



Cortland County Legislature

Legislative Session

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

~ Minutes ~

Thursday, January 27, 2022

6:00 PM

Board Room

Salute to the Flag

Call to Order

The meeting was called to order at 6:03 PM by Chair of the Legislature Kevin Fitch

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	Present	
Ann Homer	Cortland County, NY	Legislator	Present	
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	Excused	
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	
Savannah Hempstead	Cortland County, NY	Clerk of the Legislature	Present	
Rob Corpora	Cortland County, NY	County Administrator	Present	
Wendy Franklin	Cortland County, NY	Chief Assistant County Attorney	Present	

Roll Call

Approval of Minutes

1. Cortland County Legislature - Legislative Session - Dec 16, 2021 6:00 PM

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

2. Cortland County Legislature - Organizational Meeting - Jan 5, 2022 10:00 AM

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

Privilege of the Floor

Proclamations & Recognitions

1. Proclaiming the Month of February 2022 as African American History Month in Cortland County

RESULT:	COMPLETED
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2. Proclamation Recognizes Ed Greenman for 50 Years of Service

RESULT:	COMPLETED
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Presentation of Petitions, Communications, and Notice

Receive and File

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:	Sandra Price, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Stock, Homer, Fitch, Jones, Fairchild-Preston, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Christopher Newell

ON MOTION OF FITCH

RESOLUTION NO. 4-22

Appoint Member of the New York State Open Space Regional Advisory Committee - NYSDEC

WHEREAS, the appointment of Paul Allen to the Open Space Regional Advisory Committee of the New York State Department of Environmental Conservation, Region 7 expired as of December 31, 2021 and he wishes to continue to serve in this position, NOW THEREFORE BE IT

RESOLVED, that Paul Allen of 2368 Gee Hill Rd., Cortland, NY 13045, is hereby appointed to the Open Space Regional Advisory Committee of the New York State Department of Environmental Conservation Region 7, to a two year term ending December 31, 2023.

AGENDA ITEM NO. 2 – Appoint Members Industrial Development Agency Board of Directors

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

ON MOTION OF FITCH

RESOLUTION NO. 5-22

Appoint Members Industrial Development Agency Board of Directors

WHEREAS, pursuant to General Municipal Law 856, the Cortland County Legislature, on recommendation of the Chairman 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 be and hereby are appointed to the Industrial Development Agency Board of Directors effective immediately for a two-year term to expire 12/31/23 or until such time that the Cortland County Legislature make new appointments by Resolution at the end of the two years:

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
John O. Reagan, 96 Elm Street, Cortland, New York 13045
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, NY 13045

, AND BE IT FURTHER

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

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kevin Fitch, Chair of the Legislature
SECONDER:	Kelly L. Fairchild-Preston, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Stock, Homer, Fitch, Jones, Fairchild-Preston, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Christopher Newell

ON MOTION OF FITCH

RESOLUTION NO. 6-22

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, 2023, AND BE IT FURTHER

RESOLVED, that Charles Miller of 1503 Saunders Road, Cortland, NY 13045 be and hereby is appointed to the Region 7 Fish & Wildlife Management Board as the Legislature Representative for a term ending December 31, 2023, 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 Members Cortland County Solid Waste Permit Board of Hearing

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

ON MOTION OF FITCH

RESOLUTION NO. 7-22

Appoint Members Cortland County Solid Waste Permit Board of Hearing

WHEREAS, the Cortland County Legislature adopted Local Law No.4 of 2017 a local law to amend 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, 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 George Wagner of 3310 Highland Road, Marathon, NY 13803, 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, 2023.

AGENDA ITEM NO. 5 – Appoint Member - Syracuse Regional Airport Authority Regional Advisory Board

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

ON MOTION OF FITCH

RESOLUTION NO. 8-22

Appoint Member - Syracuse Regional Airport Authority Regional Advisory Board

WHEREAS, the Syracuse Regional Airport Authority has requested a representative from Cortland County to serve on the Syracuse Regional Airport Authority Regional Advisory Board, NOW THEREFORE BE IT

RESOLVED, that Ronald Van Dee, 7 Taylor Street, Cortland, NY, is hereby appointed to the Syracuse Regional Airport Authority Regional Advisory Board for a term to expire December 31, 2023.

AGENDA ITEM NO. 6 – Appoint Liaison - Tompkins Cortland Community College Board of Trustees

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kevin Fitch, Chair of the Legislature
SECONDER:	Kelly L. Fairchild-Preston, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Stock, Homer, Fitch, Jones, Fairchild-Preston, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Christopher Newell

ON MOTION OF FITCH

RESOLUTION NO. 9-22

Appoint Liaison - Tompkins Cortland Community College Board of Trustees

WHEREAS, Section 5. Liaisons to the Board of Trustees contained within the Bylaws of the Tompkins Cortland Community College Board of Trustees provides the option of designating a non-voting liaison to participate in discussions and present materials, upon request, AND

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

RESOLVED, that George Wagner of 3310 Highland Road, Marathon, New York 13803, is hereby appointed to fill the Legislative Liaison to the Tompkins Cortland Community College Board of Directors for a term to expire December 31, 2023.

AGENDA ITEM NO. 7 – Appoint Legislative Representatives to the Tourism Marketing Grant Committee

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

ON MOTION OF FITCH

RESOLUTION NO. 10-22

Appoint Legislative Representatives to the Tourism Marketing Grant Committee

WHEREAS, the Cortland County Tourism Marketing Grant Committee, formally known as the Cortland County Occupancy Tax Allocation Committee, is presently comprised of the Director of the Cortland County Convention and Visitors Bureau, three members from the Tourism Board and three members from the Cortland County Chamber of Commerce Board, AND

WHEREAS, it is desired to add two Legislators representing each political party to the committee to determine recommendations/allocations of Occupancy Tax Monies, NOW THEREFORE BE IT

RESOLVED, that Republican George Wagner, Legislator District 15, and Democrat Douglas Bentley, Legislator District 1, be and hereby are re-appointed so serve on the Cortland County Tourism Marketing Grant Committee for a term to expire Dec. 31, 2023.

AGENDA ITEM NO. 8 – Appoint Members - Records Management Advisory Board

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

ON MOTION OF FITCH

RESOLUTION NO. 11-22

Appoint Members - Records Management Advisory Board

WHEREAS, a Records Management Program was established by the Cortland County Legislature through the adoption of Resolution No. 89-217, AND

WHEREAS, a Records Management Advisory Board was established by the Cortland County Legislature through the adoption of Resolution No. 153-97, NOW THEREFORE BE IT

RESOLVED, that the following be and hereby are appointed to the Records Management Advisory Board for a term ending December 31, 2023:

Kevin Fitch, Chair of the Legislature

AGENDA ITEM NO. 9 – Appoint Members - Soil and Water Conservation District Board of Directors

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kevin Fitch, Chair of the Legislature
SECONDER:	Kelly L. Fairchild-Preston, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Stock, Homer, Fitch, Jones, Fairchild-Preston, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Christopher Newell

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	12/31/22
Beau Harbin	25 West Court Street Cortland, NY 13045	Legislative Representative	12/31/22
Tracey Evanick	2260 Snyder Hill Road, Marathon, NY 13803	Farm Bureau Representative/Vice Chair	12/31/24

AGENDA ITEM NO. 10 – Appoint Members - Southern Tier East Regional Planning Development Board (STERPDB)

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

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 ending December 31, 2021:

Beau Harbin	County Legislator	Term Expires 12/31/23
Scott Steve	Mayor, City of Cortland	Term Expires 12/31/23
Trisha Jesset	County Planning Director	Term Expires 12/31/23

AGENDA ITEM NO. 11 – Reestablish Cortland County Federal Aid Allocation Committee

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

ON MOTION OF FITCH

RESOLUTION NO. 14-22

Reestablish Cortland County Federal Aid Allocation Committee

WHEREAS, the Federal American Rescue Plan has allocated over \$9,000,000 to Cortland County, AND

WHEREAS, the Federal Government has dictated eligible uses of the funds, which include, but are not limited to: costs associated with responding to the COVID-19 public health emergency, to support workers performing essential work during the COVID-19 public health emergency, to cover revenue losses caused by the COVID-19 public health emergency, to make necessary investments in water, sewer or broadband, assistance to small businesses and non-profits, and aid to impacted, AND

WHEREAS, it would be in the best interest of the County to create a committee to formulate a clear plan for the use of the Federal Aid being received, NOW THEREFORE BE IT

RESOLVED, the Cortland County Legislature hereby establishes the Cortland County Federal Aid Allocation Committee as of June 25, 2021 with said committee dissolving on December 31, 2022 or unless discharged by a subsequent resolution, AND BE IT FURTHER

RESOLVED the following individuals shall be appointed to the Federal Aid Allocation Citizen's Advisory Committee:

Kevin Fitch, Chair
Paul Heider
Rob Corpora
George Wagner
Sandra Price
Susan Wilson
Christopher Newell
Cathy Bischoff
Beau Harbin

AGENDA ITEM NO. 12 – Appoint Redistricting Commission of the Cortland County Legislature
Legislator Harbin MADE A MOTION TO AMEND the resolution as follows:

Remove: One (1) Representative from the Cortland County Business Sector
 One (1) Representative from the Cortland County Education Sector
 One (1) Attorney
 Two (2) Cortland County Residents

Insert: Two (2) Cortland County Election Commissioners
 Five (5) Cortland County Residents

Legislator Homer SECONDED THE MOTION, and 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
Fitch (LD8)	2990		1	0
Harbin (LD2)	2747	1		2747
Heider (16)	3192		1	0
Homer (LD7)	2743	1		2743
Jones (LD9)	2989		1	0
Nauseef (LD12)	2819		1	0
Newell (LD11)	2837		1	0
Preston (LD10)	2995		1	0
Price (LD14)	3344	1		3344
Stock (LD6)	2740	1		2740
VanDee (LD4)	2743	1		2743
Wagner (LD 15)	2734		1	0
Waldbauer (LD13)	2853	1		2853
Wilson (LD5)	2744	1		2744
Total	49336			25401
		Majority	24669	
		2/3rd	32892	

The MOTION TO AMEND was APPROVED.

RESULT:	ADOPTED AS AMENDED [15 TO 1]
MOVER:	Kevin Fitch, Chair of the Legislature
SECONDER:	Ann Homer, Legislator
AYES:	Bentley, Harbin, Bischoff, Wilson, Stock, Homer, Fitch, Jones, Fairchild-Preston, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
NAYS:	Ronald J. Van Dee
EXCUSED:	Christopher Newell

ON MOTION OF FITCH

RESOLUTION NO. 15-22

Appoint Redistricting Commission of the Cortland County Legislature

WHEREAS, the 2020 Census results were published for Cortland County on August 12, 2021,
AND

WHEREAS, pursuant to Local Law No. 2 of 1972, A Local Law Reapportioning the County of Cortland the Cortland County Legislature shall appoint a commission to evaluate the existing County legislative districts for equity and representation in relation to population within six months after the publication of the results of the regular census taken in Cortland County, AND

WHEREAS, the commission shall consist of the Chair of the Legislature, two members of the County Legislature from the majority political party represented on the County Legislature and two members of the County Legislature from the second largest political party represented on the County Legislature, AND

WHEREAS, the future of the County governmental structure greatly impacts the residents of Cortland County, AND

WHEREAS, the Cortland County Legislature would like input from community stakeholders and residents regarding Cortland County redistricting, updating and amending the Local Law No. 2 of 1972 - A Local Law Reapportioning the County of Cortland and the future structure of the Cortland County Government, NOW THEREFORE BE IT

RESOLVED, that the following be and hereby are appointed to the Redistricting Commission effective immediately:

Kevin Fitch, Chair
George Wagner
Beau Harbin
Cathy Bischoff
Kelly Preston

, AND BE IT FURTHER

RESOLVED, that the Redistricting Commission shall appoint a Citizen's Advisory Committee to provide input to the Commission regarding Cortland County redistricting, updating and amending the Local Law No. 2 of 1972 - A Local Law Reapportioning the County of Cortland and the structure of the Cortland County Government, AND BE IT FURTHER

RESOLVED, that said Redistricting Commission Citizen's Advisory Committee shall consist of the following membership to be appointed by the Redistricting Commission:

- One (1) City of Cortland Elected or Appointed Official
- One (1) Cortland County Municipal Supervisor
- Two (2) Cortland County Election Commissioners
- Five (5) Cortland County Residents

, AND BE IT FURTHER

RESOLVED, that said Redistricting Commission shall be dissolved on December 31, 2022 or unless discharged by a subsequent resolution, AND BE IT FURTHER

RESOLVED, that the Redistricting Commission Citizen's Advisory Committee shall be dissolved upon the dissolution of the Redistricting Commission.

Referred from Building & Grounds Committee

AGENDA ITEM NO. 13 – Authorize Annual Stipend for Additional Duties - Safety Officer

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

ON MOTION OF HEIDER

RESOLUTION NO. 16-22

Authorize Annual Stipend for Additional Duties - Safety Officer

WHEREAS, the position of Safety Officer has been vacant since July 18, 2017, AND

WHEREAS, Charles Miller has been performing the duties of Safety Officer without additional compensation, AND

WHEREAS, the Buildings and Grounds and Finance and Administration Committees recommend compensating Mr. Miller for performing these duties with a \$4,000 yearly stipend which would not be added to his base salary for as long as he continues to perform Safety Officer duties, NOW THEREFORE BE IT

RESOLVED, that Charles Miller will receive a \$4,000 stipend for performing the duties of Safety Officer effective January 27, 2022.

AGENDA ITEM NO. 14 – Authorize Agreement with Bell & Spina Architects for Specs for Cortland County Courthouse Steps Rehabilitation - Buildings and Grounds Department

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

ON MOTION OF HEIDER

RESOLUTION NO. 17-22

Authorize Agreement with Bell & Spina Architects for Specs for Cortland County Courthouse Steps Rehabilitation - Buildings and Grounds Department

WHEREAS, the Cortland County Courthouse exterior stairs have reached the end of their useful life and are in need of repair and replacement, AND

WHEREAS, Bell & Spina Architects of 215 Wyoming Street Syracuse, NY 13204, has the expertise to draw up specifications for said repair and replacement, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon approval of the County Attorney, or their designee, is hereby authorized and directed to execute a contract, for an amount not to exceed \$70,000, with Bell & Spina Architects, 215 Wyoming Street Syracuse, NY 13204, for the completion of the specifications for the Cortland County Courthouse steps repair and replacement, AND BE IT FURTHER

RESOLVED, that the County Administrator be and hereby is authorized to sign any documentation to allow for the submission of any grant applications that may be available to support the necessary repairs and improvements.

Referred from Highway Committee

AGENDA ITEM NO. 15 – Appoint Members to the Dwyer Memorial Park Advisory Board - Highway Department

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

ON MOTION OF NEWELL

RESOLUTION NO. 18-22

Appoint Members to the Dwyer Memorial Park Advisory Board - Highway Department

WHEREAS, the Cortland County Legislature adopted Resolution No. 298-18 to Establish The

WHEREAS, the Committee provides recommendations and feedback regarding current and future use of the park, NOW THEREFORE BE IT

RESOLVED, that in accordance with the recommendation of the Cortland County Legislature's Highway Committee, the following names are hereby approved for service on said Committee for a term to expire on December 31, 2022.

Linda Jones - 2087 E. River, Cortland NY 13045
Larry Jones - 2087 E. River, Cortland NY 13045
Judah Currie - 6559 Steger Rd, Preble NY 13141
Daron Foster - 5771 Hights Gulf Rd, Cortland NY 13045
Mike Thayer - 280 Route 90 Cortland, NY 13045

AGENDA ITEM NO. 16 – Approve Purchase of Highway Vehicles - Highway Department

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

ON MOTION OF NEWELL

RESOLUTION NO. 19-22

Approve Purchase of Highway Vehicles - Highway Department

WHEREAS, the Highway Committee has approved the purchase of four 2023/2024 Western Star 47X Cab and Chassis, AND

WHEREAS, the Onondaga County Bid Reference #8996 for purchasing Western Star Cab and Chassis allows other municipalities within New York State to “piggyback” on the Onondaga County Bid, AND

WHEREAS, the Cortland County Highway Department has determined that it is in the best interest of Cortland County to utilize the Onondaga County Bid, AND

WHEREAS, the Highway Superintendent has recommended the purchase of four 2023/2024 Western Star Cab and Chassis as follows:

2023/2024 Western Star 47X Cab and Chassis

VENDOR

QUOTE

Tracey Road Equipment, Inc.
6803 Manlius Center Road
East Syracuse, NY 13057

(4) Trucks @ \$148,613.00 (each)

, AND

WHEREAS, the amount is not to exceed \$594,452.00 total for four (4) new Cab and Chassis, AND

WHEREAS, the monies for said equipment are budgeted in the 2022 Road Machinery Budget,
NOW THEREFORE BE IT

RESOLVED, that the Cortland County Treasurer be and is hereby authorized and directed to make payment from Account E51305.52030, Highway Equipment Account for an amount of \$594,452.00 for the purchase of four (4) 2023/2024 Western Star 47X Cab and Chassis to Tracey Road Equipment, Inc.

AGENDA ITEM NO. 17 – Approve Aviation Project Funding Agreement - Highway Department

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

ON MOTION OF NEWELL

RESOLUTION NO. 20-22

Approve Aviation Project Funding Agreement - Highway Department

WHEREAS, the Cortland County Legislature passed Resolution No. 230-18, approving the application for funding for Security Equipment and Replacement of the Ceilometer at the Cortland County Airport, AND

WHEREAS, the funding for said project has been approved under the AIR'99 Funding for an amount of \$151,000.00, AND

WHEREAS, the program costs will be reimbursed at a ratio of 90% State-Air'99 for an amount of \$135,900.00 and 10% local share at \$15,100.00, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon approval of the County Attorney or designee, is hereby authorized to execute all necessary documents and plans on behalf of the County of Cortland with New York State Department of Transportation, with respect to the Security Equipment project, AND BE IT FURTHER

RESOLVED, that the project be established and the 2022 Capital Projects Budget be amended as follows:

Increase:

HH56105.52800.SECUR	Airport Security Project	\$151,000.00
HH561043.43597.SECUR	Airport Security Revenue	\$135,900.00
HH99015.45031.SECUR	Local Share	\$15,100.00

AGENDA ITEM NO. 18 – Authorize Supplemental Agreement No. 3 / New York State / McGraw Marathon Road Bridge (BIN 3312050) Replacement - Highway Department

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

ON MOTION OF NEWELL

RESOLUTION NO. 21-22

**Authorize Supplemental Agreement No. 3 / New York State / McGraw Marathon Road Bridge
(BIN 3312050) Replacement - Highway Department**

WHEREAS, the Project for the McGraw Marathon Road Bridge (BIN 3312050), Replacement Project P.I.N. 375654 (the project) is eligible for funding under Title 23 U.S. Code, as amended, that call for the apportionment of the costs of such program to be borne at the ratio of 95% Federal Funds and 5% non-federal funds, AND

WHEREAS, the Cortland County Legislature approved the implementation, and funding in the first instance, 100% of the Federal funded eligible costs of a transportation Federal Aid project, and appropriating funds therefore by Resolution No. 8-19, AND

WHEREAS, the New York State Department of Transportation is amending the previously adopted Schedule A by adding the Construction Phase PIN and increasing the funding for the said project, NOW THEREFORE BE IT

RESOLVED, that the 2022 Cortland County Capital Budget be amended as follows:

Increase:

HH51225.52800.MMBR	Construction	\$116,053.00
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Decrease:

HH51225.54055.MMBR	Professional Services	\$116,053.00
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, AND BE IT FURTHER

RESOLVED, that in the event the full Federal share costs of the project exceeds the amount appropriated, the Legislature of Cortland County shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT thereof, AND BE IT FURTHER

RESOLVED, that the Chairman of the County Legislature of Cortland County be and is hereby authorized and directed to execute all necessary Agreements, certifications or reimbursement as approved to form by the County Attorney or designee on behalf of the County of Cortland in connection with the advancement or approval of the Project, AND BE IT FURTHER

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, AND BE IT FURTHER

RESOLVED, that the construction of the said project shall begin no later than twenty-four (24) months after award and the construction phase of the said project shall be completed within thirty (30) months, AND BE IT FURTHER

RESOLVED, this Resolution shall take effect immediately.

Referred from Health & Human Services Committee

AGENDA ITEM NO. 19 – Authorize Agreement - Rural Roots Nutrition, PLLC - Area Agency on Aging

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

ON MOTION OF PRICE

RESOLUTION NO. 22-22

Authorize Agreement - Rural Roots Nutrition, PLLC - Area Agency on Aging

WHEREAS, the Cortland County Area Agency on Aging wishes to enter into a contract with Rural Roots Nutrition, PLLC, with offices located at 1672 Pompey Center Road, Fabius, NY 13063 for the provision of dietitian services to program clients, AND

WHEREAS, the services of a Registered Dietitian is program requirement under the Older Americans Act and New York State Office of Aging, AND

WHEREAS, the Registered Dietitian contract position has been vacant since July, 2021, AND

WHEREAS, 13 individuals are in need of nutrition counseling deemed a mandated service under federal and state funding streams, AND

WHEREAS, Rural Roots Nutrition, PLLC, will provide nutrition counseling on a per diem basis until the Registered Dietitian contract position is filled, AND

WHEREAS, the funding for this position is included in the Cortland County 2022 budget for the Area Agency on Aging, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review and approval by the County Attorney, be and hereby is authorized to execute said agreement, in an amount of \$50.00 per hour on a per diem basis not to exceed \$30,000 annually, to be paid from account A67745-54055-4340.

AGENDA ITEM NO. 20 – Authorize Use of Donald Sharpe Fund for Specialized Training - Mental Health Department

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

ON MOTION OF PRICE

RESOLUTION NO. 23-22

Authorize Use of Donald Sharpe Fund for Specialized Training - Mental Health Department

WHEREAS, the Cortland County Legislature adopted Resolution No. 288-18, which established a reserve fund based on a bequest from the Estate of Donald W. Sharpe of approximately \$151,855.78 to the Cortland County Department of Mental Health for the support of Mental Health's programs serving "mentally and emotionally disabled persons in Cortland County", AND

WHEREAS, the maximum amount which may be used from the fund in any one calendar year is limited to \$25,000, AND

WHEREAS, the funds not used in any one calendar year for the express purposes as set out by

the trust must be refunded to the Sharpe Fund account, NOW THEREFORE BE IT

RESOLVED, the Legislature approves the use of \$25,000 for the 2022 calendar year, AND BE IT FURTHER

RESOLVED, the 2022 budget is hereby amended as follows:

Increase: Account Number A43115.54035.DSHP Education and Training \$25,000

Increase: Account Number A351100 Appropriated Reserves \$25,000

AGENDA ITEM NO. 21 – Appoint Member - Cortland County Board of Health

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

ON MOTION OF PRICE

RESOLUTION NO. 24-22

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 Sandra Price of 1189 Church Street, Cortland, New York 13045, be and hereby is appointed to the Cortland County Board of Health for a term to expire December 31, 2023.

