



Government Operations Committee

Committee Meeting

60 Central Ave.
Cortland, NY 13045
<http://www.cortland-co.org>

~ Agenda ~

Tuesday, March 14, 2023

9:00 AM

TC3 Extension Center

WebEx Meeting Information

<https://cortlandny.webex.com/cortlandny/j.php?MTID=m624732a1c2430b431841db182bff53bd>

Tuesday, March 14, 2023 9:00 AM | 1 hour | (UTC-05:00) Eastern Time (US & Canada)

Meeting number: 2338 960 7992

Password: PDn72RJSTS4 (73672757 from video systems)

Join by phone

+1-415-655-0001 US Toll

Access code: 233 896 07992

CALL TO ORDER

Attendee Name	Present	Absent	Late	Arrived
Committee Member Sandra Price	☐	☐	☐	
Committee Member George Wagner	☐	☐	☐	
Committee Vice Chair Kelly L. Fairchild-Preston	☐	☐	☐	
Committee Member Paul Heider	☐	☐	☐	
Committee Chair Richard Stock	☐	☐	☐	
Committee Member Susan Wilson	☐	☐	☐	
Committee Member Mitchel Eccleston	☐	☐	☐	

MINUTES

1. Government Operations Committee - Committee Meeting - Feb 9, 2023 9:00 AM

ACTION ITEMS

1. Updates to Authorization to Travel Policy

RESOLUTIONS

ON MOTION OF STOCK

AGENDA ITEM NO. 1

Rescind Legislative Mileage Policy - Legislature

WHEREAS, Resolution No. 258-15 adopted a Legislative Mileage Reimbursement Policy,
AND

WHEREAS, Resolution No. 14-23 amended the policy to fairly enable reimbursement without
restricting the ability of Legislators who must drive further due to their residence location, AND

WHEREAS, the Cortland County Government Operations Committee recommends rescinding
Resolution No. 14-23, which will allow for all legislative travel and/or mileage reimbursement to be
governed by the existing Authorization to Travel Policy that covers all County employees, NOW

THEREFORE BE IT

RESOLVED, that Resolution Nos. 258-15 and 14-23 be and hereby are rescinded, AND BE IT FURTHER

RESOLVED, that any travel and/or mileage reimbursement incurred by Legislators shall be governed by the existing duly adopted Travel Policy that covers all County employees.

ON MOTION OF STOCK

AGENDA ITEM NO. 2

Adopt Local Law "B" for the Year 2023 a Local Law Setting the Salary of Cortland County Election Commissioners

WHEREAS, said Local Law has been in its final form upon the desks of the members of the Legislature at least seven (7) calendar days, exclusive of Sunday, prior to this date, AND

WHEREAS, a public hearing thereon has been held before this Legislature after publication of notice thereof as legally required, NOW THEREFORE BE IT

RESOLVED, that Local Law "B" for the year 2023 is hereby adopted and shall take effect upon the filing thereof in the Office of the Secretary of State as provided by Municipal Home Rule Law, and be it further

RESOLVED, that, as this local law is subject to permissive referendum, the Clerk of the Legislature shall cause an abstract of this local law to be published in the County's official newspaper at least once a week for two successive weeks, the first publication of which shall be had within ten days after the local law is adopted;

NOW, THEREFORE

BE IT ENACTED by the County Legislature of the County of Cortland as follows:

Section I:

Pursuant to Election Law §3-208, each Cortland County Election Commissioner shall receive an equal annual salary, to be fixed by the County Legislature.

Section II:

The annual salary for each Cortland County Election Commissioner shall be increased from \$34,552.37 to \$55,315 for fiscal year 2023 and paid over the balance of 2023 calendar year, upon the effective date of this local law.

Section III:

This local law is subject to permissive referendum and shall not take effect until at least forty-five (45) days after its adoption as provided for by Municipal Home Rule Law §24.

