



# Cortland County Legislature

## Organizational Meeting

Legislative Chambers  
Cortland, NY 13045  
<http://www.cortland-co.org>

~ Minutes ~

Wednesday, January 3, 2024

10:00 AM

Board Room

### Call to Order

The meeting was called to order at 10:31 AM by Chair of the Legislature Kevin Fitch

| Attendee Name      | Organization        | Title                    | Status  | Arrived |
|--------------------|---------------------|--------------------------|---------|---------|
| Douglas Bentley    | Cortland County, NY | Legislator               | Present |         |
| Cathy Bischoff     | Cortland County, NY | Legislator               | Present |         |
| Reed Cleland       | Cortland County, NY | Legislator               | Present |         |
| Mitchel Eccleston  | Cortland County, NY | Legislator               | Present |         |
| Beau Harbin        | Cortland County, NY | Minority Leader          | Present |         |
| Paul Heider        | Cortland County, NY | Majority Leader          | Present |         |
| Linda Jones        | Cortland County, NY | Legislator               | Present |         |
| Dominick Mantella  | Cortland County, NY | Legislator               | Present |         |
| William McGovern   | Cortland County, NY | Legislator               | Present |         |
| Joseph Nauseef     | Cortland County, NY | Legislator               | Present |         |
| Christopher Newell | Cortland County, NY | Legislator               | Present |         |
| Sandra Price       | Cortland County, NY | Legislator               | Present |         |
| Ronald J. Van Dee  | Cortland County, NY | Legislator               | Present |         |
| Keith VanGorder    | Cortland County, NY | Legislator               | Present |         |
| Eugene Waldbauer   | Cortland County, NY | Legislator               | Present |         |
| Susan Wilson       | Cortland County, NY | Legislator               | Present |         |
| Kevin Fitch        | Cortland County, NY | Chair of the Legislature | Present |         |
| Savannah Hempstead | Cortland County, NY | Clerk of the Legislature | Present |         |

### Resolutions

AGENDA ITEM NO. 1 – Selecting Chair of the County Legislature and Setting Official Undertaking

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Joseph Nauseef, Legislator  
**SECONDER:** Paul Heider, Majority Leader  
**AYES:** Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Price, Van Dee, VanGorder, Waldbauer, Wilson, Fitch

ON MOTION OF NAUSEEF

RESOLUTION NO. 1-24

#### Selecting Chair of the County Legislature and Setting Official Undertaking

WHEREAS, in accordance with County Law §151, Local Law No. 2 for the year 1972, Article II, Section 202, and the Rules of Order of the Cortland County Legislature, the County Legislature shall meet on the first Wednesday of January at 10:00 a.m., except when the first Wednesday shall be January 1<sup>st</sup>, in which event it shall be the following day for the purposes of organization and for election of the Chair of the County Legislature; AND

WHEREAS, County Law, Section 450 requires the Chair of the County Legislature to file an official undertaking in such an amount as may be required by the County Legislature; AND

WHEREAS, Cortland County presently has a policy covering employees for wrongful acts;  
NOW THEREFORE BE IT

RESOLVED, that Kevin Fitch be and hereby is selected as Chair of the County Legislature to serve effective immediately through December 31 2025; AND BE IT FURTHER

RESOLVED, that the amount of the Chairman's undertaking be zero.

AGENDA ITEM NO. 2 – Appoint Clerk of the County Legislature

|                  |                                                                                                                                                        |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                                                                                                             |
| <b>MOVER:</b>    | Paul Heider, Majority Leader                                                                                                                           |
| <b>SECONDER:</b> | Sandra Price, Legislator                                                                                                                               |
| <b>AYES:</b>     | Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Price, Van Dee, VanGorder, Waldbauer, Wilson, Fitch |

**ON MOTION OF HEIDER**

**RESOLUTION NO. 2-24**

**Appoint Clerk of the County Legislature**

WHEREAS, §475 (1) of County Law, states the legislature shall appoint a clerk who shall serve during the pleasure of the board and until a successor is appointed and has qualified, AND

WHEREAS, §57.07 of Arts and Cultural Affairs Law provides for the appointment of a County Historian, AND

WHEREAS, in accordance with the Cortland County Legislature Rules of Order, Article II, Section 2, the Government Operations Committee voted to recommend the appointment of Savannah M. Hempstead as Clerk of the Legislature, NOW THEREFORE BE IT

RESOLVED, the Cortland County Clerk of the Legislature shall also serve as County Historian, NOW THEREFORE BE IT

RESOLVED, that Savannah M. Hempstead be and hereby is appointed Clerk of the County Legislature of Cortland County to serve during the pleasure of this Board and until a successor is appointed and has qualified and shall be compensated in accordance with the Management/Management Confidential Compensation Employment Policy.

