



Cortland County Legislature

Legislative Session

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

~ Minutes ~

Thursday, January 25, 2024

6:00 PM

Board Room

Public Hearings

1. Local Law "A" of 2024 - a Local Law to Repeal Local Law 10 of 2023, a Local Law Overriding Tax Levy Limit for Fiscal Year 2024

RESULT:	CLOSED [UNANIMOUS]
MOVER:	Beau Harbin, Minority Leader
SECONDER:	Sandra Price, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Price, Van Dee, VanGorder, Waldbauer, Wilson, Fitch

Salute to the Flag

Call to Order

The meeting was called to order at 6:11 PM by Chair of the Legislature Kevin Fitch

Roll Call

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	

Approval of Minutes

1. Cortland County Legislature - Legislative Session - Dec 21, 2023 6:00 PM

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

2. Cortland County Legislature - Organizational Meeting - Jan 3, 2024 10:00 AM

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

3. Cortland County Legislature - Special Meeting - Jan 16, 2024 11:00 AM

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

Privilege of the Floor

Proclamations & Recognitions

1. Mahlon Irish, Jr. Proclamation

RESULT:	COMPLETED
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2. Chuck Miller Proclamation

RESULT:	COMPLETED
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Presentation of Petitions, Communications, and Notice

Receive and File

1. Receive and File - IDA Notice - AK Community LLC Project Real Property Exemption Application

RESULT:	RECEIVE & FILE [UNANIMOUS]
MOVER:	Sandra Price, Legislator
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Price, Van Dee, VanGorder, Waldbauer, Wilson, Fitch

2. Receive & File IDA PILOT Notice - Pyrotek Incorporated

RESULT:	RECEIVE AND FILE [UNANIMOUS]
MOVER:	Ronald J. Van Dee, Legislator
SECONDER:	Reed Cleland, Legislator

AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Price, Van Dee, VanGorder, Waldbauer, Wilson, Fitch
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3. Receive & File - Annual Coroner Report (Dec. '22 - Dec. '23)

RESULT:	RECEIVE & FILE [UNANIMOUS]
MOVER:	Sandra Price, Legislator
SECONDER:	Joseph Nauseef, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Price, Van Dee, VanGorder, Waldbauer, Wilson, Fitch

Reports of Standing, Special and Ad Hoc Committees

Articles Postponed to Day Certain

Unfinished Business

New Business

Resolutions

Resolutions from the Chair

AGENDA ITEM NO. 1 – Appoint Members Cortland County Solid Waste Permit Board of Hearing

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kevin Fitch, Chair of the Legislature
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Price, Van Dee, VanGorder, Waldbauer, Wilson, Fitch

ON MOTION OF FITCH

RESOLUTION NO. 11-24

Appoint Members Cortland County Solid Waste Permit Board of Hearing

WHEREAS, the Cortland County Legislature adopted Local Law No. 2 of 2018 a local law to amend Local Law No. 4 of 2017 and Local Law No. 8 of 2014, to introduce flow control of solid waste generated within the county of Cortland; AND

WHEREAS, Section 5(1)(e) of said local law provides for the appointment of a Board of Hearing which among other duties is required to conduct adjudicatory proceedings and appeals relating to alleged violation(s) of Local Law No. 4 of 2017, as amended by Local Law 2 of 2018; AND

WHEREAS, said local law requires these appointments to be made at the first regular meeting following the Cortland County Legislature's Organizational meeting; NOW THEREFORE BE IT

RESOLVED, that Cathy Bischoff, of 16 ½ Ellwood Ave., Cortland, NY 13045, shall serve as Chair of the Solid Waste Permit Board of Hearing; AND BE IT FURTHER

RESOLVED, that Leo Riley, of 5 Stanford Drive, Homer NY, 13077, shall serve on the Solid Waste Permit Board of Hearing; AND BE IT FURTHER

RESOLVED, that Kathie Arnold of 3175 Route 13, Truxton, NY 13158, shall serve on the Solid Waste Permit Board of Hearing; AND BE IT FURTHER

RESOLVED, that the terms of the Board of Hearing Members shall run concurrent with the Legislature and shall expire on December 31, 2027.

AGENDA ITEM NO. 2 – Appoint Members - Central New York Regional Planning and Development Board

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kevin Fitch, Chair of the Legislature
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Price, Van Dee, VanGorder, Waldbauer, Wilson, Fitch

ON MOTION OF FITCH

RESOLUTION NO. 12-24

Appoint Members - Central New York Regional Planning and Development Board

WHEREAS, the terms of Cortland County Representatives have expired on the Central New York Regional Planning and Development Board; NOW THEREFORE BE IT

RESOLVED, that the following be appointed in conformance with the Regional Planning and Development Board By-Laws:

Name	Capacity	Term Expiration
Kevin Fitch	County Legislative Chair	12/31/25
Beau Harbin	Legislative Planning Committee Chair	12/31/25
Christopher Newell	County Legislator	12/31/25
Scott Steve	Local Elected Official	12/31/24
Trisha Hiemstra	Cortland County Planning Director	12/31/24
Brendan O'Bryan	At-Large Representative	12/31/24
Patrick Clune	At-Large Representative	12/31/24

AGENDA ITEM NO. 3 – Appoint Member - Region 7 Fish and Wildlife Management Board

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kevin Fitch, Chair of the Legislature
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Price, Van Dee, VanGorder, Waldbauer, Wilson, Fitch

ON MOTION OF FITCH

RESOLUTION NO. 13-24

Appoint Member - Region 7 Fish and Wildlife Management Board

WHEREAS, the term of the Legislative Representative and Sportsman Representative of the Sportsmen's Club of the Region 7 Fish and Wildlife Management Board has expired; AND

WHEREAS, the County is authorized to appoint a Legislative Representative, Sportsman Representative and a Landowner Representative to said Board; NOW THEREFORE BE IT

RESOLVED, that Jared Popoli of 116 South Main Street, Homer, NY 13077 be and hereby is appointed to the Region 7 Fish & Wildlife Management Board as the Sportsman Representative for a term

ending December 31, 2025; AND BE IT FURTHER

RESOLVED, that Allen Pankhurst of 39 N. West Street, Homer, NY 13077 be and hereby is appointed to the Region 7 Fish & Wildlife Management Board as the Legislature Representative for a term ending December 31, 2025; AND BE IT FURTHER

RESOLVED, that the Clerk of the Cortland County Legislature submit a certified copy of this resolution to the NYS Department of Environmental Conservation located in Cortland, New York.

AGENDA ITEM NO. 4 – Appoint Member - Cortland County Jury Board/Louis Folmer Supreme Court Law Library

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kevin Fitch, Chair of the Legislature
SECONDER:	Joseph Nauseef, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Price, Van Dee, VanGorder, Waldbauer, Wilson, Fitch

ON MOTION OF FITCH

RESOLUTION NO. 14-24

Appoint Member - Cortland County Jury Board/Louis Folmer Supreme Court Law Library

WHEREAS, it is required pursuant to Article 16, Section 503a, 1 of Judiciary Law that one Legislator be appointed to the Cortland County Jury Board; AND

WHEREAS, a seat is designated for a County Legislator as Trustee for the Louis H. Folmer Supreme Court Law Library; NOW THEREFORE BE IT

RESOLVED, that Sandra Price, of 1189 Church Street, Cortland, NY 13045, is hereby appointed to the Cortland County Jury Board, as the Legislative Representative, for a term commencing immediately and ending December 31, 2025; AND BE IT FURTHER

RESOLVED, that Sandra Price is hereby appointed as the Legislative Representative and sitting Trustee for the Louis H. Folmer Supreme Court Law Library for a term commencing immediately and ending December 31, 2025.

AGENDA ITEM NO. 5 – Appoint Legislative Liaison to the Cortland County Fire Advisory Board

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kevin Fitch, Chair of the Legislature
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Price, Van Dee, VanGorder, Waldbauer, Wilson, Fitch

ON MOTION OF FITCH

RESOLUTION NO. 15-24

Appoint Legislative Liaison to the Cortland County Fire Advisory Board

WHEREAS, pursuant to a resolution dated December 18, 1950, which established the Cortland County Fire Advisory Board under the provisions of Article 10, Section 209-K of the General Municipal Law for the purpose, among other things to develop and maintain programs for fire training and mutual aid in case of fire and other public emergencies in which the fire service would be used; AND

WHEREAS, Article 3, Section 4 of the Cortland County Fire Advisory Board By-Laws state that the term of each member be one year; NOW THEREFORE BE IT

RESOLVED, that Mitchel Eccleston, of 3228 State Route 26, Cincinnatus, NY 13040 is hereby appointed as the legislative liaison to the Cortland County Fire Advisory Board, to serve without compensation for a term expiring December 31, 2024.

AGENDA ITEM NO. 6 – Appoint Member - Cornell Cooperative Extension of Cortland County Board of Directors

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kevin Fitch, Chair of the Legislature
SECONDER:	Linda Jones, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Price, Van Dee, VanGorder, Waldbauer, Wilson, Fitch

ON MOTION OF FITCH

RESOLUTION NO. 16-24

Appoint Member - Cornell Cooperative Extension of Cortland County Board of Directors

WHEREAS, the Cortland County Legislature is provided two seats on the Cornell Cooperative Extension of Cortland County Board of Directors; NOW THEREFORE BE IT

RESOLVED, that Beau Harbin, of 25 West Court Street, Cortland, New York 13045, and Mitchel Eccleston, of 3228 State Route 26, Cincinnatus, NY 13040, be and hereby are appointed to the Cornell Cooperative Extension of Cortland County Board of Directors for a term ending December 31, 2027.

AGENDA ITEM NO. 7 – Appoint Liaison - Cortland County Coalition for Long Term Care, Inc.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kevin Fitch, Chair of the Legislature
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Price, Van Dee, VanGorder, Waldbauer, Wilson, Fitch

ON MOTION OF FITCH

RESOLUTION NO. 17-24

Appoint Liaison - Cortland County Coalition for Long Term Care, Inc.

WHEREAS, the Cortland County Coalition for Long Term Care, Inc. develops, implements, and coordinates innovative community based continuing care services, promotes the provision of services that will enhance the quality of life for all individuals, and examines the unmet needs in the continuum of care, educates the community and policy makers regarding long term care and enhances the communication among providers; AND

WHEREAS, the Cortland County Legislature believes designating a liaison is in the best interests of the County; NOW THEREFORE BE IT

RESOLVED, that Ronald VanDee, of 7 Taylor Street, Cortland, NY 13045, is hereby appointed to fill the Legislative Liaison position to the Cortland County Coalition for Long Term Care, Inc. for a term to expire December 31, 2027.

AGENDA ITEM NO. 8 – Appoint Members - Southern Tier East Regional Planning Development Board (STERPDB)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kevin Fitch, Chair of the Legislature
SECONDER:	Linda Jones, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Price, Van Dee, VanGorder, Waldbauer, Wilson, Fitch

ON MOTION OF FITCH

RESOLUTION NO. 18-24

Appoint Members - Southern Tier East Regional Planning Development Board (STERPDB)

WHEREAS, the terms of membership of the Cortland County representatives to the Southern Tier East Regional Planning Development Board (STERPDB) have expired; AND

WHEREAS, Cortland County is entitled to three representatives; NOW THEREFORE BE IT

RESOLVED, that the following individuals be appointed to STERPDB for a two-year term as follows:

Beau Harbin	County Legislator	Term Expires 12/31/25
Brendan O'Bryan	Cortland County Economic Development Professional	Term Expires 12/31/25
Trisha Hiemstra	County Planning Director	Term Expires 12/31/25

AGENDA ITEM NO. 9 – Establish Cortland County Strategic Development Plan Steering Committee (SDPSC)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kevin Fitch, Chair of the Legislature
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Price, Van Dee, VanGorder, Waldbauer, Wilson, Fitch

ON MOTION OF FITCH

RESOLUTION NO. 19-24

Establish Cortland County Strategic Development Plan Steering Committee (SDPSC)

WHEREAS, Cortland County's current comprehensive plan, titled *Land Use Plan for Cortland County*, was created in June 1978, and being over 40 years old, this plan is severely outdated and has not been referenced in decades; AND

WHEREAS, Cortland County has been awarded \$100,000 from the Federal Appalachian Regional Commission (ARC) and \$90,000 from an Empire State Development Strategic Planning and Feasibility Study Grant for the creation of a new strategic plan for Cortland County; AND

WHEREAS, the cost to Cortland County, to satisfy a cash match requirement for the implementation of the program, is \$10,000; AND

WHEREAS, the new strategic plan for Cortland County is titled *Strategic Development Plan for Cortland County*; AND

WHEREAS, the Cortland County Legislature adopted Resolution No. 137-23 awarding the contract for consulting services to create a Cortland County strategic development plan to MRB Group, D.P.C; AND

WHEREAS, the Cortland County Legislature recognizes the need to collect ideas and input from key stakeholders, municipal leaders and experts, as well as from the public; AND

WHEREAS, it is the recommendation of the Chair of the Legislature to appoint a Strategic Development Plan Steering Committee (SDPSC) consisting of key stakeholders, municipal leaders and experts to work with MRB Group, D.P.C. to create the Strategic Development Plan; AND

WHEREAS, the Strategic Development Plan Steering Committee will be tasked with providing input and advice on the Plan's process, documentation, existing conditions, technical studies, and potential opportunities for growth; AND

WHEREAS, the Strategic Development Plan Steering Committee will hold regular meetings and keep the public informed and engaged throughout the Plan's process; AND

WHEREAS, the Agriculture, Planning and Environmental Committee and Chair of the Legislature be provided with regular updates on the Plan; NOW THEREFORE BE IT

RESOLVED, the Cortland County Legislature be and hereby establishes the Strategic Development Plan Steering Committee effective immediately, with said committee dissolving on December 31, 2027 or unless discharged by a subsequent resolution; AND BE IT FURTHER

RESOLVED, that the Strategic Development Plan Steering Committee is tasked with assisting MRB Group, D.P.C. with the creation of the Strategic Development Plan for Cortland County and providing said plan to the legislature for final approval; AND BE IT FURTHER

RESOLVED, that the following individuals be and hereby are appointed to the Strategic Development Plan Steering Committee effective immediately, for a term ending December 31, 2025:

Name	Title
Melanie Vilardi	Deputy County Administrator, Cortland County
Trisha Hiemstra	Planning Director, Cortland County
Beau Harbin	County Legislator, Cortland County (Chair of Agriculture, Planning & Environmental Committee)
Brendan O'Bryan	Executive Director, Cortland County Business Development Corporation and Industrial Development Agency
Michelle Enright	Executive Director, Cortland County Convention & Visitor's Bureau
Bob Haight	President/CEO, Cortland Area Chamber of Commerce
Amy Buggs	Workforce Development Director, Cortland County

AGENDA ITEM NO. 10 – Appoint Members to the Cortland County Industrial Development Agency Board of Directors

Mr. Harbin MADE A MOTION TO AMEND the resolution to remove "at the end of the two years" from the end of the first RESOLVED clause; Mr. Heider SECONDED THE MOTION; and, upon unanimous voice vote of members present, MOTION CARRIED.

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Kevin Fitch, Chair of the Legislature
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Price, Van Dee, VanGorder, Waldbauer, Wilson, Fitch

ON MOTION OF FITCH

RESOLUTION NO. 20-24

Appoint Members to the Cortland County Industrial Development Agency Board of Directors

WHEREAS, pursuant to General Municipal Law 856, the Cortland County Legislature, on recommendation of the Chair of the Cortland County Legislature, is required to appoint the members of the Industrial Development Agency Board of Directors; NOW THEREFORE BE IT

RESOLVED, that the following individuals are appointed to the Industrial Development Agency Board of Directors effective immediately for a two-year term to expire 12/31/25 or until such time that the Cortland County Legislature make new appointments by Resolution:

Stephen Compagni, 1657 Lighthouse Hill Road Homer, New York 13077
Donald Richards, 692 Hatchers Run Cortland New York, 13045
Michael McMahon, 5005 Creal Road Homer New York 13077
Deborah Hayden, 6271 State Route 281 Preble New York 13141
Johanna Ames, 972 Beechwood Lane Cortland New York 13045
Clint Brooks, 6438 East Homer Baltimore Road Homer New York 13077
Dr. Kathleen Burke, 16 Lansing Avenue Cortland New York 13045

; AND BE IT FURTHER

RESOLVED, that Michael McMahon shall serve as Chair of said Board.

AGENDA ITEM NO. 11 – Appoint Members - Soil and Water Conservation District Board of Directors

Ms. Bischoff MADE A MOTION to suspend the Rules of Order to entertain a resolution to appoint members to the Soil and Water Conservation District Board of Directors; Mr. Harbin SECONDED THE MOTION; and, upon unanimous voice vote of members present, MOTION CARRIED.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kevin Fitch, Chair of the Legislature
SECONDER:	Sandra Price, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Price, Van Dee, VanGorder, Waldbauer, Wilson, Fitch

ON MOTION OF FITCH

RESOLUTION NO. 21-24

Appoint Members - Soil and Water Conservation District Board of Directors

WHEREAS, according to the Soil and Water Conservation District Law as passed by the legislature of the State of New York, "When a county has been declared a soil and water conservation district, a board of directors consisting of five members shall be appointed by the county board. This board of directors shall consist of two members of the county board and three persons not members of the

county board... two of whom shall be practical farmers. One of these farmers shall be appointed from a list submitted by the county grange, one of these farmers shall be appointed from a list submitted by the county farm bureau.", AND

WHEREAS, the terms of members is one year for Legislative Representatives and three years for other members of the Board, NOW THEREFORE BE IT

RESOLVED, that the following be and hereby are appointed to serve as members of the Soil and Water Conservation District Board of Directors:

Name	Address	Capacity	Term Expiration
Linda Jones	2087 E. River Road Homer, NY 13077	Legislative Representative	12/31/2024
William McGovern	28 West Main Street Marathon, NY 13803	Legislative Representative	12/31/2024
John Phelps	5878 Dillon Road Homer, NY 13077	Grange Representative	12/31/2026

Referred from Building & Grounds Committee

Referred from Highway Committee

AGENDA ITEM NO. 12 – Abolish One Position of Fiscal Manager/Create One Position of Executive Administrative Officer - Highway Department

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

ON MOTION OF NEWELL

RESOLUTION NO. 22-24

Abolish One Position of Fiscal Manager/Create One Position of Executive Administrative Officer - Highway Department

WHEREAS, the needs of the Highway Department will be better served by abolishing one (1) Fiscal Manager position and creating one (1) Executive Administrative Officer position; AND

WHEREAS, the Highway Committee recommends the abolition and creation of these positions; NOW THEREFORE BE IT

RESOLVED, that one (1) position of Fiscal Manager (Grade 11, Management Compensation Plan, \$53,514-71,227, competitive class, full time with benefits) be and hereby is abolished effective January 25, 2024 at midnight; AND BE IT FURTHER

RESOLVED, that one (1) position of Executive Administrative Officer (Grade 11, Management Compensation Plan, \$53,514-71,227, competitive class, full time with benefits) be created with permission to fill effective January 26, 2024 at 12:01 am.

Referred from Government Operations Committee

AGENDA ITEM NO. 13 – Authorize Creation of the Cortland County Legislature's Rules of Order Citizen's Advisory Committee

Mr. Nauseef MADE A MOTION TO AMEND the resolution to change "five" to "six" and add "Cathy Bischoff" in the third RESOLVED clause; Mr. Harbin SECONDED THE MOTION; and, upon unanimous voice vote of members present, MOTION CARRIED.

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Joseph Nauseef, Legislator
SECONDER:	Beau Harbin, Minority 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. 23-24

Authorize Creation of the Cortland County Legislature's Rules of Order Citizen's Advisory Committee

WHEREAS, Article XIV (1) of the Cortland County Legislature's Rules of order states that it is the intent of this Legislature to determine the rules of its own proceedings pursuant to County Law §153 and Local Law No. 2 for year 1972 establishing the County Legislature with the power to enact local laws or rules governing the conduct of the members at such sessions and the manner of transaction business thereat; AND

WHEREAS, the Cortland County Legislature's Rules of Order were last adopted on October 26, 2023 per Resolution No. 183-23; AND

WHEREAS, Article XII (12)(C) of those rules task the Legislature's Government Operations Committee with all matters concerning operation and revision of these rules; AND

WHEREAS, Article XII (11) of those rules state that special committees shall be created by resolution for a period not to exceed the term of the Legislature adopting the resolution; AND

WHEREAS, there is a need to examine those rules periodically to recognize various procedural and operational changes; AND

WHEREAS, the County will benefit from having a dedicated group specifically focused on reviewing and recommending potential changes to those rules; AND

WHEREAS, the Government Operations Committee recommends the creation of a Citizen's Advisory Committee consisting of legislators and key personnel to review and recommend changes to those rules; NOW THEREFORE BE IT

RESOLVED, the Cortland County Legislature hereby creates a Rules of Order Citizen's Advisory Committee; AND BE IT FURTHER

RESOLVED, that the Committee shall be tasked with reviewing the Cortland County Legislature's Rules of Order and providing recommendations to the Government Operations Committee; AND BE IT FURTHER

RESOLVED, that the Committee shall be comprised of the following six individuals:

Paul Heider, Chair
Sandra Price
Mitchel Eccleston
Victoria Monty
Savannah Hempstead
Cathy Bischoff

; AND BE IT FURTHER

RESOLVED, that the term of the Committee shall be until December 31, 2027, unless discharged by Resolution of the Cortland County Legislature prior to that date.

AGENDA ITEM NO. 14 – Authorize Authority Deputy County Administrator - Personnel Department

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joseph Nauseef, Legislator
SECONDER:	Mitchel Eccleston, Legislator
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. 24-24

Authorize Authority Deputy County Administrator - Personnel Department

WHEREAS, the position of Deputy County Administrator was created in the 2023 budget; AND

WHEREAS, the Cortland County Legislature wishes this position to have a civil service classification of exempt with the authority to act on behalf of and in the absence of the County Administrator; NOW THEREFORE BE IT

RESOLVED, that Cortland County Legislature authorizes the duties of the Deputy County Administrator to include acting on behalf of and in the absence of the County Administrator effective immediately.

Referred from Judiciary & Public Safety Committee

AGENDA ITEM NO. 15 – Abolish One Position of Assistant Public Defender/Create One Position of Associate Assistant Public Defender/Assistant Public Defender - Public Defender's Office

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

ON MOTION OF PRICE

RESOLUTION NO. 25-24

Abolish One Position of Assistant Public Defender/Create One Position of Associate Assistant Public Defender/Assistant Public Defender - Public Defender's Office

WHEREAS, the needs of the agency will be better served by abolishing one (1) position of Assistant Public Defender and creating one (1) position of Associate Assistant Public Defender/Assistant Public Defender; AND

WHEREAS, the Judiciary and Public Safety Committee recommends the abolition and creation of these positions; NOW THEREFORE BE IT

RESOLVED, that one (1) position of Assistant Public Defender (Management Compensation Plan, Attorney Grade 2, \$85,000-111,041, non-competitive class, full-time with benefits) be and hereby is abolished effective January 25, 2024 at midnight; AND BE IT FURTHER

RESOLVED, that one (1) position of Associate Assistant Public Defender/Assistant Public Defender (Management Compensation Plan, Attorney Grade 3, \$85,000-\$111,041, non-competitive class, full time, with benefits or Management Compensation Plan, Attorney Grade 2, \$72,000-94,058, pending jurisdictional classification, fulltime with benefits) be created with approval to fill on January 26, 2024 at 12:01 a.m.

AGENDA ITEM NO. 16 – Authorize Annual Salary Increases for Special Patrol Officers

Mr. Harbin MADE A MOTION TO AMEND the resolution to add the following language:

WHEREAS, the four (4) part-time Special Patrol Officers (School Resource Officers) are paid for by the school districts which they serve; AND

Mr. Heider SECONDED THE MOTION; and, upon unanimous voice vote of members present, MOTION CARRIED.

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Sandra Price, Legislator
SECONDER:	Mitchel Eccleston, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Price, Van Dee, VanGorder, Waldbauer, Wilson, Fitch

ON MOTION OF PRICE

RESOLUTION NO. 26-24

Authorize Annual Salary Increases for Special Patrol Officers

WHEREAS, Resolution No. 95-23 created two (2) part-time Special Patrol Officers (Security) and four (4) part-time Special Patrol Officers (School Resource Officer); AND

WHEREAS, the four (4) part-time Special Patrol Officers (School Resource Officers) are paid for by the school districts which they serve; AND

WHEREAS, Resolution No. 95-23 did not authorize annual salary increases for the above positions; AND

WHEREAS, the Judiciary and Public Safety Committee recommends that these positions receive annual increases as given to the County Police Association of Cortland; NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby approves that the above positions shall receive an annual adjustment equal to the increase given to the County Police Association of Cortland effective January 1, 2024.

AGENDA ITEM NO. 17 – Authorize Annual Stipend for Additional Duties STOP DWI Coordinator and Administrative Assistant - Sheriff's Department

A roll call vote was taken as follows:

	Votes	AYE	NAY	Total
Bentley (LD1)	2744	1		2744
Bischoff (LD3)	2743	1		2743
Cleland (LD10)	2995	1		2995
Eccleston (LD17)	3379	1		3379
Harbin (LD2)	2747	1		2747
Heider (16)	3192	1		3192
Jones (LD9)	2989		1	0
Mantella (LD6)	2740	1		2740
McGovern (LD 15)	2734	1		2734
Nauseef (LD12)	2819	1		2819
Newell (LD11)	2837	1		2837
Price (LD14)	3344	1		3344
VanDee (LD4)	2743	1		2743
VanGorder (LD7)	2743	1		2743
Waldbauer (LD13)	2853	1		2853
Wilson (LD5)	2744	1		2744
Chairman Fitch (LD8)	2990	1		2990
Total	49336	16	1	46347
		Majority	24669	
		2/3rd	32892	

RESULT:	ADOPTED [16 TO 1]
MOVER:	Sandra Price, Legislator
SECONDER:	Cathy Bischoff, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Mantella, McGovern, Nauseef, Newell, Price, Van Dee, VanGorder, Waldbauer, Wilson, Fitch
NAYS:	Linda Jones

ON MOTION OF PRICE

RESOLUTION NO. 27-24

Authorize Annual Stipend for Additional Duties STOP DWI Coordinator and Administrative Assistant - Sheriff's Department

WHEREAS, the position of STOP DWI Coordinator is held by the Cortland County Sheriff;
AND

WHEREAS, the position of Administrative Assistant to the STOP DWI Coordinator is held by the Sheriff's Secretary; AND

WHEREAS, the Sheriff has been performing the duties of the county's STOP DWI Coordinator without additional compensation; AND

WHEREAS, the Sheriff's Secretary has been performing the duties of the Administrative Assistant to the STOP DWI Coordinator without additional compensation; AND

WHEREAS, the STOP DWI 2024 Plan submitted to the state and the Cortland County 2024 Budget both include compensating the STOP DWI Coordinator and the STOP DWI Administrative

Assistant for performing these duties with a \$2,500 yearly stipend to the STOP DWI Coordinator (Sheriff) and \$2,500 yearly stipend to the STOP DWI Administrative Assistant (Sheriff's Secretary), which would not be added to their base salary, for as long as the Sheriff and the Sheriff's Secretary continue to perform STOP DWI Coordinator and Administrative Assistant duties, said stipends budgeted in A33155.51035, Other Compensation; NOW THEREFORE BE IT

RESOLVED, that the Sheriff will receive a \$2,500 stipend for performing the duties of STOP DWI Coordinator effective January 1, 2024; AND BE IT FURTHER

RESOLVED, that the Sheriff's Secretary will receive a \$2,500 stipend for performing the duties of Administrative Assistant to the STOP DWI Coordinator effective January 1, 2024.