AGENDA ITEM NO. 22 – Create Temporary Positions - Public Health Fellow (4 Positions) and Public Health Fellow Coordinator - Health Department

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
Fitch (LD8)	2990		1	0
Harbin (LD2)	2747	1		2747
Heider (16)	3192		1	0
Homer (LD7)	2743	1		2743
Jones (LD9)	2989		1	0
Nauseef (LD12)	2819		1	0
Newell (LD11)	2837		1	0
Preston (LD10)	2995		1	0
Price (LD14)	3344	1		3344
Stock (LD6)	2740		1	0
VanDee (LD4)	2743	1		2743
Wagner (LD 15)	2734		1	0
Waldbauer (LD13)	2853		1	0
Wilson (LD5)	2744	1		2744
Total	49336			19808

RESULT:	FAILED [7 TO 9]
MOVER:	Sandra Price, Legislator
SECONDER:	Ann Homer, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Homer, Price
NAYS:	Stock, Fitch, Jones, Fairchild-Preston, Nauseef, Waldbauer, Wagner, Heider, Eccleston
EXCUSED:	Christopher Newell

ON MOTION OF PRICE

RESOLUTION NO.

Create Temporary Positions - Public Health Fellow (4 Positions) and Public Health Fellow Coordinator - Health Department

WHEREAS, the Cortland County Health Department has been awarded a grant by Health Research, Inc. for the New York State Public Health Corps (NYSPHC) Fellowship Program in the amount of \$849,912 for the period of 9/1/21 - 7/31/23, AND

WHEREAS, the Cortland County Health Department will use these funds to recruit, train, deploy and manage NYSPHC Fellows in order to augment LHD capacity to respond to current and emerging public health emergencies, to provide health education services to inform and protect communities, improve outreach and assistance to vulnerable populations and to directly assist with the local COVID-19 public health response, AND

WHEREAS, the Cortland County Health Department needs to create four temporary Public Health Fellow positions (CSEA, Grade 16, \$22.4261-28.2445/HR, competitive, with benefits) and one temporary Public Health Fellow Coordinator (CSEA, Grade 22, \$27.7991-35.0115/HR, competitive, with benefits), AND

WHEREAS, the Health and Human Services Committee recommends the creation of four temporary Public Health Fellow positions and one temporary Public Health Fellow Coordinator position with approval to fill effective January 28, 2022 through July 31, 2023, NOW THEREFORE BE IT

RESOLVED, that funds be appropriated in the 2022 County Budget as follows:

A40455.51005	Personnel	\$491,042
A40455.52005	Office Equip	\$22,500
A40455.52060	Computer Equip	\$9,700
A40455.54000	Phone	\$990
A40455.54005	Office Supplies	\$11,330
A40455.54015	Software/Maint Agree	\$3,612
A40455.54020	Postage	\$1,000
A40455.54035	Educ/Train	\$5,000
A40455.54045	Travel	\$27,500
A40455.54213	Copy/Print	\$1,000
A40455.58020	Retirement	\$78,567
A40455.58030	FICA	\$37,565
A40455.58040	Workers Comp	\$14,993
A40455.58060	Health Ins	\$144,288
A40455.58062	Dental Ins	\$675
A40455.58065	Vision Ins	\$150
TOTAL Expense		\$849,912

A40455.43450 PHCF Revenue	\$849,912
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AGENDA ITEM NO. 23 – Appointment of Youth Board Members - Health Department

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

ON MOTION OF PRICE

RESOLUTION NO. 25-22

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, 2021, 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 the following terms:

NAME/REPRESENTING	ADDRESS	TERM
Doug Bentley, County Legislator	128 Groton Ave. Cortland, NY 13045	1/1/22 - 12/31/23
Richard Stock, County Legislator	151 Central Ave. Cortland, NY 13045	1/1/22 - 12/31/23

Referred from Agriculture/Planning/Environment Committee

AGENDA ITEM NO. 24 – Appoint Members - Central New York Regional Planning and Development Board

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

ON MOTION OF HARBIN

RESOLUTION NO. 26-22

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:

Trisha Jesset	County Planning Department Director	Term expires 12/31/22
Garry VanGorder	At Large Representative	Term expires 12/31/22

Kevin Fitch	County Legislative Chair (ex-officio)	Term expires 12/31/23
Beau Harbin	Legislative Planning Committee Chair (ex-officio)	Term expires 12/31/23
Christopher Newell	County Legislator	Term expires 12/31/22
Linda Hartsock	At Large Representative	Term expires 12/31/22

AGENDA ITEM NO. 25 – Appoint Members to Transportation Advisory Committee - Planning Department

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

ON MOTION OF HARBIN

RESOLUTION NO. 27-22

Appoint Members to Transportation Advisory Committee - Planning Department

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 Environment Committee will consist of a membership from a wide variety of community service agencies and government agencies, AND

WHEREAS, Beau Harbin has been appointed as the Chair of the Agricultural, Planning and Environmental Committee, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature appoint Beau Harbin to be legislative representative on the Transportation Advisory Committee for a term ending December 31, 2023.

AGENDA ITEM NO. 26 – Authorize Agreement with the Marathon Snowdusters, Inc Snowmobile Club for Annual Snowmobile Trail Maintenance Grant Funding Years 2021-2022 - County Planning Department

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

ON MOTION OF HARBIN

RESOLUTION NO. 28-22

Authorize Agreement with the Marathon Snowdusters, Inc Snowmobile Club for Annual Snowmobile Trail Maintenance Grant Funding Years 2021-2022 - County Planning Department

WHEREAS, Article 27 of the New York State Parks, Recreation and Historic Preservation Law establishes a mechanism for allocating funds to local governmental sponsors for the development and maintenance of snowmobile trails designated as part of the State Snowmobile Trail System, AND

WHEREAS, Cortland County under Section 27.17 of the State Parks, Recreation and Historic Preservation Law will apply for Snowmobile Trail Development and Maintenance grant funding for the period of April 1, 2021 to March 31, 2022, AND

WHEREAS, Cortland County enters into agreements with certain Snowmobile Clubs to ensure that the clubs perform trail maintenance and grooming of existing trails throughout Cortland County, AND

WHEREAS, the County serves as the local sponsor for the grant application and as the grant recipient, AND

WHEREAS, the County will retain an administration fee up to ten percent (10%) of the grant award to offset the actual cost for administration expenses incurred as the local grant sponsor for the period of April 1, 2021 to March 31, 2022, but will transfer funds from the grant to the various snowmobile clubs to reimburse for the maintenance and grooming of the local snowmobile trail system, NOW THEREFORE BE IT

RESOLVED, the Cortland County Legislature hereby authorizes the County Administrator upon review and approval by the County Attorney or designee to sign the agreement with the Marathon Snowdusters, Inc. Snowmobile Club for the purposes as previously stated for the period April 1, 2021 to March 31, 2022.

AGENDA ITEM NO. 27 – Authorize 2022 Agreement - Southern Tier East Regional Planning Development Board - Planning Department

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

ON MOTION OF HARBIN

RESOLUTION NO. 29-22

Authorize 2022 Agreement - Southern Tier East Regional Planning Development Board - Planning Department

WHEREAS, a proposed agreement between Cortland County and the Southern Tier East Regional Planning Development Board for 2022 in the amount of \$12,000 has been received, AND

WHEREAS, \$10,000 of these funds are included in the 2022 budget in account A10105.54040, AND

WHEREAS, due to an increase in the contract amount, another \$2,000 is needed, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee, be and hereby is authorized to enter into an agreement for 2022 with the Southern Tier East Regional Planning Development Board, AND BE IT FURTHER

RESOLVED, that the 2022 Cortland County Budget be amended as follows:

Increase:

A10105.54040	Assoc/Membership Dues	\$2,000
A359900	Appropriated Fund Balance	\$2,000

AGENDA ITEM NO. 28 – Authorize 2022 Agreement - Cornell Cooperative Extension

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

ON MOTION OF HARBIN

RESOLUTION NO. 30-22

Authorize 2022 Agreement - Cornell Cooperative Extension

WHEREAS, the 2022 Adopted Budget appropriated funds in the amount of \$258,420.00 for the operation of the Cornell Cooperative Extension of Cortland County programs, NOW THEREFORE BE IT

RESOLVED, in consideration of the services to be performed by Cornell Cooperative Extension of Cortland County, the County agrees to pay to Cornell Cooperative Extension of Cortland County the sum of two hundred fifty eight thousand four-hundred twenty dollars (\$258,420) in payments as follows: The amount of sixty-four thousand six-hundred five dollars (\$64,605) upon the execution of this Agreement and the amount of sixty-four thousand six-hundred five dollars (\$64,605) on the first day of April, July and October 2022. However, prior to the payment of the second payment and each payment thereafter, Cornell Cooperative Extension of Cortland County shall submit to the County Finance Office an account of its disbursements on a form mutually agreed to by the Cornell Cooperative Extension of Cortland County and the County, AND BE IT FURTHER

RESOLVED, that a maintenance in lieu of rent payment in the amount of sixty-three thousand seven hundred twenty-three dollars (\$63,723) is due to the County of Cortland as follows: The amount of fifteen-thousand nine-hundred thirty dollars and seventy-five cents (\$15,930.75) is due within 15 days of the execution of this agreement and the amount of fifteen-thousand nine-hundred thirty dollars and seventy-five cents (\$15,930.75 is due on the 15th day of April, July, and October, 2022, AND BE IT FURTHER

RESOLVED, that pursuant to Section 224 of the County Law, said agency shall render to the County Legislature a certified account of disbursements with verified or certified figures attached, AND BE IT FURTHER

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee, be and hereby is authorized to enter into an agreement with Cornell Cooperative Extension of Cortland County, AND BE IT FURTHER

RESOLVED that the County Treasurer be and hereby is authorized and directed to make payment from account #A87505.54815, AND BE IT FURTHER

RESOLVED, that any unused amounts of said sums shall be refunded to the County of Cortland.

AGENDA ITEM NO. 29 – Appoint Member - Cornell Cooperative Extension of Cortland County Board of Directors

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

ON MOTION OF HARBIN

RESOLUTION NO. 31-22

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

WHEREAS, the Cortland County Legislature is provided a seat on the Cornell Cooperative Extension of Cortland County Board of Directors, AND

WHEREAS, Beau Harbin has previously served on this Board and has expressed a desire to serve again, NOW THEREFORE BE IT

RESOLVED, that Beau Harbin of 25 West Court Street, Cortland, New York 13045, be and hereby is appointed to the Cornell Cooperative Extension of Cortland County Board of Directors for a two year term ending December 31, 2023.

Referred from Judiciary & Public Safety Committee

AGENDA ITEM NO. 30 – Appoint Member - Traffic Safety Board

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

ON MOTION OF FAIRCHILD-PRESTON

RESOLUTION NO. 32-22

Appoint Member - 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 to be comprised of not less than 12 members appointed by the Cortland County Legislature, AND

WHEREAS, Kevin Fitch has been appointed as the Chair of the Cortland County Legislature, AND

WHEREAS, the Cortland County Traffic Safety Board Bylaws state that the Chair of the Legislature serves as a member of the board, NOW THEREFORE BE IT

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

Name	Organization	Address	Term Expiration
Kevin Fitch	Chair of the Legislature	6961 Route 41 Homer, NY 13077	12/31/2023

AGENDA ITEM NO. 31 – Authorize 2022 Agreement with BI Incorporated for Electronic Monitoring Services - Probation Department

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

ON MOTION OF FAIRCHILD-PRESTON

RESOLUTION NO. 33-22

Authorize 2022 Agreement with BI Incorporated for Electronic Monitoring Services - Probation Department

WHEREAS, electronic monitoring is an authorized and accepted method of providing Court-ordered supervision of offenders in the community, AND

WHEREAS, there may be a need to provide this service as required by the local Court System, AND

WHEREAS, Cortland County Probation Department has contracted with BI Incorporated, 6265 Gunbarrel Avenue Suite B, Boulder, Colorado 80301, since 2005 and the latest contract, as authorized by Resolution No. 18-21, with said company expired December 31, 2021, AND

WHEREAS, BI Incorporated has agreed to contract for an additional one year period, starting January 1, 2022 and ending December 31, 2022, at reasonable competitive pricing, AND

WHEREAS, the Cortland County Probation Department desires to continue to contract with said company for services at the proposed pricing, AND

WHEREAS, the Cortland County Probation Department estimates \$650 to be paid for services from January 1, 2022 through December 31, 2022, AND

WHEREAS, funds are available in account A31405.54615 Contract Medical Services, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon approval by the County Attorney or designee, be and hereby is authorized to execute a one year contract with BI Incorporated, 6265 Gunbarrel Avenue, Suite b, Boulder, Colorado 80301, for the term January 1, 2022 through December 31, 2022, for the purpose of electronic monitoring through the Cortland County Probation Department, AND BE IT FURTHER

RESOLVED, that the County Treasurer is authorized to pay vendor from said funds.

AGENDA ITEM NO. 32 – Creation of One Full Time (1) Position of Temporary Dispatcher with Benefits - Department of Emergency Response and Communications

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

ON MOTION OF FAIRCHILD-PRESTON

RESOLUTION NO. 34-22

Creation of One Full Time (1) Position of Temporary Dispatcher with Benefits - Department of Emergency Response and Communications

WHEREAS, there are two anticipated vacancies (retirements) of Dispatcher (Grade 6/\$21.0492-23.9712/Hr competitive class, full time) in the 911 center / Department of Emergency Response and Communications during 2022, AND

WHEREAS, the required and on the job training period for the full-time position of Dispatcher takes approximately 5 months' time for the candidate to be working independently, AND

WHEREAS, the two anticipated openings in the position of Dispatcher will significantly increase overtime if a replacement employee has not completed training before the anticipated retirements, AND

WHEREAS, the Department of Emergency Response and Communications will be able to more adequately respond to the emergency needs of the Cortland County community by creating the position of one (1) full time position of Temporary Dispatcher, AND

WHEREAS, the County Administrator and the Director of Emergency Response and Communications recommend the creation of one full time (1) position of Temporary Dispatcher with benefits from March 1, 2022 through September 30, 2022, AND

WHEREAS, it is anticipated that there will be a cost savings to the County from backfilling the anticipated retirements both of which are paid at Grade 6, Step 9 with a Grade 6, Hire rate, NOW THEREFORE BE IT

RESOLVED, that one (1) temporary full time position of Dispatcher with benefits in the Department of Emergency Response and Communications (Grade 6/\$20.5973-23.0512/Hr competitive class, full time) be created effective March 1, 2022 at 12:01 A.M., with approval to fill, and to expire on October 1, 2022 at 12:01 A.M., and which is paid out of Account A30205.51005.

AGENDA ITEM NO. 33 – Authorize Agreement for Forensic Lab Testing - NMS Labs - County Coroner's Office

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

ON MOTION OF FAIRCHILD-PRESTON

RESOLUTION NO. 35-22

Authorize Agreement for Forensic Lab Testing - NMS Labs - County Coroner's Office

WHEREAS, at times the Cortland County Coroners require forensic laboratory testing be performed on deceased individuals, AND

WHEREAS, the County of Cortland is desirous of obtaining forensic laboratory testing from NMS Labs, 3701 Welsh Road, Willow Grove, PA 19090, AND

WHEREAS, NMS Labs has agreed to a fee as itemized on their fee schedule, AND

WHEREAS, NMS Labs has the necessary expertise and facilities to perform these services and is willing to provide said services, NOW THEREFORE BE IT

RESOLVED, that the County Administrator be and hereby is authorized to enter into an agreement, upon approval of the County Attorney or designee, with NMS Labs for forensic laboratory testing as needed and requested and for the term of January 1, 2022 to December 31, 2023, with said expenses to be paid from account #A11855.54615.

AGENDA ITEM NO. 34 – Authorization Agreement with Black Creek Intergrated System Corp for Jail Software-Sheriff's Office Division of Corrections - Sheriff's Department

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

ON MOTION OF FAIRCHILD-PRESTON

RESOLUTION NO. 36-22

Authorization Agreement with Black Creek Intergrated System Corp for Jail Software-Sheriff's Office Division of Corrections - Sheriff's Department

WHEREAS, Black Creek Integrated System Corporation, 2900 Crestwood Blvd, Irondale, AL 35210, has agreed to enter into an agreement to perform services and/or supply goods for the Cortland County Jail Black Creek Sally Port Software Unlimited Support Plan, AND

WHEREAS, the Jail Management System Maintenance Agreement for the existing Black Creek Integrated System Corporation Software expired December 31, 2021, AND

WHEREAS, the cost of the maintenance agreement is \$21,680.80, for the period beginning on January 1, 2022 and ending on December 31, 2022.

WHEREAS, the Sheriff is authorized to pay this billing in January 2022, AND

WHEREAS, the funds to cover this contract are available in account number A31505.54015, Maintenance Agreements, NOW THEREFORE BE IT

RESOLVED, that the County Administrator and the Sheriff of Cortland County, upon review and approval by the County attorney or designee, and subject to available funds, be and herby are authorized to contract with Black Creek Integrated System Corporation for the period of January 1, 2022 to December 31, 2022.

Referred from Government Operations Committee

AGENDA ITEM NO. 35 – Abolish Part-Time County Attorney/Create County Attorney - Personnel Department

RESULT:	ADOPTED [15 TO 1]
MOVER:	Richard Stock, Legislator
SECONDER:	Kelly L. Fairchild-Preston, Legislator
AYES:	Bentley, Harbin, Bischoff, Wilson, Stock, Homer, Fitch, Jones, Fairchild-Preston, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
NAYS:	Ronald J. Van Dee
EXCUSED:	Christopher Newell

ON MOTION OF STOCK

RESOLUTION NO. 37-22

Abolish Part-Time County Attorney/Create County Attorney - Personnel Department

WHEREAS, the needs of the office will be better served by abolishing one (1) part-time 25 hrs/week County Attorney position and creating one (1) County Attorney position, up to 35 hrs/week, in the County Attorney's Office, AND

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

RESOLVED, that one (1) position of County Attorney (Grade 1, Management Compensation Plan, \$48.89-59.48/hr, 25 hrs/week with benefits, exempt class) be and hereby is abolished effective January 27, 2022 at midnight, AND BE IT FURTHER

RESOLVED, that one (1) position of County Attorney (Grade 1, Management Compensation Plan, \$88,977-108,254, up to 35 hrs/wk with benefits, exempt class) be created with permission to fill effective January 28, 2022 at 12:01 A.M.

Referred from Finance & Administration Committee

AGENDA ITEM NO. 36 – Amend 2021 Budget to Recognize Increased Sales Tax - Finance Department

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

ON MOTION OF VAN DEE, WAGNER

RESOLUTION NO. 38-22

Amend 2021 Budget to Recognize Increased Sales Tax - Finance Department

WHEREAS, 2021 sales tax received was \$8,707,667.55 above budgeted revenue, AND

WHEREAS, 46% of the net sales tax received, after the County offset of \$1,500,000, is distributed to municipalities within Cortland County, AND

WHEREAS, the increased revenue resulted in the distribution to municipalities being over the budgeted amount, requiring an increase in the expenditure budget to cover the final 2021 distribution, NOW THEREFORE BE IT

RESOLVED, that the 2021 County budget be amended as follows:

Increase Revenue:		
A198541.41110	Sales & Use Tax Revenue	\$4,005,527.07

Increase Expenditure:

A19855.54101

Sales Tax Pymts to Municipalities

\$4,005,527.07

AGENDA ITEM NO. 37 – Distribution of Fourth Quarter 2021 Sales Tax - Finance Department

RESULT:	ADOPTED [15 TO 1]
MOVER:	George Wagner, Majority Leader
SECONDER:	Mitchel Eccleston, Legislator
AYES:	Bentley, Bischoff, Van Dee, Wilson, Stock, Homer, Fitch, Jones, Fairchild-Preston, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
NAYS:	Beau Harbin
EXCUSED:	Christopher Newell

ON MOTION OF WAGNER

RESOLUTION NO. 39-22

Distribution of Fourth Quarter 2021 Sales Tax - Finance Department

WHEREAS, the Cortland County Legislature adopted Resolution No. 221-18, which provides for the distribution of sales tax from the County to local municipalities, AND

WHEREAS, the sales tax sharing agreement provides for the deduction directly from the gross sales tax distribution received from the State of New York a fixed sum of \$1,500,000 for County purposes, with the remaining balance of the revenues to be distributed for use by the County, City of Cortland, and the various municipalities within Cortland County, AND

WHEREAS, the gross deduction for County purposes will be provide for quarterly, AND

WHEREAS, the 2021 fourth quarter sales tax information has been provided by the New York State Comptroller's Office showing a total collection for fourth quarter 2021 to be \$9,060,935.83, AND

WHEREAS, the total amount available for distribution is \$8,685,935.83, after the direct deduction for County purposes, AND

WHEREAS, individual municipalities by resolution have opted to apply a portion of their sales tax dollars to off-set the property tax levy and that amount (\$700,000.00) is to be withheld from the quarterly distribution, AND

WHEREAS, Cortland County receives (54%), or \$4,690,405.35 of the total net quarterly distribution, AND

WHEREAS, respective payments are now ready for disbursement, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature authorizes the County Treasurer or designee to release sales tax payments for the fourth quarter of 2021 as so stated below from Account No. A19855.54101 in either the form of a county check or by direct bank transfer as per the request of the receiving municipality:

Municipality	Distribution Amount Pre-Tax Credit	Applied Tax Credits	Net Distribution After Tax Credit	Balance Owed Against Tax Credits
City of Cortland	\$1,541,753.60	-0-	\$1,541,753.60	-0-
Town of Cincinnatus	\$74,190.65	-0-	\$74,190.65	-0-
Town of Cortlandville	\$749,807.47	-0-	\$749,807.47	-0-
Town of Cuyler	\$65,452.65	-0-	\$65,452.65	-0-

Town of Freetown	\$51,033.73	-0-	\$51,033.73	-0-
Town of Harford	\$81,400.18	-0-	\$81,400.18	-0-
Town of Homer	\$261,374.73	-0-	\$261,374.73	-0-
Village of Homer	\$185,158.57	-0-	\$185,158.57	-0-
Town of Lapeer	\$106,205.66	-0-	\$106,205.66	-0-
Town of Marathon	\$80,314.52	-0-	\$80,314.52	-0-
Village of Marathon	\$41,238.40	-0-	\$41,238.40	-0-
Village of McGraw	\$34,068.90	-0-	\$34,068.90	-0-
Town of Preble	\$134,419.23	-0-	\$134,419.23	-0-
Town of Scott	\$80,340.80	-0-	\$80,340.80	-0-
Town of Solon	\$69,281.76	-0-	\$69,281.76	-0-
Town of Taylor	\$44,568.27	-0-	\$44,568.27	-0-
Town of Truxton	\$95,763.42	-0-	\$95,763.42	-0-
Town of Virgil	\$235,415.40	-0-	\$235,415.40	-0-
Town of Willet	\$63,742.54	-0-	\$63,742.54	-0-
Total	\$3,995,530.48	-0-	\$3,995,530.48	-0-

, AND BE IT FURTHER

RESOLVED, that the Cortland County Treasurer or designee is hereby directed to deposit the County's "off the top" sum of \$375,000 in the appropriate reserves and accounts as designated in Resolution No. 294-20.