AGENDA ITEM NO. 3 Receive & File Designation of Majority Leader

|                  |                                                                                                                                                        |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>RECEIVE &amp; FILE [UNANIMOUS]</b>                                                                                                                  |
| <b>MOVER:</b>    | Sandra Price, Legislator                                                                                                                               |
| <b>SECONDER:</b> | Mitchel Eccleston, Legislator                                                                                                                          |
| <b>AYES:</b>     | Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Price, Van Dee, VanGorder, Waldbauer, Wilson, Fitch |

AGENDA ITEM NO. 4 Receive & File Designation of Minority Leader

|                  |                                                                                                                                                        |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>RECEIVE &amp; FILE [UNANIMOUS]</b>                                                                                                                  |
| <b>MOVER:</b>    | Sandra Price, Legislator                                                                                                                               |
| <b>SECONDER:</b> | Ronald J. Van Dee, Legislator                                                                                                                          |
| <b>AYES:</b>     | Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Price, Van Dee, VanGorder, Waldbauer, Wilson, Fitch |

AGENDA ITEM NO. 5 – Appoint Cortland County Attorney

|                  |                                                                                                                                                        |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                                                                                                             |
| <b>MOVER:</b>    | Joseph Nauseef, Legislator                                                                                                                             |
| <b>SECONDER:</b> | Cathy Bischoff, Legislator                                                                                                                             |
| <b>AYES:</b>     | Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Price, Van Dee, VanGorder, Waldbauer, Wilson, Fitch |

**ON MOTION OF NAUSEEF**

**RESOLUTION NO. 3-24**

**Appoint Cortland County Attorney**

WHEREAS, County Law, Section 500 requires the appointment of a County Attorney, AND

WHEREAS, in accordance with the Cortland County Legislature Rules of Order, Article II, Section 2 (D) (ii) says, the term of office of the County Attorney shall run concurrent with the elected members of the Legislature, AND

WHEREAS, in accordance with the Cortland County Legislature Rules of Order, Article II, Section 2, the Government Operations Committee voted to recommend the appointment of Victoria J. Monty as County Attorney, NOW THEREFORE BE IT

RESOLVED, that Victoria J. Monty be and hereby is appointed County Attorney to serve during the tenure of this Board and be compensated in accordance with the Management/Management Confidential Compensation Employment Policy, AND BE IT FURTHER

RESOLVED, that the County Attorney shall be the legal advisor to the Cortland County Legislature and every officer whose compensation is paid from County funds, in all matters involving an official act of a civil nature. The County Attorney shall prosecute and defend all civil actions and proceedings brought by or against the County, the Cortland County Legislature, and any official act, except as provided by County Law, AND BE IT FURTHER

RESOLVED, that all expenses and disbursements incurred by the County Attorney in the performance of any of the above duties shall be paid by the County, subject to audit.

AGENDA ITEM NO. 6 – Appoint Cortland County Auditor

**ON MOTION OF**

**RESOLUTION NO.**

**Appoint Cortland County Auditor**

WHEREAS, the Cortland County Legislature, pursuant to County Law 369, has the responsibility to audit all claims, accounts or demands against the County prior to payment; AND

WHEREAS, in accordance with the Cortland County Legislature Rules of Order, Article II, Section 2 (E)(ii) the term of office of the County Auditor shall be for the term for which the membership of the Legislature appointing him/her was elected or for a term as may be determined by local law not to exceed four years; AND

WHEREAS, the Cortland County Legislature has created an Audit Department pursuant to Section 600 of County Law; NOW THEREFORE BE IT

RESOLVED, that Stephen Trobert be and hereby is appointed as County Auditor for the tenure of this Board consistent with Section 600 of County Law and Section 5 of Public Officers Law and shall be compensated in accordance with the Cortland County Management/Management Confidential Compensation Employment Policy.