Referred from Agriculture/Planning/Environment Committee

Referred from Health & Human Services Committee

AGENDA ITEM NO. 18 – Appoint Members - Older Americans Act Advisory Council

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ronald J. Van Dee, Legislator
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Price, Van Dee, VanGorder, Waldbauer, Wilson, Fitch

ON MOTION OF VAN DEE

RESOLUTION NO. 28-24

Appoint Members - Older Americans Act Advisory Council

WHEREAS, the By-Laws of the Older Americans Act Advisory Council of the Cortland County Area Agency on Aging state membership shall be 15-25 voting members with at least fifty percent of the membership to be at least sixty years of age that represent target group seniors according to the Older Americans Act of 1965, as amended, and shall also include representatives of health care provider organizations, including veterans and supportive services provider organizations, be broadly representative of all aspects of the county, and include local elected official and the general public; AND

WHEREAS, Article 4, Section 4, states the term shall be for three years, or appointed to complete a term of a person who has resigned, the new person's length of term is defined as the period of the original member's term, with a maximum of two consecutive terms; NOW THEREFORE BE IT

RESOLVED that the following appointments be appointed/reaffirmed:

Name	Capacity	Term Number	Term Expiration
Jan Dempsey	Community Member	2 nd Term	12/31/2026
Mary Ellen Bloodgood	Community Member	2 nd Term	12/31/2026
Jane Hall	Community Member	1 st Term	12/31/2026
Karen Knauerhase	Community Member	1 st Term	12/30/2026
Chris Newell	Cortland County Legislator	n/a	12/31/2027

AGENDA ITEM NO. 19 – Amend Resolution No. 229-22 - Lease Agreement with 91-101 Main Street LLC - Workforce Development

Mr. Harbin MADE A MOTION TO AMEND the resolution to add the following language:

RESOLVED, that the lease amount for the period December 1, 2022 to November 30, 2023 was \$122,844 payable in monthly installments of \$10,237; AND BE IT FURTHER

RESOLVED, that the lease amount for the period December 1, 2023 to November 30, 2024 shall be \$126,529.32 payable in monthly installments of \$10,544.11; AND BE IT FURTHER

Ms. Price SECONDED THE MOTION; and, upon unanimous voice vote of members present, MOTION CARRIED.

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Ronald J. Van Dee, Legislator
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Price, Van Dee, VanGorder, Waldbauer, Wilson, Fitch

ON MOTION OF VAN DEE

RESOLUTION NO. 29-24

Amend Resolution No. 229-22 - Lease Agreement with 91-101 Main Street LLC - Workforce Development

WHEREAS, the Cortland County Legislature adopted Resolution No. 229-22 authorizing a lease agreement with 91-101 Main Street, LLC from December 1, 2022 to November 30, 2024; AND

WHEREAS, Resolution No. 229-22 included the authorization of a 1.5% annual increase in rent; AND

WHEREAS, the annual increase in rent was negotiated to 3% and not reflected in the resolution; NOW THEREFORE BE IT

RESOLVED, that the lease amount for the period December 1, 2022 to November 30, 2023 was \$122,844 payable in monthly installments of \$10,237; AND BE IT FURTHER

RESOLVED, that the lease amount for the period December 1, 2023 to November 30, 2024 shall be \$126,529.32 payable in monthly installments of \$10,544.11; AND BE IT FURTHER

RESOLVED, that Resolution No. 229 be and hereby is amended to allow for an annual increase of 3% percent over the preceding year's rent in the lease agreement with 91-101 Main Street, LLC from December 1, 2022 to November 30, 2024.

AGENDA ITEM NO. 20 – Appoint Members of Community Services Board and Chemical Dependence Subcommittee - Mental Health

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ronald J. Van Dee, Legislator
SECONDER:	Mitchel Eccleston, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Price, Van Dee, VanGorder, Waldbauer, Wilson, Fitch

ON MOTION OF VAN DEE

RESOLUTION NO. 30-24

Appoint Members of Community Services Board and Chemical Dependence Subcommittee - Mental Health

WHEREAS, the By-Laws of the Cortland County Community Services Board (CSB), Article 3, Section 1 states that the membership of the organization shall consist of fifteen (15) members, AND Article 7, Section 1 states that membership of the Mental Health (MH), Developmental Disability (DD) and Chemical Dependence (CD) Subcommittees shall consist of nine (9) members appointed by the Cortland County Legislature; AND

WHEREAS, there is a need to fill a Legislative representative position on the Community Services Board and an ex-officio position liaison on the Chemical Dependence Subcommittee; NOW THEREFORE BE IT

RESOLVED that the following appointments be made:

NAME/ADDRESS

TERM EXP

Appoint to Community Services Board:

Douglas Bentley
128 Groton Avenue
Cortland NY 13045

12/31/2027

Appoint Liaison to Chemical Dependence Subcommittee:

Douglas Bentley
128 Groton Avenue
Cortland NY 13045

12/31/2027

AGENDA ITEM NO. 21 – Appoint Members - Community Services Board and Subcommittees - Mental Health Department

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ronald J. Van Dee, Legislator
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Price, Van Dee, VanGorder, Waldbauer, Wilson, Fitch

ON MOTION OF VAN DEE

RESOLUTION NO. 31-24

Appoint Members - Community Services Board and Subcommittees - Mental Health Department

WHEREAS, the Bylaws of the Cortland County Community Services Board (CSB), Article 3, Section 1 states that membership of the organization shall consist of (15) fifteen members appointed by the Cortland County Legislature, and Article 7, Section 1 states that the membership of the Mental Health (MH), Developmental Disability (DD) and Chemical Dependence (CD) Subcommittees shall consist of nine (9) members appointed by the Cortland County Legislature; AND

WHEREAS, the term of each member of the Board and Subcommittees shall be four years except when completing the term created by a member resignation or death; AND

WHEREAS, members may serve for a maximum of two consecutive terms unless no recruitment is available; NOW THEREFORE BE IT

RESOLVED, that the following members be and hereby reappoint to the Cortland County Community Services Board and three Subcommittees for second terms beginning February 2024 and

ending December 31, 2027.

REAPPOINT SECOND TERM (TERM EXPIRATION 12/31/2027):

Community Services Board (CSB)

Julie Partigianoni	5365 Fairlane Rd, Homer NY 13077 - Certified Peer Professional
Timothy Lockwood	721 Lime Hollow Rd., Cortland NY 13045 - Agency Executive

Chemical Dependence Subcommittee (CD)

Timothy Lockwood	721 Lime Hollow Rd., Cortland, NY 13045 - Agency Executive
Jackie Leaf	189 Green Lake Rd., Little York Lake, NY 13087 - Coalition Director
Nicholas Lynch	54 Greenbush St., Cortland NY 13045 - Law Enforcement

Development Disability Subcommittee (DD):

Renee Hettich	25 Floral Ave., Cortland NY 13045 - Parent, Advocate
Gwendolyn Barbato	10 Circle Dr., Cortland NY 13045 - School System, Special Ed

Mental Health Subcommittee (MH)

Julie Partigianoni	5365 Fairlane Rd., Homer NY - Certified Peer Professional
Crystol Benedict	31 Burgett Dr., Homer, NY 13077 - Parent/Family
Amanda Hudson	3914 Highland Rd., Cortland, NY 13045 - School SEC

Mental Health Subcommittee (MH)

Jeanette Dippo	2444 Ridge Rd., McGraw, NY 13101 - Parent/Family
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AGENDA ITEM NO. 22 – Appointment of Youth Board Members - Health Department

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ronald J. Van Dee, Legislator
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Price, Van Dee, VanGorder, Waldbauer, Wilson, Fitch

ON MOTION OF VAN DEE

RESOLUTION NO. 32-24

Appointment of Youth Board Members - Health Department

WHEREAS, the members of the Cortland County Youth Board are appointed by the Cortland County Legislature; AND

WHEREAS, the term of the legislative representatives expired on December 31, 2023; NOW THEREFORE BE IT

RESOLVED, that the following be and hereby are appointed as members of the Cortland County Youth Board, to serve without compensation for a term beginning immediately and ending December 31, 2025:

NAME/REPRESENTING	ADDRESS
Doug Bentley, County Legislator	128 Groton Ave. Cortland, NY 13045
Reed Cleland, County Legislator	18 Nixon Ave. Homer, NY 13077

AGENDA ITEM NO. 23 – Appoint Member - Cortland County Board of Health

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ronald J. Van Dee, Legislator
SECONDER:	Reed Cleland, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Price, Van Dee, VanGorder, Waldbauer, Wilson, Fitch

ON MOTION OF VAN DEE

RESOLUTION NO. 33-24

Appoint Member - Cortland County Board of Health

WHEREAS, there is a vacancy on the Cortland County Board of Health to be filled with the current Chair of the Health and Human Services Committee, or their designee; NOW THEREFORE BE IT

RESOLVED, that Ronald VanDee of 7 Taylor Street, Cortland, New York 13045, be and hereby is appointed to the Cortland County Board of Health for a term to expire December 31, 2025.

Referred from Finance & Administration Committee

AGENDA ITEM NO. 24 – Local Law 3 of 2024 - a Local Law to Repeal Local Law 10 of 2023, a Local Law Overriding Tax Levy Limit for Fiscal Year 2024

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Cathy Bischoff, Legislator
SECONDER:	Ronald J. Van Dee, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Price, Van Dee, VanGorder, Waldbauer, Wilson, Fitch

ON MOTION OF BISCHOFF

RESOLUTION NO. 34-24

Local Law 3 of 2024 - a Local Law to Repeal Local Law 10 of 2023, a Local Law Overriding Tax Levy Limit for Fiscal Year 2024

WHEREAS, the New York State Legislature enacted General Municipal Law §3-c, which establishes a limit upon real property tax levies by local governments; AND

WHEREAS, pursuant to General Municipal Law §3-c (5), a local government may adopt a budget in excess of the tax levy limit only if the governing body of such local government first enacts a local law to override the tax levy limit for the coming fiscal year only; AND

WHEREAS, the Cortland County legislature adopted the 2024 property tax cap override with Resolution No. 189-23 (Local Law No. 10 of 2023) on October 26, 2023; AND

WHEREAS, New York State law requires the repealing of said override if the County is under the property tax cap to assure that county residents receive a Property Tax Cap refund check; AND

WHEREAS, the proposed Local Law has sat on Legislator's desks for seven days, and a public hearing was held on January 25, 2024; NOW THEREFORE

BE IT ENACTED, by the Cortland County Legislature, Local Law 3 of 2024 - a Local Law to Repeal Local Law 10 of 2023, a Local Law Overriding Tax Levy Limit for Fiscal Year 2024, effective upon filing with the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

AGENDA ITEM NO. 25 – Resolution Urging the New York State Governor and Legislature to Include the Empire State Community College Workforce Guarantee in the FY 2025 New York State Budget

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 35-24

Resolution Urging the New York State Governor and Legislature to Include the Empire State Community College Workforce Guarantee in the FY 2025 New York State Budget

WHEREAS, Tompkins Cortland Community College serves the educational and workforce needs for residents and businesses in Cortland County through high quality, affordable academic and workforce development programs; AND

WHEREAS, the College offers associate degrees, microcredential certifications, early college programs, and non-credit workforce development coursework, serving more than 5,000 students annually; AND

WHEREAS, the State of New York and Cortland County have a need for individuals with the skills and credentials necessary for careers in high-demand sectors including healthcare, advanced manufacturing, IT/cybersecurity, skilled trades and green jobs; AND

WHEREAS, the Empire State Community College Workforce Guarantee is focused on boosting workforce and economic development statewide, delivering a skilled workforce and 20,000 career-ready students annually; AND

WHEREAS, workforce programs in high-demand sectors are also high-cost, and additional funding is necessary for community colleges to hire and retain experienced, specialized faculty to teach; acquire modernized equipment and resources to expand enrollment and programs; and provide crucial wrap-around services, coaching, and career services necessary for student success; AND

WHEREAS, New York's community colleges are requesting \$97 million in additional base state operating support to expand workforce development programs in high-demand, high-cost industries that lead to thriving wage jobs in Cortland County and improved economic sustainability for local families; NOW THEREFORE BE IT

RESOLVED, on the recommendation of the Finance and Administration Committee, that the Cortland County Legislature expresses its full support and urges Governor Hochul and the members of

the New York State Legislature to include the Empire State Community College Workforce Guarantee and the requested \$97 million in additional base state operating support for New York's community colleges in the FY 2025 New York State Budget to increase the capacity necessary to meet New York State and Cortland County's formidable workforce needs both now and in the future; AND BE IT FURTHER

RESOLVED, that certified copies of this resolution be sent to the New York State Governor Kathy Hochul, Senate Majority Leader Stewart-Cousins, Assembly Speaker Heastie, State Senator Lea Webb, Assemblymember Dr. Anna Kelles and Assemblymember Jeff Gallahan.

AGENDA ITEM NO. 26 – Appoint Member - Cortland County Convention and Visitors Bureau Board of Directors

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 36-24

Appoint Member - Cortland County Convention and Visitors Bureau Board of Directors

WHEREAS, the Cortland County Convention and Visitors Bureau Board of Directors includes a seat designated for a County Legislator or designee; NOW THEREFORE BE IT

RESOLVED, that Savannah Hempstead, of 9 South Williams Street, Homer, New York 13077, be and hereby is appointed to said Board for a term expiring December 31, 2025.

AGENDA ITEM NO. 27 – Appointing Members - County Sales Tax Sharing Review Committee

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 37-24

Appointing Members - County Sales Tax Sharing Review Committee

WHEREAS, the current Cortland County Sales Tax Agreement between the County of Cortland and the City of Cortland was adopted June 21, 2018 by Resolution No. 221-18; AND

WHEREAS, the City of Cortland sent a letter on December 28, 2022 notifying the County of the City's intent to enter into negotiations with Cortland County relative to the current sales tax allocations; AND

WHEREAS, the Legislature will benefit from having a committee review the current sales tax sharing agreement in order to negotiate changes to the sales tax sharing agreement with the City; NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby establishes a County Sales Tax

Sharing Review Committee; AND BE IT FURTHER RESOLVED

RESOLVED, that, upon recommendation of the Chair of the Legislature and the Finance and Administration Committee, Legislators Kevin Fitch, Paul Heider, Cathy Bischoff, Ronald VanDee and Linda Jones be and hereby are appointed to serve on this committee; AND BE IT FURTHER

RESOLVED, that Legislator Heider is hereby appointed as Chair of the Committee; AND BE IT FURTHER

RESOLVED, the term of committee will expire upon completion of a new Sales Tax Sharing Agreement or December 31, 2027, whichever comes sooner.

AGENDA ITEM NO. 28 – Award Bid - County-Wide Cost Allocation Plan

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 38-24

Award Bid - County-Wide Cost Allocation Plan

WHEREAS, a Request for Proposals (RFP) was issued on September 26, 2023 for Annual Consolidated County-wide Cost Allocation Plans for FYE 2023, 2024 and 2025 and such bids were due and received by October 26, 2023; AND

WHEREAS, bids were received from the following:

Maximus US Services, Inc. 808 Moorefield Park Dr., Suite 205 Richmond, VA 23236	\$9,500
Venesky & Company 6114 State Route 31 Cicero, NY 13039	\$14,000

; AND

WHEREAS, the bids were evaluated to determine whether they met the specifications of the RFP and compared to identify the company that represents the lowest responsible bidder; NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature awards the contract to Venesky & Company as the bid was determined to be in the best interest of the County based on the evaluation performed; AND BE IT FURTHER

RESOLVED, that the County Administrator, upon approval of the County Attorney or designee, be and hereby is authorized to enter into an agreement with Venesky & Company, 6114 State Route 31, Cicero, NY 13039, effective January 1, 2024 for a one year term in the amount of \$14,000 with an option to extend for an additional two one-year terms at the same rate of compensation.

AGENDA ITEM NO. 29 – Delegate Authority to the Director of Finance to Approve Payment of Real Property Tax Errors and Omissions

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 39-24

Delegate Authority to the Director of Finance to Approve Payment of Real Property Tax Errors and Omissions

WHEREAS, Section 554 of the New York State Real Property Tax Law provides a mechanism for the correction of errors on Real Property Tax Rolls by the County Legislature based upon the recommendation of the Cortland County Director of Real Property Tax Services pursuant to an application by an entitled person in cases involving clerical errors, unlawful entries or certain errors in essential fact; AND

WHEREAS, Section 554 of the New York State Real Property Tax Law authorizes the County Legislature to delegate to the Director of Finance the authority to approve such corrections in cases where the correction sought does not exceed twenty-five hundred dollars (\$2,500); AND

WHEREAS, Section 556 of the New York State Real Property Tax Law provides a mechanism for the refunding of certain real property taxes by the County Legislature based upon the recommendation of the Cortland County Director of Real Property Tax Services pursuant to an application by a taxpayer in cases involving clerical errors, unlawful entries upon the assessment rolls and certain errors in essential fact; AND

WHEREAS, said Section 556 of the New York State Real Property Tax Law was amended to authorize the County Legislature to delegate to the Director of Finance the authority to approve such refunds in cases where the refund sought does not exceed twenty-five hundred dollars (\$2,500); AND

WHEREAS, both sections also provide that the Director of Finance will report to the County Legislature, on a monthly basis, those refund applications which have been approved during the previous month and further provides that all applications which have been denied by the Director of Real Property Tax Services, in whole or in part, shall be forwarded to the County Legislature for disposition; NOW THEREFORE BE IT

RESOLVED, that pursuant to Sections 554 and 556 of the New York State Real Property Tax Law, the County Legislature does hereby delegate to the Director of Finance the authority to approve corrections to the Real Property Tax Rolls and approve certain refunds of real property taxes as outlined in said Sections 554 and 556 of the New York State Real Property Tax Law, in cases where the refund sought does not exceed the amount of twenty-five hundred dollars (\$2,500); AND BE IT FURTHER

RESOLVED, that pursuant to section 554 and 556 of the New York State Real Property Tax Law that the Director of Finance shall provide a report on or before the 15th day of each month indicating the name of each recipient, location of the property and the amount of the correction and the amount of the refund or credit; AND BE IT FURTHER

RESOLVED, that this delegation of authority shall remain in effect through December 31, 2024.

Announcements

Adjournment

The meeting was closed at 6:39 PM



Cortland County Legislature

Legislative Session

Legislative Chambers

Cortland, NY 13045

<http://www.cortland-co.org>

~ Minutes ~

Thursday, December 21, 2023

6:00 PM

Board Room

Public Hearings

1. Cortland County's Community Development Block Grant (CDBG) Project 286CVHR47-22, Creamery Hills S.E.P.P. Housing Project

RESULT:	CLOSED [UNANIMOUS]
MOVER:	Joseph Nauseef, Legislator
SECONDER:	Kelly L. Fairchild-Preston, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

Salute to the Flag

Call to Order

The meeting was called to order at 6:05 PM by Chair of the Legislature Kevin Fitch

Roll Call

Attendee Name	Organization	Title	Status	Arrived
Douglas Bentley	Cortland County, NY	Legislator	Present	
Beau Harbin	Cortland County, NY	Minority Leader	Present	
Cathy Bischoff	Cortland County, NY	Legislator	Present	
Ronald J. Van Dee	Cortland County, NY	Legislator	Present	
Susan Wilson	Cortland County, NY	Legislator	Present	
Richard Stock	Cortland County, NY	Legislator	Excused	
Ann Homer	Cortland County, NY	Legislator	Excused	
Kevin Fitch	Cortland County, NY	Chair of the Legislature	Present	
Linda Jones	Cortland County, NY	Legislator	Present	
Kelly L. Fairchild-Preston	Cortland County, NY	Legislator	Present	
Christopher Newell	Cortland County, NY	Legislator	Present	
Joseph Nauseef	Cortland County, NY	Legislator	Present	
Eugene Waldbauer	Cortland County, NY	Legislator	Present	
Sandra Price	Cortland County, NY	Legislator	Present	
George Wagner	Cortland County, NY	Majority Leader	Present	
Paul Heider	Cortland County, NY	Legislator	Present	
Mitchel Eccleston	Cortland County, NY	Legislator	Present	

Minutes Acceptance: Minutes of Dec 21, 2023 6:00 PM (Approval of Minutes)

Approval of Minutes

1. Cortland County Legislature - Legislative Session - Nov 16, 2023 6:00 PM

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Sandra Price, Legislator
SECONDER:	Kelly L. Fairchild-Preston, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

2. Cortland County Legislature - Special Meeting - Nov 29, 2023 2:00 PM

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Sandra Price, Legislator
SECONDER:	Kelly L. Fairchild-Preston, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

Privilege of the Floor

Proclamations & Recognitions

1. Proclamations - December 2023

RESULT:	COMPLETED
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Presentation of Petitions, Communications, and Notice

Receive and File

1. Surplus-Deficit Report

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Sandra Price, Legislator
SECONDER:	Kelly L. Fairchild-Preston, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

Reports of Standing, Special and Ad Hoc Committees

Articles Postponed to Day Certain

Unfinished Business

New Business

Resolutions

Resolutions from the Chair

AGENDA ITEM NO. 1 – Appoint Member of the New York State Open Space Regional Advisory Committee - NYSDEC

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kevin Fitch, Chair of the Legislature
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF FITCH**RESOLUTION NO. 202-23****Appoint Member of the New York State Open Space Regional Advisory Committee - NYSDEC**

WHEREAS, there is a vacancy on the Open Space Committee of the New York State Department of Environmental Conservation, Region 7 due to a resignation, NOW THEREFORE BE IT

RESOLVED, that Trisha Hiemstra be and hereby is appointed as the Cortland County representative to the Open Space Committee of the New York State Department of Environmental Conservation Region 7, for a term expiring December 31, 2025.

Referred from Building & Grounds Committee

AGENDA ITEM NO. 2 – Authorize Memorandum of Agreement (MOA) with SUNY Cortland - Fiber Overlash - Information Technology

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul Heider, Legislator
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF HEIDER**RESOLUTION NO. 203-23****Authorize Memorandum of Agreement (MOA) with SUNY Cortland - Fiber Overlash - Information Technology**

WHEREAS, Cortland County has an agreement in place with National Grid utility company for space on their poles for fiber attachment, AND

WHEREAS, SUNY Cortland wishes to run fiber to a location that would require using those same poles as detailed in the attached Memorandum of Agreement, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Administrator be and hereby is authorized, upon approval of the County Attorney or designee as to form, to execute a Memorandum of Agreement with SUNY Cortland for said purposes.

AGENDA ITEM NO. 3 – Award Bid/Authorize Contract - Inspection and Maintenance of Cortland County Generators - Buildings and Grounds

RESULT: ADOPTED [UNANIMOUS]
MOVER: Paul Heider, Legislator
SECONDER: Beau Harbin, Minority Leader
AYES: Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED: Richard Stock, Ann Homer

ON MOTION OF HEIDER**RESOLUTION NO. 204-23**

Award Bid/Authorize Contract - Inspection and Maintenance of Cortland County Generators - Buildings and Grounds

WHEREAS, a Request for Proposals (RFP) was issued October 16, 2023 for Inspection and Maintenance of Cortland County generators and where such bids were due and received by Thursday, November 16, 2023, AND

WHEREAS, based upon the results of the bid, the Building and Grounds and Judiciary and Public Safety Committees recommend that the bid be awarded to the lowest responsible bidder, AND

WHEREAS, bids were received from the following:

The Kinsley Group, 14 Connecticut South Drive, East Granby, CT 06026 Emergency Power Systems, 300 Mile Crossing Boulevard, Rochester, NY 14624

Year 1	Year 2	Year 3	Year 4	Year 5
\$11,799	\$12,060	\$12,334	\$12,616	\$12,894

Penn Power Group LLC, dba Penn Power Systems, 8330 State Road, Philadelphia, PA 19136

Year 1	Year 2	Year 3	Year 4	Year 5
\$11,130	\$11,350	\$11,690	\$11,920	\$12,275

, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature be and hereby awards the Inspection and Maintenance of Cortland County Generators to Penn Power Group, LLC, dba Penn Power Systems, of 8330 State Road, Philadelphia, PA 19136 at the bid prices as listed per the RFP submission, AND BE IT FURTHER

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee, is hereby authorized to enter into an agreement with Penn Power Group, LLC, dba Penn Power Systems, of 8330 State Road, Philadelphia, PA 19136 for the Inspection and Maintenance of Cortland County Generators.

Referred from Highway Committee

AGENDA ITEM NO. 4 – Authorize Agreements for Abatement, Tear Down and Removals at 55-57 Miller Street - Highway Department

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Christopher Newell, Legislator
SECONDER:	Joseph Nauseef, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF NEWELL**RESOLUTION NO. 205-23****Authorize Agreements for Abatement, Tear Down and Removals at 55-57 Miller Street - Highway Department**

WHEREAS, there is a need for abatement, tear-down and removal of structures at the County-owned property of 55-57 Miller Street, Cortland, NY, AND

WHEREAS, it is the recommendation of the Highway Committee to authorize the County Administrator to enter into agreements for the abatement, tear-down and removal of structures at the County-owned property of 55-57 Miller Street, Cortland, NY at a cost not to exceed \$35,000 from account no. D51105.54077.7306, NOW THEREFORE BE IT

RESOLVED, that the County Administrator be and hereby is authorized to enter into agreements, upon review and approval of the County Attorney or designee, for the abatement, tear-down and removal of structures at the County-owned property of 55-57 Miller Street, Cortland, NY at a total cost not to exceed \$35,000 to be paid from account no. D51105.54077.7306.

AGENDA ITEM NO. 5 – MH-2 Hangar Lease Agreement - Cortland County Airport/Highway Department

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Christopher Newell, Legislator
SECONDER:	Linda Jones, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF NEWELL**RESOLUTION NO. 206-23****MH-2 Hangar Lease Agreement - Cortland County Airport/Highway Department**

WHEREAS, Cortland County (Lessor) currently owns, maintains and leases various hangar buildings and spaces at Cortland County Airport on a monthly basis, AND

WHEREAS, in accordance with Local Law No. 5 of 2012, the County has negotiated with DM3 of Cortland, LLC (Lessee), P.O. Box 328, Cortland, NY 13045, for the lease of a portion of Hangar Building MH-2 at Cortland County Airport, AND

WHEREAS, the Cortland County Legislature's Highway Committee recommends the lease of approximately 6,500 square feet of Hangar MH-2 with the Lessee, containing the following terms and conditions:

Rental Rate Schedule:

- Year 1, commencing January 1, 2024 and ending December 31, 2024: The annual rental fee shall be Sixteen Thousand Eighty Dollars (\$16,080.00) and shall be payable

in twelve (12) equal monthly installments of \$1,340.00 per month on or before the first day of each month commencing January 1, 2024;

- Optional one (1) Year term, commencing January 1, 2025 and ending December 31, 2025: During the lease extension term, the annual rent shall be Sixteen Thousand Three Hundred Twenty Dollars (\$16,320.00) and shall be paid in twelve equal monthly installments of \$1,360.00 per month on or before the first day of each month

Terms and Conditions:

- All other terms and conditions of the previous Lease for Hangar MH-2 as outlined in the contract with the Lessee shall apply.

, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby approves the lease of a portion of Hangar MH- 2 at Cortland County Airport to DM3 of Cortland, LLC (Lessee), P.O. Box 328, Cortland, NY 13045, in accordance with the Rental Rate Schedule, and Terms and Conditions as stated above, AND BE IT FURTHER

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee as to form, is hereby authorized to execute the necessary Hangar Lease Agreement with the Lessee, in accordance with the Rental Rate Schedule, and Terms and Conditions as stated above.

AGENDA ITEM NO. 6 – Bridge NY Consultant Selection - Highway Department

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Christopher Newell, Legislator
SECONDER:	Linda Jones, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF NEWELL

RESOLUTION NO. 207-23

Bridge NY Consultant Selection - Highway Department

WHEREAS, Cortland County established a selection committee to select a consultant from the 2022 LSDA Cortland County short list to assist in Bridge NY project application development, with the option for design and construction inspection if the application is successful, AND

WHEREAS, the selection committee utilized the master proposals from five (5) consultants on the 2022 LSDA Cortland County short list to select a consultant, NOW THEREFORE BE IT

RESOLVED, that it would be in the best interest of Cortland County to utilize Barton and Loguidice Engineers, DPC, 443 Electronics Parkway, Liverpool, NY 13088 to assist in Bridge NY project application development, and with the option for design and construction inspection services, AND BE IT FURTHER

RESOLVED, that the Design and Construction Inspection Phases of successful applications for BRIDGE NY projects shall be awarded to Barton and Loguidice, DPC.

AGENDA ITEM NO. 7 – Increase Lease Rates T-Hangar Spaces - Cortland County Airport - Highway Department

Minutes Acceptance: Minutes of Dec 21, 2023 6:00 PM (Approval of Minutes)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Christopher Newell, Legislator
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF NEWELL**RESOLUTION NO. 208-23****Increase Lease Rates T-Hangar Spaces - Cortland County Airport - Highway Department**

WHEREAS, the County of Cortland owns, maintains and leases individual T-Hangar spaces at Cortland County Airport, AND

WHEREAS, the Highway Committee of the Legislature recommends increasing the monthly lease rates for the existing T-Hangar spaces as follows:

T-Hangars A-1 through D-4 (16 Hangars total) from \$220.00 per month to \$240.00 per month.

