable for error, illegality or unconstitutionality or any other reason whatsoever by a proceeding under article seventy-eight of the civil practice law and rules if application therefore is made to the supreme court within thirty days after the giving of the notice of such final determination, provided, however, that any such proceeding under article seventy-eight of the civil practice law and rules shall not be instituted unless:

(A) The amount of any tax sought to be reviewed, with such interest and penalties thereon as may be provided for, shall be first deposited and there is filed an undertaking, issued by a surety company authorized to transact business in this state and approved by the superintendent of insurance of this state as to solvency and responsibility, in such amount as a justice of the supreme court shall approve to the effect that if such proceeding be dismissed or the tax confirmed the petitioner will pay all costs and charges which may accrue in the prosecution of such proceeding; or

(B) At the option of the petitioner such undertaking may be in a sum sufficient to cover the taxes, interests and penalties stated in such determination plus the costs and charges which may accrue against it in the prosecution of the proceeding, in which event the petitioner shall not be required to pay such taxes, interest or penalties as a condition precedent to the application.

(C) Where any tax imposed hereunder shall have been erroneously, illegally or unconstitutionally collected and application for the refund thereof duly made to the Tioga County Treasurer, and he shall have made a determination denying such refund, such determination shall be reviewable by a proceeding under article seventy-eight of the civil practice law and rules, provided, however, that such proceeding is instituted within thirty days after the giving of the notice of such denial, that a final determination of tax due was not previously made, and that an undertaking is filed with the proper fiscal officer or officers in such amount and with such sureties as a justice of the supreme court shall approve to the effect that if such proceeding be dismissed or the tax confirmed, the petitioner will pay all costs and charges which may accrue in the prosecution of such proceeding.

SECTION 8: LIMITATION OF TIME

Except in the case of a willfully false or fraudulent return with intent to evade the tax, no assessment of additional tax shall be made after the expiration of more than three years from the date of the filing of a return, provided, however, that where no return has been filed as provided by law the tax may be assessed at any time.

SECTION 9: APPLICATION OF FUNDS

All revenues resulting from the imposition of the tax under this local law shall be paid into the treasury of Tioga County and shall be credited to and deposited in the general fund of the County, thereafter to be allocated at the discretion of the County Legislature of the County of Tioga for the purposes of tourism and economic development; provided, however, that the County shall be authorized to retain up to a maximum of five percent of such revenue to defer the necessary expenses of the County in administering such tax. The revenue derived from the tax, after deducting the amount provided for administering such tax, shall be allocated to enhance the general economy of Tioga County, its cities, towns, and villages, through promotion of tourist activities, conventions, trade shows, special events, and other directly related and supporting activities.

SECTION 10: EFFECTIVE DATE

This local law shall become effective December 1, 2014 and shall remain in effect until November 30, 2017.

SECTION 11: SEVERABILITY

If any provision of this local law or the application thereof to any person or circumstance shall be held invalid, the remainder of this local law and the application of its provisions to other persons or circumstances shall not be affected thereby.

And be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed, pursuant to Local Law No. 4 of 1992, to cause to be published in the official newspapers of the County of Tioga a synopsis of such Local Law, such synopsis to be within ten days after adoption of the Local Law; and be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed within five days after adoption of such Local Law to cause the Local Law to be filed as required by the Municipal Home Rule Law Section 27.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 172-14 *ACCEPTANCE OF APPLICATION FOR
FIREFIGHTER SHAUN HANZALIK TO THE TIOGA
COUNTY FIRE INVESTIGATION TEAM*

WHEREAS: The Bureau of Fire provides high quality Fire Investigation Team support to the Fire Service in Tioga County; and

WHEREAS: This service is provided by local, highly trained volunteers; and

WHEREAS: Fire Investigation team member Brett Welch is no longer an active member of the Fire Investigation Team; and

WHEREAS: Campville Firefighter Shaun Hanzalik has applied for re-admission to the County Fire Investigation Team; and

WHEREAS: Firefighter Hanzalik is a NYS Certified Level I Fire Investigator and currently possesses the training and skills needed by the Tioga County Fire Investigation Team; and

WHEREAS: Firefighter Hanzalik would replace Brett Welch as an active member of the Fire Investigation Team; therefore be it

RESOLVED: That Campville Firefighter Shaun Hanzalik be added to the Tioga County Fire Investigation Team roster to replace Brett Welch.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Case moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ECONOMIC DEVELOPMENT & PLANNING
COMMITTEE

RESOLUTION NO. 173-14 *SEQRA CONSIDERATION FOR NEW YORK STATE
OFFICE OF PARKS, RECREATION AND HISTORIC
PRESERVATION 2014-2015 SNOWMOBILE TRAILS
GRANT-IN-AID PROGRAM, PHASE II APPLICATION*

WHEREAS: All new or modified snowmobile trails must have a SEQRA Determination approved; and

WHEREAS: The trail changes to C5 B for the Tioga Ridge Riders and C5 B and S 57 B for the Tioga Ridge Runners along with GPS updates for all trails for Tioga Ridge Riders, Tioga Ridge Runners, as presented to NYSOPRHP are an Unlisted Action requiring Tioga County to consider the environmental significance of these changes; and

WHEREAS: A Short Form Environmental Assessment Form has been prepared for review by the Tioga County Legislature; now therefore be it

RESOLVED: That the Tioga County Legislature does hereby declare itself to be the Lead Agency and that it will undertake an uncoordinated review of the project; and be it further

RESOLVED: That the Tioga County Legislature has reviewed the Short Form Environmental Assessment Form, including the impact assessment, and has determined, based on the information and analysis set forth therein that the proposed action WILL NOT result in any significant adverse environmental impacts; and be it further

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair to execute the Impact Assessment and the Determination of Significance of the Short Form Environmental Assessment Form and a Notice of Determination of Non-Significance (a Negative Declaration) in a manner consistent with this determination.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 174-14 *DESIGNATED EMERGENCY ROUTES*
NYSERTA GRANTS
EMERGENCY MANAGEMENT

WHEREAS: NYSERTA is funding grants for generators and transfer switches for gas stations and distributors of fuel on emergency routes; and

WHEREAS: Tioga County has several gas stations that would be qualified for these grants if the County had designated emergency routes; and

WHEREAS: The Emergency Management Director and the Public Works Commissioner have met and would like to designate the following routes as Tioga County emergency routes:

State Route 17C
State Route 34
State Route 38
State Route 38B
State Route 86
State Route 96
State Route 96B
State Route 434
State Route 79
County Route 7

Therefore be it

RESOLVED: That the Tioga County Legislature designates the above mentioned routes as Tioga County emergency routes.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved to withdraw the following resolution, seconded by Legislator Case.

REFERRED TO: INFORMATION TECHNOLOGY COMMITTEE

RESOLUTION NO. -14 ESTABLISH CAPITAL RESERVE FUND FOR TELEPHONE SYSTEM

WHEREAS: The telephone system currently being used by Tioga County is in need of replacement due to its age, cost to maintain and lack of availability of replacement parts; and

WHEREAS: Tioga County wishes to establish a Capital Reserve Fund pursuant to General Municipal Law Section 6(c) to accumulate moneys to finance the cost of the expenses incurred for the acquisition and installation of a new telephone system, including hardware and the computer software incidental to its acquisition and installation; now therefore be it

RESOLVED: That pursuant to Section 6(c) of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the "Telephone System Reserve Fund" (hereinafter "Reserve Fund"). The purpose of this Reserve Fund is to accumulate moneys to finance the cost of the expenses incurred for the acquisition and installation of a new telephone system, including hardware and the computer software incidental to its acquisition and installation. The estimated maximum cost of the system is \$250,000.00; and be it further

RESOLVED: That the Tioga County Treasurer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Tioga County Treasurer may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of Tioga County. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The Tioga County Treasurer shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Legislature a detailed report of the operation and condition of the Reserve Fund; and be it further

RESOLVED: That except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this Legislature and such additional actions or proceedings as may be required by Section 6(c) of the General Municipal Law or any other law.