Additional Resolutions

AGENDA ITEM NO. 38 – Approve Settlement of Ongoing Litigation with Allergen Associates

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

ON MOTION OF FITCH

RESOLUTION NO. 40-22

Approve Settlement of Ongoing Litigation with Allergen Associates

WHEREAS, after discussion the Cortland County Legislature authorized the County Attorney to accept a settlement with Allergen Associates, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Board of Legislature hereby authorizes the Chairman of the Board of Legislature to accept said settlement and authorized parties to sign related documents, AND BE IT FURTHER

RESOLVED, all funds received from the settlement be set aside into a special reserve account for the sole purpose of addressing the opioid epidemic in Cortland County as specified in the settlement documents.

Executive Session

It was MOVED by Ms. Homer, seconded by Ms. Preston, and unanimously adopted by voice vote of members present, to enter into an executive session to discuss pending litigation. MOTION CARRIED.

An executive session was held from 6:56 p.m. to 7:09 p.m., at which time on motion of Ms. Homer, seconded by Ms. Price, and unanimously approved to exit executive session.

Announcements

Legislative Clerk Hempstead announced that the first meeting of the Redistricting Commission is scheduled for January 31, 2022 at 9:00 A.M. in the Cortland County Legislative Chambers.

Adjournment

The meeting was closed at 7:11 PM



Cortland County Legislature

Legislative Session

~ Minutes ~

Legislative Chambers

Cortland, NY 13045

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

4.1

Thursday, December 16, 2021

6:00 PM

Board Room

Salute to the Flag

Public Hearings

1. Public Hearing for the Submission of One or More Community Development Block Grant (CDBG) Applications for the 2020 Program Year

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

Call to Order

Roll Call

The meeting was called to order at 6:00 PM by Chairman Paul Heider

Attendee Name	Organization	Title	Status	Arrived
Douglas Bentley	Cortland County, NY	Legislator	Present	
Beau Harbin	Cortland County, NY	Minority Leader	Excused	
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	Present	
Ann Homer	Cortland County, NY	Legislator	Present	
Kevin Fitch	Cortland County, NY	Legislator	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	Excused	
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	Chairman	Present	
Mitchel Eccleston	Cortland County, NY	Legislator	Present	

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Approval of Minutes

1. Cortland County Legislature - Legislative Session - Nov 18, 2021 6:00 PM

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

Proclamations & Recognitions

Privilege of the Floor

Presentation of Petitions, Communications, and Notice

Receive and File

1. 2020 Health Department Annual Report

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

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 Redistricting Commission of the Cortland County Legislature

RESULT:	PULLED
Next: 1/27/2022 6:00 PM	

ON MOTION OF HEIDER

RESOLUTION NO.

Appoint Redistricting Commission of the Cortland County Legislature

WHEREAS, the 2020 Census results were published for Cortland County on August 12, 2021,
AND

WHEREAS, pursuant to Local Law No. 2 of 1972, A Local Law Reapportioning the County of Cortland the Cortland County Legislature shall appoint a commission to evaluate the existing County legislative districts for equity and representation in relation to population within six months after the

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publication of the results of the regular census taken in Cortland County, AND

WHEREAS, the commission shall consist of the Chair of the Legislature, two members of the County Legislature from the majority political party represented on the County Legislature and two members of the County Legislature from the second largest political party represented on the County Legislature, NOW THEREFORE BE IT

RESOLVED, that the following be and hereby are appointed to the Redistricting Commission effective immediately:

Paul Heider
George Wagner
Beau Harbin
Kevin Fitch
Richard Stock

, AND BE IT FURTHER

RESOLVED, that said Redistricting Commission shall be dissolved upon adoption of the Local Law reapportioning/redistricting the Cortland County legislative districts pursuant to the 2020 Census results.

AGENDA ITEM NO. 2 – Authorize Agreements for New York State Pop-Up COVID-19 Vaccination Clinics in Marathon, Truxton and Cortland

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

ON MOTION OF HEIDER

RESOLUTION NO. 332-21

Authorize Agreements for New York State Pop-Up COVID-19 Vaccination Clinics in Marathon, Truxton and Cortland

WHEREAS, due to the increase in COVID-19 cases, New York State, in conjunction with the Cortland County Health Department, is implementing pop-up COVID-19 vaccination clinics in Cortland County, AND

WHEREAS, the pop-up vaccination clinics will be located in Marathon, Truxton and the City of Cortland, AND

WHEREAS, the Cortland County Legislature encourages all eligible residents to get vaccinated to help in the battle against Coronavirus, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature be and hereby approves the County Administrator to execute all contracts needed for the upcoming vaccination clinics and to secure locations, transportation, advertising and any other need as may arise through February 15, 2022, AND BE IT FURTHER

RESOLVED, that the Director of Finance be and hereby is directed that all costs for the clinics be paid from Account No. A10105.54048.COV19.

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Referred from Building & Grounds Committee

AGENDA ITEM NO. 3 – Authorize Use of Jail Project Reserve for Boiler Replacements

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

ON MOTION OF PRICE

RESOLUTION NO. 333-21

Authorize Use of Jail Project Reserve for Boiler Replacements

WHEREAS, the Cortland County Legislature adopted Resolution No. 313-15, which established the County Jail Project Reserve for the purpose of repair, construction, capital projects and other related expenditures for the County correctional facility, AND

WHEREAS, the Cortland County Legislature adopted Resolution No. 157-19 requiring all future uses of the reserve to be done through resolution, AND

WHEREAS, funds are required for the emergency replacement of the two boilers at the jail,

WHEREAS, the Jail Project Reserve balance at November 30, 2021 is \$1,364,365.30,
NOW THEREFORE BE IT

RESOLVED, the Legislature approves the use of the Jail Project Reserve for the emergency replacement of two (2) boilers at the jail, AND BE IT FURTHER

RESOLVED, the 2021 budget is hereby amended as follows:

Increase: Account Number A31505.52320 Building Improvements \$65,191

Increase: Account Number A359900 Appropriated Reserves \$65,191

Referred from Highway Committee

AGENDA ITEM NO. 4 – Award Supplemental Agreement No. 2 Engineering Construction Inspection Services for North Tower Road Large Culvert (CIN 502-0784-59.00) Replacement Project - Highway Department

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

ON MOTION OF NEWELL

RESOLUTION NO. 334-21

Award Supplemental Agreement No. 2 Engineering Construction Inspection Services for North Tower Road Large Culvert (CIN 502-0784-59.00) Replacement Project - Highway Department

WHEREAS, Cortland County has been awarded \$879,968 in State funding under the BRIDGE-

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NY Program to design and construct the replacement of the North Tower Road Large Culvert, AND

WHEREAS, the Cortland County Legislature has accepted the State funding for said project by Resolution No. 7-19, AND

WHEREAS, the Highway Department solicited and received proposals from firms interested in providing design services for said project, AND

WHEREAS, the Highway Committee appointed a Selection Committee to review said proposals, and make a recommendation to the Highway Committee of a firm that would best provide Professional Engineering Services, AND

WHEREAS, the Highway Committee recommends that C & S Companies of 499 Col. Eileen Collins Blvd., Syracuse, NY 13212 provide Professional Engineering Services to the Cortland County Highway Department, AND

WHEREAS, the amount of the Construction Inspection for said services was \$42,000.00, AND

WHEREAS, there is a need for additional Construction Administration and Inspection Services for in-plant precast concrete inspection that was not included in the original agreement for an amount of \$14,000.00, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby approves Supplemental Agreement No. 2 with C & S Companies for Professional Engineering Services to the Cortland County Highway Department for an additional amount not to exceed \$14,000.00, AND BE IT FURTHER

RESOLVED, that the Chairman of the Cortland County Legislature, upon review and approval as to form by the County Attorney or designee, is hereby authorized to execute said contract agreement with for Professional Engineering Services for the Construction Inspection for the North Tower Road Large Culvert Replacement, AND BE IT FURTHER

RESOLVED, that the 2021 Capital Budget be modified as follows:

Increase:

HH512243.43597.NTLC	State Revenue	\$14,000.00
HH51225.52800.NTLC	Infrastructure	\$14,000.00

AGENDA ITEM NO. 5 – Sublease of Cortland County Agricultural Corporation Building to Suit-Kote Corporation - Highway Department

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

ON MOTION OF NEWELL

RESOLUTION NO. 335-21

Sublease of Cortland County Agricultural Corporation Building to Suit-Kote Corporation - Highway Department

WHEREAS, the County of Cortland has a lease agreement with the Cortland County Agricultural

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Corporation for storing Highway Equipment in the fairgrounds building from October 15, 2021 through May 8, 2022 (Resolution No.227-21, Agreement No. 206-21), AND

WHEREAS, the costs to the County for said lease agreement is \$2,650.00 for the term of the agreement, AND

WHEREAS, half of the fairgrounds building is available for Suit-Kote Corporation to utilize for storing equipment, AND

WHEREAS, Suit-Kote Corporation is willing to pay half of the costs of said lease which amounts to \$1,325.00, AND

WHEREAS, the County of Cortland is agreeable to sublease half of said building to Suit-Kote under the same terms that the Cortland County Highway Department has with the Cortland County Agricultural Corporation during the winter season, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon approval by the County Attorney or designee and subject to appropriation of funding by the Legislature, is hereby authorized and directed to execute a sublease agreement for the 2021-2022 winter season starting October 15, 2021 and ending May 8, 2022 with Suit-Kote Corporation, 1911 Loring Crossing Road, Cortland, NY 13045 for an amount of \$1,325.00.

Referred from Health & Human Services Committee

AGENDA ITEM NO. 6 – Authorize 2021 Budget Amendment/Authorize Agreement to Accept Funds from NYS Office of Mental Health Dwyer Veteran's Peer to Peer Funding for the Veteran's Services Department - Mental Health Department

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 336-21

Authorize 2021 Budget Amendment/Authorize Agreement to Accept Funds from NYS Office of Mental Health Dwyer Veteran's Peer to Peer Funding for the Veteran's Services Department - Mental Health Department

WHEREAS, The New York State Office of Mental Health has provided the Cortland County Mental Health Department with Dwyer Peer to Peer funding in an amount not to exceed \$75,000 for Veterans who are experiencing post-traumatic stress symptoms, 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 and directed to sign an agreement to accept these funds, AND BE IT FURTHER

RESOLVED that the 2021 Cortland County Budget be amended as follows:

Increase:

Revenue:	
A431043.43490.4200	\$75,000.00

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Expense:

A43105.51005.4200

\$75,000.00

AGENDA ITEM NO. 7 – Authorize Agreement with Aetna Behavioral Health - Mental Health

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 337-21

Authorize Agreement with Aetna Behavioral Health - Mental Health

WHEREAS, the Cortland County Mental Health Department must execute a contract with Aetna Behavioral Health, main offices located at 1425 Union Meeting Road, Blue Bell, PA 19422 with a mailing address of PO Box 5, Blue Bell, PA 19422, AND

WHEREAS, Aetna Behavioral Health arranges for the provision of mental health and substance abuse services to members of the Plan, AND

WHEREAS, the Cortland County Mental Health Department wishes to become a recognized provider of mental health services as part of the Plan, AND

WHEREAS, funds received from Aetna Behavioral Health can benefit the 2022 budget in account A431042.41620.4200, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee, is hereby authorized to execute agreements for 2022 for or with Aetna Behavioral Health.

AGENDA ITEM NO. 8 – Authorize 2021 Budget Amendment to Accept Grant Funds from NYS Office of Mental Health - Mental Health Department

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 338-21

Authorize 2021 Budget Amendment to Accept Grant Funds from NYS Office of Mental Health - Mental Health Department

WHEREAS, the New York State Office of Mental Health has awarded the Cortland County Mental Health Department a workforce grant intended for Mental Health workforce expenses in an amount not to exceed \$40,000 for the period covering July 1, 2021 through Dec. 31, 2022, 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 and directed

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to sign an agreement to accept these funds, AND BE IT FURTHER

RESOLVED that the 2021 Cortland County Budget be amended as follows:

Increase:

Revenue:	
A431044.44490.4200	\$40,000.00
Expense:	
A43105.51005.4200	\$40,000.00

, 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. 9 – Authorize Provider Memorandum of Understanding for Systems of Care in Cortland County for 2022 - Mental Health Department

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 339-21

Authorize Provider Memorandum of Understanding for Systems of Care in Cortland County for 2022 - Mental Health Department

WHEREAS, Cortland Mental Health is executing a provider Memorandum of Understanding (MOU) for 2022 to strengthen Cortland County's children and youth serving systems and to provide timely access to resources that support a trauma-informed community, AND

WHEREAS, this will be done to strengthen the current infrastructure and cross-system partnerships for children and youth services, to help decrease the service delivery gaps, and collaborating on data collection, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon and approval by the County Attorney or designee, is authorized to execute this Memorandum of Understanding for Systems of Care in Cortland County for 2022.

AGENDA ITEM NO. 10 – Accept Bids and Authorize Purchase of Miscellaneous Groceries and Frozen Foods - Area Agency on Aging

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

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Accept Bids and Authorize Purchase of Miscellaneous Groceries and Frozen Foods - Area Agency on Aging

WHEREAS, bids were received on November 3, 2021 for the period January 1, 2022 through March 31, 2022, for the purchase of miscellaneous groceries and frozen foods in accordance with specifications on file in the Office of the Clerk of the Cortland County Legislature, for use by the Area Agency on Aging and the Sheriff's Department, AND

WHEREAS, the Health & Human Services Committee recommends that bids be awarded to the lowest responsible bidder, AND

WHEREAS, bids were received from the following:

Ginsberg's, PO Box 17, Route 66, Hudson, NY 12534
Smith Packing Co., PO Box 520, Utica, NY 13503-0520
Renzi Food Service, 901 Rail Drive, Watertown, NY 13601

, NOW THEREFORE BE IT

RESOLVED, that bids of the said vendors, in accordance with the specifications, be and hereby are accepted at the bid prices on a per item basis, AND BE IT FURTHER

RESOLVED, that said departments have the right to award bids based on price and quality, AND BE IT FURTHER

RESOLVED, that the above departments are authorized and directed to purchase said items from the lowest responsible bidders and best value for the period January 1, 2022 through March 31, 2022.

AGENDA ITEM NO. 11 – Authorize Agreement/Accept Funds Local Health Department COVID-19 Vaccine Response - Health Department

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 341-21

Authorize Agreement/Accept Funds Local Health Department COVID-19 Vaccine Response - Health Department

WHEREAS, the New York State Dept. of Health has awarded the Cortland County Health Department \$176,662.14 for the COVID Vaccine Response Grant for the period of 01/01/21-06/30/24, Contract# C36925GG, AND

WHEREAS, these funds will be used to expand COVID-19 vaccine administration hours of operation, increase COVID-19 vaccine administration equity, and promote and increase the uptake of COVID-19 vaccine and other vaccines, and administer COVID-19 booster doses, AND

WHEREAS, Cortland County Health Department will contract with Cortland Area Communities that Care to assist in the deliverables of this grant, AND

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WHEREAS, the 2021 Budget will need to be amended as follows:

Increase Revenue:		Current	Increase	Balance
A40115.43450.C19VR	C19 Vaxx Response	\$0	\$176,662.14	\$176,662.14
Increase Expenditures:				
A40115.51005.C19VR	C19VR Personal Svc	\$0	\$86,702.20	\$86,702.20
A40115.52015.C19VR	HD Equipment	\$0	\$10,000	\$10,000
A40115.54048.C19VR	Prog Supplies	\$0	\$500	\$500
A40115.54060.C19VR	Advertising	\$0	\$15,000	\$15,000
A40115.54815.C19VR	Contracted Agency	\$0	\$9,160	\$9,160
A40115.58020.C19VR	Retirement	\$0	\$12,138	\$12,138
A40115.58030.C19VR	FICA	\$0	\$6,633	\$6,633
A40115.58040.C19VR	Workers Comp	\$0	\$2,200	\$2,200
A40115.58060.C19VR	Health Ins	\$0	<u>\$34,328.94</u>	<u>\$34,328.94</u>
			\$176,662.14	\$176,662.14

, NOW THEREFORE BE IT

RESOLVED, that the County Administrator and Public Health Director, upon review and approval by the County Attorney or designee, and subject to appropriation of the funding by the Legislature, is hereby authorized and directed to sign an agreement with New York State Department of Health to accept these funds, AND BE IT FURTHER

RESOLVED, that the Legislature authorizes the County Administrator and Public Health Director upon review and approval of the County Attorney or designee, to execute all required contracts and agreements to assist in the delivery of this grant, 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. 12 – Accept Funds Health Research, Inc. - Health Department

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 342-21

Accept Funds Health Research, Inc. - Health Department

WHEREAS, Resolution No. 248-21 gave the Cortland County Health Department permission to enter into a grant contract with Health Research, Inc. for funding the Public Health Emergency Preparedness Program, Contract No. 1596-15, CFDA #96.069, in the amount of \$50,099 for the period of 7/1/21-6/30/22, AND

WHEREAS, additional funds of \$2,000 have been awarded to the Cortland County Health Department through this grant, AND

WHEREAS, funds in the 2022 County Budget will need to be amended as follows:

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Increase:		Current	Increase	Balance
A40105.44401.21BTE	2122 BTE Grant	\$50,099	\$2,000	\$52,099
A40105.54048.21BTE	Program Supplies	\$0	<u>\$2,000</u>	\$2,000
			\$0	

, NOW THEREFORE BE IT

RESOLVED, that the County Administrator and Public Health Director, upon review and approval by the County Attorney or designee, and subject to appropriation of funding by the Legislature, is hereby authorized and directed to sign an agreement with Health Research, Inc. to accept these additional funds, 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. 13 – Reappoint Member Cortland County Board of Health - Health Department

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 343-21

Reappoint Member Cortland County Board of Health - Health Department

WHEREAS, New York State regulation requires that the County Legislature appoint at-large representative members to the Board of Health, AND

WHEREAS, the term of Mary Wright will expire on the Cortland County Board of Health on December 31, 2021, NOW THEREFORE BE IT

RESOLVED, that Mary Wright, R.N., c/o Regional Medical Practice, 135 North Main Street., Cortland, NY 13045, be and hereby is reappointed to the Cortland County Board of Health for a six (6) year term beginning on January 1, 2022 and ending on December 31, 2027.

AGENDA ITEM NO. 14 – Create Position/Appropriate Funds Safe Harbour Coordinator - Department of Social Services (Child Advocacy Center Division)

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 344-21

Create Position/Appropriate Funds Safe Harbour Coordinator - Department of Social Services (Child Advocacy Center Division)

WHEREAS, Cortland County has been provided an allocation of \$43,350 for the development and implementation of Safe Harbour programming for the calendar year 2022, AND

WHEREAS, New York State Office of Children and Family Services requires this money go through the Department of Social Services for planning and claiming purposes to support Cortland County in developing a system response to commercially sexually exploited children and trafficked at-risk youth, AND

WHEREAS, the Cortland County Child Advocacy Center ("CAC") is an entity aligned with and able to implement a Safe Harbour Program, AND

WHEREAS, the Department of Social Services-CAC Division needs to create one (1) part-time Safe Harbour Coordinator position, AND

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

RESOLVED, that one (1) position of Safe Harbour Coordinator (CSEA, Grade 13, \$20.2732-25.5331/HR (2022 Rate), competitive class, part-time 17 hours per week, (no benefits) in the Department of Social Services-CAC Division be created effective January 1, 2022 at 12:01 A.M., with approval to fill, AND BE IT FURTHER

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

RESOLVED, that funds be appropriated in the 2022 County Budget as follows:

A40505.51010 SF	Personnel	\$17,921.51
A40505.54000 SF	I/D Phones	\$132.00
A40505.54001 SF	Copies	\$1,000.00
A40505.54035 SF	Training & Staff Dev	\$800.00
A40505.54055 SF	Contract-Campaign	\$11,000.00
A40505.54800 SF	Program Supplies	\$7,621.48
A40505.58020 SF	Retirement	\$2,509.00
A40505.58030 SF	FICA	\$1,371.01
A40505.58040 SF	Worker's Comp	\$995.00
TOTAL Expense		\$43,350.00
A40505.43489 SF Revenue		\$43,350.00

AGENDA ITEM NO. 15 – Authorize Agreement/Accept Funds Healthy Neighborhoods Grant - Health Department/ Health Education

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 345-21

Authorize Agreement/Accept Funds Healthy Neighborhoods Grant - Health Department/ Health Education

WHEREAS, Resolution Nos. 154-14 and 185-20 gave the Cortland County Health Department

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permission to enter into an agreement with the New York State Dept. of Health for funding of the Healthy Neighborhoods Program, Contract No. C-029590, for the contract period of 4/1/14-3/31/21, AND

WHEREAS, the New York State Department of Health has extended the contract to 3/31/22, AND

WHEREAS, for the grant year 4/1/21-3/31/22, the New York State Department of Health has awarded Cortland County Health Department \$116,545, AND

WHEREAS these funds will be used for implementation of specific activities related to reducing the burden of housing related illness and injury, AND

WHEREAS, the 2021 Budget will need to be amended as follows:

Increase Revenue		Current	Increase	Balance
A40105.43450.22HNP	2122HNP	\$0	\$116,545	\$116,545
Increase Expenditure				
A40105.51005.22HNP	Personal Svc	\$0	\$55,406	\$55,406
A40105.54000.22HNP	Phone	\$0	\$132	\$132
A40105.54005.22HNP	Ofc Supp	\$0	\$602	\$602
A40105.54020.22HNP	Postage	\$0	\$180	\$180
A40105.54045.22HNP	Travel	\$0	\$800	\$800
A40105.54048.22HNP	Prog Supp	\$0	\$23,915	\$23,915
A40105.54078.22HNP	Fuel	\$0	\$50	\$50
A40105.54213.22HNP	Copy/Print	\$0	\$350	\$350
A40105.58020.22HNP	Retirement	\$0	\$7,757	\$7,757
A40105.58030.22HNP	FICA	\$0	\$4,239	\$4,239
A40105.58040.22HNP	Workers Comp	\$0	\$2,000	\$2,000
A40105.58060.22HNP	Health Ins	\$0	<u>\$21,114</u>	\$21,114
			\$116,545	116,545

, NOW THEREFORE BE IT

RESOLVED, that the County Administrator and Public Health Director, upon review and approval by the County Attorney or designee, and subject to appropriation of funding by the Legislature, is hereby authorized and directed to sign an agreement with New York State Department of Health to accept these funds, 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.