ON MOTION OF STOCK

AGENDA ITEM NO. 3

Amend 2023 Budget/Abolish Two Positions of Election Commissioner (Part-Time)/Create Two Positions of Election Commissioner (Full Time) - Board of Elections

WHEREAS, the needs of the agency will be better served by abolishing two (2) Election Commissioner positions (part-time) and creating two (2) full time Election Commissioner positions, AND

WHEREAS, the Government Operations Committee recommends the abolition and creation of these positions, NOW THEREFORE BE IT

RESOLVED, that two (2) positions of Election Commissioner (\$34,552.37/YR, unclassified, part-time, 30 hrs/week with benefits) be and hereby are abolished effective March 23, 2023 at midnight, AND BE IT FURTHER

RESOLVED, that two (2) positions of Election Commissioner off scale equivalent to Grade 10 Step 1, Management Compensation Plan, (\$55,515, unclassified, full time with benefits) be created with permission to fill effective May 25, 2023 at 12:01 am, AND BE IT FURTHER

RESOLVED, that, pursuant to Election Law Section 3-208, each Cortland County Election Commissioner shall receive an equal salary, to be fixed by the County Legislature annually, and will not receive salary increases based upon the salary step plan, AND BE IT FURTHER

RESOLVED, that the 2023 budget be and hereby is amended as follows:

Increase:

A359900	Appropriated Fund Balance	\$42,000
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A14505.51005	Personal Services	\$42,000
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ON MOTION OF STOCK

AGENDA ITEM NO. 4

Appoint Republican Election Commissioner

WHEREAS, due to the untimely passing of Robert C. Howe, duly appointed Cortland County Republican Election Commissioner, there is a vacancy for a term expiring December 31, 2023, AND

WHEREAS, the Cortland County Republican Committee has submitted a certification endorsing the appointment of Michelle S. Brown as the Cortland County Republican Election Commissioner, NOW THEREFORE BE IT

RESOLVED, that Michelle S. Brown, 16 Frank Street, Cortland, New York 13045, is hereby appointed as the Cortland County Republican Election Commissioner for a term beginning May 25, 2023 through December 31, 2023.

ON MOTION OF STOCK

AGENDA ITEM NO. 5

Adopt Local Law "C" for the Year 2023 a Local Law Creating an Exception to the Residency Requirement for Assistant County Attorneys for Cortland County

WHEREAS, said Local Law has been in its final form upon the desks of the members of the Legislature at least seven (7) calendar days, exclusive of Sunday, prior to this date, AND

WHEREAS, a public hearing thereon has been held before this Legislature after publication of notice thereof as legally required, NOW THEREFORE BE IT

RESOLVED, that Local Law "C" for the year 2023 is hereby adopted and shall take effect upon the filing thereof in the Office of the Secretary of State as provided by Municipal Home Rule Law, NOW, THEREFORE

BE IT ENACTED by the County Legislature of the County of Cortland as follows:

SECTION 1.

Preface: It is a strong desire of the Cortland County community to install Cortland County residents in the position of Assistant County Attorney in Cortland County. It is a strong belief of Cortland County that Cortland County residents are knowledgeable about and concerned with the affairs of Cortland County. As has been recognized by the Courts, we believe that a resident of our County has a stake in the life of this community that is not necessarily shared by a non-resident. A resident is more likely to be familiar with local problems, conditions and needs, and is better qualified to perform the duties of the relevant office in question. *DeHondv. Nyquest*; (65 Misc. 2d 526, 529-530, 318 NYS2d (1971)). At the same time, however, the complexity and breadth of Cortland County Government present a challenge with respect to staffing and recruitment. We recognize that the pool of candidates from which we draw in our County is responsible and caring; however, it is sometimes difficult to staff an office from the pool in Cortland County. This law is being passed based upon the existence of the residency requirement in Public Officer's Law §3.

SECTION 2.

Definitions:

County Attorney - The person holding such office as appointed under Section 500 of the County Law.

Assistant County Attorney - The person or persons appointed by the County Attorney under Section 502 of the County Law, including the title of Chief Assistant County Attorney.