ROLL CALL VOTE ON MOTION TO WITHDRAW

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

MOTION TO WITHDRAW APPROVED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 175-14 TRANSFER OF FUNDS
PUBLIC DEFENDER

WHEREAS: The Public Defender's Office has a major trial for 2014; and the creation of the Family Court Public Defender's Office costs for Tioga County Shared Services needed and upkeep of the office were not included in the 2014 Public Defender's Budget; and

WHEREAS: The Public Defender's budget does not have the funding available to accommodate this trial and the Family Court office, funds need to be transferred out of Contingency to the Public Defender's budget; therefore be it

RESOLVED: That the following sums be transferred into the Public Defender's budget to cover trial costs and upkeep of the Public Defender's Family Court Office:

From: A1990.40-715-Contingency Account	\$14,000
To: A1170.40-40-Public Defender Books	\$ 800
A1170.40-280-Public Defender Investigations	\$11,000
A1170.40-320-Public Defender Leased/Service Equip	\$ 850
A1170.40-420-Public Defender Office supplies	\$ 500
A1170.40-480-Public Defender Postage	\$ 350
A1170.40-660-Public Defender Telephone	\$ 500

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: INFORMATION TECHNOLOGY COMMITTEE

RESOLUTION NO. 176-14 PURCHASE OF AS400
 TRANSFER OF FUNDS
 INFORMATION TECHNOLOGY

WHEREAS: The Director of Information Technology & Communication Services Director has determined a need to purchase an AS400 from Sirius Computer Services due to the advanced age and increasing maintenance expense of maintaining the existing AS400 computer system; and

WHEREAS: The cost of maintaining the existing AS400 system over the next three years is approximately \$60,000 and purchasing a new system with equivalent maintenance for the same period of time is \$24,000, creating a significant savings opportunity for the County; and

WHEREAS: There are insufficient funds in the Information Technology’s budget to cover the total cost of said AS400; therefore be it

RESOLVED: That the Director of Information Technology & Communication Services Director be authorized to purchase said AS400 from Sirius Computer Services at a cost not to exceed \$24,000; and be it further

RESOLVED: That the following sums be transferred to cover the purchase of said AS400:

From: A1990.40-715 Contingency Account	\$ 1,000
A1680.40-620 Information Technology	\$12,000

To: A9950.93-715 Transfer to Capital Fund	\$13,000
From: H5031.00 Interfund Transfer	\$13,000
H878.04 Computer Software Reserve Fund	\$10,000
H878.05 Computer Hardware Reserve Fund	\$ 1,000
To: H1680.21 Information Technology Capital Equipment	\$24,000

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standing.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PERSONNEL COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 177-14 *TRANSFER FUNDS/FUND SELF-
INSURANCE PLAN RESERVE*

WHEREAS: Tioga County Local Law No. 3 of 1990 established a Contributed Reserve cap of \$1,000,000 for the Tioga County Self Insurance Plan; and

WHEREAS: The December 31, 2013 Tioga County Self Insurance Plan Fund Balance is \$1,314,462.06; and

WHEREAS: The December 31, 2013 Tioga County Self Insurance Contributed Reserve Fund is \$797,846.92; and

WHEREAS: The Council of Governments approved at their June 2014 meeting the transfer of money from the Fund Balance to the Contributed Reserve to reach the established cap; therefore be it

RESOLVED: That the Tioga County Treasurer is authorized to transfer funds as follows:

From: Self-Insurance Fund Balance S909.00 \$202,153.08

To: Self-Insurance Contributed Reserve Fund S753.00 \$202,153.08

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved to withdraw the following resolution, seconded by Legislator Case.

REFERRED TO: FINANCE/LEGAL

RESOLUTION NO. -14 FUND FINANCIAL MANAGEMENT
SYSTEM RESERVE FUND

WHEREAS: The Tioga County Legislature recognizes the importance of County Infrastructure and established funds for such needs; and

WHEREAS: The Tioga County Legislature would like to fund these reserves through funds it will be receiving from the dissolution of the Consolidated Health Insurance Plan as of December 31, 2013; therefore be it

RESOLVED: That the Tioga County Treasurer funds the “Financial Management System Reserve Fund” with \$500,000 as follows:

FROM: A5031.00 Interfund Transfers all Others \$500,000.00

TO: A9950.93-715 Transfer to Capital Fund \$500,000.00

From: H5031.00 Interfund Transfer \$500,000.00

TO: H878.08 Financial Management System Reserve Fund \$500,000.00

ROLL CALL VOTE ON MOTION TO WITHDRAW

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

MOTION TO WITHDRAW APPROVED.

Legislator Hollenbeck moved to withdraw the following resolution, seconded by Legislator Case.

REFERRED TO: INFORMATION TECHNOLOGY COMMITTEE
FINANCE/LEGAL

RESOLUTION NO. -14 FUND TELEPHONE SYSTEM
CAPITAL RESERVE FUND

WHEREAS: The Tioga County Legislature recognizes the importance of County Infrastructure and established funds for such needs; and

WHEREAS: The Tioga County Legislature would like to fund these reserves through funds it will be receiving from the Consolidated Health Fund due to the dissolution of the Consolidated Health Plan as of December 31, 2013, therefore be it

RESOLVED: That the Tioga County Treasurer funds the "Telephone System Reserve Fund" with \$250,000 as follows:

FROM: A5031.00 Interfund Transfers all Others	\$250,000.00
TO: A9950.93-715 Transfer to Capital Fund	\$250,000.00
From: H5031.00 Interfund Transfer	\$250,000.00
TO: H878.09 Telephone System Capital Reserve Fund	\$250,000.00

ROLL CALL VOTE ON MOTION TO WITHDRAW

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standing.

No – None.

Absent – None.

MOTION TO WITHDRAW APPROVED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS
FINANCE

RESOLUTION NO. 178-14 TRANSFER FUNDS
BOND ENERGY PROJECT

WHEREAS: Tioga County entered into an energy performance contract with Johnson Controls; and

WHEREAS: The amount of \$2,000,000 was authorized in a bond issue; and

WHEREAS: The actual amount of the contract was \$2,037,283; and

WHEREAS: The amount of \$35,000 in account H1620.21 use code 929 (Capital Equipment – Boiler) is no longer needed because of the Energy Project and the amount of \$3,000 in account H1620.20 use code 914 (Capital Construction - Renovations 56 Main St.) has funds available; therefore be it

RESOLVED: That the Tioga County Legislature authorize the transfer of the following funds:

FROM: H1620.21 use code 929	Capital Equipt. Boiler	\$35,000
TO: H1626.20	Bond Issue Project	\$35,000

FROM: H1620.20 use code 914	Capital Construction	\$ 3,000
	Renovations 56 Main St.	
TO: H1626.20	Bond Issue Project	\$ 3,000

In order to fund the full amount of the contract.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 179-14 *AUTHORIZE TO HOLD JOINT
AUCTION WITH BROOME COUNTY*

WHEREAS: Broome County has offered Tioga County the ability to rejoin them with a joint auction for surplus property; and

WHEREAS: Broome County has contracted Mel Manassee & Son Auctioneers for Saturday September 27, 2014 @ 10:00 AM; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the auction for surplus properties to be held in conjunction with Broome County on Saturday, September 27, 2014 @ 10:00 AM; and be it further

RESOLVED: That Tioga County's auction for surplus properties will be held at Broome County Highway Dept., 47 Thomas St., Chenango Bridge, NY 13745 and 0% Commission of the proceeds will be charged to the seller.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 180-14 *ACCEPT AUCTION BIDS FOR COUNTY OWNED PROPERTY ACQUIRED FOR TAXES, AUTHORIZE EXECUTION OF DEEDS*

WHEREAS: Properties acquired by Tioga County for nonpayment of taxes in the Towns of Barton, Candor, Newark Valley, Owego, Richford, Spencer and Tioga were offered for sale at Public Auction conducted Thursday, July 31, 2014, by the County Treasurer; and

WHEREAS: It is the intent of the Legislature to return the properties to the Tax Rolls as soon as possible; therefore be it

RESOLVED: That the following bids, being the highest made at said Auction for the several different properties offered, be and hereby are accepted and the Chair of the Tioga County Legislature authorized to sign and record, on receipt of the amount bid and recording costs, Quit Claim Deeds conveying the various parcels to the successful bidders and to their assigns:

Prior Owner-Tax Map#	<u>Purchaser</u>	<u>Bid</u>
<u>Town of Barton:</u>		
146.00-1-9, Lucas A Chaffee	Donald Ingham	\$ 8,000.00
112.00-2-1, Edith & Letha A Gregor	Christine Pelto	3,500.00
144.00-1-11.21, Loco Holdings	Michael Garvey	1,000.00
122.18-1-14, Loco Holdings, LLC	Brandon Jacobson	1,000.00
134.00-1-56.20, Alfred Madigan	Claude Palmer	8,000.00