Referred from Agriculture/Planning/Environment Committee

AGENDA ITEM NO. 16 – Resolution Submitting the Little York Lake Special Taxing District to a Referendum

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

Resolution Submitting the Little York Lake Special Taxing District to a Referendum

WHEREAS, the Cortland County Legislature has created the "Little York Lake Protection and Rehabilitation District", hereinafter referred to as "District," pursuant to Resolution No. 298-21, AND

WHEREAS, the Cortland County Legislature finds that all of the property and property owners benefited are included within the limits of the proposed Special Taxing District, AND

WHEREAS, the Cortland County Legislature finds that it is in the public's interest to establish this Special Taxing District, AND

WHEREAS, creation of the Special Taxing District will not result in any adverse environmental impacts and, therefore, a negative declaration under the New York State Environmental Quality Review Act is appropriate, AND

WHEREAS, the creation of the District is subject to a permissive referendum in accordance with County Law § 101 and § 257, AND

WHEREAS, County Law section 101.4 authorizes the legislature to submit the matter directly to the qualified voters and thereby avoid the need for obtaining petitions, AND

WHEREAS, the Legislature wishes to avoid the necessity of obtaining and reviewing petitions, and wishes to send the matter directly to the qualified voters of the District, NOW THEREFORE BE IT

RESOLVED, that the creation of the Special Taxing District known as the "Little York Lake Protection and Rehabilitation District" be and hereby is submitted directly to the qualified voters, in accordance with County Law § 101.4, AND BE IT FURTHER

RESOLVED, that a special election be held by the Board of Elections no sooner than January 17, 2022, in the manner provided by the Election Law, AND BE IT FURTHER

RESOLVED, that the question to be put to the qualified voters is:

"Do you approve of the creation of the Little York Lake Protection and Rehabilitation District?"

AGENDA ITEM NO. 17 – Authorize Agreement Bus Shelter Christopher Communities - Planning Department

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

Authorize Agreement Bus Shelter Christopher Communities - Planning Department

WHEREAS, Christopher Communities is requesting a bus shelter to be installed at one of their facilities in Cortland County, AND

WHEREAS, monies awarded from the Federal 5311 Capital Grant will be used for the purchase

of the bus shelter and are in the 2021 budget line A56305.52015, AND

WHEREAS, the Cortland County Planning Department has solicited and received three written quotes as follows:

Company	Address	Quote
Handi-Hut	3 Grunwald St, Clifton, NJ 07013	\$7,330
Brasco International, Inc.	32400 Industrial Drive, Madison Heights, MI 48071	\$7,975
Columbia Equipment Co.	72 Albany Avenue, Freeport, NY 11520	\$8,386.

, AND

WHEREAS, the lowest overall responsible quote for a bus shelter was from Handi-Hut, 3 Grunwald St., Clifton, NJ 07013, AND

WHEREAS, Cortland County will be reimbursed up to \$9,999 for the purchase of this bus shelter, AND

WHEREAS, Christopher Communities has agreed to assume responsibility for the maintenance and liability of the bus shelter, including the clearing of snow, providing clear walkways for passengers and keeping it free of trash and graffiti, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review and approval as to form by the County Attorney or designee, is hereby authorized to sign an agreement with Handi-Hut, 3 Grunwald St, Clifton, NJ 07013 for a bus shelter in the amount of \$7,330.

AGENDA ITEM NO. 18 – Authorize Application for Accelerated Transit Capital (ATC) Program Grant Funding 2021-2022

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

ON MOTION OF FITCH

RESOLUTION NO. 348-21

Authorize Application for Accelerated Transit Capital (ATC) Program Grant Funding 2021-2022

WHEREAS, the New York State budget includes \$20 million for the Accelerated Transit Capital (ATC) Program which provides \$20 million in 100 percent reimbursed State capital funding for upstate public transportation to rehabilitate, restore and modernize public transit assets, AND

WHEREAS, the ATC funds may be used with a FTA eligible capital project that has a 10 year useful life span which includes vehicle rehabilitation and/or replacement, fleet enhancement, deployment of new technologies, passenger amenities and maintenance facilities but excludes transit studies, preventive maintenance or capital administration expenses, AND

WHEREAS, the amount of the ATC funding available to Cortland County for SFY 2021-2022 is \$52,056, which is apportioned based on the share of Statewide Transportation Operating Assistance (STOA) program funds received in the prior State fiscal year, AND

WHEREAS, there is no required local match and therefore no cost to Cortland County, NOW THEREFORE BE IT

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RESOLVED, that the County Administrator, upon review and approval by the County Attorney, is hereby authorized to act on behalf of the County of Cortland to sign the SFY 2021-2022 ATC Program Grant application, AND BE IT FURTHER

RESOLVED, the County Administrator, upon review and approval by the County Attorney or designee is authorized to act on behalf of the County of Cortland to sign the following:

- 1) Any and all agreements between the County of Cortland and any third party subcontractors necessary to complete the above named project; and
- 2) Any and all municipality/vendor contracts pursuant to the application and agreement which are necessary to complete the above named project.

AGENDA ITEM NO. 19 – Authorize Cortland County to Provide Administrative Services - Community Development Block Grant Application: CARES Act Funding for the S.E.P.P. Group

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

ON MOTION OF FITCH

RESOLUTION NO. 349-21

Authorize Cortland County to Provide Administrative Services - Community Development Block Grant Application: CARES Act Funding for the S.E.P.P. Group

WHEREAS, there is grant funding available through the New York State Office of Community Renewal through its Community Development Block Grant Program (CDBG) CARES Act, AND

WHEREAS, in order to be eligible for these funds municipalities must be the recipient of the funding, AND

WHEREAS, The S.E.P.P. Group is applying for funding for a housing expansion project, NOW THEREFORE BE IT

RESOLVED, that Cortland County will administer and be the recipient of the CDBG CARES ACT funding with a 5% administration fee of the total project, AND BE IT FURTHER

RESOLVED, that The S.E.P.P Group will be the sub-recipient of the CDBG CARES ACT funding and will submit all necessary documentation to the County prior to receiving any funding, AND BE IT FURTHER

RESOLVED, the Cortland County Legislature hereby authorizes the filing of a CDBG CARES Act grant application, AND BE IT FURTHER

RESOLVED, that all costs of this project will be paid by The S.E.P.P. Group and there will be no cost to the County, AND BE IT FURTHER

RESOLVED, the Legislature hereby directs the Clerk of the Legislature or designee to schedule the requisite public hearings as required for this grant application, AND BE IT FURTHER

RESOLVED, that the Legislature hereby authorizes the County Administrator and the Chair of

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the Legislature, subject to review by the County Attorney or designee to sign agreements pertaining to the receipt of the Community Development Block Grant Program (CDBG) CARES Act for The S.E.P.P. Group.

AGENDA ITEM NO. 20 – Amend 2022 Budget to Add Additional Funding to the Soil and Water Conservation District

RESULT:	ADOPTED [12 TO 3]
MOVER:	Kevin Fitch, Legislator
SECONDER:	Mitchel Eccleston, Legislator
AYES:	Bentley, Bischoff, Wilson, Stock, Fitch, Jones, Newell, Waldbauer, Price, Wagner, Heider, Eccleston
NAYS:	Ronald J. Van Dee, Ann Homer, Kelly L. Fairchild-Preston
EXCUSED:	Beau Harbin, Joseph Nauseef

ON MOTION OF FITCH

RESOLUTION NO. 350-21

Amend 2022 Budget to Add Additional Funding to the Soil and Water Conservation District

WHEREAS, the County Administrator (Budget Officer) presented the 2022 Tentative County Budget to the Cortland County Legislature on October 12, 2021, AND

WHEREAS, the Cortland County Legislature adopted the 2022 budget on November 18, 2021, AND

WHEREAS, the Legislature's Agricultural, Planning, and Environment Committee has recommended that the allocation for the Soil & Water Conservation District (SWCD) be increased by \$15,000 in the 2022 budget, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby amends the 2022 County Budget as follows:

DECREASE:		
Contingency	A19905.54775	\$15,000.00
INCREASE:		
SWCD	A87105.54815	\$15,000.00

AGENDA ITEM NO. 21 – Authorize 2022 Agreement with Cortland County Soil & Water District

RESULT:	ADOPTED [12 TO 3]
MOVER:	Kevin Fitch, Legislator
SECONDER:	Mitchel Eccleston, Legislator
AYES:	Bentley, Bischoff, Wilson, Stock, Fitch, Jones, Newell, Waldbauer, Price, Wagner, Heider, Eccleston
NAYS:	Ronald J. Van Dee, Ann Homer, Kelly L. Fairchild-Preston
EXCUSED:	Beau Harbin, Joseph Nauseef

ON MOTION OF FITCH

RESOLUTION NO. 351-21

Authorize 2022 Agreement with Cortland County Soil & Water District

WHEREAS, the 2022 Adopted Budget was amended to appropriate the sum of \$180,000 to be paid to Cortland County Soil and Water Conservation District for the expense of maintaining said district and assisting the District in carrying out the provisions of the Soil Conservations Districts Law, AND

WHEREAS, at any time during 2022, the Chair of the Legislature may request the Directors of Cortland County Soil and Water Conservation District to submit a report in writing of a detailed statement of its work and transactions for the preceding year and for any other period of time requested, AND

WHEREAS, the Cortland County Legislature adopted the 2022 County budget which included appropriated funds for use by the Cortland County Soil and Water Conservation District (SWCD), 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, be and hereby is authorized to enter into a contract between the County of Cortland and the Cortland County Soil and Water Conservation District, AND BE IT FURTHER

RESOLVED, that the payment for said contract be made in quarterly payments in the amount of \$45,000, due within 15 days of approval of this resolution and on or before 4/1/22, 7/1/22 and 10/1/22 payable to Cortland County Soil and Water Conservation District to be used for the maintenance of said conservation district in carrying out the provisions of the Soil Conservation District Law.

AGENDA ITEM NO. 22 – Appoint Members - Agricultural and Farmland Protection Board

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

ON MOTION OF FITCH

RESOLUTION NO. 352-21

Appoint Members - Agricultural and Farmland Protection Board

WHEREAS, Resolution No. 182-93 created the Cortland County Agricultural and Farmland Protection Board, AND

WHEREAS, the Agricultural and Markets Law Section 302 (b) designates appointments are to be made by the Chair of the Legislature, AND

RESOLVED, that the following be and hereby is appointed to the Cortland County Agricultural and Farmland Protection Board for the terms indicated below:

Name	Address/Designation	Capacity	Term to Expire
Gerald Craig	4199 NYS Route 41 McGraw, NY 13101	Farmer	12/31/2025
Erin Madden	1 North Main Street Cortland, NY 13045	Rep. of Agri & Preserv./Farm Service Agency	12/31/2025
Rick Villnave	5887 Route 281 Homer, NY 13077	Farmer	12/31/2025

AGENDA ITEM NO. 23 – Authorize 2022 Agreement with Cortland County SPCA for Animal Control and Animal Cruelty Investigation Services

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

ON MOTION OF FITCH**RESOLUTION NO. 353-21**

Authorize 2022 Agreement with Cortland County SPCA for Animal Control and Animal Cruelty Investigation Services

WHEREAS, the Cortland County Legislature adopted the 2022 County budget which included appropriated funds for use by the Cortland County Society for the Prevention of Cruelty to Animals (SPCA), 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, be and hereby is authorized to enter into a contract between the County of Cortland and the Cortland County Society for the Prevention of Cruelty to Animals, whereby in consideration of the sum of \$45,000.36 paid by the County in quarterly payments on the dates before or on 3/31/22, 6/30/22, 9/30/22 and 12/31/22, the SPCA will provide during normal business hours, Monday through Friday, answering service to receive complaints regarding cruelty to animals, investigate all cases involving cruelty to animals and cooperate with appropriate law enforcement agencies in the prevention and prosecution of such cases, AND BE IT FURTHER

RESOLVED, that the County Treasurer is hereby authorized and directed to pay said Society the sum of \$45,000.36 from Account Number A35105.54815 in accordance with the terms of said contract.

Referred from Judiciary & Public Safety Committee

AGENDA ITEM NO. 24 – Local Law "H" of 2021 - a Local Law to Proscribe as Unlawful the Sale and Possession Within the County of Cortland, New York, of Intoxicating Chemical Compounds or Dangerous Substances, that Are Mislabeled or Unlabeled, Whose Intended Purpose is to be Ingested, Inhaled or Injected, to Mimic the Effects of Controlled Substances or Marihuana and that Have No Other Legitimate Therapeutic Use or Purpose; "County of Cortland Synthetic Intoxicants and Dangerous Substances Law"

RESULT:	REFER TO COMMITTEE - NO VOTE
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Next: 1/13/2022 9:00 AM

ON MOTION OF PRICE**RESOLUTION NO.**

Local Law "H" of 2021 - a Local Law to Proscribe as Unlawful the Sale and Possession Within the County of Cortland, New York, of Intoxicating Chemical Compounds or Dangerous Substances, that Are Mislabeled or Unlabeled, Whose Intended Purpose is to be Ingested, Inhaled or Injected, to Mimic the Effects of Controlled Substances or Marihuana and that Have No Other Legitimate Therapeutic Use or Purpose; "County of Cortland Synthetic Intoxicants and Dangerous Substances Law"

SECTION I: LEGISLATIVE INTENT**A. Findings**

The County Legislature of the County of Cortland, New York, finds that the potential or

actual harm to residents from certain intoxicating chemical compounds or dangerous substances to be such that these chemical compounds or dangerous substances should be proscribed as unlawful.

B. Statement of Purpose

1. It is the purpose of this local law to promote public health, safety, and general welfare, and to minimize public and private injury to the citizens for the County of Cortland due to the permissive availability of certain intoxicating chemical compounds or dangerous substances; thus, requiring the prohibition of such chemical compounds or dangerous substances;
2. to protect human life and health; and,
3. to aid in the interdiction of such chemical compounds or dangerous substances along with other narcotics and illicit intoxicants, and to aid in the prosecution of such related offenses.

SECTION II: AUTHORITY

Municipal Home Rule Law, §§ 10 (2), (4) (b), and (4) (c); and Op Atty Gen 85-23,

SECTION III: LAW

- A. It shall be unlawful for any person, including a corporation or other entity, to manufacture, distribute, use, possess, purchase, attempt to purchase, sell, publicly display for sale, attempt to sell, give, trade, or barter any one or more of the following chemical compounds or substances, to include its salts, isomers, homologues, and salts of their isomers and homologues:

It shall be unlawful for any person to sell, possess, or use mislabeled or unlabeled dangerous substances whose intended purpose is to be ingested so as to mimic the effects of controlled substances and/or marijuana and that have no other legitimate, medical, or therapeutic purpose.

- (1) Salvia divinorum or salvinorum A; all parts of the plant presently classified botanically as salvia divinorum, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts derivative, mixture or preparation of such plant, its seeds or extracts,
- (2) (6aR, 10aR)-9-(hydroxymethyl)-6, 6dimethyl-3(2-methyloctan-2-yl)-6a, 7, 10, 10a-tetrahydrobenzo[c]chromen-1-ol, some trade or other name: HU- 210,
- (3) Naphthalen-1-yl-(1-pentylindol-3-yl) methanone (also known as 1 Pentyl- 3-(1-naphthoyl) indole, some trade or other name: JWH-018,
- (4) Naphthalen-1-yl-(1-butylyndol-3-yl) methanone (also known as 1-Butyl-3- (1-naphthoyl) indole, some trade or other name: JWH-073,
- (5) 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl) phenol, some trade or other name: CP 47,497 and its C6, C7, C8, and C9 homologues,
- (6) 1-(3-[trifluoromethylphenyl]) piperazine, some trade or other name: TFMPP,

- (7) (R)-(+)-[2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3- de]-1,4-benzoxazin-6-yl]-1-naphthalenylmethanone, some trade or other name: WIN 55,2-212,
- (8) 2-[(1R,2R,5R)-5-hydroxy-2-(3-hydroxypropyl) cyclohexyl]-5-(2-methyloctan-2-yl) phenol, some trade or other name: CP 55,940,
- (9) 6,6,9-trimethyl-3-(3-methyloctan-2-yl)-7,8,9,10-tetrahydrobenzo [c]chromen-1-ol, some trade or other name: Dimethylheptylpyran 1, 2- dimethylheptyl-[Δ]3THC, or DMHP, or A-40824, or EA-1476,
- (10) [(6S,6aR,9R,10aR)- 9-hydroxy- 6-methyl- 3-[(2R)-5-phenylpentan- 2- yl]oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin- 1-yl] acetate, some trade or other name: Levonantradol, or CP 50,556-1,
- (11) -1-(4-methylphenyl)-2-methylaminopropan-1-one, some trade or other name: Mephedrone, 4-methylmethcathinone, 4-MMC or 4- methylephedrone,
- (12) any similar structural analogs that are intended to mimic the effects of intoxicating controlled substance.

B. Exceptions:

- 1. It is not an offense under subsection “A” of this section if the person was acting at the direction of an authorized agent of the County of Cortland to enforce or ensure compliance with this law prohibiting the sale or possession of the aforementioned chemical compounds or dangerous substances.
- 2. This section does not apply to any person who commits any act described in this section pursuant to the lawful direction or prescription of a licensed physician, dentist, or pharmacist authorized to direct or prescribe such act.
- 3. This section likewise does not apply to the inhalation of anesthesia for medical or dental purposes.

SECTION IV: PENALTIES

- A. Confiscation -- if any of the aforementioned intoxicating chemical compounds or dangerous substances are found in the possession of any person, such may be confiscated and destroyed by Law Enforcement Officials.
- B. Any person found to be in violation of this section will be guilty of a Class “B” misdemeanor and subject to a definite term of imprisonment not to exceed three (3) months, or a fine not to exceed five hundred (\$ 500), or both such definite term of imprisonment and fine. Each day during which violation of Section IV, subsection A of this act occurs shall constitute a separate offense.
- C. The County of Cortland shall have the authority to seek an injunction to compel the compliance by any business that fails or refuses to comply with this section.

SECTION V: CONSTRUCTION AND CONFLICT WITH OTHER LAWS

- A. This Local Law augments New York Penal Law, Articles 220 and 222 *et seq.*, and

- B. In its interpretation and application, the provisions of this local law shall be held to be minimum requirements, adopted for the promotion of the public health, safety, and welfare. Whenever the requirements of this local law are at variance with the requirements of any other lawfully adopted rules, regulations, or ordinances, the most restrictive, or that imposing the higher standard, shall govern.

SECTION VI: SEVERABILITY

If any provision of this law is held invalid, such invalidity shall not affect the remaining provisions of this section, which shall remain effective less the invalid provision, and to this end, the provisions of this section are declared to be severable.

SECTION VII: EFFECTIVE DATE

This Local Law shall take effect upon filing in the Office of the New York State Secretary of State as provided by Municipal Home Rule Law, § 27.

AGENDA ITEM NO. 25 – Resolution to Oppose Governor Hochul’s Closure Plan on Public Safety and Economic Grounds

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

ON MOTION OF PRICE

RESOLUTION NO. 354-21

Resolution to Oppose Governor Hochul’s Closure Plan on Public Safety and Economic Grounds

WHEREAS, Gov. Kathy Hochul has announced that six prisons across the state will close by March of next year, consisting of: Willard Drug Treatment Campus; Ogdensburg Correctional Facility; Moriah Shock Incarceration Correctional Facility; Southport Correctional Facility; Downstate Correctional Facility and Rochester Correctional Facility, AND

WHEREAS, the Governor’s announcement was made with no advance warning wherein local officials at the state and county levels only learned of these closures from media reports, AND

WHEREAS, no local input or outreach to corrections unions or local officials was made prior to the announcement, AND

WHEREAS, this announcement appears to disregard a 2005 state law that requires 12-months’ notice for a prison closure, as well as an opportunity for local discussion and input into options and alternatives, AND

WHEREAS, the closing of these facilities will negatively affect over hundreds of correctional officers and their families, who are projected to be displaced, in addition to the negative economic and social impacts these closures will have on local communities, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby opposes the Governor's plan to close these six corrections facilities, AND BE IT FURTHER

RESOLVED, that the Cortland County Legislature stands with the New York State Corrections Officers, as well as with corrections support staff and their families, whose lives will be devastated by this decision, and other area residents along Seneca Lake and otherwise, and calls for this decision to be reconsidered and reversed immediately, AND BE IT FURTHER

RESOLVED, that the Clerk of the Legislature immediately transmit a true copy of this resolution to Governor Kathy Hochul, Acting Commissioner of the Department of Corrections and Community Supervisor Anthony J. Annucci, New York State Senate Majority Leader Andrea Stewart- Cousins, New York State Assembly Speaker Carl E. Heastie, New York State Senator Peter Oberacker, New York State Assembly Members Anna Kelles and John Lemondes, New York State Association of Counties, and such other persons deemed necessary and appropriate.

AGENDA ITEM NO. 26 – Appoint/Reappoint Members of the Cortland County Fire Advisory Board

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

ON MOTION OF PRICE

RESOLUTION NO. 355-21

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, 2022 and expiring December 31, 2022:

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
 Norm Forrest, Marathon FD, 544 Jennings Creek Road, Marathon, NY 13803

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
 Bruce Potter, Truxton FD, 5775 Chenango Road, 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 Chairman of the 2022 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. 27 – Appoint Members - Traffic Safety Board

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

ON MOTION OF PRICE

RESOLUTION NO. 356-21

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	Address	Term Expiration
Mark Helms	Cortland County Sheriff	54 Greenbush Street Cortland, NY 13045	12/31/24
David Guerrera	Cortland City Police Department	25 Court Street Cortland, NY 13045	12/31/23
Eric Mulvihill	Community Member	9 South William Street Homer, NY 13077	12/31/23
Robert Pitman	Village of Homer Police Chief	43½ James Street Homer, NY 13077	12/31/24
John Gallagher	Cortland County Sheriff's Department	54 Greenbush Street Cortland, NY 13045	12/31/23
Melissa Potter	Community Member	60 Central Avenue Cortland, NY 13045	12/31/24
Cheyenne Cute	Cortland City Police	25 Court Street Cortland,	12/31/24

	Department	NY 13045	
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AGENDA ITEM NO. 28 – Amend 2021 Budget for Contracted Medical Services - County Coroner

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

ON MOTION OF PRICE

RESOLUTION NO. 357-21

Amend 2021 Budget for Contracted Medical Services - County Coroner

WHEREAS, the Coroner's office has nearly exceeded budgeted funds in the 2021 budget due to additional professional service and transportation costs associated with the removal and autopsy of decedent's, NOW THEREFORE BE IT

RESOLVED, that the 2021 County Budget be amended as follows:

Increase:

A11855.54615	Contracted Medical Svcs	\$35,000.00
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Decrease:

A359900	Appropriated Fund Balance	\$35,000.00
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AGENDA ITEM NO. 29 – Authorize Appointment of Coroner's Physician - County Coroner

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

ON MOTION OF PRICE

RESOLUTION NO. 358-21

Authorize Appointment of Coroner's Physician - County Coroner

WHEREAS, Section 400 of the New York State County law requires that a County in which any Coroner is not a physician appoint a Coroner's Physician, AND

WHEREAS, EMP Physicians of Cortland, 134 Homer Avenue, Cortland, NY 13045 has agreed to serve in that role for Cortland County, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby appoints EMP Physicians of Cortland, 134 Homer Avenue, Cortland, NY as Coroner's Physician for a term beginning January 1, 2022 and expiring December 31, 2023, AND BE IT FURTHER

RESOLVED, that the Coroner's Physician shall, by virtue of the office, be a Deputy Coroner and shall possess the powers and perform the duties of the Coroner during the absence or inability of the Coroner to act, or in the event of a vacancy in the Office of the Coroner, AND BE IT FURTHER

RESOLVED, that the County Administrator be and hereby is authorized and directed to enter into

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an agreement upon review of the County Attorney or designee; with EMP Physicians of Cortland, 134 Homer Avenue, Cortland, NY 13045, to provide Coroner services for a term beginning January 1, 2022 and expiring December 31, 2023.