T-Hangars E-1 through H-5, I-1 and I-2, and J-1 and J-2 (20 Hangars total) from \$245.00 per month to \$270.00 per month.

Twin T-Hangars I-3, I-4, J-3 and J-4 from \$310.00 per month to \$340.00 per month.

, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby establishes monthly rental rates as listed above at the Cortland County Airport, AND BE IT FURTHER

RESOLVED, that the above listed rental rates at the Cortland County Airport shall take effect beginning January 1, 2024, AND BE IT FURTHER

RESOLVED, that the County Administrator, upon review and approval as to form by the County Attorney or designee, is hereby authorized to execute any agreements associated with said leases, AND BE IT FURTHER

RESOLVED, that the revenue from said leases are to be deposited in account A561042.41770.

AGENDA ITEM NO. 8 – Accept New York State Aviation Capital Grant for Construct Conventional Aircraft Storage Hangar Building with Offices and Expand Vehicle Parking Lot at Cortland County Airport - Highway Department

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Christopher Newell, Legislator
SECONDER:	Linda Jones, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF NEWELL**RESOLUTION NO. 209-23**

Accept New York State Aviation Capital Grant for Construct Conventional Aircraft Storage Hangar Building with Offices and Expand Vehicle Parking Lot at Cortland County Airport - Highway Department

Minutes Acceptance: Minutes of Dec 21, 2023 6:00 PM (Approval of Minutes)

WHEREAS, the County has been offered a New York State Department of Transportation (NYSDOT) Aviation Capital Grant to construct Conventional Aircraft Storage Hangar Building with Offices and Expand Vehicle Parking Lot at the Cortland County Airport, Gen. Levi R. Chase Field (PIN#3903.11, K007533), AND

WHEREAS, the Cortland County Highway Department has completed the New York State Environmental Quality Review (SEQR) process for the project and recommends that the project construct Conventional Aircraft Storage Hangar Building with Offices and Expand Vehicle Parking Lot at the Cortland County Airport will not result in any large and important impacts and, therefore is one which will not have a significant impact on the environment, AND

WHEREAS, the Cortland County Legislature hereby finds that the project to construct Conventional Aircraft Storage Hangar Building with Offices and Expand Vehicle Parking Lot at the Cortland County Airport will not result in any significant impacts on the environment, and therefore makes a Negative Declaration under SEQR, AND

WHEREAS, the State of New York grant to the County of Cortland for the construction of said project with State participation share in the amount of \$2,499,660.00, and local participation share required by said grant in the amount of \$277,740.00 to be included as part of the Airport Capital Budget, said \$277,740.00 to come from the Airport Reserve, for a total project cost of \$2,777,400.00, AND

WHEREAS, the County desires to design said project during the 2024 fiscal year, accept said grant monies for the project and expend said required local participation share, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby authorizes and approves the project to design and construct Conventional Aircraft Storage Hangar Building with Offices and Expand Vehicle Parking Lot at the Cortland County Airport, Gen. Levi R. Chase Field at a cost not to exceed \$2,777,400.00, AND BE IT FURTHER

RESOLVED, that the County agrees to fund the entire project amount, not to exceed \$2,777,400.00, in the first instance, AND BE IT FURTHER

RESOLVED, that the Cortland County Legislature hereby accepts the NYSDOT Aviation Grant in the amount of \$2,499,660.00, AND BE IT FURTHER

RESOLVED, that the Cortland County Legislature hereby authorizes the County Administrator to amend the 2024 Capital Projects Fund budget for this project, up to \$2,777,400.00, AND BE IT FURTHER

RESOLVED, that the County Administrator, upon review and approval as to form by the County Attorney or designee, is hereby authorized to sign the NYS Aviation Capital Grant Agreement to construct Conventional Aircraft Storage Hangar Building with Offices and Expand Vehicle Parking Lot at the Cortland County Airport, Gen. Levi R. Chase Field.

Referred from Health & Human Services Committee

AGENDA ITEM NO. 9 – Appoint Member - Cayuga/Cortland Workforce Development Board - Employment and Training Grant Administration

RESULT: ADOPTED [UNANIMOUS]
MOVER: Sandra Price, Legislator
SECONDER: Beau Harbin, Minority Leader
AYES: Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED: Richard Stock, Ann Homer

ON MOTION OF PRICE**RESOLUTION NO. 210-23**

Appoint Member - Cayuga/Cortland Workforce Development Board - Employment and Training Grant Administration

WHEREAS, pursuant to the Workforce Innovation and Opportunity Act of 2017, the Governor of the State of New York has authorized and directed the Chief Local Elected Officials of Cortland and Cayuga Counties, which have been designated as a workforce area, to appoint/reappoint members to the Workforce Development Board for said area, NOW THEREFORE BE IT

RESOLVED, that the following be and hereby are appointed effective immediately to serve on the Cayuga/Cortland Workforce Development Board for the term and from the sector listed below:

Name	Sector	Term Ending
Sherwin Nepomucena	Business - Seven Valley Specialty Cables	12/31/2026

AGENDA ITEM NO. 10 – Abolish One Position of Legal Assistant/Create One Position of Paralegal - Department of Social Services

RESULT: ADOPTED [UNANIMOUS]
MOVER: Sandra Price, Legislator
SECONDER: Beau Harbin, Minority Leader
AYES: Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED: Richard Stock, Ann Homer

ON MOTION OF PRICE**RESOLUTION NO. 211-23**

Abolish One Position of Legal Assistant/Create One Position of Paralegal - Department of Social Services

WHEREAS, the needs of the Department of Social Services will be better served by abolishing one (1) Legal Assistant and creating one (1) Paralegal, AND

WHEREAS, the Health & Human Services Committee recommends the abolition and creation of these positions, NOW THEREFORE BE IT

RESOLVED, that one (1) position of Legal Assistant (Grade 16, CSEA, \$23.8479 - 30.1854/HR, competitive, full time with benefits) be and hereby is abolished effective December 31, 2023 at midnight, AND BE IT FURTHER

RESOLVED, that one (1) position of Paralegal (Grade 6H, Management Compensation Plan, \$24.4264 - 32.5115/HR, competitive, full time with benefits) be created with permission to fill effective January 1, 2024 at 12:01 am.

AGENDA ITEM NO. 11 – Award Bid/Authorize Agreement for Use of Opioid Reserve Funds - Catholic Charities of Cortland County

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sandra Price, Legislator
SECONDER:	Kelly L. Fairchild-Preston, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF PRICE**RESOLUTION NO. 212-23****Award Bid/Authorize Agreement for Use of Opioid Reserve Funds - Catholic Charities of Cortland County**

WHEREAS, the Cortland County Legislature adopted Resolution No. 171-22 authorizing the creation of an Opioid Settlement Reserve Fund, A386300.OPD, AND

WHEREAS, the Cortland County Legislature adopted Resolution No. 12-23 establishing the Cortland County Opioid Settlement Fund Subcommittee to make recommendations for the use of Opioid Funding to the legislature, AND

WHEREAS, a Request for Proposals (RFP) was issued on September 30, 2023 to solicit proposals for opioid funding from organizations serving Cortland County to address treatment and prevention of opioid and related substance use, AND

WHEREAS, the County received seven (7) proposals from the following:

Alcohol and Drug Council of Tompkins County, Inc.
201 E. Green Street
Ithaca, NY 14850

Catholic Charities of Cortland County
33-35 Central Avenue
Cortland, NY 13045

Cayuga Addiction Recovery Services (C.A.R.S)
334 West State Street
Ithaca, NY 14850

Cortland Area Communities That Care Coalition (CACTC)
45 Crandall Street
Cortland, NY 13045

Cortland Area Recovery Project (C.A.R.P)
26 N. Main Street
Cortland, NY 13045

REACH Medical
1001 W. Seneca Street
Ithaca, NY 14850

Syracuse Recovery Services
6 Euclid Avenue
Building 1, Suite 5
Cortland, NY 13045

, AND

Minutes Acceptance: Minutes of Dec 21, 2023 6:00 PM (Approval of Minutes)

WHEREAS, the Opioid Settlement Fund Subcommittee reviewed the submitted proposals and has recommended funding Catholic Charities of Cortland County, of 33-35 Central Avenue, Cortland, NY 13045, in the amount of \$90,000 from the Opioid Settlement Reserve Fund, A386300.OPD, for the continuation of the re-entry program in Cortland County, AND

WHEREAS, the Health and Human Services Committee and Finance and Administration Committees of the Cortland County Legislature have reviewed the recommendation, NOW THEREFORE BE IT,

RESOLVED, that the Cortland County Legislature be and hereby approves and awards Catholic Charities of Cortland County, of 33-35 Central Avenue, Cortland, NY 13045, in the amount of \$90,000 from the Opioid Settlement Reserve Fund, A386300.OPD, for the continuation of the re-entry program in Cortland County, AND BE IT FURTHER

RESOLVED, that the County Administrator, upon approval of the County Attorney or designee, is hereby authorized to enter into an agreement with Catholic Charities of Cortland County, of 33-35 Central Avenue, Cortland, NY 1304, for said amount and purposes, AND BE IT FURTHER

RESOLVED, the 2024 General Fund Budget be amended as follows:

INCREASE: A13255.54815.OPD Contracted Agencies \$90,000.00

INCREASE: A351100 Appropriated Reserves \$90,000.00

AGENDA ITEM NO. 12 – Award Bid/Authorize Agreement for Use of Opioid Reserve Funds - Cortland Area Recovery Project (C.A.R.P)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sandra Price, Legislator
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF PRICE

RESOLUTION NO. 213-23

Award Bid/Authorize Agreement for Use of Opioid Reserve Funds - Cortland Area Recovery Project (C.A.R.P)

WHEREAS, the Cortland County Legislature adopted Resolution No. 171-22 authorizing the creation of an Opioid Settlement Reserve Fund, A386300.OPD, AND

WHEREAS, the Cortland County Legislature adopted Resolution No. 12-23 establishing the Cortland County Opioid Settlement Fund Subcommittee to make recommendations for the use of Opioid Funding to the legislature, AND

WHEREAS, a Request for Proposals (RFP) was issued on September 30, 2023 to solicit proposals for opioid funding from organizations serving Cortland County to address treatment and prevention of opioid and related substance use, AND

WHEREAS, the County received seven (7) proposals from the following:

Alcohol and Drug Council of Tompkins County, Inc.
201 E. Green Street

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Ithaca, NY 14850

Catholic Charities of Cortland County
33-35 Central Avenue
Cortland, NY 13045

Cayuga Addiction Recovery Services (C.A.R.S)
334 West State Street
Ithaca, NY 14850

Cortland Area Communities That Care Coalition (CACTC)
45 Crandall Street
Cortland, NY 13045

Cortland Area Recovery Project (C.A.R.P)
26 N. Main Street
Cortland, NY 13045

REACH Medical
1001 W. Seneca Street
Ithaca, NY 14850

Syracuse Recovery Services
6 Euclid Avenue
Building 1, Suite 5
Cortland, NY 13045

, AND

WHEREAS, the Opioid Settlement Fund Subcommittee reviewed the submitted proposals and have recommended funding the Cortland Area Recovery Project (C.A.R.P), of 26 N. Main Street, Cortland, NY 13045, in the amount of \$40,700 from the Opioid Settlement Reserve Fund, A386300.OPD, for the following:

Contracts	\$5,000
Printed Materials	\$3,000
Technology	\$3,500
Marketing	\$2,500
Rent	\$2,000
Stipends	\$7,000
Training/Conferences	\$4,000
County Staff Time	\$10,000
Admin	\$3,700

, AND

WHEREAS, the Health and Human Services Committee and Finance and Administration Committees of the Cortland County Legislature have reviewed the recommendation, NOW THEREFORE BE IT,

RESOLVED, that the Cortland County Legislature be and hereby approves and awards the Cortland Area Recovery Project (C.A.R.P), of 26 N. Main Street, Cortland, NY 13045, \$40,700 from the Opioid Settlement Reserve Fund, A386300.OPD, for above referenced expenditures, AND BE IT FURTHER

RESOLVED, that the County Administrator, upon approval of the County Attorney or designee,

is hereby authorized to enter into an agreement with the Cortland Area Recovery Project (C.A.R.P), of 26 N. Main Street, Cortland, NY 13045, for said amount and purposes, AND BE IT FURTHER

RESOLVED, the 2024 General Fund Budget be amended as follows:

INCREASE: A13255.54815.OPD Contracted Agencies \$40,700.00

INCREASE: A351100 Appropriated Reserves \$40,700.00

AGENDA ITEM NO. 13 – Award Bid/Authorize Agreement for Use of Opioid Reserve Funds - Alcohol and Drug Council of Tompkins County, Inc.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sandra Price, Legislator
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF PRICE

RESOLUTION NO. 214-23

Award Bid/Authorize Agreement for Use of Opioid Reserve Funds - Alcohol and Drug Council of Tompkins County, Inc.

WHEREAS, the Cortland County Legislature adopted Resolution No. 171-22 authorizing the creation of an Opioid Settlement Reserve Fund, A386300.OPD, AND

WHEREAS, the Cortland County Legislature adopted Resolution No. 12-23 establishing the Cortland County Opioid Settlement Fund Subcommittee to make recommendations for the use of Opioid Funding to the legislature, AND

WHEREAS, a Request for Proposals (RFP) was issued on September 30, 2023 to solicit proposals for opioid funding from organizations serving Cortland County to address treatment and prevention of opioid and related substance use, AND

WHEREAS, the County received seven (7) proposals from the following:

Alcohol and Drug Council of Tompkins County, Inc.
201 E. Green Street
Ithaca, NY 14850

Catholic Charities of Cortland County
33-35 Central Avenue
Cortland, NY 13045

Cayuga Addiction Recovery Services (C.A.R.S)
334 West State Street
Ithaca, NY 14850

Cortland Area Communities That Care Coalition (CACTC)
45 Crandall Street
Cortland, NY 13045

Cortland Area Recovery Project (C.A.R.P)
26 N. Main Street

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Cortland, NY 13045

REACH Medical
1001 W. Seneca Street
Ithaca, NY 14850

Syracuse Recovery Services
6 Euclid Avenue
Building 1, Suite 5
Cortland, NY 13045

, AND

WHEREAS, the Opioid Settlement Fund Subcommittee reviewed the submitted proposals and has recommended funding the Alcohol and Drug Council of Tompkins County, Inc. of 201 E. Green Street, Ithaca, NY 14850 in the amount of \$100,000 from the Opioid Settlement Reserve Fund, A386300.OPD, for a counselor for one year (\$65,625) and general operating expenses (\$34,375), AND

WHEREAS, the Health and Human Services Committee and Finance and Administration Committees of the Cortland County Legislature have reviewed the recommendation, NOW THEREFORE BE IT,

RESOLVED, that the Cortland County Legislature be and hereby approves and awards the Alcohol and Drug Council of Tompkins County, Inc. of 201 E. Green Street, Ithaca, NY 14850, \$100,000 from the Opioid Settlement Reserve Fund, A386300.OPD, for a counselor for one year (\$65,625) and general operating expenses (\$34,375), AND BE IT FURTHER

RESOLVED, that the County Administrator, upon approval of the County Attorney or designee, is hereby authorized to enter into an agreement with the Alcohol and Drug Council of Tompkins County, Inc. of 201 E. Green Street, Ithaca, NY 14850, for said amount and purposes, AND BE IT FURTHER

RESOLVED, the 2024 General Fund Budget be amended as follows:

INCREASE:	A13255.54815.OPD	Contracted Agencies	\$100,000.00
INCREASE:	A351100	Appropriated Reserves	\$100,000.00

AGENDA ITEM NO. 14 – Authorize One-Stop System Operator Agreement - Workforce Development/Grants Administration

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sandra Price, Legislator
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF PRICE

RESOLUTION NO. 215-23

Authorize One-Stop System Operator Agreement - Workforce Development/Grants Administration

WHEREAS, the Cayuga Cortland Workforce Development Board Director, hereinafter referred to as "WDB", has been appointed by the Chair of the Cortland County Legislature, who is the Chief Elected Official for the Cayuga Cortland Workforce Development Area under the Workforce Innovation

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and Opportunity Act, hereinafter referred to as "WIOA", AND

WHEREAS, in accordance with WIOA regulations, Cortland County has been designated the Grant Recipient/Fiscal Agent for the Cayuga Cortland Workforce Development Area, AND

WHEREAS, in accordance with WIOA regulations, the WDB hereby designates and certifies the Cayuga Cortland WDB Director as the Operator of the One-Stop delivery system in the local area, AND

WHEREAS, the duties and job title of the Cayuga Cortland One-Stop System Operator (OSSO) shall reside with the individual who occupies the role of Director of the Employment and Training Grant Administration office, AND

WHEREAS, the One-Stop System Operator will be defined by its own duties, roles, responsibilities, and chain of command hierarchy, AND

WHEREAS, the Cayuga Cortland One-Stop System Operator has submitted a plan of service, and desires to execute this Local Agreement with the Cayuga Cortland WDB, NOW THEREFORE BE IT

RESOLVED, that the Chair of the Cortland County Legislature, upon review of the County Attorney or designee, be and hereby is authorized to execute the One-Stop System Operator Agreement for the Cayuga Cortland Workforce Development Board.

AGENDA ITEM NO. 15 – Create Position - Public Health Engineer (Per Diem) - Health Department

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sandra Price, Legislator
SECONDER:	Kelly L. Fairchild-Preston, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF PRICE

RESOLUTION NO. 216-23

Create Position - Public Health Engineer (Per Diem) - Health Department

WHEREAS, the needs of the agency will be better served by creating one per-diem position of Public Health Engineer, AND

WHEREAS, the Health and Human Services Committee recommends the creation of this position, NOW THEREFORE BE IT

RESOLVED, that one position of Public Health Engineer (CSEA, Grade 28, \$37.2145-47.1041/hr, competitive class, per-diem, no benefits) be created with approval to fill on December 21, 2023, with no additional funding needed for the remainder of 2023 and 2024.

AGENDA ITEM NO. 16 – Amend Budget Daycare - Department of Social Services

Minutes Acceptance: Minutes of Dec 21, 2023 6:00 PM (Approval of Minutes)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sandra Price, Legislator
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF PRICE**RESOLUTION NO. 217-23****Amend Budget Daycare - Department of Social Services**

WHEREAS, expenditures for Daycare cases are trending higher this year and are expected to exceed the amount appropriated in our 2023 budget, NOW THEREFORE BE IT

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

DECREASE:

Services for Recipients
A60105.56070 current \$1,102,212.00 DECREASE (\$36,000) new = \$1,066,212.00

Services for Recipients (Raise the Age)
A60105.56070.RTA current \$54,000.00 DECREASE (\$54,000) new = \$0

INCREASE:

Daycare
A60105.56055 current \$1,052,000,000 INCREASE +\$90,000 new = \$1,142,000.00

AGENDA ITEM NO. 17 – Amend Budget Social Services Family Assistance Account - Department of Social Services

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sandra Price, Legislator
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF PRICE**RESOLUTION NO. 218-23****Amend Budget Social Services Family Assistance Account - Department of Social Services**

WHEREAS, expenditures for foster care cases funded through Family Assistance are trending higher this year and are expected to exceed the amount appropriated in our 2023 budget, NOW THEREFORE BE IT

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

DECREASE:

Child Care
A60105.56119 current \$5,375,746.00 DECREASE (\$91,000) new = \$5,284,746.00

Child Care (Raise the Age)

A60105.56119.RTA current \$138,000.00 DECREASE (\$138,000) new = \$0

INCREASE:

Family Assistance

A60105.56109 current \$3,122,585.00 INCREASE +\$229,000 new = \$3,351,585.00

AGENDA ITEM NO. 18 – Accept Funds Youth Bureau and Youth Bureau Sports Funding Resource Allocation Plan New York State Office of Children and Family Services - Health Department

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sandra Price, Legislator
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF PRICE

RESOLUTION NO. 219-23

Accept Funds Youth Bureau and Youth Bureau Sports Funding Resource Allocation Plan New York State Office of Children and Family Services - Health Department

WHEREAS, Resolution No. 159-23 allocated \$92,669 to Cortland County, through the Youth Bureau from The New York State (NYS) Office of Children and Family Services Resource Allocation Plan for the program year 2023-2024, AND

WHEREAS, The NYS Office of Children and Family Services, through the Resource Allocation Plan has made available the sum of \$10,344 additional funds to Cortland County Youth Bureau based on gambling revenue divided evenly among the state's 58 social services districts, AND

WHEREAS, the 2023 County Budget will need to be amended as follows:

<u>Revenue:</u>		<u>Current</u>	<u>Inc/(Dec)</u>	<u>Balance</u>
A73125.43820.YB	Youth Bureau	\$182,453	\$10,344	\$192,797
<u>Expenditure:</u>		<u>Current</u>	<u>Inc/(Dec)</u>	<u>Balance</u>
A73125.54815	Contract Agencies	\$144,764	\$10,344	\$155,108

, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review by the County Attorney or designee, be and hereby is authorized to execute the Resource Allocation Planning Agreement with the NYS Office of Children and Family Services and contract with approved agencies, AND BE IT FURTHER

RESOLVED, that the Treasurer's/Finance Office is authorized to pay from the appropriate expense account and that in the event that the county does not receive the appropriate funds from the NYS Office of Children and Family Services, the County shall not be liable to pay any of its own funds to meet any deficiency under the terms of the contract.

AGENDA ITEM NO. 19 – Reappoint Member - Cortland County Board of Health

Minutes Acceptance: Minutes of Dec 21, 2023 6:00 PM (Approval of Minutes)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sandra Price, Legislator
SECONDER:	Linda Jones, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF PRICE**RESOLUTION NO. 220-23****Reappoint Member - Cortland County Board of Health**

WHEREAS, New York State Regulation requires that the County Legislature may choose the medical members of the Board of Health from a list of physicians submitted by the County Medical Society, NOW THEREFORE BE IT

RESOLVED, that Matthew Noble, D.O. c/o Family Care Medical Center, 1259 Fisher Ave., Cortland, NY 13045 be and hereby is reappointed to said Board as a Medical Provider Representative member for a six (6) year term beginning on January 1, 2024 and ending December 31, 2029.

AGENDA ITEM NO. 20 – Authorize Contracts for 2024 - Mental Health Department

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sandra Price, Legislator
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF PRICE**RESOLUTION NO. 221-23****Authorize Contracts for 2024 - Mental Health Department**

WHEREAS, the Cortland County Mental Health Department must execute contracts with several organizations and businesses to operate on a day to day basis which are included in the approved budget, AND

WHEREAS, the Cortland County Mental Health Department must execute contracts with several Schools and Universities to provide internship opportunities to students, AND

WHEREAS, there are no costs to Cortland County associated with these internships, AND

WHEREAS, the Cortland County Mental Health Department must execute contracts with several insurance companies to be considered in network for optimal payment, AND

WHEREAS, there are no costs to Cortland County associated with these insurance carrier contacts, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee, and subject to appropriation of funding by the Legislature, is hereby authorized to execute an agreement for 2024 with each of the following:

Binghamton University,
Onondaga Cortland Madison Counties BOCES,
State University of New York at Cortland,

Syracuse University,
 Tompkins Cortland Community College,
 Upstate Medical University,
 Cornell University,
 LeMoyne College,
 Keuka College,
 Broome Community College,
 Ithaca College,
 Utica College,
 Oneida College,
 Access to Independence
 Community Action Program (CAPCO)
 Jennifer Genovese
 Salvation Army
 YWCA
 Humana
 Tricare
 WellCare
 CDPHP
 The Vault Grand Venue On Main LLC,
 W2 Operator Training Group,
 Heather Sanford,
 Kinney Drugs,
 Ability (Billing Clearinghouse),
 Sweeney Pest Control,
 Global Payment Integrated,
 Identrust (prescribing security)
 Community Computer (Medent)

Referred from Agriculture/Planning/Environment Committee

AGENDA ITEM NO. 21 – Appoint Members to the Transportation Advisory Committee

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Beau Harbin, Minority Leader
SECONDER:	Kelly L. Fairchild-Preston, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF HARBIN

RESOLUTION NO. 222-23

Appoint Members to the Transportation Advisory Committee

WHEREAS, Resolution No. 289-19 authorized the formalization of the Transportation Advisory Committee as a Citizen's Advisory Committee, AND

WHEREAS, the Transportation Advisory Committee, as a formal subcommittee of the Agriculture, Planning, and Environmental Committee, will consist of a membership from a wide variety of community service agencies and government agencies, AND

WHEREAS, the Cortland County Legislature approved changes to the Bylaws of the Transportation Advisory Committee, which include staggering terms of members, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature be and hereby appoints the following

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community service and government agency representatives, or their designee, to the Transportation Advisory Committee for a term beginning January 1, 2024 as follows:

NAME	AGENCY/CAPACITY	TERM ENDING
Timothy Lockwood	Catholic Charities	12/31/2027
Amy Buggs	Cayuga/Cortland Workforce Development	12/31/2027
Patricia Schaap	Cortland County	12/31/2027
Chris Maroney	SUNY Cortland	12/31/2024
Shannon Coffin	JM Murray Center	12/31/2027

Referred from Judiciary & Public Safety Committee

AGENDA ITEM NO. 22 – Amend 2024 Budget - Accept and Authorize Statewide Interoperable Communications Grant (SICG) Award - Create Position of Deputy Director - Emergency Response and Communications

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kelly L. Fairchild-Preston, Legislator
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF FAIRCHILD-PRESTON

RESOLUTION NO. 223-23

Amend 2024 Budget - Accept and Authorize Statewide Interoperable Communications Grant (SICG) Award - Create Position of Deputy Director - Emergency Response and Communications

WHEREAS, the New York State Department of Homeland Security and Emergency Services (NYS DHSES) has awarded Cortland County \$786,336 under the New York State 2023 Statewide Interoperable Communications Grant (SICG) Program, resulting in no new county costs, in support of interoperable communications, AND

WHEREAS, the fiscal period for this grant is January 1, 2023 to December 31, 2025, NOW THEREFORE BE IT

RESOLVED, that Cortland County Department of Emergency Response and Communications is hereby directed to expend the grant funds according to the stated grant guidance, AND BE IT FURTHER

RESOLVED, that the 2024 budget is amended as follows:

	Current	Change	Revised
INCREASE REVENUE BUDGET:			
A30205.44389.SICG DHSES Grant	\$ -0-	\$473,783	\$473,783
A34105.44389.SICG DHSES Grant	\$ -0-	\$312,553	\$312,553
INCREASE EXPENDITURE BUDGET:			
A30205.54015.SICG Maintenance Agreements	\$ -0-	\$473,783	\$473,783
A34105.51005.SICG Personnel	\$ -0-	\$312,553	\$312,553

, AND BE IT FURTHER

RESOLVED, that one position of Deputy Director of Emergency Response and Communications (Management Compensation Plan, Grade 7, \$71,467-95,122, competitive class, full time, with benefits)

be created with approval to fill on January 1, 2024, AND BE IT FURTHER

RESOLVED, that this position is dependent on the related grant and will be abolished if grant funding is exhausted, AND BE IT FURTHER

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or her designee and subject to appropriation of funding, be and hereby is authorized to sign the grant contract with the New York State Department of Homeland Security and Emergency Services at an amount not to exceed \$786,336, AND BE IT FURTHER

RESOLVED, the Director of Finance shall carryover all unused grant funds to the subsequent year(s) budget covered by the grant, per the approved grant agreement.