Town of Berkshire:

23.00-3-4.131, Loco Holdings, LLC	Broome Oil & Gas	1,500.00
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Town of Candor:

61.09-1-28, Kristen Baker	Steven Truesdail	20,000.00
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Town of Newark Valley:

64.15-1-10, Gordon Cressman	Christopher Pozzi	14,500.00
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Town of Nichols:

158.00-3-22, Roy L Williams	Eric Slate	6,000.00
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Town of Owego:

118.17-1-21.2, Eileen A Bundy, Etal	Alan Bishop	50.00
118.17-3-1.2, Eileen A Bundy, Etal	Alan Bishop	250.00
128.08-1-43, William E Foster	Marianne Crispell	7,000.00
85.00-1-35, Thomas J Harris	Gloria Price	23,000.00
117.19-2-5, Eleanor B Howard	Damone Properties	15,000.00
117.19-2-10, Polly Jane Jones	Brandon Jacobson	5,500.00
131.16-1-18, Steven Kitchin	Amy Walley	88,000.00
128.08-2-19, L Margaret, LLC	Phillip Petrusky	7,000.00
128.08-1-8, Kenneth & Stacey Nixon	Alexis Heath	500.00
117.19-2-37, Oak Mt Properties, LLC	Ian F Walley	7,500.00
153.05-1-22, Sheri Pabon	Lisa Conklin	30,500.00
142.07-1-7, Roger Philpott	Eric Slate	23,000.00
130.00-2-74, Franklin B Ressequeie	Arlene Stuccio	11,000.00
130.00-2-75, Franklin B Ressequeie	Kevin Watkins	50.00
118.18-1-1.1, Karen Schumacher	Plain English Apts	4,500.00
129.05-1-10, Ronda K Steigler	Gerald Wade	500.00
128.08-1-1.125, Mark & Febb Traver	Kevin Miller	10.00
128.07-1-8, Daniel & Janet Truesdail	Laura Houseknect	600.00
110.00-1-17.4, Dominica J Vojtisek	Douglas Karst	14,500.00
164.00-3-32.1, Lisa Weaver	James Scheffer	20,000.00
129.06-2-6, Karen & Vern Woodburn	Dennis Rose	600.00
39.12, Edward Browne	Joseph Catalano	31,000.00
(Not sold at 2013 Auction)		

Town of Richford:

12.00-1-15.12, Edward & Lynda Hart	Michelle Gehm	1,200.00
14.00-1-8, Gail & David E Kingle	Randy Klock	900.00
5.00-1-36.21, Raymond L Predmore	Carol McCarthy	1,700.00

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO:

FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 181-14

AUTHORIZE THE SALE OF FEDERAL HOME MORTGAGE CORP PROPERTY LOCATED IN THE TOWN OF TIOGA TO FLAGSTAR BANK, NA, OR ASSIGNS

WHEREAS: Property located in the Town of Tioga, assessed to Federal Home Mortgage Corp, identified as Tax Map number 125.00-1-15.22, parcel number 2268 owes 2012, 2013 and 2014 taxes and is past the last date of redemption; and

WHEREAS: The County has been approached by Flagstar Bank, NA , who has made an offer to purchase the property for \$4,500.00, "as is", thereby placing the property back on the tax rolls; be it therefore

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$4,500.00, including recording costs of \$185.00, a Quit Claim Deed conveying the property assessed to Federal Home Mortgage Corp, located in the, Town of Tioga, identified on the Town of Tioga Tax Map as number 125.00-1-15.22 parcel number 2268, to Flagstar Bank, NA or assigns.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 182-14 *AMEND POLICY 23*
PROCUREMENT POLICY

WHEREAS: Policy 23 needs to be amended in whole, which also necessitates a change in the title of the policy; therefore be it

RESOLVED: That Policy 23 be amended to change the title of Policy 23 to “Purchasing and Payment Policy”; and be it further

RESOLVED: That Policy 23 be amended in its entirety as follows:

PURCHASING AND PAYMENT POLICY

Sections:

- I.** Mission Statement
- II.** Introduction
- III.** Purchasing Cards
- IV.** Purchasing
- V.** Required Approvals
- VI.** Accounts Payable
- VII.** Accounts Receivable
- VIII.** Petty Cash
- IX.** Bidding Procedures
- X.** Determining the Necessity for Competitive Bidding
- XI.** Methods of Procurement Not Covered by Bidding
- XII.** Procedure to be used when Competitive Bidding Not Required

- XIII.** Exemption by Act of the County Legislature
- XIV.** Annual Review
- XV.** Unintentional Failure to Comply
- XVI.** Prohibited Contracts with Suspended or Debarred Parties

I: MISSION STATEMENT

The Tioga County Legislature dedicates itself to the procurement of the right goods and services at the right price for the various County departments in a timely manner assuring the prudent and economical use of public monies. The Legislature will facilitate the acquisition of goods and services at the lowest possible cost and at the same time guard against favoritism, extravagance and fraud.

II: INTRODUCTION

It is, therefore, essential that the purchasing policies and procedures of Tioga County be clearly established and understood by all concerned.

The Purchasing Card/Purchasing/Accounts Payable policy has been prepared at the direction of the Tioga County Legislature and Financial Management Committee as a statement of the policy upon which our purchasing practices and procedures are based.

The County declares its intention to purchase competitively without prejudice and to seek maximum operational value for every dollar expended.

III: PURCHASING CARDS

Purchasing Cards are used in Tioga County as a means of providing an efficient and convenient method of purchasing and paying for small-dollar goods and services (\$2,500 or less). The program grants the authority for these commitments to those staff members in Tioga County who have been authorized to utilize a purchasing card. With this granting of authority, a cardholder also assumes complete accountability for the proper use of the card, as detailed in this policy.

The County Legislature grants authority to the Deputy County Treasurer/Program Administrator to issue Purchasing Cards to department heads for an amount to be determined by the County Legislature up to \$2,500.00 upon the recommendation of the Deputy County Treasurer/Program Administrator. Individual cards are limited to \$2,500 a month with a transaction limit of \$1,000. Departmental cards will have a transaction limit of \$2,500 and a varying monthly limit depending on the size of the department, from \$5,000 for smaller departments and up to \$50,000 for larger departments. Velocity controls limit only five purchases per day per card, but may be increased by request from the Deputy County Treasurer/Program Administrator. Departmental requests may be made to the Deputy County Treasurer/Program Administrator for an increase in the departmental card limit to pay for recurring monthly charges. These requests will be granted in concurrence with the County Auditor.

Purchasing cards may only be used for the purchase of those supplies and services that are directly related to the support and execution of the responsibilities of the using department. Improper use of a purchasing card will result in a revocation of card privileges and possible disciplinary action.

Proper Tioga County Purchasing Policies and Procedures should be followed.

The following transactions are specifically identified as those that should not be made with a purchasing card:

- Cash Advances
- Personal Gifts
- Items for Personal Use
- Alcoholic Beverages

Exceptions to this list may be only made by the Deputy County Treasurer/Program Administrator in advance of charge.

Program Administration

The Deputy Treasurer has been designated as the purchasing card “Program Administrator”.

The Program Administrator will provide for the issue of VISA® purchasing cards to department heads and appropriate designees based on the demonstration of need. Those purchasing cards will be retained by the Departments responsible for them. All cards should be kept in a secure place (lock box or locked desk) and signed out when needed.

Individual Responsibilities

- A. The department head, working with the Program Administrator, determines how many employees in the department should be issued purchasing cards. This number should be kept to a reasonable amount of employees. Card applications (Exhibit A) are then completed by employees. Department heads then review and sign completed application forms (Exhibit A) and send them to the Card Administrator. Department heads must notify the Card Administrator immediately if they wish to revoke a card or if a cardholder terminates employment with Tioga County.
- B. The Program Administrator will distribute the cards to the employees after they are received. The employee must review the Purchase Card policies before receiving the card. The employee must sign the card immediately and complete the Purchasing Card Program Employee Agreement (Exhibit C) and the Employee Acknowledgement (Exhibit D). The Employee Acknowledgement is to confirm receipt of the card. The employee must also activate the card from their phone.
- C. If a card is lost, stolen, or misplaced, the cardholder is responsible for immediately notifying VISA® at any hour of any day, and as early as possible on the next business day, the Program Administrator.
- D. The VISA® contact number is 1-800-847-2911. The Program Administrator number is 607-687-8670.
- E. Individual cardholders are charged with using their cards properly. Department Heads are responsible for monitoring proper card usage and reviewing.
- F. The Program Administrator is responsible for maintaining a file of individuals authorized to make purchasing card transactions. The Program Administrator is also the focal point for overall program administration and problem resolution.