Referred from Government Operations Committee

AGENDA ITEM NO. 30 – Appoint Members - Records Management Advisory Board

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

ON MOTION OF WILSON

RESOLUTION NO. 359-21

Appoint Members - Records Management Advisory Board

WHEREAS, a Records Management Program was established by the Cortland County Legislature through the adoption of Resolution No. 89-217, AND

WHEREAS, a Records Management Advisory Board was established by the Cortland County Legislature through the adoption of Resolution No. 153-97, NOW THEREFORE BE IT

RESOLVED, that the following be and hereby are appointed to the Records Management Advisory Board for a term ending December 31, 2023:

Paul Heider, Chair of the Legislature
 Sandra Price, Legislator
 Kelly Preston, Legislator
 John Banewicz, County Treasurer
 Fran Casullo, County Attorney
 Elizabeth Larkin, County Clerk/Records Management Officer/Chairperson
 Savannah Hempstead, County Historian
 Rob Corpora, County Administrator
 Jack Hess, Information Technology
 Devon Rainbow, City of Cortland
 Penny Guerra, City of Cortland
 Heather Hill, Town of Homer
 Morgan Larkin, Town of Truxton
 Kristin Rocco-Petrella, Town of Cortlandville
 Tabitha Scoville, Cortland Historical Society
 Anna Wilcox, Town of Willet

AGENDA ITEM NO. 31 – Amend Cortland County Legislature's Rules of Order
 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		3379
Fitch (LD8)	2990	1		2990

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Harbin (LD2)	2747		1	0
Heider (16)	3192	1		3192
Homer (LD7)	2743	1		2743
Jones (LD9)	2989	1		2989
Nauseef (LD12)	2819		1	0
Newell (LD11)	2837	1		2837
Preston (LD10)	2995	1		2995
Price (LD14)	3344	1		3344
Stock (LD6)	2740	1		2740
VanDee (LD4)	2743	1		2743
Wagner (LD 15)	2734	1		2734
Waldbauer (LD13)	2853	1		2853
Wilson (LD5)	2744	1		2744
Total	49336			43770

Majority 24669
2/3rd 32892

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

ON MOTION OF WILSON

RESOLUTION NO. 360-21

Amend Cortland County Legislature's Rules of Order

WHEREAS, the County Legislature adopt Resolution No. 310-21 to revise the Rules of Order on November 18, 2021, AND

WHEREAS, the Government Operations Committee recommends amendments to the Rules of Order to clarify the process for the election of the Chair, NOW THEREFORE BE IT

RESOLVED, that Article II, 2, B, i of the Rules of Order be amended as attached, AND BE IT FURTHER

RESOLVED, that the Rules of Order be and hereby are amended, by two-thirds vote of the Cortland County Legislature effective January 1, 2022.

AGENDA ITEM NO. 32 – Amend Resolution No. 170-06 Creating the Offices of Majority Leader and Minority Leader

Ms. Wilson MADE A MOTION to AMEND the resolution to remove the second WHEREAS clause stating, "WHEREAS, the Cortland County Legislature adopted Local Law 7 of 2019 which modified the Term of Office for Cortland County Legislators from Two Years to Four Years, AND"; Mrs. Price SECONDED THE MOTION; and after a unanimous voice vote of members present, the AMENDMENT was APPROVED.

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

Amend Resolution No. 170-06 Creating the Offices of Majority Leader and Minority Leader

WHEREAS, the Cortland County Legislature adopted Resolution No. 170-06 which created the offices of Majority Leader and Minority Leader with two year terms, AND

WHEREAS, there is a need to amend Resolution No. 170-06 to reflect the adoption of Local Law 7 of 2019, NOW THEREFORE BE IT

RESOLVED, that: SECTION 5 of Resolution No. 170-06 is hereby amended as follows:

SECTION 5. OATH OF OFFICE

The Majority and Minority Leaders, shall a take an oath of office.

, AND BE IT FURTHER

RESOLVED, that Resolution No. 170-06 be amended to add the following:

SECTION 7. REMOVAL FROM OFFICE

The majority and/or minority leaders may be removed from office upon majority vote of the members of the caucus by which they were appointed.

AGENDA ITEM NO. 33 – Amend Resolution 212-20 Standard Workday Reporting for Elected and Appointed Officials

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

Amend Resolution 212-20 Standard Workday Reporting for Elected and Appointed Officials

WHEREAS, the New York State Comptroller is authorized by Sections 34 and 334 of the Retirement and Social Security Law to adopt rules and regulations for reporting the service and salary information for all employees of participating employers in the New York State and Local Employees' Retirement System ("Retirement System"), AND

WHEREAS, Cortland County is a participating employer in the Retirement System, AND

WHEREAS, the New York State Comptroller has promulgated Regulation 315.4 which imposes certain reporting requirements for elected and appointed officials of participating employers, and requires the governing board of each participating employer to adopt a resolution establishing a standard work day for each elected or appointed official, AND

WHEREAS, among the requirements for employers are a more detailed description of a Standard Work Day along with a Legislative resolution establishing and reporting such Standard Work Day, public posting of the Resolution, and submission of the Resolution to the New York State Retirement System,

AND

WHEREAS, pursuant to Regulation 315.4, in the event that elected or appointed officials do not participate in an employer's time keeping system, they are required to keep a record of activities (ROA) for a three month period and submit it to the clerk of the governing board within 180 days of taking office, AND

WHEREAS, each of the elected or appointed officials listed in this resolution have kept records of their actual time (ROA) worked in their current position for the required ninety days or taken part in the Cortland County time keeping system, AND

WHEREAS, the Cortland County Legislature adopted Resolution No. 212-20 on June 25, 2020, AND

WHEREAS, changes in the calculation of the standard workday have impacted the previously adopted in Resolution No. 212-20, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby establishes the following as Standard Work Days for these elected and appointed officials who are not covered by a collective bargaining agreement, and will report the following days worked to the New York State and Local Employees' Retirement System based on the established time keeping system or the record of activities (ROA) maintained and submitted to the Clerk of the Legislature:

Name (First and Last)	Social Security Number (Last 4 digits)	NYSLRS ID	Title	Current Term Begin & End Dates (mm/dd/yy-mm/dd/yy)	Standard Work Day (Hrs/day) Min. 6 hrs Max. 8 hrs	Record of Activities Result*	Not Submitted	Pay Frequency	Tier 1
Elected Officials:									
Susan Wilson			Legislator	1/1//20-12/31/23	7	3.34 3.09/4.63		Biweekly	
Kevin Fitch			Legislator	1/1//20-12/31/23	7	1.68 1.56/2.33		Biweekly	
John Banewicz			County Treasurer	1/1//20-12/31/23	7	17.63 16.28/24.42		Biweekly	

I, Savannah M. Hempstead, clerk of the governing board of Cortland County, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the 16 day of December, 2021 on file as part of the minutes of such meeting, and that same is true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the County of Cortland on this ____ day of __, 2021.

_____.

Affidavit of Posting: I, **Savannah M. Hempstead**, being duly sworn, deposes and says that the posting of the Resolution began on December 17, 2021 and continued for at least 30 days. That the Resolution was available to the public on the:

Employer's website at www.cortland-co.org

Official sign board at 60 Central Avenue, Cortland NY 13045

Main entrance secretary or clerk's office at 60 Central Avenue, Cortland NY 13045, Room 306

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Referred from Finance & Administration Committee

AGENDA ITEM NO. 34 – Appoint Member - Cortland County Convention and Visitors Bureau Board of Directors

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

ON MOTION OF WAGNER

RESOLUTION NO. 363-21

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 5 Cleveland Street, Cortland, New York 13045, be and hereby is appointed to said Board for a term expiring December 31, 2023.

AGENDA ITEM NO. 35 – Levying Water Charges - Town of Virgil - Real Property Tax Services

Ms. Homer MADE A MOTION to consider agenda items 35-51 as a consent agenda; Ms. Wilson SECONDED the MOTION; and after a unanimous voice vote of members present, it was APPROVED to move agenda item 35-51 as a consent agenda.

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

ON MOTION OF WAGNER

RESOLUTION NO. 364-21

Levying 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:

127.00-06-27.000	Universal Property Rentals LLC	\$126.50
127.15-01-19.000	Marc P Stemerman	\$125.35
127.15-01-30.000-9	Karin K Richardson	\$360.00
127.15-01-31.000-5	Margaret D Stamp	\$198.00
127.15-01-31.000-24	James S Sorbella	\$60.00
127.15-01-31.000-25	James Sorbella	\$65.14
127.15-01-31.000-38	Britney Funccius	\$126.00
127.15-01-31.000-42	Unit 11C LLC	\$126.00

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127.15-01-31.000-56 Emmanuel Pothos
TOTAL:

\$360.00
\$1,546.99

Submitted to Cortland County Real Property Tax Services on 11/15/21 by Alane VanDonsel, Virgil Town Clerk.

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

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

ON MOTION OF WAGNER

RESOLUTION NO. 365-21

Levying 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:

127.00-06-27.000	Universal Property Rentals LLC	\$360.00
127.15-01-19.000	Marc P Stemerman	\$240.25
127.15-01-30.000-9	Karin K Richardson	\$690.00
127.15-01-31.000-5	Margaret D Stamp	\$379.50
127.15-01-31.000-24	James S Sorbella	\$214.40
127.15-01-31.000-25	James Sorbella	\$292.36
127.15-01-31.000-38	Britney Funccius	\$241.50
127.15-01-31.000-42	Unit 11C LLC	\$241.50
127.15-01-31.000-56	Emmanuel Pothos	\$690.00
TOTAL:		\$3,349.51

Submitted to Cortland County Real Property Tax Services on 11/15/21 by Alane VanDonsel, Virgil Town Clerk.

AGENDA ITEM NO. 37 – Levying Water Charges - Town of Harford - Real Property Tax Services

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

ON MOTION OF WAGNER

RESOLUTION NO. 366-21

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

Minutes Acceptance: Minutes of Dec 16, 2021 6:00 PM (Approval of Minutes)

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	\$275.50
172.05-01-32.000	Mathew Murray	\$732.00
172.06-01-01.000	Edward F Monroe	\$688.00
172.06-01-12.200	Chris E Tweedie	<u>\$1,243.85</u>
TOTAL		\$2,939.35

Submitted to Cortland County Real Property Tax Services on 10/15/21 by Jennifer Fox, Harford Town Clerk.

AGENDA ITEM NO. 38 – Levying Water Charges - Town of Cincinnatus - Real Property Tax Services

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

ON MOTION OF WAGNER

RESOLUTION NO. 367-21

Levying 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:

112.00-03-05.000	Price, James D.	\$134.95
112.20-01-08.000	Wood, Gene T.	\$489.10
112.20-01-22.000	Morse, Ryan	\$273.10
112.20-01-27.000	Wood, Gene	\$47.78
113.17-01-04.000	Randall, Joseph	\$257.10
113.17-02-02.000	Durney, Jayson	\$197.10
113.17-02-04.000	Butler, Cathy	\$273.10
113.17-02-16.000	Williams, James A.	\$650.40
113.17-02-21.000	Harlow, Geoffrey	\$197.10
122.00-03-10.000	Krulikowski, Mike	\$98.55
122.08-01-04.000	Aldrich, William	\$98.55
122.08-01-36.100	Larkin, Jeannette	\$98.55
122.08-02-05.000	Hotaling, Zachary	\$297.10
123.00-04-04.000	Eaton, Charles	\$47.78
123.05-01-31.000	Novick, Donna	\$197.10

123.05-01-52.000	Higgins Realty	\$197.10
123.05-01-71.000	Ballard, Cindy	\$197.10
123.05-01-73.000	Loomis Estate, Floyd	\$47.78
123.13-01-08.200	Steacy,D, David	\$311.32
123.13-01-09.000	Steacy,D, David	\$183.32
123.13-01-10.000	Steacy,K, Kody	\$209.10
123.13-01-24.000	Carter,L, Leslie J.	\$197.10
123.13-01-25.000	Rice, Jay	\$561.10
123.13-01-27.000	Olear, Elizabeth	\$197.10
123.13-01-31.000	Moses, Jennifer J.	\$273.10
123.13-01-33.000	Pothos, Emanuel	\$668.66
123.13-01-41.000	Davis, Wendy	\$213.10
123.13-01-42.000	Pittsley, Jedadiah	\$405.10
123.13-01-43.000	Aldrich, Shiloh	\$672.20
123.13-01-46.000	Lockwood, Damian	\$98.55
132.00-01-11.100	Phillips, Heath	\$261.10
112.20-01-04.000	Price, Danielle A.	\$361.10
113.17-01-03.000	Smith, Ronald P.	\$373.10
113.17-01-06.000	Golicki, Elizabeth	\$153.95
113.17-01-12.000	Soule, Kenneth	\$197.10
122.00-03-08.000	Fisher, Evelyn D.	\$197.10
122.00-03-20.000	Kemak, Lisa	\$197.10
122.00-03-25.000	Lieb, Joshua	\$308.66
122.08-01-02.000	Staley, Vicki W.	\$437.10
122.08-01-19.100	Moses, David	\$301.10
122.12-01-03.200	Carter,L, Leslie	\$197.10
122.12-01-11.000	Kemak, Lisa	\$241.10
123.05-01-04.000	Mountain Village, LLC., Ann Wittmark	\$1,110.80
123.05-01-07.000	Supley, Richard	\$197.10
123.05-01-08.000	Rutan, Jessica	\$197.10
123.05-01-17.000	Southern, Tess	\$197.10
123.05-01-19.000	Pothos, Irene	\$309.10
123.05-01-24.000	Treacy, Clyde	\$305.10
123.05-01-25.000	Rathbun, Cheyenne	\$197.10
123.05-01-53.000	Woodcock, Robert	\$197.10
123.05-01-60.000	Dingman, Ronald	\$197.10
123.05-01-64.000	Guinn, Phyllis	\$197.10
123.05-01-65.000	McDonald, Amanda	\$221.10
123.05-01-72.000	Ballard, Cindy	\$533.10
123.13-01-01.000	Brown, Gordon	\$197.10
123.13-01-32.000	Gallow, David	\$257.10
123.13-01-36.000	Eaton, Charles	\$207.90
Total		\$15,535.70

Submitted to Cortland County Real Property Tax Services 11/17/2021 by Water Billing Dept.

AGENDA ITEM NO. 39 – Levying Water Charges - Town of Scott - Real Property Tax Services

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

Levying 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:

Chad A. Parker	35.03-01-03.000	\$474.00
Brian M. Moriarty	35.03-01-06.000	\$94.00
Tyler West	35.03-01-09.000	\$408.00
Terry L. Vanliew	35.03-01-13.000	\$489.00
Stacy Klotz	35.03-01-14.000	\$220.00
Daniel S. Platt	35.03-01-15.000	\$220.00
Ronald P. Comerford	35.03-01-17.000	\$88.00
Lonny B. Riehlman	35.03-01-18.000	\$88.00
Nancy Estep	35.03-01-24.000	\$121.00
Henry McCoy	35.03-01-25.000	\$124.00
Matthew J. Klemm	35.03-01-31.000	\$100.00
Connal M. Carr	35.03-01-39.000	\$507.00
Dustin R. Card	35.03-01-41.000	\$163.00
Quentin Bartholomew	35.03-01-55.000	<u>\$88.00</u>
TOTAL:		\$3,184.00

Submitted to Cortland County Real Property Tax Service on 12/13/21 by Tamara Congdon, Scott Town Clerk.

AGENDA ITEM NO. 40 – Levying Sewer Charges - Town of Cuyler - Real Property Tax Services

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

Levying 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:

31.02-02-09.000	James Marshall	\$296.80
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31.02-02-22.000	Daniel N Southwick	\$296.80
31.02-02-27.000	Mandy M Morgan	\$296.80
31.02-02-28.000	Greg W Richey	\$296.80
31.02-02-45.000	Chad Aldrich	\$296.80
31.02-02-47.000	Jennifer Sue Dorman	<u>\$420.00</u>
TOTAL:		\$1,904.00

Submitted to Cortland County Real Property Tax Services on 12/3/21 by Wendy Custer, Cuyler Town Clerk.

AGENDA ITEM NO. 41 – Levying Sewer Charges - Town of Cortlandville - Real Property Tax Services

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

ON MOTION OF WAGNER

RESOLUTION NO. 370-21

Levying 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:

76.00-06-11.000	Zoya Mayo	\$579.72
76.14-01-28.000	Paul F Quinlan	\$89.66
76.14-01-48.000	Duane T Smith	\$376.51
76.15-01-12.000	Theodore P McBride	\$499.80
76.18-01-31.000	Stacy L Crandall-Jones	\$586.66
76.19-01-05.000	Jeffrey C Carley	\$119.56
76.19-01-19.110	Shannon M Snyder	\$346.00
76.19-01-22.000	Christine Poppe	\$325.38
76.19-01-30.100-2	Cortland Co Ag Corp	\$5,184.75
76.19-01-40.000	Wendy Bergman	\$230.30
85.11-01-04.100	Ronald F Lader	\$123.20
85.15-01-09.000	David M Winter	\$689.32
85.16-01-30.000	John F McGrath	\$98.26
85.19-01-04.000	Daniel R VanDusen	\$224.75
85.20-01-01.000	Melissa K Martin	\$271.08
85.20-01-26.000	Jose Rolon Davila	\$95.96
85.20-01-33.000	Christopher Cummins	\$201.90
86.09-01-12.000	John K Linn	\$198.67
86.09-04-04.000	Cayuga Med Center at Ithaca	\$50.75
86.09-04-05.000	J Lee Ambrose	\$786.92
86.13-01-10.000	Robert Phelps	\$218.38
86.13-01-44.000	Benjamin M Locke	\$155.53

86.13-01-55.121	281 Groton Corp	\$123.20
87.04-01-12.000	Vasilios Pothos	\$194.43
95.00-05-13.000	Pall Corporation	\$6,436.32
95.11-03-02.000	Stephen C Strauf	\$65.87
95.12-01-07.000	Pall Corporation	\$5,852.55
95.12-01-08.000	Bruench Incorporated	\$2,176.86
95.14-01-10.000	Benjamin Baum	\$237.37
95.16-01-40.000	Rebecca J Corp	\$386.45
95.16-01-65.000	Ngoc T Nguyen	\$131.78
95.16-01-75.000	Gary W James	\$82.87
95.16-02-09.000	Rahmon Daily	\$271.63
96.05-01-13.000	Audrey Jones	\$174.16
96.06-01-18.000	Anthony T Rosato	\$136.21
96.06-01-30.000	J Robert Messinger	\$256.01
96.06-01-37.000	Dean Sturdevant	\$123.20
96.06-01-39.000	Coffee Grounds LLC	\$47.54
96.06-02-14.000	Kimberly A Cook	\$730.05
96.06-02-15.000	Courtney A Shute	\$360.41
96.06-02-20.000	John H Hutchinson	\$123.20
96.08-01-01.000	John Chierchio	\$260.72
96.09-01-24.000	Bethany A Cutler	\$249.86
96.09-01-70.000	Charles J Wing	\$123.20
96.09-02-02.000	Michael W Chernago	\$28.00
96.09-02-06.000	DAK Property Management LLC	\$607.59
96.09-02-08.000	Thomas Keane	\$172.91
96.09-02-18.000	Leon A Moore	\$166.42
96.09-02-30.000	Richard O'Dell	\$123.20
96.09-04-06.000	Leon W Stewart	\$202.27
96.09-04-10.000	Cortland MHP Associates Inc	\$26,505.50
96.10-01-25.000	Kevin Pristash	\$361.55
96.10-02-06.000	Michael T Dintino	\$64.19
96.10-02-11.000	Michael J Mershon	\$426.13
96.10-02-42.000	Carl E Ryder	\$142.49
96.36-01-07.000	Dorene Eaton	\$123.05
97.02-01-02.000	Robert L Knecht	\$77.67
105.08-02-33.000	Andrew A Starinsky	\$190.21
105.08-02-35.000	Scott C Hopko	\$207.40
106.05-01-06.000	Babla S Bogam	\$64.67

TOTAL: \$59,460.20

Submitted to Cortland County RPTS 12/7/21 by Kristin Rocco-Petrella, Cortlandville Town Clerk.

