



Government Operations Committee

Committee Meeting

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

~ Agenda ~

Tuesday, September 19, 2023

9:00 AM

Room 302

WebEx Meeting Information

<https://cortlandny.webex.com/cortlandny/j.php?MTID=m456af478ae83573d46ce00a3c237d12b>

Tuesday, September 19, 2023 9:00 AM | 1 hour | (UTC-04:00) Eastern Time (US & Canada)

Meeting number: 2333 199 4456

Password: PDn72RJSTS4

Join by phone

+1-415-655-0001 US Toll

Access code: 233 319 94456

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 - Aug 15, 2023 8:30 AM

RESOLUTIONS

ON MOTION OF STOCK

AGENDA ITEM NO. 1

Local Law "G" of 2023 - a Local Law Creating an Exception to the Residency Requirements for Public Defender of Cortland County, Chief Assistant Public Defender of Cortland County, and Assigned Counsel Plan Administrator of Cortland County

WHEREAS, the positions of Public Defender, Chief Assistant Public Defender and Assigned Counsel Plan Administrator require a combination of specialized education and experience, AND

WHEREAS, it is becoming increasingly difficult to find qualified candidates who also reside in Cortland County, AND

WHEREAS, it is the desire of the Legislature to have the ability to consider all qualified applicants regardless of residency, AND

WHEREAS, the Government Operations Committee of the Cortland County Legislature has

recommended changes to the residency requirements for the positions of Public Defender, Chief Assistant Public Defender and Assigned Counsel Plan Administrator, AND

WHEREAS, a public hearing was held on September 28, 2023 before the Cortland County Legislature, AND

WHEREAS, said Local Law has been in its final form upon the desks of the Cortland County Legislature at least seven (7) calendar days exclusive of Sunday, prior to this date, 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 positions of Public Defender, Chief Assistant Public Defender and Assigned Counsel Plan Administrator 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(s) in question. *DeHond v. 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 New York State Public Officer's Law §3.

SECTION 2.

Definitions:

Public Defender - The person holding such office pursuant to appointment by the Cortland County Legislature pursuant to Local Law Number 2 of 1966 as amended by Local Law 6 of 2021.

Chief Assistant Public Defender - The person holding such office as appointed by the Public Defender.

Assigned Counsel Plan Administrator - The person holding such office pursuant to appointment by the Cortland County Legislature in accordance with the Cortland County Assigned Counsel Plan (18-B Plan).

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 positions for Public Defender of Cortland County, Chief Assistant Public Defender of Cortland County, and Assigned Counsel Plan Administrator 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 offices of Public Defender of Cortland County, Chief Assistant Public Defender of Cortland County, and Assigned Counsel Plan Administrator of Cortland County 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 positions of Public Defender of Cortland County, Chief Assistant Public Defender of Cortland County, and Assigned Counsel Plan Administrator of Cortland County.

SECTION 5.

Authority of Cortland County to Hire Applicants for the Position of Public Defender of Cortland County and Assigned Counsel Plan Administrator: Upon a determination by the Personnel Officer that all recruitment efforts have been adequately pursued, including soliciting applicants from the Cortland County Bar Association, the Legislature shall be authorized to consider and hire applicants who are residents from any contiguous Counties to Cortland County to the positions of Public Defender and Assigned Counsel Plan Administrator.

Authority of Cortland County to Hire Applicants for the Position of Chief Assistant Public Defender of Cortland County: Upon written request from the Public Defender to consider non-Cortland County residents for the position of Chief Assistant Public Defender, 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 Public Defender with an approval/denial to hire a non-Cortland County resident. Upon receiving the Personnel Officer's approval, the Public Defender shall be authorized to consider and hire applicants who are residents from any contiguous Counties to Cortland County to the position of Chief Assistant Public Defender.