- G. The County Auditor audits and approves the consolidated monthly VISA® Purchasing Card statement for payment.

Application Procedure

- A. To request a purchase card for an employee, a Department Head submits an application (Exhibit A). The application must include a department or cost center code that can be used to allocate purchases made by the cardholder.
- B. Both the applicant and the applicant's Department Head must sign and date the form.
- C. The Program Administrator then approves and processes the purchasing card requests. The Program Administrator keeps the applications on file permanently.
- D. Each purchase card is issued to Tioga County and the individual employee named on the card. No one else can use this card-even in an emergency situation.
- E. When cardholders receive their card, they must sign and return an acknowledgement letter (Exhibit B) and, if they have not previously signed one, a Tioga County Purchasing Card Program Agreement (Exhibit C). The acknowledgement letter confirms receipt of the card, while the agreement is the employee's signed pledge to follow the purchasing card policies and accept responsibility for any personal misuse of the card.

Using the Purchasing Card

- A. The purchasing card program is designed to let end-users of goods and services buy these necessary items directly from vendors, thus increasing efficiency, decreasing cycle time and reducing paperwork.
- B. Tioga County's general criteria for using a purchasing card are:
 - Eligible orders must total \$2,500 or less (including freight)
 - Goods or services that total more than \$2,500 may not be broken into smaller purchases (parceling) to avoid going over the limit.
 - No cardholder may make more than five (5) purchases per day or ten (10) purchases per month unless approved by the Program Administrator.
 - Each cardholder must use the Internet web-based M&T Bank online system (Centresuite.com) to review and approve all charges or place into dispute charges to their credit card.
 - Eligible orders still must be under use code budgeted amount.
- C. While most merchants will accept the purchasing card, some merchandise and merchants may be excluded from the purchasing card program. If the card is presented to an excluded merchant, the transaction will be declined.

If a cardholder believes a vendor who declines a transaction should fall within an approved category, he/she should contact the VISA® customer service number on the card to determine if the transaction was declined because of the cardholder exceeded a daily or monthly limit on the number of transactions or total value of transactions.

When a cardholder is declined at a point-of-sale terminal, VISA® Commercial Card Customer Service will not authorize the transaction, but will identify the reason for the decline. If a merchant has been improperly excluded, the cardholder can contact the Program Administrator to change the blocking procedure that is in place. If a dollar limit has been exceeded, the cardholder should contact his or her Department Head to determine if the card limit can be increased.

- D. No Tioga County employee shall attempt to purchase an item using a purchasing card issued to another person. Delegation of authority is not permitted in regard to card transactions.
- E. More than one person may be authorized to use a “department card” or “virtual ghost account”. A ghost account is set up to allow multiple individuals within a single department to telephone orders to one or several vendors using the same account number. The account number should be safeguarded as carefully as a physical card and no one but authorized individuals should attempt to use it. The Department Head is responsible for accuracy and charges on accounts.
- F. Each purchasing card is linked to a unique cost center/department code. All purchases made with the card are automatically charged to the corresponding cost center/department code unless another cost or project code is given when a statement of account report is created.
- G. When using the Purchasing card for travel, information pertaining to the conference, seminar, etc. should be included with detailed receipts and statement of account report for reconciliation and submission to the County Auditor. Meals purchased with the card should be in accordance with Tioga County Policy 11, section VII following the GSA per diem rates. If the meal purchased exceeds the per diem, the cardholder will be responsible for reimbursing the exceeding amount to the county. A personal check made payable to the Tioga County Treasurer should be included with the paperwork required for submission to the County Auditor.
- H. Purchasing card transaction receipts should be kept for reconciliation. For telephone orders, the cardholder should request a receipt from the vendor and keep for reconciliation.
- I. If any item purchased with the purchasing card is returned, the merchant must credit the card account. The cardholder should also include any credit receipt with the reconciliation paperwork.
- J. The Program Administrator is responsible for all card maintenance, and must be notified of any updates or changes that are needed, such as a cardholder’s change of name or a change in transaction authorization limits. Department Heads request these changes by completing the appropriate sections of the same application form used to obtain new cards.

Monthly Reconciliation

- A. VISA® will e-mail a monthly activity statement around the 1st of each month to each individual cardholder and also sends a consolidated statement to the Treasurer’s Office which is then copied and forwarded to the County Auditor.
- B. Each employee who has a purchasing card is responsible for verifying the accuracy of charges by performing the following reconciliation steps; on-line at the M&T Bank website: www.centresuite.com.
- C. If an error is discovered on the monthly activity statement, the cardholder should immediately notify the M&T Bank via Internet website. Errors not reported within 60 days cannot be reported on-line. Disputes for charges over 60 days old will need to be reported through the M&T Bank Customer Service 800 number.
- D. The cardholder creates a Statement of Account Report on-line and includes corresponding receipts and/or invoices before sending it to the approving department head for review.

- E. The approving department head is responsible for reviewing, signing and forwarding the Statement of Account to the County Auditor by the 5th of the month. The County Auditor then reviews the information for accuracy and final approval for accounting purposes. By his/her signature, the department head indicates that all charges for the cardholder have been reviewed and approved as expenditures made in compliance with the Tioga County Purchasing policies.
- F. Approved statements with the attached receipts are due to the County Auditor by the 5th of each month. Card billings will be closed on the last day of each month. On the first working day of each month the cardholders should reconcile their account on-line, print the Statement of Account Report, attach all receipts and secure Department Head approval.

Billing and Remittance Procedures

Tioga County's Purchasing Card Payment System is an individual bill/central payment system. Each cardholder receives a monthly activity statement for information and reconciliation purposes only. A summary of all charges with supporting detail is sent to the County Auditor who posts the individual totals to the proper accounts based on the department or cost center code linked to each card number. The actual payment is automatically debited from our General Fund Bank Account on the 10th of the following month.

If required, charges may be re-allocated to other accounts by changing the account coding on the transaction screen on-line.

Reconciling the transactions shown on the monthly activity statement supplied by VISA® with the cardholder's individual charge slips is the primary responsibility of the cardholder. This crosscheck is essential to verify accuracy. If all the charges are correct, the cardholder forwards the Statement of Account Report with receipts to the approving department head, who in turns signs the Statement of Account Report and forwards to the County Auditor for auditing.

Vendors should not charge unless goods have been delivered or services rendered.

Auditing

All card purchases will be audited by the County Auditor to confirm the Purchasing Cards are being utilized responsibly, receipts are being retained, the Cardholder's statements are being reconciled on a timely basis and accounts are being charged.

Records

An example of a monthly Statement of Account Report is attached (Exhibit E).

If the purchasing card is used to purchase anything related to travel, conference information must be included.

A Statement of Account that includes any meal purchased exceeding the per diem rate must have check included for reimbursement to the County made payable to the Tioga County Treasurer.

Any purchase that does not include an accounting code is posted as an operating expense for that department/cost center linked to the cardholder in the purchasing database.

Budget Allocations

General ledger entries related to purchasing card use are posted in the following month.

If a transfer or adjustment of operating expense is required, the Treasurer's Office will make the adjustment in the month the request is received.

Summary

Participating suppliers are paid by VISA® within 24 to 48 hours of each business transaction depending on their relationship with the processing bank.

Tioga County asks its employee cardholders to exercise good judgment and act responsibly when using their VISA® Purchasing Cards.

These cards are issued in the names of individual employees and all activity is assumed to have been incurred by employees named on the cards even though the Treasurer's Office will be responsible for actual payment.

We ask employees to always retain card receipts and safeguard your credit card.

If you have any questions about the purchasing card program or need additional information, please contact the Tioga County Program Administrator.

IV: PURCHASING

Pursuant to General Municipal Law 104-b (2) (f), Douglas Camin is the responsible person for overseeing the administrative details of Tioga County's purchasing program. The Purchasing portion of this policy herein shall be administered in accordance with all ethical rules called for by the County of Tioga and the National Institute of Governmental Purchasing Code of Ethics. The purchase procedures employed will comply with all applicable laws and regulations of New York State and shall be subject to the approval of the Legislature.