AGENDA ITEM NO. 42 – Levying Water Charges - Town of Cortlandville - Real Property Tax Services

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

ON MOTION OF WAGNER

RESOLUTION NO. 371-21

Minutes Acceptance: Minutes of Dec 16, 2021 6:00 PM (Approval of Minutes)

Levying 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:

76.00-06-11.000	Zoya Mayo	\$440.88
76.00-07-03.000	Arthur Bell	\$177.09
76.00-07-04.100	Arthur C Bell	\$105.84
76.00-07-04.200	Arthur C Bell	\$105.84
76.14-01-28.000	Paul F Quinlan	\$60.87
76.14-01-48.000	Duane T Smith	\$284.02
76.15-01-12.000	Theodore P McBride	\$382.23
76.18-01-31.000	Stacy L Crandall-Jones	\$445.98
76.19-01-05.000	Jeffrey C Carley	\$99.31
76.19-01-19.110	Shannon M Snyder	\$265.48
76.19-01-22.000	Christine Poppe	\$254.19
76.19-01-30.100-2	Cortland Co Ag Corp	\$3,409.97
76.19-01-40.000	Wendy Bergman	\$184.42
85.11-01-04.100	Ronald F Lader	\$105.84
85.15-01-09.000	David M Winter	\$521.32
85.16-01-30.000	John F McGrath	\$75.97
85.19-01-04.000	Daniel R VanDusen	\$180.37
85.19-01-05.000	Justin G Naylor	\$420.53
85.20-01-01.000	Melissa K Martin	\$214.36
86.09-01-12.000	John K Linn	\$153.52
86.09-01-46.000	Paul W Allen	\$105.84
86.09-04-04.000	Cayuga Med Center at Ithaca	\$41.11
86.09-04-05.000	J Lee Ambrose	\$581.39
86.13-01-10.000	Robert Phelps	\$175.68
86.13-01-44.000	Benjamin M Locke	\$121.84
86.13-01-55.121	281Groton Corp	\$105.84
87.13-01-34.000	Wyatt Malchak	\$248.35
95.00-05-13.000	Pall Corporation	\$120.00
95.07-02-09.000	William Jones	\$271.32
95.11-01-24.000	Gerald V Ruggiero	\$105.84
95.11-01-28.000	Gregory L Hall	\$165.69
95.11-03-02.000	Stephen C Strauf	\$56.05
95.11-05-04.000	Brian D Withey	\$298.96
95.12-01-07.000	Pall Corporation	\$170.00
95.12-01-08.000	Bruench Incorporated	\$1,609.21
95.14-01-10.000	Benjamin Baum	\$189.61
95.16-01-40.000	Rebecca J Corp	\$299.02
95.16-01-65.000	Ngoc T Nguyen	\$100.57
95.16-01-75.000	Gary W James	\$64.68
95.16-02-09.000	Rahmon Daily	\$214.75
96.00-03-04.000	Frederick M Little	\$105.84
96.00-12-03.000	Scott J McKinney	\$315.50
96.05-01-13.000	Audrey Jones	\$143.23

Minutes Acceptance: Minutes of Dec 16, 2021 6:00 PM (Approval of Minutes)

96.05-01-32.000	Dustin Harrington	\$92.77
96.06-01-18.000	Anthony T Rosato	\$103.82
96.06-01-30.000	J Robert Messinger	\$203.29
96.06-01-37.000	Dean Sturdevant	\$105.84
96.06-01-39.000	Coffee Grounds LLC	\$38.74
96.06-02-14.000	Kimberly A Cook	\$551.20
96.06-02-15.000	Courtney Shute	\$279.91
96.06-02-20.000	John H Hutchinson	\$105.84
96.08-01-01.000	John Chierchio	\$210.62
96.09-01-24.000	Bethany A Cutler	\$164.50
96.09-01-70.000	Charles J Wing	\$105.84
96.09-02-02.000	Michael W Chernago	\$49.05
96.09-02-06.000	DAK Property Management LLC	\$453.63
96.09-02-08.000	Thomas Keane	\$142.31
96.09-02-18.000	Leon A Moore	\$137.54
96.09-02-30.000	Richard O'Dell	\$105.84
96.09-04-06.000	Leon W Stewart	\$163.84
96.09-04-10.000	Cortland MHP Associates Inc	\$17,573.75
96.10-01-25.000	Kevin Pristash	\$280.74
96.10-02-06.000	Michael T Dintino	\$54.82
96.10-02-11.000	Michael J Mershon	\$328.17
96.10-02-42.000	Carl E Ryder	\$119.99
96.36-01-07.000	Dorene Eaton	\$101.85
105.08-01-13.000	Timothy C Burk	\$242.67
105.08-02-33.000	Andrew A Starinsky	\$147.30
105.08-02-35.000	Scott C Hopko	\$159.93
106.05-01-06.000	Babla S Bogam	\$51.32
TOTAL:		\$35,573.47

Submitted to Cortland County RPTS 12/6/21 by Kristin Rocco-Petrella, Cortlandville Town Clerk.

AGENDA ITEM NO. 43 – Levy County Tax - City of Cortland - Real Property Tax Services

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

ON MOTION OF WAGNER

RESOLUTION NO. 372-21

Levy County Tax - City of Cortland - Real Property Tax Services

WHEREAS, the Cortland County Legislature adopted Resolution No. 331-21 on November 18, 2021 to accept the tentative 2022 County budget, AND

WHEREAS, the adopted 2022 budget includes a Real Property Tax Levy of \$37,728,555.00, AND

WHEREAS, the apportionment of the 2022 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, three hundred fifty-six thousand, two hundred eighty two dollars and

fourteen cents (\$8,356,282.14), NOW THEREFORE BE IT

RESOLVED, that this Legislature directs the sum of eight million, three hundred fifty-six thousand, two hundred eighty two dollars and fourteen cents (\$8,356,282.14) to be levied in the City of Cortland, Cortland County, for County purposes for the fiscal year beginning January 1, 2022 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. 44 – Levy Town Special District Taxes - Real Property Tax Services

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

ON MOTION OF WAGNER

RESOLUTION NO. 373-21

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, 2022, 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 2022:

<u>Town</u>	<u>Fire Tax</u>	<u>Light Tax</u>
Cincinnatus	\$104,318.10	\$11,528
Cortlandville - townwide	\$843,500.00	
Cuyler	\$ 79,724.00	
Freetown:		
Cincinnatus Fire	\$ 7,483.52	
Marathon Fire	\$26,854.22	
McGraw Fire	\$ 7,400.00	
Harford	\$112,403.00	
Homer	\$213,813.07	
Lapeer	\$ 92,755.14	
Marathon	\$107,960.64	
Preble	\$101,000.00	
Scott	\$ 61,894.50	
Solon	\$ 22,000.00	
Taylor	\$ 39,434.15	
Truxton	\$ 82,571.00	
Virgil	\$258,700.00	
Willet	\$ 46,446.00	

, 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.

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

ON MOTION OF WAGNER**RESOLUTION NO. 374-21****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, 2022 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-	\$547,729
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	\$100,183.00
Cuyler	\$217,864.00
Freetown	\$261,300.00
Harford	\$259,425.00
Homer	\$236,188.00
Lapeer	\$271,350.00
Marathon	\$117,629.20
Preble	\$116,202.00
Scott	\$191,100.00
Solon	\$301,080.00
Taylor	\$132,800.00
Truxton	\$253,800.00
Virgil	\$334,238.00
Willet	\$142,337.00

, 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>
Cincinnatus	\$ -0-

Cortlandville - townwide	\$1,531,938.00
Cuyler	\$161,100.00
Freetown	\$ -0-
Harford	\$100,065.00
Homer	\$219,438.00
Lapeer	\$171,204.00
Marathon	\$262,714.00
Preble	\$ 32,250.00
Scott	\$ -0-
Solon	\$ -0-
Taylor	\$111,090.00
Truxton	\$161,810.00
Virgil	\$201,612.00
Willet	\$ 70,519.00

, 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. 46 – Amend 2022 Budget to Reflect State Administered Non Property Tax (Sales Tax) to Reduce Real Property Tax Levy - Real Property Tax Services

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

ON MOTION OF WAGNER

RESOLUTION NO. 375-21

Amend 2022 Budget to Reflect State Administered Non Property Tax (Sales Tax) to Reduce Real Property Tax Levy - Real Property Tax Services

WHEREAS, the following is a list of towns who have not filed to receive their share of the Sales Tax in cash and the estimated amount to be applied to reduce their share of the County Real Property Tax Levy for the fiscal year 2022, AND

WHEREAS, by Town of Cuyler resolution, \$115,000 of the Sales Tax Revenue has been authorized to be applied against the County Real Property Tax Levy in the Town of Cuyler, AND

WHEREAS, by Town of Harford resolution, \$70,000 of the Sales Tax Revenue has been authorized to be applied against the County Real Property Tax Levy in the Town of Harford, AND

WHEREAS, by Town of Lapeer resolution, \$310,000 of the Sales Tax Revenue has been authorized to be applied against the County Real Property Tax Levy in the Town of Lapeer, AND

WHEREAS, by Town of Taylor resolution, \$20,000 of the Sales Tax Revenue has been authorized to be applied against the County Real Property Tax Levy in the Town of Taylor, AND

WHEREAS, by Town of Truxton resolution, \$90,000 of the Sales Tax Revenue has been authorized to be applied against the County Real Property Tax Levy in the Town of Truxton, AND

Minutes Acceptance: Minutes of Dec 16, 2021 6:00 PM (Approval of Minutes)

WHEREAS, by Town of Virgil resolution, \$65,000 of the Sales Tax Revenue has been authorized to be applied against the County Real Property Tax Levy in the Town of Virgil, NOW THEREFORE BE IT

RESOLVED, that the 2022 adopted budget for the County of Cortland be and hereby is amended to increase the estimated revenue in Account A1001, Real Property Tax Revenue, and to reduce the County Tax Levy in the amount of \$670,000.

AGENDA ITEM NO. 47 – Delegating Authority to the Manager of Audit and Financial Projects to Approve Payment of Real Property Tax Errors and Omissions Less Than \$2500 through December 31, 2022

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

ON MOTION OF WAGNER

RESOLUTION NO. 376-21

Delegating Authority to the Manager of Audit and Financial Projects to Approve Payment of Real Property Tax Errors and Omissions Less Than \$2500 through December 31, 2022

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 Agency 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 Manager of Audit and Financial Projects 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 Agency 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 Real Property Tax Law was amended to authorize the County Legislature to delegate to the Manager of Audit and Financial Projects 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 Manager of Audit and Financial Projects 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, 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 Real Property Tax Law, the County Legislature does hereby delegate to the Manager of Audit and Financial Projects 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 Real Property Tax Law, in cases where the refund sought does not

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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 Manager of Audit and Financial Projects 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, 2022.

AGENDA ITEM NO. 48 – Fix Date to Sign Warrant - Real Property Tax Services

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

ON MOTION OF WAGNER

RESOLUTION NO. 377-21

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, 2021, and that said warrants so annexed be made returnable on or before the first day of June 2022, 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.

AGENDA ITEM NO. 49 – Authorize Agreement Image Mate Online - Real Property Tax Services

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

ON MOTION OF WAGNER

RESOLUTION NO. 378-21

Authorize Agreement Image Mate Online - Real Property Tax Services

WHEREAS, Resolution No. 253-07 authorized an agreement between the Cortland County Real Property Tax Services department and Systems Development Group, Inc. (SDG, Inc.) for the “Image Mate Online” software allowing access to real property tax information over the Internet, AND

WHEREAS, said agreement has expired, and the Cortland County Real Property Tax Services office wishes to continue to use the software and the County needs software support, AND

WHEREAS, SDG, Inc., is the sole provider of said software, NOW THEREFORE BE IT

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RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee, be and hereby is authorized to sign an agreement with SDG, Inc., for annual software support for the term beginning January 1, 2022, and ending December 31, 2022, to be paid out of Account #A13555-54015 (Maintenance Agreements) in the amount of \$5,000.

AGENDA ITEM NO. 50 – Approve Apportionment of 2022 Cortland County Tax Levy - Real Property

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

ON MOTION OF WAGNER

RESOLUTION NO. 379-21

Approve Apportionment of 2022 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 2022 Apportionment report for the tax levy for the year 2022 as the foregoing amounts are the net amounts necessary to be raised in taxes:

2022 Apportionment - Tax Levy of		\$37,728,555	
City/Town/Village:	Net Tax Levy	Taxable Value	2022 Tax Rate (per \$1,000)
City of Cortland	8,356,282	531,756,049	15.714503
Cincinnatus	866,767	59,205,929	14.639873
Cortlandville, outside	9,263,223	563,822,491	16.429326
McGraw Village	411,507	25,556,535	16.101816
Homer Village	56,873	3,597,101	15.810751
Town Total	9,731,603	592,976,127	
Cuyler	674,726	48,240,472	13.986728
Freetown	593,949	38,238,033	15.532947
Harford	868,676	65,543,454	13.253430
Homer, outside	3,159,357	200,680,490	15.743219
Homer Village	2,190,229	145,675,147	15.035019
Town Total	5,349,585	346,355,637	
Lapeer	913,259	80,645,163	11.324414
Marathon, outside	937,661	59,842,237	15.668885
Marathon Village	473,887	32,418,676	14.617708
Town Total	1,411,548	92,260,913	
Preble	1,609,823	93,154,316	17.281247
Scott	955,182	58,229,107	16.403865
Solon	883,127	48,895,952	18.061360
Taylor	498,503	34,865,480	14.297897
Truxton	1,050,242	70,559,344	14.884518
Virgil	2,668,944	181,357,665	14.716468
Willet	768,124	46,101,762	16.661482

TOTALS: 37,200,341 2,388,385,403

Avg Tax Rate 15.796678

AGENDA ITEM NO. 51 – Authorize Allocation of American Rescue Plan Funds to Cortland County Mental Health Department for Youth Behavioral Health Treatment Support

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

ON MOTION OF WAGNER

RESOLUTION NO. 380-21

Authorize Allocation of American Rescue Plan Funds to Cortland County Mental Health Department for Youth Behavioral Health Treatment Support

WHEREAS, the Federal American Rescue Plan has allocated over \$9,000,000 to Cortland County, AND

WHEREAS, the Cortland County Mental Health Department put forward a request for funding to the Cortland County Federal Aid Allocation Citizen's Advisory Committee for \$100,000 for youth behavioral health treatment support provided by the Cortland County provider community, AND

WHEREAS, it is the recommendation of the Federal Aid Allocation Citizen's Advisory Committee to authorize the use of Federal American Rescue Plan Funds for \$100,000 for youth behavioral health treatment support provided by the Cortland County provider community, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature authorizes \$100,000 of the Federal American Rescue Plan Funding be allocated to the Cortland County Mental Health Department for youth behavioral health treatment support provided by the Cortland County provider community, AND BE IT FURTHER

RESOLVED, that the Director of Finance, upon approval of the County Administrator, be and hereby is authorized to transfer funds to the Cortland County Mental Health Department for \$100,000 for youth behavioral health treatment support provided by the Cortland County provider community, AND BE IT FURTHER

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee, be and hereby is authorized to sign a contract with the Cortland County Mental Health Department and other authorized agencies in the provider community for said purposes.

Executive Session

It was MOVED by Mr.Fitch, seconded by Ms. Homer, and unanimously adopted by voice vote of members present, to enter into an executive session to discuss matters which will imperil the public safety if disclosed. MOTION CARRIED.

An executive session was held from 6:28 p.m. to 6:55 p.m., at which time on motion of Ms. Homer, seconded by Mr. Eccleston, and unanimously approved to exit executive session.

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Announcements

4.1

Adjourn

Minutes Acceptance: Minutes of Dec 16, 2021 6:00 PM (Approval of Minutes)



Cortland County Legislature

Organizational Meeting

Legislative Chambers

Cortland, NY 13045

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

~ Minutes ~

Wednesday, January 5, 2022

10:00 AM

Board Room

Call to Order

The meeting was called to order at 10:00 AM by Clerk of the Legislature Savannah Hempstead.

Attendee Name	Organization	Title	Status	Arrived
Douglas Bentley	Cortland County, NY	Legislator	Present	
Beau Harbin	Cortland County, NY	Legislator	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	Present	
Ann Homer	Cortland County, NY	Legislator	Present	
Kevin Fitch	Cortland County, NY	Legislator	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	Legislator	Present	
Paul Heider	Cortland County, NY	Legislator	Present	
Mitchel Eccleston	Cortland County, NY	Legislator	Present	

Resolutions

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

Legislator Newell MADE A MOTION to nominate Kevin Fitch as Chair of the Legislature,
Legislator Nauseef SECONDED THE MOTION.

Legislator Homer MADE A MOTION to nominate Sandra Price as Chair of the Legislature,
Legislator Harbin SECONDED THE MOTION.

A roll call vote was taken as follows:

	Votes	Fitch	Price
Bentley (LD1)	2744		1
Bischoff (LD3)	2743		1
Eccleston (LD17)	3379	1	
Fitch (LD8)	2990	1	
Harbin (LD2)	2747		1
Heider (16)	3192	1	
Homer (LD7)	2743		1
Jones (LD9)	2989	1	
Nauseef (LD12)	2819	1	
Newell (LD11)	2837	1	

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Preston (LD10)	2995	1	
Price (LD14)	3344		1
Stock (LD6)	2740	1	
VanDee (LD4)	2743		1
Wagner (LD 15)	2734	1	
Waldbauer (LD13)	2853	1	
Wilson (LD5)	2744		1
Total Votes		10	7
Total Weighted Votes	49336	29528	19808
		Majority	24669
		2/3rd	32892

Upon majority of weighted votes of the Cortland County Legislature, Kevin Fitch was approved as Chair of the Legislature for 2022-2023.

RESULT:	ADOPTED [10 TO 7]
MOVER:	Christopher Newell, Legislator
SECONDER:	Joseph Nauseef, Legislator
AYES:	Stock, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Wagner, Heider, Eccleston
NAYS:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Homer, Price

ON MOTION OF NEWELL

RESOLUTION NO. 1-22

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

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 from January 5, 2022 - December 31 2023, AND BE IT FURTHER

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

AGENDA ITEM NO. 2 – Designate Bank Depositories for 2022

Legislator Bischoff MADE A MOTION TO AMEND the resolution to remove the Bank of America account, Legislator Wilson SECONDED THE MOTION, and 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

Fitch (LD8)	2990		1	0
Harbin (LD2)	2747	1		2747
Heider (16)	3192		1	0
Homer (LD7)	2743	1		2743
Jones (LD9)	2989		1	0
Nauseef (LD12)	2819		1	0
Newell (LD11)	2837		1	0
Preston (LD10)	2995		1	0
Price (LD14)	3344	1		3344
Stock (LD6)	2740		1	0
VanDee (LD4)	2743	1		2743
Wagner (LD 15)	2734		1	0
Waldbauer (LD13)	2853		1	0
Wilson (LD5)	2744	1		2744
Total	49336			19808

Majority 24669
2/3rd 32892

The MOTION TO AMEND FAILED.

RESULT:	ADOPTED [16 TO 1]
MOVER:	Ann Homer, Legislator
SECONDER:	George Wagner, Majority Leader
AYES:	Bentley, Harbin, Van Dee, Wilson, Stock, Homer, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
NAYS:	Cathy Bischoff

ON MOTION OF HOMER

RESOLUTION NO. 2-22

Designate Bank Depositories for 2022

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

RESOLVED, that the Cortland County Legislature hereby designates the following banks and trust companies for the deposit of public funds received by the County Treasurer and that the County Treasurer 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
Bank of America	\$ 2,000,000 (Traffic Diversion Program)
NYCLASS	\$ 5,000,000

, 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 31, 2022.

AGENDA ITEM NO. 3 – Designate Official Newspaper(S)

Legislator Homer MADE A MOTION to remove "The Cortland Area Tribune, PO Box 67, Dryden, NY 13053" and insert "The Homer News, PO Box 125, Homer, NY 13077", Legislator Jones SECONDED THE MOTION, and after a voice-vote of members present, the MOTION TO AMEND WAS APPROVED. Legislator Wagner voted NO to the amendment.

RESULT:	ADOPTED AS AMENDED [14 TO 3]
MOVER:	Ann Homer, Legislator
SECONDER:	Joseph Nauseef, Legislator
AYES:	Bentley, Harbin, Bischoff, Wilson, Stock, Homer, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Eccleston
NAYS:	Ronald J. Van Dee, George Wagner, Paul Heider

ON MOTION OF HOMER**RESOLUTION NO. 3-22****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, PO Box 125, 13077, be and hereby are designated as the official newspaper fairly representing the Cortland County Legislature, for the period of January 1, 2022 through December 31, 2022, AND BE IT FURTHER

RESOLVED, that the Clerk of the Legislature in conformance with County Law 214 shall cause such designation in writing and signed by a majority of the members representing each of said political parties. The Clerk shall forward this designation to be filed with the Secretary of State no later than January 10, 2022.

Action Items

1. Receive & File Designation of Majority Leader

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

2. Receive & File Designation of Minority Leader

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

Adjournment

The meeting was closed at 10:24 AM

Minutes Acceptance: Minutes of Jan 5, 2022 10:00 AM (Approval of Minutes)



Proclaiming the Month of February 2022 as African American History Month in Cortland County

WHEREAS, in 1776, people envisioned the United States as a new nation dedicated to the proposition stated in the Declaration of Independence that ``all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness, AND

WHEREAS, Africans were first brought involuntarily to the shores of the United States as early as the 17th century, AND

WHEREAS, African Americans suffered enslavement and subsequently faced the injustices of lynch mobs, segregation, and denial of the basic and fundamental rights of citizenship, AND

WHEREAS, in 2022, the vestiges of those injustices and inequalities remain evident in the society of the United States, AND

WHEREAS, in the face of injustices, people of good will and of all races in the United States have distinguished themselves with a commitment to the noble ideals on which the United States was founded and have fought courageously for the rights and freedom of African Americans and others, AND

WHEREAS, African Americans, along with many others, have worked against racism to achieve success and to make significant contributions to the economic, educational, political, artistic, athletic, literary, scientific, and technological advancement of the United States, AND

WHEREAS, the contributions of African Americans from all walks of life throughout the history of the United States reflect the greatness of the United States, AND

WHEREAS, many African Americans lived, toiled, and died in obscurity, never achieving the recognition those individuals deserved, and yet paved the way for future generations to succeed, AND

WHEREAS, African Americans continue to serve the United States at the highest levels of business, government, and the military, AND

WHEREAS, the birthdays of Abraham Lincoln and Frederick Douglass inspired the creation of Negro History Week, the precursor to Black History Month, AND

WHEREAS, Negro History Week represented the culmination of the efforts of Dr. Carter G. Woodson, the ``Father of Black History'', to enhance knowledge of Black history

through *The Journal of Negro History*, published by the Association for the Study of African American Life and History, which was founded by Dr. Carter G. Woodson and Jesse E. Moorland, AND

WHEREAS, since its founding, the United States has imperfectly progressed toward noble goals, AND

WHEREAS, the history of the United States is the story of people regularly affirming high ideals, striving to reach those ideals but often failing, and then struggling to come to terms with the disappointment of that failure, before committing to try again; NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby:

- (1) acknowledges that all people of the United States are the recipients of the wealth of history provided by Black culture;
- (2) recognizes the importance of Black History Month as an opportunity to reflect on the complex history of the United States, while remaining hopeful and confident about the path ahead;
- (3) acknowledges the significance of Black History Month as an important opportunity to commemorate the tremendous contributions of African Americans to the history of the United States;
- (4) encourages the celebration of Black History Month to provide a continuing opportunity for all people in the United States to learn from the past and understand the experiences that have shaped the United States; and
- (5) agrees that, while the United States began as a divided country, the United States must honor the contribution of all pioneers in the United States who have helped to ensure the legacy of the great United States and move forward with purpose, united tirelessly as a nation “indivisible, with liberty and justice for all.”

, AND BE IT FURTHER

RESOLVED, that, I, Kevin Fitch, Chair of the Cortland County Legislature, on behalf of all residents of Cortland County, do hereby proclaim the month of February 2022 as African American History Month in Cortland County.

Signed on the 27th day of January, 2022

Kevin Fitch, Chair
Cortland County Legislature

Cortland County Recognition



Recognizing Ed Greenman for 50 Years of Service

WHEREAS, Ed Greenman began serving the residents of the Village of McGraw and the surrounding communities in 1972 when he joined the McGraw Volunteer Fire Department at the age of 18, AND

WHEREAS, Ed Greenman has dedicated his life to the fire service and the protection of life and property from loss by fire and other emergency situations throughout his half century long career, AND

WHEREAS, throughout his tenure with the McGraw Fire Department Ed Greenman has distinguished himself as a model firefighter, with his knowledge, dedication and tireless efforts earning him the distinguished Fireman of the Year Award in 2005, given to honor outstanding contributions to the department, as well as the Rescue Person of the Year Award in 1988, 1998 and 2001, AND

WHEREAS, Mr. Greenman demonstrated exemplary leadership with a tireless work ethic while serving as the Assistant Chief on and off for 32 years and serving as an EMT in Cortland County for 15 years, NOW THEREFORE BE IT

RESOLVED, I, Kevin Fitch, on behalf of the Cortland County Legislature, hereby recognize Ed Greenman for his contributions over the last 50 years that have helped create a safer community for our residents, AND BE IT FURTHER

RESOLVED, that on behalf of all of Cortland County we hereby commend, congratulate and thank Ed Greenman, for his 50 years of dedicated service and outstanding contributions to the fire service, and for his tireless efforts to educate and advocate for firefighters statewide.