AGENDA ITEM NO. 23 – Appoint/Reappoint Members of the Cortland County Fire Advisory Board

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kelly L. Fairchild-Preston, Legislator
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF FAIRCHILD-PRESTON

RESOLUTION NO. 224-23

Appoint/Reappoint Members of the Cortland County Fire Advisory Board

WHEREAS, pursuant to a resolution dated December 18, 1950, which established the Cortland County Fire Advisory Board under the provisions of Article 10, Section 209-K of the General Municipal Law for the purpose, among other things, to develop and maintain programs for fire training and mutual aid in case of fire and other public emergencies in which the fire service would be used, AND

WHEREAS, Article 3, Section 4 of the Cortland County Fire Advisory Board By-Laws state that the term of each member be one year, NOW THEREFORE BE IT

RESOLVED, that the following persons be and hereby are appointed to the Cortland County Fire Advisory Board, to serve without compensation for a term beginning January 1, 2024 and expiring December 31, 2024:

Shawn Scoville, Cincinnatus FD, 5756 Telephone Rd. Cincinnatus, NY 13040
 Richard Allen Sr., Cortland FD, 35 Garfield Street, Cortland, NY 13045
 Derek Reynolds, Cortland FD, 87 Greenbush Street, Cortland, NY 13045
 Wayne Friedman, Cortland FD, 2151 Ames Road, Cortland, NY 13045
 Michael Biviano, Cortlandville FD, 4361 Meadow Lane, Cortland, NY 13045
 Kevin Whitney, Cortlandville FD, 3689 Delaware Avenue, Cortland, NY 13045
 Adam Daley, Cuyler FD, 6553 W. Keeney Road, Truxton, NY 13158
 Justin Scott, Harford FD, 769 Rte. 221, Harford, NY 13784
 Mahlon Irish, Jr., Homer FD, 32 Center Street, Homer, NY 13077
 Michael Niehus, Homer FD, 2 Brentwood Drive, Homer, NY 13077
 John Ryan Jr., Homer FD, 5449 Mead Road, Homer, NY 13077
 Larri Leet, Marathon FD, 1171 Salt Road, Marathon, NY 13803
 Garret Gates, Marathon FD, 1137 Valentine Hill Road, Marathon, NY 13803

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Thomas Heller, McGraw FD, 28 W Center Street, McGraw, NY 13101
 Andrew Harvey, McGraw FD, 3783 Clinton Street Extension. McGraw, NY 13101
 Jeff Griswold, Preble FD, 6903 Route 281, Preble, NY 13141
 Darwin Smith, Truxton FD, 3760 State Route 13, Truxton, NY 13158
 Timothy McCall, Truxton FD, 3699 State Route 13 P.O. Box 13 Truxton, NY 13158
 Adam Brown, Virgil FD, 1291 Route 392, Cortland, NY 13045
 Jereme Stiles, Virgil FD, 1336 Route 392, Cortland, NY 13045
 Ryan McGowan., Willet FD, 649 Route 14, Willet, NY 13863

, AND BE IT FURTHER

RESOLVED, that the 2024 Legislature will appoint a Legislative Representative who shall be a non-voting representative and legislative liaison that shall periodically report activities of the Fire Advisory Board to the Judiciary and Public Safety Committee.

AGENDA ITEM NO. 24 – Appoint Members - Traffic Safety Board

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kelly L. Fairchild-Preston, Legislator
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF FAIRCHILD-PRESTON

RESOLUTION NO. 225-23

Appoint Members - Traffic Safety Board

WHEREAS, pursuant to Article 43 §1672 of Vehicle and Traffic Safety Laws, Local Law No. 4 for the Year 1971 of the Cortland County Legislature established a Cortland County Traffic Safety Board, AND

WHEREAS, Local Law No. 3 for the Year 1978 amended Local Law No. 4 for the Year 1971 and established the membership of the Board is appointed by the Cortland County Legislature, NOW THEREFORE BE IT

RESOLVED, that the following members be and hereby are appointed to serve the terms as listed below:

Name	Organization	Term Expiration
Ann Wells	Seven Valleys Health Coalition	12/31/2025
John Gallagher	Cortland County Sheriff's Department	12/31/2027
David Guerrero	Cortland City Police Department	12/31/2027
Eric Mulvihill	Community Member	12/31/2027

Referred from Government Operations Committee

AGENDA ITEM NO. 25 – Amend 2023 Budget - Authorize Transfer of Funds to County Unemployment Account - Personnel Department

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kelly L. Fairchild-Preston, Legislator
SECONDER:	Linda Jones, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF STOCK, FAIRCHILD-PRESTON

RESOLUTION NO. 226-23

Amend 2023 Budget - Authorize Transfer of Funds to County Unemployment Account - Personnel Department

WHEREAS, the billing for the Unemployment Insurance has increased beyond the projected budgeted amount, AND

WHEREAS, it is necessary to appropriate monies to the Unemployment Insurance account to pay the future bills, NOW THEREFORE BE IT

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

Increase:

Fund Balance	Appropriated Fund Balance	A359900	\$15,000
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Increase:

Expense	Unemployment Insurance	A90505.58050	\$15,000
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AGENDA ITEM NO. 26 – Authorizing the Transfer of Positions to the Finance Department from Treasurer's Department

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kelly L. Fairchild-Preston, Legislator
SECONDER:	Sandra Price, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF STOCK, FAIRCHILD-PRESTON

RESOLUTION NO. 227-23

Authorizing the Transfer of Positions to the Finance Department from Treasurer's Department

WHEREAS, Cortland County Local Law 10 of the year 2022 was duly passed by the Cortland County Legislature on June 23, 2022 subject to mandatory referendum and received the affirmative vote of a majority of the qualified electors voting thereon at the general election held on November 8, 2022, AND

WHEREAS, said Local Law abolished the elected Office of the County Treasurer and transferred the duties of Treasurer to the existing position of Director of Finance effective December 31, 2023, AND

WHEREAS, Local Law 11 of 2023 was duly passed by the Cortland County Legislature on November 16, 2023, creating the Finance Department effective December 31, 2023, AND

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WHEREAS, the County will be better served by transferring the position of Delinquent Tax Receiver from the Treasurer's Office to the Finance Department effective December 31, 2023, AND

WHEREAS, the County will be better served by abolishing the Treasurer's Department effective December 31, 2023, NOW THEREFORE BE IT

RESOLVED, that one (1) position of Delinquent Tax Receiver (CSEA, Grade 11) be transferred to the Finance Department effective December 31, 2023 at 12:01 a.m. and that immediately thereafter, the Treasurer's Department be abolished.

AGENDA ITEM NO. 27 – Authorizing the Transfer of Positions to the Finance Department from Department of County Administration

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kelly L. Fairchild-Preston, Legislator
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF STOCK, FAIRCHILD-PRESTON

RESOLUTION NO. 228-23

Authorizing the Transfer of Positions to the Finance Department from Department of County Administration

WHEREAS, Local Law 11 of 2023 was duly passed by the Cortland County Legislature on November 16, 2023, creating the Finance Department effective December 31, 2023, AND

WHEREAS, the County will be better served by transferring the positions of Deputy Director of Finance, Assistant Accountant, and two (2) Senior Account Clerks from the Department of County Administration to the Finance Department, NOW THEREFORE BE IT

RESOLVED, that the positions of one (1) Deputy Director of Finance (Management, Grade 6), one (1) Assistant Accountant (CSEA, Grade 18), and two (2) Senior Account Clerks (CSEA, Grade 10) be transferred from the Department of County Administration to the Finance Department effective December 31, 2023 at 12:01 a.m.

Referred from Finance & Administration Committee

AGENDA ITEM NO. 28 – Award Bid/Authorize Contract for Vehicle Repair and Maintenance

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	George Wagner, Majority Leader
SECONDER:	Linda Jones, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF WAGNER

RESOLUTION NO. 229-23

Award Bid/Authorize Contract for Vehicle Repair and Maintenance

WHEREAS, a Request for Proposals (RFP) was issued November 7, 2023 for vehicle repair and maintenance services and such bids were due and received by Tuesday, December 5, 2023, AND

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WHEREAS, based upon the results of the bid, the bid is to be awarded to the lowest responsible bidder, AND

WHEREAS, one bid was received from the following: O'Shea Tire & Service Center, of 270 Tompkins Street, Cortland, NY 13045, NOW THEREFORE BE IT

RESOLVED, that the bid from O'Shea Tire & Service Center, of 270 Tompkins Street, Cortland, NY 13045, is hereby accepted at the bid prices as listed per the RFP, AND BE IT FURTHER

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee, is hereby authorized to enter into a contract with the awarded vendor for the purchase of said services for the one-year period from January 1, 2024 through December 31, 2024, with an option to extend for an additional three one-year terms.

AGENDA ITEM NO. 29 – Levy Water Charges - Town of Scott - Real Property Tax Services

Mr. Harbin MADE A MOTION to consider agenda item numbers 29-42 as a consent agenda, Mr. Wagner SECONDED THE MOTION, and upon unanimous voice vote of members present;
MOTION CARRIED

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	George Wagner, Majority Leader
SECONDER:	Sandra Price, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF WAGNER

RESOLUTION NO. 230-23

Levy Water Charges - Town of Scott - Real Property Tax Services

WHEREAS, a statement showing the unpaid water charges in the Town of Scott, Cortland County, has been filed as outlined in Section 198-3(d) of the Town Law of the State of New York, which statement includes unpaid water charges which have not appeared on any statement previously filed and the supervisor of said town transmitted said statement to this Legislature, NOW THEREFORE BE IT

RESOLVED, that there shall be and is hereby assessed and levied and collected from the real property liable therefore as indicated below, the following amounts of water charges due said Town of Scott:

35.03-01-03.000	Chad Parker	\$462.00
35.03-01-09.000	Tyler West	\$411.00
35.03-01-13.000	Terry Vanliew	\$498.00
35.03-01-15.000	Kelly Platt	\$279.00
35.03-01-31.000	Matthew Klemm	\$693.00
35.03-01-33.000	Christopher Glendening	\$307.00
35.03-01-39.000	Connal Carr	\$387.00
35.03-01-53.000	Walter Scott	<u>\$384.00</u>
TOTAL:		\$3,421.00

Submitted to Cortland County Real Property Tax Service on 12/6/23 by Tamara Congdon, Scott Town Clerk.

AGENDA ITEM NO. 30 – Levy Water Charges - Town of Cortlandville - Real Property Tax Services

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	George Wagner, Majority Leader
SECONDER:	Sandra Price, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF WAGNER**RESOLUTION NO. 231-23****Levy Water Charges - Town of Cortlandville - Real Property Tax Services**

WHEREAS, a statement showing the unpaid water charges in the Town of Cortlandville, Cortland County, has been filed as outlined in Section 198-3(d) of the Town Law of the State of New York, which statement includes unpaid water charges which have not appeared on any statement previously filed and the supervisor of said town transmitted said statement to this Legislature, NOW THEREFORE BE IT

RESOLVED, that there shall be and is hereby assessed and levied and collected from the real property liable therefore as indicated below, the following amounts of water charges due said Town of Cortlandville:

76.14-01-28.000	Paul F Quinlan	85.68
76.14-01-48.000	Duane T Smith	174.48
76.15-01-15.000	Amy M Darling	67.38
76.18-01-31.000	Stacy L Crandall-Jones	218.55
76.19-01-05.000	Jeffrey C Carley	105.70
76.19-01-19.110	Shannon M Snyder	281.75
76.19-01-19.121	Land Essential Inc.	79.38
76.19-01-22.000	Christine Poppe	344.14
76.19-01-39.000	William Cleary	52.92
85.11-01-04.100	Ronald F Lader	112.37
85.11-02-16.000	William H McDermott	147.09
85.15-01-09.000	David M Winter	740.61
85.16-01-24.000	Budd W Rigg	112.18
85.19-01-04.000	Daniel R VanDusen	183.19
85.19-01-05.000	Justin G Naylor	535.15
85.19-01-36.000	Anthony John Keegan	153.24
85.20-01-01.000	Melissa K Martin	147.88
86.09-01-19.000	Valerie A Casey	102.05
86.09-01-24.000	Earl D Clark	244.25
86.09-01-46.000	Paul W Allen	400.52
86.13-01-10.000	Robert Phelps	166.98
86.13-01-46.000	7-Eleven Inc	187.47
86.13-01-55.121	281 Groton Corp	35.66
86.13-01-60.120	Coffee Grounds LLC	173.26
87.04-01-09.000	Andersen Holdings of Cort	347.80
87.04-01-11.000	Andersen Holdings of Cort	75.51
87.09-01-03.000	Breanne R Bassett	124.07
87.13-01-25.000	Nicole R Bush	796.14
87.13-01-34.000	Wyatt Malchak	318.77
95.06-01-17.000	Kenneth T Pym	189.82
95.07-02-09.000	William Jones	106.18
95.11-01-24.000	Gerald V Ruggiero	127.70
95.11-02-25.000	Daniel W Yunghans	75.53
95.11-03-09.000	Stacy M Bradley	78.66

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95.11-04-06.000	Michael J Warwick	78.13
95.11-05-04.000	Brian D Withey	309.35
95.14-01-10.000	Benjamin Baum	205.84
95.16-01-58.000	Matthew C Yapple	64.90
95.16-01-61.000	Erica L Skipton	91.74
95.16-01-75.000	Gary W James	389.08
95.16-02-06.000	Kevin VanDonsel	283.02
96.00-12-02.000	Christina M Grossi	158.25
96.00-12-03.000	Scott J McKinney	258.34
96.05-01-32.000	Dustin Harrington	133.27
96.05-02-12.000	Homer 23 LLC	32.48
96.05-02-13.000	Homer 23 LLC	103.66
96.05-02-14.000	Homer 23 LLC	62.10
96.05-02-15.000	Homer 23 LLC	81.50
96.05-02-16.000	Homer 23 LLC	112.09
96.05-02-17.000	Homer 23 LLC	39.06
96.05-02-18.000	Caroline Alemany	52.92
96.06-01-18.000	Anthony T Rosato	141.99
96.06-01-30.000	J Robert Messinger	146.06
96.06-01-37.000	J & J Properties of CNY, LLC	161.94
96.06-01-39.000	Coffee Grounds LLC	180.97
96.06-01-43.000	Jamie Moses	147.61
96.06-02-14.000	Kimberly A Cook	470.45
96.06-02-15.000	Courtney Farkas	77.69
96.06-02-20.000	John H Hutchinson	294.21
96.08-01-01.000	John Chierchio	111.08
96.08-01-05.000	Charlean Harris	115.34
96.09-01-24.000	Bethany A Cutler	216.89
96.09-02-08.000	Thomas Keane	198.73
96.09-02-30.000	Richard O'Dell	89.54
96.09-04-06.000	Leon W Stewart	248.71
96.10-02-11.000	Michael J Mershon	332.92
96.10-02-19.000	Angela N Knight	47.06
96.12-01-17.000	Thomas Grossi	340.76
96.36-01-07.000	Dorene Eaton	307.73
105.08-02-32.000	Megan Crowe	<u>54.26</u>
TOTAL:		\$13,231.73

Submitted to Cortland County RPTS 12/7/23 by Kristin Rocco-Petrella, Cortlandville Town Clerk.

AGENDA ITEM NO. 31 – Levy Water Charges - Town of Virgil - Real Property Tax Services

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	George Wagner, Majority Leader
SECONDER:	Sandra Price, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF WAGNER

RESOLUTION NO. 232-23

Levy Water Charges - Town of Virgil - Real Property Tax Services

WHEREAS, a statement showing the unpaid water charges in the Town of Virgil, Cortland County, has been filed as outlined in Section 198-3(d) of the Town Law of the State of New York, which

statement includes unpaid water charges which have not appeared on any statement previously filed and the supervisor of said town transmitted said statement to this Legislature, NOW THEREFORE BE IT

RESOLVED, that there shall be and is hereby assessed and levied and collected from the real property liable therefore as indicated below, the following amounts of water charges due said Town of Virgil:

127.15-01-30.000-9	Karin Richardson	138.00
127.15-01-31.000-38	Britney Funccius	<u>138.00</u>
TOTAL:		\$276.00

Submitted to Cortland County Real Property Tax Services on 11/15/23 by Alane VanDonsel, Virgil Town Clerk.

AGENDA ITEM NO. 32 – Levy Water Charges - Town of Harford - Real Property Tax Services

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	George Wagner, Majority Leader
SECONDER:	Sandra Price, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF WAGNER

RESOLUTION NO. 233-23

Levy Water Charges - Town of Harford - Real Property Tax Services

WHEREAS, a statement showing the unpaid water charges in the Town of Harford, Cortland County, has been filed as outlined in Section 198-3(d) of the Town Law of the State of New York, which statement includes unpaid water charges which have not appeared on any statement previously filed and the supervisor of said town transmitted said statement to this Legislature, NOW THEREFORE BE IT

RESOLVED, that there shall be and is hereby assessed and levied and collected from the real property liable therefore as indicated below, the following amounts of water charges due said Town of Harford:

172.05-01-17.112	Thomas R Poole	\$419.00
172.05-01-32.000	Mathew Murray	\$329.00
172.06-01-01.000	Edward F Monroe	\$654.00
172.06-01-12.200	Chris E Tweedie	<u>\$562.00</u>
TOTAL		\$1,964.00

Submitted to Cortland County Real Property Tax Services on 10/30/23 by Jennifer Fox, Harford Town Clerk.

AGENDA ITEM NO. 33 – Levy Water Charges - Town of Cincinnatus - Real Property Tax Services

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	George Wagner, Majority Leader
SECONDER:	Sandra Price, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF WAGNER

RESOLUTION NO. 234-23

Levy Water Charges - Town of Cincinnatus - Real Property Tax Services

WHEREAS, a statement showing the unpaid water charges in the Town of Cincinnatus, Cortland County, has been filed as outlined in Section 198-3(d) of the Town Law of the State of New York, which statement includes unpaid water charges which have not appeared on any statement previously filed and the supervisor of said town transmitted said statement to this Legislature, NOW THEREFORE BE IT

RESOLVED, that there shall be and is hereby assessed and levied and collected from the real property liable therefore as indicated below, the following amounts of water charges due said Town of Cincinnatus:

112.20-01-04.000	Price, Danielle A.	\$189.32
112.20-01-20.000	Morse, Ryan	189.32
112.20-01-22.000	Morse, Ryan	250.37
113.17-01-03.000	Smith, Ronald P.	308.67
113.17-01-04.000	Randall, Joseph	213.52
113.17-01-12.000	Soule, Kenneth	189.32
113.17-01-30.000	Kurtz, Robert L. III	189.32
113.17-02-02.000	Durney, James	209.12
113.17-02-04.000	Butler, Cathy L.	228.92
113.17-02-09.000	Byroads, John	99.61
113.17-02-10.000	Turshman, Kristen	193.72
113.17-02-12.000	Pittsley, Anna	188.63
113.17-02-16.000	Williams, James A. Jr	662.64
113.17-02-21.000	Harlow, Geoffrey	201.70
122.00-03-04.000	Kwak, Bryan	124.36
122.00-03-11.000	Carr, Teresa	234.97
122.00-03-20.000	Kemak, Lisa	189.32
122.08-01-02.000	Staley, Vicki W.	391.72
122.08-01-04.000	Aldrich, William G.	464.99
122.08-01-06.000	Randall, Gary	204.17
122.08-01-14.100	N Y S E & G	99.61
122.08-01-19.100	Moses, David B. II	246.52
122.08-01-25.200	Randall, Sally	99.61
122.08-02-05.000	Hotaling, Zachary	342.22
122.08-02-06.000	Totman, Philip B.	206.92
122.08-02-11.000	Frontier Communication Sol.	189.32
122.12-01-03.200	Carter, Leslie	189.32
122.12-01-11.000	Kemak, Lisa	189.32
123.05-01-01.000	Wehner, Verda	189.32
123.05-01-07.000	Supley, Richard	194.27
123.05-01-08.000	Mudge, Jessica	189.32
123.05-01-15.000	Our House Your Home	1,072.48
123.05-01-17.000	Southern, Tess	189.32
123.05-01-19.000	Price, Steve	341.12
123.05-01-20.000	Cummings, Dorothy	149.11
123.05-01-23.000	Dodge, George	99.61
123.05-01-24.000	Treacy , Clyde Jr.	301.52
123.05-01-25.000	Rathbun, Cheyenne	189.32
123.05-01-31.000	Novick, Donna	189.32
123.05-01-36.000	Our House Your Home	487.56
123.05-01-37.000	Welch, Kathleen	189.32
123.05-01-60.000	Dingman, Ronald	189.32
123.05-01-71.000	Ballard, Kenneth	189.32
123.05-01-72.000	Ballard, Cindy	610.07

Minutes Acceptance: Minutes of Dec 21, 2023 6:00 PM (Approval of Minutes)

123.09-01-03.000	Shore, Simon	144.16
123.09-01-04.000	Shorter, Rose	477.20
123.13-01-01.000	Brown, Gordon E.	189.32
123.13-01-04.000	Hemming, Robert F.	303.72
123.13-01-08.200	Steacy, David	326.51
123.13-01-09.000	Steacy, David	174.16
123.13-01-10.000	Steacy, Kody & Crystal	1,099.57
123.13-01-24.000	Carter, Leslie J.	189.32
123.13-01-25.000	Rice, Jay	500.07
123.13-01-26.000	Spencer, Isaac	390.62
123.13-01-27.000	Olear, Elizabeth	199.18
123.13-01-31.000	Allen, Jennifer M.	1,255.77
123.13-01-32.000	Gallow, David	270.72
123.13-01-34.000	Hummel, Melissa	316.37
123.13-01-35.000	Hummel, Melissa	168.91
123.13-01-36.000	Eaton, Charles	189.32
123.13-01-41.000	Davis, Wendy	198.12
123.13-01-42.000	Pittsley, Jedadiah	165.54
123.13-01-43.000	Aldrich, Shiloh	895.62
132.00-01-11.100	Phillips, Heath	326.27
	TOTAL:	\$19,037.32

Submitted to Cortland County Real Property Tax Services 11/3/2023 by Water Billing Dept.

AGENDA ITEM NO. 34 – Levy Sewer Charges - Town of Cortlandville - Real Property Tax Services

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	George Wagner, Majority Leader
SECONDER:	Sandra Price, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF WAGNER

RESOLUTION NO. 235-23

Levy Sewer Charges - Town of Cortlandville - Real Property Tax Services

WHEREAS, a statement showing the unpaid sewer charges in the Town of Cortlandville, Cortland County, has been filed as outlined in Section 198-1(k) of the Town Law of the State of New York, which statement includes unpaid sewer charges which have not appeared on any statement previously filed and the supervisor of said town transmitted said statement to this Legislature, NOW THEREFORE BE IT

RESOLVED, that the unpaid sewer charges be re-levied and collected from the real property indicated below:

76.14-01-28.000	Paul F Quinlan	\$111.50
76.14-01-48.000	Duane T Smith	227.25
76.18-01-31.000	Stacy L Crandall-Jones	297.45
76.19-01-05.000	Jeffrey C Carley	128.26
76.19-01-19.110	Shannon M Snyder	362.90
76.19-01-22.000	Christine Poppe	447.92
76.19-01-39.000	William Cleary	61.60
85.11-01-04.100	Ronald F Lader	132.10
85.11-02-16.000	William H McDermott	198.12

85.15-01-09.000	David M Winter	988.13
85.16-01-24.000	Budd W Rigg	147.60
85.19-01-04.000	Daniel R VanDusen	228.61
85.20-01-01.000	Melissa K Martin	180.49
85.20-01-26.000	Jose R Rolon Davila	206.31
85.20-01-33.000	Christopher Cummins	94.41
86.09-01-19.000	Valerie A Casey	133.79
86.09-01-24.000	Earl D Clark	322.32
86.13-01-10.000	Robert Phelps	206.53
86.13-01-46.000	7-Eleven Inc	234.46
86.13-01-55.121	281 Groton Corp	43.35
86.13-01-60.120	Coffee Grounds LLC	230.82
87.04-01-09.000	Andersen Holdings of Cort	429.80
95.11-02-25.000	Daniel W Yunghans	97.66
95.11-03-09.000	Stacy M Bradley	96.66
95.11-04-06.000	Michael J Warwick	101.21
95.14-01-10.000	Benjamin Baum	259.49
95.16-01-58.000	Matthew C Yapple	83.18
95.16-01-61.000	Erica L Skipton	109.25
95.16-01-75.000	Gary W James	509.13
95.16-02-06.000	Kevin VanDonsel	375.13
96.05-02-12.000	Homer 23 LLC	39.02
96.05-02-13.000	Homer 23 LLC	130.74
96.05-02-14.000	Homer 23 LLC	79.35
96.05-02-15.000	Homer 23 LLC	105.80
96.05-02-16.000	Homer 23 LLC	142.23
96.05-02-17.000	Homer 23 LLC	47.97
96.05-02-18.000	Caroline Alemany	61.60
96.06-01-18.000	Anthony T Rosato	188.22
96.06-01-30.000	J Robert Messinger	178.01
96.06-01-37.000	J & J Properties of CNY, LLC	165.61
96.06-01-39.000	Coffee Grounds LLC	225.60
96.06-01-43.000	Jamie Moses	180.15
96.06-02-14.000	Kimberly A Cook	620.01
96.06-02-15.000	Courtney Farkas	100.61
96.06-02-20.000	John H Hutchinson	379.89
96.08-01-01.000	John Chierchio	130.35
96.08-01-05.000	Charlean Harris	156.65
96.09-01-24.000	Bethany A Cutler	274.56
96.09-02-08.000	Thomas Keane	249.82
96.09-02-30.000	Richard O'Dell	77.44
96.09-04-06.000	Leon W Stewart	317.88
96.10-02-11.000	Michael J Mershon	432.63
96.10-02-19.000	Angela N Knight	58.87
96.36-01-07.000	Dorene Eaton	398.30
105.08-02-32.000	Megan Crowe	<u>68.68</u>
TOTAL:		\$11,855.42

Submitted to Cortland County RPTS 12/7/23by Kristin Rocco-Petrella, Cortlandville Town Clerk.

AGENDA ITEM NO. 35 – Levy Sewer Charges - Town of Cuyler - Real Property Tax Services

Minutes Acceptance: Minutes of Dec 21, 2023 6:00 PM (Approval of Minutes)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	George Wagner, Majority Leader
SECONDER:	Sandra Price, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF WAGNER**RESOLUTION NO. 236-23****Levy Sewer Charges - Town of Cuyler - Real Property Tax Services**

WHEREAS, a statement showing the unpaid sewer charges in the Town of Cuyler, Cortland County, has been filed as outlined in Section 198-1(k) of the Town Law of the State of New York, which statement includes unpaid sewer charges which have not appeared on any statement previously filed and the supervisor of said town transmitted said statement to this Legislature, NOW THEREFORE BE IT

RESOLVED, that there shall be and is hereby assessed and levied and collected from the real property liable therefore as indicated below, the following amounts of sewer charges due said Town of Cuyler:

31.02-02-22.000	Daniel N Southwick	\$296.80
31.02-02-27.000	Mandy M Morgan	\$296.80
31.02-02-30.000	Chuck, Alex, Kristine Enterprises LLC	\$543.20
31.02-02-32.000	Brittney Casler	\$296.80
31.02-02-39.000	Jessica Harris	\$296.80
31.02-02-40.000	Joel Barney	\$296.80
31.02-02-47.000	Jennifer Dorman	<u>\$420.00</u>
TOTAL:		\$2,447.20

Submitted to Cortland County Real Property Tax Services on 11/29/23 by Wendy Custer, Cuyler Town Clerk.

AGENDA ITEM NO. 36 – Levy Sewer Charges - Town of Virgil - Real Property Tax Services

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	George Wagner, Majority Leader
SECONDER:	Sandra Price, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF WAGNER**RESOLUTION NO. 237-23****Levy Sewer Charges - Town of Virgil - Real Property Tax Services**

WHEREAS, a statement showing the unpaid sewer charges in the Town of Virgil, Cortland County, has been filed as outlined in Section 198-1(k) of the Town Law of the State of New York, which statement includes unpaid sewer charges which have not appeared on any statement previously filed and the supervisor of said town transmitted said statement to this Legislature, NOW THEREFORE BE IT

RESOLVED, that there shall be and is hereby assessed and levied and collected from the real property liable therefore as indicated below, the following amounts of sewer charges due said Town of Virgil:

127.15-01-30.000-9	Karin Richardson	\$264.50
127.15-01-31.000-38	Britney Funccius	<u>\$264.50</u>
TOTAL:		\$529.00

Submitted to Cortland County Real Property Tax Services on 11/15/23 by Alane VanDonsel, Virgil Town Clerk.