V: REQUIRED APPROVALS FOR INFORMATION TECHNOLOGY EQUIPMENT

In the interest of maximizing efficiency, cost effectiveness and compatibility with various existing countywide technologies, any request to purchase a device requiring network or phone connectivity, such as computer hardware, printers, software and related services, fax machines, scanners, and copiers, cellular telephones and telephones that connect to our phone system, all departmental purchases and leases of these items must be sent to the Director of Information Technology and Communication Services for approval in a service ticket regardless of cost or funding source (i.e. grant). Information Technology will obtain the quotes and if an item is approved, Information Technology will notify the department in the service ticket and send the quote, the department will then enter a purchase order, order the item and process the approved items. Once the item is received by the Department, the Department will then contact Information Technology for

installation, if applicable. Accessories, including, but not limited to items such as mice, keyboards, and rewriteable media, are exempt from the approval process.

Upon the recommendation of the Information Technology Director, the County Legislature may enter into contracts, which shall disseminate requests for proposals, requests for qualifications, and bids specification over the internet with the purpose of attracting additional qualified respondents.

Upon the recommendation of the Information Technology Director the County Legislature may approve on-line purchasing arrangements, which shall be in accordance with this policy.

VI: ACCOUNTS PAYABLE

There shall be a County Auditor appointed by the Legislature to review and release for payment any and all purchase orders. The County Auditor shall not be associated with the Treasurer's Office.

Purchase orders are used in Tioga County for any and all purchases, other than purchasing cards, by Tioga County Departments. The purpose of the purchase order system is to maintain budgetary control on the spending of all approved budget items, both at a department and legislative level.

A purchase order should be processed for goods and services. It is the individual department head's responsibility to insure that expenditures are within the budgetary appropriations and contract parameters to ensure that the proper department account is charged.

The purchase order provides the authority to purchase goods and services as well as the necessary authority to pay vendor claims and proof of tax-exempt sales. Purchase orders are prepared by each Department. Each department verifies the following before issuing a purchase order:

- Vendor/vendor number
- Contract/resolution/quotation information
- Comments/special instructions
- Description of goods and services being ordered
- Quantity/unit of measure
- Unit price/extension and total cost
- Commodity codes/budget codes

IN ALL INSTANCES PRACTICAL, PURCHASE ORDERS MUST BE COMPLETED BEFORE A PURCHASE IS MADE.

Blanket Purchase Orders (BPO) – A blanket purchase order is created for products or services that are purchased on an “as needed” basis from a vendor throughout the year where the dollar value will vary for each purchase. It also may be used for annual contracts for various departments and any other purchases that are recurring that a department may have. These are issued for a maximum period of twelve (12) months and must be reissued at the beginning of each fiscal year.

The County Auditor must approve any increase in the dollar amount of a BPO from the original issue amount with a written explanation on the BPO from the Department when submitted for payment. The County Auditor will then make a determination to approve said increase or deny.

Should there be insufficient funds available, departments must do a budget transfer and secure all the necessary approvals before the order can be processed.

After a purchase order has been entered and upon receipt of goods and services, the department enters the billing information into the system with the exact quantity received. As standard business practice, all county vendors are entitled to prompt payment; therefore receipts should be processed on a day-to-day basis. The "credit line" of Tioga County suffers inexcusable harm due to late payments to vendors.

Department of Labor – Notice to Withhold Payment – On occasion the New York State Department of Labor, Bureau of Public Works upon receiving complaints for non-payment of prevailing wages shall direct the County to withhold monies due to a vendor. The original notice is forwarded to the Commissioner of Public Works, a copy is kept with the Auditor, and a copy forwarded to the Treasurer's Office. These monies are held until notification is received from the Department of Labor on how they are to be disbursed.

There are certain expenditures for which the processing of a purchase order is not feasible. A manual check is used for these transactions and is done out of the Treasurer's Office in conjunction with the County Auditor. A manual check request form shall be filled out by the Department and signed, sent to the County Auditor for review, approval, and signature, and then forwarded to the Treasurer's Office for signature and check disbursement.

Purchase orders \$10,000 and over shall require an authorization for purchase requiring committee approval which would need to be signed by the Department Head and the Legislative Committee Chair before processing. Resolution No. 121-00 authorizes payments for utility bills, including sewer and water charges, exempt from the approval process. Please refer to the purchase order manual located on the County Intranet for information regarding purchase order processes and approvals.

VII: ACCOUNTS RECEIVABLE

The County shall promote and encourage the timely payment of accounts receivable and pursue delinquent accounts in a prudent and diligent manner. Accounts Receivable is any amount owed to an agency of the County of Tioga including, but not limited to, taxes, loans, and notes, as well as amounts due for goods and services provided, for licenses and fees, from employees, from other agencies, and from the state and federal government for grants and contracts. Receivables also include judgments, fines and costs and penalties imposed.

The County Treasurer is responsible for ensuring that all accounts receivable are recorded, recognized and reported in accordance with generally accepted accounting principles as prescribed for governments by the Governmental Accounting Standards Board (GASB) and by the New York State Comptroller's Office uniform system of account codes.

Each Department head whose department creates an account receivable is responsible for all actions necessary to account for and collect the receivable.

In general:

- All receivables must be billed on a timely basis, whether the receivables are due from private entities, the federal government, localities or state agencies. Accounts should be billed when goods are provided or services rendered, unless contractual requirements specify other billing terms or billing terms used are in accordance with industry standards.
- Maintain an accurate record of receivables transactions.
- Maintain a control record that summarizes and ages the receivables transactions.
- Each Department having an outstanding receivable will be responsible for all collection efforts.
- Each Department having outstanding receivables will be responsible for identifying uncollectible accounts and for sending timely notification to the County Treasurer of the doubtful accounts.
- Provide for the accrual of interest and penalties as allowed or as required by law.
- Agencies shall obtain the following minimum prescribed information on prospective debtors:
 - Full Name
 - Home and Office Address
 - Telephone numbers for home and place of employment
 - Federal Employer Identification Number (FEIN) for businesses
 - Social Security Number (SSN) for individuals or sole proprietorships

The County of Tioga shall employ all collection tools at its disposal in the pursuit of delinquent balances.

The Treasurer's Office is responsible for recording financial transactions of the County and providing timely and acute interim and annual financial reporting. Provides for communication to other County departments and outside parties relating to the financial information, capital projects, and debt financing undertaken by the County and related entities.

The revenue accounting maintains financial information for forecasting of receipts and disbursements to assist in the effective management of County funds. Reconciles bank accounts, investments, and pooled cash on a timely basis. Prepares the annual statement of estimated available resources used by the Budget Office for the annual budget and is involved in various elements of the tax rate adoption process. Prepares and distributes revenue and appropriation reports and reference materials for use by Department Heads.

The Treasurer's Office is also responsible for the accounting and financial reporting of grants as well as billing, monitoring, and the pursuit of past due collections for grants and certain receivables of the County. The Office is also responsible for reporting all County receivables at fiscal year end including receivables related to fines, fees, and court costs. The Office provides for communication to other County departments and outside parties relating to the grant programs and amounts owed the County.

The Treasurer's Office ensures compliance with applicable accounting, contractual, and statutory requirements pertaining to the recording, monitoring, and collecting of amounts owed the County.

All real property in the County is subject to taxation except those properties that are specifically exempt by law. Prior to the tax rate being set, there is a careful review of the County's budgetary needs and public hearings are held. Real Estate taxes receivable are maintained and enforced in the Treasurer's Office. The Treasurer oversees tax enforcement legalities of foreclosure, the annual auction and closings, and all relative accounting entries pertaining as such.

VIII: PETTY CASH

The custodian of the petty cash fund in each department will request replenishment of the fund in advance of its depletion. This will include an itemization of the disbursements made from the petty cash fund and a grand total of the claim will be attached to the purchase order created supporting each petty cash transaction. The County Auditor will review and approve purchase orders claims for replenishment of petty cash funds.

IX: BIDDING PROCEDURES

Please refer to the bidding procedures located on the County Intranet.