**AGENDA ITEM NO. 7 – Appoint Public Defender**

|                  |                                                                                                                                                        |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                                                                                                             |
| <b>MOVER:</b>    | Sandra Price, Legislator                                                                                                                               |
| <b>SECONDER:</b> | Cathy Bischoff, Legislator                                                                                                                             |
| <b>AYES:</b>     | Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Price, Van Dee, VanGorder, Waldbauer, Wilson, Fitch |

**ON MOTION OF PRICE**

**RESOLUTION NO. 4-24**

**Appoint Public Defender**

WHEREAS, New York State County Law, Section 716 authorizes the appointment of a Public Defender; AND

WHEREAS, Local Law No. 2 of 1966 provided for the creation of the Public Defender's Office and established the term of office for the position of Public Defender; AND

WHEREAS, in accordance with the Cortland County Legislature Rules of Order, Article II, Section 2 (F)(ii) says, The term of the office of Public Defender shall be for the term for which the membership of the Legislature appointing him/her was elected or for a term as may be determined by local law not to exceed four years; AND

WHEREAS, in accordance with the Cortland County Legislature Rules of Order, Article II, Section 2, the Judiciary and Public Safety Committee voted to recommend the reappointment of Kevin Jones as Public Defender; NOW THEREFORE BE IT

RESOLVED, that Kevin Jones is hereby appointed Public Defender and shall be compensated in accordance with the Management/Management Confidential Employment Policy; AND BE IT FURTHER

RESOLVED, that all expenses and disbursements incurred by the Public Defender in the

performance of any of the above duties shall be paid by the County, subject to audit.

AGENDA ITEM NO. 8 – Appoint Veterans’ Service Officer

|                  |                                                                                                                                                              |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                                                                                                                   |
| <b>MOVER:</b>    | Sandra Price, Legislator                                                                                                                                     |
| <b>SECONDER:</b> | Joseph Nauseef, Legislator                                                                                                                                   |
| <b>AYES:</b>     | Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella,<br>McGovern, Nauseef, Newell, Price, Van Dee, VanGorder, Waldbauer,<br>Wilson, Fitch |

ON MOTION OF PRICE

RESOLUTION NO. 5-24

**Appoint Veterans’ Service Officer**

WHEREAS, §357 of Executive Law provides for the appointment by the Chairman, with the approval of the County Legislature, of a Director of Veterans’ Services; AND

WHEREAS, §800 of County Law provides for the appointment by the Legislature of a County Veterans’ Services Officer; AND

WHEREAS, in accordance with the Cortland County Legislature Rules of Order, Article II, Section 2, the Health and Human Services Committee voted to recommend the appointment of Thomas Tedesco as County Director of Veterans’ Services; NOW THEREFORE BE IT

RESOLVED, that Thomas Tedesco, be and hereby is appointed as County Director of Veterans’ Services to serve for the tenure of this Board; AND BE IT FURTHER

RESOLVED, that compensation for the position shall be in accordance with the Management/Management Confidential Compensation Employment Policy.

AGENDA ITEM NO. 9 – Designate Bank Depositories for 2024

|                  |                                                                                                                                                              |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                                                                                                                   |
| <b>MOVER:</b>    | Ronald J. Van Dee, Legislator                                                                                                                                |
| <b>SECONDER:</b> | Christopher Newell, Legislator                                                                                                                               |
| <b>AYES:</b>     | Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella,<br>McGovern, Nauseef, Newell, Price, Van Dee, VanGorder, Waldbauer,<br>Wilson, Fitch |

ON MOTION OF VAN DEE

RESOLUTION NO. 6-24

**Designate Bank Depositories for 2024**

WHEREAS, County Law Section 212 and General Municipal Law Section 10 requires that the Cortland County Legislature designate one or more banks or trust companies for the deposit of public funds received by the County Treasurer; AND

WHEREAS, Local Law 10 of 2022 for the County of Cortland abolished the elected position of County Treasurer, and transferred the duties of the County Treasurer to the existing position of Director of Finance; AND

WHEREAS, such designation must specify the maximum amount which may be kept on deposit at any time in each bank designated by the Cortland County Legislature; NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby designates the following banks and trust companies for the deposit of public funds received by the Director of Finance and that the Director of Finance is authorized to utilize these institutions for said purpose not to exceed maximum amounts listed below:

| <u>BANK NAME</u>              | <u>MAXIMUM AMOUNT</u> |
|-------------------------------|-----------------------|
| NBT Bank                      | \$ 35,000,000         |
| First National Bank of Dryden | \$ 2,500,000          |
| Key Bank of New York          | \$ 2,000,000          |
| Tompkins Trust Co.            | \$ 35,000,000         |
| NYCLASS                       | \$ 60,000,000         |
| JPMorgan Chase & Co.          | \$ 2,000,000          |

; AND BE IT FURTHER

RESOLVED, that collateral agreements, municipal funds protection and bank acknowledgements of the understanding of New York State Municipal and Finance Law be established with said banks during the term of this agreement which will be for a period not to exceed December 31st, 2024.