AGENDA ITEM NO. 37 – Levy Grass and Weed Charges - Town of Cortlandville

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	George Wagner, Majority Leader
SECONDER:	Sandra Price, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF WAGNER

RESOLUTION NO. 238-23

Levy Grass and Weed Charges - Town of Cortlandville

WHEREAS, a statement showing the unpaid grass and weed control charges in the Town of Cortlandville, Cortland County, has been filed as outlined in Section 64.5-a of the Town Law of the State of New York, which statement includes unpaid grass and weed control charges which have not appeared on any statement previously filed and the supervisor of said town transmitted said statement to this Legislature, NOW THEREFORE BE IT

RESOLVED, that there shall be and is hereby assessed and levied and collected from the real property liable therefore as indicated below, the following amounts of grass and weed control charges due said Town of Cortlandville:

97.04-01-14.000	Desiree Willis	<u>\$372.00</u>
Total:		\$372.00

Submitted to Cortland County RPTS 11/22/23 by Kristin Rocco-Petrella, Cortlandville Town Clerk.

AGENDA ITEM NO. 38 – Levy Fire and Safety Inspection Charges - Town of Cortlandville

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	George Wagner, Majority Leader
SECONDER:	Sandra Price, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF WAGNER

RESOLUTION NO. 239-23

Levy Fire and Safety Inspection Charges - Town of Cortlandville

WHEREAS, a statement showing the unpaid fire and safety inspection charges in the Town of Cortlandville, Cortland County, has been filed as outlined in Section 130.16 of the Town Law of the State of New York, which statement includes unpaid fire and safety inspection charges which have not appeared on any statement previously filed and the supervisor of said town transmitted said statement to this Legislature, now therefore be it

RESOLVED, that there shall be and is hereby assessed and levied and collected from the real property liable therefore as indicated below, the following amounts of fire and safety inspection charges due said Town of Cortlandville:

76.15-01-10.200	Randy Metcalf	\$ 90.00
96.09-01-02.200	Gator Cortlandville Partners	<u>\$ 100.00</u>
	Total:	\$190.00

Submitted to Cortland County RPTS 12/6/23 by Kristin Rocco-Petrella, Cortlandville Town Clerk.

AGENDA ITEM NO. 39 – Levy Town General and Highway Taxes - Real Property Tax Services

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	George Wagner, Majority Leader
SECONDER:	Sandra Price, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF WAGNER

RESOLUTION NO. 240-23

Levy Town General and Highway Taxes - Real Property Tax Services

WHEREAS, there has been presented to this Legislature a duly certified copy of the annual budget for the several towns of the County of Cortland for the fiscal year beginning January 1, 2024 NOW THEREFORE BE IT

RESOLVED, that there shall be and hereby is assessed and levied upon and collected from the taxable real property in the following named towns, outside of any incorporated villages, wholly or partially located therein, the amounts indicated below for the General and Highway items as specified in the budgets of the respective towns as follows:

	<u>General</u>	<u>Highway</u>
Town of Cortlandville outside village -	\$ -0-	\$112,178
Town of Homer outside village -	\$ -0-	

, AND BE IT FURTHER

RESOLVED, that the several amounts raised by tax for all other purposes as specified in the several budgets as presented to this Legislature and which are on file in the Office of Real Property Tax Services, shall be and hereby are assessed and levied upon and collected from all taxable property in the towns as enumerated below, except as otherwise provided by law, namely:

<u>Town</u>	<u>Highway Fund</u>
Cincinnatus	\$107,374
Cuyler	\$217,864
Freetown	\$247,200
Harford	\$243,028
Homer	\$239,739
Lapeer	\$288,740
Marathon	\$125,785
Preble	\$118,202
Scott	\$200,000
Solon	\$304,500
Taylor	\$136,784

Truxton	\$253,800
Virgil	\$378,250
Willet	\$160,519

, AND BE IT FURTHER

RESOLVED, that the amounts to be raised for the General Fund and Debt Service Fund purposes as specified in the several budgets presented to this Legislature and which are on file in the Office of Real Property Tax Services hereof, shall and hereby are assessed and levied upon and collected from all taxable property in the towns as enumerated below except as otherwise provided by law, namely:

<u>Town</u>	<u>General Fund</u>
Cincinnati	\$ 18,719
Cortlandville - townwide	\$2,089,607
Cuyler	\$ 161,100
Freetown	\$ 24,617
Harford	\$ 134,667
Homer	\$ 231,000
Lapeer	\$ 158,884
Marathon	\$ 268,366
Preble	\$ 34,000
Scott	\$ -0-
Solon	\$ -0-
Taylor	\$ 114,422.70
Truxton	\$ 161,810
Virgil	\$ 179,090.07
Willet	\$ 70,519

, AND BE IT FURTHER

RESOLVED, that such taxes and assessments when collected shall be paid to the Supervisors of the several towns in the amounts as shown by this resolution for distribution by them in the manner provided by law.

AGENDA ITEM NO. 40 – Levy Town Special District Taxes - Real Property Tax Services

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	George Wagner, Majority Leader
SECONDER:	Sandra Price, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF WAGNER

RESOLUTION NO. 241-23

Levy Town Special District Taxes - Real Property Tax Services

WHEREAS, there has been presented to this Legislature a duly certified copy of the annual budget for the several towns of the County of Cortland which includes special district taxes for the fiscal year beginning January 1, 2023, NOW THEREFORE BE IT

RESOLVED, that there shall be and is hereby assessed and levied upon and collected from the real property liable therefore within the respective fire protection, fire and lighting districts in the towns as indicated below, as specified in their respective annual budgets for the year 2024:

<u>Town</u>	<u>Fire Tax</u>
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Cincinnati	\$ 189,084.03
Cortlandville - townwide	\$ 898,845
Cuyler	\$ 79,724
Freetown:	
Cincinnati Fire	\$ 7,785.86
Marathon Fire	\$ 31,876.70
McGraw Fire	\$ 7,600.00
Harford	\$ 117,648
Homer	\$ 213,813
Lapeer	\$ 108,019
Marathon	\$ 126,674.31
Preble	\$ 101,000
Scott	\$ 62,453
Solon	\$ 31,000
Taylor	\$ 41,847.84
Truxton	\$ 89,610
Virgil	\$ 277,000
Willet	\$ 57,374

, AND BE IT FURTHER

RESOLVED, that such taxes and assessments, when collected, shall be paid to the Supervisors of the several towns in the amount as shown by this resolution for distribution by them in the manner provided by law.

AGENDA ITEM NO. 41 – Levy County Special District Tax - Real Property Tax Services

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	George Wagner, Majority Leader
SECONDER:	Sandra Price, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF WAGNER

RESOLUTION NO. 242-23

Levy County Special District Tax - Real Property Tax Services

WHEREAS, there has been presented to this Legislature a duly certified copy of the annual budget for the County of Cortland which includes Little York Lake Protection District for the fiscal year beginning January 1, 2024, NOW THEREFORE BE IT

RESOLVED, that there shall be and is hereby assessed and levied upon and collected from the real property liable therefore within the respective protection district in the towns as indicated below, as specified in the Cortland County annual budget for the year 2024:

<u>Town</u>	<u>LYL Tax</u>
Homer & Preble	\$18,114.20

, AND BE IT FURTHER

RESOLVED, that such taxes and assessments, when collected, shall be paid to the County of Cortland in the amount as shown by this resolution for distribution by them in the manner provided by law.

AGENDA ITEM NO. 42 – Levy County Tax - City of Cortland - Real Property Tax Services

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	George Wagner, Majority Leader
SECONDER:	Sandra Price, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF WAGNER**RESOLUTION NO. 243-23****Levy County Tax - City of Cortland - Real Property Tax Services**

WHEREAS, the Cortland County Legislature adopted Resolution No. 200-23 on November 16, 2023 to adopt the 2024 County budget, AND

WHEREAS, the adopted 2024 budget includes a Real Property Tax Levy of \$39,270,000.00, AND

WHEREAS, the apportionment of the 2024 Cortland County tax levy has been approved by the Cortland County Legislature, AND

WHEREAS, the Real Property Tax Director has assessed the City of Cortland's apportioned share of the County tax levy at eight million, two hundred forty-eight thousand, one hundred ninety one dollars and ninety-two cents (\$8,248,191.92), NOW THEREFORE BE IT

RESOLVED, that this Legislature directs the sum of eight million, two hundred forty-eight thousand, one hundred ninety one dollars and ninety-two cents (\$8,248,191.92) to be levied in the City of Cortland, Cortland County, for County purposes for the fiscal year beginning January 1, 2024 and that the Chairman and the Clerk of this Legislature certify this resolution to the Common Council of said City, pursuant to the Charter of said City.

AGENDA ITEM NO. 43 – Fix Date to Sign Warrant - Real Property Tax Services

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	George Wagner, Majority Leader
SECONDER:	Sandra Price, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer

ON MOTION OF WAGNER**RESOLUTION NO. 244-23****Fix Date to Sign Warrant - Real Property Tax Services**

WHEREAS, pursuant to section 904 of the Real Property Tax Law of the State of New York the County Legislative body shall annex to or file with the assessment roll of each town a warrant, bearing the seal of the board and signed by the Chairman and Clerk thereof, authorizing and directing the collecting officer for each town to collect the amounts listed, NOW THEREFORE BE IT

RESOLVED, that the date for the annexing of the warrants to the rolls of the Towns for collection of taxes be and hereby is fixed as of December 31, 2023, and that said warrants so annexed be made returnable on or before the first day of June 2024, AND BE IT FURTHER

RESOLVED, that the Chairman and Clerk of the Cortland County Legislature are hereby authorized to sign said warrant on behalf of the County.

Minutes Acceptance: Minutes of Dec 21, 2023 6:00 PM (Approval of Minutes)

AGENDA ITEM NO. 44 – Approve Apportionment of 2024 Cortland County Tax Levy - Real Property

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: George Wagner, Majority Leader
SECONDER: Sandra Price, Legislator
AYES: Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED: Richard Stock, Ann Homer

ON MOTION OF WAGNER

RESOLUTION NO. 245-23

Approve Apportionment of 2024 Cortland County Tax Levy - Real Property

WHEREAS, the Report of the Finance and Administration Committee on the apportionment and tax rates for County taxes as submitted to this Legislature be received, filed and approved, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature does hereby approve the Final 2024 Apportionment report for the tax levy for the year 2024 as the foregoing amounts are the net amounts necessary to be raised in taxes:

2024 FINAL Tax Rates - Tax Levy of \$39,270,000

Municipality	Net Tax Levy	Taxable Value	2024 Tax Rate (p/\$1000)
City of Cortland	8,248,191.92	537,361,833	15.349419
Cincinnatus	855,220.62	60,529,582	14.128970
Cortlandville	9,533,415.70	579,019,295	16.464763
Vil of Homer	52,795.81	3,387,474	15.585599
Vil of McGraw	424,400.34	26,774,594	15.850860
Town Total	10,010,611.85	609,181,363	
Cuyler	671,836.43	48,328,257	13.901524
Freetown	638,508.67	40,987,534	15.578119
Harford	799,560.43	67,566,408	11.833697
Homer	3,447,564.17	204,889,194	16.826481
Vil of Homer	2,381,583.74	148,581,827	16.028769
Town Total	5,829,147.91	353,471,021	
Lapeer	965,180.92	82,562,046	11.690371
Marathon	998,017.86	61,486,488	16.231499
Vil of Marathon	511,795.79	33,784,544	15.148814
Town Total	1,509,813.65	95,271,032	
Preble	1,767,738.51	97,610,096	18.110202
Scott	1,014,636.31	59,132,465	17.158701
Solon	957,897.49	50,192,902	19.084322
Taylor	482,676.88	35,113,432	13.746218
Truxton	1,169,384.81	69,684,261	16.781190
Virgil	2,986,017.55	186,371,773	16.021834
Willet	791,444.50	47,726,013	16.583084
TOTALS:	\$38,697,868.45	\$2,441,090,018	Average Tax Rate: \$16.087076

Minutes Acceptance: Minutes of Dec 21, 2023 6:00 PM (Approval of Minutes)

AGENDA ITEM NO. 45 – Assistance Program Grant Award - Brett Barnes Dba Crown City Media
 Agenda Item No. 45 was pulled upon majority vote of the Finance and Administration Committee.

RESULT:	PULLED
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ON MOTION OF WAGNER

RESOLUTION NO.

Assistance Program Grant Award - Brett Barnes Dba Crown City Media

WHEREAS, the Cortland County Legislature's Finance and Administration Committee was empaneled as the Cortland County Microenterprise Assistance Program Review Committee on November 14, 2023 for the purpose of reviewing applications received for the Microenterprise Grant Program, AND

WHEREAS, following said review the Committee recommended that Brett Barnes dba Crown City Media, of 215 Tompkins Street, Cortland, NY 13045, be awarded \$35,000.00 from the Microenterprise program, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby accepts and approves the recommendation of the Cortland County Microenterprise Assistance Program Review Committee and hereby awards the sum \$35,000.00 to Brett Barnes, dba Crown City Media, from the Cortland County Microenterprise Assistance Program funding contingent upon review of any conflicts of interest, AND BE IT FURTHER

RESOLVED, that the County Administrator and/or Chair of the Cortland County Legislature, upon review of the County Attorney or designee, is hereby authorized to prepare and execute any and all agreements and sub-recipient agreements necessary and incident to this award, contingent upon review of any conflicts of interest.

Executive Session

Mr. Newell MADE A MOTION to enter into executive session for the purposes of discussing current litigation with the following people permitted to stay in the executive session: all legislators, Superintendent of Highways Charles Sudbrink, Deputy Superintendent of Highways Alan Ricottilli, County Attorney Victoria Monty, Chief Assistant County Attorney Christopher Simser, and Clerk of the Legislature Savannah Hempstead. Legislator Waldbauer recused himself and legislators Stock and Homer were excused.

Mr. Wagner SECONDED THE MOTION, and upon unanimous voice vote of members present; MOTION CARRIED.

An executive session was held from 6:45 PM to 7:36 PM, at which time Mr. Harbin MADE A MOTION to exit executive session, Mr. Nauseef SECONDED THE MOTION, and upon unanimous voice vote of members present; MOTION CARRIED.

AGENDA ITEM NO. 46 – Authorize County Attorney's Office to Offer Settlement on Behalf of Cortland County

Minutes Acceptance: Minutes of Dec 21, 2023 6:00 PM (Approval of Minutes)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Linda Jones, Legislator
SECONDER:	Joseph Nauseef, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Price, Wagner, Heider, Eccleston
EXCUSED:	Richard Stock, Ann Homer
RECUSED:	Eugene Waldbauer

ON MOTION OF JONES**RESOLUTION NO. 246-23****Authorize County Attorney's Office to Offer Settlement on Behalf of Cortland County**

WHEREAS, the Cortland County Legislature approved a settlement offer to be presented by the County Attorney's Office for a current litigation matter in an executive session held on December 21, 2023, with a deadline for acceptance on or before January 25, 2023, prior to the 6:00 PM Legislative Session, AND

WHEREAS, the Cortland County Legislature wishes to allow the litigant to continue the current practice through February 29, 2024, NOW THEREFORE BE IT

RESOLVED, that the County Attorney's Office be and hereby is directed to prepare and deliver said approved settlement offer for a current litigation matter, as approved in Executive Session December 21, 2023, AND BE IT FURTHER

RESOLVED, that the litigant may continue the current practice through February 29, 2024.

Announcements**Adjournment**

The meeting was closed at 7:36 PM



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 1st, 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

Minutes Acceptance: Minutes of Jan 3, 2024 10:00 AM (Approval of Minutes)

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul Heider, Majority Leader
SECONDER:	Sandra Price, Legislator
AYES:	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

RESULT:	RECEIVE & FILE [UNANIMOUS]
MOVER:	Sandra Price, Legislator
SECONDER:	Mitchel Eccleston, Legislator
AYES:	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

RESULT:	RECEIVE & FILE [UNANIMOUS]
MOVER:	Sandra Price, Legislator
SECONDER:	Ronald J. Van Dee, Legislator
AYES:	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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joseph Nauseef, Legislator
SECONDER:	Cathy Bischoff, Legislator
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. 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

Minutes Acceptance: Minutes of Jan 3, 2024 10:00 AM (Approval of Minutes)

RESULT: WITHDRAWN - NO FUTURE ACTION

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sandra Price, Legislator
SECONDER:	Cathy Bischoff, Legislator
AYES:	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

Minutes Acceptance: Minutes of Jan 3, 2024 10:00 AM (Approval of Minutes)

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

AGENDA ITEM NO. 8 – Appoint Veterans’ Service Officer

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ronald J. Van Dee, Legislator
SECONDER:	Christopher Newell, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Price, Van Dee, VanGorder, Waldbauer, 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

Minutes Acceptance: Minutes of Jan 3, 2024 10:00 AM (Approval of Minutes)

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)	2744	1		2744
Bischoff (LD3)	2743	1		2743
Eccleston (LD17)	3379		1	0
Harbin (LD2)	2747	1		2747
Heider (16)	3192		1	0
Homer (LD7)	2743	1		2743
Jones (LD9)	2989	1		2989
Nauseef (LD12)	2819	1		2819
Newell (LD11)	2837	1		2837
Preston (LD10)	2995	1		2995
Price (LD14)	3344	1		3344
Stock (LD6)	2740	1		2740
VanDee (LD4)	2743		1	0
Wagner (LD 15)	2734	1		2734
Waldbauer (LD13)	2853	1		2853
Wilson (LD5)	2744	1		2744
Chairman Fitch (LD8)	2990	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

Minutes Acceptance: Minutes of Jan 3, 2024 10:00 AM (Approval of Minutes)



Cortland County Legislature

Special Meeting

Legislative Chambers

Cortland, NY 13045

<http://www.cortland-co.org>

~ Minutes ~

Tuesday, January 16, 2024

11:00 AM

Board Room

Salute to the Flag

Roll Call

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	Excused	
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	Excused	
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	Excused	
Susan Wilson	Cortland County, NY	Legislator	Present	
Kevin Fitch	Cortland County, NY	Chair of the Legislature	Present	

New Business

AGENDA ITEM NO. 1 – Amend Resolution No. 240-23 - Levy Town General and Highway Taxes - Real Property Tax Services

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Cathy Bischoff, Legislator
SECONDER:	Joseph Nauseef, Legislator
AYES:	Bentley, Bischoff, Eccleston, Harbin, Heider, Jones, McGovern, Nauseef, Newell, Price, Van Dee, VanGorder, Wilson, Fitch
EXCUSED:	Reed Cleland, Dominick Mantella, Eugene Waldbauer

ON MOTION OF BISCHOFF

RESOLUTION NO. 8-24

Amend Resolution No. 240-23 - Levy Town General and Highway Taxes - Real Property Tax Services

WHEREAS, there has been presented to this Legislature a duly certified copy of the annual budget for the several towns of the County of Cortland for the fiscal year beginning January 1, 2024; AND

WHEREAS, due to errors in the Town of Cincinnatus budget, corrections were made by the Town on January 9, 2024; AND

Minutes Acceptance: Minutes of Jan 16, 2024 11:00 AM (Approval of Minutes)

WHEREAS, Cortland County received a revised 2024 budget from the Town of Cincinnatus on January 10, 2024; AND

WHEREAS, the Cortland County Legislature adopted Resolution No. 240-23 to levy Town General and Highway Taxes; AND

WHEREAS, there is a need to amend Resolution No. 240-23 to reflect the corrected 2024 Town of Cincinnatus budget; NOW THEREFORE BE IT

RESOLVED, that Resolution No. 240-23 be and hereby is amended as follows in the third RESOLVED clause:

REMOVE:

<u>Town</u>	<u>General Fund</u>
Cincinnatus	\$ 18,719

ADD:

<u>TownGeneral Fund</u>	
Cincinnatus	\$ 5,000

AGENDA ITEM NO. 2 – Amend Resolution No. 241-23 - Levy Town Special District Taxes - Real Property Tax Services

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Cathy Bischoff, Legislator
SECONDER:	Sandra Price, Legislator
AYES:	Bentley, Bischoff, Eccleston, Harbin, Heider, Jones, McGovern, Nauseef, Newell, Price, Van Dee, VanGorder, Wilson, Fitch
EXCUSED:	Reed Cleland, Dominick Mantella, Eugene Waldbauer

ON MOTION OF BISCHOFF

RESOLUTION NO. 9-24

Amend Resolution No. 241-23 - Levy Town Special District Taxes - Real Property Tax Services

WHEREAS, there has been presented to this Legislature a duly certified copy of the annual budget for the several towns of the County of Cortland, which includes special district taxes for the fiscal year beginning January 1, 2024; AND

WHEREAS, due to errors in the Town of Cincinnatus budget, corrections were made by the Town on January 9, 2024; AND

WHEREAS, Cortland County received a revised 2024 budget from the Town of Cincinnatus on January 10, 2024; AND

WHEREAS, the Cortland County Legislature adopted Resolution No. 241-23 to levy Town Special District Taxes; AND

WHEREAS, there is a need to amend Resolution No. 241-23 to reflect the corrected 2024 Town of Cincinnatus budget; NOW THEREFORE BE IT

RESOLVED, that Resolution No. 241-23 be and hereby is amended as follows:

REMOVE:

Minutes Acceptance: Minutes of Jan 16, 2024 11:00 AM (Approval of Minutes)

	<u>Town</u>	<u>Fire Tax</u>
<u>ADD:</u>	Cincinnati	\$ 189,084.03

	<u>Town</u>	<u>Fire Tax</u>
	Cincinnati	\$ 108,532.55

AGENDA ITEM NO. 3 – Approving and Ordering the Correction of Certain Errors on Tax Bills

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Cathy Bischoff, Legislator
SECONDER:	Joseph Nauseef, Legislator
AYES:	Bentley, Bischoff, Eccleston, Harbin, Heider, Jones, McGovern, Nauseef, Newell, Price, Van Dee, VanGorder, Wilson, Fitch
EXCUSED:	Reed Cleland, Dominick Mantella, Eugene Waldbauer

ON MOTION OF BISCHOFF

RESOLUTION NO. 10-24

Approving and Ordering the Correction of Certain Errors on Tax Bills

WHEREAS, the Town of Cincinnati has filed an application with the County Director of Real Property Tax Services for the correction of errors on the tax roll relative to properties within the Town of Cincinnati for tax year 2024; AND

WHEREAS, the County Director of Real Property Tax Services, acting as agent of this Legislature, which is the tax levying body of this County, has investigated the circumstances of the claimed errors and has submitted her recommendation that the application for the corrections be approved; AND

WHEREAS, Sections 550-556-b of the Real Property Tax Law prescribes the procedure for correction of clerical errors, errors in essential fact, and certain unlawful entries on tax rolls; AND

WHEREAS, Section 556-b of the Real Property Tax Law prescribes the manner in which refunds or credits shall be charged back to the appropriate municipality; NOW THEREFORE BE IT

RESOLVED, that the report of the County Director of Real Property Tax Services be and hereby is accepted; AND BE IT FURTHER

RESOLVED, that the Chair of this Legislature be and hereby is authorized and directed to mail a notice of approval to the applicant and order the collecting officer(s) of the appropriate Towns or the Director of Finance, as the case may be, to correct the respective taxes and refund any overpayment of 2024 taxes pursuant to the attached revised tax roll for the Town of Cincinnati.

Adjourn

Minutes Acceptance: Minutes of Jan 16, 2024 11:00 AM (Approval of Minutes)

Cortland County Proclamation



HONORING MAHLON IRISH, JR. FOR SERVICE TO CORTLAND COUNTY

WHEREAS, Mahlon Irish, Jr.'s dedication to the principles of firefighting and public service spans multiple decades, exemplifying his unwavering commitment to the safety and well-being of the communities he has served; and

WHEREAS, Mahlon Irish, Jr. has not only been a steadfast pillar of service within the Homer Fire Department but has also extended his commitment to public safety working for the City of Ithaca Fire Department; and

WHEREAS, Mahlon Irish, Jr. has dedicated 50 years of his life to the noble profession of firefighting, beginning in 1974 with the Homer Fire Department; and

WHEREAS, Mahlon Irish, Jr. rose through the ranks, serving with distinction as Chief of the Homer Fire Department and as a Lieutenant with the City of Ithaca Fire Department, contributing his leadership, passion and unwavering commitment to the safety of our community; and

WHEREAS, Mahlon Irish, Jr. has been a beacon of knowledge and mentorship, dedicating 40 years of his service as a fire instructor, imparting invaluable skills and shaping the next generation of firefighters; and

WHEREAS, Mahlon Irish, Jr.'s advocacy extended to lecturing at over 200 fire departments and the New York State Fire Academy, positively impacting the firefighting community's knowledge, skills, and culture; and

WHEREAS, Mahlon Irish, Jr. has faced a formidable health challenge with unmatched strength and courage, having been diagnosed with Stage 4 prostate cancer; and

WHEREAS, Mr. Irish undertook a crucial mission to educate firefighters across New York State on protecting themselves from certain cancers, showcasing his dedication to the health and well-being of his fellow firefighters; and

WHEREAS, Mahlon Irish, Jr.'s legacy is further marked by his commitment to cancer prevention and health, leaving a long-lasting impact on the firefighting profession and the communities he has served; now therefore

LET IT BE KNOWN, that Mahlon Irish, Jr.'s dedication, leadership, and legacy will forever be etched into the history of the Cortland County community and remembered with utmost admiration and respect; and

LET IT BE FURTHER KNOWN, that Mahlon Irish, Jr.'s impact on the education and training of firefighters will stand as a testament to his enduring commitment to the betterment of the firefighting profession; now therefore be it

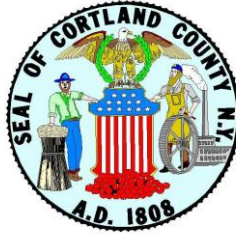
RESOLVED, that I, Sandra Price, as Chair of the Judiciary and Public Safety Committee, on behalf of the Cortland County Legislature and the citizens of Cortland County, do hereby express our deepest gratitude and appreciation for Mahlon Irish, Jr.'s exemplary 50 years of service, encompassing his roles as Chief, retired Lieutenant, fire instructor, and advocate for firefighter health and safety; and be it further

RESOLVED, that we hereby express our sincere appreciation to Mr. Irish for his commitment and dedication and wish him much happiness as he begins this exciting new chapter in his life.

IN WITNESS WHEREOF, I have hereunto set my hand this 24th day of January, 2024.

**Sandra Price, Legislator – Legislative District 14
Chair of Judiciary & Public Safety Committee
Cortland County Legislature**

Cortland County Proclamation



Recognizing Retiring Cortland County Employee Chuck Miller for his Time and Service

WHEREAS, Charles “Chuck” Miller is ending his distinguished career with Cortland County and moving into retirement; and

WHEREAS, Chuck Miller has dedicated 19 years of outstanding service to the Cortland County community; and

WHEREAS, Mr. Miller worked in the Buildings and Grounds Department for years prior to serving as the Superintendent of Buildings and Grounds; and

WHEREAS, Mr. Miller also recently served as the Safety Officer for Cortland County; and

WHEREAS, the Cortland County Legislature wishes to express its appreciation to Mr. Miller for his 19 years of dedicated service to the residents of Cortland County; now therefore be it

RESOLVED, that the Cortland County Legislature hereby recognizes Chuck Miller with 19 years of service to Cortland County, most recently as the Superintendent of Buildings and Grounds; and be it further

RESOLVED, that the Legislature acknowledges Mr. Miller’s experience and knowledge will be greatly missed; and be it further

RESOLVED, that I, Kevin Fitch, Chair of the Legislature, on behalf of the entire Cortland County Legislature, hereby expresses our sincere appreciation to Mr. Miller for his loyalty to the County of Cortland and wish him much happiness as he begins this exciting new chapter in his life.

IN WITNESS WHEREOF, I have hereunto set my hand this 25th day of January, 2024.

Kevin Fitch, Chair
Cortland County Legislature

Attachment: Retiree Proclamation - Chuck Miller (11999 : Chuck Miller Proclamation)



VIRGINIA G. CURTIS, PARALEGAL
 (315) 565-4705
vcurtis@hancocklaw.com

December 7, 2023

Brian M. Fitts
 Town of Virgil Assessor
 Homer Town Hall
 31 North Main Street
 Homer, New York 13077

**Re: Cortland County Industrial Development Agency
 AK Community LLC Project**

Dear Mr. Fitts:

Enclosed please find New York State Board of Real Property Services Form RP-412-a (Industrial Development Agencies Application for Real Property Tax Exemption) regarding the above-referenced project.

Thank you and if you should have any questions, please let me know.