X: DETERMINING THE NECESSITY FOR COMPETITIVE BIDDING

Prior to the procurement of any goods or services by any employee or official on behalf of the County of Tioga, a determination shall be made whether such procurement is subject to competitive bidding. This list identifies whether these categories are subject to the competitive bidding requirements of General Municipal Law (GML) Section 103, or the local policies required by Section 104-b, or if the contract falls within some other exemption from the competitive bidding requirement recognized by the laws of the State of New York and where further information can be found:

	SUBJECT TO COMPETITIVE BIDDING (SECTION 103)	LOCAL POLICIES (SECTION 104-b)
Purchase and Contracts for Public Works		
1. Purchase Contract – Above \$20,000	X	
2. Purchase Contract – \$20,000 or less		X
3. Contract for Public Works – Above \$35,000	X	
4. Contract for Public Works – \$35,000 or less		X
Procurements Exempt from Both Section 103 and 104-b		
5. Preferred Source (State Finance Law, Section 162; Correction Law, Sections 184, 186)		X(a)
6. State Contract (GML, Section 104)		X(a)
7. County Contract (GML, Section 103[3])		X(a)
Procurements Exempt from Section 103		
8. Emergency (GML, Section 103[4])		X
9. Sole Source		X

10. Professional Service		X
11. True Leases	X(b)	
12. Insurance		X
13. Surplus/Second-hand Materials, Supplies, Equipment from certain Other Governments (GML, Section 103[9][10])		X
14. Certain Food, Milk Purchases (GML, Section 103[9][10])		X(c)
15. The contract is for standardized equipment, materials or supplies previously awarded by the County of Tioga to a supplier pursuant to General Municipal Law Section 103(5);		
16. The procurement is to be made pursuant to Correction Law Section 186 or State Finance Law Section 162		
17. Certain Municipal Hospital or Nutrition Program Purchases (GML, Section 103[8])		X

- (a) Although Section 104-b exempts these purchases from the requirement of written or verbal quotations or proposals, that procurements from these sources should be in the best interest of the County. This could be accomplished by comparisons of prices to catalogs or other market price comparisons.
- (b) School districts only, Education law, Section 1725. If a lease where the product is owned at end of lease, it must be initially bid.
- (c) School districts only.

XI: METHODS OF PROCUREMENT NOT COVERED BY BIDDING

Telephone Quotes
 Written/Fax/Email Quotes
 RFP's (Requests for Proposals)

Requests for Quotations:

Quotation forms will include three vendors who can provide the item or services desired. These forms should contain a complete description of the item, the quantity desired and the unit on which the price is quoted (per gross, dozen, etc.). After three quotations have been gathered, the department head will purchase order the materials from the vendor at the lowest price.

Most purchases that fall in the stated dollars categories will be quoted pursuant to prescribed methods.

Under no circumstances will a quote that exceeds the bidding limits be awarded. All quotes (written, faxed, emailed or telephone) shall be documented by respective departments and kept on file.

Request For Proposals (RFPs):

A Request for Proposal may be the appropriate method of procurement when:

- (1). Development of a technical specification by the county will restrict competition or create a sole source.
- (2). Technical expertise or experience of the vendor is a critical factor in the purchase.
- (3). Comparative and judgmental evaluations of differing price, quality and contractual factors between proposals are necessary to determine which offer is in the best interest of the county.
- (4). In-house staff is unaware of what the market can produce at a given time (i.e. computer hardware and software is developing and changing almost daily).

The following guidelines shall be followed for purchases and service contracts that fall below the monetary bid limits:

PURCHASING PROCESSING

Procurements	Verbal Quotes		Written Quotes		RFP	Formal Bid	Other
	0	3	3	≥3 *			
Commodities (Equipment, Materials & Supplies)							
\$500	X						
\$500 - \$1,499		X					
\$1,500 - \$4,999			X				
\$5,000 - \$19,999				X			
\$20,000 & over						X	
Public Works and Contracted Services							
\$10,000	X						
\$10,000 – \$19,999		X					
\$20,000 - \$34,999			X				
\$35,000 & over						X	
Over \$35,000 – sealed bids in conformance with GML, Section 103.						X	
Emergencies GML 103(4)							a.
Insurance							a.
Professional Services GML 104-b							a.
True Leases (other than school districts)				X			
Second-Hand Equipment from Other Governments							a.
Sole Source (i.e., patented or monopoly item)							a.

*A minimum of 3 quotes are required but may be greater than 3 quotes as determined by the Information Technology Department.

(a) – Competitive bidding is not required based on Exceptions to the Requirements of GML, §103 and §104.

Verbal Quotes – use form 14.8F or equivalent; Originator Department to obtain quotes and submit with draft order.

Written Quotes – use form 14.9F or equivalent; Originator Department to obtain quotes and submit with draft order.

Formal Bids and RFP's are issued by the Information Technology Department or the Originator Department; specifications are provided by Originator Department.

XII: PROCEDURE TO BE USED WHEN COMPETITIVE BIDDING NOT REQUIRED

- A. Procurement Log reports shall be generated by the Information Technology Department when requested by the Legislature or a Department Head.
- B. In the event procurement is determined to be exempt from competitive bidding and its costs are \$2,500.00 and over, the following procedure shall be followed:
 1. At least two (2) proposals or quotations for goods or services shall be secured by use of written requests for proposals, written quotations, verbal quotations or any other method of procurement which furthers the purposes of General Municipal Law Section 104-B.
 2. Upon award of a contract, the following shall be entered into the Procurement Log:
 - a. The date of procurement;
 - b. The goods or services procured and the cost thereof;
 - c. The basis for the determination that the procurement is exempt from competitive bidding;
 - d. All alternative quotations or proposals secured together with the name of the source of each quotation or proposal.
 3. In the event a contract is awarded to other than the lowest dollar offeror, it shall be set forth with justification and reasons such an award furthers the purposes of the County of Tioga's Bidding Policy.
- C. The procedures set forth in Paragraph VI(B) (1) and (2) need not be followed when the procurement is:
 1. For less than \$2,500.00; or
 2. For a standard replacement part; or

3. For standardized equipment, materials or supplies for which the contract has been awarded to a particular vendor by the Legislature, pursuant to General Municipal Law Section 103(5); or
 4. For Professional Services; or
 5. Made pursuant to any one of the following:
 - a. General Municipal Law Section 103(3) or Section 104; or
 - b. State Finance Law Section 162; or
 - c. Correction Law Section 186; or
 - d. The policies and procedures adopted by the Legislature pursuant to General Municipal Law Section 104-B (2) (f) and Paragraph 3 of the Bidding Policy.
- D. A good faith effort shall be made to obtain the required number of proposals or quotations. If the Purchaser is unable to obtain the required number of proposals or quotations, the Purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

XIII: EXEMPTION BY ACT OF THE COUNTY LEGISLATURE

- A. It shall be within the sole discretion of the Legislature to grant by resolution an exemption from the requirement that alternative proposals or quotations be obtained, pursuant to Paragraph VI(B).
- B. In exercising its discretion, the Legislature shall consider whether such exemption is in the best interest of the County of Tioga.
- C. An exemption may be granted under any of the following circumstances:
 1. When a public emergency exists, as defined by General Municipal Law Section 103(4);
 2. When the contract is for goods or services for which there is only one source available at the time the contract is entered into;
 3. When the contract is for goods or services for which a desired warranty or service contract is available from only one source at the time the contract is entered into;

4. Under such other and further circumstances determined to be sufficient justification by the Legislature.

XIV: ANNUAL REVIEW

The Tioga County Legislature shall review the policies and procedures set forth herein within the first quarter following the close of the fiscal year.

XV: UNINTENTIONAL FAILURE TO COMPLY

The unintentional failure to comply with the provisions of this Bidding Policy and Procedure shall not be grounds to void action taken or give rise to a cause of action against the Legislature or any officer or employee thereof.

XVI: PROHIBITED CONTRACTS WITH SUSPENDED OR DEBARRED PARTIES

- A. Non-Federal agencies are prohibited from contracting with or making subawards under covered transactions to parties that are suspended or debarred or whose principals are suspended or debarred. Contractors receiving individual awards for \$100,000 or more and all subrecipients must certify that the organization and its principals are not suspended or debarred. The non-Federal entities may rely upon the certification unless it knows that the certification is erroneous. Non-Federal entities may, but are not required to, check for suspended or debarred parties which are listed in the "List of Parties Excluded from Federal Procurement or Non-procurement Programs", issued by the General Service Administration.
- B. In order to ensure compliance with the above requirement, before an award for a contract is made the Department Head shall check the web site (<http://epls.arnet.gov/>) which contains the List of Parties Excluded from Federal Procurement or Non-procurement Programs for names of the low bidder. A copy of the list or that portion of the list that would include the low bidders name should be downloaded, printed and made a part of the bid package file.