#### AGENDA ITEM NO. 10 – Designate Official Newspaper(s)

A roll call vote was taken as follows:

|                      | Votes       | AYE      | NAY   | Total |
|----------------------|-------------|----------|-------|-------|
| Bentley (LD1)        | <b>2744</b> | 1        |       | 2744  |
| Bischoff (LD3)       | <b>2743</b> | 1        |       | 2743  |
| Eccleston (LD17)     | <b>3379</b> |          | 1     | 0     |
| Harbin (LD2)         | <b>2747</b> | 1        |       | 2747  |
| Heider (16)          | <b>3192</b> |          | 1     | 0     |
| Homer (LD7)          | <b>2743</b> | 1        |       | 2743  |
| Jones (LD9)          | <b>2989</b> | 1        |       | 2989  |
| Nauseef (LD12)       | <b>2819</b> | 1        |       | 2819  |
| Newell (LD11)        | <b>2837</b> | 1        |       | 2837  |
| Preston (LD10)       | <b>2995</b> | 1        |       | 2995  |
| Price (LD14)         | <b>3344</b> | 1        |       | 3344  |
| Stock (LD6)          | <b>2740</b> | 1        |       | 2740  |
| VanDee (LD4)         | <b>2743</b> |          | 1     | 0     |
| Wagner (LD 15)       | <b>2734</b> | 1        |       | 2734  |
| Waldbauer (LD13)     | <b>2853</b> | 1        |       | 2853  |
| Wilson (LD5)         | <b>2744</b> | 1        |       | 2744  |
| Chairman Fitch (LD8) | <b>2990</b> | 1        |       | 2990  |
|                      |             |          |       |       |
| Total                | 49336       | 14       | 3     | 40022 |
|                      |             |          |       |       |
|                      |             | Majority | 24669 |       |
|                      |             | 2/3rd    | 32892 |       |

**RESULT: ADOPTED [14 TO 3]**

**MOVER:** Christopher Newell, Legislator

**SECONDER:** Sandra Price, Legislator

**AYES:** Bentley, Bischoff, Cleland, Harbin, Jones, Mantella, McGovern, Nauseef, Newell, Price, VanGorder, Waldbauer, Wilson, Fitch

**NAYS:** Mitchel Eccleston, Paul Heider, Ronald J. Van Dee

**Designate Official Newspaper(s)**

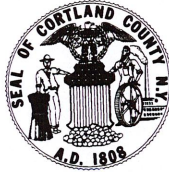
WHEREAS, Section 214 of County Law requires the Legislature to select an official newspaper(s); NOW THEREFORE BE IT

RESOLVED, that the Cortland Standard, published by the Cortland Standard Newspaper, 110 Main Street, Cortland, New York 13045, and The Homer News, P.O. Box 125, 13077, be and hereby are designated as the official newspaper fairly representing the Cortland County Legislature, for the period of January 1, 2024 through December 31, 2024; AND BE IT FURTHER

RESOLVED, that the Clerk of the Legislature in conformance with County Law 214 shall forward this designation to be filed with the Secretary of State no later than January 10, 2024.

**Adjournment**

The meeting was closed at 10:44 AM



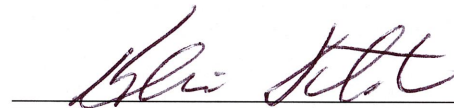
Cortland County Legislature  
60 Central Avenue  
Cortland, NY 13045

**Designation of Office of Majority Leader of the Republican Legislators, pursuant to Resolution No. 170-06, and the Cortland County Rules of Order**

WHEREAS, Resolution No. 170-06 established the Offices of Majority Leader and Minority Leader and set forth a term of office, AND

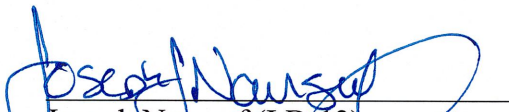
RESOLVED, that the undersigned Cortland County Legislators, constituting a majority of said party, hereby elect **Paul Heider** as Majority Leader of the Cortland County Legislature for a term commencing upon the filing of this form with the Clerk of the Legislature.