Very truly yours,

HANCOCK ESTABROOK LLP

 A handwritten signature in cursive script, appearing to read 'Virginia G. Curtis', is written over a circular embossed stamp. Below the signature, the name 'Virginia G. Curtis' is printed in a serif font.

Virginia G. Curtis

/vc

Enclosures

cc: John Kaminski, Supervisor (w/encs.)
 Robert J. Edwards, Superintendent (w/encs.)
 Kevin Fitch, Chairman (w/encs.)
 Cortland County Real Property Tax Services (w/encs.)

Attachment: ltr_Hancock_Estabrook_AK Community LLC - Real Property Tax Exemption - 202231207 (11992 : Receive and File - IDA Notice -



**NYS DEPARTMENT OF TAXATION & FINANCE
OFFICE OF REAL PROPERTY TAX SERVICES**

RP-412-a (1/95)

**INDUSTRIAL DEVELOPMENT AGENCIES
APPLICATION FOR REAL PROPERTY TAX EXEMPTION**
(Real Property Tax Law, Section 412-a and General Municipal Law, Section 874)

1. INDUSTRIAL DEVELOPMENT AGENCY (IDA)

Name Cortland County Industrial Development Agenc
Street 40 Main Street, Suite A
City Cortland, NY 13045
Telephone no. Day (607) 756-5005
Evening () _____
Contact Brendan O'Bryan
Title Executive Director

2. OCCUPANT (IF OTHER THAN IDA)

(If more than one occupant attach separate listing)

Name AK Community LLC
Street [REDACTED]
City Home, NY 13045
Telephone no. Day () [REDACTED]
Evening () _____
Contact Stephen Terwilliger
Title Manager

3. DESCRIPTION OF PARCEL

- | | |
|--|---|
| a. Assessment roll description (tax map no./roll year)
<u>126.14-02-20.110 & 126.14-02-21.000</u> | d. School District <u>Cortland City</u> |
| b. Street address <u>Owego Hill Rd & 1208 Church Street</u> | e. County <u>Cortland</u> |
| c. City, Town or Village <u>Virgil</u> | f. Current assessment <u>1,390,900</u> |
| | g. Deed to IDA (date recorded; liber and page)
<u>Leasehold Interest</u> |

4. GENERAL DESCRIPTION OF PROPERTY (if necessary, attach plans or specifications)

- | | |
|--|---|
| a. Brief description (include property use) <u>Former school and vacant land</u> | |
| b. Type of construction <u>Renovation of existing structure into residential units and community space</u> | |
| c. Square footage <u>26,158</u> | f. Projected expiration of exemption (i.e. date when property is no longer possessed, controlled, supervised or under the jurisdiction of IDA)
<u>January 31, 2034</u> |
| d. Total cost <u>\$2,398,150.00</u> | |
| e. Date construction commenced <u>Winter 2023/24</u> | |

5. SUMMARIZE AGREEMENT (IF ANY) AND METHOD TO BE USED FOR PAYMENTS TO BE MADE TO MUNICIPALITY REGARDLESS OF STATUTORY EXEMPTION

(Attach copy of the agreement or extract of the terms relating to the project).

- a. Formula for payment Please see attached Payment In Lieu of Tax Agreement
- _____
- _____
- _____

- b. Projected expiration date of agreement January 31, 2034

Attachment: ltr_Hancock_Estabrook_AK Community LLC - Real Property Tax Exemption - 202231207 (11992 : Receive and File - IDA Notice -

RP-412-a (1/95)

2

c. Municipal corporations to which payments will be made

	Yes	No
County <u>Cortland</u>	☒	☐
Town/City <u>Virgil</u>	☒	☐
Village <u>Virgil</u>	☐	☐
School District <u>Cortland City</u>	☒	☐

d. Person or entity responsible for payment

Name AK COMMUNITY LLC
 Title Owner
 Address [REDACTED]
Cortland, New York 13045

e. Is the IDA the owner of the property? Yes ☒ No (check one)
 If "No" identify owner and explain IDA rights or interest in an attached statement. AK Community LLC is the owner, IDA has a leasehold interest.

Telephone [REDACTED]

6. Is the property receiving or has the property ever received any other exemption from real property taxation? (check one) ☒ Yes ☐ No

If yes, list the statutory exemption reference and assessment roll year on which granted:
 exemption Former school exempt from tax assessment roll year _____

7. A copy of this application, including all attachments, has been mailed or delivered on 12/04/2023 (date) to the chief executive official of each municipality within which the project is located as indicated in Item 3.

CERTIFICATION

I, Brendan O'Bryan, Executive Director of
Cortland County Industrial Development Agency hereby certify that the information
Organization
 on this application and accompanying papers constitutes a true statement of facts.

November 29, 2023
 Date

[Signature]
 Signature

FOR USE BY ASSESSOR

Clear Form

1. Date application filed _____
2. Applicable taxable status date _____
- 3a. Agreement (or extract) date _____
- 3b. Projected exemption expiration (year) _____
4. Assessed valuation of parcel in first year of exemption \$ _____
5. Special assessments and special as valorem levies for which the parcel is liable:

 Date

 Assessor's signature

CORTLAND COUNTY INDUSTRIAL DEVELOPMENT AGENCY

AND

AK COMMUNITY LLC

PAYMENT IN LIEU OF TAX AGREEMENT

DATED DECEMBER 1, 2023

RELATING TO THE PREMISES LOCATED AT 1208
CHURCH STREET AND OWEGO HILL ROAD IN THE
TOWN OF VIRGIL, CORTLAND COUNTY, NEW YORK

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EXHIBIT A – Description of the Facility Parcel

PAYMENT IN LIEU OF TAX AGREEMENT

THIS PAYMENT IN LIEU OF TAX AGREEMENT dated December 1, 2023 (the "Payment in Lieu of Tax Agreement") by and between CORTLAND COUNTY INDUSTRIAL DEVELOPMENT AGENCY, a public benefit corporation organized and existing under the laws of the State of New York having an office for the transaction of business located at 40 Main Street, Suite A, Cortland, New York (the "Agency") and AK COMMUNITY LLC, a limited liability company organized and existing under the laws of the State of Florida having an office for the transaction of business located at 4287 N. Homer Avenue, Cortland, New York 13045 (the "Company");

WITNESSETH

WHEREAS, Title 1 of Article 18-A of the General Municipal Law of the State of New York (the "Enabling Act") was duly enacted into law as Chapter 1030 of the Laws of 1969 of the State of New York; and

WHEREAS, the Enabling Act authorizes and provides for the creation of industrial development agencies for the benefit of the several counties, cities, villages and towns in the State of New York (the "State") and empowers such agencies, among other things, to acquire, construct, reconstruct, lease, improve, maintain, equip and dispose of land and any building or other improvement, and all real and personal properties, including, but not limited to, machinery and equipment, deemed necessary in connection therewith, whether or not now in existence or under construction, which shall be suitable for manufacturing, warehousing, research, commercial or industrial purposes, in order to advance the job opportunities, health, general prosperity and economic welfare of the people of the State and to improve their standard of living; and

WHEREAS, the Enabling Act further authorizes each such agency to lease or sell any or all of its projects, to charge and collect rent or the purchase price therefore; and

WHEREAS, the Agency was created, pursuant to and in accordance with the provisions of the Enabling Act, by Chapter 77 of the Laws of 1974 of the State (collectively with the Enabling Act, the "Act") and is empowered under the Act to undertake the Project (as hereinafter defined) in order to so advance the job opportunities, health, general prosperity and economic welfare of the people of the State and improve their standard of living; and

WHEREAS, by resolution adopted on September 11, 2023 (the "Preliminary Inducement Resolution") pursuant to which the Agency agreed to accept an application (the "Application") from Kajen, LLC, or an entity owned by the same principals now being AK Community LLC (the "Company") and further agreed, subject to numerous conditions, to consider undertaking a project (the "Project") consisting of the following: (A) (1) the acquisition of an interest in an approximately 7.9 acre parcel of land (the "Land") located at 1208 Church Street and Owego Hill Road in the Town of Virgil, Cortland County, New

York (2) the renovation of a vacant former school building on the Land containing approximately 26,158 square feet of space (the "Facility") and (3) the acquisition and installation therein and thereon of certain furnishings, fixtures and equipment (the "Equipment"), all of the foregoing to constitute a residential building consisting of approximately 19 residential units and a community center to be operated by the Company and occupied by residential tenants in excess of 55 years of age (the Land, the Facility and the Equipment being collectively referred to as the "Project Facility"); (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales taxes, real estate transfer taxes, mortgage recording taxes and real property taxes (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, pursuant to the Preliminary Inducement Resolution the Executive Director of the Agency (A) caused notice of a public hearing of the Agency to hear all persons interested in the Project and the financial assistance being contemplated by the Agency with respect to the Project (the "Public Hearing") to be published on September 15, 2023 in the Cortland Standard, a newspaper of general circulation available to residents of the County of Cortland, (B) conducted the Public Hearing on October 4, 2023 at 11:00 o'clock a.m. local time in the Virgil Town Hall located at 1176 Church Street in the Town of Virgil, Cortland County, (C) prepared a report of the Public Hearing which fairly summarized the views presented at said public hearing and distributed same to the members of the Agency; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act"), and the regulations (the "Regulations") adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, "SEQRA"), the Agency adopted a Resolution on September 11, 2023 determining that the Project will not have a significant adverse environmental impact and issued a "Negative Declaration" with respect to the Project ("SEQRA Resolution"); and

WHEREAS, by resolution adopted by the members of the Agency on October 10, 2023 (the "Final Inducement Resolution"), the Agency determined, following review of the Report, to finalize the preliminary determination made by the Agency in the Preliminary Inducement Resolution to proceed with the Project; and

WHEREAS, by resolution adopted by the members of the Agency on October 10, 2023 (the "Approving Resolution"), the Agency determined to grant the Financial Assistance and to enter into a Uniform Project and Lease Agreement (the "Lease Agreement") between the Agency and the Company and certain other documents related thereto and to the Project (collectively with the Lease Agreement, the "Basic Documents"); and

WHEREAS, pursuant to the terms of the Lease Agreement, (A) the Company will agree (1) to cause the Project to be undertaken and completed, and (2) as agent of the Agency, to undertake and complete the Project and (B) the Agency has leased the Project Facility to the Company for a lease term ending on the earlier to occur of (1) January 31, 2034 or (2) the date on which the Lease Agreement is terminated pursuant to the termination provisions thereof. The Lease Agreement grants to the Company certain options to acquire the Project Facility from the Agency; and

WHEREAS, pursuant to the provisions of the Lease Agreement, (A) the Company will, as agent of the Agency, undertake and complete the Project and (B) the Agency will lease (with an obligation to purchase) the Project Facility to the Company; and

WHEREAS, simultaneously with the execution and delivery of the Lease Agreement (the "Closing"), (A) the Company will execute and deliver to the Agency (1) a certain lease to agency (the "Underlying Lease"), pursuant to which the Company leases to the Agency the portion of the Land under the Facility (the "Facility Parcel") for a lease term ending on the earlier to occur of (a) January 31, 2034 or (b) the date on which the Lease Agreement is terminated pursuant to the termination provisions thereof, and (2) a bill of sale dated (the "Bill of Sale to Agency"), from the Company to the Agency, pursuant to which the Company will convey to the Agency its interest in the portion of the Project Facility constituting the Equipment, fixtures and other personal property, (B) the Company and the Agency will execute and deliver a payment in lieu of tax agreement (the "Payment in Lieu of Tax Agreement") by and between the Agency and the Company, pursuant to which the Company will agree to pay certain payments in lieu of taxes with respect to the Facility Parcel and the Facility, and (C) a copy of a New York State Board of Real Property Services Form 412-a (the form required to be filed by the Agency in order for the Agency to obtain a real property tax exemption with respect to the Facility Parcel and the Facility under Section 412-a of the Real Property Tax Law) (the "Real Property Tax Exemption Form") relating to the Facility Parcel and the Facility and the Payment in Lieu of Tax Agreement will be mailed by the Agency to the assessor and the chief executive officer of each "affected tax jurisdiction" (within the meaning of such quoted term in Section 854(16) of the Act); and

WHEREAS, pursuant to the terms set forth in the Lease Agreement, the Agency will obtain a leasehold interest in the Facility Parcel, which Facility Parcel is more fully described on Exhibit "A" attached hereto; and

WHEREAS, pursuant to the Lease Agreement, the Agency proposes to construct the Facility on the Facility Parcel (the Facility Parcel and the Facility being sometimes collectively referred to as the "Facility Premises"); and

WHEREAS, under the present provisions of the Act and Section 412-a of the Real Property Tax Law of the State of New York (the "Real Property Tax Law"), the Agency is required to pay no taxes or assessments upon any of the property acquired by it or under its jurisdiction or supervision or control; and

WHEREAS, pursuant to the provisions of Section 6.6 of the Lease Agreement, the Company has agreed to make payments in lieu of taxes (A) with respect to the Facility Premises in an amount equivalent to normal taxes and (B) with respect to the balance of the Project Facility in an amount equivalent to normal taxes; provided that, so long as this Payment in Lieu of Tax Agreement shall be in effect, the Company shall during the term of this Payment in Lieu of Tax Agreement make payments in lieu of taxes with respect to the Facility Premises in the amounts and in the manner provided in this Payment in Lieu of Tax Agreement, and during such period the provisions of Section 6.6 of the Lease Agreement shall not control the amounts due as payment in lieu of taxes with respect to the Facility Premises; and

WHEREAS, all things necessary to constitute this Payment in Lieu of Tax Agreement a valid and binding agreement by and between the parties hereto in accordance with the terms hereof have been done and performed, and the creation, execution and delivery of this Payment in Lieu of Tax Agreement have in all respects been duly authorized by the Agency and the Company.

NOW, THEREFORE, in consideration of the matters above recited, the parties hereto formally covenant, agree and bind themselves as follows, to wit:

ARTICLE I REPRESENTATIONS AND WARRANTIES

SECTION 1.01. REPRESENTATIONS OF AND WARRANTIES BY THE COMPANY.
The Company does hereby represent, warrant and covenant as follows:

(A) Power. The Company is a limited liability company duly organized and validly existing under the laws of the State of Florida, is duly authorized to do business in the State of New York, and has the power under the laws of the State to enter into this Payment in Lieu of Tax Agreement and the transactions contemplated hereby and to perform and carry out all covenants and obligations on its part to be performed under and pursuant to this Payment in Lieu of Tax Agreement, and by proper action of its managers (and members, if necessary) has been duly authorized to execute, deliver and perform this Payment in Lieu of Tax Agreement.

(B) Authorization. The Company is authorized and has the power under its articles of organization, operating agreement and the laws of the State to enter into this Payment in Lieu of Tax Agreement and the transactions contemplated hereby and to perform and carry out all covenants and obligations on its part to be performed under and pursuant to this Payment in Lieu of Tax Agreement. By proper action of its members, the Company has duly authorized the execution, delivery and performance of this Payment in Lieu of Tax Agreement and the consummation of the transactions herein contemplated.

(C) Conflicts. The Company is not prohibited from entering into this Payment in Lieu of Tax Agreement and discharging and performing all covenants and obligations on its part to be performed under and pursuant to this Payment in Lieu of Tax Agreement

by (and the execution, delivery and performance of this Payment in Lieu of Tax Agreement, the consummation of the transactions contemplated hereby and the fulfillment of and compliance with the provisions of this Payment in Lieu of Tax Agreement will not conflict with or violate or constitute a breach of or a default under) the terms, conditions or provisions of its articles of organization or operating agreement or any other corporate restriction, law, rule, regulation or order of any court or other agency or authority of government, or any contractual limitation, restriction or outstanding indenture, deed of trust, mortgage, loan agreement, other evidence of indebtedness or any other agreement or instrument to which the Company is a party or by which the Company or any of its property is bound, and neither the Company's entering into this Payment in Lieu of Tax Agreement nor the Company's discharging and performing all covenants and obligations on its part to be performed under and pursuant to this Payment in Lieu of Tax Agreement will be in conflict with or result in a breach of or constitute (with due notice and/or lapse of time) a default under any of the foregoing, or result in the creation or imposition of any lien of any nature upon any of the property of the Company under the terms of any of the foregoing, and this Payment in Lieu of Tax Agreement is the legal, valid and binding obligation of the Company enforceable in accordance with its terms, except as enforceability may be limited by applicable bankruptcy, insolvency, reorganization, moratorium and other laws relating to or affecting creditors' rights generally and by general principles of equity (regardless of whether enforcement is sought in a proceeding in equity or at law).

(D) Governmental Consents. No consent, approval or authorization of, or filing, registration or qualification with, any governmental or public authority on the part of the Company is required as a condition to the execution, delivery or performance of this Payment in Lieu of Tax Agreement by the Company or as a condition to the validity of this Payment in Lieu of Tax Agreement.

SECTION 1.02. REPRESENTATIONS OF AND WARRANTIES BY THE AGENCY. The Agency does hereby represent, warrant and covenant as follows:

(A) Power. The Agency is a public benefit corporation of the State, has been duly established under the provisions of the Act, is validly existing under the provisions of the Act and has the power under the laws of the State of New York to enter into the transactions contemplated by this Payment in Lieu of Tax Agreement and to carry out the transactions contemplated hereby and to perform and carry out all covenants and obligations on its part to be performed under and pursuant to this Payment in Lieu of Tax Agreement hereunder.

(B) Authorization. The Agency is authorized and has the corporate power under the Act, its by-laws and the laws of the State to enter into this Payment in Lieu of Tax Agreement and the transactions contemplated hereby and to perform and carry out all the covenants and obligations on its part to be performed under and pursuant to this Payment in Lieu of Tax Agreement. By proper corporate action on the part of its members, the Agency has duly authorized the execution, delivery and performance of

this Payment in Lieu of Tax Agreement and the consummation of the transactions herein contemplated.

(C) Conflicts. The Agency is not prohibited from entering into this Payment in Lieu of Tax Agreement and discharging and performing all covenants and obligations on its part to be performed under and pursuant to this Payment in Lieu of Tax Agreement by the terms, conditions or provisions of any order, judgment, decree, law, ordinance, rule or regulation of any court or other agency or authority of government, or any agreement or instrument to which the Agency is a party or by which the Agency is bound.

ARTICLE II COVENANTS AND AGREEMENTS

SECTION 2.01. TAX-EXEMPT STATUS OF THE FACILITY PREMISES. (A) Assessment of the Facility Premises. Pursuant to Section 874 of the Act and Section 412-a of the Real Property Tax Law, the parties hereto understand that, upon acquisition of a leasehold interest in the Facility Premises by the Agency and the filing by the Agency of a New York State Department of Taxation and Finance Office of Real Property Services Form RP-412-a with respect to the Facility Premises, and for so long thereafter as the Agency shall have an interest in the Facility Premises, the Facility Premises shall be assessed by the various taxing entities having jurisdiction over the Facility Premises, including, without limitation, any county, city, school district, town, village or other political unit or units wherein the Facility Premises is located (such taxing entities being sometimes collectively hereinafter referred to as the "Taxing Entities", and each of such Taxing Entities being sometimes individually hereinafter referred to as a "Taxing Entity") as exempt upon the assessment rolls of the respective Taxing Entities prepared subsequent to the acquisition by the Agency of the leasehold interest in the Facility Premises created by the Underlying Lease and the filing of the Real Property Tax Exemption Form. The Company shall, promptly, following acquisition by the Agency of the leasehold interest in the Facility Premises created by the Underlying Lease, take such action as may be necessary to ensure that the Facility Premises shall be assessed as exempt upon the assessment rolls of the respective Taxing Entities prepared subsequent to such acquisition by the Agency, including ensuring that a Real Property Tax Exemption Form shall be filed with the appropriate officer or officers of each respective Taxing Entity responsible for assessing properties on behalf of each such Taxing Entity (each such officer being hereinafter referred to as an "Assessor"). For so long thereafter as the Agency shall own such leasehold interest in the Facility Premises, the Company shall take such further action as may be necessary to maintain such exempt assessment with respect to each Taxing Entity. The parties hereto understand that the Facility Premises shall not be entitled to such tax-exempt status on the tax rolls of any Taxing Entity until the first tax year of such Taxing Entity following the tax status date of such Taxing Entity occurring subsequent to the date upon which the Agency becomes the owner of record of such leasehold interest in the Facility Premises and the Real Property Tax Exemption Form is filed. Pursuant to the provisions of the Lease Agreement, the Company will be required to pay all taxes and assessments lawfully levied and/or assessed against the Facility Premises, including taxes and assessments levied for the current tax year and all

subsequent tax years until the Facility Premises shall be entitled to exempt status on the tax rolls of the respective Taxing Entities. The Agency will cooperate with the Company to obtain and preserve the tax-exempt status of the Facility Premises.

(B) Special Assessments. The parties hereto understand that the tax exemption extended to the Agency by Section 874 of the Act and Section 412-a of the Real Property Tax Law does **not** entitle the Agency to exemption from special assessments and special ad valorem levies. Pursuant to the Lease Agreement, the Company will be required to pay all special assessments and special ad valorem levies lawfully levied and/or assessed against the Facility Premises.

SECTION 2.02. PAYMENTS IN LIEU OF TAXES. (A) Agreement to Make Payments. The Company agrees that it shall make annual payments in lieu of property taxes in the amounts hereinafter provided to the respective Taxing Entities entitled to receive same pursuant to the provisions hereof. The Company also agrees to give the Assessors a copy of this Payment in Lieu of Tax Agreement. The payments due hereunder shall be paid by the Company to the respective appropriate officer or officers of the respective Taxing Entities charged with receiving payments of taxes for such Taxing Entities (such officers being collectively hereinafter referred to as the "Receivers of Taxes") for distribution by the Receivers of Taxes to the appropriate Taxing Entities entitled to same pursuant to the provisions hereof.

(B) Valuation of the Facility Premises. (1) The value of the Facility Premises for purposes of determining payments in lieu of taxes due hereunder (hereinafter referred to as the "Assessed Value") **shall be fixed in the amount of \$380,000.00 for tax years 1 - 5 of the Term of this Payment in Lieu of Tax Agreement.** Nothing herein shall be construed to prevent the appropriate Assessors from determining a different assessed value for any other purpose. **The Assessed Value for purposes of determining payments in lieu of taxes due hereunder in tax years 6 - 10 of the Term of this Payment in Lieu of Tax Agreement shall be the actual assessed value for real property tax purposes of the Facility Premises as determined by the appropriate Assessors.** The Company shall be entitled to written notice of the determination of any assessed value from the appropriate Assessors and of any change thereof in accordance with law.

(2) If the Company is dissatisfied with the amount of any other assessed value of the Facility Premises as initially established or as thereafter changed, the Company shall have all rights and remedies under the laws of the State of New York to challenge such other assessed value.

(C) Amount of Payments in Lieu of Taxes. The payments in lieu of taxes to be paid by the Company to the Receivers of Taxes annually on behalf of each Taxing Entity pursuant to the terms of this Payment in Lieu of Tax Agreement shall be computed separately for each Taxing Entity as follows (the "PILOT Payment"):

(1) (i) In tax years 1 - 5 of the Term of this Payment in Lieu of Tax Agreement, by multiplying (a) the Assessed Value of the Facility Premises determined pursuant to Subsection (B) of this Section 2.02, by (b) the tax rate or rates of such Taxing Entity that would be applicable to the Facility Premises if the Facility Premises was owned by the Company and not the Agency; and

(ii) In tax years 6 - 10 of the Term of this Payment in Lieu of Tax Agreement, by multiplying (a) the Assessed Value of the Facility Premises determined pursuant to Subsection (B) of this Section 2.02, by (b) the tax rate or rates of such Taxing Entity that would be applicable to the Facility Premises if the Facility Premises was owned by the Company and not the Agency, and then further multiplying the result thereof by:

50% in Tax Year 6
60% in Tax Year 7
70% in Tax Year 8
80% in Tax Year 9
90% in Tax Year 10

(2) Except as provided in paragraph (3) below, in each tax year during the term of this Payment in Lieu of Tax Agreement, commencing on the first tax year following the date on which the Facility Premises shall be assessed as exempt on the assessment roll of any Taxing Entity, the amount payable by the Company to the Receivers of Taxes on behalf of each Taxing Entity as a payment in lieu of property tax pursuant to this Payment in Lieu of Tax Agreement shall be an amount equal to the applicable PILOT Payment as calculated pursuant to Subsection (C) (1) i. and ii. of this Section 2.02.

(3) The parties recognize that the purpose of the Project is to provide needed senior housing in the County. Accordingly, the parties have agreed that the payments in lieu of taxes payable with respect to the Project Facility shall bear a direct relationship to the success or lack of success of the Project in achieving this goal. Therefore, on or before November 1 of each calendar year during the term of this Payment in Lieu of Tax Agreement, the Company shall file with the Agency an affidavit indicating the number of residential units within the Project Facility occupied by tenants in excess of 55 years of age. In each year that all 19 residential units within the Project Facility are occupied by tenants in excess of 55 years of age then the amount payable by the Company to the Receivers of Taxes on behalf of each Taxing Entity as a payment in lieu of property tax pursuant to this Payment in Lieu of Tax Agreement shall be an amount equal to the applicable PILOT Payment as calculated pursuant to Subsection (C) (1) i. and ii. of this Section 2.02. In each year that not all 19 residential units within the Project Facility are occupied by tenants in excess of 55 years of age then the amount payable by the Company to the Receivers of Taxes on behalf of each Taxing Entity as a payment in lieu of property tax pursuant to this Payment in Lieu of Tax Agreement shall be an amount equal to the lesser of (1) the PILOT Payment as calculated pursuant to Subsection (C) (1) i. and ii. of this Section 2.02 plus an additional 5.3% of the PILOT Payment for each residential unit not occupied by a tenant in excess of 55 years of age for such prior year

or (2) an amount equal to the real property taxes which would otherwise be due if the Project Facility were owned by the Company and not leased to the Agency for that year.

If the Company fails to file such an affidavit with the Agency on or before November 1 of a calendar year then, notwithstanding anything contained herein to the contrary, the Company shall pay an amount equal to the real property taxes which would otherwise be due if the Project Facility were owned by the Company and not leased to the Agency for that year.

(D) Additional Amounts in Lieu of Taxes. Commencing on the first tax year following the date on which any structural addition shall be made to the Facility Premises or any portion thereof or any additional building or other structure shall be constructed on the Facility Parcel (such structural additions and additional buildings and other structures being hereinafter referred to as "Additional Facilities") the Company agrees to make additional annual payments in lieu of property taxes (such additional payments being hereinafter collectively referred to as "Additional Payments") to the Receivers of Taxes with respect to such Additional Facilities, such Additional Payments to be computed separately for each Taxing Entity as follows:

(1) Determine the amount of general taxes and general assessments (hereinafter referred to as the "Normal Tax") which would be payable to each Taxing Entity if such Additional Facilities were owned by the Company and not the Agency as follows: (a) multiply the Additional Assessed Value (as hereinafter defined) of such Additional Facilities determined pursuant to subsection (E) of this Section 2.02 by (b) the tax rate or rates of such Taxing Entity that would be applicable to such Additional Facilities if such Additional Facilities were owned by the Company and not the Agency, and (c) reduce the amount so determined by the amounts of any tax exemptions that would be afforded to the Company by such Taxing Entity if such Additional Facilities were owned by the Company and not the Agency.

(2) In each fiscal tax year during the term of this Payment in Lieu of Tax Agreement (commencing in the fiscal tax year when such Additional Facilities would first appear on the assessment roll of any Taxing Entity) if such Additional Facilities were owned by the Company and not the Agency, the amount payable by the Company to the Receivers of Taxes on behalf of each Taxing Entity as a payment in lieu of property tax with respect to such Additional Facilities pursuant to this Payment in Lieu of Tax Agreement shall be an amount equal to one hundred percent (100%) of the Normal Tax due each Taxing Entity with respect to such Additional Facilities for such fiscal tax year (unless the Agency and the Company shall enter into a separate written agreement regarding payments in lieu of property taxes with respect to such Additional Facilities, in which case the provisions of such separate written agreement shall control).