Exhibit A

Individual Cardholder Application and Instructions
Instructions for Department HeadsCHECK TYPE OF REQUEST BELOW FOLLOW PAIRED INSTRUCTIONS

<input type="checkbox"/> New Account	Complete all sections of form
<input type="checkbox"/> Address Change Only	Fill in card account number and first name, middle initial, and last name. Then fill in new address section only.
<input type="checkbox"/> Change in Department/Division or Accounting Code	Fill in account number, first name, middle initial, and last name. Then fill in accounting code section only.
<input type="checkbox"/> Close Account	Fill in account number, first name, middle initial, and last name.
<input type="checkbox"/> Change Name of Person on Existing Account	Fill in account number, first name, middle initial, and last name. Write new name beneath current name.
<input type="checkbox"/> Change in Cardholder Spending Limit	Fill in account number, first name, middle initial and last name. Explain change request in appropriate section of form.
<input type="checkbox"/> Change in Cardholder Transaction Limit	Fill in account number, first name, middle initial, and last name. Explain change request in appropriate section of form.

New Account Plastic Ghost

First Name Middle Initial Last Name

Social Security Number Accounting Code (Leave Blank)

Department Mailing Address

City State Zip Code Expanded Zip Code

Home Telephone Business Telephone

Birth Date (MM/YY) Mother's Maiden Name

Single Transaction Dollar Limit

Daily Transaction Number Limit Monthly Limit

Employee Signature Date

Approving Department Head Signature Date

Card Administrator Signature Date

Exhibit B

Purchasing Card Program Questions and Answers Brochure

- Q Who can use Tioga County's VISA ® Purchasing Card?
- A Department Heads can request cards for any employees who routinely make small-dollar purchases of goods or services for Tioga County.
- Q What types of purchases can I make with my purchasing card?
- A You may purchase low-cost, necessary expense items on the card.
- Q Should I use my card for travel and entertainment expenses?
- A Yes. You should follow all of the travel and entertainment procedures which are designed to help provide the specific business purpose documentation required for such expenses.
- Q Where can I use the VISA ® Purchasing Card?
- A You may use the card in making purchases from suppliers and merchants who accept VISA ® for payment and are engaged in business categories approved for purchasing card use.
- Q Can I use my card for purchases made over the phone?
- A Yes. You should request a receipt with the order.
- Q Can I use my card immediately upon receipt?
- A No. You must activate your card by calling VISA ®.
- Q Are there any limits on the use of the purchasing card?
- A Yes. Individual cards are limited to \$2,500 a month with a transaction limit of \$1,000. Departmental cards will have a transaction limit of \$2,500 and a varying monthly limit depending on the size of the department, from \$5,000 for smaller departments and up to \$50,000 for larger departments. Velocity controls limit only five purchases per day per card, but may be increased by request from the Deputy County Treasurer/Program Administrator. Departmental requests may be made to the Deputy County Treasurer/Program Administrator for an increase in the departmental card limit to pay for recurring monthly charges. These requests will be granted in concurrence with the County Auditor.
- Q What happens if a vendor indicates that authorization to accept my purchasing card has been declined?

- A A vendor could decline your purchasing card for several reasons, including the following: (1) You may have exceeded your daily or monthly limits on dollar value or number of transactions. (2) You may have tried to charge an item that costs more than the maximum for any single item. (3) You may have attempted to use your purchasing card with a supplier or vendor who is prohibited from accepting the card because his/her business falls within a “blocked” merchant or MCC Code. You can call your (To be Defined) Commercial Card Customer Service Representative (To be Defined) to find out why any transaction has been rejected. If you feel it would be beneficial to use your purchasing card with a vendor that is currently excluded from the program, you may want to discuss the matter with your Department Head. Your Department Head also is the person to contact if you feel transaction limits should be altered to meet your normal monthly purchasing requirements.
- Q Who pays my monthly bill?
- A Neither employees nor their Department/cost centers make any monthly card payments directly. Accounts Payable pays a monthly consolidated bill for all Tioga County units. Accounts Payable later allocates these costs to the appropriate departments or cost centers by debiting the appropriate expense accounts. Employees are responsible for keeping charge tickets or slips for all purchasing card transactions and maintaining a monthly log.
- Q How do I reconcile my purchases with my monthly statements?
- A You need to compare your charge slips with your monthly statement. You will use the CentreSuite site to run your monthly report and send to the County Auditor along with all receipts and invoices no later than the fifth of each month. Your Department Head must sign off on the report.
- Q What if there is a mistake on my statement?
- A If you believe a mistake has been made, first try to resolve the issue directly with your supplier/vendor. If you are unable to resolve the dispute, clearly mark the item as a disputed transaction on your monthly report and work with the Deputy Treasurer/Program Administrator for resolution of the discrepancy.
- Q What if I lose my card?
- A If your card is lost, stolen or misplaced, immediately notify M&T Bank Commercial Card Customer Service at 800-847-2911. Customer Service Representatives are available 24 hours a day, 365 days a year. You also should notify your Tioga County Card Administrator (Deputy County Treasurer) as early as possible on the first business day after you discover the loss.
- Q Whom do I call if I need additional assistance?
- A Contact your Deputy Treasurer/Tioga County Purchasing Card Administrator at (607) 687- 8670.

Exhibit C

Purchasing Card Program Employee Agreement

I, _____ agree to the following regarding my participation in the Tioga County Purchasing Card Program:

1. I understand that I am being entrusted with a VISA ® Purchasing Card and will be making financial commitments on behalf of Tioga County and will strive to obtain the best value for Tioga County.
2. I understand that under no circumstances will I use the purchasing card to make personal purchases, either for myself or for others.
3. I will follow the established procedures for using the purchasing card. Failure to do so may result in either revocation of my use privileges or other disciplinary actions, including termination of employment.
4. I have been given a copy of the Tioga County Purchasing Card Program Policy and understand the requirements for using the purchasing card.
5. I agree that should I willfully violate the terms of this Agreement and use of the purchasing card for personal use or gain, I will reimburse Tioga County for all incurred charges and any fees related to the collection of those charges.

Employee Name (please print) _____

Purchasing Card Account No. _____

(Card Administrator Completes)

Employee Signature _____ Date _____

Card Administrator Signature _____ Date _____

Exhibit D

Employee Acknowledgement Letter

I, _____
hereby acknowledge receipt of my VISA ® Purchasing Card. I have verified the information contained on the card and attest to its accuracy. I agree to use this purchasing card only for actual and necessary business expenses incurred in accordance with the purchasing card agreement that I signed and returned with my card application.

If the card is lost, stolen, or misplaced, I will immediately notify VISA ® by phone. I also will inform the Tioga County Card Administrator and the Accounts Payable Department of this loss. I understand that failure to notify VISA ® of the theft, loss, or misplacement of the card could make me personally responsible for any fraudulent use. I also understand that unauthorized use of this card may result in immediate disciplinary action up to and including termination of my employment.

I agree to surrender the card immediately upon my retirement or termination of employment, or upon the request of any authorized representative of Tioga County. I understand that use of the card after privileges are withdrawn is prohibited.

Employee Name (Please print) _____

Purchasing Card Account No. _____

(Card Administrator completes)

Employee Signature _____ Date _____

Card Administrator Signature _____ Date _____

Exhibit E
Statement of Account Report

Report 1200
Run by:

Run Date:
Time:

Statement of Account

TIOGA COUNTY
56 MAIN ST RM 210
OWEGO, NY 13827 158599
USA

Account #:

Date Range:

Spending Controls

	Amount Limits	Volume Limits
Credit Limit	5,000.00	
Single Purchase	0	
Cycle	0	0
Monthly	0	0
Daily	0	5
Custom	0	0
MCC Groups	CSH3,CPAC3,CPAC1,ALL	

There is no account activity for the given data range.