  
Keith VanGorder (LD-7)

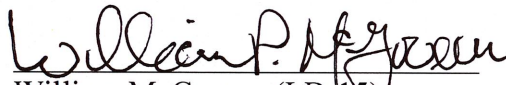
  
Kevin Fitch (LD-8)

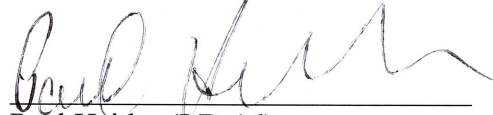
Linda Jones (LD-9)

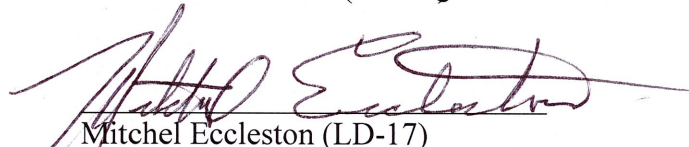
  
Christopher Newell (LD-11)

  
Joseph Nauseef (LD-12)

  
Eugene Waldbauer (LD-13)

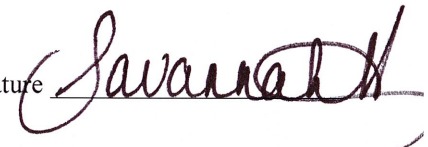
  
William McGovern (LD-15)

  
Paul Heider (LD-16)

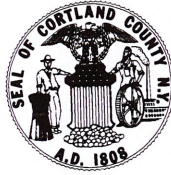
  
Mitchel Eccleston (LD-17)

Submitted to the Clerk of the Legislature

Date: 1/3/2024



Attachment: Majority Leader Designation (11911 : Recieve & File Designation of Majority Leader)

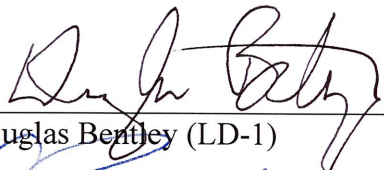


Cortland County Legislature  
60 Central Avenue  
Cortland, NY 13045

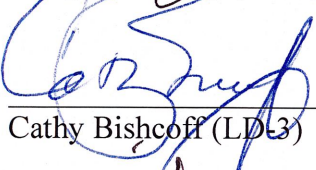
**Designation of Office of Minority Leader of the Democrat Legislators, pursuant to Resolution No. 170-06, and the Cortland County Legislature Rules of Order**

WHEREAS, Resolution No. 170-06 established the Offices of Majority Leader and Minority Leader and set forth a term of office, NOW, THEREFORE BE IT

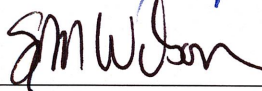
RESOLVED, that the undersigned Cortland County Legislators, constituting a majority of said party, hereby elect **Beau Harbin** as Minority Leader of the Cortland County Legislature for a term commencing upon the filing of this form with the Clerk of the Legislature.

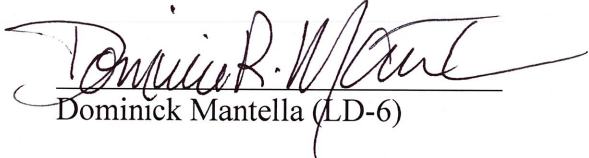
  
Douglas Bentley (LD-1)

  
Beau Harbin (LD-2)

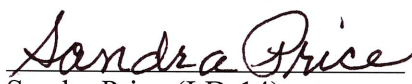
  
Cathy Bishcoff (LD-3)

  
Ronald Van Dee (LD-4)

  
Susan Wilson (LD-5)

  
Dominick Mantella (LD-6)

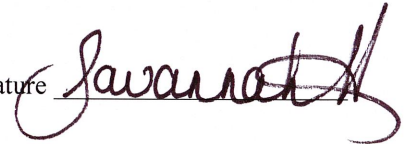
  
Reed Cleland (LD-10)

  
Sandra Price (LD-14)

Submitted to the Clerk of the Legislature

Date:

1/3/2024



Attachment: Minority Leader Designation (11912 : Receive & File Designation of Minority Leader)