(E) Valuation of Additional Facilities. (1) The value of Additional Facilities for purposes of determining payments in lieu of taxes due under Section 2.02(D) hereof shall be determined by the Assessors of each respective Taxing Entity. The parties hereto agree that the Assessors shall (a) appraise the Additional Facilities in the same manner

as other similar properties in the general area of the Facility Premises, and (b) place a value for assessment purposes (hereinafter referred to as the "Additional Assessed Value") upon the Additional Facilities, equalized if necessary by using the appropriate equalization rates as apply in the assessment and levy of real property taxes. The Company shall be entitled to written notice of the initial establishment of such Additional Assessed Value and of any change in such Additional Assessed Value.

(2) If the Company is dissatisfied with the amount of the Additional Assessed Value of the Additional Facilities as initially established or as changed, the Company shall have all rights and remedies under the laws of the State of New York to challenge such other assessed value. Any payments in lieu of taxes due upon such Additional Facilities pursuant to Section 2.02(D) hereof may not be withheld by the Company pending determination of the Additional Assessed Value.

(F) Statements. Pursuant to Section 858(15) of the Act, the Agency agrees to give each Taxing Entity a copy of this Payment in Lieu of Tax Agreement within fifteen (15) days of the execution and delivery hereof, together with a request that a copy hereof be given to the appropriate officer or officers of the respective Taxing Entities responsible for preparing the tax rolls for said Tax Entities (each, a "Tax Billing Officer") and a request that said Tax Billing Officers submit to the Company and to the appropriate Receiver of Taxes periodic statements specifying the amount and due date or dates of the payments due each Taxing Entity hereunder, such periodic statements to be submitted to the Company at approximately the times that tax bills are mailed by such Taxing Entities.

(G) Time of Payments. The Company agrees to pay the amounts due hereunder to each particular Taxing Entity in any fiscal tax year to the appropriate Receiver of Taxes within the period that such Taxing Entity allows payment of taxes levied in such fiscal tax year without penalty. The Company shall be entitled to receive receipts for such payments.

(H) Method of Payment. All payments by the Company hereunder shall be paid to the Receivers of Taxes in lawful money of the United States of America. The Receivers of Taxes shall in turn distribute the amounts so paid to the various Taxing Entities entitled to same.

SECTION 2.03. CREDIT FOR TAXES PAID. (A) Amount of Credit. The parties hereto acknowledge and agree that the obligation of the Company to make the payments provided in Section 2.02 of this Payment in Lieu of Tax Agreement shall be in addition to any and all other taxes and governmental charges of any kind whatsoever which the Company may be required to pay under the Lease Agreement. It is understood and agreed, however, that should the Company pay in any fiscal tax year to any Taxing Entity any amounts in the nature of general property taxes, general assessments, service charges or other governmental charges of a similar nature levied and/or assessed upon the Facility Premises or the interest therein of the Company or the occupancy thereof by the Company (but not including, by way of example, (1) sales and use taxes, and (2) special assessments, special ad valorem levies or governmental charges in the nature of

utility charges, including but not limited to water, solid waste, sewage treatment or sewer or other rents, rates or charges), then the Company's obligation to make payments in lieu of property taxes attributed to such fiscal tax year to such Taxing Entity hereunder shall be reduced by the amounts which the Company shall have so paid to such Taxing Entity in such fiscal tax year, but there shall be no cumulative or retroactive credit as to any payment in lieu of property taxes due to any other Taxing Entity or as to any payment in lieu of property taxes due to such Taxing Entity in any other fiscal tax year.

(B) Method of Claiming Credits. If the Company desires to claim a credit against any particular payment in lieu of tax due hereunder, the Company shall give the governing body of the affected Taxing Entity and the Agency prior written notice of its intention to claim any credit pursuant to the provision of this Section 2.03, said notice to be given by the Company at least thirty (30) days prior to the date on which such payment in lieu of tax is due pursuant to the provisions of Section 2.02(G) hereof. In the event that the governing body of the appropriate Taxing Entity desires to contest the Company's right to claim such credit, then said governing body, the Agency and the Company shall each select an arbitrator in accordance with the rules of the American Arbitration Association, each of whom shall meet the qualifications set forth in Section 2.02(B) hereof, which arbitrators shall, at the sole cost and expense of the Company, determine whether the Company is entitled to claim any credit pursuant to the provisions of this Section 2.03 and, if so, the amount of the credit to which the Company is entitled. It is understood that the arbitrators are empowered to confirm the amount of the credit claimed by the Company or to determine a lower or higher credit. When the Company shall have given notice, as provided herein, that it claims a credit, the amount of any payment in lieu of property taxes due hereunder against which the credit may be claimed may be withheld (to the extent of the credit claimed by the Company, but only to the extent that such credit may be claimed against said payment in lieu of taxes pursuant to the provisions of this Section 2.03) until the decision of the arbitrators is rendered. After the decision of the arbitrators is rendered, the payment in lieu of taxes due with respect to any reduction or disallowance by the arbitrators in the amount of the credit claimed by the Company shall, to the extent withheld as aforesaid, be immediately due and payable and shall be paid by the Company within thirty (30) days of said decision.

SECTION 2.04. LATE PAYMENTS. (A) First Month. Pursuant to Section 874(5) of the Act, if the Company shall fail to make any payment required by this Payment in Lieu of Tax Agreement when due, the Company shall pay the same, together with a late payment penalty equal to five percent (5%) of the amount due.

(B) Thereafter. If the Company shall fail to make any payment required by this Payment in Lieu of Tax Agreement when due and such delinquency shall continue beyond the first month, the Company's obligation to make the payment so in default shall continue as an obligation of the Company to the affected Taxing Entity until such payment in default shall have been made in full, and the Company shall pay the same to the affected Taxing Entity together with (1) a late payment penalty of one percent (1%) per month for each month, or part thereof, that the payment due hereunder is delinquent beyond the first month, plus (2) interest thereon, to the extent permitted by law, at the

greater of (a) one percent (1%) per month, or (b) the rate per annum which would be payable if such amount were delinquent taxes, until so paid in full.

ARTICLE III LIMITED OBLIGATION

SECTION 3.01. NO RECOURSE; LIMITED OBLIGATION OF THE AGENCY. (A) No Recourse. All obligations, covenants, and agreements of the Agency contained in this Payment in Lieu of Tax Agreement shall be deemed to be the obligations, covenants and agreements of the Agency and not of any member, officer, agent, servant or employee of the Agency in his individual capacity, and no recourse under or upon any obligation, covenant or agreement contained in this Payment in Lieu of Tax Agreement, or otherwise based upon or in respect of this Payment in Lieu of Tax Agreement, or for any claim based thereon or otherwise in respect thereof, shall be had against any past, present or future member, officer, agent (other than the Company), servant or employee, as such, of the Agency or any successor public benefit corporation or political subdivision or any person executing this Payment in Lieu of Tax Agreement on behalf of the Agency, either directly or through the Agency or any successor public benefit corporation or political subdivision or any person so executing this Payment in Lieu of Tax Agreement, it being expressly understood that this Payment in Lieu of Tax Agreement is a corporate obligation, and that no such personal liability whatever shall attach to, or is or shall be incurred by, any such member, officer, agent (other than the Company), servant or employee of the Agency or of any successor public benefit corporation or political subdivision or any person so executing this Payment in Lieu of Tax Agreement under or by reason of the obligations, covenants or agreements contained in this Payment in Lieu of Tax Agreement or implied therefrom; and that any and all such personal liability of, and any and all such rights and claims against, every such member, officer, agent (other than the Company), servant or employee under or by reason of the obligations, covenants or agreements contained in this Payment in Lieu of Tax Agreement or implied therefrom are, to the extent permitted by law, expressly waived and released as a condition of, and as a consideration for, the execution of this Payment in Lieu of Tax Agreement by the Agency.

(B) Limited Obligation. The obligations, covenants and agreements of the Agency contained herein shall not constitute or give rise to an obligation of the State of New York or Cortland County, New York, and neither the State of New York nor Cortland County, New York shall be liable thereon and, further, such obligations, covenants and agreements shall not constitute or give rise to a general obligation of the Agency, but rather shall constitute limited obligations of the Agency payable solely from the revenues of the Agency derived and to be derived from the lease, sale or other disposition of the Facility Premises (except for revenues derived by the Agency with respect to the Unassigned Rights, as defined in the Lease Agreement).

(C) Further Limitation. Notwithstanding any provision of this Payment in Lieu of Tax Agreement to the contrary, the Agency shall not be obligated to take any action pursuant to any provision hereof unless (1) the Agency shall have been requested to do

so in writing by the Company, and (2) if compliance with such request is reasonably expected to result in the incurrence by the Agency (or any of its members, officers, agents, servants or employees) of any liability, fees, expenses or other costs, the Agency shall have received from the Company security or indemnity and an agreement from the Company to defend and hold harmless the Agency satisfactory to the Agency for protection against all such liability, however remote, and for the reimbursement of all such fees, expenses and other costs.

ARTICLE IV EVENTS OF DEFAULT

SECTION 4.01. EVENTS OF DEFAULT. Any one or more of the following events shall constitute an event of default under this Payment in Lieu of Tax Agreement, and the terms "Event of Default" or "default" shall mean, whenever they are used in this Payment in Lieu of Tax Agreement, any one or more of the following events:

(A) Failure of the Company to pay any amount due and payable by the Company pursuant to this Payment in Lieu of Tax Agreement and continuance of said failure for a period of fifteen (15) days after written notice to the Company stating that such payment is due and payable;

(B) Failure of the Company to observe and perform any other covenant, condition or agreement on its part to be observed and performed hereunder (other than as referred to in paragraph (A) above) and continuance of such failure for a period of thirty (30) days after written notice to the Company specifying the nature of such failure and requesting that it be remedied; provided that if such default cannot reasonably be cured within such thirty (30) day period and if the Company shall have commenced action to cure the breach of covenant, condition or agreement within said thirty (30) day period and thereafter diligently and expeditiously proceeds to cure the same, such thirty (30) day period shall be extended for so long as the Company shall require in the exercise of due diligence to cure such default, it being agreed that no such extension shall be for a period in excess of ninety (90) days in the aggregate from the date of default; or

(C) Any warranty, representation or other statement by or on behalf of the Company contained in this Payment in Lieu of Tax Agreement shall prove to have been false or incorrect in any material respect on the date when made or on the effective date of this Payment in Lieu of Tax Agreement and (1) shall be materially adverse to the Agency at the time when the notice referred to below shall have been given to the Company and (2) if curable, shall not have been cured within thirty (30) days after written notice of such incorrectness shall have been given to a responsible officer of the Company, provided that if such correctness cannot reasonably be cured within said thirty-day period and the Company shall have commenced action to cure the incorrectness within said thirty-day period and, thereafter, diligently and expeditiously proceeds to cure the same, such thirty-day period shall be extended for so long as the Company shall require, in the exercise of due diligence, to cure such default.

SECTION 4.02. REMEDIES ON DEFAULT. (A) General. Whenever any Event of Default shall have occurred with respect to this Payment in Lieu of Tax Agreement, the Agency (or if such Event of Default concerns a payment required to be made hereunder to any Taxing Entity, then with respect to such Event of Default such Taxing Entity) may take whatever action at law or in equity as may appear necessary or desirable to collect the amount then in default or to enforce the performance and observance of the obligations, agreements and covenants of the Company under this Payment in Lieu of Tax Agreement.

(B) Cross-Default. In addition, an Event of Default hereunder shall constitute an event of default under Article X of the Lease Agreement. Upon the occurrence of an Event of Default hereunder resulting from a failure of the Company to make any payment required hereunder, the Agency shall have, as a remedy therefor under the Lease Agreement, among other remedies, the right to terminate the Lease Agreement and convey the Project Facility to the Company, thus subjecting the Project Facility to immediate full taxation pursuant to Section 520 of the Real Property Tax Law of the State.

(C) Separate Suits. Each such Event of Default shall give rise to a separate cause of action hereunder and separate suits may be brought hereunder as each cause of action arises.

(D) Venue. The Company irrevocably agrees that any suit, action or other legal proceeding arising out of this Payment in Lieu of Tax Agreement may be brought in the courts of record of the State, consents to the jurisdiction of each such court in any such suit, action or proceeding, and waives any objection which it may have to the laying of the venue of any such suit, action or proceeding in any of such courts.

SECTION 4.03. PAYMENT OF ATTORNEYS' FEES AND EXPENSES. Pursuant to Section 874(6) of the Act, if the Company should default in performing any of its obligations, covenants or agreements under this Payment in Lieu of Tax Agreement and the Agency or any Taxing Entity should employ attorneys or incur other expenses for the collection of any amounts payable hereunder or for the enforcement of performance or observance of any obligation, covenant or agreement on the part of the Company herein contained, the Company agrees that it will, on demand therefor, pay to the Agency or such Taxing Entity, as the case may be, not only the amounts adjudicated due hereunder, together with the late payment penalty and interest due thereon, but also the reasonable fees and disbursements of such attorneys and all other expenses, costs and disbursements so incurred, whether or not an action is commenced.

SECTION 4.04. REMEDIES; WAIVER AND NOTICE. (A) No Remedy Exclusive. No remedy herein conferred upon or reserved to the Agency or any Taxing Entity is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given under this Payment in Lieu of Tax Agreement or now or hereafter existing at law or in equity or by statute.

(B) Delay. No delay or omission in exercising any right or Power accruing upon the occurrence of any Event of Default hereunder shall impair any such right or power or shall be construed to be a waiver thereof, but any such right or power may be exercised from time to time and as often as may be deemed expedient.

(C) Notice Not Required. In order to entitle the Agency or any Taxing Entity to exercise any remedy reserved to it in this Payment in Lieu of Tax Agreement, it shall not be necessary to give any notice, other than such notice as may be expressly required in this Payment in Lieu of Tax Agreement.

(D) No Waiver. In the event any provision contained in this Payment in Lieu of Tax Agreement should be breached by any party and thereafter duly waived by the other party so empowered to act, such waiver shall be limited to the particular breach so waived and shall not be deemed to be a waiver of any other breach hereunder. No waiver, amendment, release or modification of this Payment in Lieu of Tax Agreement shall be established by conduct, custom or course of dealing.

ARTICLE V MISCELLANEOUS

SECTION 5.01. TERM. (A) General. This Payment in Lieu of Tax Agreement shall become effective and the obligations of the Company shall arise absolutely and unconditionally upon the approval of this Payment in Lieu of Tax Agreement by resolution of the Agency and the execution and delivery of this Payment in Lieu of Tax Agreement by the Company and the Agency. Unless otherwise provided by amendment hereof, this Payment in Lieu of Tax Agreement shall continue to remain in effect until the earlier to occur of (1) January 31, 2034 or (2) the date on which the Facility Premises is reconveyed by the Agency to the Company pursuant to the Lease Agreement.

(B) Extended Term. In the event that (1) the Facility Premises shall be reconveyed to the Company, (2) on the date on which the Company obtains the Agency's interest in the Facility Premises, the Facility Premises shall be assessed as exempt upon the assessment roll of any one or more of the Taxing Entities, and (3) the fact of obtaining the Agency's interest in the Facility Premises shall not immediately obligate the Company to make pro-rata tax payments pursuant to legislation similar to Chapter 635 of the 1978 Laws of the State (codified as subsection 3 of Section 302 of the Real Property Tax Law and Section 520 of the Real Property Tax Law), this Payment in Lieu of Tax Agreement shall remain in full force and effect and the Company shall be obligated to make payments to the Receiver of Taxes in amounts equal to those amounts which would be due from the Company if the Facility Premises were owned by the Company and not the Agency until the first tax year in which the Company shall appear on the tax rolls of the various Taxing Entities having jurisdiction over the Facility Premises as the legal owner of record of the Project Facility.

SECTION 5.02. FORM OF PAYMENTS. The amounts payable under this Payment in Lieu of Tax Agreement shall be payable in such coin and currency of the United States

of America as at the time of payment shall be legal tender for the payment of public and private debts.

SECTION 5.03. COMPANY ACTS. Where the Company is required to do or accomplish any act or thing hereunder, the Company may cause the same to be done or accomplished with the same force and effect as if done or accomplished by the Company.

SECTION 5.04. AMENDMENTS. This Payment in Lieu of Tax Agreement may not be effectively amended, changed, modified, altered or terminated except by an instrument in writing executed by the parties hereto.

SECTION 5.05. NOTICES. (A) General. All notices, certificates or other communications hereunder shall be in writing and may be personally served, telecopied or sent by courier service or United States mail and shall be sufficiently given and shall be deemed given when (1) sent to the applicable address stated below by United States registered or certified mail, postage prepaid, return receipt requested, or by such other means as shall provide the sender with documentary evidence of such delivery, or (2) delivery is refused by the addressee, as evidenced by the affidavit of the Person who attempted to effect such delivery.

(B) Notices Given by Taxing Entities. Notwithstanding the foregoing, notices of assessment or reassessment of the Project Facility and other notices given by a Taxing Entity under Article II hereof shall be sufficiently given and shall be deemed given when given by the Taxing Entity in the same manner in which similar notices are given to owners of taxable properties by such Taxing Entity.

(C) Addresses. The addresses to which notices, certificates and other communications hereunder shall be delivered are as follows:

IF TO THE COMPANY:

AK COMMUNITY LLC
4287 N. Homer Avenue
Cortland, New York 13045

IF TO THE AGENCY:

Cortland County Industrial Development Agency
40 Main Street, Suite A
Cortland, New York 13045
Attention: Executive Director
WITH A COPY TO:

Hancock Estabrook, LLP
1800 AXA Tower I
100 Madison Street

Syracuse, NY 13202
Attn: John P. Sidd, Esq.

(D) Copies. A copy of any notice given hereunder by the Company which affects in any way a Taxing Entity shall also be given to the chief executive officer of such Taxing Entity.

(E) Change of Address. The Agency, the Company or any Taxing Entity may, by notice given hereunder, designate any further or different addresses to which subsequent notices, certificates or other communications to them shall be sent.

SECTION 5.06. BINDING EFFECT. This Payment in Lieu of Tax Agreement shall inure to the benefit of, and shall be binding upon, the Agency, the Company and their respective successors and assigns. The provisions of this Payment in Lieu of Tax Agreement are intended to be for the benefit of the Agency and the respective Taxing Entities.

SECTION 5.07. SEVERABILITY. If any article, section, subdivision, paragraph, sentence, clause, phrase, provision or portion of this Payment in Lieu of Tax Agreement shall for any reason be held or adjudged to be invalid or illegal or unenforceable by any court of competent jurisdiction, such article, section, subdivision, paragraph, sentence, clause, phrase, provision or portion so adjudged invalid, illegal or unenforceable shall be deemed separate, distinct and independent and the remainder of this Payment in Lieu of Tax Agreement shall be and remain in full force and effect and shall not be invalidated or rendered illegal or unenforceable or otherwise affected by such holding or adjudication.

SECTION 5.08. COUNTERPARTS. This Payment in Lieu of Tax Agreement may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

SECTION 5.09. APPLICABLE LAW. This Payment in Lieu of Tax Agreement shall be governed by and construed in accordance with the laws of the State of New York.

SIGNATURE PAGE TO FOLLOW

IN WITNESS WHEREOF, the Agency and the Company have caused this Payment in Lieu of Tax Agreement to be executed in their respective names by duly authorized officers thereof, all being done as of the date first above written.

CORTLAND COUNTY INDUSTRIAL
DEVELOPMENT AGENCY

By: 
Brendan O'Bryan, Executive Director

AK COMMUNITY LLC

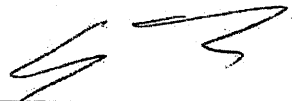
By: 
Stephen Terwilliger, Manager

EXHIBIT "A"
(Attach a copy of the Description of Facility Parcel)

{H5328777.1}

SCHEDULE A

All that Tract Parcel of Land situate in the Town of Virgil, County of Cortland and State of New York, bounded: and described as follows: Beginning at a point in the west line of lands owned by the party of the first part lying west of the highway leading from the settlement or hamlet of Virgil to Hartford, where said west line is intersected by the north line of lands owned by Ora J. Bays, husband of the party of the first part, and the south line of the Methodist Church property and running through north 24° and 30' east along the boundary line between the lands of the party of the first part on the east and the lands of the Methodist Church on the west, 66 feet to an iron stake set in the ground; through south 83° and 15' east along the south line of lands owned by W. E. Ladd and the old Baptist Church property 231.4 feet to the center of the highway leading towards Hartford from the settlement of Virgil; thence south 24° and 50' west along the center of the said highway 490 feet to the point; then north 65° and 10' west 219.9 feet to a point in the first mentioned line; then north 24° and 30' east 352 feet along said first mentioned line to the place of beginning, containing more or less of land.

Excepting therefrom so much of the same as is used for highway purposes on the east.

All that Tract or Parcel of Land-division line of the lands owned by the above named Ora J. Bays and lands owned by his wife, Mattie Bays, where the southeast corner of the lands owned by the Methodist Church intersect the west line of said lands so Owned by Mattie Bays; then running thence south 34 degrees and 30 minutes west 352 feet along the west line of the said Mattie Byas property to an iron stake set in the ground; thence north 65 degrees ten minutes west 157.6 feet to an iron stake set in the ground; thence north 4 degrees 30 minutes east 272.4 feet to an iron stake set in the ground on the division line between the lands known as the Mary Ingraham property and the lands owned by the above Ora J. Bays; thence north 77 degrees 30 minutes east along said division line 40 feet to an iron stake set in the ground; thence south 83 degrees 15 minutes east 231.4 feet along the south line of the Methodist Church property to the place of beginning, containing more or less of the land.

All That Tract or parcel of Land, situate in the Town of Virgil, Cortland County, new York, on lot No. 24, and bounded as follows: East by the center of the road that runs in a southerly direction from the four corners at the settlement or hamlet of Virgil; north by the center of a road that leads from the first mentioned road in a westerly direction and runs a little south of west; bounded on the west by lands owned by Earl Ladd and on the south by lands now owned (1930) by Mattie Bays which have been purchased by the party of the second part herein for school purposes, containing one and one-half acres of land,

{H5337427.1}

be the same more or less, and being the same premises conveyed by Jos. Reynolds and William Snyder, to Virgil Village Baptist Church and Society by deed dated May 31, 1833, recorded in Cortland County Clerk's Office in Book T of Deeds at page 427 on the 12th, day of June, 1833 and by Earl Ladd and wife to Virgil Baptist Church and Society by deed dated July 5, 1927, recorded in Cortland County Clerk's Office in Book 148 of Deeds at Page 221.

Also, all that tract or parcel of land, situate in the Town of Virgil, County of Cortland and State of New York, bounded and described as follows: Beginning at a point in the center of the Virgil-Harford Road, said point being 88 feet distance northeasterly measured along the center of the said road from the northeast corner of the Virgil Cemetery lands; thence N 67° 40' W 177 feet to a point; thence S 24° 50' W, 88 feet to a point on the north line of the said cemetery lands; thence N 67° 40' W 807 feet to the north west corner of the cemetery lands; thence N 6° 50' E 298 feet to the center of Church St.; thence N 76° 20' E along the center of Church Street 500 feet to a point; thence S 19° 40' E 142 feet to a point; thence N 61° 18 E 192.10 feet to an iron stake in a corner of the lands of the Virgil Central School; thence S 4° 30' W 272.4 feet to a post in the southwest corner of the said school lands; thence S 65° 10' E along the south line of the said school lands 376 feet to the center of the Virgil-Harford Road; thence S 24° 50' W along the center of the said road 262.4 feet to the point of beginning.

Excepting and reserving that portion of the above-described premises set forth in a deed from Cortland Enlarged City School District to the Town of Virgil by deed dated August 6, 1992 and recorded May 11, 1993 in the Cortland County Clerk's Office in Book 547 of Deeds at page 332.

THE ABOVE DESCRIBED PREMISES ARE MORE MODERNLY DESCRIBED AS FOLLOWS:

Parcel I – Tax Map No. 126.14-02-21.000

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Virgil, County of Cortland and State of New York, being bounded and described as follows:

Beginning at a point located at the intersection of the southerly street line of Church Street and the westerly street line of NYS Route 392 (Owego Hill Road); thence running the following courses and distances along said west street line of NYS Route 392 (Owego

{H5337427.1}

Hill Road): (1) S 12°31' 09" W a distance of 287.79 feet; (2) S 14° 17' 47" W a distance of 198.52 and (3) S 15° 30' 47" W a distance of 361.83 feet to a point marked by a set iron rod; thence running N 73° 05' 13" W a distance of 359.87 feet to a point marked by a set iron rod; thence running N 03° 19' 01" W a distance of 56.27 feet to a point marked by a set iron rod; thence running N 03° 19' 01" W a distance of 216.13 feet to a point marked by a found survey marker; thence running N 72° 26' 27" E a distance of 40.81 feet to a point marked by a found survey marker; thence running N 86° 52' 44" E a distance of 158.61 feet to a point; thence running N 00° 49' 50" W a distance of 65.90 feet to a point marked by an iron pipe; thence running N 86° 49' 09" E a distance of 172.21 feet to a point; thence running N 03° 21' 55" W a distance of 240.93 feet to a point marked by a found survey marker located in the south street line of Church Street; thence running N 63° 08' 38" E along said south street line of Church Street a distance of 240.01 to the point and place of beginning and containing 4.83 acres of land, more or less.

Parcel II – Tax Map No. 126.14-02-20.110

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Virgil, County of Cortland and State of New York, being bounded and described as follows:

Beginning at a point located on the west street line of NYS Route 392 (Owego Hill Road) said point being located the following courses and distances as measured along said NYS Route 392 (Owego Hill Road) from the intersection of the west street line of NYS Route 392 with the south street line of Church Street: (1) S 12°31' 09" W a distance of 287.79 feet; (2) S 14° 17' 47" W a distance of 198.52 and (3) S 15° 30' 47" W a distance of 361.83 feet to a point marked by a set iron rod;

The above described premises are more particularly shown on a survey map made by James J. Denkenberger, PLS #50397, dated August 28, 2023, and filed in the Cortland County Clerk's Office on November 3, 2023 as Instrument No. 2023-06855.

Being the same premises conveyed by the Board of Education of Cortland Enlarged City School District to Kajen, LLC by deed dated November 3, 2023 and recorded November 3, 2023 in the Cortland County Clerk's Office as Instrument No. 2023-06858.



JOHN P. SIDD, PARTNER
 (315) 565-4559
jsidd@hancocklaw.com

December 21, 2023

Robert J. Edwards, Superintendent
 Cortland Enlarged City School District
 One Valley View Drive
 Cortland, New York 13045

Thomas Williams, Supervisor
 Town of Cortlandville
 3577 Terrace Road
 Cortland, New York 13045

✓ Kevin Fitch, Chairperson
 Cortland County Legislature
 County Office Building
 60 Central Avenue
 P.O. Box 5590
 Cortland, New York 13045-5590

Re: Cortland County IDA / Pyrotek Incorporated Project
Property: 641 State Route 13, Town of Cortlandville, New York

Dear Sirs:

On behalf of the Cortland County Industrial Development Agency, please accept this correspondence as notice that the above-referenced Project has fallen below its required minimum number of employees. For the year ended October 31, 2023, Pyrotek Incorporated is between 60% and 80% of the minimum required number of employees under the Payment in Lieu of Tax Agreement ("PILOT") and, as such, the payment amount due should be adjusted accordingly pursuant to Section 2.02(c)(3) of the Amended PILOT (see attached). As such, the PILOT amount due should be 62.5% of what the real property taxes would otherwise be.

Thank you and if you should have any questions, please do not hesitate to contact me.

Very truly yours,

HANCOCK ESTABROOK LLP

A handwritten signature in blue ink, appearing to read 'John P. Sidd', is written over a horizontal line.

John P. Sidd

Enclosure

cc: Brendan O'Bryan, Executive Director
 Cortland County Real Property Tax Services

COUNTY CLERK'S OFFICE – CORTLAND COUNTY

ELIZABETH LARKIN
County Clerk

TAMMY L LOCKE
Deputy County Clerk

BROOKE KNICKERBOCKER
Deputy County Clerk

SONIA GANOUNG
Director, Motor Vehicles

Courthouse
46 Greenbush Street, Suite 105
Cortland NY 13045
(607) 753-5021
Fax (607) 753-5378

Motor Vehicle (607) 753-5023
Fax(607) 758-5500

elarkin@cortland-co.org



This is to verify that the following files are at the Cortland County Clerk's Records Center for the dates of 12/06/2022 to 12/05/2023.