Transaction Totals	Count: 0	0.00
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Billing Information				
Payments 0.00	Purchase 0.00	Credits 0.00	Finance Charges 0.00	Fees 0.00

Signatures	
Cardholder	Date
Approver	Date

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 183-14 *AMEND POLICY 54
PURCHASE OF FOOD, BEVERAGE,
& SUPPLIES*

WHEREAS: Policy 54 needs to be amended to add a section for purchases of supplies and small electronics for employee and staff comfort, which also necessitates a change in the title of the policy; therefore be it

RESOLVED: That Policy 54 be amended to change the title of Policy 54 to "Purchase of Food, Beverage, Supplies & Small Electronics; and be it further

RESOLVED: That Policy 54 be amended to add a Section III to read as follows:

III. PURCHASE OF SUPPLIES AND SMALL ELECTRONICS FOR EMPLOYEE
AND STAFF USE

Departments shall not purchase supplies or small electronic items from county budgets such as hand sanitizer, paper products, plastic utensils, bottled water, coffee pots, microwaves, etc for specific use of employees and staff with the exception of staff/employee break rooms. If there is a common break room in any building, such break room shall be exempt from said purchases.

And be it further

RESOLVED: That Section III Effective Date, now becomes Section IV Effective Date and shall be effective August 13, 2014; and be it further

RESOLVED: That the remainder of Policy 54 shall remain in full force and effect.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PERSONNEL COMMITTEE
LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 184-14 *AUTHORIZE CONTRACT*
SUPERIOR TALENT RESOURCES
PUBLIC DEFENDER'S OFFICE

WHEREAS: The Public Defender's Office received a grant from Indigent Legal Services to implement a case management system, which will require significant data entry of historical cases; and

WHEREAS: The data entry project will be part-time and temporary in nature, so the Public Defender would like to work with an temp agency to find a candidate to perform the required work off-site; and

WHEREAS: There is \$6000 allocated in the grant for the data entry work to be done; and

WHEREAS: Said contract would provide for compensation at the bill rate of \$11.00 per hour for a maximum of 15-17 hours per week until the project is completed or the \$6,000 has been exhausted, whichever occurs first; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Public Defender to enter into a contract, upon approval by the County Attorney, with Superior Talent Resources at the bill rate of \$11.00 per hour for data entry services until the project is completed or the \$6,000 has been exhausted, whichever occurs first.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 185-14 *APPROVE SALARY ABOVE HIRING
BASE FOR PROBATION OFFICER
PROBATION DEPARTMENT*

WHEREAS: Resolution 135-14 authorized a waiver of the 90-day hiring delay to the Probation Director in order to fill a vacant Probation Officer position; and

WHEREAS: Tioga County Resolution 211-99 requires Legislative approval for any appointments made above an established base salary amount; and

WHEREAS: The Probation Director has identified a well-qualified candidate with over 7 years of counseling and casework experience, which will benefit her Department; therefore be it

RESOLVED: That the Probation Director is hereby authorized to fill the vacant, full-time Probation Officer at an annual salary of \$39,715, effective August 18, 2014; and be it further

RESOLVED: That said salary is the maximum starting rate for CSEA salary grade XI and includes the contractual increments otherwise received for 2 and 5 years of service.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 186-14 WAIVE 90-DAY HIRING DELAY FOR
ASSISTANT ENGINEER
(PUBLIC WORKS)

WHEREAS: Resolution 278-13 extended the 90-day hiring delay through December 31, 2014; and

WHEREAS: Legislative approval is required for all waivers of the 90-day hiring delay; and

WHEREAS: Due to an unanticipated resignation, a vacancy will occur in the title of Assistant Engineer effective August 15, 2014; and

WHEREAS: Said position is crucial to the engineering division; therefore be it

RESOLVED: That the Commissioner of Public Works is hereby granted a waiver from the 90-day hiring and is authorized to fill the full-time Assistant Engineer (CSEA Salary Grade 13: \$42,649 - \$43,349) effective on or after August 18, 2014; and be it further

RESOLVED: That the appointment shall be provisional, pending the civil service examination.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 187-14 *AUTHORIZE WAIVER OF 90-DAY HIRING DELAY
SHERIFF'S OFFICE*

WHEREAS: Resolution 278-13 extended the 90-day hiring delay through December 31, 2014; and

WHEREAS: The Sheriff's Office will have two (2) E911 Dispatcher/Trainee vacancies due to resignations effective August 15 and 28, 2014; and

WHEREAS: Said vacancies will impact the Emergency Communications Division, which is currently short staffed due to a leave of absence; now therefore be it

RESOLVED: That the Sheriff is hereby granted a waiver from the 90-day hiring delay and is authorized to fill two (2) E911 Dispatcher/Trainee positions from the appropriate civil service eligible list at an annual salary of \$28,261 (2014 CSEA Salary Grade VI); and be it further

RESOLVED: That said effective dates of the above appointments shall be on or after August 15, 2014 for the first vacancy and on or after August 28, 2014 for the second vacancy.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 189-14 *CREATE AND FILL SEASONAL SOCIAL WELFARE EXAMINER POSITIONS AND SEASONAL TYPIST POSITION FOR THE HEAP PROGRAM DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: Legislative approval is required for the creation of any new positions within Tioga County; and

WHEREAS: The Home Energy Assistance Program (HEAP) will tentatively begin outreach in mid-August and be in full season on November 18, 2014; and

WHEREAS: The Social Services budget allows for the hiring of the following staff for the HEAP Program:

One, full-time, seasonal Social Welfare Examiner for the period September 3, 2014 through March 15, 2015 at the starting salary of \$13.650 per hour, and

Three, full-time, seasonal Social Welfare Examiners for the period November 3, 2014 through January 31, 2015 at the starting salary of \$13.650 per hour, and

One, full-time, Typist (Seasonal) for the period November 3, 2014 through January 31, 2015 at the starting salary of \$11.320 per hour; therefore be it

RESOLVED: That the Department of Social Services be authorized to create and fill the seasonal HEAP positions listed above and where required, appoint from the appropriate eligible list.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standing.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan made a motion to have the following late-filed resolutions considered, seconded by Legislator Hollenbeck and carried.

Legislator Standing moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 190-14 *ABOLISH/CREATE & FILL POSITION;
AUTHORIZE WAIVER OF HIRING DELAY
(PUBLIC HEALTH)*

WHEREAS: The Director of Patient Services position in the Public Health Department will become vacant due to a resignation effective August 11, 2014; and

WHEREAS: The Public Health Director has taken the opportunity to review the organizational structure of the Department and would like to improve upon the succession planning; and

WHEREAS: The Public Health Department has traditionally had a Director with managers of each division, but the current Director believes the Department would be better served by having someone second in command to oversee the entire Department in the Director's absence; and

WHEREAS: The responsibilities of the Public Health Education division have increased significantly, most recently as a result of receipt of the Healthy Neighborhoods Program grant which extends over a five-year period; and

WHEREAS: The Public Health Director recognizes a need for more management of the Public Health Education program as it expands into the Primary & Prevent department; therefore be it

RESOLVED: That one vacant non-union position of Director of Patient Services (\$53,233 - \$63,233) be abolished effective close of business August 11, 2014, and be it further

RESOLVED: That one Non-union position of Deputy Public Health Director (\$51,000 - \$61,000) be created effective August 18, 2014; and be it further

RESOLVED: That the Public Health Director is hereby granted a waiver of the 90-Day Hiring Delay and is authorized to fill the Deputy Director position on or after August 18, 2014; and be it further

RESOLVED: That the appointment to the Deputy Director position shall be provisional, pending Civil Service examination.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 191-14 *AUTHORIZE AGREEMENT WITH
ATTORNEY GENERAL'S OFFICE
(DISTRICT ATTORNEY'S OFFICE)*

WHEREAS: The case of People vs. Harris has and continues to present significant demands on the District Attorney's Office; and

WHEREAS: The NYS Attorney General's Office has offered assistance to allow the District Attorney's Office to better meet the demands of this case; and

WHEREAS: The assistance being offered is Special Counsel services of Paul A. Clyne, an attorney in the Attorney General's Office, starting August 15, 2014 and continuing for the duration of the trial; and

WHEREAS: Funds exist within the District Attorney's budget to allow for reimbursement to the State of Attorney Clyne's compensation, if requested by the Attorney General's Office; therefore be it

RESOLVED: That the County Legislature hereby authorizes the District Attorney to enter into an Agreement with the NYS Attorney General's Office to provide Special Counsel services beginning August 15, 2014 for the People vs. Harris trial; and be it further

RESOLVED: That if the NYS Attorney General's Office requests reimbursement for Attorney Clyne's salary and benefits paid during the period he is providing service to the District Attorney's Office, the District Attorney is hereby authorized to provide such reimbursement within the limits of the departmental budget.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standing.

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:24 p.m.