Signed this 27th Day of January, 2022

Kevin Fitch, Chairman
Cortland County Legislature

Attachment: Ed Greenman (10320 : Proclamation Recognizes Ed Greenman for 50 Years of Service)

AGREEMENT

THIS AGREEMENT, entered into this day of January, 2022, by and between the **COUNTY OF CORTLAND**, New York, (the “COUNTY”), a municipal corporation organized and existing under the laws of the State of New York with offices at 60 Central Avenue, Cortland, New York 13045, and **Marathon Snowdusters, Inc.**, (the “CONTRACTOR”), with offices located at 1271 Quail Hill Road, Marathon, New York 13803.

WITNESSETH, that the COUNTY and the CONTRACTOR, for the consideration hereafter named, agree as follows:

ARTICLE 1. WORK TO BE DONE AND CONSIDERATION THEREFORE

The CONTRACTOR shall furnish snowmobile trail maintenance and grooming of existing or approved new trails throughout Cortland County in return for which the COUNTY, as the local sponsor, will reimburse CONTRACTOR for funding up to the amount approved for distribution to the CONTRACTOR by COUNTY based on approved, eligible expense documentation up to the limit of their portion of the grant award.

ARTICLE 2. TERM

The CONTRACTOR agrees to perform the services and/or supply goods beginning April 1, 2021 and ending March 31, 2022.

ARTICLE 3. ACCEPTANCE AND FINAL PAYMENT

The COUNTY will reimburse CONTRACTOR an advance payment of seventy percent (70%) of the funding amount approved to the CONTRACTOR by the Cortland County Legislature by resolution setting forth the allocation based upon estimated miles of trail groomed, within thirty days of receipt of the initial seventy percent (70%) payment to the COUNTY from the NYS Office of Parks, Recreation and Historic Preservation.

The CONTRACTOR will submit complete documentation verifying the CONTRACTOR’S expenditures to satisfy the requirements of the grant and the COUNTY shall then release available funds to the CONTRACTOR based upon eligible expenses, up to the CONTRACTOR’S awarded amount, within thirty days of receipt of the thirty percent (30%) payment to the COUNTY from the NYS Office of Parks, Recreation and Historic Preservation.

ARTICLE 4. ADMINISTRATION FEE

The CONTRACTOR understands that the COUNTY is allowed to include up to 10% of the final award amount for the labors hours associated with completing administrative requirements. The COUNTY must complete the

Appendix C Claim for Administrative Expenses and attach to an entry in the standard payment section of miscellaneous Attachment G form in the Automated Trail Grant Program which is submitted to the Snowmobile Unit at the New York State Department of Parks, Recreation and Historic Preservation for payment.

ARTICLE 5. CONTRACTOR'S INSURANCE

A.1 The CONTRACTOR shall not commence work under this Contract until he/she/it has obtained all insurance required under this paragraph and the COUNTY has approved such insurance. The COUNTY requires the following insurance coverage and amounts:

- (i) Comprehensive General Liability, including personal injury coverage of \$1,000,000.00 per occurrence and \$2,000,000.00 in the aggregate and property damage coverage in the amount of \$500,000.00 per occurrence and \$1,000,000.00 in the aggregate.
- (ii) Automobile coverage with a combined single limit of \$1,000,000.00.
- (iii) Statutory Workers' Compensation, Disability Coverage, and Unemployment Insurance.
- (iv) Professional Liability Insurance in the amount of \$1,000,000.00 where applicable.
- (v) Specialty Insurance as noted below:
 - (a) Not Applicable if checked ☐
 - (b) Type: _____ Coverage Limit _____

A.2 Such policies are to be in the broadest form available on usual commercial terms and shall be written by insurers of recognized financial standing satisfactory to the COUNTY and who have been fully informed as to the nature of the services to be performed. Except for Worker's Compensation and professional liability, the COUNTY shall be an additional insured on all such policies with the understanding that any obligations imposed upon the insured (including without limitation, the liability to pay premiums) shall be the sole obligations of the CONTRACTOR and not those of the COUNTY. The CONTRACTOR irrevocably waives all claims against the COUNTY for all losses, damages, claims or expenses resulting from risks commercially insurable under the insurance described in this paragraph. The provision of insurance by the CONTRACTOR shall not in any way limit the CONTRACTOR'S liability under this agreement.

B. The CONTRACTOR shall submit at the time of the execution of this agreement, certificates of insurance properly executed by an authorized representative of its insurance underwriter, evidencing such insurance policies to be in full force and effect, naming the COUNTY which shall assume to include its officers, employees, agents and representatives as additional insured. The certificates of insurance shall name specifically "Cortland County, 60 Central Avenue, Cortland, New York 13045" as an additional insured. In addition, the CONTRACTOR must provide an endorsement to the policy showing that the COUNTY is actually insured together with a copy of the policy declarations page.

C.1 Each policy of insurance shall contain clauses to the effect that:

- (i) such insurance shall be primary without right of contribution of any other insurance carried by or on behalf of the COUNTY with respect to its interests,
- (ii) it shall not be cancelled, including, without limitation, for non-payment of premium, or materially amended, without 30 days prior written notice to the COUNTY, directed to the contracting department and the office of the County Attorney and to the office of the Chair of the Legislature, and the COUNTY shall have the option to pay any necessary premiums to keep such insurance in effect and charge the cost back to the CONTRACTOR.

C.2 To the extent it is commercially available, each policy of insurance shall be provided on an “occurrence” basis. If any insurance is not so commercially available on an “occurrence” basis, it shall be provided on a “claim made” basis, and all such “claims made” policies shall provide that:

- (i) Policy retroactive dates coincide with or precede the CONTRACTOR’S start of the performance of the services (including subsequent policies purchased as renewals or replacements);
- (ii) The CONTRACTOR will maintain similar insurance for at least 6 years following final acceptance of the services;
- (iii) If the insurance is terminated for any reason, the CONTRACTOR agrees to purchase an unlimited extended reporting provision to report claims arising from the services performed for the County;
- (iv) Immediate notice shall be given to the COUNTY through the contracting department and the office of the County Attorney and to the office of the Chair of the Legislature of circumstances or incidents that might give rise to future claims with respect to the services performed under this agreement;
- (v) Notice of termination of any such policies must be provided to the COUNTY at least ten (10) days in advance of such Notice of termination. CONTRACTOR shall, on or before this 10-day period, provide the COUNTY with a prospective Certificate of Insurance with the above coverage and limits for the balance of the term of this agreement; and
- (vi) The CONTRACTOR shall obtain replacement insurance within ten (10) days in the absence of which CONTRACTOR shall be in breach of this Agreement.

D. All insurance coverage required to be purchased and maintained by the CONTRACTOR under this agreement shall be primary for the defense and indemnification on any action or claim asserted against the COUNTY and/or the CONTRACTOR for work performed under this agreement, regardless of any other collectible insurance or any language in the insurance policies which may be to the contrary.

E. Any accident shall be reported to the COUNTY as soon as possible and not later than twenty-four (24) hours from the time of such accident. A detailed written report must be submitted to the COUNTY as soon thereafter as possible and not later than three (3) days after the date of such accident.

ARTICLE 6. REPRESENTATIONS OF CONTRACTOR

The CONTRACTOR represents and warrants:

- (i) That he/she/it is financially solvent, that he/she/it is licensed to the extent required by law, and that he/she/it is experienced in and competent to perform the services as described in Article 1 above,
- (ii) That he/she/it has not been convicted of a crime under the laws of the United States or of any state,
- (iii) That he/she/it has not been disqualified from performing any contract funded by the United States or the State of New York and that there is no proceeding pending or threatened against the Contractor by either government,
- (iv) That no officer or employee of the County has an interest in this agreement, which would disqualify the CONTRACTOR from performing this agreement and receiving payment therefor,
- (v) That he/she/it's facilities, if used in the performance of this agreement, are accessible to the handicapped or will be made accessible to the handicapped in accordance with applicable regulations,
- (vi) That he/she/it is familiar with all Federal, State, municipal and departmental laws, ordinances and regulation which may in any way affect the work or those employed therein.
- (vii) That he/she/it shall comply with all standard New York State contract requirements as set forth in Exhibits A-D and Appendix A; attached and annexed hereto.

ARTICLE 7. PERMITS AND REGULATIONS

The CONTRACTOR shall procure and pay for all permits and licenses necessary for the services to be rendered hereunder.

ARTICLE 8. APPROPRIATIONS

If this agreement is funded by a grant or contract between the COUNTY and the State or Federal government or is otherwise subject to legislative appropriation, the COUNTY shall not be liable beyond the funds authorized by such legislation or provided by the COUNTY, State or Federal governments.

In the event that such funding shall be terminated or reduced, this agreement shall end on the effective date of notice of termination.

The COUNTY shall remain liable for all charges and expenses incurred prior to the date of termination.

If funding is reduced below the level authorized by the COUNTY and the parties do not desire to terminate this agreement, funding shall be deemed to have been reduced to the amount authorized by the State or Federal government as set forth in notice given by the COUNTY to the CONTRACTOR.

ARTICLE 9. COUNTY'S RIGHT TO STOP WORK OR TERMINATE CONTRACT

- A. The COUNTY shall have the right to stop work or terminate the Contract if:
- (i) The CONTRACTOR is adjudged bankrupt or makes an assignment for the benefit of creditors; or
 - (ii) A receiver or liquidator is appointed for the CONTRACTOR or for any of his/her/it's property and is not dismissed within twenty (20) days after such appointment or the proceedings in connection therewith are not stayed on appeal within said twenty (20) days; or
 - (iii) The CONTRACTOR refuses or fails to prosecute the work or any part thereof with due diligence; or
 - (iv) The CONTRACTOR fails to make prompt payment to persons supplying labor for the work; or
 - (v) The CONTRACTOR fails or refuses to comply with all applicable laws, regulations or ordinances applicable to the performance of this agreement; or
 - (vi) The determination that any representation or certification made under this agreement is untrue; or
 - (vii) The CONTRACTOR violates any provision of the Contract;
 - (viii) In any event, the COUNTY, without prejudice to any other rights or remedy it may have, may by seven (7) days notice to the CONTRACTOR, terminate this contract pursuant to the grounds stated herein. In such case, the CONTRACTOR shall not be entitled to receive any further payment until the work is complete. If the unpaid balance of the compensation to be paid to the CONTRACTOR hereunder exceeds the expense of completing the work, such excess shall be paid to the CONTRACTOR. If such expense exceeds such unpaid balance, the CONTRACTOR shall be liable to the COUNTY for such excess.
 - (ix) COUNTY may terminate this contract upon thirty (30) days written notice to the CONTRACTOR if deemed in the best interest of the COUNTY.
 - (x) COUNTY may terminate if the contract is not funded.
- B. Upon termination of this agreement, the CONTRACTOR shall comply with all County close-out procedures, including but not limited to:
- (i) Accounting for and refunding to the COUNTY within 30 days, any unexpended funds which have been paid to the CONTRACTOR pursuant to this agreement;
 - (ii) Not incur any further obligations pursuant to this agreement after the termination date;
 - (iii) Submit to the COUNTY, within 30 days of termination, a full report of receipts and expenditures of funds, program activities, and obstacles, if any, attendant to CONTRACTOR'S performance of this agreement; and
 - (iv) Furnishing within 30 days an inventory to the COUNTY of all equipment, appurtenances and property purchased by the CONTRACTOR through or provided under this agreement, and carrying out any COUNTY directive concerning the disposition thereof.

C. If the COUNTY terminates this agreement for cause, the COUNTY may procure, upon such terms and in such manner as it deems appropriate, services similar to those so terminated, and any services so procured by the COUNTY to complete the services herein will be charged to the CONTRACTOR and/or set off against any sums due the CONTRACTOR.

D. If the CONTRACTOR defaults, the COUNTY may at its option:

- (i) Terminate this agreement; and/or
- (ii) Recover counsel fees and all costs incurred to enforce this agreement; and/or
- (iii) Obtain replacement goods or services and hold the CONTRACTOR responsible for the replacement costs or expenses; and/or
- (iv) Pursue such other remedies as may be available under law or this agreement.

These remedies are cumulative.

E. Notwithstanding any other provisions of this agreement, the CONTRACTOR shall not be relieved of liability to the COUNTY for damages sustained by the COUNTY by virtue of the CONTRACTOR'S breach of the agreement or failure to perform in accordance with applicable professional standards, and the COUNTY may withhold payments to the CONTRACTOR for the purpose of set-off until such time as the exact amount of damages due to the COUNTY from the CONTRACTOR is determined. The rights and remedies of the COUNTY provided herein shall not be exclusive and are in addition to any other rights and remedies provided by law or by this agreement.

ARTICLE 10. INDEMNIFICATION / HOLD HARMLESS

The CONTRACTOR shall indemnify, defend and hold the COUNTY, its Departments, and its officers, employees, contractors, representatives and agents harmless from and against any and all claims, fines, demands, losses, damages and expenses, including attorney's fees, relating to or arising out of any negligent or intentional acts and/or omissions of the CONTRACTOR or any of its directors, officers, employees, contractors, representatives, or agents.

ARTICLE 11. MONITORING OF PERFORMANCE

The COUNTY shall have the right during the term of this agreement and for the period limited by the applicable statute of limitations to ensure that the services to be provided by the Contractor have been provided as agreed. The CONTRACTOR hereby consents to the examination of the CONTRACTOR'S records and agrees to provide to or permit the COUNTY to obtain copies of any documents relating to the performance of this agreement. The CONTRACTOR shall maintain all records required by this paragraph for seven (7) years after the date this agreement is terminated or ends; whichever last occurs.

ARTICLE 12. INDEPENDENT CONTRACTOR

The CONTRACTOR, including all its officers, employees and agents agrees that their relationship to the COUNTY and any of its Departments or units, is that of an independent contractor, and said CONTRACTOR covenants and agrees that they will not conduct themselves as, nor hold themselves out as, nor claim to be an officer or employee of the COUNTY by reason hereof and that they will not claim, demand or make an application to or for any right or privilege applicable to an officer or employee of the COUNTY, including, but not limited to, Workers' Compensation coverage, Unemployment Insurance benefits, Social Security coverage, medical and/or dental benefits, or retirement membership or credit. As an independent contractor, the CONTRACTOR shall be solely responsible for determining the means and methods of performing the services and shall have complete charge and responsibility for the CONTRACTOR'S personnel engaged in the performance of the services. However, if any personnel of the CONTRACTOR act in a manner that is detrimental to the COUNTY, the COUNTY may require the CONTRACTOR to remove or replace such personnel with respect to the performance of services under this agreement.

ARTICLE 13. ASSIGNMENT

Neither party may assign or sub-contract this contract or any portion thereof, without prior written consent of the other party hereto.

ARTICLE 14. REQUIRED PROVISIONS OF LAW

Each and every provision of law and clause required by law to be inserted in this Contract shall be deemed to have been inserted herein. If any such provision is not inserted, through mistake or otherwise, then upon the application of either party, this Contract shall be physically amended to make such insertion.

ARTICLE 15. VENUES AND DISPUTES

The exclusive means of disposing of any dispute arising under this Agreement shall be decided in a New York State Court of competent jurisdiction located within Cortland County, New York. There shall be no right to binding arbitration. Pending final resolution of a dispute, the CONTRACTOR shall proceed diligently with performing the terms of this Agreement. The CONTRACTOR waives any dispute or claim not made in writing and received by the COUNTY within thirty (30) days of the occurrence giving rise to the dispute or claim. The claim must be in writing for a sum certain and any money requested must be fully supported by all cost and pricing information.

ARTICLE 16. REMEDIES

The remedies specified herein shall be cumulative and in addition to any other remedies available of law or in equity. Waiver of a breach of any provision of this Agreement shall not constitute a waiver of any other or future breach of the same provision or any other provision of the Agreement.

ARTICLE 17. NOTICES

All notices of any nature referred to in this agreement shall be in writing and sent by registered or certified mail, postage pre-paid, to the respective addresses set forth below or to such other addresses as the respective parties may designate in writing.

To the CONTRACTOR: Business Name: Marathon Snowdusters, Inc.
 Physical Address: 1271 Quail Hill Road, Marathon, NY 13803
 Mailing Address: 1271 Quail Hill Road, Marathon, NY 13803
 Contact Person: Robbie Gutchess
 Telephone #: 607-849-6507
 E-Mail Address: rgutchess@yahoo.com

To the COUNTY:	Chair of the Legislature (and) County of Cortland 60 Central Avenue Cortland, New York 13045	<u>Planning Department</u> <u>Trisha R. Jesset, PE</u> <u>60 Central Avenue</u> <u>Cortland, New York 13045</u>
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ARTICLE 18. SEVERABILITY

In the event any provision hereof shall be held for any reason to be illegal, invalid or unenforceable, such illegality, invalidity or unenforceability shall not affect the remaining provisions of this agreement, which shall continue in full force and effect.

ARTICLE 19. WAIVER

No waiver of any breach of any condition of this Agreement shall be binding unless in writing and signed by the party waiving said breach. No such waiver shall in any way affect any other term or condition of this Agreement or constitute a cause or excuse for a repetition of such or any other breach unless the waiver shall include the same.

ARTICLE 20. MODIFICATION

This Agreement constitutes the complete understanding of the parties. No modification of any provisions thereof shall be valid unless in writing and signed by both parties.

ARTICLE 21. EXECUTORY CLAUSE

The COUNTY shall have no liability under this Agreement to the CONTRACTOR or to anyone else beyond funds appropriated and available for this Agreement.

ARTICLE 22. RECORDS RETENTION AND AUDIT

A. The COUNTY, the State of New York, and the United States shall have the right at any time during the term of this agreement and for the period limited by the applicable statute of limitations to audit the payment of monies hereunder. Additionally, the CONTRACTOR shall:

- (i) Comply with any demands made by the COUNTY to provide information with respect to the payment of monies hereunder during the period covered by this paragraph;
- (ii) Maintain its books and records in accordance with generally accepted accounting principles or such other method of account, which is approved in writing by the COUNTY prior to the date of this agreement;
- (iii) Maintain the revenues and expenditures in connection with this agreement so they are separately identifiable;
- (iv) Fully document each expenditure or claim for payment. Expenditure or claims for payment which are not fully documented may be disallowed;
- (v) Agree to provide to or permit the COUNTY to examine or obtain copies of any documents relating to the payment of money to the CONTRACTOR or expenditures made by the CONTRACTOR for which reimbursement is made to the CONTRACTOR by the COUNTY;
- (vi) Maintain all records required by this paragraph for seven (7) years after the date this agreement is terminated or ends.

B. If the CONTRACTOR has expended, in any fiscal year, \$300,000.00 or more in funds provided by the Federal financial assistance program from a Federal agency pursuant to this agreement and all other contracts with the COUNTY, the CONTRACTOR shall provide the COUNTY with an audit prepared by an independent auditor in accordance with the Single Audit Act of 1984, 31 U.S.C. §§7501, et seq., as amended, and the regulations adopted pursuant to such Act.

C. In addition to the foregoing, if this agreement is financed by Medicare reimbursements, then until the expiration of four (4) years after the furnishing of the services provided under this agreement, the CONTRACTOR will make available to the Secretary, U.S. Department of Health and Human Services, and the U.S. Comptroller General, and their representatives, this agreement and all books, documents, and records necessary to certify the nature and extent of the costs of those services. If the CONTRACTOR carries out the duties of the agreement through a subcontractor worth \$10,000.00 or more over a 12-month period with a related organization, the subcontract will also contain an access clause to permit access by the Secretary, Comptroller General, and their representatives to the related organization's books and records.

ARTICLE 23. APPLICABLE LAW

This Agreement is governed by the laws of the State of New York. All disputes relating to this agreement shall be heard in a court of competent jurisdiction having venue in Cortland County.

IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials, this Agreement in duplicate (2 copies) each of which shall be deemed an original on the date written.

COUNTY OF CORTLAND

DATE: _____

BY: _____

Robert Corpora
Cortland County Administrator

Acknowledgement

STATE OF NEW YORK)
COUNTY OF CORTLAND) ss.:

On this _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for said State, personally appeared **Robert Corpora**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

CONTRACTOR

Marathon Snowduster's Inc

DATE: _____

BY: _____

(NAME OF SIGNATORY)

(CORP. OFFICER/POSITION)

Acknowledgement

STATE OF NEW YORK)
COUNTY OF _____) ss.:

On this _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for said State, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

**EXHIBIT A – ACKNOWLEDGEMENT AND AGREEMENT TO COMPLY WITH STANDARD
CLAUSES FOR NEW YORK STATE CONTRACTS (APPENDIX A)**

I hereby acknowledge that I have read, understand and agree to comply with the terms as outlined in Appendix A – Standard Clauses for New York State Contracts. Failure to comply may result in immediate termination of this agreement with potential legal recourse by the County.

Signed: _____ Date: _____

Title: _____

EXHIBIT B – DRUG FREE WORKPLACE

Whenever two or more Bids which are equal with respect to price, quality and service are received by the State or by any political subdivisions for the procurement of commodities or contractual services, a Bid received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. Established procedures for processing the Bids will be followed if none of the tied vendors have a drug free workplace process. In order to have a drug-free workplace program, a business shall:

- 1) Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
- 2) Inform employees about the dangers of drug abuse in the workplace, the business' policy of maintaining a drug free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
- 3) Give each employee engaged in providing the commodities or contractual services that are under Bid a copy of the statement specified in Subsection (1).
- 4) In the statement specified in Subsection (1), notify that employees, that, as a condition of working of the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employee of any conviction of, or plea of guilty or nolo contendere to, any violation of any controlled substance law in the United States or any state or Cortland County, for a violation occurring in the workplace no later than five (5) days after such conviction.
- 5) Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program, if such is available in the employee's community, by any employee who is so convicted.
- 6) Make a good faith effort to continue to maintain a drug free workplace through implementation of this section.

As the person authorized to sign the statement, I certify that this firm complies with the above requirements.

Print Name: _____ Date: _____

Signature: _____ Title: _____

APPENDIX A

STANDARD CLAUSES FOR NEW YORK STATE CONTRACTS

**PLEASE RETAIN THIS DOCUMENT
FOR FUTURE REFERENCE.**

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STANDARD CLAUSES FOR NYS CONTRACTS

The parties to the attached contract, license, lease, amendment or other agreement of any kind (hereinafter, "the contract" or "this contract") agree to be bound by the following clauses which are hereby made a part of the contract (the word "Contractor" herein refers to any party other than the State, whether a contractor, licenser, licensee, lessor, lessee or any other party):

1. EXECUTORY CLAUSE. In accordance with Section 41 of the State Finance Law, the State shall have no liability under this contract to the Contractor or to anyone else beyond funds appropriated and available for this contract.