CORONER-

Bryan Riccardi (BMR) Denise Bushnell (DLB) Lawrence Biviano (LMB) Nicholas Lundberg (NL)

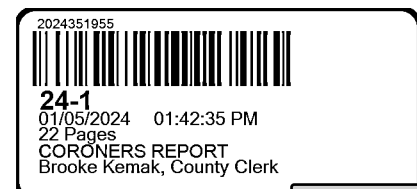
Case #	Date	Case #	Date	Case #	Date	Case #	Date
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DECEMBER 2022

DLB-46	12/08/22	LMB-11	12/11/22
DLB-47	12/12/22	LMB-12	12/16/22
DLB-48	12/13/22	LMB-13	12/16/22
DLB-49	12/18/22	LMB-14	12/29/22
DLB-50	12/30/22		

JANUARY 2023

BMR-01	01/06/23	DLB-01	01/05/23	LMB-01	01/07/23
		DLB-02	01/15/23		
		DLB-03	01/19/23		
		DLB-04	01/19/23		
		DLB-05	01/27/23		



COUNTY CLERK'S OFFICE – CORTLAND COUNTY

ELIZABETH LARKIN
County Clerk

TAMMY L LOCKE
Deputy County Clerk

BROOKE KNICKERBOCKER
Deputy County Clerk

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CORONER-

Bryan Riccardi (BMR) Denise Bushnell (DLB) Lawrence Biviano (LMB) Nicholas Lundberg (NL)

Case #	Date	Case #	Date	Case #	Date	Case#	Date
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FEBRUARY 2023

BMR-03	02/03/23	DLB-06	02/02/23	LMB-02	02/25/23
BMR-04	02/13/23	DLB-07	02/03/23		
BMR-05	02/23/23	DLB-08	02/21/23		
		DLB-09	02/23/23		

MARCH 2023

BMR-06	03/05/23	DLB-10	03/12/23
BMR-07	03/14/23	DLB-11	03/12/23
BMR-08	03/18/23	DLB-12	03/18/23
BMR-09	03/19/23		
BMR-10	03/27/23		
BMR-11	03/31/23		

APRIL 2023

BMR-12	04/05/23	DLB-13	04/03/23
BMR-13	04/09/23	DLB-14	04/04/23
BMR-14	04/14/23	DLB-15	04/08/23
BMR-15	04/16/23	DLB-16	04/18/23
BMR-16	04/16/23	DLB-17	04/18/23
		DLB-18	04/21/23

~~DLB~~-01 06/19/23
BMR June 2023

COUNTY CLERK'S OFFICE – CORTLAND COUNTY

ELIZABETH LARKIN
County Clerk

TAMMY L LOCKE
Deputy County Clerk

BROOKE KNICKERBOCKER
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**MAY 2023**

BMR-17	05/14/23	DLB-19	05/07/23
		DLB-20	05/10/23
		DLB-21	05/20/23
		DLB-22	05/21/23

JUNE 2023

BMR-18	06/14/23	DLB-23	06/03/23
BMR-19	06/19/23	DLB-24	06/12/23
BMR-20	06/30/23	DLB-25	06/26/23

NL 6/23/23

JULY 2023

BMR-21	07/03/23	DLB-26	07/06/23
BMR-22	07/09/23	DLB-27	07/14/23
BMR-23	07/23/23		

AUGUST 2023

BMR-24	08/01/23	DLB-28	08/22/23
BMR-25	08/15/23	DLB-29	08/25/23
		DLB-30	08/28/23
		DLB-31	08/31/23

COUNTY CLERK'S OFFICE – CORTLAND COUNTY

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**SEPTEMBER 2023**

BMR-26	09/12/23	DLB-32	09/08/23	NL-02	09/21/23
BMR-27	09/16/23	DLB-33	09/09/23		
		DLB-34	09/11/23		
		DLB-35	09/19/23		
		DLB-36	09/26/23		

OCTOBER 2023

DLB-37	10/02/2023	NL-03	10/05/2023
DLB-38	10/08/2023		
DLB-39	10/12/2023		

NOVEMBER 2023

DLB-40	11/06/2023	NL-04	11/07/2023
DLB-41(1)	11/05/2023		
DLB-42(2)	11/08/2023		
DLB-43(3)	11/08/2023		
DLB-44	11/08/2023		
DLB-45	11/19/2023		
DLB-46	11/21/2023		

COUNTY CLERK'S OFFICE – CORTLAND COUNTY

ELIZABETH LARKIN
County Clerk

TAMMY L LOCKE
Deputy County Clerk

BROOKE KNICKERBOCKER
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SONIA GANOUNG
Director, Motor Vehicles

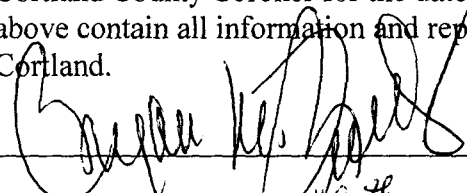
Courthouse
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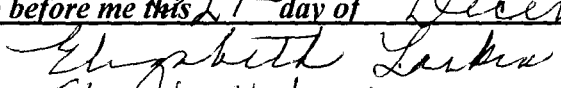
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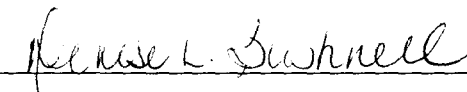


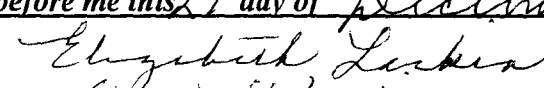
I, Bryan M Riccardi, affirm that the case files listed above under my name, represent all cases I conducted as Cortland County Coroner for the dates of December 06, 2022 through December 05, 2023 and the files listed above contain all information and reports collected to date for duties performed as coroner for the County of Cortland.


Bryan M Riccardi, Cortland County Coroner

Sworn to before me this 27th day of December, 2023

Elizabeth Larkin
Cortland County
01-05-2026

I, Denise Bushnell, affirm that the case files listed above under my name, represent all cases I conducted as Cortland County Coroner for the dates of December 06, 2022 through December 05, 2023 and the files listed above contain all information and reports collected to date for duties performed as coroner for the County of Cortland.


Denise Bushnell, Cortland County Coroner

Sworn to before me this 27th day of December, 2023

Elizabeth Larkin
Cortland County
01-05-2026

COUNTY CLERK'S OFFICE – CORTLAND COUNTY

ELIZABETH LARKIN
County Clerk

TAMMY L LOCKE
Deputy County Clerk

BROOKE KNICKERBOCKER
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elarkin@cortland-co.org



Larry
I, ~~Lawrence~~ M Biviano, affirm that the case files listed above under my name, represent all cases I conducted as Cortland County Deputy Coroner for the dates of December 06, 2022 through December 05, 2023 and the files listed above contain all information and reports collected to date for duties performed as deputy coroner for the County of Cortland.

Larry M Biviano
Lawrence M Biviano, Cortland County Coroner

Sworn to before me this *27th* day of *December*, 20 *23*

Elizabeth Larkin
Elizabeth Larkin
Cortland County
01-05-2024

I, Nicholas Lundberg, affirm that the case files listed above under my name, represent all cases I conducted as Cortland County Deputy Coroner for the dates of December 06, 2022 through December 05, 2023 and the files listed above contain all information and reports collected to date for duties performed as deputy coroner for the County of Cortland.

Nicholas Lundberg
Nicholas Lundberg, Cortland County Coroner

Sworn to before me this *5* day of *January*, 20 *24*

BROOKE KEMAK
Notary Public, State of New York
No. 04KE6327789
Qualified in Cortland County
Commission Expires July 13, 20*27*

Attachment: Coroner Report (11946 : Receive & File - Annual Coroner Report (Dec. '22 - Dec. '23))



CORTLAND COUNTY OFFICE OF THE CORONER

54 Greenbush Street
Cortland, NY 13045
(607) 753-3311



Quarterly Death Analysis 2023

January-March
April-June

July-September
October-December

<i>Date of Death</i>	<i>Sex</i>	<i>Age</i>	<i>Manner of Death</i>	<i>Location</i>
BMR-01/06/2023-01	Male	89	Natural	Homer
BMR-01/22/2023-02	Male	44	Accident/OD	Cortland City
BMR-02/03/2023-03	Male	43		Cortland City
BMR-02/13/2023-04	Female	44	Natural	McGraw
BMR-02/23/2023-05	Male	80	Natural	Cortland
BMR-03/05/2023-06	Female	94	Natural	Homer Village
BMR-03/14/2023-07	Male	43	Suicide	Cortlandville
BMR-03/18/2023-08	Male	73	Natural	Preble
BMR-03/19/2023-09	Male	82	Natural	McGraw
BMR-03/27/2023-10	Female	80	Natural	Cincinnatus
BMR-03/31/2023-11	Female	92	Natural	Cortland City

Signature of Reporting Coroner

Submit analysis to the Cortland County Clerk of Records on or before the 15th of the month following the closing quarter for which you are reporting.

Denise L. Bushnell
Coroner

Bryan M. Riccardi
Coroner

Attachment: Coroner Report (11946 : Receive & File - Annual Coroner Report (Dec. '22 - Dec. '23))



CORTLAND COUNTY OFFICE OF THE CORONER

54 Greenbush Street
Cortland, NY 13045
(607) 753-3311



Quarterly Death Analysis

2023

(Circle appropriate quarter)

January-March
April-June

July-September
October-December

<i>Date of Death</i>	<i>Sex</i>	<i>Age</i>	<i>Manner of Death</i>	<i>Location</i>
BMR-04/05/23-12	Male	31	Suicide	Cortland City
BMR-04/09/23-13	Female	71	Natural	Cortland City
BMR-04/14/23-14	Male	63	Natural	Cortland City
BMR-04/16/23-15	Male	54	Accident	Virgil
BMR-04/25/23-16	Male	28	Pending	Cortland City
BMR-05/14/23-17	Female	54	Accidental Overdose	Homer
BMR-06/14/2023-18	Male	77	Natural	Cortland
BMR-06/19/23-19	Male	63	Natural	Virgil
	Female	88	Natural	Marathon
BMR-06/30/2023-20				

Signature of Reporting Coroner

Submit analysis to the Cortland County Clerk of Records on or before the 15th of the month following the closing quarter for which you are reporting.

Denise L. Bushnell
Coroner

Bryan M. Riccardi
Coroner



CORTLAND COUNTY OFFICE OF THE CORONER

54 Greenbush Street
Cortland, NY 13045
(607) 753-3311



9.3.a

January-March
April-June

Quarterly Death Analysis
2023
(Circle appropriate quarter)

July-September
October-December

<i>Date of Death</i>	<i>Sex</i>	<i>Age</i>	<i>Manner of Death</i>	<i>Location</i>
-BMR-07/03/2023-21	Male	37		Cortlandville
BMR-07/09/2023-22	Male	87	Natural	Cortland City
BMR-07/23/2023-23	Male	88	Natural	Cincinnatus
BMR-08/01/2023-24	Female	2.5 months	Accidental	Cortland City
BMR-08/15/2023-25	Male	54	Natural	Cortland City
BMR-09/12/2023-26	Male	71	Suicide	Virgil
BMR-09/16/2023-27	Male	80	Natural	Cortland City

Signature of Reporting Coroner

Submit analysis to the Cortland County Clerk of Records on or before the 15th of the month following the closing quarter for which you are reporting.

Denise L. Bushnell
Coroner

Bryan M. Riccardi
Coroner



CORTLAND COUNTY OFFICE OF THE CORONER

54 Greenbush Street
Cortland, NY 13045
(607) 753-3311



9.3.a

January-March
April-June

Quarterly Death Analysis
2023
(Circle appropriate quarter)

July-September
October-December

Date of Death	Sex	Age	Manner of Death	Location
BMR-10/19/2023-28	Male	33	Pending	Cortland City
BMR-11/11/2023-29	Female	75	Natural	Cortland City
BMR-11/15/2023-30	Male	86	Natural	Willet

Signature of Reporting Coroner

Submit analysis to the Cortland County Clerk of Records on or before the 15th of the month following the closing quarter for which you are reporting.

Denise L. Bushnell
Coroner

Bryan M. Riccardi
Coroner



CORTLAND COUNTY OFFICE OF THE CORONER

54 Greenbush Street
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(607) 753-3311



9.3.a

January-March
April-June

Quarterly Death Analysis
2023
(Circle appropriate quarter)

July-September
October-December

<i>Date of Death</i>	<i>Sex</i>	<i>Age</i>	<i>Manner of Death</i>	<i>Location</i>
BMR-10/19/2023-28	Male	33	Pending	Cortland City
BMR-11/11/2023-29	Female	75	Natural	Cortland City
BMR-11/15/2023-30	Male	86	Natural	Willet
BMR-12/07/2023-31	Female	97	Natural	Cortland city

Signature of Reporting Coroner

Submit analysis to the Cortland County Clerk of Records on or before the 15th of the month following the closing quarter for which you are reporting.

Denise L. Bushnell
Coroner

Bryan M. Riccardi
Coroner



CORTLAND COUNTY OFFICE OF THE CORONER

54 Greenbush Street
Cortland, NY 13045
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January-March
April-June

Quarterly Death Analysis
2022
(Circle appropriate quarter)

July-September
October-December

<i>Date of Death</i>	<i>Sex</i>	<i>Age</i>	<i>Manner of Death</i>	<i>Location</i>
DLB-08/27/2022-34	Male	86	Natural	Cortland City
DLB-10/07/2022-35	Female	88	Natural	Cortlandville
DLB-10/10/2022-36	Male	37	Suicide	Cortland City
DLB-10/11/2022-37 (1)	Male	68	Natural	Cortland City
DLB-10/11/2022-38(2)	Male	90	Natural	Cortland City
DLB-10/22/2022-39	Male	74	Natural	Homer Village
DLB-10/27/2022-40	Male	94	Natural	Cortland City
DLB-10/28/2022-41	Female	93	Natural	Solon
DLB-10/31/2022-42 (1)	Male	5 months	Natural	Cortland City
DLB-10/31/2022-43 (2)	Female	29	Accidental OD	Cortlandville
DLB-11/8/2022-44	Male	42	Natural	Cortland City
DLB-12/5/22-45	Male	54	Natural	Cortland City
DLB-12/08/22-46	Male	70	Natural	Cortland City
DLB-12/12/22-47	Male	65	Natural	Cortland City
DLB-12/13/22-48	Female	67	Natural	Cortland City
DLB-12/18/22-49	Male	91	Natural	Virgil

Signature of Reporting Coroner

Submit analysis to the Cortland County Clerk of Records on or before the 15th of the month following the closing quarter for which you are reporting.

Denise L. Bushnell
Coroner

Bryan M. Riccardi
Coroner



CORTLAND COUNTY OFFICE OF THE CORONER

54 Greenbush Street
Cortland, NY 13045
(607) 753-3311



Quarterly Death Analysis 2023

January-March
April-June

July-September
October-December

<i>Date of Death</i>	<i>Sex</i>	<i>Age</i>	<i>Manner of Death</i>	<i>Location</i>
DLB-12/30/2023-50	Male	54	Natural	Cortland City
DLB-01/05/2023-01	Female	90	Natural	Homer Town
DLB-01/15/2023-02	Male	74	Natural	Virgil
DLB-01/19/2023-03-(1)	Female	76	Natural	Cortland City
DLB-01/19/2023-04(02)	Female	45	Accidental/OD	Cortland City
DLB-01/27/2023-05	Male	63	Natural	Cortland City
DLB-02/02/2023-06	Female	70	Natural	Cortlandville
-DLB-02/03/2023-07	Male	74	Natural	Cortland City
DLB-02/21/2023-08	Female	68	Natural	Cortland City
DLB-02/23/2023-09	Female	68	Natural	Homer
DLB-03/12/2023-10-(01)	Female	62	Natural	Cortland City
-DLB03/12/2023-11-(02)	Male	66	Natural	Scott
-DLB-03/18/2023-12	Male	64	Natural	Homer Village

Signature of Reporting Coroner

Submit analysis to the Cortland County Clerk of Records on or before the 15th of the month following the closing quarter for which you are reporting.

Denise L. Bushnell
Coroner

Bryan M. Riccardi
Coroner



CORTLAND COUNTY OFFICE OF THE CORONER

54 Greenbush Street
Cortland, NY 13045
(607) 753-3311



9.3.a

January-March
April-June

Quarterly Death Analysis
2023
(Circle appropriate quarter)

July-September
October-December

<i>Date of Death</i>	<i>Sex</i>	<i>Age</i>	<i>Manner of Death</i>	<i>Location</i>
DLB-04/03/23-13	Male	63	Natural	Taylor
DLB-04/04/23-14	Male	68	Natural	Cortland City
DLB-04/08/23-15	Male	62	Natural	Cortlandville
DLB-04/18/23-16-(01)	Male	74	Natural	Hartford
DLB-04/18-/23-17 (02)	Female	87	Natural	Marathon
DLB-04/21/23-18	Male	51	Natural	Cuyler
DLB-05/07/23-19	Female	78	Natural	Cortland
DLB-05/10/23-20	Female	60	Natural	Cortland
DLB-05/20/23-21	Male	22	Accidental/OD	Cortland
DLB-05/21/23-22	Female	82	Natural	Homer
DLB-06/03/23-23	Female	67	Natural	Preble
DLB-06/12/2023-24	Male	59	Suicide	Cortland City
DLB06/26/2023-25	Male	78	Natural	Virgil

Denise L. Bushnell
Coroner

Bryan M. Riccardi
Coroner



CORTLAND COUNTY OFFICE OF THE CORONER

54 Greenbush Street
Cortland, NY 13045
(607) 753-3311



DL

Quarterly Death Analysis

2023

(Circle appropriate quarter)

January-March
April-June

July-September
October-December

<i>Date of Death</i>	<i>Sex</i>	<i>Age</i>	<i>Manner of Death</i>	<i>Location</i>
DLB-07/06/-2023-26	Male	32	Accident/MVA	Cortlandville
DLB-07/14/2023-27	Male	75	Natural	Cortlandville
DLB-08/22/2023-28	Male	82	Accident	Homer
DLB-08/25/2023-29	Male	40	Accident OD	Cortland City
DLB-08/28/2023-30	Female	75	Natural	Cortlandville
DLB-08/31/2023-31	Female	93	Natural	Lapeer
DLB-09/08/2023-32	Male	46	Accident OD	Cortland City
DLB-09/09/2023-33	Male	58	Natural	Cortland City
DLB-09/11/2023-34	Female	74	Natural	Homer
	Female	64	Natural	Cortland City
DLB-09/19/2023-35				
DLB-09/26/2023-36	Male	51	suicide	Taylor

Signature of Reporting Coroner

Submit analysis to the Cortland County Clerk of Records on or before the 15th of the month following the closing quarter for which you are reporting.

Denise L. Bushnell
Coroner

Bryan M. Riccardi
Coroner



CORTLAND COUNTY OFFICE OF THE CORONER

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Cortland, NY 13045
(607) 753-3311



Quarterly Death Analysis

2023

(Circle appropriate quarter)

January-March
April-June

July-September
October-December

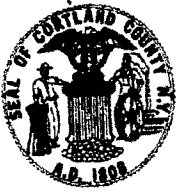
DLB-10/02/2023-37	Female	89	Natural	Homer
Date of Death	Sex	Age	Manner of Death	Location
DLB-10/08/2023-38	Female	83	Natural	Cortland City
DLB-10/12/2023-39	Female	76	Natural	Cortland City
DLB-11/06/2023-40	Female	83	Natural	Cortlandville
DLB-11/08/2023-41-(1)	Male	94	Natural	Cortland City
DLB-11/08/2023-42-(2)	Male	78	Natural	Cortland City
DLB-11/08/2023-43-(3)	Male	79	Accident	Cortland City
DLB-11/08/2023-44	Male	55	Natural	Cortland City
DLB- 11/19/2023-45	Male	88	Natural	Solon
DLB-11/21/2023-46	Female	67	Natural	Cortland City
DLB-12/07/2023-47	Female	85	Natural	Willet

Signature of Reporting Coroner

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Coroner

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Coroner



CORTLAND COUNTY OFFICE OF THE CORONER

54 Greenbush Street
Cortland, NY 13045
(607) 753-3311



January-March
April-June

Quarterly Death Analysis
2022
(Circle appropriate quarter)

July-September
October-December

<i>Date of Death</i>	<i>Sex</i>	<i>Age</i>	<i>Manner of Death</i>	<i>Location</i>
LMB-10/08/2022-07 (1)	Male	60	Natural	Virgil
LMB-10/08/2022-08-(2)	Male	76	Natural	Homer Town
LMB-10/08/2022-09(3)	Male	87	Natural	Preble
LMB-11/26/22-10	Male	59	Accidental	Willet
LMB-12/11/2022-11	Male	80	Pending	Cincinnati
LMB-12/16/2022-12 (01)	Male	81	Natural	Cortlandville
LMB-12/16/2022-13(02)	Female	65	Natural	Cortland

Signature of Reporting Coroner

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Coroner

Bryan M. Riccardi
Coroner

54 Greenbush Street
Cortland, NY 13045
(607) 753-3311



January-March
April-June

July-September
October-December

[illegible]

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Bryan M. Riccardi
Coroner

54 Greenbush Street
Cortland, NY 13045
(607) 753-3311



July-September
October-December

[illegible]

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Bryan M. Riccardi
Coroner

Attachment: Coroner Report (11946 : Receive & File - Annual Coroner Report (Dec. '22 - Dec. '23))



CORTLAND COUNTY OFFICE OF THE CORONER

54 Greenbush Street
Cortland, NY 13045
(607) 753-3311



9.3.a

January-March
April-June

Quarterly Death Analysis
2023
(Circle appropriate quarter)

July-September
October-December

Date of Death	Sex	Age	Manner of Death	Location
<i>NY</i> 06/19/2023-01	Male	66	Natural	Virgil
<i>BMP</i>				
<i>NY</i> 6/23/2023	<i>male</i>	<i>95</i>	<i>Natural</i>	<i>Homer (v/o)</i>

Signature of Reporting Coroner

Submit analysis to the Cortland County Clerk of Records on or before the 15th of the month following the closing quarter for which you are reporting.

Denise L. Bushnell
Coroner

Bryan M. Riccardi
Coroner



CORTLAND COUNTY OFFICE OF THE CORONER

54 Greenbush Street
Cortland, NY 13045
(607) 753-3311



9.3.a

January-March
April-June

Quarterly Death Analysis
2023
(Circle appropriate quarter)

July-September
October-December

<i>Date of Death</i>	<i>Sex</i>	<i>Age</i>	<i>Manner of Death</i>	<i>Location</i>
NL-09/21/2023-02	Male	64	Natural	Cortland City

Signature of Reporting Coroner

Submit analysis to the Cortland County Clerk of Records on or before the 15th of the month following the closing quarter for which you are reporting.

Denise L. Bushnell
Coroner

Bryan M. Riccardi
Coroner



CORTLAND COUNTY OFFICE OF THE CORONER

54 Greenbush Street
Cortland, NY 13045
(607) 753-3311



January-March
April-June

Quarterly Death Analysis
2023
(Circle appropriate quarter)

July-September
October-December

<i>Date of Death</i>	<i>Sex</i>	<i>Age</i>	<i>Manner of Death</i>	<i>Location</i>
NL-10/05/2023-03	Male	38	Accidental OD	Cortland City
NL-11/07/2023-04	Male	59	Pending	Virgil

Signature of Reporting Coroner

Submit analysis to the Cortland County Clerk of Records on or before the 15th of the month following the closing quarter for which you are reporting.

Denise L. Bushnell
Coroner

Bryan M. Riccardi
Coroner



Personnel Change Justification Form

Requested Change: ☒ Abolish/Create ☐ Reallocation ☐ Abolish ☐ Create

Position Name (s): Create Executive Administrative Officer Abolish Fiscal Manager

Bargaining Unit: Management

Purpose and Background:

The Fiscal Manager is retiring on March 15, 2024. The duties of the Executive Administrative Officer better reflect the actual duties of the position.

Fiscal Impact: ☒ County Funded 100 % ☐ Grant Funded _____ % Grant Exp. Date _____

Current Grade/Salary of Position: Grade 11 Salary Range \$ \$53,514.00 to \$71,227.00

Requested Grade/Salary of Position: Grade 11 Salary Range \$ \$53,514.00 to \$71,227.00

Annual Increase: \$ 0 County Share: \$ 0 # of Positions Affected: 1

Goals:

To promote an employee within the Highway Department to take over the duties of the current Fiscal Manager who is retiring. During the course of training an employee to fill the position, it was decided that the Executive Administrative Officer duties better reflects the actual job.

Operational Impact:

Keeping day to day operations going with minimal impact.

Requested By:

Chela Sant

Signature of Requesting Department Head

1-3-2024

Date

Personnel Officer Approval

Zanni Zanni

Signature of Personnel Officer

1/3/24

Date

County Administrator Budget Impact Statement:

County Administrator Approval

Robt Hays

Signature of County Administrator

1/3/2024

Date

Statutory Committee Approval

Signature of Committee Chair after Committee Vote

Date



Personnel Change Justification Form

Requested Change: ☒ Abolish/Create ☐ Reallocation ☐ Abolish ☐ Create

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Operational Impact:

Keeping day to day operations going with minimal impact.

Requested By:

Chela Lat
Signature of Requesting Department Head

1-3-2024
Date

Personnel Officer Approval

Zanni Zanni
Signature of Personnel Officer

1/3/24
Date

County Administrator Budget Impact Statement:

County Administrator Approval

Bob Her
Signature of County Administrator

1/3/2024
Date

Statutory Committee Approval

Ch. L. Powell
Signature of Committee Chair after Committee Vote

1/25/2024
Date



Personnel Change Justification Form

Requested Change: ☒ Abolish/Create ☐ Reallocation ☐ Abolish ☐ Create

Position Name (s): Create Associate/Assistant Public Defender Abolish Assistant Public Defender

Bargaining Unit: _____

Purpose and Background:

To create an ability to hire law school graduates who have not yet passed the bar examination or been admitted to practice law in New York State.

Fiscal Impact: ☐ County Funded _____ % ☒ Grant Funded 100 % Grant Exp. Date 3/31/24

Current Grade/Salary of Position: Grade see below Salary Range \$ see below

Requested Grade/Salary of Position: Grade see below Salary Range \$ see below

Annual Increase: \$ _____ County Share: \$ _____ # of Positions Affected: 10

Goals:

Assistant Public Defender is Management Attorney Grade 2 with a salary range of \$85,000 to \$111,041. Associate Assistant Public Defender is Management Attorney Grade 2 with a salary range of \$72,000 to \$94,058. No change in grade/salary is being requested.

GOALS: To afford a wider pool of attorney applicants for the County to recruit from.

Operational Impact:

Increase the County's ability to fill attorney vacancies and retain attorney employees.

Requested By:

Kevin A. Jones
Signature of Requesting Department Head

12/18/23
Date

Personnel Officer Approval

Laurie Zema
Signature of Personnel Officer

12/18/23
Date

County Administrator Budget Impact Statement:

County Administrator Approval

Robert Lee
Signature of County Administrator

12/18/2023
Date

Statutory Committee Approval

Signature of Committee Chair after Committee Vote

Date



Personnel Change Justification Form

Requested Change: ☒ Abolish/Create ☐ Reallocation ☐ Abolish ☐ Create

Position Name (s): Create Associate/Assistant Public Defender Abolish Assistant Public Defender

Bargaining Unit: _____

Purpose and Background:

To create an ability to hire law school graduates who have not yet passed the bar examination or been admitted to practice law in New York State.

Fiscal Impact: ☐ County Funded _____ % ☒ Grant Funded 100 % Grant Exp. Date 3/31/24

Current Grade/Salary of Position: Grade see below Salary Range \$ see below

Requested Grade/Salary of Position: Grade see below Salary Range \$ see below

Annual Increase: \$ _____ County Share: \$ _____ # of Positions Affected: 10

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GOALS: To afford a wider pool of attorney applicants for the County to recruit from.

Operational Impact:

Increase the County's ability to fill attorney vacancies and retain attorney employees.

Requested By:

Kevin A. Jones

Signature of Requesting Department Head

12/18/23

Date

Personnel Officer Approval

Laurie Zeman

Signature of Personnel Officer

12/18/23

Date

County Administrator Budget Impact Statement:

County Administrator Approval

Robb Key

Signature of County Administrator

12/18/2023

Date

Statutory Committee Approval

Sandra L. Price

Signature of Committee Chair after Committee Vote

1/25/24

Date