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 in the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

ON MOTION OF STOCK

AGENDA ITEM NO. 2

Set Self Insurance Rates – Cortland County Health Insurance Program

WHEREAS, the County sets premium equivalent rates to be charged to employees, retirees and/or County agencies participating in the County's Health, Dental and Vision Insurance programs, AND

WHEREAS, said premiums are based upon claims experience within each program, AND

WHEREAS, Assured Partners has recommended premium equivalents based upon projected claims during the period January 1, 2023 through December 31, 2023, NOW THEREFORE BE IT

RESOLVED, that effective January 1, 2024, the premium equivalents to be charged to the employees, retirees and/or County agencies participating in the Cortland County Health Insurance Program shall be in accordance with the schedule below.

MONTHLY INSURANCE PREMIUM EQUIVALENT RATES

HEALTH INSURANCE RATES - TRADITIONAL PLAN

<u>2023</u>		<u>2024</u>	10.4% increase
Individual	\$ 810.04	\$ 894.28	
Family	\$1970.30	\$ 2175.21	

HEALTH INSURANCE RATES - PPO PLAN

(For all employees hired in the General, Corrections, Civilian, and Department of Emergency Response and Communications Unions 1/1/2020 and after, employees hired in the CPAC union 1/1/2022 and after, and employees hired in the NYSNA union and Management Compensation Plan 1/1/2023 and after)

<u>2023</u>		<u>2024</u>	10.4% increase
Individual	\$729.03	\$804.85	
Family	\$1773.27	\$1957.69	

DENTAL INSURANCE RATES

<u>2023</u>		<u>2024</u>	NO CHANGE
Individual	\$15.04	\$15.04	
Family	\$60.17	\$60.17	

VISION INSURANCE RATES

<u>2023</u>		<u>2024</u>	NO CHANGE
Individual	\$3.25	\$3.25	
Family	\$13.00	\$13.00	

ON MOTION OF STOCK

AGENDA ITEM NO. 3

Adopt of Rules of Order - Cortland County Legislature

WHEREAS, Local Law No. 2 for year 1972, Section 202, Paragraph 5 established that the Cortland County Legislature is empowered to enact rules governing the conduct of the members at its sessions and the manner of transacting business thereat, AND

WHEREAS, County Law Section 153[8] empowers the County Legislature to determine the rules of its own proceedings, AND

WHEREAS, the Government Operations Committee has reviewed and approved the recommended changes to the Rules of Order, NOW THEREFORE BE IT

RESOLVED, that the "Rules of Order for the Cortland County Legislature" are hereby adopted, AND BE IT FURTHER

RESOLVED, that all resolutions, which amend, repeal or in any manner affect these rules shall include proper reference to section, subsection or paragraph to maintain an orderly codification of these rules, AND BE IT FURTHER

RESOLVED, that the rules shall be published on the Cortland County website, AND BE IT FURTHER

RESOLVED, that Article 7 (A) be and hereby is removed and replaced with the following:

“A. Finance, Administration and Economic Development - A seven (7) member Committee shall review the tentative budget filed by the Budget Officer and shall consider and recommend appropriations required for all purposes and prepare and report the annual

estimates for the tax levy.

The Committee shall oversee:

The Finance Department, Administration Office, Office of the Manager of Audit and Financial Projects, the Department of Real Property Tax Services, occupancy tax, Tompkins Cortland Community College (TC3), Industrial Development Agency and Business Development Corporation, and the agency that provides promotional and tourism service. The Finance and Administration Committee shall serve as the Audit Committee.”

, AND BE IT FURTHER

RESOLVED, that Article 7(D) and (E) are hereby removed and replaced with the following:

“D. Public Works Committee - Not less than five (5) nor more than seven (7) members who shall oversee:

County Highway Department, Buildings and Grounds Department and Information Technology Department.”

, AND BE IT FURTHER

RESOLVED, that this resolution and changes to the Cortland County Legislature’s Rules of Order shall take effect January 1, 2024.

MONTHLY REPORTS

1. Weights and Measures Report August 2023
2. County Clerk Monthly Report
3. Monthly FOIL Report - Clerk of the Legislature
4. September 2023 Vacancies
5. County Attorney Office Monthly Report
6. August Monthly Report - Board of Elections

DISCUSSION ITEMS

ADJOURNMENT