2. NON-ASSIGNMENT CLAUSE. In accordance with Section 138 of the State Finance Law, this contract may not be assigned by the Contractor or its right, title or interest therein assigned, transferred, conveyed, sublet or otherwise disposed of without the State's previous written consent, and attempts to do so are null and void. Notwithstanding the foregoing, such prior written consent of an assignment of a contract let pursuant to Article XI of the State Finance Law may be waived at the discretion of the contracting agency and with the concurrence of the State Comptroller where the original contract was subject to the State Comptroller's approval, where the assignment is due to a reorganization, merger or consolidation of the Contractor's business entity or enterprise. The State retains its right to approve an assignment and to require that any Contractor demonstrate its responsibility to do business with the State. The Contractor may, however, assign its right to receive payments without the State's prior written consent unless this contract concerns Certificates of Participation pursuant to Article 5-A of the State Finance Law.

3. COMPTROLLER'S APPROVAL. In accordance with Section 112 of the State Finance Law (or, if this contract is with the State University or City University of New York, Section 355 or Section 6218 of the Education Law), if this contract exceeds \$50,000 (or the minimum thresholds agreed to by the Office of the State Comptroller for certain S.U.N.Y. and C.U.N.Y. contracts), or if this is an amendment for any amount to a contract which, as so amended, exceeds said statutory amount, or if, by this contract, the State agrees to give something other than money when the value or reasonably estimated value of such consideration exceeds \$10,000, it shall not be valid, effective or binding upon the State until it has been approved by the State Comptroller and filed in his office. Comptroller's approval of contracts let by the Office of General Services is required when such contracts exceed \$85,000 (State Finance Law Section 163.6-a). However, such pre-approval shall not be required for any contract established as a centralized contract through the Office of General Services or for a purchase order or other transaction issued under such centralized contract.

4. WORKERS' COMPENSATION BENEFITS. In accordance with Section 142 of the State Finance Law, this contract shall be void and of no force and effect unless the Contractor shall provide and maintain coverage during the life of this contract for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law.

5. NON-DISCRIMINATION REQUIREMENTS. To the extent required by Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor will not discriminate against any employee or applicant for employment because of race, creed, color, sex (including gender identity or expression), national origin, sexual orientation, military status, age, disability, predisposing genetic characteristics, marital status or domestic violence victim status. Furthermore, in accordance with Section 220-e of the Labor Law, if this is a contract for the construction, alteration or repair of any public building or public work or for the manufacture, sale or distribution of materials, equipment or supplies, and to the extent that this contract shall be performed within the State of New York, Contractor agrees that neither it nor its subcontractors shall, by reason of race, creed, color, disability, sex, or national origin: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. If this is a building service contract as defined in Section 230 of the Labor Law, then, in accordance with Section 239 thereof, Contractor agrees that neither it nor its subcontractors shall by reason of race, creed, color, national origin, age, sex or disability: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. Contractor is subject to fines of \$50.00 per person per day for any violation of Section 220-e or Section 239 as well as possible termination of this contract and forfeiture of all moneys due hereunder for a second or subsequent violation.

6. WAGE AND HOURS PROVISIONS. If this is a public work contract covered by Article 8 of the Labor Law or a building service contract covered by Article 9 thereof, neither Contractor's employees nor the employees of its subcontractors may be required or permitted to work more than the number of hours or days stated in said statutes, except as otherwise provided in the Labor Law and as set forth in prevailing wage and supplement schedules issued by the State Labor

Department. Furthermore, Contractor and its subcontractors must pay at least the prevailing wage rate and pay or provide the prevailing supplements, including the premium rates for overtime pay, as determined by the State Labor Department in accordance with the Labor Law. Additionally, effective April 28, 2008, if this is a public work contract covered by Article 8 of the Labor Law, the Contractor understands and agrees that the filing of payrolls in a manner consistent with Subdivision 3-a of Section 220 of the Labor Law shall be a condition precedent to payment by the State of any State approved sums due and owing for work done upon the project.

7. NON-COLLUSIVE BIDDING CERTIFICATION. In accordance with Section 139-d of the State Finance Law, if this contract was awarded based upon the submission of bids, Contractor affirms, under penalty of perjury, that its bid was arrived at independently and without collusion aimed at restricting competition. Contractor further affirms that, at the time Contractor submitted its bid, an authorized and responsible person executed and delivered to the State a non-collusive bidding certification on Contractor's behalf.

8. INTERNATIONAL BOYCOTT PROHIBITION. In accordance with Section 220-f of the Labor Law and Section 139-h of the State Finance Law, if this contract exceeds \$5,000, the Contractor agrees, as a material condition of the contract, that neither the Contractor nor any substantially owned or affiliated person, firm, partnership or corporation has participated, is participating, or shall participate in an international boycott in violation of the federal Export Administration Act of 1979 (50 USC App. Sections 2401 et seq.) or regulations thereunder. If such Contractor, or any of the aforesaid affiliates of Contractor, is convicted or is otherwise found to have violated said laws or regulations upon the final determination of the United States Commerce Department or any other appropriate agency of the United States subsequent to the contract's execution, such contract, amendment or modification thereto shall be rendered forfeit and void. The Contractor shall so notify the State Comptroller within five (5) business days of such conviction, determination or disposition of appeal (2NYCRR 105.4).

9. SET-OFF RIGHTS. The State shall have all of its common law, equitable and statutory rights of set-off. These rights shall include, but not be limited to, the State's option to withhold for the purposes of set-off any moneys due to the Contractor under this contract up to any amounts due and owing to the State with regard to this contract, any other contract with any State department or agency, including any contract for a term commencing prior to the term of this contract, plus any amounts due and owing to the State for any other reason including, without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto. The State shall exercise its set-off rights in accordance with normal State practices including, in cases of set-off pursuant to an audit, the finalization of such audit by the State agency, its representatives, or the State Comptroller.

10. RECORDS. The Contractor shall establish and maintain complete and accurate books, records, documents, accounts and other evidence directly pertinent to performance under this contract (hereinafter, collectively, "the Records"). The Records must be kept for the balance of the calendar year in which they were made and for six (6) additional years thereafter. The State Comptroller, the Attorney General and any other person or entity authorized to conduct an examination, as well as the agency or agencies involved in this contract, shall have access to the Records during normal business hours at an office of the Contractor within the State of New York or, if no such office is available, at a mutually agreeable and reasonable venue within the State, for the term specified above for the purposes of inspection, auditing and copying. The State shall take reasonable steps to protect from public disclosure any of the Records which are exempt from disclosure under Section 87 of the Public Officers Law (the "Statute") provided that: (i) the Contractor shall timely inform an appropriate State official, in writing, that said records should not be disclosed; and (ii) said records shall be sufficiently identified; and (iii) designation of said records as exempt under the Statute is reasonable. Nothing contained herein shall diminish, or in any way adversely affect, the State's right to discovery in any pending or future litigation.

11. IDENTIFYING INFORMATION AND PRIVACY NOTIFICATION. (a) Identification Number(s). Every invoice or New York State Claim for Payment submitted to a New York State agency by a payee, for payment for the sale of goods or services or for transactions (e.g., leases, easements, licenses, etc.) related to real or personal property must include the payee's identification number. The number is any or all of the following: (i) the payee's Federal employer identification number, (ii) the payee's Federal social security number, and/or (iii) the payee's Vendor Identification Number assigned by the Statewide Financial System. Failure to include such number or numbers may delay payment. Where the payee does not have such number or numbers, the payee, on its invoice or Claim for Payment, must give the reason or reasons why the payee does not have such number or numbers.

(b) Privacy Notification. (1) The authority to request the above personal information from a seller of goods or services or a lessor of real or personal property, and the authority to maintain such information, is found in Section 5 of the State Tax Law. Disclosure of this information by the seller or lessor to the State is mandatory. The principal purpose for which the information is collected is to enable the State to identify individuals, businesses and others who have been delinquent in

filing tax returns or may have understated their tax liabilities and to generally identify persons affected by the taxes administered by the Commissioner of Taxation and Finance. The information will be used for tax administration purposes and for any other purpose authorized by law. (2) The personal information is requested by the purchasing unit of the agency contracting to purchase the goods or services or lease the real or personal property covered by this contract or lease. The information is maintained in the Statewide Financial System by the Vendor Management Unit within the Bureau of State Expenditures, Office of the State Comptroller, 110 State Street, Albany, New York 12236.

12. EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITIES AND WOMEN. In accordance with Section 312 of the Executive Law and 5 NYCRR 143, if this contract is: (i) a written agreement or purchase order instrument, providing for a total expenditure in excess of \$25,000.00, whereby a contracting agency is committed to expend or does expend funds in return for labor, services, supplies, equipment, materials or any combination of the foregoing, to be performed for, or rendered or furnished to the contracting agency; or (ii) a written agreement in excess of \$100,000.00 whereby a contracting agency is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon; or (iii) a written agreement in excess of \$100,000.00 whereby the owner of a State assisted housing project is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon for such project, then the following shall apply and by signing this agreement the Contractor certifies and affirms that it is Contractor's equal employment opportunity policy that:

(a) The Contractor will not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability or marital status, shall make and document its conscientious and active efforts to employ and utilize minority group members and women in its work force on State contracts and will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination. Affirmative action shall mean recruitment, employment, job assignment, promotion, upgradings, demotion, transfer, layoff, or termination and rates of pay or other forms of compensation;

(b) at the request of the contracting agency, the Contractor shall request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, labor union or representative will not discriminate on the basis of race, creed, color, national origin, sex, age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of the Contractor's obligations herein; and

(c) the Contractor shall state, in all solicitations or advertisements for employees, that, in the performance of the State contract, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.

Contractor will include the provisions of "a", "b", and "c" above, in every subcontract over \$25,000.00 for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "Work") except where the Work is for the beneficial use of the Contractor. Section 312 does not apply to: (i) work, goods or services unrelated to this contract; or (ii) employment outside New York State. The State shall consider compliance by a contractor or subcontractor with the requirements of any federal law concerning equal employment opportunity which effectuates the purpose of this section. The contracting agency shall determine whether the imposition of the requirements of the provisions hereof duplicate or conflict with any such federal law and if such duplication or conflict exists, the contracting agency shall waive the applicability of Section 312 to the extent of such duplication or conflict. Contractor will comply with all duly promulgated and lawful rules and regulations of the Department of Economic Development's Division of Minority and Women's Business Development pertaining hereto.

13. CONFLICTING TERMS. In the event of a conflict between the terms of the contract (including any and all attachments thereto and amendments thereof) and the terms of this Appendix A, the terms of this Appendix A shall control.

14. GOVERNING LAW. This contract shall be governed by the laws of the State of New York except where the Federal supremacy clause requires otherwise.

15. LATE PAYMENT. Timeliness of payment and any interest to be paid to Contractor for late payment shall be governed by Article 11-A of the State Finance Law to the extent required by law.

16. NO ARBITRATION. Disputes involving this contract, including the breach or alleged breach thereof, may not be submitted to binding arbitration (except where statutorily authorized), but must, instead, be heard in a court of competent jurisdiction of the State of New York.

17. SERVICE OF PROCESS. In addition to the methods of service allowed by the State Civil Practice Law & Rules ("CPLR"), Contractor hereby consents to service of process upon it by registered or certified mail, return receipt requested. Service hereunder shall be complete upon Contractor's actual receipt of process or upon the State's receipt of the return thereof by the United States Postal Service as refused or undeliverable. Contractor must promptly notify the State, in writing, of each and every change of address to which service of process can be made. Service by the State to the last known address shall be sufficient. Contractor will have thirty (30) calendar days after service hereunder is complete in which to respond.

18. PROHIBITION ON PURCHASE OF TROPICAL HARDWOODS. The Contractor certifies and warrants that all wood products to be used under this contract award will be in accordance with, but not limited to, the specifications and provisions of Section 165 of the State Finance Law, (Use of Tropical Hardwoods) which prohibits purchase and use of tropical hardwoods, unless specifically exempted, by the State or any governmental agency or political subdivision or public benefit corporation. Qualification for an exemption under this law will be the responsibility of the contractor to establish to meet with the approval of the State.

In addition, when any portion of this contract involving the use of woods, whether supply or installation, is to be performed by any subcontractor, the prime Contractor will indicate and certify in the submitted bid proposal that the subcontractor has been informed and is in compliance with specifications and provisions regarding use of tropical hardwoods as detailed in §165 State Finance Law. Any such use must meet with the approval of the State; otherwise, the bid may not be considered responsive. Under bidder certifications, proof of qualification for exemption will be the responsibility of the Contractor to meet with the approval of the State.

19. MACBRIDE FAIR EMPLOYMENT PRINCIPLES. In accordance with the MacBride Fair Employment Principles (Chapter 807 of the Laws of 1992), the Contractor hereby stipulates that the Contractor either (a) has no business operations in Northern Ireland, or (b) shall take lawful steps in good faith to conduct any business operations in Northern Ireland in accordance with the MacBride Fair Employment Principles (as described in Section 165 of the New York State Finance Law), and shall permit independent monitoring of compliance with such principles.

20. OMNIBUS PROCUREMENT ACT OF 1992. It is the policy of New York State to maximize opportunities for the participation of New York State business enterprises, including minority and women-owned business enterprises as bidders, subcontractors and suppliers on its procurement contracts.

Information on the availability of New York State subcontractors and suppliers is available from:

NYS Department of Economic Development
Division for Small Business
Albany, New York 12245
Telephone: 518-292-5100
Fax: 518-292-5884
email: opa@esd.ny.gov

A directory of certified minority and women-owned business enterprises is available from:

NYS Department of Economic Development
Division of Minority and Women's Business Development
633 Third Avenue
New York, NY 10017
212-803-2414
email: mwb certification@esd.ny.gov
<https://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp>

The Omnibus Procurement Act of 1992 requires that by signing this bid proposal or contract, as applicable, Contractors certify that whenever the total bid amount is greater than \$1 million:

(a) The Contractor has made reasonable efforts to encourage the participation of New York State Business Enterprises as suppliers and subcontractors, including certified minority and women-owned business enterprises, on this project, and has retained the documentation of these efforts to be provided upon request to the State;

(b) The Contractor has complied with the Federal Equal Opportunity Act of 1972 (P.L. 92-261), as amended;

(c) The Contractor agrees to make reasonable efforts to provide notification to New York State residents of employment opportunities on this project through listing any such positions with the Job Service Division of the New York State Department of Labor, or providing such notification in such manner as is consistent with existing collective bargaining contracts or agreements. The Contractor agrees to document these efforts and to provide said documentation to the State upon request; and

(d) The Contractor acknowledges notice that the State may seek to obtain offset credits from foreign countries as a result of this contract and agrees to cooperate with the State in these efforts.

21. RECIPROCITY AND SANCTIONS PROVISIONS. Bidders are hereby notified that if their principal place of business is located in a country, nation, province, state or political subdivision that penalizes New York State vendors, and if the goods or services they offer will be substantially produced or performed outside New York State, the Omnibus Procurement Act 1994 and 2000 amendments (Chapter 684 and Chapter 383, respectively) require that they be denied contracts which they would otherwise obtain. NOTE: As of May 15, 2002, the list of discriminatory jurisdictions subject to this provision includes the states of South Carolina, Alaska, West Virginia, Wyoming, Louisiana and Hawaii. Contact NYS Department of Economic Development for a current list of jurisdictions subject to this provision.

22. COMPLIANCE WITH NEW YORK STATE INFORMATION SECURITY BREACH AND NOTIFICATION ACT. Contractor shall comply with the provisions of the New York State Information Security Breach and Notification Act (General Business Law Section 899-aa; State Technology Law Section 208).

23. COMPLIANCE WITH CONSULTANT DISCLOSURE LAW. If this is a contract for consulting services, defined for purposes of this requirement to include analysis, evaluation, research, training, data processing, computer programming, engineering, environmental, health, and mental health services, accounting, auditing, paralegal, legal or similar services, then, in accordance with Section 163 (4-g) of the State Finance Law (as amended by Chapter 10 of the Laws of 2006), the Contractor shall timely, accurately and properly comply with the requirement to submit an annual employment report for the contract to the agency that awarded the contract, the Department of Civil Service and the State Comptroller.

24. PROCUREMENT LOBBYING. To the extent this agreement is a "procurement contract" as defined by State Finance Law Sections 139-j and 139-k, by signing this agreement the contractor certifies and affirms that all disclosures made in accordance with State Finance Law Sections 139-j and 139-k are complete, true and accurate. In the event such certification is found to be intentionally false or intentionally incomplete, the State may terminate the agreement by providing written notification to the Contractor in accordance with the terms of the agreement.

25. CERTIFICATION OF REGISTRATION TO COLLECT SALES AND COMPENSATING USE TAX BY CERTAIN STATE CONTRACTORS, AFFILIATES AND SUBCONTRACTORS.

To the extent this agreement is a contract as defined by Tax Law Section 5-a, if the contractor fails to make the certification required by Tax Law Section 5-a or if during the term of the contract, the Department of Taxation and Finance or the covered agency, as defined by Tax Law 5-a, discovers that the certification, made under penalty of perjury, is false, then such failure to file or false certification shall be a material breach of this contract and this contract may be terminated, by providing written notification to the Contractor in accordance with the terms of the agreement, if the covered agency determines that such action is in the best interest of the State.

26. IRAN DIVESTMENT ACT. By entering into this Agreement, Contractor certifies in accordance with State Finance Law §165-a that it is not on the "Entities Determined to be Non-Responsive Bidders/Offerers pursuant to the New York State Iran Divestment Act of 2012" ("Prohibited Entities List") posted at: <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf>. Contractor further certifies that it will not utilize on this Contract any subcontractor that is identified on the Prohibited Entities List. Contractor agrees that should it seek to renew or extend this Contract, it must provide the same certification at the time the Contract is renewed or extended. Contractor also agrees that any proposed Assignee of this Contract will be required to certify that it is not on the Prohibited Entities List before the contract assignment will be approved by the State.

During the term of the Contract, should the state agency receive information that a person (as defined in State Finance Law §165-a) is in violation of the above-referenced certifications, the state agency will review such information and offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment activity which is in violation of the Act within 90 days after the determination of such violation, then the state agency shall take such action as may be appropriate and provided for by law, rule, or contract, including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the Contractor in default.

The state agency reserves the right to reject any bid, request for assignment, renewal or extension for an entity that appears on the Prohibited Entities List prior to the award, assignment, renewal or extension of a contract, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the Prohibited Entities list after contract award.

Jurisdiction: Cortland County
 Jurisdictional Class: Competitive
 Adopted: 10/20/05
 Amended: 7/15/08; 12/19/13; 7/3/17; 10/11/19

DISPATCHER

DISTINGUISHING FEATURES OF THE CLASS:

The work involves responsibility for receiving and recording E911, police, fire and emergency medical services (EMS) calls and dispatching the appropriate law enforcement agency, firefighters, paramedics and equipment to the scene. The incumbent is required to operate computers, related peripheral equipment, radios, telephones and a variety of other emergency communications equipment in order to receive and relay police, fire, emergency medical service and other personnel to incidents and emergencies. Dispatchers must maintain a high degree of alertness, accuracy and a steady demeanor in responding to crisis situations. Dispatchers perform a wide variety of clerical duties related to their communication functions. The work is performed in accordance with established policy under the general supervision of the Dispatch Coordinator. Does related work as required.

TYPICAL WORK ACTIVITIES: (Illustrative only)

Receives and records E911, police, fire and emergency medical service telephone calls, quickly determining the callers needs and transferring them to an appropriate police, sheriff, medical, and/or fire dispatcher for service;
 Operates computers and related peripheral equipment in support of the E911 and radio communications systems;
 Queries callers in a calm, systematic manner to determine the nature of the situation, the location, the services needed, and any other information necessary to evaluate the situation;
 Receives information on non-emergency and emergency incidents through several types of alarm systems such as automatic dialers, and alert monitors;
 Provide life-saving medical, police, fire pre-arrival instructions based on the situation;
 Dispatches personnel and equipment to police, fire and emergency medical scenes, arranges for mutual aid coverage when necessary by two-way radio communication system, telephone and/or a Computer Aided Dispatch (CAD) terminal;
 Monitors police, fire and EMS radios as well as a closed circuit television system to maintain building security;
 Uses a computer aided dispatch (CAD) terminal to dispatch emergency agencies, enter and retrieve data on incidents;
 Uses the voice recording system as necessary to play back the daily radio and telephone calls received;
 Contacts additional resources such as; utility companies, highway departments, wreckers, etc.;
 Maintains status and location records of patrol vehicles and emergency vehicles;
 Maintains and reports each fire and intrusion alarms and those who responded to those alarms;

Makes notifications of appropriate personnel in cases of injury or death at the scene of an emergency;
 Maintains and files a variety of other records, as needed;
 Receives calls for service from the public, provides information and refers callers to the proper individuals or agencies;
 Performs radio communications, as needed, to relay information to police, fire and EMS personnel;
 Operates police computer networks to access information as needed.

FULL PERFORMANCE KNOWLEDGE, SKILLS, ABILITIES AND PERSONAL CHARACTERISTICS:

Good knowledge of the principles and operation of modern emergency communication systems;
 Good knowledge of local geography and roads;
 Ability to communicate effectively both orally and in writing;
 Ability to remain calm in emergency situations;
 Ability to deal effectively with the public;
 Ability to understand and follow oral and written instructions;
 Ability to deal with emotionally distraught callers;
 Ability to be empathetic;
 Ability to work as a team member;
 Strong typing/keyboard entry skills and abilities;
 Ability to perform close, detail work involving considerable visual effort and concentration;
 Ability to organize and maintain accurate records and files;
 Ability to operate a personal computer and utilize computer aided software programs;
 Physical condition commensurate with the demands of the position;
 Emotional condition to deal with the demands of the position.

MINIMUM QUALIFICATIONS:

Graduation from high school or possession of a high school equivalency diploma.

SPECIAL REQUIREMENTS:

The following certifications: Cardiac Pulmonary Resuscitation (CPR), Emergency Medical Dispatch (EMD), Public Safety Telecommunicator through APCO, and NYS E-Justice (Police Network) must be obtained within one (1) year of appointment. Failure to obtain and/or maintain all of the above noted certifications will result in dismissal.

**Abolish County Attorney (25 hr/week)/ Create County Attorney (full-time)
County Attorney's Office**

WHEREAS, the needs of the office will be better served by abolishing one (1) part-time 25 hrs/week County Attorney position and creating one (1) full-time County Attorney position in the County Attorney's Office, AND

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

RESOLVED, that one (1) position of County Attorney (Grade 1, Management Compensation Plan, \$48.89-59.48/hr, 25 hrs/week with benefits, exempt class) be and hereby is abolished effective January 27, 2022 at midnight, AND BE IT FURTHER

RESOLVED, that one (1) position of County Attorney (Grade 1, Management Compensation Plan, \$88,977-108,254, full-time with benefits, exempt class) be created with permission to fill effective January 27, 2022 at 12:01 am.