SECTION 3.

Purpose: It is the purpose of this Local Law to confirm the commitment of Cortland County to hire residents who have the necessary qualifications and skills to meet the requirements of the position for Assistant County Attorney of Cortland County. This Law will permit Cortland County to alleviate the problem of staffing and recruitment by permitting Cortland County to solicit candidates for the office of Assistant County Attorney from the Counties contiguous to Cortland County in the event of an inability to recruit a sufficient number of qualified candidates from within Cortland County for the position.

SECTION 4.

Authority: Under the Municipal Home Rule Law, Section 10, the County of Cortland has the authority to authorize a non-resident to hold the position of Assistant County Attorney. Section 500 of the County Law provides that any county having no resident attorney-at-law available may employ an attorney-at-law residing in another county.

SECTION 5.

Authority of Cortland County to Hire Applicants for the Position of Assistant County Attorney for Cortland County from Contiguous Counties to Cortland County: Upon written request from the County Attorney to consider non-Cortland County residents for the position of Assistant County Attorney, the Personnel Officer shall determine if all recruitment efforts have been adequately pursued, including soliciting applicants from the Cortland County Bar Association, and provide the County Attorney with an approval/denial to hire a non-Cortland County resident. Upon receiving the Personnel Officer's approval, the County Attorney shall be authorized to consider and hire applicants who are residents from any

contiguous Counties to Cortland County to the position of Assistant County Attorney or Chief Assistant County Attorney.

SECTION 6.

Severability: If any section of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof that can be given effect without the invalid provision, but shall be confined in its operation to the section thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 7.

Effect: This Local Law shall take effect upon filing pursuant to the provisions of Article 3, Section 27 of the Municipal Home Rule Law.

Referred from Agriculture, Planning & Environment Committee

ON MOTION OF HARBIN

AGENDA ITEM NO. 6

Amend 2023 Budget/Authorize Agreement for Outside Counsel

WHEREAS, the Cortland County Legislature adopted Local Law No. 1 of 2018 which established a PILOT Agreement for Commercial Solar Energy Systems in Cortland County and thereafter amended that local law with the enactment of Local Law No. 5 of 2020, entitled, “Solar Energy System PILOT Law of the County of Cortland, New York”, AND

WHEREAS, since that time, there have been changes to New York State Real Property Tax Law Section 487 and both State and Federal Legislation has focused on encouraging renewable energy, AND

WHEREAS, the Cortland County Legislature feels that it is in the best interest of the County to achieve energy efficiency and renewable energy goals and at the same time be fiscally responsible to all taxpayers of the County, AND

WHEREAS, the County Attorney recommends that the County Legislature engage the services of outside counsel specializing in Real Property Tax Law, Payment in Lieu of Tax (PILOT) Agreement negotiations, with knowledge and experience concerning the advisability of entering into the same, and knowledge of current and pending legislation concerning renewable energy, AND

WHEREAS, the County Attorney recommends engaging the services of Hodgson Russ LLP,
NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature authorizes the Chair of the Cortland County Legislature, upon review of County Attorney or designee, to execute and accept the terms outlined in the January 27, 2023 correspondence from Hodgson Russ LLP, AND BE IT FURTHER

RESOLVED, that the 2023 Cortland County Budget be amended as follows:

Increase:

A359900	Appropriated Fund Balance	\$10,000
A10105.54055	Professional Services	\$10,000

, AND BE IT FURTHER

RESOLVED, the Cortland County Legislature be and hereby authorizes payment of said legal services up to the amount of \$10,000; with said services charged against account A10105.54055.

MONTHLY REPORTS

1. County Clerk Monthly Report for February
2. Weights and Measures Monthly Report
3. February FOIL Report - Clerk of the Legislature
4. County Attorney Monthly Report
5. March 2023 Vacancy Reporting

DISCUSSION ITEMS

1. Form for Personnel Changes
2. Recommendation of Rules of Order Changes from Agriculture, Planning & Environment Committee

ADJOURNMENT